

# STATEMENT OF ENVIRONMENTAL EFFECTS

SECTION 96 MODIFICATION FOR INTERNAL FITOUT OF  
EXISTING COMMERCIAL OFFICE

**Suite 5&6, BUILDING 1, 106 OLD PITTWATER ROAD BROOKVALE 2100  
Lot 202, DP 707605**



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# 1. Executive Summary

## 1.1 Introduction

We herewith submit a **Statement of Environmental Effects** to support a Section 96 (1A) Modification application for the proposed internal modification of suite 5 & 6, building 1, 106 Old Pittwater Road Brookvale 2100; The real property description is Lot 202 DP 707605.

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

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

## 1.2 Existing Use Rights

The subject land is zoned **IN1 –General Industrial**

Under Warringah local Environmental Plan 2011 a commercial premises is prohibited.

A previous development consent was granted (2001/1720DA) for a third storey to an existing commercial office building with an occupation certificate being granted for this consent in 2003 (Application Number CC2001/1720/004). We submit herewith the occupation certificate issued by the PCA which supports our claim of existing use rights and is therefore this proposal should be permitted. Under provision of the Environmental Planning and Assessment Act 1979 section 106 this building is deemed to have Existing Use Rights as a commercial premises or office building.

# 2. Description of Proposal

## 2.1 Proposal

The proposed works involve internal alterations and additions of an existing office building approved by Warringah council. Suite 5 & 6 make up the second storey and consist of 286.5sqm, the proposal excludes the common foyer area. Suite 5 & 6 are currently occupied by Sheargold Property Developments Pty Ltd.

The modifications involves minor internal wall adjustments and removal of partition walls between suite 5 & 6 resulting in an open plan office with new finished surfaces.

The Fitout will involve the addition and replacement of existing office furniture.

Existing services will be utilised, subject to replacement and extension if deemed necessary during CC documentation.

An Accessible bathroom is proposed that will connect to existing services.

There will be no change to the external built form of the existing office building.

## 2.2 Supporting Information

In addition to this Statement of Environmental Effects, the DA is also accompanied by and should be read in conjunction with the following documentation:

- Architectural Plans ( Holly & Co)
- Site Plan ( Sheargold)
- Existing DA/CC ( Sheargold)
- Section 149 Certificate ( Northern Beaches Council)
- Cost Summary Report
- NCC Compliance Statement
- Fire Safety Statement

## 3. Statutory Planning Assessment

### 3.1 Warringah LEP

The proposed development does not comply with the current 2011 LEP, however the Building is entitled to Existing Use Rights as addressed within document .

Due to the fact that the proposed development is an existing that proposes no external modifications to an existing office building it is submitted that an assessment against other development standards in the LEP is not required as they do not apply or impact the development proposed.

### 3.2 Warringah DCP Compliance Table

The proposed development has been assessed against the relevant provisions of the Warringah Development Control Plan 2011 (DCP) as outlined in the following sections of this report.

PROVISIONS	ASSESSMENT
<b>Part B Built Forms</b>	
B6 Merit Assessment of Side Boundary Setbacks	<b>Not Applicable</b> It is not proposed to change the setbacks as this proposal only entails internal works.
B7 Front Boundary Setbacks	<b>Not Applicable</b> It is not proposed to change the setbacks as this proposal only entails internal works.
<b>Part C Sitting Factors</b>	
C2 Traffic, Access and Safety	<b>Not Applicable</b> The proposed development will not change the current pedestrian and traffic arrangements. Access will continue to be Via Old Pittwater Road
C3 Parking Facilities	<b>Not Applicable</b> The proposed development does not generate any new office floor space, it only proposes to renovate existing space. The proposal will not impact current staff, visitor or accessible parking spaces. The whole site (Owned by Sheargold Property Investments Pty Ltd previously known as Brabet Holdings Pty Ltd) has 196 Car spaces in total ensuring more than adequate parking.

C4 Stormwater	<b>Not Applicable</b> The proposal will not disrupt or have any detrimental effects on existing stormwater patterns as this proposal only entails internal works.
C4 Erosion and Sedimentation	<b>Not Applicable</b> The proposal will not disrupt or have any detrimental effects on erosion or sedimentation, as this proposal only entails internal works.
C8 Demolition and Construction	<b>COMPLIES</b> The proposal only entails minor demolitions works ( internal walls only) These works will be undertaken in accordance with relevant standards and Council Waste management guidelines.
C9 Waste Management	<b>COMPLIES</b> The disposal of construction waste will be undertaken in accordance with relevant standards and councils waste management requirements
<b>Part D Design</b>	
D3 Noise	<b>COMPLIES</b> Construction works will be carried out during standard construction hours. The proposed development will not result in any additional noise.
D7 Views	<b>Not Applicable</b> It is not proposed to change the building scale.
D8 Privacy	<b>Not Applicable</b> It is not proposed to change the building scale
D9 Building Bulk	<b>Not Applicable</b> It is not proposed to change the building scale
D10 Building Colours and Materials	<b>Not Applicable</b> It is not proposed to external change colours or materials
D11 Roofs	<b>Not Applicable</b> It is not proposed to change the external Roof area
D14 Site Facilities	<b>Not Applicable</b> It is proposed development will use existing Site Facilities, there will be no need for additional facilities.
D18 Accessibility	<b>COMPLIES</b> The Proposed development will improve user amenities especially with regard to accessibility within the office space that is being renovated by providing a disabled bathroom (there are currently no accessible or disabled bathrooms within the offices) as well as improving circulation areas around the office.
D21 Provision and location of Utility Services	<b>Not Applicable</b> The proposal will make use of the existing services to the building. No external alterations to services are required.
<b>Part E The Natural Environment</b>	
E2 Prescribed Vegetation	<b>Not Applicable</b> It is not proposed to change the building's footprint.
E4 Wildlife Corridor	<b>COMPLIES</b> A very small part of allotment is identified within the Wildlife corridor. The proposed works are internal and the existing building is outside the area and will not impact the corridor.

