ETHOS URBAN

29 May 2020

7200133

The General Manager
Northern Beaches Council
PO Box 82
Manly NSW 1655

Dear Sir / Madam,

RE: Statement of Environmental Effects – Unit 1, 100 Old Pittwater Road, Brookvale – Ventilation Stacks Associated with Approved Use

1.0 Introduction

Ethos Urban has prepared this Statement of Environmental Effects (SEE) on behalf of Vehicle Repairhub Pty Ltd ('Repair Hub') in support of a Development Application (DA) for alterations and additions (ventilation stacks) to the approved use of the existing tenancy located at Unit 1, 100 Pittwater Road, Banksmeadow. The site is legally described as Lot 2 on DP656393.

A Complying Development Certificate (CDC 6180/0) was recently obtained in relation to the use and internal alterations to the existing tenancy associated with a vehicle body repair workshop for Repair Hub. Ventilation stacks were proposed as part of the scope of works however, the works exceed the maximum height permitted under the *State Environmental Planning Policy (Exempt & Complying Development Codes) 2008.*

We therefore seek approval for a alterations and additions to the approved vehicle body repair workshop at Unit 1, 100 Old Pittwater Road, Brookvale to include ventilation stacks associated with the operation in accordance with Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

This report describes the site, its environs, the proposed development, and provides an assessment of the proposal in terms of the relevant matters for consideration under Section 4.15 of the EP&A Act.

It should be read in conjunction with the following supporting documentation appended to the report:

- Architectural Drawings prepared by Lowbake Australia Pty Ltd **(Attachment A)**; and
- Complying Development Certificate issued by Certis **(Attachment B).**

ETHOS URBAN

2.0 Site Description

The site is located at Unit 1 / 100 Old Pittwater Road, Brookvale and is legally described as Lot 2 on DP656393. The site has a hatchet lot configuration with an area of approximately 9,339m^2. The site has an approximate 16m frontage to Old Pittwater Road.

The site is located within an established industrial area in the suburb of Brookvale, approximately 11km from Sydney CBD. Land uses within the direct vicinity of the site include industrial, recreation facilities (indoor) and residential accommodation.

Current development on the site includes 3 industrial units with associated office facilities. The proposed development is intended to be located in Unit 1 which has recently been approved for a vehicle body repair workshop for Repair Hub. Unit 1 includes a warehouse with a total GFA of 1,857m² and office space with a total GFA of 586m².

The site has its own dedicated access handle which accommodates two-way vehicle movement. Heavy vehicles can access the site, however there is limited manoeuvring space provided at the entrances to each of the units on-site. Car parking is provided on both sides of the access handle and near the entrances to each of the industrial units. Based on the lease terms, Repair Hub would have access to 40 car parking spaces on-site.

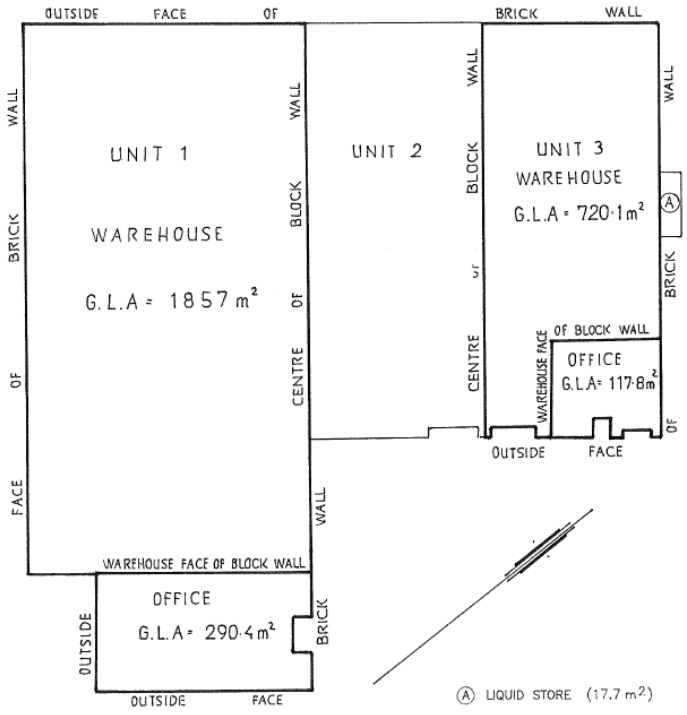
Figure 1 provides an aerial site photograph of the site. **Figure 2** provides floor plans of Unit 1.

