

Statement of Environmental Effects

330 Sydney Road, Balgowlah, NSW 2093



*Fit-out and use of premises as a Pet (Dog and Cat)
Grooming Parlour (Commercial Use)*

December 2021

Statement of Environmental Effects prepared by:

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In respect of the following Development Application:

Land to be developed: 330 Sydney Road, Balgowlah, NSW 2093

Proposed development: Fit-out and use of premises as a Pet (Dog and Cat)
Grooming Parlour (commercial use).

Declaration: I declare that I have prepared this Statement and to the best of my knowledge:

1. The Statement has been prepared in accordance with clause 4.12 of the EP & A Act and Clause 50 of the EP & A Regulations.
2. The Statement contains all available information that is relevant to the environmental assessment of the development to which this Statement relates, and
3. That the information contained in the Statement is neither false nor misleading.

Signature:



Date: December 2021

Name: Damian O'Toole



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1.0 Introduction

This Statement of Environmental Effects (SEE) is submitted in support of a development application for the use of the subject premises as a dog and cat grooming parlour (commercial use). The use will require minor external and internal alterations (no structural changes are proposed) and changes to the building's exterior are limited to new contemporary signage only. The proposed use will continue a commercial use at the premises and no unreasonable impacts to neighbours are anticipated.

More specifically the proposal seeks:

- Use of an existing vacant commercial space to provide for a dog and cat grooming parlour.
- The proposal will provide a benefit to local residents, increasing the diversity of commercial and retail uses in the local area.
- The proposal will provide employment opportunities.
- The amenity of residents and other nearby uses will not be unreasonably impacted.

This report has been prepared on behalf of the applicants of the subject DA. This Statement has been prepared pursuant to Section 4.12 of the Environmental Planning and Assessment Act, 1979 and Clause 50 of the Environmental Planning and Assessment Regulation, 2000. The purpose of this document is to describe the existing improvements on the site, detail the proposed development, review the applicable planning regime relating to the proposal, assess the degree of compliance and examine the environmental effects of the development when measured against the Evaluation Criteria prescribed under Section 4.15 of the Environmental Planning and Assessment Act, 1979. In respect of the assessment of the proposal, where impacts are identified, measures proposed to mitigate any harm to environmental amenity have been addressed in this report.

The proposed development is appropriate to the site. An assessment of the proposed development has not identified any unreasonable adverse environmental impacts likely to arise as a result of the proposal. It is therefore recommended that consent for the proposed development is granted subject to Council's standard conditions.

2.0 Site Location and Description

The subject site is located on Sydney Road, a main road and commercial shopping street in Balgowlah. The proposal relates to the ground floor of No. 330 Sydney Road, Balgowlah, being Lot A in Deposited Plan (DP) 402050.

The site is located on the north side of Sydney Road and is within a commercial strip

near the intersection with Condamine Street. The site contains a two-storey non-descript shop unit with residence above. The shop is accessed from Sydney Road.

Internally, the building comprises of a modified retail fit out on ground floor, with timber flooring and plasterboard and masonry walls.

The shop unit is currently vacant but was previously last used as a hairdresser.

The surrounding properties on Sydney Road are predominately mixed-use buildings, with many buildings containing ground floor retail uses and residential accommodation above. Generally speaking, this locality is characterised by the varied ground level retail/commercial spaces and shop top housing.

The site is zoned B2 Local Centre under the Manly Local Environmental Plan (LEP) 2013.

