

## Appendix M DCP Compliance Assessment

**Table 1 Manly DCP 2013 Compliance Table**

Control	Requirement	Comment	Compliance
<b>Part 1 Introduction</b>			
1.7 Aims and Objectives of this Plan	<p>The General Aims of this plan are to:</p> <ul style="list-style-type: none"> <li>a) Ensure that development contributes to the quality of the natural and built environments.</li> <li>b) Encourage development that contributes to the quality of our streetscapes and townscapes.</li> <li>c) Ensure that development is economically, socially and environmentally sustainable and to require the principles of ecologically sustainable development to be taken into consideration when determining DAs.</li> <li>d) Ensure future development has consideration for the needs of all members of the community.</li> <li>e) Ensure development positively responds to the qualities of the site and its context.</li> <li>f) Ensure development positively responds to the heritage and character of the surrounding area.</li> </ul>	The proposed development has been specifically designed and located to ensure it positively contributes to the characteristics of the surrounding environment through an aesthetic building design and landscaping. It will also be accessible and provide benefits to all members of the community through the goods it provides and for employment opportunities. Overall, the development will be consistent with the aims and objectives of the DCP.	Y
<b>Part 3 General Principles of Development</b>			
3.1.1 Streetscape Improves in LEP Zone B6 Enterprise Corridor	<p>Development is to be of a high visual quality, particularly at corner locations.</p> <p><b>3.1.2.1 Streetscape</b> Development is to be of high visual quality, particularly at corner locations</p> <p><b>3.1.2.2 Car parking</b> Car parking in the LEP Zone B6 Enterprise Corridor is not to be located between the street frontage and the building alignment.</p> <p><b>3.1.2.3 Landscaping</b> Landscaped areas are to be maintained to the Council's satisfaction throughout the life of the development.</p>	<p>The development is proposed at a corner location and is considered to be of a high visual quality. In addition:</p> <ul style="list-style-type: none"> <li>• The development has been specifically designed to be of high visual quality that emphasis and provides visual interest to the corner location.</li> <li>• Car parking will not be located between the street frontage and building alignment</li> <li>• An extensive landscape buffer is proposed and will be suitably maintained throughout the life of the</li> </ul>	Y



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	<p><b>3.1.2.4 Security Fencing</b> Security fencing should be set back from any road frontage and integrated with landscaped areas.</p> <p><b>3.1.2.5 Frontages to Condamine Street</b> Frontages to Condamine Street form important 'entrances' to Manly. A higher standard of finish to development is promoted along these frontages, in terms of building and landscaping.</p> <p><b>3.1.2.6 Design for Townscape</b> Development is to have regard to the principles in the Townscape Principles Map at Schedule 2 of this plan</p>	<p>development to ensure visual amenity is retained.</p> <ul style="list-style-type: none"> <li>The fencing will be sufficiently set back from the road frontages and integrated with the proposed landscaping.</li> <li>The site does not front Condamine Street.</li> <li>The development has been specifically designed to emphasise the corner location while also providing a sufficient level of landscaping, open space and visual interest.</li> </ul>	
3.1.3 Townscape (Local Neighbourhood Centre Zones)	<p><b>3.1.3.1 Design Principles</b> The following design principles and requirements at paragraphs 3.1.3.1.a) to i) should be achieved in all development involving the erection of a new building or external alterations to an existing building in order to:</p> <ul style="list-style-type: none"> <li>maintain and enhance the townscape of the former Manly Council area's LEP Business Zones;</li> <li>achieve the townscape objectives of this plan; and</li> <li>consider that the development exhibits design excellence in accordance with considerations of LEP clause 6.13(4) (as a statutory consideration for land in Zone B2 Local Centre and as a DCP consideration in other zones)</li> </ul> <p>...</p>	<p>Council's advice in the pre-lodgement advice (ref: PLM2024/0130) is that these provisions only apply to former B1 and B2 zones. As the site is identified in the former B6 Enterprise zone (now E3 Productivity Support), these provisions do not apply.</p>	N/A
3.3 Landscaping 3.3.1 Landscaping Design	<p>a) The design, quantity and quality of open space should respond to the character of the area. In particular:</p> <p>i. In low density areas: (including LEP Zones R2 Low Density, E3 Environmental Management and E4 Environmental Living) open space should dominate the site. Setbacks of buildings from open space should also be maximised to enable open space to dominate buildings, especially when viewed to and from Sydney Harbour, the Ocean and the foreshore.</p>	<p>The site is not located in a 'low density area', adjacent to native vegetation or contain vegetation that has habitat for long-nosed bandicoot.</p>	N/A



