

METRIS

STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed LED signage at 176-190 Condamine Street,
Balgowlah on behalf of Harvey Norman

PREPARED BY:

Metris Urban Planning

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1. Introduction

This Statement of Environmental Effects (SEE) has been prepared by Metris Urban Planning (Metris) on behalf of The Sign Agency (the Applicant) in support of a Development Application (DA) seeking development consent for a single sided LED sign to an existing Harvey Norman business.

The Harvey Norman business is located at 176-190 Condamine Street, Balgowlah (the subject site) in the Northern Beaches Council. The proposed design and signage branding reflects the existing Harvey Norman business operation at the subject site and would be consistent with the Harvey Norman brand across Australia.

This SEE complies with the relevant legislation and design guidelines and responds to the relevant statutory planning controls and policies applicable to the site with particular reference to Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the Act). In specific, the assessment of *State Environmental Planning Policy No 64—Advertising and Signage* and Council’s LEP and DCP demonstrates the consistency of the proposed development with the relevant statutory planning policies and achieves the objectives of the relevant provisions.

The proposed signage would have little or no impact onto surrounding land uses with no likely adverse environmental impacts arising from the proposal. The proposed signage would be appropriate for the locality in terms of design, functionality and impacts:

Design

- consistent with the Harvey Norman brand
- high-quality design and finish

Functionality

- inform and guide patrons to the business
- be clear and appropriately located to respect the existing signage on the business

Impacts

- have minimal impact to the environment and surrounding land uses
- be compatible with the amenity and visual character of the locality
- be minimal, unobtrusive and not protrude above the building
- be complementary to the scale and proportion of the existing building

1.1. Project Team

This SEE should be read in conjunction with the following architectural plans and specialist reports:

Table 1: Supporting Documentation

| Document title | Consultant | Appendix |
|---------------------|-----------------|------------|
| Architectural Plans | The Sign Agency | Appendix A |

2. Site and Surrounding Locality

2.1. Description and Locality

The subject site is located along the enterprise corridor of Balgowlah which is within The Northern Beaches Council. The Harvey Norman store is located at 176-190 Condamine Street, Balgowlah (the subject site). Wadins Pty Ltd is the Harvey Norman company that owns the property with the following allotments:

| | | | |
|--------------------------|----------------|-------------------------------------|----------------------|
| Calardu Brookavale Trust | Wadins Pty Ltd | 176-190 Condamine Street, Balgowlah | 7/E/975160 |
| Calardu Brookavale Trust | Wadins Pty Ltd | 176-190 Condamine Street, Balgowlah | 8/E/975160 |
| Calardu Brookavale Trust | Wadins Pty Ltd | 176-190 Condamine Street, Balgowlah | 21/E/975160 |
| Calardu Brookavale Trust | Wadins Pty Ltd | 176-190 Condamine Street, Balgowlah | AUTO CONSOL 7884-157 |
| Calardu Brookavale Trust | Wadins Pty Ltd | 176-190 Condamine Street, Balgowlah | 22/516006 |
| Calardu Brookavale Trust | Wadins Pty Ltd | 176-190 Condamine Street, Balgowlah | 23/518721 |
| Calardu Brookavale Trust | Wadins Pty Ltd | 176-190 Condamine Street, Balgowlah | 101/564655 |
| Calardu Brookavale Trust | Wadins Pty Ltd | 176-190 Condamine Street, Balgowlah | 8/38041 |

The proposed signage will be installed within the site boundary and along the Condamine Street elevation. There are existing Harvey Norman business identification signs on each elevation of the business premises.

Surrounding development to the signage locality comprises of roads with a three storey apartment building in Cross Street which is just under 40m away from the proposed signage.



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Figure 1: Site locality

Source: Google Maps



Figure 2: View of existing elevation from Condamine Street

Source: Google Maps



Figure 3: View of existing elevation from Condamine Street

Source: Google Maps

3. Proposed Development

3.1. Development Summary

The proposed DA seeks to take benefit from passing vehicle traffic to reflect the business on the site and to attract passing customers to the business premises. This DA proposed a single-sided LED display screen on the Condamine Street elevation which will be 20.25m² (4.5m x 4.5m) in area for advertising purposes and 5m above the ground level.

The proposed fascia signage would be setback between 2.780m and 4.180m from the Condamine Street boundary.

The proposed signage works complies with the necessary State and local provisions as assessed in this SEE. Architectural Plans prepared by The Sign Agency at **Appendix A** identify the signage proposed.



