

1 April 2021

Ray Brownlee
Chief Executive Officer
Northern Beaches Council
PO Box 82
Manly NSW 1655

Attention: Steven Findlay, Manager Development Assessment

Dear Mr Brownlee

**DEVELOPMENT APPLICATION FOR THE PROPOSED INTERNAL ALTERATIONS AND ADDITIONS TO THE EXISTING WAREHOUSE AND ANCILLARY OFFICE
UNITS 17 & 18, LOT 100 MEATWORKS AVENUE, OXFORD FALLS (LOT 100 DP1023183)**

We submit this Development Application (DA) to the Northern Beaches Council (Council) for the proposed alterations and additions to the existing warehouse and ancillary office at No. Lot 100 Meatworks Avenue, Oxford Falls, identified as Lot 100 DP 1023183 (subject site). This DA has been prepared on behalf of the landowner, by Milestone (AUST) Pty Limited (Milestone).

Included in this DA are the following documents for Council's Assessment and consideration:

- Completed DA form and associated Lodgement Checklist.
- Land owner's consent to lodge the DA and current ASIC company search extract.
- Cost Summary Report prepared by Sheeth Consultants dated 12 March 2021.
- Payment of DA lodgement fee being \$624 (in accordance with fee quote provided by Council's Customer Service Officer, Ramona Smith dated 12 March 2021).
- Existing Units 17 and 18 Plan prepared by Gelder Architecture dated 5 November 2005.
- Architectural Plans prepared by Strutt Studios dated 19 March 2021 including:
 - Cover Sheet, Drawing No. A000.
 - Location Plan, Drawing No. A030.
 - Existing Site Plan, Drawing No. A040.
 - Ground - Existing Floor Plan, Drawing No. A050.
 - Mezzanine - Existing Floor Plan, Drawing No. A051.
 - Existing Section, Drawing No. A052.
 - Existing Elevations, Drawing No. A054.
 - Ground - Demolition Floor Plan, Drawing No. A070.
 - Mezzanine - Demolition Floor Plan, Drawing No. A071.
 - Demolition Section, Drawing No. A072.
 - Ground Proposed Floor Plan, Drawing No. A090.
 - Mezzanine Proposed Floor Plan, Drawing No. A091.
 - Proposed Section, Drawing No. A092.
- Section 10.7 (2&5) Planning Certificate No. ePLC2020/8012 dated 11 December 2020 from Northern Beaches Council.
- This Statement of Environmental Effects prepared by Milestone.
- Bushfire Certificate prepared by Black Ash dated 12 March 2021.
- Access Report prepared by Purely Access dated 2 March 2021.
- Waste Management Plan prepared by Sheeth Consultants and Milestone dated March 2021.

This report identifies the site and its context, describes the proposed development and provides an assessment of the matters for consideration contained in Section 4.15 of the Environmental Planning and Assessment Act 1979 (the Act), as amended.

STATEMENT OF ENVIRONMENTAL EFFECTS

1 THE SITE AND BACKGROUND

1.1 Site Description

The development site (site) is located within the overall business park site known as No. Lot 100 Meatworks Avenue, Oxford Falls, legally described as Lot 100 DP1023183 (refer to **Figure 1**). The site is an irregularly shaped allotment with an area of 3.412ha. The site is nestled within a densely vegetated bushland setting and is accessible via the single access point at the end of Meatworks Avenue from Oxford Falls Road.

The extent of the proposed internal works is limited to the existing industrial warehouse and ancillary office shown outlined in red in **Figure 2**, known as Building F, units 17 and 18 (development site). This warehouse building forms part of 'The Crest' at Oxford Falls Business and Industrial Park Estate, which was approved on 26 April 2013 by the NSW Land and Environmental Court (LEC) and constructed in accordance with Development Consent DA2011/0985. There are a total of 29 warehouse units and 81 associated car parking spaces located within The Crest Estate.

Building F comprising two units, 17 and 18, is an inverted 'T' shape, with an overall depth of approximately 25m and width of approximately 12m (6m per unit). The existing two warehouse units have a total internal floor area of 369m² (existing ground floor area of 265m² and mezzanine floor area of 104m²). There are a total of six car parking spaces allocated to Building F (three car parking spaces per unit 17 and 18 located to the east and west of Building F).



Figure 1: Aerial Map showing location of the development site, prior to completion of construction works
Source: SIX Maps, 2021

