



Corona Projects

Development Application
STATEMENT OF ENVIRONMENTAL EFFECTS

Change of use to massage parlour

Shop 3, 321 Condamine Street, Manly Vale

May 2021

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PROJECT DETAILS

Client: Mr Graham Osborn
Subject land: Shop 3, 321 Condamine Steet, Manly Vale
Lot Description: Lot 20, DP11320
Proposed development: Change of use to massage parlour

The report is prepared by Joseph Chan
Bachelor of City Planning (Hons) (UNSW)




The report is reviewed by Eleni Emvalomes
Bachelor of Architecture and Environments (USYD)

Project Code: J000875

I certify that the contents of the Statement of Environmental Effects to the best of my knowledge, has been prepared as follows:

- In accordance with Section 4.12 of the Environmental Planning and Assessment Act 1979 and Clause 50 of the Environmental Planning and Assessment Regulation 2000;
- The statement contains all available information that is relevant to the environmental impact assessment of the proposed development;
- To the best of my knowledge the information contained in this report is neither false nor misleading.

Quality Management

	Name	Date	Signature
Prepared by	Joseph Chan	06.05.2021	
Checked by	Eleni Emvalomes	07.05.2021	
Approved for issue by	Joseph Chan	07.05.2021	

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1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared for Mr Graham Osborn to accompany a Development Application (DA) to Northern Beaches Council for the change of use to massage parlour at Shop 3, 321 Condamine Street, Manly Vale.

More specifically, the proposed development comprises a small-scale massage parlour with two massage rooms only. Minor internal fit-out is proposed to accommodate the change.

The proposal is permissible with consent and is suitable for the site and the area. The proposal has been designed to relate to its site and to the streetscape in terms of appearance, envelope, setbacks, bulk and scale. The proposal will operate without any significant impact to the amenity of neighbouring properties.

This statement assesses any numeric non-compliance as acceptable on merit, resulting in no adverse impacts and in compliance with all relevant DCP and LEP objectives.

The purpose of this SEE is to:

- Describe the site to which the application applies and its context;
- Describe the proposed development
- Describe the legislative framework against which the application is to be assessed and determined; and
- Provide an assessment of the environmental impacts in accordance with the Section 4.15 of the EP&A Act 1979.

This Statement has been prepared in reference to the following:

Document	Author	Date
Architectural Plans	Corona Projects	May 2021

2.0 SITE ANALYSIS & CONTEXT

2.1 The Site

The site is located at Shop 3, 321 Condamine Street, Manly Vale and is legally described Lot 20 in Deposited Plan 11320. The site is located on the western side of Condamine Street, between King Street and Sunshine Street.

