



Corona Projects

DEVELOPMENT APPLICATION **STATEMENT OF ENVIRONMENTAL EFFECTS**

Intensification of existing use, alterations and additions, and internal fit-out works.

2 Lovell Road, Eastwood

October 2022

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PROJECT DETAILS

Client: Mini Stop Express Convenience Pty Ltd

Subject land: 2 Lovell Road, Eastwood

Lot Description: Lot 14 Section 1 DP 7076

Proposed development: Intensification of existing use, alterations and additions, and internal fit-out works



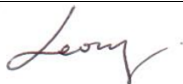
The report is prepared by Mathew Fortunato
Bachelor of Architecture and Environment (USYD)

The report is reviewed by Madeline Maric
Bachelor of Planning (MQU)

I certify that the contents of the Statement of Environmental Effects to the best of my knowledge, has been prepared as follows:

- In accordance with Section 4.12 of the Environmental Planning and Assessment Act 1979 and Clause 24 of the Environmental Planning and Assessment Regulation 2021;
- The statement contains all available information that is relevant to the environmental impact assessment of the proposed development;
- To the best of my knowledge the information contained in this report is neither false nor misleading.

Quality Management

	Name	Date	Signature
Prepared by	Mathew Fortunato	23.09.22	
Checked by	Madeline Maric	06.10.22	
Approved for issue by	Karmen Leong	06.10.22	

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1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared for Mini Stop Express Convenience Pty Ltd to accompany a Development Application (DA) to Ryde Council for the intensification of existing use, alterations and additions, and internal fit-out works at 2 Lovell Road, Eastwood.

More specifically, the proposed development comprises of:

- Intensification of the existing mixed-use, specifically a vehicle body repair workshop and service station currently operating by virtue of existing use rights, to encompass the use of unauthorised works detailed in councils 'Stop Work' order dated 25th May 2022;
- Expansion of the existing ancillary use of the store to encompass an area previously dedicated to the mechanic's workshop;
- Use of the 'sound barrier' area for panel beating;
- Use of the rear of the premise and unauthorised spray-painting booth for spray painting;
- Demolition of existing pylon sign in the south-western corner of the site;
- Erection of a new pylon sign in the south-western corner of the site;
- Works to replace and repair the existing dilapidated roof; and
- BCA compliance works, as per the provided BCA report, detailed further below.

It is to be noted that this DA has been lodged in conjunction with a Building Information Certificate (BIC) in response to the receipt of a Council 'Stop Work Order' dated 25 May 2022. This DA should be assessed with reference to this BIC.

The proposal is permissible with consent and is suitable for the site and the area. The proposal has been designed to relate to its site and to the streetscape in terms of appearance, envelope, setbacks, bulk and scale. The proposal will operate without any significant impact to the amenity of neighbouring properties.

The purpose of this SEE is to:

- Describe the site to which the application applies and its context;
- Describe the proposed development
- Describe the legislative framework against which the application is to be assessed and determined; and
- Provide an assessment of the environmental impacts in accordance with the Section 4.15 of the EP&A Act 1979.

This Statement has been prepared in reference to the following:

Document	Author	Date
Architectural Plans	Corona Projects	July 2022
Schedule of Materials and Finishes	Corona Projects	October 2022
Internal and External Survey	Altitude Surveys	07.07.22
BCA Report	BCA Vision	22.08.22
Acoustic Report	Acoustic Logic	25.05.22
Air Quality and Emission Report	Carsoft Pty Ltd	07.05.22
Environmental Assessment Report	Foundation Earth Sciences	27.04.22
Environmental Inspection and Action Plan	Foundation Earth Sciences	March 2021
Spray Paint Booth Inspection Report	Carsoft Pty Ltd	05.04.22

2.0 SITE ANALYSIS & CONTEXT

2.1 The Site

The site is located at 2 Lovell Road, Eastwood and is legally described Lot 14 Section 1 in Deposited Plan 7076. The site is located on the northern side of Lovell Road, in the junction between Blaxland Road and Lovell Road.

