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STATEMENT OF ENVIRONMENTAL EFFECTS

David Jones Downsize

Prepared for
SCENTRE GROUP
21 October 2022

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Tim Blythe
Associate Director	Naomi Daley
Consultant	Kate Riley
Project Code	P0032884
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CONTENTS

1.	Introduction	1
2.	Site Context	2
2.1.	Locality	2
2.2.	Subject Site	2
2.2.1.	Site Description	2
2.2.2.	Existing Development	3
2.3.	Surrounding Context	5
2.4.	Transport Network	5
2.4.1.	Pedestrian Access	5
2.4.2.	Vehicular Access and Parking	5
2.4.3.	Public Transport Access	5
3.	Background	7
3.1.	DA2008/1741 – Stage 1 Expansion	7
3.2.	DA2018/1514 – Stage 2 Expansion	7
3.3.	DA2021/2226 – Stage 2B Works	7
4.	Proposed Development	8
4.1.	Overview	8
4.2.	Ground Floor Works	8
4.3.	Level 2 Works	9
4.4.	Tenancy Use and Operation of Gym after hours	10
4.5.	Roof Works	11
5.	Statutory Context	13
5.1.	State Environmental Planning Policy (Transport and INFRASTRUCTURE) 2021	13
5.2.	State Environmental Planning Policy (Exempt and Complying Codes) 2008	13
5.3.	Warringah Local Environmental Plan 2011 (WLEP 2011)	13
5.3.1.	Zoning and Permissibility	13
5.3.2.	Development Standards	14
5.3.3.	Acid Sulfate Soils	14
5.3.4.	Flood planning	15
5.4.	Warringah Development Control Plan (WLDGP 2011)	15
6.	Assessment of Key Issues	29
6.1.	Built form Impacts	29
7.	Section 4.15 Assessment	31
7.1.	Environmental Planning Instruments	31
7.2.	Draft Environmental Planning Instruments	31
7.3.	Development Control Plan	31
7.4.	Planning Agreement	31
7.5.	Regulations	31
7.6.	Likely Impacts of the Proposal	31
7.6.1.	Natural and Built Environment	31
7.6.2.	Social and Economic	31
7.7.	Suitability of the Site	32
7.8.	Submissions	32
7.9.	Public Interest	32
8.	Conclusion	33
	Disclaimer	34

FIGURES

Figure 1- Locality Diagram.....	2
Figure 2 – Aerial Image.....	3
Figure 3- Site Photographs	3
Figure 4 – Ground floor plan	8
Figure 5 – Level 2 proposed floor plan	9
Figure 6 – Long section of new bridge.....	10
Figure 7 – Roof works plan	11
Figure 8 – Roof works elevation	11
Figure 9- Zoning map extract.....	14
Figure 10 – DCP Height Plan diagram	29
Figure 11 – Winter shadow diagrams for existing the proposed roof works.....	29

PICTURES

Picture 1- Southern pedestrian to Warringah Mall	4
Picture 2- View of car park from Old Pittwater Road.....	4
Picture 3 – Looking south along Green Street	4
Picture 4- Existing bus stop and collection zone	4
Picture 5- Existing at grade car park from Condamine.....	4
Picture 6- Looking north from junction of Condamine Street and Old Pittwater Road	4

TABLES

Table 1 Supporting Documentation.....	1
Table 2 Numeric Overview of Proposal.....	8
Table 3 DCP Compliance Table.....	15

1. INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Urbis Pty Ltd on behalf of Scentre Group (the Applicant) in support of a Development Application (DA) for minor alterations and additions to Westfield Warringah Mall Shopping Centre ('Warringah Mall') located at 145 Old Pittwater Road, Brookvale ('the site') to facilitate 3 future tenants.

The proposed works have an estimated cost of \$2,959,000 and development consent is sought in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This SEE is structured as follows:

- **Section 2 - Site Context:** identifies the site and describes the existing development and local and regional context.
- **Section 3 - Background:** outlines the approvals history and pre-lodgement discussions with key stakeholders.
- **Section 4 -Proposed Development:** provides a detailed description of the proposal including the demolition, construction and operational.
- **Section 5 - Statutory Context:** provides a detailed assessment of the State and local environmental planning instruments and plans relevant to the site and development.
- **Section 6 – Assessment of Key Issues:** identifies the potential impacts arising from the proposal and recommends measures to mitigate, minimise or manage these impacts.
- **Section 7 - Section 4.15 Assessment:** provides an assessment of the proposal against the matters of consideration listed in section 4.15 of the EP&A Act.
- **Section 8 – Conclusion:** provides an overview of the development assessment outcomes and recommended determination of the DA.

This report should be read in conjunction with the supporting documentation listed in **Table 1**.

Table 1 Supporting Documentation

Document Title	Consultant
Cost Report	Caroline Yar Wen Chye
Architectural Plans	Scentre Group

2. SITE CONTEXT

2.1. LOCALITY

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

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

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

Figure 1- Locality Diagram



Source: Urbis

2.2. SUBJECT SITE

2.2.1. Site Description

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

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

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

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

Figure 2 – Aerial Image



2.2.2. Existing Development

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

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

The Stage 2 development works (2018SNH052) comprised major additions to the existing centre including new retail premises, food premises, kiosks, department stores and a new cinema complex along with associated car parking and landscaping. The stage 2 redevelopment works include an addition of 9,847sqm of GLA and 418 additional car parking spaces.

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

Figure 3- Site Photographs



Picture 1- Southern pedestrian to Warringah Mall

Source: Urbis



Picture 2- View of car park from Old Pittwater Road

Source: Urbis



Picture 3 – Looking south along Green Street

Source: Urbis



Picture 4- Existing bus stop and collection zone

Source: Urbis



Picture 5- Existing at grade car park from Condamine

Source: Urbis



Picture 6- Looking north from junction of Condamine Street and Old Pittwater Road

Source: Urbis

2.3. SURROUNDING CONTEXT

The surrounding land use context is characterised by a diverse mix of commercial, industrial, residential, recreational and education uses. The site is also within the boundaries of Council's identified Brookvale Structure Plan, anticipated for exhibition prior to the end of the year. This plan denotes the area as employment lands and future opportunities for some mixed use.

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

The Beach School, Brookvale Public School and St Augustines College are located within a 1 kilometre radius of the site.

Allenby Park and Manly Dam Reserve are situated to the northwest and southwest of the site. Adjacent and adjoining land uses are described as follows.

- **North:** To the north of the site is a large industrial area. Super Cheap Auto and Bunnings Warehouse is located within the site boundaries on the northern portion of the site. Freestanding retail and non-retail shopfronts as well as the Brookvale Hotel are located along the eastern and western sides of Pittwater Road to the north of the site i.e. from Orchard Road in the south to Winbourne Road in the north
- **East:** Warringah Golf Course is located on the eastern side of Condamine Road and is bound to the east by Pittwater Road and Brookvale Creek.

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

- **South:** The Northern Beaches TAFE is located on the southern side of Old Pittwater Road, as well as a series of detached dwelling houses.
- **West:** To the west of the site along Old Pittwater Road are several industrial and office premises uses characterised by larger scale, multi-story buildings.

2.4. TRANSPORT NETWORK

2.4.1. Pedestrian Access

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

- Off Condamine Street at the southern portion of the site.
- Off Cross Street, via Green Street
- Off Old Pittwater Road, via the multi-deck car parking at this location

The subject site is bounded by pedestrian footpaths along the edges of the major roadways, however pedestrian access into the shopping centre site is adequately provided into the site.

