



STATEMENT OF ENVIRONMENTAL EFFECTS

LEVEL 1 / 509 PITTWATER ROAD, BROOKVALE

PREPARED BY PECUNIA PROJECTS FOR SALMON TIE GROUP PTY LTD

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1 INTRODUCTION

This report accompanies a Modification Application of Development Consent DA2019/0875 to Northern Beaches Council (Council) for the change of hours of operations to an existing tenancy at Level 1 509 Pittwater Road, Brookvale.

The application has been prepared by Pecunia Projects on behalf of Salmon Tie Group Pty Ltd, the applicant for the development.

Pecunia Projects has consulted a planner from Council and prepared the application in accordance with Northern Beaches Council requirements and accompanied by the necessary supporting material.



2 SITE AND LOCALITY

The site is located at Level 1 509 Pittwater Road and is legally described as Lot 10 DP 655639 (refer Figure 1 below). The site is located on the western side of Pittwater Road, almost opposite the junction with Chard Road. The site comprises an approximate area of 1,087sqm and is rectangular in shape.

The eastern (Pittwater Road frontage) and western (rear) boundaries measure approximately 20.1m, and the side boundaries measure approximately 54.1m.

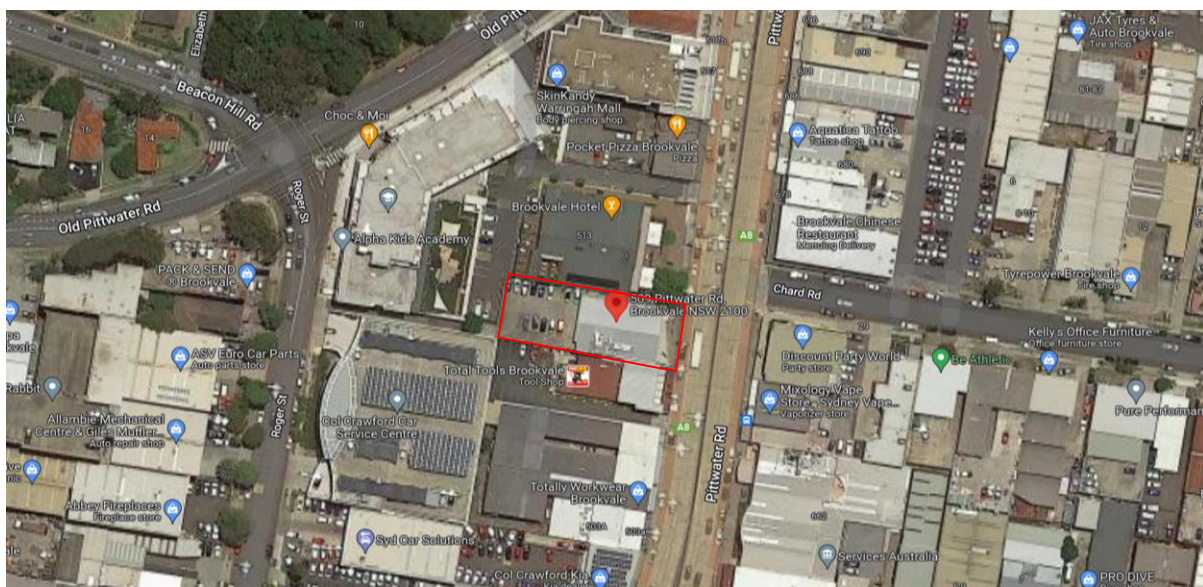
The site is occupied by a two-storey building, with a power tools premises, 'Total Tools' occupying the ground floor retail tenancy. The first floor tenancy is approximately 360m² and was most recently occupied by a gymnasium. The vacant space at the first floor, Unit 1/509 Pittwater Road is the subject of this Modification Application.

Access to the ground floor is via Pittwater Road. Entry to the first floor is via the rear of the building. Pedestrian access to the first floor is also provided from Pittwater Road via a set of steps that run adjacent to the northern boundary.