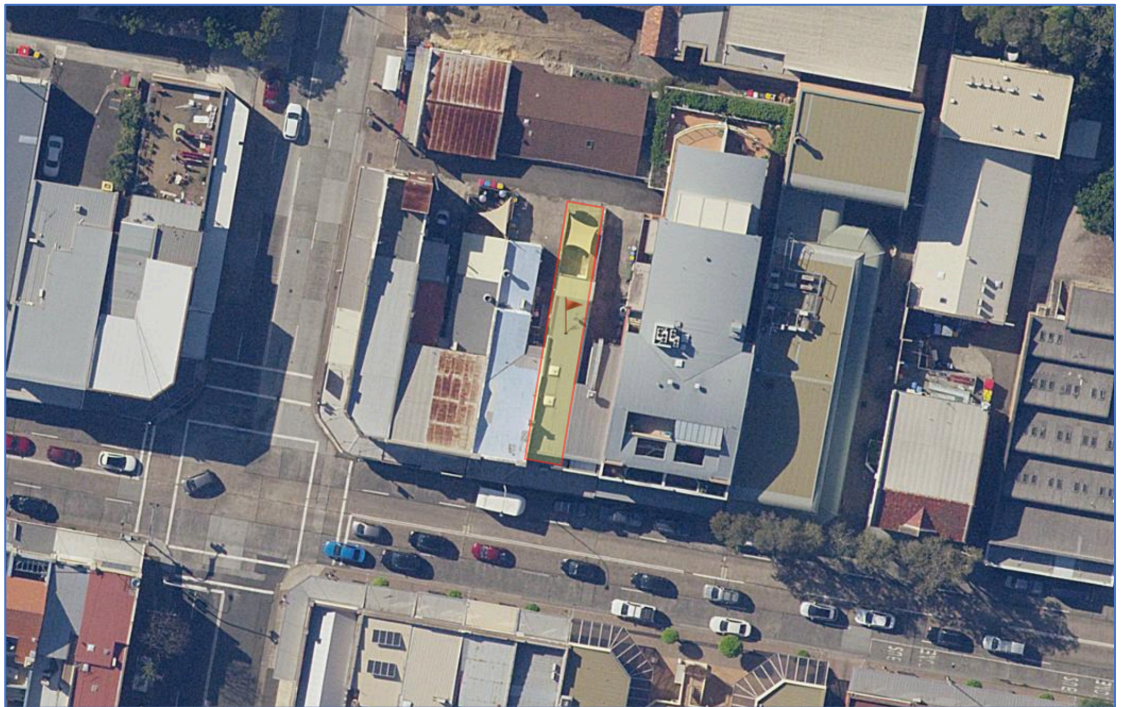


Figure 1: Location of subject site (in red) within the wider area. (Source: LPI SIX Maps).

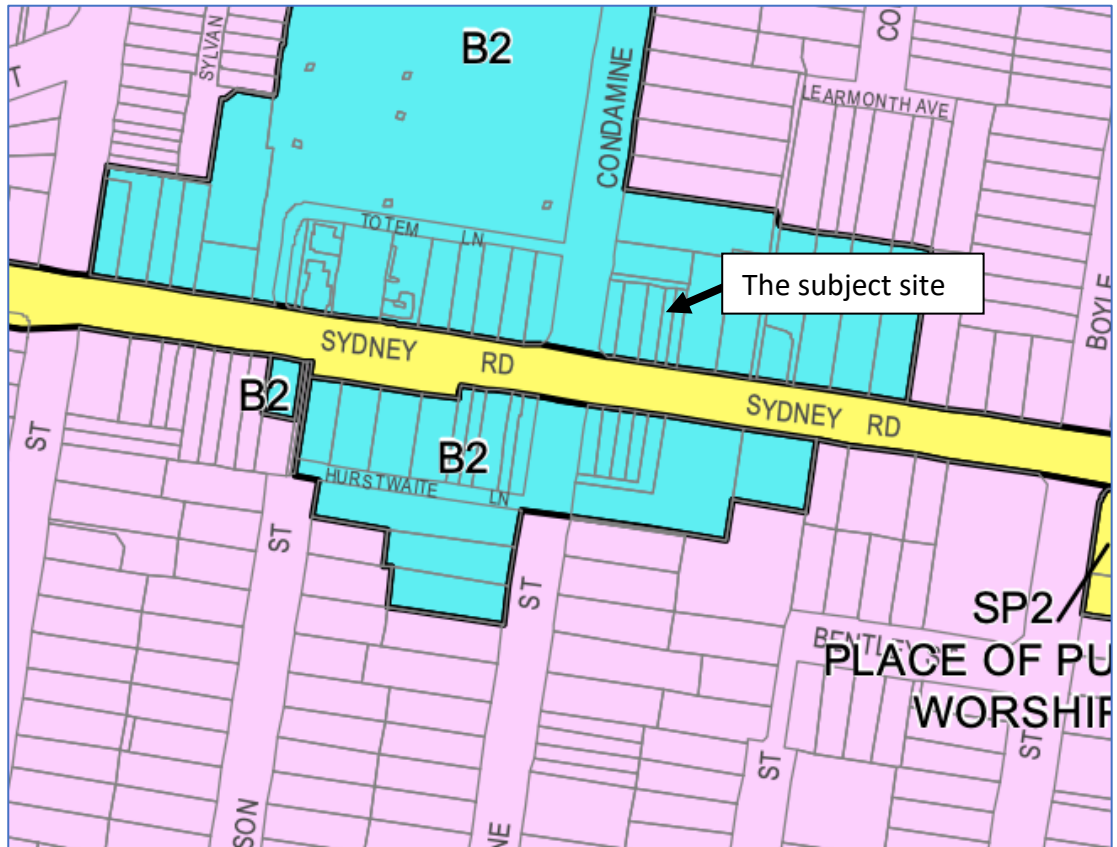


Figure 2: LEP land zoning map showing the subject site located within the B2 Local Centre Zone (Source: Manly LEP 2013, Sheet LZN_003).



