



Warringah Council

COMMERCIAL OCCUPATION/ADDITIONS/SIGNAGE/CHANGE OF USE

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Assessment Officer: Cynthia Chan

Proposal Description: Temporary signage for a Seniors Living Development

Property Address: Lot 1 DP 1136948, 914-930 Pittwater Road, Dee Why

Application No: DA2009/0496

Report Section	Applicable	Complete & Attached
Section 1 – Code Assessment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 2 – Issues Assessment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 3 – Site Inspection Analysis	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 4 – Application Determination	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Estimated Cost of Works: \$ 9045

Are S94A Contributions Applicable? NO

Notification Required?

Yes No

Period of Public Exhibition?

14 days 21 days 30 days N/A

Submissions Received?

Yes No

No. of Submissions: 2

Are any trees impacted upon by the proposed development? Yes No

Proposal in Details

This application seeks consent for temporary signage on an existing Council approved construction hoarding for a Seniors Living Development in the following manner:

- Along the western boundary of the site that is approximately 100 metres long, and 2.4 metres in height,
- The construction hoarding is located on Council owned land,
- The construction hoarding has a Council permit until October 2009 and is related to the construction of a Seniors Living Development (Consent No. 2006/0807).
- The advertisement is for the Seniors Living Development at the site, including the name of the development, display suite and contact numbers, and images of the completed development. It is generally blue and green in colour.

SECTION 1 – CODE ASSESSMENT REPORT

ENVIRONMENTAL PLANNING INSTRUMENTS

WLEP 2000

Locality: E4 Dee Why Parade & E16 Pittwater Road North

Development Definition: Signage

Category of Development under WLEP 2000: Category 2 (Other Buildings, works or places)



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Desired Future Character:

Category 1 Development with no variations to BFC's (Section 2 Assessment not required)

Is the development considered to be consistent with the Locality's Desired Future Character Statement?

Yes No

Category 1 Development with variations to BFC's (Section 2 Assessment Required)

Category 2 Development Consistency Test (Section 2 Assessment Required)

Prohibited Development (Section 2 Assessment Required)

Built Form Controls:

The proposal is for a signage. It is essentially a skin sticker affixed to a timber framed and panelled construction hoarding at the site. Therefore, the built form controls of the locality, including building height, building mass, floor to ceiling height, front and setback, footpath awning, carpark facilities, side boundary envelope landscaped open space, are not applicable in this case.

General Principles of Development Control:

<p>CL38 Glare & reflections Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies: <input checked="" type="checkbox"/> Yes , subject to condition The proposal is essentially a skin sticker affixed to a hoarding at the site and is unlikely to result in overspill or glare.</p>
<p>CL39 Local retail centres Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL40 Housing for Older People and People with Disabilities Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL41 Brothels Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL42 Construction Sites Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL43 Noise Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL44 Pollutants Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL45 Hazardous Uses</p>	<p>Complies:</p>



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<p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL46 Radiation Emission Levels</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL47 Flood Affected Land</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL48 Potentially Contaminated Land</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The proposal does not involve earthworks. No further consideration of this Clause is required.</p>
<p>CL49 Remediation of Contaminated Land</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL49a Acid Sulfate Soils</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The eastern part of the site is identified with Class 5 Acid Sulphate Soil. The proposal does not involve earthworks. No further consideration of this Clause is required.</p>
<p>CL50 Safety & Security</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>The proposed signage affixed to the hoarding will not affect the existing outlook and casual surveillance in the locality. No further consideration of this Clause is required.</p>
<p>CL51 Front Fences and Walls</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL52 Development Near Parks, Bushland Reserves & other public Open Spaces</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL53 Signs</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input checked="" type="checkbox"/> Yes</p> <p>Considerations of this Clause are given to the following:</p> <ul style="list-style-type: none"> • The proposed signage illustrating images and advertising occupation of future buildings at the site is a reasonable identification of the approved land use and buildings at the site. • The proposal will replace an existing signage on the hoarding. Therefore, the proposal will not result in visual clutter. • The proposed signage is affixed to an existing hoarding, and will not obscure views of vehicles, pedestrians or be potentially hazardous road features. • The proposed signage illustrating images and



