

## DEVELOPMENT APPLICATION ASSESSMENT REPORT

<b>Application Number:</b>	DA2022/0292
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<b>Responsible Officer:</b>	Nick Keeler
<b>Land to be developed (Address):</b>	Lot 1 DP 111254, 1299 Pittwater Road NARRABEEN NSW 2101 Lot 2 DP 111254, 1299 Pittwater Road NARRABEEN NSW 2101
<b>Proposed Development:</b>	Installation of signage
<b>Zoning:</b>	Warringah LEP2011 - Land zoned R3 Medium Density Residential
<b>Development Permissible:</b>	Yes
<b>Existing Use Rights:</b>	No
<b>Consent Authority:</b>	Northern Beaches Council
<b>Land and Environment Court Action:</b>	No
<b>Owner:</b>	Narrabeen Lakes Public School NSW Department of Education
<b>Applicant:</b>	Power Wholesale Signage & Plastics Pty Ltd

<b>Application Lodged:</b>	23/03/2022
<b>Integrated Development:</b>	No
<b>Designated Development:</b>	No
<b>State Reporting Category:</b>	Infrastructure
<b>Notified:</b>	01/04/2022 to 15/04/2022
<b>Advertised:</b>	Not Advertised
<b>Submissions Received:</b>	0
<b>Clause 4.6 Variation:</b>	Nil
<b>Recommendation:</b>	Approval

<b>Estimated Cost of Works:</b>	\$ 34,790.00
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### PROPOSED DEVELOPMENT IN DETAIL

The applicant seeks development consent for the construction of two partially digital pylon signs at Narrabeen Lakes Public School fronting the junction of Goodwin Street and Pittwater Road.

### 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 Development Control Plan - B7 Front Boundary Setbacks  
Warringah Development Control Plan - D23 Signs

## SITE DESCRIPTION

<b>Property Description:</b>	Lot 1 DP 111254 , 1299 Pittwater Road NARRABEEN NSW 2101 Lot 2 DP 111254 , 1299 Pittwater Road NARRABEEN NSW 2101
<b>Detailed Site Description:</b>	<p>Narrabeen Lakes Public School consists of nineteen (19) allotments bounded by Pittwater Road to the east, Goodwin Street to the south, Park Street to the west and a part of Devitt Street to the north. The proposed development is located in Lot 1 Sec 25 DP 111254.</p> <p>The development lot is irregular in shape with a primary frontage of approx. 16m along Pittwater Road and a secondary frontage of approx. 60m along Goodwin Street. The lot has an area of 887m<sup>2</sup>.</p> <p>The site is located within the R3 Medium Density Residential zone and accommodates Narrabeen Lakes Public School which includes numerous structures, sports courts and several landscaped areas.</p> <p><b>Detailed Description of Adjoining/Surrounding Development</b></p> <p>Adjoining and surrounding development is characterised by a mix of residential and commercial buildings at varying scales and densities.</p>

Map:



## SITE HISTORY

The land has been used for educational purposes for an extended period of time. A search of Council's records has revealed the following relevant history:

Application **DA2000/3549** for alterations and additions to Narrabeen Lakes Public School was approved on 07/11/2000.

Application **DA2001/1905** for alterations and additions to Narrabeen Lakes Public School was approved on 03/06/2002.

Application **DA2014/0999** for construction of two (2) demountable classrooms was approved on 09/12/2014.

Application **DA2017/0780** for installation of a demountable classroom was approved on 04/10/2017.

## 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	Draft State Environmental Planning Policy (Remediation of Land) seeks to replace the existing SEPP No. 55 (Remediation of Land). Public consultation on the draft policy was completed on 13 April 2018. The subject site has been used for educational purposes for an extended period of time. The proposed development retains the residential use of the site, and is not considered a contamination

Section 4.15 Matters for Consideration	Comments
	risk.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiiia) – 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&amp;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 29</u> of the EP&amp;A Regulation 2021 requires the submission of a design verification certificate from the building designer at lodgement of the development application. This clause is not relevant to this application.</p> <p><u>Clauses 36 and 94</u> of the EP&amp;A Regulation 2021 allow Council to request additional information. No additional information was requested in this case.</p> <p><u>Clause 61</u> of the EP&amp;A Regulation 2021 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This clause is not relevant to this application.</p> <p><u>Clauses 62 and/or 64</u> of the EP&amp;A Regulation 2021 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application.</p> <p><u>Clause 69</u> of the EP&amp;A Regulation 2021 requires the consent authority to consider insurance requirements under the Home Building Act 1989. This clause is not relevant to this application.</p> <p><u>Clause 69</u> of the EP&amp;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) <b>Environmental Impact</b> The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report.</p> <p>(ii) <b>Social Impact</b> The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) <b>Economic Impact</b> The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and</p>

Section 4.15 Matters for Consideration	Comments
	proposed land use.
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 development application has been publicly exhibited from 01/04/2022 to 15/04/2022 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the Community Participation Plan.

