

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2015/1076
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Responsible Officer:	Adam Mitchell
Land to be developed (Address):	Lot 100 DP 1015283, 145 Old Pittwater Road BROOKVALE NSW 2100
Proposed Development:	Signage
Zoning:	LEP - Land zoned B3 Commercial Core LEP - Land zoned IN1 General Industrial
Development Permissible:	Yes - Zone B3 Commercial Core Yes - Zone IN1 General Industrial
Existing Use Rights:	No
Consent Authority:	Warringah Council
Land and Environment Court Action:	No
Owner:	AMP Warringah Mall Pty Ltd Scentre Management Ltd
Applicant:	Scentre Group Ltd

Application lodged:	02/11/2015
Application Type:	Local
State Reporting Category:	Commercial/Retail/Office
Notified:	10/11/2015 to 25/11/2015
Advertised:	Not Advertised, in accordance with A.7 of WDCP
Submissions:	0
Recommendation:	Approval

Estimated Cost of Works:	\$ 454,570
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ASSESSMENT INTRODUCTION

The application has been assessed in accordance with the requirements of the Environmental Planning and Assessment Act 1979 and the associated Regulations. In this regard:

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon all lands whether nearby, adjoining or at a distance;
- Consideration was given to all documentation provided (upto the time of determination) by the applicant, persons who have made submissions regarding the application and any advice provided by relevant Council / Government / Authority Officers on the proposal.

SUMMARY OF ASSESSMENT ISSUES

Warringah Development Control Plan - G4 Warringah Mall

SITE DESCRIPTION

Property Description:	Lot 100 DP 1015283 , 145 Old Pittwater Road BROOKVALE NSW 2100
Detailed Site Description:	<p>The site is legally described as Lot 100, DP 1015283, 145 Old Pittwater Road, Brookvale. More commonly the site is known as the Warringah Mall shopping centre which has been existing on the site since 1963.</p> <p>The site has a total area of approximately 170,600sqm. It is bounded to the north by Cross Street, to the south by Old Pittwater Road and to the east by Condamine Street / Pittwater Road. The Condamine Street / Pittwater Road frontage is the primary frontage to the site and the Cross Street and Old Pittwater Road frontages are secondary frontages to the site.</p> <p>The site is currently undergoing major redevelopment to expand and revitalise the shopping centre. The current shopping centre is split over three levels with an emphasis on an open-air design to reflect the locality of the Northern Beaches.</p> <p>Warringah Mall accommodates several major department stores, specialty shops, supermarkets and mini-major tenants throughout. Warringah Mall includes an entertainment precinct including a cinema complex, gym and other non-retail facilities.</p> <p>Topographically, the site has a natural slope which gradually inclines from the south east to the north west.</p> <p>The Warringah Mall site contains limited vegetation, the primary vegetation of the site is located along Condamine Street and Pittwater Road. Having vegetation in this location bordering the site and Condamine Street / Pittwater Road is a rarity in the industrial Brookvale area and is a feature of the site and local vicinity.</p> <p>The Warringah Mall shopping centre is a significant venue of the Northern Beaches and a primary retail space within the region, recognised by it's open-air design and iconic Dolphin Statues.</p>

Map:



SITE HISTORY

Warringah Mall shopping centre is currently undergoing significant renovation, extension and revitalisation. This development application (DA2015/1076) is subsequent of DA2008/1741 through a condition which reads:

Condition no. 4 No Approval for any Signage

No approval is granted under this Development Consent for signs (defined under Warringah Local Environment Plan 2000 and State Environmental Planning Policy No. 64 – Advertising and Signage). A separate Development Application for any signs (other than exempt and signs permitted under Complying Development) must be submitted for the approval prior to the erection or display of any such signs.

Reason: Control of signage. (DACPLB06)

The scope of works approved under DA2008/1741 is current and includes:

- *Reconfiguration of the existing shopping mall buildings, resulting in approximately an additional 8,000 m² of Gross Lettable Floor Area and new mall connecting with David Jones;*
- *Redesign of Myer Façade;*
- *New multi deck 'Palm Tree' car park to accommodate the new shopping mall expansion, and addition of new express ramps within car park.*
- *Modification of existing carpark and creation of new rooftop car park above new retail floorspace;*
- *New landscaping along the Cross Street and Green Street frontages;*
- *Stormwater works associated with the approved development, including a twin barrelled culvert adjacent to Cross Street and Green Street; and*
- *Associated traffic management works.*

PROPOSED DEVELOPMENT IN DETAIL

This application is for the installation of signage at the site of 145 Old Pittwater Road, commonly known as the Warringah Mall shopping centre.