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	<p>advertisement will not be confused with or reduce the effectiveness of traffic control devices.</p> <ul style="list-style-type: none"> • Condition is included to ensure that the proposal will not emit excessive glare or cause excessive reflection. • The proposed signage has an area of 267m². The proposal exceeds the maximum area of signage permitted under Clause 53, however, the type of signage is not envisaged under this clause. In this regard, the signage is not permanent and is only to advertise the future development for the period of construction. • It is noted that the proposed signage affixed to an existing temporary construction hoarding. The signage is consistent with this type of signage on hoardings at construction sites and clearly relates to the development under construction at the subject site. • There is no other temporary signage approved in addition to the proposal at the site such that it is not excessive in size. • In order to safeguard long term amenity of the site and locality, a condition of consent will require the advertising on the hoarding to be removed prior to occupation or within 2 years, whichever is the lesser. <p>In summary, the proposal is satisfactory in its size, shape, extent, placement and content, and is satisfactory in addressing this Clause.</p>
<p>CL54 Provision and Location of Utility Services Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL55 Site Consolidation in 'Medium Density Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL56 Retaining Unique Environmental Features on Site Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL57 Development on Sloping Land Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL58 Protection of Existing Flora Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL59 Koala Habitat Protection Applicable:</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>



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<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
CL60 Watercourses & Aquatic Habitats Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL61 Views Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes The site is affixed to an existing hoarding and will not affect the existing sharing of view. No further consideration of this Clause is required.
CL62 Access to sunlight Applicable: <input type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes The site is affixed to an existing hoarding and will not affect the existing sharing of sunlight access. No further consideration of this Clause is required.
CL63 Landscaped Open Space Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL63A Rear Building Setback Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL64 Private open space Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL65 Privacy Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL66 Building bulk Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes The proposed signage affixed to an existing hoarding will not be visually prominent or dominating. The advertising for occupation of future buildings would add visual interest to an existing large continuous wall planes.
CL67 Roofs Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL68 Conservation of Energy and Water Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL69 Accessibility – Public and Semi-Public	Complies:



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Buildings Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL70 Site facilities Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL71 Parking facilities (visual impact) Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL72 Traffic access & safety Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL73 On-site Loading and Unloading Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL74 Provision of Carparking Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL75 Design of Carparking Areas Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL76 Management of Stormwater Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL77 Landfill Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL78 Erosion & Sedimentation Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL79 Heritage Control Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL80 Notice to Metropolitan Aboriginal Land Council and the National Parks and Wildlife Service	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No



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<p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	
<p>CL81 Notice to Heritage Council</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL82 Development in the Vicinity of Heritage Items</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p>The Dee Why Public Library at No.725 Pittwater Road is identified with local heritage significance. The Public Library is located on a higher contour approximately 195 metres away from the site such that there are no immediate sightlines between the subject site and the heritage item. In addition, the proposed signage on an existing hoarding is a temporary structure. Therefore, the proposal will not have an adverse impact on the architectural style, scale, setback, siting, materials, finishes, colours and a setting of the heritage item, and is acceptable in relation to this Clause.</p>
<p>CL83 Development of Known or Potential Archaeological Sites</p> <p>Applicable:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>

Schedules:

Schedule 1 – Exempt Development

It is noted that the proposed signage does not fall under the exempt development provisions of WLEP 2000 as the sign does not satisfy the definition of a “**temporary sign**” under the Dictionary of WLEP 2000.

<p>Schedule 4 Prohibited Signage</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input checked="" type="checkbox"/> YES</p> <p>It is noted that A frame and “temporary signs” (as defined under WLEP 2000) located on public land are prohibited in this Clause.</p> <p>The proposal is for advertising signs on a temporary construction hoarding, during the construction phase only of an approved seniors living development at the site that is transient in nature.</p> <p>In this regard, the proposed signage is unlike the temporary signs envisaged by Schedule 4 such as A frame signs and banners etc that are readily removable. As such, the proposal is not considered to be a “temporary sign” as intended in this Clause, and is permissible.</p>
<p>Schedule 8 Site analysis</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>



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EPA Regulation Considerations:

Clause 54 & 109 (Stop the Clock) Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further	
Clause 98 (BCA) Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further	Addressed via condition? <input type="checkbox"/> Yes <input type="checkbox"/> No
Is a Construction Certificate required? Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further	Addressed via condition? <input type="checkbox"/> Yes <input type="checkbox"/> No

REFERRALS

Pursuant to Clause 18 of the SEPP, the consent authority must not grant development consent to the display of an advertisement greater than 20 square metres and within 250 metres of a classified road without the concurrence of the RTA. Accordingly, this application for an advertising signage greater than 20 square metres and within 250 metres of a classified road was referred to the RTA on 30 July 2009.

