

NORTHERN BEACHES COUNCIL

STATEMENT OF ENVIRONMENTAL EFFECTS

**DEVELOPMENT APPLICATION FOR ALTERATIONS AND SIGNAGE TO
EXISTING VEHICLE HIRE OR SALES PREMISES**

790 PITTWATER ROAD BROOKVALE NSW 2100

Prepared by Platinum Planning Solutions

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SITE DETAILS

Address	790 Pittwater Road Brookvale 2100
Lot on Plan	101/-/DP1010556
Local Authority	Northern Beaches Council
Local Environmental Plan	Warringah Local Environmental Plan 2011
Development Control Plan	Warringah Development Control Plan 2011
Zone	B5 Business Development, IN1 General Industrial
Overlays	Landslide Risk Land (Area A – Slope <5), Height of Building (11m), Local Aboriginal Land Council (Metropolitan), Minimum Lot Size (4000m ²)

DEVELOPMENT PROPOSAL DETAILS

Level of Assessment	Permitted with consent
Proposal Summary	Alterations and signage
Assessment Controls	Warringah Local Environmental Plan 2011, Warringah Development Control Plan 2011
Applicant	Centric Architects C/- Platinum Planning Solutions

REVISION DETAILS

Version	1.0
Prepared by	Will Thompson (BUrbanEnvPlan)
Signed	
Date	12/11/2021
Reviewed by	James Connolly (BUrbanEnvPlan, GCHM, MPIA)
Signed	
Date	12/11/2021

1.0 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Platinum Planning Solutions on behalf of Eagers Automotive Limited C/- Centric Architects (the applicant) to accompany a development application to Northern Beaches Council over land located at 790 Pittwater Road Brookvale (the subject site).

The development application seeks development consent for alterations and signage to an existing Jaguar Landrover premises. Please refer to the attached documentation and plans for further details on the proposed upgrade works.

This SEE provides the following:

- A description of the subject site and surrounding development;
- Detailed description of the proposed development;
- Assessment of the proposed development in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979;
- Assessment of planning considerations related to the proposed development.

The use is seen to be a desirable outcome for the subject site and will not impact on the amenity of the surrounding area. This Statement of Environmental Effects is to be read in conjunction with the attached plans and supporting documents.

2.0 SITE DESCRIPTION AND CONTEXT

2.1 Subject Site & Tenancy

The subject site is located at 790 Pittwater Road Brookvale 2100 and is formally described as Lot 101 on DP1010556. The subject is located within the B5 Business Development Zone and the IN1 General Industrial Zone of the Warringah Local Environmental Plan 2011 (WLEP 2011). The subject site has an overall area of approximately 3912m² and has a dual frontage to Harbord Road and Pittwater Road, as shown below in Figure 1 and 2.

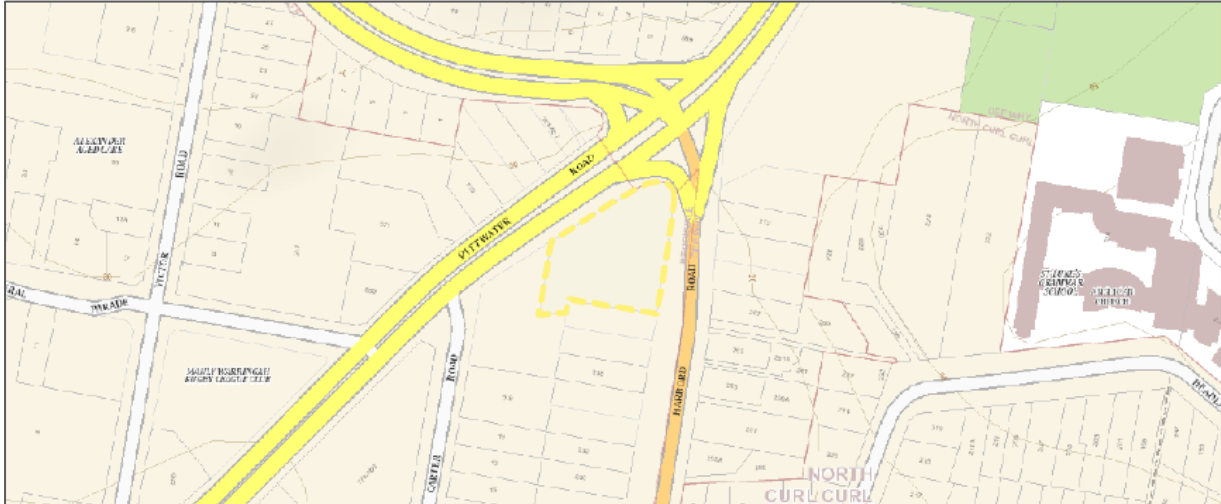


Figure 1: Subject Site Location



Figure 2: Subject Site Location

3.0 PROPOSED DEVELOPMENT

The aspects of the proposed development are as follows:

