

URBIS

STATEMENT OF ENVIRONMENTAL EFFECTS

4 FOREST ROAD, WARRIEWOOD

Prepared for

BMN PROPERTIES PTY LTD

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1. INTRODUCTION

This Statement of Environmental Effects (**SEE**) has been prepared by Urbis Pty Ltd on behalf of BMN Properties Pty Ltd (**the Applicant**) in support of a Development Application (**DA**) for a 13-lot subdivision at 4 Forest Road, Warriewood.

The SEE includes a description of the site and proposed development and an assessment of the proposal pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* and the *Environmental Planning and Assessment Regulations 2021 (the Regulations)*. The following documentation accompanies this Development Application.

Table 1 Accompanying Documents

Documents/Plans	Consultants	Appendix
Arborist Report	Naturally Trees	Appendix A
Bushfire Protection Assessment	Travers Bushfire & Ecology	Appendix B
Civil Plans	Acor Consultants	Appendix C
Flora and Fauna Impact Report	Ecological Consultants Australia	Appendix D
Geotechnical Report	Willows Engineering	Appendix E
Landscaping Plans	ATC A Total Concept	Appendix F
Stormwater Management Plan	Acor Consultants	Appendix G
Transport Impact Assessment	JMT Consulting	Appendix H
Waste Management Plan	BMN Properties Pty Ltd	Appendix I
Subdivision Layout Plan	Acor Consultants	Appendix J
Quantity Surveyor Report	Newton Fisher Group	Appendix K

1.1. REPORT STRUCTURE

This SEE is structured as follows:

- **Section 2 - Site Context:** provides a description of the site, existing development and the local and regional context.
- **Section 3 – Project Background**
- **Section 4 - Development Description:** describes the proposal, including the proposed works and operational criteria.
- **Section 4 - Statutory Context:** provides a detailed assessment of the State and local environmental planning controls relevant to the site and proposed development.
- **Section 5 - Section 4.15 Assessment:** provides an assessment of the proposal against the matters of consideration listed in section 4.15 of the EP&A Act.
- **Section 6 – Conclusion:** provides an overview of the development assessment outcomes and recommended determination of the DA.
- This report should be read in conjunction with the supporting documentation lodged with the DA and listed on the Contents page.