Subject site

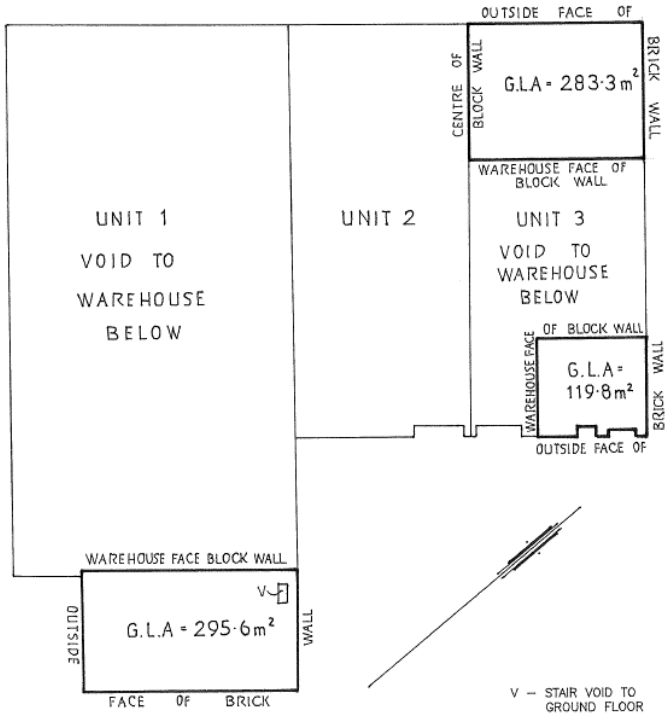
Not to scale

Figure 1 Site aerial

Source: Nearmap, 2020



GROUND FLOOR ~ UNITS 1 & 3
100 OLD PITTWATER ROAD, BROOKVALE



FIRST FLOOR ~ UNITS 1 & 3
100 OLD PITTWATER ROAD, BROOKVALE

Figure 2 Unit 1 Floor Plans

Source: Hill and Blume

3.0 Existing Development Approval

A Complying Development Certificate (CDC) was issued by Certis (NSW) Pty Ltd on 19 May 2020 for internal alterations to the existing vehicle repair station located at Unit 1, 100 Old Pittwater Road, Brookvale to facilitate the change to a vehicle body repair workshop for Repair Hub (CDC 6180/0) (see **Attachment B**).

The CDC was issued under the provisions of the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP).

The operations of the approved Repair Hub on the site includes:

- Repairs vehicle that are drivable, with smaller levels of damage and typically able to be returned to the road within 1 to 3 days of customer drop off.
- Vehicles would be stored on-site or within the surrounding street network where able. The number of vehicles anticipated to be at the site, whether on-site or on-street, would be between 10 – 15 (60 per week).
- The type of repairs being undertaking to damaged vehicles includes panel beating and spray-painting activities.
- Office space is required to undertake the administration required to support the primary use being a smash repair business. This area will be predominantly used to provide a point of service for customers dropping-off and picking-up their vehicle.
- Operating hours are intended to be:
  - Monday – Friday: 6:30AM – 5:30PM.
  - Saturday: 8:00AM – 12:00PM.
  - Sunday: Closed.
- Key waste products from the business include scrap metal, recyclables and waste liquids. These waste products will be removed from the site as follows:
  - Scrap metal: Skip within premises which will be collected by a contractor on a regular basis e.g. fortnightly.
  - Recycling: Collected on site three times a week.
  - Waste liquids: Liquids such as paint thinners are collected in a container supplied by waste contractors and emptied as required.

The works approved under the CDC must comply with the conditions in Attachment C of the CDC. Key conditions include the following:

Part 1: Conditions applying before works commence:

- *(3) Waste management*

  A waste management plan for the work must be submitted to the principal certifying authority (Certis) at least 2 days before work commences…

- *Run off and erosion controls*

  (5) Run-off and erosion controls must be implemented to prevent soil erosion, water pollution or the discharge of loose sediment on the surrounding land…

Part 2: Conditions applying during the works:

- *(6) Standard hours for construction*

  Construction may only be carried out between 7:00am and 6:00pm on Monday to Friday, or between 8:00am and 1:00pm on Saturdays, and no construction is to be carried out at any time on a Sunday or a public holiday.

- ***Part 4: Operational requirements:***

- *(21) Hours of operation*

  (1) If there are existing conditions on a development consent applying to hours of operation, the development must not be operated outside the hours specified in those conditions.

  (2) If there are no existing conditions on a development consent applying to hours of operation, the development must not be operated outside the following hours:

  (a) if the development involves a new use as bulky goods premises or other commercial premises—7.00 am to 10.00 pm Monday to Saturday and 7.00 am to 8.00 pm on a Sunday or a public holiday,

  (b) if the development involves a new use as something other than a bulky goods premises or other commercial premises and adjoins or is opposite a residential lot within a residential zone or Zone RU5 Village—7.00 am to 7.00 pm Monday to Saturday and no operation on a Sunday or a public holiday,

  (c) in any other case not referred to in paragraph (a) or (b)—7.00 am to 7.00 pm Monday to Saturday and

  (d) 9.00 am to 6.00 pm on a Sunday or a public holiday.

Notification to commence the internal alterations to the existing vehicle repair station was issued by Certis (NSW) Pty Ltd to the Northern Beaches Council on 25 May 2020 (NOC2020/0542).

The CDC did not include the mechanical ventilation on the roof of the building given that this component of work exceeds the development standards in Clause 5.8 of the Codes SEPP. Subsequently the subject SEE has been prepared to obtain development consent from Northern Beaches Council.

4.0 Description of the Proposed Development

The application seeks approval for ventilation stacks associated with the recently approved vehicle body repair workshop within the existing Unit 1 warehouse at 100 Old Pittwater Road, Brookvale.

