
STATEMENT OF ENVIRONMENTAL EFFECTS

To accompany a Development Application
For the change of use to a pilates studio with
associated fit-out and signage

at Unit No. 2B, 4-10 Inman Road, Cromer

Issue A – September 2023

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1.0 INTRODUCTION

This statement has been prepared to accompany a Development Application for the change of use to a pilates studio with associated fit-out and signage at Unit No. 2B, 4-10 Inman Road, Cromer.

The purpose of this report is to describe the proposed change of use and review the relevant planning controls relating to the proposal. It provides an assessment of the proposal in light of the provisions of Section 4.15 of the Environmental Planning and Assessment Act, 1979.

This report aims to demonstrate that the proposed change of use is appropriate within its context and within the framework of the relevant planning policies. This statement addresses issues arising from the proposal in light of the following planning controls:

- Warringah Local Environmental Plan 2011
- Warringah Development Control Plan 2011
- State Environmental Planning Policy (Industry and Employment) 2021
- Provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979

The assessment relies upon the following information:

- The subject land is zoned E4 General Industrial under the Warringah Local Environmental Plan 2011
- The immediate context of the site and surrounding industrial character

2.0 SITE & CONTEXT ANALYSIS

2.1 SUBJECT SITE DESCRIPTION

The subject site is located at Unit No. 2B, 4-10 Inman Road, Cromer and is legally identified as Lots 1 and 3 within DP 1282038. The area of the subject tenancy is approximately 240m².

The subject site is located on the eastern side of Inman Road on the corner of South Creek Road and Orlando Road. Figure 01 illustrates the context of the site within the locality.

The subject site is irregular in shape and contains an industrial facility.

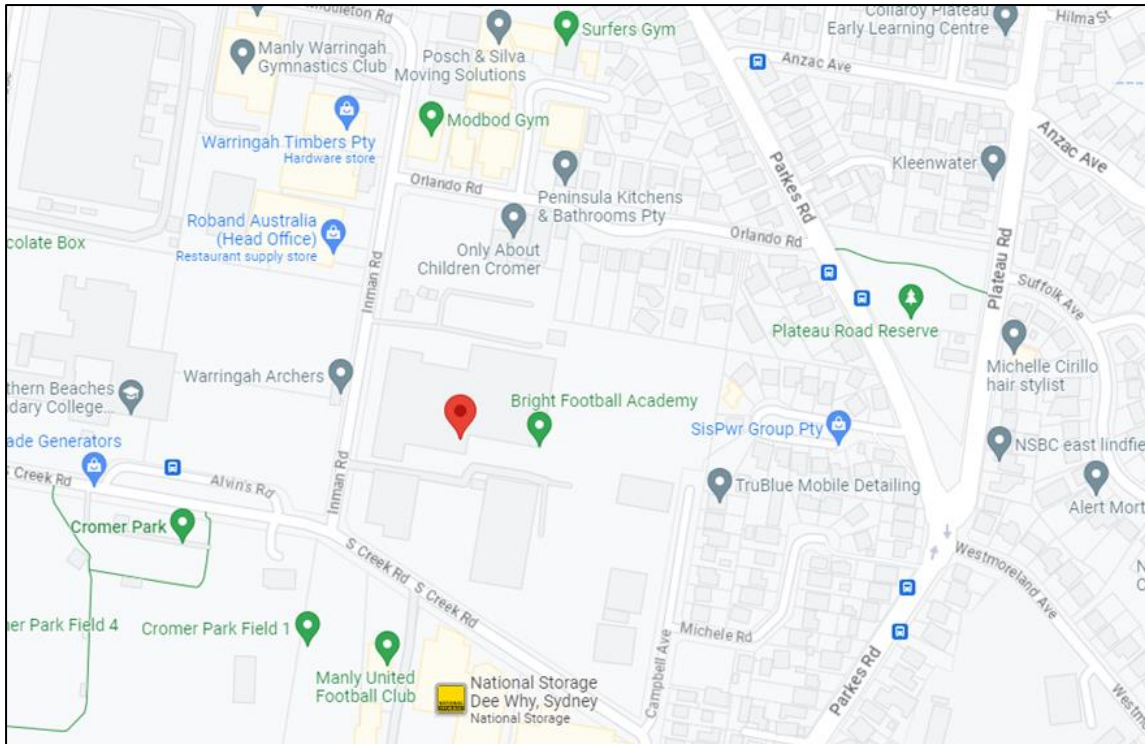


Figure 01: Map of site location (Google Maps, accessed 2023)