Figure 4: Development locality

Source: The Sign Agency

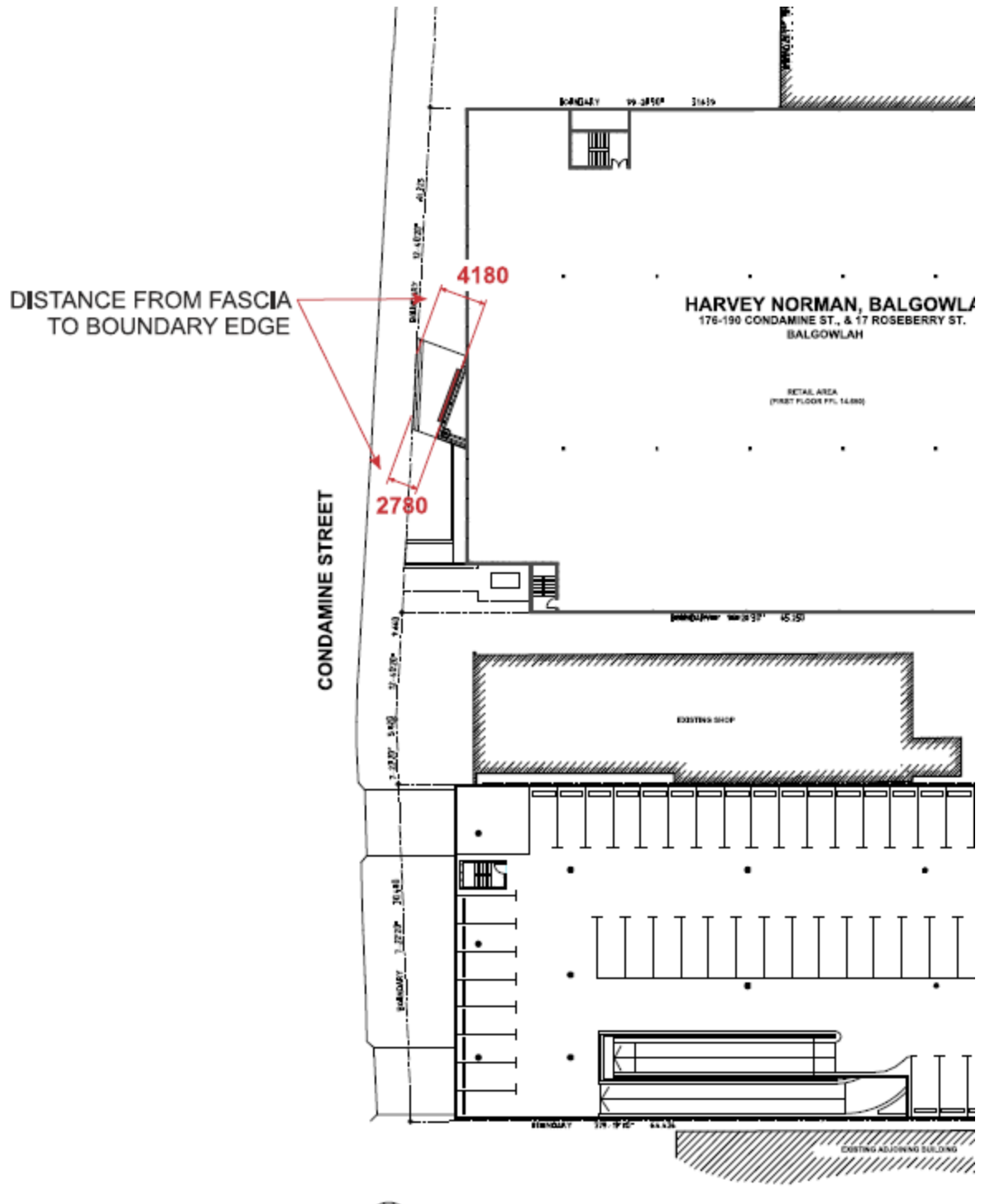


Figure 5: Proposed setback to site boundary

Source: The Sign Agency



Figure 6: Existing Condamine Street building elevation

Source: Google Maps

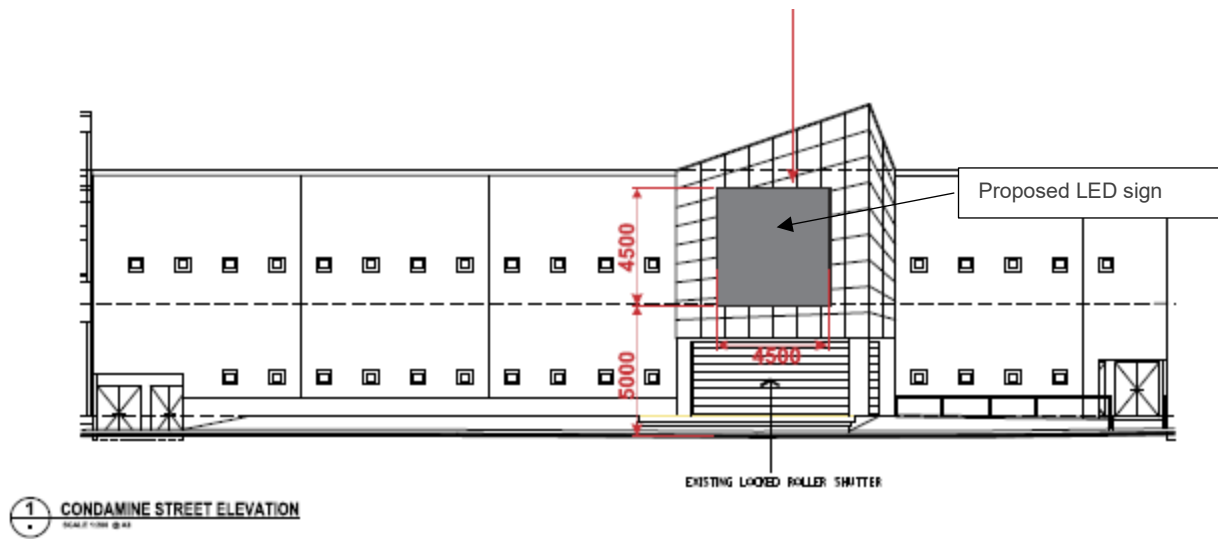


Figure 7: Proposed Signage locality along Condamine Street elevation

Source: The Sign Agency

3.2. Demolition

No demolition is proposed as the proposed signage would be a fascia sign on the Condamine Street elevation.

3.3. Excavation

There would be no excavation works undertaken.

3.4. Civil Works

No civil works would be required to be undertaken.

3.5. Design

No structural changes are proposed to the existing building. A detailed assessment of the proposed signage is undertaken in the following chapters of this SEE.

3.6. Trees and Landscaping

No tree removal or landscaping works are proposed under this DA.

3.7. Parking and Access

There would be no changes to parking and access to the retail centre.

3.8. Waste Management

Waste management would not be required as the replacement signage and materials would be pre-manufactured off-site. Installation of the proposed signage would generate minimal waste which would be appropriately disposed off by the installer.

