

**STATEMENT OF  
ENVIRONMENTAL EFFECTS  
FOR  
CHANGE OF USE OF COMMERCIAL PREMISES TO  
VETERINARY HOSPITAL AND ASSOCIATED  
SIGNAGE  
AT  
SHOP 5/35 ADAMS STREET  
CURL CURL**



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SHOP 5/35 ADAMS ST

## 1.0 INTRODUCTION AND BACKGROUND

This Statement of Environmental Effects has been prepared in support of a Development Application for the proposed change of use of an existing commercial premise to a veterinary hospital at Shop 5/35 Adams Street, Curl Curl.

The subject site contains a series of five commercial premises on the ground floor and residential properties over. The premises is identified as The Wellbeing Centre as indicated in the following photograph and the centre is primarily comprised of health and fitness support premises such as physiotherapy, acupuncture and the like.



**SITE DESCRIPTION SIGNAGE**

The proposal will comprise the provision of veterinary acupuncture services to cats and dogs by a qualified veterinary practitioner within the existing ground floor commercial unit, No.5.

This use is entirely compatible with the surrounding uses as will be an appointment only practice with one practitioner only on the premises and no support staff.

The proposed proposed veterinary clinic within the subject site will not result in any unreasonable amenity impacts in terms of traffic, parking, acoustic, visual impacts or any antisocial activities and is a use that will supplement the existing uses within the current commercial complex.

In the preparation of this Statement of Environmental Effects, consideration has been given to the following documents:

- Floorplan prepared by the Applicant
- Warringah Local Environmental Plan 2011,
- Warringah Development Control Plan 2011.
- Planning Principles of the NSW Land and Environment Court.

During the preparation of this Statement of Environmental Effects, I have attended the subject site and the surrounding locality to gain an understanding of the proposal and its future relationship with the adjacent and surrounding uses.



## 2.0 SITE AND LOCALITY



### Subject Site highlighted (SIX Maps)

The subject site is known as 35 Adams Street, Curl Curl with the proposed premises located at Shop 5 (SP 87540). The subject site is a corner allotment fronting both Adams Street and Lalchere Street and contains an existing mixed use/shop top housing development with 5 commercial premises at ground floor and residential units above.

The site has an area of approximately 513m<sup>2</sup> with Shop 5 having a total Floor Area of 41m<sup>2</sup>.

Unrestricted 90° Parking is provided along the Lalchere Street frontage

for 11 vehicles.

### **3.0 PROPOSED DEVELOPMENT**

The proposed development incorporates the change of use of an existing commercial premise to a veterinary hospital.

The proposed veterinary hospital, known as Beaches Pet Therapies will solely provide acupuncture treatment of cats and dogs for a range of medical and post-surgical complaints with acupuncture.

The proposed veterinary hospital will be run by a veterinarian registered with the Veterinary Practitioners Board of NSW, with post-graduate training in Veterinary Acupuncture, accredited with the International Veterinary Acupuncture Society.

The owners and their pet will attend the clinic one at a time, the owner stays with their pet for the duration of their visit (approximately 45 minutes). Whilst the owners and their pet are present on site they will be consulted within the small treatment room to enable the practitioner to undertake a diagnosis and perform the appropriate treatment to the animal by acupuncture.

No surgery will be performed on site.

There will be two treatment rooms – one for dogs, one for cats.

There will be no drop off service, no caging or boarding of animals, no training provided and no dog daycare.

