



Warringah Council

DACOMMERCIAL OCCUPATION/ADDITIONS/SIGNAGE/CHANGE OF USE

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Assessment Officer: Alex Keller

Proposal Description: Replacement of existing signs and erection of new advertising signage for "Coles" supermarket.

Property Address: Lot 2 SP 20037, Howard Avenue Dee Why.

Application No: DA2009/0492

Report Section	Applicable	Complete & Attached
Section 1 – Code Assessment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 2 – Issues Assessment	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 2A – SEPP 64	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 2B – Schedule 17 Car parking	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 3 – Site Inspection Analysis	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 4 – Application Determination	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Estimated Cost of Works: \$ 40,000

Are S94A Contributions Applicable?

☐ Yes ☒ No

Notification Required?

☒ Yes ☐ No

Period of Public Exhibition?

☒ 14 days ☐ 21 days ☐ 30 days ☐ N/A

Submissions Received?

☐ Yes ☒ No

No. of Submissions:

No submissions.



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Are any trees impacted upon by the proposed development? ☐ Yes ☒ No

SECTION 1 – CODE ASSESSMENT REPORT

ENVIRONMENTAL PLANNING INSTRUMENTS

WLEP 2000

Locality: E4 Dee Why Parade & E5 Howard Avenue

Development Definition: ☐ Housing ☐ Ancillary Development to Housing ☒ Other – “Advertising signage”

Category of Development: ☐ Category 1 ☒ Category 2 ☐ Category 3

Desired Future Character:

☐ Category 1 Development with no variations to BFC’s (Section 2 Assessment not required)

Is the development considered to be consistent with the Locality’s Desired Future Character Statement?

☒ Yes ☐ No .

Dee Why Parade

Dee Why Parade provides a transition between the town centre and adjacent residential localities.

As such the locality will incorporate a mix of business, community and leisure uses including housing, shops and offices with apartment style housing being the predominant use on the northern side of Dee Why Parade.

The scale of development will help to achieve the transition between the town centre and surrounding localities with the buildings on the northern side of the Parade being more in keeping with the scale of existing apartment style housing in the area. New development on the southern side of Dee Why Parade will be of an increased scale although it will remain less than the scale of development in the Howard Avenue locality. On either side of Dee Why Parade articulation of building façades in such a way that they are broken into smaller elements with strong vertical proportions will be encouraged.

Future development on the southern side of Dee Why Parade is to be designed so that a 3 storey podium adjoins the sidewalk and establishes a coherent parapet line. Above the parapet line additional storeys will be set back from the front and the side boundaries so that the scale of development does not dominate Dee Why Parade and spaces are created between buildings to add interest to the skyline, reduce the mass of the building and facilitate the sharing of views and sunlight.

Minimum ceiling heights will be observed in the locality to emphasise the ground floor of buildings which incorporate uses other than housing and to maximise the amenity of dwellings and facilitate their adaptation for other purposes.

Building layout and access are to be in accordance with Map E, available at the office of the Council

Howard Avenue

Howard Avenue will be the primary boulevard in the Dee Why Town Centre and the focus of shopping and community activity.

Future development will incorporate a mix of business, community and leisure uses. Ground floor premises will be characterised by shops, restaurants and business premises that create active building fronts and contribute to the life of the streets and other public spaces. Housing



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and offices will characterise the upper floors.

Building design will also contribute to the life of public spaces by helping to define the streets and public spaces and create environments that are appropriate to the human scale as well as comfortable, interesting and safe.

In particular, future development is to be designed so that a 4 storey podium adjoins the sidewalk and establishes a coherent parapet line along Howard Avenue. Above the parapet line additional storeys will be set back to maintain solar access to the sidewalks and ensure that the scale of buildings does not dominate public spaces. Buildings are to be articulated in such a way that they are broken into smaller elements with strong vertical proportions and spaces are created between buildings at the upper levels to add interest to the skyline, reduce the mass of the building and facilitate the sharing of views and sunlight.

The overall height of buildings is to be such that long distance views of Long Reef Headland, the top of the escarpment to the west of Pittwater Road and the Norfolk Island Pines next to Dee Why Beach are preserved.