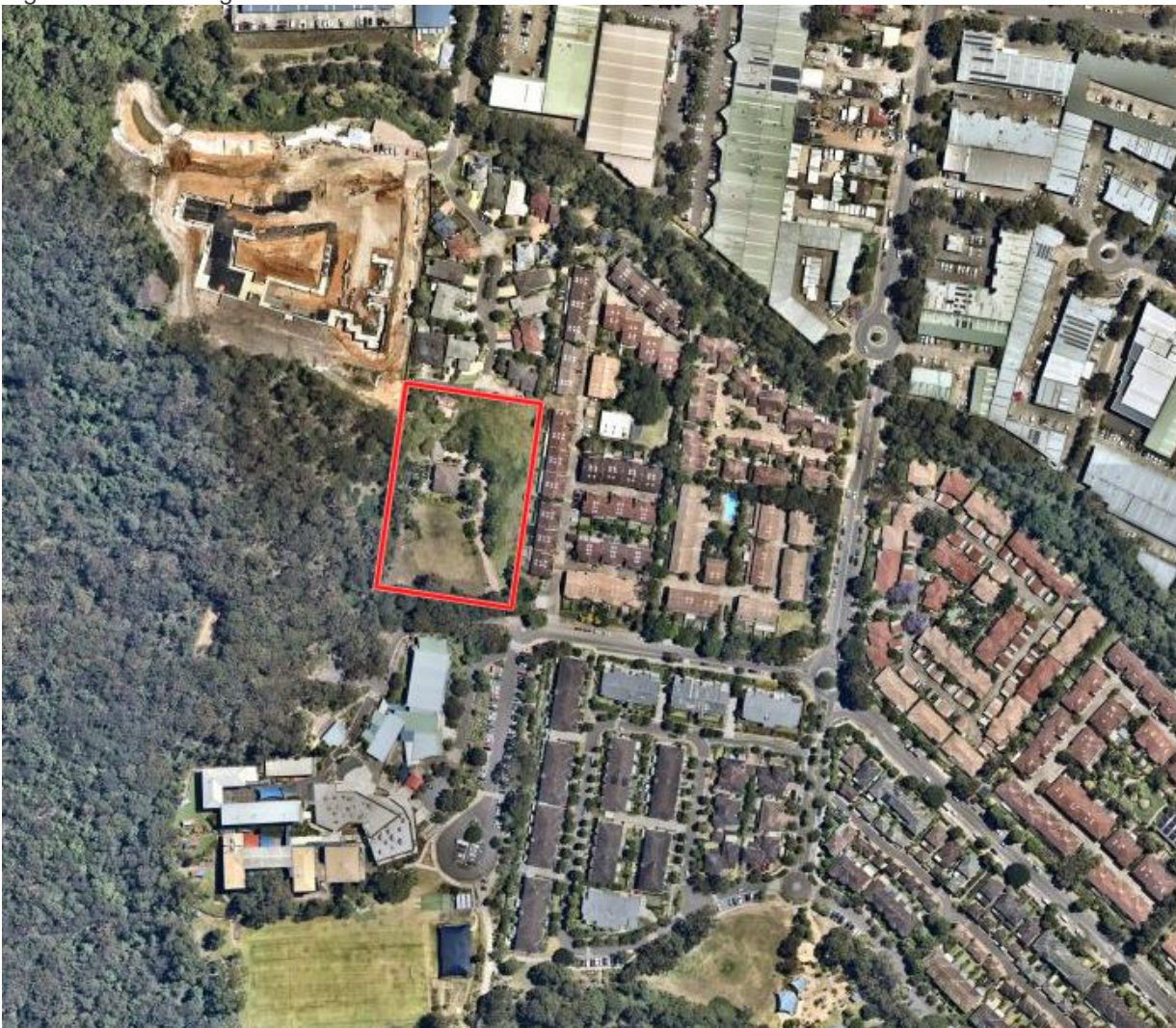
2. SITE DESCRIPTION AND LOCALITY

The **site** is known as 4 Forest Road, Warriewood and is legally described as Lot B in Deposited Plan (DP) 370222, refer to **Figure 1**. The site is regular in shape with a width of 80.24m and a length of 121.01m. The total area of the site is 9,709.8424m².

The site is currently afforded legal street access via Forest Rd. The site contains a dilapidated dwelling and associated ancillary structures. The site is mostly cleared of vegetation, however, does comprise some mature trees as discussed further in the accompanying consultant's report (1) Arborist Report (**Appendix A**) and (2) Flora and Fauna Report (**Appendix D**).

The topography of the site exhibits a fall towards the north-eastern portion. The site is bounded by medium density residential land uses to the north and east, proximate to Mater Maria Catholic College to the south and bounded by extensive vegetation and canopy cover to the west. The adjoining land to the west of the subject site will be substantially transformed in accordance with NSWLEC Determination (N0440/15).

Figure 1 Aerial Image – The Site



Source: Nearmap (2022)

Figure 2 Site Photographs –



Source: Forest Rd Roundabout Facing the Site Entrance (North) (Google Maps, 2020).



Source: Forest Rd Roundabout Facing Proximate Streetscape (South) (Google Maps, 2020).



Source: Streetscape Adjoining Development Entrance (East) (Google Maps, 2020).



Source: Streetscape Nearby Development (South) (Google Maps, 2020)

The site is situated within the Northern Beaches Council Local Government Area. Arcadia Pittwater Private Hospital is located approximately 500m north of the site and is bounded by light industrial land uses. The site is currently afforded access to public transportation (bus stops) within a comfortable 5-minute walk (less than 400m). The site is also afforded open green space within 250m (Lynne Czinner Park) located to the southeast. The typology of existing built form proximate to the site is shown in the above photographs. The transformative nature of the adjoining land to the west of the site (8 Forest Rd) is indicated in the below extract of the approval documents (N0440/15):

Figure 3 Extract of Approved Plans (8 Forest Rd, Warriewood – N0440/15)



Source: Northern Beaches Council; SiteDesign + Studios (2017).

The approval of the increased density, intensity and land use transformation of the adjoining site to the west, solidifies that the proposed development the subject of this development application complements the desired character for the locality.

3. PROJECT BACKGROUND

3.1. PRE-LODGE MEETING

On 10 February 2022 a Pre-lodgement Meeting (PLM2021/0345) was held. Key aspects of this application discussed at the meeting are provided below:

The site is situated within the Warriewood Urban Release Area (Sector 5) pursuant to clause 6.1 of the Pittwater Local Environmental Plan 2014 (PLEP 2014). Clause 6.1 of the PLEP2014 permits a density of not more than 94 dwellings or less than 75 dwellings in Sector 5.

