



STATEMENT OF ENVIRONMENTAL EFFECTS

**Alterations to Dee Why
Village Plaza**

**24-26 Howard Avenue,
Dee Why**

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October 2024

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1 Introduction

1.1 Description of the proposed development

This report is a Statement of Environmental Effects (SEE), pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979.

The development application seeks development consent for alterations to the existing commercial development at 24-26 Howard Avenue, Dee Why.

Modernisation of the popular centre is proposed to enhance access to the property and improve the comfort, safety and amenity of the spaces for patrons and businesses.

The proposal is depicted in the accompanying architectural plans by Christiansen O'Brien Architects. Key aspects of the proposal are noted as follows:

General

- demolition of elements nominated on the demolition plan
- new premise identification signage
- new business identification signage
- new external render with paint finish

Howard Avenue

- new roof / awning over Howard Avenue egress point
- alterations to existing raised planters
- demolition of existing steel and tensile structure
- new premise and business identification signage

Dee Why Parade

- new premise and business identification signage.

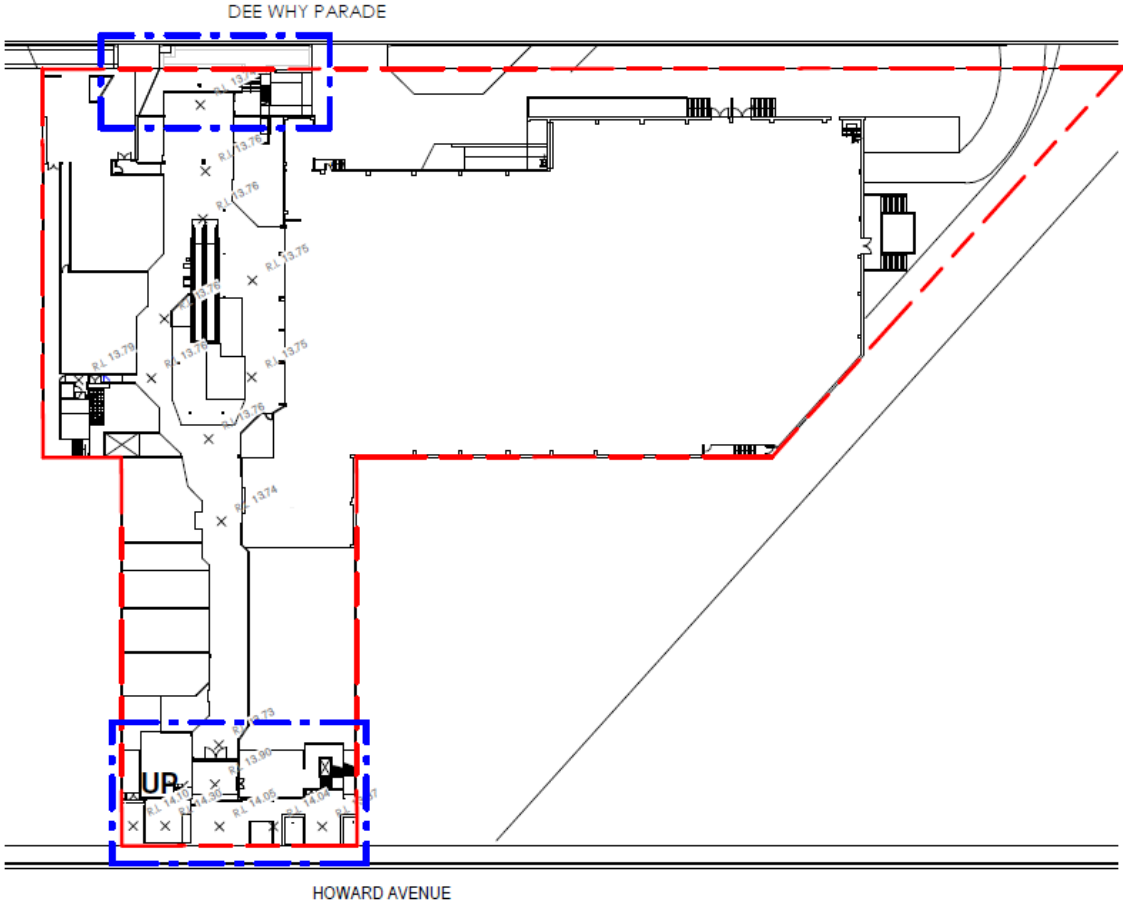


Figure A - Location of the proposed works on the site

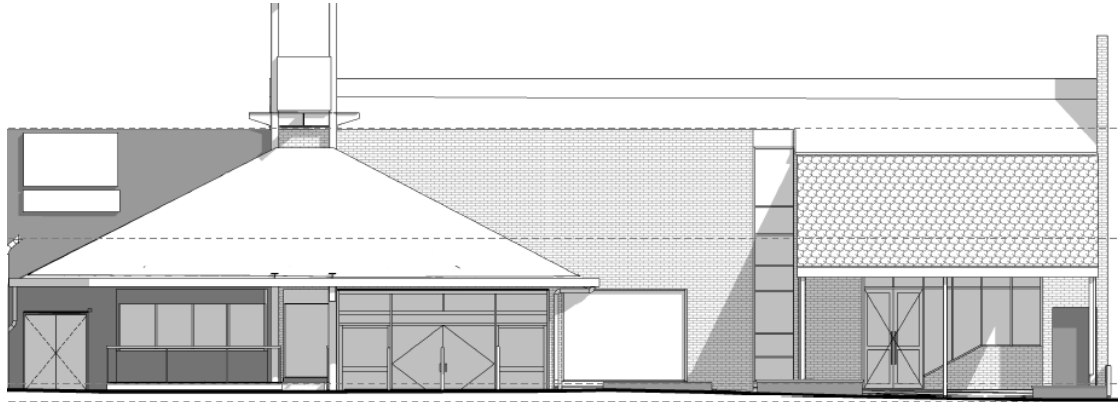


Figure B – existing Howard Avenue elevation

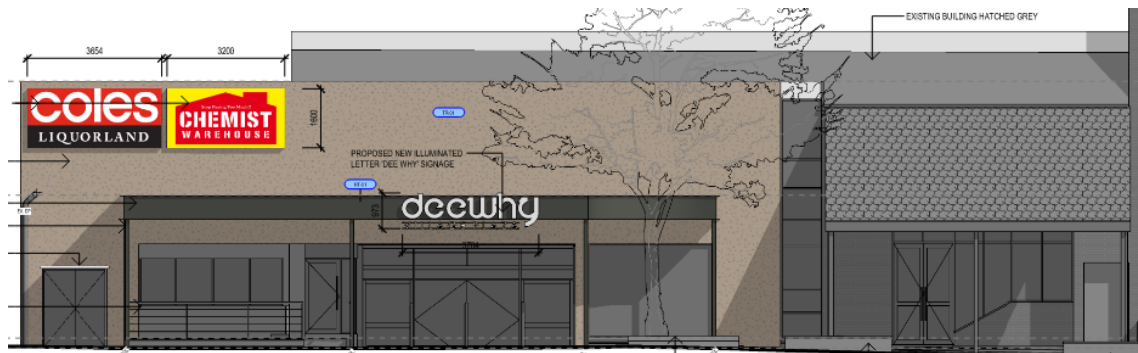


Figure C – proposed Howard Avenue elevation

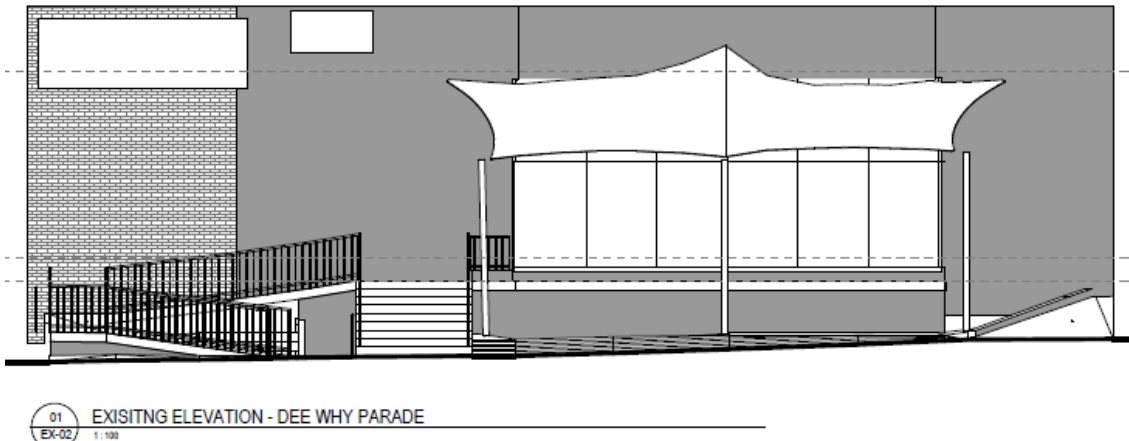


Figure D – existing Dee Why Parade elevation

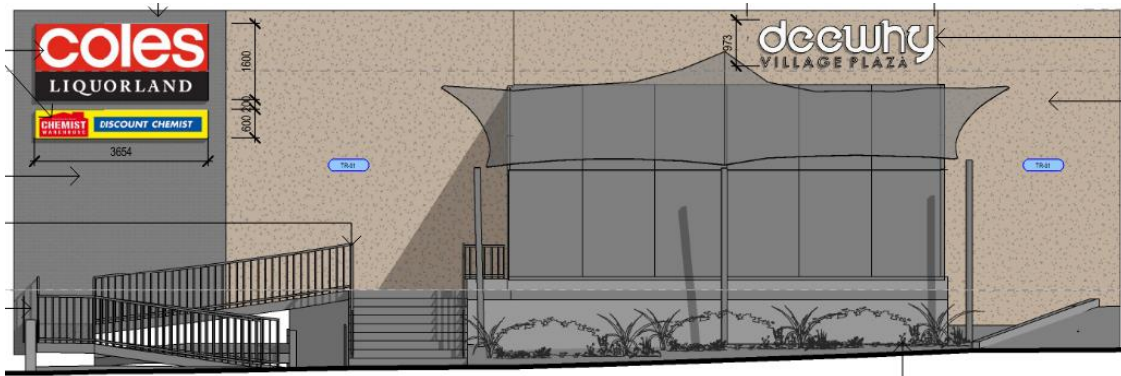


Figure E – proposed Dee Why Parade elevation

1.2 Statement of Environmental Effects

