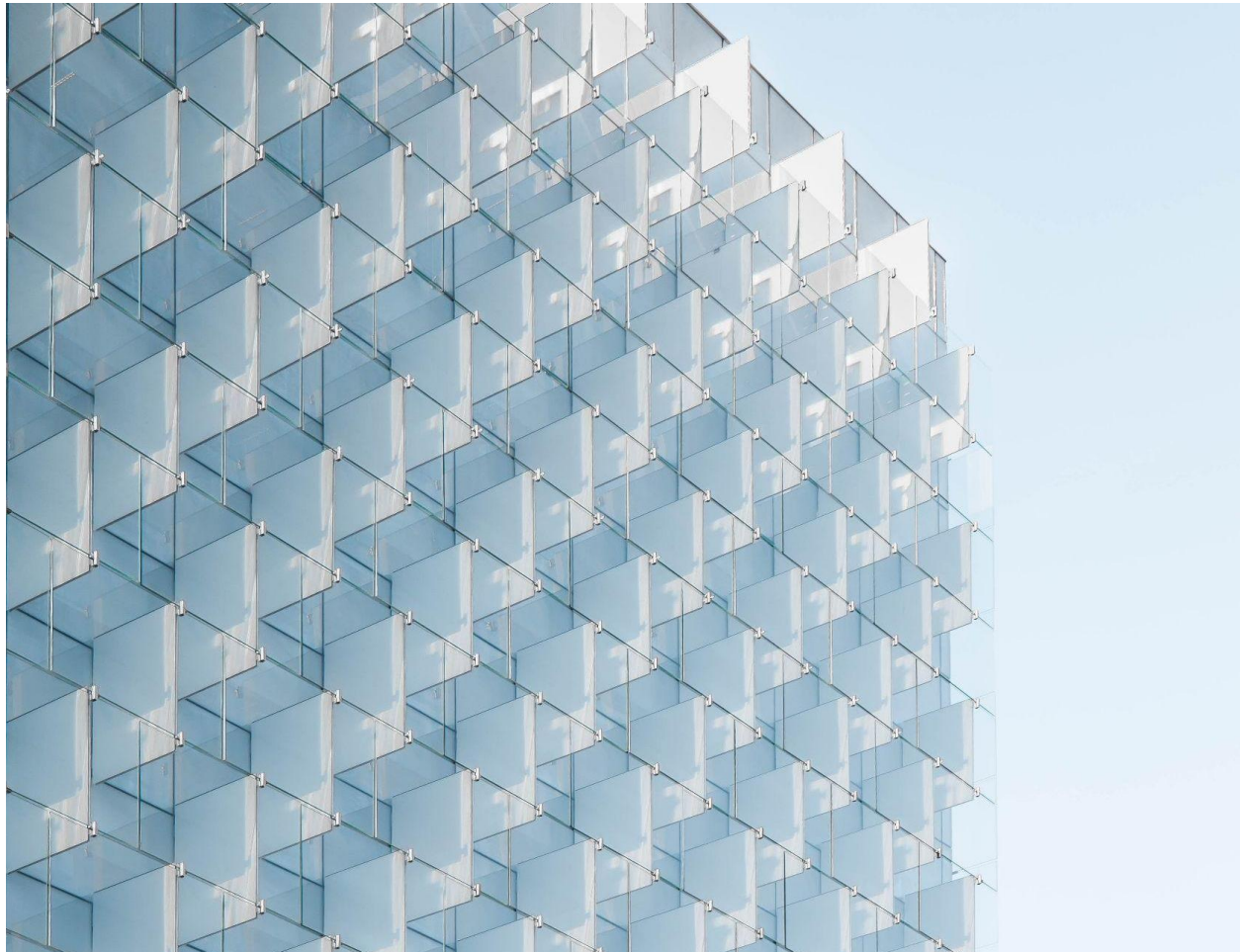


WILLOWTREE PLANNING



28 January 2025

Ref: WTJ24-397
Contact: Britani Dunn



STATEMENT OF ENVIRONMENTAL EFFECTS:

PROPOSED REMOVAL OF THREE (3) TREES AND INSTALLATION OF LIFT

114 Old Pittwater Road, Brookvale NSW 2100
Lot 1 DP868761

—
Prepared by Willowtree Planning Pty Ltd
on behalf of Fabrik Property




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SYDNEY | BRISBANE

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. We acknowledge that we stand on this Country which was and always will be recognised as Aboriginal Land. We acknowledge the Traditional Owners of the Lands in this Local Government Area, belonging to the local Aboriginal People, where this proposal is located upon.

DOCUMENT CONTROL TABLE			
Document Reference:	WTJ24-397		
Contact	Britani Dunn		
Version and Date	Prepared by	Checked by	Approved by
Version No. 1 – 10/12/2024	Britani Dunn Town Planner 	Andrew Cowan Director 	Andrew Cowan Director 
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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

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2	Architectural Plans	Reid Campbell
3	Arborcultural Impact Assessment	Synertree Pty Ltd
4	BCA Assessment Report	Reza Karani
5	Bush Fire Assessment Report	Bushfire Consulting Services Pty Ltd
6	Estimated Development Cost	Newton Fisher Group
7	Landscape Plan	Volker Klemm Landscape Design
8	Traffic Impact Statement	TRAFFIX



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

9	Clause 4.6 Variation Request	Willowtree Planning
10	Waste Management Plan	Fabrik Property
11	Owners Consent	Fabrik Property
12	Access Report	Jensen Hughes
13	Preliminary Geotechnical Assessment	El Australia
14	ASIC Company Extract	Fabrik Property



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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

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 Fabrik Property (the Applicant) and is submitted to Northern Beaches Council (Council) in support of a Development Application (DA) at 114 Old Pittwater Road, Brookvale (subject site), which captures the following land parcels:

- Lot 1 DP868761

This DA seeks development consent for the removal of three (3) trees and the installation of a lift at the subject site, including other necessary works, as described in **PART C** of this SEE.

The subject 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.*

The proposal aims to enhance the functionality and accessibility of the subject site and support its ongoing use as a warehouse, which is permitted within the E4 – General Industrial zone and aligns with the zone objectives.

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 subject 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**



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

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

1.2 REQUIREMENTS FOR CONCURRENCE / OTHER APPROVALS

This proposal does not require the concurrence of any authorities.



PART B SITE ANALYSIS

2.1 SITE LOCATION AND CHARACTERISTICS

The subject site is identified as 114 Old Pittwater Road, containing the following land holdings:

TABLE 1. SITE IDENTIFICATION		
Site Address	Legal Description(s)	Land Area (approx.)
114 Old Pittwater Road, Brookvale	Lot 1 DP868761	2 ha

The subject site comprises a battle-axe shaped lot with primary vehicle entry via an internal access road from Old Pittwater Road. The subject site is located on the western side of Old Pittwater Road and comprises an established 4-storey warehouse building. The existing development at the subject site hosts a various tenancies including Woolworths, James Bennett, Fujifilm and others. The western part of the subject site is undeveloped and covered in natural vegetation. This part of the subject site is separated from the industrial development on-site by a rock-face which defines the western side of the existing hardstand area.

The subject site is located in the Northern Beaches Local Government Area (LGA) and is zoned E4 – General Industrial pursuant to the *Warringah Local Environmental Plan* (WLEP2011).

The immediate surrounds exhibit an industrial character with development of similar size and scale to that of the subject site located to the north, east and south. Immediately west, along the rear boundary of the subject site is RE1 – Public Recreation zoning, comprising Allenby Park. Allenby Parks works to provide adequate distance between the subject site and the residential suburb of Allambie Heights.