A car park to the rear provides 15 parking spaces (of which 2 are accessible parking spaces). Vehicular access to the carpark is provided via a driveway from Roger Street (that runs parallel to Pittwater Road).

The area is commercial in character and is characterised by buildings of similar scale and composition.

Figure 1 – Aerial Photograph of the Site (Source: Google Maps 2022)





3 PROPOSED DEVELOPMENT

The proposed development is allowed to operate from 05:00am-8:30pm Monday to Friday, and 08:00am-06:00pm on Saturday, Sunday and Public Holidays. Consent is sought to extend the hours of operation as shown in table 1.

Table 1 – Existing and proposed hours of operation

DAYS	EXISTING	PROPOSED	CHANGES
Monday to Friday	05:00am to 08:30pm	05:00am to 08:30pm	No change
Saturday	08:00am to 06:00pm	08:00am to <u>08:30pm</u>	Extra two and half hours
Sunday and Public Holidays	08:00am to 06:00pm	08:00am to <u>08:30pm</u>	Extra two and half hours

The existing floor is large open plan space suitable for an indoor recreation facility use. There are existing toilets and showers within the tenancy. No new walls, doors, windows or other openings are proposed under this application.

There are no changes proposed to the key numerical aspects of the site and building as described in Table 2.

Table 2 – Existing and proposed development parameters

PARAMETER	EXISTING	PROPOSED
Site Area	1,087 sqm	No change
Land Use	Recreation Facility (Indoor)	No change
Gross Floor Area	The GFA and FSR of the existing building are unknown. The size of the existing tenancy is 360sqm.	No change
Floor Space Ratio		
Building Height/ Storeys	2	No change



4 SECTION 4.15C(1) ASSESSMENT

The following assessment has been structured in accordance with Section 4.15C(1) of the *Environmental Planning & Assessment Act 1979* (EP&A Act).

4.1 STATE ENVIRONMENTAL PLANNING POLICY NO. 55- REMEDIATION OF LAND (SEPP 55)

Clause 7 (1) (a) of SEPP 55 requires a Consent Authority to consider whether land is contaminated. The site has been used for retail and commercial purposes for a significant period of time with no prior land uses that cause concern. The proposal is for an extension of operating hours. No site excavation is proposed. Accordingly, it is considered that the site poses no risk of contamination and therefore the site is suitable for the land use.

4.2 WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011 (WLEP 2011)

The *Warringah Local Environmental Plan 2011* (WLEP 2011) is the Local Environmental Plan applicable to the site which is located within the Northern Beaches Local Government Area (LGA).

4.2.1 ZONING AND PERMISSIBILITY

The site is within the “B5 Business Development” zone. The relevant objectives of the B5 zone are:

- 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 proposed development is consistent with these objectives because:

- The use of the tenancy is for indoor recreation, a suitable use for building on the site, with its large open floorplate
- The location is readily accessible via public transport and located close by to nearby retail centres, supporting their viability

The existing land use is defined as ‘Recreation facility (indoor)’.

As recreation facilities (indoor) are not identified as being either ‘permissible without consent’ or ‘prohibited’ in the zone, the proposed use is permitted with consent.



4.2.2 PRINCIPAL DEVELOPMENT STANDARDS

An assessment of the proposal against the relevant controls of WLEP 2011 is provided below, demonstrating that the proposal is consistent with the aims, objectives and controls of the instrument.

Table 3 – WLEP Compliance Table

CLAUSE	CONTROL	PROPOSED	COMMENT	COMPLIANCE
Height of Buildings	11m	No change	No building works are proposed under this DA.	Yes
Floor Space Ratio	N/A.	No change	There is no FSR assigned to the site under WLEP 2011.	Yes
Heritage Conservation	N/A.	N/A	The site is not identified as a heritage item under WLEP 2011, nor is it located within a heritage conservation area.	Yes
Flood Planning	N/A.	N/A	The site is not identified as a flood prone area under WLEP 2011.	Yes

4.3 WARRINGAH DEVELOPMENT CONTROL PLAN 2011

The Warringah Development Control Plan (WDCP) 2011 is the applicable Development Control Plan applying to the site. Assessment of the proposed development against the relevant provisions of the DCP is outlined in the following table.