Accordingly, the RTA has reviewed the proposal and advised that it has no objections, subject to conditions that the proposed signage must not have/ use:

- flashing lights,
- electronically changeable messages,
- any large area of illuminated display in the colour red,
- animated display, moving parts or simulated movement,
- Complex displays that hold a drivers attention beyond glance appreciation
- Displays resembling traffic signs or signals
- A method and level of illumination that distracts or dazzles

The proposed signage advertising for the occupation of future buildings at the site is not complex displays. The proposal is not for illuminating or animating signage. Therefore, the proposal is satisfactory in addressing the RTA's requirement.

SEPP Infrastructure: Applicable?

Yes No

This application does not require referral to the electricity supply authority, as the proposal does not comprise the following:

- the penetration of ground within 2m of an underground electricity power line or an electricity distribution pole or within 10m of any part of an electricity tower,
- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists), or immediately adjacent to an electricity substation, or within 5m of an exposed overhead electricity power line,
- installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line, measured horizontally from the top of the pool to the bottom of the structure at ground level, or within 5m of an overhead electricity power line, measured vertically upwards from the top of the pool,
- development involving or requiring the placement of power lines underground.

SEPP No.55 Remediation of Land: Applicable?



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Yes No

The site is currently vacant and construction of a retirement village has been approved at the site. In addition, the proposal is for signage affixed to an existing hoarding involving no earthwork that is consistent with the approved land use of the site. Therefore, no further consideration of this SEPP is required.

SEPP No. 64 Advertising and Signage: Applicable?

Yes No

Pursuant to Clause 18 of the SEPP, the consent authority must not grant development consent to the display of an advertisement greater than 20 square metres and within 250 metres of a classified road without the concurrence of the RTA. Accordingly, this application for an advertising signage greater than 20 square metres and within 250 metres of a classified road was referred to the RTA on 30 July 2009.

Pursuant to Clause 18 of the SEPP, the consent authority must not grant development consent to the display of an advertisement greater than 20 square metres and within 250 metres of a classified road without the concurrence of the RTA. Accordingly, this application for an advertising signage greater than 20 square metres and within 250 metres of a classified road was referred to the RTA on 30 July 2009. Accordingly, the RTA has reviewed the proposal and advised no objection, subject to conditions. The proposed signage advertising for the occupation of future buildings at the site is not complex displays. The proposal is not for illuminating or animating signage. Therefore, the proposal is satisfactory in addressing the RTA's requirement.

Clauses 8 and 13 of this SEPP require Council to determine consistency with the objectives stipulated under Clause 3(1) (a) of the SEPP and to assess the proposal against the assessment criteria of Schedule 1 that is provided as follows:

Matters for Consideration	Comment	Complies
<p>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?</p>	<p>The site is located within the E4 Dee Why Parade and E16Pittwater Road North locality under WLEP 2000. The locality is to provide a transition between the town centre and the surrounding residential land uses. A retirement village has been approved at the site. The proposed signage illustrating images and advertising occupation of future buildings at the construction site will not have an adverse impact on the desired future character of the area.</p>	YES
<p>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</p>	<p>The site is surrounded the following:</p> <ul style="list-style-type: none"> • North: Dee Why RSL • South: Mixed use retail and residential building, and a retail complex across Dee Why Parade • East: Child care centre and residential flat buildings • West: commercial premises and residential flat buildings across Pittwater Road <p>The surrounding land uses are characterised by various signages and advertising. The proposed signage illustrating images and advertising occupation of future buildings at the construction site will not have an adverse impact on the existing character of the area.</p>	YES
<p>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</p>	<p>Heritage The Dee Why Public Library at No.725 Pittwater Road is identified with local heritage significance. The Public Library is located on a higher contour approximately</p>	YES



