

STATEMENT OF ENVIRONMENTAL EFFECTS

PROPOSED "*HEALTH CONSULTING ROOMS*"

84 BARRENJOEY ROAD, MONA VALE

LOT 51 D.P. 860080

**DETAILED ASSESSMENT OF PROPOSED USE OF AN EXISTING
DWELLING HOUSE USED AS "*PROFESSIONAL CONSULTING
ROOMS*" FOR USE AS "*HEALTH CONSULTING ROOMS*" AND
PROPOSED NEW OUTBUILDING OVER DISUSED SWIMMING POOL
FOR USE AS A "*HEALTH CONSULTING ROOM*"**

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DETAILED ASSESSMENT OF PROPOSED USE OF AN EXISTING DWELLING HOUSE USED AS "*PROFESSIONAL CONSULTING ROOMS*" FOR USE AS "*HEALTH CONSULTING ROOMS*" AND PROPOSED NEW OUTBUILDING OVER DISUSED SWIMMING POOL FOR USE AS A "*HEALTH CONSULTING ROOM*"

1. INTRODUCTION

This statement has been prepared in relation to the proposed use of an existing dwelling house used as "*professional consulting rooms*" for use as "*health consulting rooms*" and the construction of a proposed new outbuilding, over a disused swimming pool, for use as a "*health consulting room*" at 84 Barrenjoey Road, Mona Vale by Holistic Physio Fitness.

Holistic Physio Fitness is a small Physiotherapy clinic offering a traditional Physiotherapy service with associated therapies. This development application involves the continued use of existing premises as a small Physiotherapy clinic and the proposed additional outbuilding over the existing disused swimming pool will simply allow greater physical (social) distance between people and will have no significant adverse environmental impact on the locality. This statement concludes that the proposed provision of a small amount of additional space on the site to allow greater spatial separation between people, especially in the light of COVID 19 is desirable in all of the circumstances of the case.

1.1 History

On 30 May 2014, Pittwater Council Pittwater Council, as the consent authority, granted its consent to Development Application No. N0120/14 for use of an existing residential building as professional consulting rooms for physiotherapy and related health care at 84 BARRENJOEY ROAD, MONA VALE (Lot 51 DP 860080).

The use of the premises as "*professional consulting rooms*" for physiotherapy and related health care commenced on approval as the premises had, prior to 30 May 2014, been used as a "*home occupation*" with the owner/applicant working from home as a physiotherapist.

The reason for making this application and withdrawing Development Application Number DA2020/0761 is that a new approval would be administratively simpler and the zoning has changed since the Council's consent to Development Application No. N0120/14. The subject land is now within Zone E4 Environmental Living under the provisions of *Pittwater Local Environmental Plan 2014* and '*health consulting rooms*' are permissible with consent. The subject land was previously within Zone No. 2(a) (RESIDENTIAL "A") under the provisions of *Pittwater Local Environmental Plan 1993* and '*professional consulting rooms*' were permissible with consent.

"Health consulting rooms" have replaced "professional consulting rooms" as permissible under the provisions of Pittwater Local Environmental Plan 2014.

PITTWATER LOCAL ENVIRONMENTAL PLAN 2014

health consulting rooms means premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals at any one time.

health care professional means any person registered under an Act for the purpose of providing health care.

dwelling house means a building containing only one dwelling.

dwelling means a room or suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile.

The existing practice operates under the 2014 development consent and has done so without complaint from neighbours for over six (6) years.

1.2 Infection Control Standards

The current COVID situation has heightened the need for additional space. It has become vitally important to build this new structure to cater for the changing environment in healthcare. Due to the COVID 19 pandemic, restrictions have been introduced which require greater distancing between people in the clinic. Patients including many older patients, patients with cardiovascular illness, lung issues and other at risk patients require the strictest infection control measures, even more so than a basic physiotherapy practice.

Even as the restrictions lift, there is an overwhelming push for more space between patients and room to be able to conduct rehabilitation programs. Due to the type of patients that are referred to the clinic from local GP's, the style of therapy has a heavy emphasis on self directed, supervised exercise. Specialised pieces of equipment are required during these sessions which should not be shared due to infection risks. Being unable to sanitise shared equipment in the same appointment time has severely restricted the intensity and level of treatment and the ability to undertake the frequency of sessions that is deemed clinically necessary.

The practice's typical patient type is middle aged with comorbidities. **Comorbidity** is the presence of one or more additional conditions often co-occurring (that is, concomitant or concurrent with) with a primary condition. The practice's therapists' Exercise Physiology backgrounds have become widely known and Local GPs refer complex/chronic patients who require rehabilitation for injuries but are also at high risk due to other illness including cardiopulmonary/respiratory issues, neurological issues and other various systemic illnesses that require a specialised approach.

Dual qualified Physiotherapists/ Exercise Physiologists attract many of the practice's referrals from GP's for cardiovascular, respiratory and high risk patients.

The dually qualified Physiotherapists/ Exercise Physiologists tend to see a lot of

patients with chronic conditions and comorbidities and, consequently, they are quite ill and vulnerable. More recently there has been increasing pressure from referring GP's to improve infection control processes which are critical for the continuing care of patients and the specialised type of treatment required. The practice is well respected by the local GP's and it is important that this be maintained.

Holistic Physio Fitness is also NDIS (National Disability Insurance Scheme) registered and this which involves a lengthy assessment process and yearly audits to continue to be able to cater for disabled patients on site. Holistic Physio Fitness has become well respected for its care and sensitivity to patients with disabilities.

This new structure will allow current patients to have a more spacious area and to be appropriately physically separated from other patients and practitioners. It will also allow for personal carts with equipment that only a single patient would use in a session. This means that all equipment can be appropriately sanitised between appointments rather than during appointments, and throughout the treatment session, the patient will not have to share any equipment. This is very important given the types of at-risk patients attending the clinic.

The practice is developing custom made trolleys to carry duplicates of each bit of rehab equipment. Currently though there is insufficient space to use the trolleys and a more open floor plan is required and for this to work properly. A lot of the existing space on the top floor is also reserved and used for patients with disabilities as the practice is a registered NDIS provider.

