

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Application Number:	DA2021/2226
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Responsible Officer:	Lashta Haidari
Land to be developed (Address):	Lot 103 DP 1247294, 145 Old Pittwater Road BROOKVALE NSW 2100
Proposed Development:	Alterations and additions to Warringah Mall including four (4) new retail premises, reconfiguration of an existing loading dock and car park, landscaping works and signage
Zoning:	Warringah LEP2011 - Land zoned B3 Commercial Core Warringah LEP2011 - Land zoned IN1 General Industrial
Development Permissible:	Yes - Zone B3 Commercial Core Yes - Zone IN1 General Industrial
Existing Use Rights:	No
Consent Authority:	Northern Beaches Council
Land and Environment Court Action:	No
Owner:	AMP Warringah Mall Pty Ltd Scentre Management Ltd
Applicant:	David Brennan

Application Lodged:	30/11/2021
Integrated Development:	No
Designated Development:	No
State Reporting Category:	Commercial/Retail/Office
Notified:	06/12/2021 to 11/01/2022
Advertised:	Not Advertised
Submissions Received:	0
Clause 4.6 Variation:	Nil
Recommendation:	Approval

Estimated Cost of Works:	\$ 3,276,203.00
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PROPOSED DEVELOPMENT IN DETAIL

The application seeks consent for additions and alterations to the existing Warringah Mall Shopping Centre, referred as a "Stage 2B" works, comprises of works approved under a CDC and works proposed as part of this DA.

Specifically, the proposed development comprises the following:

Internal refurbishment and reconfiguration to part of the existing centre to enable the following:

- 4 new specialty retail tenants (outside the former Target tenancy)
- Upgraded pedestrian link along Little Street including new overhead canopy
- Upgrade to northern entry (Little Street) including new like for like signage

- Reconfiguration of loading dock M to service the new mini-major outlet.
- Signage zone for future retail tenant along the eastern elevation.
- Construction of cladding panel with external masonry paint finish on the roof top to screen the future plant equipment

Landscaping works including:

- Planter awning over new northern entry (Little Street)
- Landscaping proximate to the reconfigured loading dock.

The numerical changes are:

- **Gross Lettable Floor Area:** -214m²
- **Maximum Height:** no change
- **Minimum Setbacks:** No change to setback
- **Car Parking Spaces:** Loss of 3 car parking spaces

ASSESSMENT INTRODUCTION

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

- An assessment report and recommendation has been prepared (the subject of this report) taking into account all relevant provisions of the Environmental Planning and Assessment Act 1979, and the associated regulations;
- A site inspection was conducted and consideration has been given to the impacts of the development upon the subject site and adjoining, surrounding and nearby properties;
- Notification to adjoining and surrounding properties, advertisement (where required) and referral to relevant internal and external bodies in accordance with the Act, Regulations and relevant Development Control Plan;
- A review and consideration of all submissions made by the public and community interest groups in relation to the application;
- A review and consideration of all documentation provided with the application (up to the time of determination);
- A review and consideration of all referral comments provided by the relevant Council Officers, State Government Authorities/Agencies and Federal Government Authorities/Agencies on the proposal.

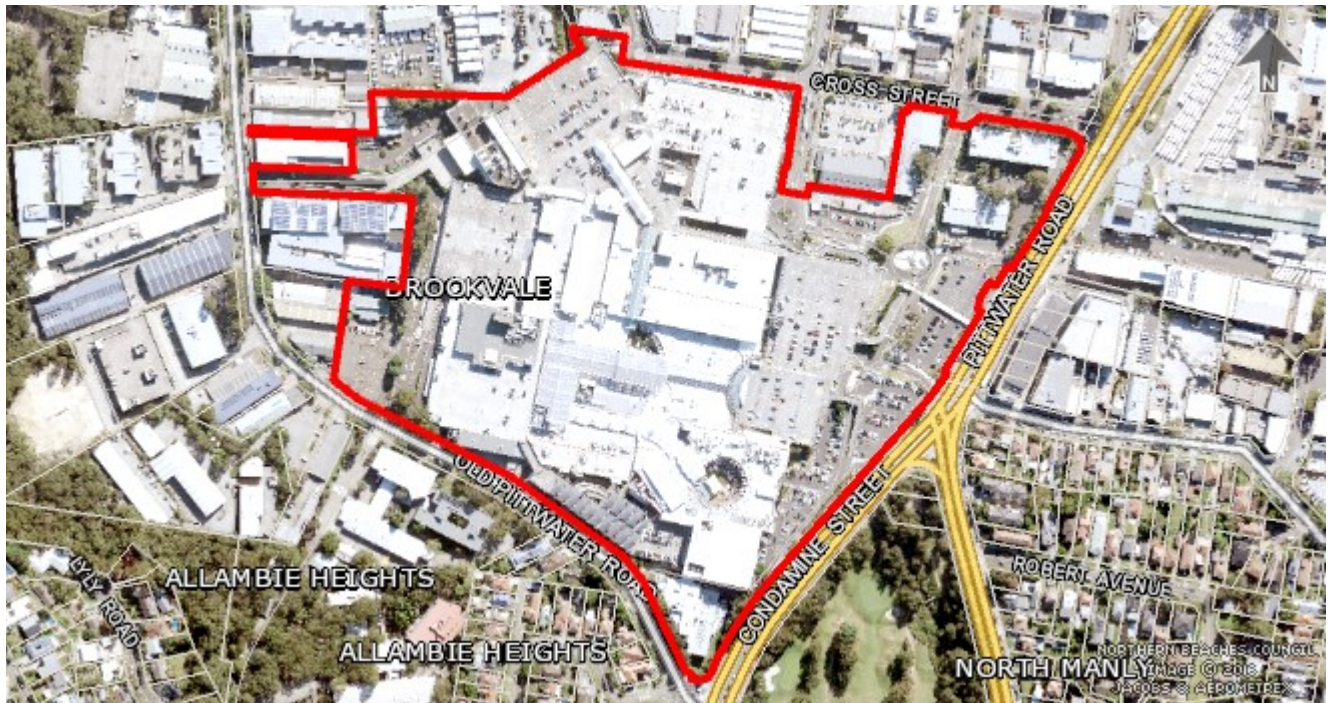
SUMMARY OF ASSESSMENT ISSUES

Warringah Development Control Plan - G4 Warringah Mall

SITE DESCRIPTION

Property Description:	Lot 103 DP 1247294 , 145 Old Pittwater Road BROOKVALE NSW 2100
Detailed Site Description:	<p>The site is described as Lot 100, DP 1015283, No. 145 Old Pittwater Road, Brookvale. The site is occupied by the Westfield Warringah Mall Shopping Centre which is commonly known as 'Warringah Mall'.</p> <p>The site has an area of 170,600m². It is bounded to the north by Cross Street, to the south by Old Pittwater Road and to the East by Condamine Street / Pittwater Road. The principal street frontage is to Condamine/Pittwater Road and secondary street frontages are to Old Pittwater Road and Cross Street.</p> <p>Warringah Mall now has a total floor area of approximately 133,500m² with 4,652 car parking spaces and includes an entertainment precinct incorporating a Hoyts Cinema Complex as well as fitness facilities and some other non-retail facilities.</p> <p>The site is extensively built upon with bituminised and concrete hard surface areas located around the perimeter of the buildings to facilitate car parking and traffic flow.</p> <p>Topographically, the site has a gradual natural slope that falls from the north-west to the south-east of the site.</p> <p>Vehicular access to the site is currently available at various locations along Pittwater Road, Old Pittwater Road, Green Street, Dale Street and Cross Streets.</p> <p>Surrounding land uses comprise a diverse mix of commercial, industrial, residential, recreational and education uses.</p>

Map:



SITE HISTORY

Warringah Mall Shopping Centre Development Control Plan

This DCP caters for the growth of the shopping centre by:

- providing for an increase of approximately 35,000m² GLFA by extending the building towards the eastern boundary;
- providing an associated increase in the number of car parking spaces;
- providing a new multi-level car park at the corner of Cross Street and Green Street;
- creating a new pedestrian entrance or 'arrival point' for the centre at the junction of Pittwater Road and Condamine Street;
- retaining and improving vehicular access to the centre; and
- providing landscaping zones along the street frontages of the site.

This DCP was submitted concurrently with the Stage 1 DA (DA2008/1741) and came into effect on 19 December 2009 and is provided within 'Part G4 Warringah Mall' of the Warringah Development Control Plan 2011 (WDCP 2011).

Development Application No. DA2008/1741 (Stage 1)

Development Application (DA2008/1741) was approved by Council on 16 May 2012. The consent provided for the construction of drainage works through the Warringah Mall site extending under Condamine Street and linking into the existing infrastructure located within the adjoining Warringah Golf Club site to the east. Specifically, the proposal included:

- Alterations to the existing head wall located within the site where Brookvale Creek intersects with the Mall ("the upstream interface");
- The construction of two 3.6m x 1.5m box culverts running underground through the shopping centre site;
- The construction of the box culverts under Condamine Street located immediately north of

existing works with the Warringah Golf Club site, to connect into the existing drainage infrastructure located in this area (“the downstream interface”);

- Removal of existing landscaping along the frontage to Cross Street.
- Minor demolition works to facilitate the construction of the stormwater drainage system; and
- Drainage works around the western side of the centre including new inlets and pipes.

The works that were approved as part of this DA have now been completed.

Development Application No. DA2008/1742

Development consent (DA2008/1742) was granted by Council on 24 April 2010 specifically for the construction of drainage works through the Warringah Mall site. The proposed drainage works include:

- Alterations to the existing head wall located within the site where Brookvale Creek intersects with the Mall.
- The construction of two 3.6m x 1.5m culverts running underground through the shopping centre site.
- The construction of culverts under Condamine Street and works within the Warringah Mall Golf Club site to connect into the existing drainage infrastructure located in this area.
- Removal of existing landscaping along the frontage to Cross Street
- Minor demolition works to facilitate the construction of the stormwater drainage system.
- Other drainage works around the western side of the centre including new inlets and pipes.