Figure 3: View to the subject unit.



Figure 4: Interior view.



Figure 5: View to the shop unit within the streetscape.

3.0 Proposed Development

The subject proposal involves the use of the ground floor of an existing building as a dog and cat grooming parlour. This proposal requires minor internal and external modifications:

1. Demolish existing shopfront and some of the internal fittings.
2. Provide new shopfront which includes a level access and ramp.
3. New signage.
4. Provision of new partitioning, service areas, open shelving and banquet seats to facilitate the new use.
5. Hours of operation will be 8.00am to 7.00pm daily.
6. The use will require no major structural internal alterations.

Further, no unreasonable impacts to neighbours are anticipated as a result of the proposed use. The use does not emit pollutants or noise that is audible from outside of the unit.

Description of works

It is proposed to undertake external and internal changes to the retail tenancy on the ground floor associated with the change of use to a dog and cat grooming salon (commercial premises). Externally, this includes new signage (awning sign, stall-riser sign and an under-awning projecting sign), and a new shopfront. Internally, this includes a new reception area, dog holding pens, a wash room and dog grooming/cutting areas. Additionally, the proposed internal works will include new partitioning and other services/service areas and open shelving for retail and banquet seat within the client waiting area.

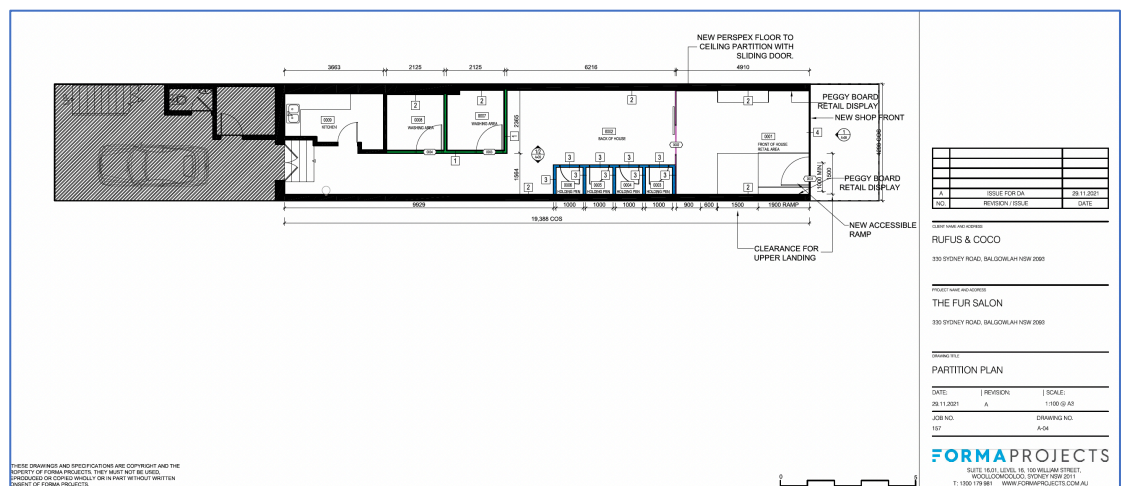


Figure 6: Proposed layout.

Signage

The proposed new signage will comprise awning fascia sign, under-awning sign, and a sign applied to the stall-riser. This will be sympathetic to the streetscape presentation of the site. A new logo is also applied to the awning fascia.

Operation of the premises

Business Premises

The use falls within the definition of Commercial (*business premises*).

The proposal is for the use of the site as a dog and cat grooming parlour, being a commercial use and is appropriate to the zoning as previously confirmed by Council.

The proposed hours of operation are 8.00am to 7.00pm daily.

The use employs 6 people, with up to 3 being present on site at any one time.

The use will not require any noise generating equipment or emit pollutants that would adversely impact on the amenity of the area.