The proposed new structure will provide the solution needed to provide appropriate healthcare within the guidelines set by professional bodies and, most importantly, the patients' expectations. The current rooms do not allow for this to happen which is now a detriment to patient care. This is not something that could have been planned for of course due to the unprecedented pandemic.

As the Council would be aware, the Infection Control Policies set out by NSW Health need to be adhered to and, in order to do that, and continue to operate whilst complying with those rules, the new structure will allow for the current patient list. It is not intended to increase patient numbers but to improve the physical conditions and ensure proper clinical practice during this pandemic and after.

The Council's help in obtaining development approval as speedily as possible would be greatly appreciated. Since the practice's patient care is dependent on this, please advise as soon as possible if there is any further information required to obtain development and related consents.

1.3 Holistic Physio Fitness – Existing use/ business description

Holistic Physio Fitness is a small physiotherapy practice offering a traditional Physiotherapy service with associated therapies. Holistic Physio Fitness is closely controlled by its governing bodies including the Australian Physiotherapy Association and the Australian Health Practitioner Regulation Agency to only practice within the scope of knowledge of its therapists and evidence based practice. The practice and its therapists comply with these rules in their entirety.

Any patient that requires a more comprehensive gym-based program is directed to another clinic operated by Holistic Physio Fitness within the Fitness First Gym at Mona Vale which caters for any patient requiring rehabilitation or metabolic programs requiring the use of commercial gym equipment. Patients are also encouraged to join, and to use, Fitness First Mona Vale to continue with their own self directed exercise programs.

Holistic Physio Fitness is also NDIS (National Disability Insurance Scheme) registered and this involves a lengthy assessment process and yearly audits to continue to be able to cater for disabled patients on site. Holistic Physio Fitness has become well respected for its care and sensitivity to patients with disabilities.

All appointments are conducted under strict regulations imposed by private health funds and Medicare item numbers. As an example, it is common for a post operative patient to require a full rehabilitation program. ACL (Anterior Cruciate Ligament) surgery is an example of a patient being treated from day 3 post surgery, usually for up to six (6) months. The surgeon will refer patients for hands on therapy to regain range of motion and reduce both initial pain and swelling. As the patient progresses, sessions will be conducted using equipment in the rehab rooms to progress the strength of the knee, surrounding musculature and the biomechanics of the body to prevent re-injury. Patients will eventually need to be challenging their strength by doing resistance training and cardiovascular training in conjunction. The patient will either continue with one-on-one sessions with the therapist to progress these exercises, or decide to attend a group physio appointment, usually for financial reasons to reduce the cost. A typical group appointment involves each individual performing their own individualised rehab program, under the partial supervision of a single therapist.

During this six (6) month rehabilitation program, gym-based exercise programs are prepared that patients must conduct in a commercial gym of their choosing, or, they can complete them at their home if they have the equipment. Holistic Physio Fitness recommends a commercial gym as patients improve and are able to use equipment that is not available in the practice's clinic. Holistic Physio Fitness has a clinic in Fitness First Mona Vale for this reason. Patients are either trained further at Fitness First, or, a program is written for them which they complete at Fitness First. The practice's rehab rooms at the clinic at 84 Barrenjoey Road do not constitute either a "gymnasium" or "health studio", hence the established clinics at Fitness First Gym (or to refer patients to gymnasiums or health studios with which the practice has many relationships and connections within the surrounding community).

Holistic Physio Fitness is a small physiotherapy practice and is not a "recreation facility (indoor)" because it demonstrably comprises "**health consulting rooms**" used by "**health care professionals**" providing health care. The definition of "recreation facility (indoor)" is:

***recreation facility (indoor)** means a building or place used predominantly for indoor recreation, whether or not operated for the purposes of gain, including a squash court, indoor swimming pool, gymnasium, table tennis centre, health studio, bowling alley, ice rink or any other building or place of a like character used for indoor recreation, but does not include an entertainment facility, a recreation facility (major) or a registered club.*

Neither “gymnasium” nor “health studio” are defined in *Pittwater Local Environmental Plan 2014*.

All equipment in the clinic is to ensure the delivery of a complete rehabilitation service within the established professional guidelines and using the scope of knowledge and professional qualifications of the treating therapists. The equipment is only used by therapists and patients under strict supervision. The existing “professional consulting rooms” and the various pieces of specialised equipment are not used for anything other than treatment by health care professionals. There is no gymnasium on site (nor is one proposed) which would allowing people to conduct their own exercises. No facility is used without the supervision of trained therapists during a paid Physiotherapy session. The rehab rooms are only used for one-on-one therapy appointments, or for small group physiotherapy appointments governed by professional body guidelines and regulations. Medical records must be kept on all patients and every appointment, including group appointments, is documented. The equipment used is specific for injury rehabilitation, cardiopulmonary and neurological rehabilitation Criterion 4.2.1 of *Australian Physiotherapy Association (APA) Standards for Physiotherapy Practices*, 8th Edition 2011 (accompanying the application) states:

Criterion 4.2.1

Equipment safety and maintenance

The practice ensures equipment is suitable, safe and well-maintained.

Guidance

Therapeutic equipment and best practice

The practice should have therapeutic equipment that enables health professionals to deliver best practice healthcare. Where the use of specific equipment has been proven to enhance the quality of health outcomes in an area of care relevant to the practice, there will be a reasonable expectation that the practice utilises such equipment subject to its cost and availability.

The practice offers all the necessary equipment for objective measuring and monitoring patients’ progress in regards to strength, pain levels, cardiovascular health and neurological deficiencies. (see 5.1.2, outcome measures in the Standards for Physiotherapy Practice). Each piece of equipment serves a specific purpose directly related to the health care services provided and without them a safe and thorough health consultation would not be possible. As mentioned the types of patients that are referred to the practice by GP's and specialists are generally suffering from comorbidities requiring the most comprehensive rehabilitation programs with strict monitoring and measurement. Progression and improvement need to be made or the practice is required to refer the patient to an appropriate health care professional. The practice would not be set up to deal with patients with complex needs without the specialised equipment and would constitute poor practice lacking proper clinical reasoning or justification. This goes against the practice’s obligations as imposed by the relevant regulatory bodies.