This Statement of Environmental Effects (SEE) is prepared in response to Section 4.15 of the Environmental Planning and Assessment Act 1979. The proposal has been considered under the relevant provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

In preparation of this document, consideration has been given to the following:

- Environmental Planning and Assessment Act, 1979
- Local Environmental Plan
- Relevant State Environmental Planning Policies
- Development Control Plan.

The proposal is permissible and generally in conformity with the relevant provisions of the above planning considerations.

Overall, it is assessed that the proposed development is satisfactory, and the development application may be approved by Council.

2 Site Analysis

2.1 Site description

The site is located at 24-26 Howard Avenue, Dee Why and is known as Dee Why Plaza Shopping Centre. The site is legally described as Lot CP SP 20037. The site is of irregular shape two street frontages.

The development comprises an existing shopping plaza containing a Coles supermarket, various speciality shops and associated car parking.

The development comprises a 2-storey building with parking below and shops on ground floor (when entered from Howard Avenue).

The shopping complex is long established. It is sought to modernise it and update various elements to enhance its appeal and function. Investment is underway to improve the function and amenity through mainly cosmetic improvements. No intensification of the established land use is proposed.

The land is not identified in the LEP as being affected by heritage conservation, bushfire, biodiversity, coastal risk, acid sulfate soils, or landslip, The land is identified in the LEP as being flood affected, and this is addressed within Section 4 of this report.

The figures on the following pages depict the character of the property and its existing development.

