



Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why
Lots A & B DP 326907 and Lot 1 DP588603

**Prepared by Willowtree Planning Pty Ltd on behalf
of Y Squared**

July 2021

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

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Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

TABLE OF CONTENTS

PART A	PRELIMINARY.....	4
1.1	INTRODUCTION.....	4
2.1	SITE LOCATION AND CHARACTERISTICS	5
2.2	SITE CONTEXT.....	7
2.3	DEVELOPMENT HISTORY.....	8
PART C	PROPOSED DEVELOPMENT.....	10
3.1	OVERVIEW	10
3.2	DEVELOPMENT STATISTICS	10
PART D	LEGISLATIVE AND POLICY FRAMEWORK.....	13
4.1	STATUTORY PLANNING FRAMEWORK OVERVIEW.....	13
4.2	ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979	13
4.3	ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000.....	14
4.4	STATE ENVIRONMENTAL PLANNING POLICY NO 64 - ADVERTISING AND SIGNAGE	14
4.5	WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011.....	18
4.6	DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS.....	26
4.7	WARRINGAH DEVELOPMENT CONTROL PLAN 2011.....	26
PART E	LIKELY IMPACTS OF THE DEVELOPMENT.....	29
5.1	CONTEXT AND SETTING.....	29
5.2	DESIGN AND APPEARANCE	29
5.3	HERITAGE	29
5.4	WASTE	29
5.5	CONSTRUCTION	30
5.6	CUMULATIVE IMPACTS.....	30
5.7	SUITABILITY OF SITE FOR DEVELOPMENT	30
5.8	SUBMISSIONS.....	30
5.9	THE PUBLIC INTEREST	30
PART F	CONCLUSION	31

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

APPENDICES

Appendix	Document	Prepared by
1	Architectural Plans	Y Squared Architects
2	Waste Management Plan	Y Squared Architects
3	Cost Summary Report	Y Squared Architects

FIGURES

Figure 1. Aerial View of Site (Source: Nearmap, 2021)	5
Figure 2. Cadastral Map of Site (Source: Nearmap, 2021)	6
Figure 3. View of Site from Oaks Avenue (Source: Google Street View, 2021)	6
Figure 4. Site Context Map (Source: Nearmap, 2021)	7
Figure 5. Proposed Signage (Source: Y Squared, 2021)	12
Figure 6. WLEP2011 Land Zoning Map - LZN_010A (Source: NSW Planning Portal, 2021)	20
Figure 7. WLEP2011 Height of Building Map - HOB_010AA (Source: NSW Planning Portal, 2021)	22
Figure 8. WLEP2011 Height of Building Map - HOB_010AB (Source: NSW Planning Portal, 2021)	23
Figure 9. WLEP2011 Floor Space Ratio Map - FSR_010 (Source: NSW Planning Portal, 2021)	24
Figure 10. WLEP2011 Heritage Map - HER_010A (Source: NSW Planning Portal, 2021)	25

TABLES

Table 1. Previous Consents	8
Table 2. Signage Design Specifications	10
Table 3: Section 4.15(1)(A) Considerations	13
Table 4. SEPP 64 Assessment Criteria	15
Table 5. Warringah Local Environmental Plan 2011	18
Table 6. Development Standards	21
Table 7. WDCP2011 Compliance Table	26

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

PART A PRELIMINARY

1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning on behalf of Y Squared, and is submitted to Northern Beaches Council (Council) to support a Development Application (DA). This DA seeks development consent for **business identification signs** on the façade of Tenancy 9C at 33 Oaks Avenue, Dee Why (the Site). The Site is legally described as Lots A & B DP 326907 and Lot 1 DP588603.

The proposal specifically entails two (2) wall signs and one (1) top hamper sign comprising the following:

- Sign 1: Wall sign located on front façade comprising the 'our medical dee why' business name and logo;
- Sign 2: Top hamper sign comprising the 'our medical' business name and logo;
- Sign 3: Wall sign located on front façade comprising the 'our medical dee why' business name and logo, 'Open to 10pm every day' wording, 'BULK BILLING GPs' wording and image, 'RADIOLOGY' wording and image, 'DENTAL' wording and image, 'PATHOLOGY' wording and image and 'ALLIED HEALTH' wording and logos.

The proposed signage is illustrated within the Architectural Drawings prepared by Y Squared, accompanying this application in **Appendix 1**.

The Site is zoned **B4 Mixed Use** pursuant to the *Warringah Local Environmental Plan 2011* (WLEP2011) and is located within Northern Beaches Local Government Area (LGA). The proposed development is permissible with development consent within the B4 zone and is considered contextually appropriate. Furthermore, the proposed development does not seek consent to amend the existing building envelope, Height of Building (HOB), Gross Floor Area (GFA) and is consistent with the objectives and provisions of the WLEP2011.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clause 50 and Part 1 of Schedule 1 of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). Assessment against the relevant matters for consideration under Section 4.15(1) of the EP&A Act has also been carried out.

The structure of the SEE is as follows:

- **Part A** Preliminary
- **Part B** Site Analysis
- **Part C** Proposed Development
- **Part D** Legislative & Policy Framework
- **Part E** Likely Impacts of Development
- **Part F** Conclusion

Based on the assessment undertaken, it is recommended that favourable consideration to the approval of the Development Application be given.

PART B SITE ANALYSIS

2.1 SITE LOCATION AND CHARACTERISTICS

The Site subject to this DA is identified as 33 Oaks Avenue, Dee Why, and is legally described as Lots A & B DP 326907 and Lot 1 DP588603.

The Site is irregular in shape and exhibits an area of approximately **5,854m²**. The Site is zoned B4 Mixed Use and is subject to the applicable provisions of the WLEP2011. The works proposed under this Application relate to Tenancy 9C which forms part of the larger Dee Why Market Shopping Centre.

In its existing state, the Site comprises a single level neighbourhood shopping centre with dual street frontage of approximately 79m to Oaks Avenue and 31m to Pacific Parade, to the north and south respectively.

The existing Site characteristics are depicted in **Figures 1 - 3** below.

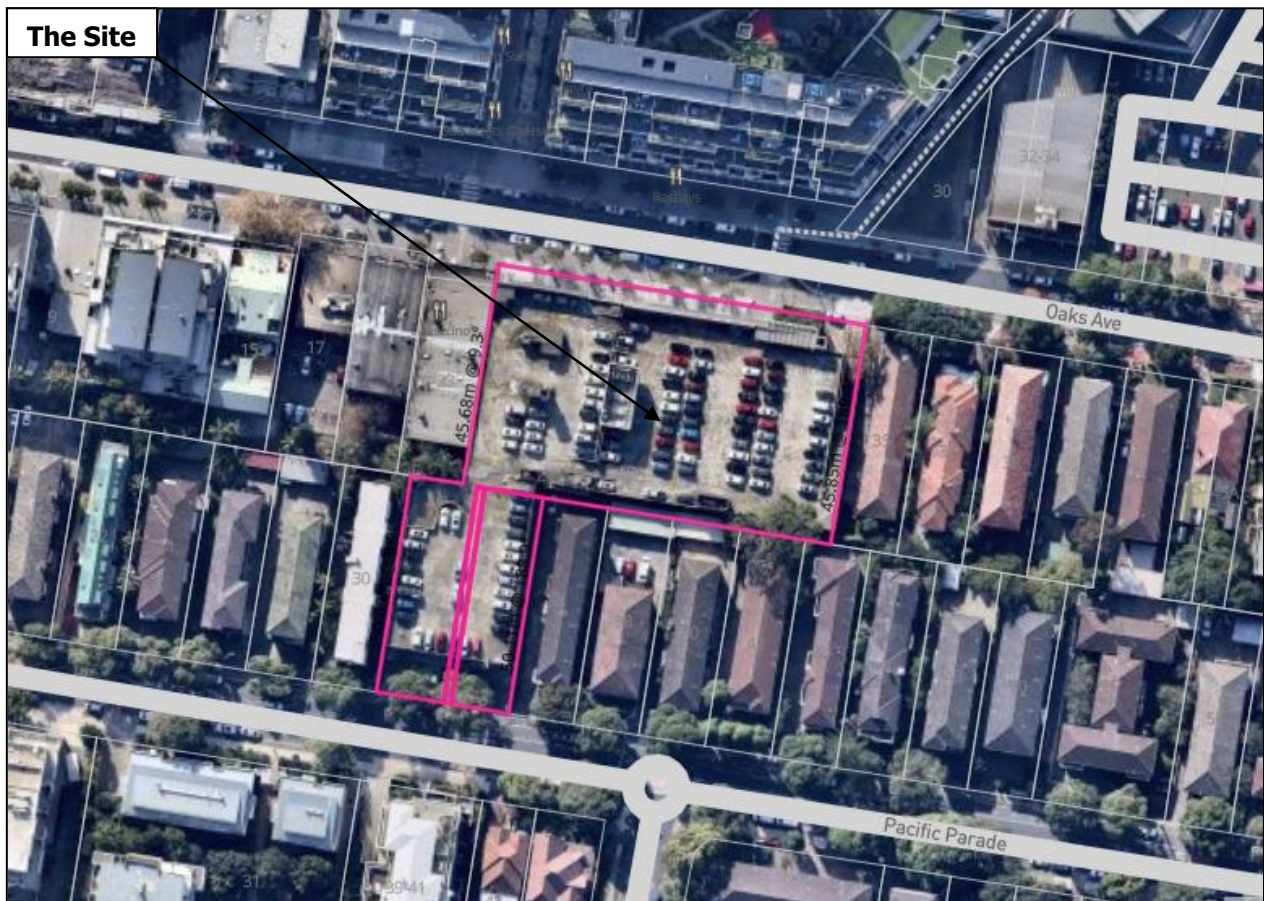


Figure 1. Aerial View of Site (Source: Nearmap, 2021)



