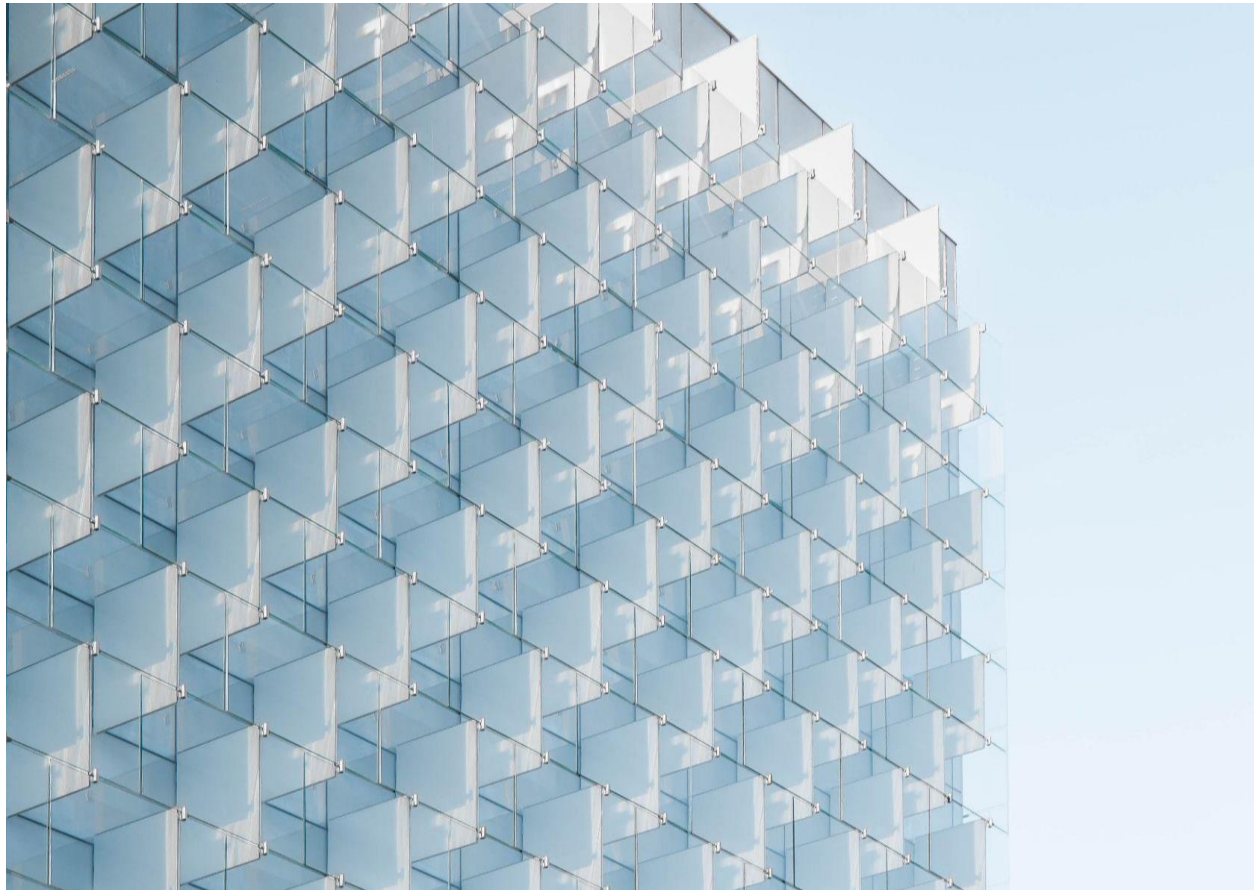


# WILLOWTREE PLANNING



17 November 2025

Ref: WTJ25-151  
Contact: Marcus Butler



## STATEMENT OF ENVIRONMENTAL EFFECTS:

### CONCEPT DEVELOPMENT APPLICATION FOR SUBDIVISION, EARTHWORKS AND BUILT FORM (CONCURRENT STAGE 1 DEVELOPMENT APPLICATION FOR EATHWORKS AND SUBDIVISION)

120 Old Pittwater Road, Brookvale, 2100  
Lot 3 DP868761

—  
Prepared by Willowtree Planning Pty Ltd  
on behalf of Centennial Property Group Pty Limited

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## STATEMENT OF ENVIRONMENTAL EFFECTS

Concept Approval for Subdivision, Earthworks and Built Form / Concurrent Detailed Stage 1 Application for Subdivision and Earthworks  
120 Old Pittwater Road, Brookvale (Lot 3 DP868761)

*In the spirit of reconciliation and recognition, Willowtree Planning acknowledges the Traditional Owners of this Country throughout Australia and their continuing and ongoing connections to land, waters and community. We show our respect to Elders – past and present.*

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## APPENDICES LIST

Appendix	Document	Prepared by
1.	Architectural Plans	Reid Campbell
2.	Arboricultural Impact Assessment	Urban Arbor
3.	Civil Report	Costin Roe Consulting Pty Ltd
4.	Flood Impact Risk Assessment	Costin Roe Consulting Pty Ltd
5.	Geotechnical Assessment Report	JK Geotechnics Pty Ltd
6.	10.7 Planning Certificate	Northern Beaches Council
7.	Landscape Plans	Conzept Landscape Architects
8.	Preliminary Site Investigation	JK Environments Pty Ltd
9.	Waste Management Plan	Land & Groundwater Consulting Pty Ltd
10.	Biodiversity Assessment Report	Land Eco Consulting
11.	Bushfire Risk Assessment Report	Travers Bushfire and Ecology
12.	Traffic Impact Assessment	CJP Consulting Engineers Pty Ltd
13.	Clause 4.6 Variation Request	Willowtree Planning Pty Ltd
14.	Civil Plans	Costin Roe Consulting Pty Ltd
15.	DCP Assessment Table	Willowtree Planning Pty Ltd
16.	Estimated Development Cost	WTP Australia Pty Ltd



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## PART A SUMMARY

### 1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning) on behalf of Centennial Property Group Pty Limited (the Applicant) and is submitted to Northern Beaches Council (Council) in support of a Development Application (DA) at 120 Old Pittwater Road Brookvale (the Site), which captures the following land parcels:

- Lot 3 DP868761

This DA seeks development consent pursuant to Section 4.22 of the *Environmental Planning and Assessment Act 1979* (EP&A Act), concept approval of subdivision, earthworks and built form and a concurrent (detailed) stage 1 application for earthworks and subdivision at the Site, including other necessary works, as described in **PART C** of this SEE.

The Site is zoned E4 General Industrial, pursuant to the *Warringah Local Environmental Plan 2011* (WLEP2011), which is intended to:

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To provide areas for land uses that need to be separated from other zones.
- To provide healthy, attractive, functional and safe light industrial areas.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Part 3 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation). Assessment against the relevant matters for consideration under Section 4.15(1) of the EP&A Act has also been carried out under **PART D** of this SEE.

This SEE describes the site and proposed development, provides relevant background information and responds to the proposed development in terms of the relevant matters set out in relevant legislation, environmental planning instruments and planning policies.

The structure of the SEE is as follows:

- **PART A SUMMARY**
- **PART B SITE ANALYSIS**
- **PART C PROPOSED DEVELOPMENT**
- **PART D LEGISLATIVE AND POLICY FRAMEWORK**
- **PART E ENVIRONMENTAL ASSESSMENT**
- **PART F CONCLUSION**

Based on the assessment undertaken, it is recommended that favourable consideration to the approval of the DA be given.



## STATEMENT OF ENVIRONMENTAL EFFECTS

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120 Old Pittwater Road, Brookvale (Lot 3 DP868761)

### 1.2 PRE-LODGE MENT CONSULTATION

A pre-lodgement meeting was held with Northern Beaches Council on 01/05/2025. **TABLE 1** below outlines the notes provided by Northern Beaches and commentary against each matter.

TABLE 1. PRE-LODGE MENT NOTES	
Council Comments	Applicant Response
<b>Traffic Engineering</b> A traffic impact assessment is required showing vehicle and pedestrian access for each lot. All three lots must provide adequate parking for staff, visitors, delivery and service vehicles, compliant with AS2890.1 standards. Loading facilities must accommodate the largest anticipated delivery vehicles with forward ingress/egress capability. A common access road with rights of carriageway serving all three lots is preferred to minimise driveways onto Old Pittwater Road.	The development addresses Council's requirements through a Traffic Impact Assessment (TIA) in <b>Appendix 12</b> demonstrating access and parking for all 3 lots in accordance with AS2890.1. A common access road with rights of carriageway serves all lots, minimising driveways onto Old Pittwater Road. Loading facilities largest delivery vehicles with forward accommodate the ingress/egress capability.
<b>Landscape Referral</b> The subdivision will impact existing trees and vegetation, particularly on proposed Lot C. An Arboricultural Impact Assessment is required to inventory existing trees, especially those along site boundaries worthy of retention. Indicative building layouts are needed to properly assess potential tree, and vegetation impacts during the subdivision process.	<p>An Arboricultural Impact Assessment (AIA) is provided in <b>Appendix 2</b> which inventories all significant trees within 10m of development works, including 225 individual trees and 3 tree groups. The assessment addresses boundary trees worthy of retention, 83 trees recommended for retention (72 with standard AS4970-2025 protection measures and 11 requiring tree-sensitive construction methods)</p> <p>The AIA assessed the proposed subdivision into 3 lots with indicative warehouse and office building layouts against tree protection zones calculated to AS4970-2025. The development will require removal of 142 trees and 3 tree groups to accommodate the proposed warehouses and access roads across all 3 lots.</p> <p>Boundary vegetation along the southern and eastern edges (including trees 186-187, 189-197, 218-225) has been identified for retention. The AIA provides detailed tree-sensitive construction methods and notes that bulk earthworks plans require modification to</p>





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	achieve viable tree retention as detailed in <b>Section 9.3</b> .
<p><b>Parks, Reserves and Foreshores</b></p> <p>Lot C requires an appropriate landscape buffer zone to preserve existing trees and vegetation adjacent to Allenby Park. Development must complement the landscape character of adjoining bushland reserves, not threaten bushland protection, and utilise landscaping to screen development from open spaces.</p>	<p>An AIA is provided in <b>Appendix 2</b> inventorying 225 individual trees and 3 tree groups within 10m of development works. The assessment identifies 83 trees recommended for retention (72 with standard AS4970-2025 protection measures and 11 requiring tree-sensitive construction methods). The AIA assessed the proposed subdivision with warehouse and office layouts. While 142 trees and 3 groups require removal, the AIA identifies trees along the southern boundary (including trees 186-187, 189-197) for retention.</p> <p>The Landscape Plans in <b>Appendix 7</b> shows retention of existing trees along Lot C's boundary with Allenby Park, with supplementary landscaping proposed to create a planted buffer. This landscape treatment will provide screening between the warehouse and adjoining parkland.</p> <p>The AIA recommends 1:1 replacement planting for removed trees, which can be concentrated along this interface to strengthen the buffer and complement the bushland character.</p> <p>The proposed development for Lot C incorporates a landscape buffer zone along the western boundary adjoining Allenby Park, retaining approximately 0.15 ha of mature native vegetation (PCT 3592) including canopy trees and understorey.</p> <p>This retained corridor maintains the existing habitat connectivity with the Council Reserve and provides effective screening of the industrial development from the public open space. The landscape design prioritises preservation of existing mature trees within this buffer zone, with supplementary planting of</p>



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	<p>locally indigenous species to complement the bushland character and enhance visual screening where required.</p> <p>Refer to BDAR in <b>Appendix 10</b>.</p>
<p><b>Waste Management</b></p> <p>A Waste Management Plan is required for the demolition and construction phases. Materials including timber, bricks, tiles, plasterboard, metal and concrete must be separated for recycling with disposal evidence retained on site. Commercial waste contractors will be needed for ongoing service requirements, with facilities designed for forward-direction vehicle access.</p>	<p>The Waste Management Plan (WMP) in <b>Appendix 9</b> addresses demolition and construction phases. The WMP identifies separation for recycling of timber, bricks/pavers, metal, and concrete.</p> <p>Materials will be directed to Recycling Management Centres with disposal records retained per <b>Section 7.3</b> in <b>Appendix 9</b>. The WMP confirms private commercial waste contractors will provide ongoing services with weekly collections using MRV rear-loading vehicles.</p> <p>Forward-direction vehicle access is accommodated through the internal road design allowing trucks to enter, service the waste storage area, and exit in forward direction as specified in <b>Section 6.4</b> in <b>Appendix 9</b>.</p>
<p><b>Biodiversity</b></p> <p>Multiple biodiversity assessments are required including an Arboricultural Impact Assessment, either a Biodiversity Development Assessment Report (BDAR) or Flora and Fauna Assessment Report depending on clearing thresholds, and a Bushfire Hazard Assessment Report. The site contains remnant native vegetation (PCT 3593 Sydney Coastal Sandstone Bloodwood Shrub Forest) and historical threatened species records. An Accredited Assessor must determine if the Biodiversity Offset Scheme applies based on clearing thresholds. As the site is within RFS Bushfire Prone Land, Asset Protection Zones must be entirely</p>	<p>The BDAR in <b>Appendix 10</b> confirms the Biodiversity Offset Scheme applies, with 12 ecosystem credits required for 0.51 ha of native vegetation removal. Field surveys identified the vegetation as PCT 3592 (Sydney Coastal Enriched Sandstone Forest). The AIA in <b>Appendix 2</b> has been completed by Urban Arbor (2025), and all bushfire Asset Protection Zones are designed to remain entirely within the Site without extending into the adjoining Council Reserve.</p>