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



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

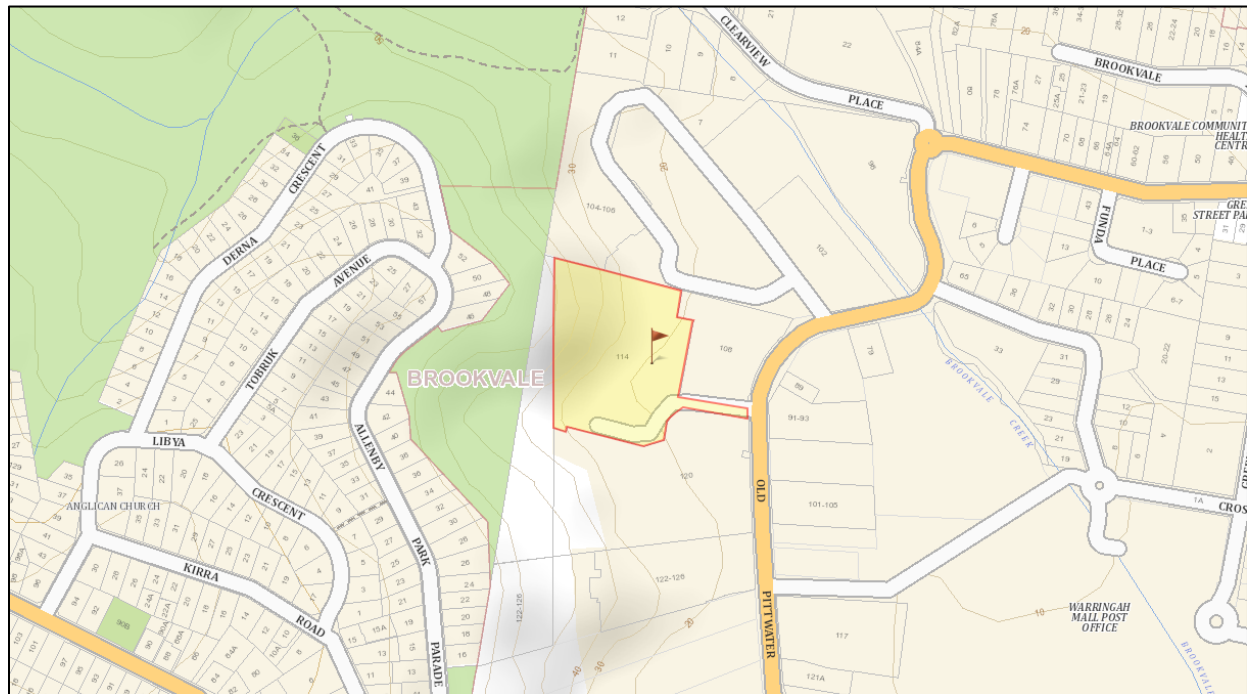


Figure 1. Cadastral Map (Source: SIX Maps, 2024)



Figure 2. Aerial Map (Source: Near Map, 2024)



2.2 SITE CONTEXT

The subject site is situated approximately 17km north of the Sydney CBD, 41km east of Parramatta and 5km northwest of Manly. The subject is served by the public transport network comprising buses and several bus stops along Pittwater Road, approximately 1km to the east. The subject site well connected to road networks including Pittwater Road, Warringa Road, Condamine Street all of which provide enhanced connectivity between the subject site and the wider locality.

Refer to **Figure 3** below.

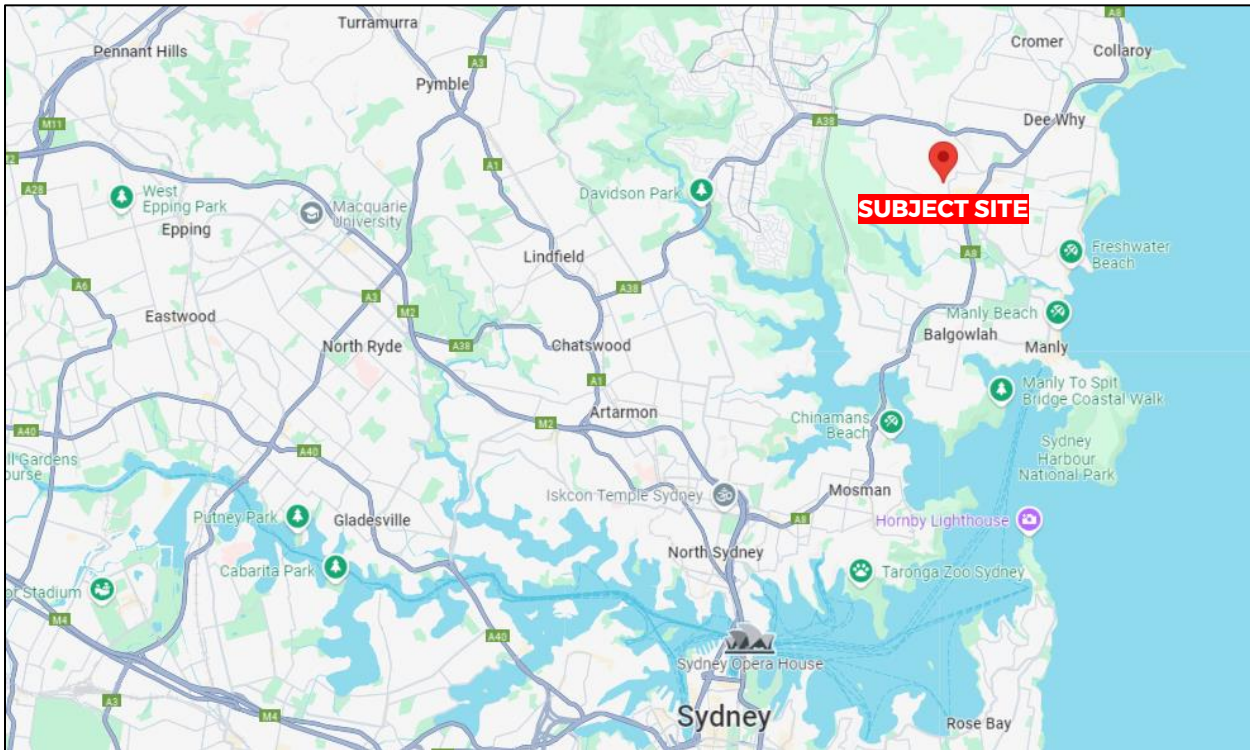


Figure 3. Site Context Map (Source: Google Maps, 2024)

2.3 DEVELOPMENT HISTORY

TABLE 2 outlined below provides a summary of the DAs, pertaining to the subject site and of relevance to the proposal, that have been determined or are under assessment.

TABLE 2. EXISTING CONSENTS		
DA Reference	Summary	Approval Date
Mod2018/0021	Modification of Development Consent DA2016/1081 granted for signage	04/04/2018



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

Mod2017/0241	Modification of Development Consent DA2017/0792 granted for Alterations and Additions to an existing warehouse and distribution centre (Submitted: 19/09/2017)	19/09/2017
DA2017/0792	Alterations and Additions to an existing warehouse and distribution centre	14/09/2017
DA2017/0730	Change the operating hours of an existing approved warehouse and distribution centre to 24 hours a day and 7 days a week	23/08/2017
DA2016/1081	Signage	27/01/2017
DA2016/0828	Use of Premises as a Public Administration Building, including internal fit-out, alterations and additions and associated signage	28/09/2016
DA2013/0686	Installation of storage containers	03/09/2013
DA2011/0652	Alterations and additions to an existing warehouse / office building	13/06/2011
DA2010/0229	Alterations and additions to an industrial building	29/03/2010
Mod2006/0064/1	Modification of Development Consent No. 2006/0064 to amend the car parking and landscape design	18/09/2006
DA2006/0064	Construction of an entrance structure, landscape works and relocation of car parking spaces	28/04/2006
DA2005/1022	Demolition of Lightweight Partitioning, Construction of New Partitioning, Installation of Work Stations, Use of Area as Office Space	25/11/2005
DA2000/4006	Partitions	03/04/2000
DA1999/1652	Partitioning of large existing unit into four ground level units and three first floor units by the construction of partitioning walls	05/05/1999

Regarding the approved use at the subject site, the traffic report that accompanied Development Application **DA2017/0792** stated the following:

The Northern Beaches Council DCP 2011 has a parking requirement for warehouses and distribution centres of 1.3 spaces per 100m² GFA (including up to 20% of floor area as office premises space component). The overall development at 114 Old Pittwater Road provides a gross floor area of 16,730m², comprising some 8,730m² office and 8,000m² industrial/warehouse area. Application of the DCP2011 parking rates results in a required parking provision of 322 spaces. The overall development, with the proposed modifications, will provide 330 parking spaces, satisfying Council's DCP requirement.

The Council assessment report for **DA2017/0792** which granted approval concurs with the above. On that basis we have formed the view that the space in question is approved as warehouse and would not require a change of use. The SEE for **DA2017/0792** also refers to the development in its entirety as warehouse. The Public administration DA (Service NSW) - **DA2016/0828** also appeared to acknowledge the ground floor as "industrial".



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

PART C PROPOSED DEVELOPMENT

3.1 DEVELOPMENT OVERVIEW

The proposed development involves the removal of three (3) trees located within the easternmost carpark situated on the ground floor to facilitate the construction of new carparking spaces. Further, the proposal also involves the installation of a new goods and passengers lift on the northeastern entrance to provide access to Level 1 and the rooftop from the ground level. It is noted that the proposed lift is located external to the warehouse building.