Figure 2. Cadastral Map of Site (Source: Nearmap, 2021)



Figure 3. View of Site from Oaks Avenue (Source: Google Street View, 2021)

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

2.2 SITE CONTEXT

The Site is located in the suburb of Dee Why within the Northern Beaches LGA and is situated approximately 14km north east of the Sydney Central Business District (CBD).

The Site context exhibits a commercial and retail character, being dominated by similar two (2) storey buildings with active ground floor uses comprising of food and drink premises, retail shops and office suites. Further the Site is also surrounded by residential land uses and a seven (7) storey mixed use development located across the Site.

The Site is highly accessible via public transport, within close proximity to bus routes. The surrounding bus network is available along Pacific Parade, Howard Avenue and Pittwater Road providing connectivity to the immediate locality, as well as the wider Sydney Metropolitan Area.

The surrounding local context is illustrated in **Figure 4** below.

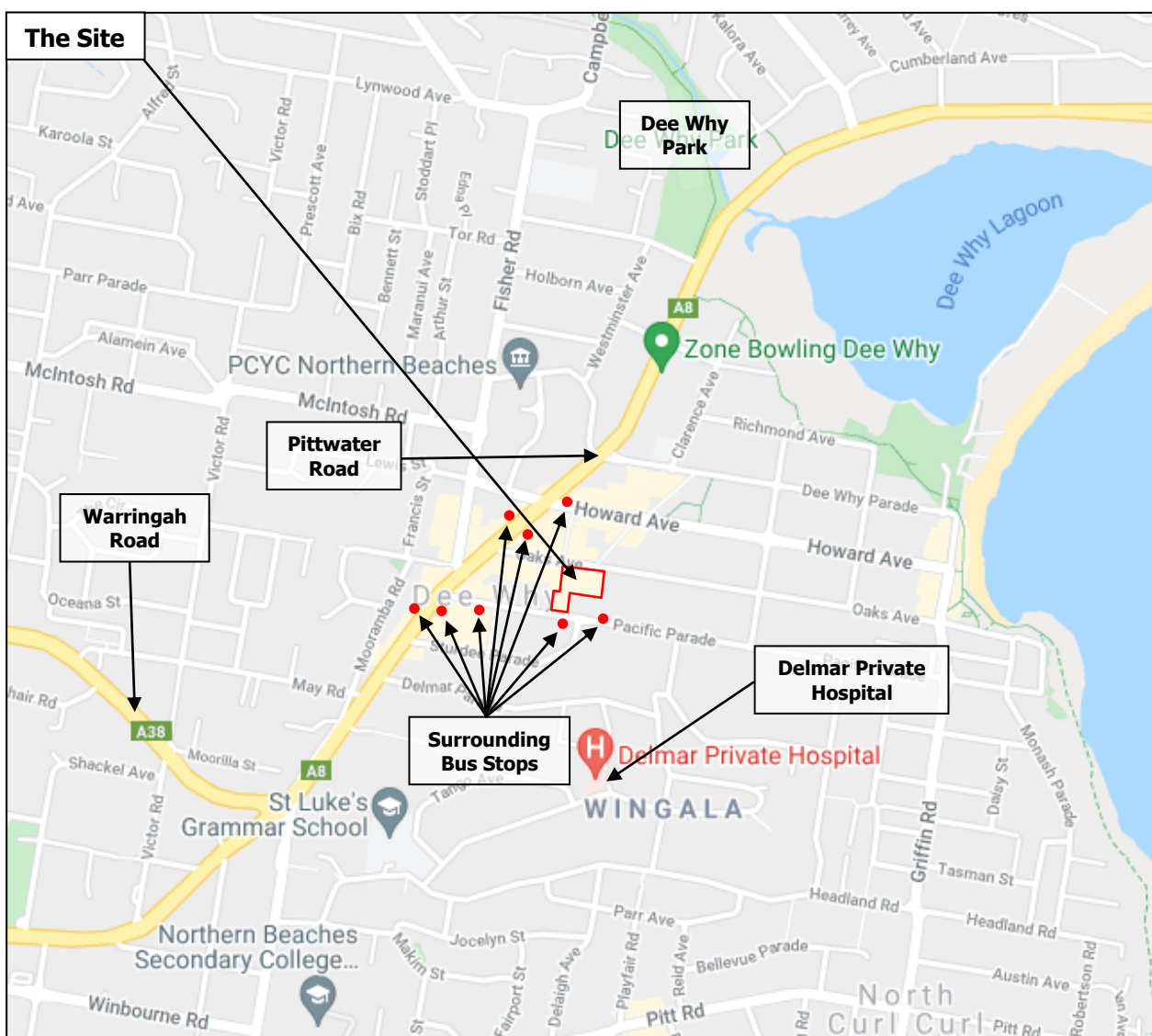


Figure 4. Site Context Map (Source: Nearmap, 2021)

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

2.3 DEVELOPMENT HISTORY

Table 1 below is a summary of the DAs relating to the Site that have been determined or are under assessment.

Table 1. Previous Consents	
Application ID	Description
CDC2021/0536	Fit-out of existing retail shop and use as shop for Independent living Specialist - CDC/PDE-2103 (Submitted: 16/06/2021)
CDC2020/0845	Alterations of shops (to split into two tenancies) and Fitout (no alteration to ceiling fire services) - 00069389 In dee why town centre (Submitted: 06/11/2020)
CDC2020/0494	Change of use to Fruit and Vegetable Shop - 200035/01 (Submitted: 31/07/2020)
DA2020/0829	Use of premises as a recreation facility (indoor) & food and drink premises (Submitted: 27/07/2020)
CDC2020/0412	Reconfiguration to two (2) commercial tenancies including sanitary facilities, upgrade of fire, electrical, plumbing and mechanical services CDC 5495 (Submitted: 02/07/2020)
CDC2020/0305	Fitout of an existing retail tenancy - 20000185/01 (Submitted: 15/05/2020)
DA2020/0011	Use of existing carpark for a car wash facility (Submitted: 09/01/2020)
CDC2018/0582	Internal fitout of Woolworth Supermarket - CDC1423 - 69.1 - 01 - 2018 - AED Group (Submitted: 03/07/2018)
CDC2017/0729	Change of Use from Hair Salon to Grocery Store & Associated internal fitout - shop 7 (Submitted: 13/11/2017)
CDC2016/0885	Use and fit out as a health and beauty salon (Submitted: 06/12/2016)
CDC2015/0216	Private SEPP - Change of use to hair salon and ancillary fit out (Submitted: 14/05/2015)
CDC2013/0163	Private SEPP Sushi Bar Woolworths Dee Why (Submitted: 30/04/2013)
DA2011/1340	Signage (Submitted: 14/10/2011)
DA2011/1145	Demolition works and alterations and additions to a shop (Submitted: 01/09/2011)
DA2011/1142	Fitout and use of premises as a shop and signage (Submitted: 01/09/2011)
DA2010/1977	Alterations and additions to an existing building and signage (Submitted: 03/12/2010)
DA2010/1791	Signage (Submitted: 29/10/2010)
DA2010/0489	Signage (Submitted: 26/03/2010)
CDC2009/0049	Private LEP - Fitout and use for a bakery (Submitted: 14/10/2009)
CDC2009/0047	Fitout & use for a seafood shop (Submitted: 12/10/2009)
CDC2009/0041	Food Shop Fit-Out (Submitted: 28/07/2009)
CDC2009/0017	Private LEP - Cafe' fitout (Submitted: 27/03/2009)
DA2009/0308	Change of use of office premises to a gymnasium and associated signage (Submitted: 18/03/2009)
DA2008/1446	Fitout and use for a shop (Butcher) (Submitted: 13/10/2008)
Mod2008/0292	Installation of a lift & refurbishment of the external facade *** 08/10/08 - Phil Lane to allocate description. (Submitted: 02/10/2008)
DA2008/1149	Fitout and use for a shop (Deli) (Submitted: 06/08/2008)
DA2008/1148	Fitout and use for a shop (Fruit and vegetable market) (Submitted: 06/08/2008)