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	<p>ii. In higher density areas: the provision of adequate private open space and landscaped areas are to maximise residential amenity. Site works must be minimised to protect natural features.</p> <p>iii. In areas adjacent to native vegetation: the design of development should be sympathetic to the natural environment in order to protect and enhance the area as habitat for native fauna.</p> <p>iv. In areas of habitat for the long-nosed bandicoot: (see paragraph 5.4.2), landscape design must include native plant species to provide new and/or improved low dense clumping habitat to provide for potential foraging and nesting. The planting schedule should comprise species such as <i>Lomandra sp.</i>, <i>Dianellasp.</i>, <i>Bnaksi spinulosa</i>, <i>Caustis sp.</i>, <i>Xanthorrhoea sp.</i>, <i>Isolepis sp.</i>, <i>Juncussp.</i>, <i>Calonchalaena sp.</i>, <i>Grevillea juniperina</i>, <i>Gleichenia sp.</i>, <i>Grevillea 'Robyn Gordon'</i> and tussocky native grasses (e.g. Kangaroo Grass</p> <p>v.</p>		
	<p>b) Planting criteria including Native Plant Species and Amenity</p> <p>i. Landscaped Areas must be capable of supporting new native tree species that are typically expected to reach a mature height of 10m notwithstanding the minimum dimension requirements at paragraph 4.1.5.2 of this plan.</p> <p>i. The use of locally occurring native plant species is preferred to assist in providing habitat for local fauna; and preserve threatened native plants.</p> <p>ii. Trees should be positioned in locations that minimise significant impacts on neighbours in terms of:</p> <ul style="list-style-type: none"> <li>blocking winter sunlight to either living rooms, private open space or solar collectors; or</li> </ul>	<p>The landscaping scheme has been designed in general accordance with these landscaping requirements (refer Landscaping Plan in <b>Appendix A</b>) with regard to the site context and development layout.</p> <p>Although not all specimens will reach 10m in height, the mixture of smaller and larger native specimens will ensure an appropriate level of amenity and streetscape integration is achieved.</p> <p>The landscaping has been located to minimise any potential blocking of sunlight and views, noting that it will be well separated from the nearest residential properties.</p>	Y



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	<ul style="list-style-type: none"> <li>where the proposed location of the tree may be otherwise positioned to minimise any significant loss of views</li> </ul>		
	<p>c) Undercroft areas</p> <p>Undercroft areas must be presented as a positive space and integrated into the design of the building by use of appropriate landscaping and/or the retention of natural features and vegetation where possible, having regard to the volume of the space and its orientation. In relation to sloping sites (see also Paragraph 4.1.8) and in lower density areas, any supporting undercroft structures must be minimised.</p>	No undercroft areas are proposed	N/A
3.3.2 Preservation of Trees and Bushland Vegetation	<p><b>3.3.2.1 Requirements for Vegetation Clearing Permits</b></p> <p>b) Vegetation Clearing Permit is required for:</p> <ul style="list-style-type: none"> <li>i. removal or cutting down of any tree over 5m in height</li> <li>ii. pruning of more than 10 percent of a tree canopy</li> <li>iii. the removal or cutting down of vegetation in "Bushland"</li> </ul> <p>3.3.2.3 Exceptions to Requirements</p> <p>d) Councils authorisation of Vegetation Clearing Permit is not required for:</p> <p>...</p> <ul style="list-style-type: none"> <li>iv. the removal of a tree, where the base of the trunk of the tree at ground level, is located within 2m of an existing approved building (not including decks, pergolas, sheds, patios or the like, even if they are attached to a building).</li> </ul>	<p>The proposal involves the removal of a Weeping Bottlebrush (<i>Callistemon viminalis</i>) that may be more than 5m than height. However, as the trunk of the tree is within 2m of an existing approved building, no vegetation clearing permit is required.</p> <p>The removed tree will be placed with a mixture of lower lying species that enhance amenity values at this corner location while also improving sight lines for motorists and pedestrians between Kenneth Road and Roseberry Street.</p>	N/A
3.3.3 Footpath Tree Planting	The installation of footpath trees is supported to satisfy the aims of the former Manly Council's Tree Management Policy 2011. Also, in relation to footpaths adjoining LEP Zone B6 in Condamine Street plantings will be in a manner which discourages parking on the footpath.	No footpath tree planting is proposed and all existing street planting will be retained	N/A



