

STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Amendment
to existing Strata Plan
19670

1/98 Old Pittwater
Road, Brookvale

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Statement of Environmental Effects

Proposed Amendment to existing Strata Plan (SP) 19670

1/98 Old Pittwater Road, Brookvale

Prepared under instructions from

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May 2018

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1 Introduction

This Statement has been prepared for Frank Pieruszka as part of the supporting documentation for a Development Application in relation to a proposed amendment to the existing Strata Plan SP 19670, specifically in relation to lot 1 being strata subdivided to create 2 new lots.

This Statement of Environmental Effects is accompanied by the following documentation:

- Copy of Strata Plan 19670;
- Draft Proposed Strata Plan for the creation of new lots 20 and 21;

In preparation of this document, consideration has been given to the following:

- Environmental Planning and Assessment Act, 1979;
- Warringah Local Environmental Plan 2011;
- Warringah Development Control Plan 2011;

The proposal succeeds when assessed against the Heads of Consideration pursuant to section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended. It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning controls;
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

2 Site Analysis

2.1 Site Description and Location

2.1.1 The Site

The application relates to Lot 1, SP 19670, 1/98 Old Pittwater Road, Brookvale. An aerial photo location is included as **Figure 1**. Lot 1 is part of an industrial complex.



Figure 1: Site Location (Source: Six Maps)

The site is not heritage listed or located within a heritage conservation area or within the vicinity of any heritage items.

2.2 Zoning and Key Environmental Considerations

The site is partly zoned IN1 General Industrial pursuant to the Warringah Local Environmental Plan 2011. The site is identified as landslide risk category A and B. The site is not affected by any other known hazards.

3 Description of Proposed Development

3.1 Details of the Proposed Development

This application proposes amendments to the approved strata plan in relation to the existing Lot 1. The proposed amendment to the strata plan seeks create 2 new lots (lots 20 and 21) from lot 1. The current car parking allocation for lot 1 will be split evenly between the two new lots.

The unit is currently being used as two unit and this strata subdivision seeks to formalise that current circumstance.

4 Statutory Planning Framework

The following section of the report will assess the proposed development having regard to the statutory planning framework and matters for consideration pursuant to Section 4.15 of the Environmental Planning & Assessment Act, 1979 as amended. Those matters which are required to be addressed are outlined, and any steps to mitigate against any potential adverse environmental impacts are discussed below.

4.1 Warringah Local Environmental Plan 2011

The Warringah Local Environmental Plan 2011 is the principal local planning instrument applicable to the land. The relevant provisions of the LEP and the manner in which they relate to the site and the proposed development are assessed below.

4.1.1 Zoning and Permissibility

The property is zone IN1 General Industrial pursuant to the Warringah LEP 2011. The proposed amendment to an existing commercial strata plan scheme is permissible with consent in the zone. No building works are proposed as part of this application. Accordingly, there is no statutory impediment to granting of consent.

4.1.2 Subdivision

Pursuant to Clause 4.1 (4) of the Warringah LEP, the subdivision controls do not apply in relation to the subdivision of individual lots in a strata plan or community title scheme. This application relates to proposed creation of 2 new lots from the existing lot 1.

4.2 Warringah Development Control Plan

4.2.1 Car Parking

The existing lot 1 has 14 allocated parking spaces which will be split evenly between the 2 new lots. The 7 car spaces allocated to the two new lots are shown on the strata plan of subdivision provided with this application.

4.3 Matters for Consideration Pursuant to Section 4.15 (former section 79c) of the Environmental Planning and Assessment Act 1979 as amended

The proposal has been assessed having regard to the matters for consideration pursuant to 4.15 of the Act and to that extent Council can be satisfied of the following:

- The proposed amendments to the existing Strata Plan in relation to the industrial building are permissible with consent.

- The proposed amendments to the existing Strata Plan does not alter the form and external appearance of the development as consented and will not give rise to any adverse environmental consequences; and

The public interest is best served through the approval of the application under the circumstances.

5 Conclusion

The proposed amendments to the existing Strata Plan is in conformity with the applicable development standards contained within Warringah Local Environmental Plan 2011 and Warringah Development Control Plan 2011.

It is considered that the application, the subject of this document, is appropriate on merit and is worthy of the granting of development consent for the following reasons:

- The application has considered and satisfies the various relevant planning control
- The site is assessed as suitable for the proposal, having regard to the relevant land use and planning requirements.

Having given due consideration to the matters pursuant to Section 4.15 of the Environmental Planning and Assessment Act, 1979 as amended, it is considered that there are no matters which would prevent Council from granting consent to this proposal in this instance.