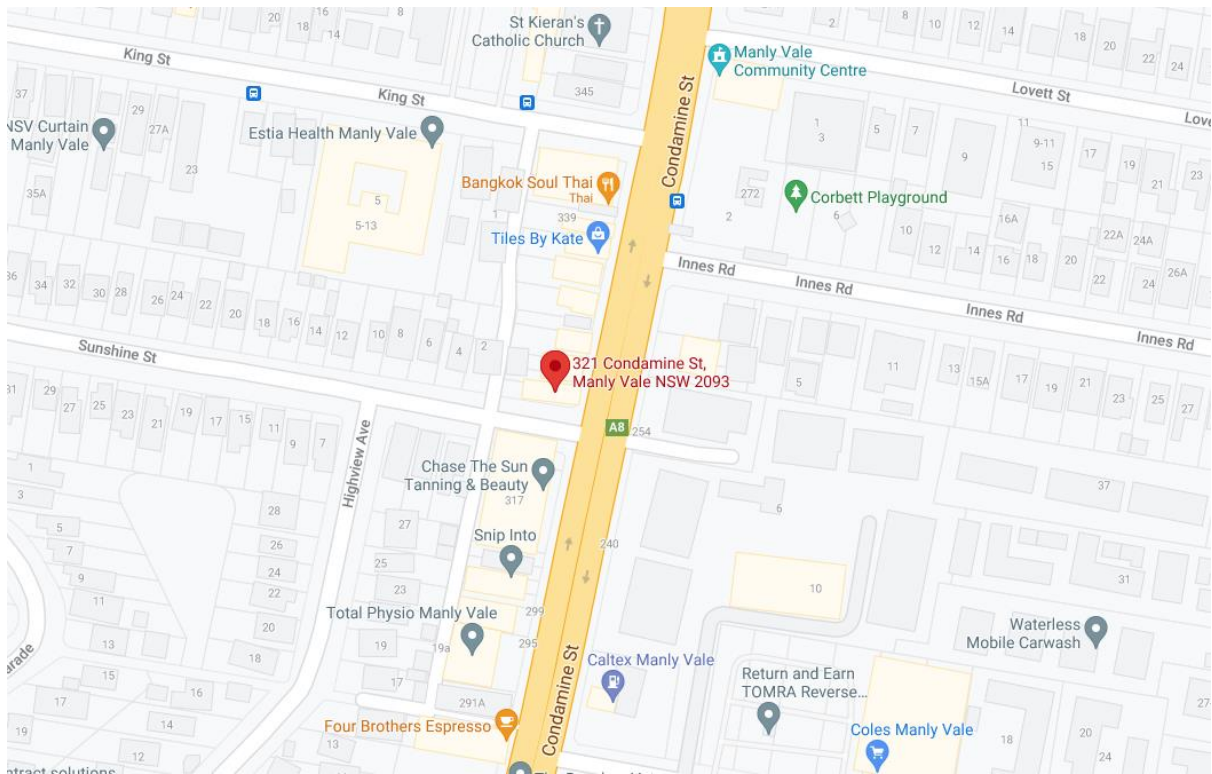


Figure 1 – Site locality map (Google Maps)

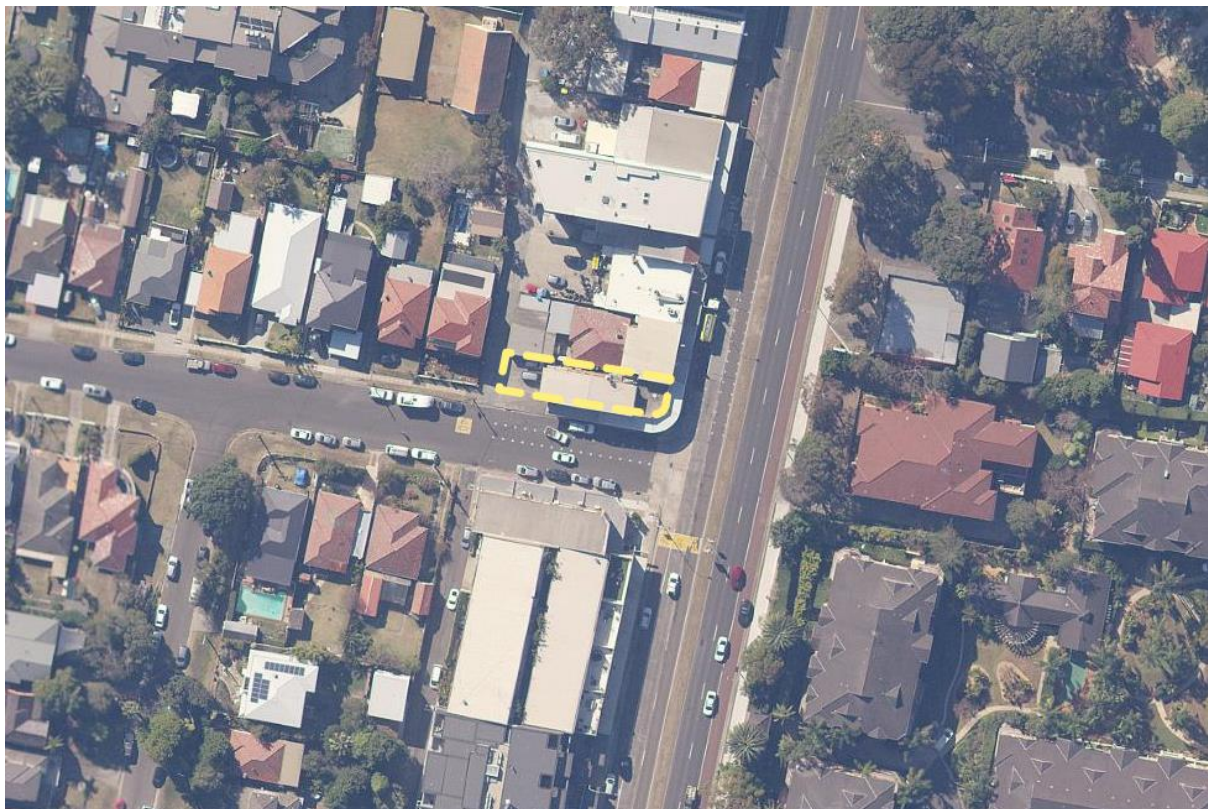


Figure 2 – Aerial map (SIX Maps)

The site is rectangular with a total area of 250 square metres by survey. Shop 3 measures 22.41sqm. The building contains several commercial shops on ground floor and residential/commercial units on first floor.

