



# **Statement of Environmental Effects**

## **Proposed Four (4) Lot Torrens Title Subdivision**

Dove Lane, Warriewood  
Lot 1 DP 1221920

**Prepared by Willowtree Planning Pty Ltd on behalf  
of Abax Contracting Pty Ltd**

**November 2020**

**Statement of Environmental Effects**

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)

---

Document Control Table			
Document Reference:	WTJ20-423 - Statement of Environmental Effects		
Contact	Bianca Pupovac, Town Planner		
Version and Date	Prepared by	Checked by	Approved by
Version No. 1 – 7/10/2020	Bianca Pupovac Town Planner	Ashleigh Smith Associate	Thomas Cook Director
Version No. 2 – 19/11/2020	Bianca Pupovac Town Planner	Ashleigh Smith Associate	

© 2020 Willowtree Planning Pty Ltd

This document contains material protected under copyright and intellectual property laws and is to be used only by and for the intended client. Any unauthorised reprint or use of this material beyond the purpose for which it was created is prohibited. No part of this work may be copied, reproduced or transmitted in any form or by any means, electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system without express written permission from Willowtree Planning (NSW) Pty Ltd.

## Statement of Environmental Effects

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)

## TABLE OF CONTENTS

<b>PART A</b>	<b>PRELIMINARY</b>	<b>4</b>
1.1	INTRODUCTION	4
<b>PART B</b>	<b>SITE ANALYSIS</b>	<b>5</b>
2.1	SITE LOCATION AND CHARACTERISTICS	5
2.2	SITE CONTEXT	6
2.3	DEVELOPMENT HISTORY	7
<b>PART C</b>	<b>PROPOSED DEVELOPMENT</b>	<b>10</b>
3.1	OVERVIEW	10
3.2	DEVELOPMENT STATISTICS	10
3.3	SUBDIVISION	11
<b>PART D</b>	<b>LEGISLATIVE AND POLICY FRAMEWORK</b>	<b>12</b>
4.1	STATUTORY PLANNING FRAMEWORK OVERVIEW	12
4.2	ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979	12
4.3	ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000	13
4.4	WATER MANAGEMENT ACT 2000	13
4.5	BIODIVERSITY CONSERVATION ACT 2016	14
4.6	PITTWATER LOCAL ENVIRONMENTAL PLAN 2014	15
4.7	DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS	18
4.8	NON-STATUTORY PLANNING FRAMEWORK OVERVIEW	18
4.9	PITTWATER 21 DEVELOPMENT CONTROL PLAN	19
4.10	GREATER SYDNEY REGION PLAN: A METROPOLIS OF THREE CITIES	19
4.11	NORTHERN DISTRICT PLAN	20
4.12	TOWARDS 2040 – LOCAL STRATEGIC PLANNING STATEMENT	22
4.13	WARRIEWOOD VALLEY STRATEGIC REVIEW ADDENDUM REPORT	22
<b>PART E</b>	<b>LIKELY IMPACTS OF THE DEVELOPMENT</b>	<b>23</b>
5.1	CONTEXT AND SETTING	23
5.2	SUBDIVISION	23
5.3	CIVIL DESIGN & WATER MANAGEMENT	23
5.4	HERITAGE	23
5.5	CONSTRUCTION	24
5.6	SUITABILITY OF SITE FOR DEVELOPMENT	24
5.7	SUBMISSIONS	24
5.8	THE PUBLIC INTEREST	24
<b>PART F</b>	<b>CONCLUSION</b>	<b>25</b>

## APPENDICES

Appendix	Document	Prepared by
1	Subdivision Plan	Citisurv Pty Ltd
2	Pittwater DCP Compliance Table	Willowtree Planning
3	Stamped Plans N0067-16	Northern Beaches Council
4	Registered Title Plan	Northern Beaches Council

## FIGURES

Figure 1: Cadastral Map – Site outlined in Red (SIX Maps, 2020) .....	5
Figure 2: Aerial Map - Site outlined in Red (SIX Maps, 2020) .....	6
Figure 3: Site Context Map - Site highlighted in yellow (Six Maps, 2020).....	7
Figure 4: Proposed Subdivision Plan (CitiSurv Pty Ltd, 2020).....	11
Figure 5: Biodiversity Values Map (Source: PLEP2014).....	14
Figure 6: Land Zoning Map (Source: PLEP2014).....	18
Figure 7: Metropolis of 3 Cities A Vision 2056 (Source: Greater Sydney Commission: Greater Sydney Region Plan, 2018).....	20

## TABLES

Table 1: Development History .....	7
Table 2: Development Statistics .....	10
Table 3: Section 4.15(1)(A) Considerations.....	12
Table 4: Pittwater Local Environmental Plan 2014 .....	15
Table 5: Pittwater Local Environmental Plan 2014 .....	16

## **PART A      PRELIMINARY**

### **1.1 INTRODUCTION**

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning on behalf of Abax Contract Pty Ltd (the proponent), and is submitted to Northern Beaches Council (Council) to support a Development Application (DA).

This DA seeks development consent for **a four (4) lot Torrens Title subdivision at Dove Lane, Warriewood** (The Site), legally described as **Lot 1 DP 1221920**.

The primary objective of the proposal is to create appropriately sized residential lots (proposed Lots 1-3) which would be to facilitate future residential accommodation. Proposed Lot 4 will remain as a detention basin (existing) which will be utilised by proposed Lot 1-3. The detention basin was previously approved under **DA N0379/14** (refer to **Table 1**).

It is important to note that the future development and residential accommodation types for proposed Lots 1-3 are yet to be determined however, given the size and dimensions of these lots, it is considered reasonable to assert that these lots would be capable of catering to a range of residential accommodation typologies and are therefore suitable for the Site and its context.

As the proposed is purely for subdivision and the ultimate development outcome for these proposed is currently unknown, it is not considered necessary for this application to be supported by civil design, integrated water cycle management solutions or a landscape plan for the proposed subdivision.

The proposal is consistent with the surrounding land uses within the Warriewood Valley Urban Release Area. The future development of this Site for the purpose of either subdivision or construction of residential accommodation will be subject to separate development consent.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Clause 50 and Part 1 of Schedule 1 of the *Environmental Planning and Assessment Regulations 2000*. Assessment against the relevant matters for consideration under Section 4.15(1) of the EP&A Act has also been carried out.

The structure of the SEE is as follows:

- Part A Preliminary
- Part B Site Analysis
- Part C Proposed Development
- Part D Legislative and Policy Framework
- Part E Likely Impacts of the Development
- Part F Conclusion

