



Warringah Council

COMMERCIAL OCCUPATION/ADDITIONS/SIGNAGE/CHANGE OF USE

DEVELOPMENT APPLICATION ASSESSMENT REPORT

Assessment Officer: Phil Lane

Proposal Description: Use of premises as Health Consulting Room (dental surgery) and signage.

In detail: 7.30am – 6pm (Monday to Friday) & 8am – 12pm (Saturday)

Property Address: Lot 1 DP 725574, No. 7 Oaks Avenue, Dee Why

Application No: DA2010/1782

Report Section	Applicable	Complete & Attached
Section 1 – Code Assessment	☒ Yes ☐ No	☒ Yes ☐ No
Section 2 – Issues Assessment	☒ Yes ☐ No	☒ Yes ☐ No
Section 2A – SEPP 64	☒ Yes ☐ No	☐ Yes ☐ No
Section 2B – Schedule 17 Car parking	☒ Yes ☐ No	☒ Yes ☐ No
Section 3 – Site Inspection Analysis	☒ Yes ☐ No	☒ Yes ☐ No
Section 4 – Application Determination	☒ Yes ☐ No	☒ Yes ☐ No

Estimated Cost of Works: \$ 45000.00

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: Nil



Warringah Council

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

SECTION 1 – CODE ASSESSMENT REPORT

ENVIRONMENTAL PLANNING INSTRUMENTS

WLEP 2000

Development Definition: Fitout and use for a health consulting room

Locality: E6 Oaks Avenue

Category of Development: 2- health consulting room

Desired Future Character:

Oaks Avenue will incorporate a mix of business, community and leisure uses. Ground floor premises will be characterised by uses including shops and restaurants that create active building front and contribute to the life of the streets and other public spaces. Housing and offices will characterise 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. The scale of these buildings will be less than buildings in the neighbouring Howard Avenue locality in recognition of the subservient role of Oaks Avenue.

In particular, future development will be designed so that a 3 storey6 podium adjoins the sidewalk and establishes a coherent parapet line along Oaks Avenue. Above 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 and 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 from 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.

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

☐ 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

☐ 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)

Draft WLEP 2009 Permissible or Prohibited Land use: Permissible

Built Form Controls:

This application seeks consent for the fitout and use of a tenancy within a existing commercial building. The proposal involves internal work to the tenancy and makes no changes to the facade of the building.



Warringah Council

Therefore the Built Form Controls on building height, building mass, build to lines, footpath awnings, pedestrian links and carparking facilities are not applicable in this case.

General Principles of Development Control:

CL38 Glare & reflections Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL39 Local retail centres Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL40 Housing for Older People and People with Disabilities Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL41 Brothels Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL42 Construction Sites Applicable: ☒ Yes ☐ No	Complies: ☐ Yes ☒ Yes , subject to condition ☐ No
CL43 Noise Applicable: ☒ Yes ☐ No	Complies: ☐ Yes ☒ Yes , subject to condition ☐ No
CL44 Pollutants Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL45 Hazardous Uses Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL46 Radiation Emission Levels Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL47 Flood Affected Land Applicable: ☒ Yes ☐ No	Complies: ☒ Yes ☐ Yes , subject to condition ☐ No Comment: The building is located within the 1 in 100 year flood event and given that the original approval was assessed it is deemed that the proposed occupation is compliant with this clause.



Warringah Council

CL48 Potentially Contaminated Land Applicable: ☒ Yes ☐ No	Complies: 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
CL49 Remediation of Contaminated Land Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL49a Acid Sulfate Soils Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL50 Safety & Security Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL51 Front Fences and Walls Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL52 Development Near Parks, Bushland Reserves & other public Open Spaces Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL53 Signs Applicable: ☒ Yes ☐ No	Complies: ☒ Yes ☐ Yes , subject to condition ☐ No Comment: One under awning sign at the Oaks Avenue frontage. The sign is to be 2400mm (width) by 500mm (height) – 1.2sqm. The signage is compliant with this clause.
CL54 Provision and Location of Utility Services Applicable: ☒ Yes ☐ No	Complies: ☒ Yes ☐ Yes , subject to condition ☐ No
CL55 Site Consolidation in 'Medium Density Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL56 Retaining Unique Environmental Features on Site Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No



Warringah Council

CL57 Development on Sloping Land Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL58 Protection of Existing Flora Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL59 Koala Habitat Protection Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL60 Watercourses & Aquatic Habitats Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL61 Views Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL62 Access to sunlight Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL63 Landscaped Open Space Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL63A Rear Building Setback Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL64 Private open space Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL65 Privacy Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL66 Building bulk Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL67 Roofs Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No