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within the lot and not extend into adjoining Council Reserve.	
<b>Environmental Health</b> A hazardous building materials survey must be conducted covering asbestos, lead, SMF and PCBs, with a Hazardous Building Materials Register prepared for safe management recommendations.	<p>The Preliminary Site Investigation (PSI) in <b>Appendix 8</b> identifies hazardous building materials as a potential contamination source, noting that such materials may be present in existing site buildings and structures, including asbestos, lead and PCBs.</p> <p>The PSI recommends undertaking a hazardous building materials survey prior to demolition of the buildings, with an asbestos clearance certificate to be obtained following demolition and preferably prior to removal of hardstand surfaces.</p> <p>A condition of consent requiring preparation of a Hazardous Building Materials Register in accordance with the survey findings is considered appropriate.</p>
<b>Compliance with the Warringah Development Control Plan 2011</b>	
<b>C1 Subdivision</b> The proposal must address subdivision requirements with lots meeting the minimum 4000m area, though irregular shaped or steeply sloping sites should be larger to accommodate landscaping, access, drainage and building footprints. Adequate access must be demonstrated for intended industrial uses, considering trucks, loading docks, employee and visitor parking with ease of access/egress prioritised. Civil works must comply with AUSPEC and Australian Standards including WSUD and OSD requirements. Each allotment should drain by gravity to Council-approved drainage systems with inter-allotment drainage and on-site detention. Any easements, rights-of-carriageway, building envelopes or title restrictions should be outlined in draft. Environmental constraints must be accommodated, including bushland conservation buffers along rear setbacks that conserve large	<p>The subdivision creates 3 lots exceeding the 4,000m<sup>2</sup> minimum (Lot A: 6,579m<sup>2</sup>, Lot B: 6,817m<sup>2</sup>, Lot C: 8,372m<sup>2</sup>), with increased areas accommodating the Site's irregular shape and steep topography.</p> <p>The TIA in <b>Appendix 12</b> demonstrates adequate access for industrial vehicles including trucks and loading docks, with a common access road providing rights of carriageway to all lots.</p> <p>Civil works comply with AUSPEC and Australian Standards as detailed in the Civil Report in <b>Appendix 3</b>, incorporating WSUD principles with gravity drainage to Council systems via diversion swales and sediment basins for each lot.</p>



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<p>canopy trees, drainage soaks, habitat and natural rock features. Bushfire APZ areas must be contained within the site with a bushfire report required.</p>	<p>OSD and water quality treatment will be addressed by individual lot developers in subsequent applications as confirmed in <b>Sections 5.1</b> and <b>6.1</b> of the Civil Report in <b>Appendix 3</b>. This staged approach ensures stormwater management infrastructure is appropriately sized and designed to respond to the specific building footprints and operational requirements of each warehouse lot.</p> <p>The Bushfire Protection Assessment in <b>Appendix 11</b> confirms Asset Protection Zones are contained entirely within the Site.</p>
<p><b>B6 Merit Assessment of Side Boundary Setbacks</b></p> <p>Side boundary setbacks require merit assessment with 3-4m setbacks recommended for large industrial buildings to enable mature tree maintenance/retention with space for drainage and side access. Generally, side boundary setback areas must be landscaped and free of above or below ground structures, car parking or site facilities other than driveways and fences.</p>	<p>The Architectural Plans in <b>Appendix 1</b> demonstrate side boundary setbacks with landscaped buffer zones along all industrial warehouse boundaries. The setback areas are designed to accommodate mature tree retention and maintenance, with these zones kept free of structures and dedicated to landscaping as required.</p> <p>Drainage and services are designed to minimise impacts within setback areas. The landscape plans in <b>Appendix 7</b> demonstrate that these setback zones will be appropriately landscaped with a combination of retained existing trees and new plantings, particularly along the interface with Allenby Park on Lot C.</p> <p>Car parking has been located outside of the landscaped setback areas, with only necessary driveways crossing through these zones for site access.</p>
<p><b>B7 Front Boundary Setback</b></p> <p>A minimum 4.5m front boundary setback is required to road frontages. Existing landscaping should be maintained with opportunities to enhance or widen landscaping introduced. Landscaped front setbacks form an important</p>	<p>The development maintains front boundary setbacks to Old Pittwater Road with landscaped areas shown along the road frontage.</p>



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<p>element for industrial areas to enhance employment area amenity and streetscape character.</p>	<p>The development provides a minimum 4.5m front boundary setback to Old Pittwater Road, complying with the DCP requirement. Landscaped areas are provided along the entire road frontage as shown on the Landscape Plans in <b>Appendix 7</b>.</p> <p>The landscape plans demonstrate retention of existing vegetation along the front boundary where feasible, supplemented with new plantings to enhance the streetscape presentation. The front setback areas are designed as landscaped zones that will contribute to the employment area's amenity and streetscape character in accordance with DCP objectives.</p> <p>These landscaped frontages will provide visual screening of the warehouses from the Old Pittwater Road while maintaining an appealing street presence appropriate for the industrial context.</p>
<p><b>B10 Merit Assessment of Rear Boundary Setbacks</b></p> <p>Rear boundary setbacks require merit assessment demonstrating preservation of existing bushland natural values through an investigative approach protecting canopy trees (and root zones), rock outcrops and habitat. Using arbitrary lines between adjacent excavation points is not ideal for identifying merit values. Areas of previous disturbance should be considered, and setbacks must account for "over-excavation" elements such as maintenance access along outer walls, dish drains and bushfire protection requirements like preventing overhanging tree canopy across buildings.</p>	<p>The rear boundaries interface with natural bushland areas, particularly along the southern boundary of Lot C adjacent to Allenby Park.</p> <p>The AIA in <b>Appendix 2</b> has identified high-value native trees for retention along these interfaces, including mature Angophora costata specimens with their root zones protected.</p> <p>The proposed development responds to site topography and existing vegetation patterns rather than arbitrary excavation lines. The bulk earthworks and civil plans in <b>Appendix 14</b> considers the natural landform while minimising impacts to bushland values.</p> <p>Setback areas incorporate space for building maintenance access, drainage infrastructure,</p>



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	<p>and appropriate separation from overhanging canopy as required for bushfire protection. Areas of previous disturbance from existing development have been prioritised for new construction to minimise impacts on undisturbed bushland.</p> <p>The landscape plans in <b>Appendix 7</b> demonstrate enhancement of these buffer zones with native plantings that complement the adjoining bushland character while maintaining appropriate asset protection zones.</p>
--	---

1.3 REQUIREMENTS FOR CONCURRENCE / OTHER APPROVALS

No concurrence or integrated development approvals are required under Section 4.46 of the *EP&A Act 1979*.

While the development is not classified as Integrated Development under Section 4.46 of the *EP&A Act 1979* (being exempt under Clause 46(h) of the Rural Fires Regulation 2013 as an industrial subdivision), the BFSa from the NSW Rural Fire Service must be obtained prior to determination of the Development Application.

The Bushfire Protection Assessment prepared by Travers Bushfire & Ecology (October 2025) in **Appendix 11** addresses bushfire protection measures in accordance with Planning for Bush Fire Protection 2019.

The BDAR in **Appendix 10** confirms no approvals are required under the Fisheries Management Act 1994, Water Management Act 2000, or other Acts listed in Section 4.46. The development does not involve works on waterfront land, key fish habitat, aquatic habitats, or other features requiring additional agency concurrence.



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## PART B SITE ANALYSIS

### 2.1 SITE LOCATION AND CHARACTERISTICS

The Site is identified as 120 Old Pittwater Road Brookvale, containing the following land holdings:

TABLE 2. SITE IDENTIFICATION		
Site Address	Legal Description(s)	Land Area (approx.)
120 Old Pittwater Road Brookvale 2100	3/-/DP868761	21,917m <sup>2</sup>

The Site is identified as 120 Old Pittwater Road, Brookvale and constitutes of an area of approximately 2.178ha. The Site is irregular in shape and is located on the western side of Old Pittwater Road. The Site is zoned E4 – General Industrial pursuant to the Warringah Local Environmental Plan (WLEP2011).

The Site is subject to a maximum building height of 11m pursuant to Clause 4.3 of WLEP2011. The Site is not subject to a maximum floor space ratio pursuant to WLEP2011. At present, the Site is occupied by a warehousing and office space.

Refer to **Figure 1** and **Figure 2** below.

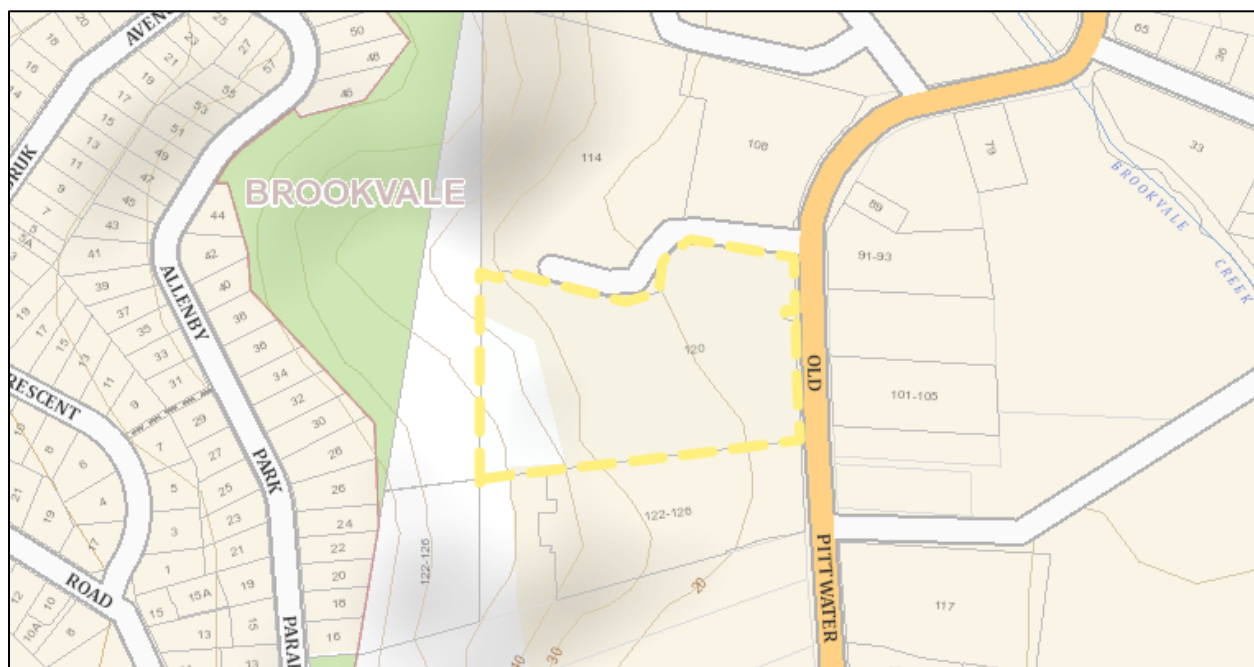


Figure 1. Cadastral Map (Source: SIX Maps, 2025)





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**Figure 2. Aerial Map (Source: Near Map, 2025)**

### 2.2 SITE CONTEXT

The Site is located at 120 Old Pittwater Road, Brookvale, within an established industrial precinct in the Northern Beaches Local Government Area. The irregularly shaped site slopes steeply upwards from the street frontage towards the rear boundary, which adjoins the significant bushland escarpment of Allenby Park. The Site is characterised by existing industrial structures scheduled for demolition, mature native vegetation including remnant Sydney Coastal Sandstone Bloodwood Shrub Forest, natural rock outcrops, and established drainage patterns. The surrounding area comprises a mix of industrial and commercial developments along Old Pittwater Road, with the broader Brookvale Valley providing important habitat corridors and biodiversity values.

The northern portion of the Site at 114 Old Pittwater Road has historically been subject to cut and fill earthworks and tree removal associated with the development of the existing land use. This demonstrates that substantial site modification works have been undertaken within this part of the Brookvale industrial precinct to accommodate contemporary industrial development.





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### 2.3 DEVELOPMENT HISTORY

**TABLE 3** outlined below provides a summary of the DAs, pertaining to the Site and of relevance to the proposal, that have been determined or are under assessment.

TABLE 3. EXISTING CONSENTS		
DA Reference	Summary	Approval Date
DA2021/0528	Alterations and Additions - Alterations and additions to an existing commercial premises to include a business identification sign	07/06/2021
DA2020/0935	Alterations and Additions - Alterations and additions to an existing warehouse building	06/11/2020
Mod2018/0671	Section 455 Private - CDC - Private SEPP - Internal demolition and make good and new sanitary facility CF18192CD01	10/12/2018
Mod2018/0021	Section 4.55 (1a) Minor Environmental Impact - Modification of Development Consent DA2016/1081 granted for signage	04/04/2018
DA2017/0831	Tree Application - Removal/Pruning of 1-2 Trees	19/09/2017
DA2016/1081	Alterations and Additions - Signage	27/01/2017
CDC2016/0586	Private SEPP - refurbishment of existing sanitary facilities on level 4	30/08/2016
DA2016/0693	Change of Use - Alterations and Additions to warehouse and ancillary office space	02/09/2016
DA2014/0504	Tree Application - Removal/Pruning of 20 or more Trees	26/05/2014
DA2011/0978	Tree Application - Tree Application	09/08/2011
DA2006/0251	Converted DA - Internal Alterations and Additions	11/04/2006
CDC2001/1097	Converted CDC - External Certificate Building Safety Services PO Box 737 Crows Nest 2065 Accredited Certifier Anthony Martin NO Grade 1 1865 Bap Connection of Existing Fire Alarm System to Private Monitoring Company (fire Monitoring Services PTY LTD) *note: to S Pinn re External Check	14/08/2001
DA2000/4729	Converted DA - Erection of Shade Structure and Conversion of Roof Space for Reaction Use	09/08/2000
DA2000/3721	Converted DA - Installation of 3.1M Satellite Dish (T.V.R.O.) - Perpetual Trustee Co	07/02/2000
DA1999/3026	Converted DA - Interior Office Fit out & Furniture Manufacturing Facility Office & Fac	21/10/1999



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## PART C PROPOSED DEVELOPMENT

### 3.1 DEVELOPMENT OVERVIEW

Concept Development approval is sought that nominates the general Torrens title subdivision arrangement of the Site into 3 lots, including earthworks, clearing of the Site, tree removal, and the built form envelope on the rear lot (Lot C) only.