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

## **PART B      SITE ANALYSIS**

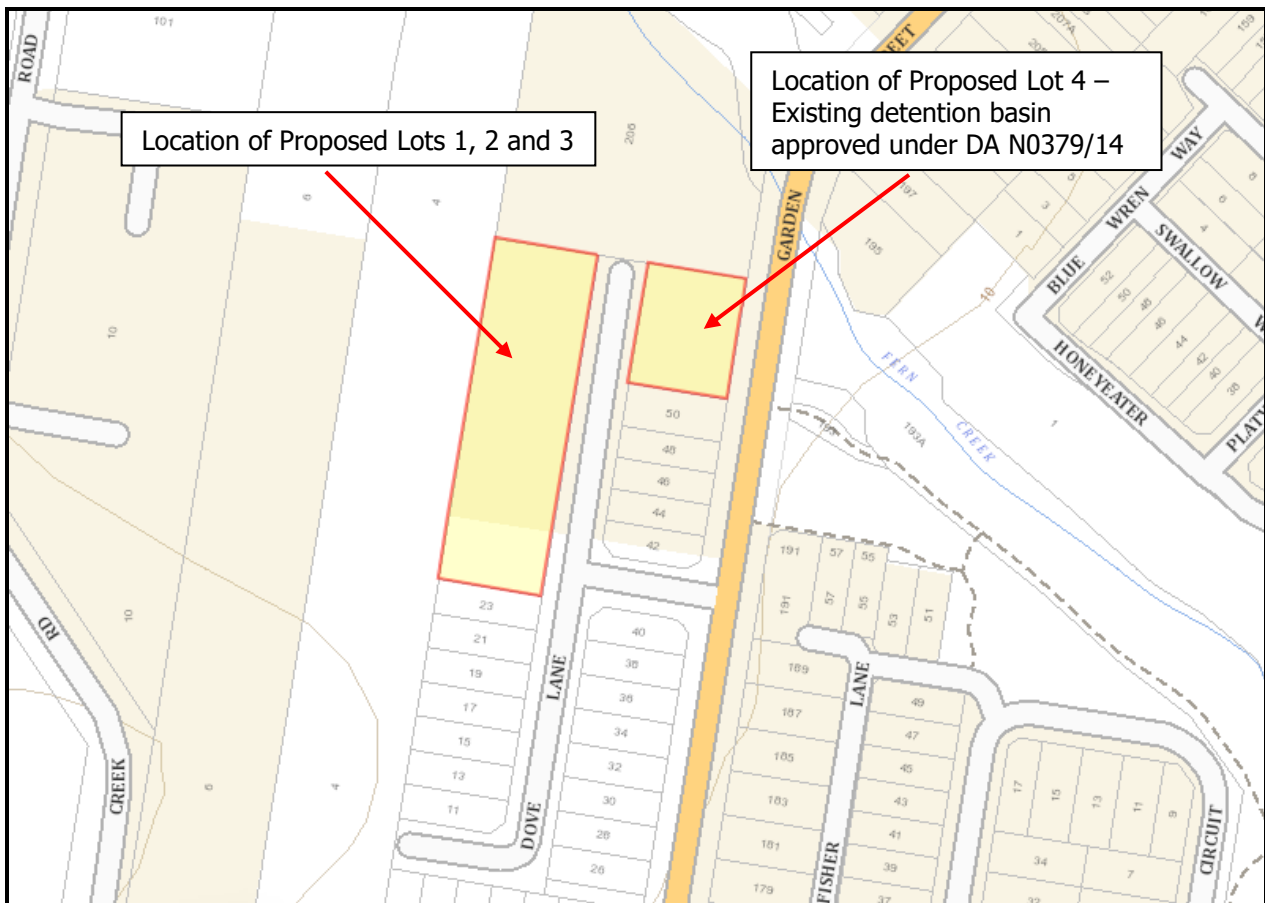
### **2.1      SITE LOCATION AND CHARACTERISTICS**

The Site is identified as Dove Lane, Warriewood and is legally described as Lot 1 DP 1221920.

The Site is located within the Warriewood Valley Urban Release Area. Residential development is located to the north, east and south of the Site. A significant portion of land within proximity to the Site remains undeveloped as this area has just recently undergone multiple stages of Torrens Title subdivision which has been identified in **Table 1** below.

The Site directly fronts Dove Lane to the south which is accessed via Garden street to the south east. The Site is located west of Fern Creek and will be located away from any areas of biodiversity value.

**Figures 1 and 2** below illustrate the Site and its surrounding locations.



**Figure 1. Cadastral Map – Site outlined in Red** (Source: SIX Maps, 2020)



## Statement of Environmental Effects

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)



**Figure 2. Aerial Map - Site outlined in Red** (Source: SIX Maps, 2020)

## 2.2 SITE CONTEXT

The Site is located within the suburb of Warriewood Valley, 22km north of Sydney Central Business District (CBD), 27km north east of Parramatta CBD and forms part of the Pittwater Local Government Area (LGA).

The surrounding land uses comprise of residential land uses to the north, east, west and south. Retail premises such as IGA Xpress (~450m north west) and a Garden Centre (~265m north east).

Access to the Site is facilitated via Garden Street and Dove Lane. The Site and surrounding locality is serviced by regular public transport nodes including bus routes 182, 185, 185X which are available along Garden Street and Macpherson Street and provide connectivity to the immediate Warringah locality as well as Sydney CBD.

The local context is illustrated in **Figure 3** below.

## Statement of Environmental Effects

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)

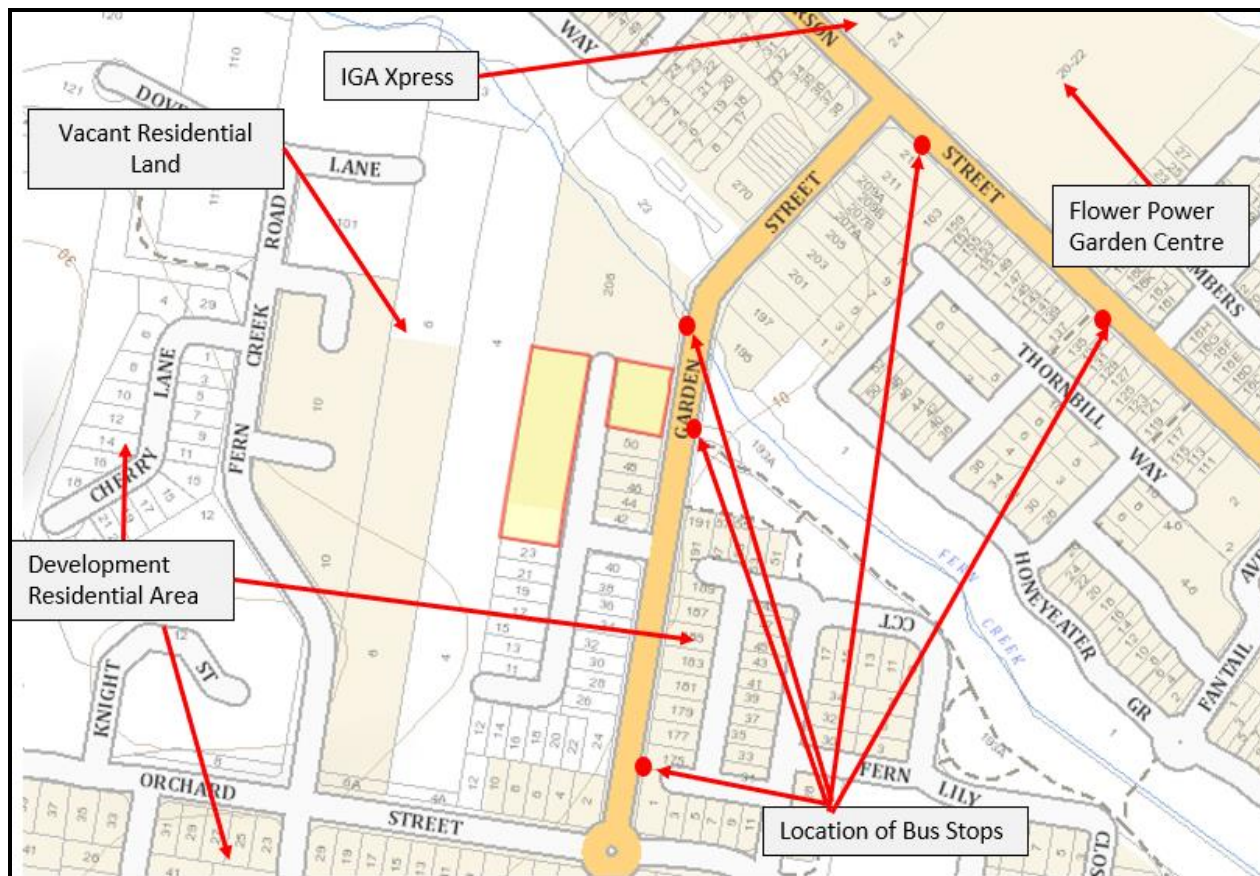


Figure 3. Site Context Map - Site highlighted in yellow (Source: Six Maps, 2020)