Warringah Council

CL68 Conservation of Energy and Water Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL69 Accessibility – Public and Semi-Public Buildings Applicable: ☒ Yes ☐ No	Complies: ☐ Yes ☒ Yes , subject to condition ☐ No
CL70 Site facilities Applicable: ☒ Yes ☐ No	Complies: ☒ Yes ☐ Yes , subject to condition ☐ No
CL71 Parking facilities (visual impact) Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL72 Traffic access & safety Applicable: ☒ Yes ☐ No	Complies: ☒ Yes ☐ Yes , subject to condition ☐ No
CL73 On-site Loading and Unloading Applicable: ☒ Yes ☐ No	Complies: ☒ Yes ☐ Yes , subject to condition ☐ No
CL74 Provision of Carparking Applicable: ☒ Yes ☐ No	Complies: ☐ Yes ☒ Yes , subject to condition ☐ No WLEP 2000 defines dental surgery as a health consulting room, and Schedule 17 of WLEP 2000 - Carparking Provision requires 3 carparking spaces per health consulting room used to see patients. Accordingly, 3 carparking spaces are required for the proposal which includes 1 room to see patients. According to Development Consent 2005/1250, as modified, 41 spaces have been allocated to the approved commercial premises of the site. The subject tenancy, which occupies part of the approved commercial premises, will have access to the 41 spaces allocated and 3 car spaces have being allocated for the intended use. Therefore, the proposal complies with the requirement of this Schedule. In this regard, a condition is imposed so that 3 carparking spaces of the 41 on-site commercial spaces will be designated for the subject tenancy.
CL75 Design of Carparking Areas Applicable: ☒ Yes ☐ No	Complies: ☒ Yes ☐ Yes , subject to condition ☐ No



Warringah Council

CL76 Management of Stormwater Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL77 Landfill Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL78 Erosion & Sedimentation Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL79 Heritage Control Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL80 Notice to Metropolitan Aboriginal Land Council and the National Parks and Wildlife Service Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL81 Notice to Heritage Council Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL82 Development in the Vicinity of Heritage Items Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No
CL83 Development of Known or Potential Archaeological Sites Applicable: ☐ Yes ☒ No	Complies: ☐ Yes ☐ Yes , subject to condition ☐ No

Schedules:

Schedule 4 Prohibited Signage (further assessment where appropriate under SEPP 64) Applicable: (i.e. are prohibited signs proposed?) ☐ Yes ☒ No ☐ DAO to investigate further
Schedule 5 State policies Applicable: ☐ Yes ☒ No ☐ DAO to investigate further
Schedule 6 Preservation of bushland Applicable: ☐ Yes ☒ No ☐ DAO to investigate further



Warringah Council

Schedule 7 Matters for consideration in a subdivision of land

Applicable:

☐ Yes ☒ No ☐ DAO to investigate further

Schedule 8 Site analysis

Applicable:

☒ Yes ☐ No ☐ DAO to investigate further

Schedule 9 Notification requirements for remediation work

Applicable:

☐ Yes ☒ No ☐ DAO to investigate further

Schedule 10 Traffic generating development

Applicable:

☐ Yes ☒ No ☐ DAO to investigate further

Schedule 11 Koala feed tree species and plans of management

Applicable:

☐ Yes ☒ No ☐ DAO to investigate further

Schedule 12 Requirements for complying development

Applicable:

☐ Yes ☒ No ☐ DAO to investigate further

Schedule 13 Development guidelines for Collaroy/Narrabeen Beach

Applicable:

☐ Yes ☒ No ☐ DAO to investigate further

Schedule 14 Guiding principles for development near Middle Harbour

Applicable:

☐ Yes ☒ No ☐ DAO to investigate further

Schedule 15 Statement of environmental effects

Applicable: (Category 3 only)

☐ Yes ☒ No ☐ DAO to investigate further

Schedule 17 Carparking provision

Applicable:

☒ Yes ☐ No ☐ FAR (refer Section 2B Issue Assessment)

WLEP 2000 defines dental surgery as a health consulting room, and Schedule 17 of WLEP 2000 - Carparking Provision requires 3 carparking spaces per health consulting room used to see patients. Accordingly, 3 carparking spaces are required for the proposal which includes 1 room to see patients.

According to Development Consent 2005/1250, as modified, 41 spaces have been allocated to the approved commercial premises of the site. The subject tenancy, which occupies part of the approved commercial premises, will have access to the 41 spaces allocated and 3 car spaces have being allocated for the intended use. Therefore, the proposal complies with the requirement of this Schedule.