Comment: Under Clause 6.1(3) of the *PLEP 2014* development consent must not be granted for development within Sector 5 with a density of not more than 94 dwellings or less than 75 dwellings. As a result of the previous approval of 81 dwellings at 8 Forest Road (NO440/15), which comprises the remainder of Sector 5, the proposed development comprising 13 Lots (for future dwelling development) satisfies Clause 6.1(3) because the total resultant dwelling density in Sector 5 will be 94 dwellings.

Clause 4.3 of the PLEP2014 sets a maximum height limit of 10.5m. The proposed building heights need to be shown on the submitted architectural plans (sections and elevations) within the building envelopes.

Comment: This development application seeks Council approval solely for the subdivision of land and associated works discussed in this Statement of Environmental Effects and supporting documents. Building envelopes are shown on the submitted Civil Plans prepared by Acor Consultants (**Appendix C**) which accompanies this development application. It is anticipated that following determination of this application, subsequent development applications will be lodged by individual landowners. These development applications will be subject to the relevant Local and State Planning Controls. Therefore, elevation and section plans indicating the height of future built form do not accompany this development application.

The site is mapped as having biodiversity values and geotechnical hazards.

Comment: The site is not identified as containing high biodiversity values on the Biodiversity Values Map and Threshold Tool. A small portion of land within the southern quadrant of the site is identified as “Biodiversity” pursuant to Clause 7.6(2) of the *PLEP 2014*. A Flora and Fauna Assessment prepared by Ecological Consultants Australia Pty Ltd dated December 2022 (**Appendix D**) contains mitigation measures which will be implemented to reduce the likelihood of any adverse impacts on the natural environment proximate to the site. The results of this report conclude that “no threatened flora or fauna species were recorded on-site”. (Ecological Consultants, 2022 p ii). Further, “no significant habitat features will be impacted by the proposed development (Ecological Consultants, 2022 p ii). A Geotechnical Report prepared by Willows Engineering Consultants dated 9 December 2022 (**Appendix E**) accompanies this Development Application. The report concludes that “the geotechnical hazards on the site and surrounding land can be managed to maintain a *low* or *very low* level of risk to property by following the recommendations in this report (Willows Engineering Consultants, 2022 p 6). The recommendations contained within that report will be implemented in the proposed development.

Clause 5.11 Bush Fire Reduction applies as the site is mapped as Bushfire Prone and the development is integrated development requiring a Bushfire Safety Authority from the RFS under Section 100B of the Rural Fires Act 1997.

Comment: A Bushfire Protection Assessment prepared by Travers Bushfire & Ecology dated 20 December 2022 accompanies this Development Application (**Appendix B**). The Bushfire Protection Assessment contains mitigation measures which facilitate the ongoing lawful use of development on the site with respect to bushfire safety.

The PLM also included a discussion of the following planning controls, which are assessed in **Section 4.3** of this Statement of Environmental Effects.

- DCP: Clause B2.5 (Medium Density Housing)
- DCP: Clause B3.1 (Landslip)
- DCP: Clause C4 (Subdivision Controls)
 - DCP: Clause C4.7 (Subdivision Amenity and Design)

- DCP: Clause C6 (Design Criteria for Warriewood Valley Release Area)
- DCP: Clause C6.7 (Landscape Area)
- DCP: Clause C6.8 (Residential Subdivision Principles)
- DCP: Clause C6.9 (Subdivision Approval Requirements)
- DCP: Clause D16.6 (Landscape Area Requirements)
- DCP: Clause D16.6 (Front Setbacks)
- DCP: Clause D16.7 (Side and Rear Setbacks)

The following table outlines the amendments to the proposed development following the pre lodgement with Council (PLM2021/0345).

Table 2 Table of Amendments to DA following the pre lodgement meeting with Council

DA as at PLM2021/0345	Current DA
<p><u>Scope of works:</u></p> <p>The subdivision of the land into 14 lots.</p> <p>The use of 13 of the lots for the purpose of a dwelling-house. The remaining lot (Lot 1) is intended to be used for another permitted, but non-residential purpose and will be the subject of a separate DA.</p> <p>Construction of roads.</p> <p>Earthworks.</p> <p>Civil drainage works.</p> <p>Tree removal.</p> <p>Establishment of a non-residential lot (Lot 1) to facilitate the development of a childcare centre.</p>	<p><u>Scope of works:</u></p> <p>The subdivision of the land into 14 13 lots.</p> <p>The use of 13 of the lots for the purpose of a dwelling-house. The remaining lot (Lot 1) is intended to be used for another permitted, but non-residential purpose and will be the subject of a separate DA.</p> <p>Construction of roads.</p> <p>Earthworks.</p> <p>Civil drainage works.</p> <p>Tree removal.</p> <p>Establishment of a non-residential lot (Lot 1) to facilitate the development of a childcare centre.</p>