As a result of the public exhibition of the application Council received no submissions.

## REFERRALS

Internal Referral Body	Comments
Strategic and Place Planning (Heritage Officer)	HERITAGE COMMENTS
	Discussion of reason for referral
	The proposal has been referred to Heritage as the subject site contains four heritage items:
	<b>Item I98 - Memorial known as “SS Collaroy Memorial” - 1299 Pittwater Road</b>
	<b>Item I99 - School administration building - 1299 Pittwater Road</b>
<b>Item I100 - Main school building - 1299 Pittwater Road</b>	
<b>Item I101 - Sandstone memorial - 1299 Pittwater Road</b>	
	Details of heritage items affected
	Details of the heritage items as contained within the Warringah Heritage Inventory are:

Internal Referral Body	Comments		
	<p><b>Item I98 - Memorial known as “SS Collaroy Memorial”</b>  <u>Statement of significance:</u>            A monument of social &amp; historic significance to the community being a relic from the S.S. Collaroy after which it is claimed that the suburb was named. Social significance due to association with Narrabeen Primary School.  <u>Physical description:</u>            Comprises the anchor of the ship S.S. Collaroy within a cement life-bouy with an inscription plaque. Set in irregular area of rough aggregate in cement.</p> <p><b>Item I99 - School administration building</b>  <u>Statement of significance:</u>            A rare surviving example of a headmaster's residence associated with one of the earliest schools in the area. It retains significant components of its original fabric &amp; embodies strong associational significance with the provision of school facilities.  <u>Physical description:</u>            Single storey face brick cottage with hipped roof of corrugated steel. Skillion roof at rear. Timber sash windows with multi-pane top sashes. Exposed timber rafter ends. 1920's brick verandah, with infilled ends. Renderwork decoration to sills.</p> <p><b>Item I100 - Main school building</b>  <u>Statement of significance:</u>            A good representative example of an early 20th century timber classroom. Displays high integrity with much original fabric. Historically evidence of the early growth of educational infrastructure &amp; strong social significance with high community visibility.  <u>Physical description:</u>            Single storey timber weatherboard building with gabled corrugated metal roof. "T" shape floor plan resulting from progressive extensions. Wide eaves &amp; exposed timber rafter ends. Multi-paned timber sash windows. face brick chimneys.</p> <p><b>Item I101 - Sandstone memorial</b>  <u>Statement of significance:</u>            A monument of social &amp; historic significance to the community due to its association with Narrabeen Primary School &amp; the Manly Warringah &amp; Pittwater Historical Society.  <u>Physical description:</u>            Squat memorial of rough-hewn sandstone blocks with carved inscription and bronze plaque. Set in irregular area of rough aggregate in cement.</p>		
	<b>Other relevant heritage listings</b>		
	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%; padding: 5px;">Sydney Regional Environmental Plan (Sydney Harbour</td> <td style="width: 50%; padding: 5px; text-align: center;">No</td> </tr> </table>	Sydney Regional Environmental Plan (Sydney Harbour	No
Sydney Regional Environmental Plan (Sydney Harbour	No		