### 2.3 DEVELOPMENT HISTORY

**Table 1** below is a summary of the DA's relating to the Site and surrounding land that have been determined. This provides a detailed description of the overall subdivision of the land directly associated with the Orchard and Garden Street which are areas allocated to Sector 901A within the Warriewood Valley Urban Release Area, these have also been identified as sectors subject to the Warriewood Valley Strategic Review (see **Table 4** below). DA's across Sector 901A have been broken up into four (4) stages. **Stages 1 and 2** do not specifically relate to Lot 1 DP1221920 however, these applications are of relevance as they provide detail in relation to the internal roads and services provided for the nearby lots.

**Stage 3** approved under **N0067/16** comprised a 28 lot Torrens Title subdivision including the large residual lot identified as **Stage 4** which is now subject to this Development Application. Development Consent **N0067/16** underwent one modification resulting in minor condition amendments and did not impact the overall design or outcome of the future development of the Site.

Table 1: Development History	
DA Number	Comment
<b>N0379/14</b>  <b>Approved 30 July 2015</b>	The development consent was approved for the following:  <i>Two staged subdivision and associated civil works. Stage 1 provides for Torrens Title subdivision of 6 Residential lots and a large residue, including the construction of a detention basin and associated landscaping and civil works. Stage 2 provides the subdivision of the residue lot, including the construction and dedication of a public road, the construction of a detention basin and associated landscaping and</i>



## Statement of Environmental Effects

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)

	<p><i>civil works.</i></p> <p>The approved staging works are as follows:</p> <p><i>Stage 1</i></p> <ul style="list-style-type: none"><li>- <i>Earthworks to Lot 201</i></li><li>- <i>Provision of essential services for Lots 201 to 206</i></li><li>- <i>Construction of detention Based 'B' and associated landscaping</i></li><li>- <i>Half road reconstruction of Orchard Street for the full length of the development site, including landscaping and construction of footpaths and driveways</i></li><li>- <i>Half road reconstruction of the part of Garden Street fronting Lot 201 and the detention Basin 'B', including landscaping and construction of footpaths</i></li><li>- <i>Torrens Title subdivision to create 6 residential lots (Lots 201 to 206 inclusive) and a residue lot (Lot 200)</i></li></ul> <p><i>Stage 2</i></p> <ul style="list-style-type: none"><li>- <i>Earthworks associated with the construction of road and detention Basin 'A';</i></li><li>- <i>Construction of detention Basin 'A' and associated landscaping;</i></li><li>- <i>Provision of all essential services for each portion of the super lot (Lot 90);</i></li><li>- <i>Construction of internal roads (<b>Road No.1 and Road No.2</b>), including landscaping and the construction of footpaths;</i></li><li>- <i>Half road reconstruction of the reaming part of Garden Street for the full length of the site, including landscaping and the construction of the entrance roundabout, bus stop and footpaths; and</i></li><li>- <i>Torrens Title Subdivisions of Lot 200 to create super lot (Lot 99) and facilitate the future dedicate of the internal roads to Pittwater Council.</i></li></ul> <p>It is acknowledged, consent granted under <b>N0379/14</b> did not directly relate to the residual lot which is subject to this development application.</p> <p>However, Road 2 approved under <b>N0379/14</b> is now known as Dove Lane which is the public road that directly fronts the proposed development.</p>
<p><b>N0379/14/S96/1</b></p> <p><b>Approved 25 January 2016</b></p>	<p>A Modification Application was approved granting consent for minor amendments to the proposal approved under <b>N0379/14</b> comprising of the following:</p> <ul style="list-style-type: none"><li>- Amended Stage one detail plans;</li><li>- Deletion of construction of detention Based 'B' and associated landscaping as forming part of Stage 1 works;</li><li>- Addition of construction of detention Based 'B' and associated landscaping as forming part of Stage 2 works;</li><li>- Updating of Condition 19 to be consistent with amended plans; and</li><li>- Deletion of wording within Condition F(4).</li></ul>
<p><b>N0379/14/S96/2</b></p> <p><b>Approved 11 May 2016</b></p>	<p>A Modification Application was approved granting consent for minor amendments to the proposal approved under <b>N0379/14</b> and as modified under <b>N0379/14/S96/1</b> comprising of the following:</p>

## Statement of Environmental Effects

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)

	<ul style="list-style-type: none"><li>- Amended Stage Two Subdivision Plan;</li><li>- Amended Stage one proposed works to now consist of half road reconstruction of the part of Garden Street fronting Lot 201 and the southern portion of Lot 200, including landscaping and the construction of footpaths;</li><li>- Amendment to wording of Condition B(5) re. water management systems;</li><li>- Amendment to wording of Condition B(8) regarding fencing of basins;</li><li>- Amendment to wording of Condition B(10) regarding owner of Lot 99 is to maintain the water management system;</li><li>- Amendment to wording of Condition B(26) regarding Placement of fill on Lot 200 /99 is not authorised or the construction of any retaining walls adjacent to the northern boundary lots of 201 or 206;</li><li>- Amendment to wording of Condition B(30) regarding catch drain d pipeline systems;</li><li>- Amendments of Conditions C (9)(19) for civil construction certificate matters; and</li><li>- Amendments of Conditions F(4) regarding subdivision certificates.</li></ul>
<b>N0067/16</b>  <b>Approved 26 April 2016</b>  <b>Stage 3</b>	<p>The development consent was approved for the following:</p> <p><i>Torrens Title subdivision of yet to be created lot into 28 allotments and associated civil works and landscaping.</i></p> <p>Refer to <b>Figure 3</b> below.</p>
<b>N0379/14/S29/3</b>  <b>Approved 22 May 2017</b>	Minor alterations to proposed works to Stage 1 and 2 and amended Stage 1 and 2 subdivision plan.
<b>Mod2018/0305 (N0067/16)</b> <b>Approved 9 August 2018</b>	Amendments to Condition B33 and C11.

## **PART C      PROPOSED DEVELOPMENT**

### **3.1      OVERVIEW**

This DA seeks development consent for a four (4) lot under Torrens Title Subdivision comprising the following:

- Proposed Lots 1, 2, and 3 to be utilised in the future for residential accommodation.
- Proposed Lot 4 is to be retained as a detention basin as previously approved under development consent **N0379/14**.

The following objectives have been identified as forming the basis of the proposed development.

- Ensure minimal environmental impact;
- Ensure development is compatible with surrounding development and the local context;
- Achieve a subdivision layout which can accommodate the appropriate siting of future residential accommodation; and
- Support residential land uses consistent with the zone objectives.