The application includes the installation of thirty eight (38) new way-finding, business and business identification signs. This application has been submitted as per a condition in DA2008/1741 which required a further development application addressing signage to be lodged with Council.

The types of signage proposed in this application include:

- Twenty one (21) vehicular way-finding signs in relation to entry points to car parks comprising of:
 - Three (3) blade signs identifying the car park and featuring a short list of major tenants that can be accessed via that car park.
 - Five (5) panel entry signs for way-finding only.
 - Six (6) panel exit signs for way-finding only.
 - One (1) panel dock sign for way-finding only.
 - Four (4) totem entry signs for way-finding and providing information on tenancies that can be accessed via each car park.
 - Two (2) dock blade signs
- Ten (10) business identification signs that will identify major retailers
- Seven (7) external identification signs featuring *Westfield* lettering to function as business identification signs and identification to Warringah Mall.

In consideration of the application a review of (but not limited) documents as provided by the applicant in support of the application was taken into account detail provided within Attachment A.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

The relevant matters for consideration under the Environmental Planning and Assessment Act, 1979, are:

Section 79C 'Matters for Consideration'	Comments
Section 79C (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 79C (1) (a)(ii) – Provisions of any draft environmental planning instrument	None applicable.
Section 79C (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 79C (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 79C (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000, Council requested additional information and has therefore considered the number of days taken in this assessment in light of this clause within the Regulations. No additional information was requested.</p>

Section 79C 'Matters for Consideration'	Comments
	<p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This clause is not relevant to this application.</p> <p><u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This clause is not relevant to this application.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 79C (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan section in this report.</p> <p>(ii) The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p> <p>(iii) The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 79C (1) (c) – the suitability of the site for the development	The site is considered suitable for the proposed development.
Section 79C (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Public Exhibition” in this report.
Section 79C (1) (e) – the public interest	No matters have arisen in this assessment that would justify the refusal of the application in the public interest.

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and Warringah Development Control Plan.

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

MEDIATION

No requests for mediation have been made in relation to this application.

REFERRALS

Internal Referral Body	Comments
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Internal Referral Body	Comments
Road Reserve	<p>The placement of private signage on the road reserve is subject to approval by Council's Signage Committee. The plans submitted do not provide sufficient detail regarding location and proximity to the kerb, footpath and traffic signals etc. It is recommended the applicant submit more detail with a separate application for community directional signage or relocate the signage within the property.</p> <p>Note: At the recommendations of this referral the applicant has moved the subject signage onto the site and Council's Road Assets raised no objection to the amended plans.</p>

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

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIs)*

All, Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the merit assessment of this application.

In this regard, whilst all provisions of each Environmental Planning Instruments (SEPPs, REPs and LEPs), Development Controls Plans and Council Policies have been considered in the assessment, many provisions contained within the document are not relevant or are enacting, definitions and operational provisions which the proposal is considered to be acceptable against.

As such, an assessment is provided against the controls relevant to the merit consideration of the application hereunder.

State Environmental Planning Policies (SEPPs) and State Regional Environmental Plans (SREPs)

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. A previous application at the subject site (DA2008/1741) included conditions regarding SEPP 55 based on the recommendations of a *Phase 1 Contamination Assessment* dated April 2009 and a *Targeted Phase 2 Contamination Assessment* dated January 2010, both prepared by Douglas Partners Pty Ltd. Council's Environmental Health Officer reviewed these assessments and raised no objection subject to a number of conditions.

An extract of the report addressing EPI SEPP 55 reads:

Based on the findings of the contamination reports prepared on behalf of the Applicant and the recommendation of Council's Environmental Health Officer, the consent authority can be satisfied that the land is suitable for the proposed use in its current state, subject to the appropriate management of the site during construction.

This development application is for signage only, ancillary to the development approved under DA2008/1741 and therefore the consent authority can remain satisfied that the land is suitable for the signage proposed in this application.