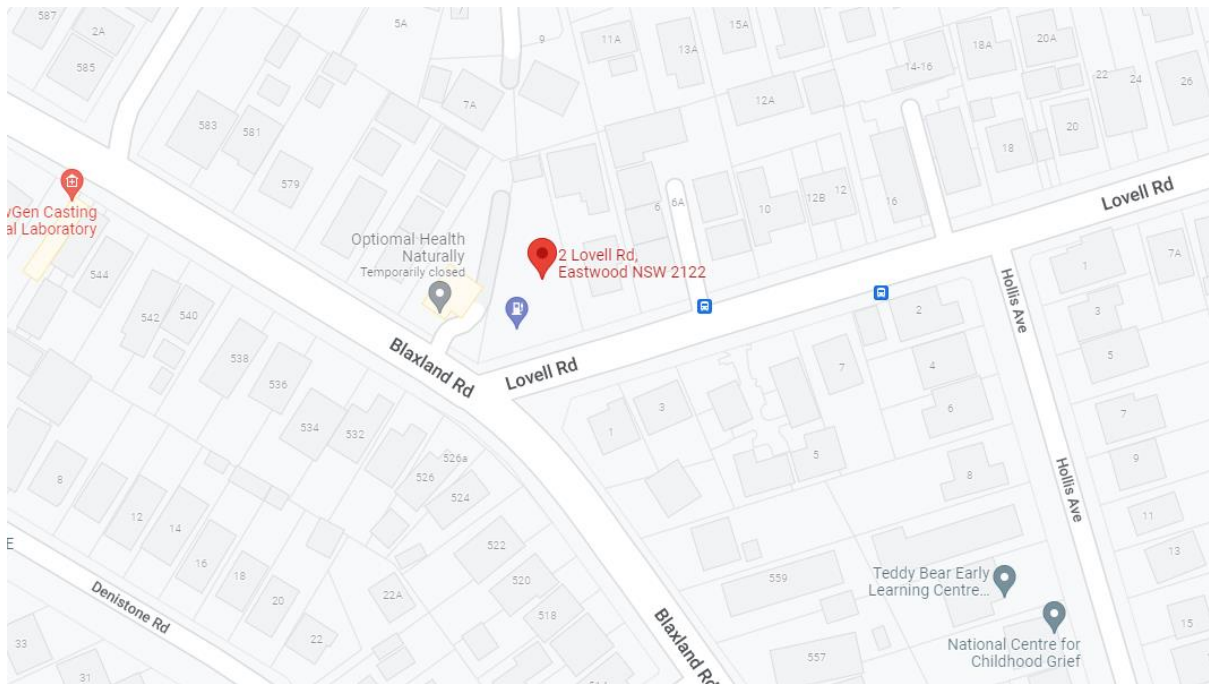


Figure 1: Site locality map (Google Maps 2022)



Figure 2: Aerial Map (NSW Spatial Planning Viewer 2022)

The site is irregular in shape with a total area of 1325 square metres by survey, with a 36.21 metre street frontage to Lovell Road. The northern side boundary measures 68.94 metres and the southern side boundary measures 60.995 metres. The rear boundary measures 7.315 metres. The site falls from the street towards the rear by approximately 2.95 metres.

The land is zoned R2 Low Density Residential under the provisions of Ryde Local Environmental Plan 2014 (LEP). The site is not identified as a Heritage Item, nor is it located within a Heritage Conservation Area (HCA). It is also not considered to be located within the close vicinity of any Item or HCA, or as a contributory item.



Figure 3: Subject site as viewed from Lovell Road (Corona Projects, 2022)



Figure 5: *Mechanic Workshop Area and Spray Paint Booth (Corona Projects 2022)*



Figure 6: *Existing Workshop Roof (Corona Projects 2022)*



Figure 7: *Rear Facade (Corona Projects 2022)*



Figure 8: Eastern Roller Door Entry / Exit (Corona Projects 2022)



Figure 9: Internal View of Store (Corona Projects 2022)



Figure 9: Internal View of Store Staff Roof (Corona Projects 2022)

2.2 The Locality

The site is located within the local residential area of Eastwood. The immediate locality mainly comprises residential development of buildings heights typically one to two storeys.

The site adjoins a one storey residential building to the west at 573 Blaxland Road. The site adjoins a single storey dual occupancy residential building to the east at 4 Lovell Road. This site is a heritage item. The rear of the site is adjoined by a three-storey brick residential flat building at 25 Victoria Street.