Aspect	Details
External Alterations	• Extend front lobby by 40.19m² with new frameless glazing and entry door • Box out new vestibule to align with fascia above entry • New aluminum cladding • New wall cladding to enclose fire hose reel • New box out façade corners • New entry breakout door • New columns to replace existing inclined columns • New frameless shopfront glazing • New front fascia with aluminum cladding
Signage	• 1 x 2100mm (W) x 6300mm (H) double sided pylon sign • 1 x 1666mm (W) x 745mm (H) Jaguar logo and letters • 1 x 1601mm (W) x 850mm (H) Landrover ellipse logo • 1 x 1438mm (W) Jaguar logo • 2 x 200mm (H) Northern Beaches Letters with 20mm spacing • 1 x 1201mm (W) x 638mm (H) internally illuminated Landrover logo with 420mm (H) Landrover Letters • 1 x 1050mm (W) x 2000mm (H) welcome totem

The proposal will be capable of complying with the BCA which will be the subject of a Construction Certificate.

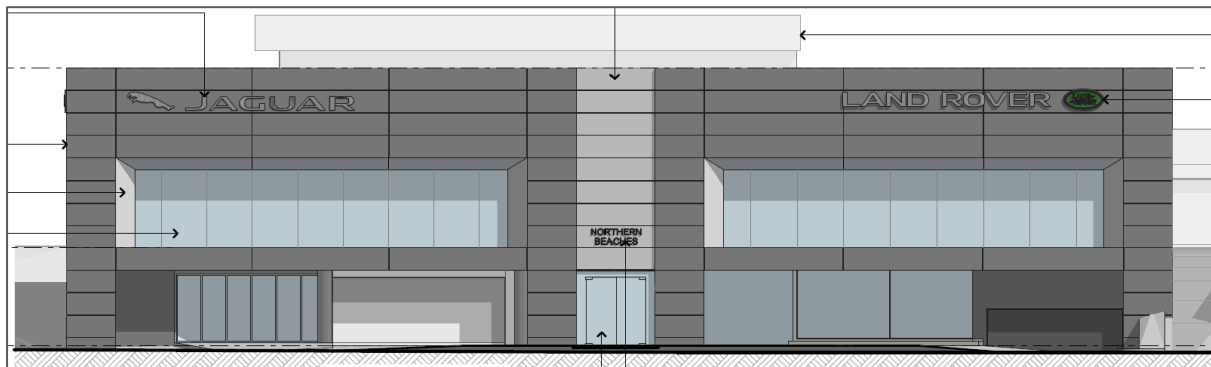


Figure 3: Front Elevation

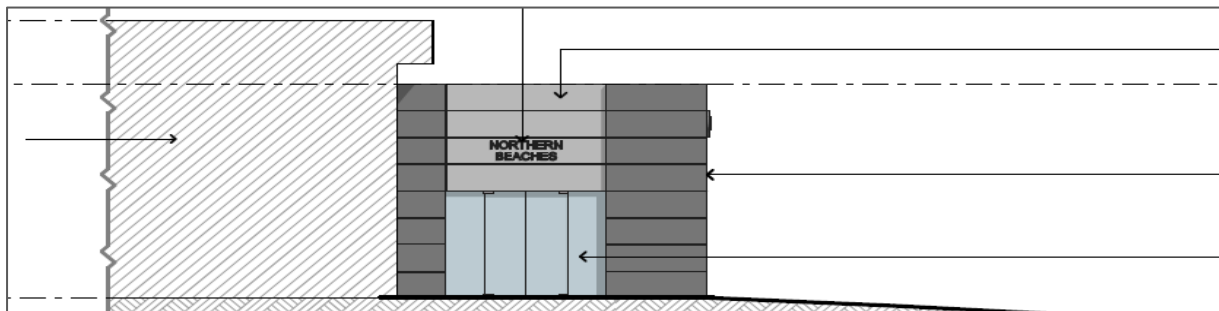


Figure 4: South Side Elevation

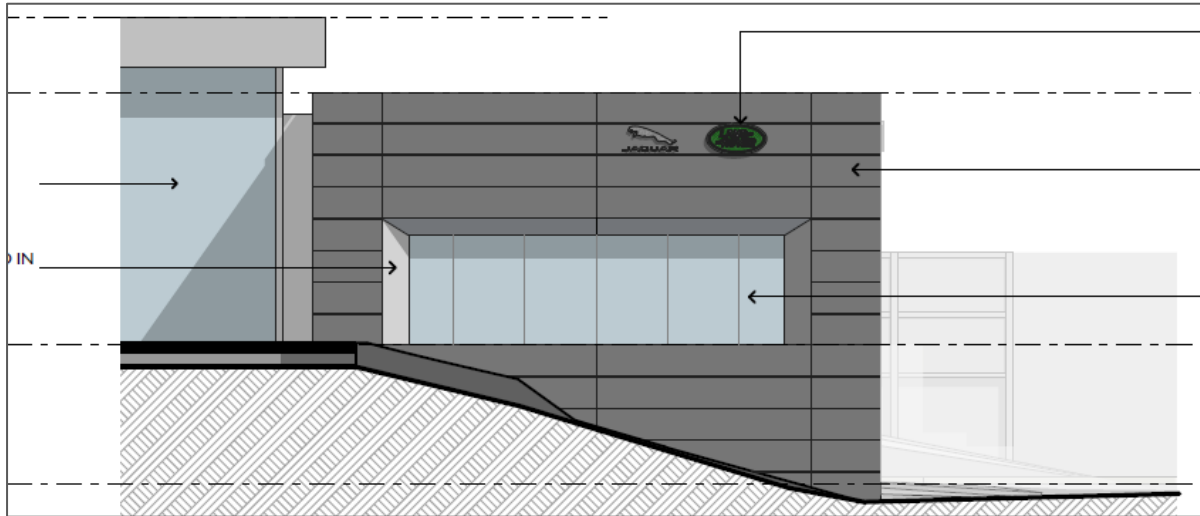


Figure 5: North Side Elevation

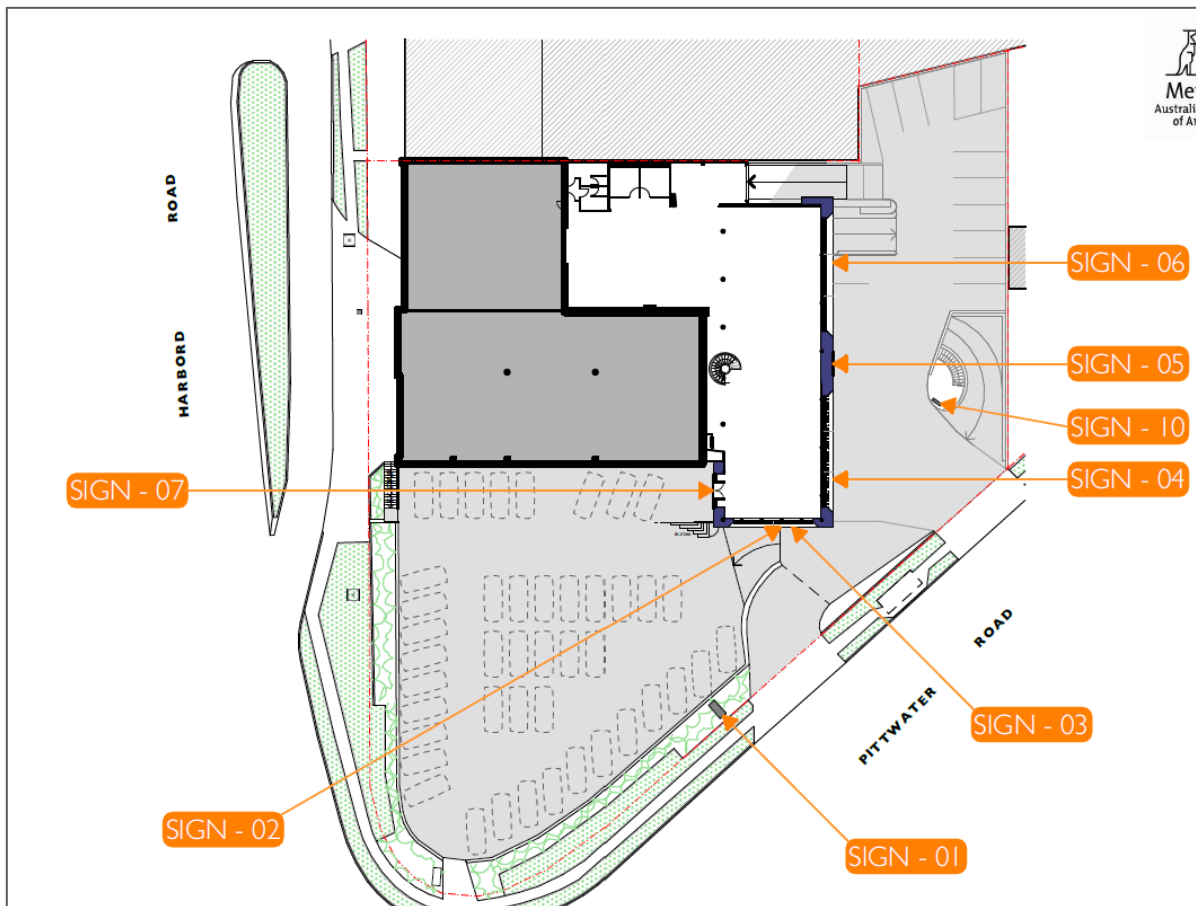


Figure 6: Signage Layout Plan

4.0 TOWN PLANNING ASSESSMENT

4.1 Environmental Planning and Assessment Act 1979

The Environmental Planning and Assessment Act 1979 (the Act) is the statutory planning instrument in New South Wales in which Council must use to assess development applications. In determining a development application, Council must take into consideration the following matters under Section 4.15 of the Act:

- a. *the provisions of:*