Table 4 – Warringah DCP 2011 Compliance Table

CONTROL	COMMENT
Part C2 Traffic, Access and Safety	No change from existing consent approval
1. Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives. 2. Vehicle access is to be obtained from minor streets and lanes where available and practical.	
6. Facilities for the loading and unloading of service, delivery and emergency vehicles are to be: – appropriate to the size and nature of the development; – screened from public view; and	No change from existing consent approval



– designed so that vehicles may enter and leave in a forward direction.	
Part C3 Parking facilities 1. The following design principles shall be met: • Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site.; • Laneways are to be used to provide rear access to carparking areas where possible; • Carparking is to be provided partly or fully underground for apartment buildings and other large-scale developments; • Parking is to be located so that views of the street from front windows are not obscured; and • Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser.	No change from existing consent approval
2. Off street parking is to be provided within the property demonstrating that the following matters have been taken into account: – the land use; – the hours of operation; – the availability of public transport; – the availability of alternative car parking; and – the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles.	No change from existing consent approval
3. Carparking, other than for individual dwellings, shall: – Avoid the use of mechanical car stacking spaces; – Not be readily apparent from public spaces; – Provide safe and convenient pedestrian and traffic movement; – Include adequate provision for manoeuvring and convenient access to individual spaces; – Enable vehicles to enter and leave the site in a forward direction; – Incorporate unobstructed access to visitor parking spaces; – Be landscaped to shade parked vehicles, screen them from public view, assist in micro- climate management and create attractive and pleasant places; – Provide on-site detention of stormwater, where appropriate; and	No change from existing consent approval



– Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1.	
4. Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses: 4.5 spaces per 100 m2 GFA. This generates a requirement for 16 spaces.	No change from existing consent approval
5. Adequate provision for staff, customer and courier parking, and parking and turning of vehicles with trailers must be provided if appropriate to the land use.	No change from existing consent approval
7. Where appropriate, car parking which meets the needs of people with physical disabilities must be provided in accordance with the relevant Australian Standard.	No change from existing consent approval
C9 Waste Management All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the waste management guidelines and all relevant development applications must be accompanied by a waste management plan.	No change from existing consent approval
Part D Design D3 Noise 2. Development near existing noise generating activities, such as industry and roads, is to be designed to mitigate the effect of that noise. 3. Waste collection and delivery vehicles are not to operate in the vicinity of residential uses between 10pm and 6am. 4. Where possible, locate noise sensitive rooms such as bedrooms and private open space away from noise sources. For example, locate kitchens or service areas closer to busy road frontages and bedrooms away from road frontages. 5. Where possible, locate noise sources away from the bedroom areas of adjoining dwellings/properties to minimise impact.	The proposal does not include building works. The existing indoor recreational facility use is not sensitive to noise from Pittwater Road, and no measures to ameliorate road traffic noise are considered necessary. All activities are supervised with only non amplified background music played. The door to the carpark will be closed during operation, therefore the noise generated will be minimal, and it is not expected that this will cause a nuisance to adjacent tenancies or surrounding development. Waste collection activities will continue as established at the subject site.