3.9. Cost of works

The estimated total cost of works is \$70,000.00.

3.10. Construction Management

The installation of the proposed signage would cause minimal if any disruption to vehicle movement, patron or pedestrian activity at the retail centre. All works would be undertaken on the subject site.

4. Statutory Planning Assessment

4.1. State Environmental Planning Policy

4.1.1. State Environmental Planning Policy (Infrastructure) 2007

Clause 101 of the ISEPP applies to development with frontage to classified road. The objectives of this clause are:

- (a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*
- (b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*
- (2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that—*
 - (a) where practicable and safe, vehicular access to the land is provided by a road other than the classified road, and*
 - (b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of—*
 - (i) the design of the vehicular access to the land, or*
 - (ii) the emission of smoke or dust from the development, or*
 - (iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*
 - (c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The proposed signage would comply with the provisions of the ISEPP as there would be no impacts to Condamine Street as assessed throughout this SEE.

4.1.2. State Environmental Planning Policy No 64—Advertising and Signage (SEPP 64)

Clause 8 of SEPP 64 requires proposed signage to be consistent with and satisfy the objectives and assessment criteria of SEPP 64.

The proposed development would achieve the aims and objectives of SEPP 64 to ensure signage:

- (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*

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(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.

The proposed signage would be of a high-quality design consistent with the Harvey Norman business branding and as identified on the architectural plans. This DA proposes a single-sided LED display screen on the Condamine Street elevation which will be 20.25m² (4.5m x 4.5m) in area for advertising purposes. The proposed fascia signage would be setback between 2.780m and 4.180m from the Condamine Street boundary.

Clause 31 of SEPP 64 requires consultation with RMS with respect to signage or advertising within 250 metres of a classified road. Since Condamine Street is a Regional Classified Road, referral to RMS would be required.

Schedule 1 of SEPP 64 sets out the assessment criteria for proposed signage. An assessment of the criteria is undertaken in the Table below:

Table 2: Assessment criteria for proposed signage SEPP 64 Compliance

| Criteria | Assessment | Compliance |
|--|--|------------|
| <p>1 Character of the area</p> <ul style="list-style-type: none">• Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? | <p>The proposed signage would be located within an established business area. Its purpose is to advertise and guide patrons to the retail centre.</p> <p>The closest residential area are three storey apartment buildings in Cross Street which is just under 40m from the proposed signage. Whilst the signage is within proximity to the residential area, it is across several roads and orientated away from the residential area.</p> <p>A detailed assessment of residential impacts are undertaken in Section 5 of this SEE.</p> | Yes |
| <p>2 Special areas</p> <ul style="list-style-type: none">• 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? | <p>There are no environmentally sensitive areas, heritage or conservation areas in the locality of the existing signage.</p> | Yes |
| <p>3 Views and vistas</p> <ul style="list-style-type: none">• Does the proposal obscure or compromise important views?• Does the proposal dominate the skyline and reduce the quality of vistas? | <p>No view lines or vistas would be blocked, neither would other advertisers be affected. The proposed fascia signage is within the maximum building height limit.</p> | Yes |

| | | |
|--|--|------------|
| <ul style="list-style-type: none"> Does the proposal respect the viewing rights of other advertisers? | | |
| <p>4 Streetscape, setting or landscape</p> <ul style="list-style-type: none"> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management? | <p>The scale, proportion and form of the proposal is consistent with the scale, design and format of the Harvey Norman branding.</p> <p>Signage would not protrude above buildings, structures or tree canopies in the locality.</p> <p>No vegetation or landscaping is proposed to be removed or would be affected by the proposed works.</p> | <p>Yes</p> |
| <p>5 Site and building</p> <ul style="list-style-type: none"> 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? Does the proposal respect important features of the site or building, or both? Does the proposal show innovation and imagination in its relationship to the site or building, or both? | <p>The proposed signage would complement the scale and proportion of the existing building.</p> <p>The proposed signage would be clear and appropriately located within the frame of the façade.</p> <p>The design and format of the signage takes advantage of vehicles moving along Condamine Street.</p> | <p>Yes</p> |
| <p>6 Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> 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>No logos form part of this DA.</p> | <p>Yes</p> |

| | | |
|---|---|------------|
| <p>7 Illumination</p> <ul style="list-style-type: none"> • Would illumination result in unacceptable glare? • Would illumination affect safety for pedestrians, vehicles or aircraft? • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew? | <p>The proposed LED element would be illuminated. No unacceptable glare would be created as the area of illumination would be over a specific area and within the subject site.</p> <p>The sign would be directed to the road reserve and it is believed that any light spill generated to vehicles would be negligible.</p> <p>The intensity of the illumination could be adjusted if necessary and would be subject to a curfew if required by Council.</p> <p>The signage would be consistent in design and layout to signage used by Harvey Norman.</p> | <p>Yes</p> |
| <p>8 Safety</p> <ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? | <p>Road safety, pedestrian and cyclist safety would not be compromised. Sightlines from public areas would continue to be maintained unaffected.</p> <p>It is believed the new signage would be beneficial as it would assist in guiding patrons to the retail centre.</p> | <p>Yes</p> |

4.1.3. State Environmental Planning Policy 55 – Remediation of land

State Environmental Planning Policy No. 55 – Remediation of Land (SEPP 55) provides for a State-wide planning approach to the remediation of contaminated land. A determining authority must consider whether the land subject of a proposal is contaminated and, if the land is contaminated, be satisfied that the land is suitable in its contaminated state for the use proposed. No excavation for signage is purposed. Consequently, the intention of the SEPP is achieved.