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<p>areas, waterways, rural landscapes or residential areas?</p>	<p>195 metres away from the site such that there are no immediate sightlines between the subject site and the heritage item. In addition, the proposed signage on an existing hoarding is a temporary structure. Therefore, the proposal will not have an adverse impact on the heritage item.</p> <p>Residential area</p> <p>The proposal fronts residential flat buildings across the six lanes Pittwater Road. The proposed signage affixed to an existing hoarding will not be visually prominent or dominating. The images and advertising for occupation of future buildings will add visual interest to an existing large continuous wall planes. Therefore, the proposal is an improvement to the existing visual amenity of the surrounding space.</p> <p>In summary, the proposal will not detract from the amenity of visual quality of heritage area or residential area.</p>	
<p>3. Views and vistas Does the proposal obscure or compromise important views?</p>	<p>The proposed signage affixed to an existing hoarding will not affect the existing sharing of views.</p>	<p>YES</p>
<p>Does the proposal dominate the skyline and reduce the quality of vistas?</p>	<p>The proposed signage affixed to an existing hoarding will not affect the existing skyline. The images and advertising for occupation of future buildings will add visual interest to an existing large continuous wall planes and will not reduce the quality of vistas.</p>	<p>YES</p>
<p>Does the proposal respect the viewing rights of other advertisers?</p>	<p>The proposal is for a signage for a fixed period on an existing hoarding at the construction site. There is no other such signage or viewing rights of other advertisers at the site.</p>	<p>YES</p>
<p>4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</p>	<p>The site at Pittwater Road, which is an arterial road, is to provide transition between a town centre and residential land uses characterised by various land uses and street frontages. The signage is on the part of the hoarding along the western perimeter of the site that is appropriate in its scale, form and relationship with the streetscape and setting on Pittwater Road.</p>	<p>YES</p>
<p>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</p>	<p>The images and advertising for occupation of future buildings will add visual interest to the existing hoarding which is a large continuous wall planes. It will contribute temporarily to the visual interest of the streetscape.</p>	<p>YES</p>
<p>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</p>	<p>The proposal is for signage on an existing hoarding at the construction site. There is no other such signage or existing advertising at the site.</p>	<p>YES</p>
<p>Does the proposal screen unsightliness?</p>	<p>The images and advertisement for occupation of future buildings will screen the existing hoarding which is a large continuous wall planes.</p>	<p>YES</p>
<p>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</p>	<p>The proposed signage affixed to an existing hoarding will not protrude above buildings, structures or tree canopies in the area or locality.</p>	<p>YES</p>



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<p>5. Site and building</p> <p>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?</p>	<p>The site is currently under construction for a retirement village. The signage on display during construction will not impact on the site or building.</p>	<p>YES</p>
<p>Does the proposal respect important features of the site or building, or both?</p>	<p>The site is currently under construction for a retirement village. The signage on display during construction will not impact on features of the site or building.</p>	<p>YES</p>
<p>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</p>	<p>The site is currently under construction for a retirement village. The signage on display during construction does not have a direct relationship with the site or building.</p>	<p>YES</p>
<p>6. Associated devices and logos with advertisements and advertising structures</p> <p>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?</p>	<p>No 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 have been proposed.</p>	<p>N/A</p>
<p>7. Illumination</p> <p>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?</p>	<p>No illumination is proposed.</p>	<p>N/A</p>
<p>Can the intensity of the illumination be adjusted, if necessary?</p>	<p>No illumination is proposed</p>	<p>N/A</p>
<p>Is the illumination subject to a curfew?</p>	<p>No illumination is proposed</p>	<p>N/A</p>
<p>8. Safety</p> <p>Would the proposal reduce the safety for any public road, pedestrians or bicyclists?</p>	<p>The proposal is affixed to a hoarding and will not reduce the safety for public road, pedestrian or bicycles.</p>	<p>YES</p>
<p>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</p>	<p>The proposal is affixed to a hoarding and will not obscure sightlines from public areas.</p>	<p>YES</p>

Accordingly, the proposal is consistent with the objectives of the policy in being compatible with the desired amenity and visual character of the locality, providing effective communication, and being of high quality having regards to both design and finishes.