Internal Referral Body	Comments		
	Catchment) 2005		
	Australian Heritage Register	No	
	NSW State Heritage Register	No	
	National Trust of Aust (NSW) Register	No	
	RAIA Register of 20th Century Buildings of Significance	No	
	Other	No	
<b>Consideration of Application</b>			
<p>The proposal seeks consent for replacement of the existing signage, located at the south-west corner of the subject site. The existing single signage-angled at the corner is proposed to be replaced with two sign boards - each of them parallel to the boundary fence facing Pittwater Road and Goodwin Street, containing a large LED display on each sign board.</p> <p>The proposal involves replacing one existing sign board with two sign boards with digital screens, that is considered inappropriate for their size and location, being located immediately before the heritage listed buildings. As such the proposed signage is considered to be inconsistent with the relevant controls of the Warringah Development Control Plan 2011:</p> <p><i>D23 Signs Requirements</i></p> <p><i>Freestanding signs (not being a sign elsewhere listed in this table, and includes a bulletin board, tenancy board, and the like)</i></p> <ul style="list-style-type: none"> <li>• <i>Shall not exceed 2 metres in height above the existing natural ground level;</i></li> <li>• <i>Shall not have an area greater than 4sqm;</i></li> <li>• <i>Shall not be illuminated.</i></li> </ul> <p><i>Pole or pylon sign (erected on a pole or pylon independent of any building or other structure)</i></p> <ul style="list-style-type: none"> <li>• <i>No more than one pole/pylon sign per site is permitted.</i></li> </ul> <p>However, the replacement of one sign with two signs is considered acceptable, as the signs are facing two different directions - Goodwin Street and Pittwater Road. Given that the proposed signage has been located immediately before the heritage listed buildings, in a highly prominent location of the site, it is considered that the size of the signage should be reduced to minimise the</p>			

Internal Referral Body	Comments
	<p>adverse impact upon the heritage items beyond.</p> <p>Therefore, no objections are raised on Heritage grounds, subject to one condition.</p> <p><u>Consider against the provisions of CL5.10 of WLEP 2011.</u>            Is a Conservation Management Plan (CMP) Required? No Has a CMP been provided? No            Is a Heritage Impact Statement required? Yes Has a Heritage Impact Statement been provided?</p> <p><b>Further Comments</b></p> <p>COMPLETED BY: Oya Guner, Heritage Advisor</p> <p>DATE: 07 April 2022, Revised - 27 April 2022</p> <p><u>Planner Note:</u></p> <p>As this development application related to Crown development, a construction certificate is not required to be prepared. As such, the recommended heritage condition has been reworded to remove reference to information required to be submitted to the certifying authority prior to the issue of a construction certificate.</p> <p>Additionally, it should be noted that the location of the signage is at the southeast corner of the site, not the southwest corner as stated in these referral comments.</p>
Traffic Engineer	There are no traffic engineering objections to approval

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

### ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)\*

All, Environmental Planning Instruments (SEPPs, REPs 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, REPs 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)

### SEPP 55 - Remediation of Land

**Note:** SEPP 55 was repealed on 1 March 2022 and replaced by SEPP (Resilience and Hazards) 2021. All references to the repealed SEPP should be taken as reference to the relevant sections of Chapter 4 of SEPP (Resilience and Hazards) 2021.

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for educational purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the educational land use.

### SEPP 64 - Advertising and Signage

**Note:** SEPP 64 was repealed on 1 March 2022 and replaced by SEPP (Industry and Employment) 2021. All references to the repealed SEPP should be taken as reference to the relevant sections of Chapter 3 of SEPP (Industry and Employment) 2021.

Clauses 8 and 13 of SEPP 64 require Council to determine consistency with the objectives stipulated under Clause 3(1)(a) of the aforementioned SEPP and to assess the proposal against the assessment criteria of Schedule 1.

The objectives of the policy 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 1 of SEPP 64, the following assessment is provided:

Matters for Consideration	Comment	Complies
<b>1. Character of the area</b> 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 signs are compatible with the locality being within the school grounds.	YES
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The signs are consistent with what would be expected for an educational precinct.	YES
<b>2. Special areas</b> Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The site contains several heritage items, however the signs are not considered to unreasonably detract from the visual quality of these items. The level of illumination is minor and is not considered to detract from the amenity or visual quality of the adjacent residential precinct.	YES