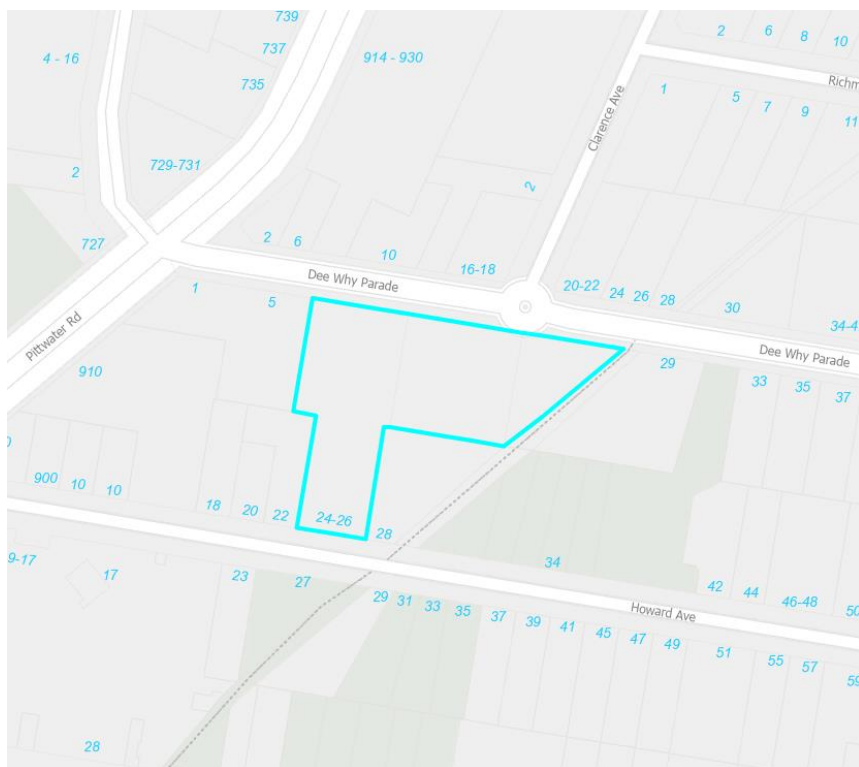


Figure 1 – Location of the site within its wider context (source: Northern Beaches Council Mapping)



Figure 2 - Alignment, orientation, and spatial layout of the subject site (source: Northern Beaches Council)



Figure 3 – Howard Avenue streetscape



Figure 4 – Howard Avenue pedestrian entry



Figure 5 - Howard Avenue streetscape



Figure 6 - Dee Why Parade frontage - loading dock



Figure 7 - Dee Why Parade pedestrian entry (ramp and stairs)

3 Environmental Assessment

3.1 Section 4.15 of the Environmental Planning & Assessment Act, 1979

The following section of the report assesses the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 (the Act).

Under the provisions of the Act, the key applicable planning considerations, relevant to the assessment of the application are:

- Warringah Local Environmental Plan 2011
- State Environmental Planning Policies – as relevant
- Warringah Development Control Plan

The application of the above plans and policies is discussed in the following section of this report.

The application has been assessed against the relevant heads of consideration under Section 4.15 of the Act. A summary of these matters is provided within Section 6 of this report, and the town planning justifications are discussed below.

4 Section 4.15 (1)(i) the provisions of any environmental planning instrument

4.1 Warringah Local Environmental Plan 2011

4.1.1 Zoning

The property is zoned MU1 Mixed Use under the Warringah Local Environmental Plan 2011 (LEP) as is most of the surrounding land.

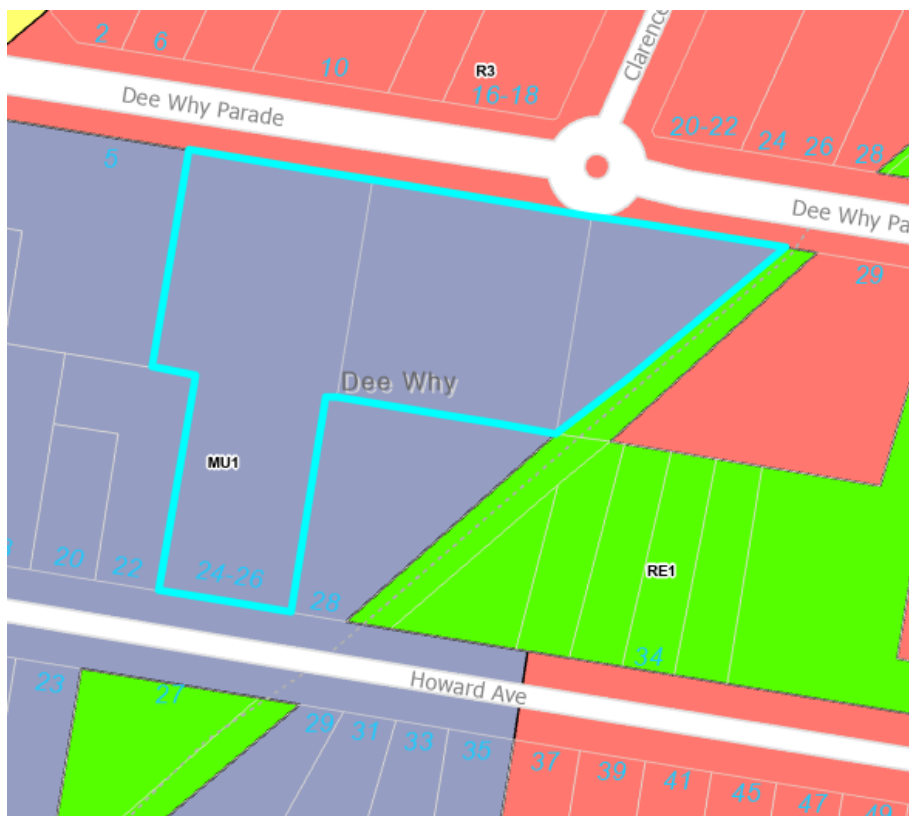


Figure 8 – zone excerpt (source: Northern Beaches Council)

The proposal constitutes alterations to the existing development. The proposal is permitted with Development Consent.

Clause 2.3(2) of the LEP requires the consent authority to 'have regard to the objectives for development in a zone' in relation to the proposal. The objectives of the zone are stated as follows:

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 supports the viability of the buildings.

To provide an active day and evening economy encouraging, where appropriate, weekend and night-time economy functions.

It is assessed that the proposed development is consistent with the zone objectives as it will:

- positively contribute to a diverse and active street frontage to Howard Avenue by improving the existing amenity and facilitating pedestrian movement to and through the site
- not generate conflict between land uses
- enhance the existing development's presentation to both adjoining streets and public spaces
- be compatible with the surrounding development.

Accordingly, the proposal has had sufficient regard to the zone objectives and there is no statutory impediment to the granting of consent.