2.3 Development History

A search on Council's DA Tracker returned no results for development applications associated with the site. However, a copy of the original development consent under DA-3413 has been provided by the property owners. The approval pertains to: *'Enlarge an industry - panel beating and spray-painting workshop in conjunction with a service station'*. This use continues to operate by virtue of existing use rights, as detailed within section 2.4 below.

A Development Control Order was issued by Ryde Council on 25th of May 2022. This development (DA) application has been lodged in conjunction with a building information certificate (BIC) for the regularisation of these unauthorised works. This application should be assessed with reference to the BIC.

2.4 Existing Use Rights – Sections 165 – 170 of the EP&A Act 1979 and Clauses 163 - 165 of the Environmental Planning and Assessment Regulation 2021

Existing on site is a panel beating and spray-painting workshop in conjunction with a service station. The existing mixed use of the premise will continue to be a prohibited use in the zone, in accordance with the list of prohibited uses listed under the Zone R2 Low Density Residential land use table within the Ryde LEP 2014. The mixed use of the building (as defined in the Regulations) therefore operates by virtue of existing use rights.

2.4.1 Sections 4.65 to 4.70 of the Act

Sections 4.65 to 4.70 of the Act outline the provisions relating to existing use rights. Existing use is defined under Section 4.65, which states:

In this Division, existing use means—

- a. the use of a building, work or land for a lawful purpose immediately before the coming into force of an environmental planning instrument which would, but for this Division, have the effect of prohibiting that use, and*
- b. the use of a building, work or land—*
 - i) for which development consent was granted before the commencement of a provision of an environmental planning instrument having the effect of prohibiting the use, and*
 - ii) that has been carried out, within one year after the date on which that provision commenced, in accordance with the terms of the consent and to such an extent as to ensure (apart from that provision) that the development consent would not lapse.*

Accordingly, to demonstrate existing use rights there are three key aspects to be established:

1. The use was lawfully commenced prior to the coming into being of planning controls applying to the land, which have the effect of prohibiting the existing use;
2. The use has continued since that time; and
3. The use has not been abandoned for more than 12 months as set out in Division 4.11, Section 4.66(3) of the EP&A Act.

Section 4.66 (previously s107), Subclause 3 of the EP&A Act, 1997 No 203 states that:

'Without limiting the generality of subsection (2)(e), a use is to be presumed, unless the contrary is established, to be abandoned if it ceases to be actually so used for a continuous period of 12 months..'

Additionally, it is to be noted that under subsection 4, section 4.66 of the EP&A act the following is established:

'During the period commencing on 25 March 2020 and ending on 25 March 2022, the reference to 12 months in subsection (3) is taken to be a reference to 3 years.'

This necessarily requires the following questions to be answered.

- 1) Was the use of the building, work, or land a lawful purpose immediately before the coming into force of an environmental planning instrument which would have the effect of prohibiting that use?
 - On 30th of June 2010 the Ryde Local Environmental Plan 2010 was gazetted and this had the effect of prohibiting new commercial uses from being established in this zone. Prior to the gazettal of the RLEP 2010, DA-3413 was approved in 1987 described as: *'Enlarge an industry – panel beating and spray painting in conjunction with a service station'*. It can therefore be surmised that the commercial use of the building was a lawful purpose prior to the gazettal of the Ryde LEP 2010 which subsequently prohibited the use.
- 2) Was the use of the building, work, or land granted development consent before the commencement of a provision of an environmental planning instrument having the effect of prohibited the use?
 - DA-3413 was approved in 1987 for the enlargement of the existing use. This approval was prior to the prohibition of vehicle body repair workshops and service stations premises on the subject site upon the gazettal of the Ryde Local Environmental Plan 2010. Council's records indicate that an application for a *'Panel beating and spray painting in conjunction with a service station'* was approved in 1987 and continued to operate by virtue of Existing Use Rights through present day.