 - i. *any environmental planning instrument, and*
 - 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 Director-General has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*
 - iii. *any development control plan, and*
 - iv. *any planning agreement that has been entered into under section 93F, or any draft planning agreement that a developer has offered to enter into under section 93F, and*
 - v. *the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and*
 - vi. *any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates,*
- 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,*
- c. *the suitability of the site for the development,*
- d. *any submissions made in accordance with this Act or the regulations,*
- e. *the public interest.*

This Statement of Environmental Effects addresses the relevant provisions of the following planning instruments:

- Warringah Local Environmental Plan 2011
- Warringah Development Control Plan 2011
- State Environmental Planning Policy No 64 – Advertising and Signage.

A detailed Section 4.15 assessment is provided as part of this overall Statement of Environmental Effects and in Section 4.5 of this report.

4.2 Warringah Local Environmental Plan 2011

The Warringah Local Environmental Plan 2011 (LEP) is the principle local planning instrument that applies to the site.

4.2.1 Zoning & permissibility

The subject site is zoned B5 Business Development and IN1 General Industrial under the LEP. The subject tenancy is located within both of the above zones and complies with the objectives of both zones. The objectives of the B5 Business Development Zone are as follows:

- *To enable a mix of business and warehouse uses, and specialised retail premises that require a large floor area, in locations that are close to, and that support the viability of, centres.*

- *To provide for the location of vehicle sales or hire premises.*
- *To create a pedestrian environment that is safe, active and interesting by incorporating street level retailing and business uses.*

The objectives of the IN1 General Industrial 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.*

The proposed alterations and signage are permissible with consent in the zone. The works are seen to meet the intent of the zones and will not adversely affect the amenity of the surrounding area noting the established setting of the existing car dealership and surrounding uses, containing a number of similar uses. There are no residential premises or zones in the surrounding vicinity that will be impacted by the proposed works.

4.2.2 Height of buildings (Clause 4.3)

The use will not alter the height of the building, therefore Clause 4.3 of the LEP is not applicable.

4.2.3 Floor space ratio (Clause 4.4)

The subject site does not have a prescribed floor space ratio under the LEP, therefore Clause 4.4 of the LEP is not applicable.

4.2.4 Heritage conservation (Clause 5.10)

The site is not identified as a heritage item, and is not located within a heritage conservation area, therefore Clause 5.10 of the LEP is not applicable.

4.2.5 Acid sulfate soils (Clause 6.1)

The use does not involve any ground soil disturbance, therefore Clause 6.1 of the LEP is not applicable.

4.2.6 Earthworks (Clause 6.2)

The use does not involve any earthworks, therefore Clause 6.2 of the LEP is not applicable.

