

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2025/0065
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Responsible Officer:	Thomas Burns
Land to be developed (Address):	Lot 103 DP 1247294, 145 Old Pittwater Road BROOKVALE NSW 2100
Proposed Development:	Alterations and additions to Warringah Mall Shopping Centre including access road and car park alterations, ticketless parking infrastructure, signage and associated works
Zoning:	Warringah LEP2011 - Land zoned E2 Commercial Centre Warringah LEP2011 - Land zoned E4 General Industrial
Development Permissible:	Yes
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Applicant:	Scentre Management Ltd

Application Lodged:	30/01/2025
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Mixed
Notified:	12/02/2025 to 26/02/2025
Advertised:	Not Advertised
Submissions Received:	1
Clause 4.6 Variation:	Nil
Recommendation:	Approval

Estimated Cost of Works:	\$ 13,841,144.00
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PROPOSED DEVELOPMENT IN DETAIL

The applicant seeks development consent for alterations and additions to the Westfield Warringah Mall car parking areas to provide a ticketless car park control system and associated infrastructure and wayfinding signage. In particular, these works involve:

- Replacement of ticketed car park control system with a ticketless car park control system;
- Replacement of boom gates at exit points where payment transactions can also be completed;

- Installation of CCTV surveillance monitoring system to all ticketless car park control systems that will:
 - Cater for customer queries; and
 - Document vehicle accidents and adverse behaviour.
- Installation of lighting upgrades for all vehicle entries and exits;
- Designation of 'co-mingled' areas that will be for staff parking only;
- Minor modifications of the layout of the existing centre car park, as well as entry/exit points including loss of 28 car parking spaces; and
- Installation of wayfinding signage throughout the car park:
 - This includes both dynamic and static signage designed to inform and guide customers towards lesser utilised area of the car park and assist with egress by guiding vehicles to less congested exit points.

Program and Staging

The proposed development for the ticketless car parking system, is anticipated to have a construction phase lasting approximately five months. The applicant's Statement of Environmental Effects (SEE) stipulates that one access gate will be constructed at a time.

Operation of the Ticketless Parking System

The proposed ticketless car park control system incorporates number plate recognition (NPR) at all entry and exit points of the car park. Customers will be provided free parking for up to three hours Monday to Sunday, with a concessional fee structure applied to retail staff and tenants in designated car park areas.

Co-mingle areas (Areas A, B, C, & D) will allow both customers and staff to park in the area (refer to Figure 1 for Co-mingle parking areas). The licence plate cameras at the entries and exits to the co-mingle areas will validate the concessional parking rate for staff. As there are no boom gates on these areas there is no interaction or restriction for customers.



Figure 1 - Location of Retail 'Co-mingle' Parking Areas

The ticketless car park control system prevents long stay parkers from resetting their parking time by exiting and re-entering. It combines the total parking time from both entries and charges based on the combined duration, thereby deterring commuter parking or long stay parkers.

To accommodate genuine customers who visit the centre multiple times in one day, the system includes a programmable re-entry time. This is the minimum duration a vehicle must be out of the centre before the free parking time resets. The standard re-entry time is set at 45 minutes across the Scentre portfolio, but Centre Management can adjust this period based on local operating conditions. Customers are informed of the re-entry period through the terms and conditions displayed at car park entries and on the centre's website.

The existing bus stop at the northern end of Warringah Mall, accessed via Cross Street and exited via Green Street, will be integrated into the new ticketless parking control system. The entry gates on Cross Street have been widened to accommodate buses and service vehicles, with the western gate aligning with the Cross Street roundabout for bus access. To prevent vehicles from bypassing the parking system, the exit to Green Street will be gated, featuring a height sensor to allow buses to exit without interacting with the parking system.

A Plan of Management has been prepared to manage the operation of the ticketless parking system.

Signage

The proposed locations of the wayfinding signage is illustrated in **Figures 2-3**. The new wayfinding signage will guide customers to the available car parks/or bays and will assist in navigation throughout the car park area and will consist of totem, gantry and blade signage. All signage is located wholly within the subject site. The signage is illuminated.

The proposed gantry signage is 3.6 metres (m) in width and 0.35m in height. It features bold white text and is backlit for easy legibility at night. Additionally, the gantry signage includes a four-digit module that displays the number of available parking spaces, measuring approximately 0.51m in width and 0.27m in height.

Several totem signs are proposed as part of the development to assist with wayfinding throughout the car park. These signs will feature the Westfield logo and provide parking wayfinding information, including a four-digit module displaying available parking spaces. The signs will also feature the letter 'P' and an arrow pointing visitors in the direction of available parking. Additionally, a section at the bottom of each totem sign will vary, indicating which retailers are closest to the parking area.



Figure 2 - Location of Wayfinding Signage

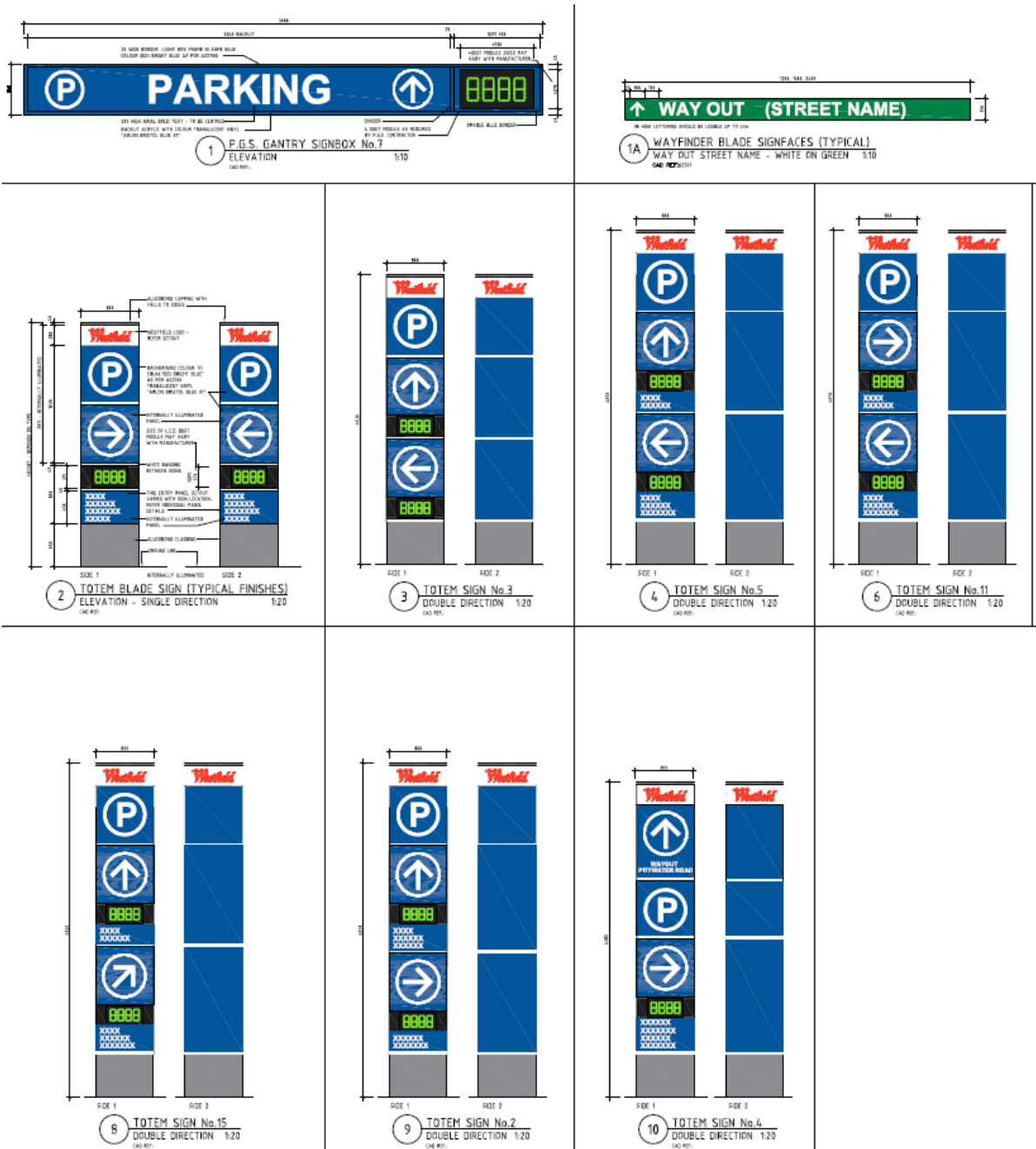


Figure 3 - Types of different Wayfinding Signage

APPLICANT'S JUSTIFICATION FOR PROPOSED DEVELOPMENT

The applicant has advised that the primary objectives of the proposed ticketless car park control system are to:

- Improve access arrangements for customers, without the need for entry control gates and parking tickets;
- Ensure a turnover of shopper parking spaces;
- Improve car park efficiency and internal circulation;

- Improve parking utilisation through improved wayfinding;
- Enhance security;
- Discourage long-stay parking; and
- Manage staff/tenant parking to less convenient shopper parking spaces.

ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Local Environmental Plan 2011 - Zone E2 Commercial Centre
 Warringah Local Environmental Plan 2011 - 5.21 Flood planning
 Warringah Local Environmental Plan 2011 - 6.1 Acid sulfate soils
 Warringah Local Environmental Plan 2011 - 6.2 Earthworks
 Warringah Local Environmental Plan 2011 - 6.4 Development on sloping land
 Warringah Development Control Plan - D23 Signs
 Warringah Development Control Plan - G4 Warringah Mall

SITE DESCRIPTION

Property Description:	Lot 103 DP 1247294 , 145 Old Pittwater Road BROOKVALE NSW 2100
Detailed Site Description:	<p>The site is described as Lot 100, DP 1015283, No. 145 Old Pittwater Road, Brookvale.</p> <p>The site is occupied by the Westfield Warringah Mall Shopping Centre which is commonly known as 'Warringah Mall'.</p>

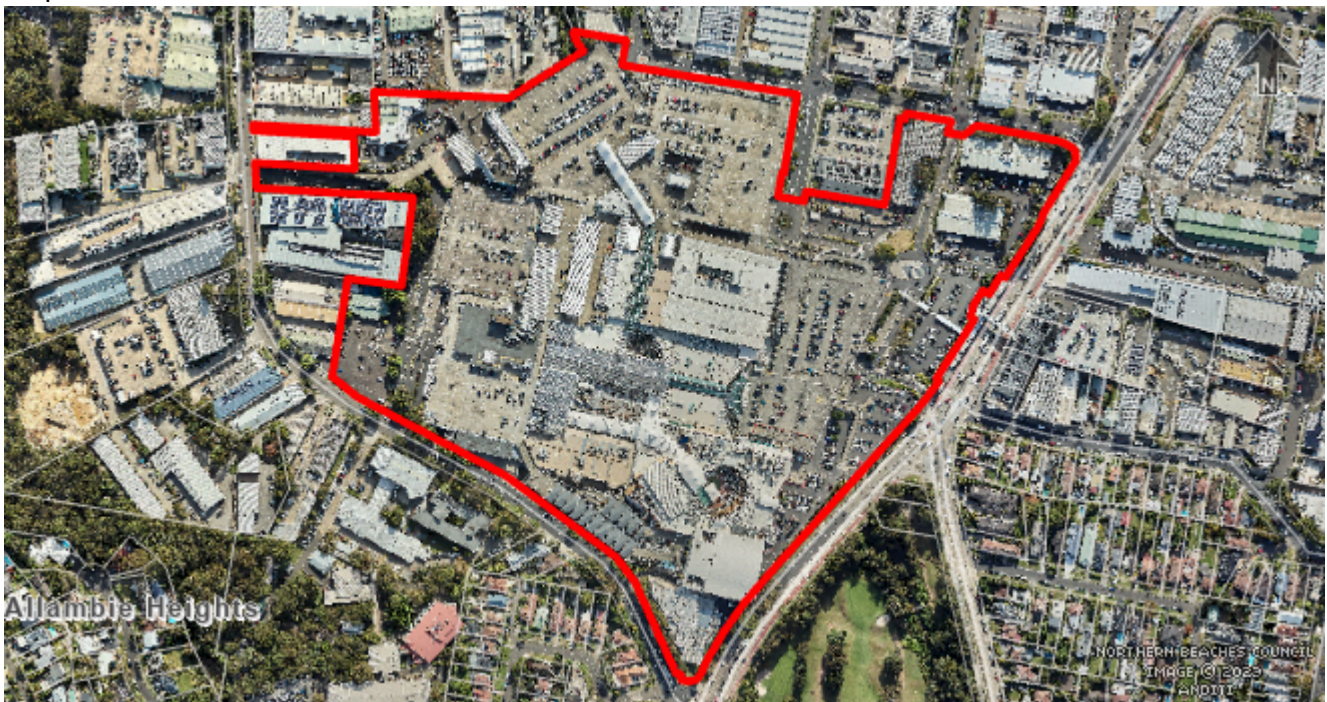
The site has an area of 17.008 hectares. It is bounded to the north by Cross Street, to the south by Old Pittwater Road and to the East by Condamine Street / Pittwater Road. The principal street frontage is to Condamine/Pittwater Road and secondary street frontages are to Old Pittwater Road and Cross Street.

Warringah Mall contains various commercial tenancies and including an entertainment precinct incorporating a Hoyts Cinema Complex as well as fitness facilities and some other non-retail facilities.

The site is extensively built upon with bituminised and concrete hard surface areas located around the perimeter of the buildings to facilitate car parking and traffic flow.

Topographically, the site has a gradual natural slope that falls from the north-west to the south-east of the site. Vehicular access to the site is currently available at various locations along Pittwater Road, Old Pittwater Road, Green Street, Dale Street and Cross Streets.

Map:



SITE HISTORY

A search of Council's records has revealed that there is an extensive history of retail and commercial land uses on the site, however, none of these are directly relevant to the proposed development.

On 25 March 2025, Development Consent was granted under Development Application DA2024/1701 for the construction of a sewage reticulation system as ancillary development to the Warringah Mall Shopping Centre.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 4.15 Matters for Consideration	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	There are no current draft environmental planning instruments.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan 2011 (WDCP) applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2021 (EP&A Regulation 2021)	<p><u>Part 4, Division 2</u> of the EP&A Regulation 2021 requires the consent authority to consider “Prescribed conditions” of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clause 69</u> of the EP&A Regulation 2021 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the WDCP and Environmental Planning Instruments sections in this report.</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject application has been publicly exhibited from 12/02/2025 to 26/02/2025 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2021 and the Community Participation Plan.

As a result of the public exhibition process council is in receipt of 1 submission/s from:

Name:	Address:
Harrison Manufacturing Company	75 Old Pittwater Road BROOKVALE NSW 2100

One submission was received following the public exhibition period. The submission has raised the following concerns:

- **Traffic Report not referencing the submitted plans**

The submission raised concerns that the Traffic Report did not reference the date, author and revision number of the plans the report relied upon.

Comment:

Council's Traffic Engineer has reviewed the submitted plans and Traffic Report and has not raised any concerns in relation to traffic impacts.

- **Documentation not clear on what approval is sought for**

The submission raised concerns that the documentation was not clear on what approval is sought for.

Comment:

The documentation submitted with this application is sufficient to enable Council to make an accurate assessment of the proposed development and the associated impacts. The assessment finds that the impacts of the development are acceptable and can be mitigated by the recommended conditions of consent.

- **Flooding Impacts**

The submission requested that a condition of consent be imposed that requires a flood engineer to certify that the proposed development will not impact on existing flood behavior.

Comment:

Council's Flooding Engineer has reviewed the application and has noted that the development will not result in a reduction of flood storage on the site. As such, the proposal will not result in any additional off-site flooding impacts to adjoining properties. Council's Flooding Engineer has recommended conditions to ensure that any new structures below the Flood Planning Level (FPL) are designed to withstand flood waters, while also ensuring that all electrical equipment is located above the FPL.

The concerns raised within the submission have been appropriately addressed above and resolved via recommended conditions where appropriate. The concerns raised do not warrant refusal of the application.