Since the approval, several modification applications have been approved by Council to address changes necessitated by design refinement.

All the works relating to DA2008/1742 have now been completed.

DA2018/1514 – Stage 2 Expansion

DA2018/1514 sought development consent for additions to Warringah Mall Shopping Centre including retail premises, food premises kiosks department stores and cinema complex with associated carparking and landscaping. Key elements of the proposal included:

- 9,847m² additional GLA (net increase), including demolition and additions to the existing facility to enable 15 speciality retail tenancies, 35 food premises, 3 kiosks, 10 mini majors, 1 major tenant and a new upper level cinema complex.
- Modification of existing grade and multi-deck car parking and associated vehicle access to create 418 additional car spaces.
- Associated public malls and amenities.

DA2018/1514 was approved on 10 December 2019. The works associated with with this DA have not commenced.

ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979 (EPAA)

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

Section 4.15 Matters for Consideration	Comments
Section 4.15 (1) (a)(i) – Provisions of any environmental planning instrument	See discussion on “Environmental Planning Instruments” in this report.
Section 4.15 (1) (a)(ii) – Provisions of any draft environmental planning instrument	Draft State Environmental Planning Policy (Remediation of Land) seeks to replace the existing SEPP No. 55 (Remediation of Land). Public consultation on the draft policy was completed on 13 April 2018. The subject site has been used for commercial purposes for an extended period of time. The proposed development retains the commercial use of the site, and is not considered a contamination risk.
Section 4.15 (1) (a)(iii) – Provisions of any development control plan	Warringah Development Control Plan applies to this proposal.
Section 4.15 (1) (a)(iiia) – Provisions of any planning agreement	None applicable.
Section 4.15 (1) (a)(iv) – Provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation 2000)	<p><u>Division 8A</u> of the EP&A Regulation 2000 requires the consent authority to consider "Prescribed conditions" of development consent. These matters have been addressed via a condition of consent.</p> <p><u>Clauses 54 and 109</u> of the EP&A Regulation 2000 allow Council to request additional information. Additional information was requested in relation to resolving the issues raised by Council' Traffic Engineer.</p> <p><u>Clause 92</u> of the EP&A Regulation 2000 requires the consent authority to consider AS 2601 - 1991: The Demolition of Structures. This matter has been addressed via a condition of consent.</p> <p><u>Clauses 93 and/or 94</u> of the EP&A Regulation 2000 requires the consent authority to consider the upgrading of a building (including fire safety upgrade of development). This matter has been addressed via a condition of consent.</p> <p><u>Clause 98</u> of the EP&A Regulation 2000 requires the consent authority to consider the provisions of the Building Code of Australia (BCA). This matter has been addressed via a condition of consent.</p>
Section 4.15 (1) (b) – the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality	<p>(i) Environmental Impact The environmental impacts of the proposed development on the natural and built environment are addressed under the Warringah Development Control Plan –G4 Warringah Mall Shopping Centre’ in this report and are found to be acceptable in relation to the proposed development</p> <p>(ii) Social Impact The proposed development will not have a detrimental social impact in the locality considering the character of the proposal.</p>

Section 4.15 Matters for Consideration	Comments
	<p>(iii) Economic Impact The proposed development will not have a detrimental economic impact on the locality considering the nature of the existing and proposed land use.</p>
Section 4.15 (1) (c) – the suitability of the site for the development	Warringah Development Control Plan –G4 Warringah Mall Shopping Centre’ in this report and are found to be acceptable in relation to the proposed development
Section 4.15 (1) (d) – any submissions made in accordance with the EPA Act or EPA Regs	See discussion on “Notification & Submissions Received” in this report.
Section 4.15 (1) (e) – the public interest	<p>The public interest test primarily concerns whether the proposal achieves the desired future character and other environmental planning outcomes applicable under the WLEP and WDCP.</p> <p>The application is considered to have satisfactorily addressed Council’s requirements and those of the relevant agencies and would provide a development outcome that, on balance, would result in a positive impact for the site and the locality, subject to the applicable conditions of consent.</p> <p>Accordingly, it is considered that the proposed development does not present any issues that are contrary to the public interest.</p>

EXISTING USE RIGHTS

Existing Use Rights are not applicable to this application.

BUSHFIRE PRONE LAND

The site is not classified as bush fire prone land.

NOTIFICATION & SUBMISSIONS RECEIVED

The subject development application has been publicly exhibited from 06/12/2021 to 11/01/2022 in accordance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000 and the Community Participation Plan.

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

REFERRALS

Internal Referral Body	Comments
Building Assessment - Fire and Disability upgrades	The proposed works involve a number of non-compliances with the deemed to satisfy provisions of the Building Code of Australia. However it is proposed to address these matters by "Performance Solutions". There are also non-compliances with the proposed

Internal Referral Body	Comments
	<p>concept plan which will also be addressed by "Performance Solutions".</p> <p>The fire engineering report is a general overview which will be further developed into a more detailed fire engineering assessment. There is no necessity to include numerous conditions with this response as the majority of the matters will be determined under a Performance Review with a fire engineered design at the Construction Certificate stage.</p> <p>The application has therefore been investigated with respect to aspects relevant to the Building Certification and Fire Safety Department. There are no objections to approval of the development.</p> <p>Note: The proposed development may not comply with some requirements of the BCA. Issues such as these however may be determined at Construction Certificate stage.</p>
Landscape Officer	<p>The development application is for part of the Stage 2 works involving internal and external refurbishment and reconfiguration to part of the existing centre to enable the following: four new specialty retail tenants; upgraded pedestrian link along Little Street including new overhead canopy; upgrade to northern entry (Little Street) including new like for like signage; reconfiguration of loading dock M to service the new mini-major outlet; signage zone for future retail tenant along the eastern elevation; construction of cladding panel with external masonry paint finish on the roof top to screen the future plant equipment; and landscape works at ground proximate to the reconfigured loading dock and on structure planter awning over the new northern entry (Little Street).</p> <p>The landscape works comprise screening with climbers situated along the northern façade to screen the loading dock, and car park planting of trees and understorey planting to break up the car park and provide visual interest to the street front.</p> <p>The Landscape Plans as submitted raise no concerns and conditions shall be imposed for the completion of the works as documented.</p>
NECC (Development Engineering)	<p>No objections to the proposed stage 2B alterations including re configuration of the loading dock . This area of Warringah mall is outside the areas that rely on flood mitigation devices including flood gates and walling. No objections and no conditions required.</p>
NECC (Riparian Lands and Creeks)	<p>This application has been assessed against relevant legislation and policy relating to waterways, riparian areas, and groundwater. No objection to the application.</p>
NECC (Stormwater and Floodplain Engineering – Flood risk)	<p>The proposed DA generally meets the flood controls in the LEP and DCP.</p>
Strategic and Place Planning	<p>The proposal is considered acceptable in terms of Council's Strategic Planning, in particular:</p>

Internal Referral Body	Comments
	<ul style="list-style-type: none"> <li data-bbox="555 320 1433 488">• The proposal is designed to respond to retail trends and the immediate requirements of existing and incoming tenants. The flexibility to make such adjustments supports the ongoing viability and vibrancy of Warringah Mall as a key component of Brookvale Strategic Centre. <li data-bbox="555 566 1433 768">• According to the Statement of Environmental Effects, the proposal slightly reduces the gross lettable area of development on the site and no changes are proposed to maximum building height, minimum building setback, or the arrangement of vehicular access to the site from Pittwater Road and Condamine Street. <li data-bbox="555 846 1433 1373">• The proposal is more akin to a reconfiguration of existing floor space and parking, than an expansion of the shopping centre. The proponent indicates that works have not commenced on the major redevelopment and additions envisaged under the Stage 2 DA approved in December 2019 owing to the COVID-19 pandemic and other factors, and that it intends to rethink its long term vision for the site. It will be important to require master planning for the whole site as part of any future application to modify the 2019 DA or any future DA for redevelopment or expansion of Warringah Mall. Council's key strategic planning document applicable to the site will be the Brookvale Structure Plan, once it is finalised and adopted. The draft Brookvale Structure Plan is currently under review and a revised draft is expected to be prepared for endorsement for public exhibition in 2022. <li data-bbox="555 1451 1433 1899">• There is currently no statutory building height limit applicable to the site (only site-specific height controls under Warringah Development Control Plan). However Council's recent LEP Review Discussion Paper flagged that owing to State Government-initiated changes to permit build-to-rent residential accommodation in the B3 Commercial Core zone, it will be necessary to adopt specific LEP building height controls for the Warringah Mall site. The Brookvale Structure Plan, once finalised will include recommendations for maximum building heights, amongst other things. It is anticipated that the Warringah DCP will be reviewed in conjunction with master planning for the site, and will be an important consideration as future development proposals arise. <li data-bbox="555 1977 1433 2112">• The proposal appears to improve the pedestrian experience into and through the site, in particular by straightening and enhancing the legibility, amenity and weather protection of the main pedestrian spine from the bus stop and pedestrian link to

