

**STATEMENT OF
ENVIRONMENTAL EFFECTS**

Internal alterations and change of use
to a community facility and health
services facility

**Unit 6/ 3 Vuko Place
Warriewood**

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Statement of Environmental Effects

Internal alterations and change of use to a community facility and health services facility

Unit 6/ 3 Vuko Place, Warriewood

Prepared under instructions from

The Link Collective NB

By

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February 2020

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1.0 INTRODUCTION

This document has been prepared in support of a development application proposing internal alterations to the existing tenancy and a change of use to a community facility and health services facility (health care consulting room). The internal works are limited to the reconfiguration of non-loadbearing walls and the creation of a consulting room from which the health care professional will operate.

The proposed community facility use will be operated by Link Community Care being a not-for-profit organisation which provides direct relief from poverty, suffering, misfortune and distress to residents of the Northern Beaches of Sydney and surrounding communities. The organisational goal is to provide assistance to families suffering hardship or distress through the provision of crisis/emergency counselling, community food care distribution and emergency food hamper relief. The subject premises will accommodate the food care distribution and emergency food hamper relief services.

In the preparation of this document consideration has been given to the following statutory framework:

- The Environmental Planning and Assessment Act, 1979 as amended ("The Act");
- State Environmental Planning Policy (Infrastructure) 2007;
- Pittwater Local Environmental Plan 2014; and
- Pittwater 21 Development Control Plan.

Having assessed the detail of the application against the applicable statutory considerations we have formed the considered opinion that the proposed uses are permissible with consent, consistent with the zone objectives and in accordance with the statutory considerations applicable to such uses on this particular site. The application is accompanied by a bushfire report and waste management plan.

The proposal succeeds when assessed against the Heads of Consideration pursuant to s4.15(1) of the Environmental Planning and Assessment Act, 1979 (the Act). It is considered that the application, the subject of this document, succeeds on merit and as such is appropriate for the granting of consent.

2.0 SITE AND LOCALITY DESCRIPTION

The subject property is legally described as Lot 5, SP 36915, Unit 6, No. 3 Vuko Place, Warriewood. The subject tenancy is located within a Business Park comprising a mixture of commercial/industrial type land uses. The subject tenancy has 4 allocated car parking spaces as nominated on the accompanying strata plan. The location of the subject tenancy within the Business Park is depicted in Figures 1, 2 and 3 below and over page.



Source: SIX Maps

Figure 1 – Aerial location/ context photograph

Surrounding development includes a McDonald's restaurant, the United Cinemas complex and residential development further to the north and east of the subject site.