The proposed development purely seeks consent for the creation of four (4) Torrens Title lots which will cater for the future development of the Site. Given that the proposal is purely for a paper subdivision and the ultimate development outcome for the proposed lots is currently unknown, no civil design or construction design solutions have been provided as part of this DA. As such, no earthworks or services are proposed as part of this DA. Notwithstanding, once the future development outcome of the proposed lots is known, any future proposed development for these lots would be accompanied by the necessary civil works and supporting documentation.

The DA aims to provide a suitable platform for future development to facilitate development for the purpose of residential accommodation consistent with the surrounding development and lot patterns.

### **3.2      DEVELOPMENT STATISTICS**

The proposal seeks development consent for a four (4) lots under Torrens Title Subdivision identified in **Table 2** below.

<b>Table 2: Development Statistics</b>	
<b>Component</b>	<b>Proposed</b>
Site Area	4,778.8m <sup>2</sup>
Proposed Lot 1	920.8m <sup>2</sup>
Proposed Lot 2	1,330m <sup>2</sup>
Proposed Lot 3	1,325m <sup>2</sup>
Proposed Lot 4 (Existing detention basin)	1,203m <sup>2</sup>
Earthworks	No earthworks are proposed as a part of this development.
Roads / Driveways	No driveways or roads are proposed a part of this development.
Tree Removal	No trees are to be removed as a part of this development.
Infrastructure and Servicing	The Site is serviced by electricity reticulated water, sewer and communications this has been provided as part of previous Development Applications across the Site.
Water Management	A Water Management Report has been previously prepared and approved as part of Development Application <b>N0067/16</b> which considered the lot subject to this application.

### 3.3 SUBDIVISION

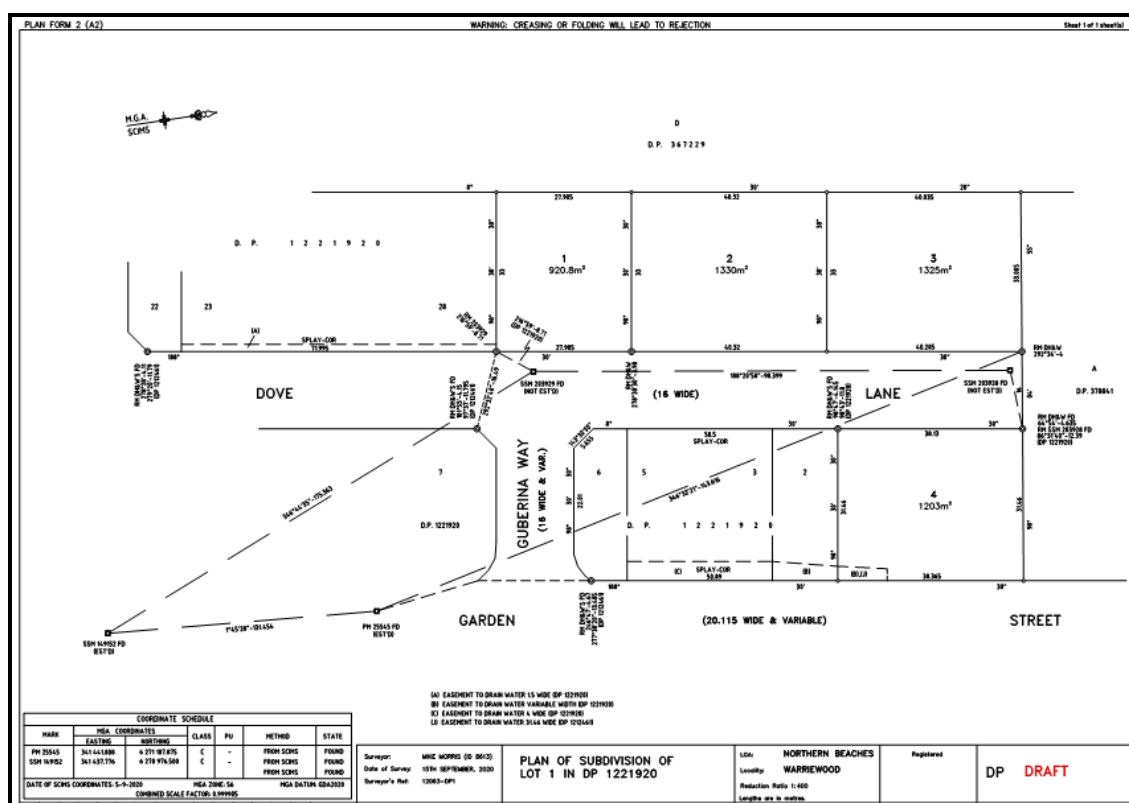
The proposed four (4) lot Torrens Title Subdivision has been designed to cater for future development of residential accommodation on three (3) of the proposed lots as illustrated in **Appendix 1** and **Figure 4** below.

The proposed subdivision has been designed with consideration of existing Site constraints and dimensions to ensure the resulting residential lots may appropriately accommodate a range of residential accommodation typologies and ensuring orderly development of the Site is achieved as a result of the subdivision.

Proposed Lot 4 will form part of the proposed Torrens Title subdivision however, will be retained for the purpose of a detention basin which will service the proposed lots. The detention basin (proposed Lot 4) has been previously approved subject to development consent **N0379/14** and has been constructed (refer to **Figure 2**).

The proposed lot layout and dimensions are considered appropriate in the context of the locality and accommodating future development.

It is important to note that the future development of proposed Lots 1-3 has not been determined and will be subject to separate development consent. The purpose of this DA is to establish appropriately sized lots for future residential development whilst ensuring a succinct and streamline approach for the subsequent stages of the development.



**Figure 4. Proposed Subdivision Plan** (Source: CitiSurv Pty Ltd, 2020)

## PART D LEGISLATIVE AND POLICY FRAMEWORK

### 4.1 STATUTORY PLANNING FRAMEWORK OVERVIEW

This part of the SEE addresses and responds to the legislative and policy requirements relevant to the proposed development at the Site in accordance with the *Environmental Planning and Assessment Act 1979* (EP&A Act). The statutory planning framework relevant to the proposed development at the Site includes:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Water Management Act 2000*
- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *Pittwater Local Environmental Plan 2014*
- *Pittwater 21 Development Control 2019*

### 4.2 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

The EP&A Act is the principle planning and development legislation in New South Wales. Pursuant to Part 4, the proposal is considered local development.

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 3** below.

Table 3: Section 4.15(1)(A) Considerations	
Section	Response
Section 4.15(1)(a)(i) any environmental planning instrument, and	The following environmental planning instruments apply to the Site: <ul style="list-style-type: none"><li>▪ State Environmental Planning Policy (Infrastructure) 2007 (refer to <b>Section 4.6</b>)</li><li>▪ Pittwater Local Environmental Plan 2014 (refer to <b>Section 4.7</b>).</li></ul>
Section 4.15(1)(a)(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	No draft instruments are applicable to this Site.
Section 4.15(1)(a)(iii) any development control plan, and	The <i>Pittwater 21 Development Control Plan 2019</i> applies to the Site and is addressed in <b>Section 4.10</b> of this advice.
Section 4.15(1)(a)(iiia) 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	Not applicable.
Section 4.15(1)(a)(iv) the regulations (to the extent that they prescribe matters for the	The EP&A Regulation is addressed in <b>Part D</b> of this Report.



## Statement of Environmental Effects

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)

purposes of this paragraph),	
Section 4.15(1)(b)-(c)	Refer to <b>Part E</b> .

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

The proposal is not integrated development.

