

GYDE

Statement of Environmental Effects

The Newport
1 Kalinya Street, Newport

submitted to Northern Beaches Council
on behalf of Merivale

This report was prepared by:

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Report Version: Draft for client review

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APPENDICES

The following plans and technical reports accompany the development application. GYDE has relied on the information in these reports, prepared by professionals in their field, for the preparation of this statement of environmental effects.

APPENDIX	DOCUMENT	PREPARED BY
A	Architectural Plans	Merivale
B	Fire Engineer Letter of Support	MCD Fire Engineering
C	Access Compliance Assessment Report	AED Group
D	Building Code of Australia Compliance Assessment Report	AED Group

1. EXECUTIVE SUMMARY

This Statement of Environmental Effects (SEE) has been prepared for Merivale to accompany a development application (DA) to Northern Beaches Council. The site is located at 1 Kalinya Street, Newport (the **site**).

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (the **EPA Act**) and Clause 50 of the *Environmental Planning and Assessment Regulation 2000* (the **EPA Reg**). The purpose of this SEE is to:

- describe the proposed development and its context
- assess the proposal against the applicable planning controls and guidelines, and
- assess the potential environmental impacts and mitigation measures.

The SEE seeks consent for the change of use of Level 1 of the hotel from residential accommodation to office/staff rooms, as well as associated minor internal works.

The SEE concludes the proposal will result in no adverse amenity, safety or environmental impacts.

2. THE SITE AND SURROUNDS

2.1. The site

The site is located at 1 Kalinya Street, Newport and is legally described as Lot 1 DP72587 and Lot 1 DP527172 (refer to Figure 1).

The site currently comprises a commercial hotel, including a public bar and liquor store, outdoor dining and on-site car parking.



Figure 1: The subject site, outlined in red.

2.2. The surrounding locality

The site is located at the intersection of Kalinya Street and Queens Parade, and is bordered by the Pittwater estuary to the west.

The surrounding area contains a mix of local shops, restaurants, parks and residential streets. To the north is the Metro Mirage Hotel and the Mac Marine Group. To the south are a range of residential flat buildings. Development in the surrounding streets is characterised as low scale construction of one to three-storeys in height.

2.3. Site Photos



Figure 2: The subject site from Kalinya Street.



Figure 3: The subject site from Queens Parade.



Figure 4: Local shops are located adjacent to the subject site on Kalinya Street.



Figure 5: The Metro Mirage Hotel is located to the north of the subject site.



Figure 6: Residential flat buildings are located to the south of the subject site.

3. DESCRIPTION OF DEVELOPMENT

3.1. Overview

Development consent is sought for the change of use of Level 1 of the hotel building. Historically, this level had been used as hotel accommodation, however it has not been used for such purposes for over ten years. This DA seeks to change the use of Level 1 to office/staff rooms supporting the use of the hotel as a Commercial premises.

There will be minor internal alterations associated with this change of use. These include:

- demolition of three internal walls and some wash/WC amenities
- construction of an internal wall to create a plant room
- construction of internal columns to office/meeting room
- internal fit-out of office, staff rooms, meeting rooms and locker room.

Refer to Figure 7 and the proposed plans at Appendix A for further details of the proposed alterations.