- 3) Has the use of the building, work or land been carried out, within one year after the date on which that provision commenced, in accordance with the terms of the consent and to such an extent as to ensure (apart from that provision) that the development consent would not lapse?
- The existing panel beating and spray painting in conjunction with a service station mixed-use has, beyond all reasonable doubt, been in existence and not ceased since 1987 (DA-3413). It is not considered necessary to demonstrate whether or not the premise was vacant for any period because the use (whether vacant or not) has continued unabated. If the premise were vacant for any period, the mixed-use of the premise would have remained and would have been marketed for rent as such. Vacancy in itself cannot constitute a change of use (*Hudak v Waverley Municipal Council* [1990] 70 LGRA 130). Furthermore, photographic evidence of the premise in operation is available, see figures 10 and 11 below depicting the premise in 2007 and 2017 respectfully.



Figure 10: Subject Site as viewed from Lovell Road - 2007 (Google Street View, 2007)



Figure 11: Subject Site as viewed from Lovell Road - 2017 (Google Street View, 2017)

The issue of abandonment therefore does not arise. It is considered within all reasonable probability, and based on all the information available to Council and the Owner, that the premise used for panel beating and spray painting in conjunction with a service station unabated since 1987 following the approval of DA-3413.

Having regard to the above, it can be concluded that:

1. The existing use on the site commenced prior to the coming into force of an environmental planning instrument prohibiting the use, so that Division 4.11, s 4.65 (b) of the EP&A Act, is applicable;
2. The use has continued uninterrupted since its commencement to the present day, thereby according with s.4.66;
3. The subject Development Application may similarly be considered and approved by Council in accordance with s.4.67 ('the incorporated provisions') and Clauses 163 – 167 of the Environmental Planning and Assessment Regulation 2021.

Assessment of existing use rights development

Clause 4.67(3) states that the provisions of any environmental planning instrument that derogates from the existing use rights provision, have no force or effect whilst existing use rights remain.

In *Saffioti v Kiama Municipal Council [2018] NSW LEC 1426* ("Saffioti 2018") a Commissioner of the Land and Environment Court (LEC) considered the issue of whether the controls in a Development Control Plan (DCP) could be considered in assessing the merits of an application for development consent for development with existing use rights. The Commissioner decided that the relevant controls in the DCP could be considered, as the Act provides that any provisions of an environmental planning instrument (EPI) which would derogate from the provisions in the Regulations have no effect. In Saffioti 2018, the Commissioner found that as a DCP is not an EPI, section 4.67(3) does not apply to the provisions of such an instrument. The Commissioner also considered provisions of the Local Environmental Plan (LEP) and found that only those provisions of the LEP which could have the effect of prohibiting the development derogated from the incorporated provisions and therefore could not be taken into account.

The Applicant appealed against the Commissioner's findings to a Judge of the Court on questions of law in *Saffioti v Kiama Municipal Council [2019] NSWLEC 57* ("Saffioti 2019"). The appeal was heard by the Chief Judge of the Court and failed on all grounds. What can be taken away from Saffioti 2019, is that provisions of an EPI (eg. a LEP) may establish factual pre-conditions that a consent authority must be satisfied exist in order to grant development consent or fix developmental standards. An applicant seeking development consent to enlarge, expand or intensify an existing use must comply with any such provisions.

Such provisions will not derogate from the existing use 'incorporated provisions' in the Regulations. They will only do so (and have no effect for the purpose of section 4.67(3) of the EPA Act) if they derogate from the entitlement to make the relevant DA. Previously, existing use rights have been assessed as if the provisions of the LEP and DCP do not apply and can only be used as a guide to development in as much as they control development upon surrounding sites. Existing use right assessments have been based upon four questions as set out in *Fodor Investments v Hornsby Shire Council [2005] NSWLEC 71*.

Given the outcome of Saffioti 2019, the assessment of existing use rights should be considered against both the development standards of the LEP and the controls of the DCP. This assessment is set out in section 4 below.

2.4.2 Clause 163 and 165 of the Environmental Planning and Assessment Regulation 2021

Clause 163 – Certain Development Allowed:

The development operates by virtue of existing use rights. Once established, Clause 163 of the Environmental Planning and Assessment Regulation 2021 outlines a list of criteria to consider when determining a Development Application on land that is subject to existing use rights. The clause stipulates the following considerations:

(1) An existing use may, subject to this Part—

(a) be enlarged, expanded or intensified, or

(b) be altered or extended, or

(c) be rebuilt, or

(d) be changed to another use, but only if the other use is a use that may be carried out with or without development consent under the Act, or

(e) if it is a commercial use—be changed to another commercial use, including a commercial use that would otherwise be prohibited under the Act, or

(f) if it is a light industrial use—be changed to another light industrial use or a commercial use, including a light industrial use or commercial use that would otherwise be prohibited under the Act.