The continued usage of the “professional consulting rooms” along with the proposed new “health consulting room” are vital to enable the continuing provision of this service. As stated in above, due to COVID 19 the practice is unable to safely service some patients’ needs due to social distancing and regular infection control standards. (see 4.3.1 infection control standards in the Standards for Physiotherapy

Practice).

Criterion 4.3.1

Infection control standards

The practice adheres to industry standards for infection control and hygiene.

Guidance

Infection control procedures

The practice must maintain standards of infection control and hygiene that are relevant to the nature and scope of its services. The practice should have infection control procedures that cover relevant aspects of the following:

- *cleaning/disinfecting of treatment beds, face holes, electrical equipment, gym and therapy equipment, and benches*
- *changing cloth or paper protective linen between clients*
- *sterilising equipment*
- . . .

The purpose of the new structure is to allow any current group physiotherapy appointments with appropriate social and physical distancing. Furthermore it will allow the practice to use six (6) individual carts with identical equipment to replicate rehab equipment that patients use at home. These carts will mean vulnerable patients will not have to share equipment and they will be able to be cleaned at the end of an appointment. It has become impractical to repeatedly clean single items for use during group physiotherapy appointments in the current rehab room. The same piece of equipment used by multiple patients is not safe and is a high risk for spread of infection. The spacing and the individual carts used in the proposed new structure will adequately resolve this issue and facilitate good infection control. The COVID 19 pandemic may end at some point but it has highlighted the need to prevent and reduce the spread of all transmissible diseases such as flu in vulnerable patients, especially the practice's at-risk clientele.

The APA acknowledges that physiotherapy practices operate in a wide range of environments, from large custom-designed practices to single rooms within a professional suite or private residence. As long as practices offer a suitably professional physical environment, they will not be disadvantaged in the accreditation process.

The proposed new structure will complement the existing health consulting rooms to offer a suitably professional physical environment for the practice's range of patient types. (See 4.1.1, practice environment in the Standards for Physiotherapy Practice)

As stated above, the practice has to comply with strict regulations to provide a safe environment in its clinic for patients. The practice's infection control guidelines are of the strictest level and it is intended to strive to continually improve and perfect them. The practice's reputation within the community and with local GP's and specialists is impeccable and there is a duty of care to maintain the high standards achieved to preserve both patients' trust and the trust of referring health professionals.

The practice does not employ personal trainers, pilates instructors, yoga instructors or any person without a health professional's qualification registered with Medicare Australia. The practice's therapists only administer therapy and services that fall within their scope of knowledge.

1.4 Hours of operation

The current hours of operation are standard hours of operation for Physiotherapy clinics. These times have not changed since the practice commenced and the practice has operated without complaint for over six (6) years.

The hours of operation are:

Monday to Friday:	6:30 am to 7:00 pm
Saturday:	6:30 am to 2:00 pm

It is very important that both early and late appointments are available for patients to ensure that they can attend with a frequency that is clinically necessary as decided by the treating therapist. If time slots are not available for patients for follow up appointments due to time constraints, this risks a patient not receiving the necessary treatment frequency to elicit an improvement in their condition. In the worst case scenario, a patient who is under-treated could develop serious complications, or even death in the case of cardiac and respiratory rehab patients.

As stated previously, the practice does not cater for, or treat, healthy populations and the types of patients attending are those requiring more intensive health care.

1.5 Patient numbers

The new structure will not increase the practice's patient numbers. Instead, it is needed to improve the current level of service while not expanding it or offering any new services. There is no addition of any new service, appointment type or appointment structure that has not already been offered over the past 6 years. The practice will still be bound by the same restriction of a maximum of 3 practitioners as has been the case since the 2014 approval.

The new proposed structure will mean that the current small group physiotherapy appointments will be able to be conducted in a safer and more appropriate fashion in accordance with the Australian Physiotherapy Association (APA) guidelines. Please refer to the accompanying patient numbers information example of a recent appointment list taken from our clinical software for indication of patient numbers over a normal trading week. Patient names have been occluded for privacy reasons.

1.6 Parking

The Council's parking requirements are contained in *Pittwater 21 Development Control Plan* at Section B General Controls – B6 Access and Parking – B6.3 Off-Street Vehicle Parking Requirements TABLE 1: Onsite Car Parking requirements.

Development Type	Minimum Number of Car Spaces
Business Premises and Office Premises	2.5 car parking spaces per 100m ² Gross Lettable Area (GLA)

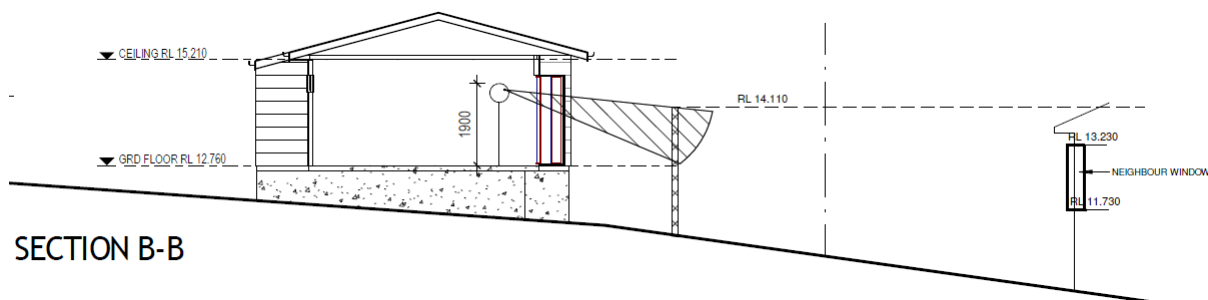
Gross leasable floor area: the sum of the area of each floor of a building where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts corridors and other public areas but

The existing Gross Lettable Area (GLA) of the “*professional consulting rooms*” is just under 124.21 m² and the proposed new “*health consulting room*” will have a gross floor area of 68.57 m². The total Gross Lettable Area (GLA) of the “*health consulting rooms*” will be approximately 192.787 m².