In this regard, a condition is imposed so that 3 carparking spaces of the 41 on-site commercial spaces will be designated for the subject tenancy.



Warringah Council

EPA Regulation Considerations:

Clause 54 & 109 (Stop the Clock) Applicable: ☐ Yes ☒ No ☐ DAO to investigate further	
Clause 92 (Demolition of Structures) Applicable: ☐ Yes ☒ No ☐ DAO to investigate further	Addressed via condition? ☐ Yes ☐ No
Clause 93 & 94 (Fire Safety) Applicable: ☒ Yes ☐ No ☐ DAO to investigate further BCA report supplied? ☐ Yes ☒ No	Addressed via condition? ☒ Yes ☐ No ☐ Further Assessment Required
Clause 98 (BCA) Applicable: ☒ Yes ☐ No ☐ DAO to investigate further	Addressed via condition? ☒ Yes ☐ No
Is a Construction Certificate required? Applicable: ☒ Yes ☐ No ☐ DAO to investigate further (BCA Assessment Required see Section 2)	Addressed via condition? ☒ Yes ☐ No
Disability & Discrimination Act Applicable: ☒ Yes ☐ No ☐ DAO to investigate further	Addressed via condition? ☐ Yes ☐ No ☐ Amended plans required Comment: The original consent and building has been designed and conditioned to comply with AS 1428.2. The proposal shall be conditioned to ensure the internal fitout is consistent with AS 1428.2.

REFERRALS

Referral Body/Officer	Required	Response
Development Engineering	☐ Yes ☒ No	☐ Satisfactory ☐ Satisfactory, subject to condition ☐ Unsatisfactory
Landscape Assessment	☐ Yes ☒ No	☐ Satisfactory ☐ Satisfactory, subject to condition ☐ Unsatisfactory
Bushland Management	☐ Yes ☒ No	☐ Satisfactory



Warringah Council

		☐ Satisfactory, subject to condition ☐ Unsatisfactory
Catchment Management	☐ Yes ☒ No	☐ Satisfactory ☐ Satisfactory, subject to condition ☐ Unsatisfactory
Aboriginal Heritage	☐ Yes ☒ No	☐ Satisfactory ☐ Satisfactory, subject to condition ☐ Unsatisfactory
Env. Health and Protection	☒ Yes ☐ No	☐ Satisfactory ☒ Satisfactory, subject to condition ☐ Unsatisfactory
NSW Rural Fire Service	☐ Yes ☒ No	☐ Satisfactory ☐ Satisfactory, subject to condition ☐ Unsatisfactory
Energy Australia	☒ Yes ☐ No	☒ Satisfactory ☐ Satisfactory, subject to condition ☐ 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
- ☒ WLEP 2000
- ☒ WDCP
- ☐ S94 Development Contributions Plan
- ☐ S94A Development Contributions Plan
- ☐ NSW Coastal Policy (cl 92 EPA Regulation)
- ☒ Other (Draft WLEP 2009)

SECTION 79C EPA ACT 1979

Section 79C (1) (a) (i) – Have you considered all relevant provisions of any relevant environmental planning instrument?	☒ Yes ☐ No
Section 79C (1) (a)(ii) – Have you considered all relevant provisions of any provisions of any draft environmental planning instrument	☒ Yes ☐ No
Section 79C (1) (a)(iii) – Have you considered all relevant provisions of any provisions of any development control plan	☒ Yes ☐ No



Warringah Council

Section 79C (1) (a)(iii) - Have you considered all relevant provisions of any Planning Agreement or Draft Planning Agreement	☐ Yes ☐ No ☒ N/A
Section 79C (1) (a)(iv) - Have you considered all relevant provisions of any Regulations?	☒ Yes ☐ 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?	☒ Yes ☐ No
Section 79C (1) (c) – Is the site suitable for the development?	☒ Yes ☐ No
Section 79C (1) (d) – Have you considered any submissions made in accordance with the EPA Act or EPA Regs?	☒ Yes ☐ No
Section 79C (1) (e) – Is the proposal in the public interest?	☒ Yes ☐ No

Draft Warringah Local Environmental Plan 2009 (Draft WLEP 2009)

Definition: **health services facility** means a building or place used as a facility to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes the following:

- (a) day surgeries and medical centres,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) facilities for the transport of patients, including helipads and ambulance facilities,
- (e) hospitals.