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

CDC2008/0042	Council (Submitted: 29/07/2008)
CDC2008/0041	Council (Submitted: 29/07/2008)
CDC2008/0033	Private (Submitted: 09/07/2008)
Mod2008/0184	Relocation of lift and external facade changes (Submitted: 19/06/2008)
DA2007/1259	Installation of a lift & refurbishment of the external facade (Submitted: 18/12/2007)
DA2007/0051	Infill Existing Parapet and Additional Signage (Submitted: 29/01/2007)
DA2002/1761	Installation of Boom Gates and Associated Signage and Introduction of Parking Fees to Existing Carpark - Dee WHY Shopping Centre (woolworths) \$830 Advt.Fee - Paid 29/11/02; (Submitted: 19/11/2002)
DA2000/5398	Two External Signs (Submitted: 27/12/2000)
DA2000/4486	Existing Centre Pacific Parade Side Mall Combine Existing Five Retail Vacant Shops for GO LO Discount Retail & Half Mall Walkway Combine Existing Two Vacant Retail Shops for Loading Goods Store Shops 7 & 8, (Submitted: 16/06/2000)
DA1999/2274	Tenancy Fitout for Liquor Shop - Transputa PTY Limited DATE TYPE NOTE 16/12/1999 Final Not OK FINAL/OK-CERTIFICATES ETC AS PER APPROVED CONSENT ARE OUTSTANDING-BLDE R ADVISED -WILL PROVIDE ASAP (Submitted: 07/07/1999)
DA1999/1424	Alterations to Woolworths Supermarket - Transputa PTY Ltd (Submitted: 25/02/1999)
BA5002/2926	Add N (Submitted: 01/09/1993)
BA5002/0236	Add N (Submitted: 11/08/1992)
BA5001/7998	ADD Boomgate/Booth N (Submitted: 25/11/1991)
BA5001/7535	ADD Laundromat N (Submitted: 15/10/1991)
BA5001/5697	ADD Partition Walls N DATE TYPE NOTE 25/02/1994 Final Inspected by: BG Notes: SATISFACTORY (Submitted: 30/04/1991)

PART C PROPOSED DEVELOPMENT

3.1 OVERVIEW

Development Consent is sought for business identification signs located on the Oaks Avenue facade of Tenancy 9C. The following objectives have been identified as forming the basis of the proposed signage to the Site:

- Provide sufficient exposure for the tenant of the existing health services facility building;
- Ensure the approved tenant 'Our Medical Dee Why' can be effectively identified;
- Ensure minimal environmental and amenity impact;
- Provide an effective and vibrant identity to the Site;
- Ensure minimal visual clutter; and
- Ensure the construction materials used are sympathetic to the existing Site and surrounds.

The proposal is considered to meet the objectives set out above as it allows business identification signs located on the facade of Tenancy 9C and commensurate within Site context.

3.2 DEVELOPMENT STATISTICS

The proposal seeks development consent for business identification signs located on the façade of Tenancy 9C. The proposed signage relates to an approved medical centre, known as the 'Our Medical Dee Why'. The proposal will support the functionality and viability of the approved land use within a vibrant commercial area and will provide a contemporary identity that is respectful to the Site and within the immediate vicinity.

Table 2 below outlines the design and installation specifications of the proposed signage.

- Sign 1: Wall sign located on front façade comprising the 'our medical dee why' business name and logo;
- Sign 2: Top hamper sign comprising the 'our medical' business name and logo;
- Sign 3: Wall sign located on front façade comprising the 'our medical dee why' business name and logo, 'Open to 10pm every day' wording, 'BULK BILLING GPs' wording and image, 'RADIOLOGY' wording and image, 'DENTAL' wording and image, 'PATHOLOGY' wording and image and 'ALLIED HEALTH' wording and image.

Table 2. Signage Design Specifications		
Type of Sign	Measurements & Installation Location	Design Specifications
Wall Sign (Sign 1)	<p>Measurements: Wall Sign consists of two (2) components being the 'our medical dee why' business name and logo measuring 12.10m in length x 3.3m in height.</p> <p>Installation Location: Oaks Avenue façade on top of awning.</p>	<p>The proposed Wall Sign is to indicate the following features:</p> <ul style="list-style-type: none">▪ The 'our medical dee why' business name and logo. <p>Design specifications of the proposed Wall Sign include the following:</p> <p>The sign is proposed to contain individual 3D logo and lettering with a total area of 39.9m². Furthermore, the wall sign is proposed to be</p>

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

		internally illuminate with LED fittings with dimmable control.
Top Hamper Sign (Sign 2)	<p>Measurements: Top Hamper Signs consists of two (2) components being the 'Our Medical' business name and logo measuring 1.6m in length x 0.6m in height.</p> <p>Installation Location: Oaks Avenue façade under the awning and above the front door.</p>	<p>The proposed Top Hamper Signs are to indicate the following features:</p> <ul style="list-style-type: none"> The 'our medical' business name and logo. <p>Design specifications of the proposed Top Hamper Sign include the following:</p> <p>The sign is proposed to contain push through lettering with ACM backing panel with a total area of 0.96m². Furthermore, the top hamper sign is proposed to be internally illuminate with LED fittings.</p>
Wall Sign (Sign 3)	<p>Measurements: Wall Sign consist of two (2) components being wording and logos containing the following:</p> <ul style="list-style-type: none"> 'our medical dee why'; 'Open to 10pm every day'; 'BULK BILLING GPs'; 'RADIOLOGY'; 'DENTAL'; 'PATHOLOGY'; and 'ALLIED HEALTH' wording and logos measuring 11m in length x 3.8m in height. <p>Installation Location: Oaks Avenue façade.</p>	<p>The proposed Wall Sign is to indicate the following features:</p> <ul style="list-style-type: none"> The 'our medical dee why'; 'Open to 10pm every day'; 'BULK BILLING GPs'; 'RADIOLOGY'; 'DENTAL'; 'PATHOLOGY'; and 'ALLIED HEALTH' wording and logos. <p>Design specifications of the proposed Wall Sign include the following:</p> <p>The sign is proposed to contain individual logo and lettering with a total area of 41.6m². Furthermore, the wall sign is proposed to be externally illuminated with LED gutter light fitting to top and bottom.</p>

Figure 5 below illustrates the proposed signage. Comprehensive Architectural Plans have been prepared by Y Squared and are provided in **Appendix 1**.

Statement of Environmental Effects
Proposed Business Identification Signs
33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)



Figure 5. Proposed Signage (Source: Y Squared, 2021)

PART D LEGISLATIVE AND POLICY FRAMEWORK

4.1 STATUTORY PLANNING FRAMEWORK OVERVIEW

This Part of the SEE addresses and responds to the legislative and policy requirements relevant to the proposed development at the Site in accordance with EP&A Act. The statutory planning framework relevant to the proposed development at the Site includes:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *State Environmental Planning Policy No. 64 – Advertising and Signage*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan 2011*

4.2 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

The EP&A Act is the principle planning and development legislation in New South Wales. Pursuant to Part 4, the proposal is considered local development.

Section 4.15(1) of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15(1) of the EP&A Act are provided in **Table 3** below.

Table 3: Section 4.15(1)(A) Considerations	
Section	Response
Section 4.15(1)(a)(i) any environmental planning instrument (EPI), and	EPIs are addressed in Section 4.4-4.5 .
Section 4.15(1)(a)(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	There are no currently proposed EPIs that have been subject to public consultation which is relevant to the Site or proposal.
Section 4.15(1)(a)(iii) any development control plan, and	The relevant sections of the <i>Warringah Development Control Plan 2013</i> (WDCP2011) have been considered in Section 4.7 .
Section 4.15(1)(a)(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	There are no voluntary planning agreements (VPA) applicable to the Site.
Section 4.15(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The EP&A Regulation is addressed in Section 4.3 .
Section 4.15(1)(b)-(c)	Refer to Part E of this SEE.

4.2.1 Section 4.46 of the EP&A Act – Integrated Development

Section 4.46 of the EP&A Act defines 'integrated development' as matters which require consent from Council and one or more authorities under related legislation. In these circumstances, prior to granting consent, Council must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development.

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

Pursuant to Section 4.46 of the EP&A Act the proposed development does not constitute integrated development. Furthermore, the proposed development does not require consent under the *Roads Act 1993* as the sign is not proposed to be erected on or over on a public road.