SEPP 64 - Advertising and Signage

This application is subject to a Condition 4 in the Notice of Determination of DA2008/1741 which required the applicant to provide a further development application for all proposed signs at the Warringah Mall site. Condition 4 reads:

Condition no. 4 No Approval for any Signage

No approval is granted under this Development Consent for signs (defined under Warringah Local Environment Plan 2000 and State Environmental Planning Policy No. 64 – Advertising and Signage). A separate Development Application for any signs (other than exempt and signs permitted under Complying Development) must be submitted for the approval prior to the erection or display of any such signs.

Reason: Control of signage. (DACPLB06)

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

The objectives of the policy aim to ensure that the proposed signage is compatible with the desired amenity and visual character of the locality, provides effective communication and is of high quality having regards to both design and finishes.

In accordance with the provisions stipulated under Schedule 1 of SEPP 64, the following assessment is provided:

Matters for Consideration	Comment	Complies
1. Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	See part G4 Warringah Mall below.	YES
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	See part G4 Warringah Mall below.	YES
2. Special areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The proposal for signage does not detract from the amenity of visual quality of the surrounding areas. The signage is minimal and mostly clustered into areas around the car park entrances. Under <i>Warringah Development Control Plan 2011, Part G Special Area Controls</i> , the Warringah Mall site is considered a Special Area listed under <i>G4 Warringah Mall</i> . For further discussion this should be read in conjunction with Part G4 of this report which details the Special Area objectives of the Warringah Mall site.	YES
3. Views and vistas Does the proposal obscure or compromise important views?	The signage does not obscure or compromise any views.	YES
Does the proposal dominate the skyline and reduce the quality of vistas?	The signage does not dominate the skyline or reduce the quality of vistas as it does not exceed the height of existing and approved structures on site.	YES

Does the proposal respect the viewing rights of other advertisers?	<p>The signage is predominately for the purpose of way-finding, some of these signs have major tenancies listed on them to assist in patrons navigating through different car parks.</p> <p>Seven <i>Westfield</i> business identification signs are proposed and are located on the site. The signage does not affect the viewing rights of other advertisers nor does it change the existing viewing rights of other advertisers.</p>	YES
<p>4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</p>	The signage is appropriately proportioned for the scale of the site and the shopping centre. The signage will not become visually dominant by virtue of its scale, proportion and form.	YES
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The signage provides visual interest to the site and streetscape by providing the brightly coloured <i>Westfield</i> lettering.	YES
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	<p>The signage is considered to be a simplification of existing signage on site as the clustered format of signage reduces the clutter and proliferation of signage.</p> <p>The advertising proposed on the signage is mostly to direct patrons to the car park specific to where they want to shop. The proposed <i>Westfield</i> signage is not excessive and does not create any clutter given the spacing and positioning of the signage.</p>	YES
Does the proposal screen unsightliness?	The signage will not produce nor impact any existing unsightliness on the site but will be seen as a newly introduced design element which will enhance the existing streetscape and setting.	YES
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The signage does not protrude above buildings, structures and tree canopies in the area and locality.	YES
<p>5. Site and building Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</p>	<p>The signage is proportionate to its both its purpose and setting. Much of the proposed signage is vehicular way-finding signs and has a scale compatible to the shopping centre, car park entrances to the scale of a car.</p> <p>The <i>Westfield</i> signage is scaled and proportioned accordingly to be compatible with the shopping centre and with the proposed positioning of the signage.</p>	YES
Does the proposal respect important features of the site or building, or both?	The signage respects and does not detract from important features of the site and the building including the landscaping, open-air design and iconic dolphin statues.	YES
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signage is designed to purport as a way-finding and business identification tool. The signage is designed to clearly convey the information applicable to the signage and uses colour to complement the site and shopping centre. The contemporary design of the signage reflects	YES

