



271 Powderworks Road
INGLESIDE NSW

Proposed home industry and associated works

Statement of Environmental Effects

Prepared for iSA Designs
Issue V2 – J20084
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PROJECT DESCRIPTION

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Part	Contents
Part 1	Introduction
Part 2	Site and its locality
Part 3	Proposed development
Part 4	Town planning assessment
Part 5	Conclusion

1. Introduction

This is a statement of environmental effects (SEE) to accompany a development application for a home industry and associated works at 271 Powderworks Road, Ingleside.

The proposed development is described in architectural details by iSA Designs, project number DA_200629, issue 2 revision B dated 23 July 2020, including:

DA_000	Cover page
DA_001	Legend, General Notes & Regulatory Provisions
DA_002	Location & Context Details
DA_003	Survey Plan
DA_004	Site Analysis Plan
DA_005	Existing Garage Floor Plan
DA_006	Proposed Garage Floor Plan
DA_007	Construction Waste & Site Management Plan
DA_008	Erosion, Sediment Control Plan
DA_009	Notification Plan

Part 2 of this statement describes the site and its locality. Part 3 describes the proposal. Part 4 assesses the proposal under the relevant town planning controls. Part 5 of this statement provides concluding comments.

2. Description of the site and its locality

The subject site is 271 Powderworks Road, Ingleside (Figure 1), having the real property description of Lot 36, DP11594. It is on the northeastern side of Powderworks Road and is on the southwestern side of McLean Street. The property gains vehicular access from McLean Street.

The property is 30 metres wide and is around 250 metres long. The site area is 7,371 square metres. The property rises around 15 metres from McLean Road to the middle of the property and falls 15 metres from that middle area of the property to Powderworks Road. The property is characterised by heath like vegetation.

Existing on the property is a two storey plus attic dwelling house (Figure 2) and an outbuilding with an attic that is used for storage (Figure 3), along with a small shed, watertanks and an on-site sewage management system. The dwelling house and outbuilding are four metres from the northwestern side boundary.

The outbuilding is 7.6 metres in width and 10.0 metres in length and has an internal area of 69.12 square metres. The shed has two roller door openings in its southeastern side. One of the openings is 5.4 metres wide and is towards the southwestern side and the other is 2.4 metres wide and is towards the northeastern side. There is also a door into the shed within the southwestern wall.

The shed is accessed by a gravel driveway. The gravel driveway is accessed by an unformed driveway along the southwestern area adjacent to the dwelling. That gravel area is connected by an unformed driveway to McLean Street (Figure 4).



Figure 1: Location of the subject site, highlighted in yellow (Source: Six Maps)



Figure 2: Existing dwelling house on the subject site



Figure 3: Existing outbuilding on the subject site



Figure 4: Gravel driveway adjacent to the outbuilding and connection to the driveway

The locality is characterised by rural-residential, urban fringe development. The adjoining properties – 269 Powderworks Road to the southeast and 273 Powderworks Road to the northwest – have a similar extent and configuration to the subject site. Those properties are vacant, being characterised by heath-like vegetation.

The site is classified as being bushfire prone land.

3. Description of the proposed development

The proposal is to undertake a home industry within the ground level only of the existing outbuilding. The home industry is a distillery making spirits such as gin and vodka with a maximum production level of 100 x 700 millilitre bottles per day, equating to 1,400 litres per month. Once per month a two cubic metre amount of water will be transported to the premises in a utility vehicle. The utility vehicle will reverse to be adjacent to the flat surface of the internal use area for the proposed home industry. A manually operate loading device that is part of the utility vehicle will be used to move the water into the distillery water tank.

The proposal includes partitioning to separate the area adjacent to the roller door within the northeastern area of the outbuilding from the larger area in the southwestern area of the outbuilding. That larger area has an internal area of 49.11 square metres.

The proposal includes plumbing for a wash up area and handbasin adjacent to the northwestern side wall. There is a centralised preparation area, a distillery area and a storage area.

There will be one employee who does not reside at the property. A resident of the dwelling house will also be engaged in the home industry.

The work will be carried out in a manner that meets food-safety standards.

The use will not occur outside of the hours of 9am to 5pm weekdays.

The use does not involve any liquid waste other than minor amounts of flavouring essences that will discharge into a small tank built into the equipment and which will be disposed of at an approved waste management facility (the Waste Services NSW Kimbriki facility for the time being and if that changes in the future then another approved facility). There is no other waste other than minor amounts of waste such as ancillary office-related waste and the like. (The container that the water is delivered from is taken away by the deliverer of that water). That ancillary office component will be undertaken within the dwelling house. Those wastes will be managed in the way that general household waste is already managed.

The distillery process will not involve the use of any equipment that causes a noise level at the property boundary greater than 5dBA above background noise levels.

The distillery process will produce no air pollutants.

The proposed development is not integrated development as it does not require a Section 100B bushfire safety authority under the Rural Fires Act 1997.