It must be acknowledged that a Complying Development Certificate (CDC) under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* (Codes SEPP) for the reconfiguration of carparking arrangement at the subject site will be prepared, separate to this DA submission.

See **Figure 4** for a Demolition Plan of the proposed development, followed by **Figure 5** for the proposed Site Plan.

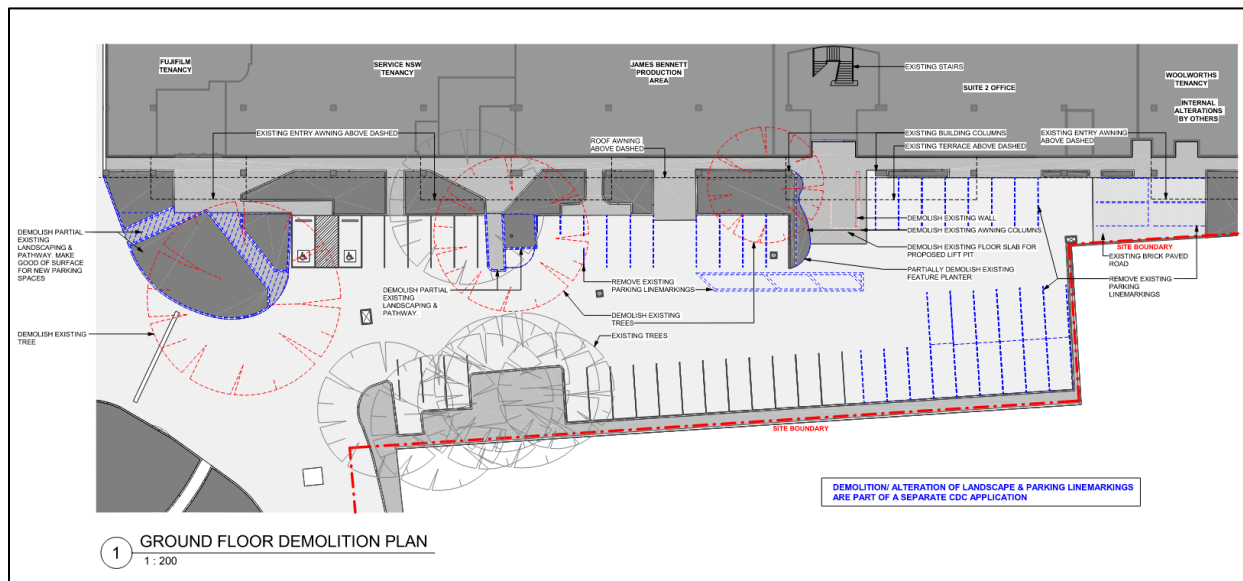


Figure 4. Demolition Plan (Source: Reid Campbell, 2024)



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

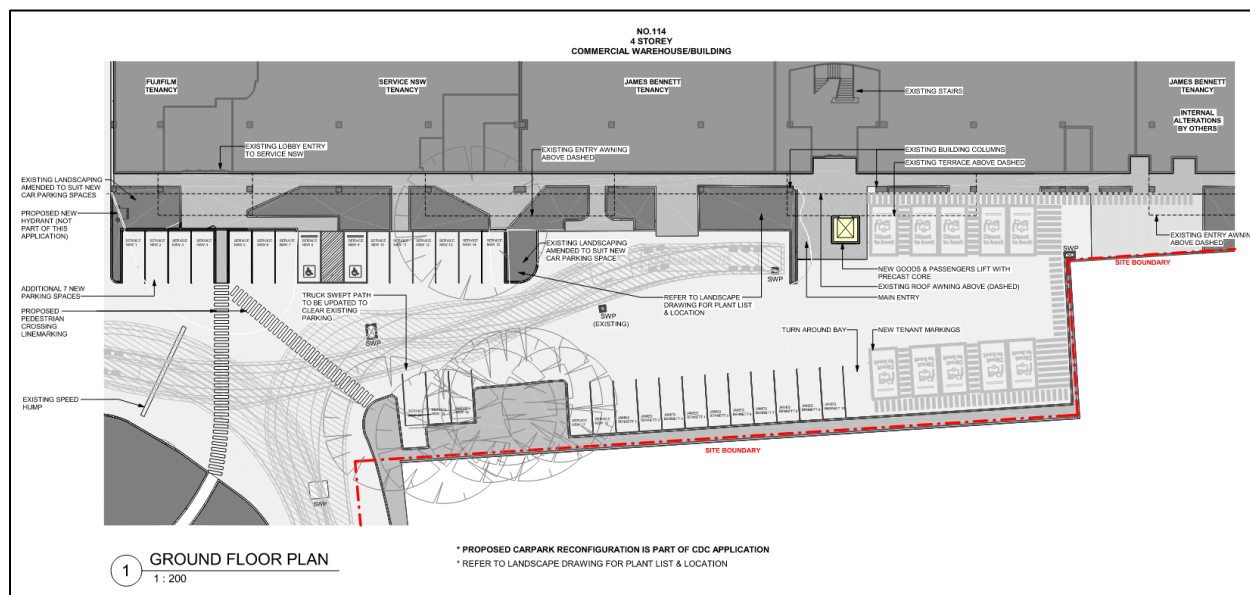


Figure 5. Site Plan (Source: Reid Campbell, 2024)

3.2 DEVELOPMENT STATISTICS

The proposed development includes the following scope of works:

- Removal of three (3) trees including the following species:
 - 2 x Syndey Blue Gum
 - 1 x Swamp-Oak
- Construction of a new goods and passengers lift located external to the building
- Carparking rearrangement (via CDC)

The proposed development includes those works as identified in **TABLE 3** below.

TABLE 3. DEVELOPMENT PARTICULARS	
Component	Proposed
Site Area	2 ha
Primary Land Use	Warehouse
Gross Floor Area	7,997m ² warehouse 8,731m ² office
Building Height	19.89m
Number of Storeys	4
Roads / Driveways	No changes to access, driveways or loading and servicing areas.
Car Parking	Reconfiguration from a total of 341 spaces to 335 spaces (via CDC)



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

TABLE 3. DEVELOPMENT PARTICULARS

Component	Proposed
Bicycle Parking	No changes
Tree Removal / Planting	3 x trees to be removed
Landscaping	6 x replacement trees (native species)
Signage	1 x wall sign
Estimated Development Cost	\$332,727 excluding GST

3.2.1 Tree Removal

Where possible trees have been retained and the reconfigured car parking arrangements (to be completed under CDC) has been designed to reduce the requirement for further vegetation clearing.

The proposed tree removal is considered essential in supporting the operational functionality of the subject site, particularly through the inclusion of new parking bays, additional area to conduct loading activities and relocated pedestrian crossings proposed as part of the CDC. Similarly, the proposed tree removal supports the installation of the new goods and passengers lift.

It has been determined that these improvements offer enhanced efficiency for patrons. Retaining the trees in their current location would compromise the efficient layout and accessibility of the parking area.

The following trees are intended for removal as per the Arboricultural Impact Assessment (AIA) available in **Appendix 3**:

- Tree 1
- Tree 8
- Tree 9

It is noted that the proposed development includes a total of six (6) replacement trees, as per the Landscape Plan available in **Appendix 7**. The replacement trees will consist of native species, complemented by enhanced landscaping that includes improved gardens, lawns, and additional plantings within the ground-level car parking area.

Figure 6 below visualises the location of these replacement trees.