Applicable Legislation/ EPI's /Policies:

- EPA Act 1979
- EPA Regulations 2000
- Local Government Act 1993
- SEPP No. 55 – Remediation of Land
- SEPP No. 64 – Advertising & Signage
- SEPP Infrastructure
- WLEP 2000
- WDCP

SECTION 79C EPA ACT 1979



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Section 79C (1) (a)(i) – Have you considered all relevant provisions of any relevant environmental planning instrument?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(ii) – Have you considered all relevant provisions of any provisions of any draft environmental planning instrument	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(iii) – Have you considered all relevant provisions of any provisions of any development control plan	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(iiia) - Have you considered all relevant provisions of any Planning Agreement or Draft Planning Agreement	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Section 79C (1) (a)(iv) - Have you considered all relevant provisions of any Regulations?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (b) – Are the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality acceptable?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (c) – Is the site suitable for the development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (d) – Have you considered any submissions made in accordance with the EPA Act or EPA Regs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (e) – Is the proposal in the public interest?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



Warringah Council

SECTION 2 – ISSUES

PUBLIC EXHIBITION

This application was notified by letter dated 22 June 2009 in accordance with the EPA Regulation 2000 and the Warringah Development Control Plan. Two submissions were received in response to the notification from the following:

R Ejjamai	9-5 Kingsway, Dee Why
M Greene	2/5 Kingsway, Dee Why

The submissions have raised the following concerns, and each is addressed below:

1. The approved retirement village units interfere with the views obtained from 9/5 Kingsway.

Comment:

The proposal does not relate to a proposed building, rather it is to be attached to an existing temporary construction hoarding erected for the purposes of construction safety and security whilst the approved retirement village is being built. In addition, the 2.4 metres high signage is attached to the existing 2.4m high timber hoarding and does not exceed the height of the hoarding at the site. Therefore, the proposed signage in itself will not have an adverse impact on view sharing and is consistent with the requirement of Clause 61- Views. Therefore, the objection should not carry determining weight.

2. The proposed sign is inappropriate for the following reasons:

- **The land is for residential use.**
- **Detracts from visual amenity. In particular, the visual impact shown on the submitted plans is at a small scale and therefore lesser prominent or dominant.**
- **The 19 signs along the entire length of the block is excessive, one small sign would be sufficient. Alternative advertising on Manly Daily and television would be more appropriate.**

Comment:

The proposal is subject to Clause 53 of the WLEP 2000 - Signs and SEPP 64- Advertising and Signage which are addressed in this report. The proposal is consistent with the relevant planning controls, and will not have an adverse impact on the streetscape or the amenity surrounding properties. The proposed signage on an existing hoarding relating to the approved use of the site of a temporary nature is not unreasonable or unacceptable in its own right. Therefore, the objection should not carry determining weight.

3. The proposed temporary nature could mean that the sign could remain in place until all the units which the sign relates to are sold, that could mean 3 years or more, that is inappropriate.

Comment:

The proposed signage on an existing hoarding relating to the approved use of the site is not an unreasonable advertisement. A condition could be imposed that the sign is to be removed at the expiry of the hoarding permit or within 2 years. Therefore, the objection should not carry determining weight.

4. The construction at the site has removed trees.

Comment:

The concern has been referred to Council's Building Compliance Team to follow up. The proposed signage on an existing hoarding does not include tree removal. Therefore, the objection should not carry determining weight.



Warringah Council

WLEP 2000

DESIRED FUTURE CHARACTER

LOCALITY E4 DEE WHY PARADE

Dee Why Parade provides a transition between the town centre and adjacent residential localities.

As such the locality will incorporate a mix of business, community and leisure uses including housing, shops and offices with apartment style housing being the predominant use on the northern side of Dee Why Parade.