Deliveries will utilise existing loading facilities accessible from the street. Up to two deliveries may occur daily.

Parking

No additional parking is proposed. The site has one car parking space which is utilised by the upstairs residence. Additionally the site is close proximity to public transport. On-street car parking is available in the area for patrons.

Noise

Potential noise impacts and noise emissions are expected to be of low impact given the nature of the use and location on a busy road. The hours of operation are consistent with surrounding uses.

The proposed hours of operation are entirely reasonable.

The use will operate without any significant level of noise or vibrations emanating from the site.

4.0 Statutory Planning Requirements

The Environmental Planning and Assessment Act 1979 is the principal planning legislation in NSW. Section 4.15 of the Act specifies the matters that the consent authority must consider when determining any development application.

- Provisions of any environmental planning instrument – S4.15(1) (a) (i);
- Provisions of any draft environmental planning instrument - S4.15(1) (a) (ii);
- Provisions of any development control plan - S4.15(1) (a) (iii);
- Provisions of the Regulations - S4.15(1) (a) (iii);
- The likely impacts of the development, including environmental impacts on the natural and built environment and social and economic impacts on the locality - S4.15(1) (b);
- The suitability of the site for development - S4.15(1) (c);
- Any submissions made in accordance with the Act or Regulations - S4.15(1) (d);
- The public interest - S4.15(1) (e).

Following is an assessment of the matters of relevance referred to in Section 4.15 of the Act.

4.1 S.4.15(1)(a) Provisions of any environmental planning instrument, draft instrument, development control plan or matter prescribed by the regulations

The planning instruments of most relevance to this application are:

- State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64)
- Manly Local Environmental Plan 2013 (LEP 2013); and
- Manly Development Control Plan 2013 (DCP 2013).

5.1.1. State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64)

Relevant provisions of SEPP 64 are considered below:

Clause/Requirement	Summary of proposal	Compliance?
Cl.8 Granting of consent to signage A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:	Refer to assessment against these objectives below.	Complies.

<p>(a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and</p> <p>(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.</p>	<p>Refer to assessment against these provisions below.</p>	<p>Complies.</p>
<p><i>Objectives</i></p> <p>(a) to ensure that signage (including advertising):</p> <p>(i) is compatible with the desired amenity and visual character of an area, and</p> <p>(ii) provides effective communication in suitable locations, and</p> <p>(iii) is of high quality design and finish</p>	<p>The proposed projecting wall sign, and awning and stall-riser signs are designed to be respectful to the streetscape generally. The cues for the projecting wall sign are taken from adjoining commercial uses which have comparable signs. The fascia signs are discrete and mimics that of adjoining shopfronts.</p> <p>The visual impacts of the signs are reasonable. The signs will be compatible with the character of the streetscape and broader locality. No additional sign is provided that might add to visual clutter.</p> <p>The signage proposal provides efficient and effective communication for users of the site.</p> <p>The proposed design and construction is high-quality and provides an attractive finish.</p>	<p>Complies.</p> <p>Complies.</p> <p>Complies.</p>
<p>1 Character of the area</p> <ul style="list-style-type: none"> Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located? Is the proposal consistent with a particular theme for outdoor advertising in the area or locality? 	<p>The proposed signs are compatible in the existing location. The style of advertising is appropriate to this form. The proposal remains consistent with the associated signage and surrounding locality.</p>	<p>Complies.</p> <p>Complies.</p>

<p>2 Special areas</p> <ul style="list-style-type: none"> 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>3 Views and vistas</p> <ul style="list-style-type: none"> Does the proposal obscure or compromise important views? Does the proposal dominate the skyline and reduce the quality of vistas? Does the proposal respect the viewing rights of other advertisers? <p>4 Streetscape, setting or landscape</p> <ul style="list-style-type: none"> Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? Does the proposal contribute to the visual interest of the streetscape, setting or landscape? Does the proposal reduce clutter by rationalising and simplifying existing advertising? Does the proposal screen unsightliness? Does the proposal protrude above buildings, structures or tree canopies in the area or locality? Does the proposal require ongoing vegetation management? <p>5 Site and building</p> <ul style="list-style-type: none"> 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? 	<p>The proposed signage will not have any detrimental impacts to the character or appearance of the building or area.</p>	<p>Complies.</p>
	<p>No views are obscured.</p>	<p>Complies.</p>
	<p>The signage does not interfere with any view or vista.</p>	<p>Complies.</p>
	<p>The proposed sign will remain respectful in this regard.</p>	<p>Complies.</p>
	<p>The proposed signs are modest in size and is of an appropriate scale.</p>	<p>Complies.</p>
	<p>The signs have a neutral impact in this regard.</p>	<p>Complies.</p>
	<p>Visual clutter is not provided.</p>	<p>Complies.</p>
	<p>NA – no unsightly elements to screen.</p>	<p>NA</p>
	<p>No protrusion is proposed.</p>	<p>Complies.</p>
	<p>No vegetation management required.</p>	<p>NA</p>
	<p>The proposal remains compatible given the replacement nature of the proposed sign.</p>	<p>Complies.</p>

