

STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR THE PROPOSED FIT OUT AND USE OF AN EXISTING PREMISES
AS A TAKE AWAY & COFFEE ROASTING FACILITY**

LOCATED AT

LOT 58, 1 CAMPBELL PARADE, MANLY VALE

FOR

**CRAIG & REBECCA SOMMER & THE OWNERS CORPORATION
SP 56291**

**Prepared
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1.0 Introduction

This Statement of Environmental Effects accompanies details prepared on behalf of Craig & Rebecca Sommer and the Owners Corporation – SP 56291 to detail the fit out an existing industrial unit to provide for a take away food use to supplement an existing approved light industry (coffee roasting and packaging facility – DA 2012/0036 dated 26 March 2012) at **58/1 Campbell Parade, Manly Vale**.

This statement reviews the proposed development by assessing the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979, (as amended) including:

- *The Environmental Planning and Assessment Act, 1979 as amended.*
- *The Environmental Planning and Assessment Regulation 2000.*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

2.0 Property Description

The subject allotment is described as Unit C1, 1 Campbell Parade, Manly Vale, being Lot 58 within Strata Plan 56291 and is zoned IN2 Light Industrial within the provisions of the Warringah Local Environmental Plan 2011.

The site is not listed as a heritage item, nor is not located within a conservation area and is not identified as being bushfire prone land.

The land is noted as Landslip A & B on Council's landslip map and as there are no structural changes to the existing unit or the wider complex, no further investigation is considered to be necessary.

The immediate area of the subject unit is noted a being Medium Flood Risk and this issue is discussed further within this submission.

3.0 Site Description

The subject property is located within a group of industrial units within a complex located on the northern higher side of Middleton Road.

The subject unit is currently used as an approved (DA 2012/0036) coffee roasting facility and the new use as a take away food premises will supplement the current coffee roasting use.

The surrounding units comprise a range of similar light industrial uses.



Fig 1: Location map
(Source: Google maps)



Fig 2: Aerial view of subject locality
(Source: Google maps)

4.0 Proposed Development

The proposal seeks consent for the fit out and use of the existing premises as a café to service the needs of the surrounding industrial area.

The subject unit is currently used as an approved (DA 2012/0036) coffee roasting facility and the new use as a take away food premises will supplement the current coffee roasting use.

The new works will see minor internal alterations to alter the existing small office to provide for a kitchen and serving counter for the preparation of coffee for sale to the general public and to the occupants of the other industrial units in the complex.

Minor changes will be made to the existing building identification signage associated with the current approved use, however the location and form of the signage will be otherwise unchanged.

The existing staff on site will operate the proposed take away food use and therefore it is not expected that there will be any change to the existing parking arrangements.

The proposed use will operate between the following hours:

Monday to Sunday - 6.00am – 7.00pm

The proposal does not involve any increase in the floor space of the building.

Toilet facilities for staff are provided within the unit.

5.0 Zoning and Development y Controls

5.1 Warringah Local Environmental Plan 2011

The land is zoned IN2 General Industrial under the provisions of the WLEP 2011.



Fig 6: Extract of Warringah Local Environmental Plan 2011

The development of and use of the land for light industrial purposes is consistent with the zone objectives, which are noted as:

- *To provide a wide range of light industrial, warehouse and related land uses.*
- *To encourage employment opportunities and to support the viability of centres.*
- *To minimise any adverse effect of industry on other land uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *To support and protect industrial land for industrial uses.*
- *To maintain the industrial character of the land in landscaped settings.*

It is considered that the proposed light industrial use will be consistent with the desired future character of the surrounding locality for the following reasons:

- The proposal will be consistent with and complement the existing range of industrial development in the area.
- The proposed use will enhance the employment opportunities and the range of services in the area.

- The proposal fit out works will not reduce the amenity of any nearby properties.
- The proposed use will provide a take away food use that provides serves to the other workers in the industrial complex

Clause 4.3 provides controls relating to the height of buildings.

The dictionary supplement to the LEP notes building height to be:

***building height (or height of building)** means the vertical distance between ground level (existing) and the highest point of the building, including plant and lift overruns, but excluding communication devices, antennae, satellite dishes, masts, flagpoles, chimneys, flues and the like.*

The building height limit for development in this portion of Manly Vale is 9m. The proposed works are internal works only there will be no change to the overall building height and external form of the unit.

Clause 6.1 – Acid sulfate soils

As no excavation is required, it is not anticipated that any acid sulfate soils will be encountered.

Clause 6.2 – Earthworks

The proposal will seek to provide for minor alterations to the existing building only, with no earthworks required.

Clause 6.3 – Flood planning

The subject unit is noted as being affected by a Flood Planning Level (FPL) and Low & Medium Flood Risk. The works are for minor non-structural internal alterations, with no change to the approved coffee roasting facility and the form of the building.

Given the minor nature of the proposed works, it is suggested that further investigation is not required at this stage.