REFERRALS

Internal Referral Body	Comments
Environmental Health (Industrial)	<p>General Comments</p> <p>the application seeks consent for:</p> <ul style="list-style-type: none"> <input type="checkbox"/> Replacement of ticketed car park control system with a ticketless car park control system; <input type="checkbox"/> Replacement of boom gates at exit points where payment transactions can also be completed <input type="checkbox"/> Installation of CCTV surveillance monitoring system to all ticketless car park control systems that will; – Cater for customer queries; and – Document vehicle accidents and adverse behaviour. <input type="checkbox"/> Installation of lighting upgrades for all vehicle entries and exits; <input type="checkbox"/> Designation of 'co-mingled' areas that will be for staff parking only; <input type="checkbox"/> Minor modifications of the layout of the existing centre car park, as well as entry/exit points including loss of 28 car parking spaces; and <input type="checkbox"/> Installation of wayfinding signage throughout the car park; – This includes both dynamic and static signage designed to inform and guide customers towards lesser utilised area of the car park and assist with egress by guiding vehicles to less congested exit points. <p>Environmental Health has considered the proposal and raises no objections.</p> <p>Recommendation</p> <p>APPROVAL - no conditions</p>
NECC (Development Engineering)	<p>No Development Engineering objection to the proposed ticketed car parking control system subject to conditions.</p> <p>The location of signage within the public road and car parking proposal will require approval and comments from Council's Traffic</p>

Internal Referral Body	Comments
	Engineer.
NECC (Flooding)	<p>This proposal is for the replacement of signage and boom gates on the property. This also includes a like-for-like replacement of a concrete ramp. The proposal is assessed against Section E11 of the Warringah DCP and Clause 5.21 of the Warringah LEP.</p> <p>Flood characteristics vary across the property and the proposed sites of alterations.</p> <p>The proposed installation of new signage and parking controls does not present a reduction in flood storage.</p> <p>The proposal generally complies with Section E11 of the Warringah DCP and Clause 5.21 of the Warringah LEP subject to the following conditions.</p>
NECC (Riparian Lands and Creeks)	<p>This application was assessed in consideration of:</p> <ul style="list-style-type: none"> - Supplied plans and reports; - Coastal Management Act 2016; - State Environmental Planning Policy (Resilience and Hazards) 2021; - Relevant LEP and DCP clauses; and - Northern Beaches Council Water management for development policy. <p>This proposal is supported. Details below.</p> <p>Riparian The site is drains to Brookvale Creek and as such proposed development must not significantly impact on the biophysical, hydrological or ecological integrity of the creek or the quantity and quality of surface and ground water flows that it receives.</p> <p>Sediment Management Sediment and erosion controls must be installed prior to any disturbance of soil on site and maintained until all work is complete and groundcover re-establish</p>
Traffic Engineer	<p>The Development application is for the introduction of ticketless parking throughout the parking areas serving the Warringah Mall site together with infrastructure works to support the change. The introduction of ticketless parking is supported and should assist in creating a more efficient ingress and egress to and from the carparks. The changes will result in the loss of 28 car parking spaces across the site however this is in the context of an existing parking supply on the site of 4577 spaces. The loss in parking will be offset by the more efficient parking arrangements which should reduce queuing in peak periods, internal and external to the carparks allowing better turnover. The wayfinding signage changes should</p>

Internal Referral Body	Comments
	also assist in directing traffic towards vacant and less frequently utilised parking which will also act to reduce traffic circulation in high demand locations. there are no traffic engineering concerns with the proposed changes

External Referral Body	Comments
Ausgrid - SEPP (Transport and Infrastructure) 2021, s2.48	The proposal was referred to Ausgrid who provided a response stating that the proposal is acceptable subject to compliance with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice. These recommendations will be included as a condition of consent.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

Housing and Productivity Contribution

The Housing and Productivity Contribution Order is not applicable to this development as the proposal does not increase the gross floor area at Warringah Mall.

SEPP (Sustainable Buildings) 2022

State Environmental Planning Policy (Sustainable Buildings) 2022 (SB SEPP) applies for commercial development with a cost of \$10 million or more involving alterations, enlargement or extension of an existing building.

While the proposal has a cost of more than \$10 million, the assessment finds that the SB SEPP is not applicable for the following reasons:

- The proposal does not seek to alter any buildings on site or propose any new buildings.
- The proposal does not alter/impact/change any BASIX effected building.
- The proposal only relates to a ticketless parking system.

SEPP (Transport and Infrastructure) 2021

Chapter 2 - Infrastructure

Section 2.48 of Chapter 2 requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

The proposal was referred to Ausgrid in accordance with Section 2.48 of State Environmental Planning Policy (Transport and Infrastructure) 2021 (TI SEPP). Ausgrid have reviewed the application and provided conditions of concurrence, which are included as conditions of consent.

It is noted that the proposal does not constitute traffic generating development within the meaning of the TI SEPP and therefore, consultation with Transport for NSW is not required for this development.

The proposal meets the relevant provisions of the TI SEPP.

SEPP (Biodiversity and Conservation) 2021

Chapter Two of State Environmental Planning Policy (Biodiversity and Conservation) 2021 (BC SEPP) applies to the development pursuant to clause 2.3 and aims to protect the biodiversity and amenity values of trees within non-rural areas of the state.

Part 2.3 has been considered and the development does not propose the removal of any vegetation in order to facilitate the development and therefore no further consideration of Chapter Two is required.

SEPP (Industry and Employment) 2021

Section 3.6 and 3.11 of State Environmental Planning Policy (Industry and Employment) 2021 (IE SEPP) require Council to determine consistency with the objectives stipulated under Subsection 3.1 (1)(a) of the IE SEPP and to assess the proposal against the assessment criteria of Schedule 5.

The objectives of this chapter aim to ensure that the proposed signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality

having regards to both design and finishes.

In accordance with the provisions stipulated under Schedule 5 of Chapter 3, the following assessment is provided:

Matters for Consideration	Comment	Complies
1. Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	The proposed signage is consistent with car parking wayfinding signage at other large retail malls. The signage is confined to the subject site and is acceptable.	Yes
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is existing wayfinding signage on the site. The proposed signage is not too dissimilar to this existing signage, with the exception that it includes illuminated elements which will assist visitors navigate the site as it digitally updates the number of available parking spaces at different parking locations within Warringah Mall.	Yes
2. Special areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposed signage is not located near environmentally sensitive areas, natural conservation areas, open space areas, waterways, or rural landscapes.	Yes
3. Views and vistas Does the proposal obscure or compromise important views?	Given the scale of the proposed signage and its containment within the site, the proposal will not impact on the quality of views and vistas within the surrounds.	Yes
Does the proposal dominate the skyline and reduce the quality of vistas?	Given the scale of the proposed signage and its containment within the site, the proposal will not dominate the skyline or reduce the quality of vistas.	Yes
Does the proposal respect the viewing rights of other advertisers?	The signage is located at car park entrances of the Westfield Warringah and will not obscure important views or viewing rights of advertisers.	Yes
4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage has been specifically designed to be an appropriate scale, proportion and form that complements the Warringah Mall.	Yes
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The signage will contribute to the visual interest of the setting by providing a functional benefit of wayfinding for visitors. The proposed	Yes

	signage will not result in additional clutter.	
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage consists of cohesive simple lettering and does not screen unsightliness or protrude above any buildings or structures nor does it require ongoing vegetation management.	Yes
Does the proposal screen unsightliness?	No, the proposal does not screen unsightliness	Yes
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage does not protrude above any buildings or structures.	Yes
5. Site and building Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	The proposed signage is compatible with the scale, proportion, and characteristics of the site and building. It is both suitable and functional.	Yes
Does the proposal respect important features of the site or building, or both?	The proposed signage is consistent with car parking wayfinding signage at other large retail malls.	Yes
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signage digitally updates the number of available spaces at different parking locations within Warringah Mall, providing real-time information to the intended audience.	Yes
6. Associated devices and logos with advertisements and advertising structures Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	N/A - the proposed signage is not advertising signage	N/A
7. Illumination Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation?	A portion of the proposed wayfinding signage includes illuminated elements, featuring a backlit acrylic white vinyl to enhance legibility in the dark. The proposed signage is neither flashing nor moving. The illumination is minimal and will not impact the safety of pedestrians, vehicles or aircraft.	Yes
Can the intensity of the illumination be adjusted, if necessary?	No, however, it is not required to be adjusted.	Yes
Is the illumination subject to a curfew?	No, however, the signage is confined to the subject site and significantly separated from sensitive receivers (i.e. residential properties). As such, the signage does not require a curfew.	Yes
8. Safety Would the proposal reduce the safety for any	The proposed signage will not reduce safety on adjoining roads. The	Yes

public road, pedestrians or bicyclists?	proposed signage is contained wholly within the site and will not obscure any sightlines and therefore is not considered to reduce safety of pedestrians nor of road users.	
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will not reduce safety on adjoining roads. The proposed signage is contained wholly within the site and will not obscure any sightlines and therefore is not considered to reduce safety of pedestrians nor of road users.	Yes

Accordingly, the proposed signage is considered to be of a scale and design suitable for the locality. The proposal is therefore deemed to be consistent with the provisions of this chapter and its underlying objectives. The proposal is consistent with the IE SEPP.

SEPP (Resilience and Hazards) 2021

Chapter 4 – Remediation of Land

Sub-section 4.6 (1)(a) of Chapter 4 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for commercial purposes for a significant period of time. Additionally, the proposed development does not involve any significant excavation or ground disturbance. In this regard, it is considered that the site is suitable for the proposed ticketless parking system, that no further assessment is required for land contamination and the site is suitable for the continued commercial use of Warringah Mall.

The proposal meets the relevant requirements of State Environmental Planning Policy (Resilience and Hazards) 2021.