Building layout and access are to be in accordance with Map E available at the office of the Council such that the spaces behind buildings combine to form central courts with vehicle access limited to a restricted number of places generally in the locations shown on Map E.

Site amalgamation will be encouraged to facilitate new development and enable all carparking to be provided below ground or behind buildings using shared driveways where possible.

A public square will be created at the eastern end of the locality.

- ☐ Category 1 Development with variations to BFC's (Section 2 Assessment Required)
- ☒ Category 2 Development Consistency Test (Section 2 Assessment Required)
- ☐ Category 3 Development Consistency Test (Section 2 Assessment Required)

Consistency with the DFC

The proposal is deemed to be consistent with the DFC of Dee Why Parade and Howard Avenue having regard to the following assessment considerations:

- The advertising signs are ancillary to the mix of businesses and commercial land uses that form a major component of both localities;
- Advertising signs do not affect the existing scale and size of the buildings within the locality by adding to the height of wall planes or additional roof top structures;
- Subject to conditions to limit the number of signs above parapet level the proposed new signs will not affect streetscape vistas or views toward the coastal environments of Dee Why Lagoon or the beachfront;
- The signs do not dominate the spaces between buildings or detract from the urban architecture of Dee Why Parade and Howard Avenue;
- The advertising signs contribute to the visual identification of major shop locations to assist in pedestrian movement within the locality.
- The proposed fitting and fixture of the signs will be in safe locations that do not detract from a safe and comfortable shopping environment.
- The proposal does not affect existing access for car parking or requirements for site consolidation.



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Built Form Controls (BFC):

<p>Building Height (overall):</p> <p>Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requirement:</p> <p><input type="checkbox"/> 8.5m</p> <p><input type="checkbox"/> 11.0m</p> <p><input checked="" type="checkbox"/> Other (21 metres for Dee Why Parade and 26 metres for Howard Avenue)</p>	<p><input checked="" type="checkbox"/> Existing and unchanged</p> <p>Proposed:m</p> <p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Note signs as a structure are not a “building” but may be attached to or erected on a frame or pole to comply with the height limit.</p>
<p>Front Setback:</p> <p>Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requirement:</p> <p><input type="checkbox"/> 6.5m</p> <p><input type="checkbox"/> Other</p> <p>Is the Corner Allotment / Secondary Street Frontage control applicable?:</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Requirement:</p> <p><input type="checkbox"/> 3.5m</p> <p><input type="checkbox"/> Other .</p>	<p><input checked="" type="checkbox"/> Existing and unchanged</p> <p>Proposed:m</p> <p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p> <p>Erected on the facade of the building or above facade on a nil building alignment.</p> <p>Corner Allotment:</p> <p><input checked="" type="checkbox"/> Existing and unchanged</p> <p>Proposed: ...0.0.m - No change to building footprint.</p> <p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>Other: Non applicable.</p>	



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General Principles of Development Control:

<p>CL38 Glare & reflections</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p> <p>Sign illumination will not create excessive glare or reflection since the plastic facing of the sign is internally illuminated and therefore creates a diffused light emission. Suitable conditions are recommended to control illumination hours and intensity.</p>
<p>CL39 Local retail centres</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p> <p>The proposal is within the retail precinct and advertising signs form a highly visual and essential element of the retail centre. Signs should complement the local business activity but not overly impact on streetscape presentation.</p>
<p>CL42 Construction Sites</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p> <p>Standard conditions are required to ensure construction is maintained in accordance with standard hours.</p>
<p>CL43 Noise</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p> <p>The site is within a busy mixed commercial area. No nearby residences are likely to be affected by excessive noise amenity issues.</p>
<p>CL47 Flood Affected Land</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p> <p>The site is potentially flood affected from localised stormwater (floodplain). There will be no significant changes to the building and the signage is not obstructing any flood path (the pylon sign) and is will above any natural maximum flood level (wall signs).</p>
<p>CL48 Potentially Contaminated Land</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p>Based on the previous land uses if the site likely to be contaminated?</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p> <p>Is the site suitable for the proposed land use?</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>CL50 Safety & Security</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p> <p>The proposed signage is not in a location that may be easily damaged or vandalised. The height of all signage is clear of all minimum clearances (eg head height for pedestrians using footpath area).</p>
<p>CL52 Development Near Parks, Bushland Reserves & other public Open Spaces</p> <p>Applicable:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies:</p> <p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p> <p>The subject signage will not have any adverse impacts on the adjacent public space reserve between Howard Avenue and Dee Why Parade.</p>