Staffing - one Veterinary Practitioner

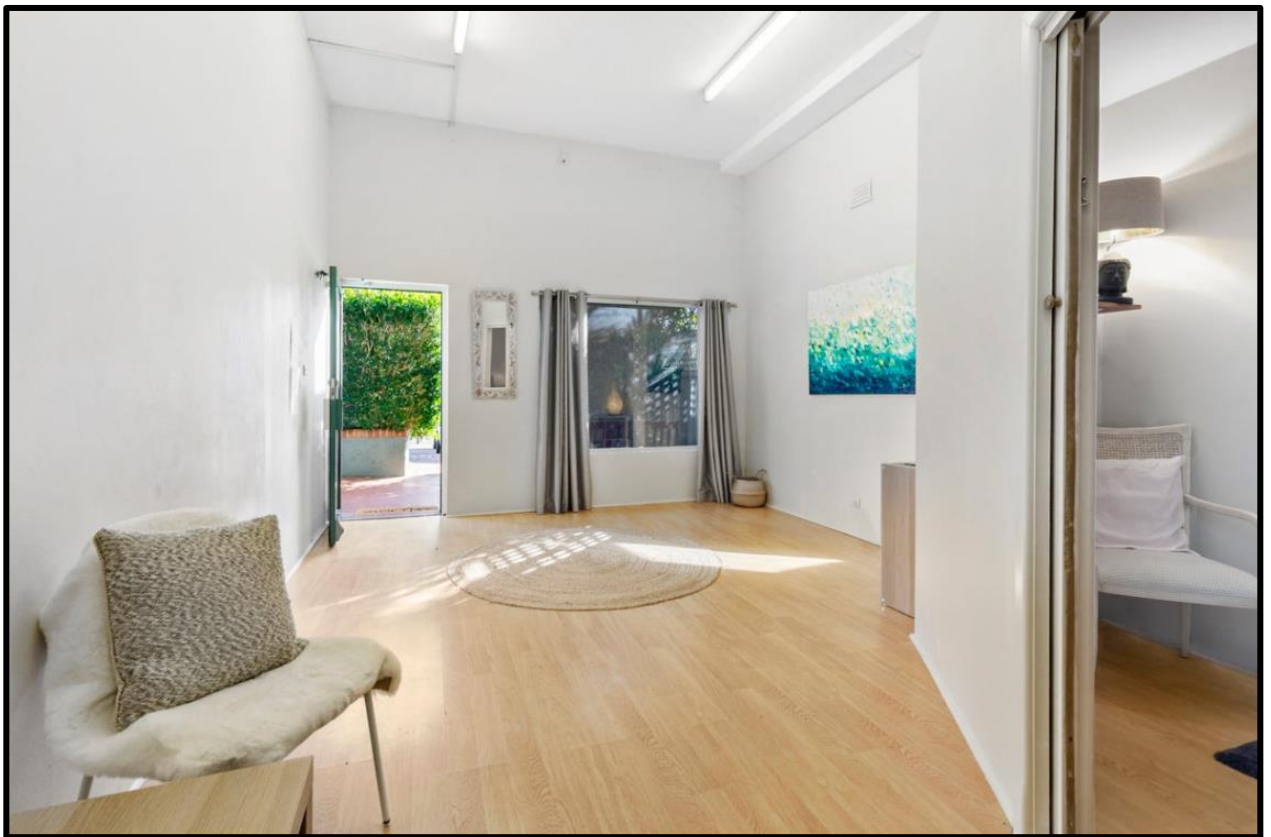
Proposed hours of operation

- Mon 9 - 5
- Thurs 11am - 7pm

- Fri 8am - 4pm
- Sat 8am – midday

The terms of the lease prohibit trading beyond 8pm and prohibit the keeping of animals on site beyond their consultation time.

Parking / Traffic – there are 11 parking bays. No time limit on parking on the premises or within the surrounding locality.