Warringah Local Environmental Plan 2011

Is the development permissible?	Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	
zone objectives of the LEP?	Yes

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	11m	4.65m	-	Yes

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
5.21 Flood planning	Yes
6.1 Acid sulfate soils	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Detailed Assessment

Zone E2 Commercial Centre

The proposed development, which is ancillary to a commercial premises and also involves new signage, is permissible with consent in the E2 Commercial Centre zone under the Warringah Local Environmental Plan 2011 (WLEP). The objectives of the E2 zone read as follows:

- *To strengthen the role of the commercial centre as the centre of business, retail, community and cultural activity.*
- *To encourage investment in commercial development that generates employment opportunities and economic growth.*
- *To encourage development that has a high level of accessibility and amenity, particularly for pedestrians.*
- *To enable residential development only if it is consistent with the Council's strategic planning for residential development in the area.*
- *To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.*
- *To recognise and support the role of Brookvale and Frenchs Forest as future employment centres for the Northern Beaches and the role of Warringah Mall as a retail centre of sub-regional significance.*

The proposed ticketless car parking system will improve the existing car parking infrastructure within Warringah Mall, will allow the Scentre Group to better manage the parking at the site and will allow Warringah Mall to operate more efficiently. The infrastructure will also meet the needs of the patrons and staff at Warringah Mall.

For these reasons, it is considered that the development meets the objectives of the E2 zone.

5.21 Flood planning

The subject site is flood affected, with areas across the site being mapped within low, medium and high risk flood precincts under Council's mapping.

Council's Flooding Engineer has reviewed the application and has noted that the development will not result in a reduction of flood storage on the site. As such, the proposal will not result in any additional off-site flooding impacts to adjoining properties. Council's Flooding Engineer has recommended conditions to ensure that any new structures below the Flood Planning Level (FPL) are designed to

withstand flood waters, while also ensuring that all electrical equipment is located above the FPL.

With these conditions in place, the assessment concludes that the development meets the jurisdictional requirements under Clause 5.21 of the WLEP.

6.1 Acid sulfate soils

Part of the site is mapped within the Class 4 area on the WLEP Acid Sulfate Soils Map. An Acid Sulfate Soils Management Plan (ASSMP) is required where there are works 2m below the natural ground surface within this area.

It is noted that the development does not include works 2m below the natural ground surface and therefore, an ASSMP is not required.

The development meets the jurisdictional requirements under Clause 6.1 of the WLEP.

6.2 Earthworks

The development includes minor excavation to facilitate the proposal. The earthworks are not of a great significance that would adversely impact upon the amenity of surrounding properties.

Council's Traffic Engineer has recommended a condition requiring a Construction Traffic Management Plan (CTMP) to be prepared prior to the commencement of works. The condition requires the CTMP to be approved by Council's Traffic Engineering Department prior to the commencement of works. This will mitigate construction impacts.

Overall, the assessment finds that the proposal is consistent with the jurisdictional requirements under Clause 6.2 of the WLEP.

6.4 Development on sloping land

The development is located within Area A on the WLEP Landslip Risk Map. No geotechnical certification is required for works within Area A. The development will also not increase stormwater loading off-site.

In this regard, the development will meet the jurisdictional requirements under Clause 6.4 of the WLEP.

Warringah Development Control Plan

Built Form Controls

There are no applicable built form controls under the Warringah Development Control Plan 2011 (WDCP). The development is subject to Part G 'Warringah Mall' of the WDCP. An assessment against these provisions is provided later within this report.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
B6 Merit Assessment of Side Boundary Setbacks	Yes	Yes
B10 Merit assessment of rear boundary setbacks	Yes	Yes

Clause	Compliance with Requirements	Consistency Aims/Objectives
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D20 Safety and Security	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
D23 Signs	No	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E8 Waterways and Riparian Lands	Yes	Yes
E10 Landslip Risk	Yes	Yes
E11 Flood Prone Land	Yes	Yes
Part G Special Area Controls	Yes	Yes
G4 Warringah Mall	No	Yes

Detailed Assessment

D23 Signs

Description of non-compliance

Section D23 of the WDCP stipulates that only one pylon sign is permitted per site. Several wayfinding pylon signs are permitted, which does not meet the prescribed requirements of the WDCP.

Merit Assessment

Having regard to the above technical non-compliance, a merit assessment against the underlying objectives of the control is provided below.

- *To encourage well designed and suitably located signs that allow for the identification of a land use, business or activity to which the sign relates.*

Comment:

There is existing wayfinding signage on the site. The proposed signage is not too dissimilar to this existing signage, with the exception that it includes illuminated elements which will assist visitors navigate the site as it digitally updates the number of available parking spaces at different parking locations within Warringah Mall. The proposed signage is consistent with car parking wayfinding signage at other large shopping malls. It is considered appropriate to provide numerous wayfinding pylon signs to meet the functional needs of a large shopping mall.

- *To achieve well designed and coordinated signage that uses high quality materials.*

Comment:

The proposed signage is well designed and coordinated and comprises of high quality materials.

- *To ensure that signs do not result in an adverse visual impact on the streetscape or the surrounding locality.*

Comment:

The signage will contribute to the visual interest of the setting by providing a functional benefit of wayfinding for visitors. The proposed signage will not result in additional clutter. Given the scale of the proposed signage and its containment within the site, the proposal will not dominate the skyline or reduce the quality of vistas.

- *To ensure the provision of signs does not adversely impact on the amenity of residential properties.*

Comment:

The signage is confined to the subject site and significantly separated from sensitive receivers (i.e. residential properties). As such, the signage will not adversely impact upon the amenity of residential properties, notwithstanding that the signage contains illuminated elements.

- *To protect open space areas and heritage items or conservation areas from the adverse impacts of inappropriate signage.*

Comment:

The proposed signage is not located near environmentally sensitive areas, natural conservation areas, open space areas, waterways, or rural landscapes.

Conclusion

Having regard to the above assessment, it is concluded that the proposed development meets the objectives of Section D23 of the WDCP. Therefore, flexibility to the prescribed requirements of the control is afforded, consistent with Section 4.15(3A)(b) of the Environmental Planning and Assessment

Act 1979.

G4 Warringah Mall

The development is subject to Part G4 of the WDCP as the proposal is located on the Warringah Mall site. An assessment against the relevant controls under Part G4 is provided below.

Built Form

Design Quality & Excellence

Objectives

- *To ensure that new development makes a positive contribution to the streetscape and public domain.*
- *To ensure a high standard of architectural design.*
- *To achieve high quality urban design internally and externally and high levels of pedestrian comfort in the public spaces of the centre.*
- *To emphasise key nodes and entry points to create a sense of arrival.*
- *To encourage the use of high quality, durable and robust materials.*
- *To ensure the design response reflects the Northern Beaches vernacular/lifestyle.*

Requirements

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 clear distinction between the public and the private domain.*
2. *Future development on the site is to incorporate design elements that optimize the use of natural light and the ambient environment to the pedestrian malls within the centre.*
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.*
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.*
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.*
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.*
7. *Views of the ground level car parking areas must be suitably screened from the street by either landscaping or an appropriate architectural building facade treatment.*
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.*
9. *The roof is to be designed so that the visual impact of the roof form is minimised.*
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.*

Comment:

The proposed works relate to the development of a ticketless car park control system. The system will improve the access arrangements for customers, without the need for entry parking tickets. There are no changes proposed to the existing Warringah Mall on the site as the works are entirely contained within the parking area. The proposal is consistent with the requirements and associated objectives outlined above.

Building Setbacks and Street Frontages

Objectives

- *To protect and enhance the visual quality of streetscapes and public domain spaces.*
- *To ensure an appropriate interface with adjoining and surrounding land uses and streets is provided.*
- *To allow for the existing site landscaping to be retained and enhanced.*

Requirements

11. Setbacks are to be consistent with those shown in Figure 2. Note: The calculation of the setback dimensions along the Green Street and Cross Street frontages (west of Green Street) excludes projections for architectural features and car park ramps which may project into the setback area as identified on Figure 2.

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.

13. Corner of Condamine Street and Old Pittwater Road

- *Future development at the corner of Condamine Street and Old Pittwater Road is to create a defined built edge to address the street.*

- *The existing mature trees along the eastern boundary of the site adjoining Condamine Street are to be retained.*

- *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.*

- *An illustrative example of possible future development outcomes at this location is shown at Figure 3*

14. Junction of Condamine Street and Pittwater Road

- *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.*

- *An illustrative example of possible future development outcomes at this location is shown at Figure 4.*

15. Pittwater Road

- *Future development along Pittwater Road is to create a defined built form edge to address the street.*

- *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.*

- *Any future development at the corner of Pittwater Road and Cross Street is to be designed to strongly define and reinforce the prominence of this “Gateway” site arrival point.*

- *An illustrative example of possible future development outcomes at this location is shown at Figures 5 and 6.*

16. Corner of Cross Street and Green Street

- *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.*

Comment:

N/A - the development does not alter the envelope of the existing building including the building setbacks.