The proposal simply seeks to expand upon the mixed use through minor modifications to the internal layout and the external building façade.

Clause 165 – Alteration of Building and Works:

Clause 165 of the Environmental Planning and Assessment Regulation 2021 outlines following criteria:

1) Development consent is required for an alteration of a building or work used for an existing use.

2) The alteration must be—

(a) for the existing use of the building or work and for no other use, and

(b) erected or carried out only on the land on which the building or work was erected or carried out immediately before the relevant day.

The proposed works do not alter the existing mixed use of the building and are entirely situated within the boundaries of the subject site.

2.4.3 Summary

In summary, the site enjoys existing use rights under Division 4.11 of the EP&A Act 1979 which provides that regulations may be made to allow the enlargement, expansion or intensification of a building. The above paragraphs have assessed and justified the impacts of the development may bring to the surrounding properties. Given the nature of the proposal, the impacts are minor and the proposal should be considered as acceptable. As established in *Saffioti v Kiama Municipal Council [2019] NSWLEC 57* the assessment of existing use rights has been considered against both the development standards of the LEP and the controls of the DCP in section 4 below.

3.0 THE PROPOSAL

3.1 Overview

The Development Application proposes the intensification of existing use, alterations and additions, and internal fit-out works. More specifically, the proposed development comprises of:

- Intensification of the existing mixed-use, specifically a vehicle body repair workshop and service station currently operating by virtue of existing use rights, to encompass the use of unauthorised works detailed in councils 'Stop Work' order dated 25th May 2022;
- Expansion of the existing ancillary use of the store to encompass an area previously dedicated to the mechanic's workshop;
- Use of the 'sound barrier' area for panel beating;
- Use of the rear of the premise and unauthorised spray-painting booth for spray painting;
- Demolition of the pylon sign in the south-western corner of the site;
- Erection of a new pylon sign in the south-western corner of the site;
- Works to replace and repair the existing dilapidated roof; and
- BCA compliance works, as per the provided BCA report including:
 - An outward swinging door with compliant door hardware is required to the front exit (south side) to improve building egress from this area;
 - An outward swinging Exit door is required from the mechanical workshop area;
 - Emergency Lighting will be required throughout the premises; and
 - Exit signage is required at each Exit door from the premises.

The proposal has been designed to relate to its site and to the streetscape in relation to appearance, envelope, setbacks, bulk and scale. The contemporary design utilises high quality materials and detailing to present an unobtrusive visual outcome for the locality.

Please refer to plans prepared by Corona Projects.

3.2 Numerical Overview

A brief numerical overview of the development parameters for the proposed development is included in the following table

Table 1: Key development components

Component	Proposal
Site area	1325m ²
Gross Floor Area	652.7m ²
Floor Space Ratio	0.49:1
Height	1 storey – As per existing
Boundary setbacks	All boundary setbacks are to remain as per existing.
Car spaces	As per existing

3.4 Plan of Management

Items	Details	
Business name	BKB Motor Vehicle Repairs	
Signage	The existing pylon sign is proposed to be demolished and a new pylon sign of similar dimensions erected. Refer to the provided architectural plans and schedule of materials and finishes.	
Type of business	<ul style="list-style-type: none"> • Panel beating; • Spray Painting; • Sale of general goods; and • Service station. 	
Hours of Operation	Monday	6am-8pm
	Tuesday	6am-8pm
	Wednesday	6am-8pm
	Thursday	6am-8pm
	Friday	6am-8pm
	Saturday	6am-8pm
	Sunday	8am-5pm
Number of staff	5	

Maximum number of patrons	50 per day
Type of waste may generate from the operation, including any hazardous waste	General waste
Waste disposal and collection arrangement	Weekly council collection – As per existing arrangement.
Staff parking arrangement	Staff utilise street parking
Customer parking arrangement	8 customer parking spaces are provided on site
Proposed noise sources	General mechanical noise
Access for disabled customers	N/A – As per existing
Toilet facilities, including disabled toilet	Refer to provided floor plan
Complaint management	Complaints directed to general manager
Emergency procedures	As per hazard management plan displayed on site