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<p>CL53 Signs Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input checked="" type="checkbox"/> No</p> <p>The proposal includes a series of replacement signs for the existing signage of "Coles" on the building and new signage for "Coles" and "Liquorland" in selected locations, which includes sign space no longer used by former businesses within the building complex. The total area for all signs is: 7.2 m² for Howard Avenue (above awning) 49.7m² Dee Why Parade (above awning) 0.64 m² Howard Avenue (below awning) 4.3 m² Dee Why Parade (pylon sign) Total area of signage for Coles 61.8 m²</p> <p>The net signage exceeds the maximum allowable area permitted under the LEP. Refer to detailed assessment under "Section 2" in this report</p>
<p>CL54 Provision and Location of Utility Services Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p> <p>No change to existing capacity of site utilities required to support the new signage for power supply.</p>
<p>CL58 Protection of Existing Flora Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p> <p>Some landscaping trees are situated in front of the proposed signage on Dee Why Parade which will partly obscure the new signage. The applicant has proposed to trim the trees. A suitable condition is recommended that only the top part of the trees above 3.0 metres be trimmed. (The relocation of the sign 9 metres eastward would not require the tree to be trimmed except the power service and mounting box for the plastic sign facing would need to be repositioned. It is considerably less costly to trim the top of the trees. The trees are on private land and are not street trees.)</p>
<p>CL61 Views Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p> <p>The signs are not in a location that affects any overlooking views. However sign 2 is considerably higher than the parapet being on a frame structure and is potentially within the skyline view (field of vision) for other apartment buildings within the Dee Why Town Centre. It is recommended that sign 2 not be approved.</p>
<p>CL65 Privacy Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p>
<p>CL66 Building bulk Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No</p>	<p>Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p> <p>No change is proposed to the external structure of the building.</p>
<p>CL67 Roofs Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>Complies: <input checked="" type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No</p> <p>The signs are not in a location that is directly adjacent to any residential housing. However sign 2 is considerably higher than the parapet and is potentially within the skyline view (field of vision) for other apartment buildings within the Dee Why Town Centre. It is recommended that sign 2 not</p>



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	be approved.
CL68 Conservation of Energy and Water Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No BASIX is not required for this development. It is recommended that the sign be switched off after trading hours to conserve electricity.
CL70 Site facilities Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL72 Traffic access & safety Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No The signs are not positioned in any dangerous locations and will not be of such illumination that they are likely to create traffic safety issues by distracting drivers.
CL73 On-site Loading and Unloading Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	Complies: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No Sufficient space is available for the loading areas required to remove the existing signs and erect the new ones.
CL76 Management of Stormwater Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No No change to existing drainage is proposed.
CL77 Landfill Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No
CL78 Erosion & Sedimentation Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	Complies: <input type="checkbox"/> Yes <input type="checkbox"/> Yes , subject to condition <input type="checkbox"/> No

Schedules:

Schedule 4 Prohibited Signage (further assessment where appropriate under SEPP 64) Applicable: (i.e. are prohibited signs proposed?) <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> DAO to investigate further - (Addressed by conditions to delete pylon sign)
Schedule 5 State policies Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 6 Preservation of bushland Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 7 Matters for consideration in a subdivision of land Applicable:



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<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 8 Site analysis Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further Suitable site analysis information has been provided with the Statement of Environmental Effects
Schedule 9 Notification requirements for remediation work Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 10 Traffic generating development Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 11 Koala feed tree species and plans of management Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 12 Requirements for complying development Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 13 Development guidelines for Collaroy/Narrabeen Beach Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 14 Guiding principles for development near Middle Harbour Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 15 Statement of environmental effects Applicable: (Category 3 only) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further
Schedule 17 Carparking provision Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> FAR (refer Section 2B Issue Assessment)

EPA Regulation Considerations:

Clause 54 & 109 (Stop the Clock) Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further	
Clause 92 (Demolition of Structures) Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further	Addressed via condition? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Condition is recommended for WorkCover safety.
Clause 93 & 94 (Fire Safety) Applicable:	Addressed via condition?