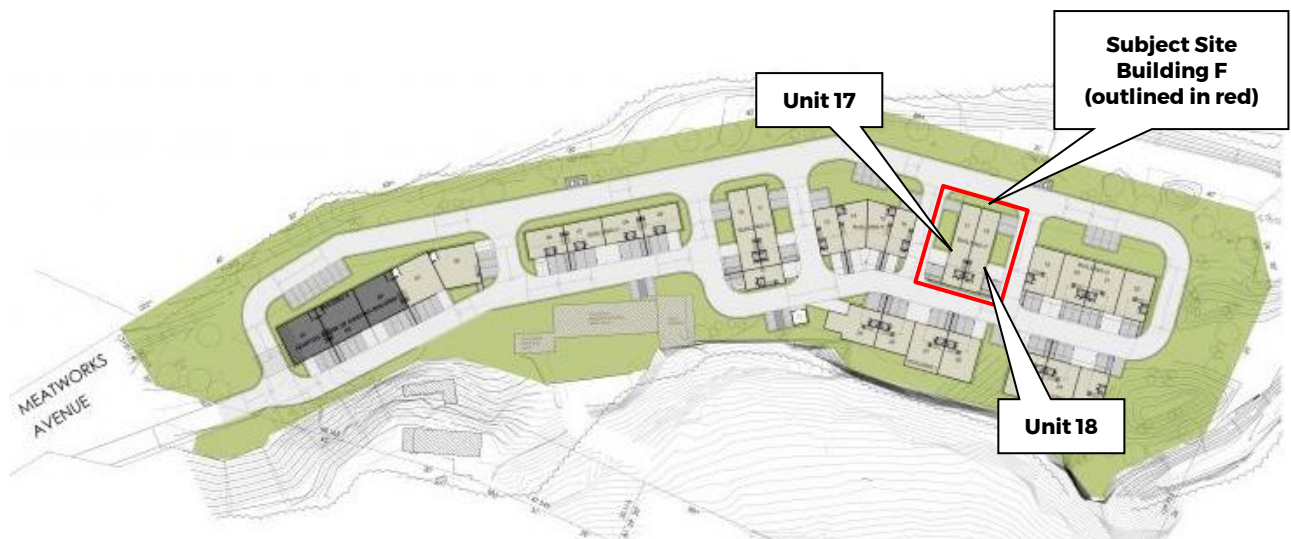


Figure 2: Approved Floor Plan under DA2011/0985, prepared by Gelder Architects; Unit 17 and 18 (outlined in red)

Photos 1 to 6 shows the external façade and interior of the recently completed Building F (units 17 and 18) as well as location of designated car parking for the warehouse. The exterior and interior of Unit 18 mirrors Unit 17.



Photo 1: Subject site, Building F, Unit 17



Photo 2: Subject site, Building F, Unit 17



Photo 3: Subject site, Building F, Unit 18

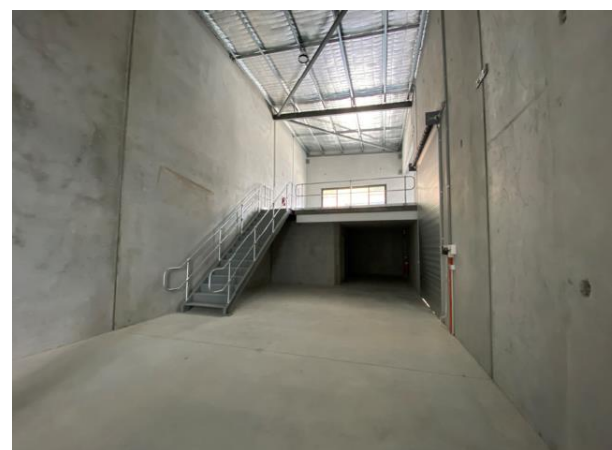


Photo 4: Subject site, View south inside Unit 17 showing the existing mezzanine level



Photo 5: Subject site, view north inside unit 17 from existing mezzanine level



Photo 6: Subject site, Building F, View west inside Unit 17 on the mezzanine level

The site is not listed as a heritage item nor is the site located within a heritage conservation area under the Warringah Local Environmental Plan 2000 (LEP 2000).

1.2 Site Context

The site is located at the northern end of Meatworks Avenue (**Figure 3**) which provides vehicular access to the site. Meatworks Avenue terminates at the front boundary of *'The Crest'* Oxford Falls Business and Industrial Park Estate. A.E. Biggs Waste Management Facility is located within The Crest Oxford Falls Business and Industrial Park Estate. The immediately adjoining allotments surrounding the development site are vacant and densely vegetated Crown land (refer to **Figure 4**).

There are four dwellings located within the vicinity of the site, the nearest dwelling (No. 2591 Oxford Falls Road) being approximately 394m south west of the development site. There are no residential properties which immediately adjoin the site. Approximately 600m further to the south west of the development site is the Oxford Falls Grammar School which is listed as an item of local heritage significance.