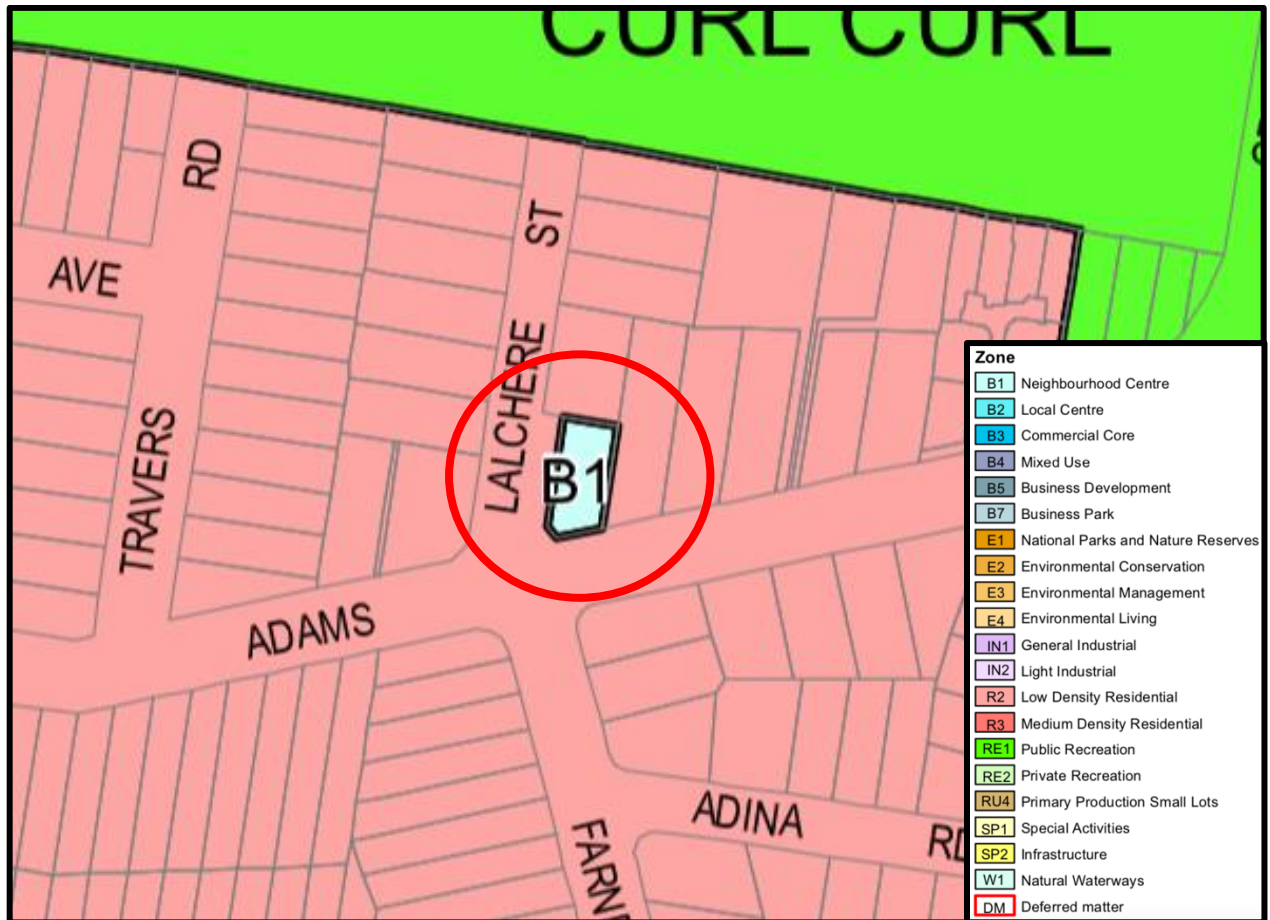


**EXISTING INTERNAL LAYOUT**

## 4.0 PLANNING ASSESSMENT

### 4.1 Warringah Local Environmental Plan 2011 (Warringah LEP 2011)

Clause 2.1 Land Use Zone and Clause 2.2 Zoning of Land:



### Zone B1 Neighbourhood Centre

#### 1 Objectives of zone

- To provide a range of small-scale retail, business and community uses that serve the needs of people who live or work in the surrounding neighbourhood.
- To ensure that neighbourhood centres provide a village-like atmosphere and safety and comfort for pedestrians.



- *To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of any adjoining or nearby residential land uses.*

*2 Permitted without consent*

*Home-based child care; Home occupations*

*3 Permitted with consent*

*Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Food and drink premises; Medical centres; Neighbourhood shops; Neighbourhood supermarkets; Oyster aquaculture; Respite day care centres; Roads; Shop top housing; Shops; Tank-based aquaculture; Any other development not specified in item 2 or 4*

*4 Prohibited*

*Advertising structures; Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat building and repair facilities; Boat sheds; Camping grounds; Car parks; Caravan parks; Charter and tourism boating facilities; Cemeteries; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Entertainment facilities; Environmental facilities; Exhibition villages; Extractive industries; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Highway service centres; Home occupations (sex services); Hospitals; Industrial retail outlets; Industrial training facilities; Industries; Information and education facilities; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Pubs; Recreation facilities (indoor); Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Retail premises; Rural industries; Service stations; Sex services premises; Storage premises; Tourist and visitor accommodation; Transport depots; Vehicle body repair*