	the desired future character of Warringah Mall.	
<p>6. Associated devices and logos with advertisements and advertising structures</p> <p>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</p>	Some of the signage is internally illuminated to enhance its legibility and visibility and the illumination presents as an integral part of the signage. The signage featuring the <i>Westfield</i> lettering (logo) provides business identification to Warringah Mall and utilises internal illumination, colour and the design as an integral part of the signage.	YES
<p>7. Illumination</p> <p>Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation?</p>	The signage is not located in proximity to any residential dwellings therefore, in this circumstance, the effects of illumination on residential accommodation is not applicable. The proposed signage will not substantially change the existing luminosity of the area which is heavily developed and has street lights, illuminated business identification signage and residential/commercial lighting in the general vicinity of the Warringah Mall site. For the listed reasons, the proposed illumination of the signage will not unreasonably change the existing illumination of the area nor result in unacceptable glare affecting the safety of pedestrians, vehicles or aircraft.	YES
Can the intensity of the illumination be adjusted, if necessary?	The proposal does not include an adjustable illumination of the signage.	YES
Is the illumination subject to a curfew?	There is no curfew for the illuminated signage.	YES
<p>8. Safety</p> <p>Would the proposal reduce the safety for any public road, pedestrians or bicyclists?</p>	The signage does not reduce the safety for any public road, pedestrians or bicyclists.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The signage does not reduce the safety for pedestrians by obscuring sightlines.	YES

Accordingly, the proposed signage is considered to be of a scale and design suitable for the locality. The proposal is therefore deemed to be consistent with the provisions of the SEPP and its underlying objectives.

SEPP (Infrastructure) 2007

Ausgrid

Clause 45 of the SEPP requires the Consent Authority to consider any development application (or an application for modification of consent) for any development carried out:

- within or immediately adjacent to an easement for electricity purposes (whether or not the electricity infrastructure exists).
- immediately adjacent to an electricity substation.
- within 5.0m of an overhead power line.
- includes installation of a swimming pool any part of which is: within 30m of a structure supporting an overhead electricity transmission line and/or within 5.0m of an overhead electricity power line.

Comment:

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

Warringah Local Environment Plan 2011

Is the development permissible?	Zone B3 : Yes Zone IN1: Yes
After consideration of the merits of the proposal, is the development consistent with:	
aims of the LEP?	Yes
zone objectives of the LEP?	Yes

Principal Development Standards

Standard	Requirement	Proposed	Complies
Minimum subdivision lot size:	N/A	N/A	N/A
Height of Buildings:	N/A	N/A - Refer to G4 - Warringah Mall under the WDCP for Building Height controls.	N/A
Rural Subdivision:	N/A	N/A	N/A
No Strata Plan or Community Title Subdivisions in certain rural and environmental zones:	N/A	N/A	N/A

Compliance Assessment

Clause	Compliance with Requirements
5.3 Development near zone boundaries	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Built Form Controls

The applicable Built Form Controls for the site are contained within Part G Special Area Controls - G4 Warringah Mall of the DCP.

Refer to the G4 - Warringah Mall under the WDCP section of this report for an assessment of the proposed built form.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
C6 Building over or adjacent to Constructed Council Drainage Easements	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D23 Signs	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E8 Waterways and Riparian Lands	Yes	Yes
Part G Special Area Controls	Yes	Yes
G4 Warringah Mall	Yes	Yes

Detailed Assessment

G4 Warringah Mall

This DCP applies to Lot 100, DP 1015283, 145 Old Pittwater Road, Brookvale which is commonly referred to as 'Warringah Mall Shopping Centre'

The objectives of this DCP are as follows:

- *To guide future development within the Warringah Mall Shopping Centre (Warringah Mall) site to 2021.*
- *To ensure development responds to the characteristics of the site and surrounds, and the amenity of the surrounding neighbourhood.*
- *To encourage and facilitate high quality urban design, landscaping, external finishes and signage.*

Comment:

The Warringah Mall shopping centre is a significant venue on the Northern Beaches and one of the primary retail areas in the vicinity. The shopping centre is most notably recognised by its open-air design and iconic dolphin statues in the central courtyard. This application for signage must be viewed in conjunction to other development applications for the site in order to holistically understand the desired future character of the site. The signage contributes to labeling the site as *Westfield* and provides a means of way-finding and navigation for patrons into, throughout and exiting the site. The signage is designed to be compatible with the shopping centre and the industrial Brookvale vicinity and does not detract from the surrounding public domain or surrounding sites.

Warringah Development Control Plan – G4 Warringah Mall

The proposed development's consistency with the objectives and requirements of the applicable controls within the *Warringah Development Control Plan – G4 Warringah Mall* are considered in detail below.