STATEMENT OF ENVIRONMENTAL EFFECTS
 Proposed Tree Removal and Installation of Lift
 114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

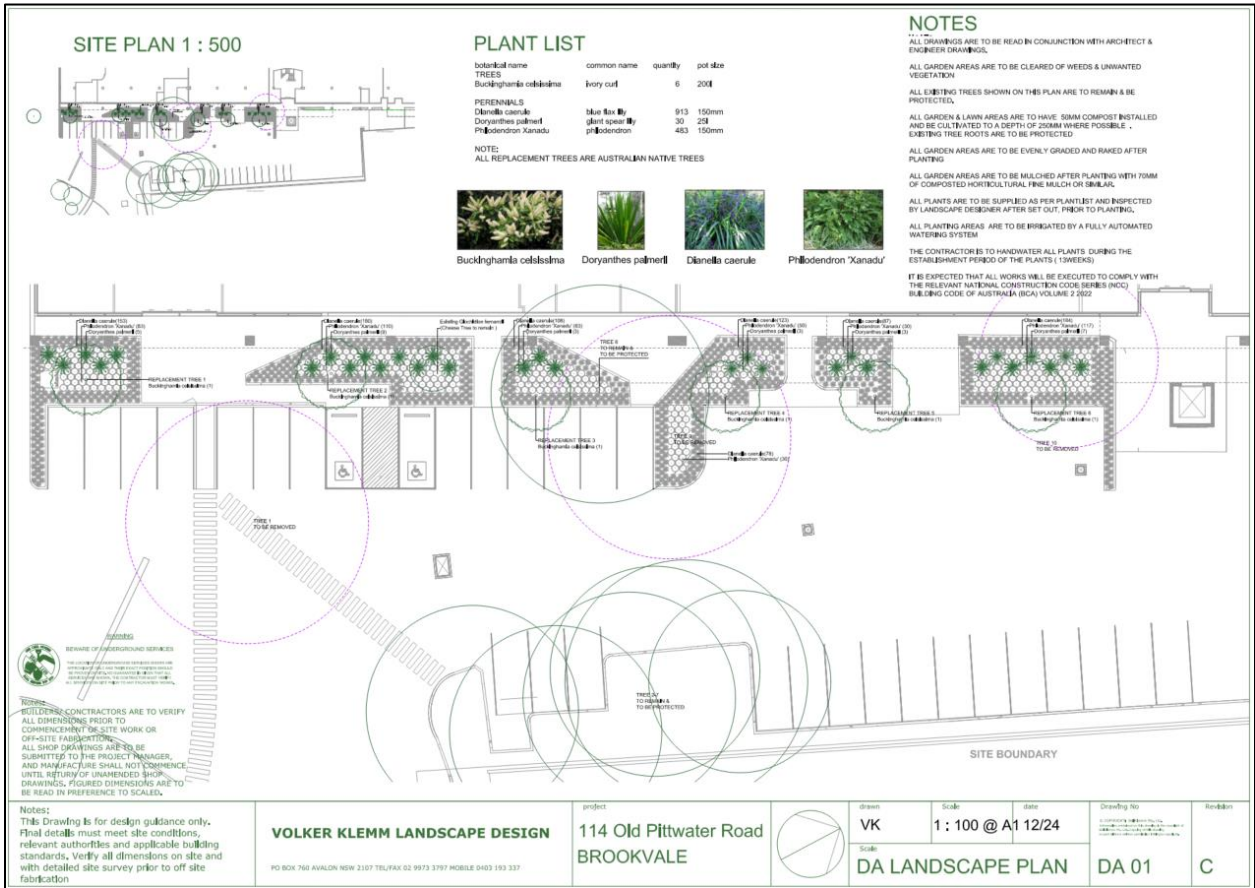


Figure 6. Landscape Plan (Source: Volker Klemm Landscape Design, 2024)

3.2.2 Goods & Passengers Lift

The proposed lift is located externally to the building and is designed to provide access for both passengers and goods to Level 1 and the rooftop car parking area. To facilitate this connection, a new bridge walkway is proposed, featuring a covered awning and secure balustrades for safety and weather protection.

See **Figure 7** below for the northeast and northwest elevations, with the proposed lift outlined in red.

STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

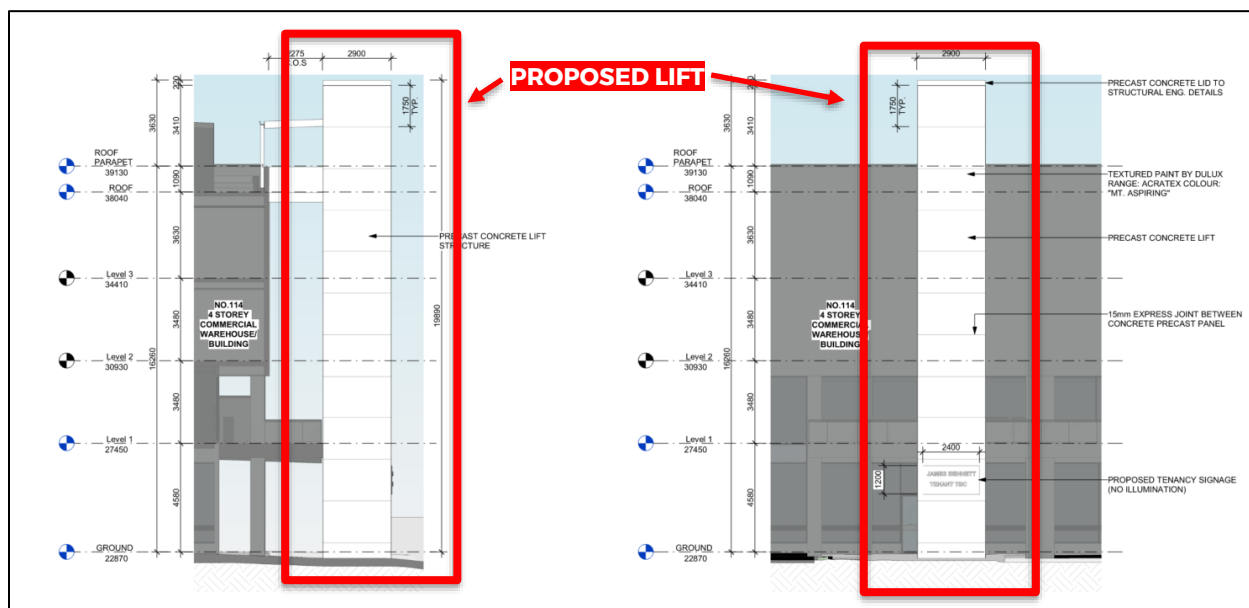


Figure 7. Proposed Goods and Passengers Lift (Source: Reid Campbell, 2024)

3.2.3 Signage

The proposal seeks consent for the installation of three (3) business identification signs defined by the WLEP2011 as follows:

business identification sign means a sign—

(a) that indicates—

- (i) the name of the person or business, and*
- (ii) the nature of the business carried on by the person at the premises or place at which the sign is displayed, and*

(b) that may include the address of the premises or place and a logo or other symbol that identifies the business,

but that does not contain any advertising relating to a person who does not carry on business at the premises or place.

It is noted that the proposal involves the installation of one (1) business identification sign. The proposed signage is detailed in **TABLE 4** below.



TABLE 4. SIGNAGE DETAILS				
Sign	Location	Size	Illumination	Image
Sign 1 – Wall sign	Fixed to precast concrete lift structure (northwest facing)	Height: 1200mm Width: 2400mm	No	

STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

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 subject 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*
- *Water Management Act 2000*
- *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 (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*

Local Planning Context

- *Warringah Local Environmental Plan 2011*
- *Northern Beaches Section 7.12 Contributions Plan 2022*
- *Warringah Development Control Plan 2011*

Strategic Context

- *Northern Beaches Local Strategic Planning Strategy*

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 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



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

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 proposal does not warrant 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 subject site, which is assessed in Section 4.4 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	There are no draft instruments applicable to the subject site.
Section 4.15(1)(a)(iii) any development control plan, and	The <i>Warringah Development Control Plan 2011</i> (WDCP2011) applies to the subject site and is addressed in Section 4.4.2 and Appendix 1 of this SEE.
Section 4.15(1)(a)(iia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	The subject site is not subject to any planning agreements.
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 Section 0 of this SEE.
Section 4.15(1)(b)-(c)	These matters are addressed in PART E of this SEE.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

Pursuant to Division 4.2 of the EP&A Act, the consent authority for the proposed development is the Local Planning Panel. See **Appendix 9** for the Clause 4.6 variation request related to maximum building height.

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 (CTA) in relation to the development, pursuant to Clause 42 of the EP&A Regulation.

The proposal does not trigger the thresholds for integrated development.

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
Division 1 - Making development applications	
<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 Fabrik Property. 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 (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>	The DA includes all relevant information including details of the development, address and formal particulars, estimated cost of development, owner's consent, supporting documents including detailed plans and SEE. This DA is submitted via the NSW planning portal.
<i>Section 25 - Information about concurrence or approvals</i>	
<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</i>	The consent authority is the Local Planning Panel, approval from other authorities is not required.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

TABLE 6. HOW THE DA IS MADE	
Considerations	Response
<p>(ii) <i>from which concurrence would have been required but for the Act, section 4.13(2A) or 4.41,</i></p> <p>(b) <i>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></p>	

4.3.3 Water Management Act 2000

The objective of the *Water Management Act 2000* (WM Act) is the sustainable and integrated management of the state's water for the benefit of both present and future generations.

The subject site is not within 40m of a watercourse and does not impact on groundwater, thus, the WM Act does not apply.