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3.4 Amenity (Views, Overshadowing, Overlooking / Privacy, Noise)	<b>Designing for Amenity</b> a) Careful design consideration should be given to minimise loss of sunlight, privacy, views, noise and vibration impacts and other nuisance (odour, fumes etc.) for neighbouring properties and the development property. This is especially relevant in higher density areas, development adjacent to smaller developments and development types that may potentially impact on neighbour's amenity such as licensed premises. e) Development should not detract from the scenic amenity of the area. In particular, the apparent bulk and design of a development should be considered and assessed from surrounding public and private viewpoints f) The use of material and finishes is to protect amenity for neighbours in terms of reflectivity. The reflectivity of roofs and glass used on external walls will be minimal in accordance with industry standards. See also Council's Administrative Guidelines regards DA lodgement requirements for materials and finishes	<p>The proposed development has been specifically designed to minimise bulk and other effects on surrounding properties.</p> <p>This includes through appropriate building orientation, setbacks and location of mechanical equipment, loading and waste facilities away from sensitive activities. Similarly, suitable building materials and finishes have been used to minimise potential reflectivity.</p>	Y
3.5 Sustainability	<p>Other sustainability measures are also broadly incorporated into other sections of this plan with sustainable design principles also considered in this plan in respect of the following:</p> a) Sustainability Report. See Council's Administrative Guidelines; b) Site and Context Analysis; See Council's Administrative Guidelines in relation to information gained from an analysis of the site and context that are relevant in addressing the passive solar design measures include. <ul style="list-style-type: none"> <li>i. Solar Access</li> <li>ii. Building form</li> <li>iii. Ventilation</li> <li>iv. Solar shading in summer</li> </ul>	<p>The proposed development has been designed to achieve the relevant sustainable design principles.</p>	Y



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	<ul style="list-style-type: none"> <li>v. Landscaping for energy efficiency; and</li> <li>vi. Subdivision</li> <li>c) Provision of solar access solar shading devices. See paragraph 3.4.1.3</li> <li>d) Sustainable timber specification. See Schedule 8;</li> <li>e) Landscaping. See Council's Administrative Guidelines, paragraph 3.3 &amp; paragraph 4.1.5.; and</li> <li>f) Waste Management. See paragraph 3.8.3 for example Composting</li> </ul>		
3.6 Accessibility	<p><b>3.6.1 Application of Legislation for Accessibility</b> All DAs are to have regard to state and federal accessibility requirements, particularly residential development with more than 4 dwellings and non- residential development...</p> <p><i>3.6.1.1 The Disability (Access to Premises - Buildings) Standards 2010</i></p> <p><i>3.6.1.2 The Building Code of Australia and Australian Standards</i></p>	Compliance will be achieved with all necessary legislative requirements for accessibility to the site and premises.	Y
3.7 Stormwater Management	<p><b>The following consideration and requirements apply to the management of stormwater</b></p> <ul style="list-style-type: none"> <li>a) In support of the purposes of LEP clause 6.4(3), all developments must comply with Northern Beaches Council's 'Water Management for Development Policy</li> <li>b) In relation to development in the LEP Zone B6 Enterprise Corridor, Burnt Bridge Creek runs through this land. Land in this locality is also generally low-lying. In this regard stormwater runoff from new developments in these LEP zones must be limited to that currently existing for the site for a 1 in 5 year storm or 40 litres per second whichever is the least, unless the drainage system is demonstrated to be sufficient for unimpeded discharge for a fully developed catchment area. Developers should assess whether their land</li> </ul>	Site stormwater management has been designed to comply with Councils water management development policy. Refer to the Stormwater Design Report in <b>Appendix E.</b>	Y



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	warrants additional drainage considerations because of its location		
3.8 Waste Management	All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan	A Waste Management Plan has been prepared in accordance with Councils Waste Management Guidelines and is attached as <b>Appendix J</b> .	Y
3.9 Mechanical Plant Equipment	<p><b>3.9.1 Plant Rooms</b></p> <p>a) Plant rooms are generally required to accommodate mechanical plant systems for commercial buildings or major residential development and used exclusively for that purpose. The design and size of these rooms will vary depending on the technical specifications of the systems and other factors such as access and ventilation</p> <p>b) The provision of plant equipment in low density residential development rarely demands exclusive rooms for the occupation of plant i.e. a 'plant room', but where an exclusive plant room is proposed, the floor area must be no larger than the actual area which the plant and/or machinery occupies plus the equivalent of a 0.5m access/maintenance area surrounding the plant/machinery item for access and ventilation*. Plant rooms are not to be used for other purposes such as for storage and laundry and the overall size of the plant room should generally be less than a size of habitable rooms and must not add to building bulk or result in excessive excavation. In considering the location of mechanical plant equipment in dwelling houses, the use of an otherwise non-habitable location/ space or under storey that is well ventilated and which minimise noise impacts are preferred</p>	No dedicated plant rooms are proposed.	N/A
	<p><b>3.9.2 Roof-top Plant, Lift Towers etc.</b></p> <p>Roof-top plant and lift towers must be inconspicuous and / or designed as an integral part of the building in such a way as to appear as an appropriate part of the overall townscape. Plant equipment is to be appropriately located and designed such that it is not apparent from the street level view or from other</p>	Roof top mechanical equipment (e.g. ventilation) will sit below the roof parapet and integrated into the built form to the extent it will not be apparent from the street or compromise any surrounding amenity or character values. Refer to the	Y