E5 Native Vegetation	<b>COMPLIES</b> A very small part of allotment is identified within the Native Vegetation area. The proposed works are internal and the existing building the native vegetation area.
E10 Landslip Risk	<b>COMPLIES</b> The proposal only entails internal Modifications, therefore the landslip risk in not affected.

### 3.3 Bush fire Prone Land

Part of the allotment is identified as being located within a bushfire prone area. The proposed development location is outside of the bushfire prone land boundary wholly within a pre-existing building – See Figure 1. Therefore we submit a Bushfire Report is not required to accompany the development application for internal alterations and additions to an existing building.

Included in this submission is the Annual Fire Safety Statement dated 14th February 2017. Proposed Internal works do not compromise or modify the fire safety measures in place.



Figure 1

## 4 Likely impacts of the development

### 4.1 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

The following matters are to be taken into consideration when assessing an application pursuant to section 79C of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines (*in italic*) to help identify the issues to be considered have been prepared by the Department of Planning & Environment. The relevant issues are:

#### Context & 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 immediate locality is characterised by a mix of industrial warehouse developments and office buildings. The proposed development does not propose to alter any built form characteristics and therefore will not result in an adverse impact on the character and amenity of the streetscape. Though although zoned for general industrial land use the site for many years has been transitioning away from the type of use in favour of more warehouse, distribution and service type uses (e.g. gyms/co working office space/dance studios, etc.) as well as pre-existing office uses. The proposal will renovate existing office space to provide high quality office space for a company that has operated from the site for over 30 years.

The site is not identified as having any heritage significance and the proposed works will not impact on any surrounding heritage listed properties.

The context and setting of the development has been discussed in detail in the body of this report

*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*

The minor nature of the works proposed and the fact that no external building alterations are proposed will ensure that there will be no adverse amenity impacts to adjoining properties

*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:*

- *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?*
- *travel demand?*

As no extra floor space is being generated by the proposal and the capacity of the space is being slightly reduced to create greater amenity for the workers in the space there is not expected to be any impact on access or traffic. An adequate number of vehicular parking spaces are provided for the development, within the existing car parking available at lot 106 Old Pittwater road. Additional end of trips facilities such as internal showers are being provided within the office space which have the potential to encourage bike usage and reduce motor vehicle dependency.

### ***Amenity (use, noise, hours of work)***

The proposed works are likely to result in some minor short term noise impacts associated with the construction works. However, these works will be carried out during standard construction hours and therefore are not expected to result in any significant noise emissions.

The building will continue to operate during daytime hours, from 9am to 5.30pm on Monday to Friday. This is consistent with the permitted hours of operation for the existing office use (approved under 2001/1720DA). Therefore the proposed use will not result in any noise impacts.

### ***Site design and internal design***

*iii) 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?*

The proposal involves an Internal fit out only in an existing office building. The built form aspects of the development are considered within the body of this report and are found to be acceptable and generally consistent with the relevant planning provisions in the LEP and DCP.

*iv) 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 works involve internal modification only. All works carried out will be in accordance with the BCA and relevant Australian Standards. It is envisaged the proposal will improve the health and safety of the occupants as well as the environmental efficiency of the building by creating a healthier workspace through initiatives such as internal efficient fixture upgrades (lighting, taps etc), lighting and HVAC sensors and smart thermostats, incorporation of indoor plants and greenery and incorporation of breakout spaces.



## Construction

V) *What would be the impacts of construction activities in terms of:*

- *the environmental planning issues listed above?*
- *site safety?*

The proposed works will be constructed in a safe and workmanlike manner and will not adversely impact the site. Impacts of construction will be managed appropriately in accordance with the relevant conditions imposed within the development consent and due disclosure of WHS protocols will be duly observed throughout the Fitout Process

### **4.2 The suitability of the site for the development - Section 79C(1)(c)**

*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?*

*Are the site attributes conducive to development?*

The proposed development involves internal modification to an existing building and will fit within the site boundaries. The proposal will not generate significant levels of transport demand. All utilities and services required for the development are already available to the building. There are no known characteristics of the site which will hinder the development occurring.

### **4.3 The public interest – Section 79C(1)(e)**

The works are not considered to result in any adverse impacts on the immediate environment. The proposal will not give rise to any adverse environmental, residential amenity or streetscape impacts. Through providing a high quality workspace with access, transport and sustainability improvements in a pre-existing building the proposal should be seen as beneficial to the public interest.

## 5 Conclusion

This SEE accompanies a development application that seeks consent for alterations and additions to an existing building.

A commercial office is not permissible under the IN1 General Industrial zone, however as stated in the report the building is subject to Existing Use Rights via previous council development consent, therefore allowing for the continued use as a commercial office.

The proposed development fits comfortably within the existing site and will not result in any unreasonable impacts on the amenity of surrounding development

The proposed development will not result in any environmental impacts. For reasons outlined in this Statement of Environmental Effects and having given due consideration to the matters pursuant to Section 79C of the EP&A Act as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal