

12 March 2024

SLR Ref No.: SEE - GYG Mona Vale_AKKL.docx

Attention: The General Manager
Northern Beaches Council
PO Box 82,
Manly NSW 1655

SLR Project No.: 670.030217.00001

**RE: Proposed Signage at Approved Retail Tenancy
Retail 01, 19 Bungan Street Mona Vale NSW 2103**

1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted to Northern Beaches Council (Council) in support of a Development Application (DA) for Signage to the approved retail tenancy located at Retail 01, 19 Bungan Street Mona Vale NSW 2103.

This SEE describes the site, its environs, the proposed development and an assessment of the proposal in terms of the matters for consideration under Section 4.15(1A) of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979). This SEE should be read in conjunction with the supporting information appended to this letter.

1.1 Background

The subject tenancy forms part of the overall development of the site under DA2019/0748 (as modified) which consisted of a 4-storey shoptop housing development inclusive of 9 ground floor retail tenancies.

As part of the consent for DA2019/0748, Condition 94 requires separate approval to be obtained for signage.

2.0 Site Analysis

The subject site is located within the Northern Beaches Council Local Government Area (LGA). The GYG is to be located within an existing retail tenancy referred to as Retail 01 of 19 Bungan Street Mona Vale NSW 2103 legally defined as Lot 1 DP1288672.

The site holds three road frontages being Waratah Street, Bungan Street and Akuna Lane. The tenancy itself is located on the corner of Waratah Street and Bungan Street. The site is located within the larger commercial/retail area of Mona Vale with Mona Vale Public School located adjacent to the site across Waratah Street.

The site is currently under construction for the approved shoptop housing development. Refer to Figure 1 for details of the site.

Figure 1 Locality Plan (Source: SixMaps)



Figure 2 Cadastral Plan (Source: SixMaps)



3.0 Proposal

The proposed development involves signage to support the operation of a Guzman Y Gomez operation within the tenancy. All other works are to be subject to alternative development pathways.

The proposed signs include the following:

- 1x Internally Illuminated suspended Guzman y Gomez Letterset sign (1.65m²);
- 2x Internally Illuminated projecting wall sign (0.3025m²), each addressing a street frontage; and
- 1x Internally Illuminated pickup/delivery directional sign (0.54m²); and
- Window graphics for vision strip and presentation.

Refer to **Figure 3** for an extract of the proposed signage and **Figures 4, 5, and 6** for extracts of the proposed elevations.

