

33 Oaks Avenue, Dee Why New Car Wash Facility

Statement of Environmental Effects – July 2019



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INTRODUCTION

1. Overview

This Statement of Environmental Effects has been prepared by Mod Urban Pty Ltd to support a development application on behalf of Nidesh Group Pty Ltd and relates to the use of level 1 of the carpark for a new car wash facility at 29-33 Oaks Avenue, Dee Why. The site is legally described as Lot 1 in DP 588603 and Lot A & B in DP 326907.

The proposed new car wash facility is highly compatible with the existing development and use of the site as well as surrounding land uses. The proposed works are all within the existing car parking structure and this will ensure it does not impact on the visual character of the area or the amenity, and the surrounding natural environment.

Specifically, the proposal relates to Level 1 of the multi-level car park on the site. The proposed car wash facility, including ancillary office and storage, will be sited on level 1 of the car park. The proposed oil separator will be located at ground level as part of the drainage for the facility.

The proposal will provide an important car wash service within the existing multi-level car park on the site and will reinforce the identity of the site as a major retail centre serving the local and regional populations and providing significant employment in the retail and business sectors. The proposed car wash will be completely contained within the existing car park and as such will not impact on the scale or bulk of the existing built form on the site. The car wash will be integrated with the existing structures on the site and will preserve the appearance of a well-designed and coherent development.

The proposed car wash will make use of the existing multi-level car parking structure on the site including internal and external driveways and as such will require only minor construction works to facilitate the proposal.

The site is zoned B4 Mixed Use Zone under the *Warringah Local Environmental Plan 2011*. The site is also located within the Northern Beaches Council area.

This SEE provides an assessment of the proposal against the relevant matters for consideration under Section 4.15 of the Environmental Planning and Assessment Act 1979 and the Environmental Planning and Assessment Regulations 2000 (as amended).

SITE ANALYSIS

2. The Subject Site

The site is located at 29-33 Oaks Avenue, Dee Why and is legally described as Lot 1 in DP 588603 and Lot A & B in DP 326907.

2.1 Site Details

- The subject site is located at the southern side of Oaks Avenue;
- The existing complex is known as Dee Why Market, and is a mix of one and two stories with rooftop carparking. The area of the site subject to this development application is the Level car parking area;
- The tenancies are predominantly retail;

The site is identified in **Figure 1** of this SEE.



Figure 1: The site is located within a mixed use precinct (Source: Six Maps)



2.2 Site Surrounds

- The site is immediately surrounded a mix of commercial premises and residential flat buildings;
- The site is accessible by road to the surrounding suburb of Dee Why, and the wider northern beaches peninsula;

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PROPOSED DEVELOPMENT

3. Overview

The proposed development seeks approval for a new Car Wash within the existing multi-level car park ancillary to the Dee Why Market at Level 1 of the existing car park.

3.1 Proposed Use, Operation and Built Form

- Construction of a car wash office, and storage area to Level 1;
- Provision of an oil separator unit at ground level which is connected to existing drainage;
- Construction of a Vacuum Bay;
- Construction of a Wash Bay which will fall to the existing drainage pit;
- Level 1 currently contains 17 car parking spaces, which will be all allocated to the new car parking tenancy;
- The proposed hours of operation are 8am to 5.30pm, 7 days a week.
- A total of 5 staff are proposed at any one time.

LEGISLATIVE FRAMEWORK

4. Overview

This Part of the SEE assesses and responds to the legislative and policy requirements for the project in accordance with the Environmental Planning and Assessment Act 1979 (EP&A Act).

The following current and draft State, Regional and Local planning controls and policies have been considered in the preparation of this application:

State Planning Context

- Environmental Planning and Assessment Act 1979
- State Environmental Planning Policy 64 – Advertising and Signage

Local Planning Context

- Warringah Local Environmental Plan 2011 (WLEP)
- Warringah Development Control Plan 2011 (WDCP)

This planning framework is considered in detail in the following sections.

4.1 Environmental Planning and Assessment Act 1979

Section 4.15 of the Environmental Planning and Assessment Act 1979, requires that in determining a development application, a consent authority is to take into consideration the following matters as are of relevance to the development:

Section 4.15 Matters for Consideration	Comment
(a) <i>the provisions of:</i> (i) <i>any environmental planning instrument, and</i>	See relevant sections of this report.
(ii) <i>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 Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i>	Nil
(iii) <i>any development control plan, and</i>	The proposal generally satisfies the objectives and controls of the Warringah DCP 2011. See table below and where necessary key issues section of this report.