<p><b>3. Views and vistas</b> Does the proposal obscure or compromise important views?</p>	<p>No significant view loss will arise as a result of the proposal.</p>	<p>YES</p>
<p>Does the proposal dominate the skyline and reduce the quality of vistas?</p>	<p>No, the signs are sited below the existing tree canopy level.</p>	<p>YES</p>
<p>Does the proposal respect the viewing rights of other advertisers?</p>	<p>The signs do not conflict with any other signage.</p>	<p>YES</p>
<p><b>4. Streetscape, setting or landscape</b> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</p>	<p>Yes, the signs are of a height that allows it to be viewed from the street, whilst sitting below the treeline.</p>	<p>YES</p>
<p>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</p>	<p>The signs will allow for the display of school information which will benefit the community.</p>	<p>YES</p>
<p>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</p>	<p>Yes, the signs consolidate school information to the main entrance of the school.</p>	<p>YES</p>
<p>Does the proposal screen unsightliness?</p>	<p>No unsightliness is required to be screened.</p>	<p>YES</p>
<p>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</p>	<p>The signs are free standing at the front of the site (orientated towards Goodwin Street and Pittwater Road).</p>	<p>YES</p>
<p><b>5. Site and building</b> 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 signs are compatible with the theme of school buildings.</p>	<p>YES</p>
<p>Does the proposal respect important features of the site or building, or both?</p>	<p>The signs do not impact any buildings or trees which are considered important for the function or use of the site.</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 signs, being sited together, are an effective way to consolidate information about the school and reduce the clutter of other potential signage utilised by the school or community groups.</p>	<p>YES</p>
<p><b>6. Associated devices and logos with advertisements and advertising structures</b> 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>The top of the sign will include the Narrabeen Lakes Public School logo. However, this component will not be illuminated. The electronic component will be confined to the notice board.</p>	<p>YES</p>
<p><b>7. Illumination</b> 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>The level of illumination resulting from the proposal will not detract from the amenity or visual quality of the adjacent residential precinct. Furthermore, Council's traffic team have reviewed the proposal with respect to road safety and considered it to be acceptable, not taking away</p>	<p>YES</p>

	from the safety of pedestrians, cyclists or vehicles.	
Can the intensity of the illumination be adjusted, if necessary?	The level of illumination can be adjusted as necessary.	YES
Is the illumination subject to a curfew?	A condition has been included with this consent requiring the electronic signage to cease between the hours of 9:00pm and 6:00am daily.	YES
<b>8. Safety</b> Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	As noted above, Council's traffic team have reviewed the sign in regards to road safety and consider it to be acceptable, not taking away from the safety of pedestrians, cyclists or vehicles.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The sign is located within the property boundary and does not obscure sight lines along public roads or vehicle entrances.	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 the SEPP and its underlying objectives.

### **SEPP (Infrastructure) 2007**

**Note:** SEPP (Infrastructure) 2007 was repealed on 1 March 2022 and replaced by SEPP (Transport and Infrastructure) 2021. All references to the repealed SEPP should be taken as reference to the relevant sections of Chapter 2 of SEPP (Transport and Infrastructure) 2021.

#### Ausgrid

Clause 45 of the SEPP 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.

#### Comment:

The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.

### **SEPP (Coastal Management) 2018**

**Note:** SEPP (Coastal Management) 2018 was repealed on 1 March 2022 and replaced by SEPP (Resilience and Hazards) 2021. All references to the repealed SEPP should be taken as reference to

the relevant sections of Chapter 2 of SEPP (Resilience and Hazards) 2021.

The site is classified as land within the coastal environment area under the State Environmental Planning Policy (Coastal Management) 2018. Accordingly, an assessment under the SEPP has been carried out as follows:

### **13 Development on land within the coastal environment area**

- (1) *Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following:*
- (a) *the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
  - (b) *coastal environmental values and natural coastal processes,*
  - (c) *the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
  - (d) *marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
  - (e) *existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
  - (f) *Aboriginal cultural heritage, practices and places,*
  - (g) *the use of the surf zone.*

#### Comment:

The proposed development is not expected to result in an adverse impact to the coastal environment area.

- (2) *Development consent must not be granted to development on land to which this clause applies unless the consent authority is satisfied that:*
- (a) *the development is designed, sited and will be managed to avoid an adverse impact referred to in subclause (1), or*
  - (b) *if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*
  - (c) *if that impact cannot be minimised—the development will be managed to mitigate that impact.*

#### Comment:

Council is satisfied that the proposed development is designed and sited in a manner that avoids adverse impact to the items referred to in subclause (1).

### **15 Development in coastal zone generally—development not to increase risk of coastal hazards**

*Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.*

Comment:

The proposed development is not expected to cause an increased risk of coastal hazards on the site or surrounding land.

As such, it is considered that the application complies with the requirements of the State Environmental Planning Policy (Coastal Management) 2018.