4.3 ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

The proposal has been prepared in accordance with the provisions of the *Environmental Planning and Assessment Regulation 2000* (EP&A Regulation). Clause 50 and Part 1 of Schedule 1 of the EP&A Regulation stipulates how a DA must be "made". This DA satisfies the relevant criteria of the Regulation as follows:

- Clause 50(1)(a) – This DA is accompanied by the necessary information and documentation as part of this DA pursuant to Schedule 1 of the EP&A Regulation.

Further, the proposal is not 'Designated Development' pursuant Schedule 3 of the EP&A Regulation.

4.4 STATE ENVIRONMENTAL PLANNING POLICY NO 64 - ADVERTISING AND SIGNAGE

State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64) applies to all signage:

- (a) *that, under another environmental planning instrument that applies to the signage, can be displayed with or without development consent, and*
- (b) *is visible from any public place or public reserve.*

The proposed development seeks consent for business identification signs located on the façade of an existing health services facility building as detailed in the Architectural Plans within **Appendix 1**.

Pursuant to Clause 8 of SEPP 64, a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- a) *that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and*
- b) *that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1*

These matters are addressed below.

Aims and objectives of SEPP 64

(1) *This Policy aims:*

(a) *to ensure that signage (including advertising):*

- (i) *is compatible with the desired amenity and visual character of an area, and*
- (ii) *provides effective communication in suitable locations, and*
- (iii) *is of high quality design and finish, and*
- (b) *to regulate signage (but not content) under Part 4 of the Act, and*
- (c) *to provide time-limited consents for the display of certain advertisements, and*
- (d) *to regulate the display of advertisements in transport corridors, and*
- (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

(2) *This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.*

The proposed development seeks consent for business identification signs and is considered to meet the aims and objectives of SEPP 64 for the following reasons:

- It relates directly to the approved future use of the Site and will subsequently enhance the viability of the future operations of the Site.

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

- The proposed signage is compatible with the character of the area and will positively contribute to the locality through high quality design, construction and finish.
- Considering the existing commercial and retail precedent and the nature of the proposed development, the proposed signage will integrate with the existing built form, in terms of sitting, scale and design.

The proposed building identification signs are considered to be compatible with the SEPP 64 aims and objectives.

Schedule 1, Assessment Criteria

Pursuant to SEPP 64, building identification signs are to be assessed under Schedule 1. The assessment criteria under Schedule 1 of SEPP 64 is addressed in **Table 4**.

Table 4. SEPP 64 Assessment Criteria	
Criteria	Proposal Compliance
1 Character of the area	
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	Yes, the proposal is compatible with the existing character of the Site and other development within the immediate area, which is primarily commercial, retail, food and drink and office land uses including similar signage in the neighbouring vicinity.
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	Yes, as above.
2 Special areas	
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	No. The Site is not located on any of the aforementioned areas. However, the Site is located within the vicinity of two (2) Heritage Items of local significance being I45 (St Kevin's Catholic Church) and I47(House) The existing development and surrounding buildings contain signage of similar scale to the proposed signage. Furthermore, the proposed signage would be of a high-quality design and finish and would improve the visual amenity of the Site through effective identification.
3 Views and vistas	
<i>Does the proposal obscure or compromise important views?</i>	No. The proposed signage would be of a height and scale consistent with the built form on the Site and would not disrupt any views or dominate views toward the Site.
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	No. The signage is considered to be of a reasonable scale and location on the building and will not be dominant on the skyline.
<i>Does the proposal respect the viewing rights of other advertisers?</i>	Yes. The proposed signage would not obstruct any other signage or advertising.

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

4 Streetscape, setting or landscape	
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	Yes. The proposed signage has been designed in respect of the proposed built form on the Site to effectively identify the tenant. The proposed signage is compatible with the character of the Site and its surrounds as detailed above.
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	Yes. The proposed signage would visually define the facility on the Site and would be integrated with façade treatment to create a visually coherent built form.
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	Yes. The proposed signage relates to building identification and would not cause any clutter.
<i>Does the proposal screen unsightliness?</i>	No. The proposed signage is not used as a visual screen or filter.
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	No. The proposed signage would not protrude above the roof line or tree canopy.
<i>Does the proposal require ongoing vegetation management?</i>	No. The proposed signage would not require ongoing vegetation management.
5 Site and building	
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	Yes. The proposed signage is of a suitable scale and design for its intended purpose to effectively identify the business on-Site and would integrate with the proposed built form and façade design to achieve visual coherence.
<i>Does the proposal respect important features of the site or building, or both?</i>	Yes, the signage does not obscure any important architectural features of the building.
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	Yes. The proposed signage has been integrated with the layout of the Site so as not to obstruct any vehicle movements and achieve a positive visual outcome.
6 Associated devices and logos with advertisements and advertising structures	
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i>	<p>Yes, the proposed signage partially comprises of Our Medical Dee Why's logo, which is intended to be an integral part of the signage scheme.</p> <p>The proposal also entails lighting, safety structures and cabling. However, these features are not proposed or intended to be integral to the main signage message and are sheerly proposed to support the signage content itself.</p>
7 Illumination	
<i>Would illumination result in unacceptable glare?</i>	Signs 1, 2 and 3 are proposed to be illuminated using internally illuminated LED fittings with dimmable control, internally illuminated LED fittings and externally illuminated with LED gutter light fitting to top and bottom respectively.

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

	With this in consideration, the proposed illumination methods have been identified as low brightness and glare free illumination methods that ensure minimal glare. Further, the proposal does not comprise the use of lighting that would result in an unacceptable glare.
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	<p>No, as abovementioned the proposed illumination would be achieved using low glare methods which ensure the safety and amenity of pedestrians.</p> <p>Further, given the pedestrianised nature of this section of Oaks Avenue and the location of the proposed signage, the proposal would not affect the safety of vehicles or aircraft.</p>
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	No, the proposed illumination is unobtrusive and commensurate with other signage within the vicinity of the Site as discussed above.
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	The proposed signage would be capable of being modified to facilitate the adjustment of illumination, should it be warranted.
<i>Is the illumination subject to a curfew?</i>	No. The proposed illuminated signage is not subject to a curfew pursuant to the WDCP2011.
8 Safety	
<i>Would the proposal reduce the safety for any public road?</i>	No. The proposed signage is not located over a public road and is well set back from the street.
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	No. The proposed signage would not obstruct any pedestrian or cycle routes or infrastructure and therefore would not negate the safety of pedestrians or cyclists.
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	No. The proposed signage would not obscure any sightlines from public areas frequented by pedestrians. Neither would the proposed signage obstruct any vehicle sight lines from public roads.

4.4.1 Clause 31 Consultation with RMS

Pursuant to the provisions of Clause 31 of SEPP 64, signs located within 250m of a classified road may require consultation with the RMS. These matters are addressed below.

Clause 31 of SEPP 64 states the following:

Clause 31 Consultation with RMS

In the preparation of a draft local environmental plan under Division 4 of Part 3 of the Act that makes provision for or with respect to signage or advertising to which this Policy applies within 250 metres of a classified road, a council should consult with RMS.

The Site is located on Oaks Avenue, which is not identified as a classified road however, is located within 250m of a classified road being the Pittwater Road. Notwithstanding this, the proposed business identification signs will not be viewed from the nearby classified road.

In light of the above, the proposal is considered consistent with the provisions of SEPP 64.

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

4.5 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

The WLEP2011 is the primary EPI that applies to the site. The relevant provisions of WLEP2011 as they relate to the subject site are considered below:

4.5.1 Zoning and Permissibility

The Site is located within the B4 Mixed Use zone under the provisions of the WLEP2011. **Table 5** outlines the developments consistency and compliance with the relevant development standards and controls under WLEP2011.