Section 4.15 Matters for Consideration	Comment
(iii) <i>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, and</i>	Not applicable
(iv) <i>the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and</i>	The relevant clauses of the Regulations have been satisfied.
(b) <i>the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,</i>	The environmental impacts of the proposed development on the natural and built environment have been addressed in this report. The proposal will not result in detrimental social or economic impacts on the locality.
(c) <i>the suitability of the site for the development,</i>	The proposed development is suitable for the site.
(d) <i>any submissions made in accordance with this Act or the regulations,</i>	No submissions have been raised at this stage.
(e) <i>the public interest.</i>	The proposal is in the public interest as allows flexibility for future development on site, and will not impact upon the streetscape character and not result in detrimental amenity impacts to neighbours.

4.2 State Environmental Planning Policy 64 – Advertising and Signage

SEPP 64 applies to all signage:

- (a) *that, under another environmental planning instrument that applies to the signage, can be displayed with or without development consent, and*
- (b) *is visible from any public place or public reserve.*

The proposal does not involve the erection of signage and therefore assessment of the proposal is not applicable against the SEPP Advertising and Signage.

If any future new signage or changes to existing signage is proposed, then a development application will be prepared at the appropriate time.

4.3 Warringah Local Environmental Plan 2011

The Warringah Local Environmental Plan 2013 (WLEP2011) was prepared to meet new State Government guidelines for local planning documents.

The relevant provisions of WLEP2011 as they relate to the subject site are considered below.

Permissibility

The subject site is located in the B4 Mixed Use Zone pursuant to the Warringah Local Environmental Plan 2011 (WLEP2011).

The objectives of the B4 Mixed Use Zone are as follows:

- 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 proposal is consistent with the objectives of the B4 Mixed Use zone and will add to the vitality and viability of the Dee Why Market.

The proposed car wash use is ancillary to the commercial premises of the shopping centre and is permitted with development consent within the B4 Mixed Use Zone.

Minimum Subdivision Lot Size

No subdivision is proposed subject to this development application.

Height of Buildings

The proposal does increase in height of the building through the provision of a flat roof car wash office and storage facility. The proposed built form works will not exceed the 13m building height limit of the WLEP and therefore the proposal continues to comply with the maximum building height under the provisions of Clause 4.3 the WLEP2011.

Heritage Conservation

The subject site is not identified as an item of environmental heritage nor is it located within a heritage conservation area. The site is not located in close proximity of any heritage items or heritage conservation areas.

Bushfire Hazard Reduction

The site is not identified as being a site to be impacted by bushfire.

Acid Sulfate Soils

The site is located on land not identified as Acid Sulfate Soils under the provisions of the WLEP2011.

4.4 Draft Environmental Planning Instruments

No draft Environmental Planning Instruments apply to the subject site.

4.5 Warringah Development Control Plan 2011

The Warringah Development Control Plan 2011 (the DCP) was adopted by Warringah Council in 2011. The following table addresses the relevant controls of the DCP, and the proposals compliance with the control.

DCP 2014 Control	Compliance Y/N	Comment
C2 – Traffic, Access and Safety	Y	Access to the level 1 car parking area will not, change, however the primary use of Level 1 will be for car wash facilities as proposed. The use of Level 1 as car wash and ancillary office space does not require loading or unloading spaces. All loading and unloading of goods on the site will remain as previously consented with the Dee Why Market use of the site.
C3 – Parking Facilities	Y	The proposed car wash facility will result in the loss of seven (7) general car parking spaces from the existing multi-level car park on the site in order to facilitate the development, however the car wash facility will hold ten (10) spaces to be retained as holding bays for the car wash therefore continuing to provide car parking for shoppers. Therefore, the proposed development will reduce the existing car parking supply on the site by 7 spaces. This maximizes on-site car parking whilst providing an important car wash service to suitably meet the growing needs of the Dee Why locality. The existing car parking on the site provides additional capacity and therefore the reduction of 7 spaces is not considered to result in any reliance on on-street parking.

DCP 2014 Control	Compliance Y/N	Comment
		<p>Additionally, the service benefit provided by the proposed car wash facility is considered to outweigh this minimal loss of car parking.</p> <p>The location of the proposed car wash on level 1 within the existing multi-level car park provides a convenient service for shoppers accessing Dee Why Market whilst preserving the safety and functionality of the car park for vehicles and pedestrians.</p> <p>The proposed car wash will not obstruct any important vehicular movement corridors and accordingly will preserve efficient vehicular movements within the car park. Similarly the car wash will not obstruct vehicular movements or sightlines related to the ramp.</p> <p>The movement of pedestrians through the car park between their parked cars and the Shopping Centre entrances will not be affected by the carwash. Access for pedestrians from the holding bays will be consistent with existing access routes from these spaces to the entry and therefore is considered highly suitable. Access for pedestrians from the holding bays to the main office of the car wash will be via a short and direct path of travel therefore ensuring easy and safe access.</p> <p>Staff of the car wash will be serviced by the existing amenities provided within the Shopping Centre. Convenient access to these amenities is available from the car wash to the Shopping Centre entrance in accordance with the existing paths of travel through the car park. As well as amenities, the Shopping Centre which is immediately accessible from the car wash provides food and drink premises and other retail services to support staff and provide a high-amenity working environment.</p> <p>Given the above-ground location of the proposed car wash on level 1 of the existing car park, no additional ventilation is required. Rather the ventilation for the existing above-ground car park which includes natural air circulation facilitated via side openings will adequately service the development.</p> <p>The proposed development will make use of the existing multi-level car park structure on the subject site in order to provide a</p>

DCP 2014 Control	Compliance Y/N	Comment
		convenient service to support the needs of shoppers and the Dee Why locale. Given the location of the car park within the existing car park the proposed car wash is not considered to cause any adverse environmental impact associated with land-take or other factors.
C9 – Waste Management	Y	Operational waste management associated with the car wash premises is minor, and all waste management associated with the site will remain as per the existing operations. Staff will twice daily take waste from cars to the main waste bins of the Dee Why Market.
D3 Noise	Y	The new car wash facility is not likely to generate any additional noise as occurs in the existing car park. In addition, the ancillary office space is a low intensity land use that is unlikely to generate significant levels of noise.
D18 Accessibility	Y	The use of Level 1 of the site for car wash is development that is capable of complying with Australian Standard AS1428.2.
D20 Safety and Security	Y	The site has been in existence for some time and ensure safety and security to its users. The proposed proposal for use of Level 1 as car wash is considered to not be detrimental to site safety and security.

LIKELY IMPACTS OF DEVELOPMENT

5. Overview

The likely environmental impacts of the proposed development that have been assessed include:

- Context and Setting;
- Traffic and Parking;
- Amenity;
- Social, Environmental and Economic Impacts; and
- Cumulative Impacts.

5.1 Context and Setting

The proposed development relates to a new car wash within the existing car park ancillary to the Dee why Market. The car wash will be completely contained within the existing multi-level car park and as such will only result in a minor increase to the scale or bulk of the building through the provision of a new office and storage facility associated with the car wash.

The existing shopping centre within which the proposed car wash will be sited is located within an established urban area comprising medium density residential development, community, recreational and commercial premises.

The proposed car wash has been designed and sited to integrate with the existing built form on the subject site to create the appearance of a coherent and high quality built environment on the site whilst respecting the amenity of adjoining land.


The proposed car wash will provide an additional service to the community and reinforce the identity of Dee Why as an important town centre providing retail and business services the local community and providing significant employment in these sectors.

5.2 Access and Traffic Impacts

The proposed car wash facility will result in the loss of seven (7) general car parking spaces from the existing multi-level car park on the site in order to facilitate the development, however the car wash facility will hold ten (10) spaces to be retained as holding bays for the car wash therefore continuing to provide car parking for shoppers. Therefore, the proposed development will reduce the existing car parking supply on the site by 7 spaces. This maximizes on-site car parking whilst providing an important car wash service to suitably meet the growing needs of the Dee Why locality. The existing car parking on the site provides additional capacity and therefore the reduction of 7 spaces is not considered to result in any reliance on on-street parking.

Additionally, the service benefit provided by the proposed car wash facility is considered to outweigh this minimal loss of car parking.

The location of the proposed car wash on level 1 within the existing multi-level car park provides a convenient service for shoppers accessing Dee Why Market whilst preserving the safety and functionality of the car park for vehicles and pedestrians.