2.4.2. Vehicular Access and Parking

The surrounding road network provides good access to Warringah Mall for residents of the surrounding area with Pittwater Road/Condamine Street/Spit Road being the major north-south carriageway. This provides direct access to the centre for residents from Mosman in the south through to Mona Vale in the north. Warringah Road provides access to the centre from the west for residents of Forestville, Glenrose and Frenchs Forest.

Existing and operating vehicular access into the site is provided at various locations along Old Pittwater Road, Pittwater Road, Condamine Street, and off Cross Street. Vehicular access to the site off Pittwater Road and Condamine Street is available.

2.4.3. Public Transport Access

Public Transport access to the site is provided by way of bus stops along Pittwater Road, including a B-Line stop, and an internal bus stop within the Warringah Mall site, serving local bus routes.

Public transport accessibility to the centre is relatively good at a local level, with many bus routes leading to Warringah Mall. The site is integrated with the B-Line bus interchange on Pittwater Road.

3. BACKGROUND

3.1. DA2008/1741 – STAGE 1 EXPANSION

DA2008/1741 sought development consent for major alterations and additions to the western part of the existing shopping centre and the construction of a new multi-deck car park in the northern part of the site. These works comprised the first major expansion of the shopping centre and is known as the Stage 1 retail expansion.

DA2008/1741 was approved on 24 April 2010 and Stage 1 was opened in November 2016.

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

3.2. DA2018/1514 – STAGE 2 EXPANSION

DA2018/1514 sought development consent for additions to Warringah Mall Shopping Centre including retail premises, food premises kiosks department stores and cinema complex with associated carparking and landscaping. Key elements of the proposal included:

1. 9,847m² additional GLA (net increase), including demolition and additions to the existing facility to enable 15 speciality retail tenancies, 35 food premises, 3 kiosks, 10 mini majors, 1 major tenant and a new upper-level cinema complex.
2. Modification of existing grade and multi-deck car parking and associated vehicle access to create 418 additional car spaces.
3. Associated public malls and amenities.

DA2018/1514 was approved on 10 December 2019. Given the implications of COVID and other factors, the works have not commenced.

The works proposed in this application will be undertaken in advance to satisfy immediate tenant needs.

3.3. DA2021/2226 – STAGE 2B WORKS

A DA was approved on the 30 March 2022 by Northern Beaches Council for alterations and additions to Warringah Mall including 4 new retail premises, reconfiguration of an existing loading dock and car park, Little Street pedestrian canopy, landscaping works and signage.

4. PROPOSED DEVELOPMENT

4.1. OVERVIEW

The proposed works are at the northern portion of the subject site including works on the ground, first and second floor and the roof. The works are responsive to the future tenant needs which ultimately result in the downsizing of the existing David Jones department store. The use and operation of the future tenants will be subject to a separate CDC, with the exception of seeking extended operating hours for a new gymnasium tenancy that is sought in this DA.

The key elements of the proposed refurbishment works are to enable the following:

- One new tenancy on ground floor.
- Two new tenancies on level 2 including a co-working space and a gym.
- New glazed windows and doors along the facades of Level 2.
- Common mall walkway on the southern edge.
- New connecting pedestrian bridge from Level 2 to the existing Orange car park.
- New stair between Level 1 and 2.
- New roof sheeting with sky lights.
- Extended operating hours of gym.

Key numeric aspects of the proposal are summarised below. The proposal is described in further detail within the following sections of this report.

Table 2 Numeric Overview of Proposal

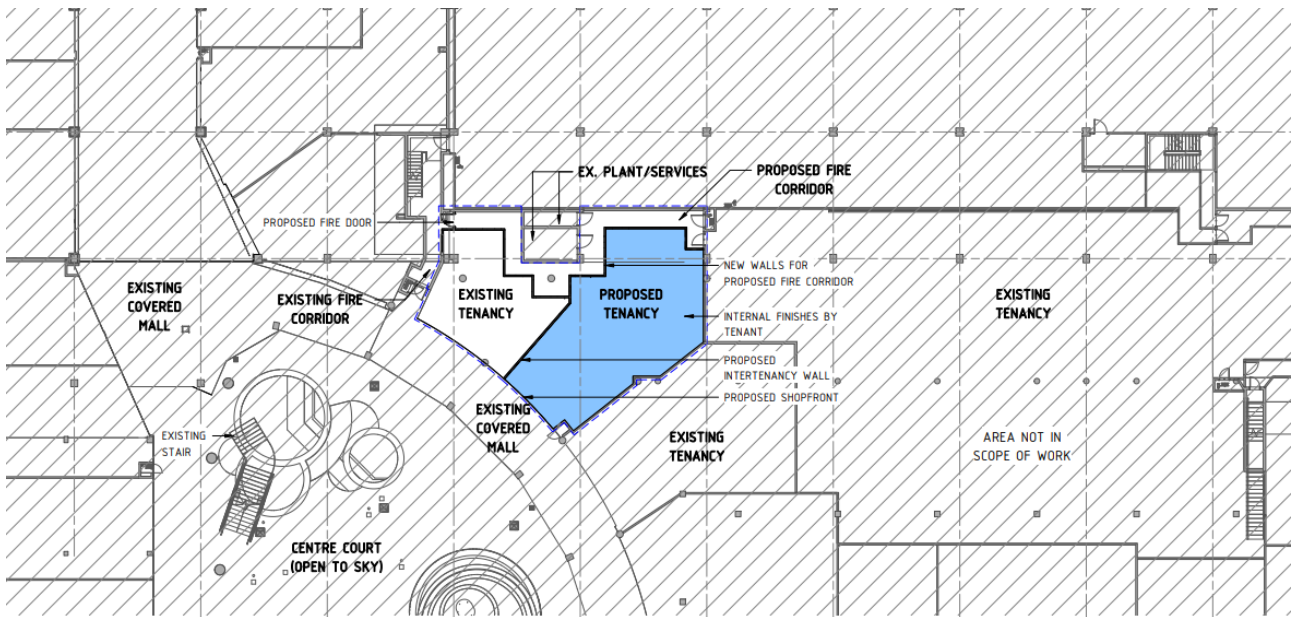
Descriptor	Proposed
Gross Lettable Floor Area	Decrease of GFLA by -609.59m ² due the transition of GFLA to common mall space and circulation space.
Maximum Height	Roof structure protruding above the DCP height plane by 1.5 metres. (RL 26.5) Impact discussed in Section 6.1 .
Minimum setbacks	No change to setback
Car Parking Spaces	No change to car parking spaces

The estimated cost of the development is \$ 20,490,000. A Quantity Surveyor's certificate has been submitted as part of this application.

4.2. GROUND FLOOR WORKS

The proposal seeks consent for the demolition of the existing tenancy walls and mall space on the ground floor to allow for the construction of a cold shell shop for a new tenant, 122.2sqm in size. The internal finishes and fitout will be undertaken by the future tenant.