Built Form
Design Quality & Excellence
Objectives <ul style="list-style-type: none"> • <i>To ensure that new development makes a positive contribution to the streetscape and public domain.</i>

- *To ensure a high standard of architectural design.*
- *To achieve high quality urban design internally and externally and high levels of pedestrian comfort in the public spaces of the centre.*
- To emphasise key nodes and entry points to create a sense of arrival.
- *To encourage the use of high quality, durable and robust materials.*
- *To ensure the design response reflects the Northern Beaches vernacular/lifestyle.*

Comment:

This application is for the installation of thirty-eight (38) new way-finding, business and business identification signs on the site of the Warringah Mall shopping centre. These signs are designed to present a modern and coherent design to be both aesthetically pleasing and informative as a way-finding and business identification means for patrons and the general public.

Ancillary to other recent and current developments at the site, the signage will contribute to enhancing the streetscape and public domain at Warringah Mall and continue maintaining a high standard of architectural design to complement the shopping centre, surrounding sites and the Northern Beaches area.

The signage is functional and directs patrons and the general public to the car park entrances specific to where they want to shop, foot-traffic entrances, and provides a general directory for navigation throughout the Warringah Mall shopping centre. These signs will emphasise key nodes and entry points and will help, ancillary to current developments of the site, contribute to creating a sense of arrival at the shopping centre.

Requirements	Complies
1. Future development on or adjacent to the perimeter of the site must be designed to positively address the street, relate to the natural environment and create a clear distinction between the public and the private domain.	Yes
2. Future development on the site is to incorporate design elements that optimize the use of natural light and the ambient environment to the pedestrian malls within the Centre.	Yes
3. New development along the southern edge of the site must not result in any unreasonable impacts on the amenity of residential properties in Old Pittwater Road and Smith Avenue.	Yes
4. New development along the eastern frontage to Pittwater Road/Condamine Street must incorporate a legible pedestrian connection from the street into the centre that is conveniently located in relation to existing bus stops.	Yes
5. All future development must be designed to strongly and positively reinforce the corners of the site and street alignment and frame the street. Incorporating landmark or distinctive building elements on "Gateway" street corners is encouraged.	Yes
6. Long continuous walls are to incorporate design treatments to reduce their visual mass and bulk. Such design treatments may include the use of architectural treatments or elements that serve to provide building	Yes

articulation and modulation and the use of a variety of high quality external colours and materials.	
7. Views of the ground level car parking areas must be suitably screened from the street by either landscaping or an appropriate architectural building facade treatment.	N/A
8. High quality, attractive and durable materials are to be used. The selection of colours is to respond to the natural landscape. A detailed schedule of external colours and finishes, a sample board and photo-montages are to be submitted with any application to alter or extend the external façade and roof of Warringah Mall.	Yes
9. The roof is to be designed so that the visual impact of the roof form is minimised.	N/A
10. Rooftop plant and equipment are to be integrated into the building/roof forms or screened in a manner compatible with the building design to minimise visual and acoustic impacts on the surrounding properties, including elevated properties which have views over the centre.	N/A

Amenity

Advertising and Signage

Objectives

- *To encourage well designed and suitably positioned signs which contribute to the aesthetic, vitality and legibility of the shopping centre while respecting the amenity of the area and the safety of motorists and pedestrians.*
- *To ensure that all business identification signage achieves a high level of design quality in terms of graphic design, its relationship to the architectural design of buildings and the character of streetscapes.*
- *To promote signs that add character to the streetscape and assist with way finding and the pedestrian usability of the centre.*
- *To promote signs that complement the architectural style and use of buildings.*
- *To consider the amenity of residential development and the visual quality of the public domain in the design and illumination of signage.*
- To avoid the proliferation of signage along public roads.
- To ensure the provision of signage is proportional to the size and scale of building facades and setbacks.

Comment:

This application is for the signage at 145 Old Pittwater Road, commonly known as Warringah Mall shopping centre. The site is located between Cross Street to the North, Old Pittwater Road to the south and Condamine Street / Pittwater Road to the East. The application includes the installation of thirty eight (38) new signs on the site comprising of:

- Twenty one (21) vehicular way-finding signs distinguishing entry points to car parks comprising of:
 - Three (3) blade signs identifying the car park and featuring a short list of major

- tenants that can be accessed via that car park. (Internally illuminated)
- Five (5) panel entry signs for way-finding only. (Illuminated)
- Six (6) panel exit signs for way-finding only. (Illuminated)
- One (1) panel dock sign for way-finding only. (Illuminated)
- Four (4) totem entry signs for way-finding and providing information on tenancies that can be accessed via each car park. (Illuminated)
- Two (2) dock blade signs (Not illuminated)
- Ten (10) business identification signs that will identify major retailers (No proposed illumination)
- Seven (7) external identification signs featuring *Westfield* lettering to function as the business identification signs. (Illuminated)

The signage at the site of the Warringah Mall shopping centre is designed to be integrated as ancillary to current developments at the site and not subordinate or arbitrary to any existing development. The site is surrounded by primary roads including Pittwater Road, Old Pittwater Road and Condamine Street that service the Northern Beaches area.