On-site parking is provided for seven (7) cars. The level of parking provided has proved adequate for more than six (6) years and since there will be an increase in the level of safety and amenity for the practice with no intensification of the use the demand for on-site parking will not change.

1.7 Privacy

A privacy screen will be erected on the property from 2.429 metres to 3.884 metres and then increasing to 8.640 metres from the rear (south eastern) boundary fence. This will comprise of a lattice structure that will completely screen any view into or out of neighbouring properties. A vine may be grown over it to improve the visual appearance for patients and neighbours. Patients’ privacy is of utmost importance, which is why every window in the entire clinic has privacy blinds and permanent sheer screening to prevent any view in or out. This privacy screen will be designed with no impact to neighbouring properties in regards to shade, will completely block any view into the rehab room but will still allow light into the rehab room which is important for patient safety and comfort.



The *Australian Physiotherapy Association (APA) Standards for Physiotherapy Practices*, 8th Edition 2011 (accompanying the application) contain detailed and strict criteria for the environment of physiotherapy practises including privacy.

The existing “*professional consulting rooms*” all have privacy screening, including but not limited to blinds and sheer curtains to prevent neighbours from looking in. All windows and doors remain permanently closed and are unable to be opened to ensure auditory privacy.

The proposed new structure will have lattice privacy screens incorporated into the landscaping to prevent neighbours looking into the “*health consulting room*”, or activity space, and also to prevent people looking into neighbouring properties. The windows on the south eastern elevation are 6 to 9 metres from the rear boundary of the property and there is substantial existing landscaping along the rear boundary. Every window that faces towards a neighbouring property will have either curtains, or

as described above, a complete constructed privacy screen that is permanent and not removable. This will completely occlude any view into, or out of the “*health consulting room*”.

In regards to auditory privacy, the attached acoustics report lists all of the measures proposed to be taken to achieve the highest possible and reasonable acoustic rating for the new structure. The acoustics report also includes the existing dwelling-house used by existing Holistic Physio Fitness practice.

1.8 Use of New Structure

No large gym equipment will be used in the proposed health consulting room. It will be predominantly used for body weight exercise and rehab movements. This new room will be used for patients during appointment, to be able to demonstrate home exercises or exercises prescribed by the health consultants for the purpose of rehabilitation. To be able to have those patients in the same room at the same time, appropriate spacing is required as mentioned previously. The shared room use allows for enough spacing for infection control, patient privacy and flexibility for the Physiotherapists and their patients appointment.

There is no proposal for equipment that generates any sort of noise, banging, or dropping. Again, this sort of equipment is reserved for the Fitness First clinic run by Holistic Physio Fitness. (Refer to the accompanying acoustic report for further information).

This new room will be used for individually prescribed rehabilitation exercises, under the supervision of a Physiotherapist. Equipment stored in there will include six "Kincrome Evolution Tool Trolley 5 Drawer" tool trolleys containing all the exercise equipment required and will include an assortment of small exercise bands, and other compact equipment designed to replicate the take-home equipment provided to patients for their home exercise programs. Each trolley is a personal cart with equipment that only a single patient would use in a session. It is very important that patients are supervised by a Physiotherapist when performing these exercises.

Physiotherapy group appointments are designed to evaluate patients to ensure they are performing their rehab exercises correctly and safely. Each participant will be the appropriate social distance from one another to perform their own rehab programs whilst under the supervision of a Physiotherapist. The health fund code used most frequently for this setting is 560 (Item code 560 is used for a group). That means, as a guide, six participants or less in a group. Each of the participants in a group setting must perform individually tailored exercises). Each trolley will have its own disinfecting equipment and will only be used by that patient alone in any one appointment.

Patients as always will have a finite number of appointments they can attend before further attendance is deemed to be “not clinically necessary”. When patients complete their therapy, they are encouraged to continue their programs to maintain the improvements made.

Patients requiring progression to larger commercial gym equipment will continue to be referred to our Fitness First based clinic to use that equipment. Patients are

encouraged to continue their programs in a local gym of their choosing, or at home.

There will be no change to the current hours of operation, as mentioned in section 1.4, which have been in effect for over 6 years now.

1.9 Acoustic Report

The accompanying Acoustic Report shows minimal to no noise impact on surrounding residents. The report lists the materials and construction techniques proposed to contain any noise within the premises. For example, highest grade acoustic insulation and “Gyprock Soundchek” (thicker “Gyprock”), laminated glass, and rubber flooring to absorb noise including footsteps will be used. Also, a hard-wired limiter will be fitted to the sound system for the background music such that it will not be possible for the sound to exceed a predetermined level. The background music sound system will be installed by sound technicians. (Refer to accompanying Acoustic Report by Gilfillan Soundwork.)

1.10 Bone Densitometry Machine

The practice has an on-site bone densitometry machine and approval for its use has been granted by the EPA under a current Radiation Management Licence (please see attached, license number 5078708).

Manufacturer’s specifications: The Medilink (Medix DR) is classified as a low risk, narrow angle fan beam device suitable for self assessment (technical specifications of machine attached).

2. ZONING and DEVELOPMENT CONTROL PLAN

2.1 Pittwater Local Environmental Plan 2014

The subject land is within **Zone E4 Environmental Living** under the provisions of *Pittwater Local Environmental Plan 2014*:

Pittwater Local Environmental Plan 2014 Maps

Additional Permitted Uses Map	Not Applicable to subject site
Acid Sulfate Soils Map	Class 5
Biodiversity Map	Not Applicable to subject site
Coastal Risk Planning Map	Not Applicable to subject site
Foreshore Building Line Map	Not Applicable to subject site
Floor Space Ratio Map	Not Applicable to subject site
Geotechnical Hazard Map	Not Applicable to subject site
Heritage Map	Not Applicable to subject site
Height of Buildings Map	8.5 metres Maximum Height
Land Application Map	Included
Land Reservation Acquisition Map	Not Applicable to subject site
Lot Size Map	Minimum 700 m ²
Land Zoning Map	Zone E4 Environmental Living
Urban Release Area Map	Not Applicable to subject site

'Health consulting rooms' are permissible with consent within Zone E4 Environmental Living.