Figure 3 Proposed Signage

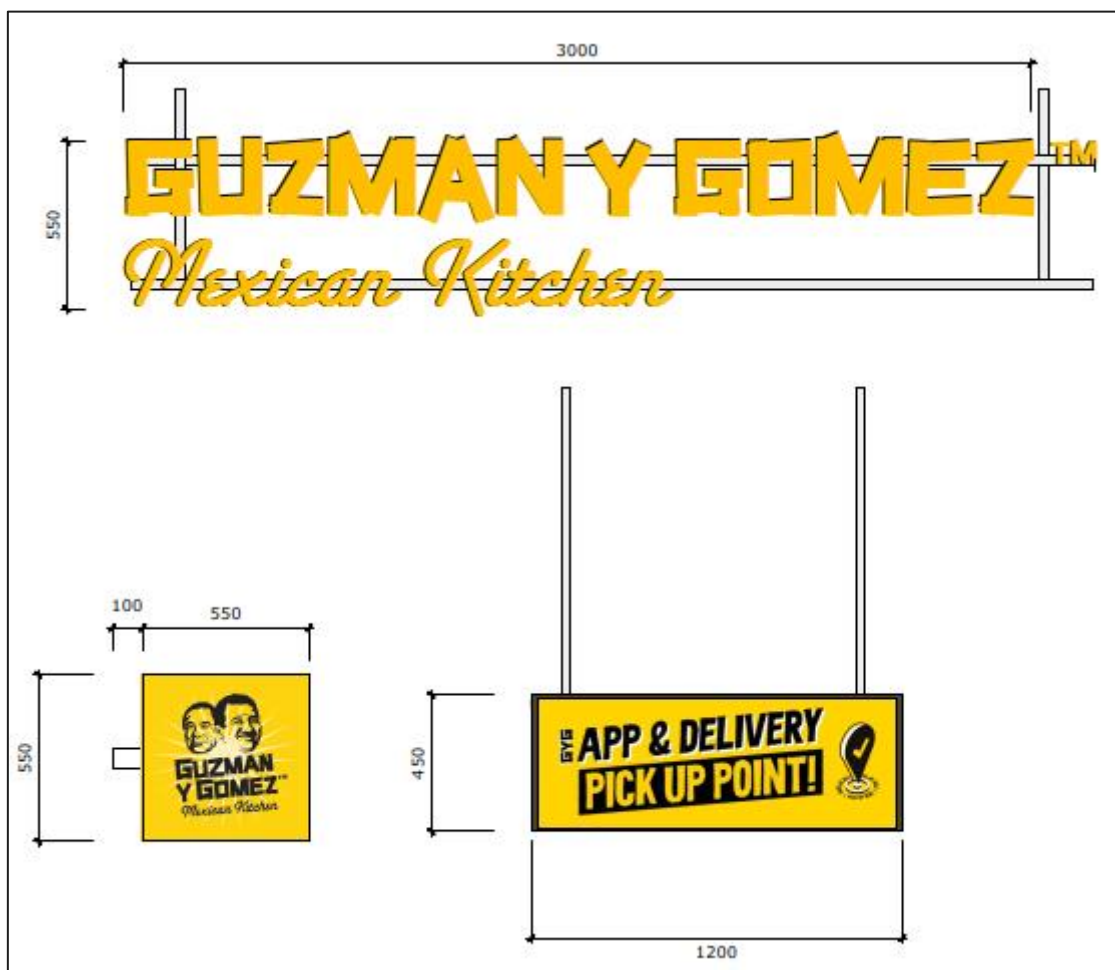


Figure 4 Proposed Bungan Street Elevation

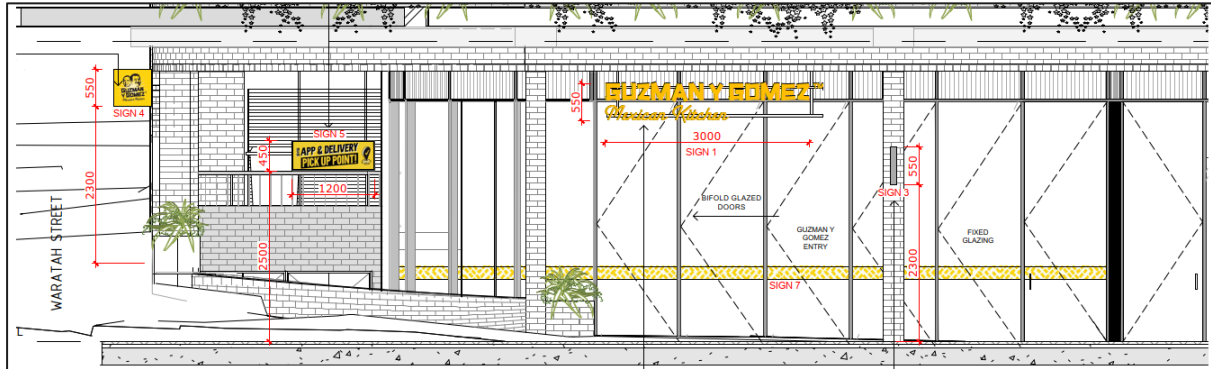


Figure 5 Proposed Waratah Street Elevation

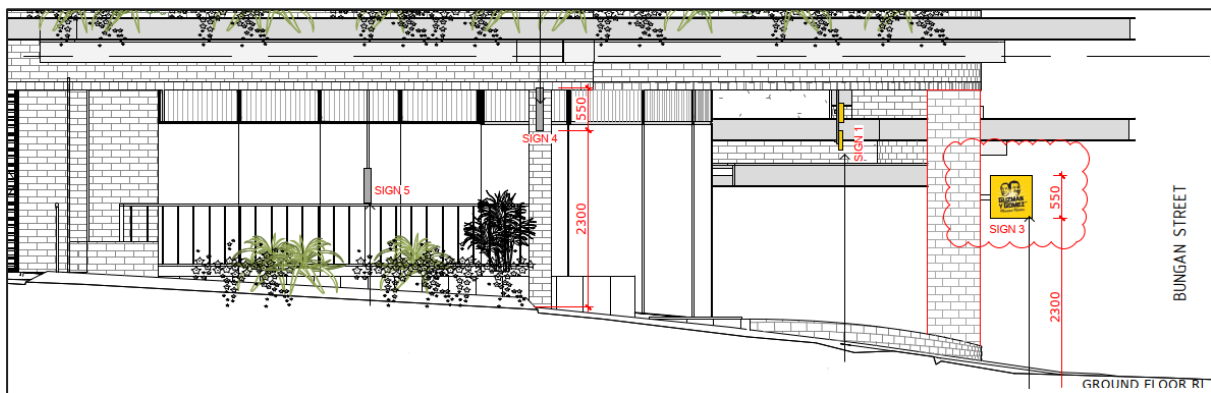
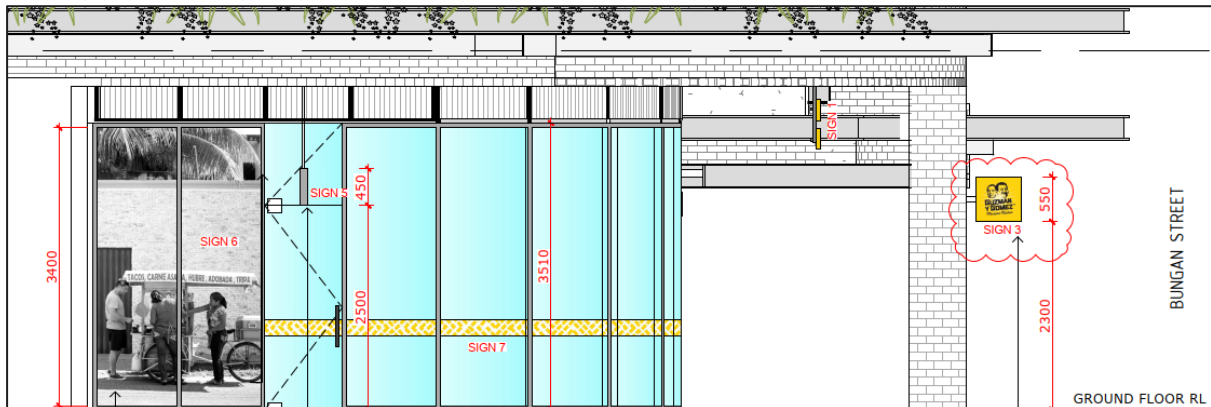


Figure 6 Proposed Corner Element Elevation



4.0 Legislation and Planning Controls

The following legislation, Environmental Planning Instruments (EPI's) and Development Control Plan (DCP) are relevant to the proposed development and have been addressed below:

- Environmental Planning and Assessment Act 1979;
- State Environmental Planning Policy (Industry and Employment) 2021;
- Pittwater Local Environmental Plan 2014; and
- Pittwater Development Control Plan.

4.1 Environmental Planning and Assessment Act 1979

The proposal is subject to the provisions of the *Environmental Planning and Assessment Act* (EP&A Act) 1979. Section 4.15 of the EP&A Act 1979 provides criteria which a consent authority is to take into consideration, where relevant, when considering a DA.

4.2 State Environmental Planning Policy (Industry and Employment) 2021

The State Environmental Planning Policy (Industry and Employment) 2021 [Industry and Employment SEPP] defines assessment criteria for the proposed signage in Chapter 3.

Clause 3.6 of the Industry and Employment SEPP states the following:

A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:
(a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and
(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.

The matters set out within Clause 3(1)(a) are discussed within **Table 1**.