Internal Referral Body	Comments					
	<p>Condamine Street through to the southern sector of the Mall.</p> <ul style="list-style-type: none"> The existing east-west pedestrian entry that is proposed to be removed is a minor corridor that is not significant in terms of the main desire lines, and its removal formed part of the previous Stage 2 DA approved in December 2019. It is assumed that the proposed removal of pedestrian ramps and stairs from the decked car parking will be adequately compensated for by provision of new stairs, travellator stacks and lifts for pedestrian access. These changes possibly fall under the CDC rather than the DA. The reconfigured loading dock will service the new tenancies. While it is not clear whether the new loading dock will be able to integrate with the Stage 2 development previously approved, it is understood that this next stage of major redevelopment/expansion is under review by the proponent. Any future development applications will necessarily be subject to master planning and assessed for consistency with any adopted Structure Plan and Development Control Plan. <p>Conclusion</p> <p>These comments are provided in relation to the strategic planning framework for Brookvale. The proposal is considered acceptable.</p>					
Strategic and Place Planning (Heritage Officer)	<table border="1"> <tr> <td data-bbox="518 1408 1439 1447">HERITAGE COMMENTS</td> </tr> <tr> <td data-bbox="518 1447 1439 1485">Discussion of reason for referral</td> </tr> <tr> <td data-bbox="518 1485 1439 1767"> <p>The proposal has been referred to Heritage as the subject site is within the vicinity of two heritage items</p> <p>11 Tramway Staff War Memorial - Pittwater Road (bus depot)</p> <p>16 Palm Trees and plaque - Corner Pittwater Road and Cross Street</p> </td> </tr> <tr> <td data-bbox="518 1767 1439 1805">Details of heritage items affected</td> </tr> <tr> <td data-bbox="518 1805 1439 2136"> <p>Details of the item as contained within the Warirngah inventory is as follows:</p> <p>Tramway Staff War Memorial</p> <p><u>Statement of Significance</u></p> <p>A representative example of simple monuments erected between the wars to commemorate those who had given service. Socially the monument is of significance demonstrating the sentiment of Tramways staff in commemorating the historical event which was</p> </td> </tr> </table>	HERITAGE COMMENTS	Discussion of reason for referral	<p>The proposal has been referred to Heritage as the subject site is within the vicinity of two heritage items</p> <p>11 Tramway Staff War Memorial - Pittwater Road (bus depot)</p> <p>16 Palm Trees and plaque - Corner Pittwater Road and Cross Street</p>	Details of heritage items affected	<p>Details of the item as contained within the Warirngah inventory is as follows:</p> <p>Tramway Staff War Memorial</p> <p><u>Statement of Significance</u></p> <p>A representative example of simple monuments erected between the wars to commemorate those who had given service. Socially the monument is of significance demonstrating the sentiment of Tramways staff in commemorating the historical event which was</p>
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Internal Referral Body	Comments																					
	<p>WW1.</p> <p><u>Physical Description</u> Monument in the form of a trachyte obelisk on a rusticated ashlar stone base. Obelisk is polished & engraved. Base steps up to obelisk. Set in concrete square within lawn area, in grounds of bus depot.</p> <p>Palm Trees and Plaque Statement of Significance A commemorative tree planting of social & historic significance surviving from the 1920's when the site was St Luke's Church.</p> <p><u>Physical Description</u> A group of 4 mature Canary Island Palms (<i>Phoenix canariensis</i>). A small plaque is mounted on a boulder beneath the trees.</p> <table border="1" data-bbox="520 913 1430 1491"> <thead> <tr> <th colspan="3" data-bbox="520 913 1430 947">Other relevant heritage listings</th> </tr> </thead> <tbody> <tr> <td data-bbox="520 947 852 1093">Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005</td> <td data-bbox="852 947 948 1093">No</td> <td data-bbox="948 947 1430 1093"></td> </tr> <tr> <td data-bbox="520 1093 852 1167">Australian Heritage Register</td> <td data-bbox="852 1093 948 1167">No</td> <td data-bbox="948 1093 1430 1167"></td> </tr> <tr> <td data-bbox="520 1167 852 1240">NSW State Heritage Register</td> <td data-bbox="852 1167 948 1240">No</td> <td data-bbox="948 1167 1430 1240"></td> </tr> <tr> <td data-bbox="520 1240 852 1314">National Trust of Aust (NSW) Register</td> <td data-bbox="852 1240 948 1314"></td> <td data-bbox="948 1240 1430 1314"></td> </tr> <tr> <td data-bbox="520 1314 852 1422">RAIA Register of 20th Century Buildings of Significance</td> <td data-bbox="852 1314 948 1422">No</td> <td data-bbox="948 1314 1430 1422"></td> </tr> <tr> <td data-bbox="520 1422 852 1491">Other</td> <td data-bbox="852 1422 948 1491">N/A</td> <td data-bbox="948 1422 1430 1491"></td> </tr> </tbody> </table> <p>Consideration of Application</p> <p>The proposal seeks consent for alterations and additions to the existing shopping centre known as Warringah Mall. The heritage items are located to the north and north east of the site across Pittwater Road and Cross Street. However the site of the proposed works are located over 200m away from the items across car parks and a number of other buildings. As such the proposal does not impact upon the heritage items or their significance</p> <p>Therefore Heritage raises no objections and requires no conditions.</p> <p>Consider against the provisions of CL5.10 of WLEP.</p> <p>Is a Conservation Management Plan (CMP) Required? No Has a CMP been provided? No Is a Heritage Impact Statement required? No Has a Heritage Impact Statement been provided? No</p> <p>Further Comments</p>	Other relevant heritage listings			Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	No		Australian Heritage Register	No		NSW State Heritage Register	No		National Trust of Aust (NSW) Register			RAIA Register of 20th Century Buildings of Significance	No		Other	N/A	
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Internal Referral Body	Comments
	<p>COMPLETED BY: Brendan Gavin, Principal Planner</p> <p>DATE: 30 November 2021</p>
Strategic and Place Planning (Urban Design)	<p>The development application seeks consent for primarily internal work; including the demolition of existing structures, and alterations & additions to the existing building for the purpose of implementing some changes as a part of an approved overall Stage 2 plan; DA2018/1514. The proposal includes four (4) new retail premises, reconfiguration of an existing loading dock and car park, landscaping works and signage.</p> <p>In viewing the proposed changes in the context of the Stage 2 DA, scheme 14F, Urban Design do not raise concerns.</p>
Traffic Engineer	<p>Revised comments 10/3/22</p> <p>the original traffic comments were in error with respect to the changes to level 1M as it was an able bodied parking space rather than a disabled parking space that was lost.</p> <p>amended plans for level 2 have been provided which now show that the two disabled places that were lost have now been relocated and sized and marked in compliance with AS2890.6 . three additional parking spaces have also been added to those originally proposed on level 2.</p> <p>Given the above there the proposal is now fully supportable from a traffic engineering perspective</p> <p>Original traffic comments 5/1/22:</p> <p>The development application is part of stage 2 of the Masterplan approval for the redevelopment of Warringah Mall. The work encompassed by this DA includes:</p> <ul style="list-style-type: none"> - conversion of 917sqm of GLFA currently utilised by specialty shops and 1547sqm of GLFA currently utilised by a major shop (target) to an additional 2,250 sqm GLFA allocated for retail use by Harris Farm Market, called a "mini-major" tenant by the applicant. - reconfigure the loading dock and parking area including making improvements to pedestrian circulation through the carpark <p>The changes will result in a nett decrease of retail space by 214sqm, and a loss of 3 carparking spaces.</p> <p>Traffic Generation:</p> <p>As the changes will result in a nett decrease in floor space of some</p>

Internal Referral Body	Comments
	<p>214sqm, traffic generation as a result of the changes is unlikely to increase and using the existing pm peak traffic generation rate from the centre of 3.7 trips per hour the applicant's traffic consultant estimates that this would equate to an reduction in the order of 8 trips per hour. The above is accepted and there are no concerns with the DA in terms of traffic generation</p> <p>Parking:</p> <p>The parking and loading dock changes on the ground floor result in no nett change to parking numbers with 18 spaces lost including 3 disabled parking spaces which were not compliant with the current standard. In their place 18 parking spaces including two compliant disabled parking spaces will be created.</p> <p>On level 1M one parking space has been removed to improve circulation and on level 2 two carparking spaces (both disabled spaces that are not compliant with current standards) are lost to facilitate creation of a proposed plant room. The loss of the three parking parking spaces on levels 1M & 2 is not opposed given the reduction in floor space and the presence of some 4600 spaces to support the parking needs of the centre. There is concern however that the changes will result in a nett decrease in the total number of disabled parking spaces by three. It is considered that these should be reinstated in convenient locations to ensure that the needs of disabled shoppers are catered for.</p> <p>Loading:</p> <p>The changes to the loading dock will result in the improved access and circulation for delivery vehicles to support the loading/unloading requirements for the new Harris Farm Tenancy. The loading dock is capable of accommodating forwards entry and exit to each of the three loading dock spaces by an 8.8m medium rigid vehicle as demonstrated by the swept path plots provided by the applicant's traffic consultant. These provisions are adequate to support the tenancy changes proposed by the development application.</p> <p>Pedestrian access:</p> <p>The changes make amendments to the pedestrian access arrangements through the carpark which result in more direct pedestrian connections. These changes are supported.</p> <p>Summary:</p> <p>There are no significant objections to the proposed changes however the applicant should provide amended plans to show where the three disabled parking spaces that appear to have been lost are to be re-sited prior to further consideration of this development.</p>

Internal Referral Body	Comments

External Referral Body	Comments
Ausgrid: (SEPP Infra.)	The proposal was referred to Ausgrid. No response has been received within the 21 day statutory period and therefore, it is assumed that no objections are raised and no conditions are recommended.
NSW Roads and Maritime Services - (SEPP 64 signage cl 17(3)(c))	TfNSW has reviewed the submitted application against the requirement of Clause 17 of the State Environmental Planning Policy No 64 - Advertising and Signage and raises no objection to the application in terms of the signage.
NSW Roads and Maritime Services (Traffic Generating Development)	Transport for NSW (TfNSW) has reviewed the submitted application against the requirement of clauses 101 and 104 of the State Environmental Planning Policy (Infrastructure) 2007 and raises no objection to the application as it is unlikely to have a significant impact onto the classified road network, subject to one condition which has imposed within the draft conditions of consent.

