

STATEMENT OF ENVIRONMENTAL EFFECTS

**FOR THE PROPOSED CHANGE OF USE & MINOR FIT OUT WORKS FOR THE USE OF
THE SITE AS A BUILDING SUPPLIES WAREHOUSE**

AT

57 MYOORA ROAD, TERREY HILLS

FOR

HARDWARE & GENERAL



**Prepared
March 2020**

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1.0 Introduction

This Statement of Environmental Effects accompanies details prepared by Hardware & General Supplies Limited on behalf of Hardware & General, Drawings No. 1-6, dated December 2019, to detail the proposed change of use and minor fitout works at **57 Myoora Road, Terrey Hills** to support the use of the site as a hardware and building supply warehouse.

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*
- *State Environmental Planning Policy No 64—Advertising and Signage*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan*

2.0 Property Description

The subject premises is within a group of light industrial units and is known as **57 Myoora Road, Terrey Hills**, being Lot 2 within DP 530175 and is zoned IN2 Light Industrial within the provisions of Warringah Local Environmental Plan 2011.

The site is not listed as a heritage item, nor is not located within a conservation area.

There are no other known hazards affecting the land.

3.0 Site Description

The site is rectangular in shape with an area of 2782m² with the front and rear boundary dimension being 36.575m and the side boundaries 76.20m and is located on the eastern side of the street.

The site is occupied by a single storey Industrial Building located towards the rear of the property that is fenced along all the boundaries with Industrial style security fencing.

The existing vehicular access to the property is by a concrete driveway on the eastern side that connects to an open car parking area and building entrance adjoining the front of the existing industrial building.

The front section of the property adjoining the street is landscaped that includes a front fence with the driveway and a kerb and gutter crossing.

The property is located on the north western side of the street and is relatively level.

Myoora Road is a principal service road for the Terrey Hills locality that interconnects to Booralie Road to the East and Mona Vale Road and Forest Road major intersection to the west.

There is an existing constructed driveway from the street that provides access to the existing parking spaces that are proposed to be retained.

The site has an east west orientation with the prevailing wind direction during spring and summer from the North East and South West in autumn and winter.

There are no easements or other structures that restrict the proposed development.

The existing stormwater system remains unchanged with the proposal and should not be required to be upgraded just the implementation of a regular ongoing maintenance program.

The site is not identified on Councils mapping system as being affected by bushfire, overland flooding, or acid sulphate soils.

The existing onsite landscaping and major tree plantings will be retained at the front of the site landscaped and the car parking/driveway area will unchanged with the proposal, with the exception of one car space being enlarged and the removal of one small shrub/small tree to accommodate the movement of a large rigid truck for delivery of materials.

The site has been historically used for industrial purposes and the proposed use in regard to previous site contamination would not be an issue that would prevent the proposal from proceeding.





Fig 3: View of subject unit, looking west from Myoora Road



Fig 4: View of entry driveway and location of existing signboard, looking north-west from Myoora Road



Fig 5: View of adjoining site at No 59 Myoora Road, looking north-west from Myoora Road



Fig 6: View of adjoining site at No 55 Myoora Road, looking west from Myoora Road



Fig's 6 & 7: View of existing residential properties opposite on the eastern side of Myoora Road looking east

4.0 Proposed Development

The proposal is for the use of an existing Industrial Building for the purpose of providing a Warehouse facility that will enable building and hardware products to be stored and distributed from the site.

A separate application is being prepared on behalf of Hardware & General for the adjoining site at No 59 Myoora Road, which will be primarily for steel and concrete materials supplies and the proposed uses on both sites will be independent, with some cross over of access etc. between the properties.

The majority of the products will be plasterboard, steel products, plumbing pipe work and fittings, timber flooring and similar particle board sheeting.

The materials will be located in the main floor area by the use of racks and support frames as indicated on the submitted plans.

The staff associated with the operation of the ware house will include four (4) persons being a site Manager and three (3) general workers who will assist in the location and supply of the building products to the building and construction industry.

The hours of operation are proposed to be between 6.00 am and 6.00 pm Monday to Friday and 7.00 am to 4.00 pm Saturday.