Figure 4 – Ground floor plan



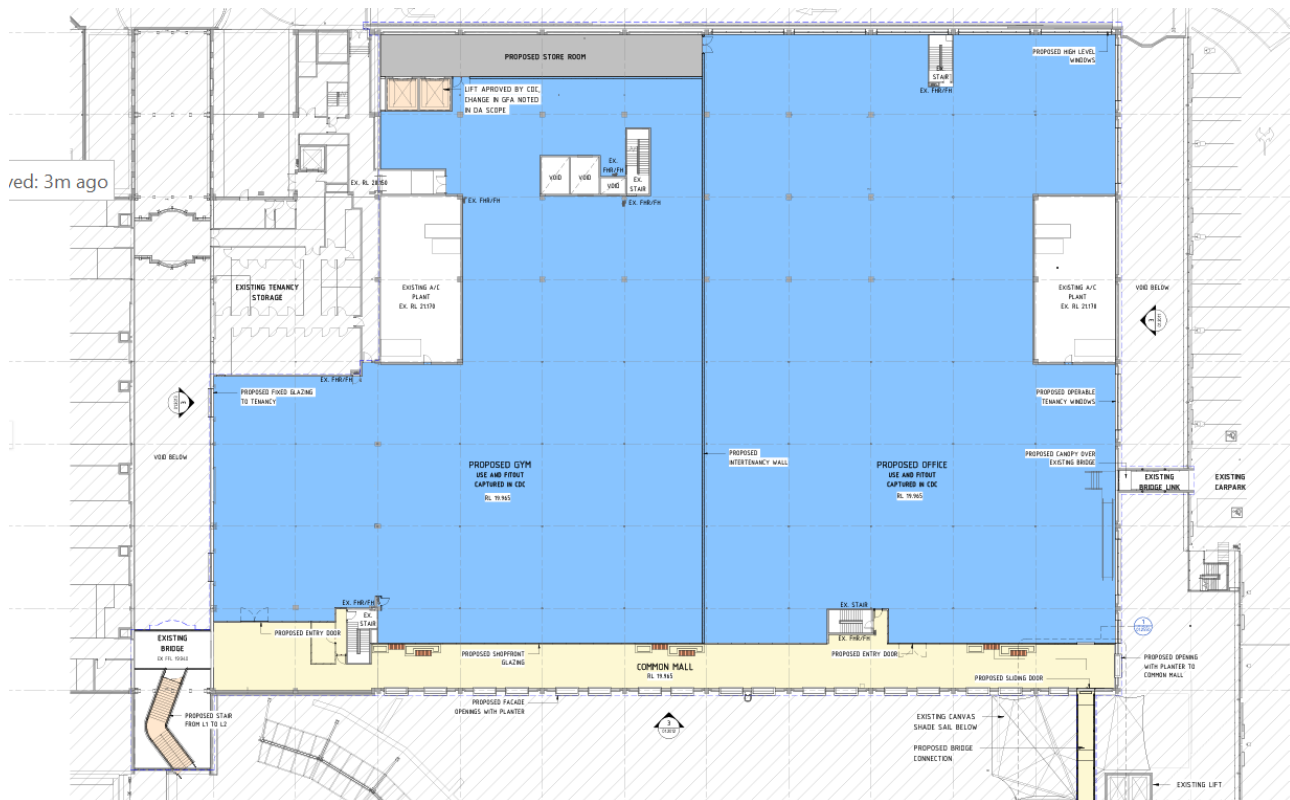
Source: Scentre Group (2022)

4.3. LEVEL 2 WORKS

The proposal comprises of demolition and refurbishment works to allow for the downsizing of the existing David Jones and the introduction of two new tenancies (indicatively for use as a co-work space as well as a gymnasium) as detailed below:

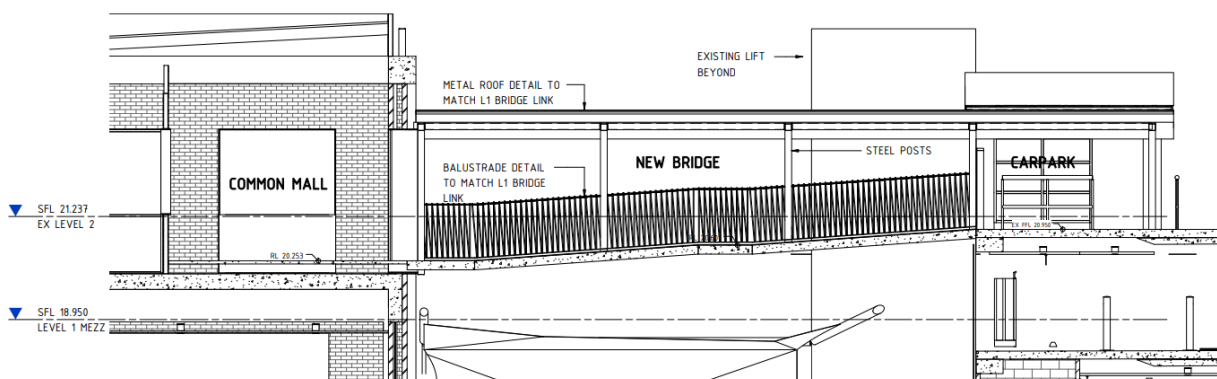
- Demolition of part of the walls along the northern, eastern, southern and western elevation to create openings for new glazed windows and a new door opening to the common mall.
- Construction of a dividing wall to create spaces for two tenants on Level 2, of 2468.7sqm and 2918.5sqm in size.
- Metal roof over existing bridge to the east
- New connecting bridge from Level 2 to the existing car park to the south.
- Creation of a common mall walkway on the southern edge, resulting in a decrease of GFLA as outlined in **Table 2**.
- New stair at the southwest portion of the subject site to connect Level 1 and 2.

Figure 5 – Level 2 proposed floor plan



Source: Scentre Group (2022)

Figure 6 – Long section of new bridge



④ DETAIL SECTION - LONG SECTION
1 : 50

Source: Scentre Group (2022)

4.4. TENANCY USE AND OPERATION OF GYM AFTER HOURS

The use and fitout of the new ground floor tenancy as well as the two new large tenancies at Level 2 will be progressed under a CDC. As indicated above the future potential tenancies at Level 2 are a co-works space and a gymnasium.

Clause 2.46C (a) of the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 (Codes SEPP) permits the operation of a gym between 6am – 10pm. The proposal seeks consent for the 24-hour operation of the gym beyond what is permitted within the Codes SEPP. The use and fit out of the gym and office space will be captured in a separate CDC process.

It is likely that gym members will only be enabled 24/7 access via a swipe card. Staff are likely to be on site for the core business hours. The operator of the gym will employ a number of security measures within the