Zone E4 Environmental Living

1 Objectives of zone

- To provide for low-impact residential development in areas with special ecological, scientific or aesthetic values.
- To ensure that residential development does not have an adverse effect on those values.
- To provide for residential development of a low density and scale integrated with the landform and landscape.
- To encourage development that retains and enhances riparian and foreshore vegetation and wildlife corridors.

2 Permitted without consent

Home businesses; Home occupations

3 Permitted with consent

*Bed and breakfast accommodation; Boat sheds; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dwelling houses; Environmental protection works; Group homes; **Health consulting rooms**; Home-based child care; Home industries; Jetties; Oyster aquaculture; Places of public worship; Pond-based aquaculture; Respite day care centres; Roads; Secondary dwellings; Tank-based aquaculture; Water recreation structures*

health consulting rooms means premises comprising one or more rooms within (or within the curtilage of) a dwelling house used by not more than 3 health care professionals at any one time.

Curtilage is the area of land around a house and its surrounding yard and outbuildings used for domestic purposes, as fenced (i.e. enclosed) or marked out so as to have the effect of enclosure.

The only relevant development standard contained in *Pittwater Local Environmental Plan 2014* is Clause 4.3 Height of buildings. The height of a building on the land is not to exceed the maximum height of 8.5 metres as shown for the land on the Height of Buildings Map.

2.2 Pittwater 21 Development Control Plan

The land is within the "Mona Vale Locality" under "Pittwater 21 Development Control Plan". The Council's parking requirements are contained in *Pittwater 21 Development Control Plan* at Section B General Controls – B6 Access and Parking – B6.3 Off-Street Vehicle Parking Requirements TABLE 1: Onsite Car Parking requirements.

Development Type	Minimum Number of Car Spaces
Business Premises and Office Premises	2.5 car parking spaces per 100m ² Gross Lettable Area (GLA)

Section B General Controls of *Pittwater 21 Development Control Plan* contains

section B6 Access and Parking – B6.3 Off-Street Vehicle Parking Requirements. The parking requirement for “*business premises*” is 2.5 car parking spaces per 100m² Gross Lettable Area (GLA). The total Gross Lettable Area (GLA) of the “*health consulting rooms*” will be approximately 199.4 m² which generates a parking demand of five (5) parking spaces under the development control plan. On-site parking is provided for seven (7) cars and this level of parking provided has proved adequate for more than six (6) years without complaint.

The other relevant section of the Council’s *Pittwater 21 Development Control Plan* is Section C Development Type Controls – C2 Design Criteria for Business Development

This part applies to all forms of business development, including “*medical centres*”.

C2.1 Landscaping

A landscaping plan is not required where a proposal does not increase the footprint of an existing building, does not cause any substantial change to the visual character of the site, and retains trees and vegetation.

C2.2 Safety and Security

Outcomes for “*business development*” include:

- ensuring on-going safety and security of the Pittwater community;
- minimising opportunities for vandalism; and
- providing unobtrusive security devices that are sympathetic to the character of the building and the streetscape.

Controls

1. Surveillance

Visitors and patients approaching the front door of the existing practice can be seen without the need to open the door.

The existing dwelling-house was designed to allow occupants to overlook public places (streets, parking, open space etc) and communal areas to maximise casual surveillance.

The existing external lighting provided for the Holistic Physio Fitness practice is adequate and is designed to minimise electricity consumption, and to minimise annoyance to neighbours.

2. Access Control

The existing pedestrian and vehicular access will remain unchanged.

The existing building entrance is clearly visible from the street, easily identifiable and appropriately lit. The street number of the property is to be clearly identifiable.

Pedestrian access along the street frontage will not be impeded by landscaping, street furniture or other restrictions.

3. Territorial reinforcement

The existing premises are well defined and the public domain is clearly the road reservation of Barrenjoey Road.

4. Space Management

There is no publicly accessible space requiring space management strategies.

5. Security Devices

No solid roller shutters are proposed.

C2. View Sharing

No significant views available from the property, views from other properties or from the public domain will be affected by the proposal which is a single storey outbuilding built over an existing disused swimming pool and is well set back from the side and rear boundaries.

C2.8 Energy and Water Conservation

The proposed development has been sited over an existing disused swimming pool and is well set back from the side and rear boundaries. Natural ventilation is provided through the openable windows on the north eastern and south western and there will be no significant overshadowing of adjoining properties.

No new hot water systems, clothes dryers, shower heads, water tap outlets, flush toilets, solar fuel or wood burning appliances are proposed and no in-sink food waste disposer will be installed

C2.12 Protection of Residential Amenity

Solar Access

The main private open space of the existing dwelling-house and the main private open space of all adjoining dwellings will continue to receive a minimum of 3 hours of sunlight between 9 am and 3 pm on June 21st.

The existing level of solar access of the existing dwelling-house and that of adjoining properties will not change significantly.

Privacy

The private open spaces and living rooms of proposed and existing adjoining dwellings will be protected from direct overlooking, by the design of the proposed outbuilding, landscaping, screening devices and spatial separation as shown in accompanying drawings.

There are no elevated decks, verandahs or balconies proposed.

The proposed development complies with the Council's planning controls as contained in the local environmental plan and the development control plan and is entirely consistent with the objectives of Zone E4 Environmental Living and other provisions of *Pittwater Local Environmental Plan 2014*.