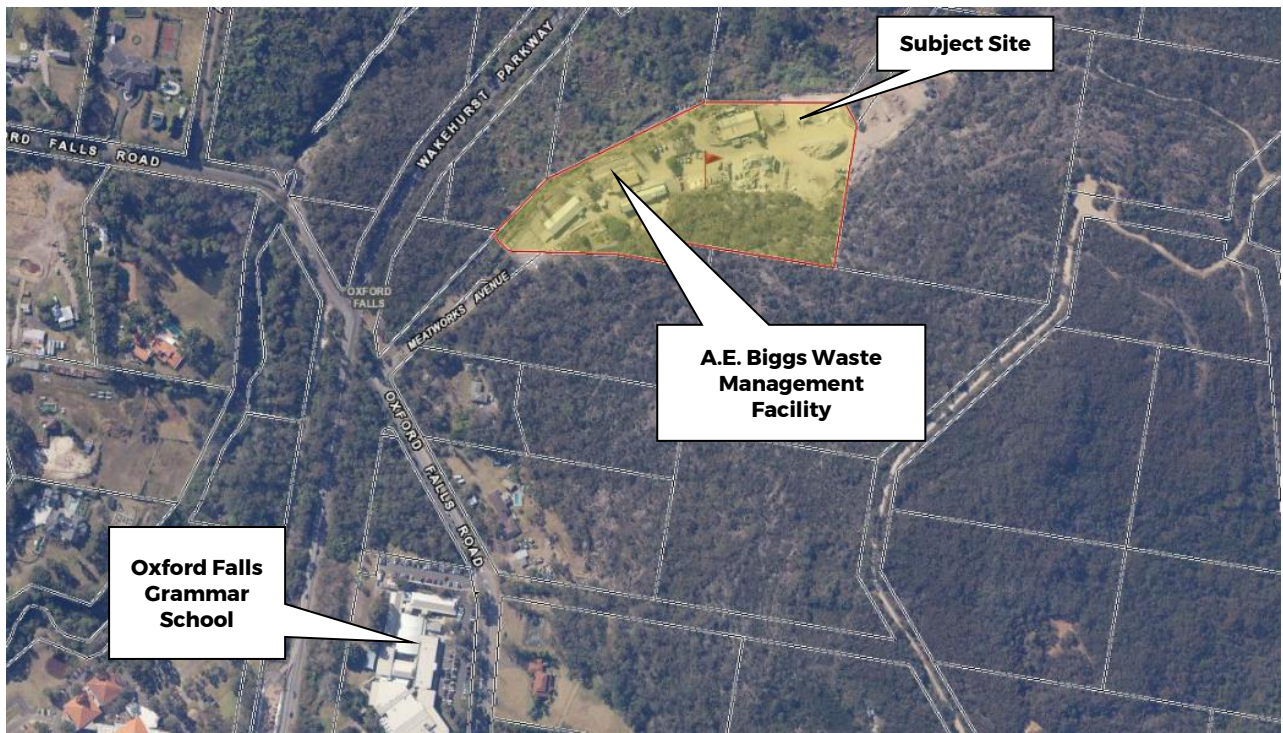


Figure 3: Aerial Map showing site context
Source: Six Maps 2021

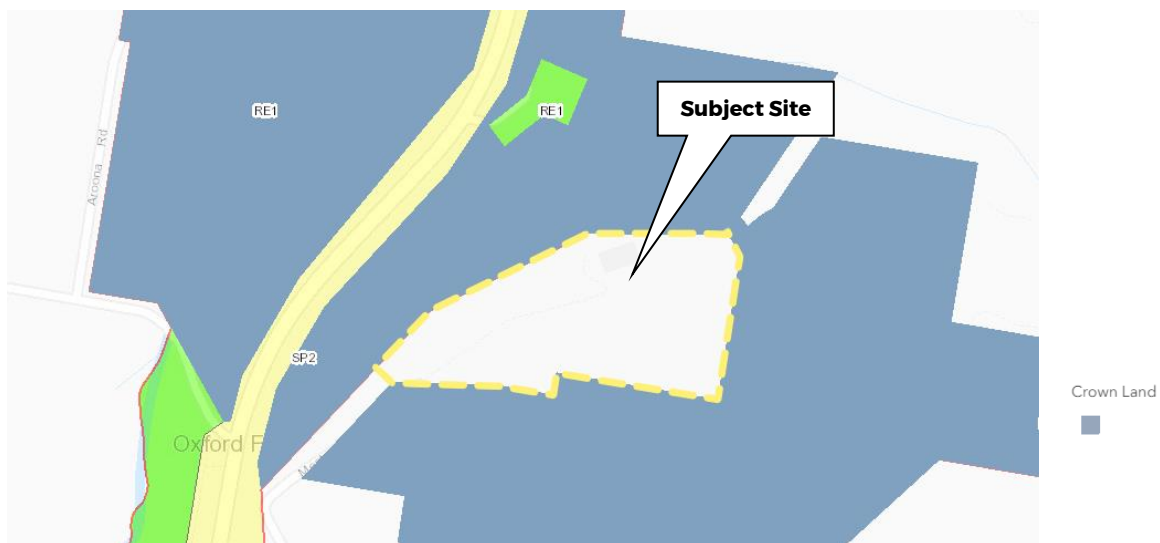


Figure 4: Crown Land
Source: Planning Portal NSW, 2020

Photos 7 to 11 shows the bushland setting of the site and immediate context.



Photo 7: View north east; entry into 'The Crest' Oxford Falls Business and Industrial Park Estate



Photo 8: View west; showing common driveway



Photo 9: View north; showing densely vegetated Crown Land in the distance



Photo 10: View north east; adjoining A.E Biggs Waste Management Facility at No. 50 Meatworks Avenue, Oxford Falls



Photo 11: Oxford Falls Grammar School at No. 1078 Oxford Falls Road, Oxford Falls

1.3 Relevant Site Development History

1.3.1 Summary of Relevant Development History

The key relevant development history of the site from Council's records is summarised in **Table 1** below:

Table 1 – Key relevant development history of the site

DA No.	Proposed Works	Determination
Not Available	Tallow and meat processing plant.	Approved Pre - 1946
91/130	Recycling landscape and building materials waste management facility for non-putrescible domestic, construction and commercial wastes as well as construction/ demolition waste.	Approved on 8 May 1991
91/130 (mod)	Construct a storage shed for bins, Change of use for recycling landscape and building materials portions 2509 and 1052.	Approved on 11 January 1993
DA2008/0289	Construction of stormwater and erosion control infrastructure in association with an existing approved use of the site as a yard for the recycling of building and landscape materials.	Approved on 11/05/2009
DA2011/0985	Demolition works and Construction of an industrial and warehouse development.	Refused on 1 December 2011 Appealed & Approved by Land and Environment Court (LEC): 26 April 2013. Approved under appeal to LEC Section 34 Agreement with lesser scale and size.
DA2020/0437	Strata Subdivision of an approved industrial/warehouse development	Approved on 02 June 2020

According to Council's records and previous assessment reports, the existing Crest Business and Industrial Estate was constructed in accordance with DA2011/0985, as approved under appeal to the LEC on 26 April 2020.

1.3.2 Relevant Conditions of Consent of DA2011/0985

Reference is made to the following relevant Conditions of Consent of DA2011/0985:

- Condition Nos. 3 and 67 – Existing Approved use of the site;
- Condition No. 68 – Hours of Operation;
- Condition Nos. 72 and 73 – Loading and Delivery Hours; and
- Condition Nos. 70, 71 and 74 – Commercial Waste and Recycling Storage and Collection.

Condition Nos. 3 and 67 – Existing Approved use of the site

“Condition 3 – Occupancy (Mixed Use and Category Three Development)

Nothing in this consent shall authorise the use of Units/ Tenancies as detailed on the approved plans for any land use of the site beyond the definition of a ‘Warehouse/industrial and ancillary office use.’

*A **warehouse** means a building or place used for the storage of goods, merchandise or materials pending their sale and distribution to persons engaged in the retail trade.*

*An **industry** means:*

- (a) The manufacturing, assembling, altering, formulating, repairing, renovating, ornamenting, finishing, dismantling, transforming, processing or adapting of any goods or articles for commercial gain, or*
- (b) The storing, handling or displaying of items (whether goods or materials) which have been produced or manufactured for sale, other than retail sale to the public from the building or place,*

*But does not include an extractive industry, potentially hazardous industry or potentially offensive industry.
(Development is defined by the Warringah Local Environment Plan 2000 (as amended Dictionary).*

Any variation to the approved land use and / occupancy of any unit beyond the scope of the above definition will require the submission to Council of a new development application.

