

# Statement of Environmental Effects

## Development Application

### Dee Why Town Centre “Site B” – Mixed Use Development

### Car Wash

12 July 2022

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# 1 Introduction

This Statement of Environmental Effects (SEE) accompanies a Development Application for the introduction of a Self-Contained Car Wash Service within the basement of the approved mixed-use development in Dee Why Town Centre Site B at 888 Pittwater Road, Dee Why 2099.

A previous application DA 2020/1235 proposed a car wash to be located in south-eastern corner of the basement level P2. The application was not supported by the Council due to the location of the car wash and insufficient information to address the significant concerns in relation to the safety of the community.

This application proposes the car wash to be re-located to the central basement in basement level P2 and will address all the issues raised in the previous application. The proposed car wash will be distant from the pedestrian activity areas and access ramps to the basement P3. The proposed Car Wash would occupy space identified for parking and complement the existing uses contained within the development, which includes a mix of residential, childcare, commercial and retail uses.

This Statement of Environmental Effects (SEE) has been prepared in accordance with the requirements of Section 4.15 of the *Environmental Planning and Assessment Act, 1979* (EP&A Act) and the relevant provisions of the *Environmental Planning and Assessment Regulations, 2000* (EP&A Regulations).

This Statement provides:

- A description of the site context, including identification of the site, existing development on the site and surrounding development.
- A description of the planning background and context.
- Detailed description of the proposed development.
- Assessment of the proposed development against the relevant planning controls.
- Assessment of relevant matters under Section 4.15 of the EP&A Act.

This report should be read in conjunction with the architectural drawings and supporting documentation at **Annexure 1 to 6**.

## 2 Site and Surroundings

### 2.1 The Site

The site comprises land bound by Howard Avenue, Oaks Avenue and Pittwater Road within the suburb of Dee Why in Sydney's Northern Beaches region, in the Warringah Local Government Area (LGA). Dee Why is located approximately 16km north of the Sydney CBD. The location of the site is shown in **Figure 1** below.