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<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further BCA report supplied? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Further Assessment Required
Clause 98 (BCA) Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further	Addressed via condition? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Standard condition recommended for BCA compliance.
Is a Construction Certificate required? Applicable: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> DAO to investigate further (BCA Assessment Required see Section 2)	Addressed via condition? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Disability & Discrimination Act Applicable: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further	Addressed via condition? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Amended plans required
Is a POPE (Place of Public Entertainment required?) <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> DAO to investigate further	Addressed via condition? <input type="checkbox"/> Yes <input type="checkbox"/> No

REFERRALS

Referral Body/Officer	Required	Response
Development Engineering	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Landscape Assessment	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Catchment Management	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Env. Health and Protection	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Energy Australia	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory
Traffic Engineering	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Satisfactory <input type="checkbox"/> Satisfactory, subject to condition <input type="checkbox"/> Unsatisfactory

Applicable Legislation/ EPI's /Policies:

- ☒ EPA Act 1979
- ☒ EPA Regulations 2000
- ☐ Disability Discrimination Act 1992
- ☐ Local Government Act 1993
- ☐ Roads Act 1993
- ☐ Rural Fires Act 1997
- ☐ RFI Act 1948
- ☐ Water Management Act 2000
- ☐ Water Act 1912
- ☐ Swimming Pools Act 1992;
- ☐ SEPP No. 55 – Remediation of Land
- ☐ SEPP No. 71 – Coastal Protection
- ☐ SEPP No. 22 Shops & Commercial Premises
- ☒ SEPP No. 64 – Advertising & Signage
- ☐ SEPP Infrastructure
- ☐ SEPP BASIX
- ☐ SEPP Infrastructure
- ☒ WLEP 2000
- ☒ WDCP
- ☐ S94 Development Contributions Plan
- ☐ S94A Development Contributions Plan
- ☐ NSW Coastal Policy (cl 92 EPA Regulation)
- ☐ Other



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SECTION 79C EPA ACT 1979

Section 79C (1) (a)(i) – Have you considered all relevant provisions of any relevant environmental planning instrument?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(ii) – Have you considered all relevant provisions of any provisions of any draft environmental planning instrument	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(iii) – Have you considered all relevant provisions of any provisions of any development control plan	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (a)(iii) - Have you considered all relevant provisions of any Planning Agreement or Draft Planning Agreement	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A
Section 79C (1) (a)(iv) - Have you considered all relevant provisions of any Regulations?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (b) – Are the likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts in the locality acceptable?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (c) – Is the site suitable for the development?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (d) – Have you considered any submissions made in accordance with the EPA Act or EPA Regs?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Section 79C (1) (e) – Is the proposal in the public interest?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

Local Government Act 1993

Council is empowered under the *Local Government Act* to be the approval authority for this proposal and grant any works or permits required in accordance with Section 68 of that Act as part of the development assessment process. The proposal is satisfactory with regard to any special permits to address access from a public road for the temporary hoisting of new signs into place for fitting and fixing signs over the road reserve.

SECTION 2 – ISSUES

PUBLIC EXHIBITION

The subject application was publicly exhibited in accordance with the *EPA Regulation 2000* and the applicable Development Control Plan.

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

Other Relevant Environmental Planning Instruments:

SEPPs: Applicable? ☒ Yes ☐ No

SEPP Basix: Applicable?

☐ Yes ☒ No

If yes: Has the applicant provided Basix Certification?

☐ Yes ☐ No

SEPP 55 Applicable?

☒ Yes ☐ No



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Based on the previous land uses if the site likely to be contaminated?

☐ Yes ☒ No

Is the site suitable for the proposed land use?

☒ Yes ☐ No

SEPP Infrastructure Applicable?

☐ Yes ☒ No

**Is the proposal for a swimming pool:
Within 30m of an overhead line support structure?**

☐ Yes ☒ No

Within 5m of an overhead power line ?