### 4.3 ENVIRONMENTAL PLANNING & ASSESSMENT REGULATION 2000

The proposal has been prepared in accordance with the provisions of the Environmental Planning and Assessment Regulation 2000 (EP&A Regulation). Clause 50 and Part 1 of Schedule 1 of the EP&A Regulation stipulates how a DA must be "made". This DA satisfies the relevant criteria of the Regulation as follows:

*1) A development application must:*

*a) be in the form that is approved by the Planning Secretary and made available on the NSW planning portal, and*

The DA includes all relevant information approved by the Planning Secretary and in accordance with the NSW Planning Portal guidelines.

*b) contain all of the information that is specified in the approved form or required by the Act and this Regulation, and*

The DA shall be accompanied with all the relevant consultant reports as required under the EP&A Act and EP&A Regulation. This includes the appropriate application form from Northern Beaches Council which has been completed and utilised in the preparation of the DA.

*c) be accompanied by the information and documents that are specified in Part 1 of Schedule 1 or required by the Act and this Regulation, and*

The DA includes all relevant information including details of the development, address and formal particulars, owner's consent, supporting documents including draft plan of subdivision and Statement of Environmental Effects.

*d) be lodged on the NSW planning portal.*

The DA shall be lodged via the NSW Planning Portal.

### 4.4 WATER MANAGEMENT ACT 2000

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

The existing detention basin is located approximately 40m north east of Fern Creek, the remaining lot adjacent to the detention basin is located approximately 76m from Fern Creek. Despite the detention basin being located approximately 40m from Fern Creek, no physical works are to be undertaken subject to this proposal therefore, impact on the surrounding water bodies would not arise. Notwithstanding, it is acknowledged that any future development of the Site, where works are undertaken within 40m of Fern Creek, would need to take into consideration the WM Act where necessary.

## Statement of Environmental Effects

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)

### 4.5 BIODIVERSITY CONSERVATION ACT 2016

The *Biodiversity Conservation Act 2016* (BC Act) commenced on 25 August 2017 and establishes a scientific method for assessing the likely impacts on biodiversity values of proposed development and land use change.

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

A review of the PLEP2014 Biodiversity Map (**Figure 5**) and the Biodiversity Values Map and Threshold Tool confirms the Site does not contain any biodiversity values nor will it significantly affect threatened species. Therefore, further consideration of the BC Act is not warranted in this instance.



**Figure 5. Biodiversity Values Map** (Source: PLEP2014)

## Statement of Environmental Effects

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)

### 4.6 PITTWATER LOCAL ENVIRONMENTAL PLAN 2014

The *Pittwater Local Environmental Plan 2014* (PLEP2014) is the primary environmental planning instrument that applies to the Site.

#### 4.6.1 Zoning and Permissibility

Pursuant to the PLEP2014, the Site is located in the **R3 Medium Density Residential zone** (refer to **Figure 6**). **Table 4** outlines the developments consistency and compliance with the relevant development standards and controls under PLEP2014.

Table 4. Pittwater Local Environmental Plan 2014	
R3 Medium Density Residential	
Clause	Comment
<b>R3 Medium Density Residential – Objectives of zone</b>	<p>The objectives of the R3 zone are as follows:</p> <ul style="list-style-type: none"><li>▪ <i>To provide for the housing needs of the community within a medium density residential environment.</i></li><li>▪ <i>To provide a variety of housing types within a medium density residential environment.</i></li><li>▪ <i>To enable other land uses that provide facilities or services to meet the day to day needs of residents.</i></li><li>▪ <i>To provide for a limited range of other land uses of a low intensity and scale, compatible with surrounding land uses.</i></li></ul> <p>Proposed Lot 4 shall be retained as a detention basin as previously approved under development consent <b>N0379/14</b> which shall service proposed Lots 1, 2 and 3.</p> <p>The subdivision would respond to the housing needs within the Warriewood Valley Urban Release Area, providing appropriately sized lots which are capable of catering a variety of housing types within a medium density residential environment.</p>
<b>Permitted without Consent</b>	<i>Home businesses; Home occupations</i>
<b>Permitted with Consent</b>	<p><i>Attached dwellings; Bed and breakfast accommodation; Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Exhibition homes; Group homes; Health consulting rooms; Home-based child care; Home industries; Multi dwelling housing; Neighbourhood shops; Oyster aquaculture; Places of public worship; Residential flat buildings; Respite day care centres; Roads; Secondary dwellings; Semi-detached dwellings; Seniors housing; Serviced apartments; Tank-based aquaculture; Veterinary hospitals</i></p> <p>The DA will retain proposed Lot 4 as a detention basin. Accordingly, no future development would be undertaken within proposed Lot 4 as this caters for water management and stormwater purposes.</p> <p>Proposed Lots 1, 2 and 3 shall provide opportunity for future residential accommodation. As aforementioned, the residential accommodation typology and land use is yet to be determined. However, these lots have been designed to cater to a wide range of land uses permitted within the zone and as listed above which shall be</p>

**Statement of Environmental Effects**

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)

**Table 4. Pittwater Local Environmental Plan 2014****R3 Medium Density Residential**

	subject to a separate development consent.
<b>Prohibited</b>	<i>Pond-based aquaculture; Any other development not specified in item 2 or 3</i>

**Table 5** below lists all the relevant development standards and provisions within the PLEP2014 and their application to the proposed development.

**Table 5. Pittwater Local Environmental Plan 2014****Development Standards and Provisions**

<b>Clause</b>	<b>Comment</b>
<b>Clause 4.1 Minimum subdivision lot size</b>	<p>The Site is not subject to a prescribed minimum lot size. Notwithstanding, the Lot sizes proposed are as follows:</p> <ul style="list-style-type: none"> <li>▪ Lot 1 – 920.00m<sup>2</sup></li> <li>▪ Lot 2 – 1330.70m<sup>2</sup></li> <li>▪ Lot 3 – 1325.50m<sup>2</sup></li> <li>▪ Lot 4 – 1203m<sup>2</sup> (existing detention basin)</li> </ul> <p>The proposed four (4) lot Torrens Title subdivision will be appropriately sized to facilitate future residential development.</p>
<b>Clause 4.3 Height of Buildings</b>	<p>The maximum prescribed building height within the PLEP2014 is <b>10.5m</b>.</p> <p>The proposed development seeks consent solely for subdivision With no physical built form or works proposed.</p>
<b>Clause 4.4 Floor Space Ratio</b>	<p>The Site is not subject to a maximum Floor Space Ratio (FSR). The proposed development seeks consent solely for subdivision and does not involve the erection of built form or creation of GFA.</p>
<p><b>Clause 4.5A Density controls for certain residential accommodation</b></p> <p>1. <i>The objectives of this clause are as follows—</i></p> <p style="margin-left: 40px;">a. <i>to achieve planned residential density in certain zones,</i></p> <p style="margin-left: 40px;">b. <i>to ensure building density is consistent with the desired character of the locality.</i></p> <p>2. <i>Development consent must not be granted to development for a purpose specified in Column 1 of the table to this clause on land in the zone shown opposite that development in Column 2 of that</i></p>	<p>As prescribed under Clause 4.5A(3), density controls do not apply to land located within the Warriewood Valley Release Area.</p> <p>No further consideration is required.</p>

## Statement of Environmental Effects

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)