Land Use Zone: B4 Mixed Use

Permissible or Prohibited: Permissible

Additional Permitted used for particular land – Refer to Schedule 1:

Principal Development Standards:

Development Standard	Required	Proposed	Complies	Clause 4.6 Exception to Development Standard
Height of Buildings:	6 storeys or above are permissible / maximum 26m	As existing	Yes	Not Applicable

The proposed development is consistent with the aims and objectives of the Draft WLEP 2009.

SECTION 2 – ISSUES

SEPPs

Other Relevant Environmental Planning Instruments:

SEPPs: Applicable? ☒ Yes ☐ No

SEPP Basix: Applicable?

☐ Yes ☒ No

If yes: Has the applicant provided Basix Certification?

☐ Yes ☐ No



Warringah Council

SEPP 55 Applicable?

☒ Yes ☐ No

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

WLEP 2000

DESIRED FUTURE CHARACTER

Clause 12(3)(b) of WLEP 2000 requires the consent authority to be satisfied that the development is consistent with the Desired Future character described in the relevant Locality Statement.

“Oaks Avenue will incorporate a mix of business, community and leisure uses. Ground floor premises will be characterised by uses including shops and restaurants that create active building front and contribute to the life of the streets and other public spaces. Housing and offices will characterise 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. The scale of these buildings will be less than buildings in the neighbouring Howard Avenue locality in recognition of the subservient role of Oaks Avenue.

In particular, future development will be designed so that a 3 storey6 podium adjoins the sidewalk and establishes a coherent parapet line along Oaks Avenue. Above 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 and 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 from 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.



Warringah Council

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."

Accordingly, an assessment of consistency of the proposed development against the locality's DFC is provided. The proposal is considered to satisfy the applicable DFC statement for the reasons detailed hereunder:

The dental surgery, by nature, will not detract from the business, community and leisure uses of the locality, and will accommodate the needs of the local residents.

The dental surgery, being located on the third storey, will not affect the site in creating an active building fronts and contributing to the life of the streets and other public spaces as approved.

The application seeks consent for internal fitout and makes no changes to the approved building design of the site.

Clause 12(3) (b) of WLEP 2000 requires the consent authority to consider Category 2 development is consistent with the locality's DFC statement.

Accordingly, an assessment of consistency of the proposed development against the locality's DFC.

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?	The subject site is located within the E6 Oaks Avenue locality under WLEP 2000. This locality is primarily comprised of commercial/retail premises and residential uses which provide advertising signage for the premises, including wall, window and pylon signs. The proposed development seeks approval for an under awning sign, which is consistent with existing surrounding signage.	☒ Yes ☐ No
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The subject site is located within an existing commercial/retail premises and residential uses area with varying signage and building form. The proposed signage is considered to be satisfactory with regard to the advertising theme for the commercial uses within the locality.	☒ Yes ☐ No
2. Special areas Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	The subject site is not located within the vicinity of any environmentally sensitive area, heritage item, waterway or rural landscape.	☒ Yes ☐ No



Warringah Council

3. Views and vistas Does the proposal obscure or compromise important views?	The proposed signage is designed to be erected under the existing awning at street level in front of the building and will not obscure or compromise important views. In addition, the proposed signage will not result in the obscuring of views from any public or private domain.	☒ Yes ☐ No
Does the proposal dominate the skyline and reduce the quality of vistas?	All proposed signage is located below the existing roof line and will therefore not result in any change to the existing built form.	☒ Yes ☐ No
Does the proposal respect the viewing rights of other advertisers?	Due to the buildings unique design and locality no existing or proposed signage will interfere with the viewing right of other advertisers.	☒ Yes ☐ No
4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage is not considered to adversely impact on the surrounding streetscape, setting or landscape due to the location of the signage.	☒ Yes ☐ No
Does the proposal respect the viewing rights of other advertisers?	Due to the buildings unique design and locality no existing or proposed signage will interfere with the viewing right of other advertisers.	☒ Yes ☐ No
4. Streetscape, setting or landscape Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The proposed signage is not considered to adversely impact on the surrounding streetscape, setting or landscape due to the location of the signage.	☒ Yes ☐ No
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The proposed signage is consistent with that of surrounding development, it is consistent with the existing built form and is considered to be in scale with the building to which it will be attached.	☒ Yes ☐ No
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage is of a similar location of similar design and scale; It is considered that the proposed signage will maintain the status quo with regard to clutter and rationalisation.	☒ Yes ☐ No
Does the proposal screen unsightliness?	The proposed signage is designed as a under awning sign and will not obscure any unsightliness.	☒ Yes ☐ No
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	All proposed signage is to be constructed on the buildings under the existing awning at the front of building, and will not protrude beyond the roof line.	☒ Yes ☐ No
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 is considered to be compatible with the scale, proportion and other characteristics of the site or building due to the location of the signage	☒ Yes ☐ No
Does the proposal respect important features of the site or building, or both?	All proposed signage has been designed as under awning signage, the signage is considered to be consistent with that of the	☒ Yes