The scale of development will help to achieve the transition between the town centre and surrounding localities with the buildings on the northern side of the Parade being more in keeping with the scale of existing apartment style housing in the area. New development on the southern side of Dee Why Parade will be of an increased scale although it will remain less than the scale of development in the Howard Avenue locality. On either side of Dee Why Parade articulation of building façades in such a way that they are broken into smaller elements with strong vertical proportions will be encouraged.

Future development on the southern side of Dee Why Parade is to be designed so that a 3 storey podium adjoins the sidewalk and establishes a coherent parapet line. Above the parapet line additional storeys will be set back from the front and the side boundaries so that the scale of development does not dominate Dee Why Parade and spaces are created between buildings to add interest to the skyline, reduce the mass of the building and facilitate the sharing of views and sunlight.

Minimum ceiling heights will be observed in the locality to emphasise the ground floor of buildings which incorporate uses other than housing and to maximise the amenity of dwellings and facilitate their adaptation for other purposes.

Building layout and access are to be in accordance with Map E, available at the office of the Council.

LOCALITY E14 PITTWATER ROAD NORTH

The Pittwater Road North locality will incorporate a mix of business, retail and community uses including housing, shops and offices. Housing will predominantly take the form of apartment style housing with some shop-top housing where business and retail uses occur.

Future apartment style housing will be of a high standard of design that addresses public streets and spaces, creates visual interest and enables the establishment of substantial landscaping in the spaces between buildings.

Development that adjoins residential land is not to reduce the amenity enjoyed by adjoining occupants. In this regard the built form of commercial development in the locality is to provide a transition to adjacent residential development, including reasonable setbacks from side and rear boundaries, particularly above the ground floor level.

The Dee Why RSL Club will continue to cater for the recreational and leisure needs of the community. Development involved in the further expansion of the existing approved building and carparking areas is to be assessed with regard to a masterplan for the site. This masterplan will address issues such as views, visual impact, management of traffic and impact upon the amenity of the locality.

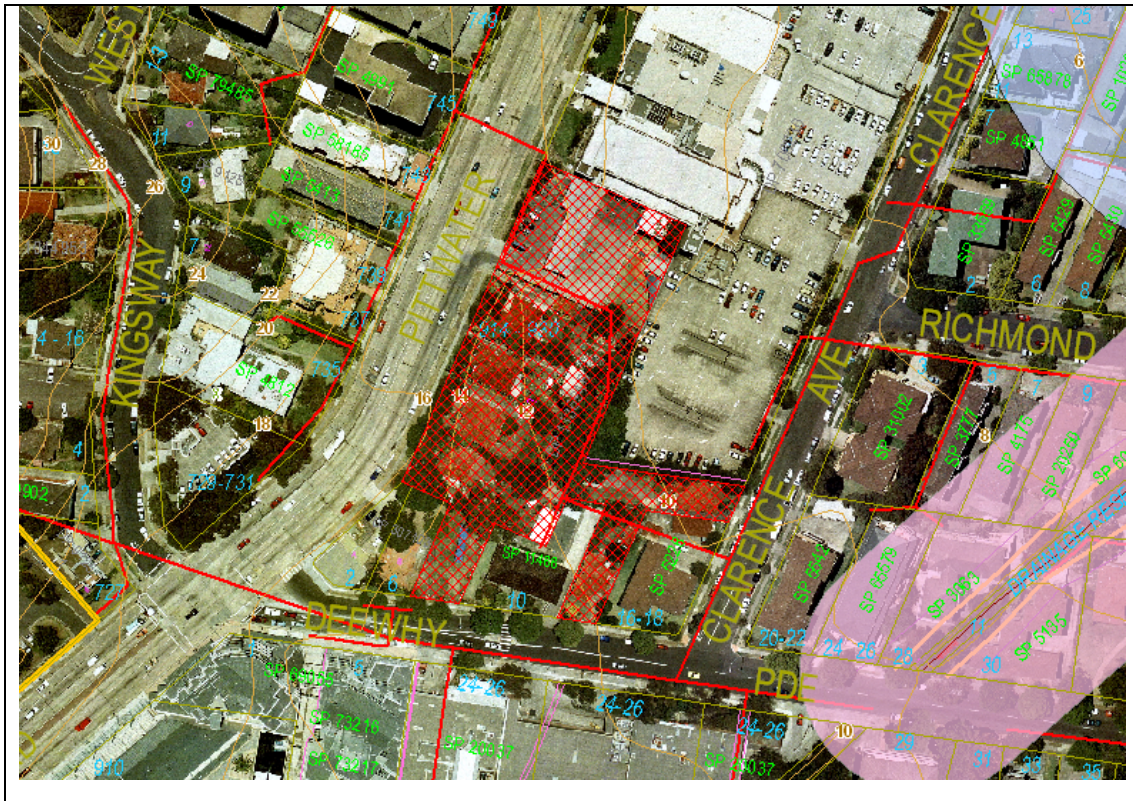
Pursuant to Clause 14 of WLEP 2000, the proposed sign is a Category 2 landuse as it is "Buildings, works or places" which are not Category 3 or Prohibited.