This development forms part of the broader scope of works approved under CDC 6180/0 for a change of use for a vehicle body repair workshop and an internal fit-out of the existing tenancy to meet the operational needs of Repair Hub. The proposed ventilation stacks will be consistent with the operations of the approved vehicle body repair workshop.

The application seeks approval for minor external alterations to the existing vehicle body repair workshop for 13 ventilation stacks. The proposed ventilation stacks are intended to expel air and vapour that is released from the spraying processes undertaken as part of the Repair Hub operations. The ducts will be fitted with exhaust filters which will stop the particles but not vapour or aromatic compounds that may be in the chemicals released by the spraying process.

The ventilation stacks will be located wholly within the property boundary and will be setback no less than 3.5m from the northern site boundary (adjoining Lot 1 on SP41226) to reduce impacts on amenity.

The current roof profile of the Unit 1 warehouse has a 5 degree pitch with a maximum height of 7.6m. The highest ventilation stack will be a maximum of 3m from the roof or 10.6m from ground level. The current roof profile is not proposed to be changed as part of the proposal.

Drawings detailing the location and details of the ventilation stacks are provided in the Design Plans prepared by Lowbake Australia Pty Ltd in **Attachment A**. The location of the proposed ventilation stacks are show in **Figure 3**. Details of the proposed ventilation stacks sought for the approval are provided below in **Table 1**.

Table 1 Schedule of proposed ventilation stacks

Stack	Ventilation stack type	Specification	Hight	Setback from site boundary
1	Clean Station Exhaust	This ventilation stack has a flow rate of 1,200 L/S. It has a 400 SQ exhaust duct and 500 SQ penetration.	3,116mm high from roof 9,600mm high from ground level	4,590mm
2	Priming Bay 1 Exhaust	This ventilation stack has a flow rate of 4,880 L/S. It has a 700 SQ exhaust duct and 800 SQ penetration.	3,073mm high from roof 9,632mm high from ground level	4,378mm
3	Priming Bay 1 Intake	This ventilation stack has a 700 SQ exhaust duct and 800 SQ penetration.	1,515mm high from roof 8,180mm from ground level	5,378mm
4	Vac System	This ventilation stack has a flow rate of 4,880 L/S. It has a 100 exhaust duct.	3,115mm from roof 10,098mm from roof	
5	Priming Bay 2 Intake	This ventilation stack has a 700 SQ exhaust duct and 800 SQ penetration.	1,866mm from roof 8,380mm from ground level	5,471mm
6	Priming Bay 2 Exhaust	This ventilation stack has a flow rate of 4,880 L/S. It has a 700 SQ exhaust duct and 800 SQ penetration.	3,188 from roof 10,300 from ground level	5,856mm
7	Prep Bay 1 Intake	This ventilation stack has a 700 SQ exhaust duct and 800 SQ penetration.	1,464mm from roof 8,780mm from ground level	5,471mm
8	Prep Bay 1 Exhaust	This ventilation stack has a flow rate of 4,880 L/S. It has a 700 SQ exhaust duct and 800 SQ penetration.	2,986mm from roof 10,600mm from ground level	5,610mm
9	Mix Room Exhaust	This ventilation stack has a flow rate of 1,200 L/S. It has a 400 SQ exhaust duct and 500 SQ penetration.	1,436mm from roof 8,717mm from ground level	4,690mm
10	Booth 1 Intake	This ventilation stack has an 875 SQ exhaust duct and 975 SQ penetration.	1,436mm from roof 8,717mm from ground level	4,047mm
11	Booth 1 Exhaust	This ventilation stack has a flow rate of 1,200 L/S. It has an 875 SQ exhaust duct and 975 SQ penetration.	3,091mm from roof 10,250mm from ground level	4,003mm
12	Booth 2 intake	This ventilation stack has an 875 SQ exhaust duct and 975 SQ penetration.	1,703mm from roof 8,566mm from ground level	4,385mm
13	Booth 2 Exhaust	This ventilation stack has a flow rate of 6,000 L/S. It has an 875 SQ exhaust duct and 975 SQ penetration.	3,131mm from roof 10,100mm from ground level	4,043mm