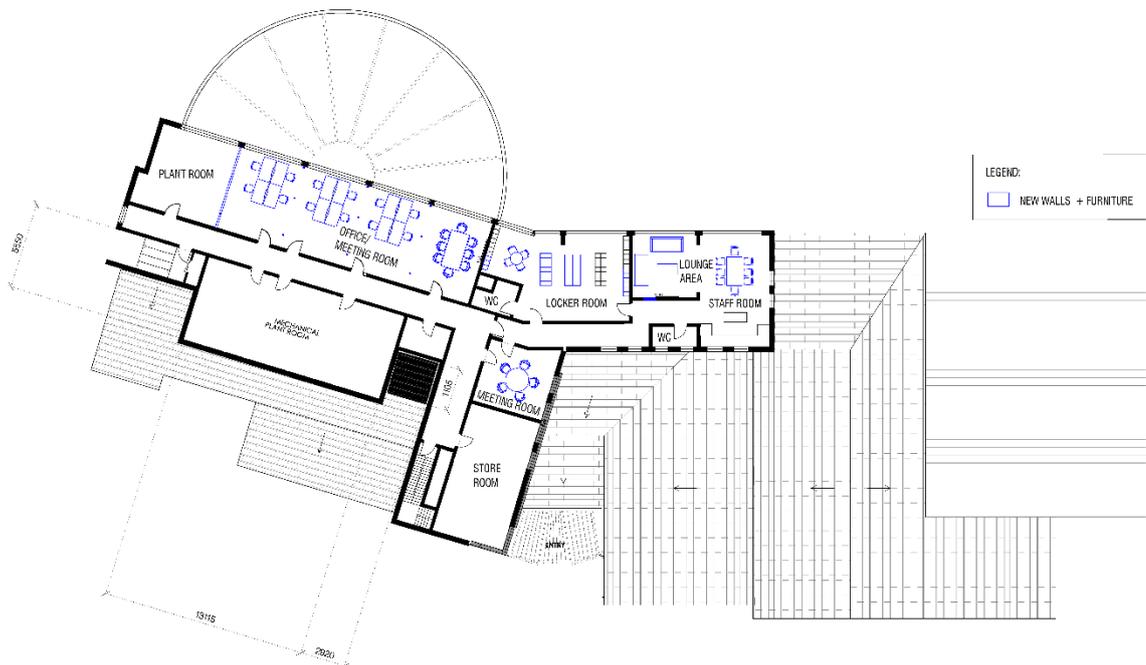


Figure 7: Level 1 Proposed Plan.

3.2. Capital Investment Value

The capital investment value (CIV) of the project is estimated at \$532,587.00.

4. STATUTORY PLANNING CONSIDERATIONS

4.1. Overview

The relevant statutory framework considered in the preparation of this report comprises:

- Environmental Planning and Assessment Act, 1979;
- Environmental Planning and Assessment Regulation 2021;
- Pittwater Local Environmental Plan 2014.

Where relevant, these are addressed below.

4.2. Environmental Planning and Assessment Act 1979

4.2.1. Section 4.15 of EP&A Act 1979

Section 4.15(1) of the EPA Act specifies the matters which a consent authority must consider when determining a development application. The relevant matters for consideration under Section 4.15 of the EPA Act are addressed in the Table below.

Table 1: Section 4.15 of EP&A Act 1979.

SECTION	COMMENT
Section 4.15(1)(a)(i) Any environmental planning instrument	Consideration of relevant instruments is discussed in Section 4
Section 4.15(1)(a)(ii) Any draft environmental planning instrument	Not relevant to this application.
Section 4.15(1)(a)(iii) Any development control plan	Consideration of relevant the development control plan is discussed in Section 5.
Section 4.15(1)(a)(iiia) Any planning agreement	Not relevant to this application.
Section 4.15(1)(a)(iv) Matters prescribed by the regulations	Refer to Section 4.3.
Section 4.15(1)(b) - (e)	Refer to Section 5 of this SEE for consideration of (b), (c) and (e). Matter (d) relates to submissions and is a matter for the consent authority following public exhibition of the development application.

4.3. Pittwater Local Environmental Plan 2014

The *Pittwater Local Environmental Plan 2014* (the **LEP**) is the applicable Local Environmental Plan for the subject site.

4.3.1. Zoning and Permissibility

As shown in Figure 8 below, the site is zoned B2 Local Centre under the provisions of the LEP. The objectives of the B2 Local Centre Zone are:

- To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.
- To encourage employment opportunities in accessible locations.
- To maximise public transport patronage and encourage walking and cycling.
- To provide healthy, attractive, vibrant and safe local centres.
- To strengthen the role of centres as places of employment.
- To provide an active day and evening economy.
- To provide for residential uses above street level where they are compatible with the characteristics and uses of the site and its surroundings.

The proposal is characterised as a ‘Commercial premises’ according to the dictionary to the LEP. A ‘Commercial premises’ is permissible with development consent in the B2 Zone.