4.1.4. Transport Corridor Outdoor Advertising and Signage Guideline 2017

The proposed signage has been developed in consideration of Transport Corridor Outdoor Advertising and Signage Guidelines (the Guidelines). Section 2.5.8 of the Guidelines is relevant to this application.

An assessment of the proposed signage against the electronic sign criteria within the Guidelines is included in Table 3 & Table 4 below.

Table 3: Digital Sign Criteria

| Criteria | Assessment | Compliance |
|---|---|------------|
| a) Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time (below). | Content will be displayed in a completely static manner, without any motion during the dwell time. | Yes |
| b) Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs. | Sequencing will not be designed to make a driver anticipate the next message. Each advertisement will be displayed independently. | Yes |
| c) The image must not be capable of being mistaken: For a prescribed traffic control device because it has, for example, red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a prescribed traffic control device, or as text providing driving instructions to drivers | Whilst the content of the advertisement screen will vary, the separation of the sign from the road and also the nature of the advertising structure as a fascia sign, clearly delineates it from traffic signals. The advertising content will not resemble traffic controls, nor text providing driving instructions to drivers. Harvey Norman are experienced in providing appropriate advertisements in high traffic areas and will ensure all advertisements meet required standards. | Yes |
| d) Dwell times for image display are: <ul style="list-style-type: none"> • 10 seconds for areas where the speed limit is below 80km/h. • 25 seconds for areas where the speed limit is 80km/h and over. | The speed limit of Condamine Street where the signage is proposed is below 40km/h. Dwell times will be 10 seconds. | Yes |
| e) The transition time between messages must be no longer than 0.1 seconds, and in the event of image failure, the default image must be a black screen. | The transition time between advertisements is less than 0.1 second. The default image, in the event of an image failure, would be a black screen. | Yes |
| f) Luminance levels must comply with the requirements in Section 3 below | Screen brightness outputs are designed in accordance with and satisfy relevant Australian Standards and the structure would have an built-in light adjustment sensor. | Yes |
| g) The images displayed on the sign must not otherwise unreasonably dazzle or distract drivers without limitation to their colouring or contain flickering or flashing content | Images displayed on the proposed signage will not distract drivers. No flickering or flashing content will be displayed. | Yes |

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| Criteria | Assessment | Compliance |
|---|--|------------|
| h) The amount of text and information supplied on a sign should be kept to a minimum (for example no more than a driver can read at a short glance). | Text within the advertising content will be kept to a minimum. | Yes |
| i) Any sign that is within 250 metres of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours. | The advertising sign is not visible from a school zone. | Yes |
| j) Each sign proposal must be assessed on a case by case basis including replacement of an existing fixed, scrolling or tri-vision sign with a digital sign and in the instance of a sign being visible from each direction, both directions for each location must be assessed on their own merits. | An assessment of the proposed signage from each elevation has been determined to have minimal impacts to the locality, surrounds and movement of vehicles in the area. | Noted. |
| k) At any time, including where the speed limit in the area of the sign is changed, if detrimental effect is identified on road safety post installation of a digital sign, RMS reserves the right to re-assess the site using an independent RMS-accredited road safety auditor. Any safety issues identified by the auditor and options for rectifying the issues are to be discussed between RMS and the sign owner and operator | Agreed. | Noted. |

Table 4: Advertisements and road safety

| Criteria | Assessment | Compliance |
|---|---|------------|
| <p>3.2.1 Road clearance</p> <p>Additional road clearance criteria for digital signs:</p> <p>Digital signs greater or equal to 20sqm must ensure the following clearances:</p> <ul style="list-style-type: none"> a. 2.5m from lowest point of the sign above the road surface if located outside the clear zone b. 5.5m from lowest point of the sign above the road surface if located within the clear zone or the deflection zone of a safety barrier, if installed. <p>If attached to road infrastructure (such as an overpass), the digital sign must be positioned so that no portion of the sign is lower than the minimum vertical clearance under the overpass or supporting structure.</p> | <p>The proposed signage would achieve the 2.5m clearance from the ground and would be outside the clear zone with no impacts to road infrastructure.</p> | <p>Yes</p> |
| <p>3.2.2 Line of sight</p> <p>To maximise visibility of the road and minimise the time a driver’s attention is directed away from the road, the following criteria apply to all advertising signage:</p> <ul style="list-style-type: none"> a. An advertisement must not obstruct the driver’s view of the road, particularly of other vehicles, bicycle riders or pedestrians at crossings. b. An advertisement must not obstruct a pedestrian or cyclist’s view of the road. c. The advertisement should not be located in a position that has the potential to give incorrect information on the alignment of the road. In this context, the location and arrangement of signs’ structures should not give visual clues to the driver suggesting that the road alignment is different to the actual alignment. An accurate photo-montage should be used to assess this issue. | <p>Pedestrian and drivers line of sign would be uninterrupted at all times as the fascia sign would be within the subject site which is setback from the site boundary.</p> <p>Signage content would not distract drivers in any way. All drivers would be able to see the road uninterrupted when viewing the sign which would be well above the road level.</p> | <p>Yes</p> |

