

**NORTHERN BEACHES COUNCIL**

**STATEMENT OF ENVIRONMENTAL EFFECTS**

**DEVELOPMENT APPLICATION FOR USE AND FIT-OUT OF FRONT PORTION  
OF TENANCY AS 99 BIKES REPAIRS / WAREHOUSE / STORAGE AND  
SIGNAGE**

**519 PITTWATER ROAD BROOKVALE NSW 2100**

**Prepared by Platinum Planning Solutions**  
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#### SITE DETAILS

<b>Address</b>	519 Pittwater Road, Brookvale, NSW, 2100
<b>Lot on Plan</b>	Lot 1 DP1082288
<b>Local Authority</b>	Northern Beaches Council
<b>Local Environmental Plan</b>	Warringah Local Environmental Plan 2011
<b>Development Control Plan</b>	Warringah Development Control Plan 2011
<b>Zone</b>	B5 Business Development
<b>Overlays</b>	Landslide Risk Land (Area A – Slope <5), Additional Permitted Uses, Local Aboriginal Land Council (Metropolitan), Height of Building (11m)

#### DEVELOPMENT PROPOSAL DETAILS

<b>Level of Assessment</b>	Permitted with consent
<b>Proposal Summary</b>	Use and fit-out of front portion of tenancy as 99 Bikes repairs / warehouse / storage and signage
<b>Assessment Controls</b>	Warringah Local Environmental Plan 2011, Warringah Development Control Plan 2011
<b>Applicant</b>	99 Bikes C/- Platinum Planning Solutions

#### REVISION DETAILS

<b>Version</b>	1.0
<b>Prepared by</b>	James Connolly (BUrbanEnvPlan, GCHM, MPIA)
<b>Signed</b>	
<b>Date</b>	13/07/2021

## **1.0 INTRODUCTION**

This Statement of Environmental Effects (SEE) has been prepared by Platinum Planning Solutions on behalf of 99 Bikes (the applicant) to accompany a development application to Northern Beaches Council over land located at 519 Pittwater Road Brookvale (the subject site).

The development application seeks development consent for the use and fit-out of the front portion of tenancy as 99 Bikes repairs / warehouse / storage and signage.

This SEE provides the following:

- A description of the subject site and surrounding development;
- Detailed description of the proposed development;
- Assessment of the proposed development in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979;
- Assessment of the planning considerations relevant to the proposed development.

The proposed works are seen to be consistent with the envisioned use of the site as a commercial premises and is seen to be a positive addition to the building and area as a whole. This Statement of Environmental Effects is to be read in conjunction with the attached plans, elevations, and supporting documents.