D18 Accessibility 1. The design is to achieve a barrier free environment with consideration given to the design of door handles and switches, entrances and corridors. Steep, rough and slippery surfaces, steps and stairs and narrow paths should be avoided. 3. Pathways are to be reasonably level with minimal cross fall and sufficient width, comfortable seating and slip-resistant floor surfaces. 4. Where there is a change of level from the footpath to commercial or industrial floor levels, ramps rather than steps should be incorporated. 5. There is to be effective signage and sufficient illumination for people with a disability. 6. Tactile ground surface indicators for the orientation of people with visual impairments are to be provided in accordance with the relevant Australian Standard. 7. Access for people with a disability is to be provided at the main entrance to the development. 8. Development is to comply with Australian Standard AS1428.2.	No change from existing consent approval
D20 Safety and Security 1. Buildings are to overlook streets as well as public and communal places to allow casual surveillance. 2. Service areas and access ways are to be either secured or designed to allow casual surveillance. 3. There is to be adequate lighting of entrances and pedestrian areas. 4. After hours land use activities are to be given priority along primary pedestrian routes to increase safety. 5. Entrances to buildings are to be from public streets wherever possible. 7. Buildings are to be designed to allow casual surveillance of the street, for example by: a) Maximising the glazed shop front on the ground level so that views in and out of the shop can be achieved; b) Providing openings of an adequate size in the upper levels to maximise opportunities for surveillance; c) Locating high use rooms to maximise casual surveillance; d) Clearly displaying the street number on the front of the building in pedestrian view; and	No change from existing consent approval



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| <ul style="list-style-type: none">e) Ensuring shop fronts are not obscured by planting, signage, awnings and roller shutters.8. Casual surveillance of loading areas is to be improved by:<ul style="list-style-type: none">a) Providing side and rear openings from adjacent buildings that overlook service areas and clear sight lines; andb) Providing adequate day and night lighting which will reduce the risk of undesirable activity. | |
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4.4 IMPACTS ON THE NATURAL AND BUILT ENVIRONMENT

Our assessment of the potential impacts of the proposed development upon the natural and built environment, are addressed under separate headings below.

4.4.1 PARKING AND TRAFFIC

The existing car park located at the rear of the building and access from Roger Street remains the same as per the existing DA consent. There are 15 car park spaces including two designated accessible spaces.

4.4.2 ACOUSTIC

No amplified music is proposed as part of the tenancy operation. All activities will be supervised with only non-amplified background music played. The door to the venue will be kept closed during open hours. Noise generated the tenancy operation is therefore likely to be minimal and is not anticipated to cause a nuisance to surrounding tenancies. The site is also sufficiently removed from nearby residential uses, with the closest residences approximately 50m away.

4.4.3 ACCESS

The BCA statement prepared by Modern Building Certifiers for the existing DA is still valid and in compliance with the relevant BCA provisions as there are no changes made to the current development.

4.5 SOCIAL AND ECONOMIC IMPACTS IN THE LOCALITY

The extension of hours of operation will contribute to local employment opportunities and the mix of retail uses in the area. The proposal will not result in any adverse environmental, social or economic impacts.



4.6 SUITABILITY OF THE SITE

The site is considered to be suitable for the extension of hours of operation for the following reasons:

- The extension of hours of operation will not result in any adverse impacts on adjacent or nearby uses;
- The site is conveniently located within an established employment and retail area and is close to existing public transport links; and
- The premises will be supported by existing on site security and active property management; issues such as waste management, car parking, customer and pedestrian safety and storage requirements are already catered for by site-management

4.7 THE PUBLIC INTEREST

This proposal is in the public interest as it:

- Provides for the economic utilisation of the existing building;
- Increases employment opportunities for the local community in a location proximate to existing public transport services.
- Provides extra hours of entertainment to the local residents during weekends and public holidays
- Is consistent with and will complement the land use mix and accords with the relevant zone objectives and development controls and guidelines.
- Will not create any adverse social, environmental or economic impacts.

The proposal is consistent with the expected type of development in the locality and is in the public interest. Any submissions received are required to be considered under Section 4.15 of the EP&A Act.



5 CONCLUSION

The proposal seeks approval for the change of hours of operation at Level 1 509 Pittwater Road, Brookvale. An assessment of this proposal has been undertaken in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979 and finds that:

- The change does not impact the objectives for the B5 Business Development Zone under WLEP 2011
- The proposal does not change the relevant standards and controls contained in Council's current planning policies (including the WLEP 2011 and the Warringah Development Control Plan 2011);
- The proposal will not have any identified adverse social, economic or environmental impacts.

In light of the above, and under Section 4.15 of the Environmental Planning and Assessment Act 1979, it is recommended that application be approved by Council.