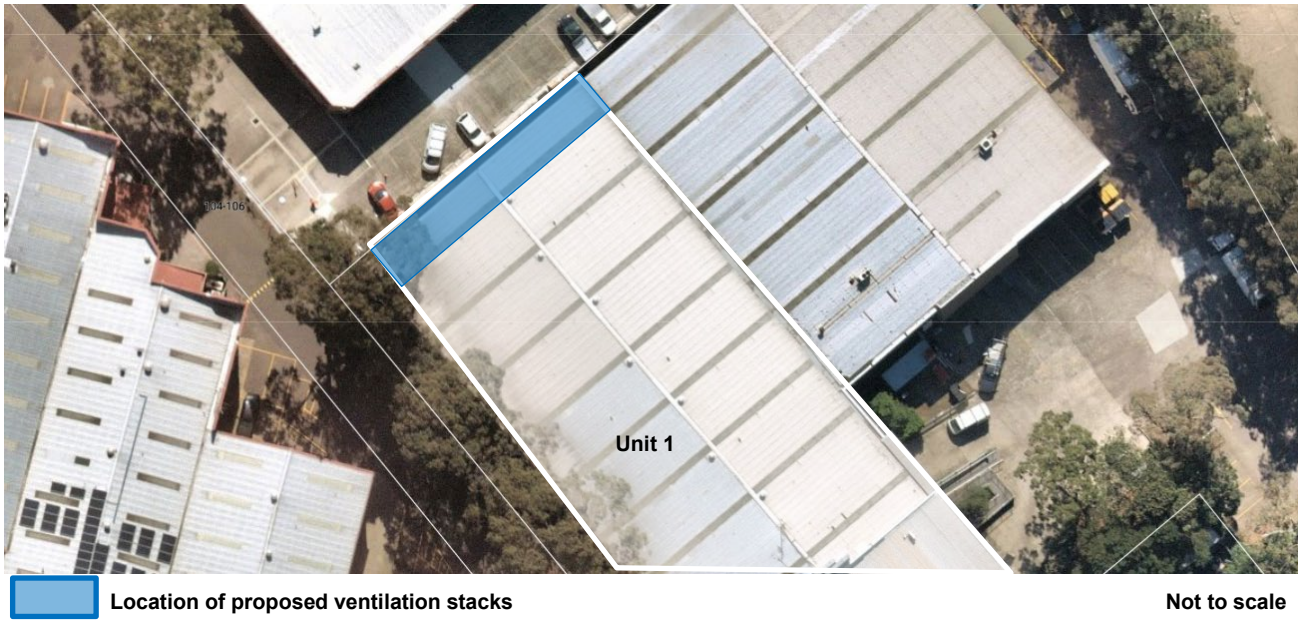


Figure 2 Location of proposed ventilation stacks on Unit 1 roof

Source: NearMap, 2020

5.0 Planning Assessment

Under Section 4.15(1) of the EP&A Act, in determining a development application the consent authority must take into account a range of matters relevant to the development including the provisions of environmental planning instruments; impacts of the built and natural environment, the social and economic impacts of the development; the suitability of the site; and whether the public interest would be served by the development.

The assessment includes only those matters under Section 4.15(1) that are relevant to the proposal. The planning issues associated with the proposed development are assessed below.

5.1 State Environmental Planning Policy (Exempt and Complying Development Codes) 2008

A review of the *State Environmental Planning Policy (Exempt and Complying Development Codes)* (Codes SEPP) has been considered in the assessment of the application.

The recent vehicle body repair workshop approved under CDC 6180/0 identified that the proposed external ventilation stacks associated with the development did not comply with the development standards in Clause 5.8 (Commercial and Industrial Alterations Code) of the Codes SEPP.

Part 5, Subdivision 4 of the Commercial and Industrial Alterations Code identifies that installation of a mechanical ventilation system can only be specified as complying development if it meets the relevant development standards. Accordingly, an assessment against the development standards in Clause 5.8 has been undertaken in **Table 2**.

Table 1 Assessment criteria under section 5.8 of Subdivision 4, Part 5 of Codes SEPP

Assessment Criteria	Comments	Compliance
Development for mechanical ventilation systems must –		
(a) be located at least 3.5m behind the building line from any lot boundary, and	The ventilation stacks will be setback a minimum of 3.5m from the site boundary. See Vent Stack Location Plan in **Attachment A** for details.	Yes
(b) be designed so as not to emit noise exceeding an LAeq of 5 dB(A) above background noise when measured at any lot boundary, and	The ventilation stacks will not exceed the noise parameters detailed in (b).	Yes
(c) be located not more than 1m above the ridge of a pitched roof or 3m above a flat roof, and	The ventilation stacks will be a maximum of 3m from the existing roof which has a pitch of 5 degrees. See Elevation Plan in **Attachment A** for details. As the proposed ventilation stacks were unable to proceed via a Complying Development Certificate in accordance with the Code SEPP, a Development Application is submitted to Northern Beaches Council for the component of works.	No
(d) not relate to the cooking of food at the premises by barbecue or charcoal methods, and	The ventilation stacks are proposed to expel air and vapour that is released from the spraying processes undertaken as part of the Vehicle Repairhub operations.	N/A
(e) if it is located on bush fire prone land—be constructed or installed so that any opening is sealed against the entry of embers.	The northern boundary of the site is partially mapped as Bushfire Prone Land, being a Vegetation Buffer area. The ventilation stack can be conditioned to meet the relevant requirements.	Yes – see section 5.4.6 for details.

The proposed ventilation stacks exceed the 1m height limit as specified in item (c) of Clause 5.8 of the Codes SEPP therefore, this component of the development cannot be considered complying development.

The subject SEE has been prepared to assess the proposed ventilation stacks against the relevant matters under the EP&A Act and will be lodged to the relevant assessing authority, being Northern Beaches Council.

5.2 State Environmental Planning Policy No. 55 – Remediation of Land

The provisions of the *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55) have been considered in the assessment of the development application.

The likelihood of encountering contaminated soils on the subject site is considered to be extremely low given the proposed development will not alter the existing conditions of the natural ground level.