As mentioned previously, the proposed signage is not envisaged under WLEP 2000 and so is assessed on its merits on the basis that it is only to advertise an approved seniors living development granted consent by Council and for a limited period of time. Notwithstanding, the proposal is considered to be consistent with the DFC for the respective localities.

BUILT FORM CONTROLS

The Built form Controls do not apply to the proposal as the proposed signage is simply a large sticker attached to an existing Council approved construction hoarding. In this regard, there are no "built form" elements to the proposal.

SECTION 3 – SITE INSPECTION ANALYSIS



Detail existing onsite structures:

- Construction site for an approved retirement village.
- Hoarding (associated with the construction work for the approved retirement village, the permit is valid until October 2009.)

Bushfire Prone?

- Yes No

Flood Prone?

- Yes No

Affected by Acid Sulfate Soils

- Yes No

Located within 40m of any natural watercourse?

- Yes No

Located within 1km landward of the open coast watermark or within 1km of any bay estuaries, coastal lake, lagoon, island, tidal waterway within the area mapped within the NSW Coastal Policy?

- Yes No

Site Features:

- None

Potential View Loss as a result of development

- Yes No

Located within 100m of the mean high watermark?

- Yes No

Located within an area identified as a Wave Impact Zone?

- Yes No

Any items of heritage significance located upon it?

- Yes No

Located within the vicinity of any items of heritage significance?

- Yes No

Located within an area identified as potential land slip?

- Yes No



Warringah Council

Is the development Integrated?

Yes No

Does the development require concurrence?

Yes No

Is the site owned or is the DA made by the "Crown"?

Yes No

Have you reviewed the DP and s88B instrument?

Yes No

Does the proposal impact upon any easements / Rights of Way?

Yes No



Warringah Council

Site Inspection / Desktop Assessment Undertaken by:

Does the site inspection <Section 3> confirm the assessment undertaken against the relevant EPI's <Section's 1 & 2>?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there any additional matters that have arisen from your site inspection that would require any additional assessment to be undertaken?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes provide detail: No matters arose from initial site inspection.

Signed

Date

Cynthia Chan, Development Assessment Officer



Warringah Council

SECTION 4 – APPLICATION DETERMINATION

Conclusion:

The proposal has been considered against the relevant heads of consideration under S79C of the EPA Act 1979 and the proposed development is considered to be:

- Satisfactory
 Unsatisfactory

Recommendation:

That Council as the consent authority

- GRANT DEVELOPMENT CONSENT** to the development application subject to:
- (a) the conditions detailed within the associated notice of determination; and
 - (b) the consent lapsing within three (3) from operation
- GRANT DEFERRED COMMENCEMENT CONSENT** to the development application subject to:
- (a) the conditions detailed within the associated notice of determination;
 - (b) limit the deferred commencement condition time frame to 3 years;
 - (c) one the deferred commencement matter have been satisfactorily addressed issue an operational consent subject to the time frames detailed within part (d); and
 - (d) the consent lapsing within three (3) from operation
- REFUSE development consent** to the development application subject to:
- (a) the reasons detailed within the associated notice of determination.

Signed

Date

Cynthia Chan, Development Assessment Officer

The application is determined under the delegated authority of:

Signed

Date

Steve Findlay, Team Leader Development Assessment