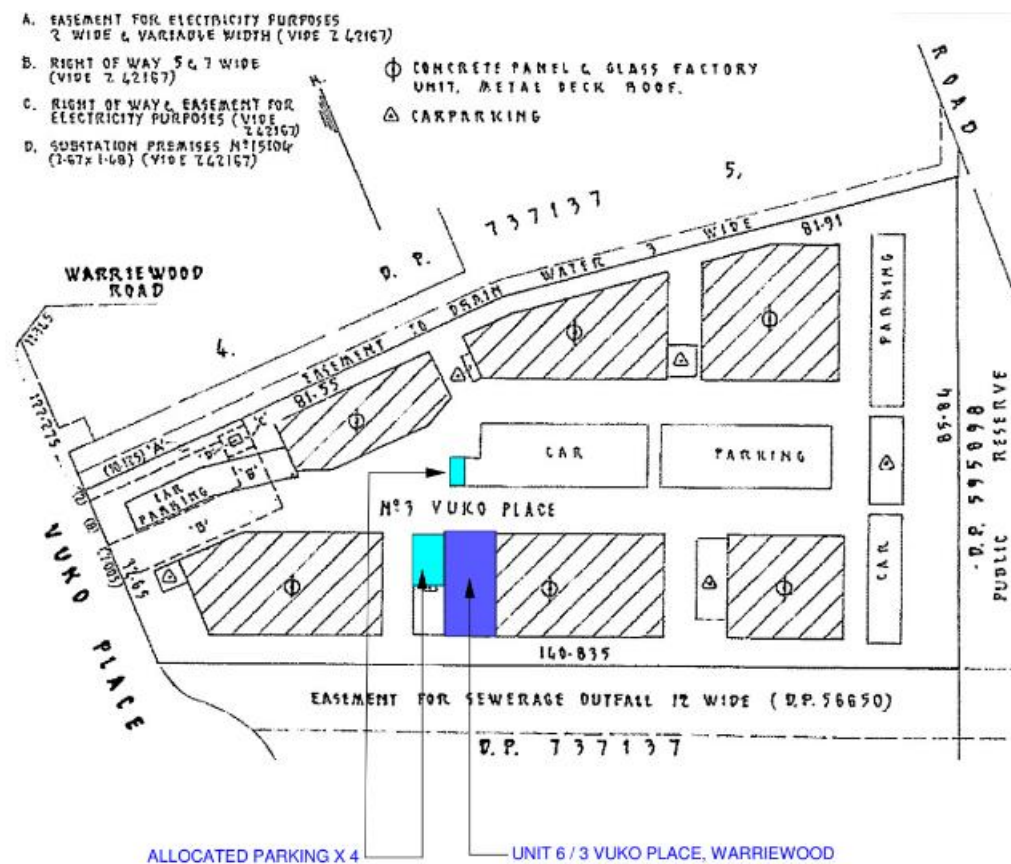


Figure 2 – Strata Plan SP 36915



Figure 3 – Subject tenancy

3.0 DEVELOPMENT PROPOSAL

The application proposes internal alterations to the existing tenancy and a change of use to a community facility and health services facility (health care consulting room). The internal works are limited to the reconfiguration of non-loadbearing walls and the creation of a consulting room from which the health care use will operate as depicted on plans DA01 to DA06 prepared by Northern Beaches Designs.

The subject premises will accommodate the food care distribution and emergency food hamper relief services provided by Link Community Care. The community facility use does not involve any food preparation or food handling.

The proposed uses have the following operational characteristics:

- A maximum of 5 staff will be on site any one time with the health care use by appointment only and involving only 1 client at any one time;
- Operating hours of between 6:00am and 10:00pm Monday to Friday and between 6:00am and 8:00pm Saturday and Saturday.
- Waste will be stored on site and removed by a private waste contractor; and
- All deliveries will occur by car, utility or van and utilise the existing internal loading/ unloading area.

No external changes are proposed to the building with any signage provided in accordance with the applicable exempt development provisions.

4.0 STATUTORY PLANNING FRAMEWORK

4.1 General

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15(1) of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential adverse environmental impacts are discussed below.

4.2 Pittwater Local Environmental Plan 2014

4.2.1 Zone and Zone Objectives

The subject property is zoned part B7 Business Park pursuant to the provisions of Pittwater Local Environmental Plan 2014 ("PLEP 2014"). The stated zone objectives are as follows:

- *To provide a range of office and light industrial uses.*
- *To encourage employment opportunities.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *To provide healthy, attractive, functional and safe business areas.*

Community facilities are permissible with consent in the zone with such use is defined as follows:

community facility means a building or place—

- (a) *owned or controlled by a public authority or non-profit community organisation, and*
- (b) *used for the physical, social, cultural or intellectual development or welfare of the community, but does not include an educational establishment, hospital, retail premises, place of public worship or residential accommodation.*

As previously indicated, the proposed community use will be operated by Link Community Care being a not-for-profit organisation which provides direct relief from poverty, suffering, misfortune and distress to residents of the Northern Beaches of Sydney and surrounding communities.

The organisational goal is to provide assistance to families suffering hardship or distress through the provision of crisis/emergency counselling, community food care distribution and emergency food hamper relief. The subject premises will accommodate the food care distribution and emergency food hamper relief services.

Such use is appropriately defined as a community facility and therefore permissible with consent in the zone. Such use is also consistent with the zone objectives as outlined.

The proposed health care consulting room is appropriately defined as a medical centre which falls under the broad description of a health services facility. Such use is permissible with consent pursuant to Division 10 of State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure).

4.2.2 Height of Buildings

Pursuant to clause 4.3 of PLEP 2014 the height of development on the site shall not exceed 11 metres. All proposed works sit comfortably below the 11 metre height standard and accordingly there is no statutory impediment to the granting of consent.

4.3 State Environmental Planning Policy (Infrastructure) 2007

Pursuant to clause 57(1) Division 10 of State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure) Development for the purpose of health services facilities may be carried out by any person with consent on land in a prescribed zone. The B7 Business Park zone is a prescribed zone for the purpose of these provisions. A health service facility is defined as follows:

health services facility means a facility used to provide medical or other services relating to the maintenance or improvement of the health, or the restoration to health, of persons or the prevention of disease in or treatment of injury to persons, and includes the following:

- (a) day surgeries and medical centres,
- (b) community health service facilities,
- (c) health consulting rooms,
- (d) facilities for the transport of patients, including helipads and ambulance facilities,
- (e) hospitals.

A medical centre is further defined as follows:

medical centre means premises that are used for the purpose of providing health services (including preventative care, diagnosis, medical or surgical treatment, counselling or alternative therapies) to out-patients only, where such services are principally provided by health care professionals. It may include the ancillary provision of other health services.

The proposed health services use is appropriately defined as a medical centre which falls within the definition of health service facility and therefore permissible with consent in the zone.

4.4 Pittwater 21 Development Control Plan

The following controls apply to the subject development.

4.4.1 Traffic, access and safety

No changes are proposed to the existing driveway access and parking arrangements. The proposed uses are not traffic generating with car parking demand not increased as a consequence of the uses proposed.