3.2. NSW LAND AND ENVIRONMENT COURT DETERMINATION (N0440/15)

On 3 May 2017 Class 1 proceedings were brought before the NSW Land and Environment Court. The appeal was upheld, and Development Application (N0440/15) was approved subject to conditions. This relates to the adjacent site at 8 Forest Rd, Warriewood – Lot 1 Sec DP 5505. The approved development comprises:

Subdivision of land and the construction of a residential development incorporating 81 dwellings and associated civil works and landscaping. The proposal comprises 66 apartments within 4 residential flat buildings, 14 dwellings in multi dwelling housing and the retention of the existing dwelling house.

4. DEVELOPMENT DESCRIPTION

The proposed development comprises:

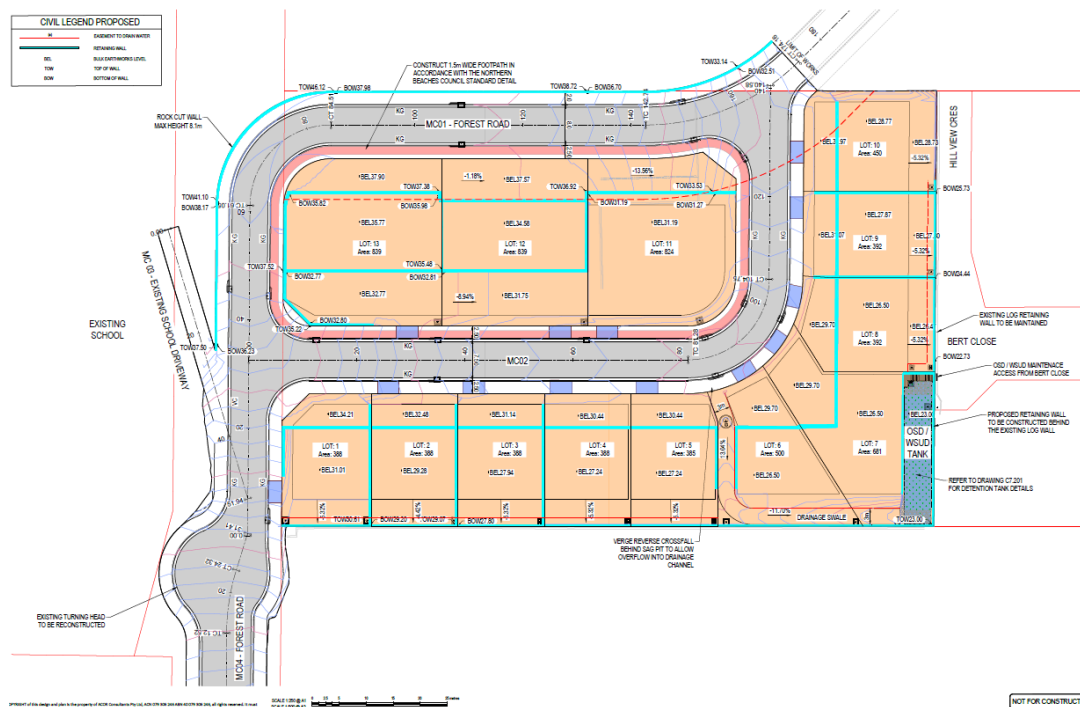
- The subdivision of land legally described as Lot B in Deposited Plan 370222 from 1 Lot of total site area 9,709.8424m² (Parent Lot) into 13 individual lots.

To facilitate the suitability and functionality of the resultant lots, this Development Application concurrently seeks approval for:

- Demolition of the existing dilapidated dwelling and associated ancillary structures situated on the site.
- Construction of roads – including a connection to the approved road through to 8 Forest Road.
- Earthworks –to create the associated road hierarchy and to facilitate the future construction of dwelling houses under separate applications.
- Civil drainage works – to support the proposed subdivision and facilitate future residential use.
- Tree removal – to facilitate the proposed development and future residential land uses on the resultant lots, the proposed development necessitates the removal of twenty-three (23) high category trees and 14 (fourteen) low category trees. Twelve (12) of the low category trees are exempt from Northern Beaches Council’s Tree Preservation Order.
- The proposed development is integrated development for the following reasons:
 - The proposed development seeks consent under s 138 of the *Roads Act 1993* for works that include relevant activities listed under Division 4.8 (Integrated Development) of the *Environmental Planning and Assessment Act 1979*.
 - The proposed development comprises the subdivision of bushfire prone land and therefore requires authorisation under Section 100B in respect of bush fire safety in accordance with the *Rural Fires Act 1997*.