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	active pedestrian areas and must not compromise street character, landscaping or pedestrian amenity or conflict with townscape objectives of this plan. See paragraph 3.1 <i>Streetscapes and Townscapes</i>	Odour Amenity Assessment in <b>Appendix O</b> .	
	<b>3.9.3 Noise from Mechanical Plant</b> External mechanical plant systems (for pools, air conditioning and the like) must be acoustically enclosed and located centrally and away from neighbours living areas of neighbouring properties and side and rear boundaries.	The mechanical equipment will be situated near the southern elevation of the building, away from the nearest residential receivers. The Noise Impact Assessment ( <b>Appendix G</b> ) confirms that no additional mitigation measures is needed in terms of noise effects on surrounding neighbours.	Y
3.10 Safety and Security	<b>3.10.1 Safety</b> The principle of 'safety in design', is to be considered for all development in relation to the design and assessment of DAs to ensure developments are safe and secure for residents, all other occupants and visitors  a) Vehicular Access is to be designed and located to achieve safety by  i. locating car park entry and access on secondary streets or lands where available  ii. minimising the number and width of vehicle access points;  iii. providing clear sight lines at pedestrian and vehicular crossings; and  iv. separating pedestrian and vehicular access. This separation is to be distinguishable and design solutions in this regard may include changes in surface materials, level changes and use of landscaping for separation	The development will utilise the existing vehicle crossover from Roseberry Street (albeit reconstructed to Council standards), which experiences less traffic compared to Kenneth Road. Separate vehicle and pedestrian accesses are proposed and adequate sight lines will be provided.	Y
	3.10.2 Security (Casual Surveillance)	As detailed in the Crime Risk Assessment (refer <b>Appendix N</b> ), the proposed development incorporates design features	Y





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	<p>In order to promote safety and security, all development is to be designed to maximise opportunities for passive surveillance of public and communal areas by:</p> <ul style="list-style-type: none"> <li>a) orientating some rooms to the street;</li> <li>b) providing sight lines to the street frontage from the window(s) of at least one habitable room unobscured by trees or any other object;</li> <li>c) ensuring the design of fences, walls and landscaping minimise opportunities for concealment and encourage social interaction; and</li> <li>d) preferring double glazing on windows in areas of high street noise rather than the high fences or walls as a sound attenuation measure.</li> </ul>	including clear sightlines from the building to the street, lighting, CCTV and landscaping to ensure safety and security of all persons is maintained.	
<b>Part 4 B4 Development Controls and Development Types</b>			
<b>4.3 Development in LEP Zone B6 Enterprise Corridor</b>			
4.3.2 FSR and Height	<p>Note: The maximum FSR (1:1) and height of buildings (11m) are principal development standards contained in the LEP. This DCP provides more detailed control accompanying the LEP.</p> <ul style="list-style-type: none"> <li>a) Variation in relation to the FSR and Building Height standards in the LEP may be considered having regard to: <ul style="list-style-type: none"> <li>i. whether Council is satisfied in relation to compliance with other controls in this DCP and the need to provide usable industrial floor space with good access to loading dock facilities and provision of the required on-site car parking</li> <li>ii. the design and integration of roof top plant equipment including lift overruns; or</li> <li>iii. reduced bulk and scale in the vicinity of lower density residential streetscapes</li> </ul> </li> </ul>	The proposed development will comply with the FSR and building height limits.	Y
4.3.4 Access Loading and Parking	<ul style="list-style-type: none"> <li>a) A minimum of 1 loading bay is required for each industrial unit. Industrial loading bays may require greater head-height in consultation with NSW Roads Services guidelines should this seem warranted by the nature of</li> </ul>	No industrial units are proposed. Notwithstanding, a suitably sized loading bay is proposed to service the proposed development (refer Traffic Report in	Y