On this basis, the site is considered suitable in its present state for the proposed development. No further investigations of contamination are considered necessary.

5.3 State Environmental Planning Policy (Infrastructure) 2007

The provisions of the *State Environmental Planning (Infrastructure) 2007* (Infrastructure SEPP) have been considered in the assessment of the development application.

The subject premises is not on land in or adjacent to the road corridor for a freeway, a tollway or a transitway, nor is the land adjacent to a busy road with an annual average daily traffic (AADT) volume of more than 40,000 vehicles or any other road with an (AADT) volume of more than 20,000 vehicles or high level truck movements or bus traffic.

Accordingly, the proposal is consistent with the provisions of the Infrastructure SEPP and is acceptable.

5.4 Warringah Local Environmental Plan 2011

5.4.1 Land Use Definition

The site is currently approved for use as a *vehicle body repair workshop* which is defined under the *Warringah Local Environmental Plan 2011* (Warringah LEP 2011) as:

> ***vehicle body repair workshop*** *means a building or place used for the repair of vehicles or agricultural machinery, involving body building, panel building, panel beating, spray painting or chassis restoration.*

The proposed development is intended to support this existing and approved land use by establishing ventilation stacks to appropriately expel air and vapour released from the spraying processes undertaken as part of the Repair Hub operations.

5.4.2 Zone

The site is zoned within the IN1 (General industrial) zone under the provision of the Warringa LEP 2011.

The Warringah LEP 2011 identify the objectives of the IN1 General Industrial Zone as the following:

- *To provide a wide range of industrial and warehouse land uses.*
- *To encourage employment opportunities.*
- *To minimise any adverse effect of industry on other land uses.*
- *To support and protect industrial land for industrial uses.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area.*
- *To enable a range of compatible community and leisure uses.*
- *To maintain the industrial character of the land in landscaped settings.*

The proposed ventilation stacks will not alter the current use of the building as a *vehicle body repair workshop* which is permitted with consent within the IN1 (General industrial) zone.

The proposed ventilation stacks are consistent with the objectives of the IN1 Zone, in that they will:

- Support the function of an approved industrial land use that services the employment needs of the local area;
- Not impact the viability of existing industrial land uses in the surrounding area;
- Be designed and located to avoid impacts on the amenity of adjoining land uses; and
- Be located on the rear of the warehouse and substantially setback from the street (by 230m) to avoid impacts on visual amenity.

5.4.3 Minimum Lot Size

Clause 4.1 and the Lot Size Map in the Warringah LEP 2011 nominates a minimum lot size on the site of 4,000m^2. The site has an area of 9,239m^2 which is not proposed to be altered by the proposed development.

5.4.4 Building Height

Clause 4.3 and the Height of Buildings Map in the Warringah LEP 2011 nominates a maximum building height over the site of 11m. The proposed ventilation stacks are proposed to be a maximum of 3m above the existing roof profile and a maximum of 10.6m above ground. Subsequently, the proposed development is compliant with the maximum building height over the site.

5.4.5 Landslide Risk Land

Clause 6.4 and the Land Risk Map in the Warringah LEP 2011 identifies the site within Area A (slope <5) and Area B (flanking slopes 5 to 25). Risks associated with landslides on the site has been considered as part of the approved development on the site. The proposed ventilation stacks will be located on the roof of the approved warehouse building and will not increase the risk of landslides on the site.

5.4.6 Bushfire Prone Land

The northern part of the site is identified as being within the Vegetation Buffer of Bushfire Prone Land under the Warringah LEP 2011. Pursuant to Clause 5.11 of the LEP, the provisions of the NSW Rural Fire Service Guideline 5b for Bush Fire Prone Land Mapping applies to the development.

The proposed development will not affect any other matter considered in the Warringah LEP 2011.

5.5 Warringah Development Control Plan 2011

The proposal's compliance with the *Warringah Development Control Plan 2011* (Warringa DCP 2011) is provided in **Table 3**.

Table 3 Warringah Development Control Plan 2011 Compliance Assessment

Control	Response	Compliant
Part C2 – Traffic, Access and Safety		
Vehicular Access 1. Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives. 2. Vehicle access is to be obtained from minor streets and lanes where available and practical. 3. There will be no direct vehicle access to properties in the B7 zone from Mona Vale Road or Forest Way. 4. Vehicle crossing approvals on public roads are to be in accordance with Council's Vehicle Crossing Policy (Special Crossings) LAP-PL413 and Vehicle Access to Roadside Development LAP-PL 315. 5. Vehicle crossing construction and design is to be in accordance with Council's Minor works specification.	The subject site has a hatchet lot configuration with access from Old Pittwater Road which is identified as a minor distributor road. The site has its own dedicated access handle which accommodates two-way vehicle movement. This proposed development for ventilation stacks will support an approved vehicle body repair workshop within unit 1 on the site. The proposal will not alter the current site access arrangement which is considered to be appropriate for the approved vehicle body repair workshop. No vehicle crossing is proposed as part of the development.	Yes