<ul style="list-style-type: none"> • Does the proposal respect important features of the site or building, or both? • Does the proposal show innovation and imagination in its relationship to the site or building, or both? 	<p>The proposal remains respectful given the nature of the proposed works. The building has no notable features. A clean and appropriate design is proposed.</p>	<p>Complies.</p> <p>Complies.</p>
<p>6 Associated devices and logos with advertisements and advertising structures</p> <ul style="list-style-type: none"> • 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? 	<p>NA</p>	<p>NA</p>
<p>7 Illumination</p> <ul style="list-style-type: none"> • Would illumination result in unacceptable glare? • Would illumination affect safety for pedestrians, vehicles or aircraft? • Would illumination detract from the amenity of any residence or other form of accommodation? • Can the intensity of the illumination be adjusted, if necessary? • Is the illumination subject to a curfew? 	<p>No excessive illumination is proposed. Only internal illumination of lettering only is proposed.</p>	<p>Complies.</p>
<p>8 Safety</p> <ul style="list-style-type: none"> • Would the proposal reduce the safety for any public road? • Would the proposal reduce the safety for pedestrians or bicyclists? • Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas? 	<p>No safety impacts are anticipated.</p> <p>No safety impacts are anticipated.</p> <p>No sightlines will be impeded.</p>	<p>Complies.</p> <p>Complies.</p> <p>Complies.</p>

4.1.2 Manly Local Environmental Plan 2013 (LEP 2013)

The Many Local Environmental Plan 2013 is the comprehensive Local Environmental Plan applying to the site.

Relevant provisions of LEP 2013 are considered below.

Manly LEP 2013 (WLEP)

Clause	Proposal	Compliance?
2.3 Objectives of the B2 Local Centre Zone		
Zone objectives <ul style="list-style-type: none"> 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 minimise conflict between land uses in the zone and adjoining zones and ensure amenity for the people who live in the local centre in relation to noise, odour, delivery of materials and use of machinery. 	<p>The proposal will provide compatible land use. Council has confirmed the proposed use is permissible within the zone.</p> <p>Employment opportunities are created.</p> <p>The use is a low impact use that will cause no harm to local amenity.</p>	<p>Complies.</p> <p>Complies.</p> <p>Complies.</p>
4.3 Height of buildings		
Objective: To establish limits on the overall height of development to preserve the environmental amenity of neighbouring properties. Max 12.5m	<p>The height of the building will not be altered by the proposal.</p> <p>The works are up to a height of approximately 3m.</p>	<p>Complies.</p>
4.4 Floor space ratio		
Objective: To establish standards for the maximum development density and intensity of land use. Max 2:1	<p>No additional GFA is proposed.</p>	<p>Complies.</p>

6.11 Active Street Frontages		
Objectives The objective of this clause is to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone B2 Local Centre.	Proposed development provides well designed signage, alongside street dining (bench seating facing subject site) to attract pedestrians and patronage.	Complies.

4.1.3 Manly Development Control Plan 2013

The Manly Development Control Plan 2013 (DCP 2013) contains more specific planning controls than contained within LEP 2013 and also site specific planning controls.

Relevant provisions of DCP 2013 are considered below.

Manly DCP 2013 (MDCP)

Clause/Requirement	Summary of proposal	Compliance?
Part 3: General Principles of Development		
3.1 Streetscapes and Townscapes		
Objectives To assist in maintaining the character of the locality.	Proposed works will maintain the Local Centre characteristics of Sydney Road, by providing a high-end use, which will add to the diverse range of commercial sites within the locality.	Complies.
To recognise the importance of pedestrian movements and townscape design in the strengthening and promotion of retail centres.	Proposed works will not impact the existing pedestrian movements, whilst strengthening the retail core by offering a new use.	Complies.
To minimise negative visual impact, in particular at the arterial road entry points into the Council area and the former Manly Council area, so as to promote townscape qualities.	No impact as proposed works will be kept internal, apart from reasonable exterior signage.	Complies.