4. Town planning assessment

Pittwater Local Environmental Plan 2014

The principal environmental planning instrument applicable to the subject site is *Pittwater Local Environmental Plan 2014* (PLEP2014), under which the site is zoned RU2 – Rural Landscape (Figure 5).

For the purposes of PLEP2014 the proposed use is defined as a “home industry”. “Home industry” is defined in the PLEP2014 *Dictionary* as:

home industry means a dwelling (or a building ancillary to a dwelling) used by one or more permanent residents of the dwelling to carry out an industrial activity that does not involve any of the following—

- (a) the employment of more than 2 persons other than those residents,
- (b) interference with the amenity of the neighbourhood by reason of the emission of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, traffic generation or otherwise,
- (c) the exposure to view, from any adjacent premises or from any public place, of any unsightly matter,
- (d) the exhibition of any signage (other than a business identification sign),

(e) the sale of items (whether goods or materials), or the exposure or offer for sale of items, by retail, except for goods produced at the dwelling or building,

but does not include bed and breakfast accommodation or sex services premises.

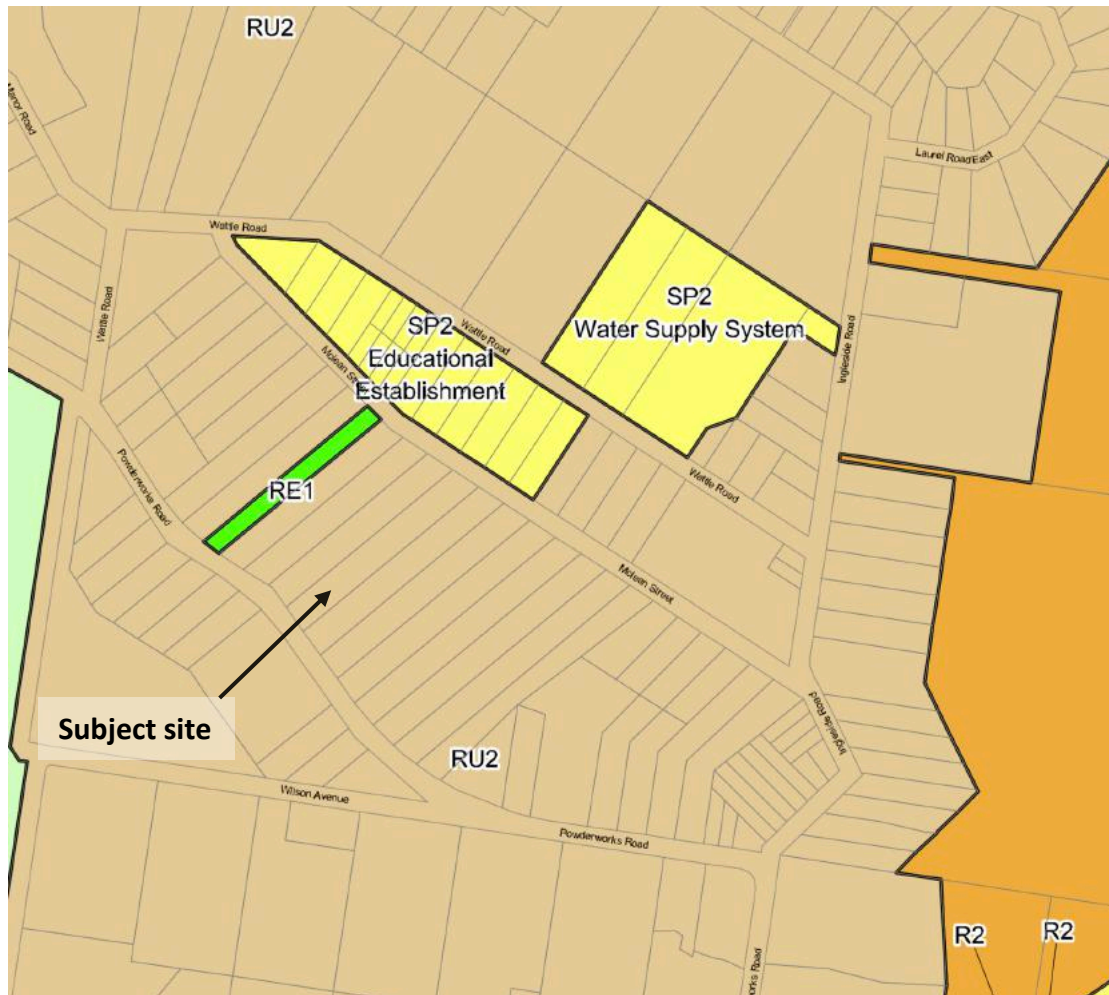


Figure 5: Extract from Pittwater Local Environmental Plan 2014 Land Zoning Map, marked to indicate the subject site

The proposal fits that definition because:

- The proposed use does not involve the employment of more than 2 persons. It only involves the use being carried out by one of the residents and one other employee.
- The proposed use involves no significant noise and is within an enclosed area. The spirits distillery process does not involve plant equipment making significant levels of noise. There will be minimal numbers of deliveries – no more traffic than would normally be associated with a dwelling house will be generated. There is no smoke or other air pollutants generated. There are no other matters affecting the neighbourhood involved.