4.3.4 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 BC Act also sets out, among other things, to establish a scientific method for assessing the likely impacts on biodiversity values of proposed development and land use change. Part 7 of the BC Act and BC Regulation relate to biodiversity assessment and approvals under the Planning Act (meaning the EP&A



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Act). Pursuant to Clause 7.2(1) of the BC Act, *development or an activity is likely to significantly affect threatened species if:*

- (a) it is likely to significantly affect threatened species or ecological communities, or their habitats, according to the test in section 7.3, or*
- (b) the development exceeds the biodiversity offsets scheme threshold if the biodiversity offsets scheme applies to the impacts of the development on biodiversity values, or*
- (c) it is carried out in a declared area of outstanding biodiversity value.*

Regarding to subclause (a), it is noted that the subject site is heavily developed and urban in nature, and existing trees are not significant to any nearby ecological communities.

For completeness, in relation subclauses (b) and (c), it is relevant to refer to the BC Regulation. Pursuant to Clause 7.1 of the BC Regulation, proposed development exceeds the biodiversity offsets scheme (BOS) threshold for the purposes of Part 7 of the BC Act if it involves the following:

- (a) the clearing of native vegetation of an area declared by clause 7.2 as exceeding the threshold, or*
- (b) the clearing of native vegetation, or other action prescribed by clause 6.1, on land included on the Biodiversity Values Map published under clause 7.3.*

Regarding subclause (a), the threshold clearing area would be 0.25ha (given the subject site has a total size of less than 1ha). Based on the existing vegetation within the subject site and the three (3) trees proposed for removal, it is considered that the proposal would *not* constitute clearing of more than 0.25ha of native vegetation.

Regarding subclause (b), the subject site is *not* identified as comprising 'biodiversity value' in the Biodiversity Values Map, as visualised in **Figure 8** below.



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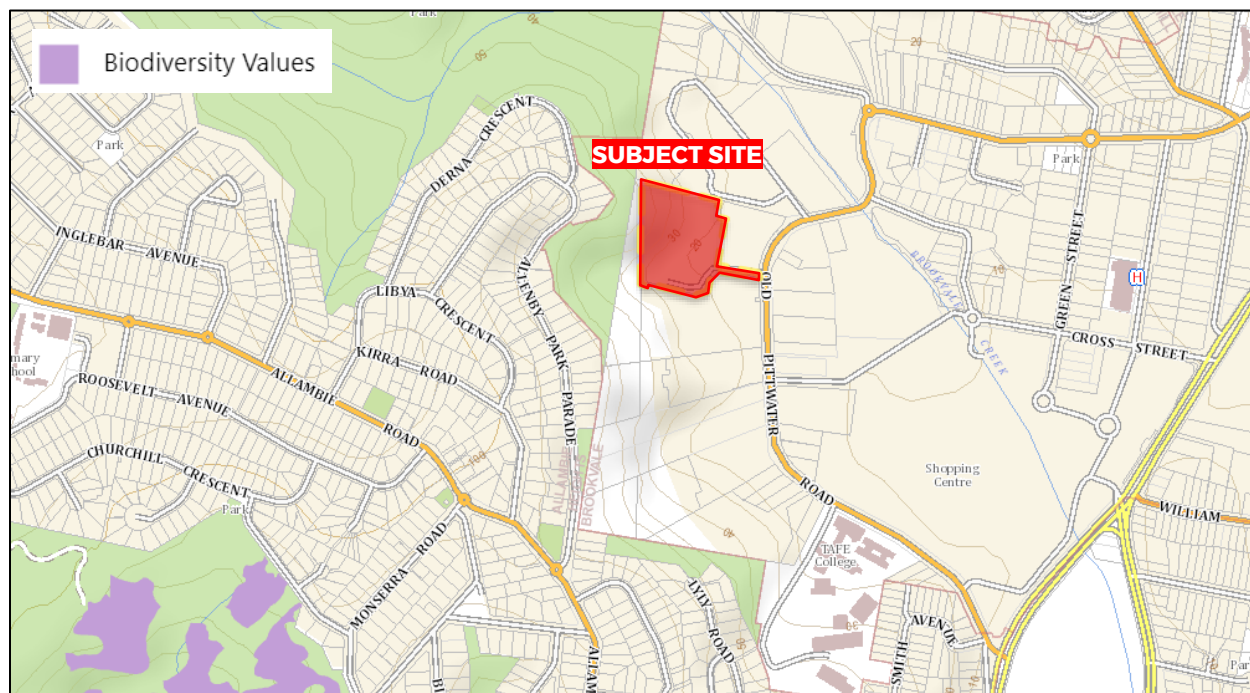


Figure 8. Biodiversity Values Map (Source: NSW Government, 2024)

Schedule 1 of the BC Act lists threatened species. The removal of three (3) trees is proposed to facilitate reconfiguration of the ground level carpark which will be undertaken via CDC, separate to this DA submission.

Available in **Appendix 3**, Synertree have provided an Aboricultural Impact Assessment (AIA) to accompany the DA.

The AIA provides an evaluation of the existing trees contained within the subject site. Trees are measured on a high-to-low scale based on landscape significance and retention value, subject to arborist assessment.

Of the twenty-one (21) trees assessed, the AIA concludes that three (3) trees are required for removal. Firstly, one (1) high category tree, identified as tree 1, in conjunction with two (2) low category trees, identified as tree 9 and tree 10.

All three (3) trees require removal due to major Structural Root Zone (SRZ) encroachments resulting from works related to the proposed carpark rearrangement such as grade changes, demolition of surfaces and curbs, and the installation of new parking bays.

See **Figure 9** below.



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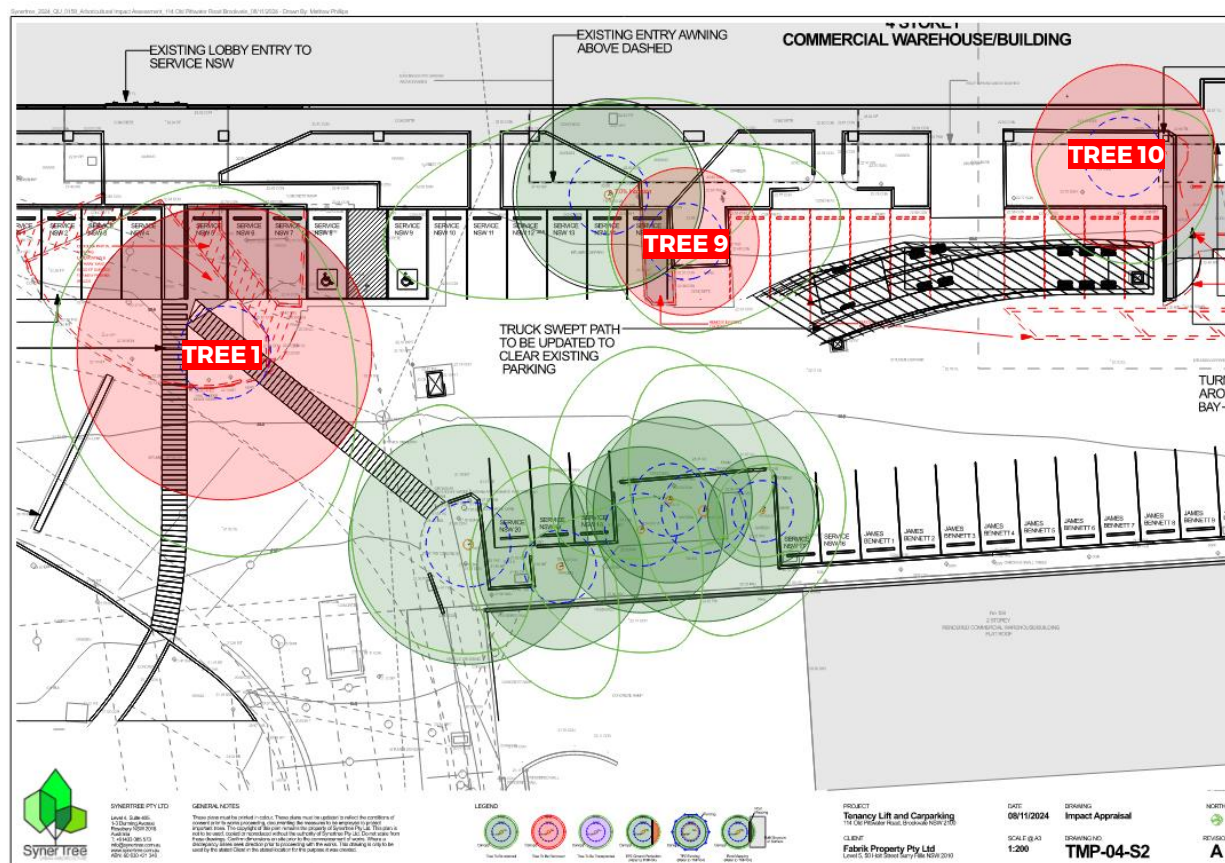


Figure 9. Proposed Tree Removal and Retention (Source: Synertree, 2024)

The retention value of all trees proposed for removal was determined to be a mixture of low and high. The AIA concluded that:

- Tree 1: No significant defects and could be retained with minimal remedial care
- Tree 8: Poor condition or location with a low potential for recovery or improvement, i.e. dominated by adjacent trees or buildings, poor architectural framework, etc
- Tree 9: Poor condition or location with a low potential for recovery or improvement, i.e. dominated by adjacent trees or buildings, poor architectural framework, etc

4.3.5 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 definition of an 'activity' for the purposes of the POEO Act is:

"an industrial, agricultural or commercial activity or an activity of any other nature whatever (including the keeping of a substance or an animal)."