*workshops; Vehicle repair stations; Waste or resource management facilities; Water recreation structures; Wharf or boating facilities; Wholesale supplies*

## **RESPONSE**

The subject proposal seeks consent for the use of the premises as a veterinary hospital within the following definition under the Warringah Local Environmental Plan 2011 –

**veterinary hospital** *means a building or place used for diagnosing or surgically or medically treating animals, whether or not animals are kept on the premises for the purpose of treatment.*

The use of the premises as a veterinary hospital is an innominate permissible use under the terms of the WLEP 2011.

The subject proposal is to be operated by a qualified and experienced Veterinary Practitioner. The practice will diagnose canines and felines and, if appropriate, undertake the acupuncture treatment of the animals.

No animals are to be kept on site as each animal will be treated at the time of admission and will leave the premises upon the completion of the treatment.

## **Clause 2.7 Demolition**

## **RESPONSE**

No demolition is required for the proposed change of use.

## **Clause 4.4: Floor Space Ratio (FSR)**

### **Objectives**

*(1) The objectives of this clause are as follows—*

- (a) *to limit the intensity of development and associated traffic generation so that they are commensurate with the capacity of existing and planned infrastructure, including transport infrastructure,*
- (b) *to provide sufficient floor space to meet anticipated development needs for the foreseeable future,*
- (c) *to ensure that buildings, by virtue of their bulk and scale, are consistent with the desired character of the locality,*
- (d) *to manage the visual impact of development when viewed from public spaces,*
- (e) *to maximise solar access and amenity for public areas.*

## **RESPONSE**

No change in the existing floor area is proposed.

### **4.2 State Environmental Planning Policy No.64 – Advertising and Signage**

The relevant provisions of SEPP 64 are as follows-

#### ***Aims, objectives etc***

- (1) *This Policy aims:*
  - (a) *to ensure that signage (including advertising):*
    - (i) *is compatible with the desired amenity and visual character of an area, and*
    - (ii) *provides effective communication in suitable locations, and*
    - (iii) *is of high quality design and finish, and*
  - (b) *to regulate signage (but not content) under Part 4 of the Act, and*
  - (c) *to provide time-limited consents for the display of certain advertisements, and*
  - (d) *to regulate the display of advertisements in transport corridors, and*

*(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

## **RESPONSE**

The Aims and objectives of the SEPP have been fundamental considerations in the design, size and location of the proposed signage.

The signage for the proposal will be entirely consistent with the existing signage for the current tenancies within the current commercial premises. This is stipulated within the lease.

The following photograph indicates the location and configuration of the existing signage to be replicated for the proposed occupation.



**EXISTING SIGNAGE TO BE REPLICATED FOR THE PROPOSED CHANGE OF USE**



## **4.3 Warringah Development Control Plan 2011 (DCP 2011)**

### **Part A: Introduction**

#### **A.5 Objectives**

*Objectives:*

- *To ensure development responds to the characteristics of the site and the qualities of the surrounding neighbourhood*
- *To ensure new development is a good neighbour, creates a unified landscape, contributes to the street, reinforces the importance of pedestrian areas and creates an attractive design outcome*
- *To inspire design innovation for residential, commercial and industrial development*
- *To provide a high level of access to and within development.*
- *To protect environmentally sensitive areas from overdevelopment or visually intrusive development so that scenic qualities, as well as the biological and ecological values of those areas, are maintained*
- *To achieve environmentally, economically and socially sustainable development for the community of Warringah*

#### **RESPONSE**

In relation to the proposed development, I note the following: -

- The proposed development responds to the characteristics of the subject site and the qualities of the surrounding locality for the reasons outlined in this SEE.
- The proposed use will not result in adverse impacts on the amenity of adjoining or nearby commercial or residential uses due to the modest scale of the proposed use.

- The proposed use will be environmentally, economically and socially sustainable for the reasons outlined in this SEE.