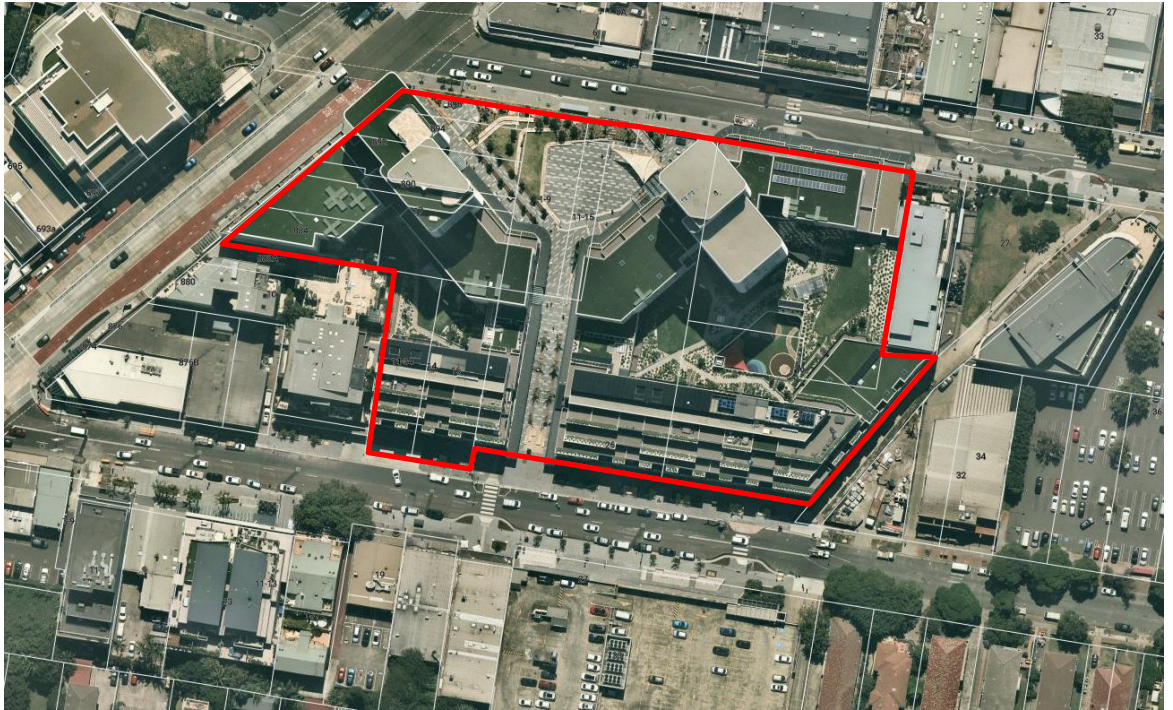


**FIGURE 1: SITE LOCATION**

The site forms the western part of the defined boundary of the Dee Why Town Centre. It has direct frontage to Pittwater Road which is the main north-south arterial road running through the Warringah and Pittwater LGAs. Dee Why Town Centre comprises a linear centre which extends along Pittwater Road. The site is situated at the northern end of the town centre directly adjacent to its central spine (Pittwater Road).

The site is illustrated in **Figure 2** below.

The site is occupied by a recently constructed mixed use development comprising a shopping centre with residential towers above, approved under DA2016/0705 on 10 May 2017. The proposed development will occupy Basement Level P2 of the development. Other uses within this level include a childcare centre, commercial gym and commercial office space.



**FIGURE 2: SITE PLAN**

## 2.1 Surrounding Context

The surrounding area comprises the Dee Why Town Centre. It consists of a mix of land uses with a focus on small scale retail and commercial development with newer residential flat buildings occurring on the western side of Pittwater Road.

## 2.2 Planning History

### Mixed-use Development

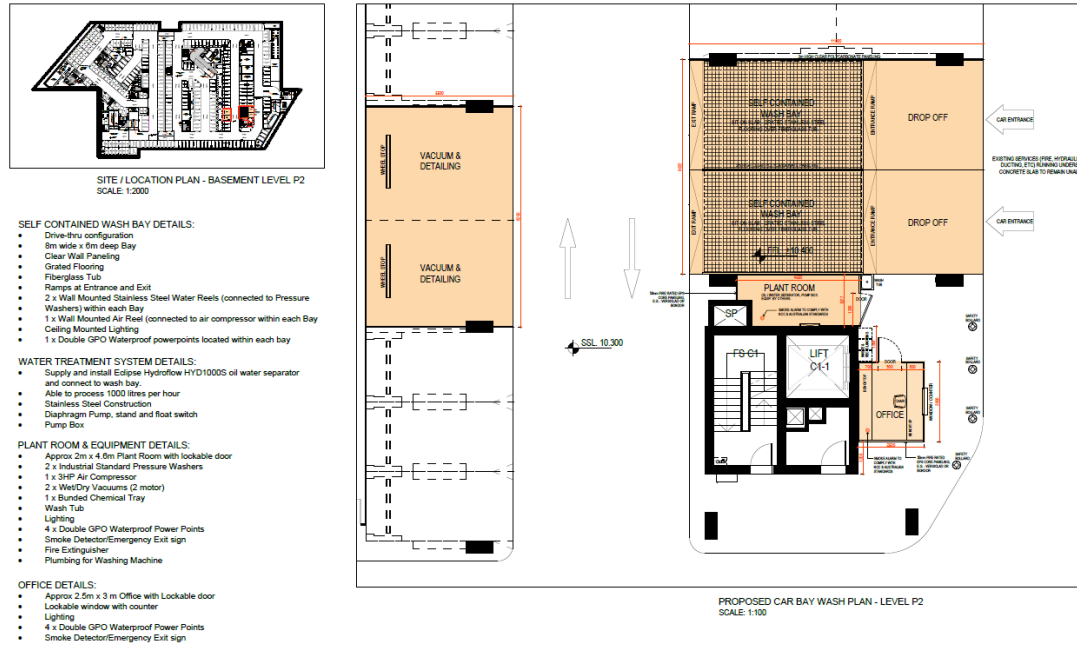
Development Application DA2016/0705 to allow for the comprehensive redevelopment of the site for a mix of commercial and residential uses accommodated within two buildings was approved by the Sydney Planning Panel on 10 May 2017. The application involved the construction of:

- Construction of two buildings of 18 storeys and 16/17 storeys;
- 350 residential apartments;
- Three levels of basement car parking to accommodate 1,035 car parking spaces;
- Ground and first floor level retail and commercial floor space including a supermarket tenancy;
- Child care centre for 130 children at first floor level; and
- New publicly accessible plaza.