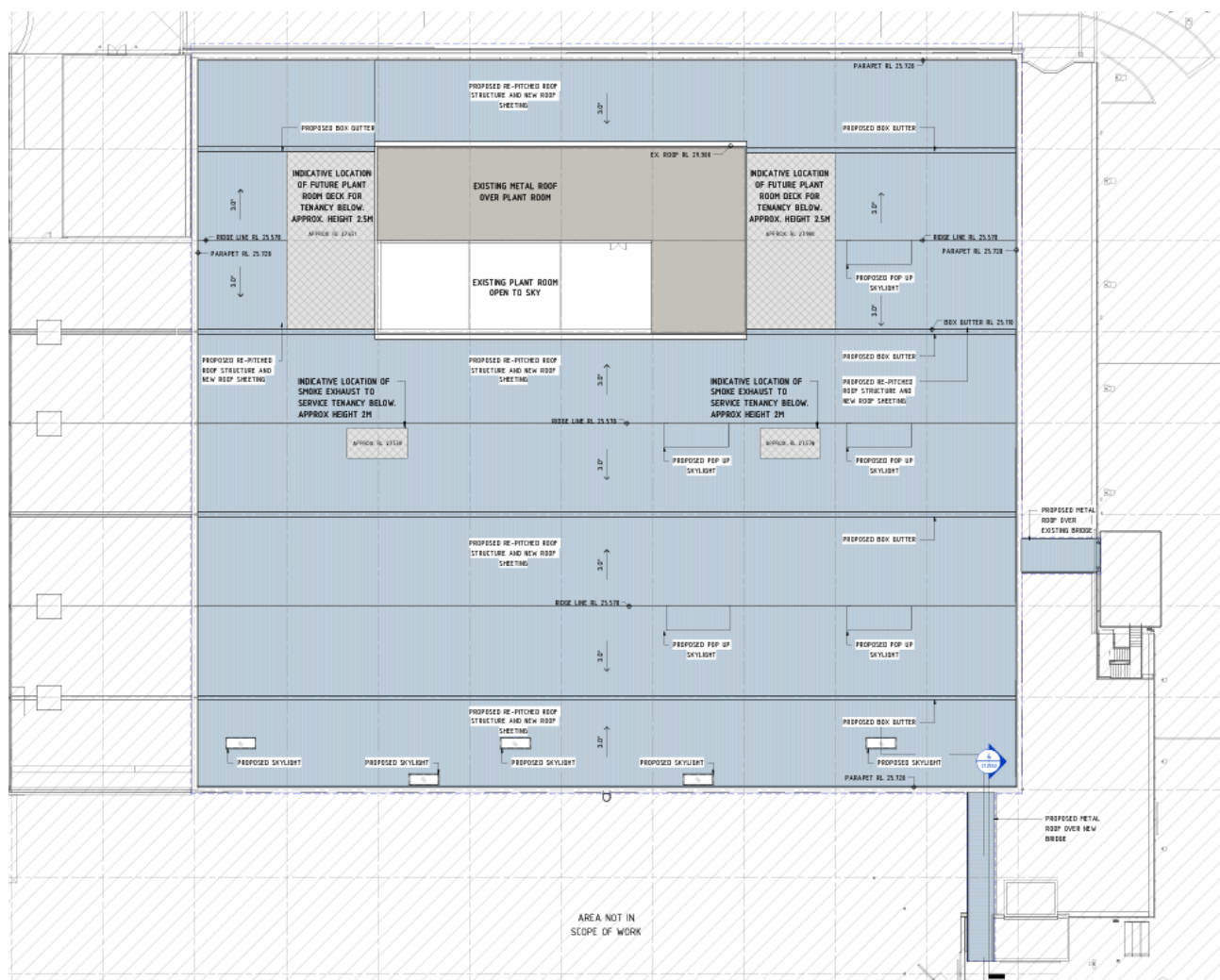
tenancy to ensure the safety of members, with the following measures implemented during the extended operating hours:

- Onsite security within Warringah Mall 24/7
- Over 600 security cameras installed across the centre
- Access control within the centre and at the gym
- Adjusted lighting through the car park to ensure a safe path of travel at night.

4.5. ROOF WORKS

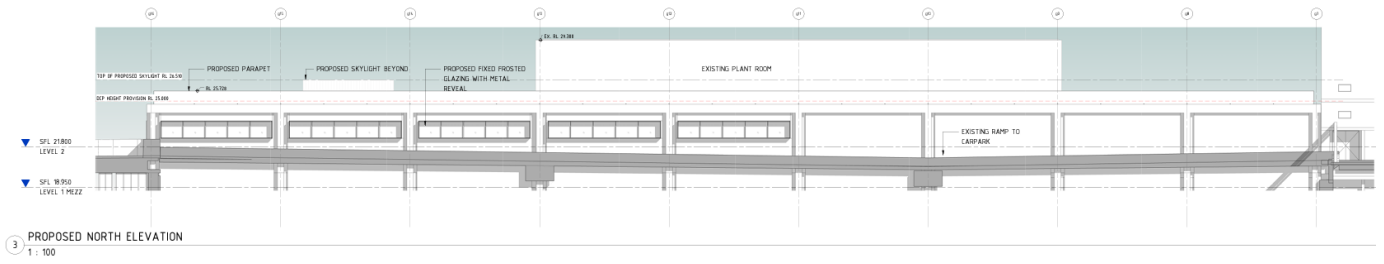
The proposal comprises of the demolition of the existing roof sheeting above the existing David Jones and the construction of a new parapet with skylights to provide light into the tenancies below and improve the internal amenity. The parapet will protrude slightly above the height access plane as identified within the DCP by RL 0.728m and the skylights will protrude by RL1.510m. The impact of this is assessed in **Section 6.1**.

Figure 7 – Roof works plan



Source: Scentre Group (2022)

Figure 8 – Roof works elevation



5. STATUTORY CONTEXT

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

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

- *State Environmental Planning Policy (Transport and Infrastructure) 2021* (T&ISEPP)
- *State Environmental Planning Policy (Exempt and Complying Codes) 2008* (Codes SEPP)
- *Warringah Local Environmental Plan 2011* (WLEP 2011)
- *Warringah Development Control Plan 2011* (WDCP 2011)

This SEE demonstrates that the proposed development is wholly compliant with the relevant statutory planning policies and achieves the objectives of the relevant provisions.

5.1. STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

State Environmental Planning Policy (Transport and Infrastructure) 2021 (TISEPP) sets out requirements for various infrastructure works throughout the State. In addition, it requires the referral of certain development applications to Transport for NSW (formerly Roads and Maritime Services (RMS)) during the DA assessment process.

Clause 2.118 of the TISEPP requires referral to the RMS in relation to development proposals for land with a frontage to a classified road. Given the minor nature of the proposed modification, no changes to the car park numbers, decrease in GFA and no proposed changes to access arrangements to Pittwater Road and Condamine Street (as classified roads), a referral is not deemed required.

5.2. STATE ENVIRONMENTAL PLANNING POLICY (EXEMPT AND COMPLYING CODES) 2008

State Environmental Planning Policy (Exempt and Complying Codes) 2008 (Codes SEPP) identifies types of development that are of minimal environmental impact that may be carried out without the need for development consent. The operation and use of the gym and commercial space on the Level 2 will be subject to a CDC. However, this application seeks consent for the operation of the gym beyond the hours that are permitted within the Codes SEPP.

Clause 2.46C (a) allows for premises on land zoned B3 to operate from 6am – 10pm. The proposal seeks consent for the operation of the gym for 24/7 and is discussed in **Section 4.4**.

5.3. WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

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

5.3.1. Zoning and Permissibility

The site is zoned B3 Commercial Core and commercial premises are permissible with consent. An extract of the zoning map is provided at **Figure 9**.