4.1.2 Other relevant provisions of the LEP

Other provisions of the LEP that are relevant to the assessment of the proposal are noted and responded to as follows:

LEP Provision	Response	Complies
Part 4 of LEP – Principal Development Standards		
LEP Clause 4.1 Minimum subdivision lot size	NA	NA
LEP Clause 4.3 – Height of Buildings, 24-27m	The proposal involves a reduction in building height through removal of the existing steel and tensile structure fronting Howard Avenue.	Yes
LEP Clause 4.4 – Floor space ratio 3 to 1 and 4.1 to 1	No additional gross floor area is proposed.	Yes
LEP Clause 4.6 – Exceptions to development standards	NA	NA
Part 5 of LEP – Miscellaneous Provisions		
LEP Clause 5.4 Controls relating to miscellaneous permissible uses	NA	NA
LEP Clause 5.10 Heritage Conservation	The property is not identified as having heritage significance under the LEP.	NA

LEP Provision	Response	Complies
LEP Clause 5.21 Flood planning	<p>Council's maps identify the site as being flood effected.</p> <p>The proposal is accompanied by a flood risk management plan that supports the proposed development subject to 'ongoing management protocols for the site to manage the flood risks'. Its states:</p> <p><i>'The report contains procedural information to ensure the safety of occupants during flood events and also to ensure the satisfactory performance of any new building elements.</i></p> <p><i>The recommendations and strategies within this report ensure compliance with Northern Beaches Council's Warringah DCP 2011 Section E11 Flood Prone Land'.</i></p> <p>In response to clause 5.21(2), the assessment report confirms that the consent authority may be satisfied that the proposed development:</p> <ul style="list-style-type: none"> ▪ is compatible with the flood hazard of the land, and ▪ the alterations proposed are unlikely to significantly adversely affect flood behaviour or result in detrimental increases in the potential flood affectation of other development or properties. ▪ The proposal will not inappropriately affect the safe occupation or efficient evacuation of people in the event of a flood. Noting the above, the proposal incorporates appropriate measures to manage risk to life in the event of a flood. ▪ The proposal is appropriately setback from riparian land water courses. The alterations proposed will not significantly adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or a reduction in the stability of river banks or watercourses. ▪ The design has appropriately responded to the flood planning levels. ▪ The proposal can incorporate appropriate measures to manage risk to life from flood (see below) as confirmed by the accompanying flood risk management plan. ▪ The alterations proposed are not likely to result in unsustainable social and economic costs to the community because of flooding. 	Yes

LEP Provision	Response	Complies
	<p>The provisions of the clause are assessed as being satisfied by the proposal.</p> <p>The siting and design of the proposed development has considered the matters within clause 5.21(2) and (3) of the LEP and results in appropriate outcomes against these criteria.</p> <p>The accompanying flood risk management plan recommends various actions in the event of flooding. Compliance with the flood management plan may reasonably form a condition of consent for the ongoing operation of the development.</p> <p>Based on the above the proposed development satisfies the considerations within clause 6.3 and the site is suitable for the development proposed.</p>	
Part 6 of LEP – Additional Local Provisions		
LEP Clause 6.1 Acid sulfate soils	<p>The site is identified as being within a Class 5 area on the LEP acid sulfate soils maps and within approx. 500m of land classed 1, 2 and 3.</p> <p>The land / property is at approx. RL9 which is above RL 5 AHD. No significant earthworks are proposed below the established surface levels. Pursuant to 6.1(6) the proposed development involves minimal disturbance of soils below ground level which are therefore unlikely to lower the water table</p> <p>Based on the above the proposed development satisfies the considerations within clause 6.1 and the site is suitable for the development proposed.</p>	Yes
LEP Clause 6.2 Earthworks	No significant earthworks are proposed below existing site levels and the considerations within clause 6.2 are satisfied.	Yes
LEP Clause 6.4 Development on sloping land	The site is identified as being within Area A on the LEP landslip risk maps. Such land does not trigger the need for a geotechnical assessment of slope stability.	Yes
Part 7 of LEP - Dee Why Town Centre		
LEP Clause 7.1 Definitions	The subject site is not within land shown a Key Site.	Noted
LEP Clause 7.2 Land to which this Part applies -check	Applies to all land within the Dee Why MU1 zone. Part 7 is therefore applicable to the subject site.	Yes
LEP Clause 7.3 Objectives for development within Dee Why Town Centre	Pursuant to section 4.53(5) of the Act, the development on the site benefits from an enforceable development consent. In this regard 4.53(5) states:	Yes

LEP Provision	Response	Complies
	<p><i>'Development consent for development other than that referred to in subsection (4) does not lapse if the use of any land, building or work the subject of that consent is actually commenced before the date on which the consent would otherwise lapse'.</i></p> <p>The assessment of the contemporary planning controls only relates to those aspects proposed to be changed, altered or extended by the subject DA.</p> <p>The proposed development satisfies the provisions of cl 7.3, 7.4 and 7.5 noting the development on the site is long established as a shopping complex. It is sought to modernise it and update various elements to enhance its appearance, appeal and function. Investment is underway (via previous CDC and this DA) to improve the function and amenity through mainly cosmetic improvements. No intensification of the established land use is proposed.</p>	
LEP Clause 7.4 Development must be consistent with objectives for development and design excellence	The proposed development satisfies these provisions noting; the proposal is assessed as being consistent with the Desired Character for the Dee Why Town Centre because it will renew the existing commercial development on the land in a manner that is compatible with the zoning and planning controls.	Yes
LEP Clause 7.5 Design excellence within Dee Why Town Centre	<p>The Dee Why Plaza shopping complex is established on the subject site.</p> <p>The proposed development involves modest improvements which are mainly cosmetic to enhance its appearance, appeal and function. The proposal satisfies these provisions.</p>	Yes
LEP Clause 7.6 Height of buildings	Not applicable to the proposal.	NA
LEP Clause 7.6A Podium heights Land fronting Pittwater Road – is to achieve a consistent street frontage and create a less dominant built form along the streetscape; variation in building design is also encouraged.	Not applicable to the proposal.	NA
LEP Clause 7.7 Site A Oaks Avenue above podium elements	Not applicable to the proposal.	NA
LEP Clause 7.8 Site B Oaks Avenue above podium elements	Not applicable to the proposal.	NA
LEP Clause 7.9 Site A Proposed New Road above podium elements	Not applicable to the proposal.	NA

SECTION 4.15 (1)(I) THE PROVISIONS OF ANY ENVIRONMENTAL PLANNING INSTRUMENT

LEP Provision	Response	Complies
LEP Clause 7.10 Allowance for external ancillary plant and roof access	Not applicable to the proposal.	NA
LEP Clause 7.11 Town Square and pedestrian connections	Not applicable to the proposal.	NA
LEP Clause 7.12 Provisions promoting retail activity	Not applicable to the proposal.	NA
LEP Clause 7.13 Mobility, traffic management and parking	Not applicable to the proposal.	NA
LEP Clause 7.14 Community infrastructure floor space in Dee Why Town Centre	The subject site is within the land shown as Key Site E. However, the site does not seek to gain the additional building height or FSR offered by the LEP's Key Site provisions.	Yes