Built form for the front two lots (Lots A and B) is not the subject of this concept application. For the purposes of assessment, indicative building envelopes have been drawn and assessed, however built form for Lots A and B will be subject to separate approvals according to tenant demand. Lot C will be further subdivided into strata title units as part of the Stage 2 Development Application for built form.

A concurrent detailed Stage 1 application seeks consent for Torrens title subdivision, earthworks and tree removal only. Future built form and strata subdivision of Lot C will be the subject of separate approval.

Concept application is for:

- Subdivision of Site into 3 Lots – Lot A, Lot B and Lot C (Torrens title)  
Earthworks, clearing and tree removal (142 trees and 3 tree groups as identified in the Arboricultural Impact Assessment)
- Built form envelope on rear lot only (Lot C) – indicative envelopes only for Lots A and B

The concurrent detailed Stage 1 application seeks approval for:

- Torrens title subdivision as described above
- Earthworks and clearing of the site
- Tree removal as identified in the Arboricultural Impact Assessment (**Appendix 2**)

The remaining stages will be the subject of subsequent approvals to include:

- Stage 2 Development Application will seek consent for the built form and strata subdivision on Lot C per the envelope established under the Concept Development Application
- Future separate Development Applications for built form on Lots A and B according to tenant demand

The proposed Subdivision, Earthworks, Tree Removal and Built Form envelope (Lot C only, with indicative envelopes for Lots A and B) include those works as identified in **TABLE 4** below.

TABLE 4. DEVELOPMENT PARTICULARS	
Component	Proposed
Site Area	21,768m <sup>2</sup>
Primary Land Use	E4 - General Industrial
Developable Area	21,768m <sup>2</sup>



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**TABLE 4. DEVELOPMENT PARTICULARS**

Component	Proposed
Gross Floor Area	<p>Lot C (subject of this application): 9,540m<sup>2</sup> (Storage Units: 2,750m<sup>2</sup> + Warehouse Units: 5,500m<sup>2</sup> + Office Mezzanines: 1,290m<sup>2</sup>)</p> <p>Indicative only (not part of this application): Lot A: 3,050m<sup>2</sup> (Warehouse: 2,650m<sup>2</sup> + Office: 400m<sup>2</sup>) Lot B: 3,500m<sup>2</sup> (Warehouse: 3,100m<sup>2</sup> + Office: 400m<sup>2</sup>)</p> <p>Total GFA sought for approval: 9,540m<sup>2</sup> Total indicative site capacity: 16,090m<sup>2</sup></p>
Floor Space Ratio	N/A
Building Height	<p>The 3-storey built form on Lot C extends to 21.09m , exceeding the 11m WLEP2011 height limit by 10.09m (91.73%), however when assessed against Council's draft LEP proposing 18m, represents only 3.09m (17.17%) exceedance for roof form and services.</p> <p>A Clause 4.6 variation request is provided in <b>Appendix 13</b> to justify the exceedance, demonstrating that compliance with the development standard is unreasonable and unnecessary in the circumstances and that the variation is in the public interest</p>
Number of Storeys	Lot C: 3 storeys (comprising ground floor warehouse/storage, Level 1, and Level 2, plus office mezzanines)
Subdivision	<p>Lot A: 6,579m<sup>2</sup> Lot B: 6,817m<sup>2</sup> Lot C: 8,372m<sup>2</sup></p> <p>Total Site Area: 21,768m<sup>2</sup></p>
Landscaping	<p>Retention of 83 existing native trees with protection measures. New native plantings along boundaries, particularly the Allenby Park interface. Landscaped setbacks along all lot boundaries and Old Pittwater Road frontage. Mix of soft landscaping and hardscape elements including bluestone and sandstone ballast.</p> <p>Refer to Landscape Plans in <b>Appendix 7</b>.</p>
Earthworks	Cut to fill earthworks with 24,40m <sup>3</sup> of cut and 1,318m <sup>3</sup> of fill, plus 3,400m <sup>3</sup> site strip and 391m <sup>3</sup> for basins. Bulk earthworks to create level building pads for the three lots. Retaining walls required to manage site topography between eastern and western portions.



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TABLE 4. DEVELOPMENT PARTICULARS	
Component	Proposed
	Refer to Civil Report in <b>Appendix 3</b> and Civil Plans in <b>Appendix 14</b> .
Roads / Driveways	Common internal access road with rights of carriageway serving Lots A and C. Lot B has a separate existing driveway access from Old Pittwater Road. Forward ingress/egress design for industrial vehicles including delivery trucks and waste collection. Loading facilities and turning circles designed to AS2890.1 standards
Tree Removal / Planting	<p>Tree Removal: 142 trees and 3 tree groups to facilitate subdivision earthworks, access roads, drainage infrastructure, services reticulation, and Asset Protection Zones across all 3 lots.</p> <p>Trees Retained: 83 trees (72 with standard AS4970-2025 protection + 11 with tree-sensitive construction methods including pier and beam footings and modified service alignments).</p> <p>Tree Planting: 1:1 replacement (142 trees minimum) concentrated along boundaries and Allenby Park interface.</p> <p>Tree removal is required for subdivision infrastructure works including site leveling, road construction, stormwater systems, and utility services serving all three lots. Tree removal for future warehouse buildings on Lots A and B is not sought as part of this application.</p>
Signage	No signage is proposed as part of this concept development application.
Infrastructure and Servicing	Connection to existing council stormwater infrastructure. Electricity, sewer and water services to be provided. Detailed servicing design to be addressed in subsequent applications.
Estimated Development Cost	\$12,530,520 (excluding GST) for Stage 1 works comprising subdivision, earthworks, tree removal and protection, stormwater infrastructure, and associated civil works. Refer <b>Appendix 16</b> .

### 3.2.1 Project Objectives

The proposed concept development seeks to subdivide and prepare the Site for development into 3 industrial lots that respond to the challenging topography while maintaining the Site's environmental values. The project integrates with the established Brookvale industrial precinct through careful site planning that addresses the rock escarpment dividing the eastern and western portions of the Site.



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The development prioritises several key outcomes:

- Retention of mature native vegetation and establishment of appropriate landscape buffers (**Appendix 7**), particularly along the sensitive interface with Allenby Park.
- Strategic earthworks and lot configuration that respond to the Site's natural constraints and bushland context.
- Creation of developable building platforms through bulk earthworks to enable future industrial uses on all three lots.
- Establishment of building envelopes and developable areas on Lot C to accommodate future warehouse and self-storage facilities, with Lots A and B configured to support future industrial development subject to separate approvals.
- Delivery of essential subdivision infrastructure including access roads, drainage systems, and service connections to support future warehouse and distribution uses.
- Creation of local employment opportunities that contribute to the continued evolution of the Brookvale industrial precinct as a key employment hub within the Northern Beaches local government area.

### 3.2.2 Sediment and Erosion Control

Erosion and sediment control plans are included in drawings CO12068.01-DA200, DA251 and DA252, demonstrating that works can proceed without polluting receiving waters. A detailed plan will be prepared following development consent and prior to works commencing.

The proposed earthworks strategy addresses several key areas:

- Bulk earthworks designed to achieve a balanced cut and fill arrangement, creating flat building pads whilst enabling appropriate site access and gravity-fed stormwater drainage.
- Sedimentation basins and erosion controls installed in accordance with approved drawings, with flexibility for minor layout adjustments as works progress.
- Embankment stability maintained through permanent batter slopes specified by the geotechnical engineer, with temporary batters limited to 2 horizontals to 1 vertical ratios, and permanent batters to be vegetated or turfed upon completion.
- Earthworks volume assessment providing apparent volumes with upper and lower bounds to support contingency planning, covering cut, fill, site stripping, basins and balance calculations, with final volumes to be refined through detailed modelling.
- Level 1 geotechnical control supervision of earthworks testing and inspections conducted in accordance with AS3798-2007.



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#### **3.2.3 Tree Removal**

The AIA in Appendix 2 identified 225 individual trees and three tree groups within the development area. The proposed subdivision requires removal of 142 trees and 3 tree groups to accommodate the subdivision earthworks, access roads, drainage infrastructure, service reticulation, and Asset Protection Zones across the 3 lots

The arboricultural strategy prioritises the retention of ecologically and visually significant vegetation through the following measures:

- Preservation of 83 mature native trees (72 with standard protection + 11 requiring tree-sensitive construction), predominantly concentrated along the southern and eastern boundaries, including high-value *Angophora costata* specimens that contribute to the Site's environmental character and provide effective screening to adjoining properties.
- Implementation of tree protection measures for all retained vegetation, including tree-sensitive construction methods for 11 trees (Trees 1, 7, 54, 55, 80, 81, 82, 97, 100, 101, 106) requiring pier and beam footings, modified stormwater alignments, and arborist-supervised construction to avoid root impact in accordance with AS4970-2025, with modifications incorporated into bulk earthworks plans to ensure long-term viability of retained trees.
- Provision of compensatory planting at a 1:1 replacement ratio, resulting in a minimum of 142 new native plantings to be concentrated along lot boundaries and the Allenby Park interface.

This approach maintains the Site's canopy cover whilst strengthening landscape buffers along sensitive interfaces, ensuring the development integrates appropriately with the bushland setting and preserves the environmental values that characterise this portion of the Brookvale industrial precinct.

#### **3.2.4 Landscaping**

The landscape strategy prioritises the retention of mature native vegetation and establishment of appropriate buffers that respond to the Site's bushland context and sensitive interfaces. The approach retains 83 native trees (72 with standard protection + 11 requiring tree-sensitive construction methods) with protection measures implemented in accordance with AS4970-2025, whilst accommodating removal of 142 trees and 3 tree groups necessary for the warehouse buildings, access roads and site infrastructure.

The landscape design delivers several key outcomes:

- Compensatory planting at a minimum 1:1 replacement ratio, providing 142 new native plantings concentrated along lot boundaries and the Allenby Park interface to maintain canopy cover and reinforce the Site's bushland character.
- Landscape buffers established along all site boundaries, with enhanced screening treatments at the Lot C and Allenby Park interface to provide visual separation and ecological transition between industrial and parkland uses.



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- Front setback landscaping designed to improve streetscape amenity and soften the visual appearance of the warehouse buildings when viewed from Old Pittwater Road.

The landscape strategy has been coordinated with the AIA (**Appendix 2**) and Landscape Plans (**Appendix 7**) to ensure soft landscaping integrates appropriately with the proposed built form whilst respecting the environmental values and bushland setting that characterise this portion of the Site.

### **3.2.5 Stormwater**

The stormwater management strategy in **Appendix 4** has been developed in accordance with applicable national guidelines and standards, including AS 3500.3, Northern Beaches Council requirements, and Australian Rainfall and Runoff (AR&R) principles. Rainfall intensity data from Northern Beaches Council policy has been applied to DRAINS modelling across storm events ranging from 2-year to 100-year Annual Recurrence Intervals (ARI).

The drainage design adopts a dual system approach that addresses both minor and major storm events:

- Minor (piped) system designed to convey the 20-year ARI storm event (Q20), with dedicated overland flow paths established to convey storms up to the 100-year ARI (Q100), limiting public risk and property damage in the event of pipe system failure or exceedance.
- Runoff analysis undertaken using the Rational Method with Normal soil type classification (2.5) and appropriate depression storage values applied to impervious, supplementary and grassed areas across Antecedent Moisture Condition (AMC) scenarios from ARI 1-5 through to ARI 50-100.
- Design criteria incorporating freeboard requirements of 150mm for minor system junctions and 300mm for major system peaks, with safety constraints limiting depth times velocity (dV) to 0.4 m<sup>2</sup>/s on pedestrian areas and 0.6 m<sup>2</sup>/s for vehicular areas up to the 100-year ARI event.
- Strategic inlet spacing and dedicated overland flow paths ensuring safe conveyance of the 100-year storm event to the road network.

### **3.2.6 Flooding**

The Site is identified as flood affected by Northern Beaches Council, as confirmed through Council's Flood Hazard Mapping. A flood study has been undertaken (**Appendix 4**) to compare pre-development and post-development flood conditions, confirming that the development maintains appropriate flood immunity and does not cause adverse impacts to upstream, downstream or adjacent properties.

The flood assessment identifies the following conditions:

- Under existing (pre-development) conditions, the Site represents a low-risk precinct but is considered flood affected during the Probable Maximum Flood (PMF) event.



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- Council mapping identifies some anomalous flood-affected areas that are unlikely to experience mainstream flooding, with the apparent ponding and overland flow patterns not representative of actual flooding conditions for reasons detailed in the Civil Report (**Appendix 3**).
- The Site is not expected to experience mainstream flooding; however it is subject to an overland flow path originating from bushland and the Allambie Heights residential area to the west, which has potential to cause flash flooding during extreme rainfall events.

The Flood Impact Assessment (**Appendix 4**) identifies that in the unlikely event of a PMF, safe refuge can be taken within the upper levels of buildings on Lot C, which are designed above the PMF flood level. This is a precautionary approach as evacuation would be the primary response, with safe evacuation via Old Pittwater Road available for all storm events up to and including the PMF. The Bureau of Meteorology flood warning system provides approximately three hours warning time from issue of warning to peak flood level, allowing adequate time for safe evacuation of the site. If evacuation is not possible, on-site refuge within the upper levels of buildings would provide safe shelter for all occupants until flood waters recede. The proposed multi-level warehouse on Lot C ensures adequate refuge space is available above the PMF flood level for all site occupants and visitors.

The proposed stormwater management strategy addresses these flood considerations through appropriate site grading, overland flow paths and connection to Council's drainage infrastructure, ensuring the development does not increase flood risk to surrounding properties whilst maintaining flood immunity for the proposed warehouse buildings in accordance with Northern Beaches Council requirements.

### **3.2.7 Bushfire**

The Site is located on bushfire prone land, with forest vegetation to the west and south-west posing the primary bushfire threat. The Bushfire Protection Assessment prepared in **Appendix 11** has assessed the proposed development against the Planning for Bush Fire Protection 2019 guidelines and relevant Australian Standards.