The consent has been variously modified by Section 4.55 applications and standalone development applications to allow for minor changes to the mix of uses and layout of the commercial component of the development.

**Self-Contained Car Wash**

Development Application DA 2020/1235 proposed a self-contained car wash to be located within the north – western corner in the basement car park level P2. The car wash would occupy during the commercial lease agreement 10 retail designated car parking spaces. The carwash proposed 2x car drop off areas, 2x Fully self-contained wash bays installed on top of the existing concrete slab and 2x vacuum/detailing areas.



**FIGURE 3: DA 2020/1235 proposed Car wash**

The relevant applications are summarised in **Table 1** below.

**Table 1: RELEVANT APPLICATIONS**

APPLICATION REFERENCE	DETAILS	STATUS
DA2018/0257	DA for fit out of commercial gymnasium	Approved 8 June 2018
DA2017/0576	S4.55 modification application for fit out and operating hours of childcare centre	Approved 2 August 2017
DA2017/0326	S4.55 modification application to increase capacity of childcare centre to 159 children	Approved 23 March 2018
DA2018/1270	DA for revised shopping centre operating hours	Approved 11 September 2018
DA2019/1483	DA for use of commercial premises as ancillary storage	Approved 1 October 2019
DA2020/0714	Change of Use - Use of premises as a car wash facility including fitout	Withdrawn 27 August 2020
DA2020/1235	Use of premises as a car wash facility including fitout	Refused 17 March 2021
DA2021/0424	Alterations and Additions - Alterations and additions to a commercial building to include a designated supermarket pick-up area within the Level 1 car park	Approved 27 May 2021

### 3 Proposed Development

#### 3.1 Overview

The proposal involves the re-introduction of a self-contained car wash service in a new location within the basement of the approved Dee Why Town Centre Site B development. The car wash will occupy floorspace approved for parking. The location and layout of the proposed car wash is shown on the plan at **Annexure 1**.

#### 3.2 Proposed Use




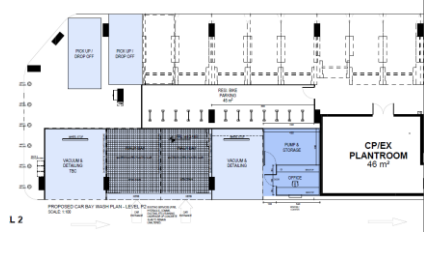
The proposed use complements the other uses contained within the Town Centre development and adds to the commercial offer contained within the approved shopping centre. It will provide a service for residents, tenants and patrons of the Town Centre development.

The car wash has been designed to seamlessly integrated into layout of the basement of the development, thereby ensuring that the visual appearance of the overall development is maintained.

- The proposed car wash will be re-located to the centre of basement car parking level P2.
- The car wash involves the allocation of eleven (11) existing parking spaces.
- Two (2) drop off areas, two (2) fully self-contained wash bays and two (2) vacuum/detailing areas.
- A new office and pump/storage room is proposed to be used in conjunction with the use of the car wash.

A summary of the proposed changes from the previous application (DA2020/1235) is listed in **Table 2** below.

**Table 1: Proposed Changes**

Previous Application DA2020/1235	This Application	Comments
<p>Key Map – Basement level P2</p>  <p>Car wash was located at the south-eastern corner close to the pedestrian activity areas and access ramps to basement P3.</p>	<p>Key Map – Basement level P2</p>  <p>Car wash is located at the central basement.</p>	<p>The new location is away from the critical circulation areas and pedestrian activity, therefore is considered more appropriate in terms of safety.</p>
<p>Floor Plan</p> 	<p>Floor Plan</p> 	

<p>Drop off bays – 4m in length - vehicles entering these bays would protrude into the circulation aisle</p> <p>Car Wash bays – close to the ramp serving the basement P3 parking - result in traffic congestion.</p> <p>Adjacent to the carpark stairs and lift – result in unsafe conditions for pedestrians.</p>	<p>Drop off bays – 5.5m in length</p>	
<p>Uses 10 (ten) existing retail parking spaces.</p>	<p>Uses 11 (eleven) existing retail parking spaces.</p>	<p>The existing car parking on the site has on average 169 spaces vacant during the peak hours (refer to section 4.6.2) therefore the reduction of 11 spaces is not considered to result in any reliance on on-street parking.</p>

### 3.3 Staffing and Operations

The facility is proposed to operate in accordance with the approved hours of the shopping centre. Access to the car wash will be available during the approved opening hours of the shopping centre only.