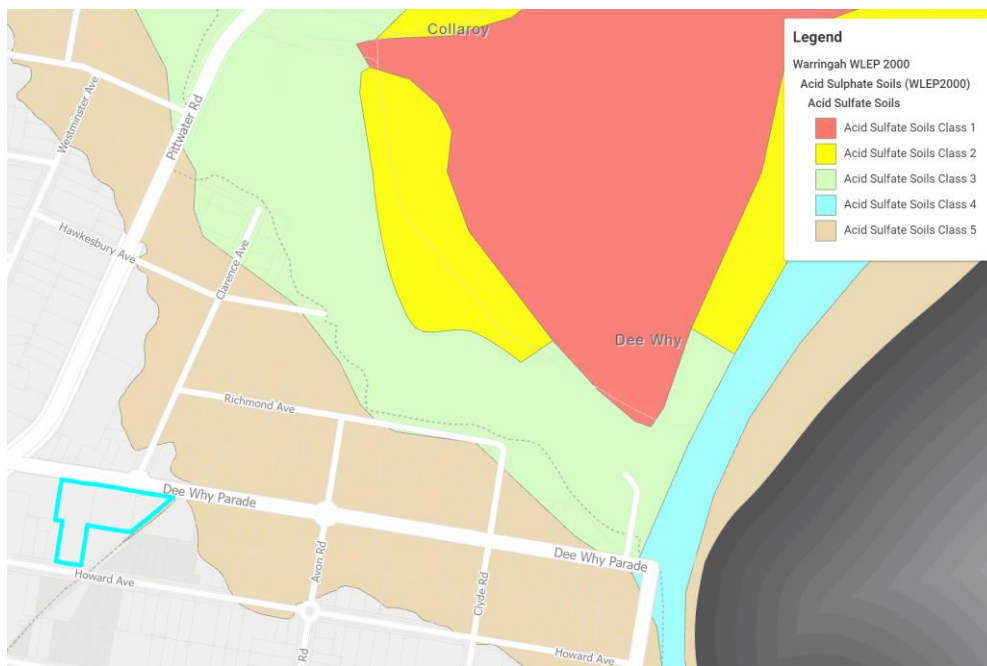


Figure 9 – LEP acid sulfate soils map excerpt (source: Northern Beaches Council)



Figure 10 – LEP flood map excerpt (source: Northern Beaches Council)

4.2 State Environmental Planning Policies

4.2.1 State Environmental Planning Policy - BASIX

The proposed development is not prescribed BASIX affected development. Not applicable to the DA.

4.2.2 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The following aspect of State Environmental Planning Policy (Biodiversity and Conservation) 2021 is applicable to the land and the proposed development:

- Chapter 2 - Vegetation in Non-Rural Areas

This matter is addressed below.

Chapter 2 - Vegetation in Non-Rural Areas

Vegetation is prescribed under Part E1 of the Warringah DCP for the purposes of the SEPP. No tree removal is proposed by the application and the provisions of this policy are satisfied by the proposal.

4.2.3 State Environmental Planning Policy (Resilience and Hazards) 2021

The following aspect of State Environmental Planning Policy (Resilience and Hazards) 2021 - is applicable to the land and the proposed development:

- Chapter 4 - Remediation of Land

This matter is addressed below.

Chapter 4 - Remediation of Land

Chapter 4 - Remediation of Land applies to all land and aims to provide for a State-wide planning approach to the remediation of contaminated land. Council is required to consider whether land is contaminated prior to granting consent to carrying out of any development on that land. In this regard, the likelihood of encountering contaminated soils on the subject site is low given the following:

- Council's records indicate that site has only been used for residential uses.
- The subject site and surrounding land are not currently zoned to allow for any uses or activities listed in Table 1 of the contaminated land planning guidelines.
- The subject site does not constitute land declared to be an investigation area by a declaration of force under Division 2 of Part 3 of the Contaminated Land Management Act 1997.

Given the above factors no further investigation of land contamination is warranted. The site is suitable in its present state for the proposed residential development. Therefore, pursuant to the provisions of the SEPP, Council can consent to the carrying out of development on the land.

4.2.4 State Environmental Planning Policy (Industry and Employment) 2021

The following aspect of State Environmental Planning Policy (Industry and Employment) 2021 is applicable to the land and the proposed development:

- Chapter 3 - Advertising and signage

This matter is addressed below.

Chapter 3 - Advertising and signage

Chapter 3 - Advertising and signage applies to all signage, and any structure that is used for the display of signage that is permitted under another environmental planning instrument.

Modification of the existing building facade signage and the addition of some new signage is proposed as part of the application, as shown on the accompanying architectural and signage plans.

Key aspects of the proposed signage are noted as follows and summarised in figures below:

Howard Avenue

Building façade signage to Howard Avenue frontage (figure 12 below) –

- Business identification –
 - ‘Coles’ sign: height 1.6m, width 3.654m, approximately 5.4m above ground.
 - ‘Chemist Warehouse’ sign: height 1.6m, width 3.2m, approximately 5.4m above ground.Total area 10.97m²
- Building identification – to fascia, height 0.973m, width 3.704m

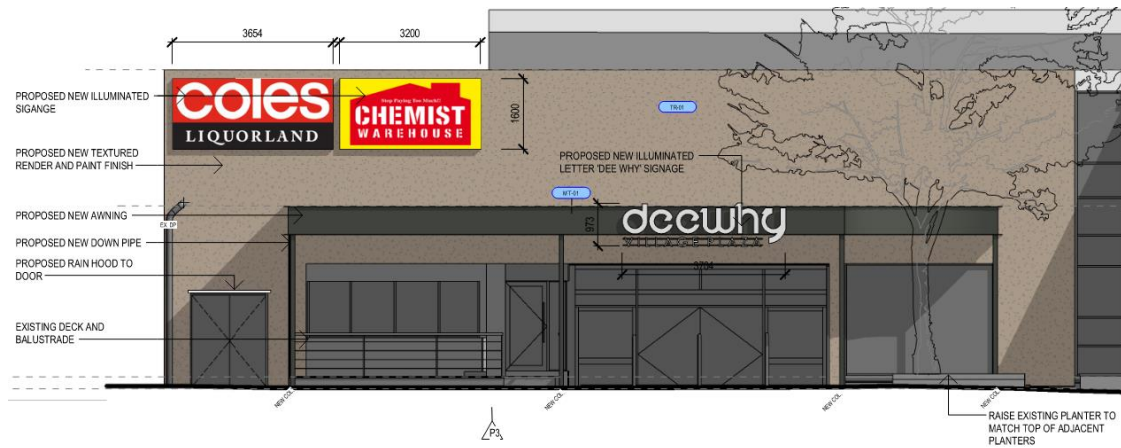
Dee Why Parade

Building façade signage to Dee Why Parade frontage (figure 14 below) –

- Business identification –
 - ‘Coles’ sign: height 1.6m, width 3.654m, approximately 5.6m above ground.
 - ‘Chemist Warehouse’ sign: height 0.6m, width 3.654m, approximately 4.9m above ground.Total area 8.04m²
- Building identification - height 0.973m, width 3.944m, approximately 6.1m above ground.
-