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	<p>the development. Similarly, Council will also have regard to NSW Roads Services Guidelines applying the minimum number and dimensions of loading bays.</p> <p>b) Parking is not permitted in the area between the street frontage and the building alignment.</p> <p>c) The minimum driveway width should be 5m and any driveway ramps to roof-top parking are to be of sufficient width to promote easy use</p> <p>Schedule 3 -</p>	<p><b>Appendix K).</b> No parking is proposed between the street frontage and building alignment.</p> <p>No driveway is proposed, noting that crossover is wider than 5m.</p>	
4.3.5 Setbacks	a) Any buildings, carparking and security fencing are to be setback at least 4.5m from both the street frontage and any frontage to Manly West Park	<p>All buildings and car parking will be setback at least 4.5m from the street frontage.</p> <p>The proposed fencing along the Kenneth road boundary is needed for safety purposes and will not appear visually obtrusive nor detract from the amenity of the streetscape.</p>	Justified
	b) Buildings may be constructed to rear or side boundaries unless this may cause undue prejudice to adjacent properties.	The buildings will be setback from the rear and side boundaries	N/A
	c) Setback areas are to be landscaped with trees set in lawn or other ground cover and no parking is to be located in the area between the street frontage and the building alignment	Landscaping is proposed along both street frontages and on the western side boundary and no parking is proposed between the street frontage and building alignment.	Y
	d) Riparian setbacks are to be provided along Burnt Bridge Creek. The riparian setbacks are to be landscaped with local native vegetation (trees, shrubs and groundcover)	The site is not adjacent to the Burnt Bridge Creek.	N/A



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4.3.6 Drainage	Burnt Bridge Creek runs through this historically 'industrial' area and the land in this locality is generally low-lying. It is Council policy that stormwater runoff from new developments be limited to that currently existing for the site for a 1 in 5 years storm or 40 litres per second whichever is the least, unless the drainage system is demonstrated to be sufficient for unimpeded discharge for a fully developed catchment area. Developers should assess whether their land warrants additional drainage considerations because of its location.	A site and development specific stormwater system is proposed as set out in the Stormwater Design Report (refer <b>Appendix E</b> ).  The report has been prepared in conjunction with a Flood Impact Assessment ( <b>Appendix I</b> ) to ensure all stormwater from the development is suitably managed and disposed of.	Y
<b>4.4 Other Development (all LEP zones)</b>			
4.4.1 Demolition	Where development involves demolition, the applicant is to demonstrate that the degree of demolition considers any existing building on the land that should be retained and appropriately adapted in order to:  a) Meet ecologically sustainable development principles by conserving resources and energy and reducing waste from any demolition process; and  b) Conserve the cultural heritage of the existing building and that of the locality. An appropriate assessment of potential heritage significance must accompany any DA in relation to demolition. If the property has merit as a potential heritage item, the heritage controls and considerations in this plan apply, and  c) Comply with the requirements of the Northern Beaches Waste Management Policy	The existing buildings on site will be demolished and removed to make way for the proposed development. The existing industrial activities and buildings have limited heritage values in the context of the surrounding locality as set out in the SEE.  All demolition waste will be managed and disposed of in accordance with Councils Waste Management Policy (refer Waste Management Plan in <b>Appendix J</b> ).	Y
4.4.2 Alterations and Additions	a) This paragraph defines alterations and additions in respect of how much of the building is to be demolished. If alterations and additions involve demolition of more than half of the building then the development will be assessed as new work and the controls of this plan will apply to the whole building i.e. to both existing and new development.	All buildings will be completely demolished and removed the site.	N/A



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	b) In paragraph a) above, the extent of demolition is calculated as a proportion of the existing external fabric being demolished including the surface area of the walls, the roof measured in plan form and the area of the lowest habitable floor.		
4.4.3 Signage 4.4.3.1 Controls for all Development Types	<u>Maximum number of signs</u> a) In relation to shopfronts, a maximum of 2 identification signs will be permitted per frontage (for example 1 fascia and 1 hamper sign), in any 2 of the following preferred location: <ul style="list-style-type: none"> <li>• Under awning;</li> <li>• Awning fascia;</li> <li>• A transom sign above the door or shopfront (top hamper);</li> <li>• Inside the display window;</li> <li>• Below the window sill; and</li> <li>• Flush wall signs</li> </ul>	The proposed development will have 13 business identification signs in total. Despite exceeding the maximum, all signage will vary in size and appropriately integrated into the building and site design and will not appear visually obtrusive or detract from the surrounding streetscape.	Justified
	<u>Excessive Signage</u> b) Excessive signage usually has an opposite effect to its original intention. The cluttering causes visual pollution and confusion to the observer. Having fewer, but clearer advertising assists not only the advertiser, but also the appearance of the building and the overall streetscape. Excessive signage tends to have a “domino effect”, by competing with neighbouring premises in order to gain the advantage in exposure.	The proposed signage will be integrated into the site design and appropriately located and orientated as to not detract from the streetscape or surrounding amenity values.	Y
	<u>Advertising Content</u> c) Advertising content must relate to the building or goods sold on the premises to which it is attached. Any third party advertising of goods sold on the premises must not dominate the advertising of the building or premises.	All signage will relate to the proposed McDonald's activity. Further signage in addition to that proposed is not anticipated/	Y