The assessment identifies that warehouse buildings on Lot C cannot achieve the preferred BAL-29 rating due to insufficient setbacks from western forest vegetation, with buildings along the western boundary assessed as BAL-FZ (Flame Zone). The development addresses this bushfire risk through the following measures:

- Implementation of a 2m non-combustible fence and radiant heat barrier along the western boundary to provide physical separation from the bushfire hazard.
- Buildings facing the fire front to the west constructed to Type A construction standards with 60/60/60 fire-rated external walls, no fenestration facing the western bushfire interface, and enhanced construction specifications including non-combustible sarking and ember protection measures.
- Consideration of fire sprinkler systems to provide additional protection for building occupants and property.





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- Asset Protection Zones maintained as Inner Protection Areas in accordance with the assessment recommendations, with ongoing landscape management to reduce fuel loads.
- Preparation of a Bushfire Emergency and Evacuation Plan (BEEP) to ensure safe evacuation procedures are established for building occupants.

These measures ensure the development appropriately addresses bushfire risk whilst enabling viable industrial use of the Site in accordance with Northern Beaches Council and NSW Rural Fire Service requirements.

### 3.2.8 Infrastructure and Services

The Site benefits from access to essential utility services and infrastructure networks that support the proposed industrial development.

The servicing strategy addresses the following key elements:

- Stormwater drainage connected to existing Northern Beaches Council infrastructure, with connection points identified in the Civil Report in **Appendix 3**, ensuring integration with Council's broader stormwater network for appropriate conveyance of both minor and major storm events.
- Electricity, sewer and water services available to the Site, with existing infrastructure networks located within Old Pittwater Road capable of servicing the proposed warehouse development, confirmed through consultation with relevant service authorities.
- Detailed servicing design, including internal reticulation, connection specifications and infrastructure augmentation requirements (if any), to be addressed through subsequent development applications.

This staged approach ensures servicing design responds appropriately to the specific operational requirements and building configurations proposed for each warehouse lot, whilst maintaining coordination with the approved subdivision layout and relevant service authority standards. The availability of essential services confirms the Site's suitability for industrial development and its integration within the established Brookvale industrial precinct servicing framework.

### 3.2.9 Access and Car Parking

The TIA in **Appendix 12** addresses the traffic and parking implications of the proposed subdivision and concept warehouse development. Although this application only seeks concept approval for built form on Lot C (with Lots A and B being indicative only), the TIA has assessed traffic generation and parking provision across all three lots to demonstrate that the subdivision can accommodate future industrial development without unacceptable traffic impacts. This assessment provides Council with confidence that the proposed lot sizes and access arrangements can support viable industrial uses in the future.

The TIA addresses the following key areas:



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- There is a generation of approximately 97 vehicle trips per hour (vph) during the weekday morning peak and 89 vph during the afternoon peak across all three lots, resulting in a net reduction of 8-14 vph compared to the existing development when factoring in the demolition of the current warehouse and office building. This demonstrates that the subdivision can accommodate future industrial development with reduced traffic impacts compared to the existing use.
- Parking Provision (Lot C approved, Lots A and B indicative): A total of 201 car parking spaces is proposed across the 3 lots (Lot A: 46 spaces, Lot B: 51 spaces, Lot C: 104 spaces). The TIA assumes future warehouse and distribution centre uses on Lots A and B based on the indicative building envelopes shown on the concept plans, comprising warehouse buildings with ancillary office components similar to typical industrial development within the Brookvale precinct. Lot C parking provision satisfies the Warringah DCP 2011 controls with 104 spaces provided, departing from the recommended 124 spaces. The 20-space shortfall is attributed to basement storage units without staff amenities where dwell time is expected to be brief and infrequent. Parking provision for Lots A and B (46 and 51 spaces respectively) is indicative only and demonstrates that future development on these lots can satisfy DCP requirements when assessed against the assumed warehouse and distribution uses. Detailed parking design for Lots A and B will be addressed in future development applications based on the actual proposed uses and operational requirements of future tenants.
- Access to Lots A and C is via a common internal access road with rights of carriageway extending from Old Pittwater Road. Lot B has a separate existing driveway access from Old Pittwater Road. The subdivision establishes access arrangements that can service future industrial development on all three lots, with forward ingress/egress design accommodating industrial vehicles including delivery trucks.

### **3.2.10 Waste Management**

The WMP in **Appendix 9** demonstrates compliance with waste management requirements for subdivision and bulk earthworks stages of the development. The WMP addresses waste management through the following framework:

- Defined quantities and classifications of waste anticipated to be generated during construction, including excavated materials, vegetation, concrete and general construction waste.
- Waste storage, handling and disposal arrangements appropriate to the scale and nature of the development, with designated locations for storage and management facilities identified.
- Measures embedded to ensure alignment with the NSW Waste and Sustainable Materials Strategy 2041, prioritising waste avoidance, reduction, reuse and recycling opportunities throughout the construction process.



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- Auditable procedures established for waste management across subdivision and bulk earthworks phases, ensuring environmental protection and adherence to relevant NSW Environmental Protection Authority guidelines.

The WMP (**Appendix 9**) provides a framework for managing construction waste in a manner that minimises environmental impact whilst supporting resource recovery objectives consistent with contemporary waste management best practice.

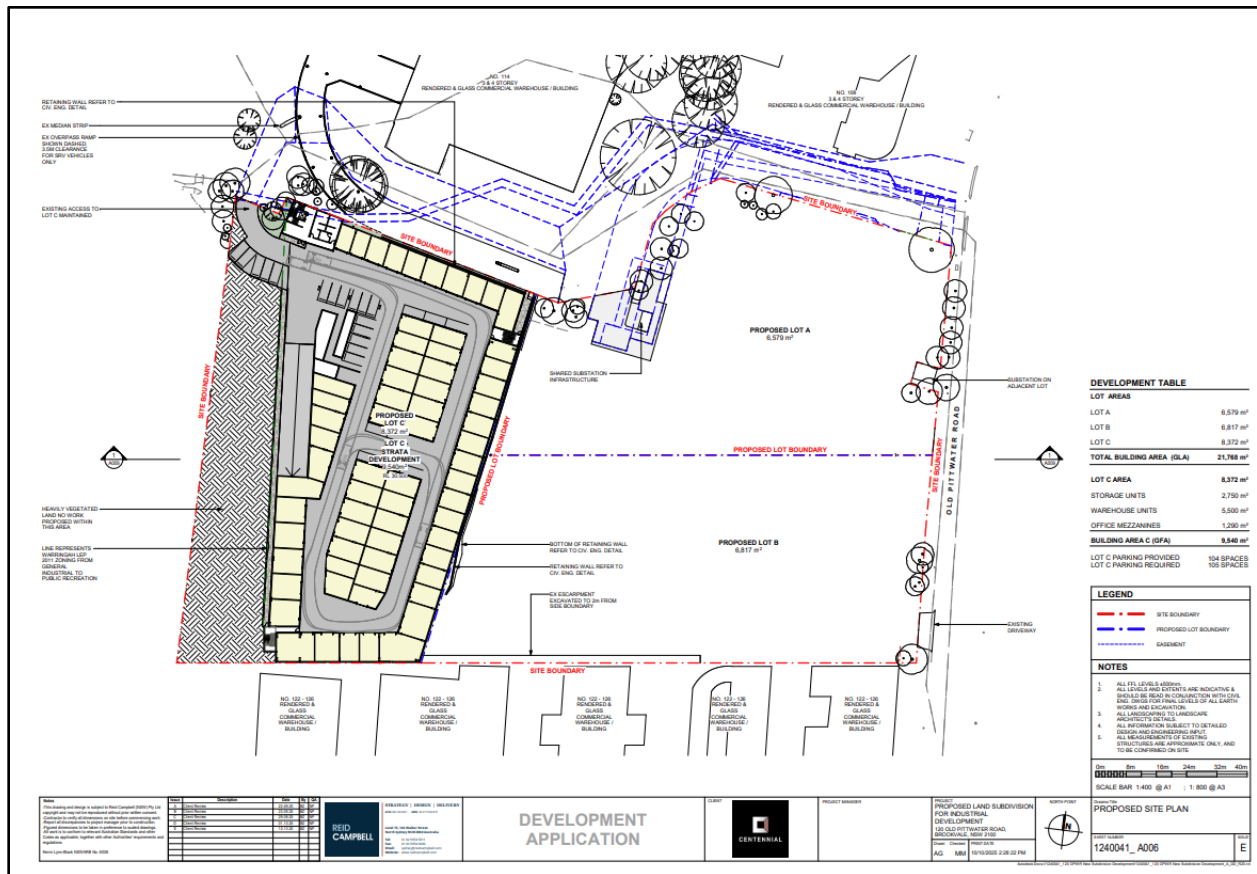


Figure 3. Site Plan (Source: Reid Campbell, 2025)

The Site Plan (**Figure 3**) demonstrates the proposed subdivision of the 2.178-hectare site into 3 industrial lots (Lot A, Lot B, and Lot C), with a common internal access road providing rights of carriageway to all lots from Old Pittwater Road.

**Figure 3** shows the building envelope for Lot C (subject of this concept application) positioned at the rear of the Site adjacent to the Allenby Park bushland interface, as well as indicative building envelopes for Lots A and B which are shown for context only to demonstrate potential future development outcomes and are not part of this application. Landscape buffer zones are shown along all lot boundaries, particularly along the southern and western boundaries where significant existing vegetation is proposed for retention. The internal road network is designed to accommodate forward ingress and egress for industrial vehicles, with

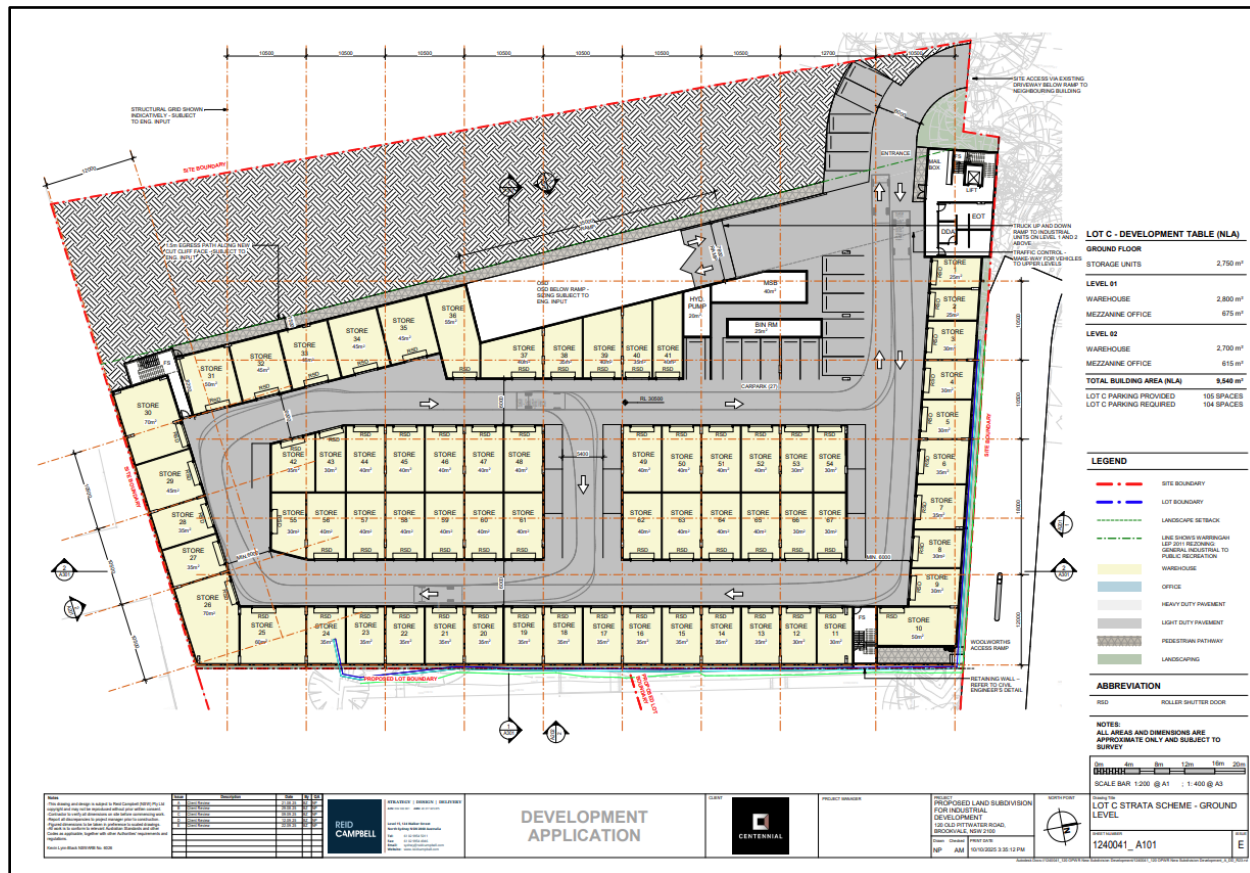


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loading facilities and parking areas strategically positioned to support warehouse operations while minimising impacts on the landscaped setback areas.



**Figure 4. Lot C Strata Scheme Ground Level (Source: Reid Campbell, 2025)**

The Ground Level plan for Lot C (**Figure 4**) demonstrates the proposed strata subdivision comprising storage units, warehouse units, and office mezzanines across the 8,372m<sup>2</sup> lot. **Figure 4** shows the building footprint positioned to respond to the Site's challenging topography, with the warehouse units oriented to maximise operational efficiency while maintaining appropriate setbacks from the western bushland interface. The ground floor layout incorporates loading facilities, internal circulation areas, and parking provision designed to accommodate delivery vehicles and staff access in accordance with AS2890.1 standards. Landscape buffers are indicated along the Allenby Park boundary to the south and west, providing screening between the industrial development and adjoining public parkland while supporting bushfire Asset Protection Zone requirements.



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## PART D LEGISLATIVE AND POLICY FRAMEWORK

### 4.1 CONTROLS AND POLICY OVERVIEW

This Part of the SEE addresses and responds to the legislative and policy requirements relevant to the proposed development at the site in accordance with the EP&A Act.