Figure 11 – proposed building signage Howard Avenue

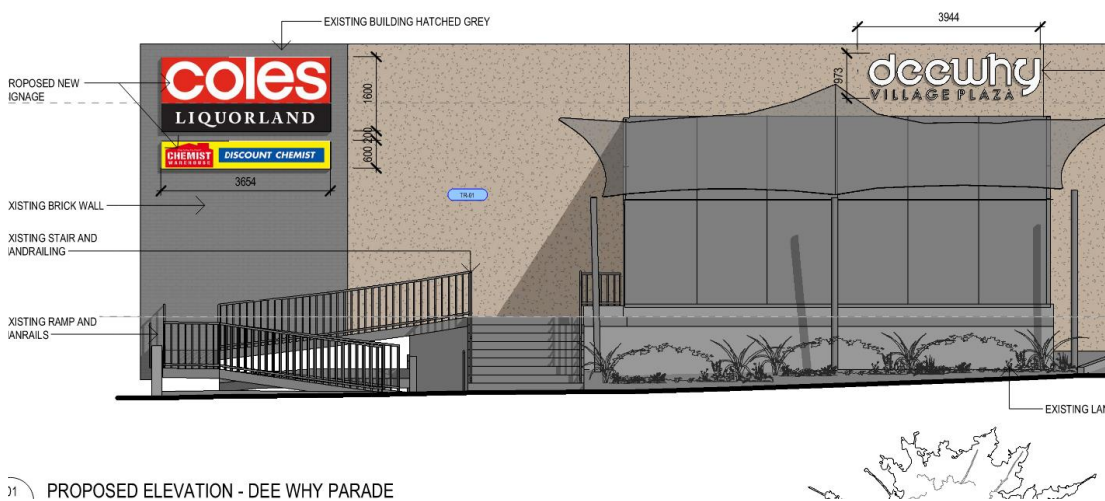


02 PROPOSED ELEVATION - HOWARD AVENUE

Figure 12 – proposed building signage Howard Avenue



Figure 13 – existing building signage Dee Why Parade



PROPOSED ELEVATION - DEE WHY PARADE

Figure 14 – proposed building signage Dee Why Parade

Assessment

Clauses 3.6 and 3.11 of the SEPP require Council to determine consistency with the objectives stipulated under Clause 3(1)(a) of the SEPP and to assess the proposal against the assessment criteria of Schedule 5. Section 3.11 states:

Matters for consideration

(1) A consent authority (other than in a case to which subsection (2) applies) must not grant consent to an application to display an advertisement to which this Chapter applies unless the advertisement or the advertising structure, as the case requires—

(a) is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and

(b) has been assessed by the consent authority in accordance with the assessment criteria in Schedule 5 and the consent authority is satisfied that the proposal is acceptable in terms of its impacts, and

(c) satisfies any other relevant requirements of this Chapter.

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 under Schedule 5 of the SEPP, the following assessment is provided.

SCHEDULE 1	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 existing character of the site and its context is distinguished by its setting. The proposal is assessed to be compatible with this character and the land's functions.	✓
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is appropriate to fit into the sites streetscape without leading to adverse visual impacts on the desired future character of the area.	
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 signage is integrated into the architectural design of the building. It will not dominate or compromise the integrity of these components. The facade treatments employ appropriate materials and finishes to complement the quality of the streetscape and relate positively to adjoining buildings. In these ways, the proposal will have a positive impact on the built form quality of the streetscape within the local context. It is assessed that the proposal will result in a negligible adverse change to the amenity and visual quality of surrounding land.	✓
3. Views and vistas		
Does the proposal obscure or compromise important views?	The proposed signage will not result in any significant or lasting impacts on views and vistas from surrounding land.	✓

SCHEDULE 1	COMMENT	COMPLIANCE
<p>Does the proposal dominate the skyline and reduce the quality of vistas?</p> <p>Does the proposal respect the viewing rights of other advertisers?</p>	<p>The proposed signage will not dominate the skyline and reduce the quality of vistas</p> <p>Due to its nature, scale and flush wall position, the proposal does not impact on the rights of other advertisers.</p>	
4. Streetscape, Setting or Landscape		
<p>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</p> <p>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</p> <p>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</p> <p>Does the proposal screen unsightliness?</p> <p>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</p> <p>Does the proposal require ongoing vegetation management?</p>	<p>The proposal involves advertising signage that will be modest in scale and contextually appropriate to the frontages of the building.</p> <p>The scale, proportion and form of the signage is appropriate for the building frontage within which they will be located.</p> <p>The advertising would enhance the visual interest of the property through the presentation of an appropriately scaled lettering and logo signage and contextually appropriate to the setting and land use.</p> <p>The proposal does not result in any significant or unreasonable visual clutter.</p> <p>The proposal will provide appropriate business identification signage.</p> <p>The proposed signage will not protrude above buildings, structures or tree canopies.</p> <p>The proposal does not require ongoing vegetation management.</p> <p>Accordingly, the proposal results in an enhancement to the setting and streetscape quality of the site and its context.</p>	✓
5. Site and Building		
<p>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>Does the proposal respect important features of the site or building, or both?</p>	<p>The proposal is compatible with the scale and proportion of the building front and its intended function for business identification.</p> <p>The proposed signage respects the features and context of the site; it is appropriate for the property and will make a positive contribution to the property's street presentation.</p>	✓

SCHEDULE 1	COMMENT	COMPLIANCE
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposal is appropriately distanced from any sensitive land uses, buildings and landscape features and is an appropriate development for the location.	
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?	Not applicable.	✓
7. Illumination		
<p>Would illumination result in unacceptable glare?</p> <p>Would illumination affect safety for pedestrians, vehicles or aircraft?</p> <p>Would illumination detract from the amenity of any residence or other form of accommodation?</p> <p>Can the intensity of the illumination be adjusted, if necessary?</p> <p>Is the illumination subject to a curfew?</p>	<p>No</p> <p>No</p> <p>No. The proportionate scale of the illuminated signage and its location will ensure that appropriate amenity levels are maintained.</p> <p>Yes</p> <p>Not assessed as warranted given the modest nature; extent, location, context of the signage</p>	✓
8. Safety		
<p>Would the proposal reduce the safety for any public road?</p> <p>Would the proposal reduce the safety?</p> <p>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</p>	<p>The proposal would not reduce the safety for any public road for motorists, pedestrians, or cyclists.</p> <p>A Roads and Traffic safety report is not necessary in this instance due to the fact the signs are static panels and the content does not imitate traffic signs or signals (e.g Stop Signs).</p> <p>The proposal presents no safety risks to users of the access networks that adjoin the site.</p>	✓

Conclusion

Based on the above assessment we have formed the considered opinion the proposed signage is consistent with the range of statutory planning considerations including the objectives of the SEPP, and the detailed assessment criteria in Schedule 5 of the SEPP. Based on these findings the proposed signage is worthy of approval.