Building Height

Objectives

- *To provide street edge definition along the main eastern frontage of the site.*
- *To provide street edges which reinforce, improve or support the hierarchy and character of streets.*
- *To achieve comfortable street environments for pedestrians in terms of daylight, human scale, sense of enclosure and wind mitigation as well as a healthy and sustainable environment for street trees.*
- *To ensure solar access to residential properties and public spaces is protected.*

Requirements

17. New development is to comply with the maximum building heights as shown at Figure 2 except where provided for in the following requirement.

18. Development may exceed the maximum height controls shown at Figure 2 only in the following circumstances:

(a) Architectural roof features

Architectural roof features may exceed the height controls but only if the consent authority is satisfied that the architectural roof feature:

- *satisfies the objectives of the height control, and*
- *comprises a decorative element on the uppermost portion of a building, and*
- *does not include floor space area and is not reasonably capable of modification to include floor space area, and*
- *does not provide access for recreational purposes, and*
- *is not a structure designed specifically for signage or advertising, and*
- *is an integral part of the design of the building in its context, and*
- *will have minimal overshadowing impact, and*
- *does not add to the visual bulk of the building.*

(b) Plant and equipment

Any ancillary plant, equipment or access point may exceed the height controls but only if the consent authority is satisfied that:

- *The height of plant, equipment or access point does not exceed 3.0m.*
- *The total area of the equipment does not exceed 10% of the roof area.*
- *The plant, equipment and access point is integrated with the architectural design of the building/roof.*
- *The plant or access point is centrally located within the roof area to minimize the visibility of these structures when viewed from surrounding properties and the public domain.*

Comment:

The proposed wayfinding signage and associated works comply with the height requirements for the site. Therefore, the development meets the requirements and associated objectives outlined above.

Floor Space

Objectives

- To facilitate the provision of a wide range of retail, business, office, entertainment, community and other suitable land uses that service the needs of the local and wider community and a growing workforce and population.
- To facilitate the future growth of the shopping centre to support the role of Warringah Mall as a retail centre of sub-regional significance.

Requirements

19. The existing centre currently provides 127,878m² of Gross Leasable Floor Area (GLFA). The existing shopping centre may be expanded by 35,000m² GLFA subject to compliance with all other relevant planning objectives and requirements.

Comment:

N/A - the development does not alter the existing floor space ratio on the site.

Amenity

Landscaping

Objectives

- To allow for existing landscaping to be retained and enhanced.
- To create landscaping zones along the eastern boundary of the site adjoining Pittwater Road and Condamine Street to soften views to the site.
- To ensure landscaping is integrated into the design of development.
- To ensure landscaping is in scale with and provides for the softening and screening of the building form.
- To ensure landscaping provides a high quality aesthetic.

Requirements

20. Landscaping is to be retained and enhanced and provided generally in the zones shown in Figure 8.

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.

22. New development along Condamine Street and Pittwater Road is to incorporate landscaping that screens or softens non-active facades or building elements.

23. Landscaping treatments are to be integrated into the design of new entries to the centre.

24. Recycled water or harvested rainwater is to be used, where possible, to irrigate new landscaped areas.

25. Water efficient plants and/or, locally indigenous vegetation should be used to minimise water consumption.

Comment:

The proposed development does not remove any vegetation on the Warringah Mall site.

Amenity of Surrounding Residential Properties

Objectives

- *To protect the amenity of surrounding properties.*
- *To ensure that development will not result in light overspill or glare from artificial illumination.*

Requirements

- 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.*
- 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.*

Comment:

A portion of the proposed wayfinding signage includes illuminated elements, featuring a backlit acrylic white vinyl to enhance legibility in the dark. The proposed signage is neither flashing nor moving. The illumination is minimal and will not impact the safety of pedestrians, vehicles or aircrafts. The signage is confined to the subject site and significantly separated from sensitive receivers (i.e. residential properties). As such, the signage will not adversely impact upon the amenity of residential properties. Therefore, a Lighting Strategy is not considered to be required for the proposed signage. The development will also not result in adverse acoustic impacts to residential properties.

In this regard, the assessment finds that the development is consistent with the requirements and associated objectives outlined above.

Public Art

Objectives

- *To encourage the use of quality public art to identify and highlight key site entrances.*
- *To integrate public art in the new developments on the site to enliven the public domain.*
- *To ensure public art is relevant to the site and the locality and draws upon the cultural, heritage and lifestyle themes in Warringah.*

Requirements

- 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.*
- 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.*
- 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 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.

Comment:

N/A - no public art is proposed and the development does not alter any existing public art within Warringah Mall.

Advertising and Signage

Objectives

- *To encourage well designed and suitably positioned signs which contribute to the aesthetic, vitality and legibility of the shopping centre while respecting the amenity of the area and the safety of motorists and pedestrians.*
- *To ensure that all business identification signage achieves a high level of design quality in terms of graphic design, its relationship to the architectural design of buildings and the character of streetscapes.*
- *To promote signs that add character to the streetscape and assist with way finding and the pedestrian usability of the centre.*
- *To promote signs that complement the architectural style and use of buildings.*
- *To consider the amenity of residential development and the visual quality of the public domain in the design and illumination of signage.*
- *To avoid the proliferation of signage along public roads.*
- *To ensure the provision of signage is proportional to the size and scale of building facades and setbacks.*

Requirements

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.

32. All illuminated signs are to comply with any relevant Australian Standards.

Comment:

A signage strategy has not been submitted with this application, contrary to the requirements outlined above. Nonetheless, the development is considered to meet the objectives of this control for the following reasons:

- The proposed signage comprises of well designed and suitably positioned signs which contribute to the aesthetic, vitality and legibility of the shopping centre while respecting the amenity of the area and the safety of motorists and pedestrians.
- The signage is consistent with car parking wayfinding signage at other large retail malls. The signage is confined to the subject site and is acceptable.
- There is existing wayfinding signage on the site. The proposed signage is not too dissimilar to this existing signage, with the exception that it includes illuminated elements which will assist visitors navigate the site as it digitally updates the number of available parking spaces at different parking locations within Warringah Mall.

- The proposed signage is substantially setback from Pittwater Road.
- The proposed signage consists of cohesive simple lettering and does not screen unsightliness or protrude above any buildings or structures nor does it require ongoing vegetation management.
- A condition is recommended to ensure that the illuminated signage complies with the relevant Australian Standards.

As such, a variation to this control is warranted, consistent with Section 4.15(3A)(b) of the Environmental Planning and Assessment Act 1979.

Safety and Security

Objectives

- *To provide a safe environment for users of Warringah Mall.*
- *To minimise opportunities for crime.*
- *To encourage the consideration and application of crime prevention through environmental design (CPTED) principles when designing and siting buildings and surrounding spaces and access ways.*

Requirements

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.*
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 panels, is to be addressed in future developments.*
35. *New development is to be designed to remove any opportunities for the concealment of crime.*
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.*
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.*
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.*

Comment:

The proposed development is consistent with the CPTED principles. Moreover, a Plan of Management for the ticketless parking system is submitted with this application demonstrating how the system will be managed in perpetuity. A condition is recommended to ensure that the development is managed in accordance with this Plan of Management. The assessment finds that the development is consistent with the requirements and associated objectives outlined above.

Social Impacts

Objectives

- To ensure that any potential social impacts resulting from the expansion of Warringah Mall are appropriately managed or mitigated.

Requirements

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:

- Public Transport
- Child care
- Accessibility
- Health facilities
- Young people
- Facilities for children

Where an SIA is required, a targeted 'Community Stakeholder and Consultation Plan' LINK is to be developed and undertaken. The SIA is to identify opportunities to enhance existing community services or provide additional services to meet the community's needs.

Comment:

N/A - A SIA is not considered necessary as the proposed ticketless car parking system does not have any significant impacts on public transport to Warringah Mall, child care, accessibility, health facilities, children or the wider community.

Access & Movement

Road Infrastructure

Objectives

- To ensure that the growth of Warringah Mall does not adversely impact on the performance of the surrounding road network.
- To identify the need for potential traffic infrastructure works and management measures necessary to facilitate the growth of Warringah Mall.

Requirements

40. Significant additions to the floor area on the site will only be supported if traffic modeling is submitted with the development 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.

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. 42. Future development is to incorporate measures to improve vehicle circulation within the site, where relevant.