#### Hours of Operation

Monday to Friday: 7.00am - 6.00pm  
Saturday and Sunday: 7.00am - 6.00pm

#### Staff

The application proposes 2 - 6 (six) staff

Access will be via the existing retail car park entrance off Oaks Avenue. It is anticipated that the majority of patrons will use other services and facilities contained within the shopping centre. Patrons will park within the holding bay and will be given instruction on how to exit the car park via the customer lifts.

A Plan of Management is attached at **Annexure 2**.

### 3.4 Waste Management

The proposed car wash use will only generate minimal general and recycling waste.

A waste management plan is attached at **Annexure 3**.



## 4 Environmental Planning Assessment

### 4.1 Section 4.15(1)(a)(i): Environmental Planning Instruments

#### 4.1.1 Warringah Local Environmental Plan 2011

##### Overview

The Warringah Local Environmental Plan 2011 (WLEP 2011) is the primary environmental planning instrument (EPI) that applies to the site. The proposal's compliance with the relevant controls in the WLEP is provided below.

##### Zoning, Zone Objectives and Land Use Permissibility

The subject land is currently zoned B4 Mixed-use under Warringah Local Environmental Plan 2011 (WLEP 2011) as shown in **Figure 4**. The Development Application is for a Car Wash for an existing mixed-use development. Under the WLEP 2011, car washes are permissible with development consent.

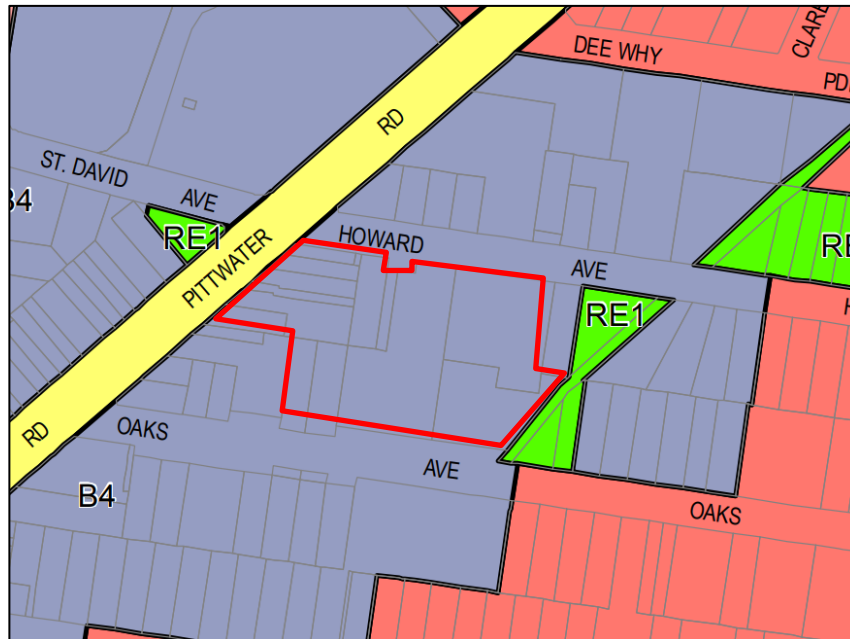


FIGURE 4 –WLEP 2011 ZONING MAP

The objectives of the B4 Mixed Use Zone are:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To reinforce the role of Dee Why as the major centre in the sub-region by the treatment of public spaces, the scale and intensity of development, the focus of civic activity and the arrangement of land uses.
- To promote building design that creates active building fronts, contributes to the life of streets and public spaces and creates environments that are appropriate to human scale as well as being comfortable, interesting and safe.
- To promote a land use pattern that is characterised by shops, restaurants and business premises on the ground floor and housing and offices on the upper floors of buildings.

- To encourage site amalgamations to facilitate new development and to facilitate the provision of car parking below ground.