The land is zoned B2 Local Centre under the provisions of Warringah Local Environmental Plan 2011 (WLEP 2011). The site is not identified as a Heritage Item, nor is it located within a Heritage Conservation Area (HCA). It is also not considered to be located within the close vicinity of any Item or HCA, or as a contributory item.

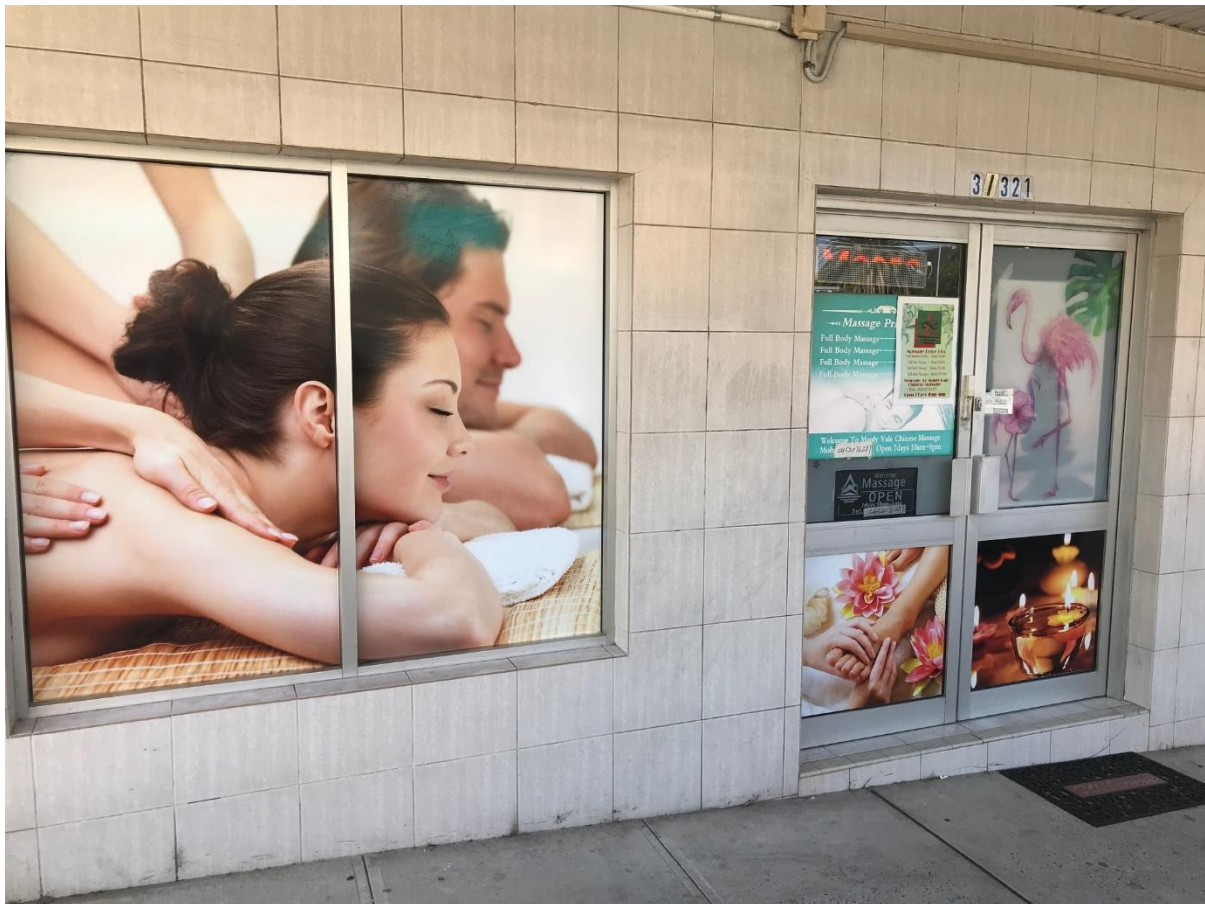


Figure 3 – Subject site as viewed from Sunshine Street (Corona Projects 2021)

2.2 The Locality

The site is located within the local commercial centre of Manly Vale. The locality comprises a mix of commercial, retail and residential development of buildings heights typically of two to three storeys.