4.2.7 Flood planning (Clause 6.3)

The subject site is not identified as being flood affected therefore Clause 6.3 of the LEP is not applicable.

4.2.8 Development on sloping land (Clause 6.3)

The works does not involve any physical development to the natural slope of the land, with no alterations proposed to the existing ground level. The proposed use will not impact on the ground level or storm water runoff paths. Noting the existing established setting of the site and building footprint, there will be no risk associated with the proposed use. Therefore, the proposal is need to comply with Clause 6.4 of the LEP.

4.3 Warringah Development Control Plan 2011

The Warringah Development Control Plan 2011 (DCP) is the planning instrument that provides comprehensive development controls for the local area. The relevant matters to be considered under the DCP for the proposed development are outlined below.

4.3.1 Built Form Controls (Part B)

Control / Objective	Compliance	Comments
B1 Wall Heights	N/A	N/A not applicable as no change to the existing wall height is proposed.
B2 Number of Storeys	N/A	N/A not applicable as no additional storeys are proposed.
B3 Side Boundary Envelope	N/A	N/A not applicable as no change to the side boundary envelope is proposed.
B4 Site Coverage	Complies	While a minor extension of the front lobby is proposed, the extension is still with the footprint of the upper level and therefore no change to the site coverage is proposed.
B5 Side Boundary Setbacks	N/A	N/A not applicable as no change to the side boundary setbacks are proposed.
B6 Merit Assessment of Side Boundary Setbacks	N/A	N/A not applicable.
B7 Front Boundary Setbacks	N/A	N/A not applicable as no change to the front setback is proposed.
B8 Merit Assessment of Front Boundary Setbacks	N/A	N/A not applicable.
B9 Rear Boundary Setbacks	N/A	N/A not applicable as no change to the rear boundary setback is proposed.
B10 Merit Assessment of Rear Boundary Setbacks	N/A	N/A not applicable.
B11 Foreshore Building Setback	N/A	N/A not applicable.
B12 National Parks Setback	N/A	N/A not applicable.
B13 Coastal Cliffs Setback	N/A	N/A not applicable.
B1 Main Roads Setback	N/A	N/A not applicable.

4.3.2 Siting Factors (Part C)

Control / Objective	Compliance	Comments
C1 Subdivision	N/A	No subdivision is proposed as part of this development application.
C2 Traffic, Access and Safety	Complies	The access driveway and pedestrian access to the tenancy is existing and is considered appropriate. The subject site and tenancy has provision for on-site parking and loading areas and are appropriate noting the existing site constraints. No alterations is proposed to the existing site access.
C3 Parking Facilities	Complies	The on-site off-street parking spaces provided are existing and will be utilised by the subject tenancy.

Control / Objective	Compliance	Comments
C3(A) Bicycle Parking and End of Trip Facilities	N/A	No additional bicycle parking spaces are proposed as part of the refurbishments works.
C4 Stormwater	N/A	Existing stormwater management techniques in place.
C5 Erosion and Sedimentation	N/A	Existing erosion and sedimentation management techniques in place.
C6 Building over or adjacent to Constructed Council Drainage Easements	N/A	N/A no building over or adjacent to drainage easements proposed.
C7 Excavation and Landfill	N/A	N/A no excavation or landfill proposed.
C8 Demolition and Construction	Complies	Demolition of the existing front façade where necessary will be managed appropriately and under the supervision of appropriately qualified persons.
sC9 Waste Management	Complies	Waste will be managed appropriately and compliance with the appropriate waste management procedures and requirements can be conditioned on the DA as considered appropriate. Refer to attached Waste Management Plan.

4.3.3 Design (Part D)

Control / Objective	Compliance	Comments
D1 Landscaped Open Space and Bushland Settings	Complies	The subject site is not proposing to alter any existing landscaping or open space areas as the overall building footprint is to remain the same.
D2 Private Open Space	N/A	N/A not applicable.
D3 Noise	Complies	The proposed works will not have any adverse acoustic impacts.
D4 Electromagnetic Radiation	N/A	N/A not applicable.
D6 Access to Sunlight	N/A	The proposed alterations to the external façade and lobby area will not impact on the access to sunlight.
D7 Views	N/A	The proposed alterations to the external façade and lobby area will not impact on any views within the area.
D8 Privacy	N/A	The proposed alterations to the external façade and lobby area will not impact on the privacy of any adjoining tenancies.
D9 Building Bulk	N/A	The proposed alterations to the external façade and lobby area are considered an improvement to the existing façade and will not increase the dominance of the front façade in terms of bulk and scale.
D10 Building Colors and Materials	N/A	The proposed alterations to the external façade and lobby area are considered an improvement to the existing façade and will contribute the character of the area and respond appropriately to the streetscape in terms of visual aesthetics.