| Criteria | Assessment | Compliance |
|--|--|------------|
| <p>d. The advertisement should not distract a driver’s attention away from the road environment for an extended length of time. For example:</p> <p>i. The sign should not be located in such a way that the driver’s head is required to turn away from the road and the components of the traffic stream in order to view its display and/or message. All drivers should still be able to see the road when viewing the sign, as well as the main components of the traffic stream in peripheral view.</p> <p>ii. The sign should be oriented in a manner that does not create headlight reflections in the driver’s line of sight. As a guideline, angling a sign five degrees away from right angles to the driver’s line of sight can minimise headlight reflections. On a curved road alignment, this should be checked for the distance measured back from the sign that a car would travel in 2.5 seconds at the design speed.</p> | | |
| <p>3.2.3 Proximity to decision making points and conflict points</p> <p>To minimise distraction near decision making points and conflict points, and ensure there is sufficient distance for a driver to recognise, react and, if required, stop safely before reaching one of these points, the following criteria apply to all advertising signage:</p> <p>a. The sign should not be located:</p> <p>less than the safe sight distance from an intersection, merge point, exit ramp, traffic control signal or sharp curves</p> <p>ii. less than the safe stopping sight distance from a marked foot crossing, pedestrian crossing, pedestrian refuge, cycle crossing, cycleway facility or hazard within the road environment</p> <p>iii. so that it is visible from the stem of a T-intersection.</p> | <p>The closest traffic intersection is just over 50m away and vehicles face away from the proposed signage.</p> <p>Consequently, there would be no impact to vehicles at this intersection. A detailed assessment of impacts is undertaken in Section 5 of this SEE.</p> | <p>Yes</p> |

| Criteria | Assessment | Compliance |
|--|--|------------|
| <p>The placement of a sign should not distract a driver at a critical time. In particular, signs should not obstruct a driver’s view:</p> <ul style="list-style-type: none"> i. of a road hazard ii. to an intersection iii. to a prescribed traffic control device (such as traffic signals, stop or give way signs or warning signs) iv. to an emergency vehicle access point or Type 2 driveways (wider than 6-9m) or higher. | | |
| <p>3.3 Sign design and operation criteria</p> | | |
| <p>3.3.1 Advertising signage and traffic control devices</p> <ul style="list-style-type: none"> a. The advertisement must not distract a driver from, obstruct or reduce the visibility and effectiveness of, directional signs, traffic signals, prescribed traffic control devices, regulatory signs or advisory signs or obscure information about the road alignment. b. The advertisement must not interfere with stopping sight distance for the road’s design speed or the effectiveness of a prescribed traffic control device. For example: <ul style="list-style-type: none"> i. Could the advertisement be construed as giving instructions to traffic such as ‘Stop’, ‘Halt’ or ‘Give Way’? ii. Does the advertisement imitate a prescribed traffic control device? iii. If the sign is in the vicinity of traffic lights, does the advertisement use red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal? <p>Additional criteria for digital signs and moving signs:</p> <ul style="list-style-type: none"> a. The image must not be capable of being mistaken: | <p>The proposed signage would not conflict with traffic controlling devices.</p> | <p>Yes</p> |

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| Criteria | Assessment | Compliance |
|--|--|------------|
| <p>i. for a rail or traffic sign or signal because it has, e.g. red, amber or green circles, octagons, crosses or triangles or shapes or patterns that may result in the advertisement being mistaken for a traffic signal</p> <p>ii. as text providing driving instructions to drivers.</p> <p>b. The amount of text and information supplied on a sign should be kept to a minimum (e.g. no more than a driver can read at a short glance).</p> | | |
| <p>3.3.2 Dwell time and transition time</p> <p>Signs which change advertising content are more likely to distract a driver than signs with content that is static. In locations where digital and moving signs are assessed to be appropriate, the minimum dwell time and maximum transition time set out in the criteria must be applied. Longer dwell times may be necessary in more complex locations.</p> <p>Dwell time criteria for digital signs:</p> <p>a. Each advertisement must be displayed in a completely static manner, without any motion, for the approved dwell time as per criterion (b) below.</p> <p>b. Dwell times for image display must not be less than:</p> <p>i. 10 seconds for areas where the speed limit is below 80km/h.</p> <p>ii. 25 seconds for areas where the speed limit is 80km/h and over.</p> <p>c. Any digital sign that is within 250 metres of a classified road and is visible from a school zone must be switched to a fixed display during school zone hours.</p> <p>d. Digital signs must not contain animated or video/movie style advertising or messages including live television, satellite, Internet or similar broadcasts.</p> <p>e. The transition time between messages must be no longer than 0.1 seconds, and in the event</p> | <p>Each advertisement would be displayed in a completely static manner, without any motion, for no less than 10 seconds as the speed limit is below 80km/h.</p> <p>Transition time between messages would be no longer than 0.1 seconds and in the event of image failure, the default image will be a black screen.</p> | <p>Yes</p> |

| Criteria | Assessment | | Compliance |
|---|---|------------------------|-------------------------------|
| <p>of image failure, the default image must be a black screen.</p> <p>Dwell time criteria for moving signs:</p> <p>a. The image must be completely static from its first appearance to the commencement of a change to another display.</p> <p>b. Dwell times for image display are to be a minimum of 10 seconds which includes 3 seconds to scroll</p> | | | |
| <p>3.3.3 Illumination and reflectance</p> <p>An illuminated sign refers to any sign illuminated by an artificial source. Signs that are brighter than the luminance criteria outlined below (Tables 5 and 6) may have the potential to dazzle or distract drivers. This issue can be exacerbated in areas where a high level of concentration is required (e.g. busy intersections and pedestrian crossings) and in remote areas where the level of ambient light is minimal.</p> | <p>The locality would best be described as Zone 3 which covers areas with generally medium off-street ambient lighting e.g. small to medium shopping/commercial centres.</p> <p>The proposed level of illumination would comply or be less than the minimum requirements.</p> | | Yes |
| Illumination criteria for digital signs: | Lighting condition | Zones 2 and 3 (cd/sqm) | Comply |
| | Full sun on face of signage | No limit | NA |
| | Daytime luminance | 6000 | 5954 cd/m ² Yes |
| | Morning and evening twilight and inclement weather | 700 | 592 cd/m ² Yes |
| | Nighttime | 350 | 286 cd/m ² Yes |
| <p>3.3.4 Interaction and sequencing</p> <p>a. The advertisement must not incorporate technology which interacts with in-vehicle electronic devices or mobile devices. This includes interactive technology or</p> | Agreed. | | Yes |

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| Criteria | Assessment | Compliance |
|--|------------|------------|
| technology that enables opt-in direction communication with road users. b. Message sequencing designed to make a driver anticipate the next message is prohibited across images presented on a single sign and across a series of signs | | |

4.2. Manly Local Environmental Plan 2013

The site is subject to the *Manly Local Environmental Plan 2013* (MLEP 2013). The relevant provisions of MLEP 2013 are identified in the Table below.