2.2 EXISTING BUILDING AND ASSOCIATED STRUCTURES

The subject site was approved for demolition works and alterations and additions to an existing industrial facility, including new warehouse, self-storage, office premises and ancillary café on 17th August 2020 under DA2019/1346. Unit 2B is currently vacant.



Figure 02: Approved development at No. 4-10 Inman Road, Cromer

2.3 SURROUNDING AREA

Locality

The subject site is located within an E4 General Industrial zone under the Warringah Local Environmental Plan 2011. The site is located in Cromer, a suburb of northern Sydney located 20km north-east of the Sydney central business district. The site is located at the eastern periphery of Cromer within a predominantly industrial and residential area.

The locality of Cromer is characterised by a diversity of land uses. The locality is bounded by Ingleside, Narrabeen, Wheeler Heights, Collaroy Plateau, Collaroy, Dee Why, Narraweena, and Oxford Falls.

Street pattern

The immediate area in which the subject site is located is defined by an inconsistent street pattern with a variety of lot sizes and shapes which have no predominant orientation. There is a network of footpaths accompanied by street vegetation.

3.0 THE DEVELOPMENT PROPOSAL

3.1 OVERVIEW

This Development Application proposes the change of use of the tenancy to a pilates studio known as Feels Pilates, which will operate Monday to Thursday 5:00am to 7:30pm, Friday 5:00am to 11:30am, Saturday 5:30am to 10:00am, and Sunday 6:30am to 10:00am. Associated fit-out works and signage have also been proposed in this application.

The proposed pilates studio will operate 45-minute group pilates reformer classes with a maximum capacity of 10 patrons and 1 staff member at any one time. The pilates classes will run on the following schedule:

Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
5:30am – 6:15am	5:30am – 6:15am	5:30am – 6:15am	5:30am – 6:15am	5:30am – 6:15am	6:00am – 6:45am	7:00am – 7:45am
6:30am – 7:15am	6:30am – 7:15am	6:30am – 7:15am	6:30am – 7:15am	6:30am – 7:15am	7:00am – 7:45am	8:00am – 8:45am
7:30am – 8:15am	7:30am – 8:15am	7:30am – 8:15am	7:30am – 8:15am	7:30am – 8:15am	8:00am – 8:45am	9:00am – 9:45am
9:30am – 10:15am	9:30am – 10:15am	9:30am – 10:15am	9:30am – 10:15am	9:30am – 10:15am	9:00am – 9:45am	-
10:30am – 11:15am	10:30am – 11:15am	10:30am – 11:15am	10:30am – 11:15am	10:30am – 11:15am	-	-
5:30pm – 6:15pm	5:30pm – 6:15pm	5:30pm – 6:15pm	5:30pm – 6:15pm	-	-	-
6:30pm – 7:15pm	6:30pm – 7:15pm	6:30pm – 7:15pm	6:30pm – 7:15pm	-	-	-

3.2 DESCRIPTION OF WORKS

This application proposes works as depicted on the architectural plans prepared by Roberts & Co:

Internal:

- Construction of walls
- Reception with desk, storage, and lounge seating
- Merchandise shelving
- Studio room
- Staff bathroom
- Storage room
- Reformer pilates studio with 12 pilates reformers

External:

- Sign 1: non-illuminated freestanding sign
- Sign 2: non-illuminated window sign
- Sign 3: non-illuminated flush wall sign

4.0 EVALUATION PURSUANT TO PLANNING INSTRUMENTS

The application has taken into consideration relevant provisions of the Warringah Local Environmental Plan 2011, Warringah Development Control Plan 2011, and State Environmental Planning Policy (Industry and Employment) 2021.