**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?	Yes
zone objectives of the LEP?	Yes

Principal Development Standards

Standard	Requirement	Proposed	% Variation	Complies
Height of Buildings:	8.5m	4.3m	N/A	Yes

Compliance Assessment

Clause	Compliance with Requirements
4.3 Height of buildings	Yes
5.10 Heritage conservation	Yes
6.1 Acid sulfate soils	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

**Warringah Development Control Plan**

Built Form Controls

Built Form Control	Requirement	Proposed	% Variation*	Complies
B1 Wall height	7.2m	N/A	N/A	N/A
B3 Side Boundary Envelope	N - 4m	Within envelope	N/A	Yes
B5 Side Boundary Setbacks	N - 0.9m	>0.9m	N/A	Yes
B7 Front Boundary Setbacks	Primary - 6.5m	1m	84.6%	No
	Secondary - 3.5m	1m	71.4%	No
D1 Landscaped Open Space (LOS) and Bushland Setting	40%	Negligible change to existing	N/A	Yes

### Compliance Assessment

<b>Clause</b>	<b>Compliance with Requirements</b>	<b>Consistency Aims/Objectives</b>
A.5 Objectives	Yes	Yes
B2 Number of Storeys	N/A	N/A
B3 Side Boundary Envelope	Yes	Yes
B5 Side Boundary Setbacks	N/A	N/A
B7 Front Boundary Setbacks	No	Yes
B9 Rear Boundary Setbacks	N/A	N/A
C4 Stormwater	Yes	Yes
C7 Excavation and Landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
C9 Waste Management	Yes	Yes
D1 Landscaped Open Space and Bushland Setting	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
D11 Roofs	N/A	N/A
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D18 Accessibility and Adaptability	N/A	N/A
D20 Safety and Security	Yes	Yes
D21 Provision and Location of Utility Services	N/A	N/A
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
E10 Landslip Risk	Yes	Yes

### Detailed Assessment

#### **B7 Front Boundary Setbacks**

##### Description of non-compliance

The control requires development to be setback a minimum of 6.5m from the primary front boundary and 3.5m from the secondary frontage where compatible with the predominant setbacks in that street.

The proposed signs are to be setback approx. 1m from the primary frontage along Pittwater Road and

secondary frontage along Goodwin Street.

Merit consideration:

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *To create a sense of openness.*

Comment:

The proposed signage, being of a lightweight pylon design, is not expected to unreasonable impact upon the openness of the front setback area along Pittwater Road and Goodwin Street.

- *To maintain the visual continuity and pattern of buildings and landscape elements.*

Comment:

The proposed signs replace an existing static sign. The signs are not expected to unreasonably impact upon the visual continuity of the pattern of the existing buildings and landscape elements.

- *To protect and enhance the visual quality of streetscapes and public spaces.*

Comment:

The proposed signs are focused towards the junction of Goodwin Street and Pittwater Road. They are not expected to unreasonably impact upon the visual quality of the streetscape.

- *To achieve reasonable view sharing.*

Comment:

The proposed signs are not expected to result in any impact to existing view corridors.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

**D23 Signs**

Description of non-compliance and/or inconsistency

The application proposes two pieces of signage consisting of the following:

Sign	Requirement	Proposal	Complies
Pole or pylon sign (erected on a pole or pylon independent of any building or other structure)	Shall not be less than 2.6 metres above ground level;	4.3m	Yes
	Shall not exceed 6 metres in height above the existing	4.3m	Yes

	natural ground level;		
	Must have a maximum area of no more than 4sqm on any single face;	Each sign has a total area of approx. 4m <sup>2</sup> , with the electronic element being 2m <sup>2</sup> .	Yes
	Shall not project beyond the boundary of the premises; and	Signs are contained within the property boundaries.	Yes
	No more than one pole/pylon sign per site is permitted.	Two pylon signs are proposed.	No

### Merit consideration

With regard to the consideration for a variation, the development is considered against the underlying Objectives of the Control as follows:

- *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:

The proposed signage design and location is consistent with other similar pylon signs at schools throughout the Northern Beaches. The static content of the sign relates to the school. A condition is included to prohibit the display of third party signage on the electronic display.

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

#### Comment:

The signage is a simple design and is well proportioned. The nominated materials of the signage is considered to be acceptable.

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

#### Comment:

The proposed sign is not expected to cause unreasonable impact to the visual amenity of the streetscape or surrounding locality, subject to conditions. The proposed signs are of a design and size commonly found at other schools across the Northern Beaches.