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	Where the maximum number of signs is achieved in locations in accordance with a) above, further signs, particularly above the awning are not permitted.		
	<p>d) <u>Design Integration</u></p> <p>i. The design of signs is to be integral to the architectural style and finishes of the building to which they are attached, rather than a “tack on” appearance. In this regard, above awning signs level of a projecting nature are restricted. See also paragraphs 4.4.3.3.c &amp; d</p> <p>ii. Applicants designing new buildings or alterations and multi-tenant buildings refurbishment of existing buildings are strongly encouraged to take into account advertising requirements at an early stage, as an integral part of the building In this regard a Sign Concept Plan is required for the co-ordinated identification and advertising for the development with the DA</p>	All signage will be integrated with the design, finishes and materials of the building and will not protrude beyond the proposed building form.	Y
	<p><u>Streetscape</u></p> <p>e) Signs must not have an adverse impact on the streetscape in terms of unobtrusive design, colour, height, size and scale in proportion to building and other urban elements. Not only should a sign be simple, clear and efficient (with a reasonable degree of visibility), but a well-designed sign inspires and promotes confidence in the business or product advertised without impacting on the streetscape.</p>	As above, the McDonald's signage is of an unobtrusive design and colour and appropriately located as to not impact the surrounding streetscape.	Y
	<p>f) <u>Maintenance</u></p> <p>i. Building facades should not be visually spoiled by electrical conduits to illuminated signs or spot lights, and should therefore be taken directly into the</p>	Any electrical conduits for signage will be completely indiscernible. All signage will also be located as to not be susceptible to footpath maintenance vehicles or vandalism.	Y



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	<p>building or otherwise concealed by chasing into external walls</p> <p>ii. Signs should be located at a height which avoids impact from footpath maintenance vehicles and discourages vandalism</p>		
	<p>g) <u>Safety</u></p> <p>i. Council will give due attention to all applications with respect to possible distraction of motorists due to illumination, position, colours, design and proximity to traffic lights. Signs facing roads with high traffic volumes, traffic lights or major intersections may be referred to other relevant authorities such as the NSW Roads Agency for comment</p> <p>ii. Signs must be maintained in good and substantial repair and in a clean and tidy condition at all times. Council will not favour signs which are prone to deterioration in appearance and condition, and may order removal of objectionable or unsightly advertisements</p>	Signage will not generate any traffic safety issues and will be maintained in good condition.	Y
	<p>h) <u>Illumination</u></p> <p>i. In considering the illumination of signage care is be given to avoid nuisance from glare and spillage of light which may impact on both residents, particularly in the Residential LEP Zones (including E3 &amp; E4) as well as to passing traffic Depending on the location, and its relationship to residential premises, Council may require that illumination be controlled by automatic time clocks extinguishing illumination between 10pm and 6am, or as appropriate in the circumstances</p> <p>ii. A floodlit sign which projects over a public road must not be illuminated by a lighting medium which is less than 2.6m above the ground. Lighting must not cause distraction or nuisance to neighbouring properties or traffic</p>	The illuminated signage will comply with relevant standard for light spill and will not generate glare and light spill on residents or motorists	Y