4.1 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

Part 2 Permitted or prohibited development

Clause 2.1 Land use zones

Zone E4 General industrial

1 Objectives of zone

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To provide areas for land uses that need to be separated from other zones.
- To provide healthy, attractive, functional and safe light industrial areas.

2 Permitted without consent

Nil

3 Permitted with consent

Depots; Freight transport facilities; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Horticulture; Industrial retail outlets; Industrial training facilities; Landscaping material supplies; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Take away food and drink premises; Tank-based aquaculture; Timber

yards; Vehicle sales or hire premises; Warehouse or distribution centres; Water supply systems; Any other development not specified in item 2 or 4

4 Prohibited

Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Early education and care facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Wharf or boating facilities

Comment

The proposed pilates studio is classified as an indoor recreation facility which meets the objectives of the zone and is permitted with consent.

Part 5 Miscellaneous provisions

Clause 5.10 Heritage conservation

(1) Objectives

The objectives of this clause are as follows—

- (a) to conserve the environmental heritage of Warringah,
- (b) to conserve the heritage significance of heritage items and heritage conservation areas, including associated fabric, settings and views,
- (c) to conserve archaeological sites,
- (d) to conserve Aboriginal objects and Aboriginal places of heritage significance.

(2) Requirement for consent

Development consent is required for any of the following—

- (a) demolishing or moving any of the following or altering the exterior of any of the following (including, in the case of a building, making changes to its detail, fabric, finish or appearance)—
 - (i) a heritage item,
 - (ii) an Aboriginal object,
 - (iii) a building, work, relic or tree within a heritage conservation area,
- (b) altering a heritage item that is a building by making structural changes to its interior or by making changes to anything inside the item that is specified in Schedule 5 in relation to the item,
- (c) disturbing or excavating an archaeological site while knowing, or having reasonable cause to suspect, that the disturbance or excavation will or is likely to result in a relic being discovered, exposed, moved, damaged or destroyed,
- (d) disturbing or excavating an Aboriginal place of heritage significance,
- (e) erecting a building on land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance,
- (f) subdividing land—
 - (i) on which a heritage item is located or that is within a heritage conservation area, or
 - (ii) on which an Aboriginal object is located or that is within an Aboriginal place of heritage significance.

Comment

The subject site contains three heritage items known as Street Trees (I38), Roche Building (I52), and Givaudan-Roure Office (I53) in accordance with Schedule 5 of the Warringah LEP 2011. It is noted that the proposed pilates studio will be located on the ground floor of the Roche Building heritage item.

A heritage impact statement has been prepared by Archispectrum and submitted alongside this application.

4.2 WARRINGAH DEVELOPMENT CONTROL PLAN 2011

Part C Siting factors

Clause C9 Waste management

Objectives

- To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development (ESD).
- To achieve waste avoidance, source separation and recycling of household and industrial/commercial waste.
- To design and locate waste storage and collection facilities which are convenient and easily accessible; safe; hygienic; of an adequate size, and with minimal adverse impacts on residents, surrounding neighbours, and pedestrian and vehicle movements.
- To ensure waste storage and collection facilities complement waste collection and management services, offered by Council and the private service providers and support on-going control for such standards and services.
- To minimise risks to health and safety associated with handling and disposal of waste and recycled material, and ensure optimum hygiene.
- To minimise any adverse environmental impacts associated with the storage and collection of waste.
- To discourage illegal dumping.

Requirements

1. All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.

Comment

A waste management plan has been prepared by Archispectrum and submitted alongside this application.

Part D Design

Clause D3 Noise

Objectives

- To encourage innovative design solutions to improve the urban environment.
- To ensure that noise emission does not unreasonably diminish the amenity of the area or result in noise intrusion which would be unreasonable for occupants, users or visitors.