42. Future development is to incorporate measures to improve vehicle circulation within the site, where relevant.

43. Vehicle access points from surrounding roads shall be provided in accordance with Figure 10.

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.

Comment:

Council's Traffic Engineer is satisfied that the ticketless parking system will reduce queuing in peak periods, internal and external to the carparks allowing better turnover, while also assist in directing traffic towards vacant and less frequently utilised parking which will also act to reduce traffic circulation in high demand locations. The assessment finds that the development is consistent with the requirements and associated objectives outlined above.

Pedestrian Access

Objectives

- *To improve pedestrian access to and from the centre through enhancing existing links and / or creating new links as redevelopment occurs.*
- *To enhance pedestrian connections to Warringah Mall from public transport.*
- *To provide clearly identifiable and safe pedestrian access.*
- *To ensure that any new development is designed to provide safe and equitable access to all, including older people, people with a disability and people with prams.*
- *To ensure that people who visit the centre are able to access and use all spaces, services and facilities through the creation of a barrier-free environment in all public spaces, premises and associated areas.*

Requirements

45. *Main building entry points are to be clearly visible from primary 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.*
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.*
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.*
48. *New development along the Cross Street / Green Street frontage shall incorporate enhanced pedestrian link(s) through to the existing centre.*
49. *Safe pedestrian access is to be provided through the car parks.*
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.*

Comment:

The proposed development will not alter existing pedestrian paths and as such the development continues to deliver safe and continuous paths of travel from the existing bus stops and shopping centre. The assessment finds that the development is consistent with the requirements and associated objectives outlined above.

Public Transport

Objectives

- *To encourage public transport use by improving / enhancing public transport support infrastructure.*

Requirements

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 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**.

The integrated bus interchange is to be provided in association with a related stage of development. The timing for the implementation of the integrated bus interchange is subject to the following considerations:

- a. The establishment of a clear physical nexus between the stage of works and the location of the proposed new bus interchange;
- b. The ability to properly integrate the future development with the new interchange.
- c. The agreement of the Roads and Traffic Authority (RTA) in respect to the design and location of the required works to the arterial road network necessary to support the interchange.
- d. Proposed extensions to the centre that would require the re-positioning of the existing internal bus interchange (currently located within the site) to a new location.
- e. The widening of Pittwater Road along the frontage of the site north of Condamine Street.

The final design of the interchange is to be accessible for both Warringah Mall customers and general bus users and is to be of a high quality design. The interchange is to provide a high level of amenity and functionality.

The final design of the integrated bus interchange must consider the views of Council, NSW Transport and Infrastructure, the RTA, the STA and private bus operators.

In the event that approval cannot be obtained for a new integrated bus interchange in the zone identified, the applicant must identify alternative options that will achieve a satisfactory upgrade of the existing bus facilities and capacities in accordance with these requirements.

Comment:

N/A - no changes are proposed to the existing public transport areas including the bus interchange.

Parking Facilities

Objectives

- To provide adequate parking facilities for staff and visitors to Warringah Mall.
- To provide adequate space for parking and manoeuvring of vehicles.
- To encourage the use of bicycles and motor bikes by people who work at Warringah Mall and visitors to Warringah Mall as an alternative mode of transport.
- To ensure bicycle parking and storage facilities and motor bike parking are designed and located to provide easy, convenient and safe access to Warringah Mall.
- To ensure adequate provision of end of trip shower and locker facilities for employees of Warringah Mall.

Requirements

52. Car parking is to be provided at the rate of 4.1 spaces per 100 square metres of Gross Leaseable 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.

53. Provision is to be made for the parking of motorcycles in easy to access and clearly visible locations.

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.

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;

- Bicycle storage facility – 1 per 300sqm
- Bicycle parking facility – 1 per 500sqm

This required provision may be reduced having regard to:

(a) *The expected number of employees, and their likely or desired use of bicycles for travel to and from work.*

(b) *The expected number of visitors, and their likely or desired use of bicycles to visit the development.*

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.

57. Adequate shower and change room facilities for staff shall be located close to secure bicycle storage facilities.

Comment:

The development will provide 4,549 car parking spaces on the site. Council's Traffic Engineer has advised that this is a compliant quantum of car parking on the site. The assessment finds that the development is consistent with the requirements and associated objectives outlined above.

Environmental Management

Stormwater Management

Objectives

- *To ensure that future development on the site conforms with the principles for the development of flood prone land set out in the NSW Government's Floodplain Development Manual, 2005.*
- *To safeguard the environment through the improvement of water quality and the control of overland flow through the site.*
- *To provide for the safe conveyance of overland flows through the site without unacceptable risk to human safety and property for floods up to the 100 year Average Recurrence Interval (ARI). The impacts of climate change are to be considered when determining the average recurrence intervals.*

Requirements

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.

59. Ground level development is to be avoided in the locations of the proposed concept drainage

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.

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.

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.

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.

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.

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.

Comment:

The development will not generate any additional stormwater loading. Moreover, conditions are recommended to ensure that structural measures are implemented to enable the parking infrastructure to withstand flood waters up to the FPL. The assessment finds that the development is consistent with the requirements and associated objectives outlined above.

Environmental Sustainability

Objectives

- To achieve Australian 'Best Practice' in environmentally sustainable design and construction.
- To minimise energy consumption in the construction and use of buildings
- To minimise water use and encourage water re-use.
- To minimise the need for the mechanical heating and cooling of spaces.

Requirements

65. Development involving an increase in floor space is to achieve a 'Green Star' rating (or equivalent) reflecting Australian 'Best Practice' in environmentally sustainable design and construction for retail centres.

66. Shading devices are to be incorporated where practical, to reduce solar energy loads.

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.

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.

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.

Comment:

N/A - no increase in floor space is proposed.

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly affect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2024

The proposal is subject to the application of Northern Beaches Section 7.12 Contributions Plan 2024.

A monetary contribution of \$138,411 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 1% of the total development cost of \$13,841,144.

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2021;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all

processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2025/0065 for Alterations and additions to Warringah Mall Shopping Centre including access road and car park alterations, ticketless parking infrastructure, signage and associated works on land at Lot 103 DP 1247294, 145 Old Pittwater Road, BROOKVALE, subject to the conditions printed below:

Terms and Reasons for Conditions

Under section 88(1)(c) of the EP&A Regulation, the consent authority must provide the terms of all conditions and reasons for imposing the conditions other than the conditions prescribed under section 4.17(11) of the EP&A Act. The terms of the conditions and reasons are set out below.

GENERAL CONDITIONS

1. Approved Plans and Supporting Documentation

Development must be carried out in accordance with the following approved plans (stamped by Council) and supporting documentation, except where the conditions of this consent expressly require otherwise.

Approved Plans				
Plan Number	Revision Number	Plan Title	Drawn By	Date of Plan
17.0001	A	Car Park Key Plan Ground	Scentre Design and Construction Limited	20 December 2024
17.0002	A	Car Park Key Plan Ground Mezz	Scentre Design and Construction Limited	20 December 2024
17.0003	A	Car Park Key Plan Level 1	Scentre Design and Construction Limited	20 December 2024
17.0004	A	Car Park Key Plan Level 1 Mezz	Scentre Design and Construction Limited	20 December 2024
17.0005	A	Car Park Key Plan Level 2	Scentre Design and Construction Limited	20 December 2024
17.1000	A	Demolition Works All Zones	Scentre Design and Construction Limited	20 December 2024
17.1001	A	Ticketless Access No. 01 Ground Level	Scentre Design and Construction Limited	20 December 2024
17.1002	A	Ticketless Access No. 02 Ground Level	Scentre Design and Construction Limited	20 December 2024
17.1003	A	Ticketless Access No. 03 Ground Level	Scentre Design and Construction Limited	20 December 2024
17.1004	A	Ticketless Access No. 04 Ground Level	Scentre Design and Construction Limited	20 December 2024
17.1005	A	Ticketless Access No. 05 Ground Level	Scentre Design and Construction Limited	20 December 2024