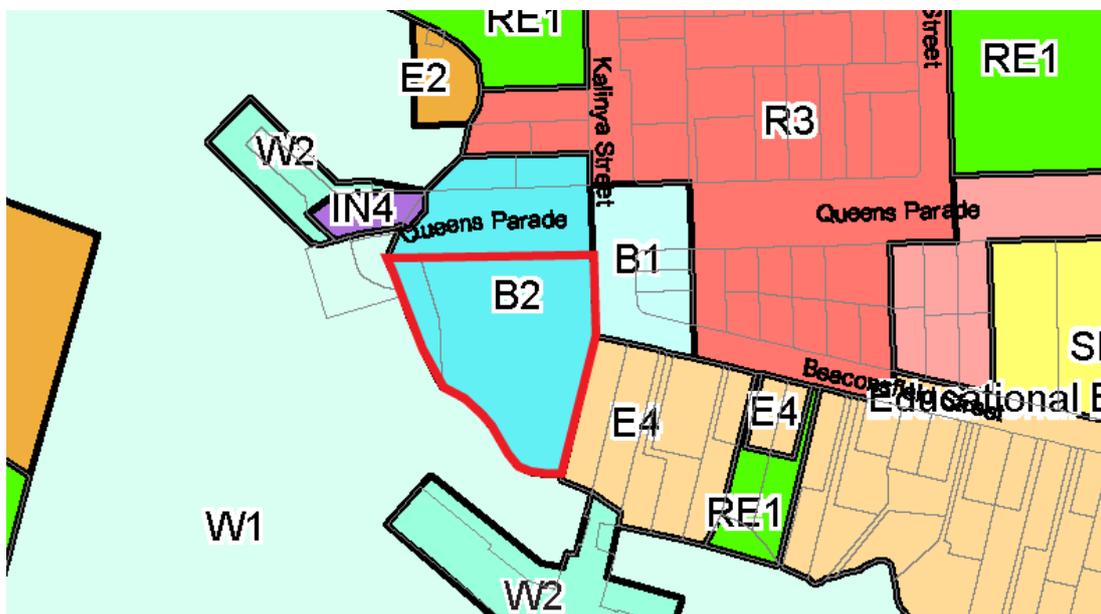


Figure 8: Zoning Map, site highlighted with red boundary. (Source: NSW Legislation)

4.3.2. Relevant Clauses

An assessment of the proposal against the relevant provisions of the LEP is set out in the following table.

Table 2 - Assessment against relevant provisions of Pittwater Local Environmental Plan 2014

CLAUSE	PROVISION	ASSESSMENT
4.3 Height of buildings	Establishes a maximum building height of 8.5m for the site.	No additional height is proposed with this development. The proposed building works are less than 8.5m above ground level (existing).
4.4 Floor space ratio (FSR)	No maximum FSR is prescribed for the site.	No additional FSR is proposed with this development.
5.10 Heritage Conservation	<p>The site is listed as a general heritage item, described by the LEP as the 'Newport Arms Hotel'.</p> <p>The site is adjacent to an archaeological heritage item, described by the LEP as the 'Newport Wharf'.</p> 	<p>The proposed development involves a change of use and minor associated internal alterations.</p> <p>These alterations will not alter the external appearance of the hotel and do not present any unreasonable impacts upon the site or surrounding setting. As such, the proposal is found to have no impact on the significance of the heritage item.</p>
7.7 Geotechnical Hazards	<p>Part of the site is identified by the LEP as 'Geotechnical Hazard H1'.</p> 	<p>The proposed works are not located within the identified area and involve a change of use and minor associated internal alterations to an existing building.</p> <p>As such, the proposal is found to have no impact on the geotechnical condition of the site.</p>
7.8 Limited development on foreshore area	<p>Part of the site is identified by the LEP as impacted by the 'Foreshore Building Line'.</p>	<p>The proposed works are not located within the identified area, and involve a change of use and minor associated internal alterations to an existing building.</p>



4.4. Pittwater 21 Development Control Plan

The Pittwater 21 Development Control Plan (the **DCP**) is applicable to the proposed development. There are no provisions in the **DCP** which are applicable to the proposed development.

5. ASSESSMENT OF LIKELY IMPACTS

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15 of the Act.

There are no unreasonable impacts that will result from the proposed development. The proposed change of use will not change the intensity of land use on the site, and will allow for the continued use of the hotel building as a Commercial premises.

The context and setting of the site are described in Section 2 of this SEE. The proposal is compatible with the surrounding precinct of local shops and residential streets.

The proposed design is found to be capable of satisfying the provisions of the Building Code of Australia (BCA) and its relevant accessibility requirements, as detailed in Appendix C and Appendix D.

The proposed change of use will support the continued use of the site as a Commercial premises, contributing to the ongoing viability of commercial operations in the locality and providing food and drink services to residents and visitors. As such the proposed development will be in the public interest.

6. CONCLUSION

This SEE seeks approval for the change of use of Level 1 from residential accommodation to Commercial premises, including minor internal alterations, at 1 Kalinya Street, Newport.

This SEE has undertaken an environmental assessment and has concluded that the proposal:

- is an appropriate response to the context, setting, planning instruments and development guidelines and other considerations outlined in Section 4.15(1) of the *Environmental Planning and Assessment Act, 1979*;
- has no adverse environmental, public safety or amenity impacts.

Given the findings of this assessment, we consider that the proposal is in the public interest and merits approval.