Table 1 Industry and Employment SEPP – Clause 3(1)(a) Assessment

Matter	Comment
(a) to ensure that signage (including advertising)—	
(i) is compatible with the desired amenity and visual character of an area, and	The proposed signage to support the GYG Tenancy has been designed to align with the existing signage theme established supporting the ground floor commercial tenancies within the building.
(ii) provides effective communication in suitable locations, and	The signage provides only business identification in appropriate locations.
(iii) is of high quality design and finish.	All proposed signs are of a high quality design and finish.

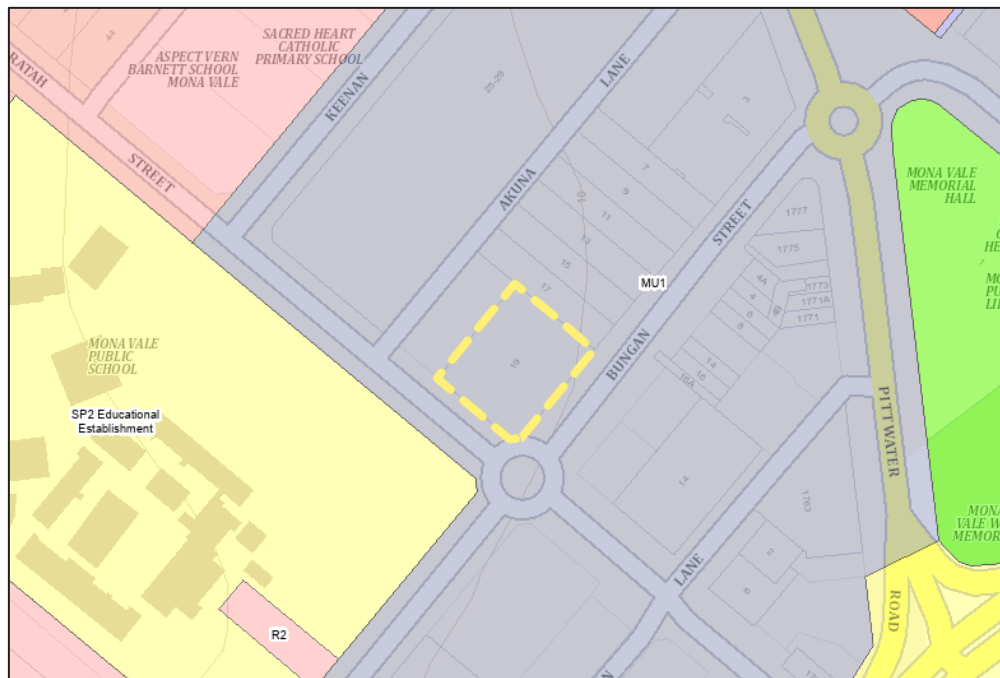
It is considered that the proposed signage scheme satisfies the relevant criteria outlined within the Industry and Employment SEPP. A detailed assessment of the proposal against the Schedule 5 Assessment Criteria is provided in **Appendix B**.



4.3 Pittwater Local Environmental Plan 2014

Under the provisions of the Pittwater Local Environmental Plan 2014 (LEP 2014), the site is located within the MU1 Mixed Use (refer to **Figure 7**).

Figure 7 Pittwater LEP 2014 Zoning Map extract (NSW Planning Portal)



Zone MU1 Mixed Use

1 Objectives of zone

- To encourage a diversity of business, retail, office and light industrial land uses that generate employment opportunities.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.
- To minimise conflict between land uses within this zone and land uses within adjoining zones.
- To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.
- To provide an active day and evening economy encouraging, where appropriate, weekend and night-time economy functions.
- To ensure that new development provides diverse and active street frontages to attract pedestrian traffic and to contribute to vibrant, diverse and functional streets and public spaces.

2 Permitted without consent

Home-based child care; Home businesses; Home occupations

3 Permitted with consent

Amusement centres; Boarding houses; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Early education and care facilities; Electricity



generating works; Entertainment facilities; Environmental protection works; Flood mitigation works; Function centres; Information and education facilities; Light industries; Local distribution premises; Medical centres; Oyster aquaculture; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Shop top housing; Signage; Tank-based aquaculture; Tourist and visitor accommodation; Vehicle repair stations; Veterinary hospitals; Waste or resource transfer stations; Water reticulation systems

4 Prohibited

Any development not specified in item 2 or 3

The proposed signs are considered to be *business identification signs* and wayfinding directional signs which are permitted within the zone with consent. The signage will not alter the approved use of the site or the tenancy.