4.4.2 Parking facilities

Pursuant to clause B6.5 of the DCP, the most suitable description of the proposed uses is as 'business premises'. The on-site parking requirements is a minimum of 1.0 car space per 60 square metres gross floor area (GFA). The total GFA of the existing unit is around 320sqm. The number of existing car parking spaces allocated to the industrial unit, and presently forming part of the strata plan lot, is 4.

The required number of car parking spaces, based on the existing GFA, is 5.33 which when rounded up is a total of 6.

Although based on the existing floor space there would appear to be a shortfall of 2 car parking spaces for the tenancy, we note that the subject application does not seek any increase in the established floor space and to that extent does not seek an intensification of use within this particular strata allotment.

In this regard, it is considered that there is an adequate number of parking and service spaces for the demands generated by the development. The subject site is located within close proximity to both north and south bound bus services along Pittwater Road which will enable staff and clients to utilise public transport as an alternative mode of transport to and from the site.

Under such circumstances, we have formed the considered opinion that the development provides appropriately for off-street carparking given the nature and intensity of the uses proposed and the maintenance of the established floor space and off-street carparking circumstances. Such conclusion is consistent with that formed by Council in its assessment of a change of use application involving a recreational facility (gymnasium) within an adjoining tenancy DA2019/0355.

4.4.3 Waste management

All waste will be stored on site and will be collected by private waste contractors as detailed within the accompanying waste management plan.

4.4.4 Signage

Signage will be provided in accordance with the applicable exempt and complying development signage provisions.

4.4.5 Bushfire considerations

The subject property is identified as being located within a bushfire buffer area and to that extent the application is accompanied by a Bush Fire Assessment Report prepared by Australian Bushfire Consulting Services with no objection raised to a condition requiring compliance with the recommendations contained within such report.

4.4 Matters for Consideration Pursuant to Section 4.15(1) of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15(1) of the Environmental Planning and Assessment Act 1979(as amended):

4.4.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations.

Having assessed the detail of the application against the applicable statutory considerations we have formed the opinion that the proposed uses are entirely consistent with the zone objectives and the DCP provisions as they relate to the subject site.

The proposal succeeds when assessed against the Heads of Consideration pursuant to s4.15(1) of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, provides for the orderly and economic use and development of the subject site, succeeds on merit and as such is appropriate for the granting of consent.

4.4.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economical impacts in the locality.

Context and Setting

i) *What is the relationship to the region and local context on terms of:*

- *the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

The three dimensional form, massing and presentation of the building is not altered as a consequence of the minor internal works proposed.

ii) *What are the potential impacts on adjacent properties in terms of:*

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

It is considered that the proposed use will not give rise to any residential amenity impacts given the nature of the proposed use and its location within an established business park.

Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

These matters have been addressed in detail within the body of the report.

Public domain

All works are internalised with no impact on the public domain.

Utilities

Existing utility services will adequately service the development.

Waste

Normal private commercial waste collection applies to this development.

Economic impact in the locality

The proposed development will provide full time employment for 5 staff and casual employment for an additional 3 staff members.

Site design and internal design

- i) *Is the development design sensitive to environmental conditions and site attributes including:*
- *size, shape and design of allotments?*
 - *the proportion of site covered by buildings?*
 - *the position of buildings?*
 - *the size (bulk, height, mass), form, appearance and design of buildings?*

- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The proposed uses will not give rise to any adverse impacts to any adjoining property.

ii) *How would the development affect the health and safety of the occupants in terms of:*

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will be able to comply with the provisions of the Building Code of Australia without difficulty. There will be no detrimental impacts on the occupants through the building design which will achieve the relevant standards pertaining to health and safety.

Construction

i) *What would be the impacts of construction activities in terms of:*

- *the environmental planning issues listed above?*
- *site safety?*

We anticipate Council imposing standard conditions of development consent in relation to construction hours and activities.

4.4.3 The suitability of the site for the development.

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any insurmountable development constraints. The site is well located with regards to utility services and public transport.

Are the site attributes conducive to development?

The site has no special physical or engineering constraints and is suitable for the proposed development.

4.4.4 Any submissions received in accordance with this Act or the regulations.

It is envisaged that any submissions made in relation to the proposed development will be appropriately assessed by Council.

4.4.5 The public interest.

We have formed the opinion that the proposed use will contribute to the vitality and amenity of the business park and accordingly would be in the public interest.

5.0 CONCLUSIONS

The proposed uses are permissible with consent, consistent with the zone objectives and in accordance with the statutory considerations applicable to such uses on this particular site.

Although based on the existing floor space there would appear to be a shortfall of 2 car parking spaces for the tenancy, we note that the subject application does not seek any increase in the established floor space and to that extent does not seek an intensification of use within this particular strata allotment.

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