Table 5: Summary of LEP Compliance

| Provision | Proposal | Compliance |
|------------------------------|-----------------------------------|------------|
| Land Zoning | B6 - Enterprise Corridor | Yes |
| Height Of Building | 11 m | Yes |
| Floor Space Ratio | 1:1 | NA |
| Heritage | Not a heritage item nor in an HCA | NA |
| Land Reservation Acquisition | NA | NA |
| Acid Sulfate Soils | Class 4 Class 5 | NA |

4.2.1. Zoning, Permissibility and Objectives

The subject site is zoned “B6 - Enterprise Corridor” under the *MLEP 2013*. The proposed signage is permitted with development consent in the land use zone.

The objectives of the zone are as follows:

- *To promote businesses along main roads and to encourage a mix of compatible uses.*
- *To provide a range of employment uses (including business, office, retail and light industrial uses).*
- *To maintain the economic strength of centres by limiting retailing activity.*

The proposed signage would be consistent with relevant zone objectives. The proposed signage works would support the business operating on the site to continue its operation.

The proposed signage is compatible with the existing business operation and would support the sustainable business operation of the Harvey Norman centre. The signage would also contribute towards employment during installation and maintenance as required thereafter.

4.3. Manly Development Control Plan 2013

The relevant matters to be considered under the Manly DCP 2013 (MDCP 2013) are outlined below as required.

Table 6: MDCP 2013 Compliance Table

| Control | Proposal | Complies |
|--|---|----------|
| 3.1.2 Streetscape Improvement in LEP Zone B6 Enterprise Corridor | | |
| 3.1.2.1 Streetscape Development is to be of a high visual quality, particularly at corner locations. | The proposed design would be consistent with the Harvey Norman brand and have a high-quality design and finish. | Yes |
| 3.1.2.5 Frontages to Condamine Street Frontages to Condamine Street form important 'entrances' to Manly. A higher standard of finish to development is promoted along these frontages, in terms of building and landscaping. | The design and configuration of the signage would be compatible with the design and scale of the building or the site. | Yes |
| 4.3 Development in LEP Zone B6 Enterprise Corridor | | |
| Objective 1) To minimise negative visual impact of development by limiting the size and scale of buildings and having regard to suitable landscaping. | The building already exists and the proposed signage would be below the highest point. | Yes |
| 4.4.3 Signage | | |
| Objective 1) To ensure that advertising does not detract from the scenic beauty and amenity of the Municipality; harmonises with its surroundings and the buildings to which they are attached. Objective 2) To minimise the visual impact by encouraging fewer more effective signs that may otherwise degrade the existing and likely future quality of residential environments or result in excessive, unnecessary signage, visual clutter and confusion caused by a proliferation of signs in local and neighbourhood centres. Objective 3) To permit building and business identification signs which communicate the facilities (including tourist facilities), amenities, goods and services in local and neighbourhood centres which do not interfere with the streetscape or amenity of residents. | The signage would be in harmony with its business surroundings and orientated away from surrounding residential land uses. As a result, the streetscape and amenity of residents would be maintained. This is the only LED sign in the area and attracts patrons from different directions to that of existing signs which under normal circumstances would be not viewable to motorists along Condamine Street. The proposed signage would be of a high quality and enhance the business character of the area. Further, its scale would be sympathetic to the building elevation on which it is proposed. | Yes |

| | | |
|---|--|------------|
| <p>Objective 4) Signs should enhance the distinctive urban character and scenic amenity of the Municipality and contribute to the atmosphere of the streets in local and neighbourhood centres and should be designed in sympathy with both the building to which it is attached and any adjoining buildings, taking into account the architectural styles and finishes of buildings in local and neighbourhood centres.</p> <p>Objective 5) To prevent signage from impacting on the presentation of the heritage item or area to the general public on heritage items and conservation areas.</p> <p>Objective 6) To ensure all signage is of high standards of graphic and textural content.</p> <p>Objective 7) To encourage co-ordinated advertising in the Industrial Zone by the use of appropriately sized street numbers and complex names, and the use of directory boards to identify multiple unit complexes, so as to reduce adverse impact on the streetscape and confusion to traffic.</p> | | |
| <p>4.4.3.1 Controls for all Development Types</p> | | |
| <p>Maximum number of Signs</p> <p>a) In relation to shopfronts, a maximum of 2 identification signs will be permitted per frontage (for example 1 fascia and 1 hamper sign), in any 2 of the following preferred locations:</p> <ul style="list-style-type: none"> • Under awning; • Awning fascia; • A transom sign above the door or shopfront (top hamper); • Inside the display window; • Below the window sill; and • Flush wall signs. | <p>Only one business identification sign currently exists on the Condamine Street elevation. The proposed LED sign would be for advertising purposes only.</p> | <p>Yes</p> |
| <p>Excessive signage</p> <p>b) Excessive signage usually has an opposite effect to its original intention. The cluttering causes visual pollution and confusion to the observer. Having fewer, but clearer advertising assists not only the advertiser, but also the appearance of the</p> | <p>The proposed signage would not be excessive as justified above. Its purpose is to attract patrons from different directions to that of existing signs which under normal circumstances would be not</p> | <p>Yes</p> |