17.1006	A	Ticketless Access No. 06 Ground Level	Scentre Design and Construction Limited	20 December 2024
17.1007	A	Ticketless Access No. 07 Ground Level	Scentre Design and Construction Limited	20 December 2024
17.1008	A	Ticketless Access No. 08 Ground Level	Scentre Design and Construction Limited	20 December 2024
17.1009	A	Ticketless Access No. 09 Ground Mezz	Scentre Design and Construction Limited	20 December 2024
17.1010	A	Ticketless Access No. 10 Ground Mezz	Scentre Design and Construction Limited	20 December 2024
17.1011	A	Ticketless Access No. 11 Level 1	Scentre Design and Construction Limited	20 December 2024
17.1012	A	Ticketless Access No. 12 Level 1M	Scentre Design and Construction Limited	20 December 2024
17.1101	A	Staff Parking Access No. A Ground Mezz	Scentre Design and Construction Limited	20 December 2024
17.1102	A	Staff Parking Access No. B Level 2	Scentre Design and Construction Limited	20 December 2024
17.1103	A	Staff Parking Access No. C Level 2	Scentre Design and Construction Limited	20 December 2024
17.1104	A	Staff Parking Access No. D Level 2	Scentre Design and Construction Limited	20 December 2024
17.1105	A	Staff Parking Access No. E Level 2	Scentre Design and Construction Limited	20 December 2024
17.1106	A	Staff Parking Access No. F Level 2	Scentre Design and Construction Limited	20 December 2024
17.1107	A	Staff Parking Access No. H Level 2	Scentre Design and Construction Limited	20 December 2024
17.1108	A	Staff Parking Access No. J Level 2	Scentre Design and Construction Limited	20 December 2024
17.1013	A	Ticketless Access No. 13 Level 1M	Scentre Design and Construction Limited	20 December 2024
16.1000	A	External Wayfinder Location Plan Ground Plan	Scentre Design and Construction Limited	20 December 2024
16.1901	A	External Sign Setout Plan - No. 2 and No. 4	Scentre Design and Construction Limited	20 December 2024
16.1902	B	External Sign Setout Plan - Totem No. 3	Scentre Design and Construction Limited	16 January 2025
16.1903	C	External Sign Setout Plan - Totem No. 5 and Blade 6 & Sign 7,8	Scentre Design and Construction Limited	20 January 2025
16.1905	A	External Sign Setout Plan Totem 11 & Totem 12	Scentre Design and Construction Limited	6 December 2024

16.1907	A	Internal Sign Setout Plan - Totem No. 15 & No. 16	Scentre Design and Construction Limited	20 December 2024
16.1910	A	External Sign Details	Scentre Design and Construction Limited	20 December 2024
16.1902	B	External Sign Setout Plan - Totem No. 3	Scentre Design and Construction Limited	16 January 2025

Approved Reports and Documentation			
Document Title	Version Number	Prepared By	Date of Document
Flood Report titled 'Warringah Mall Ticketless Parking Flood Impact and Civil Review'	Project No. 304000938	Stantec Australia Pty Ltd	19 December 2024
Plan of Management titled 'Controlled car parking at Westfield Warringah Mall'	-	Scentre Group	19 December 2024
Traffic Report titled 'Statement of Advice Warringah Mall Ticketless Parking'	Project No. 620.V31285.00003 Rev. v1.0	SLR	19 December 2024
Waste Management Plan titled '145 Old Pittwater Road Brookvale NSW 2100'	-	-	-

In the event of any inconsistency between the approved plans, reports and documentation, the approved plans prevail.

In the event of any inconsistency between the approved plans and a condition of this consent, the condition prevails.

Reason: To ensure all parties are aware of the approved plans and supporting documentation that applies to the development.

2. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference	Dated
Ausgrid	Ausgrid Referral Response	N/A

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

3. Prescribed conditions (Demolition):

(a) A sign must be erected in a prominent position on any site on which building work,

subdivision work or demolition work is being carried out:

- (i) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (ii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(b) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

- (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
- (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

(c) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:

- (i) protect and support the adjoining premises from possible damage from the excavation, and
- (ii) where necessary, underpin the adjoining premises to prevent any such damage.
- (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

Reason: Legislative Requirement.

4. Prescribed Conditions

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifier for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working

hours, and

- (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

- (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
- (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifier for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
 - (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative requirement.

5. **General requirements (Demolition):**

- (a) Unless authorised by Council:

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or

alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

(b) At all times after the submission a Notice of Commencement to Council, a copy of the Development Consent is to remain onsite at all times until completion of demolition works. The consent shall be available for perusal of any Authorised Officer.

(c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.

(d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.

(e) The applicant shall bear the cost of all works that occur on Council's property.

(f) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.

(g) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.

(h) All sound producing plant, equipment, machinery or fittings will not exceed more than 5dB(A) above the background level when measured from any property boundary and will comply with the Environment Protection Authority's NSW Industrial Noise Policy.)

(i) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

6. General Requirements

(a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- 7.00 am to 5.00 pm inclusive Monday to Friday,
- 8.00 am to 1.00 pm inclusive on Saturday,
- No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

(b) Construction certificate plans are to be in accordance with all finished levels identified on approved plans. Notes attached to plans indicating tolerances to levels are not

- approved.
- (c) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.
 - (d) At all times after the submission of the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of an Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
 - (e) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
 - (f) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
 - (g) Prior to the release of the Construction Certificate, payment of the following is required:
 - i) Long Service Levy - Payment should be made to Service NSW (online or in person) or alternatively to Northern Beaches Council in person at a Customer Service Centre. Payment is not required where the value of the works is less than \$250,000. The Long Service Levy is calculated on 0.25% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
 - ii) Section 7.11 or Section 7.12 Contributions Plan – Payment must be made to Northern Beaches Council. Where the subject land to which the development is proposed is subject to either a Section 7.11 or 7.12 Contributions Plan, any contribution to which the development is liable under the respective plan that applies is to be paid to Council. The outstanding contribution will be indexed at time of payment in accordance with the relevant Contributions Plan.
 - iii) Housing and Productivity Contribution - Payment must be made on the NSW Planning Portal for development to which this contribution applies. The amount payable is subject to indexation at the time of payment.
 - (h) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.
 - (i) No skip bins, building materials, demolition or excavation waste of any nature, and no hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
 - (j) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
 - (k) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.), on the land to be developed, or within adjoining properties, shall be removed or damaged during excavation or construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
 - (l) Prior to the commencement of any development onsite for:
 - i) Building/s that are to be erected

- ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
- iii) Building/s that are to be demolished
- iv) For any work/s that is to be carried out
- v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

- (m) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.
- (n) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.
- (o) Should any construction cranes be utilised on site, they are to be fitted with bird deterrents along the counterweight to discourage raptor (bird) nesting activity. Deterrents are to remain in place until cranes are dismantled. Selection of deterrent methods is to be undertaken in accordance with the recommendations of a suitably qualified ecologist.
- (p) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.

- (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:

- (i) Swimming Pools Act 1992
- (ii) Swimming Pools Amendment Act 2009
- (iii) Swimming Pools Regulation 2018
- (iv) Australian Standard AS1926 Swimming Pool Safety
- (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
- (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
- (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
- (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewered areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.
- (4) Swimming pools and spas must be registered with the Division of Local Government.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community.

7. Existing Bus Stops

The location of existing bus stops on Cross Street and within the bus interchange internal to the site must remain in their current location and operational throughout the works. Should any temporary relocation of bus stops be required the approval of TfNSW is required for the temporary relocation and, if relocated external to the site, the approval of any temporary changes by Council's Local Traffic Committee is also required in advance of those changes being made.

Reason: To ensure bus services continue to operate and are not relocated without consent at any stage during the project.

8. Parking Enclosure

No parking spaces, or access thereto, shall be constrained or enclosed by any form of structure such as fencing, cages, walls, storage space, or the like, without prior consent from Council.

Reason: To ensure accessibility is maintained.

FEES / CHARGES / CONTRIBUTIONS

9. Policy Controls

Northern Beaches Section 7.12 Contributions Plan 2024

A monetary contribution of \$138,411.44 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan (as amended).

The monetary contribution is based on a development cost of \$13,841,144.00.

The total amount payable will be adjusted at the time the payment is made, in accordance with the provisions of the Northern Beaches Section 7.12 Contributions Plan (as amended).

Details demonstrating compliance, by way of written receipts issued by Council, are to be submitted to the Certifier prior to issue of any Construction Certificate or, if relevant, the Subdivision Certificate (whichever occurs first).

A copy of the Contributions Plan is available for inspection at 725 Pittwater Road, Dee Why or on Council's website at Northern Beaches Council - Development Contributions.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

10. **Security Bond**

A bond (determined from cost of works) of \$10,000 and an inspection fee in accordance with Council's Fees and Charges paid as security are required to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection).

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, and details demonstrating payment are to be submitted to the Certifier prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.northernbeaches.nsw.gov.au).

Reason: To ensure adequate protection of Council's infrastructure.

BUILDING WORK – BEFORE ISSUE OF A CONSTRUCTION CERTIFICATE

11. **Building components and structural soundness**

B1 - All new development below the Flood Planning Level of each site shall be designed and constructed from flood compatible materials.

B2 - All new development must be designed to ensure structural integrity up to the Flood Planning Level for each site, taking into account the forces of floodwater, debris load, wave action, buoyancy and immersion.

Details demonstrating compliance are to be submitted to the Principal Certifier for approval.