3.1.3 Townscape (Local and Neighbourhood Centres)		
<p><i>Objectives</i></p> <p>The following design principles and requirements at paragraphs 3.1.3.1.a) to i) should be achieved in all development involving the erection of a new building or external alterations to an existing building.</p>	<p>Proposed works, albeit external signage, will be internal and not protrude outside the existing unit space.</p> <p>Proposed works therefore comply with desired townscape objectives, as there will be no external changes.</p>	Complies.
3.4 Amenity (Views, Overshadowing, Overlooking /Privacy, Noise)		
<p><i>Objectives</i></p> <p>To protect the amenity of existing and future residents and minimise the impact of new development, including alterations and additions, on privacy, views, solar access and general amenity of adjoining and nearby properties including noise and vibration impacts.</p>	<p>This type of use does not create any unreasonable amenity impacts. Noise is limited and will not be heard outside of the unit. The floor to the upper level is concrete which will mitigate noise.</p>	Complies.
<p>To maximise the provision of open space for recreational needs of the occupier and provide privacy and shade.</p>	<p>No impact in this regard.</p>	Complies.
3.4.1 Sunlight Access and Overshadowing		
<p><i>Objectives</i></p> <p>To provide equitable access to light and sunshine.</p>	<p>Proposed works will not impact solar access or light.</p>	Complies.
<p>All external material and finishes incorporated into the development must consider and mitigate any excessive glare or reflectivity nuisance.</p>	<p>Proposed signage and windows/door will not be reflective.</p>	Complies.
3.4.2 Privacy and Security		
<p><i>Objectives</i></p> <p>To increase privacy without compromising access to light and air. To balance outlook and views from habitable rooms and private open space.</p>	<p>No changes in this regard.</p>	Complies.

Building Code of Australia energy efficiency provisions.		
3.5.4 Energy Efficient Appliances and Demand Reduction and Efficient Lighting (non-residential buildings)		
<p><i>Objectives</i></p> <p>New and replacement installed electrical appliance must be rated no less than one star below the maximum available for that appliance type on the Energy Star rating schemes at the time of installation.</p>	As proposed works include new kitchen/bar space, new appliance will comply with required standards.	Complies.
3.6 Accessibility		
<p><i>Objectives</i></p> <p>To ensure equitable access within all new developments and ensure that any refurbishments to existing buildings provide improved levels of access and facilities for people with disabilities.</p> <p>In relation to small shops and restaurants, Council may vary the requirement for sanitary facilities in circumstances where there may be existing shared toilet amenities available for these smaller premises. Where provision of an accessible toilet facility is not achievable the applicant must submit an access statement in accordance with this plan. Council acknowledges that retail uses with a floor space of under 50sqm, are particularly constrained by the building envelope to provide compliant accessible toilet facilities. In this regard the floor space required for the sanitary facility may be 10sqm alone.</p>	<p>Proposed works will create a ramp with handrail to the interior of the unit.</p> <p>Proposal will retain an existing WC to the rear of the shop for use by staff.</p>	<p>Complies.</p> <p>Complies.</p>

3.8 Waste Management		
<p><i>Objectives</i></p> <p>To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development (ESD).</p>	Waste collection will occur from the rear of the site and is serviced thrice per week by commercial contractors.	Complies.
4.2 Development in Business Centres (LEP Zones B1 Neighbourhood Centres and B2 Local Centres)		
<p><i>Objectives</i></p> <p>To introduce guidelines for the assessment of building heights, setback and other controls relating to building form and height in order to achieve a consistent and coherent townscape appropriate to the locality.</p>	Proposed works are confined to the interior of an existing unit space within a larger building. Further details are below.	Complies.
4.2.1 FSR (Consideration of Exceptions including Arcades)		
<p><i>Objectives</i></p> <p>In additional to LEP Objectives at clause 4.4(1) this plan further details the control of FSR in the following objective:</p>	As mentioned, proposed works will not increase the FSR on the site.	Complies.
<p>To provide firm guidelines as to the potential development of a centre and an individual site.</p>	Existing FSR will not be altered as works are confined to an existing unit in a pre-established building.	Complies.
4.2.3 Setbacks Controls in LEP Zones B1 and B2		
<p><i>Objectives</i></p> <p>To ensure unobstructed access between the private and public domain.</p>	Proposed works will not obstruct access between the sidewalk and subject site.	Complies.
<p>To maintain the existing streetscape of building to the boundary.</p>	No changes in regards to building setback, works are within the interior of an existing unit with only signage changes to the exterior.	Complies.