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A review of Schedule 1 to confirms the proposal does not constitute a Scheduled Activity.

4.3.6 Heritage Act 1977

The subject site does not comprise or adjoin a State heritage item. Consideration of the *Heritage Act 1977* is therefore not required.

4.3.7 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.

In relation to the subject site, the following matters are highlighted.

Chapter 4 – Remediation of land

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.*

Further investigation into the Resilience and Hazards SEPP has not been undertaken as the subject site is not mapped as containing contaminated land and there is no change of use proposed.

4.3.8 State Environmental Planning Policy (Industry and Employment) 2021

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

- employment land in western Sydney.
- advertising and signage in NSW.

Chapter 3 Advertising and Signage

Chapter 3 Advertising and Signage applies to all signage that:



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- (a) can be displayed with or without development consent under another environmental planning instrument that applies to the signage, and*
- (b) is visible from any public place or public reserve,*

except as provided by this Chapter.

The proposal involves the erection of business identification signage as detailed in the Architectural Drawings attached in **Appendix 2**.

Pursuant to Clause 3.6 of Chapter 3, a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) that the signage is consistent with the objectives of this Chapter as set out in section 3.1(1)(a), and*
- (b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 5.*

These matters are addressed below.

Aims and Objectives of Chapter 3 Advertising and Signage

Chapter 3 aims:

- (a) to ensure that signage (including advertising):*
 - (i) is compatible with the desired amenity and visual character of an area, and*
 - (ii) provides effective communication in suitable locations, and*
 - (iii) is of high quality design and finish, and*
- (b) to regulate signage (but not content) under Part 4 of the Act, and*
- (c) to provide time-limited consents for the display of certain advertisements, and*
- (d) to regulate the display of advertisements in transport corridors, and*
- (e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

The proposed sign will achieve the aims and objectives of Chapter 3 as it will be integrated with the existing building and reflective of the overall design of the built form. The siting, design and scale of the sign will be consistent with the visual character of the area, and through high quality detail and finish, the sign will contribute to the desired visual amenity of the subject site and surrounding locality. The sign will effectively identify the tenancy related to the subject site, thereby promoting legibility for patrons.

Assessment Criteria

The assessment criteria under Schedule 5 of the Industry and Employment SEPP are addressed in **TABLE 7**.



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TABLE 7. SCHEDULE 5 ASSESSMENT CRITERIA	
CRITERIA	PROPOSAL COMPLIANCE
1 Character of the area	
<i>Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?</i>	The sign is compatible with the existing and desired future character of the locality.
<i>Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?</i>	The sign is consistent with the industrial/commercial character of the subject site and surrounding area in providing sign which is simple and modern in design.
2 Special areas	
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	The proposal does not detract from the amenity or visual quality. The proposed sign will not materially affect the significance of any environmentally sensitive areas, open space or heritage items. The subject site is not a heritage item nor in close proximity to a heritage item, conservation areas, or any other forms of significant ecological value.
3 Views and vistas	
<i>Does the proposal obscure or compromise important views?</i>	The sign will not obscure or compromise any important views.
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	The sign is positioned below the building line and as such will not dominate the skyline and reduce the quality of vistas.
<i>Does the proposal respect the viewing rights of other advertisers?</i>	The sign will not obstruct the views of any existing signage on or in the vicinity of the subject site. The proposed sign will provide identification of the tenant.
4 Streetscape, setting or landscape	
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	The scale, proportion and form of the signage is appropriate for the streetscape of the development.
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	The sign will be a modest design and will effectively identify the built form from the surrounding road network and development.
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	The sign will reflect the existing built form and will not result in visual clutter.



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TABLE 7. SCHEDULE 5 ASSESSMENT CRITERIA	
CRITERIA	PROPOSAL COMPLIANCE
<i>Does the proposal screen unsightliness?</i>	The sign will not screen unsightliness, rather it reflects the design and character of the building.
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	The sign does not project above the height of the building or tree canopies.
<i>Does the proposal require ongoing vegetation management?</i>	The sign will not require ongoing vegetation management.
5 Site and building	
<i>Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	The sign is compatible with the scale and proportion of the existing building and proposed lift. The proposed signage will provide articulation and visual interest to an otherwise blank concrete cast of the proposed lift.
<i>Does the proposal respect important features of the site or building, or both?</i>	The sign will not compete with any existing important building features.
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	The sign would appropriately relate to its location on the proposed lift cast and is attractive in design.
6 Associated devices and logos with advertisements and advertising structures	
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i>	No safety devices or platforms are proposed to form part of the sign.
7 Illumination	
<i>Would illumination result in unacceptable glare?</i>	The sign is not illuminated.
<i>Would illumination affect safety for pedestrians, vehicles or aircraft?</i>	
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	
<i>Can the intensity of the illumination be adjusted, if necessary?</i>	
<i>Is the illumination subject to a curfew?</i>	
8 Safety	



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TABLE 7. SCHEDULE 5 ASSESSMENT CRITERIA	
CRITERIA	PROPOSAL COMPLIANCE
<i>Would the proposal reduce the safety for any public road?</i>	The location of the sign does not reduce the safety for any public road and is not visible from Old Pittwater Road.
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	The location of the sign does not pose any adverse impacts on pedestrian or cyclist safety.
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	The sign will not significantly obscure sightlines from public areas.

Based on the above, the proposal is consistent with the provisions of Chapter 3.

4.3.9 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.

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

Chapter 2, Section 2.122

The proposed development is not considered traffic generating development, pursuant to Section 2.122 and Schedule 3 of the Transport and Infrastructure SEPP. A warehouse is considered traffic generating development if it has a total site area of 8,000m² or more. The proposed development does not result in the erection of a new premises or enlargement of the existing warehouse at the subject site, therefore further investigation into the Transport and Infrastructure SEPP is not required.

4.3.10 State Environmental Planning Policy (Biodiversity and Conservation) 2021

The subject site is located within a non-rural area and includes tree removal, therefore the proposed development has been considered against Chapter 2 of the *State Environmental Planning Policy (Biodiversity and Conservation) 2021* (B&C SEPP).

A total of three (3) trees are required for removal to facilitate the proposed development, in conjunction with the car parking reconfiguration sought via under a separate CDC.



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The AIA available in **Appendix 3** provides an evaluation of the significance of the total twenty-one (21) existing trees within the subject site.

A permit may be issued by Council pursuant to Section 2.10 of the B&C SEPP:

- (1) A council may issue a permit to a landholder to clear vegetation to which this Part applies in any non-rural area of the State.*
- (2) A permit cannot be granted to clear native vegetation in any non-rural area of the State that exceeds the biodiversity offsets scheme threshold.*
- (3) A permit under this Part cannot allow the clearing of vegetation—
 - (a) that is or forms part of a heritage item or that is within a heritage conservation area, or*
 - (b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance,*unless the council is satisfied that the proposed activity—
 - (c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and*
 - (d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.**
- (4) A permit may be granted under this Part subject to any conditions specified in the permit.*

All three (3) trees require removal due to major Structural Root Zone (SRZ) encroachments resulting from works related to the proposed carpark rearrangement such as grade changes, demolition of surfaces and curbs, and the installation of new parking bays.

It is noted that the significance of trees to be removed does not contravene the B&C SEPP.

4.3.11 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 relates to non-residential development and is applicable to the proposed development. Notwithstanding, the alterations associated with the proposed development are not estimated to cost \$10 million or more, therefore no further assessment against the Sustainable Buildings SEPP is required.