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

#### Comment:

The proposed signage is to be conditioned as to minimise illumination impacts upon adjacent residential properties.

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



Comment:

The proposed signage is not expected to unreasonably impact upon the visual quality and significance of the heritage items found on the site.

An assessment of the application has also found the development to be consistent with the requirements of *State Environmental Planning Policy No. 64 - Advertising and Signage*.

Having regard to the above assessment, it is concluded that the proposed development is consistent with the relevant objectives of WDCP and the objectives specified in s1.3 of the Environmental Planning and Assessment Act, 1979. Accordingly, this assessment finds that the proposal is supported, in this particular circumstance.

## **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 2021**

As the estimated cost of works is less than \$100,001.00 the policy is not applicable to the assessment of this application.

## **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 2000;
- 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 DA2022/0292 for Installation of signage on land at Lot 1 DP 111254, 1299 Pittwater Road, NARRABEEN, Lot 2 DP 111254, 1299 Pittwater Road, NARRABEEN, subject to the conditions printed below:

### DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

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

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

##### a) Approved Plans

<b>Architectural Plans - Endorsed with Council's stamp</b>		
<b>Drawing No.</b>	<b>Dated</b>	<b>Prepared By</b>
001 Rev 02	03/06/2021	Allpride Signs
002 Rev 02	03/06/2021	Allpride Signs

##### b) Any plans and / or documentation submitted to satisfy the Conditions of this consent.

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent will prevail.

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans.

#### 2. **Prescribed Conditions (Crown Land Only)**

(a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).

Reason: Legislative Requirement.

#### 3. **General Requirements (Crown Land Only)**

(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:

- o 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) 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.

(c) 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.

(d) Where works are to be carried out to a Class 1a building, smoke alarms are to be installed throughout all new and existing portions of that Class 1a building in accordance with the Building Code of Australia prior to the occupation of the new works.

(e) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

(f) No building, demolition, excavation or material of any nature and no hoist, plant and machinery (crane, concrete pump or lift) 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 and the use will not exceed more than 5dB (A) above the background level when measured from any property boundary and/or habitable room(s) consistent with the Environment Protection Authority's NSW Industrial Noise Policy and/or Protection of the Environment Operations Act 1997.

(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.

(j) 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.

(k) Any Regulated System (e.g. air-handling system, hot water system, a humidifying system, warm-water system, water-cooling system, cooling towers) as defined under the provisions of the Public Health Act 2010 installed onsite is required to be registered with Council prior to operating.

Note: Systems can be registered at [www.northernbeaches.nsw.gov.au](http://www.northernbeaches.nsw.gov.au)

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

4. **Compliance with Standards (Crown Land Only)**

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

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

5. **Size and illumination of the signage**

The height of the proposed signage must be reduced to be maximum 3500mm in height and the width should be reduced in proportion. The proposed illumination should also be less dominant to minimise the adverse impact on the integrity of the heritage items within the school complex.

Reason: To preserve the significance of the heritage items within the school complex.

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

6. **Hours of Illumination**

Illumination of signage at the subject premises shall cease between the hours of 9:00pm and 6:00am daily.

Signs must not flash, move or be constructed of neon materials.

Reason: To ensure residential premises are not affected by inappropriate or excessive illumination.

7. **Illumination Intensity and design**

The level of illumination and/or lighting intensity used to illuminate the signage is to be minimised and the design is to be such to ensure that excessive light spill or nuisance is not caused to any nearby premises.

Reason: To ensure appropriate forms of signage that are consistent with Council's controls and those that are desired for the locality, and do not interfere with amenity of nearby properties.

8. **No Third Party Signage**

No third party advertising for commercial/business use is to be displayed on the electronic noticeboard.

Reason: Third party signage is not permitted.

9. **Compliance of sign and messages displayed with relevant guidelines**

The sign and content displayed on the sign has to be compliance with the relevant guidelines including the NSW Government's Transport Corridor Outdoor Advertising and Signage Guidelines.

Reason: To ensure road safety.

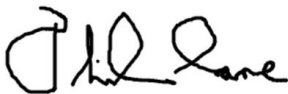
In signing this report, I declare that I do not have a Conflict of Interest.

**Signed**



**Nick Keeler, Planner**

The application is determined on 29/04/2022, under the delegated authority of:



**Phil Lane, Acting Development Assessment Manager**