Condition 67. Ancillary Use

The use of the office area of each industrial/ warehouse units shall be ancillary to the use of the premises, as Warehouse/ industrial at all times.”

The proposed development maintains the approved use of Building F (units 17 and 18) as a ‘warehouse/ industrial and ancillary office’ as defined under the Warringah LEP 2000.

Condition No. 68 – Hours of Operation

Condition 68 – Hours of Operation

The hours of operation are to be restricted to 7am – 6pm, Monday to Friday, and 8am – 2pm, Saturday (inclusive).’

The proposed development does not alter the approved hours of operation.

Condition No. 72 and 73 – Loading and Delivery Hours

Condition 72 – Loading Within Site

All loading and unloading operations shall be carried out wholly within the confines of the site and within the approved loading areas, at all times.

Condition 73 – Delivery Hours

No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.’

The proposed development does not alter the approved delivery hours or loading and unloading operations.

Condition Nos. 70, 71 and 74 - Commercial Waste and Recycling Storage and Collection

Condition 70 – Commercial Waste Collection

Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.

Condition 71 – Commercial Waste and Recycling Storage

Commercial waste and recycling material/ storage bins must be stored in a separate area to the residential waste and recycling material/ storage bins as shown on the approved plans.

Condition 74 – Commercial Waste Collection

Waste and recyclable material, generated by this premises, must not be collected between the hours of 10pm and 6am on any day.’

The proposed development does not alter the approved commercial and recycling waste collection arrangements.

2 DESCRIPTION OF PROPOSAL

2.1 Description of Proposed Works

2.1.1 Overview

The proposed development involves internal alterations and additions to the existing industrial warehouse Building F, which comprises two separate units 17 and 18, to accommodate the office and storage needs of the new building occupants, Derma Aesthetics.

Derma Aesthetics distribute tailored skin care products across Australia and New Zealand. Skin care products will be stored within the premise pending their sale and distribution to skin care clinics. No manufacturing of products will be undertaken within the premises.

The proposed works comprise the fitout, internal alterations to the ground floor level and additions to the mezzanine floor.

The proposal seeks to consolidate and extend the floor area of the existing mezzanine level for both units to accommodate the following:

- 87m² of Office area (18.9% of the total Gross Floor Area of the warehouse).
- 373m² of Warehouse storage area (81.1% of the total Gross Floor Area).

The accompanying submitted Architectural Plans prepared by Strutt Studios, dated 19 March 2021, illustrates the extent of the proposed minor demolition work and additions to the mezzanine floor levels.

The key development statistics are provided in the following **Table 2**:

Table 2: Key Development Statistics

	Existing	Proposed	Difference
Ground Floor	265sqm (132.5sqm each unit)	265sqm (132.5sqm each unit)	0sqm
Mezzanine	104sqm (52sqm each unit)	195sqm (97.5sqm each unit)	91sqm (45.5sqm each unit)
Total	369sqm (184.5sqm each unit)	460sqm (230sqm each unit)	91sqm (45.5sqm each unit)

The proposed development does not include the erection of any new signage.

2.1.2 Operational Elements

Capacity

A maximum of eight staff members will be utilising the premise at any one time. A maximum of six staff members will drive to the site and park their vehicles in the existing six car parking spaces allocated to Units 17 and 18.

Hours of Operation

Derma Aesthetic will operate within the approved hours of operation:

- Monday to Friday – 07.00am to 06.00pm (midnight).

No change is proposed to the approved hours of operation under Condition No. 68 of DA2011/0985.

Waste Management

The proposed fitout outlined within this development application will generate minimal amounts of building waste by virtue of all pre-fabrication occurring off-site and all fitout equipment being purpose built. Contractors undertaking the construction and fitout works will ensure any waste will be removed from the site and disposed at a licensed waste facility.

The on-going waste management operations will be carried out in accordance with previously approved under DA2011/0985, in accordance with Condition Nos. 70, 71 and 74.

Refer to the accompanying Waste Management Plan prepared by Milestone and Sheeth Consultants dated March 2021 submitted with this DA for further information relating to waste management.

Deliveries

Deliveries to the premises will be in accordance with Condition Nos. 72 and 73 of DA/2011/0985:

- All loading and unloading operations shall be carried out wholly within the confines of the site and within the approved loading areas, at all times.
- No deliveries, loading or unloading associated with the premises are to take place between the hours of 10pm and 6am on any day.

Deliveries will be made to the warehouse once every six weeks via a small truck (maximum dimensions of 5.4m (L) x 2.4m (W) x 2m (H)). The small truck will reverse as far into the internal loading area with the front of the vehicle positioned wholly within the confines of the designated external loading area in front of the loading doors. Reference is made to the submitted Proposed Ground Floor Plan Drawing No. A090 prepared by Strutt Studios dated 19 March 2021 (refer to **Figure 5**), which illustrates there is sufficient area for the small truck to manoeuvre (total of 5.55m (W) x 8.66m (L)) when loading and unloading. The loading vehicle will not impede the circulation of other vehicles utilising the communal driveways and will therefore maintain positive safety outcomes.