2.3 Development History

A search on Council’s DA Tracker returned the following results for development applications associated with the site.

- **BA5000/5785**: Converted Fujitsu. Application details unknown.

- **DA2020/0824:** Demolition works and construction of a Shop Top Housing Development and strata subdivision. Refused on 16.12.2020.
- **REV2021/0014:** Review of Determination of Application DA2020/0824. DA assessment currently in progress.

A Development Control Order was issued by Northern Beaches Council on 19 March 2021. The application seeks retrospective approval for the unauthorised building works as outlined in the order, which includes the change of use of the subject shop as a massage parlour. The proposal seeks retrospective approval for the use.

3.0 THE PROPOSAL

3.1 Overview

The Development Application proposes the change of use to massage parlour

Please refer to plans prepared by Corona Projects.

3.2 Plan of Management

Items	Details
Business name	Manly Vale Chinese Massage
Is any signage proposed? Do you have a design?	No new signage is proposed.
Type of business	Massage parlour
Hours of Operation	9am-9pm
Number of staff	2
Expected number of customers/clients at any given time	Maximum 2
Type of waste may generate from the operation, including any hazardous waste	No hazardous waste will be generated. Minimal general waste will be generated.
Waste disposal and collection arrangement	Staff will be in charge of collecting all waste generated from the operation and dispose it as per the existing building waste management procedures.

Staff parking arrangement	One onsite parking is provided. Staff are encouraged to arrive by public transport or by green transport. There are unlimited street parking spots nearby.
Customer parking arrangement	No customer parking is provided. Customers are expected to park on nearby streets or arrive by public transport.
Proposed noise sources	Minimal noise is expected as no background music will be played.
Proposed noise reduction measures	The proposal will operate until the approved hours of operation in order to minimise its disturbance to the nearby residential dwellings.
Toilet facilities, including disabled toilet	One toilet is provided in the building and is accessible from the shop.
Complaint management	Anyone can complain to the shop owner directly by phone or email. The owner's contact detail will be provided upon request. The owner will be responsible to handle all the complaints.
Emergency procedures	The shop owner will set out the emergency procedures in case of any hazards. All staff will be trained by the owner to understand all emergency procedures.

4.0 STATUTORY PLANNING FRAMEWORK AND ENVIRONMENTAL ASSESSMENT

This Chapter provides an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

4.1 Statutory and Policy Compliance

The relevant matters for consideration under Section 4.15(a) of the EP&A Act, 1979, are identified as:

- State Environmental Planning Policy No. 55 – Remediation of Land

- Warringah Local Environmental Plan 2011
- Warringah Development Control Plan 2011

The primary statutory document that relates to the subject site and the proposed development is Warringah Local Environmental Plan 2011. The primary non-statutory plan relating to the subject site and the proposed development is Warringah Development Control Plan 2011.

4.1.1 State Environmental Planning Policy No. 55 – Remediation of Land

This Policy is to provide for a state-wide planning approach to the remediation of contaminated land. Subject to Clause 7, considerations should be given to the suitability of land in terms of contamination.

The subject site has a long history of being used for the commercial purpose. Thus, there is no further consideration required under Clause 7(1)(b) and (c) of SEPP 55.

4.1.2 Warringah Local Environmental Plan 2011

The development complies with the provisions of Warringah Local Environmental Plan 2011 (WLEP 2011).

Zoning and permissibility

The site is located in Zone B2 Local Centre.



Figure 4 – Land Zoning Map (NSW Planning Portal)

The development is identified to be Medical centre (*massage parlour*), which is permitted with consent in the B2 Local Centre zone.

The objectives of the zone are:

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To encourage residential accommodation as part of mixed use development.*

The proposed development will provide a ground floor massage parlour that provides quality massage services for the local residents. The proposed use provides new employment opportunities and is beneficial to the locality. The proposal does not introduce any incompatible land use to the locality and is compatible with the character of the area.

Clause 4.3 Height of buildings

The LEP Height of Building Map stipulates that the maximum building height permitted for the site is 11 metres. The proposal does not increase the current building height.