The twenty one (21) vehicular way-finding signs enhance the pedestrian usability of the centre and simplifies navigation into, throughout and exiting the site and its multiple car parks. The majority of the signage has been located to address the primary vehicular access points into the site, being Cross Street and perpendicular Green Street. The volume of signage along Cross Street and Green Street is clustered at two different locations at two roundabouts which are providing key entry and exit points to the site. The quantity of signage at these locations does not proliferate these roads as they are restricted into two distinct areas, one of which (Green Street roundabout) is purely servicing Warringah Mall. Other signage proposed in this application addresses alternate vehicular access points into the site via Old Pittwater Road and similarly, by virtue of location and volume, does not proliferate public roads.

Additional to vehicular way-finding signage is business identification signage, most significantly the signature *Westfield* lettering featured on the buildings exterior. The feature *Westfield* signage is suitably sized in comparison to its locations and purports as a business identification means. The design of the signage provides an aesthetic feature ancillary to other developments on site. This signage does not dominate the site or surrounding areas as it is generally located significantly within the site and, similarly, the signage does not become dominate by virtue of its design and scale as it provides visual relief through its bold use of colour.

All of the above-mentioned signage is designed to satisfactorily meet the objectives required for the G4 Warringah Mall site. The signage complements the architectural style of the shopping centre and achieves a high-standard of design and quality, ancillary to other on-going developments on the site. The signage reflects the intent of enhancing Warringah Mall and creating a 'Gateway' site for the Northern Beaches. The signage sufficiently purports its role as a way-finding and navigation means and provides a sufficient volume of business identification signage. The proposed development is appropriate for the site and reflects the desired future character of the area. This application for signage at the 'Gateway' Warringah Mall shopping centre site is complementary to other developments occuing on site and reflects the desired future character of the Warringah Mall site.

Requirements	Complies
31. A 'Signage Strategy' is to be submitted with all development applications proposing a significant increase in floor area or change to external façades of the building. A Signage Strategy must also be submitted with any development application for the provision of signs. The	N/A

Signage Strategy shall identify the number and location of proposed signs, and demonstrate how the signs will be integrated into the design of the development.	
32. All illuminated signs are to comply with any relevant Australian Standards.	Yes

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

The proposal will not significantly effect threatened species, populations or ecological communities, or their habitats.

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

The proposal is consistent with the principles of Crime Prevention Through Environmental Design.

POLICY CONTROLS

Warringah Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Warringah Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 454,570		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 4,318
Section 94A Planning and Administration	0.05%	\$ 227
Total	1%	\$ 4,546

CONCLUSION

The site has been inspected and the application assessed having regard to all documentation submitted by the applicant and the provisions of:

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation 2000;
- All relevant and draft Environmental Planning Instruments;
- Warringah Local Environment Plan;
- Warringah Development Control Plan; and
- Codes and Policies of Council.

This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and public submissions, and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to the conditions contained within the recommendation.

In consideration of the proposal and the merit consideration of the development, the proposal is considered to be:

- Consistent with the objectives of the DCP
- Consistent with the zone objectives of the LEP
- Consistent with the aims of the LEP
- Consistent with the objectives of the relevant EPIs
- Consistent with the objects of the Environmental Planning and Assessment Act 1979

It is considered that the proposed development satisfies the appropriate controls and that all processes and assessments have been satisfactorily addressed.

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2015/1076 for Signage on land at Lot 100 DP 1015283, 145 Old Pittwater Road, BROOKVALE, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

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

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
160001 Rev 2	30 September 2015	Scentre Design and Construction Pty Limited
160011 Rev 2	30 September 2015	Scentre Design and Construction Pty Limited
160012 Rev 2	30 September 2015	Scentre Design and Construction Pty Limited
160021 Rev 2	30 September 2015	Scentre Design and Construction Pty Limited
160022 Rev 2	30 September 2015	Scentre Design and Construction Pty Limited
160031 Rev 2	30 September 2015	Scentre Design and Construction Pty Limited

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

c) No construction works (including excavation) shall be undertaken prior to the release of the Construction Certificate.