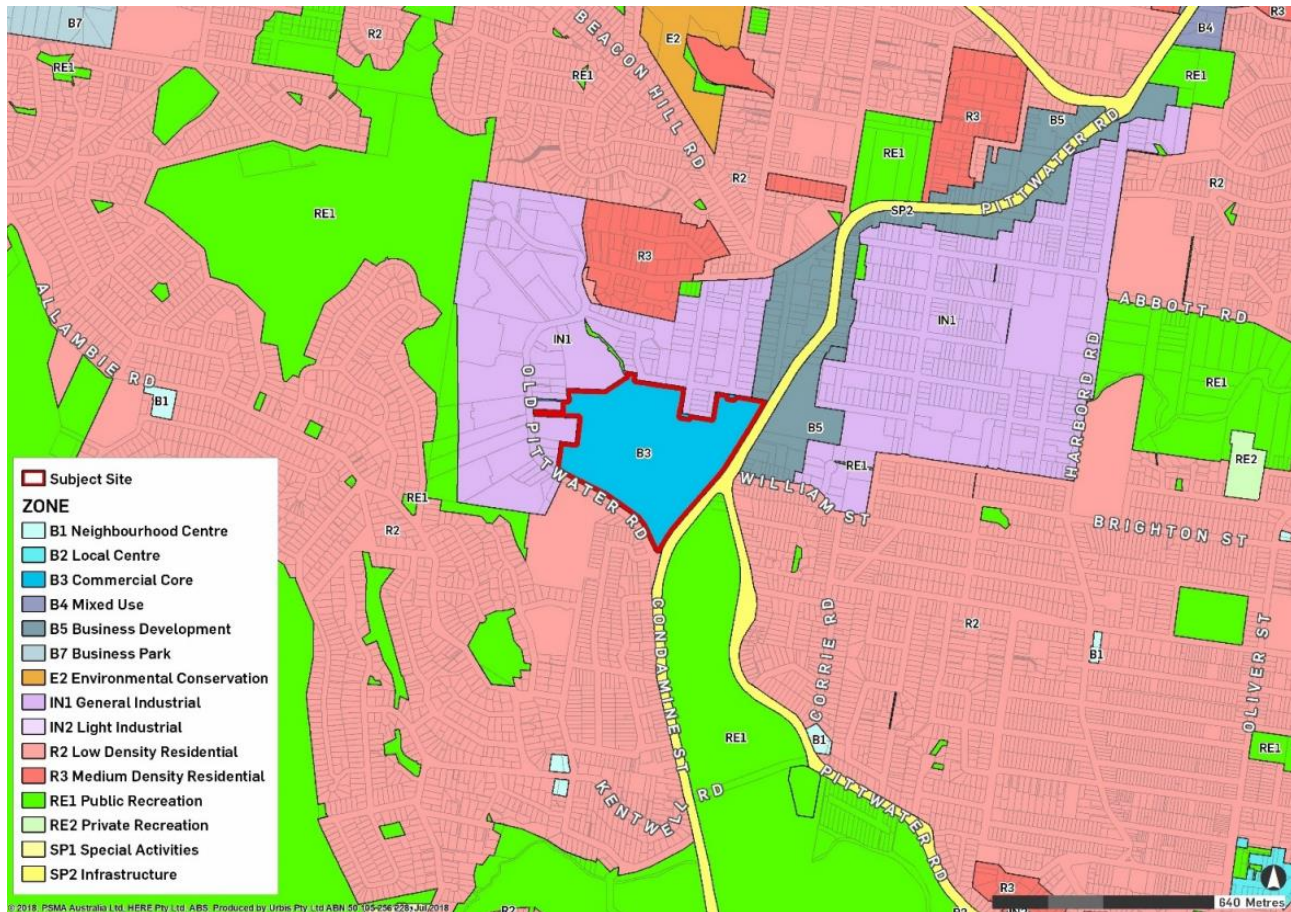
The zone objectives are as follows:

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*

- To recognise and support the role of Warringah Mall as a retail centre of sub-regional significance.

The proposed alterations and additions to Warringah Mall align with the above zone objectives in that the refurbishment will embellish the retail and business offering by securing and responding to key tenant requirements and improve the centre through embellishment works. The proposed works will reinforce Warringah Mall as a retail centre of sub-regional significance.

Figure 9- Zoning map extract



Source: WLEP 2011

5.3.2. Development Standards

There are no principal development standards that apply to the site under Part 4 of the WLEP 2011. The key development envelope controls for the site are contained within the Warringah DCP 2011. See **Section 5.4** below for a detailed consideration of the WDCP.

5.3.3. Acid Sulfate Soils

Under Clause 6.1 of the WLEP 2011:

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

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

The site is identified as being partly affected by acid sulfate soils class 4 and class 5. Excavation is not proposed as part of this application and therefore no acid sulphate soils will be disturbed as part of the works.

5.3.4. Flood planning

Under Clause 6.3 of the WLEP 2011:

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

- (a) is compatible with the flood hazard of the land, and*
- (b) is not likely to significantly adversely affect flood behaviour resulting in detrimental increases in the potential flood affectation of other development or properties, and*
- (c) incorporates appropriate measures to manage risk to life from flood, and*
- (d) is not likely to significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of riverbanks or watercourses, and*
- (e) is not likely to result in unsustainable social and economic costs to the community as a consequence of flooding.*

Cardno have undertaken an extensive analysis of the stormwater and flooding impacts of the Warringah Mall land over many years and have more recently assessed Stage 2B works as part of DA 2021/2226. The proposed works are minor in nature and will not cause any further stormwater and flooding impacts and therefore do not warrant a re-assessment.

5.4. WARRINGAH DEVELOPMENT CONTROL PLAN (WDCP 2011)

Part G4 of the Warringah Development Control Plan 2011 (WDCP 2011) contains the site-specific development controls for Warringah Mall. The proposal is assessed against the provisions of Part G4 in Table 3. It is considered that the proposal complies with the relevant provisions within the DCP.

Table 3 DCP Compliance Table

Clause	Provision	Proposed	Complies
Part G4 Warringah Mall			
Design quality and excellence	1. Future development on or adjacent to the perimeter of the site must be designed to positively address the street, relate to the natural environment and create a clear distinction between the public and the private domain.	The proposed refurbishment works are internal to the site and are not on or adjacent to the perimeter of the site.	Yes
	2. Future development on the site is to incorporate design elements that optimise the use of natural light and the ambient environment to the pedestrian malls within the centre.	The proposed development proposes new window openings along all facades at Level 2, as well as sky lights above the co-working space to optimise the use of natural light into the tenancies.	Yes

Clause	Provision	Proposed	Complies
	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.	Development is not proposed along the southern edge.	N/A
	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	The proposal is internal and will not impact on the pedestrian connectivity to the site.	Yes
	5. All future development must be designed to strongly and positively reinforce the corners of the site and street alignment and frame the street. Incorporating landmark or distinctive building elements on "Gateway" street corners is encouraged.	The proposed works are internal and do not impact on the corners of the site and street alignment.	N/A
	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.	The external facades are to incorporate design treatments and finishes such as glazed windows and planter boxes to mitigate visual bulk and promote visual interest.	Yes
	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	Works to the existing car parking areas are not proposed.	N/A
	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	A range of high-quality materials and finishes will be utilised as part of the refurbishment works as detailed at SDC-01.2011 in the Architectural	Yes

Clause	Provision	Proposed	Complies
	board and photomontages are to be submitted with any application to alter or extend the external façade and roof of Warringah Mall.	drawings attached as part of this application.	
	9. The roof is to be designed so that the visual impact of the roof form is minimised.	The proposal comprises of the demolition of the existing roof sheeting above the existing David Jones and the construction of a new parapet with skylights. The parapet will protrude slightly above the height access plane as identified within the DCP by 0.73 metres and the skylights will protrude by 1.5 metres. The height exceedance above the DCP height plane will have minimal visual impact as detailed in Section 6.1.	Yes
	10. Rooftop plant and equipment are to be integrated into the building/roof forms or screened in a manner compatible with the building design to minimise visual and acoustic impacts on the surrounding properties, including elevated properties which have views over the centre.	The proposal does not seek changes to the existing rooftop plant equipment.	N/A
Building Setbacks and Street Frontages	11. Setbacks are to be consistent with those shown in Figure 2.	No boundary adjustments are proposed	N/A
	12. In the event that there is a change to the current title boundary, the setback as nominated in Figure 2 is to be measured from the new boundary alignment.	No boundary adjustments in proximity to proposed building works.	N/A
	13. Corner of Condamine Street and Old Pittwater Road Future	The land at the corner of Condamine Street and	N/A

Clause	Provision	Proposed	Complies
	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	Old Pittwater Road will not be redeveloped as part of this proposal.	
	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.	The proposed redevelopment works do not expand into this location and therefore no opportunity to deliver the outcome described in the DCP as part of the proposed.	N/A
	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	Works are not proposed along Pittwater Road.	N/A

