

STATEMENT OF ENVIRONMENTAL EFFECTS

Change of Use to a
High Technology
Industry

10d/106 Old Pittwater
Road,
Brookvale

Suite 1, 9 Narabang Way Belrose NSW 2085

Phone: (02) 9986 2535 | www.bbfplanners.com.au

NOTE: This document is Copyright. Apart from any fair dealings for the purposes of private study, research, criticism or review, as permitted under the Copyright Act, no part may be reproduced in whole or in part, without the written permission of Boston Blyth Fleming Pty Ltd, 1/9 Narabang Way Belrose, NSW, 2085.

Statement of Environmental Effects

Change of Use to a High Technology Industry

10d/106 Old Pittwater Road, Brookvale

Prepared under instructions from

Shuffle Media

By William Fleming

BS, MPLAN
Boston Blyth Fleming Pty Ltd
(ACN 121 577 768)

Suite 1/9 Narabang Way
Belrose NSW 2085

Tel: (02) 99862535

February 2022

TABLE OF CONTENTS

1	Introduction.....	5
2	Site Analysis.....	6
2.1	Site Description and Location	6
2.2	Zoning and Key Environmental Considerations	7
3	Description of Development.....	8
3.1	Details of the Proposed Development.....	8
4	Statutory Planning Framework	9
4.1	Warringah Local Environmental Plan 2011	9
4.1.1	Zoning and Permissibility	9
4.1.2	Height of Buildings.....	10
4.1.3	Development on Sloping Land.....	10
4.1.4	Flood Planning	10
4.1.5	Bushfire Prone Land.....	10
4.2	Warringah Development Control Plan 2011	11
4.2.1	Built Form Considerations	11
4.2.2	Provision of Car Parking	11
4.2.3	Waste (garbage) storage and collection	11
4.2.4	Noise and Residential Amenity	11
4.3	Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 as amended.....	11
(i)	<i>Any Environmental Planning Instrument</i>	<i>11</i>
(ii)	<i>Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and</i>	<i>12</i>
(iii)	<i>Any development control plan</i>	<i>12</i>
(iiia)	<i>Any Planning Agreement that has been entered into under Section 7.4 or any draft planning agreement that a developer has offered to enter into under Section 7.4, and</i>	<i>12</i>
(iv)	<i>The Regulations (to the extent that they prescribe matters for the purposes of this paragraph), and.....</i>	<i>12</i>
(v)	<i>Any Coastal Zone Management Plan (within the meaning of the Coastal Protection Act 1979).....</i>	<i>12</i>
(b)	<i>The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality,</i>	<i>12</i>
(c)	<i>The Suitability of the Site for the Development</i>	<i>14</i>
(d)	<i>Any submissions received in accordance with this Act or the regulations.</i>	<i>15</i>
(e)	<i>The Public Interest.....</i>	<i>15</i>

5	Conclusion	16
----------	-------------------------	-----------

1 Introduction

This statement has been prepared as part of the supporting documentation for a Development Application in relation to the use of unit 10d, 106 Old Pittwater Road, Brookvale. The proposal relates to the use of the existing unit as a high technology industry.

The proposed use is consistent with the prescribe land uses permitted in the IN1 Industrial zone. The use will focus on the development of interactive, immersive and experiential marketing multimedia technologies. The technologies developed are design to facilitate brand engagement with various different clients.

The use does not raise any unreasonable amenity impacts nor result in unreasonable traffic generation.

A pre-lodgement meeting was undertaken with Northern Beaches Council and the advice received at that meeting is reflected in this application.

In addition to the Statement of Environmental Effects, the following also accompanies the application:

- Proposed Ground Floor Fit-out Plan
- Traffic report
- Bushfire risk assessment

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

- Environmental Planning and Assessment Act, 1979;
- Warringah Local Environmental Plan 2011 and
- Warringah Development Control Plan 2011

The proposal succeeds when assessed against the Heads of Consideration pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls applicable to the proposed use.
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

2 Site Analysis

2.1 Site Description and Location

The application relates to Lot 202 in DP 707605, 10d/106 Old Pittwater Road, Brookvale. An aerial photo location is included as **Figure 1**. Lot 10d is part of an industrial complex.