4.0 STATUTORY PLANNING FRAMEWORK AND ENVIRONMENTAL ASSESSMENT

This Chapter provides an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

4.1 Statutory and Policy Compliance

The relevant matters for consideration under Section 4.15(a) of the EP&A Act, 1979, are identified as:

- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Industry & Employment) 2021
- Ryde Local Environmental Plan 2014
- Ryde Development Control Plan 2014

The primary statutory document that relates to the subject site and the proposed development is Ryde Local Environmental Plan 2014. The primary non-statutory plan relating to the subject site and the proposed development is Ryde Development Control Plan 2014.

4.1.1 State Environmental Planning Policy (Resilience and Hazards) 2021

This Policy is to provide for a state-wide planning approach to the remediation of contaminated land. Subject to Clause 4.6, considerations should be given to the suitability of land in terms of contamination.

The subject site has a long history of being used for the mixed-use purpose. Thus, there is no further consideration required under Clause 4.6(1)(b) and (c) of the Resilience and Hazards SEPP.

4.1.2 State Environmental Planning Policy (Industry & Employment) 2021

Consideration	Comment
SCHEDULE 5 ASSESSMENT CRITERIA	
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?	The proposed signage is compatible with the existing or desired future of the locality due to an appropriate design and colour scheme. The signage will adopt suitable dimensions and will be best placed to complement the streetscape. The use of signage activates the streetscape and is visually beneficial.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	The proposed signage is consistent dimensions to that of the existing pylon sign on site. Accordingly, the impact on the streetscape is to remain largely as per existing.
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?	The proposed signage does not detract 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. This can be attributed to the similarity in design and dimensions to the existing pylon sign.
3 Views and vistas	
Does the proposal obscure or compromise important views?	No views of note are anticipated to be obstructed.
Does the proposal dominate the skyline and reduce the quality of vistas?	The proposal does not dominate the skyline or reduce the quality of vistas.

Consideration	Comment
Does the proposal respect the viewing rights of other advertisers?	The proposed signage respects the viewing rights of other advertisers through adhering to the various dimension and colour controls.
4 Streetscape, setting or landscape	
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	The scale, proportion and form of the proposed signage is appropriate for the streetscape.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	The sympathetic dimensions of the proposed signage contributes to the visual interest of the streetscape and complements the locality visually.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	The proposed signage comprises of a simple, visually attractive design. It serves to replace the existing dated pylon sign on site.
Does the proposal screen unsightliness?	The location of the proposed sign is not intended to screen unsightliness.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	The proposal is of the same height as the existing pylon sign on site and is therefore to exhibit the same streetscape impact.
Does the proposal require ongoing vegetation management?	No ongoing vegetation management is required.
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?	The proposed sign is in keeping with the characteristics with the existing pylon sign on site in terms of general location and scale. Accordingly, the impact of the proposed sign on the site and wider locality is to remain as per existing.
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?	
6 Associated devices and logos with advertisements and advertising structures	
Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	The logo has been designed as an integral part of the signage and structure.
7 Illumination	
Would illumination result in unacceptable glare?	No illumination is proposed.
Would illumination affect safety for pedestrians, vehicles or aircraft?	

Consideration	Comment
Would illumination detract from the amenity of any residence or other form of accommodation?	
Can the intensity of the illumination be adjusted, if necessary?	
Is the illumination subject to a curfew?	
8 Safety	
Would the proposal reduce the safety for any public road?	The proposed sign is to match the existing pylon sign in terms of streetscape impact. Therefore, the proposal is to be deemed acceptable upon merit given the acceptability of the current sign.
Would the proposal reduce the safety for pedestrians or bicyclists?	
Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	

4.1.5 Ryde Local Environmental Plan 2014

The development complies with the provisions of Ryde Local Environmental Plan 2014 (LEP 2014).

Zoning and permissibility

The site is located in Zone R2 Low Density Residential.