An extract of the Proposed Lot Layout Plan is shown below in Figure 5 to indicate the nature of the proposed development.

Figure 4 Proposed Lot Layout Plan



Source: Acor Consultants (2022)

5. STATUTORY CONTEXT

5.1. STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

Chapter 4 of the Resilience and Hazards SEPP aims to provide a State-wide planning approach to the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

A Geotechnical Report (**Appendix E**) was prepared by Willows Engineering Consultants Pty Ltd on 9 December 2022. The report found that:

- “The geotechnical hazards on the site and surrounding land can be managed to maintain a *low* or *very low* level of risk to property by following the recommendations in this report” (p 6).

Additionally, the proposed works do not alter the existing and approved land use. The past use of the land for residential purposes does not suggest that the land would potentially be contaminated. Therefore, the proposed development is consistent with the provisions of the Resilience and Hazards SEPP.

5.2. STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

The site is located within the Sydney Harbour Catchment Boundary, as such the Biodiversity and Conservation SEPP applies to the proposal.

The proposal would be in keeping with the planning principles outlined in part 10.2 of the SEPP. The proposal would not be visible from the waterways and the site is not a strategic foreshore site, therefore the proposal is considered acceptable in accordance with the Biodiversity and Conservation SEPP

5.3. PITTWATER LOCAL ENVIRONMENTAL PLAN 2014

Pittwater Local Environmental Plan 2014 (PLEP 2014) is the primary environmental planning instrument applying to the site and the proposed development.

The site is zoned R3 Medium Density in accordance with the LEP. The proposed development is consistent with the zone objectives as outlined below:

Table 3 R3 Medium Density Zone Objectives Compliance

Objective	Comments	Compliance (Y/N)
To provide for the housing needs of the community within a medium density residential environment.	The proposed development will increase the housing supply in the locality.	Yes.
To provide a variety of housing types within a medium density residential environment.	The proposed development will assist in facilitating the desired number of dwellings in Sector 5 of the Warriewood Valley Release Area. Holistically, the scheme will provide a variety of residential accommodation. Additionally, future development on the resultant lots by individual landowners will facilitate further opportunity for diverse housing typologies.	Yes.

To enable other land uses that provide facilities or services to meet the day to day needs of residents.	The proposed development will not hinder the ability of future development to provide facilities or services to meet the day to day needs of residents.	Yes.
To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.	The envisaged residential dwelling accommodation on resultant lots, the subject of future applications, is compatible with the existing and desired surrounding land uses.	Yes.

The resultant lots will facilitate the construction of dwelling houses which are permissible developments pursuant to Clause 2.1 of the *PLEP 2014*.

The following table assesses the compliance of the proposed development with other relevant clauses in the LEP.

Table 4 Pittwater Local Environmental Plan 2014

Clause	Comment	Compliance (Y/N)
2.6 Subdivision – consent requirements	This application seeks development consent for the subdivision of land.	Yes.
2.7 Demolition requires development consent	The proposed Development Application seeks Council approval for the demolition of the existing dilapidated dwelling and associated ancillary structures situated on the site. The demolition will be carried out in accordance with the relevant Australian Standards, conditions of Development Consent and the mitigation measures contained in the accompanying documents of this Development Application.	Yes.
6.1 Warriewood Valley Release Area	<p>The site is situated within Sector 5. The proposed development is consistent with this clause as follows:</p> <p>The main purpose of the <i>Warriewood Valley Strategic Review Report</i> (the Strategy) was to update the Planning Framework 2010 to identify undeveloped land within the release area which is capable of achieving greater residential density than that originally anticipated under the former study. The proposed development facilitates the satisfying of the dwelling yield provisions contained in the <i>PLEP 2014</i>.</p> <p>The proposed development will not adversely impact on any waterways and creek line</p>	Yes.

