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Statement of Environmental Effects

Subdivision Three (3) Lots into Two (2) Lots at 100
South Creek Road & 38 Orlando Road Cromer

Application to Modify A Consent (Section 96)
Submission
Roche Products Pty Limited

Issue	Author	Title	Date	Signature
Version 1	Wai Lau	Facilities Manager	17 th December, 2015	

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1. Introduction

This document forms a component of an application to modify a consent (section 96) on the existing approved subdivision of two (2) lots into three (3) lots under DA2014/0573.

The proposed amendment to the existing DA2014/0573 is to consolidate the subdivision from three (3) lots into two (2) lots as identified on the accompanying plan of subdivision prepared by CMS Surveyors.

Council has previously granted consent to a subdivision involving the subject land (DA2014/0573) with this submission relying on elements of Council's assessment in relation to such application. We also confirm that the drainage infrastructure required to effect such subdivision is detailed within, and forms a component of, the approved development application of child care centre (DA2014/0574).

The proposed amended subdivision will result in a lot with an area which meets the minimum prescribed pursuant to clause 4.1 of Warringah LEP 2011.

The proposed amended subdivision does not impact any heritage items of significance or impact any environmental issues related to the site previously identified.

2. Site Description and Location

The subject application relates to DP 394910, No 38 Orlando Road and DP 611332, No. 100 South Creek Road, Cromer.

Lot 1 is located on the corner of Inman Road and Orlando Road, Cromer and is within the Cromer Industrial Area. It is bounded on the eastern side by a private residential property and industrial land, Orlando Road to the north, Inman Road to the west and the existing Roche facility to the south. It slopes gently to the southwest and currently contains lawns, scattered trees, shrubs and a tennis court.



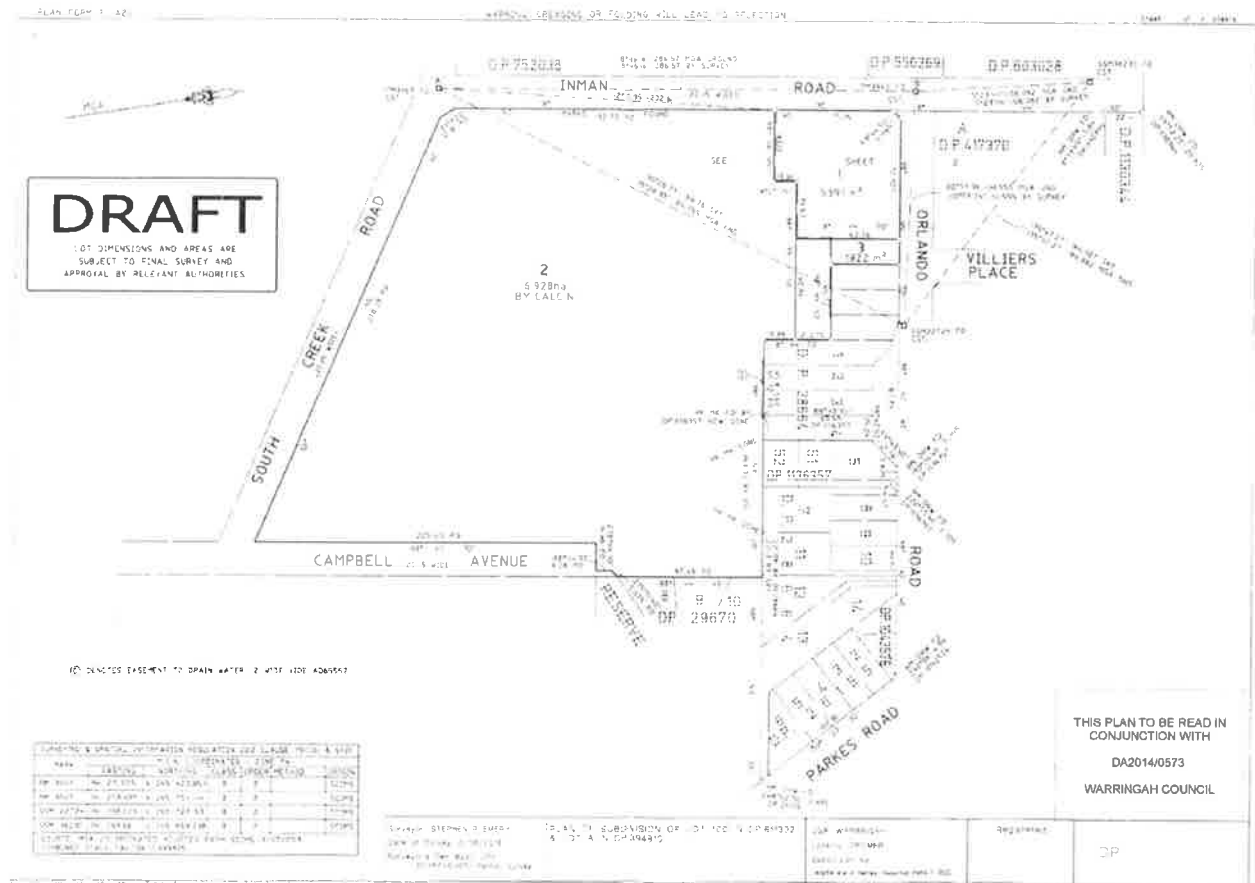
Figure 1 – View looking towards subject site from Orlando Road



Figure 2 – Aerial location map

3. Proposed Amendment to Existing DA

Roche Products Pty Limited is seeking an amendment to existing DA2014/0573 approved subdivision plans (Figure 3) to consolidate Lots 1 and 2 into one (1) Lot and Lot 3 remains unchanged.