ENVIRONMENTAL PLANNING INSTRUMENTS (EPIS)*

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

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

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

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

SEPP 55 - Remediation of Land

Clause 7 (1) (a) of SEPP 55 requires the Consent Authority to consider whether land is contaminated. Council records indicate that the subject site has been used for commercial purposes for a significant period of time with no prior land uses. In this regard it is considered that the site poses no risk of contamination and therefore, no further consideration is required under Clause 7 (1) (b) and (c) of SEPP 55 and the land is considered to be suitable for the commercial land use.

In addition previous reports and assessment of the applications on the site has concluded that the site is suitable for the proposed development and that requirement of SEPP 55 have been satisfied.

SEPP 64 - Advertising and Signage

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

criteria of Schedule 1.

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

The plans submitted with the application shows a number of signage zones to demonstrate the overall advertising strategy for the proposed development. Overall, the proposed signage zones in themselves do not raise any significant concerns, given the locations and types of signage provided around the existing shopping centre, as therefore in accordance with the provisions stipulated under Schedule 1 of SEPP 64, the following assessment is provided:

Matters for Consideration	Comment	Complies
<p>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?</p>	<p>The signage zones proposed are for business identification signage for future retail tenants. The signage zones are in the same location as an existing sign and will therefore integrate into the façade of the building and reflect existing business identification signage on Warringah Mall</p>	<p>YES</p>
<p>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</p>	<p>The location of the proposed signage is consistent with other signage within the shopping centre.</p>	<p>YES</p>
<p>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?</p>	<p>The proposed signage will not detract from the amenity or visual quality of the area.</p>	<p>YES</p>
<p>3. Views and vistas Does the proposal obscure or compromise important views?</p>	<p>The proposed signage will be located on the eastern facade of the building and will not impact on any views</p>	<p>YES</p>
<p>Does the proposal dominate the skyline and reduce the quality of vistas?</p>	<p>The proposed signage zones are to be affixed to the façade and therefore will not dominate the skyline of quality of vistas.</p>	<p>YES</p>
<p>Does the proposal respect the viewing rights of other advertisers?</p>	<p>The proposed signage zones have been integrated into the building façade and therefore will not impact the viewing rights of other surrounding advertisers.</p>	<p>YES</p>
<p>4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</p>	<p>The scale, proportion and form of the proposed signage zones have been designed that is appropriate for the surrounding streetscape and will contribute to the visual interest of Warringah Mall. The size, type, and character of the signage is consistent with other signs located at Warringah Mall</p>	<p>YES</p>
<p>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</p>	<p>The proposed signage zones are fully integrated with the design of the existing building and will positively communicate the use of the future retail tenant</p>	<p>YES</p>

Does the proposal reduce clutter by rationalising and simplifying existing advertising?	Not Applicable	N/A
Does the proposal screen unsightliness?	No	YES
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No	YES
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 proposed signage zones are compatible with the scale and proportion of the building	YES
Does the proposal respect important features of the site or building, or both?	The signage will not dominate the building, but rather achieve assist with communicating the new operating retail tenant within Warringah Mall	YES
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The signage content is not included as part of this proposal.	YES
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	N/A
7. Illumination Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles or aircraft, detract from the amenity of any residence or other form of accommodation?	The smaller signage zone may propose illumination which will be subject to a future DA. Details of illumination is not proposed as part of this application.	N/A
8. Safety Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	The proposed signage zones are set back significantly from the main road and is positioned in the same location as existing signage and therefore will not will not reduce the road safety. In additon, TfNSW has reviewed the proposed signage location and has raised no objection to the proposed development.	YES
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will not obscure visibility or safety from public areas and sit within the approved and existing building façade.	YES

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

objectives.

SEPP (Infrastructure) 2007

Ausgrid

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

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

Comment:

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

Roads and Maritime Service (RMS)

Clause 101 - Development with frontage to classified road states:

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.

Comment:

The application was referred to the TfNSW for concurrence as required by Clauses 101 of the SEPP

The TfNSW has provided their comments, which raised no objection to the proposed development subject to advisory notes to be included as conditions of consent.

Clause 104 and Schedule 3 of the SEPP

Developments listed in the Schedule 3 of the SEPP are to be referred to RMS. Schedule 3 lists categories and sizes or capacity of developments which both have site access to a classified road (or within 90m) and access to any road. Certain characteristics of the development proposal trigger referral to the RMS for comment, such as:

- Commercial premises with floor space of more than 2,500m² ;
- Parking for 50 or more motor vehicles; and
- Shops of 500m² or more.

Given the volume of the proposed commercial (retail) floor space , the proposal was referred to the TfNSW for comment.

TfNSW have raised no objection to the proposal and have provided detailed requirements, which are to be included as conditions of consent, should the application be worthy of approval.

Warringah Local Environmental Plan 2011

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

Principal Development Standards

There are no development standards applicable to the subject site. The building height controls are contained in WDCP 2011 (Part G4) and expressed as maximum RLs.

Compliance Assessment

Clause	Compliance with Requirements
2.7 Demolition requires consent	Yes
4.3 Height of buildings	Yes
5.3 Development near zone boundaries	Yes
5.8 Conversion of fire alarms	Yes
5.21 Flood planning	Yes
6.1 Acid sulfate soils	Yes
6.2 Earthworks	Yes
6.4 Development on sloping land	Yes

Warringah Development Control Plan

Built Form Controls

The built form control does not apply to the subject site as Part G4 of the WDCP 2011 contains the site specific development controls for Warringah Mall. An assessment of the application against the requirement Part G4 is provided within the report.

Compliance Assessment

Clause	Compliance with Requirements	Consistency Aims/Objectives
A.5 Objectives	Yes	Yes
B6 Merit Assessment of Side Boundary Setbacks	Yes	Yes
B7 Front Boundary Setbacks	Yes	Yes
B10 Merit assessment of rear boundary setbacks	Yes	Yes
C2 Traffic, Access and Safety	Yes	Yes
C3 Parking Facilities	Yes	Yes
C4 Stormwater	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
C9 Waste Management	Yes	Yes
D3 Noise	Yes	Yes
D6 Access to Sunlight	Yes	Yes
D7 Views	Yes	Yes
D8 Privacy	Yes	Yes
D9 Building Bulk	Yes	Yes
D10 Building Colours and Materials	Yes	Yes
D11 Roofs	Yes	Yes
D12 Glare and Reflection	Yes	Yes
D14 Site Facilities	Yes	Yes
D18 Accessibility and Adaptability	Yes	Yes
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	Yes	Yes
E1 Preservation of Trees or Bushland Vegetation	Yes	Yes
E2 Prescribed Vegetation	Yes	Yes
E6 Retaining unique environmental features	Yes	Yes
E7 Development on land adjoining public open space	Yes	Yes
E8 Waterways and Riparian Lands	Yes	Yes
E10 Landslip Risk	Yes	Yes
E11 Flood Prone Land	Yes	Yes
Part G Special Area Controls	Yes	Yes
G4 Warringah Mall	Yes	Yes

Detailed Assessment

G4 Warringah Mall

Part G4 of the WDCP 2011 contains the site specific development controls for Warringah Mall. The proposed development's consistency with the objectives and requirements of the site specific control is considered in detail below:

Built Form

Design Quality and Excellence		
Objectives	Comments	Complies
<ul style="list-style-type: none"> To ensure that new development makes a positive contribution to the streetscape and public domain. To ensure a high standard of architectural design. To achieve high quality urban design internally and externally and high levels of pedestrian comfort in the public spaces of the centre. To emphasise key nodes and entry points to create a sense of arrival. To encourage the use of high quality, durable and robust materials. To ensure the design response reflects the Northern Beaches vernacular/lifestyle. 	<p>Council's Urban Designer has reviewed the proposal and supports the design of the proposed development from an urban design prospective.</p>	Yes
Requirements	Comments	
<p>1. Future development on or adjacent to the perimeter of the site must be designed to positively address the street, relate to the natural environment and create a clear distinction between the public and the private domain.</p>	<p>Minor work is proposed to the south eastern car park and includes the reconfiguration of the loading dock and car parking spaces and is substantially setback from the site boundary and public domain.</p> <p>The proposed development is therefore consistent with this requirement.</p>	Yes
<p>2. Future development on the site is to incorporate design elements that optimise the use of natural light and the ambient environment to the pedestrian malls within the centre.</p>	<p>Minor work is proposed to the south eastern car park and includes the reconfiguration of the loading dock and car parking spaces and is</p>	Yes

Design Quality and Excellence		
	substantially setback from the site boundary and public domain.	
3. New development along the southern edge of the site must not result in any unreasonable impacts on the amenity of residential properties in Old Pittwater Road and Smith Avenue.	Development is not proposed along the northern edge.	N/A
4. New development along the eastern frontage to Pittwater Road/Condamine Street must incorporate a legible pedestrian connection from the street into the centre that is conveniently located in relation to existing bus stops.	The proposal includes the reconfiguration of Loading Dock M and the car parking spaces along the eastern frontage to allow for a safer and legible pedestrian experience along the building edge and to the pedestrian entry. Car park landscaping and screening in front of the loading dock is also proposed to improve the interface to Pittwater Road.	Yes
5. All future development must be designed to strongly and positively reinforce the corners of the site and street alignment and frame the street. Incorporating landmark or distinctive building elements on "Gateway" street corners is encouraged.	There is no new built form proposed immediately at the corner.	Yes
6. Long continuous walls are to incorporate design treatments to reduce their visual mass and bulk. Such design treatments may include the use of architectural treatments or elements that serve to provide building articulation and modulation and the use of a variety of high quality external colours and materials.	The development provides visual interest along a long continuous wall of the external facades, and it will incorporate appropriate design treatments and finishes to mitigate visual bulk and promote visual interest.	Yes
7. Views of the ground level car parking areas must be suitably screened from the street by either landscaping or an appropriate architectural building facade treatment.	Views to the exiting ground level of the car park on the eastern side will be largely retained with minor re-working of the car parking spaces.	Yes
8. High quality, attractive and durable materials are to be used. The selection of colours is to respond to the natural landscape. A detailed schedule of external colours and finishes, a sample	A schedule of external colours and materials was submitted with the application. Several perspective drawings have also been submitted. The information	Yes