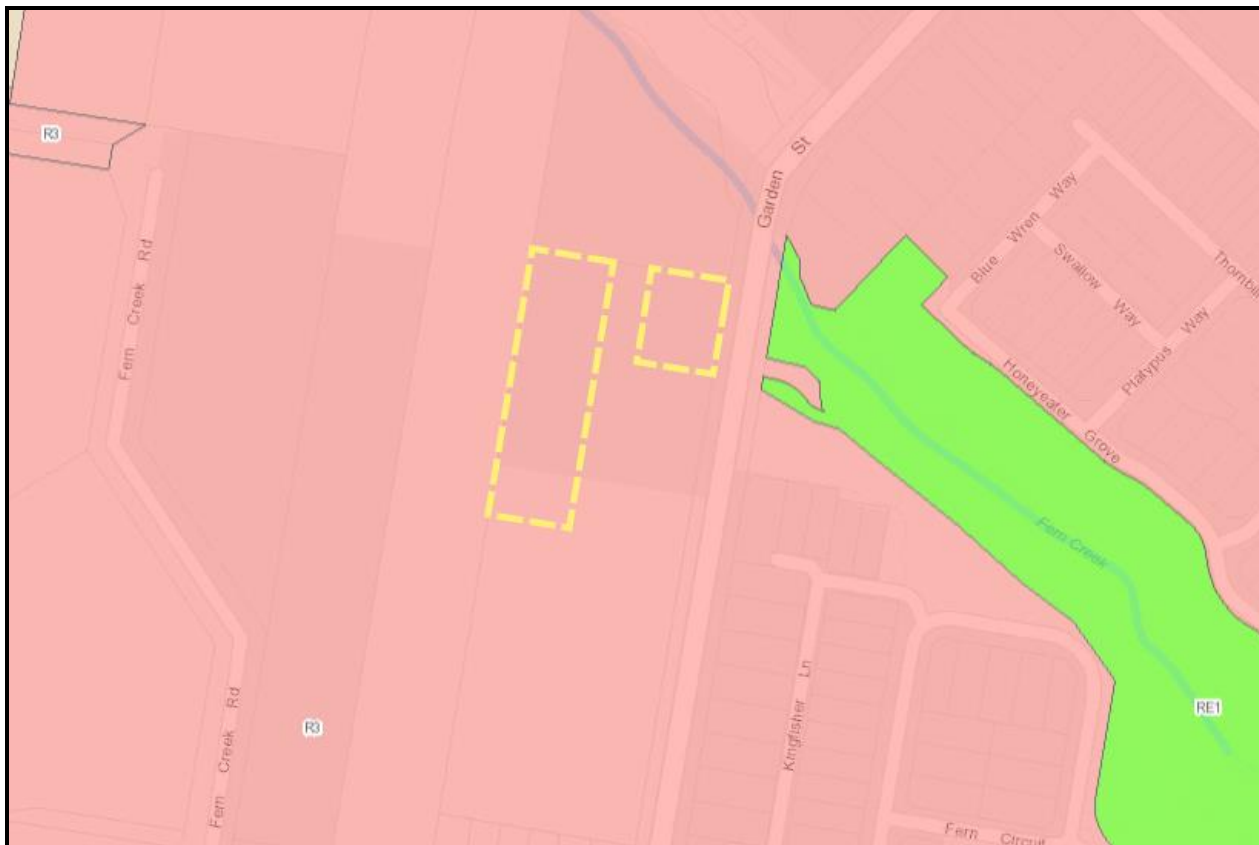
**Table 5. Pittwater Local Environmental Plan 2014**

### Development Standards and Provisions

<p><i>table unless the development complies with the density requirements specified in Column 3 of that table.</i></p> <p><b>3. This clause does not apply to land in the Warriewood Valley Release Area.</b></p> <p>4. In this clause—</p> <p><b>Warriewood Valley Release Area</b> means the area identified as Warriewood Valley Release Area on the <u>Urban Release Area Map</u>.</p>	
<p><b>Clause 6.1 Warriewood Valley Release Area</b></p> <p>1. The objectives of this clause are as follows—</p> <p class="margin-left: 40px;">a. to permit development in the Warriewood Valley Release Area in accordance with the Warriewood Valley Strategic Review Report and the Warriewood Valley Strategic Review Addendum Report,</p> <p class="margin-left: 40px;">b. to ensure that development in that area does not adversely impact on waterways and creek line corridors, protects existing native riparian vegetation and rehabilitates the creek line corridors.</p> <p class="margin-left: 40px;">c. (Repealed)</p> <p>2. This clause applies to the land in the Warriewood Valley Release Area.</p> <p>3. Development consent must not be granted for development on land in a buffer area or sector or at an address mentioned in Column 1 of the table to this clause unless the consent authority is satisfied that the total number of dwellings shown opposite that buffer area, sector or address in Column 2 of that table will be erected.</p>	<p>Pursuant to Clause 6.1 of the PLEP2014 the Site is located within the Warriewood Valley Release Area and is identified as being within <b>Section 901A</b> as illustrated within the Urban Release Area map within the PLEP2014.</p> <p>Clause 6.1(3) states that development consent must not be granted unless the consent authority is satisfied that the number of dwellings within <b>Section 901A will range from a minimum of 154 to a maximum of 190.</b></p> <p>The <b>‘Warriewood Valley Strategic Review Addendum Report’</b> (Strategic Review) provides a minimum and maximum yield for the subject property (<b>No. 204 Garden Street and 2, 2A Orchard Street</b>), being a <b>range of 53. to 66.</b></p> <p>The proposed development seeks consent for four (4) allotments, three (3) of which (proposed Lots 1-3) may be developed for future residential accommodation.</p> <p>The proposed lots are adequately sized for a range of residential accommodation typologies however, the resulting development outcome is yet to be determined.</p> <p>Based on a review of the existing development and development consents across the Site and Section 901A, the following yield applies:</p> <ol style="list-style-type: none"><li>1. Stage 1 allotments – 6 dwellings</li><li>2. Stage 3 allotments – 27 dwellings</li><li>3. Stage 4 allotments – 3 dwellings.</li></ol> <p>Total = 36 dwellings.</p> <p>The forecast dwelling yield is therefore consistent with the yield contained with the Strategic Review and with Clause 6.1(3) of the PLEP2014.</p>



Table 5. Pittwater Local Environmental Plan 2014	
Development Standards and Provisions	
Below is extracted from the abovementioned table:	
<b>Buffer Area</b> – Sector 901A	
<b>Number of dwellings to be erected</b> – Not more than 190 or less than 154.	



**Figure 6. Land Zoning Map – Site outlined in yellow** (Source: PLEP2014)

#### 4.7 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No Draft Environmental Planning Instruments apply to the Site.

#### 4.8 NON-STATUTORY PLANNING FRAMEWORK OVERVIEW

The following non-statutory development control and strategic plans apply to the Site and proposed development:

- *Pittwater 21 Development Control Plan*
- *Greater Sydney Region Plan: A Metropolis of Three Cities*
- *Northern District Plan*
- *Towards 2040 – Local Strategic Planning Statement*
- *Warriewood Valley Strategic Review Addendum Report*

These plans are addressed further below.

#### **4.9 PITTWATER 21 DEVELOPMENT CONTROL PLAN**

The *Pittwater 21 Development Control Plan* (PDCP21) provides guidance for the proposed four (4) lot Torrens Title Subdivision within the Pittwater LGA to achieve the aims and objectives of the PLEP2014.

An assessment of the proposed subdivision against relevant section of the PDCP21 is provided in a DCP Compliance Table at **Appendix 4**.