Table 5. Warringah Local Environmental Plan 2011

Requirement	Application to Proposed Development
Clause 2.3 – Zone objectives and Land Use Table	(2) <i>The consent authority must have regard to the objectives for development in a zone when determining a development application in respect of land within the zone.</i>
B4 Mixed Use	
B4 Mixed Use zone – Objectives of the zone	<ul style="list-style-type: none">▪ <i>To provide a mixture of compatible land uses.</i>▪ <i>To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.</i>▪ <i>To reinforce the role of Dee Why as the major centre in the sub-region by the treatment of public spaces, the scale and intensity of development, the focus of civic activity and the arrangement of land uses.</i>▪ <i>To promote building design that creates active building fronts, contributes to the life of streets and public spaces and creates environments that are appropriate to human scale as well as being comfortable, interesting and safe.</i>▪ <i>To promote a land use pattern that is characterised by shops, restaurants and business premises on the ground floor and housing and offices on the upper floors of buildings.</i>▪ <i>To encourage site amalgamations to facilitate new development and to facilitate the provision of car parking below ground.</i> <p>The proposal is consistent with the objectives of the B4 Mixed Use zone as it will support the viability and continued operation of the Site as a health services facility for the purposes of a medical centre being 'Our Medical Dee Why' that serves the needs of the local and wider community, whilst not giving rise to any adverse amenity impacts on residents or occupiers of existing development in the locality. The Site is surrounded by commercial and retail land uses and is therefore compatible with the surrounding context.</p>
Permitted without consent	<i>Home-based child care; Home occupations</i>
Permitted with consent	<i>Boarding houses; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hotel or motel accommodation; Information and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Residential flat buildings; Respite day care centres; Restricted premises; Roads; Seniors housing; Shop top housing; Tank-based aquaculture; Any other development not specified in item 2 or 4</i>

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

	Business identification signs permitted with consent within the B4 Mixed Use zone as a innominate use.
Prohibited	<i>Advertising structures; Agriculture; Air transport facilities; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Environmental facilities; Exhibition villages; Extractive industries; Forestry; Freight transport facilities; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Research stations; Residential accommodation; Rural industries; Service stations; Sex services premises; Storage premises; Transport depots; Vehicle body repair workshops; Vehicle repair stations; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies</i>

The proposed development is defined under the WLEP2011 as a **business identification sign**, being:

a sign—

(a) that indicates—

(i) the name of the person or business, and

(ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and

(b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

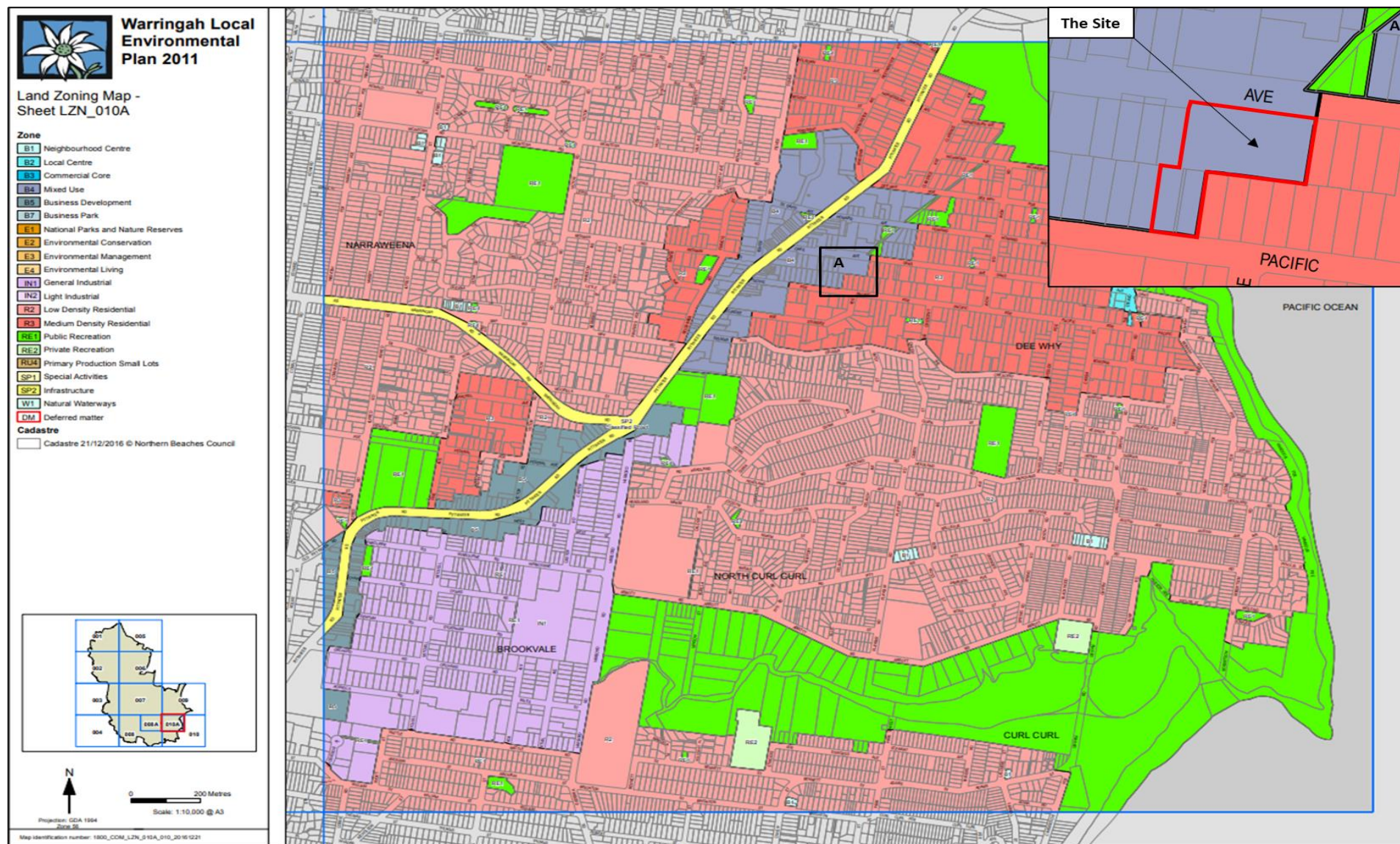
Note— *Business identification signs are a type of **signage**—see the definition of that term in this Dictionary.*

Accordingly, a *business identification sign* is a permitted use in the B4 zone.

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)



Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

Table 6 below outlines the development's consistency and compliance with the relevant development standards and controls under WLEP2011.

Table 6. Development Standards	
Clause	Comment
Clause 4.1 – Minimum Lot Size	The Site is not subject to a minimum lot size pursuant to the WLEP2011. Furthermore, the proposed development does not seek consent for any subdivision. Therefore, further assessment under Clause 4.1 is not considered warranted.
Clause 4.3 – Height of Buildings	The Site is subject to a maximum building height of 16m and 24m pursuant to the WLEP2011 as illustrated in Figure 7 below. The proposed signage does not protrude above the existing parapet and thus does not alter the existing HOB. Therefore, further assessment under Clause 4.3 is not considered warranted.
Clause 4.4 – Floor Space Ratio	The Site is subject to a maximum FSR of 1.8:1 and 3.4:1 pursuant to the WLEP2011 as illustrated in Figure 8 below. The proposed developed does not seek consent to alter the existing FSR. Therefore, further assessment under Clause 4.4 is not considered warranted.
Clause 5.10 – Heritage	<p>The Site is not identified as a Heritage Item or located within a Heritage Conservation Area (HCA) pursuant to the WLEP2011. However, the Site is located within the vicinity of two (2) Heritage Items of local significance being I45 (St Kevin's Catholic Church) and I47(House) as illustrated in Figure 9 below.</p> <p>The proposed signage provides specific details about the end-user of the building, 'Our Medical Dee Why'. The existing development and surrounding buildings contain signage of similar scale to the proposed signage. The proposed signage would not be viewed from the surrounding heritage items and would not detract from the heritage significance of those items.</p> <p>Furthermore, the proposed signage would be of a high-quality design and finish and would improve the visual amenity of the Site through effective identification.</p> <p>Given the minimal visual intrusion and dominance of the proposed signage, it is considered appropriate and acceptable, with minimal impact on the heritage significance of both Heritage Items within the vicinity. This is further discussed in Part E below.</p>
Clause 6.2 – Earthworks	No Earthworks are proposed on the Site.