4.2.4 Car parking, Vehicular Access and Loading Controls for all LEP Business Zones including B6 Enterprise Corridor		
<p><i>Objectives</i></p> <p>To minimise conflicts between pedestrian and vehicular movement systems within the business areas.</p>	One car space exists currently exists on the site which is used by the residence on first floor.	Complies.
4.2.6 Balgowlah Town Centre		
Wall height controls and reference to the LEP FSR control is noted.	Proposed works will not alter the existing building envelope.	Complies.
4.4.3 Signage		
<p>Objective 1) To ensure that advertising does not detract from the scenic beauty and amenity of the Municipality; harmonises with its surroundings and the buildings to which they are attached.</p> <p>Objective 2) To minimise the visual impact by encouraging fewer more effective signs that may otherwise degrade the existing and likely future quality of residential environments or result in excessive, unnecessary signage, visual clutter and confusion caused by a proliferation of signs in local and neighbourhood centres.</p> <p>Objective 3) To permit building and business identification signs which communicate the facilities (including tourist facilities), amenities, goods and services in local and neighbourhood centres which do not interfere with the streetscape or amenity of residents.</p> <p>Objective 4) Signs should enhance the distinctive urban character and scenic amenity of the Municipality and contribute to the atmosphere</p>	<p>The signage is appropriate, providing discrete well considered signs in traditional locations on the front of the building.</p> <p>Visual clutter is not created.</p> <p>The service is clearly identified.</p> <p>The commercial character of the streetscape is enhanced with these high end signs.</p>	<p>Complies.</p> <p>Complies.</p> <p>Complies.</p> <p>Complies.</p>

<p>of the streets in local and neighbourhood centres and should be designed in sympathy with both the building to which it is attached and any adjoining buildings, taking into account the architectural styles and finishes of buildings in local and neighbourhood centres.</p> <p>Objective 5) To prevent signage from impacting on the presentation of the heritage item or area to the general public on heritage items and conservation areas.</p> <p>Objective 6) To ensure all signage is of high standards of graphic and textural content.</p>	No heritage item is affected.	Complies.
	High standard is provided.	Complies.

4.2 S.4.15(1)(b) Impact on the Environment

The proposed development is appropriate for the site given the relevant planning requirements, the existence of similar uses in the area and because there are no identifiable negative impacts on neighbours to the site.

The development is considered to be in keeping with the character of the locality.

The use will operate at normal working hours and will not impact any neighbour in this regard.

In this regard, adverse environmental impacts on adjoining dwellings will be minimal.

4.3 S.4.15(1)(c) The suitability of the site for the proposed development

Having regard to the characteristics of the site and its location, the proposed development is considered appropriate in that:

- It is consistent with the objectives of the B2 Zone under LEP 2013;
- The use would fit comfortably within the area and is consistent with the existing use of the site and other nearby commercial uses; and,
- The proposed development does not have any significant adverse environmental impacts in relation to adjoining properties.

As demonstrated throughout this Statement of Environmental Effects, the proposed development will not result in any significant adverse environmental impacts.

4.4 Section 4.15(1)(e) The Public Interest

The proposed development does not have any detrimental impact on the streetscape, external appearance of the building or on the amenity of nearby residents.

Consequently, the proposal is in the public interest.

5.0 Conclusion

The proposed development is permissible with consent and will improve the appearance of the site. It is also consistent with the planning objectives for the zone.

The submission has demonstrated that the proposal will be unlikely to cause harm to the amenity of the area by virtue of any overbearing environmental impact.

The proposed development generally promotes and implements the planning principles, aims and objectives of:

- Manly Local Environmental Plan 2013; and
- Manly Development Control Plan 2013.

The proposed works and use have the following merits:

- The use will operate within an existing commercial building.
- The use will add to the vibrancy and vitality of the local area.
- The amenity of neighbours to the site is not unreasonably affected by the proposal.

In light of the significant merits of the proposal and in the absence of any adverse environmental impacts, it is recommended that Council grant consent to this development, subject to appropriate conditions of consent.