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| <p>building and the overall streetscape. Excessive signage tends to have a “domino effect”, by competing with neighbouring premises in order to gain the advantage in exposure.</p> | <p>viewable to motorists along Condamine Street</p> | |
| <p>Advertising Content</p> <p>c) Advertising content must relate to the building or goods sold on the premises to which it is attached. Any third party advertising of goods sold on the premises must not dominate the advertising of the building or premises.</p> <p>Where the maximum number of signs is achieved in locations in accordance with a) above, further signs, particularly above the awning are not permitted.</p> | <p>No third party advertising would be permitted and no further signage sought.</p> | <p>Yes</p> |
| <p>d) Design Integration</p> <p>i) The design of signs is to be integral to the architectural style and finishes of the building to which they are attached, rather than a “tack on” appearance. In this regard, above awning signs level of a projecting nature are restricted.</p> <p>ii) Applicants designing new buildings or alterations and multi-tenant buildings refurbishment of existing buildings are strongly encouraged to take into account advertising requirements at an early stage, as an integral part of the building. In this regard a Sign Concept Plan is required for the co-ordinated identification and advertising for the development with the DA.</p> <p>Note: Submission of signage details in conjunction with development for new buildings is preferable to the submission of a separate DA for signs to ensure any issues can be resolved in the initial design of the development.</p> | <p>The proposed signage would be of a high-quality design consistent with the Harvey Norman business branding and as identified on the architectural plans.</p> | |
| <p>e) Streetscape</p> <p>Signs must not have an adverse impact on the streetscape in terms of unobtrusive design, colour, height, size and scale in proportion to building and other urban elements. Not only should a sign be simple, clear and efficient (with a reasonable degree of visibility), but a well-designed sign inspires and promotes confidence in the business</p> | <p>The streetscape would be maintained and the signage would be designed to a high standard to a value of \$70,000.00.</p> | <p>Yes</p> |

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| <p>or product advertised without impacting on the streetscape.</p> | | |
| <p>f) Maintenance</p> <p>i) Building facades should not be visually spoiled by electrical conduits to illuminated signs or spot lights, and should therefore be taken directly into the building or otherwise concealed by chasing into external walls.</p> <p>ii) Signs should be located at a height which avoids impact from footpath maintenance vehicles and discourages vandalism.</p> | <p>All electrical works would be concealed.</p> <p>Signage would be at a height which is not easily accessible to pedestrians.</p> | <p>Yes</p> |
| <p>g) Safety</p> <p>i) Council will give due attention to all applications with respect to possible distraction of motorists due to illumination, position, colours, design and proximity to traffic lights. Signs facing roads with high traffic volumes, traffic lights or major intersections may be referred to other relevant authorities such as the NSW Roads Agency for comment.</p> <p>ii) Signs must be maintained in good and substantial repair and in a clean and tidy condition at all times. Council will not favour signs which are prone to deterioration in appearance and condition, and may order removal of objectionable or unsightly advertisements.</p> | <p>Agreed</p> | <p>Yes</p> |
| <p>h) Illumination</p> <p>i) In considering the illumination of signage care is be given to avoid nuisance from glare and spillage of light which may impact on both residents, particularly in the Residential LEP Zones (including E3 & E4) as well as to passing traffic. Depending on the location, and its relationship to residential premises, Council may require that illumination be controlled by automatic time clocks extinguishing illumination between 10pm and 6am, or as appropriate in the circumstances.</p> <p>ii) A floodlit sign which projects over a public road must not be illuminated by a lighting medium which is less than 2.6m above the ground. Lighting must not cause distraction or nuisance to neighbouring properties or traffic.</p> | <p>The proposed level of illumination would comply or be less than the minimum requirements as confirmed in the above Table.</p> <p>Consequently, glare and spillage of light would not impact residents nor passing traffic.</p> <p>Extinguishing illumination between 10pm and 6am would be acceptable if required by Council.</p> | <p>Yes</p> |

| 4.4.3.3 Controls for Particular Development Types | | |
|--|--|---------------|
| <p>i) Fascia signs</p> <p>i) must not project above or below the fascia or return end of the awning to which it is attached;</p> <p>ii) must not extend more than 0.3m from the fascia end of the awning; and</p> <p>iii) unless the council otherwise approves, must not extend or project beyond a point 0.6m within the vertical projection of the kerb line.</p> | <p>The proposed fascia signage would not project above or below the fascia or return end of the awning to which it is attached.</p> <p>The signage would not extend more than 0.3m from the fascia end of the awning; and would not extend or project beyond a point 0.6m within the vertical projection of the kerb line.</p> | <p>Agreed</p> |

5. Section 4.15 Assessment

5.1. Statutory Policy and Compliance

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

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

- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy No 64—Advertising and Signage*
- *Manly Local Environmental Plan 2013*
- *Manly Development Control Plan 2013*
- *Transport Corridor Outdoor Advertising and Signage, Guidelines Assessing Development Applications Under SEPP 64 (July 2007)*

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

5.2. Natural Environment Impacts

All appropriate measures will be implemented during the construction phase to ensure that there is no adverse amenity impacts to surrounding properties in terms of dust, soil erosion, air and noise. The proposal will not result in the removal of significant flora and fauna on the site.

5.3. Social and Economic Impacts

The proposed development provides for increased social and economic outcomes through the provision of jobs during the installation of the additional signage. The new signage would reflect advertising for Harvey Norman and benefits the retail centre by improving investor and business confidence in the area.

5.4. Built Environmental Impacts

All proposed signage would be within the subject site and have minimal impact to the surrounding built environment and residential amenity.

It is believed that there would be no impacts to residential amenity as the proposed signage is directed away from the residential area as depicted on **Figure 8**. Further, most of the residential area is screened by dense established trees along Cross Street as depicted on **Figure 9**. Also, some of the apartments have window privacy screens which would further minimise amenity impacts.