4.3 Building and access – design compliance

The application is accompanied and is supported by an assessment of the design against the key provisions of the Building Code of Australia by DC Partnership consultants. The report assesses the design compliance of the proposed building identifying matters for further consideration at detailed design and construction certificate stage.

The report concludes that, subject to further detailed assessment at construction certificate stage, the building will be suitable for its proposed purpose and capable of meeting the BCA's deemed to satisfy requirements.

5 Development Control Plan

5.1 Overview

In response to Section 4.15(1)(iii) of the Act, the Warringah Development Control Plan (DCP) is applicable to the property. Relevant provisions of the DCP are addressed below.

5.2 Part G1 Dee Why Town Centre

Pursuant to section 4.53(5) of the Act, the development on the site benefits from an enforceable development consent. In this regard 4.53(5) states:

‘Development consent for development other than that referred to in subsection (4) does not lapse if the use of any land, building or work the subject of that consent is actually commenced before the date on which the consent would otherwise lapse’.

The assessment of the contemporary planning controls only relates to those aspects proposed to be changed, altered or extended by the subject DA. Many controls within Part G1 of the DCP are not applicable to the proposed development.

Control	Response	Compliance
Part G1 Dee Why Town Centre		
G3 Desired Character for the Dee Why Town Centre	<p>The DCP states: <i>“Dee Why will be home to a thriving cosmopolitan community who cherish their past, celebrate its unique and engaging vibe and embrace its bold commitment to urban sustainability. It will be a place of both energy and refuge, a city at the beach, with a distinctive modern urban identity.”</i></p> <p>The proposal is assessed as being consistent with the Desired Character for the Dee Why Town Centre because it will renew the existing commercial development on the land in a manner that is anticipated by the zoning and planning controls.</p>	Yes
G4 Streetscape and Public Domain	<p>General</p> <p>Existing trees within the Howards Avenue frontage are maintained.</p>	Yes
	<p>Pedestrian Connections</p> <p>No changes are proposed for the existing pedestrian connections through the site.</p>	NA

Control	Response	Compliance
	<p>Kerb setbacks</p> <p>No changes are proposed to the existing building's setbacks</p> <p>Awnings</p> <p>The proposal maintains a pedestrian awning to Howard Avenue that is compatible with the existing façade.</p> <p>Retail Activation</p> <p>No change proposed.</p>	<p>NA</p> <p>Yes</p> <p>NA</p>
<p>G5 Design and Architectural Diversity</p>	<p>Architectural Design</p> <p>The shopping complex is established. It is sought to modernise it and update various elements to enhance its presentation.</p> <p>External changes are proposed in the form of building signage, removal of the existing steel and tensile structure fronting Howard Avenue, changes to the Howard Avenue pedestrian entry awning, changes to planters, rendering, painting.</p> <p>These mainly cosmetic improvements will enhance the presentation of the building as it presents to the adjoining streets and the amenity of the entry points for patrons to the shopping complex.</p> <p>No intensification of the established land use is proposed.</p> <p>Housing</p> <p>Tower Setbacks</p>	<p>Yes</p> <p>NA</p> <p>NA</p>
<p>G6 Site amalgamation</p>	<p>Not applicable to the proposal.</p>	<p>NA</p>
<p>G7 Traffic and Parking</p>	<p>Existing development. No changes are proposed that would generate application of this control.</p>	<p>NA</p>
<p>G8 Car Share</p>	<p>Existing development. No changes are proposed that would generate application of this control.</p>	<p>NA</p>

Control	Response	Compliance
G9 Sustainability <i>To ensure substantial new developments incorporate best practice sustainability.</i>	Existing development. No changes are proposed that would generate application of this control.	NA
G10 Water Sensitive Urban Design (WSUD)	Existing development. No changes are proposed that would generate application of this control.	NA
G2 11 Landscaping	Existing development. No changes are proposed that would generate application of this control.	NA
G12 Key Sites	Not applicable to the site / proposal.	NA
G13 Civic Centre Site	Not applicable to the proposal.	NA
G14 Residential Flat Buildings	Not applicable to the proposal.	NA

5.3 DCP Compliance Assessment Parts C & D

Clause	Compliance with Requirement	Consistent with aims and objectives
Part C - Siting Factors		
C1 Subdivision	NA	NA
C2 Traffic, Access and Safety No changes to car parking are proposed.	NA	NA
C3 Parking Facilities The shopping complex is long established on the site. No intensification of the established land use is proposed.	NA	NA
C3(A) Bicycle Parking and End of Trip Facilities	NA	NA

Clause	Compliance with Requirement	Consistent with aims and objectives
Existing development. No changes are proposed that would generate application of this control.		
<p>C4 Stormwater</p> <p>A stormwater management plan supports the proposal, and these details accompany the Development Application. The proposal is assessed as satisfactory in addressing the stormwater drainage considerations of the DCP.</p>	Yes	Yes
C5 Erosion and Sedimentation	Yes	Yes
C6 Building over or adjacent to constructed Council drainage easements	Yes	Yes
C7 Excavation and landfill	Yes	Yes
C8 Demolition and Construction	Yes	Yes
<p>C9 Waste Management</p> <p>Waste management is provided for by the proposed development as shown on the architectural plans.</p> <p>Existing development 'Not Applicable'</p>	Yes	Yes
Part D - Design		
D1 Landscaped open space and bushland setting	NA	NA
D2 Private Open Space	NA	NA
<p>D3 Noise</p> <p>The shopping complex is long established on the site. No intensification of the established land use is proposed.</p> <p>Based on the above, the proposal is assessed as satisfactory in addressing potential acoustic impact considerations.</p>	Yes	Yes
D4 Electromagnetic radiation	NA	NA
D5 Orientation and energy efficiency	Yes	Yes
<p>D6 Access to Sunlight</p> <p>Existing development. No changes are proposed that would generate application of this control.</p>	Yes	Yes
D7 Views -	Yes	Yes