Requirements

1. Noise from combined operation of all mechanical plant and equipment must not generate noise levels that exceed the ambient background noise by more than 5dB(A) when measured in accordance with the [NSW Industrial Noise Policy](#) at the receiving boundary of residential and other noise sensitive land uses.
2. Development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise.
3. [Waste](#) collection and delivery vehicles are not to operate in the vicinity of residential uses between 10pm and 6am.
4. Where possible, locate noise sensitive rooms such as bedrooms and private open space away from noise sources. For example, locate kitchens or service areas closer to busy road frontages and bedrooms away from road frontages.
5. Where possible, locate noise sources away from the bedroom areas of adjoining dwellings/properties to minimise impact.

Comment

An acoustic report has been prepared by Peace & Quiet Group and submitted alongside this application.

Clause D23 Signs

Objectives

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

Requirements

1. Signs are to be sited and designed so that they do not adversely impact on the amenity of the streetscape and the surrounding locality. In particular, signs are not to dominate or obscure other signs or result in visual clutter.
2. Signs are to be compatible with the design, scale and architectural character of the building or site on which they are to be placed.
3. Signs on heritage items or on buildings in conservation areas should not by their size, design or colour, detract from the character or significant qualities of individual buildings, the immediate context or the wider streetscape context of the area.
4. Signs are not to obscure views of vehicles, pedestrians or potentially hazardous road features or reduce the safety of all users of any public road (including pedestrians and cyclists).
5. Signs should not be capable of being confused with, or reduce the effectiveness of, traffic control devices.
6. Signs are not to emit excessive glare or cause excessive reflection.
7. Signs should not obscure or compromise important views.
8. Signs displayed on dwellings are to be attached to the ground floor façade of the dwelling, unless the land is located on a main road or the dwelling is not visible from the street, in which case the sign may be attached to a front fence.
9. For Land in the RU4 zone with frontage to both Mona Vale Road and Myoora Road: Only small, non obtrusive and non illuminated signs that identify the use of a site are to be visible from Mona Vale Road. Signs that are designed of such size, height or visual appearance so as to attract passing trade are not considered appropriate and are discouraged. All signs are to be in keeping with the colour and textures of the natural landscape.
10. No more than one sign is to be located above the awning level for business uses.
11. Tenancy boards and the like are encouraged to be in the form of consolidated signs.
12. Signs shall meet the following criteria:
- 13.

Sign	Criteria
Freestanding sign	Shall not exceed 2 metres in height above the existing natural ground level ; Shall not have an area greater than 4sqm; Shall not project beyond the boundary of the premises; and Shall not be illuminated.
Wall sign	Shall not extend within 200mm of the top and sides of the wall. Shall not cover any window or architectural projections; Must be of a size and shape that relates to the architectural design of the building to which it is attached; Where illuminated, shall not be less than 2.7 metres above the existing natural ground level ground; and Shall not project more than 300mm from the wall.
Window sign	Must occupy less than 50% of the window area so as to not obstruct natural light; and Shall only be permitted on ground floor windows, below awning level or equivalent.

14. The following signs are not considered appropriate and are discouraged:
 - Flashing or moving signs on all land other than the carriageway of a public road

- Pole or pylon signs, unless there is no building on the site, or the building is not visible from the street or public domain; this does not include identification, interpretive, directional and advance warning signs described as Exempt Development, or a sign erected by the Council for the display of community information;
- Signs on or above the roof or parapet of a building.
- A-frame and temporary signs located on public land, including:
 1. Signs on motor vehicles which are not able to be driven with the sign displayed
 2. Balloons or other inflatable objects used for the purpose of advertising which are placed on or above roof level
 3. Illuminated signs in residential zones

Comment

This application proposes 1 x non-illuminated freestanding sign (Sign 1), 1 x non-illuminated window sign (Sign 2), and 1 x non-illuminated flush wall sign (Sign 3).