Clause 5.10 Heritage Conservation

The site is not identified as a Heritage Item, nor is it located within a Heritage Conservation Area (HCA). It is also not considered to be located within the close vicinity of any Item or HCA, or as a contributory item.

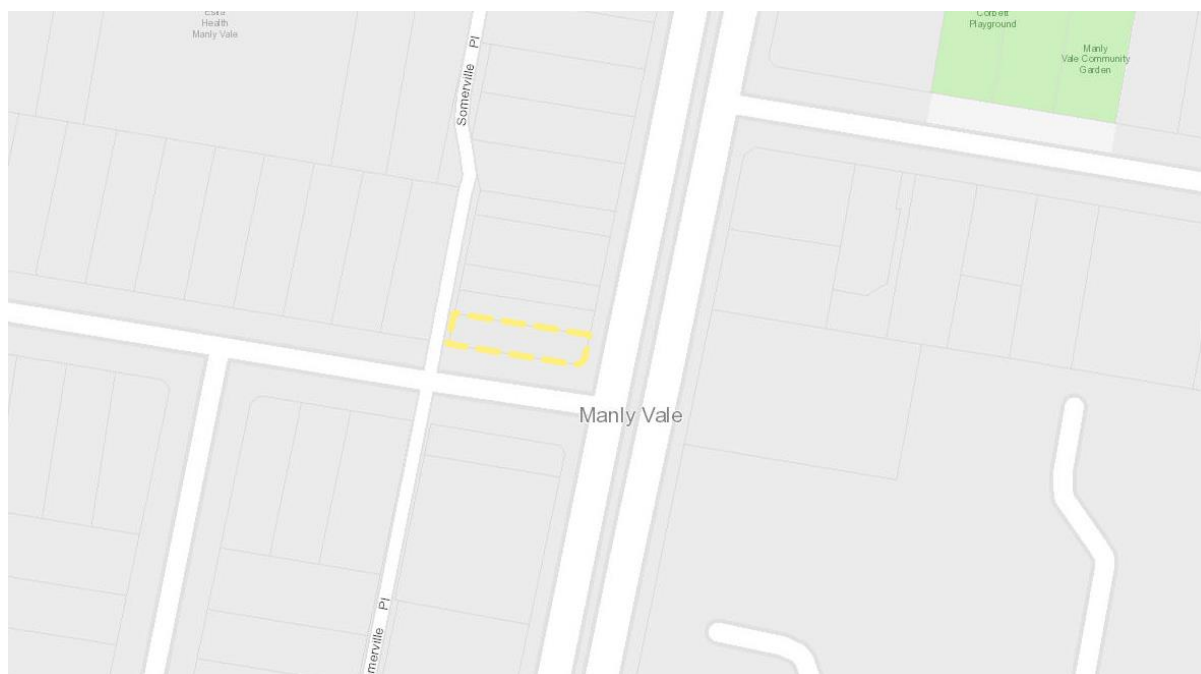


Figure 5 – Heritage Map (NSW Planning Portal)

Clause 6.1 Development on sloping land

The Landslip Risk Map stipulates that the site is located within Area A (Slope <5). The proposal is for a change of use only. No building works are proposed to alter the structure or building footprint.