3. THE PROPOSAL

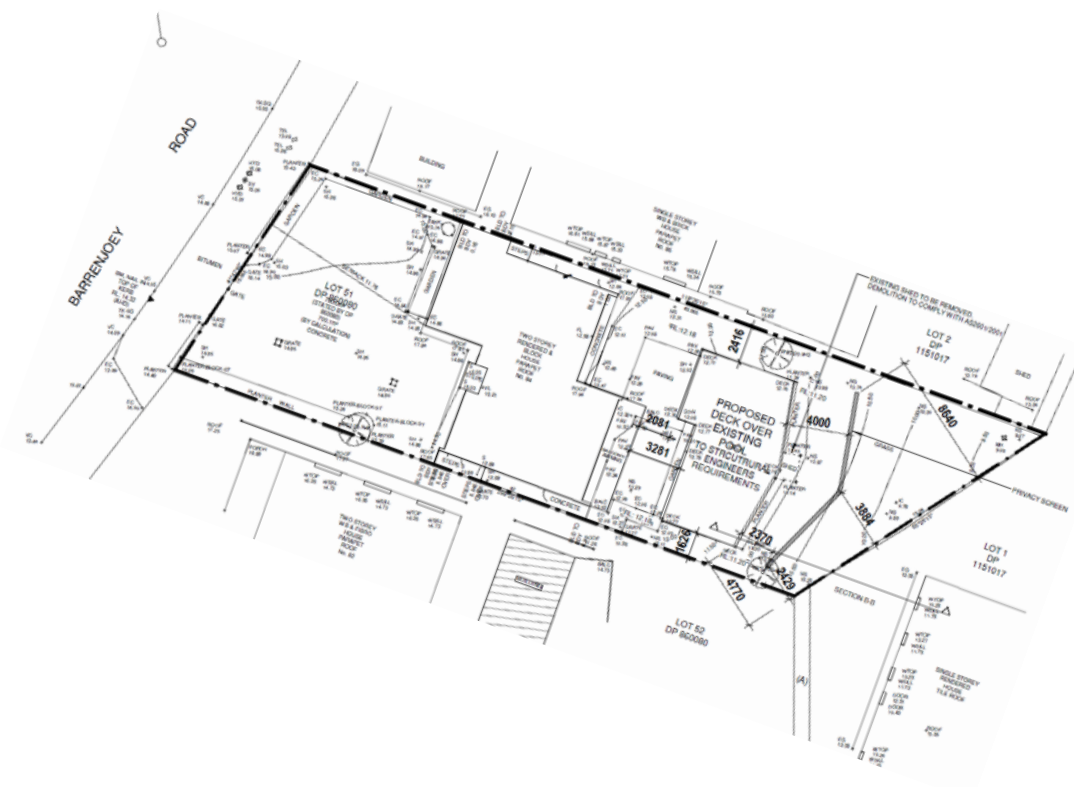
This application is for approval to continue to use an existing dwelling house as "*health consulting rooms*" and the construction of a proposed new outbuilding, over a disused swimming pool, for use as a "*health consulting room*" at 84 Barrenjoey Road, Mona Vale by Holistic Physio Fitness. The proposed building works are described in the attached drawings which describe a single storey outbuilding covering the existing disused swimming pool in the rear yard of the property.

Since the proposed additional space for existing health consulting rooms will occupy the area of the existing disused swimming pool in the rear yard of the property, there will be no excavation involved; there will be no loss of vegetation, generous set backs are provided to the side boundaries (1.626 metres to north eastern boundary and 2.416 metres from south-western boundary).

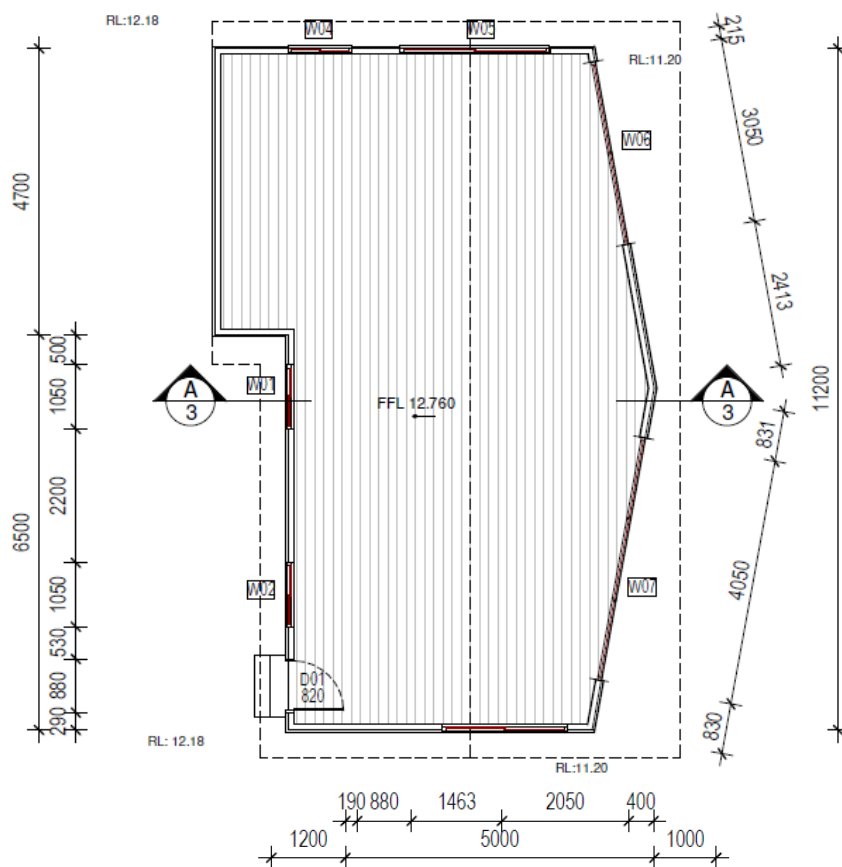
The proposed new building is only single storey and well set back some 2.416 metres from its south-western boundary such that there will be no significant overshadowing of any other property.



