

**STATEMENT OF
ENVIRONMENTAL EFFECTS**

Alterations to an approved and
partially constructed building and
change of use of proposed Unit 1 to a
café

**8 Narabang Way
Belrose**

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Statement of Environmental Effects

Alterations to an approved and partially constructed building and change of use of proposed Unit 1 to a café

8 Narabang Way, Belrose

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TABLE OF CONTENTS

1.0 INTRODUCTION

2.0 SITE AND LOCALITY DESCRIPTION

3.0 DEVELOPMENT PROPOSAL

4.0 STATUTORY PLANNING FRAMEWORK

4.1 General

4.2 Warringah Local Environmental Plan 2011

4.2.1 Zone and zone objectives

4.2.2 Height of buildings

4.3 Warringah Development Control Plan 2011

4.3.1 Site Coverage

4.3.2 Front boundary setbacks

4.3.3 Side and rear boundary setbacks

4.3.4 Traffic, access and safety

4.3.6 Parking facilities

4.3.7 Stormwater

4.3.8 Erosion and sedimentation

4.3.9 Waste management

4.3.12 Privacy

4.3.14 Building bulk

4.3.15 Building colours and materials

4.3.16 Safety and security

4.3.17 Prescribed vegetation/ threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat

4.3.18 Bushfire considerations

4.3.19 Signage

4.4 Section 4.15(1) EP&A Act Considerations

5.0 CONCLUSIONS

1.0 INTRODUCTION

On 8th November 2017, the Northern Beaches Development Assessment Panel granted development consent DA2017/0388 proposing the construction of a mixed use development including industrial units, warehouse units and storage units with associated offices, caretaker's residence, car parking and landscaping on the subject site. This consent has been physically commenced.

We have been engaged to prepare a development application seeking alterations to the approved and partially constructed development and the change of use of storage Unit 1 to a café. The fit-out of the tenancy will be the subject of a separate development application. The balance of the development is unchanged.

The internal works are limited to the construction of an internal wall to provide separate café and car parking areas. The car parking will be accessed from the existing internal driveway with the café accessed from new street facing bifold doors. A small outdoor seating area is proposed within the front setback area with the overall approved landscape outcome for the frontage of the site not unreasonably compromised. Any required future grease trap can be located under the adjacent driveway with any required mechanical exhaust also subject to future detailing.

It is anticipated that the café will be predominantly patronised by persons already within the business park and to that extent will not generate additional traffic or car parking demand. The minor works proposed will not compromise the design quality of the approved building and given the sites location within a business park the use will not give rise to adverse residential amenity impacts.

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

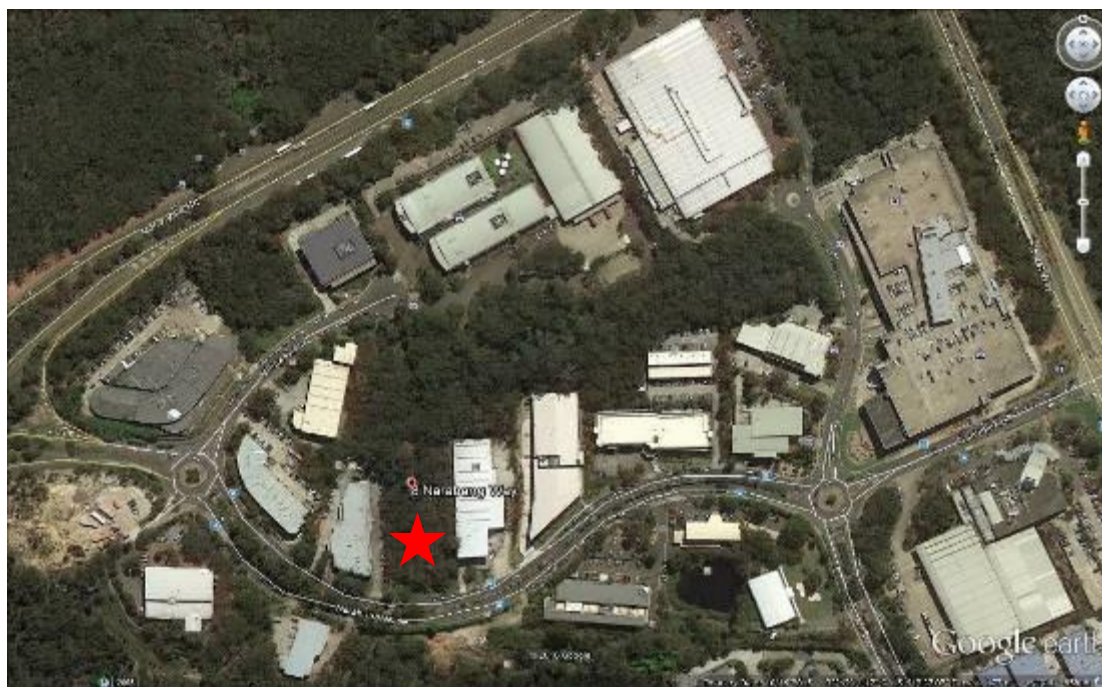
- The Environmental Planning and Assessment Act, 1979 as amended ("The Act");
- The Environmental Planning and Assessment Regulation;
- Warringah Local Environmental Plan 2011; and
- Warringah Development Control Plan 2011.