Warringah Council

	built form and to that of surrounding development; as such the proposal is considered to respect the important features of the site and building.	☐ No
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage is standard in design, it is consistent with that of surrounding development and is considered satisfactory for the proposed use.	☒ Yes ☐ 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 been designed as an integral part of the signage or structure on which it is to be displayed have been proposed as part of this application.	☒ Yes ☐ No
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 proposed illumination given the location of the signage under the awning is unlikely to result in unacceptable glare or safety concerns to pedestrians or vehicles.	☒ Yes ☐ No
Can the intensity of the illumination be adjusted, if necessary?	A specific condition will be included to ensure that the proposed illumination can be adjusted if required.	☒ Yes ☐ No
Is the illumination subject to a curfew?	A specific condition will be included to ensure that the proposed hours of illumination are reasonable and consistent with the hours of operation for the intended use (Dental Surgery).	☒ Yes ☐ No
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.	☒ Yes ☐ 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 views.	☒ Yes ☐ 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 ☒ Yes ☐ No

WLEP 2000 Clause 53 Signs

CL53 Signs	The number, size, shape, extent, placement and content of signs are to be limited to the extent necessary to: • 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	☒ Yes ☐ No ☒ Yes ☐ No ☒ Yes ☐ No
------------	--	---



Warringah Council

	amenity of nearby properties.	☒ Yes ☐ No
--	-------------------------------	---

Is there existing signage on site? ☒ Yes ☐ No

Will the existing signage be retained? ☒ Yes ☐ No – condition removed

Section 2B Schedule 17 Carparking Provision

Number of car spaces existing 41 spaces, complies? ☒ Yes ☐ No ☐ FAR Total number of car spaces required 3 spaces? ☒ Yes ☐ No ☐ FAR Total number of car spaces proposed 3 spaces, complies? ☒ Yes ☐ No ☐ FAR	Addressed via condition? ☒ Yes ☐ No ☐ Further Assessment Required (Clause 74 to be addressed below)
Clause 74 Provision of carparking Adequate off-street carparking is to be provided within the subject property boundaries having regard to: • the land use, and • the hours of operation, and • the availability of public transport, and • the availability of alternative carparking, and • the need for parking facilities for courier vehicles, delivery/service vehicles and bicycles.	☒ Yes ☐ No ☒ Yes ☐ No ☒ Yes ☐ No ☒ Yes ☐ No



Warringah Council

SECTION 3 – SITE INSPECTION ANALYSIS



Site area 92sqm

Detail existing onsite structures:

- ☐ None
- ☐ Dwelling
- ☐ Detached Garage
- ☐ Detached shed
- ☐ Swimming pool
- ☐ Tennis Court
- ☐ Cabana
- ☒ Other (Commercial Building)

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



Warringah Council

☐ North West / South East

View of:

Ocean / Waterways

☐ Yes ☐ No

Headland

☐ Yes ☐ No

District Views

☐ Yes ☐ No

Bushland

☐ Yes ☐ No

Other:

Bushfire Prone?

☐ Yes ☒ No

Flood Prone?

☒ Yes ☐ No

Affected by Acid Sulfate 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



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>?	☒ Yes ☐ No
Are there any additional matters that have arisen from your site inspection that would require any additional assessment to be undertaken?	☐ Yes ☒ No If yes provide detail:

Signed

Date 22 December 2010

Phil Lane, Senior Development Assessment Officer

SECTION 4 – APPLICATION DETERMINATION

Conclusion:

The proposal has been considered against the relevant matters for consideration under Section 79C of the EP&A Act 1979. This assessment has taken into consideration the submitted plans, Statement of Environmental Effects, all other documentation supporting the application and does not result in any unreasonable impacts on surrounding, adjoining, adjacent and nearby properties subject to any conditions contained within the Recommendation.

- ☒ 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
 - (a) the consent lapsing within five (5) years from operation

"I am aware of Warringah's Code of Conduct and, in signing this report, declare that I do not have a Conflict of Interest"

Signed

Date 22 December 2010

Phil Lane, Senior Development Assessment Officer

The application is determined under the delegated authority of:

Signed

Date 22 December 2010

Rod Piggott, Team Leader, Development Assessment