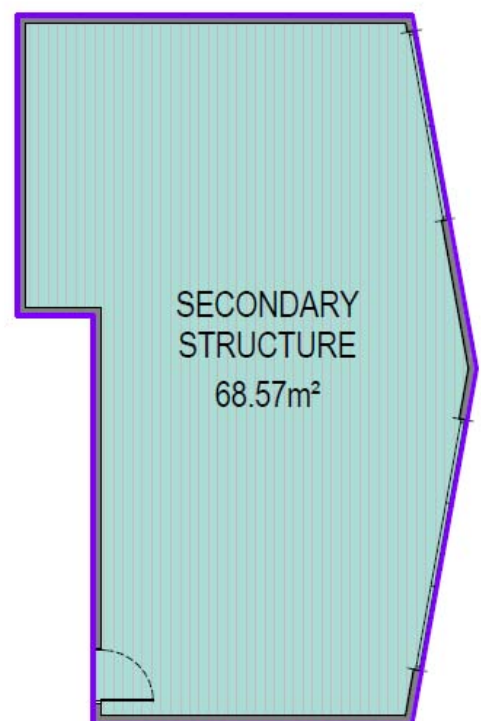
The existing level of provision of landscaping is maintained as the new outbuilding is to be constructed over an existing disused swimming pool.

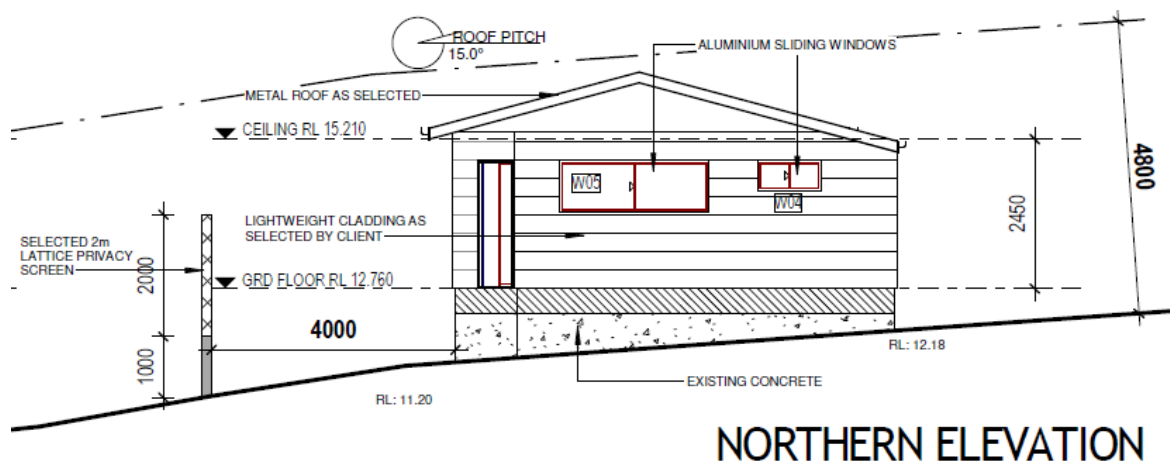
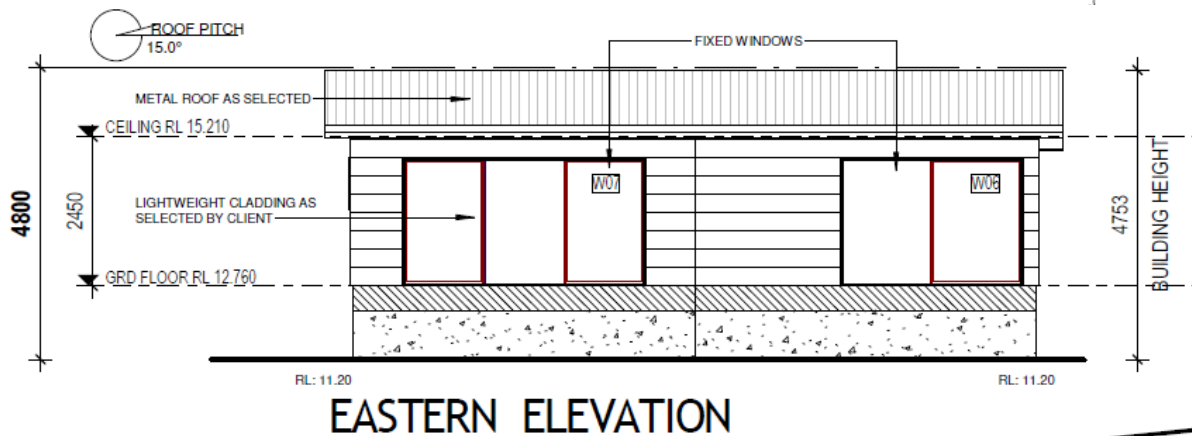
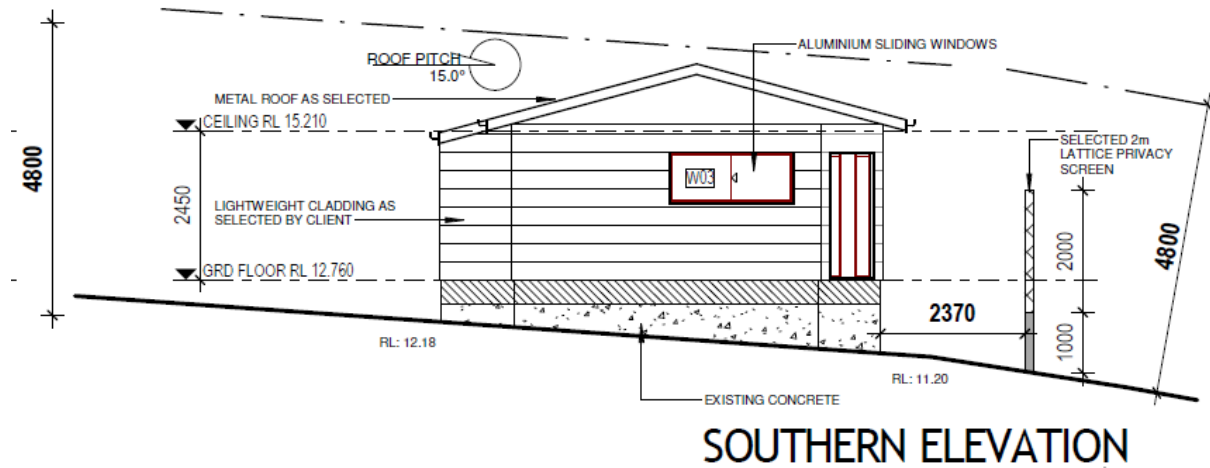
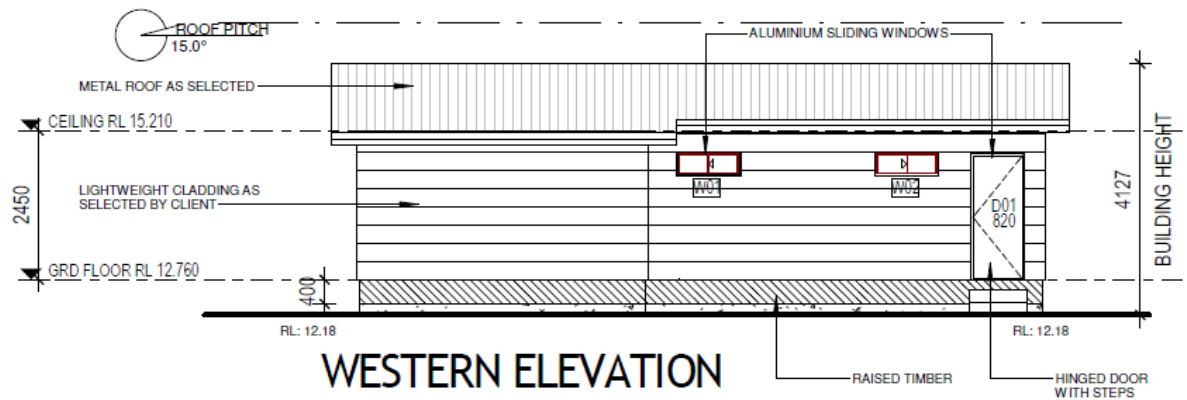