The following current and draft Commonwealth, State, Regional and Local planning controls and policies have been considered in the preparation of this DA.

#### Commonwealth Planning Context

- *Commonwealth Environment Protection and Biodiversity Conservation Act 1999*

#### State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Biodiversity Conservation Act 2016*
- *Protection of the Environment Operations Act 1997*
- *Heritage Act 1977*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*
- *State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021*

#### Local Planning Context

- *Warringah Local Environmental Plan 2011*
- *Northern Beaches Section 7.12 Contributions Plan*
- *Warringah Development Control Plan 2011*

#### Strategic Context

- *Eastern Harbour City District Plan*

### 4.2 COMMONWEALTH PLANNING CONTEXT

#### 4.2.1 Environment Protection and Biodiversity Conservation Act 1999

Under the *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), any action (which includes a development, project or activity) that is considered likely to have a significant impact on Matters of National Environmental Significance (MNES) (including nationally threatened ecological communities



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and species and listed migratory species) must be referred to the Commonwealth Minister for the Environment. The purpose of the referral is to allow a decision to be made about whether an action requires approval on a Commonwealth level. If an action is considered likely to have significant impact on MNES, it is declared a “controlled action” and formal Commonwealth approval is required.

The BDAR in **Appendix 10** confirms that while Grey-headed Flying-fox (Vulnerable) and White-throated Needletail (Vulnerable) were recorded on or near the site, impacts are limited to occasional foraging habitat only with no breeding habitat affected, and therefore a referral under the EPBC Act is not required

The proposal does not result in significant impacts on MNES, therefore no further consideration of the EPBC Act is required.

## 4.3 STATE PLANNING CONTEXT

### 4.3.1 Environmental Planning and Assessment Act 1979

The *EP&A Act* is the principal planning and development legislation in NSW.

#### 4.3.1.1 Section 4.15(1) of the EP&A Act – Considerations

Section 4.15(1) of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15(1) of the EP&A Act are provided in **TABLE 5** below.

TABLE 5. SECTION 4.15(1)(A) CONSIDERATIONS	
Section	Response
Section 4.15(1)(a)(i) any environmental planning instrument, and	The WLEP2011 is the relevant Environmental Planning Instrument (EPI) applying to the Site, which is assessed in <b>Section 4.4</b> of this SEE. Relevant State Environmental Planning Policies (SEPPs) are also assessed in Section 4.3 of this SEE.
Section 4.15(1)(a)(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	No draft environmental planning instruments are applicable to the Site.
Section 4.15(1)(a)(iii) any development control plan, and	The <i>Warringah Development Control Plan 2011</i> (WDCP2011) applies to the Site and is addressed in <b>Section 4.4.2</b> and <b>Appendix 13</b> of this SEE.
Section 4.15(1)(a)(iia) any planning agreement that has been entered into under section 7.4, or	Per the 10.7 Certificate, the Site is not subject to any Voluntary Planning Agreements. No offer of a





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TABLE 5. SECTION 4.15(1)(A) CONSIDERATIONS	
Section	Response
any draft planning agreement that a developer has offered to enter into under section 7.4, and	planning agreement has been made in conjunction with this development application.
Section 4.15(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The EP&A Regulation is addressed in <b>Section 4.3.2</b> of this SEE.
Section 4.15(1)(b)-(c)	These matters are addressed in <b>PART E</b> of this SEE.

### 4.3.1.2 Section 4.46 of EP&A Act - Integrated Development

Section 4.46 of the EP&A Act defines 'integrated development' as matters that require consent from the consent authority and one or more authorities under related legislation. In these circumstances, prior to granting consent, the consent authority must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development, pursuant to Clause 42 of the EP&A Regulation.

This Development Application does not constitute Integrated Development pursuant to Section 4.46 of the EP&A Act.

Refer to **Section 1.3** of this SEE.

### 4.3.2 Environmental Planning and Assessment Regulation 2021

The proposal has been prepared in accordance with the provisions of the EP&A Regulation. Division 1 of Part 3 of the EP&A Regulation stipulates how a DA must be "made". This DA satisfies the relevant criteria of the Regulation as follows:

TABLE 6. HOW THE DA IS MADE	
Considerations	Response
<b>Division 1 - Making development applications</b>	
<i>Section 23 - Persons who may make development applications</i>	
<i>(1) A development application may be made by— (a) the owner of the land to which the development application relates, or (b) another person, with the consent of the owner of the land.</i>	This DA is made by Centennial Property Group Pty Limited on behalf of the landowner. The owner of the land has provided consent in accordance with Clause 23(1) of the EP&A Regulation to allow for the DA to be made.
<i>Section 24 - Content of development applications</i>	
<i>(1) A development application must— (a) be in the approved form, and</i>	The DA includes all relevant information including details of the development, address and formal particulars, estimated cost of development, owner's



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TABLE 6. HOW THE DA IS MADE	
Considerations	Response
<i>(b) contain all the information and documents required by— (i) the approved form, and (ii) the Act or this Regulation, and (c) be submitted on the NSW planning portal.</i>	consent, supporting documents including detailed plans and SEE.  This DA is submitted via the NSW planning portal.
Section 25 – Information about concurrence or approvals	
<i>A development application must contain the following information— (a) a list of the authorities – (i) from which concurrence must be obtained before the development may lawfully be carried out, and (ii) from which concurrence would have been required but for the Act, section 4.13(2A) or 4.41, (b) a list of the approvals of the kind referred to in the Act, section 4.46(1) that must be obtained before the development may lawfully be carried out.</i>	Refer to Section <b>4.3.1.2</b> of this SEE.  See also Sections 33, 35B, 35BA, 35C and 35D of the EP&A Regulation 2021 regarding notification requirements, which are addressed through the standard development application lodgement process via the NSW Planning Portal.

### 4.3.3 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) is the key piece of legislation in NSW relating to the protection and management of biodiversity and threatened species. The purpose of the BC Act is to maintain a healthy, productive and resilient environment for the greater well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. The BC Act is supported by a number of regulations, including the *Biodiversity Conservation Regulation 2017* (BC Regulation).

Under Section 7.7 of the BC Act, a DA for Part 4 activity is not required to be accompanied by a Biodiversity Development Assessment Report (BDAR) unless the development is likely to significantly affect threatened species.

The development involves clearing of native vegetation to facilitate the industrial subdivision. A Biodiversity Development Assessment Report has been prepared to assess potential impacts on biodiversity values,





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including threatened species and ecological communities, and to determine whether the development triggers the Biodiversity Offsets Scheme under the Biodiversity Conservation Act 2016.

The Biodiversity Offsets Scheme (BOS) applies to this development as it exceeds the area clearing threshold of 0.25 ha for the site's 0.4 ha minimum lot size. The BDAR in **Appendix 10** has been prepared in accordance with the Biodiversity Assessment Method 2020. The BDAR identifies that 0.51 ha of native vegetation (PCT 3592: Sydney Coastal Enriched Sandstone Forest) requires offsetting through the retirement of 12 ecosystem credits. No species credits are required. The proponent will retire the required credits prior to determination, either through credit purchase or payment to the Biodiversity Conservation Fund.

The BDAR is provided in **Appendix 10**.

### 4.3.4 Protection of the Environment Operations Act 1997

Schedule 1 of the *Protection of the Environment Operations Act 1997* (POEO Act) contains a core list of activities that require a licence before they may be undertaken or carried out.

The proposal does not constitute a Scheduled Activity and does not require an Environmental Protection License under the *Protection of the Environment Operations Act 1997*.

### 4.3.5 Heritage Act 1977

The Site is not identified as a Heritage Item or within a Heritage Conservation Area. A search of the State Heritage Register and the heritage provisions of WLEP2011 confirms there are no State or locally listed heritage items on the Site or in the immediate vicinity that would be impacted by the proposed development.

### 4.3.6 State Environmental Planning Policy (Resilience and Hazards) 2021

The *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) contains planning provisions relating to:

- land use planning within the coastal zone, in a manner consistent with the objects of the *Coastal Management Act 2016*.
- management of hazardous and offensive development.
- remediation of contaminated land and to minimise the risk of harm.

The Site is not located within the coastal zone as defined under the *Coastal Management Act 2016*, therefore the coastal zone provisions of the SEPP do not apply.

In relation to the Site, the following matters are highlighted.

## Chapter 4 – Remediation of land



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Under the provisions of Chapter 4 of the Resilience and Hazards SEPP, where a DA is made concerning land that is contaminated, the consent authority must not grant consent unless (as stipulated by Clause 4.6 of the SEPP):

- (a) it has considered whether the land is contaminated, and*
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Based on the scope of work undertaken for the PSI in **Appendix 8**, it is identified there is potential contamination sources including imported fill, pesticides used around the Site, hazardous building materials in both the former and current buildings, on-site commercial/industrial activities such as manufacturing and a printer/letterpress operation, an on-site electrical substation, an adjacent off-site landfill, and off-site commercial/industrial activities including manufacturing and a photo developer.

The Site's history of agricultural/horticultural use and various manufacturing activities is noted, with a former landfill located approximately 20 metres from the Site and listed as being under assessment. Based on a qualitative assessment of the available evidence, there is a potential for site contamination.

The PSI in **Appendix 8** confirms that the proposed Stage 1 works comprising subdivision, earthworks, tree removal and civil infrastructure (roads, drainage, services) can proceed without requiring a Detailed Site Investigation (DSI), as these works do not involve construction of habitable buildings or structures where contamination would pose a risk to human health. The earthworks and civil infrastructure works will disturb soils across the site, and appropriate management measures including unexpected finds protocols will be implemented during construction to address any contamination encountered.

The PSI recommendations in **Appendix 8** include undertaking a detailed Stage 2 site investigation (DSI) with a Sampling, Analysis and Quality Plan (SAQP), conducting a hazardous building materials survey before demolition, and obtaining an asbestos clearance certificate following demolition (preferably before removal of the hardstand).

The DSI will be required prior to commencement of built form development on Lot C, which will be the subject of a separate Stage 2 Development Application. The DSI is not required for the Stage 1 subdivision and civil works that form part of this application. This staged approach ensures contamination is appropriately assessed and remediated (if required) at the point when building construction is proposed, while allowing the subdivision and essential civil infrastructure to proceed.

This approach complies with Chapter 4 of the Resilience and Hazards SEPP by demonstrating that:

- The land is suitable for the proposed Stage 1 subdivision and civil works in its current state.
- Future built form development on Lot C will be preceded by appropriate contamination assessment (DSI).



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- The land will be remediated before being used for building purposes if contamination requiring remediation is identified.

### 4.3.7 State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) contains planning provisions relating to:

- infrastructure in NSW, such as hospitals, roads, railways, emergency services, water supply and electricity delivery.
- child-care centres, schools, TAFEs and Universities.
- planning controls and reserves land for the protection of three corridors (North South Rail Line, South West Rail Link extension and Western Sydney Freight Line).
- land use planning and assessment framework for appropriate development at Port Kembla, Port Botany and Port of Newcastle.
- traffic generating development and parking requirements.

Of these, the proposed development must have regard to the following chapters:

#### Chapter 2 – Infrastructure

The proposed development is not development listed under Part 2.3 of the Transport and Infrastructure SEPP. The development does not involve infrastructure such as hospitals, roads, railways, emergency services facilities, water supply infrastructure or electricity transmission infrastructure.

#### Chapter 2 – Division 17 – Traffic generating development (Schedule 3)

Schedule 3 of the Transport and Infrastructure SEPP identifies traffic generating development that requires referral to Transport for NSW (TfNSW). Warehouse or distribution centres with 8,000m<sup>2</sup> or more in gross floor area (or site area if less than GFA) require referral under the SEPP.

The proposed development comprises:

- Lot A: 3,050m<sup>2</sup> GFA (indicative)
- Lot B: 3,500m<sup>2</sup> GFA (indicative)
- Lot C: 9,540m<sup>2</sup> GFA (concept approval sought)

Lot C exceeds the 8,000m<sup>2</sup> threshold and is classified as traffic generating development under Schedule 3 of the SEPP, triggering the requirement for TfNSW referral. A Traffic Impact Assessment has been prepared (**Appendix 12**) and submitted with this application, demonstrating that the proposed development will result in a net reduction in traffic generation compared to the existing use, with adequate access, parking, and loading arrangements provided in accordance with relevant standards.

#### Chapter 3 – Educational establishments and childcare facilities



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This chapter does not apply. The proposed development is for industrial subdivision and warehouse development, not for educational establishments or childcare facilities.

### Chapter 4 – Major infrastructure corridors

This chapter does not apply. The Site is not located within or adjacent to any of the three major infrastructure corridors (North South Rail Line, Southwest Rail Link extension, or Western Sydney Freight Line) identified for protection under the SEPP.

### Chapter 5 – Three ports

This chapter does not apply. The Site is not located within the land use planning areas for Port Kembla, Port Botany or Port of Newcastle.

#### **4.3.8 State Environmental Planning Policy (Planning Systems) 2021**

The Planning Systems SEPP contains planning provisions relating to:

- State or regionally significant development, State significant Infrastructure, and critical State significant infrastructure.
- consideration of development delivery plans by local Aboriginal land councils in planning assessment.
- election of the Planning Secretary to be the concurrence authority for certain development that requires concurrence under nominated State environmental planning policies.

### Chapter 2 – State and regional development

The proposed industrial subdivision and warehouse development does not constitute State Significant Development (SSD) or Regional Development under Chapter 2 of the Planning Systems SEPP. The development does not meet the capital investment values or thresholds specified in Schedule 1 or Schedule 7 of the SEPP that would classify it as SSD. The development is appropriately assessed as local development under Part 4 of the EP&A Act, with Northern Beaches Council as the consent authority.

### Chapter 3 – Aboriginal land

This chapter does not apply. A review of the Land Application Map on the NSW Planning Portal confirms the Site is not identified as land to which Chapter 3 applies. The Site is not subject to a development delivery plan prepared by a Local Aboriginal Land Council.