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

Reason: To ensure the work is carried out in accordance with the determination of Council and approved plans. (DACPLB01)

2. Location of Signage

As per the approved plans, all signage is to be wholly located within the boundaries of the subject site.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of the construction certificate.

Reason: To ensure development minimises unreasonable impacts in accordance with WLEP2011 and WDCP. (DACPLB02)

3. Prescribed Conditions

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

(b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);

(c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
- (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
- (iii) stating that unauthorised entry to the work site is prohibited.

Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

(d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:

- (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
- (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.

If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.

(e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development

consent must, at the person's own expense:

- (i) protect and support the adjoining premises from possible damage from the excavation, and
- (ii) where necessary, underpin the adjoining premises to prevent any such damage.
- (iii) must, at least 7 days before excavating below the level of the base of the footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.
- (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

In this clause, allotment of land includes a public road and any other public place.

Reason: Legislative Requirement (DACPLB09)

4. **General Requirements**

(a) Unless authorised by Council:

Building construction and delivery of material hours are restricted to:

- 7.00 am to 5.00 pm inclusive Monday to Friday,
- 8.00 am to 1.00 pm inclusive on Saturday,
- No work on Sundays and Public Holidays.

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

(Excavation work includes the use of any excavation machinery and the use of jackhammers, rock breakers, excavators, loaders and the like, regardless of whether the activities disturb or alter the natural state of the existing ground stratum or are breaking up/removing materials from the site).

(b) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.

(c) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.

(d) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.

(e) Prior to the release of the Construction Certificate payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.

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

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

(h) No building, demolition, excavation or material of any nature shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.

(i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.

(j) All sound producing plant, equipment, machinery or fittings and the use will not exceed more than 5dB (A) above the background level when measured from any property boundary and/or habitable room(s) consistent with the Environment Protection Authority's NSW Industrial Noise Policy and/or Protection of the Environment Operations Act 1997.

(k) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.

(l) Prior to the commencement of any development onsite for:

- i) Building/s that are to be erected
- ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
- iii) Building/s that are to be demolished
- iv) For any work/s that is to be carried out
- v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.

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

Note: Systems can be registered at www.warringah.nsw.gov.au

(n) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.

- (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

Relevant legislative requirements and relevant Australian Standards (including but not limited) to:

- (i) Swimming Pools Act 1992
- (ii) Swimming Pools Amendment Act 2009
- (iii) Swimming Pools Regulation 2008
- (iv) Australian Standard AS1926 Swimming Pool Safety
- (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
- (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.

(2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.

(3) Filter backwash waters shall be conveyed to the Sydney Water sewerage system in sewerred areas or managed on-site in unsewered areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.

(4) Swimming pools and spas must be registered with the Division of Local Government.

(o) New solid fuel burning heaters or existing solid fuel heaters affected by building works must comply with the following:

- (1) AS 2918:2001 Domestic Solid Fuel Burning Appliances – Installation.
- (2) AS 4013:2014 Domestic Solid Fuel Burning Appliances – Method of Determination of Flue Gas Emissions.

Reason: To ensure that works do not interfere with reasonable amenity expectations of residents and the community. (DACPLB10)

FEES / CHARGES / CONTRIBUTIONS

5. Policy Controls

Warringah Section 94A Development Contribution Plan

The proposal is subject to the application of Council's Section 94A Development Contributions Plan.

The following monetary contributions are applicable:

Warringah Section 94 Development Contributions Plan		
Contribution based on a total development cost of \$ 454,570		
Contributions	Levy Rate	Payable
Total Section 94A Levy	0.95%	\$ 4,318
Section 94A Planning and Administration	0.05%	\$ 227
Total	1%	\$ 4,546

The amount will be adjusted at the time of payment according to the quarterly CPI (Sydney - All Groups Index). Please ensure that you provide details of this Consent when paying contributions so that they can be easily recalculated.

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating

compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with Warringah's Development Contributions Plan.