The section 96 application proposes the subdivision to be of two (2) allotments as identified on the accompanying plan of subdivision prepared by Stephen R Emery (CMS Surveyors). The allotments will have the following site areas:

Lot Reference	Approved Area Size (DA2014/0573)	Proposed Lot Reference	Proposed Amended Area Size (Section 96)
Lot 1	5,391 sqm	Lot 1	74,671 sqm
Lot 2	6.928 ha		
Lot 3	1,922 sqm	Lot 2	1,922 sqm

4. Site Analysis

4.1 Access and traffic

The proposed amended subdivision does not impact access to the respective Lots. Access to the proposed Lot 1 is currently through existing gates on 4-10 Inman Road. Access to the proposed Lot 2 is direct frontage from Orlando Road.

4.2 Services and Utilities

Electricity, water, sewer and telecommunications services are currently provided to the Roche facility and are available in the road reserve near North West part of the site.

4.3 Current and past land use

Roche is not aware of any concerning contamination on (old) Lot 1.

As previously discussed with Council, Roche is aware of contamination issues on (old) Lot 2, being detected impacts from chlorinated solvents and petroleum hydrocarbons. However, these contaminants are not near the proposed amended subdivision consolidation where old Lots 1 and 2, will be consolidated into new Lot 1.

Furthermore, the identified contaminants are able to move in groundwater only in a down gradient direction ie. south and west. The contaminants cannot move against the groundwater flow direction. Vapours in soil can only move very short distances (eg, 10m) and there are no identified pathways on site whereby vapours could be transmitted up the hill far enough to impact the north easterly portion of the site, or off-site on the north and east boundaries. As such, ERM (Roche's environmental consultants) consider it very unlikely that there could be any effect on, or risk to, a preschool development off-site to the north east.

4.3 Tree Assessment

The proposed amended subdivision will not require the removal of any trees or vegetation. The proposal will not give rise to any adverse streetscape or amenity consequences.

4.3 Flora and Fauna Impact Assessment

The proposed amended subdivision will not impact existing flora and fauna.

4.4 Noise

The proposed amended subdivision is not adjacent to any major noise generating activities nor is its future use likely to generate noise levels incompatible with its industrial zoning and the surrounding land uses.

4.5 Bushfire

The Site is not indicated as bushfire prone in Council's bushfire mapping.

4.6 Air Quality

The proposed amended subdivision will have no impact on air quality.

4.7 Soil and Water

No excavation is proposed for the amended subdivision. It is acknowledged that future development would need to include appropriate soil and water management plans.

4.8 Drainage

The proposed amended subdivision does not impact or have an additional burden on drainage. The drainage infrastructure required to effect such subdivision is detailed within, and forms a component of, the development application of the approved child care centre DA0214/0574.

5. Statutory Planning Framework

5.1 General

The following section of the report will assess the amended development having regard to the statutory planning framework and matters for consideration pursuant to Section 79C 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.

5.2 Warringah Local Environmental Plan 2011

5.2.1 Zone and Zone Objectives

The subject property is zoned IN1 General Industrial pursuant to the provisions of Warringah Local Environmental Plan 2011 ("WLEP 2011"). Subdivision is permissible with consent in the zone. We have formed the considered opinion that the development is permissible in the zone and consistent with the zone objectives as outlined. Accordingly there is no statutory impediment to the granting of consent.

5.2.2 Minimum Subdivision Lot Size

Pursuant to clause 4.1 the size of any lot resulting from subdivision shall not be less than 4000sqm. The objectives of this clause are as follows:

- (a) to protect residential character by providing for the subdivision of land that results in lots that are consistent with the pattern, size and configuration of existing lots in the locality,

- (b) to promote a subdivision pattern that results in lots that are suitable for commercial and industrial development,
- (c) to protect the integrity of land holding patterns in rural localities against fragmentation,
- (d) to achieve low intensity of land use in localities of environmental significance,
- (e) to provide for appropriate bush fire protection measures on land that has an interface to bushland,
- (f) to protect and enhance existing remnant bushland,
- (g) to retain and protect existing significant natural landscape features,
- (h) to manage biodiversity,
- (i) to provide for appropriate stormwater management and sewer infrastructure.