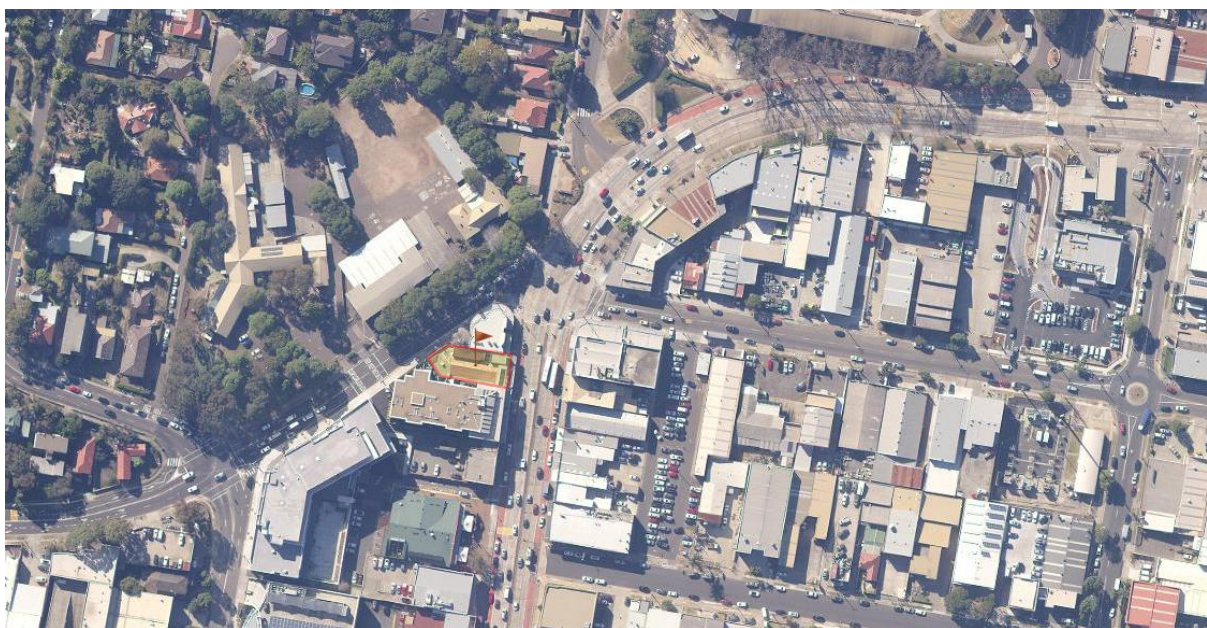
## **2.0 SITE DESCRIPTION AND CONTEXT**

### **2.1 Subject Site**

The subject site is located at 519 Pittwater Road Brookvale and is formally described as Lot 1 on DP1082288. The subject site is generally rectangular in shape with frontages to Pittwater Road and Old Pittwater Road respectively. The site is improved by a two-storey commercial building which had been vacant for a number of years before 99 Bikes took over a portion of the site to use it as a warehouse and storage premises in association with an existing retail premises under DA2019/0157. The site previously been operated as Commonwealth Bank. The surrounding land uses consists of predominately commercial style retail and business premises in the surrounding zoning, with a number of residential premises in the greater vicinity. Brookvale Public School is located to the North-East of the site. The location of the site is indicated below in Figure 1 to 5 respectively.



**Figure 1: Subject Site (Source: SIX Maps NSW)**



**Figure 2: Subject Site (Source: SIX Maps NSW)**



**Figure 3: Subject Site Location**



**Figure 4: Subject Site viewed from Pittwater Road**

## **2.2 Context and Background**

The site had been vacant for a number of years before 99 Bikes took over a portion of the site to use it as a warehouse and storage premises in association with an existing retail premises under DA2019/0157. The site previously been operated as Commonwealth Bank. 99 Bikes currently operate out of 521 Pittwater Road, and are seeking consent to operate the front portion of the tenancy as a bike repairs workshop / storage / warehouse in conjunction with the retail / warehouse component.

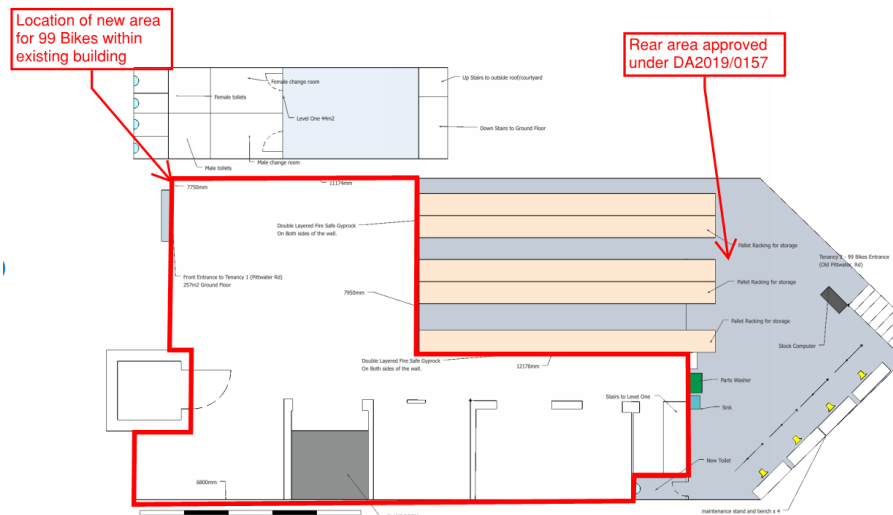


### 3.0 PROPOSED DEVELOPMENT

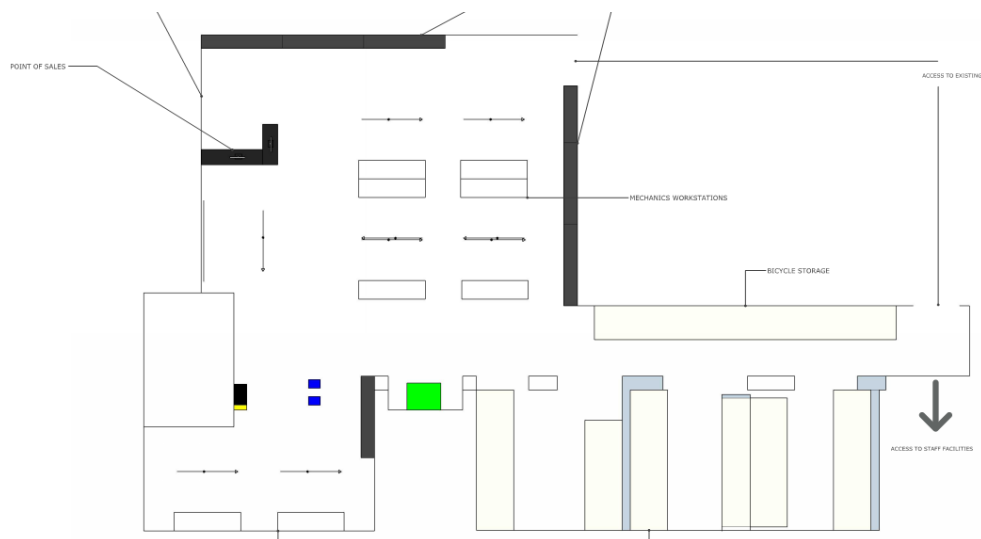
The aspects of the proposed development are as follows, as per the attached proposed plans and elevations:

Aspect	Details
Use	<ul style="list-style-type: none"> <li>Use of the front portion of the tenancy as a 99 Bikes repairs workshop / storage / warehouse in conjunction with the retail / warehouse component</li> </ul>
Fit-out	<ul style="list-style-type: none"> <li>Associated fit-out works to front portion of tenancy.</li> </ul>
Signage	<ul style="list-style-type: none"> <li>Proposed awning fascia signage, window graphics, and new graphics to existing lightbox.</li> </ul>

The proposed use and fit-out of the tenancy will be capable of complying with the BCA which will be part of a detailed assessment prior to the issue of a Construction Certificate. For further details on the proposed development please refer to the attached plans and supporting documents.



**Figure 6: Location of new area**



**Figure 7: Proposed Layout**

## **4.0 TOWN PLANNING ASSESSMENT**

### **4.1 Environmental Planning and Assessment Act 1979**

The Environmental Planning and Assessment Act 1979 (the Act) is the statutory planning instrument in New South Wales in which Council must use to assess development applications. In determining a development application, Council must take into consideration the following matters under Section 4.15 of the Act:

- a. *the provisions of:*
  - i. *any environmental planning instrument, and*
  - ii. *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 Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
  - iii. *any development control plan, and*
  - iv. *any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
  - v. *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
  - vi. *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*
- b. *the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*
- c. *the suitability of the site for the development,*
- d. *any submissions made in accordance with this Act or the regulations,*
- e. *the public interest.*

This Statement of Environmental Effects addresses the relevant provisions of the following planning instruments:

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

A detailed Section 4.15 assessment is provided as part of this overall Statement of Environmental Effects and in Section 4.6 of this report.

### **4.2 Warringah Local Environmental Plan 2011**

The Warringah Local Environmental Plan 2011 (LEP) is the principle local planning instrument that applies to the site.

#### **4.2.1 Zoning & Permissibility**

The subject site is zoned as B5 Business Development under the LEP. The objectives of the zone are as follows:

- *To enable a mix of business and warehouse uses, and bulky goods premises that require a large floor area, in locations that are close to, and that support the viability of, centres.*
- *To provide for the location of vehicle sales or hire premises.*

- To create a pedestrian environment that is safe, active and interesting by incorporating street level retailing and business uses.

The proposed use is associated with the retail and warehouse component of the 99 Bikes operations across 519-521 Pittwater Road and is seen to meet the objectives of the zone as the development contributes to the retail and commercial mix within the area and is compatible with the surrounding land uses. The proposal encourages on-going investment in the area and is seen as a desirable outcome.

#### **4.2.2 Height of buildings (Clause 4.3)**

The proposed works will not alter the height of the building, therefore Clause 4.3 of the LEP is not applicable.

#### **4.2.3 Floor Space Ratio (Clause 4.4)**

The proposed works will not alter the floor space of the building, therefore Clause 4.4 of the LEP is not applicable.

#### **4.2.4 Heritage Conservation (Clause 5.10)**

The subject site is not a heritage item and is not part of a heritage conservation area, therefore Clause 5.10 of the LEP is not applicable.

#### **4.3 Warringah Development Control Plan 2011**

The Warringah Development Control Plan 2011 (DCP) is the planning instrument that provides comprehensive development controls for the local area. The relevant matters to be considered under the DCP for the proposed development are outlined below.

Control / Objective	Compliance	Comments
<i>Part C – Siting Factors</i>		
C1 Subdivision	N/A	No formal subdivision proposed.
C2 Traffic, Access and Safety	Yes	There is no proposed alteration to existing vehicular or pedestrian crossovers to the subject site, and the loading area to the rear of the site is existing.
C3 Parking Facilities	Yes	The proposed use has a significantly lower parking demand than the previous use as a bank. Noting that the site has previously received development consent for the use as a 24/7 gym, the existing parking conditions in the surrounding locality are considered appropriate.
C3(A) Bicycle Parking and End of Trip Facilities	Yes	As there is no proposed increase in additional floor area, end of trip facilities are not required as per Note 5. Ample space will be provided for the parking of bicycles if staff chose to arrive via bicycle.
C4 Stormwater	N/A	No alterations to existing stormwater.
C5 Erosion and Sedimentation	N/A	No erosion or sedimentation impacts.
C6 Building over or adjacent to Constructed Council Drainage Easements	N/A	No council drainage easements.
C7 Excavation and Landfill	N/A	No excavation or landfill proposed.



Control / Objective	Compliance	Comments
C8 Demolition and Construction	N/A	Construction is proposed internally.
C9 Waste Management	Yes	Noting the minor nature of the proposed works, an individual Waste Management Plan is not considered necessary as part of the DA stage. This will be addressed as part of the Construction Certificate. Waste will be appropriately managed throughout the works.
<i>Part D - Design</i>		
D1 Landscaped Open Space and Bushland Setting	N/A	No landscaped open space or bushland settings.
D2 Private Open Space	N/A	No private open space on existing development.
D3 Noise	Yes	The proposed use will introduce minimal noise impacts.
D4 Electromagnetic Radiation	N/A	No electromagnetic radiation proposed.
D6 Access to Sunlight	N/A	No change to existing built form or external windows proposed.
D7 Views	N/A	No change to existing built form or views to and from the building proposed.
D8 Privacy	N/A	No change to existing built form or privacy aspects proposed.
D9 Building Bulk	N/A	No change to existing building bulk proposed.
D10 Building Colours and Materials	N/A	No change to existing building colours or materials proposed.
D11 Roofs	N/A	No change to existing roof proposed.
D12 Glare and Reflection	N/A	No change to existing external façade and no glare or reflective materials proposed.
D13 Front Fences and Front Walls	N/A	No existing front fence, and no change to existing front façade proposed.
D14 Site Facilities	N/A	No change to existing site facilities.
D15 Side and Rear Fences	N/A	No side or rear fences.
D16 Swimming Pools and Spas	N/A	No swimming pools or spas.
D17 Tennis Courts	N/A	No tennis courts.
D18 Accessibility	Complies with intent	To be addressed as part of the Construction Certificate.
D19 Site Consolidation in the R3 and IN1 Zone	N/A	Not within an R3 or IN2 Zone.
D20 Safety and Security	Yes	The proposed will not impact on the safety or security of the sounding area as there are no changed proposed to the overall built form.
D21 Provision and Location of Utility Services	N/A	The existing site has access to existing utility services.
D22 Conservation of Energy and Water	N/A	The proposed works do not include a change to the overall site layout or built form, with all works being undertaken internally to the existing building. Noting

Control / Objective	Compliance	Comments
		this, there will be no significant increase in the use of energy or water consumption.
D23 Signs	Yes	The proposed signage is of a minor nature and is for business identification purposes.

#### **4.5 Section 4.15 Assessment**

In determining a development application, the assessing consent authority must take into consideration a number of matters under Section 4.15 of the Environmental Planning and Assessment Act 1979. This assessment is shown in the below table:

Evaluation	Assessment
<p>In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application:</p> <p>a) the provisions of:</p> <ul style="list-style-type: none"> <li>(i) any environmental planning instrument, and</li> <li>(ii) 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</li> <li>(iii) any development control plan, and</li> <li>(iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and</li> <li>(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and</li> <li>(v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,</li> </ul> <p>b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</p>	<p>a) The proposed works align with the relative matters of the LEP and DCP as per the compliance assessment in this Statement of Environmental Effects. The proposed works are seen to meet all the relative controls and are seen as a good outcome for the subject site.</p> <p>b) The proposed works will not have any negative impacts on the surrounding land uses considering the commercial setting of the site and envisioned use of the tenancy as a commercial premises.</p>

Evaluation	Assessment
<p>c) the suitability of the site for the development,</p> <p>d) any submissions made in accordance with this Act or the regulations,</p> <p>e) the public interest.</p>	<p>c) The tenancy is part of a building which is envisioned for a commercial use. The proposed development to an existing building is considered appropriate.</p> <p>d) As per the DCP requirements, the development application may be placed on public exhibition to invite submissions, and if applicable Council will assess these accordingly.</p> <p>e) The proposed works are to an established commercial site and are seen to be in the public's interest through the provision of an envisioned use.</p>

## **5.0 CONCLUSION**

This Statement of Environmental Effects has reviewed the proposed use and fit-out of front portion of tenancy as 99 Bikes repairs / warehouse / storage and signage. It is considered that the proposed works, which are permissible with consent, are appropriate for the subject site and will not impact on the amenity of the surrounding area noting the existing established commercial setting of the site. The proposed works will not impact on the heritage significance of any surrounding heritage items, and will not adversely affect the amenity of the surrounding area with car parking concerns noting the surrounding public transport options and available on-street parking. Ultimately the proposal complies with the intent and design objectives of local planning controls and represents ongoing investment in the area. For these reasons it is seen that the proposed development should receive full development consent subject to reasonable and relevant conditions.