Clause	Comment	Compliance (Y/N)
	<p>corridors, native riparian vegetation or creek line corridors.</p> <p>Under Clause 6.1(3) of the <i>PLEP 2014</i>, development consent must not be granted for development within Sector 5 with a density of not more than 94 dwellings or less than 75 dwellings. As a result of the recent approval of 81 dwellings at 8 Forest Road (NO440/15), which comprises the remainder of Sector 5, the proposed development comprising 13 Lots (for future dwelling development) satisfies Clause 6.1(3) because the total resultant dwelling density in Sector 5 will be 94 dwellings.</p>	
7.1 Acid Sulfate Soils	The site is identified as containing Class 5 Acid Sulfate Soils. The land is within 500m of land identified as containing Class 4 Acid Sulfate Soils. However, the site is not below 5m AHD and the water table will not be lowered by more than 1m. No further investigation is required.	Yes.
7.2 Earthworks	The proposed earthworks necessary to facilitate the proposed development will not have a detrimental impact on environmental functions and processes, neighbouring uses, cultural or heritage items or features of the surrounding land. This is supported by the Geotechnical report prepared by Willows Engineering Consultants Pty Ltd dated 9 December 2022 (Appendix E).	Yes.
7.6 Biodiversity	<p>A small portion of land within the southern quadrant of the site is identified as “Biodiversity” pursuant to Clause 7.6(2).</p> <p>Tree removal is necessary to facilitate the desired strategy for the urban release area.</p> <p>An Arboricultural Impact Appraisal and Method Statement prepared by Naturally Trees dated 14 December 2022 (Appendix A) accompanies this development application which provides mitigation measures which will be incorporated in the proposed development.</p>	Yes.
7.7 Geotechnical Hazards	The site is identified as land containing “Geotechnical Hazard H1” on the Geotechnical Hazard Map. A Geotechnical Report which	Yes.

Clause	Comment	Compliance (Y/N)
	confirms that the proposed development is capable of maintaining a low or very low level of risk to property, subject to mitigation measures and conditions of development consent accompanies this development application.	

Based on the above, it is considered that the proposal complies with the relevant provisions within the *PLEP 2014*.

5.4. PITTWATER 21 DEVELOPMENT CONTROL PLAN

Pittwater 21 Development Control Plan (the DCP) provides detailed planning controls relevant to the site and the proposal. An assessment against the relevant controls is provided in the table below.

Table 5 DCP Compliance Table

Section	Clause	Comments	Compliance (Y/N)
B2 – Density Controls	B2.5 – Dwelling Density and Subdivision	<p>The density and scale of the proposed development complements the desired vision for the locality. A combination of existing and proposed infrastructure will adequately service future development on the resultant lots.</p> <p>The proposed development will not adversely impact on adjoining residential development.</p>	Yes.
B3 – General Controls	B3.1 – Landslip	Refer to the accompanying Geotechnical Assessment (Appendix E) and LEP discussion under Section 4.2 of this SEE.	Yes.
	B3.2 – Bushfire	<p>The proposed development comprises the subdivision of bushfire prone land that could lawfully be used for residential purposes.</p> <p>Refer to the accompanying Bushfire Protection Assessment (Appendix B).</p>	Yes.
	B3.6 – Contaminated Land and Potentially Contaminated Land	Refer to Resilience and Hazards SEPP assessment under Section 4.1 of this SEE.	Yes.

Section	Clause	Comments	Compliance (Y/N)
B4 – Biodiversity and Habitat		Refer to LEP assessment under Section 4.2 of this SEE.	Yes.
B6 – Access and Parking	B6.1 – B6.11	<p>The existing site access (Forest Rd) will provide the primary site access.</p> <p>The recommended maximum road gradient for new roadways is 16%. A small portion of MC01 – Forest Rd comprises an 18.5% gradient. Justification for the minor departure from Council recommendations has been provided in the accompanying Transport Impact Assessment prepared by JMT Consulting dated 14 December 2022 (Appendix H).</p> <p>The key findings of the Transport Impact Assessment suggest that although there will be a minor increase in traffic flow as a result of the proposed development, “the proposal’s impact on the transport network will be acceptable” (JMT Consulting, 2022 p 10).</p> <p>The proposed frontages and envelopes are of a size to incorporate two parking spaces. It is envisaged that future applications on the resultant lots will address car parking requirements in more detail in accordance with the relevant Local and State Planning Controls.</p>	Acceptable on merit.
B8 – Site Works Management		Site management works will be carried out in accordance with the mitigation measures contained in the documents accompanying this development application and conditions of development consent.	Yes.
C – Development Type Controls	C1.3 – View Sharing	The proposed development does not comprise the construction of residential built form. Impacts on view sharing will be negligible.	Yes.
	C1.12 – Waste and	A Waste Management Plan accompanies this Development	Yes.