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 subject site.



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

4.4.1.1 Zoning and Permissibility

The subject site is located within the E4 – General Industrial zone under the WLEP2011 as shown in **Figure 10**.

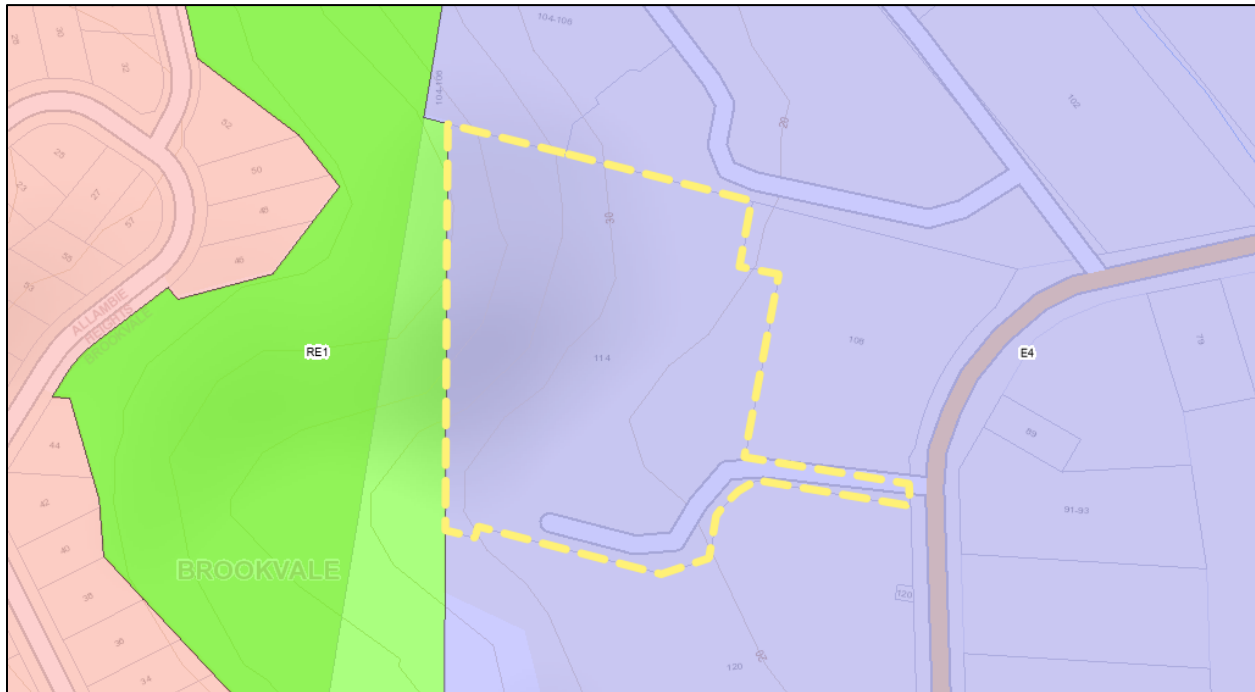


Figure 10. WLEP2011 Zoning Map (Source: NSW Legislation, 2024)

The objectives of the E4 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.

Within the E4 zone, the following development is permitted without consent:

- Nil

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



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- *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*

Within the E4 zone, the following development is prohibited:

- *Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Early education and care facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Wharf or boating facilities*

As discussed above, the subject site is currently operating as a warehouse. The proposed development does not seek to change or intensify the ongoing operations at the subject site. A warehouse or distribution centre can be defined as the following, pursuant to the WLEP2011:

warehouse or distribution centre means a building or place used mainly or exclusively for storing or handling items (whether goods or materials) pending their sale, but from which no retail sales are made, but does not include local distribution premises.

Accordingly, a warehouse is permissible with consent in the E4 – General Industrial zone. The proposal is necessary to support such continued operation.

4.4.1.2 Development Standards

TABLE 8 outlines the developments consistency and compliance with the relevant development standards and controls under WLEP2011.

TABLE 8. DEVELOPMENT STANDARDS	
Clause	Comment
Clause 4.1 – Minimum Lot Size	The subject site is mapped as having a minimum subdivision lot size of 4000m ² . The proposed development does not involve subdivision therefore further consideration of this clause is not required.



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TABLE 8. DEVELOPMENT STANDARDS

Clause	Comment
Clause 4.3 – Height of Buildings	The subject site is mapped as having a maximum building height of 11m. The proposal seeks a building height of 19.89m, accordingly a Clause 4.6 variation is sought.
Clause 4.4 – Floor Space Ratio	The subject site is not subject to a maximum floor space ratio. The proposed development does not result in any additional gross floor area.
Clause 4.6 – Exceptions to Development Standards	The proposal seeks a variation to the maximum building height under Clause 4.6 of the WLEP2011, which allows flexibility in applying certain development standards to achieve better outcomes for specific developments. In accordance with Clause 4.6(3), the application demonstrates that strict compliance with the building height standard is unreasonable or unnecessary due to the subject site's specific circumstances. Sufficient environmental planning grounds to support the contravention are outlined in the Clause 4.6 Variation Request, included in Appendix 9 .
Clause 5.10 – Heritage	The subject site is not identified as an item of heritage significance nor is it located within a heritage conservation area. The subject site is not located within close proximity to any items of heritage significance or conservation areas.
Clause 5.11 – Bush Fire Hazard Reduction	The subject site is mapped as containing bushfire prone land, as visualised in Figure 11 below. Accordingly, a Bushfire Assessment Report has been prepared by Bushfire Consulting Services and is available in Appendix 5 . The Bushfire Assessment Report considered all the elements of bushfire attack and finds that the development satisfies the aim and objectives of 'Planning for Bush Fire Protection' 2019, subject to implementation of the recommendations contained within the document.
Clause 5.21 – Flood Planning	The proposed development does not seek alter to alter the approved floor levels, nor will it increase the flood risk apparent at the subject site.
Clause 6.2 – Acid Sulfate Soils	The subject site is not mapped as potentially containing acid sulfate soils.



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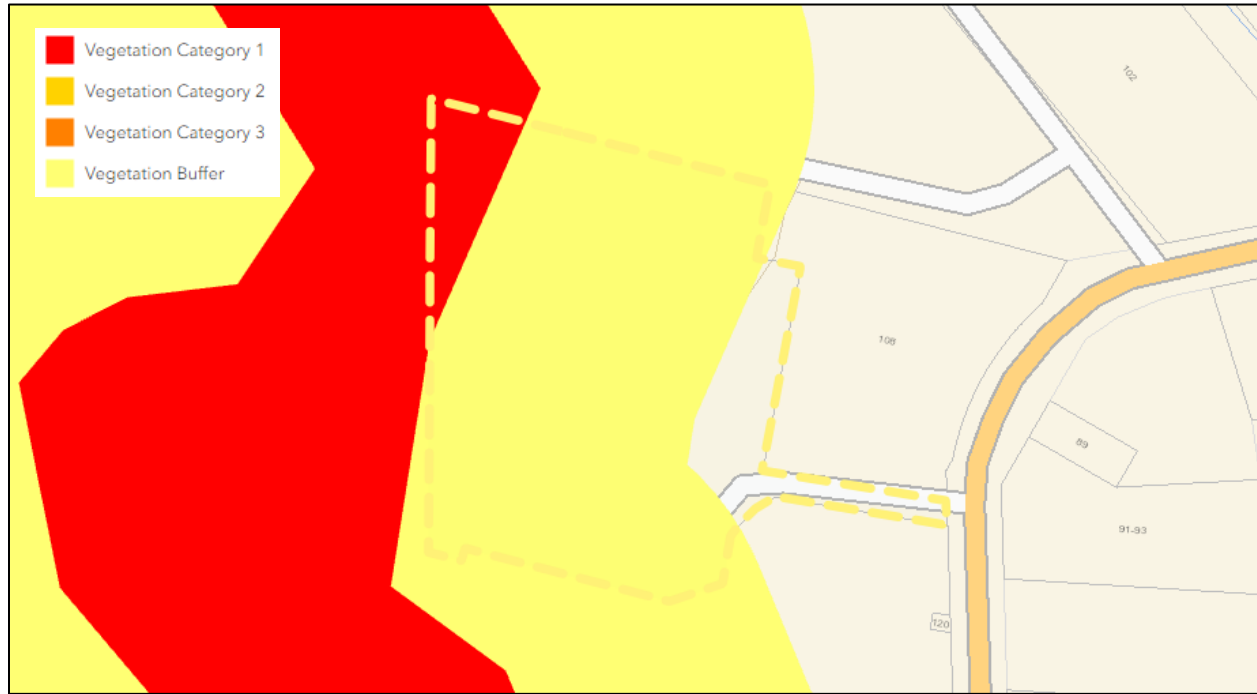


Figure 11. WLEP2011 Bushfire Prone Land Map (Source: NSW Legislation, 2024)

4.4.2 Warringah Development Control Plan 2011

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 1**.