Control / Objective	Compliance	Comments
D11 Roofs	N/A	It is to be noted that there is no proposed alterations to the existing roof structure and only the parapet is being altered.
D12 Glare and Reflection	Complies	The proposed upgrade works are responsive the area and has been designed appropriately with consideration of glare and reflection.
D13 Front Fences and Front Walls	N/A	No front fences or walls proposed.
D14 Site Facilities	Complies	The subject site has the appropriate site facilities and waste areas.
D15 Side and Rear Fences	N/A	N/A no side or rear fences proposed.
D16 Swimming Pools and Spa Pools	N/A	No swimming pool or spa proposed.
D17 Tennis Courts	N/A	No tennis court proposed.
D18 Accessibility and Adaptability	Complies	Appropriate access will be provided and will be assessed as part of the Construction Certificate.
D19 Site Consolidation in R3 and IN1 Zone	N/A	No site consolidation is proposed.
D20 Safety and Security	Complies	The proposed uses addressed applicable CPTED principles including surveillance, access control, territorial reinforcement and space management.
D21 Provision and Location of Utility Services	Complies	Access to utility services is existing.
D22 Conservation of Energy and Water	Complies	Appropriate measures will be in place to ensure the conservation of energy and water.
D23 Signs	Complies with intent	The proposed signs are considered appropriate for the subject site and are seen to be a positive contribution to the site. The proposed pylon signage does not have a minimum 2.6m clearance above ground, however is a solid signage structure which extends down to the existing ground level and therefore will not be a hazard for the public. It is to be noted that the proposed pylon sign exceeds the allowable 4m² on any face however the area of the signage does not exceed 6m² and is appropriate given the nature and size of the subject site. The pylon sign is intended to replace an existing pylon sign in the same location and will not contribute to visual clutter. The sign will not be visually dominant within the streetscape and is consistent with signage normal to a car dealership. As such, the proposed area of the pylon sign warrants favourable consideration of Council. The proposed top hamper sign does not exceed more than 0.6m in height as the proposed letters are each 0.2m high.

Control / Objective	Compliance	Comments
		The remaining wall signs comply with the DCP requirements and are integrated into the design of the building. The signage when viewed overall gives a minimalist impression and is considered an appropriate way to identify the businesses services.

4.3.4 The Natural Environment (Part E)

Control / Objective	Compliance	Comments
E1 Preservation of Trees or Bushland Vegetation	N/A	N/A no trees or bushland will be impacted by the proposal.
E2 Prescribed Vegetation	N/A	N/A vegetation will be impacted by the proposal.
E3 Threatened species, populations, ecological communities listed under State or Commonwealth legislation, or High Conservation Habitat	N/A	The subject site is not identified as land known for potential habitat for threatened species.
E4 Wildlife Corridors	N/A	N/A no wildlife will be impacted by the proposal.
E5 Native Vegetation	N/A	N/A vegetation will be impacted by the proposal.
E6 Retaining unique environmental features	N/A	The proposal will not impact on any environmental features.
E7 Development on land adjoining public open spaces	N/A	The subject site is not identified as being land adjoining public open space.
E8 Waterways and Riparian Lands	N/A	The subject site is not identified as being within Waterways and Riparian Land areas.
E9 Coastline Hazard	N/A	The subject site is not identified as a Coastline Hazard area.
E10 Landslip Risk	Complies	The subject site is identified as Landslide Risk Land – Area A – Slope < 5 under the LEP. The use does not involve any physical development which would alter the existing ground level.
E11 Flood Prone Land	N/A	The subject site is not identified as being flood affected.

4.4 State Environmental Planning Policy No 64 – Advertising and Signage

State Environmental Planning Policy No. 64 (SEPP 64) aims to ensure that signage is compatible with the desired amenity and visual character of an area and regulates specific signage outcomes. Part 2, Section 8 of SEPP 64 states that a consent authority must not grant development consent for signage unless the consent authority is satisfied that the signage satisfies the assessment criteria specified in Schedule 1. An assessment against Schedule 1 – Assessment Criteria of SEPP 64 is included below:

Control	Assessment
1. Character of the area	
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Yes, the signage is compatible with the existing area that contains a number of advertising opportunities for commercial and retail premises alike.