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

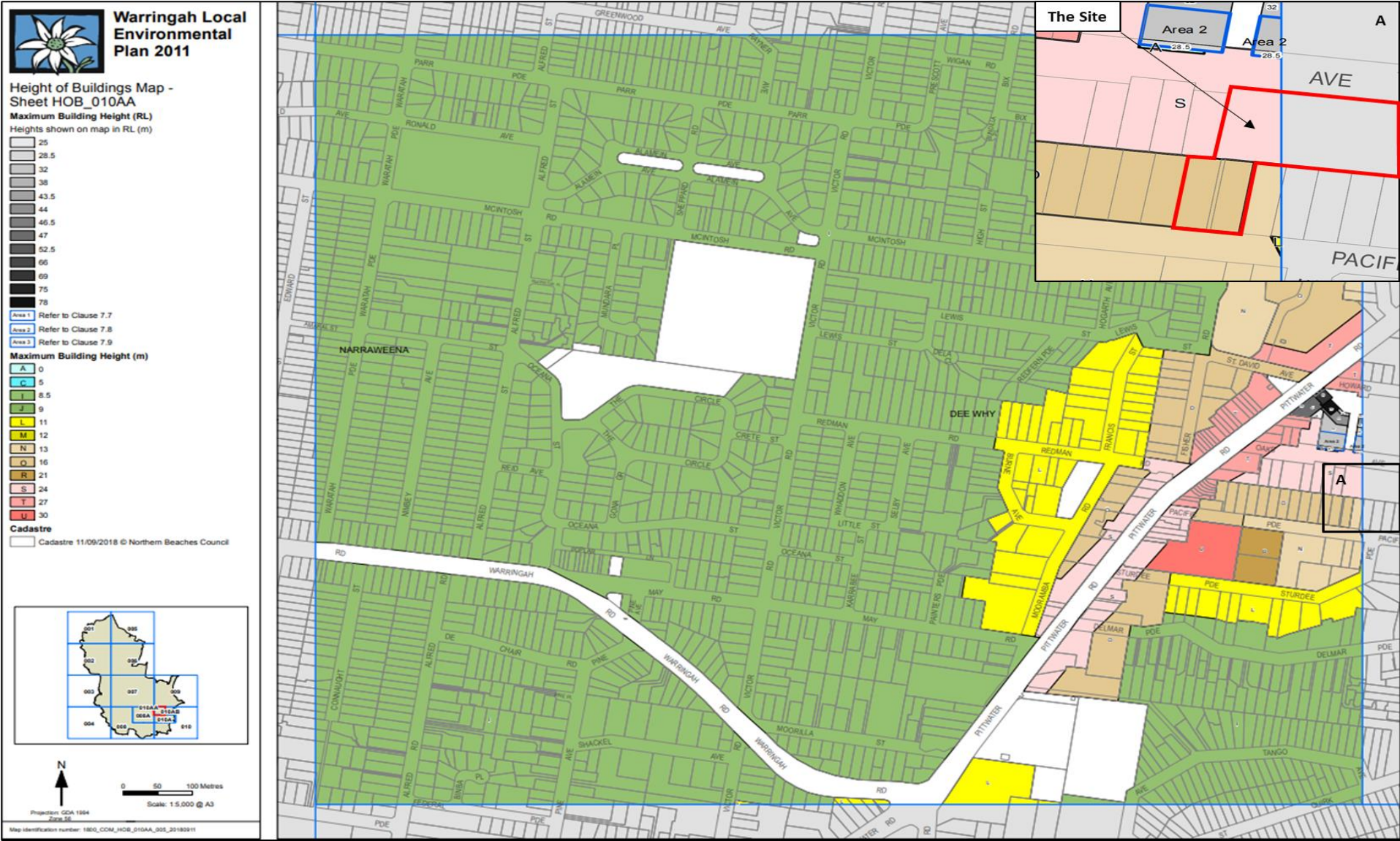


Figure 7. WLEP2011 Height of Building Map - HOB_010AA (Source: NSW Planning Portal, 2021)

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

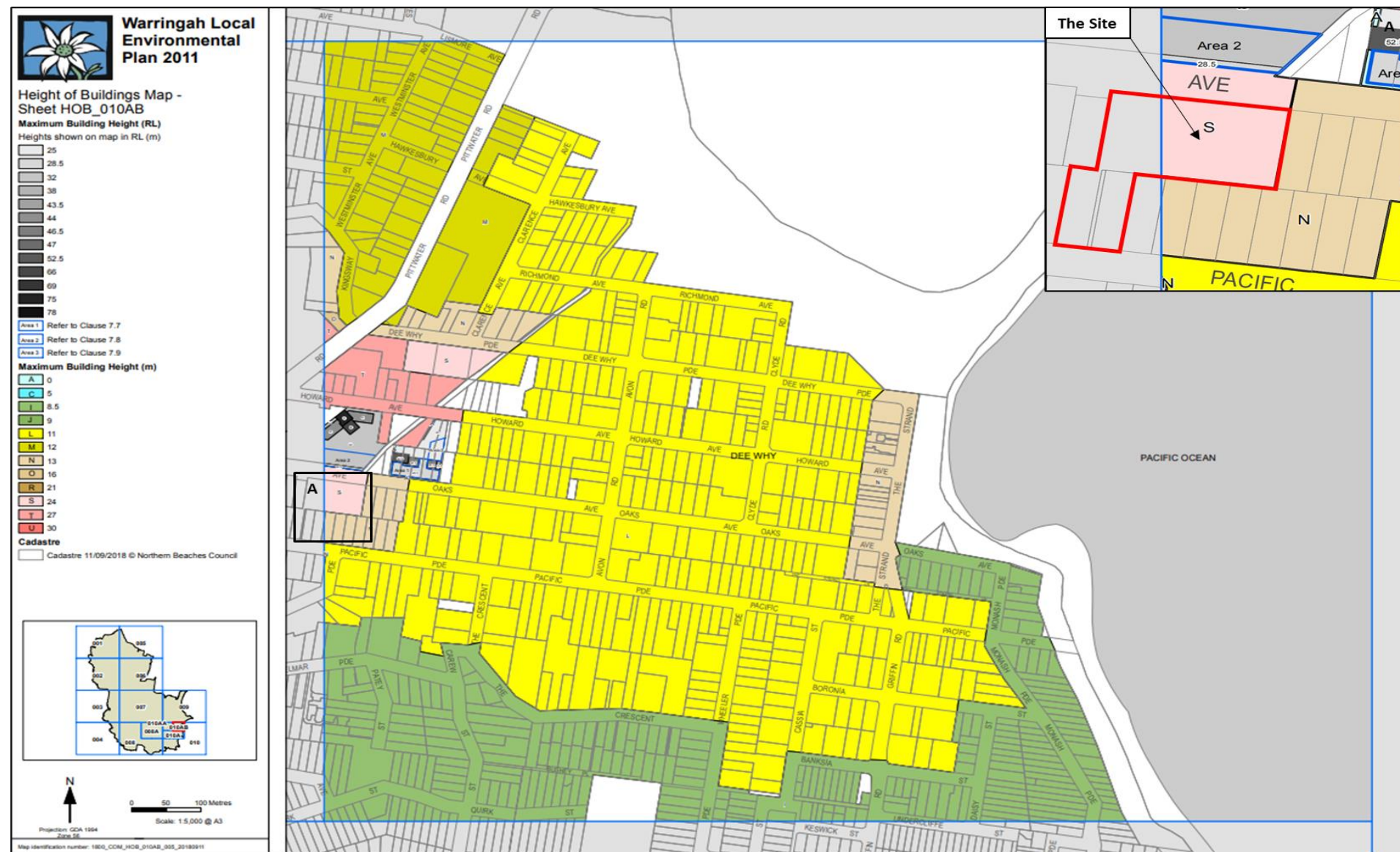


Figure 8. WLEP2011 Height of Building Map - HOB_010AB (Source: NSW Planning Portal, 2021)