Clause	Compliance with Requirement	Consistent with aims and objectives
It is assessed that the proposal is unlikely to significantly or unreasonably impede on any significant established views from surrounding residential properties or public vantage points.		
D8 Privacy – Existing development. No changes are proposed that would generate application of this control.	NA	NA
D9 Building Bulk The shopping complex is long established. It is sought to modernise it and update various elements to enhance its appeal and function. The DA seeks to improve the amenity of the development through mainly cosmetic improvements. The proposal involves a reduction in building height through removal of the existing steel and tensile structure fronting Howard Avenue. No additional gross floor area is proposed.	Yes	Yes
D10 Building Colours and Materials The proposal will renew and improve the site's existing built form quality. The proposal will employ appropriate materials and finishes to achieve an appropriate streetscape presence and blend with the site's existing setting (figure 20 below).	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D13 Front fences and front walls	NA	NA
D14 Site facilities	Yes	Yes
D15 Side and rear fences	NA	NA
D16 Swimming Pools and Spa Pools	NA	NA
D17 Tennis courts	NA	NA
D18 Accessibility The application is accompanied and is supported by an assessment of the design against the key access provisions of the Building Code and other relevant	Yes	Yes

Clause	Compliance with Requirement	Consistent with aims and objectives
legislation. The report finds that the proposal is capable of satisfying access requirements subject to further detailed design and documentation at the Construction Certificate stage. In conclusion, the relevant accessibility considerations are appropriately addressed and satisfied by the proposal.		
D19 Site consolidation in the R3 and IN1 zone	NA	NA
D20 Safety and security	Yes	Yes
D21 Provision and location of utility services	Yes	Yes
D22 Conservation of Energy and Water	Yes	Yes
D23 Signs – addressed below	Yes	Yes

5.3.1 Part D23 - Signs

As previously addressed within Section 4.2.4 of this report, 6 new signs are proposed as part of the application, as shown on the accompanying architectural plans. The proposed signage includes building and business identification signage (letting, images and business branding).

The proposal appropriately responds to the relevant provisions of Control D23 - signs. The objectives of Control D23 are

- *To encourage well designed and suitably located signs that allow for the identification of a land use, business or activity to which the sign relates.*
- *To achieve well designed and coordinated signage that uses high quality materials.*
- *To ensure that signs do not result in an adverse visual impact on the streetscape or the surrounding locality.*
- *To ensure the provision of signs does not adversely impact on the amenity of residential properties.*
- *To protect open space areas and heritage items or conservation areas from the adverse impacts of inappropriate signage.*

Response

The following aspects of the proposal are noted in response to the DCP provisions.

- The extent of signage is modest and appropriate relative to the extent of the building's façade frontages to the adjacent streets.
- The proposed signage is for business and building identification.

- The proposed business identification signage is sited in a similar location to the existing business identification signage.
- The proposed signage is sited and designed to not adversely impact on the amenity of the streetscape and the surrounding locality.
- The proposed signage will not dominate or obscure other signs or result in visual clutter.
- The proposed signage will not be capable of being confused with, or reduce the effectiveness of, traffic control devices.
- The proposed signage will not emit excessive glare or cause excessive reflection.
- The proposed signage will not obscure or compromise important views.

Based on the above, the nature, scale, and extent of signage satisfies the DCP's objectives and requirements.

5.4 DCP Compliance Assessment Part E 'The Natural Environment'

Clause	Compliance with Requirement	Consistent with aims and objectives
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	NA	NA
E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat	NA	NA
E4 Wildlife Corridors	Yes	Yes
E5 Native Vegetation	Yes	Yes
E6 Retaining unique environmental features	NA	NA
E7 Development on land adjoining public open space	NA	NA
E8 Waterways and Riparian Lands	Yes	Yes
E9 Coastline Hazard	NA	NA
E10 Landslip Risk	NA	NA
E11 Flood Prone Land The proposal is accompanied by a flood risk management plan that supports the proposed development subject to 'ongoing management protocols for the site to manage the flood risks'. It states: <i>'The report contains procedural information to ensure the safety of occupants during flood events'</i>	Yes	Yes

<p><i>and also to ensure the satisfactory performance of any new building elements.</i></p> <p><i>The recommendations and strategies within this report ensure compliance with Northern Beaches Council's Warringah DCP 2011 Section E11 Flood Prone Land'.</i></p>		
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6 Section 4.15 the Environmental Planning and Assessment Act 1979 – Summary

The proposal has been assessed having regard to the matters for consideration pursuant to S.4.15 of the Act and to that extent Council can be satisfied of the following:

- There will be no significant or unreasonable adverse built environment impacts arising from the proposed physical works on the site.

- The site is appropriate for accommodating the proposed development. The proposal has sufficiently addressed environmental considerations. There will be no significant or unreasonable adverse environmental Impacts arising from the proposal.

- The proposal will result in positive social and economic impacts, noting:
 - Employment during the construction phase of the works;
 - Economic benefits, arising from the investment in improvements to the land;
 - Social (and environmental) benefits arising from the investment, improvement and enhanced experience for the users of the facility.

- The proposal is permissible and consistent with the objectives of the zone, pursuant to the LEP. The proposal satisfies the relevant provisions of Council’s DCP.

- It is compatible with the current and likely future character of development within the local context.

- It will not result in any significant unacceptable offsite impacts that limit the use or enjoyment of nearby or adjoining land.

- The proposal will have an acceptable impact when considering key amenity issues such as visual impact, views, overshadowing, noise, and privacy.

- Given the site’s location and established function, the site is assessed as being entirely suitable for the proposed development.

- The public interest is best served through the approval of the application.

7 Conclusion

The development application seeks consent for alterations to the existing shopping centre development at 24–26 Howard Avenue, Dee Why.

The proposed development is permissible with consent and consistent with the planning controls as they are reasonably applied to the site, given the prevailing property circumstances.

This report demonstrates that the proposal is appropriately designed and configured to complement the property's established town centre character.

The proposed development will enhance the presentation of this long-established shopping centre development, as it presents to the adjoining streets, in a manner that is compatible with the desired character of the Dee Why Town Centre.

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 and should be granted development consent.

**Michael Haynes -
Director BBF Town Planners**