Control	Assessment
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	
2. Special areas	
Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	No, the proposed signage does not detract from the visual amenity or quality of the area.
3. Views and vistas	
- Does the proposal obscure or compromise important views? - Does the proposal dominate the skyline and reduce the quality of vistas? - Does the proposal respect the viewing rights of other advertisers?	The proposed signage does not obscure any views, and it respects the viewing rights of other advertisers.
4. Streetscape, setting or landscape	
- Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape? - Does the proposal contribute to the visual interest of the streetscape, setting or landscape? - Does the proposal reduce clutter by rationalising and simplifying existing advertising? - Does the proposal screen unsightliness? - Does the proposal protrude above buildings, structures or tree canopies in the area or locality? - Does the proposal require ongoing vegetation management?	The proposed signage will be consistent with the scale, proportion and form of the area and surrounding future signage. The proposed signage will contribute to visual interest of the building. The proposed signage will be minimal, in order to prevent visual clutter, and to keep signage simple and conducive to the requirements of SEPP 64. The signage will not require ongoing vegetation management.
5. Site and building	
- Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located? - Does the proposal respect important features of the site or building, or both? - Does the proposal show innovation and imagination in its relationship to the site or building, or both?	The proposed signage is compatible with the existing building and is visually interesting while being minimal in nature. The signage respects important features of the building and will not adversely affect any significant heritage fabric.
6. Associated devices and logos with advertisements and advertising structures	
Have any safety devices, platforms, lighting devices or logos been designed as an	The proposed signage has designed as an integral part the structures with the logo and text being an integral part of the signage.

Control	Assessment
integral part of the signage or structure on which it is to be displayed?	
7. Illumination	
- Would illumination result in unacceptable glare? - Would illumination affect safety for pedestrians, vehicles or aircraft? - Would illumination detract from the amenity of any residence or other form of accommodation? - Is the illumination subject to a curfew?	The proposed illumination of the signage would not result in unacceptable glare as the illumination is internal and will have appropriate limits in place. The illumination of the signage will not affect the safety of pedestrians, vehicles or aircraft and will not detract from the amenity of the surrounding area noting the established commercial setting of the site
8. Safety	
- Would the proposal reduce the safety for any public road? - Would the proposal reduce the safety for pedestrians or cyclists? - Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	The proposed signage will not reduce safety as sightlines will not be affected and there will be no cause of distraction for drivers. The proposed signage will not reduce existing safety for pedestrians and cyclists. The proposed signage does not obscure sightlines from public areas.

4.5 Section 4.15 Assessment

In determining a development application, the assessing consent authority must take into consideration a number of matters under Section 4.15 of the Environmental Planning and Assessment Act 1979. This assessment is shown in the below table:

Evaluation	Assessment
In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application: a) the provisions of: (i) any environmental planning instrument, and (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 (iii) any development control plan, and (iiia) any planning agreement that has been entered into under section 93F, or any draft planning agreement that a	a) The proposed use aligns with the relative matters of the LEP and DCP as per the compliance assessment in this Statement of Environmental Effects. The proposed use is seen to meet all the relative controls and is seen as a good outcome for the subject site.

Evaluation	Assessment
developer has offered to enter into under section 93F, and (iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph), and (v) any coastal zone management plan (within the meaning of the Coastal Protection Act 1979), that apply to the land to which the development application relates, 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, c) the suitability of the site for the development, d) any submissions made in accordance with this Act or the regulations, e) the public interest.	b) The proposed works will not have any negative impacts on the surrounding land uses considering the commercial setting of the site and overall existing use of the building. c) The building is envisioned for a use of this nature. d) As per the DCP requirements, the development application may be placed on public exhibition to invite submissions, and if applicable Council will assess these accordingly. e) The proposed works are to an established commercial site and are seen to be in the public's interest through the provision of an envisioned use.

5.0 CONCLUSION

This Statement of Environmental Effects has reviewed the proposed works for alterations and signage to an existing Jaguar Landrover car dealership. It is considered that the proposed works, which are permissible with consent, are appropriate for the subject site and will not impact on the amenity of the surrounding area. Ultimately the proposal complies with the intent and design objectives of local planning controls and represents ongoing investment in the area. For these reasons it is seen that the proposed development should receive full development consent subject to reasonable and relevant conditions.