☐ Yes ☒ No

Does the proposal comply with the SEPP?

☒ Yes ☐ No

SEPP No. 55 – Remediation of Land

Clause 7(1)(a) of SEPP 55 requires the consent authority to consider whether land is contaminated and if the land is contaminated further consideration is required under Clauses 7(1)(b) and 7(1)(c) of the SEPP.

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 as a business retail centre and the proposed works are unlikely to have any impact with regard to land contamination from various land uses within the building.

OTHER MATTERS FOR FURTHER CONSIDERATION:

Section 2A - SEPP No. 64 – Advertising and Signage

Is SEPP 64 Applicable to the proposal? ☒ Yes ☐ No (delete table below)

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.

Matters for Consideration	Comment	Complies
1. Character of the area Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	<p>The subject site is located within the E4 Dee Why Parade & E5 Howard Avenue locality under <i>WLEP 2000</i>. This locality is primarily comprised of commercial premises for retail shopping with shop top housing. Advertising signage is common along the pedestrian building frontages, including wall, window and above awning signs.</p> <p>The proposed development seeks the replacement of existing wall signs. The net area exceeds the maximum allowable advertising area under the LEP on separate building facades. Plus the proposal includes additional</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No



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	<p>wall signage and new signs on an existing frame structure as well as replacement of under awning signage. The replacement of the major "Coles" signs facing Dee Why Parade should be limited to those already there and not be expanded to replacing other business signs also (whether or not those businesses are still within the shopping centre.) It is considered that sufficient signage is available for the reasonable identification of retail "Coles" supermarket and restriction of the signage proposed is required to prevent excessive amount of advertising signs.</p>	
<p>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</p>	<p>The subject site is located within an existing commercial retail land use area with varying signage and building form. The proposed signage is considered to be of a satisfactory style and theme and consistent with major retail uses within the locality, subject to conditions.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</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 subject site is not located within the vicinity of any environmentally sensitive area, heritage item, waterway or rural landscape.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>
<p>3. Views and vistas Does the proposal obscure or compromise important views?</p>	<p>The proposed signage is designed to be fixed onto the existing building parapet or ancillary structures and will not obscure or compromise important water views. Sign 2 however is in an elevated location high above the roof of the building and will be in the field of vision for housing in the locality west of the site. In this regard sign 2 is not considered to be complimentary to the streetscape.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject to conditions</p>
<p>Does the proposal dominate the skyline and reduce the quality of vistas?</p>	<p>Most of the signage is located below the existing roof line and will therefore not result in any change to the existing built form. Sign 2 is on an elevated frame and is not considered to be complementary to the local skyline.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject to conditions</p>
<p>Does the proposal respect the viewing rights of other advertisers?</p>	<p>"Coles" is the dominant shop (anchor store) within the centre and is replacing and upgrading its existing signage. This includes replacing 2 sign boards used by other businesses. It is considered that the under awning sign 5 is appropriate to be replaced however sign 6 should be removed and not replaced with a "Coles" sign since Dee Why Parade frontage already contains 3 large "Coles" signs already that exceed the LEP net limits on allowable signage area.</p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject to conditions</p>
<p>4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape,</p>	<p>The proposed signage generally maintains the status quo since it replaces existing signs on the facade of the building. The building to which</p>	<p><input checked="" type="checkbox"/> Yes</p>



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setting or landscape?	the sign relates is of substantial size and therefore is suitable for larger style signs where there are extensive wall planes. In this regard the signage will not adversely impact on the urban setting of the building or landscape areas. Restriction on signs 2 and 6 are recommended in order to limit the proliferation of signage and maintain visual amenity.	<input type="checkbox"/> No
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage (as revised) is considered to be compatible with the scale, proportion and characteristics of the site within the commercial and retail centre of Dee Why.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage will replace signage on the building but adds to the number of signs on the building. Signs 2 and 6 are therefore not supported for approval.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject to conditions
Does the proposal screen unsightliness?	The proposed signage will not obscure any unsightliness.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	Sign 2 protrudes well above the building since it is positioned on an existing frame structure. It is recommended that this sign not be included for approval.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject to conditions
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 serves the size of the major retailer within the shopping centre. Signage is required for both frontages for the public to identify the location of "Coles" and assist in indicating the main pedestrian and vehicle entry points.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the proposal respect important features of the site or building, or both?	Some of the proposed signage has been designed to simply replace and expand the existing signage on the building. There are no distinctive features of the building that require special attention.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage is customised signage for the corporate image of "Coles". The signs do not serve any imaginative or innovative purpose and simply identify the major retail supermarket outlet of "Coles" within the building	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
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?	No safety devices, platforms, lighting devices or logos have been designed as an integral part of the signage or structure on which it is to be displayed.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
7. Illumination Would illumination result in unacceptable glare, affect safety for pedestrians, vehicles	The signs are internally illuminated and a suitable condition is recommended for	<input checked="" type="checkbox"/> Yes