#### **4.10 GREATER SYDNEY REGION PLAN: A METROPOLIS OF THREE CITIES**

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

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

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

Pursuant to the Cities outlined above, Dove Lane, Warriewood falls within the Eastern Harbour City.

The Division into three (3) cities puts workers and the wider community within closer proximity to an array of characteristics such as, intensive jobs, 'city scale' infrastructure and services, entertainment and culture facilities. Subdivision and development of residential land within proximity to the city will ensure community and residential demands are readily available to support community members and the local residents.

The proposed development would not only achieve economic growth but it would encourage employment-generating opportunities and residential housing for the greater community.

The proposed development also contributes to the four standardised elements across all three cities, including:

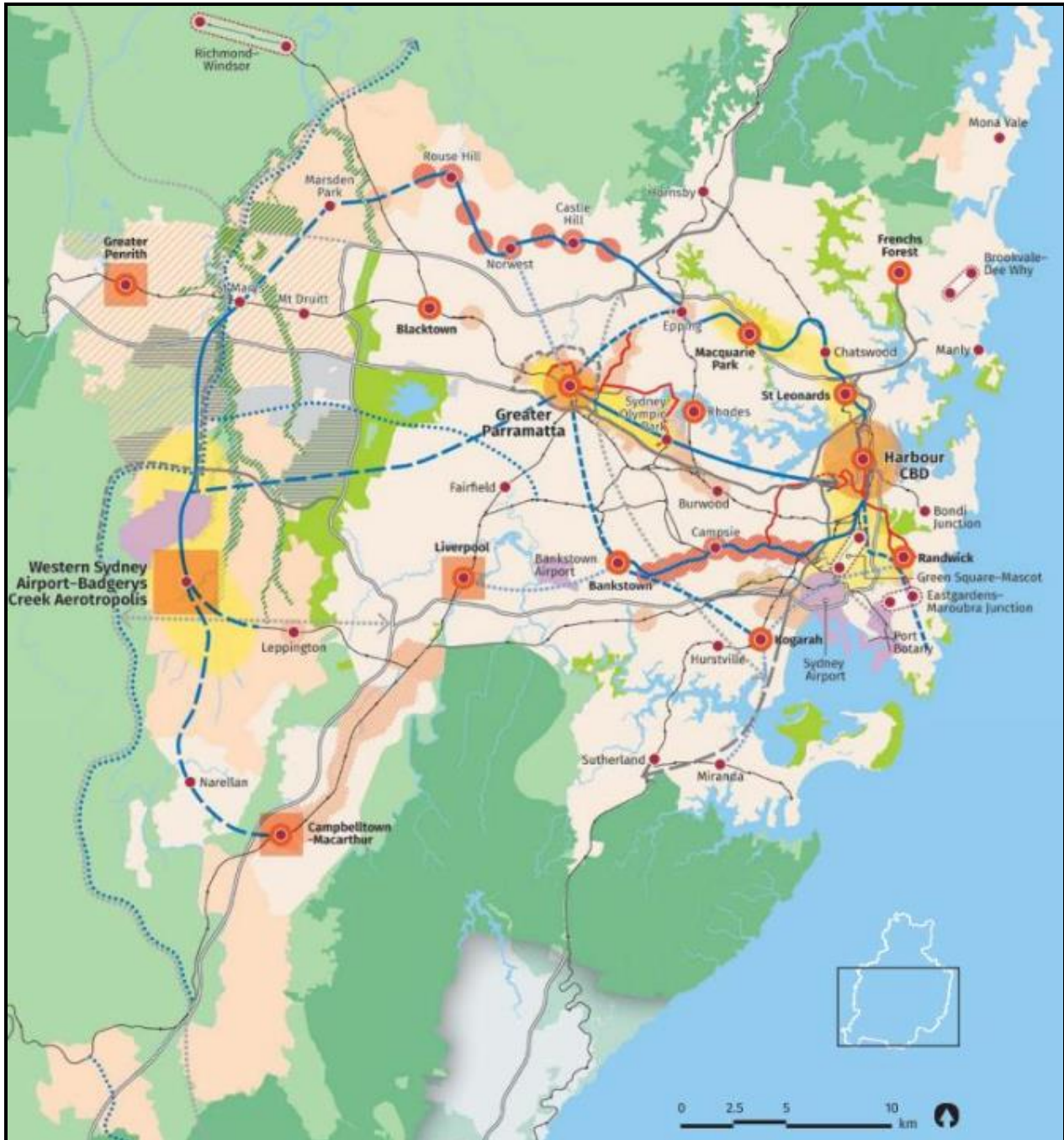
- Infrastructure and collaboration – Subdivision and development of residential land will cater to further infrastructure needs of the Warriewood Valley locality.
- Liveability – The proposed development encourages employment-generating opportunities through the future construction of the Site and shall provide housing for the greater community.
- Sustainability – The proposed development would not cause any detrimental impacts to its wider ecology surroundings and would be developed in the future in a sustainable manner.

In summary, the proposed development would contribute to the objectives set out in *A Metropolis of Three Cities – Greater Sydney Region Plan* by providing land for future residential development catering to the housing needs of the Eastern Harbour City.

## Statement of Environmental Effects

Four (4) Lot Torrens Title Subdivision

Dove Lane, Warriewood (Lot 1 DP 1221920)



**Figure 7. Metropolis of 3 Cities A Vision 2056** (Source: Greater Sydney Commission: Greater Sydney Region Plan, 2018)

### 4.11 NORTHERN DISTRICT PLAN

The *Northern District Plan* includes the Pittwater LGA. The plan provides a twenty-year vision to help encourage and establish to goals set out in *A Metropolis of Three Cities – Greater Sydney Region Plan*. The plan is considered the 'bridge' between Regional and Local planning.

The Site is situated within the Northern District Plan, which falls within the Eastern Harbour City (Harbour City).

The Plan reinforces four (4) planning priorities and action items for concern as previously mentioned and establishes a number of priorities and actions to guide growth, development and change, relating to infrastructure and collaboration, liveability, productivities and sustainability.

## Statement of Environmental Effects

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)

---

The Northern District Plan further reinforces the Plans potential for achievement by outlining the following strategies:

- *Enhancing the role of the Eastern Economic Corridor, including North Sydney as part of the Harbour CBD.*
- *Supporting jobs growth in strategic centres, including health and education precincts and facilitating innovation.*
- *Sustaining local centres to provide jobs, services and amenity.*
- *Providing fast and efficient transport connections to achieve a 30-minute city.*
- *Retaining and managing industrial and urban services land.*
- *Creating and renewing great places while protecting heritage and local character and improving places for people.*
- *Improving walking and safe cycling ways.*
- *Enhancing foreshore access to Sydney Harbour and the District's waterways.*
- *Enhancing the quality and improving access to open space, and increasing urban tree canopy.*
- *Retaining the environmental, social and economic values of the Metropolitan Rural Areas.*
- *Protecting and enhancing the District's unique natural assets including waterways, coastlines and bushland.*

The proposed development would contribute to the objectives of the *Northern District Plan* through protecting the districts assets by not subdividing land that contains biodiversity value and through providing future jobs subject to the provision of future residential development/construction across the Site and providing future land to facilitate opportunities for additional housing.

As a result of significant environmental constraints, existing development or current use, several sectors within the Release Area were not considered by the 2012 Strategic Review or identified with a forward path.

The purpose of this Addendum Report was to identify and recommend a pathway forward for these remaining sectors.