4.5 DEVELOPMENT CONTRIBUTIONS

State Development Contributions

The Housing and Productivity Contributions (HPC) outline contribution rates payable to the NSW Government for new developments including industrial and commercial uses in the Greater Sydney, Lower Hunter, Central Coast and Illawarra-Shoalhaven regions.

The contribution rate for industrial development in the Greater Sydney region is \$15 square metre of new GFA. As the proposed development does not result in additional GFA, the above contribution rate does not apply.

Local Infrastructure Contributions

The Northern Beaches Section 7.12 Contributions Plan 2022 is the relevant contributions plan that applies to the subject site.

The subject site is subject to the following development contributions plan:



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- *Campbelltown Local Infrastructure Contributions Plan (Amendment 1) 2018*

Development contributions for non-residential developments under this Plan are subject to Section 7.12 contributions which are calculated at the following rates:

TABLE 9. SECTION 7.12 CONTRIBUTION RATES	
Proposed Cost of Development	Contribution Rate
Up to and including \$150,000	NIL
More than \$100,000 and up to and including \$200,000	0.5% of development cost
More than \$200,000	1% of development cost

4.6 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No Draft Environmental Planning Instruments apply to the subject site.



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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 subject site, identified as 114 Old Pittwater Road, Brookvale, is legally described as Lot 1 DP868761. Located within the Northern Beaches LGA and zoned E4 – General Industrial, the subject site hosts a variety of warehouse and office tenancies.

The surrounding area comprises a mix of industrial and commercial land uses, with similar developments located to the north, east, and south of the subject site. Positioned on the western side of Old Pittwater Road and set behind 108 Old Pittwater Road, the site forms a battle-axe lot, accessed via an internal road and not visible from any public roads.

The proposed installation of a goods and passenger lift at the northeastern entrance, alongside the removal of three (3) trees to accommodate carpark reconfiguration (subject to a separate CDC), is consistent with the operational needs of the site. These improvements enhance accessibility and functionality for existing tenancies while maintaining compatibility with the established industrial character of the area.

The proposal seeks a variation to the maximum building height under Clause 4.6 of the WLEP2011, refer to the Clause 4.6 Variation Request provided at **Appendix 9**.

5.2 BUILT FORM & VISUAL AMENITY

The proposed goods and passengers lift is to be constructed external to the existing building, positioned at the northernmost entrance, and designed to provide access from the ground floor to both Level 1 and the rooftop. The lift will feature a concrete precast structure, complemented by a new bridge walkway connecting it to the rooftop. The design integrates seamlessly with the architectural features of the existing building and is considered largely unviewable from the public domain, given the battle-axe configuration of the site. Additionally, the lift's modest height variation is necessary to meet operational requirements and aligns with the industrial character of the subject site and its surroundings.

The removal of three trees to facilitate the carpark reconfiguration, to be undertaken under a separate CDC, will have minimal impact on the visual appearance of the site from Old Pittwater Road. This reconfiguration will enhance site functionality and positively contribute to improved access and usability for tenants and visitors.

5.3 TRAFFIC & TRANSPORT

A Traffic Impact Statement has been prepared by TRAFFIX and is available in **Appendix 8**.

The proposed carpark reconfiguration, to be undertaken via CDC, involves a minor decrease of 341 spaces to 335 spaces. Notwithstanding, the WDCP stipulates the following car parking rates for warehouse and office land uses:



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- Warehouse: 1.3 spaces/100m² GFA
 - Including up to 20% of floor area as office premises space component. Office premises component above 20% determined at office premises rate
- Office: 1 space/40m²

Based on the rates above, the proposal maintains a surplus of 13 car parking spaces. The current operations at the subject site generates a parking demand of 322 spaces, with a total 335 spaces provided. Despite the proposed reduction in parking, this surplus complies with the requirements of WDCP2011 and ensures all parking needs are accommodated within the subject site. The arrangement is deemed acceptable from a traffic and transport perspective.

5.4 BUSHFIRE

A Bush Fire Assessment Report has been prepared by Bushfire Consulting Services Pty Ltd and is available in **Appendix 5**.

The report confirms that all aspects of bushfire risk have been thoroughly considered, and the development complies with the aims and objectives of "Planning for Bush Fire Protection" 2019, contingent upon the implementation of the recommendations outlined in the report.

5.5 FLORA AND FAUNA

The proposal will involve the removal of three (3) trees within the subject site to facilitate the proposed development. Each tree is noted as the following species:

- *Eucalyptus saligna* (Sydney Blue Gum)

The three (3) trees proposed for removal are situated in close proximity to proposed demolition areas, and field surveys confirmed that two (2) have low ecological value.

Given this context, the low ecological value of the vegetation to be removed, and the retention of broader vegetation within the surrounding area of the subject site and beyond, the proposal is unlikely to have a significant impact on the wider environment or local biodiversity. The proposed tree removal required for the car parking reconfiguration has been carefully considered and designed to minimise environmental impact, with all efforts made to avoid the removal of any additional trees.

It is noted that a total of eighteen (18) trees at the subject site have been retained, majority of which are considered to have high ecological value and quality.

The Arboricultural Impact Assessment, prepared by Synertree, is available in **Appendix 3**.

5.6 LANDSCAPING

A Landscape Plan prepared by Volker Klemm Landscape Design is available in **Appendix 7**.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

The Landscape Plan notes that all proposed replacement trees will consists of native Australian species. It is noted that a total of six (6) replacement trees are proposed, resulting in a replacement ratio 2:1. In accordance with WDCP2011, Council stipulate a compensatory tree replacement ratio of 1:1, therefore demonstrating the proposed development results in an overall increase in trees. This ensures that the loss of the tree is offset appropriately, maintaining the overall environmental and aesthetic values of the site in accordance with relevant provisions.

5.7 WASTE

A Waste Management Plan (WMP) has been prepared by Fabrik Property and included in **Appendix 10**.

The WMP has been prepared in accordance with Council's Waste Management Guidelines.

5.8 BUILDING CODE OF AUSTRALIA

A BCA Report is provided at **Appendix 4**. The BCA Report has confirmed that the proposed design can achieve compliance with the BCA.

5.9 ACCESSIBILITY

The proposed lift and tree removal address the need for improved accessibility at the subject site. The development works to foster and equitable, safe and functional spaces and ensures the building remains functional and accessible for a diverse range of users, enhancing its value and usability.

5.10 SUITABILITY OF SITE FOR DEVELOPMENT

The proposed development works to further enhance the existing activities at the subject site. Accordingly, the subject site is considered to be suitable for the proposed development.

The subject site is located within an established industrial and commercial area, zoned E4 General Industrial. The proposed development is considered to be compatible with the objectives of the zone and is highly consistent with surrounding development.

5.11 SUBMISSIONS

No submissions have been received in relation to the proposed development to date; however, the applicant is willing to address any submissions, should they be received by Council.

5.12 THE PUBLIC INTEREST

The proposed development will have no adverse impact on the public interest and is in accordance with the aims and objectives of the WLEP2011 and WDCP2011.

The development of the subject site will be carried out to support the continued use and improved accessibility and functionality of the established warehouse.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Tree Removal and Installation of Lift
114 Old Pittwater Road, Brookvale (Lot 1 DP868761)

PART F CONCLUSION

The purpose of this SEE has been to present the proposed removal of three (3) trees and installation of a lift at 114 Old Pittwater Road, Brookvale and to assess its potential impacts having regards to Section 4.15(1) of the EP&A Act

The proposed development seeks the removal of three (3) trees to facilitate reconfiguration of the carparking arrangements (via separate CDC), combined with the construction of a new goods and passengers lift granting access from the ground level to level 1 and the rooftop.

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

- The development history of the subject site;
- The context of the subject 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.

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

- The proposed development supports the long-term functionality and operational efficiency of the established warehouse at the subject site, ensuring it will continue to meet the needs of the end user;
- The proposed development offers improved accessibility, therefore benefiting the local industrial and commercial community by improving access and usability for tenants and visitors;
- The proposed development does not result in any undue environmental impacts.

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.

In light of the merits of the proposed development and in absence of any significant environmental impact, the proposed development warrants support by Council.