The premises will be closed to the public on Sundays and Public Holidays.

The proposal does not involve any external structural changes to the building however the existing mesh boundary fencing is to be changed to more substantial security style fencing with entrance gates to the property.

The new fencing will be open style and Powder Coated that will be to a maximum height of 2.4m and extended along the front boundary where the main entrance gates are to be located across the driveway.

The existing building has level access from the street frontage and external yard area to the internal sections and there are no steps or gutters that would restrict or prevent access by people with disabilities.

The existing internal amenities include three separate WC areas with associated showers, office area, lunch/recreational room and three (3) small separate mezzanine areas.

The site has 18 existing car parking spaces and one is suitable for persons with disabilities close to the entrance of the building. One car space will be adjusted to increase its length to suit a waiting truck so it will not block the carpark.

Vehicles that will access the site include small tradesmen style utilities, ridged flat tray delivery trucks with a length of approximately 11 metres and single cars.

The owners Hardware & General are a Building Supply Company with a number of similar style operations located throughout the Sydney Region and the Waste Management and Collection will be similar to the other sites by the use of bulk bins provided by a Contractor licensed to handle waste and recycling materials generated on the site.

The proposal does not require any changes to the existing storm water disposal system that was installed when Council approved building extensions to the original building with Development Consent DA 2009/0335 June 2009.

5.0 Relevant Statutory Controls

5.1 State Environmental Planning Policy No 64—Advertising and Signage

The proposal seeks to provide for new business identification signage and is therefore subject to the provisions of SEPP No 64—Advertising and Signage.

Schedule 1 of the SEPP provides assessment criteria, which are addressed as follows:

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?*
- *Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?*

The proposal maintains the existing built form, and will therefore maintain consistency with the existing and desired future character of the locality. The proposal provides for modest business identification signage only, which is located on the building's façade and a sign board at the street boundary.

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 site is located within an industrial area, and the proposal is therefore not considered to result in any adverse impacts for any sensitive land uses.

3 Views and vistas

- *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?*

The proposal provides for business identification signage which is flush with the existing building and located in the location of the existing sign board at the street boundary and will therefore not detract from any existing views or vistas within the locality.

4 Streetscape, setting or landscape

- *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?*

The proposal maintains the extent of the existing building, and will not see the removal of any landscaping. The proposed sign is flush with the existing building and to replace the existing sign board at the street boundary , and will not be visually dominant within the locality.

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?*
- *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?*

The proposal provides for modest business identification signage which is in keeping with the scale and characteristics of the site and building.

6 Associated devices and logos with advertisements and advertising structures

- *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?*

The proposal is a simple business identification sign on the existing wall of the building and in the location of an existing sign board at the street boundary. No lighting, specific safety devices or platforms are required.

7 Illumination

- *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?*

The proposed signage is not illuminated.

8 Safety

- *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?*

As outlined above, the proposal provides for a simple signage which is not illuminated, and is therefore not considered to detract from the safety of the surrounding public road, pedestrians or cyclists.

The proposal is therefore in keeping with the provisions of the SEPP.