It is believed that there would be no distraction to motorists as the illuminated element would not result in flashing lights reflection or glare which could affect local traffic. Further, the signage would not impact traffic intersections as vehicles would stop at the traffic lights facing away from the sign resulting in minimal if any impacts rather than facing directly towards the sign.

It is believed that amenity impacts would be minimal as light spill would extend the property boundary of the subject site and not beyond. Whilst the intensity of the proposed signage would achieve or be below the illumination requirements as nominated in this SEE, the intensity of the illumination could be adjusted if necessary and would be subject to a curfew if required by Council. It would be acceptable if Council believes a timer be imposed from 10pm to 6am to ensure all possible impacts would be mitigated.

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The proposed development would be consistent with traditional brand signage used by Harvey Norman across Australia.

There are also no heritage items which will be impacted or heritage conservation area which would require protection.

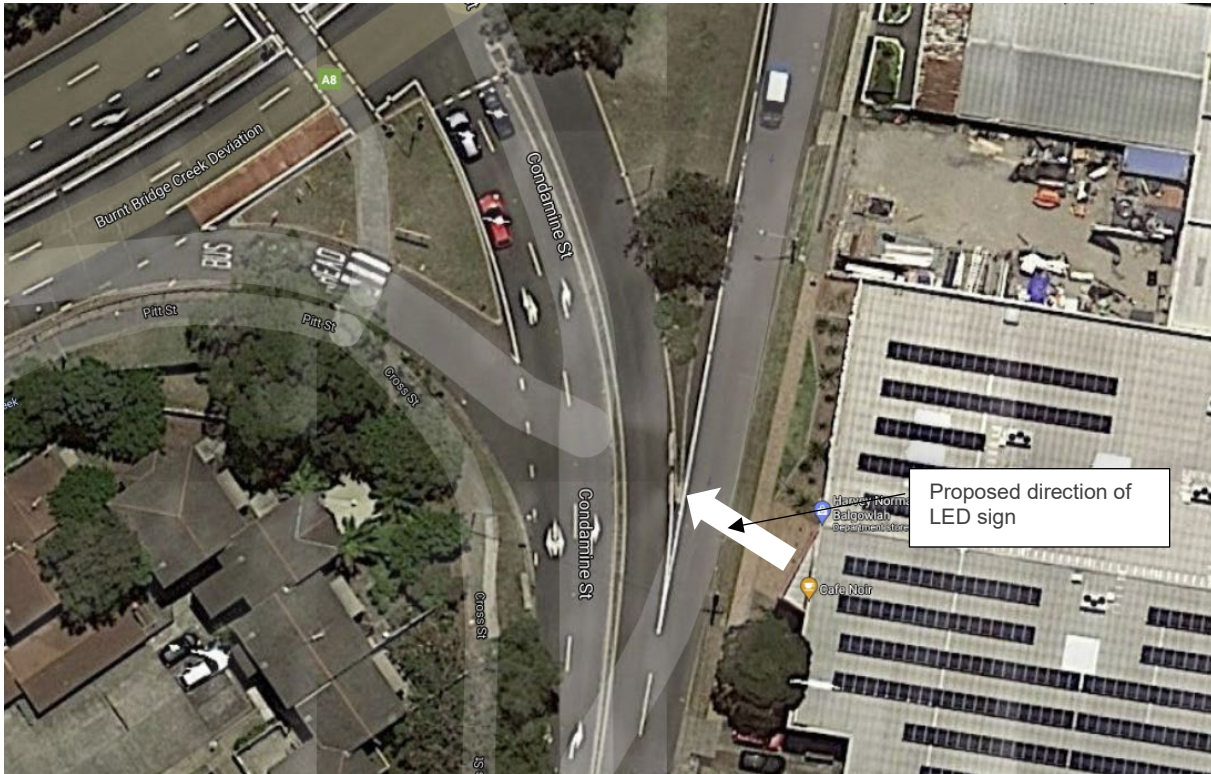


Figure 8: Orientation of Proposed Signage

Source: Google Maps



Figure 9: Apartment buildings along Cross Street

Source: Google Maps

5.5. Suitability of the Site for Development

The subject site is zoned “B6 - Enterprise Corridor” under the MLEP 2013. Business identification signage is permitted with development consent. The signage would be consistent with relevant zone objectives as it would support the businesses as well as be compatible with the existing operation.

5.6. The Public Interest

The proposed development is in the public interest because it would guide patrons to the business centre and support the on-going viability of the local business.

There would be little or no impacts to residential amenity nor likely adverse environmental impacts arising from the proposal as justified throughout this SEE.

6. Conclusion

The proposal is appropriate for the site and the locality in terms of design and functionality as it would revitalise the existing retail centre by reflecting the current occupants being Harvey Norman, attract new investment to the area and create employment opportunities for the local area. The signage is required to guide patrons to the business centre. There would also be minimal impact to the environment and residential amenity from the proposed signage.

The proposed signage would be appropriate for the locality in terms of design, functionality and impacts:

Design

- consistent with the Harvey Norman brand
- high-quality design and finish

Functionality

- inform and guide patrons to the business
- be clear and appropriately located to respect the existing signage on the business

Impacts

- have minimal impact to the environment and surrounding land uses
- be compatible with the amenity and visual character of the locality
- be minimal, unobtrusive and not protrude above the building
- be complementary to the scale and proportion of the existing building

The proposal is considered to be satisfactory under Section 4.15 of the *Environmental Planning and Assessment Act 1979*, as demonstrated within this report and the attached documentation. It is believed that the proposal is in the public interest and should be approved by the Northern Beaches Council.

Metris Urban Planning

August 2021