Clause	Provision	Proposed	Complies
	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	The existing multi-level car park at the corner of Cross and Green Streets will not be modified.	N/A
Building Height	17. New development is to comply with the maximum building heights as shown at Figure 2 except where provided for in the following requirement.	The proposal will result in the new roof parapet protruding slightly above the height access plane 0.72 metres and the skylights will protrude by 1.5 metres.	Justified in Section 6.1
Floor Space	19. The existing centre currently provides 127,878m ² of Gross Leasable Floor Area (GLFA). The existing shopping centre may be expanded by 35,000m ² GLFA subject to compliance with all other relevant planning objectives and requirements	The proposal results in a reduction in the overall GFLA of the Centre by 609.59m ²	Yes
Landscape	20. Landscaping is to be retained and enhanced and provided generally in the zones shown in Figure 8.	Landscaping is not proposed as part of this application.	N/A
	21. The existing mature landscaping at the junction of Pittwater Road/Condamine Street is to be retained where practical and functional for the future design of this precinct. An illustrative example of possible future development outcomes at this location is shown at Figure 9.	The mature landscaping in this location will be retained. The proposal includes car park does not include landscaping.	N/A
	22. New development along Condamine Street and Pittwater	The proposal does not propose works along	N/A

Clause	Provision	Proposed	Complies
	Road is to incorporate landscaping that screens or softens non-active facades or building elements.	Condamine Street and Pittwater Road.	
	23. Landscaping treatments are to be integrated into the design of new entries to the centre.	Landscaping is not proposed as part of this application.	N/A
	24. Recycled water or harvested rainwater is to be used, where possible, to irrigate new landscaped areas	Landscaping is not proposed as part of this application.	N/A
	25. Water efficient plants and/or, locally indigenous vegetation should be used to minimise water consumption.	Landscaping is not proposed as part of this application.	N/A
Amenity of Surrounding Residential Properties	26. The overspill from artificial illumination or sun reflection is to be minimised. A 'Lighting Strategy' is to be submitted with any development application incorporating new or modified roof top parking or for new development which is adjacent to existing residential areas. The 'Lighting Strategy' is to demonstrate that the development will not result in lighting glare or overspill from artificial illumination	There is no change to the rooftop or ground level car parking areas that front residential areas. The late night operation of the gymnasium will utilise the Orange Car park and is well setback from residential areas causing no adverse light spill.	Yes
	27. The development is to be designed and managed so that it does not result in an unreasonable adverse acoustic impact on surrounding and nearby residential properties.	The works are predominantly internal and are not on any frontage that adjoins residential development therefore an acoustic assessment is not required. The gymnasium is substantially setback from	N/A

Clause	Provision	Proposed	Complies
		the nearest residential dwelling.	
Advertising and Signage	31. A 'Signage Strategy' is to be submitted with all development applications proposing a significant increase in floor area or change to external façades of the building. A Signage Strategy must also be submitted with any development application for the provision of signs. The Signage Strategy shall identify the number and location of proposed signs, and demonstrate how the signs will be integrated into the design of the development	Signage is not proposed as part of this application.	N/A
	32. All illuminated signs are to comply with any relevant Australian Standards.		N/A
Safety and Security	33. Development is to be designed to incorporate and/or enhance opportunities for effective natural surveillance by providing clear sight lines between public and private places, installation of effective lighting particularly in public spaces and carparks, and the appropriate landscaping of public areas.	The proposal seeks to extend the operating hours of the gym beyond what is permitted within the Codes SEPP. Adequate safety and security measures will be implemented during these hours including 24/7 security at the centre, restricted access to the premises and adjusted lighting within the car park to ensure a safe path of travel from the car parking area to the gym.	Yes
	34. The need for technical surveillance which is achieved through mechanical/electronic measures such as the provision of closed circuit television (CCTV), help points and mirrored building panels, is to be addressed in future developments.	The centre currently has over 600 security cameras installed across the centre which will contribute to the security and safety of the 24/7 operation of the gym.	Yes

Clause	Provision	Proposed	Complies
	35. New development is to be designed to remove any opportunities for the concealment of crime	The design of the proposed refurbishment works, including the new bridge, has considered that there will be no areas of concealment.	Yes
	36. The incorporation of crime prevention measures in the design of buildings and spaces is not to detract from the quality of the urban design of the development and the streetscape.	The proposed works involve the refurbishment of an existing site and are minor nature and therefore does not require the incorporation of new crime prevention measures.	N/A
	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.	The proposed works involve the refurbishment of an existing site and are minor nature and therefore does not require an assessment against the CPTED principles.	N/A
	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.	The proposed works involve the refurbishment of an existing site and are minor nature and therefore does not require additional measures to ensure safety and security from what already exists within the centre.	N/A
Social Impacts	39. A Social Impact Assessment (SIA) is to be submitted with a development application where there is the likelihood that the proposed development may significantly impact on the following matters:	The proposed works involve the refurbishment of an existing site and are minor nature and therefore does not require a social impact assessment.	N/A
Road Infrastructure	40. Significant additions to the floor area on the site will only be supported if traffic modelling is submitted with the development application which demonstrates that the surrounding road network	The proposal results in a decrease in the overall GFLA by 609m ² and therefore will not trigger any reconsideration of parking provision and	Yes

Clause	Provision	Proposed	Complies
	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.	impact on surrounding road network. The late night trade of the gymnasium is at a time that is out of peak trade retail hours for the centre..	
	41. New development applications for the significant expansion of Warringah Mall are to identify road upgrades and traffic management works in areas adjoining and nearby to the site to adequately accommodate growth in vehicle movements to and from the site.	The proposed refurbishment works are minor in nature and will not generate more traffic into the site, there road upgrades are not required.	Yes
	42. Future development is to incorporate measures to improve vehicle circulation within the site, where relevant.	The proposal does not seek to change vehicle circulation through the site.	Yes
	43. Vehicle access points from surrounding roads shall be provided in accordance with Figure 10.	Vehicle access points remain unchanged from that approved. No other vehicle access points are proposed as part of this application.	Yes
	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.	No other vehicle access points are proposed as part of this application.	Yes
Pedestrian Access	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.	The proposal does not seek to change the existing building entry points.	N/A
	46. New development is to ensure that existing pedestrian links from	The proposed works are mainly internal and do not	N/A

Clause	Provision	Proposed	Complies
	the surrounding area into the site are strengthened in the locations shown in Figure 11.	contribute to the pedestrian links from the surrounding area into the site.	
	47. New development shall incorporate measures to achieve safe and continuous paths of travel from existing or proposed bus stops to the Shopping Centre and throughout Warringah Mall.	The proposal seeks to construct a new pedestrian bridge from Level 2 to the car park to provide a continuous path of travel.	Yes
	48. New development along the Cross Street / Green Street frontage shall incorporate enhanced pedestrian link(s) through to the existing centre.	No new development is proposed at the Cross Street and Green Street frontages.	N/A
	49. Safe pedestrian access is to be provided through the car parks.	Changes to the existing car and motorcycle parking is not proposed as part of this application.	Yes
	50. Where new development is proposed along the Old Pittwater Road frontage of the site, an improved pedestrian link is to be provided from the TAFE site to the pedestrian entrance of the centre.	Development is not proposed along Old Pittwater Road, therefore no opportunity to improve pedestrian links along this frontage as part of this redevelopment proposal.	N/A
Public Transport	51. A single integrated bus interchange for the site is to be provided. The interchange is to be located on the eastern side of the 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 proposal does not result in any changes to the integrated bus interchange.	N/A
Parking Facilities	52. Car parking is to be provided at the rate of 4.1 spaces per 100 square metres of Gross Leasable	The proposal results in a reduction in the overall GFLA of the Centre by	Yes