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4.4.3.3 Controls for Particular Development Types	<u>Roof or sky signs (attached to roof or upper part of façade)</u> a) Council will not allow signs rooftop and/or signs which break the roofline, Council may on merit, however give consideration to a proposed advertising structure in this location where it appears as an ancillary part of the building b) Where by reason of the nature of the use of the premises, taller buildings cannot gain adequate street level exposure, Council may favourably consider applications for flush wall signs, either by direct painting onto the upper facade, or by signage comprising individual lettering and/or logo, of materials such as acrylic or neon, and either illuminated or not illuminated. The design, colour, height and scale must be compatible with the architectural style and finish of building	No roof signage is proposed and any signage on the upper extent of the façade will sit below the roofline	N/A
	<u>Signs above awning height</u> c) Signs, including projecting wall signs are not generally allowed above awning height and are to be located below the awning height rather than on the building facade above the awning, or if there is no such awning, signs are to be within 2.5m of the footpath level below. d) Council will consider on merit, exceptions for signs above awning height applications which are i. flush to the wall; ii. proportionate to the scale, size and height of the host building and adjoining buildings iii. in keeping with the architectural design and finish of the building; and iv. considerate of the form and appearance of existing advertising and the shape and compactness of the proposed signage.	Some of the signage will sit above the building awning but will be flush with the building and proportional to the scale and design of the building.	Justified
	e) Under-awning signs	No under awning signs proposed.	N/A



Control	Requirement	Comment	Compliance
	<ul style="list-style-type: none"> <li>i. are to be limited to 1 under awning sign per site;</li> <li>ii. must be positioned at least 3m from any other awning sign to which this item applies, measured at the centre of each sign to allow for fair exposure and usability;</li> <li>iii. When a site has an exceptionally wide shopfront(s), more than one under-awning sign may be considered, but must in this instance be at least 4m apart;</li> <li>iv. must be at least 2.6m at any point above the ground (footpath level) and erected approximately horizontal to the ground</li> <li>v. must not exceed 2.5m in length and be offset a minimum of 0.6m behind the kerb</li> <li>vi. are not to project beyond the edge of the awning;</li> <li>vii. must not be wider than 0.18m when not illuminated and 0.4m when illuminated</li> <li>viii. must not exceed 0.5m in depth (the distance between the top and bottom edges of the structure)</li> <li>ix. must be erected at right-angles to the building to which the awning is attached; and</li> <li>x. must be securely fixed to the awning by means of suitable metal supports not exceeding 50mm in width or diameter</li> </ul>		
	<u>Flush wall and end wall advertising</u> f) (None proposed) g) (None proposed)	None proposed	N/A
	h) <u>Flush wall signs</u> i. where illuminated, must be at least 2.6m above the ground	Illuminated signage will be at least 2.6m above ground level and all signage will be fully contained within the built form.	Y





Control	Requirement	Comment	Compliance
	<ul style="list-style-type: none"> <li>ii. must not extend laterally beyond the wall of the building to which it is attached</li> <li>iii. must not project above the top of the wall to which it is attached;</li> <li>iv. unless the council otherwise approves, where of a skeleton letter type, must not have an advertising area greater than 4.6 times the distance (to the nearest whole metre) between the lowest part of the sign and the ground; and</li> <li>v. unless the council otherwise approves, where not of a skeleton letter type, must not have an advertising area, in square metres, greater than 3 times the distance (to the nearest whole metre) between the lowest part of the sign and the ground</li> </ul>		
	<ul style="list-style-type: none"> <li>i) Fascia signs <ul style="list-style-type: none"> <li>i. must not project above or below the fascia or return end of the awning to which it is attached;</li> <li>ii. must not extend more than 0.3m from the fascia end of the awning; and</li> <li>iii. unless the council otherwise approves, must not extend or project beyond a point 0.6m within the vertical projection of the kerb line</li> </ul> </li> </ul>	All signage will be contained within built form elements.	Y
	j) Top Hamper (none proposed)	None proposed	N/A



Control	Requirement	Comment	Compliance
	<p>k) Pole or pylon signs</p> <p>i. must not project more than 1.2m over any road alignment; and</p> <p>ii. if projecting over any road alignment, the sign must be at least 2.6m above the ground where it so projects</p> <p>iii. In the LEP Zone B6 Enterprise Corridor, buildings setback from the street alignment, may be accompanied by a freestanding pole sign, setback at an equivalent setback to that of any other existing pole signs. The number of pole signs should be limited to one sign per 10m of frontage, and increased where influenced by frontage, existing signs and traffic speed etc. Signage size and shape will be considered on merit; but should not dominate the area of the building or the landscaped buffer area within the building line setback area.</p>	One pylon sign is proposed and will not project over the road alignment	Y
	<p>i) Projecting wall signs (vertical) (not proposed)</p> <p>m) Projecting wall signs (horizontal) (not proposed)</p>	None proposed – no sign projects more than 0.3m from wall face	N/A
	<p>n) Advertising panels</p> <p>o) 'A' Frame sandwich boards and other temporary footpath signs / hoardings</p> <p>p) Real estate signs</p> <p>q) Advertising Balloons (Cold Air etc.)</p> <p>r) Telecommunication facilities</p>	None proposed	N/A
4.4.4 Awnings	<p>4.4.4.1 Awnings in LEP B1 and B2 Business Zone</p> <p>4.4.4.2 Awnings supported from ground</p>	The site is not in the B1 or B2 Zone and all awnings will be attached to buildings.	N/A
4.4.5 Earthworks (Excavation and Filling)	<b>4.4.5.1 General</b>	Site wide earthworks are proposed to facilitate the proposed development which will may involve altering the ground level at	Justified