Section	Clause	Comments	Compliance (Y/N)
	Recycling Facilities	Application. Refer to (Appendix I) for details on the waste details.	
C6 – Design Criteria for Warriewood Valley Release Area	C6.1 – Integrated Water Cycle Management	<p>A Stormwater Management Plan prepared by Acor Consultants dated 8 December 2022 accompanies this Development Application. The proposed development will be in accordance with the recommendations of that plan. The proposed development is fully compliant with the Northern Beaches Council stormwater quality and quantity controls. The proposed stormwater strategy will reduce flows to less than pre-development levels (Acor Consultants, 2022 p 14).</p> <p>The land to the north is under community title ownership and an easement to drain in this direction is required. This Development Application seeks the creation of an easement to be included as a condition of Development Consent.</p> <p>There will be a burden on Lot 7 in the s88B instrument for the bio retention for the site, and OSD tank for the public road that will benefit other lots within the site. The reasons for this are that no draft community management statement is applicable, and that all lots will be Torrens Title.</p>	Yes.
	C1.1 - Landscaping	<p>This Development Application is accompanied by a Landscaping Plan for the proposed road reserves prepared in accordance with the <i>Warriewood Valley Release Area Landscape Masterplan and Design Guidelines</i> (Public Domain)(as amended).</p> <p>The landscaping of each lot will be the subject of future DAs.</p>	Yes.
	C6.3 – Ecologically Sustainable Development,	To be addressed under separate development applications pertaining to the resultant lots post determination.	Yes.

Section	Clause	Comments	Compliance (Y/N)
	Safety and Social Inclusion		
	C6.4 – Road System and Pedestrian and Cyclist Network	The proposed roads and reserves are designed in accordance with the Warriewood Roads Masterplan 2018.	Yes.
	C6.5 – Utilities and Services	The site is afforded access to all services, either via existing or future provisions.	Yes.
	C6.7 – Landscaped Area	The overall landscaped area for the parent lot significantly exceeds 25%.	Yes.
	C6.8 – Subdivision Principles	<p>The proposed concept subdivision arrangements respond satisfactorily to the slope of the land; the Roads Masterplan; and bushfire considerations.</p> <p>The proposed indicative building footprints are located outside of the APZ.</p> <p>The orientation of the proposed lots facilitates surveillance, solar access and private open space opportunities for future development under separate applications by individual landowners.</p> <p>An existing, approved access is incorporated into the approval on the adjacent lot (8 Forest Rd).</p>	
	C6.9 – Residential Land Subdivision Approval Requirements	<p>The proposed lots are greater than 225m² with widths of at least 9m.</p> <p>The supporting Lot Layout Plan indicates the future potential building footprints, setbacks and driveway locations. There is ample land afforded on each resultant lot to ensure compliance with DCP landscaped area and private open space provisions.</p>	Yes.

Section	Clause	Comments	Compliance (Y/N)
D – Locality Specific Development Controls	D16.1 – Character as viewed from a public space	To be addressed under separate development applications pertaining to the resultant lots post determination.	Yes.
	D16.4 – Water Management for Individual Lots	To be addressed under separate development applications pertaining to the resultant lots post determination.	Yes.
	D16.5 – Landscaped Area	Each lot provides a minimum of 45% landscaped area.	Yes.
	D16.6 – Front Building Lines Dwellings – 3m Other development – 6.5m	The proposed Lot Layout Plan indicates compliance with the relevant provisions of this clause. At least 6m is provided between indicative building envelopes and the front boundaries of the resultant lots.	Yes.
	D16.7 – Side and Rear Setbacks Dwellings Side – Gr. 0.9m, L1 1.5m Rear – Gr. 4m, L1 6m	The proposed Lot Layout Plan indicates compliance with the relevant provisions of this clause. At least 900mm is provided for side setbacks (ground floor) and at least 1.5m is provided to (first floor).	Yes.
	D16.9 – Solar Access Dwellings 2 hours	The indicative lot layout and potential building envelopes are orientated to maximise solar access to future development.	Yes.
	D16.10 - Private and Common Open Space Dwellings 20m ² /4m	To be addressed under separate development applications pertaining to the resultant lots post determination.	Yes.

Section	Clause	Comments	Compliance (Y/N)
	D16.11 – Lightweight structures and terraces	To be addressed under separate development applications pertaining to the resultant lots post determination.	Yes.
	D16.12 – Fences	To be addressed under separate development applications pertaining to the resultant lots post determination.	Yes.
	D16.13 – Materials	To be addressed under separate development applications pertaining to the resultant lots post determination.	Yes.

Based on the above, it is considered that the proposal complies with the relevant provisions within the DCP.

6. SECTION 4.15 ASSESSMENT

The proposed development has been assessed in accordance with the relevant matters for consideration listed in section 4.15 of the EP&A Act.