#### **4.3.9 State Environmental Planning Policy (Biodiversity and Conservation) 2021**

The proposed development involves the removal of 142 trees and 3 tree groups to accommodate the warehouse buildings, access roads and necessary infrastructure. Chapter 2 (Vegetation in non-rural areas) applies to the tree removal component of the development. The AIA in **Appendix 2** addresses tree removal and provides for the retention of 83 mature native trees with protection measures in accordance



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with AS4970-2025, and compensatory planting at a 1:1 replacement ratio. The tree removal is necessary to facilitate the permitted industrial development and is accompanied by appropriate mitigation measures through retention and replanting strategies.

A BDAR has been prepared (**Appendix 10**) in accordance with the Biodiversity Assessment Method 2020. The BDAR confirms the Biodiversity Offsets Scheme applies, requiring retirement of 12 ecosystem credits for the removal of 0.51 ha of native vegetation (PCT 3592: Sydney Coastal Enriched Sandstone Forest). No threatened ecological communities will be impacted.

Three (3) ecosystem credit species were recorded (Grey-headed Flying-fox, White-throated Needletail, and potentially Large Bent-winged Bat), however impacts are limited to occasional foraging habitat only with no breeding habitat affected. No species credits are required. The development has been designed to retain 0.15 ha of native vegetation along the western boundary as a habitat corridor adjoining Allenby Park. The required biodiversity credits will be retired prior to determination through credit purchase or payment to the Biodiversity Conservation Fund.

Chapter 6 (Water catchments) does not apply as the Site is not located within a special area, controlled area or significant drinking water catchment as defined under the Water NSW Act 2014.

Chapter 13 (Strategic conservation planning) does not apply. The Section 10.7 Planning Certificate confirms the land is not in an area of outstanding biodiversity value under the Biodiversity Conservation Act 2016, and the Site is not subject to any strategic conservation planning provisions.

### **4.3.10 State Environmental Planning Policy (Sustainable Buildings) 2022**

The purpose of the State Environmental Planning Policy (Sustainable Buildings) 2022 (Sustainable Buildings SEPP) is to encourage the design and delivery of sustainable buildings across NSW. It sets sustainability standards for both residential and non-residential development and contributes to NSW's target of achieving net zero by 2050. This includes objectives to minimise energy consumption and greenhouse gas emissions, improve good thermal performance and minimise the consumption of potable water.

#### Chapter 3 – Standard for non-residential development

Chapter 3 of the Sustainable Buildings SEPP applies to the proposed non-residential (industrial warehouse) development. The development addresses the sustainability requirements through the following framework:

- General sustainability provisions including energy efficiency, thermal performance, water consumption and waste management will be considered during the detailed design phase for each warehouse lot, with compliance demonstrated through subsequent Development Applications and Construction Certificate applications in accordance with the SEPP requirements.
- Documentation disclosing embodied emissions will be prepared as part of the Construction Certificate process for each warehouse building, in accordance with the methodology and requirements specified in the SEPP.



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- A net zero ready statement is not required as the development does not meet the threshold for "large commercial development" or State Significant Development under the definitions in the SEPP, with the proposed warehouse development on each lot not exceeding the capital investment value thresholds that would trigger this requirement.
- A NABERS commitment agreement is not required as the development does not constitute "large commercial development" as defined under the SEPP.

Detailed compliance with Chapter 3 sustainability standards will be demonstrated through subsequent Development Applications for the built form on Lots A and B, and through the Construction Certificate process for all warehouse buildings across the 3 lots.

#### **4.3.11 State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021**

The Site is located within the Eastern Harbour City area; however, it is not within a specific precinct identified under the State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021. This SEPP does not apply to the Site as Brookvale is not a nominated precinct under the policy.

## **4.4 LOCAL PLANNING CONTEXT**

### **4.4.1 Warringah Local Environmental Plan 2011**

The WLEP2011 is the primary Environmental Planning Instrument that applies to the Site.

The relevant provisions of WLEP2011 as they relate to the site are considered in the following subsections.

#### **4.4.1.1 Zoning and Permissibility**

The Site is located within the E4 General Industrial zone under the WLEP2011 as shown in **Figure 5**.



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**Figure 5. WLEP2011 Zoning Map (Source: NSW Legislation, 2025)**

The objectives of the E4 General Industrial zone include:

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To provide areas for land uses that need to be separated from other zones.
- To provide healthy, attractive, functional and safe light industrial areas.

Section 2.3 of WLEP2011 requires that development consent must not be granted unless the consent authority has considered that the development is consistent with the objectives of the zone. The proposed subdivision and earthworks, and the concept warehouse development on Lot C, are consistent with the zone objectives as they:

- Provide for warehouse and distribution uses that fall within the range of industrial land uses intended for the zone.



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- Enable efficient and viable use of the industrially zoned land through appropriate subdivision and site preparation.
- Minimise adverse effects on surrounding land uses through landscape buffers and appropriate site design.
- Encourage employment opportunities through provision of modern industrial facilities.
- Provide facilities to meet the needs of businesses operating within the Brookvale industrial precinct.

Within the E4 General Industrial zone, the following development is permitted with consent:

- *Depots; Freight transport facilities; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Horticulture; Industrial retail outlets; Industrial training facilities; Landscaping material supplies; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; **Warehouse or distribution centres**; Water supply systems; Any other development not specified in item 2 or 4*

Development for the purpose of subdivision and earthworks is innominate permissible land use and therefore permitted with consent. It is noted that the future development of the subdivided sites will be likely developed for the purpose of a warehouse or distribution centre which is permissible with consent.

#### 4.4.1.2 Development Standards

**TABLE 7** outlines the developments consistency and compliance with the relevant development standards and controls under WLEP2011.

TABLE 7. DEVELOPMENT STANDARDS	
Clause	Comment
Clause 4.1 – Minimum Lot Size	<p>Per the WLEP, the minimum subdivision lot size is 4000m<sup>2</sup></p> <p>Lot A has a proposed subdivision size of 6,579m<sup>2</sup> Lot B has a proposed subdivision size of 6,817m<sup>2</sup> Lot C has a proposed subdivision size of 8,372m<sup>2</sup></p> <p>The DCP states that all lands zoned in the E4 zone will be subject to a merit assessment.</p>
Clause 4.3 – Height of Buildings	The Site has an 11m height limit. Refer to Clause 4.6 in <b>Appendix 13</b> .
Clause 4.4 – Floor Space Ratio	The Site is not subject to a maximum Floor Space Ratio (FSR).





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TABLE 7. DEVELOPMENT STANDARDS	
Clause	Comment
Clause 5.10 - Heritage	The Site is not identified as a Heritage Item or within a Heritage Conservation Area.
Clause 5.21 Flood planning	<p>The Site is identified as being within a flood planning area under Clause 5.21 of WLEP2011.</p> <p>The Flood Impact Risk Assessment in Appendix 4 demonstrates that the development:</p> <p>Is compatible with the flood function and behaviour on the land</p> <p>Will not adversely affect flood behaviour in a way that results in detrimental increases in flood affectation of other development or properties</p> <p>Will not adversely affect the safe occupation and efficient evacuation of people, with safe evacuation via Old Pittwater Road available with three hours warning time, and on-site refuge available in upper levels of buildings above PMF level</p> <p>Incorporates appropriate measures to manage flood risk</p> <p>Will not adversely affect the environment or cause avoidable erosion, siltation, destruction of riparian vegetation or reduction in stability of riverbanks or watercourses</p> <p>The flood assessment addresses the objectives of Clause 5.21 and the matters for consideration under Clause 5.21(3), including consideration of climate change impacts, building design and scale, evacuation measures, and potential impacts from flooding. Refer to Section 3.2.6 and Section 5.5 of this SEE for detailed assessment.</p>
Clause 5.22 - Special flood considerations	<p>Clause 5.22 applies to sensitive and hazardous development (as defined in the clause) located between the flood planning area and the probable maximum flood.</p> <p>The proposed industrial subdivision and warehouse development does not constitute "sensitive and hazardous development" as</p>



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TABLE 7. DEVELOPMENT STANDARDS	
Clause	Comment
	<p>defined under Clause 5.22, which includes uses such as boarding houses, caravan parks, correctional centres, early education and care facilities, emergency services facilities, group homes, hazardous industries, hazardous storage establishments, hospitals, hostels, respite day care centres, seniors housing, and tourist and visitor accommodation.</p> <p>The proposed warehouse and distribution uses are standard industrial development that does not fall within the sensitive or hazardous categories requiring special flood considerations under this clause. This clause does not apply.</p>
Clause 6.1 – Acid sulfate soils	<p>The Site is not identified as containing Class 1-5 acid sulfate soils on the Acid Sulfate Soils Map under WLEP2011.</p> <p>Clause 6.1 requires development consent for works on land shown on the Acid Sulfate Soils Map, with the class of land determining the types of works requiring consent (ranging from any works on Class 1 land to works more than 2 metres below natural ground surface on Class 4 land, and works within 500 metres of adjacent mapped land on Class 5 land).</p> <p>As the Site is not mapped as containing acid sulfate soils under WLEP2011, this clause does not apply to the proposed development. No acid sulfate soils management plan is required.</p>
Clause 7.2 – Earthworks	<p>A civil engineering strategy for the site has been developed which provides a best practice solution within the constraints of the existing landform and proposed development layout.</p> <p>During the construction phase, a Sediment and Erosion Control Plan will be in place to ensure the downstream drainage system and receiving waters are protected from sediment laden runoff.</p> <p>The stormwater management considers the staging of construction with self-sufficient systems which meet council's objectives for each stage of the development.</p>

### 4.4.2 Warringah Development Control Plan 2011



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The WDCP2011 provides detailed planning and design guidelines to support the planning controls of the WLEP2011.

An assessment of the proposal against the relevant sections of the WDCP2011 is provided at **Appendix 15**.

### 4.5 DEVELOPMENT CONTRIBUTIONS

On 28 June 2023, the NSW Parliament passed the *Environmental Planning and Assessment Amendment (Housing and Productivity Contribution) Bill 2023*. The Housing and Productivity Contribution (HPC) is a broad-based charge on development within the state's high-growth areas that will help fund the delivery of state and regional infrastructure.

Under the current rate of the HPC for new industrial development within the Greater Sydney area is \$16.17 per square metre of new GFA.

The development is also subject to the *Northern Beaches Section 7.12 Contributions Plan 2024* (in force 19 October 2024). Contributions under this plan will be calculated and payable in accordance with the rates and provisions specified in the plan at the time of development consent.

### 4.6 STRATEGIC PLANNING CONTEXT

#### 4.6.1 Greater Sydney Region Plan: A Metropolis of Three Cities

*The Greater Sydney Region Plan, A Metropolis of Three Cities* (the Plan) sets a 40-year vision (to 2056) for growing Greater Sydney with a focus on the regional significance of central and western Sydney in order to contribute to a more productive, liveable and sustainable city. The Plan has been prepared concurrently with *Future Transport 2056* and *State Infrastructure Strategy 2018-2038* to align land use, transport and infrastructure outcomes for Greater Sydney.

The Plan envisages Sydney as a metropolis of 3 cities, including:

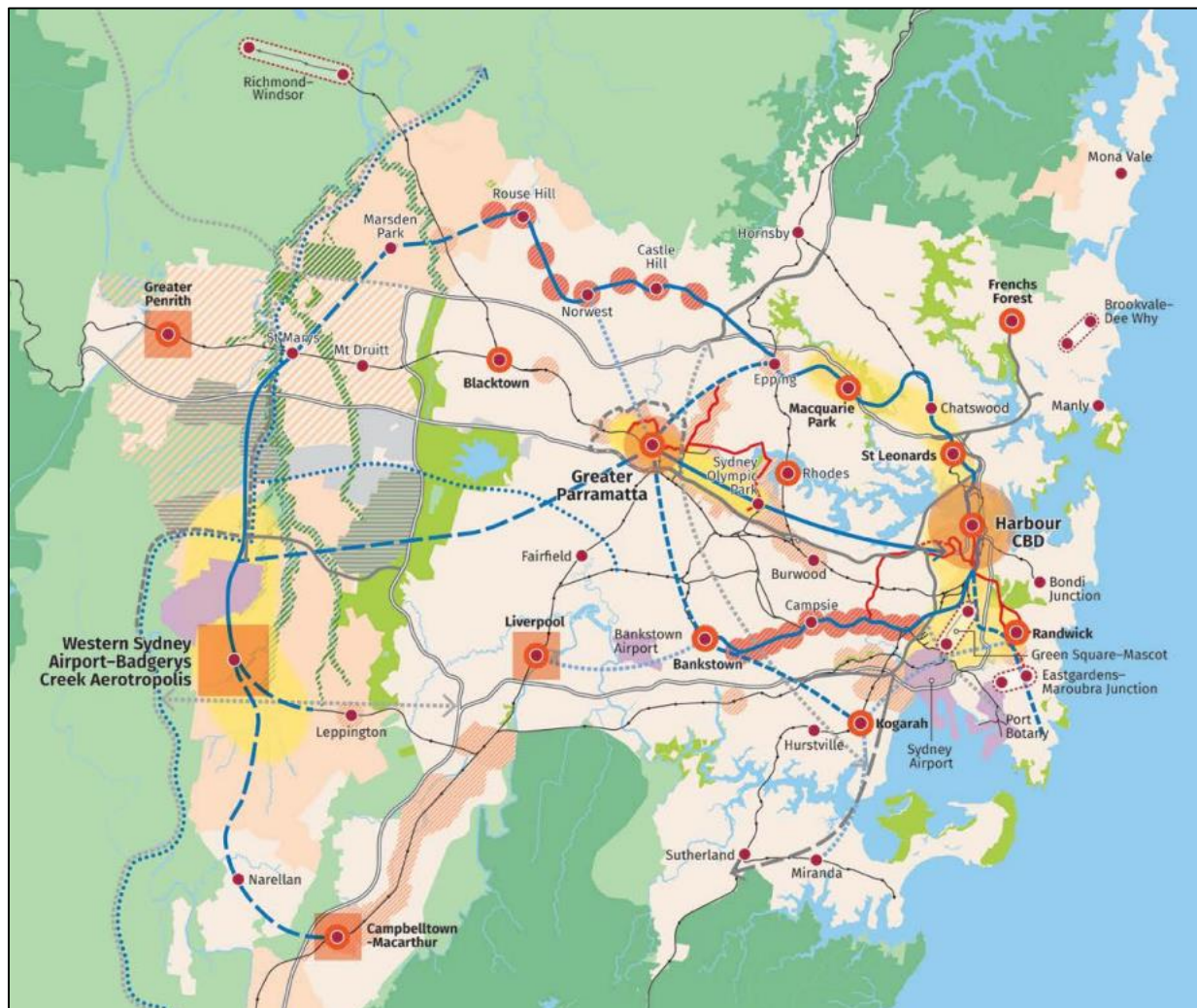
- The Western Sydney Parkland City.
- The Central River City; and
- **The Eastern Harbour City.**



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**Figure 6. Eastern Harbour City District Plan (Source: NSW Legislation, 2025)**

### 4.6.2 Eastern Harbour City District Plan

Greater Sydney's three (3) cities discussed above reaches across five (5) districts. The Greater Sydney Region Plan identifies the site as being in the Eastern Harbour City District. The Eastern Harbour City District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. The District Plan informs local strategic planning statements and local environmental plans, the assessment of planning proposals, as well as community strategic plans and policies.