Control	Requirement	Comment	Compliance
	<p>a) Earthworks must be limited to that part of the site required to accommodate the building and its immediate surrounds to protect significant natural features of the site including vegetation and prominent rock outcrops</p> <p>l) Natural and undisturbed ground level must be maintained within 0.9m of side and rear boundaries</p> <p>m) On steeply sloping sites, pier and suspended slab or an equivalent non-invasive form of construction technique must be used to minimise earthworks and vegetation loss and retain natural features</p> <p>n) Excavation under the canopy of any tree (including those on neighbouring properties) will only be permitted providing its long-term survival and stability is not jeopardised. Such excavation must be supported by an Arborist report</p> <p>o) Approved sediment, siltation and stormwater control devices must be in place (and maintained) prior to and during the carrying out of any earthworks and other works on the site</p>	<p>the rear and side boundaries. Notwithstanding, erosion and sediment controls will be in place throughout the works period and all areas will be permanently stabilised upon completion.</p>	
	<p>4.4.5.2 Excavation</p> <p>a) Excavation is generally limited to 1m below natural ground level with the exception of basement parking areas (which will be contained within the footprint of the building) and swimming pools</p> <p>b) A dilapidation survey report and geotechnical assessment may be required for excavation works exceeding 1m. Dilapidation survey reports are to include photographic survey of the physical condition of adjoining properties, both internally and externally, including walls ceilings, roof, structural members and other such items. Such records are to provide proper record in relation to the proposed development to particularly assist in any dispute over damage to adjoining proposed arising from the works. It is in the interests of applicants and adjoining landowners for it to be as full and as detailed as</p>	<p>The proposed excavation will exceed 1m below natural ground level, noting that the existing site is already cut down 1-1.5m from natural ground level.</p> <p>A dilapidation report will be supplied as a consent condition to ensure no damage will occur to neighbouring properties or buildings.</p>	Y



Control	Requirement	Comment	Compliance
	necessary commensurate with the nature of the proposed development.		
	<b>4.4.5.3 Filling</b> a) Filling must not exceed 1m above natural ground level b) Only natural rock, gravels or sand material (not builder's waste or demolition materials), obtained from approved sources, must be used as filling.	Any filling will not exceed 1m above natural ground level and will consist of natural materials	Y
	<b>4.4.5.4 Retaining Walls</b> Retaining walls within 1m of the front boundary must not exceed 1m above natural ground level	None are proposed within 1m of the front boundary	N/A
<b>Part 5 – Special Character Precincts, Areas and Sites</b>			
5.4 Environmentally Sensitive Lands 5.4.3 Flood Prone Land	1 Development must comply with the prescriptive controls set out in the Matrix below. Where a property is affected by more than one Flood Risk Precinct, or has varying Flood Life Hazard Category across it, the assessment must consider the controls relevant at each location on the property.  2 Development on flood prone land requires the preparation of a Flood Management Report by a suitably qualified professional.	The proposed land use is classified as a 'Business and Industrial' use and is located in the Medium and Low Flood Risk precincts.  A Flood Management Report ( <b>Appendix I</b> ) has been prepared in accordance with Councils requirements noted in subsequent discussions of PLM2024/0130.	Y/Justified
<b>Schedule 2 – Townscape Principles</b>			
Map I – Balgowlah Enterprise Corridor Zone	(map not included in DCP)	No additional controls apply beyond those already considered in the above assessment	N/A
<b>Schedule 3 – Parking and Access</b>			
Part A1 – Parking Rates and Requirements for Vehicles	<b>Restaurants or Cafes and Take Away Food and Drink Premises</b> 1 parking space for every 40 sqm of gross floor area of serviced area.	The proposed McDonalds has less than 100m <sup>2</sup> of 'serviced area' (i.e. GFA accessible to the public) and therefore only requires 3 parking spaces. Notwithstanding, 26 car parks are proposed in line with SEPP (Transport and Infrastructure) parking rates.	Y