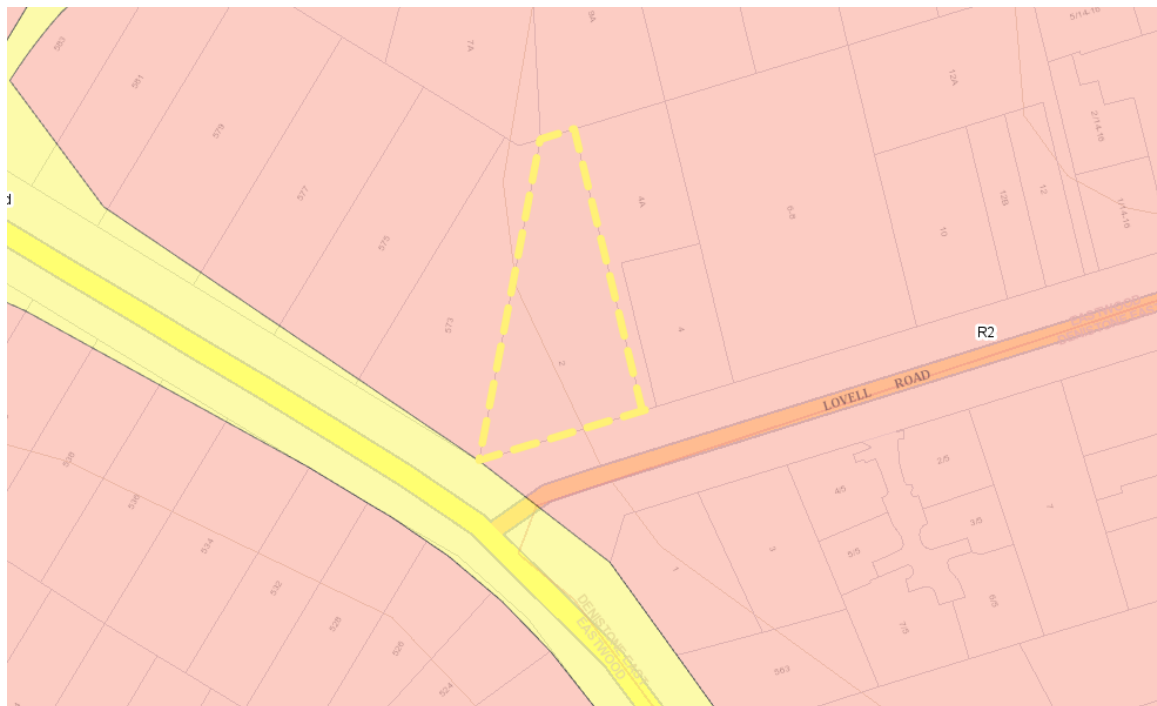


Figure 4: Land Zoning Map (NSW Spatial Planning Viewer 2022)

The development is identified to be *'panel beating and spray painting in conjunction with a service station'*, which is not permitted with consent in the R2 Low Density Residential zone however operates by virtue of existing use rights as detailed within section 2.4 of this report.

Nevertheless, the objectives of the zone will be assessed as per the findings of '*Saffioti v Kiama Municipal Council [2018] NSW LEC 1426*'.

The objectives of the zone are:

- *To provide for the housing needs of the community within a low-density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for a variety of housing types.*

The proposed development will allow for the existing mixed-use to continue operating, catering to the needs of the surrounding low density residential environment. The proposal will not result in the intensification of any adverse impact on the surrounding residential environment nor will it impact the use of adjoining sites.

Clause 4.3 Height of buildings

The LEP Height of Building Map stipulates that the maximum building height permitted for the site is 9.5 metres. The proposal is to retain the existing single storey height of the service station and proposed height of the pylon sign is 6m. The proposal will therefore remain compliant.

Clause 4.4 Floor space ratio

The LEP Floor Space Ratio Map stipulates that the maximum floor space ratio permitted for the site is 0.5:1. The proposal has a floor space ratio of 0.49:1 and is therefore compliant.

4.1.6 Ryde Development Control Plan 2014

The development achieves a high level of compliance with the provisions of Ryde Development Control Plan 2014.