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or aircraft, detract from the amenity of any residence or other form of accommodation?	maximum LUX in accordance with the relevant Australian Standard.	<input type="checkbox"/> No
Can the intensity of the illumination be adjusted, if necessary?	No, once the lighting globes are fixed there is no adjustment.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Is the illumination subject to a curfew?	No, however the lighting may be switched off during the day and after closing time. A condition is recommended to address this.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject to condition
8. Safety Would the proposal reduce the safety for any public road, pedestrians or bicyclists?	Due to the location of the proposed signage and conditions, the proposed signage is not considered to have any adverse impact upon the safety for any public road, pedestrians or bicyclists.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	Due to the location of the proposed signage it is considered that the signage will not result in the obscuring of any sightlines.	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

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.

Proposal is satisfactory subject to conditions to reduce the signage to delete the pylon sign (No.2) and additional wall sign (No 6).

☒ Yes ☐ No

WLEP 2000 Clause 53 Signs

CL53 Signs	<p>The number, size, shape, extent, placement and content of signs are to be limited to the extent necessary to:</p> <ul style="list-style-type: none"> • allow the reasonable identification of the land use, business, activity or building to which the sign relates, and • ensure that the sign is compatible with the design, scale and architectural character of the building or site upon which it is to be placed, and • ensure that the sign does not dominate or obscure other signs or result in visual clutter, and • ensure that the sign does not endanger the public or diminish the amenity of nearby properties. <p>The site exceeds maximum frontage for signage and is therefore subject to the maximum allowable area. <i>Retail signs above awning level are limited to a maximum of 4 m2.</i> <i>Retail signs below awning level are limited to a maximum of 5 m2.</i></p> <p>The total proposed signage equals 63.3 m2</p> <p>Sign 1 = 3.9 m2 (new sign above awning on south facade) Sign 2 = 3.3 m2 (new sign above building on frame structure) Sign 3 = 4.3 m2 (replacement of "Coles" sign at car park entry)</p>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Subject to conditions
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	<p>Sign 4 = 22.5 m2 (replacement of "Coles" sign above awning level on east facade) Sign 5 = 6.4 m2 (replacement under awning sign (replacing chemist sign) Sign 6 = 2.7 m2 (replacement of sign above awning level replacing takeaway shop sign) Sign 7 = 20.2 m2 (replacement of "Coles" sign above awning level on north facade)</p> <p>The above signage equals a total of : 49.3 m2 of above awning signage (mounted to a wall) (4); and 6.4 m2 of below awning signage (1); and 7.6 m2 pole mounted signs (2)</p> <p>Clearly the signage proposed far exceeds the maximum allowable signage and includes new prohibited pole mounted signage.</p> <p>While the signage is generally a replacement of existing signs, it is considered that the proposal should be limited to approval for only signs 1,3,4,5 & 7. In this regard the content, extent, number shape and size of these signs will satisfy the requirements of clause 53 to:</p> <ul style="list-style-type: none">• allow the reasonable identification of "Coles" supermarket;• retain signage compatible with the character of the building;• ensure signs do not excessively dominate and clutter the building; and• do not endanger the public and amenity of adjacent land. <p>The variation to the numerical controls of this clause is supported since the proposal generally is only replacing (refacing) existing signs for "Coles". Subject to limiting the new signs as discussed the proposal is acceptable having regard to the considerations of this clause.</p>	
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Is there existing signage on site? ☒ Yes ☐ No

Will the existing signage be retained? ☐ Yes ☒ No. Condition not required.