## **C2 Traffic, Access and Safety**

### **Objectives**

To minimise:

- a) *traffic hazards;*
- b) *vehicles queuing on public roads*
- c) *the number of vehicle crossings in a street;*
- d) *traffic, pedestrian and cyclist conflict;*
- e) *interference with public transport facilities; and*
- f) *the loss of "on street" kerbside parking.*

### **RESPONSE**

The subject proposal, by virtue of its limited patronage in that all attendances will be by appointment only. All vehicles entering and leaving the existing commercial complex are able to enter and exit the subject site in a safe and convenient manner due to effective sight distances and minimal traffic numbers.

## **C3 Parking Facilities**

### **Objectives**

- *To provide adequate off street carparking.*
- *To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.*
- *To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.*

## **RESPONSE**

The existing car parking facilities on the subject site contain 10 car parking spaces for vehicles.

In accordance with Appendix 1 of the Warringah DCP, comparisons must be drawn with development is for a similar purpose. This comparison has been made and it is noteworthy that the comparative veterinary hospital generates one vehicle per patient, consistent with the proposed occupation of the subject premises.

Currently there are 5 commercial premises on site with 10 car parking spaces available. Given that the proposal is only likely to generate a need for one parking space at any given time, adequate car parking spaces are provided within the subject property.

## **C8 Demolition and Construction**

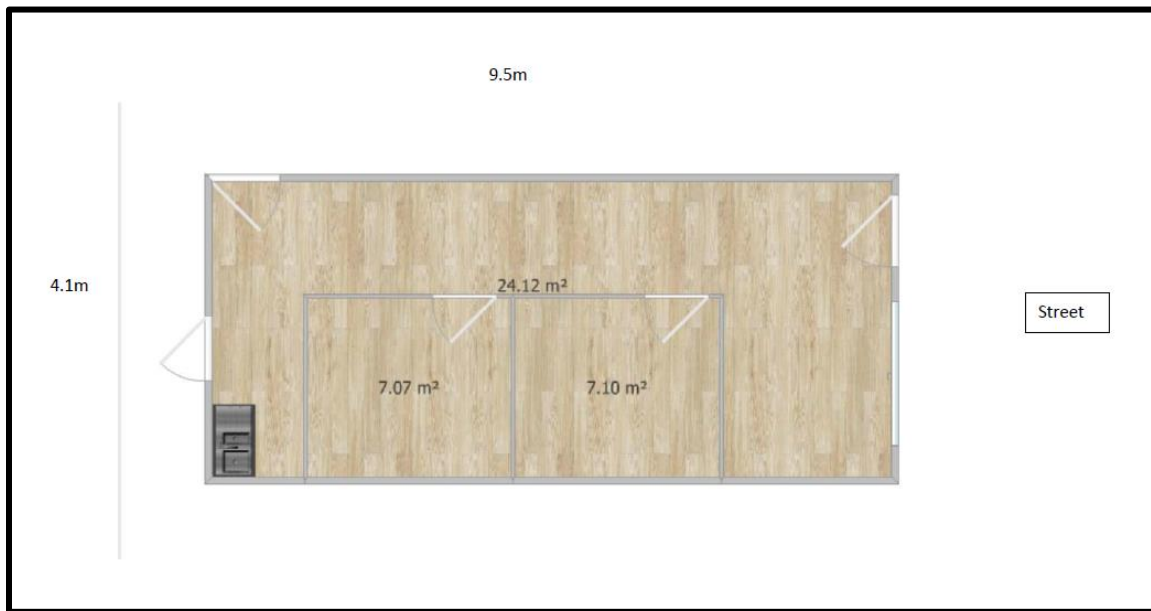
### **Objectives**

- *To manage demolition and construction sites so that there is no unreasonable impact on the surrounding amenity, pedestrian or road safety, or the natural environment.*
- *To promote improved project management by minimising demolition and construction waste and encouraging source separation, reuse and recycling of materials.*
- *To assist industry, commercial operators and site managers in planning their necessary waste management procedures through the preparation and lodgement of a Waste Management Plan*
- *To discourage illegal dumping.*

## **RESPONSE**

The internal construction of the fitout will be carried out under a Construction Certificate issued following the determination of the Development Application.

The following floor plan shows the proposed fitout.