The proposed car wash will not obstruct any important vehicular movement corridors and accordingly will preserve efficient vehicular movements within the car park. Similarly the car wash will not obstruct vehicular movements or sightlines related to the ramp.

The movement of pedestrians through the car park between their parked cars and the Shopping Centre entrances will not be affected by the carwash. Access for pedestrians from the holding bays will be consistent with existing access routes from these spaces to the entry and therefore is considered highly suitable. Access for pedestrians from the holding bays to the main office of the car wash will be via a short and direct path of travel therefore ensuring easy and safe access.

Staff of the car wash will be serviced by the existing amenities provided within the Shopping Centre. Convenient access to these amenities is available from the car wash to the Shopping Centre entrance in accordance with the existing paths of travel through the car park. As well as amenities, the Shopping Centre which is immediately accessible from the car wash provides food and drink premises and other retail services to support staff and provide a high-amenity working environment.

Given the above-ground location of the proposed car wash on level 1 of the existing car park, no additional ventilation is required. Rather the ventilation for the existing above-ground car park which includes natural air circulation facilitated via side openings will adequately service the development.

The proposed development will make use of the existing multi-level car park structure on the subject site in order to provide a convenient service to support the needs of shoppers and the Dee Why locale. Given the location of the car park within the existing car park the proposed car wash is not considered to cause any adverse environmental impact associated with land-take or other factors.

5.3 Amenity

In summary, the proposal will not exhibit any significant environmental impacts and will not adversely impact on the amenity of any adjoining sites. The proposal will preserve neighbouring amenity including with respect to views, solar access, natural ventilation and privacy.

The proposed development will improve the amenity of the subject site through the provision of a new car wash facility

No significant noise emissions will occur from the site. The noise level produced by car wash equipment will be minimized through the application of appropriate mitigation measures. The car wash is located within the existing car park on the site and is considered compatible with surrounding land uses.

The proposed hours of operation will remain as currently exists on site which include:

Monday to Friday from 8am to 5.30pm

The hours of operation are standard hours that reflect the current Dee Why Market opening hours.

5.4 Social, Environmental and Economic

The proposed car wash will provide a new service within Dee why Market Place which provides important retail services to the local community as well as offering significant employment in the retail and business sectors. The existing shopping centre also provides an important focal point in the Dee Why community and therefore the provision of additional services within the centre will exhibit a positive social impact.

The proposal will not have any adverse economic or environmental impacts. The proposed car wash will provide an employment-generating and service-providing premises operating within the existing shopping centre car park. The shopping centre provides important retail services to the local community as well as offering significant employment in the retail and business sector. Therefore, the proposed car wash, in contributing to a higher level of service provision and a more vibrant commercial premises, will invoke positive economic gain.

5.5 Cumulative Impacts

No foreseeable cumulative impacts shall result from the proposed development.

5.6 The Suitability of the Site for Development

Located within the B4 Mixed Use zone, the proposed use of Level 1 as a car wash is consistent with the zone objectives, the provisions of relevant statutory and strategic documents and the surrounding context.

The proposed development is also compatible with surrounding land uses and will achieve a high level of amenity adjoining land owners and operators.

Accordingly, the site is considered to be suitable for the development.

5.7 Any Submissions Made in Accordance with the Act

No submissions are apparent at the time of writing.

5.8 The Public Interest

The proposed development will have no adverse impact on the public interest.



CONCLUSION

This SEE provides an assessment of the proposal against the relevant environmental planning framework, including the Warringah Local Environmental Plan 2011, and the Warringah Development Control Plan 2011.

The assessment finds that the proposal is consistent with the objectives and controls of the relevant statutory and policy framework. No adverse environmental, economic or social impacts have been identified as resulting from the proposed development.

The proposal therefore embodies sensitive design for the proposed new car wash and provides a high level of amenity for surrounding future residents.


No additional significant adverse impacts have been identified as likely to arise from the proposed development which has been favourably assessed against the relevant provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979.

It is therefore considered that the proposal responds to site constraints and provides a suitable development. Accordingly, it is requested that Council grant consent to the proposal.



Appendix A – Plans

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Appendix B – Existing Use Supporting Documentation

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Appendix C – BCA Statement

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Appendix D – Fire Safety Certificate

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