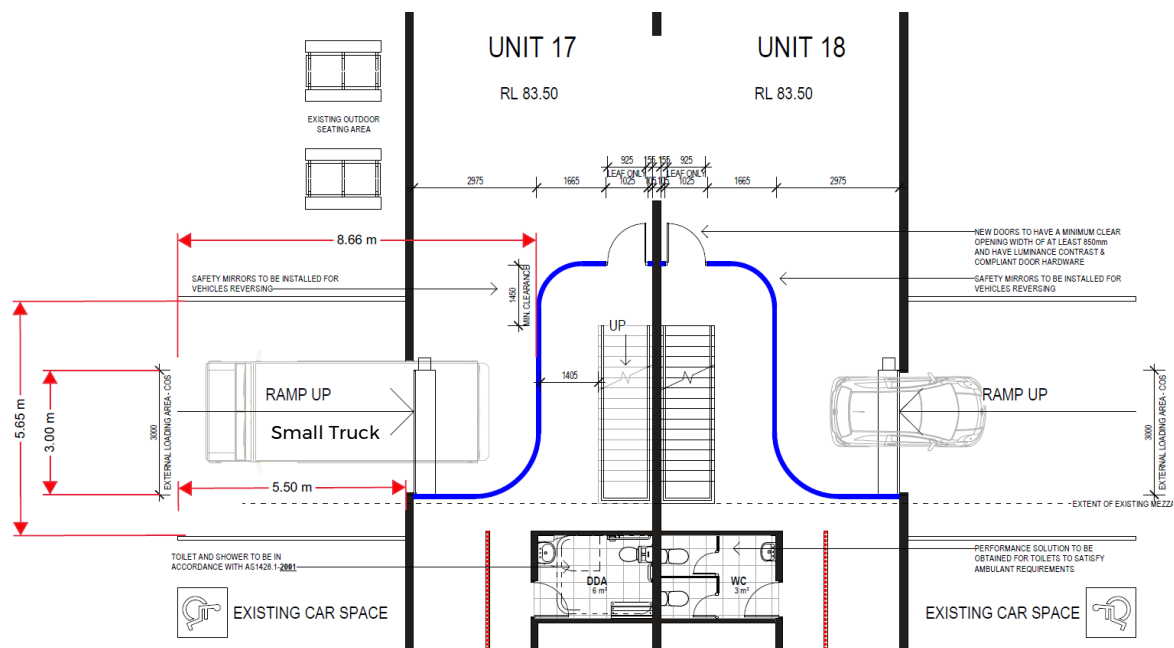


Figure 5: Proposed Ground Floor Plan, Drawing No. A090
Source: Strutt Studios dated 19 March 2021

3 STATUTORY PLANNING FRAMEWORK AND ENVIRONMENTAL ASSESSMENT

In accordance with Section 4.15(1) of the Act the following section provides an appraisal of the proposed development having regard to the statutory planning instruments and development control plans that apply to this site.

3.1 Environmental Planning Instruments

The planning instruments of relevance to the site and proposed development are outlined below.

3.1.1 Warringah Local Environmental Plan 2011 (LEP 2011)

The site is located within an area identified as “Deferred Lands” under Clause 1.3(1A) of the Warringah Local Environmental Plan 2011 (LEP 2011) (refer to **Figure 6**).

The site is located within the B2 Oxford Falls Valley locality under Warringah Local Environmental Plan 2000 (LEP 2000). The proposal is classified as Category Three development in the B2 Locality. Accordingly, the LEP 2011 and DCP 2011 do not apply to this site.

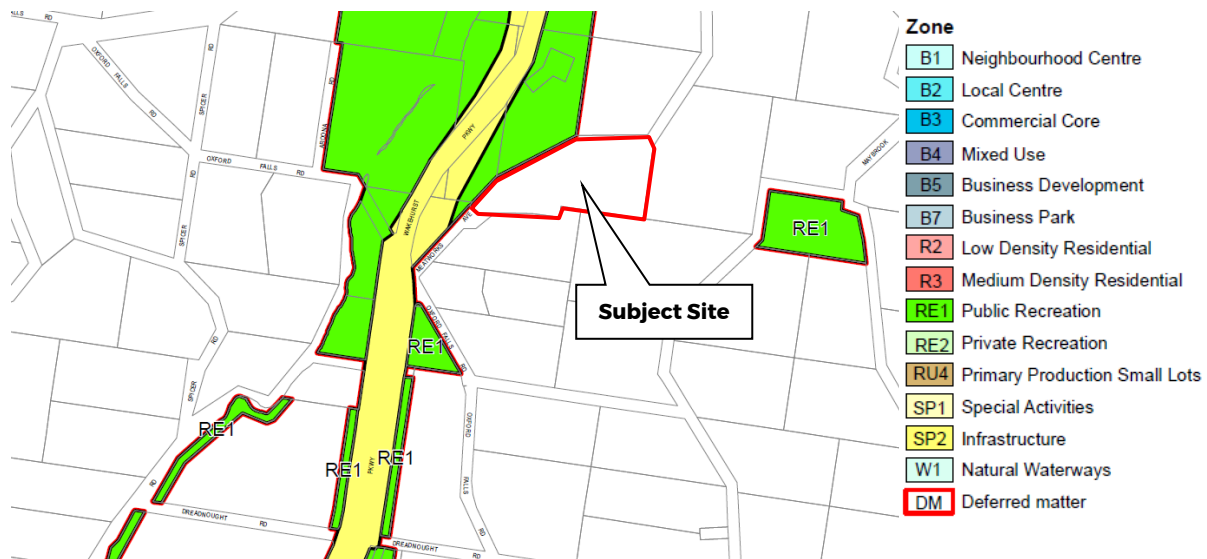


Figure 6: Zoning Map
Source: Warringah LEP 2011

3.1.2 Warringah Local Environmental Plan 2000 (LEP 2000)

Desired Future Character

The site is zoned as B2 Oxford Falls Valley Locality under the LEP 2000. Clause 12 of LEP 2000 stipulates matters for consideration before development consent can be granted:

12 What matters are considered before consent is granted?

- (1) Before granting consent for development the consent authority must be satisfied that the development is consistent with—
 - (a) any relevant general principles of development control in Part 4, and
 - (b) any relevant State environmental planning policy described in Schedule 5 (State policies).
- (2) Before granting consent for development, the consent authority must be satisfied that the development will comply with—
 - (a) the relevant requirements made by Parts 2 and 3, and
 - (b) development standards for the development set out in the Locality Statement for the locality in which the development will be carried out.
- (3) In addition, before granting consent for development classified as—
 - (a) Category One, the consent authority must consider the desired future character described in the relevant Locality Statement, or
 - (b) Category Two or Three, the consent authority must be satisfied that the development is consistent with the desired future character described in the relevant Locality Statement, but nothing in a description of desired future character creates a prohibition on the carrying out of development.'