Clause 6.4 – Development on sloping land

The site is noted within Area A on Council's Land Slip Map. As the proposal seeks to provide for the use of the site without any significant alteration to the existing building, no further investigation is deemed necessary in this instance.

There are no other clauses of the WLEP 2011 that are considered to be relevant to the proposed development. It is considered that the proposal achieves the requirements of the WLEP.

5.2 Warringah Development Control Plan

The relevant numerical and performance based controls under WDCP are discussed below:

<u>Part B - Built Form Controls</u>			
Standard	Required	Proposed	Compliance
B1 – Wall heights	No specified wall height	Wall height unchanged	Yes
B2 – Number of storeys	No specified storey limit	Building height unaltered.	N/A
B3 - Side Boundary Envelope and Side Setback	Building envelope 45 degrees from 5m. Setback 0.9m	Complies	Yes
B4 – Site Coverage	No requirement identified on map		N/A
B5 - Side Boundary setbacks	Merit assessment	No change to side setback	Yes
B6 – Merit assessment of Side Boundary Setbacks	Merit assessment of side setbacks	Proposed works do not alter side setbacks	N/A
B7 – Front Boundary Setbacks	Al land 4.5m	The proposal seeks consent for internal alterations to an existing industrial unit, which exceed the 6.5m setback to Campbell Parade.	Yes – on merit
B8 – Merit assessment of front boundary setbacks	No requirement identified on map		N/A
B9- Rear Boundary Setbacks	Merit assessment noted on map	Internal fit out works do not reduce existing rear setbacks.	N/A
B10 – Merit Assessment of rear boundary setbacks	No requirement identified on map		N/A
B11 – Foreshore Building Setback	No requirement identified on map		N/A
B12 – National Parks Setback	No requirement identified on map		N/A
B13 – Coastal Cliffs Setback	No requirement identified on map		N/A

B14 – Main Roads Setback	No requirement identified on map		N/A
B15 – Minimum Floor to Ceiling Height	No requirement identified on map		N/A
<u>Part C – Siting Factors</u>			
C2 – Traffic, Access and Safety	Vehicular crossing to be provided in accordance with Council's Vehicle Crossing Policy	No change to existing driveway and layback. Car parking for the unit is unchanged	N/A
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	No change to existing parking	N/A
C4 - Stormwater	Hydraulic Design to be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments and Minor Works Specification	No change to existing roof. Stormwater from roofed areas directed to street gutter	Yes
C5 – Erosion and Sedimentation	Soil and Water Management required	No excavation or site disturbance	Yes
C6 - Building over or adjacent to Constructed Council Drainage Easements	N/A		N/A
C7 - Excavation and Landfill	Site stability to be maintained		
C8 – Demolition and Construction	Waste management plan required	Waste management measures to be employed	Yes
C9 – Waste Management	Waste storage area to be provided	Bins storage available within unit	Yes
<u>Part D – Design</u>			
D1 – Landscaped Open Space and Bushland	No minimum landscaped open space requirement	The proposal to provide for a take away food use will supplement the existing approved	Yes

		coffee roasting facility. There will otherwise be no substantial change to the existing built form.	
D2 - Private Open Space	Not applicable to proposed commercial use	N/A	N/A
D3 - Noise	Mechanical noise is to be attenuated to maintain adjoining unit amenity. Compliance with NSW Industrial Noise Policy Requirements	No significant mechanical equipment required. Noise from compressors etc. to be reasonably contained within the unit.	Yes
D4 – Electromagnetic Radiation	N/A to proposed development		N/A
D5 – Orientation and Energy Efficiency	No applicable to proposed commercial use	N/A	N/A
D6 – Access to sunlight	No applicable to proposed commercial use	N/A.	N/A
D7 - Views	No applicable to proposed commercial use	N/A	N/A
D8 - Privacy	No applicable to proposed commercial use. The proposal will not reduce the privacy of the nearby residential units	N/A	N/A
D9 – Building Bulk	This clause requires buildings to have a visual bulk and architectural scale that is consistent with structures on nearby and adjoining properties and not to visually dominate the	The works will see the internal fit out of the industrial unit to provide a take away food facility which includes minor internal changes and seeks the conversion of an existing office area to be used for the take	Yes

	street or surrounding spaces	away food use. The coffee roasting and storage area will be otherwise be unchanged and will not see any material change to the bulk of the existing building.	
D10 – Building Colours and materials		The works will not see any change to the existing building façade.	Yes
D11 - Roofs	The LEP requires that roofs should not dominate the local skyline.	The works will not see any change to the existing building roof form.	Yes
D12 – Glare and Reflection	Glare impacts from artificial illumination minimised. Reflective building materials to be minimised	The works will not see any substantial change to the existing building façade	Yes
D13 - Front Fences and Front Walls	Front fences to be generally to a maximum of 1200mm, of an open style to complement the streetscape and not to encroach onto street	No fencing proposed	N/A
D14 – Site Facilities	Garbage storage areas and mailboxes to have minimal visual impact to the street Landscaping to be provided to reduce the view of the site facilities	No change to garbage storage areas or mail box	N/A
D15 – Side and Rear Fences	Side and rear fences to be maximum 1.8m and have regard for Dividing Fences Act 1991	No fencing proposed	N/A
D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages,	N/A	N/A