5.2 Warringah Local Environmental Plan 2011

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

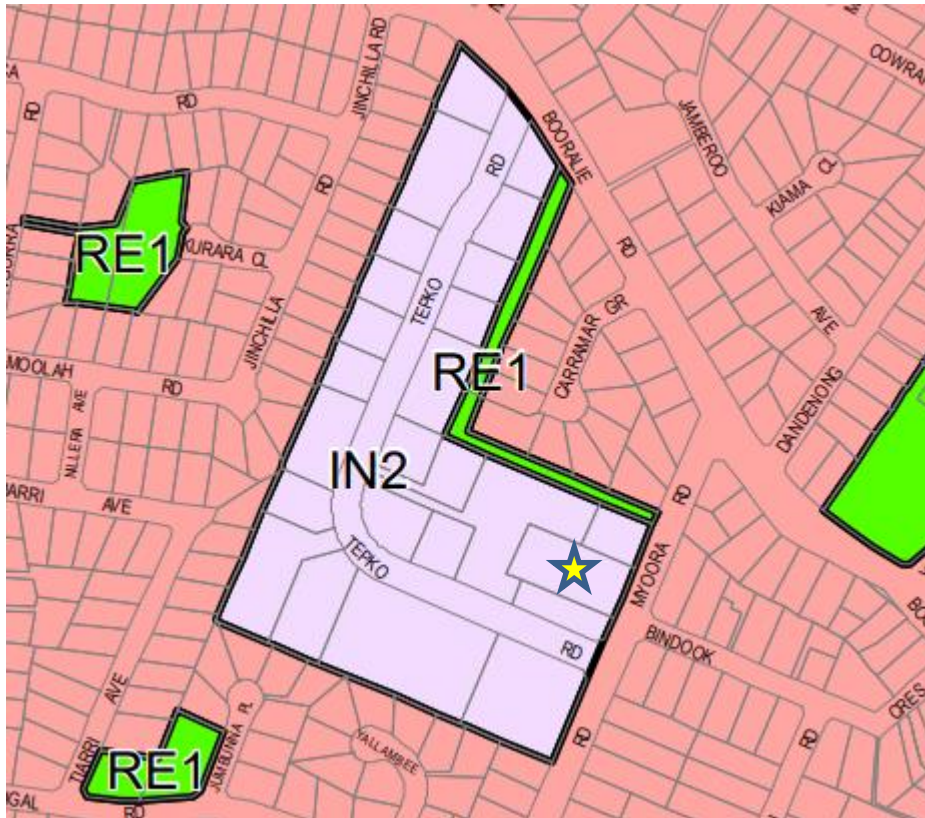


Fig 8: Extract of Warringah Local Environmental Plan 2011

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.

The proposed development is for the use of an existing industrial building for a hardware and general building supplies warehouse.

The previous land use activities included boat repairs and small light industrial activities and warehouse and the proposal is considered to be a change in use that does not require any significant building

alterations and only a small change to the existing car parking arrangements to create room for a truck to park within the site.

The proposed change in use is a permitted Land Use as indicated Subclause 2 of the Zone permitted Land Uses with the consent of Council.

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 Terrey Hills is 8.5m. The proposed works will not alter the existing overall building height and will comply with this maximum height control.

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 6.4 – 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:

Part B – Built Form Controls			
Standard	Required	Proposed	Compliance
B1 – Wall heights	Max 8.5m	No change to the overall height and form of the existing building	N/A
B2 – Number of storeys	The locality has a three storey height limit		N/A
B3 - Side Boundary Envelope and Side Setback	Building envelope 45 degrees from 5m. Setback 0.9m		N/A
B4 – Site Coverage	No requirement identified on map		N/A
B5 – Side Boundary setbacks			N/A
B6 – Merit assessment of Side Boundary Setbacks	Merit assessment of side setbacks	No change to existing side setbacks	N/A – remains unchanged
B7 – Front Boundary Setbacks	Ground and first floor Nil with second floor or up 5m	<p>No change to existing front setback of building.</p> <p>The proposed new fence will maintain the existing landscaping and larger tree plantings on the site that adjoins the car parking and side boundary areas.</p> <p>The new fence with a height of 2.4m will be high quality and is an important improvement to maintain security to the site and intended land use change in the Light Industrial Locality.</p>	Yes – on merit

		<p>The front gates will be designed so as to fit with the new fence and will not encroach over the property boundary when opened.</p> <p>It is considered that the new fence and gates meet with the intent of the objectives.</p>	
B8 – Merit assessment of front boundary setbacks	No requirement identified on map		N/A
B9 – Rear Boundary Setbacks	Merit assessment noted on map		N/A
B10 – Merit Assessment of rear boundary setbacks	Merit assessment noted on map	Proposal does not reduce existing rear setbacks.	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