The proposed amended subdivision Lot 1 meets the minimum area size requirements. However, proposed new Lot 2 (i.e. old Lot 3) having a site area of 1922 sqm is less than the development standard but previously approved under DA2014/0573 for childcare development DA2014/0574.

5.2.3 Heritage Conservation – Heritage Impact Statement

Pursuant to clause 5.10 the subject site contains a number of heritage items listed in Schedule 5 of WLEP 2011 namely:

Item I52 - Roche Building, 100 South Creek Road

Description:

Industrial/office building of off-form concrete with glass curtain walling. Assymetrical arrangement with hexagonal tower of off-form concrete with squatter glass-walled tower to east. Strong horizontal element provided by 3 storey office wing to west.

Statement of Significance:

A substantial & excellent example of an industrial complex in the late 20th Century international style. Displays high degree of integrity. One of first industrial

complexes set in substantial landscaped grounds. Socially significant due to landmark nature.

Item I53 - Givaudan-Roure Office, 96 South Creek Road

Description:

Single storey weatherboard cottage now converted to office use. Brick foundations. Terracotta tiled hipped roof with small gables on top. Exposed rafter ends. Square projecting bay windows to front with multi-paned casement windows. Retains residential character, set in gardens. Repair works to roof have occurred.

Statement of Significance:

A representative example of an inter-war dwelling. Displays good integrity with much original fabric. Historically it is a rare survivor of development of this area prior to release & development for industrial purposes.

Item I38 - Trees, Campbell Avenue

Description:

The eastern side of the Roche property contains numerous mature cultural plantings and remnant specimens. Amongst these are Figs, Pines, Camphor Laurels, Turpentine, Agonis species, Melaleuca species, Willows, Brush Box, Coral Trees, Elms, Planes, Jacarandas, Magnolias, Tree Ferns and Eucalypts. The northern section of the eastern boundary also contains several old Pine Trees dating probably from the turn of the 19th-20th century. These were not associated with the trees on former Lot 629, but on Lot 639 to the north of it.

Statement of Significance:

The collection of trees in the south-east sector of the Roche Products site, facing south Creek Rd and Campbell Ave at Dee Why have a moderate degree of heritage significance at the Local level. They have existed on this site since the turn of the 19th - 20th century and may have been associated with the nurseryman Charles Hirsch who owned the land immediately to the north during that period. They are esteemed by local residents and confer on the area a distinctive sense of place. While the trees are not individually rare, the presence in Dee Why of such a mixed collection of trees in good condition is.

None of these heritage items are located on the land proposed to be excised by this subdivision.

The other items being the Givaudan-Rouve office and the trees on the Campbell Avenue side of the Roche site are both located a considerable distance from the proposed subdivision being approximately 300 metres. Because the site is so large, and that the portion of the land the subject of this application does not contain any of the listed heritage items, it is considered that there will not be no physical impact upon the existing listed heritage items or their setting.

In relation to Aboriginal Archaeological and Cultural Heritage we rely on the report, dated 16th August 2012, prepared by Dominic Steele Consulting Archaeology submitted in support of DA 2012/1102 for the subdivision of the land the subject of the current application which was subsequently approved. We anticipate appropriate conditions being imposed on the consent consistent with those contained within the previous development consent.

5.2.4 Development on sloping land

The proposed amended subdivision does not involve any additional new construction type developments accordingly no geotechnical report is required.

However, the previous approved subdivision DA2014/0573 does contain geotechnical report, dated 21st May 2014, prepared by TGE which confirms the suitability and stability of the site having regard to the subdivision development. Such report satisfies the clause 6.4/ E10 provisions.

5.3 Warringah Development Control Plan

We have formed the considered opinion that the proposed subdivision does not defeat and DCP provisions including those contained at clause C1 – Subdivision. The proposal will not give rise to any adverse streetscape or amenity consequences.

5.4 Matters for Consideration Pursuant to Section 79C(1) of the Environmental Planning and Assessment Act 1979 as amended

Whilst consideration has been given to the matters for consideration pursuant to Section 79C of the Environmental Planning and Assessment Act, such considerations have not been detailed in the submission due to the minor nature of the works proposed and the paucity of associated impacts.

6. CONCLUSION

The application proposes changes to the approved subdivision from three (3) allotments into the proposed two (2) allotments.

We note that Council has previously granted consent to a subdivision in involving the subject land (DA 2014/0573) with this submission relying on elements of Council's assessment in relation to such application.

We also confirm that the drainage infrastructure required to effect such subdivision is detailed within, and forms a component of, the approved development application child care centre DA2014/0574.

We note that as the proposed amended subdivision results in a lot with an area below the minimum prescribed pursuant to clause 4.1 of Warringah LEP 2011. However, this lot with an area size below the minimum area size was approved under DA2014/0573. No change is proposed to this lot in this proposal.

The Site is suitable for subdivision and the proposed subdivision is permissible with consent and consistent with the objectives and prescriptive performance criteria outlined in Council's LEP and DCP. It is recommended that this proposal for amending the existing approved subdivision is approved by Council.