	pool not to be located in primary frontage. Siting to have regard for neighbouring trees.		
D17 – Tennis Courts	N/A		N/A
D18 - Accessibility	Safe and secure access for persons with a disability to be provided where required	Existing access to be maintained.	Yes
D19 – Site Consolidation in the R3 and IN1 Zone	N/A		N/A
D20 – Safety and Security	Buildings to enhance the security of the community. Buildings are to provide for casual surveillance of the street.	The proposed works will not reduce the security of the street area or the subject property. Casual surveillance of the immediate area surrounding the unit is available from within the unit.	Yes
D21 – Provision and Location of Utility Services	Utility services to be provided	Normal utility services are available to the site	Yes
D22 – Conservation of Energy and Water	Compliance with SEPP BASIX	N/A	N/A
D23 - Signs	Building identification signage to be appropriate for proposed use and not to impact on amenity of surrounding locality. Signs not to obscure views vehicles, pedestrians or potentially hazardous road features or traffic control devices.	Minor building identification signage proposed	Yes

<u>Part E – The Natural Environment</u>			
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented	N/A.	Yes
E2 – Prescribed Vegetation	Not identified on map		N/A
E3 – Threatened species, populations, ecological communities	Not identified on map		N/A
E4 – Wildlife Corridors	Not identified on map		N/A
E5 – Native Vegetation	Not identified on map		N/A
E6 - Retaining unique environmental features	Not identified on map	No significant features within site	Yes
E7 – Development on land adjoining public open space	Not identified on map		N/A
E8 – Waterways and Riparian Lands	Not identified on map		N/A
E9 – Coastline Hazard	Not identified on map		N/A
E10 – Landslip Risk	Identified on map as Area D.	No substantial physical change to existing site conditions. A Preliminary Geotechnical Report is not considered to be necessary in this instance.	Yes
E11 – Flood Prone Land	Not identified on map		

6.0 Matters for Consideration under Section 4.15 of The Environmental Planning and Assessment Act, 1979

6.1 The provisions of any environmental planning instrument

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. It is considered that the provisions of this environmental planning instrument have been satisfactorily addressed within this report and that the proposal achieves compliance with its provisions.

Clause 93 of the EPA Regulations 2000 requires the fire safety for the proposed use to be taken into account in any application for a change of use. This application is not a change of use that entails a change of classification under the Building Code of Australia therefore a fire safety statement under this clause is not strictly required.

There are no other environmental planning instruments applying to the site.

6.2 Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and

There are no draft instruments applying to the land.

6.3 Any development control plan

The development has been designed to comply with the requirements of the WLEP 2011 & the controls of the Warringah Development Control Plan.

It is considered that the proposed design respects the DCP in that it reinforces the existing residential character of the area and is compatible with the existing uses in the vicinity.

6.4 Any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and

No matters of relevance are raised in regard to the proposed development.

6.5 The regulations (to the extent that they prescribe matters for the purposes of this paragraph),

No matters of relevance are raised in regard to the proposed development.

6.6 The likely impacts of that development, including environmental impacts on both the natural and built environments, and the social and economic impacts in the locality.

It is considered that the proposal, which seeks consent for the use of the existing industrial unit as a take away food and drink premises to supplement the existing approved coffee roasting use (DA 2012/0036) which will not unreasonably impact upon the amenity of adjoining properties or upon

the character of the surrounding area is compatible with and will complement the character of the area.

The proposal is considered to be well designed having regard to the relevant provisions of the Council's LEP and DCP.

6.7 The suitability of the site for the development

The site is considered suitable for the proposed development.

The proposal will provide for a take away food and drink premises to support the surrounding industrial area, which will not have a detrimental impact on the amenity of the adjoining properties or any detrimental impact on the streetscape.

6.8 Any submissions made in accordance with this Act or the regulations

This is matter for Council in the consideration of this proposal.

6.8 The public interest

The proposal will not impact upon the environment, the character of the locality or upon the amenity of adjoining properties and is therefore considered to be within the public interest.

7.0 Conclusion

It is considered that the proposal, which seeks consent for the use of the existing industrial unit as a take away food and drink premises to supplement the existing approved coffee roasting use (DA 2012/0036) will not have a detrimental impact on the adjoining properties or the locality.

As the proposed development will not have any significant impact on the environment, scenic quality of the area or the amenity of the adjoining allotments, the issue of Development Consent under the delegation of Council is requested.

VAUGHAN MILLIGAN

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