Part C – Siting Factors			
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 provided, with up to 18 car spaces available and adequate area available for the parking needs of the staff together with the customer needs of the proposed use. The proposal does not involve any increase in the floor area of the buildings.	N/A
C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	The proposal will maintain the existing 18 car parking spaces in front of the building and will enable the continuance of traffic movements to and from the site in forward directions. Appendix 1 in the WDCP requires 1.3 spaces per 100 m ² GFA for warehouse and industrial land uses and as the proposal will not increase the current floor area and is considered to be a type of warehouse, the existing car parking as provided is acceptable for the proposal.	Yes
C4 – Stormwater	Hydraulic Design to be provided in accordance with Council's Stormwater Drainage Design Guidelines for Minor Developments	The proposal does not require any physical change to the land and as such there will not be any change to the conditions surrounding	Yes

	and Minor Works Specification	the Council infrastructure. Stormwater from roofed areas will continue to be directed to street gutter.	
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		The works do not see any change to the building's footprint or form and will not adversely affect Council's infrastructure.	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

Part D – Design			
D1 – Landscaped Open Space and Bushland	No minimum landscaped open space requirement	The proposal will not require any significant alterations to the existing industrial unit, with no change in the existing built area.	Yes
D2 – Private Open Space	No 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.	Yes
D4 – Electromagnetic Radiation	N/A to proposed development		N/A
D5 – Orientation and Energy Efficiency	No applicable to proposed use	N/A	N/A
D6 – Access to sunlight	No applicable to proposed use	N/A	N/A
D7 – Views	No applicable to proposed use	N/A	N/A
D8 – Privacy	No applicable to proposed use. The proposal will not reduce the privacy of any residential properties.	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 street or surrounding spaces	Proposal does not alter the existing bulk and scale of the existing building.	Yes

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 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 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	<p>The proposed new 2.4m front fence will maintain the existing landscaping and larger tree plantings on the site that adjoins the car parking and side boundary areas.</p> <p>The new fence will be high quality and is an important improvement to maintain security to the site and intended land use change in the Light Industrial Locality.</p> <p>The front gates will be designed so as to fit with the new fence and will not encroach over the property boundary when opened.</p> <p>It is considered that the new fence and gates meet with the intent of the objectives.</p>	Yes – on merit

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	Side and rear fencing to be generally unchanged	Yes
D16 – Swimming Pools and Spa Pools	Pool not to be located in front yard or where site has two frontages, pool not to be located in primary frontage. Siting to have regard for neighbouring trees.	N/A	N/A
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 IN2 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.	The proposal seeks to provide new building identification signage as noted in the submitted plans. This is discussed in further detail under the provisions of SEPP No. 64 – Advertising and Signage.	Yes
Part E – The Natural Environment			
E1 – Private Property Tree Management	Arboricultural report to be provided to support development where impacts to trees are presented	N/A	N/A
E2 – Prescribed Vegetation			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 A.	No change to existing site conditions. No further investigation is considered to be necessary in this instance.	Yes
E11 – Flood Prone Land	Not identified on map		N/A

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.

The proposal is consistent with the provisions of the State Environmental Planning Policy No 64—Advertising and Signage.

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

It is not considered that there are any draft environmental planning instruments applying to the site.

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 light industrial character of the area and is compatible with the existing uses in the vicinity. The works will not have any direct or unreasonable impact on the residential properties opposite the site on the eastern side of Myoora Road.

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

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.

The proposal will provide a supply service to the building industry that is readily accessible to the community and also continue with employment opportunities for the Terrey Hills and Northern Beaches Community.

Hardware & General is Family orientated Company that has been established in the Northern Beaches Council area for well over 50 years and the proposal will ensure that its hardware and building supply operations can continue to the benefit of the community.

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 seek consent for a light industrial use within the site, which itself is located within the IN2 Light Industrial Zone and the site is appropriate for the nature of the proposed use. The use of the site will not have a detrimental impact on the amenity of the adjoining properties or any detrimental impact on the streetscape.

6.8 Submissions made in accordance with this Act or the regulations

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

6.9 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.

The proposal is not considered to be in conflict with the Warringah Local Environmental Plan 2011 and the Change in Use generally meets with the principles and aims of the Warringah Development Control Plan and the approval of the proposal would be in the Public Interest.

7.0 Conclusion

The proposal seeks consent for consent for as a proposed use of the existing building for the supply of building products to the local community, which 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.

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