SURVEY PLAN



FLOOR PLAN





The proposed single storey outbuilding covering the existing disused swimming pool in the rear yard of the property is of a small scale. The small outbuilding will have little or no impact on the amenity of the adjoining neighbouring properties at 82 and 86 Barrenjoey Road and 44A Bassett Street. The total proposed Floor Area is only 68.57 m² and the height is 2.45 metres with a low pitch gable-ended roof of 15° pitch.

3.1 Summary

The proposal will cause no environmental harm and will be of both economic and social benefit to the local community. It can reasonably be expected that the proposal will be well received within the neighbouring community and it will make a significant contribution to the social character of the area.

4. ENVIRONMENTAL EVALUATION UNDER SECTION 4.15 [Evaluation (cf previous s 79C)] OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

An assessment of the application under the heads of consideration of Section 4.15 must conclude that the carrying out of the works involved in erecting the modular classrooms and their ultimate use are permissible and of such a minor planning or environmental consequence as to not offend any reasonable environmental consideration. The development is, in fact, quite a beneficial development in both social and economic terms.

4.1 Statutory Provisions [Section 4.15 (1)(a)]

The subject land is within Zone E4 Environmental Living under the provisions of *Pittwater Local Environmental Plan 2014* and 'health consulting rooms' are permissible with consent. The land is within the "Mona Vale Locality" under *Pittwater 21 Development Control Plan* and the proposed new outbuilding is consistent with the provisions of the development control plan.

4.2 Impact on the Environment [Section 4.15 (1)(b)]

The proposed use of the existing premises will have no significant impact on the environment.

4.3 Suitability of Site for Proposed Development [Section 4.15 (1)(c)]

The curtilage of the existing dwelling-house is entirely suitable for the proposed use. The proposed new outbuilding will be erected over the disused swimming pool and will be used as a "health consulting room".

No excavation is involved, there will be no loss of vegetation, generous set backs are provided to the side boundaries and the proposed new building is only single storey and well set back from its south-western boundary such that there will be no significant overshadowing of any other property.

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

There is nothing in this proposal that is contrary to the public interest. Indeed, the proposed use will provide a community service.

4.5 Flooding

The relevant map in *Pittwater Overland Flow Mapping and Flood Study – Volume 2 FINAL W4936* Prepared for Pittwater Council October 2013, Cardno (NSW/ACT) Pty Ltd, shows no Flood Planning Level for 84 Barrenjoey Road, Mona Vale.



Pittwater Overland Flow Flood Study and Mapping, FIGURE – 13.1c MODEL C (MONA VALE) – FPL EXTENTS.

4.6 Bush Fire Prone Land

Bush fire prone land is land that has been identified by Council which can support a bush fire or is subject to bush fire attack. 84 Barrenjoey Road is not shown as being affected as being bush fire prone on the *Pittwater Certified Bush Fire Prone Land Map*.

4.7 Summary

The impact on the environment will be positive because the proposed new building housing additional *health consulting rooms* will enhance the social amenity of the Mona Vale locality by providing a much needed facility.

5. SUMMARY AND CONCLUSION

The proposed additional space for existing *health consulting rooms* complies with the provisions of "Pittwater Local Environmental Plan 2014" and is consistent with the provisions of *Pittwater 21 Development Control Plan*. The proposed use will have no significant adverse environmental impact on the locality and the proposed use is desirable.

In conclusion:-

- The proposed development is permissible with the consent of the Council;
- The development will create no significant adverse environmental effect and every care has been taken to protect the environment and mitigate any harm that might otherwise result;
- The continued use of existing premises combined with the use of an area above an existing disused swimming pool is an environmentally and

economically efficient way of providing improved facilities and better health care services within the locality;

- The development will have no adverse effect on the landscape or scenic quality of the locality; and
- The development will not adversely affect the likely future amenity of the neighbourhood.

The proposed development will achieve an extremely useful social purpose with little, if any, significant environmental impact and its positive contribution to community health should be taken into account when assessing the proposal. I support the approval of the application.

Jim Rannard B.T.P. (Hons.) (UNSW)
Environmental Planner

21 September 2020