The desired future character statement for this locality is as follows:

“Locality B2 Oxford Falls Valley

Future development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses. There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services. Buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.

A dense bushland buffer will be retained or established along Forest Way and Wakehurst Parkway. Fencing is not to detract from the landscaped vista of the streetscape.

Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained.”

The proposed development does not alter the existing approved use of the site as a *warehouse/ industrial and ancillary office*, which is identified as Category Three development in this locality.

Consideration of each element of the B2 Oxford Falls Valley locality is discussed in **Table 3** below:

Table 3 – Desired Future Character Assessment

Desired Future Character	Comment
<i>Future development will be limited to new detached style housing conforming to the housing density standards set out below and low intensity, low impact uses.</i>	<p>Complies.</p> <p>The proposed development will continue to operate as a <i>low intensity</i> and <i>low impact use</i>.</p> <p>It is noted that the terms ‘low intensity’ and ‘low impact use’ are not defined within the LEP 2000. Notwithstanding, reference is made to the <i>Vigor Master P/L v Warringah Council [NSWLEC 1128]</i> which provided the following characterisation:</p> <p>‘Intensity is commonly used to identify the nature of the proposal in terms of its size and scale and the extent of the activities associated with the proposal.</p> <p>Impact is commonly used in planning assessment to identify the likely future consequences of proposed development in terms of its surroundings and can relate to visual, noise, traffic, vegetation, streetscape privacy, solar access etc. Therefore ‘low impact’ would constitute a magnitude of impacts such that was minimal, minor or negligible level and unlikely to significantly change the amenity of the locality.’</p> <p>The use for the storage of skin care products with an ancillary office does not intensify the existing approved warehouse/ industrial and ancillary office use. On this basis, the proposal for an extended mezzanine is considered to be of negligible level of impact in terms of traffic, parking and noise impacts. The proposal will preserve the amenity of the Oxford Falls locality and is generally maintained as approved.</p>
<i>There will be no new development on ridgetops or in places that will disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.</i>	<p>Not Applicable.</p> <p>The proposed development is limited to the interior of Units 17 and 18 and will not be visible from the existing external façade. Therefore the proposal will not disrupt the skyline when viewed from Narrabeen Lagoon and the Wakehurst Parkway.</p>
<i>The natural landscape including landforms and vegetation will be protected and, where possible, enhanced.</i>	<p>Complies.</p> <p>The proposed development will preserve the existing natural landscape including landforms and vegetation.</p>

<i>Buildings will be located and grouped in areas that will minimise disturbance of vegetation and landforms whether as a result of the buildings themselves or the associated works including access roads and services.</i>	Not Applicable.
<i>Buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.</i>	Not Applicable. The proposed development is limited to the interior of Units 17 and 18 and will not be visible from the existing external façade.
<i>A dense bushland buffer will be retained or established along Forest Way and Wakehurst Parkway. Fencing is not to detract from the landscaped vista of the streetscape.</i>	Not Applicable.
<i>Development in the locality will not create siltation or pollution of Narrabeen Lagoon and its catchment and will ensure that ecological values of natural watercourses are maintained."</i>	Complies. The proposed additional ancillary office floor area will preserve the ecological values of the natural watercourse and will not result in any siltation or pollution of Narrabeen Lagoon or its catchment area.

In light of the above, the proposed internal alterations and additions to the existing warehouse and ancillary office, Building F, is considered to be consistent with the relevant objectives and desired future character of the B2 Oxford Falls Locality. The proposed development is in keeping with the approved low intensity and low impact use, and is permissible with development consent.

Category Three Development

Part 2, Clause 16 of the LEP 2000 applies to the proposed development comprising alterations or additions to, or the expansion of an existing Category Three building as follows:

"16 How is existing Category Three development dealt with?"

- (1) *In this clause, **existing Category Three development** means development classified as Category Three that could have been lawfully carried out immediately before it became so classified, including development that could have been lawfully carried out at that time because it was an existing use, as defined in section 106 of the Act.*
- (2) *Development applications for existing Category Three development consisting of—*
- (a) alterations or additions to, or the rebuilding of, a building, or*
 - (b) the expansion or intensification of existing Category Three development,*

which, in the opinion of the consent authority, is of a minor nature and does not, to any significant extent, change the scale, size or degree of any building or land use, may be granted consent even if the development is not consistent with the desired future character of the locality.

- (3) *The provisions of clauses 14 and 15 do not apply to such applications.*

Note— *In deciding whether an application for consent to additions etc is of a minor nature, the Council will have regard to any relevant matter, including the built form controls (development standards) for the locality."*

The proposed development is considered to be of a minor nature by virtue of the limited increased floor area and new works limited to the interior of Building F. The proposed increase in mezzanine floor area for additional storage and office uses, will not change the bulk, scale or exterior of the existing warehouse building. Further, the land use remains a warehouse site.

The proposed development therefore complies with Clause 16 of the LEP 2000.

Bushfire Prone Land

The site is identified as a *vegetation buffer* within the designated bush fire prone area under the NSW Rural Fire Service¹ (refer to **Figure 7**).

The accompanying submitted Bushfire Certificate prepared by Blackash Fire dated 12 March 2021 has assessed the proposed internal works and concludes:

¹ <https://www.rfs.nsw.gov.au/plan-and-prepare/building-in-a-bush-fire-area/planning-for-bush-fire-protection/bush-fire-prone-land/check-bfpl>

'As the building is existing, it is considered as 'infill' development. The works do not alter the external appearance or fabric of the existing building. As the works are for internal alterations to the building, a Bushfire Safety Authority is not required from the RFS and referral to the RFS is not required. No bushfire protection measures are required. The proposed internal fitout does not alter the Bushfire Attack Level or external construction elements.'