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

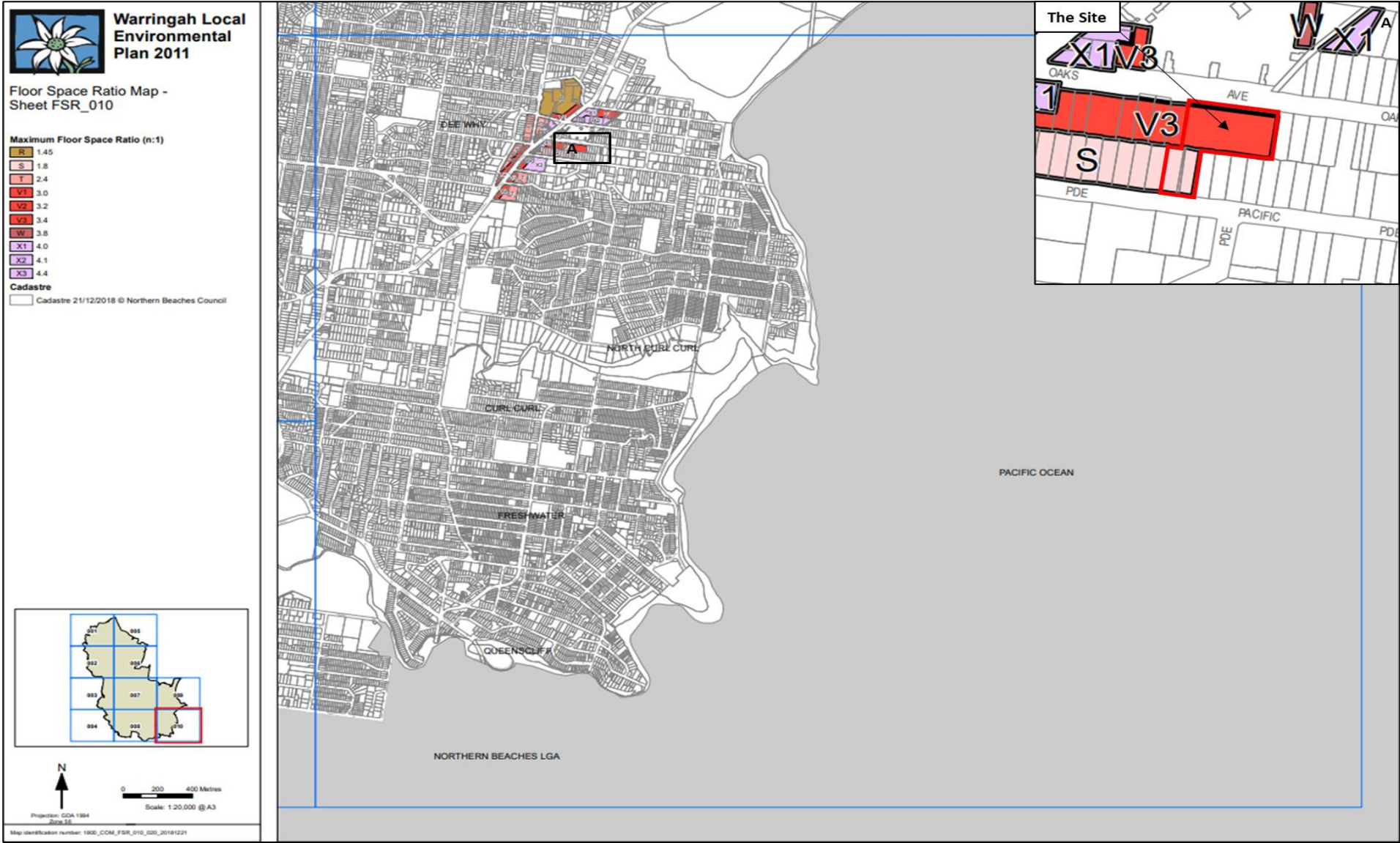
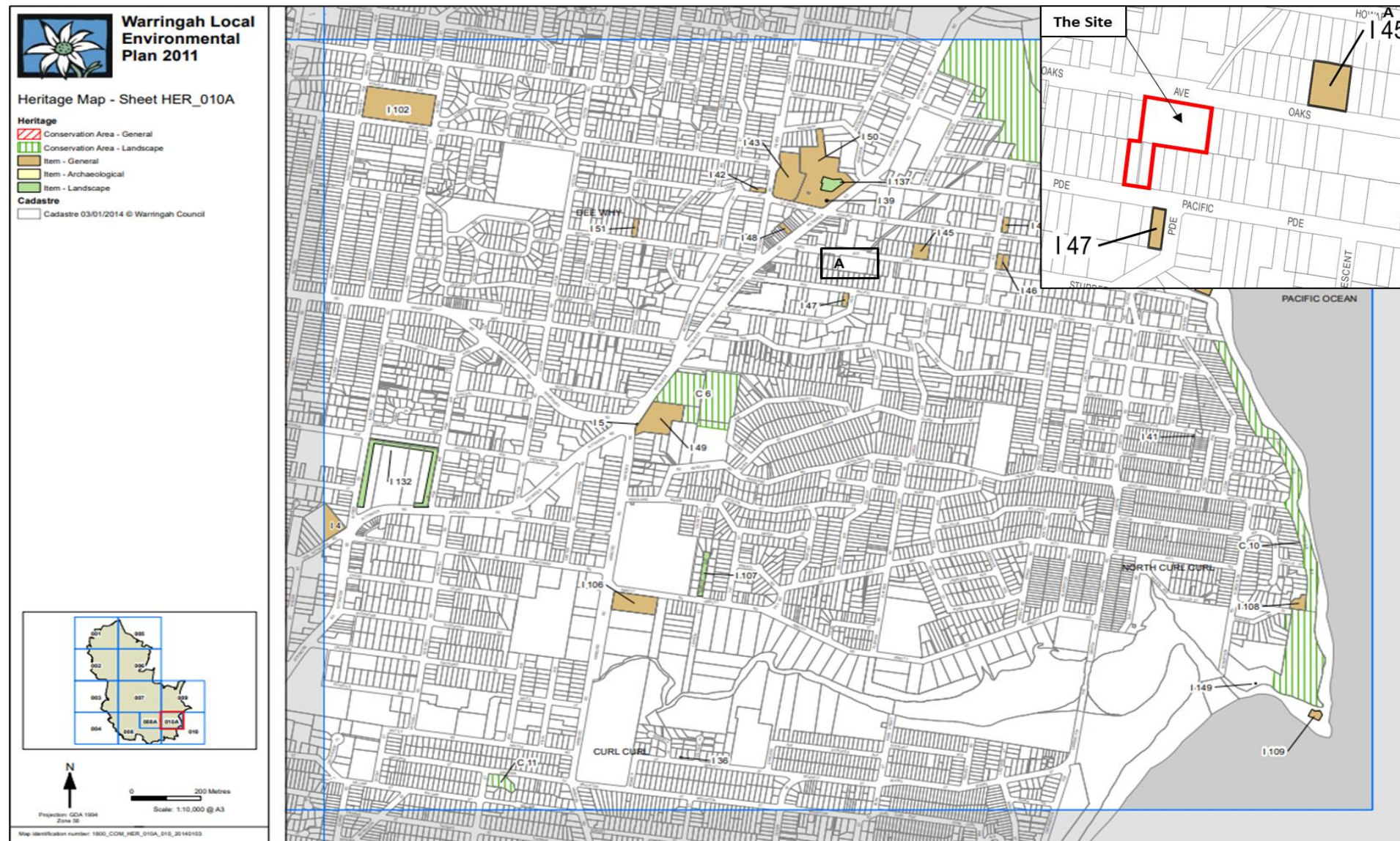


Figure 9. WLEP2011 Floor Space Ratio Map - FSR_010 (Source: NSW Planning Portal, 2021)

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)



Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

4.6 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No Draft Environmental Planning Instruments apply to the Site.

4.7 WARRINGAH DEVELOPMENT CONTROL PLAN 2011

The WDCP2011 supplements WLEP2011 and provides a comprehensive framework for development in the former Warringah LGA. An assessment of the proposal against the key controls of the WDCP2011 is outlined in **Table 7** below.

Table 7. WDCP2011 Compliance Table		
Development Control	Compliance	Planning Assessment Comment
Part D Design - D23. Signs		
1. Signs are to be sited and designed so that they do not adversely impact on the amenity of the streetscape and the surrounding locality. In particular, Signs are not to dominate or obscure other Signs or result in visual clutter.	YES	The proposed wall signs and top hamper signs are attached to the façade of the building. The proposed signage does not detract from the significant views or streetscape. The signage conveys the tenants business name, messages and images without causing an adverse social impact upon the community. Furthermore, it does not obscure other signs or result in visual clutter.
2. Signs are to be compatible with the design, scale and architectural character of the building or site on which they are to be placed.	YES	The proposed signage would be of a height and scale consistent with the built form on the Site. Further details are provided in the Architectural Plans attached within Appendix 1 .
3. Signs on heritage items or on buildings in conservation areas should not by their size, design or colour, detract from the character or Significant qualities of individual buildings, the immediate context or the wider streetscape context of the area.	N/A	The Site is not identified as a heritage item or located within a HCA.
4. Signs are not to obscure views of vehicles, pedestrians or potentially hazardous road features or reduce the safety of all users of any public road (including pedestrians and cyclists).	YES	The proposed signage is well setback from the street and would not obscure any sightlines from public areas frequented by pedestrians. Neither would the proposed signage obstruct any vehicle sight lines from public roads.
5. Signs should not be capable of being confused with, or reduce the effectiveness of, traffic control devices.	YES	The proposed signage is not located above a public road and does not obscure a road hazard, traffic warning or directional sign or signal, oncoming vehicles or pedestrians therefore, would not be confused with, or reduce the effectiveness of, traffic control devices.
6. Signs are not to emit excessive glare or cause excessive reflection.	YES	Signs 1, 2 and 3 are proposed to be illuminated using internally illuminated LED fittings with dimmable control,

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

		<p>internally illuminated LED fittings and externally illuminated with LED gutter light fitting to top and bottom respectively.</p> <p>With this in consideration, the proposed illumination methods have been identified as low brightness and glare free illumination methods that ensure minimal glare. Further, the proposal does not comprise the use of lighting that would result in an unacceptable glare.</p>
7. Signs should not obscure or compromise important views.	YES	The proposed wall signs and top hamper signs are not located above the roof or parapet. Further the proposed development does not seek consent to amend the existing setbacks and building envelope. Therefore, the proposed signage does not obscure or compromise important views
8. Signs displayed on dwellings are to be attached to the ground floor façade of the dwelling, unless the land is located on a main road or the dwelling is not visible from the street, in which case the Sign may be attached to a front fence.	N/A	The proposed signs are not attached to a dwelling.
9. For Land in the RU4 zone with frontage to both Mona Vale Road and Myoora Road: Only small, non obtrusive and non illuminated Signs that identify the use of a site are to be visible from Mona Vale Road. Signs that are designed of such size, height or visual appearance so as to attract passing trade are not considered appropriate and are discouraged. All Signs are to be in keeping with the colour and textures of the natural landscape.	N/A	The Site is not located on land zoned RU4.
10. No more than one sign is to be located above the awning level for business uses.	YES	The proposed development provides one (1) above awning sign.
11. Tenancy boards and the like are encouraged to be in the form of consolidated Signs.	N/A	The proposed development does not seek consent for a tenancy board.
12. Signs shall meet the following criteria:	Noted	Noted
13. <div><div>Top hamper sign (attached to the transom of a doorway or display window of a building)</div><div>Shall not extend beyond any building alignment or below the level of the head of the doorway or window within the building upon which it is attached. Shall not exceed 600mm in height; and Shall not have an advertising area greater than 5sqm.</div></div>	YES	The proposed top hamper sign does not extend beyond the building alignment or below the level of the head of the doorway. The proposed sign is 600mm in height and has an area of 0.96m².

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

<div style="border: 1px solid black; padding: 5px;"> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>Wall sign (painted onto a wall of a building or attached to the wall of a building, not being a sign elsewhere listed in this table)</p> </div> <div style="width: 50%;"> <p>Shall not extend within 200mm of the top and sides of the wall. Shall not cover any window or architectural projections; Must be of a size and shape that relates to the architectural design of the building to which it is attached; Where illuminated, shall not be less than 2.7 metres above the existing natural ground level ground; and Shall not project more than 300mm from the wall.</p> </div> </div> </div>	YES	<p>The proposed wall signs do not extend beyond the top and sides of the wall. The proposed signs are located greater than 2.7m above existing ground level and do not project greater than 300mm from the wall.</p>
<p>14. The following signs are not considered appropriate and are discouraged:</p> <ul style="list-style-type: none"> ▪ Flashing or moving signs on all land other than the carriageway of a public road ▪ Pole or pylon signs, unless there is no building on the site, or the building is not visible from the street or public domain; this does not include identification, interpretive, directional and advance warning signs described as Exempt Development, or a sign erected by the Council for the display of community information; ▪ Signs on or above the roof or parapet of a building. ▪ A-frame and temporary signs located on public land, including: <ol style="list-style-type: none"> 1. Signs on motor vehicles which are not able to be driven with the sign displayed 2. Balloons or other inflatable objects used for the purpose of advertising which are placed on or above roof level 3. Illuminated signs in residential zones 	YES	<p>The proposed development does not seek consent for flashing or moving signs; pole or pylon signs; signs above the roof or parapet; and A-frame and temporary signs.</p>

PART E LIKELY IMPACTS OF THE DEVELOPMENT

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15(1) of the EP&A Act.

5.1 CONTEXT AND SETTING

The proposed development comprises building identification signs located on the front facade of the existing health services facility building (medical centre) and relates to an approved tenant 'Our Medical Dee Why'.

The Site is located within the B4 Mixed Use zone pursuant to the WLEP2011. It supports the approved use of the Site as a medical centre within a well-established commercial and retail context. The proposal is compatible with the existing character of the Site and other development within the immediate area, which is primarily commercial, retail, food and drink and office land uses including similar signage.

The proposal does not exhibit any measurable environmental impacts and will not adversely impact on the amenity or operations of any adjoining sites. Therefore, the proposal is considered compatible with the Site context.

5.2 DESIGN AND APPEARANCE

The proposal provides a high-quality design outcome and therefore will not result in any adverse impacts on the visual amenity of the Site, the neighbouring properties or the locality. The dimensions of the proposed signage are commensurate with the scale of the existing building.

The content and colour of the signage reflect the name and logo of the tenant (Our Medical Dee Why) in order to effectively identify the tenancy. The design and colour of the signage will complement the existing development. The proposed signage presents the logo in a suitable scale, without grossly overrepresenting the tenant. Furthermore, the signage is proposed to be constructed from high-quality materials. Therefore, the signage will positively contribute to the streetscape through high quality design, construction and finish.

5.3 HERITAGE

The Site is not identified as a Heritage Item or located within a Heritage Conservation Area (HCA) pursuant to the WLEP2011. However, the Site is located within the vicinity of two (2) Heritage Items of local significance being I45 (St Kevin's Catholic Church) and I47(House - 45 Pacific Parade).

Given both nearby Heritage Items cannot be viewed from Tenancy 9C, the proposed signage would not obscure or cast light upon the Heritage Items when viewed from these items, or their immediate surrounds. As such, it is considered that the proposal would not detrimentally impact the significance of the heritage items or their contextual setting.

Therefore, the proposed signage is considered appropriate and acceptable, and is not considered to impact the nearby Heritage Items St Kevin's Catholic Church and 45 Pacific Parade.

5.4 WASTE

A Waste Management Plan (WMP) dated 7 July 2021 has been prepared by Y Squared Pty Ltd in support of the proposed development and is located within **Appendix 2** of this SEE. Where practical and feasible, all construction materials would be recycled either onsite, through reuse or offsite at a licenced facility. Waste would be transported and disposed of off-site by a licenced contractor to a licensed landfill facility. Furthermore, the proposed development does not seek consent to change the use of the approved medical centre and thus the does not change the existing operational WMP.

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

5.5 CONSTRUCTION

Construction will be undertaken in accordance with Council's conditions of consent. Appropriate measures will be undertaken to mitigate any potential impacts from construction including dust, noise, odours, traffic impacts and erosion.

5.6 CUMULATIVE IMPACTS

No foreseeable cumulative impacts are to result from the proposed development. Rather, the proposed development supports the continued use of the Site as a medical centre within a well-established commercial area which is consistent with the intended development outcomes of the Site and commensurate with its surrounds being a commercial core.

5.7 SUITABILITY OF SITE FOR DEVELOPMENT

The Site is located within an established commercial area and is zoned B4 Mixed Use pursuant to the WLEP2011. The proposed development supports the approved use of the Site as a medical centre which is consistent with the zoning of the Site and the surrounding context.

Accordingly, the Site is considered to be suitable for the proposed development and is consistent with the aims and objectives of the B4 zone. The Site is therefore considered to be suitable for the proposed development.

5.8 SUBMISSIONS

Should any submissions be received in relation to the proposed development, the applicant will address them accordingly.

5.9 THE PUBLIC INTEREST

The proposed development is in the public interest as it:

- supports the approved use of the Site as a medical centre within a well-established commercial, retail and residential area and is consistent with the objectives of the B4 Mixed Use zone;
- Shall not create any measurable environmental or amenity impacts on the surrounding sites or public domain; and
- Effectively identifies and supports the viability of the future tenant.

The proposal will have no adverse impact on the public interest and is in accordance with the aims and objectives of the WLEP2011 and WDCP2011. Therefore, the development is considered to be in the public interest.

PART F CONCLUSION

The purpose of this SEE has been to present the proposed business identification signs on Tenancy 9C at 33 Oaks Avenue, Dee Why and to assess its potential impacts having regards to Section 4.15(1) of the EP&A Act

The proposal has been prepared after taking into consideration the following key issues:

- The development history of the Site;
- The context of the Site and locality;
- The relevant heads of consideration under Section 4.15(1) of the EP&A Act; and
- The aims, objectives and provisions of the relevant statutory and non-statutory planning instruments.

The proposal is considered to warrant a favourable determination for the following reasons:

- It is permissible with development consent and consistent with the objectives of the B4 Mixed Use zone;
- It is appropriate within the context of the Site and surrounding locality;
- It represents a suitable and appropriate development as assessed against the relevant heads of consideration under Section 4.15 of the EP&A Act;
- The development shall not create any adverse amenity impacts on the surrounding sites or public domain; and
- In accordance with the relevant provisions of the WLEP2011 and WDCP2011, compliance is generally achieved.

The proposed development is permissible within the zone and is compatible with the zone objectives. As stipulated previously in this SEE, the matters for consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* have been satisfactorily addressed.

In light of the merits of the proposed development and in absence of any significant environmental impact, the proposed development warrants support by Council.

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

Appendix 1

Architectural Plans

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

Appendix 2

Waste Management Plan

Statement of Environmental Effects

Proposed Business Identification Signs

33 Oaks Avenue, Dee Why (Lots A & B DP 326907 and Lot 1 DP588603)

Appendix 3

Cost Summary Report