4.3.1 Other Relevant LEP Clauses

5.10 Heritage Conservation

The site is not identified as a heritage item nor is it located within a heritage conservation area.

4.4 Pittwater Development Control Plan

The Pittwater Development Control Plan (DCP) applies to the proposed development in conjunction with the Pittwater LEP 2014. A detailed assessment of the proposed development against the relevant provisions of the DCP is provided in **Appendix B**.

Variations are requested for the proposed signs due to the alternative designs employed to present an enhanced shopfront in conjunction with the new buildings design. Noting the development will provide an effective contribution to the streetscape and the measures implemented to manage the impact and outcomes achieved, the proposed variations are considered worthy of support in this instance.

5.0 Assessment of Planning Issues

The following is an assessment of the environmental effects of the proposed development as described in the preceding sections of this SEE. The assessment considers only those matters under Section 4.15(1) of the EP&A Act 1979 that are relevant to the proposal.

5.1 Compliance with Planning Instruments and Controls

Unless otherwise stated, the proposed development either complies with or is consistent with all relevant planning instruments and controls set out in **Section 4.0** of this SEE, in that:

- Proposed signage on the building and within the site is consistent with the Schedule 5 Assessment Criteria contained in the Industry and Employment SEPP.
- The proposal is a permissible use within the MU1 Zone provisions of the Pittwater LEP 2014; and,
- The proposal is consistent with the relevant controls of the Pittwater DCP.



5.2 Visual Impact

The proposed signage is to be located in an approved retail tenancy as part of a shoptop housing development. The signs are of modern appearance consistent with the new styling of the building and expected signage for other tenancies in the building.

The signs are of a modest size and feature internally illuminated lighting fixtures to minimise potential glare and light spill.

5.3 Waste Management

Construction waste will be minimal, limited to packing and small offcuts. Construction waste will be appropriately managed on site and recycled where possible in accordance with sustainability principles.

A Waste Management Plan has been provided at **Appendix C**.

6.0 Conclusion

The proposed development aims to provide signage to support the occupation of an approved commercial tenancy by Guzman Y Gomez at Retail 01, 19 Bungan Street Mona Vale. The signs have been designed to respect the existing aesthetic established along the ground floor commercial tenancies, the larger building, and the broader Mona Vale commercial area.

Through the proposals merits and in the absence of any significant adverse environmental impacts, the modification is considered to be in the public interest and recommended for Council's support subject to standard conditions of consent.

Regards,

SLR Consulting Australia



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Attachments

Appendix A – Architectural Plans

Appendix B – Compliance Assessment

Appendix C – Waste Management Plan



Appendix C – Compliance Assessment

Table 1 Pittwater 21 Development Control Plan Compliance Table

Control	Requirement	Comment	Compliance
Section C Development Type Controls			
C2.9 Waste and Recycling Facilities			
All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan		A Waste Management Plan has been provided at Appendix C.	Y
C2.11 Signage			
Under awning sign (attached to underside of awning)	i) shall not exceed 2.5m in length or 0.5m in height; ii) shall have a signage area not exceeding 1.25sq m each side; iii) shall be erected horizontal to the ground no less than 2.6m above the ground, and at right angles to the building to which the awning is attached; iv) shall not project beyond the awning; v) shall be securely fixed by metal supports; and vi) no more than one per business permitted.	<p>The proposed under awning sign is not designed as a traditional under awning design, rather, it is designed to fill the role of both a top hamper sign and fascia sign noting the limited space available to accommodate either of those signage types.</p> <p>The sign is a single sided sign addressing towards Bungan Street with a total signage area of 1.65m².</p> <p>The sign is greater than 2.6m from ground level and is fixed to the awning with metal supports. Only one is proposed.</p> <p>Noting the limitations of the building design, the proposed under awning sign is considered to be an appropriate solution to provide a main business identification sign at the store entrance which is consistent with the design of the larger building.</p>	N, Justified
Window sign (painted or letters)	i) shall not cover the whole of the display window so as to obstruct natural light;	While not technically a sign noting no message is displayed, the window film obscures two glazing	Y