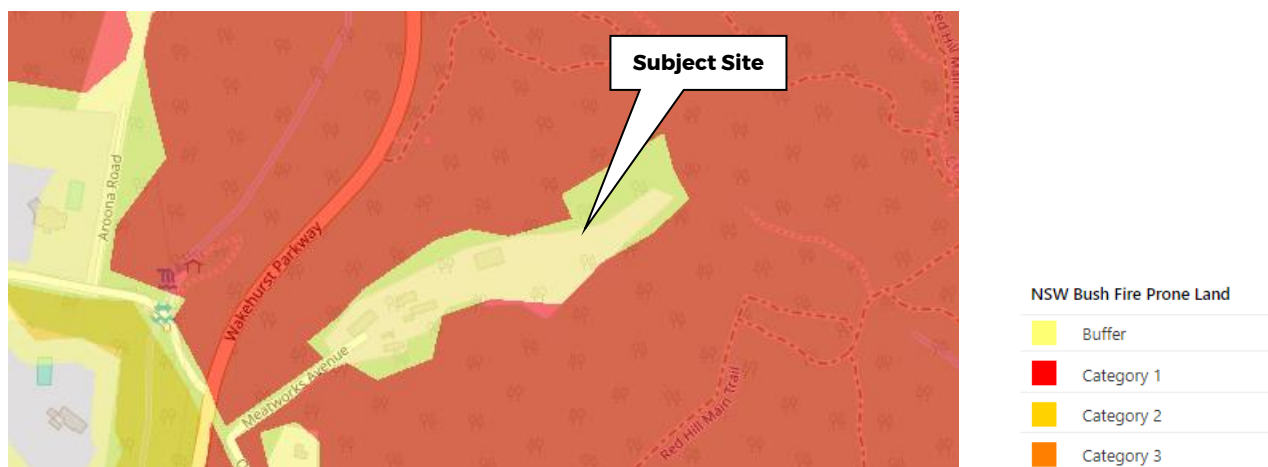


Figure 7: NSW Bush Fire Prone Land Map
Source: Rural Fire Service NSW

Locality B2 Oxford Falls Valley

The built form controls pertaining to building height, front, rear and side setbacks and landscaped open space stipulated under Locality B2 Oxford Falls Valley are not applicable to this development as all works are located within the existing warehouse building.

3.1.3 General Principles of Development Control

The following General Principles of Development Control as contained in Part 4 of LEP 2000 are applicable to the proposed development.

3.1.3.1 Division 4, Site Planning and Building Design

Traffic, Access and Car Parking

Part 4, Division 5, Clause 74 applies to the proposed development and requires the provision of adequate off-street car parking in accordance with Schedule 17 as follows:

"74 Provision of car parking

Adequate off-street car parking is to be provided within the subject property boundaries having regard to—

- *the land use, and*
- *the hours of operation, and*
- *the availability of public transport, and*
- *the availability of alternative carparking, and*
- *the need for parking facilities for courier vehicles, delivery/service vehicles and bicycles."*

Schedule 17 Carparking provision

Commercial, retail, business

Office 1 space per 40m² GFA

Industry, warehouse, vehicular

Warehouse 1.3 spaces per 100m² GFA
(Including up to 20% of floor area as office space component. Office space component above 20% determined at office rate)

In Schedule 17—

GFA means gross floor area which is the sum of the areas of each floor of a building where the area of each floor is taken to be the area within the outer face of the external enclosing walls as measured at a height of 1400 millimetres above each floor level excluding—

- (a) columns, fin walls, sun control devices and any elements, projections or works outside the general line of the outer face of the external wall, and
- (b) lift towers, cooling towers, machinery and plant rooms, and ancillary storage space and vertical air-conditioning ducts, and
- (c) carparking specifications which meet requirements of Council and internal access thereto, and
- (d) space for the loading and unloading of goods.

GLFA means gross leasable floor area which is the sum of the area of each floor of a building where the area of each floor is taken to be the area within the internal faces of the walls, excluding stairs, amenities, lifts, corridors and other public areas but including stock storage area."

The proposed development provides a total GFA of 460m² (total GFA of 230m² per unit), of which a maximum total GFA of 87m² (for both units) is designated as Office area.

A breakdown of the required number of parking spaces in accordance with Council's LEP 2000 is provided in **Table 4** below:

Table 4 - Car Parking Calculation

	Proposed GFA	Car Parking Rate under LEP 2000	Parking Spaces Required	Complies
Office Area	87m ² (for both units)	<i>1 space per 40m² GFA</i>	Up to 20% office area included in warehouse car parking rate. The proposed office GFA is 18.9% of the total warehouse GFA.	Complies.
Warehouse Area	373m ² (total GFA of 186.5m ² per unit)	<i>1.3 spaces per 100m² GFA (Including up to 20% of floor area as office space component. Office space component above 20% determined at office rate).</i>	4.849 spaces Rounded to 5 spaces	Complies.
Additional Warehouse Area	92m ² (total GFA of 46m ² per unit)		1.196 spaces Round to 2 spaces	Complies.
Total GFA	460m ² (total GFA of 230m ² per unit)		5.98 spaces Rounded to 6 spaces	Complies.

There are six existing car spaces allocated to Building F, Units 17 and 18 (three existing car spaces per unit).

The proposed development therefore complies with car parking requirements under Part 4, Division 5, Clause 74 of LEP 2000.

4 Section 4.15(1) of the Environmental Planning and Assessment Act 1979

Section 4.15(1) of the Act requires the following matters be considered in the assessment of the proposed development.

4.1.1 Impact of the development including the environmental impact of the development on both the natural and built environment and social and economic impacts on the locality.

Social and Economic Impacts

The proposal will have a positive economic impact by increasing employment opportunities within the area through the new tenancy use as a skin care business. The proposal will provide ancillary office space which will accommodate the needs of the new building occupants.