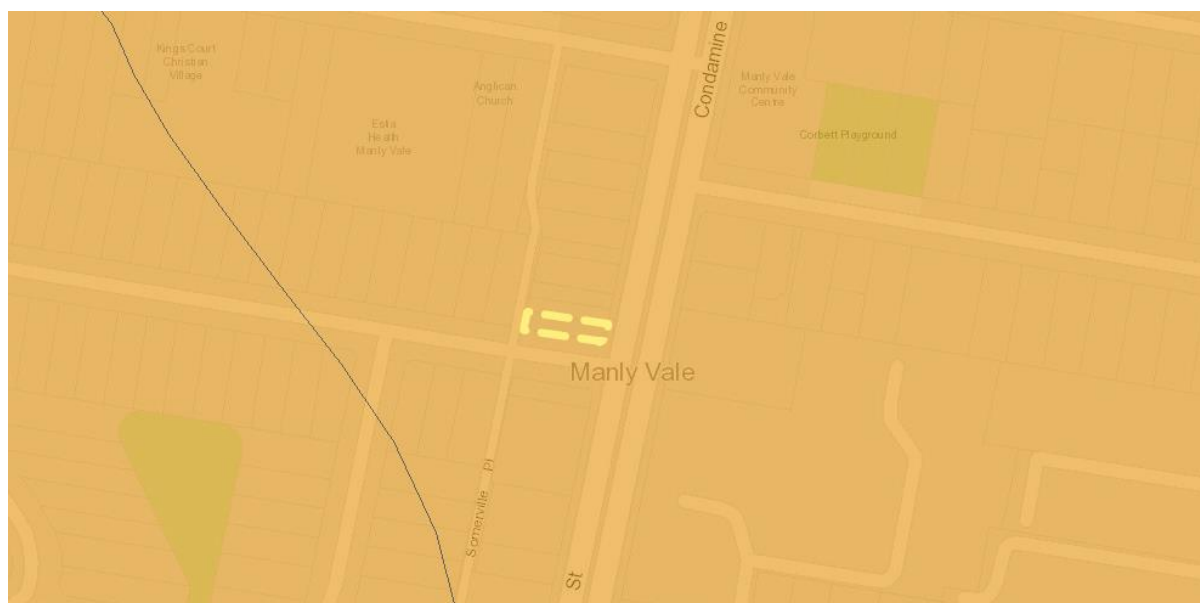


Figure 6 – Landslip Risk Map (NSW Planning Portal)

4.1.6 Warringah Development Control Plan 2011

The development achieves a high level of compliance with the provisions of Warringah Development Control Plan 2011.

Control	Comment	Compliance	
Part C Siting Factors			
C3 Parking facilities			
4	Car parking rate for medical centre: 4 spaces per 100 m2 GFA.	The size of the subject shop is approximately 23sqm. One parking space is provided and therefore is sufficient to meet the parking demand.	Yes
F1 Local and neighbourhood centres			
11	Condamine Street will be enhanced by ensuring the design of buildings and use of land maintains activity at street level and creates a cohesive and attractive streetscape. Vehicle access will be provided from streets other than Condamine Street.	The proposal is able to complement the existing character of Manly Vale as the local commercial centre.	Yes

4.2 Impacts of the Development

As noted in the above assessment against the provisions of the relevant Environmental Planning Instruments and Development Control Plan, the development is of a reasonable scale and nature, and does not present unreasonable environmental, social and economic impacts.

Impacts on Natural and Built Environment

The development does not impact upon native vegetation, soil conditions, foreshore environment or air quality. The proposal does not introduce an incompatible land use to the locality and is considered to have acceptable impacts due to its small scale. The proposal does not change the current building footprint or envelope. It will instead provide a quality massage service for the local residents and is able to meet their demands.

4.3 Suitability of the Site

The subject site is considered suitable in size and shape to accommodate the change of use to massage parlour. The proposal does not introduce any incompatible uses to the site. The works are permissible under the B2 Local Centre zone.

4.3.1 Access to Services

The site is located within an established commercial area with excellent access to services and public transport. As the site is within an established urban area, electricity, sewer, telephone, and water services are readily available to the subject site.

4.3.2 Parking and Access

The on-site parking provided complies with the parking requirements as prescribed by Warringah Development Control Plan 2011. It provides a logical and considered approach to the provision of off-street car parking.

4.3.3 Hazards

The site is in an area recognised by Council as being subject to landslip. The proposed development is not likely to increase the likelihood of such hazards occurring and is considered appropriate in this instance due to its minor nature.

4.4 The Public Interest

The proposal is considered to be in the public interest as it produces nominal environmental, social and economic impacts.

The proposed development has been designed to relate to the size, shape and context of the site and has been designed in accordance with the desired future character for development in the area.

5.0 CONCLUSION

The Statement of Environmental Effects (SEE) has been prepared to consider the environmental, social and economic impacts of the change of use to massage parlour at Shop 3, 321 Condamine Street,

Manly Vale. The report has addressed the applicable policies and plans, and has provided an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

The application proposes a permissible development within the subject site locality. The proposal incorporates appropriate design considerations to minimise any adverse impacts on the natural and built environment, and the amenity of the surrounding neighbourhood.

Given the benefits of the development and compliance with the relevant policies and plans, we conclude that the proposed development at Shop 3, 321 Condamine Street, Manly Vale as described in this application is reasonable and supportable, and worthy of approval by Northern Beaches Council.