**PROPOSED FITOUT SHOWING WAITING AREA AND TWO TREATMENT ROOMS**

## **C9 Waste Management**

### **Objectives**

- *To facilitate sustainable waste management in a manner consistent with the principles of Ecologically Sustainable Development (ESD).*
- *To achieve waste avoidance, source separation and recycling of household and industrial/commercial waste.*
- *To design and locate waste storage and collection facilities which are convenient and easily accessible; safe; hygienic; of an adequate size, and with minimal adverse impacts on residents, surrounding neighbours, and pedestrian and vehicle movements.*



- *To ensure waste storage and collection facilities complement waste collection and management services, offered by Council and the private service providers and support on-going control for such standards and services.*
- *To minimise risks to health and safety associated with handling and disposal of waste and recycled material, and ensure optimum hygiene.*
- *To minimise any adverse environmental impacts associated with the storage and collection of waste.*
- *To discourage illegal dumping.*

## **RESPONSE**

Waste generated by the operation of the use will be limited to the needles used for acupuncture. These will be disposed of in a sharps receptacle. When full, these receptacles will be included with sharps waste at Collaroy Veterinary Services and collected by Sydney Waste Services.

Other materials such as swabs and miscellaneous medical waste such as skin treatment medicines will be disposed of via a licensed contractor and collected at the premises of Collaroy Veterinary Services premises.

Any faeces will be included in the waste of Collaroy Veterinary Services waste disposal regime.

## **D3 Noise**

### **Objectives**

- *To encourage innovative design solutions to improve the urban environment.*
- *To ensure that noise emission does not unreasonably diminish the amenity of the area or result in noise intrusion which would be unreasonable for occupants, users or visitors.*

## **RESPONSE**

No noise generating plant or equipment is to be installed on the subject premises whilst any animals will be under the control of their respective owners and subject to the relevant legislative criteria.

### **D14 Site Facilities**

#### **Objectives**

- *To provide for the logical placement of facilities on site that will result in minimal impacts for all users, particularly residents, and surrounding neighbours.*
- *To encourage innovative design solutions to improve the urban environment.*
- *To make servicing the site as efficient and easy as possible.*
- *To allow for discreet and easily serviceable placement of site facilities in new development.*

## **RESPONSE**

Site facilities will be unchanged.

### **D18 Accessibility and Adaptability**

#### **Objectives**

- *To ensure vehicular access points for parking, servicing or deliveries, and pedestrian access are designed to provide vehicular and pedestrian safety.*
- *To ensure convenient, comfortable and safe access for all people including older people, people with prams and strollers and people with a disability.*

- *To provide a reasonable proportion of residential units that should be designed to be adaptable and easily modified to promote 'ageing in place' and for people with disabilities.*

## **RESPONSE**

Safe and convenient access will be provided for all clients, consistent with the remainder of the centre.

### **D20 Safety and Security**

#### **Objectives**

- *To ensure that development maintains and enhances the security and safety of the community.*

## **RESPONSE**

All animals to be treated will be contained within the subject premises during treatment.

### **D23 Signs**

#### **Objectives**

- *To encourage well designed and suitably located signs that allow for the identification of a land use, business or activity to which the sign relates.*
- *To achieve well designed and coordinated signage that uses high quality materials.*
- *To ensure that signs do not result in an adverse visual impact on the streetscape or the surrounding locality.*
- *To ensure the provision of signs does not adversely impact on the amenity of residential properties.*
- *To protect open space areas and heritage items or conservation areas from the adverse impacts of inappropriate signage.*

## **RESPONSE**

The proposed signage will be entirely consistent with the colour shape and format of the existing signage on the subject site. See following photograph.





## **6.0 SECTION 4.15 Evaluation**

### **7.8 Matters for consideration—general**

*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:*

*(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 Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

#### **RESPONSE**

The relevant provisions of the WLEP have been addressed in the body of this Statement.

*(iii) any development control plan,*

#### **RESPONSE**

The relevant provisions of the DCP have been addressed in the body of this Statement.

and

*(iiia) 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,*

#### **RESPONSE**

No planning agreements apply to the proposal

*and*

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

**RESPONSE**

The relevant regulations have been given due regard in the construction of this Statement.

*and*

*(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,*

**RESPONSE**

The body of this Statement describes the potential impacts upon the natural and built environments and the mechanisms to be incorporated to reduce or prevent these impacts.