Figure 1: Site Location (Source: Six Maps)

The unit is part of a larger industrial development made up of several buildings on site. Development in the local area contains a mixture of industrial and supporting uses. Bushland is located to the west of the site.

The site is not heritage listed or located within a heritage conservation area or within the vicinity of any heritage items.

2.2 Zoning and Key Environmental Considerations

The site is zoned IN1 General Industrial pursuant to the Warringah Local Environmental Plan 2011. The site is identified as landslide risk category A, B and C and is a low risk flood zone.

3 Description of Development

3.1 Details of the Proposed Development

The Development Application proposes to use of the unit as a high technology industry.

The proposed business is proposed to operate seven days per week with 'showcase' events held outside normal business hours. The day to day operation of the business will be:

- 8am – 6pm Monday to Sunday

The business owner is the only person on site full time. The business model involves collaboration with other developers within the experiential and digital marketing industry which would be on an ad hoc basis and not directly employed by the business.

The existing fit-out of the unit will be utilised with the proposed uses of the spaces within the unit shown on the floor plan provided.

The business model is dependent on being able to showcase the technology being developed. It is not practical to travel to prospective clients to demonstrate the products as they can be cumbersome and time consuming with regard to dismantling and reassembling the technologies. It is important that the business be able to hold showcase events where prospective clients come to site and view the products. The showcase events are proposed to be after hours in the evenings predominately on Friday and Saturday nights.

The events are expected to be held approximately 1 – 3 times a month with a maximum of 150 clients. Some months may not have any depending on the need. Events will begin after 6pm and run till 12am. It is anticipated that prospective clients will not stay throughout the whole event.

4 Statutory Planning Framework

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 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 environmental impacts are discussed below.

4.1 Warringah Local Environmental Plan 2011

4.1.1 Zoning and Permissibility

The property is zone IN1 General Industrial pursuant to the Warringah LEP 2011. The objectives of the zone are as follows:

- *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.*

High Technology Industry is a type of Light Industry which is permissible with consent and is defined as:

high technology industry means a building or place predominantly used to carry out an industrial activity that involves any of the following—

- (a) *electronic or micro-electronic systems, goods or components,*
- (b) *information technology (such as computer software or hardware),*
- (c) *instrumentation or instruments of a scientific, industrial, technological, medical or similar nature,*
- (d) *biological, pharmaceutical, medical or paramedical systems, goods or components,*
- (e) *film, television or multi-media technologies, including any post production systems, goods or components,*
- (f) *telecommunications systems, goods or components,*

(g) sustainable energy technologies,

(h) any other goods, systems or components intended for use in a science or technology related field,

and includes a data centre, but does not include a building or place used to carry out an industrial activity that presents a hazard or potential hazard to the neighbourhood or that, because of the scale and nature of the processes involved, interferes with the amenity of the neighbourhood.

The business will be developing multimedia technologies to be used for experiential and digital marketing which includes the development of both the software and hardware associated with the products. Filming productions for commercials or photo shoots occur on an ad hoc basis with post production done on site.

It is considered that the use is permissible with consent and not an impediment for approval.

4.1.2 Height of Buildings

There is no change to the existing height of the building with the proposed development.

4.1.3 Development on Sloping Land

Pursuant to Clause 6.4 of the LEP, the site is identified as Land Slip Risk Area A, B and C. There are no physical works involved with the proposal and as such this development poses no landslip risk.

4.1.4 Flood Planning

The subject site is identified as being within a low risk flood planning precinct in the Warringah DCP. The proposal does not alter the existing building. As such, there are no impacts to flood behaviour in the area nor any risk to life and property associated with the proposed development.

4.1.5 Bushfire Prone Land

The site is identified as being bushfire prone land. This application is accompanied by a bushfire report.

4.2 Warringah Development Control Plan 2011

The relevant provisions of the Warringah Development Control Plan 2011 in relation the proposed works are detailed as follows:

4.2.1 Built Form Considerations

The proposal does not involve any changes to the three-dimensional form, massing or external appearance of the existing building or car parking circumstance.