Control	Response	Compliant
5.5.1.1 On-site loading and unloading 6. Facilities for the loading and unloading of service, delivery and emergency vehicles are to be: • appropriate to the size and nature of the development; • screened from public view; and • designed so that vehicles may enter and leave in a forward direction.	Service vehicles and servicing for the approved use will not be altered by the proposed development.	
Part C3 – Parking Facilities		
1. The following design principles shall be met: • Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site; • Laneways are to be used to provide rear access to carparking areas where possible; • Carparking is to be provided partly or fully underground for apartment buildings and other large scale developments; • Parking is to be located so that views of the street from front windows are not obscured; and • Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser. 2. Off street parking is to be provided within the property demonstrating that the following matters have been taken into account: • the land use; • the hours of operation; • the availability of public transport; • the availability of alternative car parking; and • the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles. 3. Carparking, other than for individual dwellings, shall • Avoid the use of mechanical car stacking spaces; • Not be readily apparent from public spaces; • Provide safe and convenient pedestrian and traffic movement; • Include adequate provision for manoeuvring and convenient access to individual spaces; • Enable vehicles to enter and leave the site in a forward direction; • Incorporate unobstructed access to visitor parking spaces; • Be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant places; • Provide on site detention of stormwater, where appropriate; and • Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1. 4. Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses. Where the carparking rate is not specified in Appendix 1 or the WLEP, carparking must be adequate for the development having regard to the objectives and requirements of this clause. The rates specified in the Roads and Traffic Authority's Guide to Traffic Generating Development should be used as a guide where relevant. 5. Adequate provision for staff, customer and courier parking, and parking and turning of vehicles with trailers must be provided if appropriate to the land use.	The proposed development is for ventilation stacks to support an approved vehicle body repair workshop. Car parking is provided on both sides of the access handle and near the entrances to each of the industrial units. Carparking is setback at the rear of the property to the greatest extent possible on the hatchet lot. The access arrangement allows for two-way vehicle movement and sufficient vehicle turn-around space for a heavy vehicle. Given the industrial nature of the approved use, off street parking is considered appropriate. Based on the lease terms, Repair Hub would have access to 40 car parking spaces on-site. According to Appendix 1 (Car Parking Requirements) a vehicle repair station requires 1.3 spaces per 100m^2 GFA. The Unit 1 warehouse has a GFA of 1,857m² therefore, 25 car parking spaces are required. The 40 car parking spaces available to Repair Hub exceeds the minimum carparking requirement. The carparking numbers have been approved as part of the CDC for the vehicle body repair workshop. The proposed ventilation stacks for the warehouse does not propose to alter the carparking requirements.	Yes

Control	Response	Compliant
6. For bulky goods premises adequate on-site parking spaces for service/delivery vehicles at a convenient location, separated from customer parking must be provided. 7. Where appropriate, car parking which meets the needs of people with physical disabilities must be provided in accordance with the relevant Australian Standard. 8. For Forest Way Village car parking at ground level is to be provided for individual units.		
Part C4 – Stormwater		
1. Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like. 2. The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management Policy.	The proposal does not involve any changes to the existing stormwater management system as the proposed ventilation stacks will be contained within the existing and approved building envelope. The stormwater management conditions in CDC no. 6180/0 apply to the proposed development.	Yes
Part C8 – Demolition and Construction		
1. All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	The waste management conditions in CDC no. 6180/0 apply to the proposed development.	Yes
Part C9 – Waste Management		
1. All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.	The waste management conditions in CDC no. 6180/0 apply to the proposed development.	Yes
Part D10 – Building Colours and Materials		
1. In highly visible areas, the visual impact of new development (including any structures required to retain land) is to be minimized through the use of appropriate colours and materials and landscaping. 2. The colours and materials of development on sites adjoining, or in close proximity to, bushland areas, waterways or the beach must blend in to the natural landscape. 3. The colours and materials used for alterations and additions to an existing structure shall complement the existing external building façade. 4. The holiday/fisherman shack character of the waterfront of Cottage Point is to be enhanced by the use of building materials which are sympathetic to the small timber and fibro cottages currently in existence on the waterfront. All buildings visible from the water are to utilise materials such as weatherboard, fibre cement, corrugated steel and timber. The use of masonry is discouraged.	The proposed materials of the ventilation stacks will be compatible with the existing warehouse on site. The stacks will be setback a minimum of 3.5m from the site boundary to reduce visual impacts on adjoining land uses. The ventilation stacks are consistent with the approved use on the site and is compatible with the industrial uses in the direct vicinity of the site.	Yes
Part D11 – Roofs		
1. Lift overruns, plant and other mechanical equipment are not to detract from the appearance of roofs. 2. Roofs should complement the roof pitch and forms of the existing buildings in the streetscape. 3. Articulate the roof with elements such as dormers, gables, balconies, verandahs and pergolas. 4. Roofs shall incorporate eaves for shading. 5. Roofing materials should not cause excessive glare and reflection.	The ventilation stacks will be located on the warehouse roof and cannot be located internal to the building as it is required to expel air and vapour that is released from the spraying processes undertaken as part of the Repair Hub operations. The ventilation stacks will protrude a maximum of 3m from the existing roof profile. They will be positioned no less than 3.5m from the site boundary to reduce impacts on the amenity of	Yes