Suitable conditions are recommended to ensure the pylon sign (No.2) and additional wall sign (No 6) are deleted from the plans prior to issue of the CC.



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SECTION 3 – SITE INSPECTION ANALYSIS



Site area7,361...sqm

Detail existing onsite structures:

- ☐ None
- ☐ Dwelling
- ☐ Detached Garage
- ☐ Detached shed
- ☐ Swimming pool
- ☐ Tennis Court
- ☐ Cabana
- ☒ Otherretail shopping centre

Site Features:

- ☒ None
- ☐ Trees
- ☐ Under Storey Vegetation
- ☐ Rock Outcrops
- ☐ Caves
- ☐ Overhangs

- ☐ Waterfalls
- ☐ Creeks / Watercourse
- ☐ Aboriginal Art / Carvings
- ☐ Any Item of / or any potential item of heritage significance

Potential View Loss as a result of development

- ☐ Yes ☒ No

If Yes where from (in relation to site):

- ☐ North / South
- ☐ East / West
- ☐ North East / South West
- ☐ North West / South East

View of:

- Ocean / Waterways ☐ Yes ☒ No
- Headland ☐ Yes ☒ No
- District Views ☐ Yes ☒ No
- Bushland ☐ Yes ☒ No



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Other:

Bushfire Prone?

☐ Yes ☒ No

Flood Prone?

☐ Yes ☒ No

Affected by Acid Sulphate Soils

☐ Yes ☒ No

Located within 40m of any natural watercourse?

☐ Yes ☒ No

Located within 1km landward of the open coast watermark or within 1km of any bay estuaries, coastal lake, lagoon, island, tidal waterway within the area mapped within the NSW Coastal Policy?

☒ Yes ☐ No

Located within 100m of the mean high watermark?

☐ Yes ☒ No

Located within an area identified as a Wave Impact Zone?

☐ Yes ☒ No

Any items of heritage significance located upon it?

☐ Yes ☒ No

Located within the vicinity of any items of heritage significance?

☐ Yes ☒ No

Located within an area identified as potential land slip?

☐ Yes ☒ No

Is the development Integrated?

☐ Yes ☒ No

Does the development require concurrence?

☐ Yes ☒ No

Is the site owned or is the DA made by the "Crown"?

☐ Yes ☒ No

Have you reviewed the DP and s88B instrument?

☐ Yes ☒ No

Does the proposal impact upon any easements / Rights of Way?

☐ Yes ☒ No



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Site Inspection / Desktop Assessment Undertaken by:

Does the site inspection <Section 3> confirm the assessment undertaken against the relevant EPI's <Section's 1 & 2>?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
Are there any additional matters that have arisen from your site inspection that would require any additional assessment to be undertaken?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes provide detail:

Signed

Date

Alex Keller, Development Assessment Officer



SECTION 4 – APPLICATION DETERMINATION

Conclusion:

The proposal has been considered against the relevant heads of consideration under S79C of the *EPA Act 1979* and the proposed development is considered to be:

- ☒ Satisfactory
☐ Unsatisfactory

Recommendation:

That Council as the consent authority

- ☒ **GRANT DEVELOPMENT CONSENT** to the development application subject to:
- (a) the conditions detailed within the associated notice of determination; and
 - (b) the consent lapsing within three (3) from operation
- ☐ **GRANT DEFERRED COMMENCEMENT CONSENT** to the development application subject to:
- (a) the conditions detailed within the associated notice of determination;
 - (b) limit the deferred commencement condition time frame to 3 years;
 - (c) one the deferred commencement matter have been satisfactorily addressed issue an operational consent subject to the time frames detailed within part (d); and
 - (d) the consent lapsing within three (3) from operation
- ☐ **REFUSE development consent** to the development application subject to:
- (a) the reasons detailed within the associated notice of determination.

Signed

Date

Alex Keller - Snr Development Assessment Officer

The application is determined under the delegated authority of:

Signed

Date

Steve Findlay - Team Leader, Development Assessment