Having assessed the detail of the application against the applicable statutory considerations we have formed the considered opinion that the proposed use is permissible with consent, consistent with the zone objectives and in accordance with the statutory considerations applicable to a café use on this particular site.

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 907 in DP 867901, No. 8 Narabang Way, Belrose. The site is irregular in shape having a curved frontage and address to Narabang Way of 45.225 metres, depth of approximately 160 metres, a width at the rear boundary of 35.125 metres and an area of 7237 square metres.



Source: Google Earth

Figure 1 – Aerial location/ context photograph

The property to the west, No. 6 Narabang Way is occupied by a multi storey industrial/ warehouse building having a maximum building height of 13.53 metres with the property to the east, No. 10 Narabang Way also occupied by an industrial/ warehouse/ ancillary office development having a maximum building height of 15.229 metres.

The property further to the east, No. 12 Narabang Way is occupied by an industrial/ warehouse/ ancillary office development having a maximum building height of 18.55 metres. The balance of land located with the Austlink Business Park has been developed in association with a range of uses including bulk good retailing, warehousing/ office development and ancillary retail support services. The site adjoins Council owned land to the north-west No. 1A Minna Close. Mona Vale Road is located to the north, Forest Way to the east and Garrigal National Park to the south and west of the Business Park.

3.0 DEVELOPMENT PROPOSAL

The application proposes alterations to the approved and partially constructed development and the change of use of storage Unit 1 to a café. The fit-out of the tenancy will be the subject of a separate development application. The scope of proposed works is depicted on plans DD 110(XY) and DD 201(XX) prepared by Figgis + Jefferson Tapa.

The internal works are limited to the construction of an internal wall to provide separate café and car parking areas. The car parking will be accessed from the existing internal driveway with the café accessed from new street facing bifold doors. A small outdoor seating area is proposed within the front setback area with the overall approved landscape outcome for the frontage of the site not unreasonably compromised. Any required future grease trap can be located under the adjacent driveway with any required mechanical exhaust also subject to future detailing.

The proposed use has the following operational characteristics:

- The employment of a maximum of 2 staff members;
- Operating hours of between 6:00am and 7:00pm 7 days;
- Waste will be stored on site and removed by a private waste contractor; and
- All deliveries will occur by car, utility or van.

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 Warringah Local Environmental Plan 2011

4.2.1 Zone and Zone Objectives

The subject property is zoned part B7 Business Park and E2 Environmental Conservation pursuant to the provisions of Warringah Local Environmental Plan 2011 (“WLEP 2011”) as depicted in Figure 2 below.

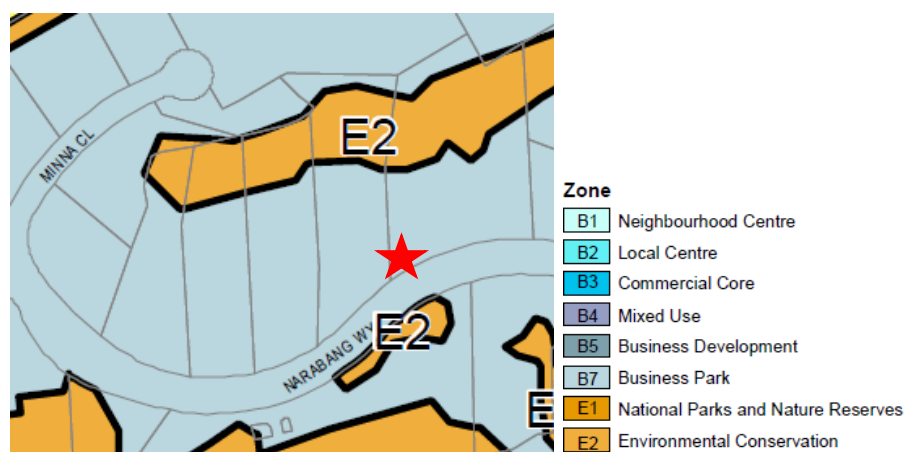


Figure 2 – WLEP 2011 zone map extract

The proposed café (food and drink premises) use is prohibited on the E2 Environmental Conservation zoned portion of the site however permissible with consent on the B5 Business Park zoned portion.

4.2.2 Height of Buildings

Pursuant to clause 4.3 of WLEP 2011 the height of development on the site shall not exceed 11 metres. The proposed café use and associated works sit comfortably below the 11 metre height control.

4.3 Warringah Development Control Plan 2011

The following built form controls apply to the subject development.

4.3.1 Site Coverage

Pursuant to these provisions, development is to have a maximum site coverage of 33% of the site area. The state objectives of this control are as follows:

- *To provide opportunities for the provision of landscaping and the enhancement of existing native vegetation.*
- *To minimise the bulk and scale of development.*
- *To reduce the stormwater runoff, preventing soil erosion and siltation of the natural drainage network.*
- *To limit impervious areas and encourage natural drainage into the sub-surface.*

The approved development has a site coverage of 49.1% of the site area with this figure marginally increased a result of the small paved seating area within the front setback. Whilst not complying with the numerical provisions of the control Council can be satisfied that the site coverage proposed will not give rise to any adverse biodiversity impacts subject to the implementation of the previously approved Biodiversity Management Plan.

Further, sufficient landscaped setbacks are maintained around the perimeter of the development to establish dense native plantings including canopy trees to soften and screen the building form as viewed in the round. The bushland at the rear of the site is preserved with the building siting within a landscaped setting. There are no additional drainage impacts.

Such variation succeed pursuant to section 4.15(3A)(b) of the Act which requires Council to be flexible in applying such provisions and allow reasonable alternative solutions that achieve the objects of DCP standards for dealing with that aspect of the development.

4.3.2 Front boundary setbacks

Pursuant to clause B4 development shall maintain a minimum front boundary setback of 6.5 metres.

The existing building façade alignment to the street is maintained with the paved area appropriately assessed as a functional landscaped area. The setbacks remain contextually appropriate and satisfy the associated objectives of the control as they are applied to the subject site. The previously approved landscape plan nominates dense landscaping including canopy trees within the front setback area ensuring the development will be softened and screened as viewed from the street.

4.3.3 Side and rear Setbacks

No changes are proposed to the previously approved side and rear boundary setbacks.

4.3.4 Traffic, access and safety

No changes are proposed to the previously driveway access and parking arrangements. It is anticipated that the café will be predominantly patronised by persons already within the business park and to that extent will not generate additional traffic or car parking demand.

4.3.5 Parking facilities

The proposed café generates a parking demand for 1 vehicle. The development proposes the provision of 1 car parking spaces with such quantum compliant with the control.

4.3.6 Stormwater

No changed to approved stormwater disposal regime.

4.3.7 Erosion and sedimentation

Appropriate erosion and sedimentation control devices will be maintained throughout construction as detailed on the plans prepared by Northrop. No objection is raised to such requirement forming a condition of development consent.

4.3.8 Waste management

All waste will be stored on site and will be collected by private waste contractors.

4.3.9 Privacy

The development is not located within proximity of any residential uses such as to result in unacceptable privacy impacts.

4.3.10 Building bulk

No change to approved building height, bulk or scale.

4.3.11 Building colours and materials

No change to approved building colours or materials.

4.3.12 Safety and security

The approved development has been designed in accordance with Crime Prevention Through Environmental Design (CPTED) Principles. In this regard, it is noted that:

- There are no large visual obstructions within parking areas with the parking areas appropriately lit at night;
- The caretaker residence will afford enhanced after hours casual surveillance and security.
- Communal areas will be adequately lit at night so as to avoid any dark entrapment spots and provide a sufficient level of security.

4.3.17 Prescribed vegetation/ threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat/ native vegetation

No change to approved flora and fauna impacts/ conservation

4.3.18 Bushfire considerations

The proposed works do not compromise the approved developments performance when assessed against the applicable bushfire considerations.

4.3.19 Signage

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

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 I have formed the opinion that the cafe use is 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 approved development is not materially altered as a consequence of the minor 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?*

It is anticipated that the café will be predominantly patronised by persons already within the business park and to that extent will not generate additional traffic or car parking demand. The proposed café generates a parking demand for 1 vehicle. The development proposes the provision of 1 car parking spaces with such quantum compliant with the control.

Public domain

The proposed outdoor paved seating area maintains a complimentary and compatible visual and spatial relationship to the adjacent street and will not be perceived as inappropriate or jarring in its context.

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 1 staff and casual employment for an additional 1 staff member.

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?*

All fit-out works will be to future application and in any event will be capable of complying with Australian Standard AS4674 and Food Standards Code.

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 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 use is permissible with consent, consistent with the zone objectives and in accordance with the statutory considerations applicable to a cafe use on this particular site.

It is anticipated that the café will be predominantly patronised by persons already within the business park and to that extent will not generate additional traffic or car parking demand. The minor works proposed will not compromise the design quality of the approved building and given the sites location within a business park the use will not give rise to adverse residential amenity impacts.

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, succeeds on merit and as such is appropriate for the granting of consent.

Boston Blyth Fleming Pty Limited

A handwritten signature in black ink, appearing to read 'Greg Boston', is positioned above the printed name.

Greg Boston

B Urb & Reg Plan (UNE) MPIA

B Env Hlth (UWS)

Director