4.2.2 Provision of Car Parking

This application is supported by a traffic and parking report prepared by RedSquare traffic. The site is unusual in that no dedicated parking is allocated to each unit however there are 18 spaces outside the unit which is shared predominately by the occupants in building 10.

The report states that traffic generation and parking demand is minimal during peak hours. The afterhours events to showcase the products are expected to generate approximately 60 additional trips which is considered acceptable due to the increase in available parking on site and on street.

4.2.3 Waste (garbage) storage and collection

The existing waste and garbage storage areas will be utilised on the site

4.2.4 Noise and Residential Amenity

It is considered that the proposal will not give rise to any unacceptable noise affection given the proposed use and location within an industrial area which comprises a mix of industrial and commercial uses. The premises is not located in proximity to residential areas and adjoins bushland. A plan of management has been provided detailing the extent of the events and processes in place to ensure amenity is maintained.

4.3 Matters for Consideration Pursuant to Section 4.15 of the Environmental Planning and Assessment Act 1979 as amended

The following matters are to be taken into consideration when assessing an application pursuant to S4.15 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 and Environment. The relevant issues are:

(i) Any Environmental Planning Instrument

The proposed use is permissible and consistent with the intent of the planning controls as they are reasonably applied to the proposed use on this particular site.

- (ii) *Any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

N/A

- (iii) *Any development control plan*

The proposal has been assessed against the relevant provisions of the Warringah DCP 2011.

- (iiia) *Any Planning Agreement that has been entered into under Section 7.4 or any draft planning agreement that a developer has offered to enter into under Section 7.4, and*

N/A

- (iv) *The Regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*

N/A

- (v) *Any Coastal Zone Management Plan (within the meaning of the Coastal Protection Act 1979)*

N/A

- (b) *The likely impacts of that development, including environmental impacts on both the natural and built environments and social and economic impacts in the locality,*

Context and Setting

- i. *What is the relationship to the region and local context in 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 three dimensional form and massing of the existing building is not altered as a consequence of the proposal.

- 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 three dimensional form and massing of the existing building is not altered as a consequence of the proposal.

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:

- *Travel Demand*
- *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*

The site is accessible by public transport and is adequately serviced with off street car parking spaces.

Public Domain

The proposed development will have no adverse impact on the public domain.

Utilities

Existing utility services will adequately service the development.

Flora and Fauna

N/A.

Waste Collection

Normal waste collection arrangements will continue to apply to the proposed development.

Natural Hazards

The site is located within a bushfire hazard area and low risk flood zone. A bushfire report has been provided.

Economic Impact in the Locality

The proposed use will have a positive impact on economic factors within the area and provide a specific service in the locality.

Site Design and Internal Design

i) *Is the development design sensitive to environmental considerations 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*

N/A.

ii) *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 use can comply with the provisions of the Building Code of Australia. The proposal complies with the relevant standards pertaining to health and safety and will not have any detrimental effect on the occupants.

Construction

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

- *The environmental planning issues listed above*
- *Site safety*

Normal site safety measures and procedures will ensure that no safety or environmental impacts will arise during construction.

(c) The Suitability of the Site for the Development

- *Does the proposal fit in the locality*
- *Are the constraints posed by adjacent development 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 site being of moderate grade, adequate area, and having no special physical or engineering constraints is suitable for the proposed use.

(d) Any submissions received in accordance with this Act or the regulations.

It is envisaged that Council will appropriately consider any submissions received.

(e) The Public Interest

The proposed use is permissible and consistent with the planning controls as they are reasonably applied to the proposed use.

It is considered that the public interest is best served in providing certainty in the planning process through encouraging development that satisfies the outcomes and controls contained within the adopted legislative framework. Accordingly, approval of the development would be in the public interest.

5 Conclusion

Having assessed the detail of the application against the applicable statutory considerations we have formed the considered opinion that the proposed use is permissible with consent in the IN1 General Industrial zone. The existing parking circumstance on the site will adequately service this use and the showcase events. It is consistent with the zone objectives and statutory considerations applicable to a light industry (high technology industry) on this particular site.

The proposed use will not give rise to any adverse environmental or residential amenity consequences and will provide for the orderly and economic use of the land. Having given due consideration to the matters pursuant to Section 4.15 of the Environmental Planning and assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.