6. **Security Bond**

A bond (determined from cost of works) of \$1,000 and an inspection fee in accordance with Councils Fees and Charges paid as security to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

An inspection fee in accordance with Council adopted fees and charges (at the time of payment) is payable for each kerb inspection as determined by Council (minimum (1) one inspection).

All bonds and fees shall be deposited with Council prior to Construction Certificate or demolition work commencing, details demonstrating payment are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

To process the inspection fee and bond payment a Bond Lodgement Form must be completed with the payments (a copy of the form is attached to this consent and alternatively a copy is located on Council's website at www.warringah.nsw.gov.au/your-council/forms).

Reason: To ensure adequate protection of Councils infrastructure.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE

7. **Compliance with Standards**

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

Details demonstrating compliance with the relevant Australian Standard are to be submitted to the Certifying Authority prior to the issue of the Construction Certificate.

Reason: To ensure the development is constructed in accordance with appropriate standards. (DACPLC02)

Advice to Applicants: At the time of determination in the opinion of Council, the following (but not limited to) Australian Standards are considered to be appropriate:

- (a) AS2601.2001 - Demolition of Structures**
- (b) AS4361.2 - Guide to lead paint management - Residential and commercial buildings**
- (c) AS4282:1997 Control of the Obtrusive Effects of Outdoor Lighting**
- (d) AS 4373 - 2007 'Pruning of amenity trees' (Note: if approval is granted) **
- (e) AS 4970 - 2009 'Protection of trees on development sites'***
- (f) AS/NZS 2890.1:2004 Parking facilities - Off-street car parking**
- (g) AS 2890.2 - 2002 Parking facilities - Off-street commercial vehicle facilities**
- (h) AS 2890.3 - 1993 Parking facilities - Bicycle parking facilities**
- (i) AS 2890.5 - 1993 Parking facilities - On-street parking**
- (j) AS/NZS 2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities**
- (k) AS 1742 Set - 2010 Manual of uniform traffic control devices Set**
- (l) AS 1428.1 - 2009* Design for access and mobility - General requirements for access - New building work**

(m) AS 1428.2 - 1992*, Design for access and mobility - Enhanced and additional requirements - Buildings and facilities**

(n) AS 4674 Design, construction and fit out of food premises

(o) AS1668 The use of mechanical ventilation

*Note: The Australian Human Rights Commission provides useful information and a guide relating to building accessibility entitled "the good the bad and the ugly: Design and construction for access". This information is available on the Australian Human Rights Commission website http://www.humanrights.gov.au/disability_rights/buildings/good.htm

**Note: the listed Australian Standards is not exhaustive and it is the responsibility of the applicant and the Certifying Authority to ensure compliance with this condition and that the relevant Australian Standards are adhered to. (DACPLC02)

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

8. Hours of Illumination

Illumination of signage at the subject premises shall cease outside of operational business hours.

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

Reason: To ensure residential premises are not affected by inappropriate or excessive illumination. (DACPLG11)

I am aware of Warringah's Code of Conduct and, in signing this report, declare that I do not have a Conflict of Interest.

Signed

Adam Mitchell, Planner


The application is determined under the delegated authority of:

Steven Findlay, Development Assessment Manager















ATTACHMENT A

No notification plan recorded.

ATTACHMENT B

	Title	Date
 Notification Document 2015/333444	Notification map	10/11/2015

ATTACHMENT C

Reference Number	Document	Date
 2015/329098	Plans - Architectural	20/10/2015
 2015/329093	Report Statement of Environmental Effects	02/11/2015
 DA2015/1076	Warringah Mall 145 Old Pittwater Road BROOKVALE NSW 2100 - Development Application - Alterations and Additions	02/11/2015
 2015/324460	DA Acknowledgement Letter - Scentre Group Ltd	02/11/2015
 2015/326670	Cheque refund	04/11/2015
 2015/329059	Development Application Form	05/11/2015
 2015/329067	Applicant Details	05/11/2015
 2015/329073	Cost Summary Report	05/11/2015
 2015/329078	Plans - Notification	05/11/2015
 2015/332048	File Cover	09/11/2015
 2015/332056	Referral to AUSGRID - SEPP - Infrastructure 2007	09/11/2015
 2015/333435	Notification letter 329	10/11/2015
 2015/333444	Notification map	10/11/2015
 2015/381078	Road Assets Referral Response	21/12/2015