As raised within **Table 5**, the Warriewood Valley Strategic Review Addendum Report (Strategic Review) provides a minimum and maximum yield for the Site (No. 204 Garden Street and 2, 2A Orchard Street), being a range of 53 to 66.

Based on a review of the existing development consents across the Site and the proposed subdivision (Stage 4) subject to this DA the following yield applies:

- Stage 1 allotments – 6 dwellings
  - Stage 3 allotments – 27 dwellings
  - Stage 4 allotments – 3 dwellings.
- Total = 36 dwellings.

The forecast dwelling yield is therefore consistent with the yield contained with the Strategic Review and with Clause 6.1(3) of the PLEP2014.

Based on the above, the proposed development may facilitate a dwelling yield that would be consistent with the yield contained with the Strategic Review.



#### **4.12 TOWARDS 2040 – LOCAL STRATEGIC PLANNING STATEMENT**

Towards 2040 is a Local Strategic Planning Statement (LSPS) which has been prepared to inform the development of Councils new LEP and DCP and the assessment of planning proposals for changes to Councils planning controls. Towards 2040 includes the following items throughout the report:

- *a 20-year vision*
- *planning priorities that guide land use planning*
- *principles that underpin planning priorities and actions*
- *actions we will take to help achieve the priorities*
- *measures of success and implementation program to determine whether priorities have been achieved.*

The strategic centres which apply to the LSPS are Frenches Forest, Manly, Dee Why, Brookvale and Mona Vale. Whilst Warriewood is not directly associated with the strategic centres, it is located south of Mona Vale and has been considered as part of the LSPS. In total, the housing target for the LSPS within the Northern Beaches LGA includes a target of 3,400 additional dwellings by 2021 and to increase the diversity of new housing.

Although future development of the Site is currently unknown, the proposed subdivision is considered to support the directions and priorities of the LSPS through creating opportunities for providing a range of residential accommodation typologies within the Northern Beaches LGA.

#### **4.13 WARRIEWOOD VALLEY STRATEGIC REVIEW ADDENDUM REPORT**

In June 2013 Council adopted the Warriewood Valley Strategic Review Report 2012 (2012 Strategic Review) as the contemporary planning framework for the majority of undeveloped residential lands in the Warriewood Valley Release Area (Release Area).

The 2012 Strategic Review re-examined the Warriewood Valley Planning Framework 2010 (2010 Planning Framework). The review process aimed to identify residential lands with development capability greater than their designated capability under the 2010 Planning Framework. The 2012 Strategic Review also investigated development opportunities in the Southern Buffer.



## **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 proposed subdivision has been designed to facilitate the future development of these lots for residential accommodation. Whilst the ultimate development outcome for these lots are yet to be determined, they have been designed to cater for a range of residential accommodation typologies while still demonstrating orderly development of the Site and not hindering the future development's ability to achieve the objectives of the zone as well as the intended outcomes of the Warriewood Valley Urban Release Area. In this respect, the future development of these lots is capable of achieving the required dwelling yields for the land as required under Clause 6.1.

The proposed development is consistent and compatible with surrounding and adjoining land uses. The Site is located within proximity to Fern Creek however, no physical works shall be undertaken as part of this proposal which would detrimentally impact this area.

The proposed development would not exhibit any measurable environmental impacts and would not adversely impact the development of surrounding residential or commercial land uses. Therefore, the proposed development, for the purposes of a four (4) lot Torrens Title subdivision, is considered suitable for the Site context and its surrounds.

### **5.2      SUBDIVISION**

The proposed subdivision has been designed with consideration of the Site dimensions and characteristics. The lots resulting from the proposed subdivision would allow opportunity for future residential subdivision and development, adequately serviced via Dove Lane.

Proposed Lot 4 is to remain as a detention basin. The detention basin was previously approved under development consent **N0379-14** which approved the staged construction of detention basin A and B that would service the proposed subdivision subdivided and surrounding lots which were subdivided via subsequent DA's as outlined in **Table 1** of this SEE.

Although proposed Lot 1, 2 and 3 consist of quite large lot sizes the intent is to allow for the future subdivision and development of the individual allotments which would be subject to separate development consent.

### **5.3      CIVIL DESIGN & WATER MANAGEMENT**

Given the proposal is purely for subdivision and the ultimate development outcome for the proposed lots is currently unknown, it is considered unnecessary to provide details relating to civil and services design. As such, all engineering works and required design surrounding these shall be subject to the future development of these lots and be required to be provided as part of these future proposals.

A Water Management Report previously approved as part of development consent **N0067/16** has considered the Site.

### **5.4      HERITAGE**

The Site is not identified as containing any heritage significance nor is it within proximity to any heritage items or heritage conservation area.

## **Statement of Environmental Effects**

Four (4) Lot Torrens Title Subdivision  
Dove Lane, Warriewood (Lot 1 DP 1221920)

---

### **5.5 CONSTRUCTION**

The proposed works involves a four (4) lot Torrens Title subdivision and does not constitute any construction works. All future construction works shall be undertaken via separate approval.

### **5.6 SUITABILITY OF SITE FOR DEVELOPMENT**

The Site is located in Warriewood Valley Urban Release Area and is zoned R3 Medium Density Residential development under the PLEP2014. The proposed subdivision will create allotments that will be suitable for future development which is consistent with the transition currently being experienced within the locality and the greater Warriewood locality.

Accordingly, the Site is considered to be suitable for the proposed subdivision and is consistent with the aims and objectives of the R3 zone in that it seeks to provide land for housing needs for the community and greater Pittwater LGA.

### **5.7 SUBMISSIONS**

No submissions are apparent at the time of writing. However, the applicant is willing to address any submissions, should they be received by Council.

### **5.8 THE PUBLIC INTEREST**

The proposal will have no adverse impacts on the public's interests. The development of the Site will be carried out for the purpose of facilitating land for future development which would cater to the residents of the Pittwater LGA.

## **PART F CONCLUSION**

The proposed four (4) lot Torrens Title subdivision pertaining to Dove Lane, Warriewood (Lot 1 DP 1221920), is permissible with consent pursuant to the PLEP2014. The proposal will create three (3) lot Torrens Title lots for the purpose of future residential subdivision and development and one (1) Torrens Title lot which shall retain its existing state as a detention basin that would cater to the future proposed lots.

The SEE provides an assessment of the proposal against the relevant environmental planning framework, including PLEP2014 and PDCP21. The assessment finds that the proposal is consistent with the objectives and controls of the relevant instruments and policies. No significant adverse environmental, economic or social impacts have been identified as likely to arise from the proposed development. Rather, the proposal will provide for positive impacts, including facilitating the efficient and suitable development of residential lands.

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

- The development history of the Site;
- The context of the Site and locality;
- The relevant heads of consideration under Section 4.15(1) of the EP&A Act; and
- 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 proposal facilitates for the future subdivision and residential development through the creation of Torrens Title lots which may facilitate future residential development across the Site.
- The proposed subdivision is highly compatible with surrounding land uses and positively contributes to the established residential character of Warriewood Valley and the Pittwater LGA.
- The proposal considers the existing Site constraints in respect to nearby biodiversity values and the proposal would not impact on these items as no earthworks or construction would be undertaken subject to this DA.

The proposed development is permissible within the zone and is compatible with the zone objectives. As stipulated previously in this Report, the matters for consideration under Section 4.15(1) of the *Environmental Planning and Assessment Act 1979* 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.