The proposed development is permissible in the B4 Mixed-use zone of the WLEP 2011 and fully aligns with the zone objectives. It will facilitate the operation of a new business within the Dee Why Town Centre thereby supporting the use of the site as a major commercial facility servicing the local community and providing significant employment in the retail and business sectors. The subject site contributes significantly to the local economy. The proposed car wash will be integrated with the design of the existing car park on the site to create a functional premises with minimal visual impact on the overall built form of the centre as viewed from the public domain.

On the basis of an assessment of the objectives for the 'B4' zone, it is considered that the proposed subdivision is a compatible form of land use within the surrounding locality.

#### 4.2 Section 4.15(1)(a)(ii): Draft Environmental Planning Instruments

There are no draft environmental planning instruments that apply to the subject site.

#### 4.3 Section 4.15(1)(a)(iii): Development Control Plans

##### 4.3.1 Warringah Development Control Plan 2011

The *Warringah Development Control Plan 2011* applies to the subject site. The proposal does not affect the compliance of the wider Dee Why Town Centre Site B development, as approved under DA2017/705, with the relevant provisions of the DCP. In particular, the relevant provisions of the DCP are discussed in Table 2 below.

**Table 2: RELEVANT CONTROLS WDCP 2011**

<i>Provision</i>	<i>Comment</i>	<i>Compliance</i>
<b>A.5 Objectives</b>  <ul style="list-style-type: none"> <li>• <i>To provide a high level of access to and within development</i></li> </ul>	<p>The proposed car wash is located centrally in the basement P2, which is <u>not</u> in close proximity to critical circulation areas and pedestrian activities, thus will not interfere with the existing access to the development.</p> <p>Maximum capacity of the car wash is to service four (4) cars at one time, hence will not create any traffic congestion or vehicle queuing issues.</p>	Yes
<b>C2 Access, Traffic and Parking</b>  <ul style="list-style-type: none"> <li>• <i>To minimise traffic hazards;</i></li> <li>• <i>To minimise traffic, pedestrian and cyclist conflict</i></li> </ul>	<p>The location of the car wash is such that it will not impede the vehicle circulation or pedestrian activity areas. The Traffic Assessment Report attached at <b>Annexure 5</b> concludes that the proposed car wash will have no significant impacts on the existing traffic and parking and pedestrian safety conditions.</p>	Yes
<b>C3 Parking Facilities</b>	<p>The car wash patrons are shoppers, residents, visitors and workers who already park within the building. The Traffic survey</p>	Yes

<ul style="list-style-type: none"> <li>• <i>To provide adequate off street carparking.</i></li> <li>• <i>To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place.</i></li> <li>• <i>To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.</i></li> </ul>	<p>by the Building Management at Lighthouse Apartment and TTPA reflect that 169 parking spaces are vacant during the peak hours.</p> <p>The proposed car wash is located within the basement car park (Level P2) and therefore will not be visible from a public space or dominate the street frontage or result in any reliance on on-street parking.</p> <p>Additionally, the service benefit provided by the proposed car wash facility is considered to outweigh this minimal loss of car parking</p>	
<p><b>C9 Waste Management</b></p>	<p>Proposal will comply with all Council requirements &amp; controls during construction and ongoing commercial operation. A Waste Management plan is attached at <b>Annexure 3</b>.</p>	<p>Yes</p>
<p><b>D3 Noise</b></p>	<p>Plant room &amp; water pump will be acoustically treated to comply with Council requirements. Commercial development is located in the basement car park so minimal disturbance will be created to the public in general.</p> <p>Vibration noises to the structure are being dampened, and transmission is intended to comply and fall within permissible values prescribed by applicable Deemed-to-Satisfy provisions of the BCA.</p> <p>An Acoustic Report prepared by Acoustic Dynamics attached at <b>Annexure 4</b> concludes that with subject to recommendations and acoustic treatments the proposed car wash will not contribute to noise issues.</p>	<p>Yes</p>
<p><b>D20 Safety and Security</b></p> <ul style="list-style-type: none"> <li>• <i>To ensure that development maintains and enhances the security and safety of the community.</i></li> </ul>	<p>The proposed car wash is not located in close proximity to the critical pedestrian activity areas, therefore providing secure and unobstructed movement for the pedestrians.</p> <p>The car wash will maintain a website to facilitate timed reservations to avoid vehicle queuing and reduce unnecessary traffic congestion.</p>	<p>Yes</p>

	The mixed-use complex already has a CCTV security system in place, ensuring the security.	
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#### 4.4 Section 4.15(1)(a)(iia): Planning Agreements

Section 7.11 of the EP&A Act enables the proponent to enter into a Voluntary Planning Agreement (VPA) with Council as an alternative mechanism for securing contributions (material and / or monetary) for the provision of public services and facilities to support new development.