Control	Comment	Compliance	
Part 8: Engineering			
8.2 Stormwater and Floodplain Management			
2.0 Stormwater Drainage			
2.2 Property Drainage			
a	Stormwater runoff draining from impervious/hardstand areas must be collected and conveyed via pipe or an engineered open channel to a discharge point in accordance with this Part and the Stormwater and Floodplain Management Technical Manual.	Refer to the provided stormwater management plan submitted with this DA.	-
Part 9: Other Provisions			
9.1 Signage			
2.0 General requirements for all signage			
a	A sign must be either: i. A business identification sign or a building identification sign as defined in Ryde Local Environmental Plan 2014; or ii. A directional sign, that is a sign that directs persons to development on the land to which it is displayed.	It is to be noted that no new signage is proposed under this application. The existing pylon sign is to be relocated slightly to reside within the property boundaries.	-
3.0 Signage requirement by type of zone and location			
3.1 Residential Zones			
a	Maximum of 1 sign will be permitted per site.	As the existing <i>'panel beating and spray painting in conjunction with a service station'</i> use operates by virtue of existing use rights, signage on site is to be assessed on merit given the location of the site within a R2 Low Density Residential Zone.	Acceptable upon merit
b	Sign options in residential zones are: i. Business signs; ii. Real estate signs; iii. Home occupation signs; and iv. Temporary signs.		
c	Illumination of signs is prohibited.		
		Only 1 pylon sign is located on site. No illumination is proposed. The general location and scale of the pylon sign is to largely match that of the existing pylon sign on site. As such the impact of the sign on	

Control	Comment	Compliance
	the site, neighbouring properties, and the roadway is to remain largely as per existing.	

4.2 Impacts of the Development

As noted in the above assessment against the provisions of the relevant Environmental Planning Instruments and Development Control Plan, the development is of a minor scale and nature, and does not present unreasonable environmental, social and economic impacts.

4.2.1 Natural and Built Environment Impacts

The development does not alter the existing impact upon native vegetation, soil conditions, or air quality. Accordingly, the proposal is deemed to be of acceptable impact to the natural and built environment.

4.2.2 Social and Economic Impacts

The development increases the amenity of the property with the replacement of the dilapidated roof and other various internal upgrades as per the requirements of the BCA report. The development will thus also upgrade the presentation of the site to the street and improve aesthetic quality of the streetscape. The proposal does not engender any negative social or economic outputs.

4.3 Suitability of the Site

The subject site is considered suitable in size and shape to accommodate the development. The proposal does not introduce any incompatible uses to the site. The works are permissible under the R2 Low Density Residential zone.

4.3.1 Access to Services

The site is located within an established residential area with excellent access to services and public transport. As the site is within an established urban area, electricity, sewer, telephone, and water services are readily available to the subject site.

4.3.2 Parking and Access

The on-site parking provided complies with the parking requirements as prescribed by Ryde Development Control Plan 2014. It provides a logical and considered approach to the provision of off-street car parking.

4.3.3 Hazards

The site is not in an area recognised by Council as being subject to flooding, landslip, bushfire or any other particular hazards. The proposed development is not likely to increase the likelihood of such hazards occurring and is considered appropriate in this instance.

4.4 The Public Interest

The proposal is considered to be in the public interest as it produces nominal environmental, social and economic impacts. The proposed development has been designed to relate to the size, shape and context of the site and has been designed in accordance with the desired future character for development in the area.

The proposal has been designed to minimise as far as practical any adverse effects on existing and future neighbouring properties. The proposal is consistent with the applicable LEP and DCP provisions except where identified and justified in this Statement of Environmental Effects. Accordingly, the proposed development is considered to be in the public interest.

5.0 CONCLUSION

The Statement of Environmental Effects (SEE) has been prepared to consider the environmental, social and economic impacts of the development at 2 Lovell Road, Eastwood. The report has addressed the applicable policies and plans, and has provided an environmental assessment in accordance with Section 4.15 of the Environmental Planning and Assessment Act 1979.

The application proposes a reasonable development within the subject site locality. The proposal incorporates appropriate design considerations to minimise any adverse impacts on the natural and built environment, and the amenity of the surrounding neighbourhood.

Given the benefits of the development and compliance with the relevant policies and plans, we conclude that the proposed development at 2 Lovell Road, Eastwood as described in this application is reasonable and supportable, and worthy of approval by Ryde Council.