The existing warehouse units 17 and 18 are both currently vacant. The proposed development will activate the currently vacant tenancy with potential flow on impacts for the activation of the other vacant tenancies within the Crest Industrial and Business Estate. This will in turn generate positive social and economic benefits for the site and the greater Oxford Falls locality.

The proposal will also provide short term positive impacts generating employment opportunities linked to the construction of the extended mezzanine.

Built Form, Neighbourhood Character and Visual Amenity

The proposed development is limited to the internal works and will not be visible from the existing external façade. The new additions to the existing mezzanine and internal fitout will be constructed out of high quality materials to provide an operationally viable and economically feasible floor plan to accommodate the new building occupant, Derma Aesthetics.

The proposal maintains the neighbourhood and desired character of the B2 Oxford Falls Valley precinct and will maintain the approved low intensity use of the site. The proposed development will not disturb the vegetation or natural landscape and will continue to preserve the significant fauna and flora within the adjoining bushland identified as Crown land.

Building Code of Australia and Access Compliance

Subject to detailed design as part of the Construction Certificate process, the proposed development is capable of compliance with the relevant requirements of the BCA. Reference is made to the BCA Report prepared by Vic LiLLi and Partners which accompanied the Land Environment Court approval DA2011/0985.

The accompanying submitted Access Report prepared by Purely Access dated 2 March 2021 provides a detailed assessment of the proposal against the relevant performance requirements of the National Construction Code, BCA and the Disability Discrimination Act 1992. The Access Report concludes:

'The proposal is capable of meeting the requirements of the Performance Requirements set out in the National Construction Code Building Code of Australia Volume One 2019 Amendment 1 (BCA) and referenced Australian Standards with respect to access for people with a disability. Further design information focussing on the detailed elements will be developed as the scheme progresses through to the construction phase to ensure compliance is achieved.'

Bushfire

The proposed site is identified as a *vegetation buffer* within the designated bush fire prone area under the NSW Rural Fire Service. An assessment of the proposed development is submitted with this Development Application. The Bushfire analysis of this proposal prepared by Black Ash Bushfire Consulting dated 12 March 2021 concludes that since the proposed works does not alter the external fabric of the existing building, the proposal is considered as infill development and therefore a Bushfire Safety Authority is not required from the RFS and a referral to the RFS is not required. *'The proposed internal fitout does not alter the Bushfire Attack Level or external construction elements.'*

Waste Management for Demolition and Construction Phases

Waste Management for the internal demolition and construction phases will be undertaken in accordance with the Waste Management Plan prepared by Milestone and Sheeth Consultants dated March 2021.

The on-going waste management operations will continue as per the previously approved waste management operations under DA2011/0985.

4.1.2 Suitability of the Site for the Development

The suitability of the site for industrial and business uses, warehouse with ancillary office, has been established within the overarching development consent (DA2011/0985, approved under appeal to the Land and Environmental Court on 26 April 2020).

The proposed development which is permissible with consent will activate the currently vacant Building F within the Crest Industrial and Business Estate and is suitable for the site. The proposed development is of a minor nature and is limited to the interior of Building F and does not result in any external changes to the existing warehouse building. The proposal will not result in any adverse traffic impacts and will provide minimal overall environmental impacts.

4.1.3 Any submissions made in accordance with the Act or Regulation

In accordance with Council's Advertising and Notification provisions outlined in the Northern Beaches Community Participation Plan, the proposal will require public notification and advertising for a period of 14

days. The applicant will respond to any submissions received by Council during the public notification and advertising period.

4.1.4 The Public Interest

The proposed development has been carefully designed in accordance with relevant planning framework to ensure beneficial social, economic and safety outcomes. The proposed development is limited to the interior of the existing warehouse units and maintains the low intensity of the use in the B2 Oxford Falls Valley locality. The proposed development will promote economic growth and activate the vacant warehouse units within the Crest Industrial and Business Estate which is in the public interest.

5 CONCLUSION

The proposal seeks consent from Northern Beaches Council (Council) for the proposed minor internal demolition, alterations and additions of the existing warehouse units 17 and 18 to facilitate additional storage and ancillary office requirements at Lot 100 Meatworks Avenue, Oxford Falls (Lot 100 DP 1023183). The proposed development will activate the currently vacant Building F within the Crest Industrial and Business Estate.

The proposed works do not alter the scale, visual appearance or façade of the existing warehouse building. The proposed development is limited to the interior of the building and will be constructed of high quality and durable materials.

The proposal achieves a high level of compliance with the applicable provisions within the Warringah Local Environmental Plan 2000. The proposal will result in minimal overall environmental impacts. The proposed development demonstrates high level environmental performance and provides positive social and economic benefits.

The proposal has been assessed against the applicable planning framework and is considered appropriate for the following reasons:

1. The proposed development is permissible within the B2 Oxford Falls Valley Locality and is consistent with the desired future character statement.
2. The proposed additional floor area to the existing mezzanine levels achieves a high level of compliance with the aims, objectives and provisions contained within the Warringah Local Environmental Plan 2000;
3. The proposal will maintain the existing building footprint, scale and external façade of the existing warehouse units and therefore will preserve the unique character of the Crest Industrial and Business Estate;
4. The proposal will activate the vacant site, is well-designed and will facilitate the storage and ancillary office needs of the skin care business, which is consistent with the approved use for the site as a warehouse with ancillary office;
5. The proposal is in the public interest as it will positively contribute to the B2 Oxford Falls Valley locality, given the activation of the existing building and will provide positive social and economic benefits,

In accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979, the proposed development is considered appropriate and will not cause any adverse environmental impacts. In light of the merits of the proposal and in the absence of any significant adverse environmental, social, or economic impacts, we have no hesitation in recommending that the application be approved.

Should you require further clarification regarding this matter, please do not hesitate to contact the undersigned.

Yours sincerely

Milestone (AUST) Pty Limited



Jessica Joseph
Town Planner



Lisa Bella Esposito
Director