Design Quality and Excellence		
board and photomontages are to be submitted with any application to alter or extend the external façade and roof of Warringah Mall.	submitted adequately addresses this requirement.	
9. The roof is to be designed so that the visual impact of the roof form is minimised.	The proposed development is not a prominent feature and considered to be appropriate in terms of visual impact.	Yes
10. Rooftop plant and equipment are to be integrated into the building/roof forms or screened in a manner compatible with the building design to minimise visual and acoustic impacts on the surrounding properties, including elevated properties which have views over the centre.	The proposed plant on Level 2 are positioned and screened such that they are not visible from surrounding locations and to mitigate acoustic impacts on neighbours.	Yes

Building Setbacks and Street Frontages		
Requirements	Comments	Complies
11. Setbacks are to be consistent with those shown in Figure 2.	No changes are proposed.	N/A
12. In the event that there is a change to the current title boundary, the setback as nominated in Figure 2 is to be measured from the new boundary alignment.	Not Applicable.	N/A
13. <i>Corner of Condamine Street and Old Pittwater Road</i> <ul style="list-style-type: none"> • Future development at the corner of Condamine Street and Old Pittwater Road is to create a defined built edge to address the street. • The existing mature trees along the eastern boundary of the site adjoining Condamine Street are to be retained. • Any future development at the corner of Condamine Street and 	This part of the site is not being redeveloped as part of this application.	Yes

Building Setbacks and Street Frontages		
Old Pittwater Road is to be designed to strongly define the corner and reinforce the prominence of this “Gateway” site arrival point.		
<p>14. Junction of Condamine Street and Pittwater Road</p> <ul style="list-style-type: none"> A distinctive entry node is to be provided at the junction of Condamine Street and Pittwater Road which incorporates a high quality public space flanked by buildings, landscaping in scale with the building form and public art. The entry node will be the primary pedestrian entrance to the shopping centre. 	Not applicable (as previously noted).	N/A
<p>15. Pittwater Road:</p> <ul style="list-style-type: none"> Future development along Pittwater Road is to create a defined built form edge to address the street. The built form is to be setback from the street to allow for the provision of a soft landscaped strip to soften and screen non-active building facades. Any future development at the corner of Pittwater Road and Cross Street is to be designed to strongly define and reinforce the prominence of this “Gateway” site arrival point. 	Works are substantially setback from the site boundary on Condamine Street. The general appearance of this area of the site is unchanged providing dock and car parking areas.	Yes
<p>16. Corner of Cross Street and Green Street</p> <ul style="list-style-type: none"> Future development at the corner of Cross Street and Green Street is to be designed to strongly and positively identify this location as a key “Gateway” entry to the centre. 	The proposed development does not alter the existing multi-level car park at the corner of Cross and Green Streets.	N/A

Building Height		
Objectives	Comments	Consistent
<ul style="list-style-type: none"> To provide street edge definition 	Building height will not be	N/A

Building Height		
<p>along the main eastern frontage of the site.</p> <ul style="list-style-type: none"> To provide street edges which reinforce, improve or support the hierarchy and character of streets. To achieve comfortable street environments for pedestrians in terms of daylight, human scale, sense of enclosure and wind mitigation as well as a healthy and sustainable environment for street trees. To ensure solar access to residential properties and public spaces is protected 	altered as part of this application	
Requirements	Comments	Complies
17. New development is to comply with the maximum building heights as shown at Figure 2 except where provided for in sub-section (2) below.	No changes are proposed	N/A

Floor Space		
Requirements	Comments	Complies
19. The existing centre currently provides 127,878m ² of Gross Leasable Floor Area (GLFA). The existing shopping centre may be expanded by 35,000m ² GLFA subject to compliance with all other relevant planning objectives and requirements.	Building height will not be altered as part of this application.	Yes

AMENITY

Landscaping		
Requirements	Comments	Complies
20. Landscaping is to be retained and enhanced and provided generally in the zones shown in Figure 8.	The Landscape Plans submitted with the application indicate the majority of the landscaping will be screened to provide visual relief from the loading dock and will not alter the already existing landscaping located at the	Yes

Landscaping		
	<p>zones shown in the DCP.</p> <p>Council's Landscape Officer has reviewed the landscape plans and tree removals and supports the proposal.</p>	
21. The existing mature landscaping at the junction of Pittwater Road/Condamine Street is to be retained where practical and functional for the future design of this precinct. An illustrative example of possible future development outcomes at this location is shown at Figure 9.	The mature landscaping in this location will be retained	Yes
22. New development along Condamine Street and Pittwater Road is to incorporate landscaping that screens or softens non-active facades or building elements.	The proposed reconfiguration of the loading dock along the Condamine Street frontage will feature screening plants and shrubs to soften the façade and screen the dock. Additional car park landscaping is proposed to break up the car park.	Yes
23. Landscaping treatments are to be integrated into the design of new entries to the centre.	The landscape design will improve the entry point of the site. Density of planting and integrated seating is provided at the entry point.	Yes
24. Recycled water or harvested rainwater is to be used, where possible, to irrigate new landscaped areas.	All planting will be irrigated via a sub-surface drip system. Rainwater will be collected from roof areas and directed to concealed rainwater storage tanks to supply irrigation system.	Yes
25. Water efficient plants and/or, locally indigenous vegetation should be used to minimise water consumption.	Landscaping is designed to complement and expand on the themes of the existing landscaped elements and will encourage the use of water efficient and indigenous plants..	Yes

Amenity of Surrounding Residential Properties		
Requirements	Comments	Complies
26. The overspill from artificial illumination or sun reflection is to be minimised. A 'Lighting Strategy' is to be submitted with any development	There is no change to the rooftop or ground level car parking areas that front residential areas.	Yes

Amenity of Surrounding Residential Properties

<p>application incorporating new or modified roof top parking or for new development which is adjacent to existing residential areas. The 'Lighting Strategy' is to demonstrate that the development will not result in lighting glare or overspill from artificial illumination.</p>		
<p>27. The development is to be designed and managed so that it does not result in an unreasonable adverse acoustic impact on surrounding and nearby residential properties.</p>	<p>The works are predominantly internal and are not on any frontage that adjoins residential development therefore an acoustic assessment is not required.</p>	<p>Yes</p>

Advertising and Signage

The works are predominantly internal and are not on any frontage that adjoins residential development therefore an acoustic assessment is not required.

Proposed signage within the signage zones will not be illuminated. The smaller signage zone may be illuminated which will be subject to a future DA. Details of illumination is not included in this application.

Safety and Security

Requirements	Comments	Complies
<p>33. Development is to be designed to incorporate and/or enhance opportunities for effective natural surveillance by providing clear sight lines between public and private places, installation of effective lighting particularly in public spaces and car parks, and the appropriate landscaping of public areas.</p>	<p>Clear sightlines have been provided through the car parks to the entries of the Mall.</p>	<p>Yes</p>
<p>34. The need for technical surveillance which is achieved through mechanical/electronic measures such as the provision of closed circuit television (CCTV), help points and mirrored building panels, is to be addressed in future developments.</p>	<p>Proposed signage within the signage zones will not be illuminated. The smaller signage zone may be illuminated which will be subject to a future DA. Details of illumination is not included in this application.</p>	<p>Yes</p>
<p>35. New development is to be designed to remove any opportunities for the concealment of crime.</p>	<p>The development has been designed to avoid concealed areas given layout and access of Mall entries and car parks.</p>	<p>Yes</p>

Safety and Security		
36. The incorporation of crime prevention measures in the design of buildings and spaces is not to detract from the quality of the urban design of the development and the streetscape.	The design of the development and surrounding landscaping incorporates crime prevention measures yet the visual quality of the development has not been compromised.	Yes
37. The development is to be consistent with CPTED principles. A report providing an assessment of the proposal against CPTED principles is to be submitted with all development applications for additions to Warringah Mall.	The proposed works involve the refurbishment of an existing site and are minor nature and therefore does not require an assessment against the CPTED principles.	Yes
38. A draft Operational Plan of Management that outlines the potential measures to be implemented to ensure the safety and security of the public is to be submitted with any development application involving a major expansion of Warringah Mall.	The proposed works involve the refurbishment of an existing site and are minor nature and therefore does not require additional measures to ensure safety and security from what already exists within the centre.	Yes

Social Impacts		
Requirements	Comments	Complies
<p>39. A Social Impact Assessment (SIA) is to be submitted with a development application where there is the likelihood that the proposed development may significantly impact on the following matters:</p> <ul style="list-style-type: none"> · Public Transport · Child care · Accessibility · Health facilities · Young people · Facilities for children <p>Where an SIA is required, a targeted 'Community Stakeholder and Consultation Plan' is to be developed</p>	The proposed works involve the refurbishment of an existing site and are minor nature and therefore does not require a social impact assessment.	N/A

Social Impacts

and undertaken. The SIA is to identify opportunities to enhance existing community services or provide additional services to meet the community's needs.

ACCESS AND MOVEMENT

Road Infrastructure

Requirements

Comments

Complies

40. Significant additions to the floor area on the site will only be supported if traffic modeling is submitted with the development application which demonstrates that the surrounding road network can accommodate the additional traffic generated and that the network can continue to operate at a satisfactory level as determined by Council and the Roads and Traffic Authority.

Council's Traffic Engineer and TfNSW has reviewed the proposal and have raised no objection regarding the impact of the development on the major intersections of the site.

Yes

41. New Development Applications for the significant expansion of Warringah Mall are to identify road upgrades and traffic management works in areas adjoining and nearby to the site to adequately accommodate growth in vehicle movements to and from the site.

The proposed works involve the refurbishment of an existing site and are minor nature and therefore does not require a social impact assessment.

Yes

42. Future development is to incorporate measures to improve vehicle circulation within the site, where relevant.

The proposed development connects several carparking areas within the site to provide improved circulation within the site.

Yes

43. Vehicle access points from surrounding roads shall be provided in accordance with Figure 10.

Vehicle access points are consistent with those identified in Figure 10.

Yes

44. No additional vehicular entries are permitted from Pittwater Road or Condamine Street excluding any future access or egress arrangements for buses associated with the proposed new bus interchange.

No other vehicle access points are proposed as part of this application.

Yes

Pedestrian Access

Requirements

Comments

Complies

Pedestrian Access		
45. Main building entry points are to be clearly visible from primary street frontages and enhanced as appropriate with awnings, building signage or high quality architectural features that improve the clarity of a building's address and contribute to visitor and occupant safety and amenity.	The new/modified pedestrian entries will be prominent and easily accessible to all users.	Yes
46. New development is to ensure that existing pedestrian links from the surrounding area into the site are strengthened in the locations shown in Figure 11.	The proposed pedestrian connections are consistent with those identified in Figure 11 of the DCP.	Yes
47. New development shall incorporate measures to achieve safe and continuous paths of travel from existing or proposed bus stops to the Shopping Centre and throughout Warringah Mall.	The proposed development does not alter the existing access from the bus stops to the entry of Warringah Mall.	Yes
48. New development along the Cross Street / Green Street frontage shall incorporate enhanced pedestrian link(s) through to the existing centre.	No new development is proposed at the Cross Street and Green Street frontages.	Yes
49. Safe pedestrian access is to be provided through the car parks.	Safe pedestrian access will be provided for the proposed development. The entries into the shopping centre will be clearly identifiable.	Yes
50. Where new development is proposed along the Old Pittwater Road frontage of the site, an improved pedestrian link is to be provided from the TAFE site to the pedestrian entrance of the centre.	Development is not proposed along Old Pittwater Road, therefore no opportunity to improve pedestrian links along this frontage as part of this redevelopment proposal.	Yes

Public Transport		
Requirements	Comments	Complies
51. A single integrated bus interchange for the site is to be provided. The interchange is to be located on the eastern side of the site, generally north of the intersection of Pittwater Road and Condamine Street. The interchange is to be capable of accommodating both the existing local and commuter bus networks and growth in the number of bus services to the Mall. The indicative integrated bus interchange zone is illustrated in Figure 11.	No development is proposed along the eastern side of the site where the existing bus interchange is located. Accordingly, this section of the DCP is not relevant to the subject application.	N/A

Parking Facilities		
Requirements	Comments	Complies
52. Car parking is to be provided at the rate of 4.1 spaces per 100 square metres of Gross Leaseable Floor Area unless it can be demonstrated that a lesser rate can still achieve sufficient parking provision to meet the needs of the shopping centre.	The proposal results in a reduction in the overall GFLA of the Centre by 214m ² and therefore no additional parking is needed or proposed as part of this application.	Yes
53. Provision is to be made for the parking of motorcycles in easy to access and clearly visible locations.	The car park has capacity to accommodate requisite motorcycle parking, noting a surplus of car parking spaces.	Yes
54. Car and motorcycle parking space dimensions must comply with the relevant Australian Standard. Note. <i>AS/NZS 2890.1:2004 Parking Facilities - Off-street car parking</i> applied at the time this DCP was adopted.	A condition of consent has been imposed to ensure the car and motorcycle space dimensions comply with the relevant Australian Standard.	Yes
55. Bicycle parking and storage facilities shall be provided for any additional floor area proposed to allow parking or storage of a minimum number of bicycles, in accordance with the following table; <ul style="list-style-type: none"> • Bicycle storage facility – 1 per 300m² • Bicycle parking facility – 1 per 500m 	Additional bicycle parking is not proposed as part of this application.	N/A
56. Bicycle parking and storage facilities shall be designed in accordance with the relevant Australian Standard. Note. <i>AS2890.3 - 1993 Parking facilities – Bicycle parking facilities</i> applied at the time this DCP was adopted.	Additional bicycle parking is not proposed as part of this application	N/A
57. Adequate shower and change room facilities for staff shall be located close to secure bicycle storage facilities.	Minor reconfiguration works are proposed to the amenities at ground floor and will not impact the pre-existing amenities that provide shower and change room facilities for staff	N/A

PART 6 ENVIRONMENTAL MANAGEMENT

Stormwater Management		
Requirements	Comments	Complies
58. Water quality control measures are to be provided in accordance with the adopted Northern Beaches Stormwater Management Plan and Council's draft policy STR-PL820: <i>Water Sensitive Urban Design</i> .	Council's Development Engineer has assessed the application and has raised no objection subject to conditions to ensure the design of the stormwater management system is satisfactory.	Yes
59. Ground level development is to be avoided in the locations of the proposed concept drainage augmentation system as conceptually illustrated in Figure 12 and in accordance with Council policy PAS – PL 130: <i>Building Over or Adjacent to Constructed Council Drainage System and Easements</i> .	The proposed development does not include any work to the ground level, other than a modification to the existing car parking.	Yes
60. Ensure that all new development on the site does not adversely impact upon the stormwater drainage system and any overland flow path through the site	Council's Development Engineer has confirmed that the development will not adversely impact upon the stormwater drainage system and any overland flow path through the site.	Yes
61. Ensure that all new development on the site does not adversely affect flooding conditions in existing development located both internal and external to the site.	The Flood Impact Assessment prepared by Cardno submitted with the Development Application concludes that the local changes do not adversely impact any adjoining properties and the Stormwater DA would deliver significant reductions in 100 yr ARI flood levels in areas of concern	
62. New buildings or extensions involving habitable areas are to be designed to prevent the entry of stormwater for floods up to 100 year ARI and all new habitable floor levels are to have a 500mm freeboard to the 100 year ARI flood.	No new buildings or significant extensions proposed	Yes
63. Structural measures are to be implemented on the site as part of any significant alterations to existing buildings that will ensure affected habitable floor levels have a 300mm freeboard to the 100 year ARI flood.	The necessary structural works to achieve the freeboard has been assessed by Council's Flood Engineer to ensure compliance is achieved.	Yes
64. Structural measures are to be implemented on the site that ensure that overland flows are conveyed through the site in a low hazard nature for floods up to 100 year ARI. All new structural measures are to be confined, as far as is deemed practicable, to the site.	No structural measures are proposal	N/A

Environmental Sustainability		
Requirements	Comments	Complies
65. Development involving an increase in floor space is to achieve a 'Green Star' rating (or equivalent) reflecting Australian 'Best Practice' in environmentally sustainable design and construction for retail centres.	The proposal results in a decrease in the overall GFLA by 214m ² and therefore is not required to achieve a 'Green Star' rating for the proposed works.	N/A
66. Shading devices are to be incorporated where practical, to reduce solar energy loads.	The proposed development incorporates a canopy over the Little Street thoroughfare which will provide shading and enhance the shopper experience.	Yes
67. Buildings are to be designed and oriented to maximise the use of daylight and solar energy for illumination. This may be achieved through the provision of light wells, skylights and voids.	The design of the development includes voids to maximise daylight within the centre.	Yes
68. The thermal performance of buildings is to be optimised by using efficient methods of heating and cooling such as insulation and passive solar access.	The proposed development incorporates a canopy over the Little Street thoroughfare which will provide shading and enhance the shopper experience.	Yes
69. The following water saving measures are to be incorporated into all development: <p>(a) Water fixtures (low flow shower heads and taps, dual flush toilets, low flush/waterless urinals, etc.) are to be 3 stars (WELS Scheme) or better rated.</p> <p>(b) Stormwater capture and reuse, including water quality management to be in accordance with Council's Policy <i>Water Sensitive Urban Design</i>.</p> <p>(c) Select water efficient plants and / or locally indigenous vegetation.</p> <p>(d) Use recycled or harvested rainwater for watering new gardens and landscape features.</p>	The proposed development incorporates a canopy over the Little Street thoroughfare which will provide shading and enhance the shopper experience..	Yes

THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES

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

CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

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

POLICY CONTROLS

Northern Beaches Section 7.12 Contributions Plan 2021

The proposal is subject to the application of Northern Beaches Section 7.12 Contributions Plan 2021.

A monetary contribution of \$32,762 is required for the provision of new and augmented public infrastructure. The contribution is calculated as 1% of the total development cost of \$3,276,203.

