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**Sent:** 1/08/2019 3:33:42 PM  
**Subject:** Submission in relation to DA2019/0652  
**Attachments:** Submission in relation to Development Application 1-8-19.doc;

Dear Kelsey,  
Please find attached submission in relation to the Development Application.

Kind Regards,  
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## **Submission in relation to Development Application : DA2019/0652**

In relation to the above Development Application I would like to submit the following submission which strongly opposes the change of use.

Referring to the applicants submission in particular the “Statement of Environmental Effects” contains a lot of inaccuracies and assumptions and it doesn’t address numerous issues which will have a significant negative impact on the surrounding business’s.

1. The proposed use of Unit 27 / 1 – 3 Jubilee Ave, Warriewood does not meet the requirements of the IN2 Light Industrial zoning.

The definition of Light Industrial as per the current Pittwater Local Environmental Plan 2014 states:

**light industry** means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following:

- (a) high technology industry,
- (b) home industry.

**Note.**

Light industries are a type of industry—see the definition of that term in this Dictionary.

The definition of industrial activity is also clarified as being:

**industrial activity** means the manufacturing, production, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, cleaning, washing, dismantling, transforming, processing, recycling, adapting or servicing of, or the research and development of, any goods, substances, food, products or articles for commercial purposes, and includes any storage or transportation associated with any such activity.

The definition of industry is also clarified as being:

**industry** means any of the following:

- (a) general industry,
  - (b) heavy industry,
  - (c) light industry,
- but does not include:
- (d) rural industry, or
  - (e) extractive industry, or
  - (f) mining.

In accordance with the above definitions from the LEP a dog daycare and grooming parlour does not fall under any of the above definitions. It also doesn't meet and fit in with the outcomes that the LEP is trying to achieve in relation to what type of business's are suited to different zoning area's.

2. The Statement of Environmental Effects that has been submitted as part of the Development Application has clearly been prepared on the impacts to local residents as it clearly states "the closest residences are located on Burnt Close approximately 50m south of the subject unit" without taking into consideration any effects that the proposal will have on neighboring business's.
3. Section 2 of the SEE states that there is communal parking within the complex. There is no communal car parking available with the complex and each car space is allocated to a unit within the complex. There is also no car parking available on Jubilee Ave after around 7am each morning till around 4pm each afternoon. The employees will use most of the car spaces leaving very little if any spare spaces for their customers to park without having an effect on the overall access to complex for every other business located on the ground floor. Unit 27 is located directly opposite the entry / exit point for the whole of the ground floor servicing 18 individual business's.
4. Section 2 also states that the floor area is 366 square metres which is not correct.
5. Section 4 states under physical works that a new partition and dog enclosure will be built, however the DA itself shows a mezzanine floor being built at the rear of the premises.
6. Section 5.2 under Impact on the Environment states the development is appropriate for site given the existence of similar developments in the neighbourhood there are no other dog daycare or grooming parlours within the existing site.
7. The proposal creates no more employment opportunities than any other type of business would.
8. Relationship to adjoining development only refers to residential properties and totally ignores the impact on adjoining business's. Being located on the ground floor with a floor above separated by a concrete slab ensures that any noise echoes right through the whole ground floor area. As we also share a common wall with the proposed development the issue of noise has been circumnavigated in SEE and totally ignored. The effect of dogs continually barking during business hours will make it impossible for us to work having our office located along this common wall. The issue of noise impact on adjoining and other business has not been addressed.
9. Suitability of site. The proposed retail development is not consistent with the objectives of the IN2 Light Industrial zoning as per point 1. The proposed development will have a significant effect on adjoining business's as well as other business's located within the complex.
10. The Public Interest. The proposal is not appropriate and is not compatible with other business's located within the complex. The majority of business's located within the complex are wholesale type business's storing and distributing goods of various types. To allow a retail business consent to operate under IN2 Light industrial zoning is at complete odds with the Pittwater LEP. There are more suitably zoned areas located within the local area for such a development to proceed without any negative impact on the public interest.
11. The issue of waste storage and disposal has not been adequately addressed. The waste water generated will potentially have a significant impact on sewerage system.
12. Safety and security will not be enhanced as the complex is monitored by CCTV.
13. There are serious concerns regarding the safety of other users of the complex regarding unleashed and out of control dogs roaming around the immediate area. In addition to this there have been no plans or mention in the SEE to address the issue of dog droppings being managed while clients come and go from the premises. This alone will cause a substantial health hazard to other users of the complex.

14. On Friday 26<sup>th</sup> July a staff member from Unit 27 was seen taking at least 6 dogs out to do their business on the grassed area out the front of the complex. This area is used by different people to get out of their office's during lunch time and other breaks. This will now present a health hazard to all users of this grassed area once it is covered in dog droppings.
15. Over the last couple of weeks the business has clearly been in operation without consent. There have been at least 6 dogs on various occasions.
16. During the time the dogs were occupying next door we could clearly hear them in our office. This created an environment which meant it was hard to hear people talking on the phone and was very disruptive for us to carry on our business.
17. On Friday the 26<sup>th</sup> July there was so much noise coming out from Unit 27 that different people from around the complex came down to ask where and what was all the dog barking about. The noise that will be generated will have a negative effect on numerous business located within the immediate vicinity.
18. The Development Application states that a maximum of 8 dogs will be on the premises as part of the doggy daycare part of the business and another 2 as part of the grooming side of the business. These numbers are at odds with what other similar business within the Mona Vale / Warriewood area are needing for their respective business's to survive. They have advised that the business is not viable with these numbers and will have to operate with a larger number of dogs in order to be a sustainable business. This would indicate that the DA will not be complied with if permission is granted.

In conclusion it can be clearly seen that the type and location of the business that has submitted the Development Application is not suitable at unit 27 / 1 Jubilee Ave, there are far more suitable locations around the Mona Vale / Warriewood area. The business will have a major impact on the immediate business's surrounding them as well as other business's within our complex.

Kind regards,  
Tim Holland  
Managing Director