Clause	Provision	Proposed	Complies
	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.	609.59m ² and therefore no additional parking is needed or proposed as part of this application. Changes to the existing car and motorcycle parking is not proposed as part of this application.	
	53. Provision is to be made for the parking of motorcycles in easy to access and clearly visible locations.	Changes to the existing car and motorcycle parking is not proposed as part of this application.	N/A
	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.	Changes to the existing car and motorcycle parking is not proposed as part of this application.	N/A
	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.	Additional bicycle parking is not proposed as part of this application	N/A

Clause	Provision	Proposed	Complies
	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.	Additional bicycle parking is not proposed as part of this application	N/A
	57. Adequate shower and change room facilities for staff shall be located close to secure bicycle storage facilities.	Works are not proposed to the existing EOT amenities.	N/A
Stormwater Management	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.	There is no change to the stormwater arrangement as a result of this proposal.	N/A
	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.	Ground level development is not proposed in the locations indicated in Figure 12.	N/A
	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.	The proposed are minor in nature and will not impact on the stormwater drainage system.	Yes
	61. Ensure that all new development on the site does not adversely affect flooding conditions in existing development located both internal and external to the site.	The proposed refurbishment works are minor in nature and will not affect existing flood conditions.	Yes
	62. New buildings or extensions involving habitable areas are to be designed to prevent the entry	No new buildings or significant extensions proposed	Yes

Clause	Provision	Proposed	Complies
	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.	The proposal does not seek to make any significant alterations to the existing building.	N/A
	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.	No structural measures are proposal.	N/A
Environmental Sustainability	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.	The proposal results in a decrease in the overall GFLA by 609.59m ² and therefore is not required to achieve a 'Green Star' rating for the proposed works.	N/A
	66. Shading devices are to be incorporated where practical, to reduce solar energy loads.	Metal roofs are proposed over the new bridge and the existing bridge to provide shading and reduce solar energy loads.	Yes
	67. Buildings are to be designed and oriented to maximise the use of daylight and solar energy for illumination. This may be achieved through the provision of light wells, skylights and voids.	The proposed development proposed new window openings along all facades at Level 2, as well as sky lights to optimise the use of natural light.	Yes
	68. The thermal performance of buildings is to be optimised by using efficient methods of heating	The proposed works involve the refurbishment of an existing site and are	Yes

Clause	Provision	Proposed	Complies
	and cooling such as insulation and passive solar access.	minor nature and therefore thermal performance of the building is within the existing footprint and not subject to change.	
	<p>69. The following water saving measures are to be incorporated into all development:</p> <p>(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.</p> <p>(b) Stormwater capture and reuse, including water quality management to be in accordance with Council's Policy Water Sensitive Urban Design.</p> <p>(c) Select water efficient plants and / or locally indigenous vegetation.</p> <p>(d) Use recycled or harvested rainwater for watering new gardens and landscape features.</p>	The proposed works involve the refurbishment of an existing site and are minor nature and therefore additional ESD measures are not proposed.	Yes

6. ASSESSMENT OF KEY ISSUES

6.1. BUILT FORM IMPACTS

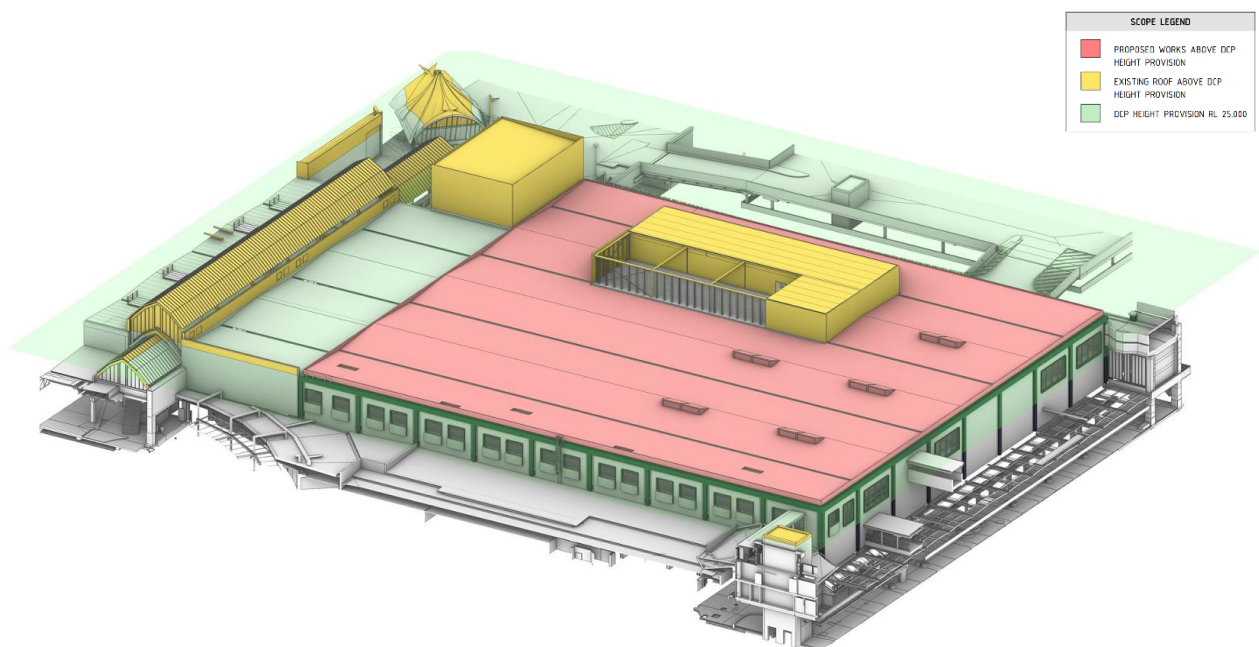
The propose of the proposed refurbishment works is to facilitate the provision of two new tenants, a gym and a co-working space. The proposal aims to respond to the current market demand by downsizing of the existing David Jones to provide space for non-retail uses, to improve the overall customer experience of Warringah Mall.

The proposal comprises of the demolition of the existing roof sheeting above the existing David Jones and the construction of a new parapet with skylights. The parapet will protrude slightly above the height access plane as identified within the DCP by 0.728 metres and the skylights will protrude by 1.5 metres as demonstrate by the model in **Figure 10**.

The roof works are not considered to cause any built form impacts including overshadowing for the following reasons:

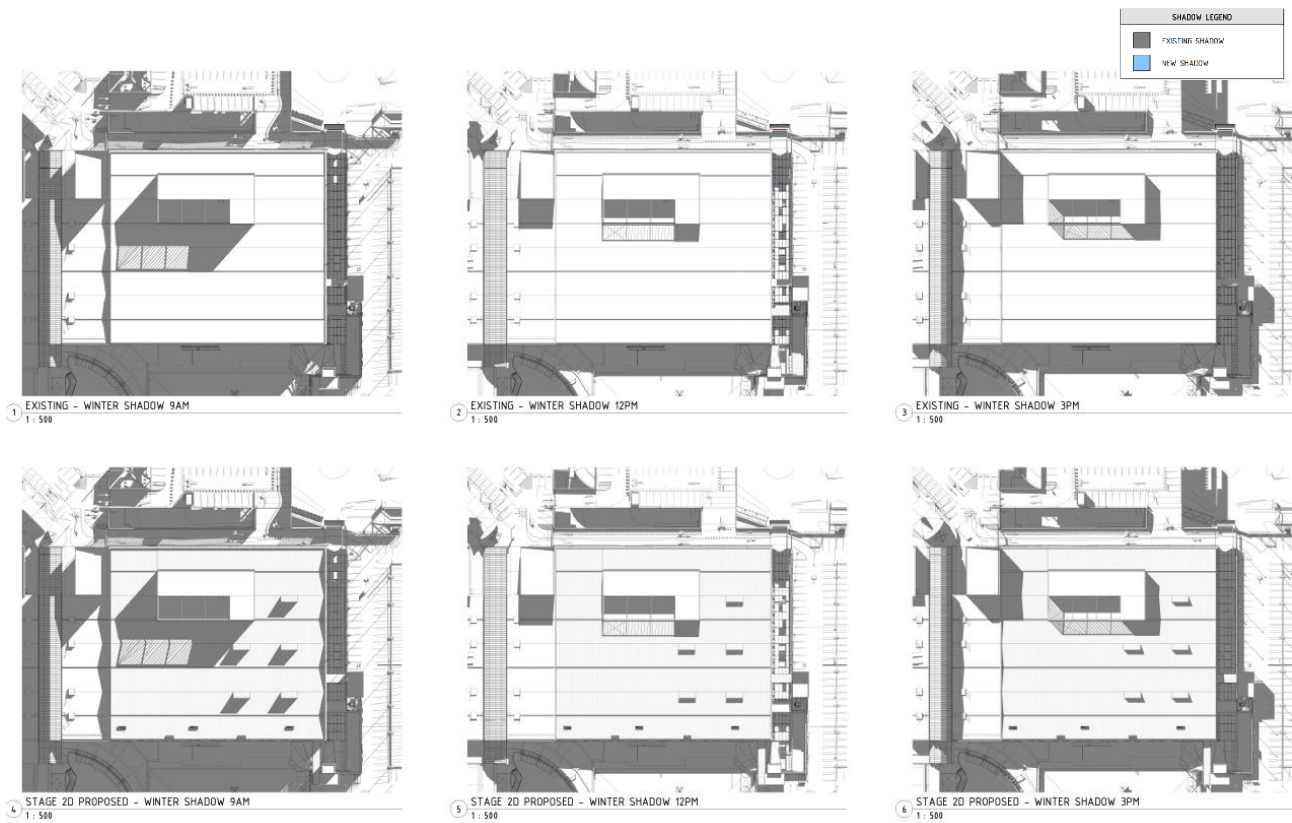
- The existing roof and built form surrounding the rooftop plant already exceeds the DCP height plane (as shown in yellow in **Figure 10**) and is not considered to cause any built form impacts.
- The roof structure and sky lights only protrude up to 1.5 metres over the DCP height plane, resulting in minimal overshadowing impacts to surrounding land uses, with any shadow falling on the existing built form of the centre including its existing shadow.
- The winter shadow diagrams in the Architectural Plans and at **Figure 11**, demonstrate that the proposed roof structure will not cause any further overshadowing impacts from what was already existing on the site.
- The proposed roof works are setback significantly from the boundaries of the site and therefore not directly visible from the street.
- The site is not within or adjacent to any sensitive landscapes or residential areas.

Figure 10 – DCP Height Plan diagram



Source: Scentre Group

Figure 11 – Winter shadow diagrams for existing the proposed roof works.



Source: Scentre Group

7. SECTION 4.15 ASSESSMENT

The proposed development has been assessed in accordance with the relevant matters for consideration listed in section 4.15 of the EP&A Act.

7.1. ENVIRONMENTAL PLANNING INSTRUMENTS

The proposed development has been assessed in accordance with the relevant State and local environmental planning instruments in **Section 5**.

The assessment concludes that the proposal complies with the relevant provisions within the relevant instruments.

7.2. DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No draft environmental planning instruments are relevant to this proposal.

7.3. DEVELOPMENT CONTROL PLAN

Warringah Development Control Plan 2011 provides detailed planning controls relevant to the site and the proposal. An assessment against the relevant controls is provided in **Section 5.4**

The proposal seeks to vary from the DCP Height Plane development standard for Warringah Mall. This matter has been assessed in detail and the proposed non-compliances are considered appropriate and can be supported by Council for the reasons outlined above.

7.4. PLANNING AGREEMENT

No planning agreements are relevant to this proposal.

7.5. REGULATIONS

This application has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Regulations 2021*.

7.6. LIKELY IMPACTS OF THE PROPOSAL

The proposed development has been assessed considering the potential environmental, economic and social impacts as outlined below:

7.6.1. Natural and Built Environment

The proposed refurbishment works to the existing mall are mainly internal to the site and minor in nature, resulting in a decrease of GFLA by 609m². As such, the proposal will not generate any discernible traffic or acoustic impacts.

External changes are proposed to the roof above the existing David Jones, to improve the solar access to the future co-working tenancy on **Level 2**. These roof works provide above the DCP height plane but are considered acceptable and to have no built form impacts are outlined in **Section 4.1**.

7.6.2. Social and Economic

The social impacts of the proposal are positive with respect to strengthening the function of Warringah Mall as a sub-regional retail centre. The internal design changes facilitate the provision of two new tenants, a gym and a co-working space. The proposal aims to respond to the current market demand by downsizing of the existing David Jones to provide space for non-retail uses, to improve the overall customer experience of Warringah Mall.

Appropriate safety measures have been demonstrated for the operation of the gym during extended opening hours including 24/7 security, security cameras and adjusted lighting through the car park to ensure a safe path of travel at night.

The proposed refurbishment works will introduce new business and employment options to the local area and will have a positive economic benefit to Brookvale and the broader Northern Beaches region.

7.7. SUITABILITY OF THE SITE

The site is considered highly suitable for the proposed development for the following reasons:

- The subject site is zoned B3 Commercial Core. Ancillary works are permissible with consent in this zone.
- The proposal achieves a high level of compliance with the relevant State and local environmental planning instruments.
- The proposed refurbishment works aim to improve the built form of the existing centre and respond to market demands, whilst remaining consistent with the overall character of the area.
- The site is highly serviced by public transport with bus stops along Pittwater Road and an internal bus stop within the Warringah Mall site. The proposal will ensure connections with these links.

7.8. SUBMISSIONS

It is acknowledged that submissions arising from the public notification of this application will need to be assessed by Council.

7.9. PUBLIC INTEREST

The proposed development is considered in the public interest for the following reasons:

- The proposal constitutes a permissible form of development in the locality and therefore meets the intent for development. It is a form of development that meets what the community could reasonably expect as an outcome to respond to market demands and improve the customer experience.
- The proposal will benefit the wider community through providing access to non-retail land uses and enhancing the appearance, function, and internal amenity of the site, without causing any built form impacts to surrounding receivers.
- The architectural design and building material treatments proposed will ensure that the development positively contributes to the internal character of the area.

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

8. CONCLUSION

The proposed refurbishment works have been assessed in accordance with section 4.15 of the EP&A Act and is considered appropriate for the site and the locality:

- The proposal satisfies the objectives of the relevant environmental planning instruments, including the B3 Commercial Core and achieves a high level of planning policy compliance with the relevant instruments.
- The proposal will not result in any adverse environmental impacts or can be appropriately managed.
- The proposal will result in positive social and economic impacts.
- The proposal is permitted within the B3 Commercial Core is consistent with the zone objectives.
- The proposal is in the public interest through responding to market demand and tenant needs and enhancing the appearance, function, and internal amenity of the site, without causing any built form impacts to surrounding receivers.

Having considered all relevant matters, we conclude that the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

DISCLAIMER

This report is dated 13 September 2022 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Services Pty Ltd (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Scentre Group (**Instructing Party**) for the purpose of SEE (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

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