Control	Response	Compliant
6. Service equipment, lift overruns, plant and other mechanical equipment on the roof shall be minimised by integrating as many services, etc as possible into the building.	adjoining land uses. The position of the stacks will be at the rear of the warehouse which is significantly separated from the frontage of the site due to the hatchet lot configuration therefore, impacts on the visual amenity of the streetscape will be avoided. The ventilation stacks are consistent with the approved use on the site and is compatible with the industrial uses in the direct vicinity of the site.	
Part D19 – Site Consolidation in the R3 and IN1 Zone		
1. Development shall not result in adjacent allotments that have areas or dimensions, or are constrained in other ways, that would render such allotment(s) incapable of being developed in accordance with Warringah Local Environmental Plan. 2. Lots are to be consolidated where necessary to ensure the development of one allotment will not render an adjoining one unsuitable for future development. 3. For residential development in the R3 zone private open space may extend to a minimum of 3.5 metres from a side boundary. 4. For residential development in the R3 zone basement carparking structures may be positioned up to a minimum of 2 metres from the side boundary but not be more than 1 metre above ground level. Exceptions Where allotment size and dimension do not comply with other DCP requirements, variations to side boundary envelopes and side setbacks may be considered on merit to allow the consolidation of allotments for medium density housing.	The site is located in the IN1 zone. The proposed development for ventilation stacks does not involve reconfiguration of a lot.	N/A
Part D20 – Safety and Security		
1. Buildings are to overlook streets as well as public and communal places to allow casual surveillance. 2. Service areas and access ways are to be either secured or designed to allow casual surveillance 3. There is to be adequate lighting of entrances and pedestrian areas. 4. After hours land use activities are to be given priority along primary pedestrian routes to increase safety. 5. Entrances to buildings are to be from public streets wherever possible. 6. For larger developments, a site management plan and formal risk assessment, including the consideration of the 'Crime Prevention through Environmental Design' principles may be required. This is relevant where, in Council's opinion, the proposed development would present a crime, safety or security risk. See *Crime Prevention and Assessment of Development Applications – Guidelines under Section 79C of the Environmental Planning and Assessment Act 1979* prepared by the Department of Urban Affairs and Planning (now Department of Planning). 7. Buildings are to be designed to allow casual surveillance of the street, for example by: a) Maximising the glazed shop front on the ground level so that views in and out of the shop can be achieved; b) Providing openings of an adequate size in the upper levels to maximise opportunities for surveillance; c) Locating high use rooms to maximise casual surveillance;	The proposed ventilation stacks are consistent with the approved industrial use on the site. Safety and security measures have been considered in the design of the approved development which incorporates lighting and clear pathways to entry/exit points.	Yes

Control	Response	Compliant
d) Clearly displaying the street number on the front of the building in pedestrian view; and e) Ensuring shop fronts are not obscured by planting, signage, awnings and roller shutters. 8. Casual surveillance of loading areas is to be improved by: a) Providing side and rear openings from adjacent buildings that overlook service areas and clear sight lines; and b) Providing adequate day and night lighting which will reduce the risk of undesirable activity. 9. Design entrances to buildings from public streets so that: a) Building entrances are clearly identifiable, defined, lit and visible; b) The residential component of a shop top housing development has a separate secure pedestrian entrance from the commercial component of the development; c) Main entrances are clearly identifiable; d) Pavement surfaces and signage direct pedestrian movements; and e) Potential conflict between pedestrians and vehicles is avoided. Exceptions Reference should be made to Part G4 Warringah Mall for site specific requirements.		
Part E11 – Flood prone land		
a) SITE LAYOUT AND BUILT FORM: The site layout and ultimate built form of the proposed development should be compatible with the flood risk. Site analysis and layout should incorporate flood risk as a critical element in site planning. b) PUBLIC INTEREST: The proposed development should not result in increased risk—to human life or damage to property or infrastructure—beyond acceptable limits. c) PRIVATE AND PUBLIC COSTS: The economic and social costs, which may arise from damage to property from flooding, should not be exacerbated by proposed development. d) FLOOD EFFECTS CAUSED BY DEVELOPMENT ACTIVITY: Development should not detrimentally increase the potential flood effects on other development or properties either individually or in combination with the cumulative impact of development that is likely to occur in the same floodplain. e) DRAINAGE INFRASTRUCTURE AND CREEK WORKS: Any proposed works on drainage infrastructure or natural creeks, whether or not carried out as flood modification measures, shall: a. Not cause adverse flooding impacts; b. Not result in a loss of flood storage; c. Increase protection of existing and proposed development; and d. Not have a detrimental impact on the environment. f) BUILDING COMPONENTS: Building components and materials likely to be affected by flood waters should be designed, built and installed so as not to be damaged by those floodwaters. g) STRUCTURAL SOUNDNESS: The proposed development shall be designed and constructed so that it remains structurally sound for its intended life taking	The site is identified within the Low Risk Flood Planning Precinct. A vehicle body repair workshop is identified as a business and industrial land use. Business and industrial development in the low flood risk category is only required to comply with the prescriptive controls relating to (F) FLOOR LEVELS: • F1: New floor levels within the development shall be at or above, the Flood Planning Level. A reduced Flood Planning Level may be considered only where it is permitted in this Development Control Plan. The structure must be flood proofed (wet or dry) to the Flood Planning Level. This control cannot be applied to critical or vulnerable uses. • F3: Where the lowest floor has been elevated to allow the passage of flood waters, a restriction shall be imposed on the title of the land, pursuant to S88B of the Conveyancing Act confirming that the undercroft area is not to be enclosed. • F8: The minimum floor level of any first floor additions shall be at or above the Probable Maximum Flood Level. The proposed development demonstrates compliance with F1, F3 and F8. The proposed ventilation stacks will be located on the roof of the approved Unit 1 warehouse building which has been constructed with consideration of the relevant Flood Planning Level. No alterations to the flood levels are proposed as part of the development.	Yes