6.1. ENVIRONMENTAL PLANNING INSTRUMENTS

The proposed development has been assessed in accordance with the relevant State and local environmental planning instruments in **Section 4**.

The assessment concludes that the proposal complies with the relevant provisions within the relevant instruments.

6.2. DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No draft environmental planning instruments are relevant to this proposal.

6.3. DEVELOPMENT CONTROL PLAN

Pittwater 21 Development Control Plan provides detailed planning controls relevant to the site and the proposal. An assessment against the relevant controls is provided in **Section 4.3**.

The assessment concludes the proposal complies with the relevant provisions within the DCP.

6.4. PLANNING AGREEMENT

No planning agreements are relevant to this proposal.

6.5. REGULATIONS

This application has been prepared in accordance with the relevant provisions of the *Environmental Planning and Assessment Regulations 2021*.

6.6. LIKELY IMPACTS OF THE PROPOSAL

The proposed development has been assessed considering the potential environmental, economic and social impacts as outlined below:

- **Natural Environment:** Potential impacts of the proposed development on the natural environment will be sufficiently mitigated in accordance with the recommendations of the consultants reports that accompany this development application and compliance with conditions of development consent.
- **Built Environment:** The proposed development will have a positive impact on the desired built environment in the locality.
- **Social:** The proposed development will have positive social impacts. Notwithstanding the need for future development applications on the resultant lots, the proposed development facilitates an increased supply of residential accommodation with diverse typologies.
- **Economic:** The proposed development will have positive economic impacts. In the short term to medium term, the proposed development will facilitate jobs within the construction industry. Longer term, the proposed development will positively contribute to the local economy through provision of an increased population. The transformative nature of the overall scheme for Sector 5 (inclusive of both 4 Forest Rd, and 8 Forest Rd) is also anticipated to attract further investment in the locality.

6.7. SUITABILITY OF THE SITE

The site is considered highly suitable for the proposed development for the following reasons:

- The proposed development complements the transformative nature of the proximate context and surrounding area as approved by N0440/15 and desired land use pursuant to the *PLEP 2014*.
- The proposed development is permissible in the zone and satisfies all objectives of the R3 Zone.

- The proposed development is fully compliant with the relevant Local and State Planning Controls despite a minor departure from Chapter B6 Access and Parking of the DCP to which a variation is sought and justification is provided in this SEE and the accompanying documents.
- The proposed development is of a scale that is desired in the locality (Sector 5) and broader urban fabric.
- The site is afforded ample access to existing public transport (bus) and the construction of new roads linking to the overarching road hierarchy will enhance this connectivity for existing and future residents.

6.8. SUBMISSIONS

It is acknowledged that submissions arising from the public notification of this application will need to be assessed by Council.

6.9. PUBLIC INTEREST

The proposed development is considered in the public interest for the following reasons:

- The proposal is consistent with relevant State and local strategic plans and complies with the relevant State and local planning controls.
- No adverse environmental, social or economic impacts will result from the proposal.

The proposal will assist Council and the State Government in achieving the housing and planning objectives for the Warriewood Valley Land Release Area by providing a means of completing the development of this Sector in accordance with the Warriewood Valley Land Release Area Strategy. The proposed road link to 8 Forest Road is also considered to be firmly in the public interest, particularly given likely traffic issues which may arise in the event of a bushfire evacuation where egress is only presently available to the north via Jubilee Avenue.

7. CONCLUSION

The proposed development has been assessed in accordance with section 4.15 of the EP&A Act and is considered appropriate for the site and the locality:

- The proposal satisfies the applicable planning controls and policies.
- The proposal will not result in any adverse environmental impacts.
- The proposal will result in positive social and economic impacts.
- The proposal is highly suitable for the site.
- The proposal is in the public interest.

Having considered all relevant matters, we conclude that the proposed development is appropriate for the site and approval is recommended, subject to appropriate conditions of consent.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

APPENDIX A **ARBORIST REPORT**

APPENDIX B **BUSHFIRE PROTECTION ASSESSMENT**

APPENDIX C **CIVIL PLANS**

APPENDIX D **FLORA AND FAUNA IMPACT ASSESSMENT**

APPENDIX E **GEOTECHNICAL REPORT**

APPENDIX F **LANDSCAPING PLANS**

APPENDIX G **STORMWATER MANAGEMENT PLAN**

APPENDIX H **TRANSPORT IMPACT ASSESSMENT**

APPENDIX I **WASTE REPORT**

APPENDIX J **SUBDIVISION LAYOUT PLAN**

APPENDIX K **QS REPORT**