CONCLUSION

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

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

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

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

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

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

RECOMMENDATION

THAT Council as the consent authority grant Development Consent to DA2021/2226 for Alterations and additions to Warringah Mall including four (4) new retail premises, reconfiguration of an existing loading dock and car park, landscaping works and signage on land at Lot 103 DP 1247294, 145 Old Pittwater Road, BROOKVALE, subject to the conditions printed below:

DEVELOPMENT CONSENT OPERATIONAL CONDITIONS

1. **Approved Plans and Supporting Documentation**

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

a) Approved Plans

Architectural Plans - Endorsed with Council's stamp		
Drawing No.	Dated	Prepared By
01.0001 - COVER SHEET 01.0004 - SITE PLAN 01.0401 - EXISTING PLAN (GROUND) 01.0801 - PROPOSED PLAN - GROUND 01.0802 - PROPOSED PLAN - GROUND MEZZ 01.0803 - PROPOSED PLAN - LEVEL 1 01.0804 - PROPOSED PLAN - LEVEL 1 MEZZ 01.0805 - PROPOSED PLAN - LEVEL 2 01.0808 - PROPOSED PLAN - ROOF 01.2000 - NORTH ELEVATIONS - TRAVELATORS STACK 01.2001 EAST ELEVATIONS	Revision C - 12/05/2021	Scentre Group
01.0002 SITE CONTEXT ANALYSIS 01.0402 EXISTING PLAN - GROUND MEZZ 01.0403 EXISTING PLAN - LEVEL 1 01.0404 EXISTING PLAN - LEVEL 1 MEZZ 01.0405 EXISTING PLAN - LEVEL 2 01.0408 EXISTING PLAN - ROOF 01.0501 DEMOLITION PLAN - GROUND 01.0502 DEMOLITION PLAN - GROUND MEZZ 01.0503 DEMOLITION PLAN - LEVEL 1 01.0504 DEMOLITION PLAN - LEVEL 1 MEZZ 01.0505 DEMOLITION PLAN - LEVEL 2 01.0508 DEMOLITION PLAN - ROOF 01.2002 SOUTH ELEVATIONS B 1:100 01.2003 NORTH ELEVATIONS - GREEN STREET ENTRY 01.2500 PROPOSED SECTIONS	Revision B - 23/04/2021	Scentre Group

Reports / Documentation – All recommendations and requirements contained within:		
Report No. / Page No. / Section No.	Dated	Prepared By
DA Access Report Stage 2B	1 September 2021	Access Australia
FIRE ENGINEERING STATEMENT	31 August 2021	FEP
STAGE 2B REDEVELOPMENT FLOOD IMPACT ASSESSMENT	23 April 2021	Cardo
WESTFIELD WARRINGAH MALL – STAGE 2B TRAFFIC AND PARKING REVIEW	1 September 2021	TTPP Transport Planning

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

c) The development is to be undertaken generally in accordance with the following:

Landscape Plans		
Drawing No.	Dated	Prepared By
ART - LSD - 00,01, 02, 04, 08, and 09 (Revision B)		Art

Waste Management Plan		
Drawing No/Title.	Dated	Prepared By
Waste Management Plan	30 April 2021	Scentre Group

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

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

2. Compliance with Other Department, Authority or Service Requirements

The development must be carried out in compliance with all recommendations and requirements, excluding general advice, within the following:

Other Department, Authority or Service	EDMS Reference	Dated
Transport for NSW	Response Transport for NSW	20 December 2021

(NOTE: For a copy of the above referenced document/s, please see Application Tracking on Council's website www.northernbeaches.nsw.gov.au)

Reason: To ensure the work is carried out in accordance with the determination and the statutory requirements of other departments, authorities or bodies.

3. No Approval for any Signage above the parapet / roof line

No approval is granted under this Development Consent for the erection of any advertising or

business identification signage located above the roof/parapet line. All signage above the roof/parapet shall be deleted.

Reason: Compliance with Warringah Local Environment Plan. (DACPLB07)

4. **Prescribed Conditions**

- (a) All building works must be carried out in accordance with the requirements of the Building Code of Australia (BCA).
- (b) BASIX affected development must comply with the schedule of BASIX commitments specified within the submitted BASIX Certificate (demonstrated compliance upon plans/specifications is required prior to the issue of the Construction Certificate);
- (c) A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:
 - (i) showing the name, address and telephone number of the Principal Certifying Authority for the work, and
 - (ii) showing the name of the principal contractor (if any) for any building work and a telephone number on which that person may be contacted outside working hours, and
 - (iii) stating that unauthorised entry to the work site is prohibited.Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.
- (d) Residential building work within the meaning of the Home Building Act 1989 must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the following information:
 - (i) in the case of work for which a principal contractor is required to be appointed:
 - A. the name and licence number of the principal contractor, and
 - B. the name of the insurer by which the work is insured under Part 6 of that Act,
 - (ii) in the case of work to be done by an owner-builder:
 - A. the name of the owner-builder, and
 - B. if the owner-builder is required to hold an owner-builder permit under that Act, the number of the owner-builder permit.If arrangements for doing the residential building work are changed while the work is in progress so that the information notified under becomes out of date, further work must not be carried out unless the Principal Certifying Authority for the development to which the work relates (not being the Council) has given the Council written notice of the updated information.
- (e) Development that involves an excavation that extends below the level of the base of the footings of a building on adjoining land, the person having the benefit of the development consent must, at the person's own expense:
 - (i) protect and support the adjoining premises from possible damage from the excavation, and
 - (ii) where necessary, underpin the adjoining premises to prevent any such damage.
 - (iii) must, at least 7 days before excavating below the level of the base of the

footings of a building on an adjoining allotment of land, give notice of intention to do so to the owner of the adjoining allotment of land and furnish particulars of the excavation to the owner of the building being erected or demolished.

- (iv) the owner of the adjoining allotment of land is not liable for any part of the cost of work carried out for the purposes of this clause, whether carried out on the allotment of land being excavated or on the adjoining allotment of land.

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

Reason: Legislative requirement.

5. **General Requirements**

- (a) Unless authorised by Council:
Building construction and delivery of material hours are restricted to:

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

Demolition and excavation works are restricted to:

- 8.00 am to 5.00 pm Monday to Friday only.

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

- (b) Should any asbestos be uncovered on site, its demolition and removal must be carried out in accordance with WorkCover requirements and the relevant Australian Standards.
- (c) At all times after the submission the Notice of Commencement to Council, a copy of the Development Consent and Construction Certificate is to remain onsite at all times until the issue of a final Occupation Certificate. The consent shall be available for perusal of any Authorised Officer.
- (d) Where demolition works have been completed and new construction works have not commenced within 4 weeks of the completion of the demolition works that area affected by the demolition works shall be fully stabilised and the site must be maintained in a safe and clean state until such time as new construction works commence.
- (e) Onsite toilet facilities (being either connected to the sewer or an accredited sewer management facility) for workers are to be provided for construction sites at a rate of 1 per 20 persons.
- (f) Prior to the release of the Construction Certificate, payment of the Long Service Levy is required. This payment can be made at Council or to the Long Services Payments Corporation. Payment is not required where the value of the works is less than \$25,000. The Long Service Levy is calculated on 0.35% of the building and construction work. The levy rate and level in which it applies is subject to legislative change. The applicable fee at the time of payment of the Long Service Levy will apply.
- (g) The applicant shall bear the cost of all works associated with the development that occurs on Council's property.

- (h) No skip bins, building materials, demolition or excavation waste of any nature, and no hoist, plant or machinery (crane, concrete pump or lift) shall be placed on Council's footpaths, roadways, parks or grass verges without Council Approval.
- (i) Demolition materials and builders' wastes are to be removed to approved waste/recycling centres.
- (j) No trees or native shrubs or understorey vegetation on public property (footpaths, roads, reserves, etc.) or on the land to be developed shall be removed or damaged during construction unless specifically approved in this consent including for the erection of any fences, hoardings or other temporary works.
- (k) Prior to the commencement of any development onsite for:
 - i) Building/s that are to be erected
 - ii) Building/s that are situated in the immediate vicinity of a public place and is dangerous to persons or property on or in the public place
 - iii) Building/s that are to be demolished
 - iv) For any work/s that is to be carried out
 - v) For any work/s that is to be demolished

The person responsible for the development site is to erect or install on or around the development area such temporary structures or appliances (wholly within the development site) as are necessary to protect persons or property and to prevent unauthorised access to the site in order for the land or premises to be maintained in a safe or healthy condition. Upon completion of the development, such temporary structures or appliances are to be removed within 7 days.
- (l) A "Road Opening Permit" must be obtained from Council, and all appropriate charges paid, prior to commencement of any work on Council property. The owner/applicant shall be responsible for all public utilities and services in the area of the work, shall notify all relevant Authorities, and bear all costs associated with any repairs and/or adjustments as those Authorities may deem necessary.
- (m) The works must comply with the relevant Ausgrid Network Standards and SafeWork NSW Codes of Practice.
- (n) Requirements for new swimming pools/spas or existing swimming pools/spas affected by building works.
 - (1) Child resistant fencing is to be provided to any swimming pool or lockable cover to any spa containing water and is to be consistent with the following;

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

 - (i) Swimming Pools Act 1992
 - (ii) Swimming Pools Amendment Act 2009
 - (iii) Swimming Pools Regulation 2018
 - (iv) Australian Standard AS1926 Swimming Pool Safety
 - (v) Australian Standard AS1926.1 Part 1: Safety barriers for swimming pools
 - (vi) Australian Standard AS1926.2 Part 2: Location of safety barriers for swimming pools.
 - (2) A 'KEEP WATCH' pool safety and aquatic based emergency sign, issued by Royal Life Saving is to be displayed in a prominent position within the pool/spa area.
 - (3) Filter backwash waters shall be conveyed to the Sydney Water sewerage

system in sewerred areas or managed on-site in unsewerred areas in a manner that does not cause pollution, erosion or run off, is separate from the irrigation area for any wastewater system and is separate from any onsite stormwater management system.

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

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

FEES / CHARGES / CONTRIBUTIONS

6. Policy Controls

Northern Beaches 7.12 Contributions Plan 2021

A monetary contribution of \$32,762.03 is payable to Northern Beaches Council for the provision of local infrastructure and services pursuant to section 7.12 of the Environmental Planning & Assessment Act 1979 and the Northern Beaches Section 7.12 Contributions Plan 2021. The monetary contribution is based on a development cost of \$3,276,203.00.

The monetary contribution is to be paid prior to the issue of the first Construction Certificate or Subdivision Certificate whichever occurs first, or prior to the issue of the Subdivision Certificate where no Construction Certificate is required. If the monetary contribution (total or in part) remains unpaid after the financial quarter that the development consent is issued, the amount unpaid (whether it be the full cash contribution or part thereof) will be adjusted on a quarterly basis in accordance with the applicable Consumer Price Index. If this situation applies, the cash contribution payable for this development will be the total unpaid monetary contribution as adjusted.

The proponent shall provide to the Certifying Authority written evidence (receipt/s) from Council that the total monetary contribution has been paid.