Infrastructure and collaboration: Collaboration Areas include health and education precincts at Camperdown-Ultimo, Randwick and Kogarah with collaboration roles at St Leonards, Macquarie Park and Frenchs Forest. The site is accessible to existing road infrastructure such as the A8 and A38. In addition, the proposal seeks to provide essential infrastructure to the site.



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**Liveability:** The population of the Eastern Harbour City is projected to grow from 2.4 million people in 2016 to 3.3 million people by 2036. The Eastern Harbour City is a mature mix of well-established communities, from traditional suburban neighbourhoods to Australia's most highly urban areas. Growth will bring urban renewal with increased infrastructure and services, open spaces and public places. The proposed development will support the 30-minute city by providing employment to nearby residential suburbs. It is surrounded by land identified for future employment. The proposed future uses on the site will not negatively impact on nearby residential.

**Productivity:** Innovation and global competitiveness will be focussed in the Harbour CBD, the Eastern Economic Corridor and strategic centres. These will be supported by investments in transport and services, jobs growth and business activity. Retention and management of industrial and urban service land will enable the growth of nationally significant, and locally important businesses and services. The proposed development responds to the industrial land shortfall identified in the Region Plan. The site is well-located to the A8 and A38.



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## PART E LIKELY IMPACTS OF THE DEVELOPMENT

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15(1) of the EP&A Act.

### 5.1 CONTEXT AND SETTING

The Site comprises approximately 2.178 hectares at 120 Old Pittwater Road, Brookvale, located within an established industrial precinct in the Northern Beaches Local Government Area. The irregularly shaped Site is zoned E4 General Industrial under Warringah Local Environmental Plan 2011 and is subject to an 11m height limit, with no maximum floor space ratio applying.

The Site is currently occupied by warehouse and office space scheduled for demolition, and slopes steeply upwards from Old Pittwater Road towards the rear boundary, which adjoins the significant bushland escarpment of Allenby Park. The Site retains remnant Sydney Coastal Sandstone Bloodwood Shrub Forest, mature native vegetation, natural rock outcrops and established drainage patterns that contribute to its environmental character.

The surrounding area comprises a mix of industrial and commercial developments along Old Pittwater Road, with the broader Brookvale Valley providing important habitat corridors and biodiversity values that extend beyond the immediate site context.

The proposed development responds to these site characteristics through the following approach:

- Establishment of 3 industrial lots that work with the Site's natural landform and topographical constraints, minimising extensive cut and fill requirements.
- Retention of significant boundary vegetation along the Allenby Park interface, preserving mature native trees that provide ecological connectivity and visual screening.
- Implementation of appropriate landscape buffers that transition between industrial uses and the adjoining bushland setting

This approach ensures the development integrates with the surrounding industrial character of the Brookvale precinct whilst respecting the environmental values and bushland context that define the Site's western and southern boundaries.

### 5.2 BUILT FORM

The proposed development delivers a built form outcome that responds to the Site's challenging topography, environmental constraints, and strategic industrial context whilst optimising the use of zoned employment land within the established Brookvale precinct.

#### 5.2.1 Height



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The proposed 3-storey warehouse on Lot C has a height of 17.5m for most of the building, with heights up to 21.09m at localised areas due to existing topography. The building exceeds the 11m height limit prescribed under Clause 4.3 of WLEP2011 by 10.09m (91.7% variation). When assessed against Council's draft LEP Planning Proposal (June 2024, Gateway stage) proposing an 18m height limit for the Brookvale industrial precinct, the building is predominantly compliant, with only localised areas reaching 21.09m representing a 3.09m (17.17%) exceedance necessary to accommodate roof form and building services at specific locations responding to the site's topographical constraints.

The proposed height enables delivery of a viable 3-storey warehouse configuration totalling 9,540m<sup>2</sup> GFA comprising ground floor storage and warehouse units, integrated office mezzanines, and adequate floor-to-ceiling clearances for modern logistics operations.

A Clause 4.6 Variation Request is provided in **Appendix 13** demonstrating that compliance with the 11m standard is unreasonable and unnecessary, with sufficient environmental planning grounds to justify the variation to the development standard.

### 5.2.2 FSR

No FSR development standard applies to the Site.

### 5.2.3 Landscaping

The landscape strategy (**Appendix 7**) prioritises the retention of mature native vegetation and establishment of appropriate buffers that respond to the Site's bushland context and sensitive interfaces.

The vegetation management approach delivers the following outcomes:

- The approach retains 83 native trees (72 with standard protection + 11 requiring tree-sensitive construction methods predominantly located along the southern and eastern boundaries, with comprehensive tree protection measures implemented in accordance with AS4970-2025 to ensure long-term viability.
- Removal of 142 trees and 3 tree groups necessary to accommodate the warehouse buildings, access roads and site infrastructure, with impacts minimised through strategic building placement and refined earthworks design.
- Compensatory planting at a minimum 1:1 replacement ratio, providing 142 new native plantings concentrated along lot boundaries and the Allenby Park interface to maintain canopy cover and reinforce the site's bushland character.
- Landscape buffers established along all site boundaries, with enhanced screening treatments at the Lot C and Allenby Park interface providing visual separation and ecological transition between industrial and parkland uses.
- Front setback landscaping designed to improve streetscape amenity and soften the visual appearance of the warehouse buildings when viewed from Old Pittwater Road.





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The landscape strategy has been coordinated with the AIA (**Appendix 2**) and Landscape Plans (**Appendix 7**) to ensure soft landscaping integrates appropriately with the proposed built form whilst respecting the environmental values and bushland setting that characterise this portion of the site.

### 5.3 TRAFFIC & TRANSPORT

The TIA in **Appendix 12** assesses the traffic and transport implications of the proposed subdivision and concept warehouse development.

#### 5.3.1 Traffic Generation

The proposed development generates approximately 97 vph during the weekday morning peak and 89 vph during the afternoon peak, representing a net reduction of 8-14 vph compared to the existing development. This reduction in traffic generation will not result in unacceptable implications for road network capacity and is supportable on traffic grounds.

#### 5.3.2 Parking

The lot sizes enable approximately 201 parking spaces across the 3 lots with Lot C providing 104 spaces. Whilst Lot C results in a numerical shortfall of 20 spaces against the WDCP2011 requirement of 124 spaces, this shortfall is attributed to basement storage units without staff amenities where dwell time is expected to be brief and infrequent, with users able to park directly outside their respective units. The proposed parking provision is considered acceptable.

#### 5.3.3 Access and Loading

Vehicular access to Lots A and B is provided via individual driveways along Old Pittwater Road, whilst Lot C is accessed via an existing shared right-of-carriageway through Nos. 108 and 114 Old Pittwater Road (no works are proposed on this right-of-carriageway). The subdivision layout for Lots A and B enables future loading facilities to be provided. Loading facilities are provided at-grade for Lots A and B (accommodating vehicles up to 12.5m HRV trucks), with Lot C incorporating private SRV loading bays within each strata unit across all three levels. The access and loading arrangements have been designed in general compliance with AS2890 standards, with further refinement to occur through subsequent applications.

### 5.4 STORMWATER & EROSION & SEDIMENT CONTROL

Erosion and sediment control plans are included in drawings CO12068.01-DA200, DA251 and DA252 (**Appendix 14**), demonstrating that construction works can proceed without polluting receiving waters. A detailed plan will be prepared following development consent and prior to works commencing.

During construction, soil erosion and sediment control measures will be implemented in accordance with the erosion and sediment control plan drawings and the Soil and Water Management Plan. The earthworks and drainage strategy addresses the following technical requirements:



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- Bulk earthworks designed to achieve a balanced cut and fill arrangement, creating flat building pads whilst enabling appropriate site access and gravity-fed stormwater drainage, with earthworks volume assessment providing apparent volumes with upper and lower bounds to support contingency planning, covering cut, fill, site stripping, basins and balance calculations.
- Sedimentation basins and erosion controls installed in accordance with approved drawings, with flexibility for minor layout adjustments as works progress to respond to site conditions
- Embankment stability maintained through permanent batter slopes specified by the geotechnical engineer, with temporary batters limited to 2 horizontal to 1 vertical ratios, and permanent batters to be vegetated or turfed upon completion.
- Level 1 geotechnical control supervision of earthworks testing and inspections conducted in accordance with AS3798-2007, with all stability and reinstatement measures following the submitted drawings and Soil and Water Management Plan.

The stormwater management strategy has been developed in accordance with applicable national guidelines and standards, including AS 3500.3, Northern Beaches Council requirements, and Australian Rainfall and Runoff (AR&R) principles. Rainfall intensity data from Northern Beaches Council policy has been applied to DRAINS modelling across storm events ranging from 2-year to 100-year Annual Recurrence Intervals (ARI). The drainage design incorporates the following elements:

- Minor (piped) system designed to convey the 20-year ARI storm event (Q20), with dedicated overland flow paths established to convey storms up to the 100-year ARI (Q100), limiting public risk and property damage in the event of pipe system failure or exceedance.
- Runoff analysis undertaken using the Rational Method with Normal soil type classification (2.5) and appropriate depression storage values applied to impervious, supplementary and grassed areas across Antecedent Moisture Condition (AMC) scenarios from ARI 1-5 through to ARI 50-100
- Design criteria incorporating freeboard requirements of 150mm for minor system junctions and 300mm for major system peaks, with safety constraints limiting depth times velocity (dV) to 0.4 m<sup>2</sup>/s on pedestrian areas and 0.6 m<sup>2</sup>/s for vehicular areas up to the 100-year ARI event
- Strategic inlet spacing and dedicated overland flow paths ensuring safe conveyance of the 100-year storm event to the road network.

The existing drainage infrastructure comprises a 1m wide easement along the northern boundary. The proposed design utilises diversion swales and sediment basins for each lot, connected to Northern Beaches Council infrastructure, with the western catchment directed toward a new pit connection point.

## 5.5 FLOODING

The Site is identified as flood affected by Northern Beaches Council, as confirmed through Council's Flood Hazard Mapping. A flood study has been undertaken (**Appendix 4**) to compare pre-development and



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post-development flood conditions, confirming that the development maintains appropriate flood immunity and does not cause adverse impacts to upstream, downstream or adjacent properties.

The flood assessment addresses the following conditions:

- Under existing (pre-development) conditions, the Site represents a low-risk precinct but is considered flood affected during the Probable Maximum Flood (PMF) event.
- Council mapping identifies some anomalous flood-affected areas that are unlikely to experience mainstream flooding, with the apparent ponding and overland flow patterns not representative of actual flooding conditions for reasons detailed in the Civil Report (**Appendix 3**)
- The Site is not expected to experience mainstream flooding; however it is subject to an overland flow path originating from bushland and the Allambie Heights residential area to the west, which has potential to cause flash flooding during extreme rainfall events

The proposed stormwater management strategy addresses these flood considerations through appropriate site grading, dedicated overland flow paths and connection to Council's drainage infrastructure. This approach ensures the development does not increase flood risk to surrounding properties whilst maintaining flood immunity for the proposed warehouse buildings in accordance with Northern Beaches Council flood planning requirements and the recommendations of the Civil Report in **Appendix 3**.

### 5.6 BUSHFIRE

The Site is located on bushfire prone land as mapped by Northern Beaches Council, and the proposed industrial subdivision is assessed under Section 100B of the Rural Fires Act 1997, requiring a Bush Fire Safety Authority (BFSA) from the NSW Rural Fire Service.

The Bushfire Report in **Appendix 11** assessed the development against the Planning for Bush Fire Protection 2019 (PBP) guidelines, noting that the proposed development is a non-Special Fire Protection Purpose (non-SFPP) industrial subdivision intended solely for non-residential, non-habitable land uses (Class 5-8 buildings under the National Construction Code).

The assessment found that forest vegetation to the west and south-west poses the primary bushfire threat to the Site, with the proposed warehouses on Lot C unable to achieve the required BAL-29 rating due to insufficient Asset Protection Zone setbacks from the western forest vegetation. Buildings along the western boundary are assessed as being in BAL-FZ (Flame Zone), exposing them to potential radiant heat, flame contact and ember attack.

The bushfire protection strategy delivers several key outcomes:

- Implementation of a 2m non-combustible fence/radiant heat barrier along the western boundary, though Flamesol modelling with fuel loads from PBP demonstrates this mitigation measure alone does not achieve BAL-29 compliance.



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- Buildings facing the fire front to the west constructed to Type A construction standards from NCC 2022 Specification 5, incorporating 60/60/60 fire-rated external walls, no windows facing the western bushfire interface, and enhanced construction specifications including non-combustible sarking, ember protection for roller doors and other openings, and appropriate external cladding, with consideration of fire sprinkler systems. While AS3959:2018 does not mandate specific bushfire construction standards for Class 5 warehouse buildings, these measures are recommended as appropriate risk mitigation strategies.
- Asset Protection Zones maintained as Inner Protection Areas in accordance with **Appendix 4** of PBP for the lifetime of the development, with landscaping managed to minimise fuel loads and prevent fire spread.
- Preparation of a Bushfire Emergency and Evacuation Plan (BEEP) consistent with NSW RFS guidelines and AS3745:2010, with a restriction on title preventing residential use to ensure the development remains limited to industrial purposes.