B3 - All new and existing electrical equipment, power points, wiring and connections must be located above the Flood Planning Level for each site, protected from flood water or have residual current devices installed to cut electricity supply during flood events.

Reason: To reduce the impact of flooding and flood liability on owners and occupiers of flood-prone property and reduce public and private losses in accordance with Council and NSW Government policy.

12. **Construction Traffic Management Plan**

A Construction Traffic Management Plan (CTMP) and report shall be prepared by a Transport for NSW accredited person and submitted to Council via an application for a Permit to Implement Traffic Control. The application form can be accessed via <https://www.northernbeaches.nsw.gov.au/council/forms>. Approval of the permit application by the Northern Beaches Council Traffic Team is required prior to issue of any Construction Certificate.

The CTMP must address following:

- The proposed phases of construction works on the site, and the expected duration of each construction phase.

- The proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken.
- Make provision for all construction materials to be stored on site, at all times.
- The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period.
- The proposed method of access to and egress from the site for construction vehicles, including access routes and truck routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed.
- Where access is required across private property not in the direct ownership of the proponent, such as a private road/driveway, community title road or right of way, the CTMP is to include:
 - Evidence of the legal right and terms to use the access route or provide owners consent from the owners/strata/community association.
 - Demonstrate that direct access from a public space/road is not viable for each stage of works.
 - An assessment to be carried out of the physical constraints of the Right of Carriageway to determine the maximum size of vehicle that may access the site via the Right of Carriageway during construction.
 - Unless owner/strata/community associations consent is obtained, vehicles are not to exceed 24 tonnes or 7.5 metres in length (an assessment must be undertaken that the surface is capable of supporting up to 24 tonnes, otherwise the weight limit should be reduced in the CTMP). If consent is obtained, a copy must be included in the CTMP.
 - No construction vehicles, materials or plant are to be located or parked in the private road/driveway, community title road or right of way.
 - How any disruption to other users of the private road/driveway, community title road or right of way will be minimised and all users kept informed of likely disruption where the access will be closed or blocked for any given time.
 - If trees are located within or overhang the access route, a tree protection plan prepared by an Arborist with minimum AQF Level 5 in arboriculture demonstrating how any trees within the Right of Carriageway will be protected from damage by construction vehicles. Should any tree protection measures be required on private land in accordance with AS4970-2009 Protection of trees on development sites, owner's consent must be obtained.
 - A Dilapidation report, including photographic surveys, of the private road/driveway/right of way must be included prior to any works commencing on the site. The report must detail the physical condition of the private road/driveway/right of way, and any other adjacent private property assets (including trees) or adjacent public property that may be adversely affected by vehicles servicing the development site to undertake works or activity during site works.
 - A requirement for Post-Construction Dilapidation Reports, including photos of any damage evident at the time of inspection, to be submitted after the completion of works and prior to the Occupation certificate. The report must:
 - Compare the post-construction report with the pre-construction report,
 - Clearly identify any recent damage or change to the private road/driveway/right of way and whether or not it is likely to be the result of the development works,
 - Should any damage have occurred, identify remediation actions taken.
 - Be submitted to Council with the Occupation Certificate.
- The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the

structure within the site. Wherever possible mobile cranes should be located wholly within the site.

- Make provision for parking onsite. All Staff and Contractors are to use any basement parking once available.
- Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council prior.
- Include a Traffic Control Plan prepared by a person with suitable RMS accreditation for any activities involving the management of vehicle and pedestrian safety.
- The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process. It must also specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure.
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees.
- Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site.
- The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site.
- Specify that the public roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council.
- The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising Structural Engineer, or equivalent.
- Proposed protection for Council and adjoining properties.
- The location and operation of any on site crane.

The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”.

All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and are to be paid at the time that the Construction Traffic Management Plan is submitted.

A copy of the approved CTMP must be kept on-site at all times while work is being carried out.

The development is to be undertaken in accordance with the Construction Traffic Management Plan approved by Northern Beaches Council Traffic Team.

Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

13. **Compliance with Standards**

The development is required to be carried out in accordance with all relevant Australian

Standards.

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifier prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards.

14. Sydney Water "Tap In"

The approved plans must be submitted to the Sydney Water Tap in service, prior to works commencing, to determine whether the development will affect any Sydney Water assets and/or easements. The appropriately stamped plans must then be submitted to the Certifier demonstrating the works are in compliance with Sydney Water requirements.

Please refer to the website www.sydneywater.com.au for:

- "Tap in" details - see <http://www.sydneywater.com.au/tapin>
- Guidelines for Building Over/Adjacent to Sydney Water Assets.

Or telephone 13 000 TAP IN (1300 082 746).

Reason: To ensure compliance with the statutory requirements of Sydney Water.

DURING BUILDING WORK

15. Road Reserve

The applicant shall ensure the public footways and roadways adjacent to the site are maintained in a safe condition at all times during the course of the work.

Reason: Public safety.

16. Installation and Maintenance of Sediment and Erosion Controls

Council proactively regulates construction sites for sediment management.

Sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004) and the Erosion and Sediment Control Plan prior to commencement of any other works on site.

Erosion and sediment controls are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and vegetation cover has been re-established across 70 percent of the site, and the remaining areas have been stabilised with ongoing measures such as jute mesh or matting.

Reason: To protect the receiving environment.

17. Implementation of Construction Traffic Management Plan

All works and construction activities are to be undertaken in accordance with the approved Construction Traffic Management Plan (CTMP). All controls in the CTMP must be maintained at all times and all traffic management control must be undertaken by personnel having appropriate TfNSW accreditation. Should the implementation or effectiveness of the CTMP be impacted by surrounding major development not encompassed in the approved CTMP, the CTMP measures and controls are to be revised accordingly and submitted to Council for approval. A copy of the approved CTMP is to be kept onsite at all times and made available to Council on request.

Reason: To ensure compliance of the developer/builder in adhering to the Construction Traffic Management procedures agreed and are held liable to the conditions of consent.

18. Ongoing Management

The applicant shall be responsible in ensuring that the road reserve remains in a serviceable state during the course of the demolition and building works.

Reason: To ensure public safety.

19. Property Boundary Levels

The Applicant is to maintain the property boundary levels. No approval is granted for any change to existing property alignment levels to accommodate the development.

Details demonstrating compliance are to be submitted to the Principal Certifier.

Reason: To maintain the existing profile of the nature strip/road reserve.

20. Waste Management During Development

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

Details demonstrating compliance must be submitted to the Principal Certifier.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

BEFORE ISSUE OF THE OCCUPATION CERTIFICATE

21. Building Components and Structural Soundness

B1 - All new development below the Flood Planning Level of each site shall be designed and constructed from flood compatible materials.

B2 - A suitably qualified structural engineer is to certify the structural integrity of the new development up to the Flood Planning Level for each site. The depth, velocity, debris load, wave action, buoyancy and immersion must all be considered.

B3 - A suitably qualified electrician or contractor is to certify that all new and existing electrical equipment, power points, wiring and connections are located above the Flood Planning Level of each site, are protected from flood water or have residual current devices installed to cut electricity supply during flood events.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of the Occupation Certificate.

Reason: To reduce the impact of flooding and flood liability on owners and occupiers of flood-prone property and reduce public and private losses in accordance with Council and NSW Government policy.

22. Waste Disposal Verification Statement

On completion of demolition work:

- a signed statement must be submitted to the Certifier verifying that demolition work, and any recycling of materials, was undertaken in accordance with the waste management plan approved under this consent, and
- if the demolition work involved the removal of asbestos, an asbestos clearance certificate issued by a suitably qualified person, must be submitted to the Certifier within 14 days of completion of the demolition work.

Reason: To provide for the submission of a statement verifying that demolition waste management and recycling has been undertaken in accordance with the approved waste management plan.

23. Removal of All Temporary Structures/Material and Construction Rubbish

Once construction has been completed all silt and sediment fences, silt, rubbish, building debris, straw bales and temporary fences are to be removed from the site.

Details demonstrating compliance are to be submitted to the Principal Certifier prior to the issue of an Occupation Certificate.

Reason: To ensure bushland management.

ON-GOING CONDITIONS THAT MUST BE COMPLIED WITH AT ALL TIMES

24. No Flashing of Illuminated Signage

The illuminated signage is not permitted to flash.

Reason: To minimise impacts on the surrounding area.

25. Compliance with Plan of Management

The Plan of Management referenced in Condition 1 of this consent must be complied with at all times during the operation of the premises in perpetuity of the development.

Reason: To ensure the development operates in an orderly manner.

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Thomas Burns, Principal Planner

The application is determined on 11/04/2025, under the delegated authority of:



Steven Findlay, Manager Development Assessments