The Northern Beaches Section 7.12 Contributions Plan 2021 may be inspected at 725 Pittwater Rd, Dee Why and at Council's Customer Service Centres or alternatively, on Council's website at www.northernbeaches.nsw.gov.au

This fee must be paid prior to the issue of the Construction Certificate. Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To provide for contributions in accordance with the Contribution Plan to fund the provision of new or augmented local infrastructure and services.

7. Security Bond

A bond (determined from cost of works) of \$10,000 and an inspection fee in accordance with Council's Fees and Charges paid as security are required to ensure the rectification of any damage that may occur to the Council infrastructure contained within the road reserve adjoining the site as a result of construction or the transportation of materials and equipment to and from the development site.

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

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

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

Reason: To ensure adequate protection of Council's infrastructure.

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

8. Construction Traffic Management Plan

As a result of the site constraints, limited vehicle access and parking, a Construction Traffic Management Plan (CTMP) and report shall be prepared by an RMS accredited person and submitted to and approved by the Northern Beaches Council Traffic Team prior to issue of any Construction Certificate.

The CTMP must address following:

- The proposed phases of construction works on the site, and the expected duration of each construction phase
- The proposed order in which works on the site will be undertaken, and the method statements on how various stages of construction will be undertaken
- Make provision for all construction materials to be stored on site, at all times
- The proposed areas within the site to be used for the storage of excavated materials, construction materials and waste containers during the construction period
- The proposed method of access to and egress from the site for construction vehicles, including access routes and truck routes through the Council area and the location and type of temporary vehicular crossing for the purpose of minimising traffic congestion and noise in the area, with no access across public parks or reserves being allowed
- The proposed method of loading and unloading excavation and construction machinery, excavation and building materials, formwork and the erection of any part of the structure within the site. Wherever possible mobile cranes should be located wholly within the site
- Make provision for parking onsite. All Staff and Contractors are to use the basement parking once available
- Temporary truck standing/ queuing locations in a public roadway/ domain in the vicinity of the site are not permitted unless approved by Council prior
- Include a Traffic Control Plan prepared by a person with suitable RMS accreditation for any activities involving the management of vehicle and pedestrian traffic
- The proposed manner in which adjoining property owners will be kept advised of the timeframes for completion of each phase of development/construction process. It must also specify that a minimum Fourteen (14) days notification must be provided to adjoining property owners prior to the implementation of any temporary traffic control measure
- Include a site plan showing the location of any site sheds, location of requested Work Zones, anticipated use of cranes and concrete pumps, structures proposed on the footpath areas (hoardings, scaffolding or shoring) and any tree protection zones around Council street trees
- Take into consideration the combined construction activities of other development in the surrounding area. To this end, the consultant preparing the CTMP must engage and consult with developers undertaking major development works within a 250m radius of

the subject site to ensure that appropriate measures are in place to prevent the combined impact of construction activities, such as (but not limited to) concrete pours, crane lifts and dump truck routes. These communications must be documented and submitted to Council prior to work commencing on site

- The proposed method/device to remove loose material from all vehicles and/or machinery before entering the road reserve, any run-off from the washing down of vehicles shall be directed to the sediment control system within the site
- Specify that the roadway (including footpath) must be kept in a serviceable condition for the duration of construction. At the direction of Council, undertake remedial treatments such as patching at no cost to Council
- The proposed method of support to any excavation adjacent to adjoining properties, or the road reserve. The proposed method of support is to be designed and certified by an appropriately qualified and practising Structural Engineer, or equivalent
- Proposed protection for Council and adjoining properties
- The location and operation of any on site crane

The CTMP shall be prepared in accordance with relevant sections of Australian Standard 1742 – “Manual of Uniform Traffic Control Devices”, RMS’ Manual – “Traffic Control at Work Sites”.

All fees and charges associated with the review of this plan is to be in accordance with Council’s Schedule of Fees and Charges and are to be paid at the time that the Construction Traffic Management Plan is submitted.

Reason: To ensure public safety and minimise any impacts to the adjoining pedestrian and vehicular traffic systems.

9. **Compliance with Standards**

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

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

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

10. **External Finishes to Roof**

The external finish to the roof shall have a medium to dark range in order to minimise solar reflections to neighbouring properties. Any roof with a metallic steel finish is not permitted.

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

Reason: To ensure that excessive glare or reflectivity nuisance does not occur as a result of the development.

CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK

11. **Removing, Handling and Disposing of Asbestos**

Any asbestos material arising from the demolition process shall be removed and disposed of in accordance with the following requirements:

- Work Health and Safety Act;
- Work Health and Safety Regulation;
- Code of Practice for the Safe Removal of Asbestos [NOHSC:2002 (1998)];

- Guide to the Control of Asbestos Hazards in Buildings and Structures [NOHSC: 3002 (1998);
- Clause 42 of the Protection of the Environment Operations (Waste) Regulation 2005; and
- The demolition must be undertaken in accordance with Australian Standard AS2601 – The Demolition of Structures.

Reason: For the protection of the environment and human health.

12. **Survey Certificate**

A survey certificate prepared by a Registered Surveyor at the following stages of construction:

(a) Commencement of perimeter walls columns and or other structural elements to ensure the wall or structure, to boundary setbacks are in accordance with the approved details.

(b) At ground level to ensure the finished floor levels are in accordance with the approved levels, prior to concrete slab being poured/flooring being laid.

(c) At completion of the roof frame confirming the finished roof/ridge height is in accordance with levels indicated on the approved plans.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To determine the height of buildings under construction comply with levels shown on approved plans.

13. **Installation and Maintenance of Sediment Control**

Prior to any works commencing on site, including demolition, sediment and erosion controls must be installed in accordance with Landcom's 'Managing Urban Stormwater: Soils and Construction' (2004). Techniques used for erosion and sediment control on site are to be adequately maintained and monitored at all times, particularly after periods of rain, and shall remain in proper operation until all development activities have been completed and the site is sufficiently stabilised with vegetation.

Reason: To protect the surrounding environment from the effects of sedimentation and erosion from the site.

14. **Waste Management During Development**

The reuse, recycling or disposal of waste during works must be done generally in accordance with the Waste Management Plan for this development.

Details demonstrating compliance must be submitted to the Principal Certifying Authority.

Reason: To ensure demolition and construction waste is recycled or reused and to limit landfill.

**CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE
OCCUPATION CERTIFICATE**

15. **Landscape Completion**

Landscape works are to be implemented in accordance with the approved Landscape Plans, and inclusive of the following conditions:

- i) all tree planting shall be a minimum planting size of 200 litres, and shall meet the requirements of Natspec - Specifying Trees.

Prior to the issue of an Occupation Certificate, details (from a landscape architect or landscape designer) shall be submitted to the Certifying Authority, certifying that the landscape works have been completed in accordance with any conditions of consent.

Reason: Environmental amenity.

16. **Loading Dock Management Plan**

A Loading Dock Management Plan shall be prepared by the applicant and submitted to and approved by the Principal Certifying Authority prior to the issue of any Occupation Certificate.

The Plan will need to demonstrate how loading dock will be managed to ensure that there will be only one vehicle entering and exiting the loading dock access in any period and how safe servicing arrangements including waste collection will be undertaken without interrupting general traffic. Vehicle queuing on public road(s) is not permitted.

Reason: to ensure the loading dock is managed appropriately and that tenants are aware of the conditions of use.

17. **Disabled Parking Spaces**

Where disabled parking spaces are provided they must be in accordance with AS2890.6:2009.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To ensure compliance with Australian Standards.

18. **Shared Zone Bollard**

A bollard is to be provided at the shared zone between disabled spaces in accordance to Australian Standards AS2890.6:2009.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any Occupation Certificate.

Reason: To ensure compliance with Australian Standards.

19. **Sydney Water**

A Section 73 Compliance Certificate under the Sydney Water Act 1994 must be obtained from Sydney Water Corporation.

Application must be made through an authorised Water Servicing Co-ordinator. Please refer to the Building Developing and Plumbing section of the web site www.sydneywater.com.au <<http://www.sydneywater.com.au>> then refer to "Water Servicing Coordinator" under "Developing Your Land" or telephone 13 20 92 for assistance.

Following application a "Notice of Requirements" will advise of water and sewer infrastructure to be built and charges to be paid. Please make early contact with the Co-ordinator, since building of water/sewer infrastructure can be time consuming and may impact on other services and building, driveway or landscape design.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure compliance with the statutory requirements of Sydney Water.

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

20. **Landscape Maintenance**

If any landscape materials/components or planting under this consent fails, they are to be replaced with similar materials/components. Trees, shrubs and groundcovers required to be planted under this consent are to be mulched, watered and fertilised as required at the time of planting.

If any tree, shrub or groundcover required to be planted under this consent fails, they are to be replaced with similar species to maintain the landscape theme and be generally in accordance with the approved Landscape Plan and any conditions of consent.

All weeds are to be removed and controlled in accordance with the NSW Biosecurity Act 2015.

Reason: To maintain local environmental amenity.

21. **Implementation of Loading Dock Management Plan**

All vehicle ingress and/or egress activities are to be undertaken in accordance with the approved Loading Dock Management Plan. Vehicle queuing on public road(s) is not permitted.

Reason: To allow for vehicular access.

22. **Illumination Intensity and design**

The level of illumination and/or lighting intensity used to illuminate the signage is to be minimised and the design is to be such to ensure that excessive light spill or nuisance is not caused to any nearby premises.

Reason: To ensure appropriate forms of signage that are consistent with Council's controls and those that are desired for the locality, and do not interfere with amenity of nearby properties. (DACPLG12)


23. **Loading and Unloading**

All loading and unloading of vehicles and the delivery of goods must be carried out wholly within the site.

Reason: To ensure that deliveries can occur safely within the site and does not adversely affect traffic or pedestrian safety and amenity. (DACPLG20)

In signing this report, I declare that I do not have a Conflict of Interest.

Signed



Lashta Haidari, Principal Planner

The application is determined on 30/03/2022, under the delegated authority of:



Rodney Piggott, Manager Development Assessments