The site is subject to a Voluntary Planning Agreement (VPA) negotiated by the former site owner and Warringah Council during the assessment of DA2007/1249. The VPA provides a mechanism for the delivery of significant public benefits to the locality. The current application does not affect the commitments required by this agreement.

#### 4.5 Section 4.15(1)(a)(iv): Regulations

The Development Application has been made in accordance with the requirements contained in Clause 50(1A) of the *Environmental Planning and Assessment Regulation 2000*.

#### 4.6 Section 4.15(1)(b): Likely Impacts

The likely impacts of the development including environmental impacts on both the natural and built environment, and the potential social and economic impacts of the proposal have been assessed. The relevant issues are addressed below.

##### 4.6.1 Visual and Acoustic Privacy

The proposed car wash is situated in a position in the basement retail car parking level P2 that will not cause unreasonable or significant visual or acoustical privacy issues. In general terms, the car wash will operate at times of the day when the majority of residents of the Dee Why Town Centre "Site B" development are at work.

The Acoustic Report prepared by Acoustic Dynamics is included at **Annexure 4**. The Acoustic Report assesses noise intrusion from the acoustic impact of the proposed development on surrounding residential development. The report concludes that, subject to compliance with certain recommendations and acoustic treatments the proposal is acceptable. All walls and glazing will be constructed to meet required acoustic attenuation standards.

As a part of the previous development application DA2020/1235 an acoustic report prepared by Acoustic Dynamics was submitted to Council on 24 February 2021 and was referred to Council's Environmental Health section for comment. No objections were raised by Environmental Health subject to conditions.

##### 4.6.2 Access, Traffic and Parking

A Traffic Impact Assessment has been prepared by Transport and Traffic Planning Associates. This report is included at **Annexure 5**. It includes consideration of the adequacy of car parking provision, the proposal's impact on the local traffic network, the parking area's compliance with relevant access and circulation standards within the development. The key issues of relevance to the proposal are discussed below.

**Parking**

The proposal involves repurposing eleven (11) existing parking spaces in the central part of the Basement Level 2 Retail Carpark. The proposal is a common part of the retail centres and large commercial buildings where the car wash patrons are shoppers, residents, visitors and workers who already park within the building. Access to the car wash will be available between the approved opening hours of the shopping centre only and will maintain a website to facilitate timed reservations to avoid vehicle queuing and reducing unnecessary traffic congestion.

The Dee Why Town Centre Site B development has 1,035 spaces which are contained within three levels of basement. 523 Non-residential parking spaces are located at basement levels 1 and 2. A manual parking survey was undertaken by the Building Management at Lighthouse Apartments from 20 June 2022 to 1 July 2022 between 10am to 5pm (tabulated in the **table 3** below). The survey concluded that:

Total non-residential spaces = 523  
Average Vacant parking spaces = 169

The same is reflected in the Traffic Analysis Report attached at **Annexure 5** and therefore reflects that the proposed car wash will have no significant impact to the existing traffic and parking and pedestrian safety conditions.

**Table 3: Number of Non-Residential Vacant Parking Spaces**

<i>Date</i>	<i>Day</i>	<i>10am</i>	<i>11am</i>	<i>12pm</i>	<i>1pm</i>	<i>2pm</i>	<i>3pm</i>	<i>4pm</i>	<i>5pm</i>
20/06/2022	Monday			83					
21/06/2022	Tuesday	160							
22/06/2022	Wednesday	163			158	160	174	144	161
23/06/2022	Thursday	157	159	171	158	162	155	148	168
24/06/2022	Friday	154	149	150	156	161	194	178	169
25/06/2022	Saturday	228	231	207	197	237	270	273	276
27/06/2022	Monday		158	152	161	163	166	157	140
28/06/2022	Tuesday	152	160	155	200	179	171	158	161
29/06/2022	Wednesday	146	159	176	181	176	156	138	131
30/06/2022	Thursday	148	159	162	164	157	145	128	133
01/07/2022	Friday	137	130	144	151	162	162	176	181
02/07/2022	Saturday	133	127	119	131	140	156	121	108