The Bushfire Report in **Appendix 11** ensures the development addresses bushfire risk through a performance-based combination of construction standards, landscape buffers and ongoing management measures appropriate for industrial/warehouse use with limited human occupancy.

## 5.7 CONTAMINATION

The PSI in **Appendix 8** identified potential contamination sources across the Site resulting from its historical use patterns and surrounding land uses. The Site's history of agricultural/horticultural activities and various manufacturing operations, combined with the presence of a former landfill located approximately 20 metres from the Site (currently listed as being under assessment), indicates potential for site contamination based on qualitative assessment of the available evidence.

The contamination assessment identifies the following potential sources:

- Imported fill materials and pesticides used around the Site during its agricultural/horticultural phase.
- Hazardous building materials present in both former and current buildings on the Site, including potential asbestos-containing materials, lead-based paints and polychlorinated biphenyls (PCBs).
- On-site commercial/industrial activities including manufacturing operations and a printer/letterpress operation that may have resulted in soil or groundwater impacts.
- An on-site electrical substation with potential for historical contamination from transformer oils or other electrical infrastructure materials.
- Off-site contamination sources including the adjacent landfill approximately 20 metres from the Site boundary, and surrounding commercial/industrial activities such as manufacturing facilities and a photo developer across Old Pittwater Road.



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The PSI in **Appendix 8** concludes that the historical land uses and potential sources of contamination identified would not preclude the proposed subdivision of the Site for commercial and industrial land use. The recommendations in **Appendix 8** include:

Securing development approval for building works prior to development, with a detailed Stage 2 site investigation (DSI) with a Sampling, Analysis and Quality Plan (SAQP) to be undertaken prior to future development of the site. It is noted that the DSI would be required for future built form development, which would be the subject of separate development applications.

- Hazardous building materials survey to be conducted before demolition of existing structures, identifying and quantifying asbestos and other hazardous materials requiring specialist removal and disposal.

Asbestos clearance certificate to be obtained following demolition and preferably before removal of hardstand surfaces, confirming appropriate remediation of any asbestos contamination.

These measures ensure compliance with Chapter 4 of the Resilience and Hazards SEPP by demonstrating that the land will be appropriately assessed and, if required, remediated before being used for future built form development on the subdivided lots.

## 5.8 VISUAL AMENITY

The proposed development responds appropriately to its industrial context whilst maintaining visual amenity through strategic built form design and landscape mitigation.

- The 3-storey warehouse on Lot C extends to 21.09m , exceeding the 11m WLEP2011 height limit by 10.09m (91.73%), however when assessed against Council's draft LEP proposing 18m, represents only 3.09m (17.17%) exceedance for roof form and services.
- Retention of 83 mature native trees along southern and eastern boundaries provides canopy screening, supplemented by comprehensive landscape buffers and 1:1 compensatory planting (142 trees) concentrated at the Allenby Park interface, with the Site's steep topography ensuring the building responds to natural landform.
- The development is consistent with contemporary industrial development patterns within the established Brookvale employment precinct, with no unreasonable visual impacts on surrounding industrial properties.

A Clause 4.6 Variation Request in **Appendix 13** demonstrates compliance with the 11m standard is unreasonable and unnecessary, with sufficient environmental planning grounds including alignment with Council's strategic planning intent and landscape mitigation appropriately managing visual impacts.

## 5.9 WASTE

The WMP in **Appendix 9** demonstrates compliance with waste management requirements for subdivision and bulk earthworks phases of the development.

The waste management strategy delivers several key outcomes:



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- Clearly defined quantities and classifications of waste anticipated to be generated, with waste storage, handling and disposal arrangements set out, including the locations of storage and management facilities.
- Embedded measures to ensure the development aligns with the NSW Waste and Sustainable Materials Strategy 2041, supporting avoidance, reduction, reuse and recycling of waste.
- Auditable procedures established for waste management across subdivision and bulk earthworks, ensuring environmental protection and adherence to relevant NSW guidelines.

The WMP in **Appendix 9** ensures construction waste is managed appropriately throughout the subdivision and bulk earthworks phases.

#### 5.10 HERITAGE

The site is not identified as a Heritage Item or within a Heritage Conservation Area.

#### 5.11 FLORA AND FAUNA

The AIA in **Appendix 2** identified 225 individual trees and 3 tree groups within the development area, with the proposed subdivision requiring removal of 142 trees and 3 tree groups to accommodate the warehouse buildings, access roads and necessary infrastructure across the three lots.

The arboricultural strategy delivers several key outcomes:

- Retention of 83 mature native trees (72 with standard protection + 11 requiring tree-sensitive construction) predominantly concentrated along the southern and eastern boundaries, including high-value *Angophora costata* specimens that contribute to the Site's environmental character and provide screening to adjoining properties.
- The 11 trees requiring tree-sensitive construction (Trees 1, 7, 54, 55, 80, 81, 82, 97, 100, 101, 106) are located in areas where moderate to major NRZ encroachment occurs, requiring modified construction techniques including pier and beam footings to bridge over roots, suspended slabs, relocation of stormwater infrastructure, and direct arborist supervision during construction activities within Tree Protection Zones
- Protection measures implemented in accordance with AS4970-2025 for all retained trees, with modifications to bulk earthworks plans to ensure viable tree retention.
- Compensatory planting at a 1:1 replacement ratio resulting in a minimum of 142 new native plantings to be concentrated along lot boundaries and the Allenby Park interface to maintain canopy cover and strengthen landscape buffers.

The AIA in **Appendix 2** ensures the development appropriately balances the need for industrial infrastructure with retention of significant boundary vegetation and environmental values.



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The BDAR in **Appendix 10** identified that the development will impact 0.51 ha of native vegetation classified as PCT 3592 (Sydney Coastal Enriched Sandstone Forest), requiring retirement of 12 ecosystem credits through the Biodiversity Offsets Scheme. No threatened ecological communities will be impacted by the proposed works.

Three ecosystem credit species were recorded during comprehensive field surveys (Grey-headed Flying-fox, White-throated Needletail, and potentially Large Bent-winged Bat), with impacts limited to occasional foraging habitat only. No breeding habitat or species credits are required. Retention of 0.15 ha of high-quality native vegetation along the western boundary maintains the habitat corridor connection with Allenby Park and adjoining bushland reserves.

The BDAR is provided in **Appendix 10** and demonstrates the proposed development complies with biodiversity conservation requirements through appropriate impact avoidance, minimisation and offset strategies

### 5.12 SOCIAL AND ECONOMIC IMPACTS

The proposed development will deliver positive social and economic benefits to the Northern Beaches community through the provision of employment-generating industrial facilities in an established employment precinct.

The development delivers several key outcomes:

- Creation of construction employment opportunities in the short term during the subdivision and building phases, with ongoing operational employment generated once the warehouse and distribution facilities are occupied.
- Retention and enhancement of the Brookvale industrial area as an important employment hub, contributing to the local economy and reducing pressure on industrial land elsewhere in the region.
- Provision of modern, fit-for-purpose warehouse facilities that enable businesses to operate efficiently within the Northern Beaches, reducing the need for goods movement over longer distances and supporting local supply chain efficiency.
- Retention of boundary vegetation and landscape buffers ensuring the development integrates appropriately with the adjoining parkland, maintaining amenity for the broader community while delivering economic benefits through productive use of zoned industrial land.

The social and economic strategy demonstrates that the development contributes positively to the Northern Beaches employment base whilst respecting the environmental and amenity values of the surrounding area.





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### 5.13 SERVICES

The Site has access to essential services including water, sewer, electricity, telecommunications, and stormwater infrastructure. The proposed subdivision and development will connect to existing council stormwater systems via the drainage infrastructure detailed in the Civil Report in **Appendix 3**. Electricity supply will be provided through connection to the existing network, with detailed servicing requirements to be confirmed by subsequent development applications.

Water and sewer services are available in Old Pittwater Road, with connections to be extended to service each of the 3 lots. The Site's location within an established industrial area ensures that adequate service capacity exists to support the proposed warehouse and distribution uses. Detailed coordination with relevant service authorities will occur during the construction certificate stage to ensure all services are appropriately sized and connected to meet the operational requirements of each lot.

### 5.14 SUITABILITY OF SITE FOR DEVELOPMENT

The Site is suitable for the proposed subdivision and industrial warehouse development, demonstrated through comprehensive technical assessment and strategic response to Site constraints.

The Site's suitability is established through the following considerations:

- The Site is zoned E4 General Industrial under Warringah Local Environmental Plan 2011, with warehouse and distribution centres being permissible land uses that align with the established character of the Brookvale industrial precinct.
- Technical investigations including the Geotechnical Assessment Report (**Appendix 5**), PSI (**Appendix 8**), and Civil Report (**Appendix 3**) confirm the Site can accommodate the proposed development subject to appropriate engineering solutions and remediation measures where required.
- The bulk earthworks strategy addresses the Site's challenging topography through a balanced cut and fill approach, creating level building platforms suitable for industrial development whilst responding to natural landform constraints.
- The AIA (**Appendix 2**) and Landscape Plans (**Appendix 7**) demonstrate that development can proceed whilst retaining significant boundary vegetation and maintaining appropriate landscape buffers to Allenby Park, preserving environmental values and ecological connectivity.
- The Site's location within an established industrial area provides access to essential services, road infrastructure networks via Old Pittwater Road, and established employment catchments, supporting intensification through subdivision and redevelopment for contemporary warehouse and distribution uses.

These factors confirm the Site's capacity to accommodate the proposed development in a manner that responds appropriately to environmental constraints, integrates with surrounding industrial uses, and



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contributes to the continued evolution of the Brookvale industrial precinct as a key employment hub within the Northern Beaches LGA.

### 5.15 SUBMISSIONS

The Applicant is willing to address any submissions, should they be received by Council.

### 5.16 THE PUBLIC INTEREST

The proposed development is in the public interest as it facilitates the efficient use of the industrial zoned Site, contributing to job creation and economic growth in the Northern Beaches. The proposal aligns with the strategic planning framework for the area while implementing appropriate environmental safeguards including vegetation retention, landscape buffers, and stormwater management measures that protect adjoining public parkland.

The development will enhance the functionality of the Brookvale industrial area by providing modern warehouse and distribution facilities that meet contemporary business needs, supporting the ongoing viability of this important industrial zoned Site.



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## PART F CONCLUSION

The purpose of this SEE has been to present the proposed subdivision, earthworks and built form for 120 Old Pittwater Road, Brookvale and to assess its potential impacts having regards to Section 4.15(1) of the EP&A Act

The Site is zoned E4 General Industrial under WLEP2011 and is currently occupied by existing warehouse and office space scheduled for demolition. The irregularly shaped site slopes steeply upwards from Old Pittwater Road towards the rear boundary, which adjoins the significant bushland escarpment of Allenby Park.

The proposed development will create 3 warehouse and distribution lots totalling 16,090m<sup>2</sup> of combined GFA, with Lot A (6,579m<sup>2</sup>), Lot B (6,817m<sup>2</sup>), and Lot C (8,372m<sup>2</sup>) each exceeding the minimum lot size development standard. The development responds to the Site's challenging topography through carefully designed bulk earthworks while prioritising retention of 83 mature native trees and establishing appropriate landscape buffers, particularly along the sensitive Allenby Park interface. The proposal will deliver modern, fit-for-purpose industrial facilities that support the Brookvale employment precinct while respecting the Site's natural constraints and bushland context.

The proposal has been prepared after taking into consideration the following:

- The development history of the Site.
- The context of the Site and locality.
- The relevant heads of consideration under Section 4.15(1) of the EP&A Act.
- The aims, objectives and provisions of the relevant statutory and non-statutory planning instruments; and
- The pre-lodgement advice received from Northern Beaches Council.

The proposal is considered to warrant a favourable determination for the following reasons:

- The development is permissible with consent within the E4 General Industrial zone and aligns with the zone objectives by providing warehouse and distribution facilities that support employment generation and efficient industrial land use.
- The proposed subdivision creates 3 appropriately sized lots that exceed the minimum lot size development standard under WLEP2011, with each lot capable of accommodating functional warehouse operations with adequate access, parking, and loading facilities.
- The development responds appropriately to the Site's challenging topography through carefully designed bulk earthworks that create level building platforms while minimising environmental impacts through erosion and sediment control measures.
- Environmental values are preserved through retention of 83 mature native trees (72 with standard protection + 11 with tree-sensitive construction methods) with comprehensive protection measures in accordance with AS4970-2025, supported by landscape buffers along all boundaries particularly at the Allenby Park interface.



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- Bushfire risk is appropriately managed through a performance-based combination of construction standards, Asset Protection Zones, and a 2m non-combustible radiant heat barrier, with commitment to prepare a Bushfire Emergency and Evacuation Plan.
- The development integrates successfully with the established Brookvale industrial precinct while delivering modern warehouse facilities that meet contemporary logistics and distribution needs.
- Essential infrastructure including stormwater, water, sewer, and electricity services are available to support the development, with detailed civil design ensuring appropriate drainage and flood management.
- The proposal delivers positive economic outcomes through construction and operational employment opportunities while supporting the retention of industrial land in an established employment hub close to major transport routes.
- The development is in the public interest, facilitating efficient use of zoned industrial land while implementing appropriate environmental safeguards that protect adjoining parkland and contribute to the ongoing viability of the Brookvale employment precinct.

The proposed development is permissible within the zone and is compatible with the zone objectives. As stipulated previously in this SEE, the matters for consideration under Section 4.15(1) of the EP&A Act have been satisfactorily addressed.

Considering the merits of the proposed development and in absence of any significant environmental impact, the proposed development warrants support by Northern Beaches Council.