- No items will be stored outside of the outbuilding.
- No signage is proposed.
- No retail sales will occur at the premises.

The proposed use does not fit the alternative categories of “home occupation” or “home business” because the proposal involves an “industrial activity”, being the production of food, and is therefore described in the definition for “home industry” but is not described in the definitions for “home occupation” or “home business”.

“Home industries” are permitted in the RU2 zone with the consent of Council. As such, consent is sought for the proposal.

The zone objectives are:

- *To encourage sustainable primary industry production by maintaining and enhancing the natural resource base.*
- *To maintain the rural landscaped character of the land.*
- *To provide for a range of compatible land uses, including extensive agriculture.*
- *To ensure that development in the area does not unreasonably increase the demand for public services or public facilities.*
- *To minimise conflict between land uses within this zone and land uses within adjoining zones.*

The proposal is not antipathetic to those objectives and is consistent with the third objective because the proposed land use is compatible with existing land uses. It is compatible because the use essentially does not alter the established use of the property as a dwelling house – the use occurs within an established outbuilding that is ancillary to the dwelling house.

The proposal does not increase the demand for public services beyond that already demanded by the dwelling house. The site is not connected to water or sewer services and the use does not use a significant amount of energy. There will be only a small number of deliveries from the property (no more than one per day) and there are minimal numbers of deliveries of materials to the property, the main one being a twice-monthly delivery of water from a utility vehicle. The level of additional traffic is no more than is an ordinary part of use of the property as a dwelling house.

Clause 5.4(3) of PLEP2014 relates to home industries and provides that the home industry must involve the use of no more than 50 square metres of floor area. The proposal involves the use of 49.11 square metres of floor area and complies with that provision.

Clause 7.6 of PLEP2014 relates to biodiversity and is relevant to the subject site because the subject site is indicated on the PLEP2014 *Biodiversity Map* as a biodiversity area. The clause requires the consent authority to assess whether the proposed development will have an adverse impact on the ecological value of the site and related matters. In that regard, the proposed development is within an established enclosed structure and uses an established driveway. The proposal does

not involve any polluting discharges and will have no ecological impact. The proposal is therefore acceptable in relation to clause 7.6.

There are no further PLEP2014 provisions of particular relevance to the proposal.

Having regard to the foregoing, the proposal is acceptable in relation to PLEP2014.

Draft Environmental Planning Instruments

The NSW Department of Planning's LEPs Online System does not identify any draft local environmental plans that would be relevant to the subject site.

The site is within the area covered by the *Ingleside Draft Land Use and Infrastructure Strategy*. Under that strategy, the site would become an environmental management area. That strategy is not yet reflected in any current or draft environmental planning instruments. It is noted that the proposal involves the installation and use of equipment that is substantially able to be moved and the proposal will not involve any level of investment that would be contrary to the public interest in relation to the future implementation of the strategy.

Pittwater 21 Development Control Plan

Pittwater 21 Development Control Plan is applicable to the proposal.

Part A4.6 relates to the Ingleside locality. The locality statement describes the rural character of the locality. The proposal is not contrary to that character because it does not involve any new external structure and is a low intensity use.

Part B6.3 sets out off-street car parking requirements. It requires that two car spaces are provided per dwelling house. That requirement is complied with because car parking is provided elsewhere within the site.

Part C3 relates to industrial development. Those provisions are of particular relevance to industrial development on industrially zoned land and are not of particular relevance to home industries.

Part C3.19 relates to food premises design standards. The proposed development will be carried out in a manner that complies with those standards.

Part D6 relates to locality specific controls for the Ingleside locality. The provisions are not of particular relevance to the present proposal because the present proposal does not involve any new external building work.

Having regard to the foregoing, the proposal is acceptable when assessed under *Pittwater 21 Development Control Plan*.

Other assessment criteria

A Construction Certificate will be obtained for the proposal and at that time it will be ensured that the works are in accordance with the *Building Code of Australia* and other relevant building regulations.

Consideration of the impact of the proposal on the environment and of the suitability of the site for the proposal is addressed through assessment of the

proposal under relevant environmental planning instruments and under the development control plan.

It is noted that the site is within a bushfire affected area. However, the proposal does not involve the erection of any new structures and does not give rise to any new bushfire impact.

5. Conclusion

The proposal is to use an existing garage for a home industry, being a low intensity distillery producing a low volume of spirits. The proposal involves only one employee that does not reside at the dwelling house. The proposal does not involve any new external structures.

The proposal involves no polluting discharges. The proposal involves minimal deliveries of materials to the site and of products from the site.

The proposal has no discernible external impact.

The proposed development is acceptable and warrants the granting of consent.



Matthew Benson
Director – MB Town Planning Pty Ltd
11 August 2020 V2.