*(c) the suitability of the site for the development,*

**RESPONSE**

The subject site, by virtue of its existing layout, topography and locality is suitable for the proposal

*(d) any submissions made in accordance with this Act or the regulations,*

**RESPONSE**

Any submissions received in response to Councils notification of the proposal will be considered as part of Councils assessment of the proposal.

*(e) the public interest.*

**RESPONSE**

The proposal endorses the public interest by providing a low-impact facility to serve the needs of local pet owners in a manner that will not materially impact upon the locality in terms of noise, antisocial behavior or traffic.

**(2) Compliance with non-discretionary development standards—  
development other than complying development**

*If an environmental planning instrument or a regulation contains non-discretionary development standards and development, not being complying development, the subject of a development application complies with those standards, the consent authority:*

*(a) is not entitled to take those standards into further consideration in determining the development application, and*

*(b) must not refuse the application on the ground that the development does not comply with those standards, and*

*© must not impose a condition of consent that has the same, or substantially the same, effect as those standards but is more onerous than those standards, and the discretion of the consent authority under this section and section 4.16 is limited accordingly.*

*(3) If an environmental planning instrument or a regulation contains non-discretionary development standards and development the subject of a development application does not comply with those standards:*

*(a) subsection (2) does not apply and the discretion of the consent authority under this section and section 4.16 is not limited as referred to in that subsection, and*

*(b) a provision of an environmental planning instrument that allows flexibility in the application of a development standard may be applied to the non-discretionary development standard. Note. The application of non-discretionary development standards to complying development is*

dealt with in section 4.28 (3) and (4).

**(3A) Development control plans**

If a development control plan contains provisions that relate to the development that is the subject of a development application, the consent authority:

(a) if those provisions set standards with respect to an aspect of the development and the development application complies with those standards—is not to require more onerous standards with respect to that aspect of the development, and

(b) if those provisions set standards with respect to an aspect of the development and the development application does not comply with those standards—is to be flexible in applying those provisions and allow reasonable alternative solutions that achieve the objects of those standards for dealing with that aspect of the development, and

© may consider those provisions only in connection with the assessment of that development application. In this subsection, standards include performance criteria.

**(4) Consent where an accreditation is in force**

A consent authority must not refuse to grant consent to development on the ground that any building product or system relating to the development does not comply with a requirement of the Building Code of Australia if the building product or system is accredited in respect of that requirement in accordance with the regulations.

(5) A consent authority and an employee of a consent authority do not incur any liability as a consequence of acting in accordance with subsection (4).

## **(6) Definitions**

*In this section: (a) reference to development extends to include a reference to the building, work, use or land proposed to be erected, carried out, undertaken or subdivided, respectively, pursuant to the grant of consent to a development application, and (b) non- discretionary development standards means development standards that are identified in an environmental planning instrument or a regulation as non-discretionary development standards.*

### Environmental Planning Instruments

The proposal is a permissible use in the B1 zone.

### Development Control Plans

This is addressed in the body of this SEE.

### Impact on the Natural Environment.

The proposal is unlikely to unreasonably impact upon flora and fauna, soil or water quality, air quality or the conservation of natural resources due to the location of the use within an existing enclosed commercial unit.

### Impact on the Built Environment.

**Scenic qualities** – the proposal is consistent with the current and future character of the locality as expressed within the provisions of the Local Environmental Plan and the Desired Future Character as expressed within the Development Control Plan.

**Compatibility with adjacent land uses** – The proposal is for a commercial use, compatible with both the surrounding commercial and residential uses.

### Impact on the Social and Economic Environment.

The proposal is unlikely to result in any negative social or economic impacts.

Suitability of the Site.

The subject site, by virtue of its existing development, topography and locality is suitable for the proposal.

## **6.0 CONCLUSION**

The subject proposal is offering a service for pet owners in the surrounding area in an existing commercial premises. The activity is to be conducted by a qualified and experienced veterinary practitioner with no support staff required.

All attendances at the subject premises will be by appointment only to avoid any material impacts upon the locality by clients awaiting entry to the subject premises thereby reducing any potential impacts from noise, parking or the like.

The proposal is for a commercial use, entirely compatible with the well-being nature of the existing commercial premises within the subject site.

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