The freestanding sign will not exceed 2 metres in height and will have a face area less than 4m². The sign will not project beyond the site boundaries and will not be illuminated. The window sign will not occupy more than 50% of the north elevation.

The flush wall sign will not extend beyond the top or sides of the wall to which it will be affixed, and will not conceal any glazing or architectural features of the building.

Part H Appendices
Appendix 1 Car parking requirements

Use	Requirement
Gymnasium	4.5 spaces per 100m ² GFA

Comment

As the subject tenancy has a gross floor area of 240m², a total of 11 on-site car parking spaces are required. A traffic report has been prepared by Transport and Traffic Planning Associates and submitted alongside this application.

4.3 STATE ENVIRONMENTAL PLANNING POLICY (INDUSTRY AND EMPLOYMENT) 2021







Chapter 3 Advertising and signage
Schedule 5 Assessment criteria

SCHEDULE 1 ASSESSMENT CRITERIA	
SECTION 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?	Yes.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	There is no particular theme for the general industrial area, however the signage will maintain a white background with neutral-coloured text which is compatible with nearby business identification signs.

SECTION 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 tenancy is located within the 'Roche Building' heritage item. The signage is not considered to detract from the visual quality of the heritage item as the contents will be minimal in design and predominantly neutral in colour. The proposed signage will not detract from the amenity of the heritage item.
SECTION 3 VIEWS AND VISTAS	
Does the proposal obscure or compromise important views?	No.
Does the proposal dominate the skyline and reduce the quality of vistas?	No. The signage will be located on the ground floor.
Does the proposal respect the viewing rights of other advertisers?	Yes.
SECTION 4 STREETScape, SETTING OR LANDSCAPE	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	Yes.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	Yes. The sign will maintain a white background with neutral-coloured text which is compatible with nearby business identification signs.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	N/A.
Does the proposal screen unsightliness?	N/A.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No.
Does the proposal require ongoing vegetation management?	No.
SECTION 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?	Yes.
Does the proposal respect important features of the site or building, or both?	Yes.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	Yes.
SECTION 6 ASSOCIATED DEVICES AND LOGOS WITH ADVERTISEMENTS	
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?	N/A.
SECTION 7 ILLUMINATION	
Would illumination result in unacceptable glare?	N/A.
Would illumination affect safety for pedestrians, vehicles or aircraft?	N/A.
Would illumination detract from the amenity of any residence or other form of accommodation?	N/A.
Can the intensity of the illumination be adjusted, if necessary?	N/A.

Is the illumination subject to a curfew?	N/A.
SECTION 8 SAFETY	
Would the proposal reduce the safety for any public road?	No.
Would the proposal reduce the safety for pedestrians or bicyclists?	No.
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No.

5.0 COMPLIANCE TABLE

Planning Instrument	Clause	Compliance
Warringah Local Environmental Plan 2011	Clause 2.1 Land use zones	
Warringah Local Environmental Plan 2011	Clause 5.10 Heritage conservation	
Warringah Development Control Plan 2011	Clause C9 Waste management	
Warringah Development Control Plan 2011	Clause D3 Noise	
Warringah Development Control Plan 2011	Clause D23 Signs	
Warringah Development Control Plan 2011	Appendix 1 Car parking requirements	Justification provided
State Environmental Planning Policy (Industry and Employment) 2021	Schedule 5 Assessment criteria	

6.0 CONCLUSION

The proposed change of use to a pilates studio with associated fit-out and signage at Unit No. 2B, 4-10 Inman Road, Cromer is consistent with the objectives and relevant provisions of Northern Beaches Council's planning instruments.

From this statement it is concluded that the studio will provide variety to the locality which is compatible with the existing and desired future character of the area surrounding the subject site. There are no additional impacts that can be attributed to the proposal that will adversely affect the amenity of neighbouring properties or deter from the streetscape.

In this regard the Council is requested to review the application favourably and grant the development consent.