stuck onto the inside or outside of a display window)	ii) shall only be permitted on ground floor windows.	panel of the largely glazed shopfront. The film obscures vision of the back-of-house operational area.	
<p>The following signage shall not be permitted in Pittwater:</p> <ol style="list-style-type: none"> 1. where erected on or above the roof, canopy, or parapet of a building 2. where attached to the upperside of an awning 3. where attached to the wall of a building and projecting more than 300mm from that wall 4. where illuminated at frequent intervals (i.e. flashing) 5. where capable of movement by source of power or wind 6. where illuminated (within a residential zone or environmental zone) 7. where incorporates bill/fly posters, bunting and airborne signage, including hot air balloons, blimps, and the like 8. where located on motor vehicles and which renders the motor vehicle stationary 		<p>Two small projecting wall signs are proposed presenting to each of the street frontages.</p> <p>Noting no traditional under awning sign is proposed, the two 0.54m² signs are considered to be an appropriate alternative. It is understood this type of sign is to be implemented for other ground floor tenancies.</p> <p>All proposed illumination is internally illuminated in a mixed use zone and does not include any flashing or other movement.</p>	N, Justified



Table 2 SEPP (Industry And Employment) 2021 Schedule 5 Assessment

Assessment Criteria	Comment	Compliance
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?	The proposed signage is compatible with the existing and desired future character of the area.	Y
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no apparent advertising theme within the area.	N/A
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 proposed signs do not have a significant negative impact on the amenity of the location.	Y
3 Views and vistas		
Does the proposal obscure or compromise important views?	The proposed signage does not obscure or compromise important views.	Y
Does the proposal dominate the skyline and reduce the quality of vistas?	The signage will not dominate the skyline or reduce the quality of vistas.	Y
Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not obscure any advertising.	Y
4 Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage is proportional to the tenancy and appropriate for the streetscape, setting and landscape.	Y
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage will continue to contribute to the visual interest of the site in context of its surroundings.	Y
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposal signage is minimal and maintains a consolidated approach to signage on the site.	Y
Does the proposal screen unsightliness?	The proposal does not screen unsightliness.	N/A
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposed signage does not extend beyond the built form.	Y
Does the proposal require ongoing vegetation management?	The proposed signage does not require ongoing vegetation management.	N/A
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?	The signage has been designed to continue to be compatible with the existing built form and site characteristics.	Y
Does the proposal respect important features of the site or building, or both?	The proposed signage does not detract in any way from important features of the building or site.	Y
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage has been designed to be simple and uncluttered and complement the existing building and other structures on site.	Y
6 Associated devices and logos with advertisements and advertising structures		
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?	The proposed signage contains internally illuminated lighting elements, however these will be concealed.	Y
7 Illumination		
Would illumination result in unacceptable glare?	The proposed signs will not result in excessive glare.	Y
Would illumination affect safety for pedestrians, vehicles or aircraft?	The proposed signage will not be of a LUX level to affect the safety for pedestrians, vehicles or aircraft.	Y
Would illumination detract from the amenity of any residence or other form of accommodation?	The proposed signage will not be of a LUX level to detract from the amenity of surrounding residences.	Y
Can the intensity of the illumination be adjusted, if necessary?	The brightness of the signs will be fixed; however, the signs will only have a soft glow that is mostly visible at night.	Y
Is the illumination subject to a curfew?	The signs will operate during the operating hours of the service station and convenience store.	Y
8 Safety		
Would the proposal reduce the safety for any public road?	The signage will not affect road safety.	Y
Would the proposal reduce the safety for pedestrians or bicyclists?	The sign will not reduce the safety for pedestrians or cyclists.	Y
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	Sightlines are not affected by the proposal.	Y