#### **4.6.3 Hazardous Substances and Liquid Waste**

The car wash proposes two self-contained wash bays with grated flooring that is located above a fibreglass tub. Both the vehicle wash bay areas and chemical storage areas will be appropriately bunded to prevent the escape of contaminants by means impervious bund walls and floor. All waste water will be bunded and diverted to an adjacent water treatment system and treated and recycled in accordance with all relevant Australian Standards and Sydney Water requirements. The cleaning chemicals will be of low risk and environmentally friendly water-based detergents. The ventilation provided for the basement car park under the approved DA2016/0705 will prevent any substantial moisture to the car park.

#### **4.6.4 Social and Economic Impact**

The proposed development is considered to be suitable for the subject site and will result in positive social and economic impacts. It will contribute to the provision of new social infrastructure including a car wash that will provide additional service to residents, tenants and patrons of the Town Centre development.

#### **4.6.5 Cumulative Impacts**

There are no cumulative impacts which have been identified as a result of the proposed development. Some of the benefits for the residents and public in general are; No excavation or civil works required. Car sits on an elevated grated platform; staff aren't ankle deep in water all day. Grates are less slippery and safer compared to wet concrete covered in detergent foam. All car washing works operations (including wiping down of cars, application of tyre shine, etc) will be conducted inside a bunded drained area. Cars will be dry when they drive off. At the end of the commercial lease, all retail car parking spaces can be reinstated to original condition.

### **4.7 Section 4.15(1)(c): Suitability of the Site**

The site has been determined by Council to be suitable for the mixed use (residential and commercial) development. The proposed car wash use is therefore compatible with a mixed-use development.

The proposal will result in a development that is consistent with the approved mixed-use development; the use and function of the site remains materially and substantially the same as approved and there are no reasons why the site is not suitable for the proposed carwash. There are no environmental constraints on the site that would impede the proposal or render it unsuitable for the site.

### **4.8 Section 4.15(1)(d): Submissions**

Council will consider submissions at the close of the exhibition period.

### **4.9 Section 4.15(1)(e): The Public Interest**

The proposed car wash is consistent with the desired character of the Dee Why Town centre and the objectives of the B4 Mixed use zone; the proposal will not result in any adverse impacts upon surrounding properties. There is no interference with residents in terms of privacy, noise, and general amenity.

For the reasons set out in this Statement, it is considered that the public interest would be best served by approval of the Development Application under consideration, particularly, given the absence of any demonstrable adverse impacts resulting from the proposal.

## 5 Conclusion

The proposal seeks Council's consent to a self-contained car wash within the basement of the approved Dee Why Town Centre Site B development. The car wash will complement the retail and commercial business in the shopping centre with no detrimental impact on how the car parking operates in terms of pedestrian and traffic movement, as the majority of patrons will be the people who would normally use the basement for shopping, business and living in the apartments above.

The proposal satisfies the relevant heads of consideration under Section 4.15 of the *Environmental Planning & Assessment Act, 1979*. The proposed development is consistent with the underlying objectives of the existing planning controls applicable to the subject site.

Our assessment of the proposed development concludes that:

- The proposal is permissible pursuant to the LEP and demonstrates a high level of consistency and compliance with the objectives of relevant provisions.
- The proposed development will not result in any unreasonable traffic or amenity impacts while the social and economic benefits to be gained from the proposal are significant.

As outlined within this report, the proposed development is considered to be an appropriate response to the site. Meriton has been in conversation with the Council and we believe that this application will resolve the issues highlighted in the previous development application DA 2020/1235. It is considered that the proposal provides an appropriate response to the planned development of the site and will assist in the orderly and economic development of the land.

Accordingly, the application should be recommended for approval.

**Meriton**

**July 2022**

## **Annexure 1: Proposed Plans**



## **Annexure 2: Plan of Management**

## **Annexure 3: Waste Management Plan**

## **Annexure 4: Acoustic Report**

## **Annexure 5: Traffic Assessment Report**