Control	Response	Compliant
into account all the likely flood events during that lifetime. h) STORAGE OF GOODS: Goods that are likely to amplify the damages arising from flood events—including but not limited to pollutants and toxic chemicals—shall be stored so as not to find their way into floodwaters. i) FLOOD EMERGENCY RESPONSE: Proposed developments should only be permitted where effective warning time and reliable access is available for evacuation from an area potentially affected by floods to an area free of risk from flooding. Such an area may be within the same building where a shelter-in-place option is appropriate and achievable. The emergency response should be consistent with the Flood Emergency Response Planning for Development in Pittwater Policy where it applies to the land. The proposed development should have procedures in place (such as warning systems, signage or evacuation drills) so that people are aware of the need to evacuate and relocate goods and motor vehicles during a flood and are capable of identifying an appropriate evacuation route. j) FLOOR LEVELS: All floor levels within a proposed development shall be set at the required prescriptive level with additional consideration for the following: a. The passage of flood waters; b. The purpose for which that floor area is to used; c. The relationship with the surrounding roadways; d. The relationship with the existing building if the proposal is an extension; and e. Surrounding built form and streetscape. k) FENCING: Fencing shall be designed and constructed so that it does not impede and/or direct the flow of floodwaters, add debris to floodwaters or increase flood affectation on surrounding land.		

5.6 Visual impact

The proposed ventilation stacks will be located on the roof of the existing Unit 1 warehouse which has recently been approved for use as a vehicle body repair workshop for Repair Hub. The ventilation stacks are necessary to appropriately expel air and vapour released from spraying activities associated with the Repair Hub operations.

They have been designed to reduce visual amenity on adjoining land uses by complying with the maximum height limit of 11m as prescribed under the Warringah LEP 2011 and to be setback a minimum of 3.5m from the site boundary. The stacks will cover a small percentage of the warehouse roof area and will be setback a substantial distance from Old Pittwater Road to avoid adverse visual impacts on the public realm.

The proposed development is necessary to support an existing approved development within the Unit 1 warehouse and is consistent with the industrial character of the area.

5.7 Economic and Social Impacts

The proposed development will have no adverse environmental, social or economic impacts in the locality. Furthermore, the proposal is consistent with the objectives of the IN1 General industrial zone and is compatible with the approved industrial development on the site.

5.8 Site Suitability

The proposed ventilation stacks will support the approved vehicle body workshop within Unit 1 on the site and is consistent with the industrial nature of the site and surroundings.

The proposed ventilation stacks have been designed to not cause any undue environmental impacts to surrounding properties. They will be setback more than 3.5m from the site boundary and will include an exhaust filter to stop the chemical particles from the spraying process being released. The proposed works are necessary to ensure that emissions from the Repairhub operations are appropriately managed and released.

5.9 Public Notification

In accordance with Warringa DCP 2011 the development application will require notification for a 14-day period.

5.10 Public Interest

The proposed ventilation stacks are in the public interest as it:

- Will be consistent with the operations of the approved vehicle body repair workshop within the Unit 1 warehouse on site;
- Not impact the viability of existing industrial land uses in the surrounding area;
- Support the function of an approved industrial land use that services the employment needs of the local area;
- Will not create adverse amenity impacts on the public domain as it is setback from adjoining properties and incorporates exhaust filters to stop the chemical particles from the spraying process being released.

Granting approval to the proposed development will have no adverse impact on the public interest. The proposal will support the approved land use within the existing warehouse unit.

5.11 Building Code of Australia Compliance

Issues relating to BCA, fire safety and accessibility have been considered in the design and will be appropriately documented for the construction certificate.

6.0 Conclusion

The proposed development seeks development consent for the installation of 13 ventilation stacks to support the approved vehicle body repair workshop in the existing tenancy at Unit 1, 100 Old Pittwater Road, Brookvale.

This application has been assessed as satisfactory having regard to the Heads of Consideration under Section S4.15(1) of the EP&A Act, the provisions of Warringa LEP 2011 and all relevant Council DCPs, Codes and Policies.

In light of the merits of the proposal and in the absence of any significant adverse environmental, social or economic impacts, we recommend that the application be approved subject to standard conditions of consent.

Yours sincerely,

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