

Statement of Environmental Effects

INDUSTRIAL DEVELOPMENT

4 MINNA CLOSE,
BELROSE

MAY 2023



QUALITY ASSURANCE

PROJECT: Statement of Environmental Effects – Industrial Development
ARCHITECT: Bureau SRH
ADDRESS: Lot 502 in DP875858: 4 Minna Close, Belrose
COUNCIL: Northern Beaches Council
AUTHOR: Think Planners Pty Ltd

Date	Purpose of Issue	Rev	Reviewed	Authorised
April 2024	Draft Issue	Draft	SK/JW	JW
3 rd May 2024	Final Issue	Final	SK/JW	JW

Integrated Development (under S.4.46 of the EP&A Act). Does the development require approvals under any of the following legislation?

Coal Mine Subsidence Compensation Act 207	No
Fisheries Management Act 1994	No
Heritage Act 1977	No
Mining Act 1992	No
National Parks and Wildlife Act 1974	No
Petroleum (Onshore) Act 1991	No
Protection of the Environment Operations Act 1997	No
Roads Act 1993	No
Rural Fires Act 1997	No
Water Management Act 2000	No

Concurrence

SEPP (Industry and Employment) 2021	No
SEPP (Resilience and Hazards) 2021	No
SEPP (Transport and Infrastructure) 2021	No
SEPP (Planning Systems) 2021	No
SEPP (Precincts – Central River City) 2021	No
SEPP (Precincts – Easter Harbour City) 2021	No
SEPP (Precincts – Regional_ 2021	No
SEPP (Precincts – Western Parkland City) 2021	No
SEPP (Biodiversity and Conservation) 2021	No

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EXECUTIVE SUMMARY

This Statement of Environmental Effects has been prepared in support of a Development Application that proposes to remove identified trees and construct a part 1 – part 2 storey warehouse building with basement parking at 4 Minna Close, Belrose.

The subject site itself is located within the Northern Beaches Council, however it is noted that the development site is still subject to planning instruments associated with the former Warringah Council, including the Warringah Local Environmental Plan 2011 & Warringah Development Control Plan 2011.

A preliminary design scheme was presented to Council at Pre-lodgement Meeting on the 2nd June 2022 where the key issues/concerns identified by Council was the overall size of the development and subsequent loss of trees. As a result, the built form will continue to concentrate the proposal towards Minna Close with the overall building footprint/site coverage to be reduced whilst adopting a 2m front setback as recommended by Council.

As per an RFI letter provided by Council on the 26th February 2024, a front setback of 4m is to be adopted, which will result in the loss of 5 additional trees and continue to minimising site excavation whilst also be more consistent with the existing front setback pattern along Minna Close then the previous scheme. As such, the final design scheme will not only continue to deliver a more substantiation setback to the buffer area to the north but will increasing the overall landscaped open space whilst remaining to retaining a greater number of trees and minimise the amount of cut into the rising landform of the site. As such satisfactory addressing the concerns and comments raised by Council.

The key aspects of the proposal are provided below:

Warehouse:

The proposed industrial development will comprise of one large format warehouse building including covered loading hardstand, mezzanine office area and basement carparking area. At the completion of the project, the development is to provide a total GFA of 1,689m² including 1,514m² of warehouse GFA on the ground floor and 175m² of mezzanine office GFA. The warehouse floor area also includes 2 x loading docks, dock office, staff room and toilet/change facilities.

The warehouse is to operate between 8am and 5pm Monday to Saturday and managed by a total of 25 staff.

Parking:

A total of 25 carparking spaces over a basement levels including an accessible car parking spaces.

Vehicular access to the basement level is via a new vehicle crossover and driveway from Minna Close with a heavy vehicle entry vehicle crossover and graded ramp situated towards the south western corner of the site via Minna Close. Furthermore, the heavy vehicle egress provides access to the rear hardstand loading area, loading docks and graded exit to existing private driveway running along the site's western boundary – noting right-of-way consent/agreement will be sought to use neighboring driveway.

Finally, the warehouse development is to be serviced by new civil and stormwater infrastructure including on-sit OSD and rainwater tank, retaining earthworks and appropriate sediment and erosion control. Landscape buffer zones will be provided along the south and west boundaries and will be comprised only of species endemic to Duffy's Forest.

Residing within the Austlink Business Park, the development site is located on the northern side of Minna Close, approximately 80m north-east from the intersection of Minna Close and Narabang Way, Belrose. The Business Park includes other industrial businesses and large bulk goods premises including Bunnings Belrose and HomeCo. Belrose Shopping Mall. Bus stops with services to Manly, Mona Vale, Warringah Mall, City (Town Hall) and Macquarie Uni are within a 150m walking radius from the development site.

Bounded by 2 large industrial buildings to the site's eastern and western boundaries and Mona Vale Road to the north, the subject land parcel is current vacant and is one of the last site left to be developed along the north-western side of Minna Close.

With a frontage to Minna Close and a total site area of 5,581m², the development site experiences a distinct change in elevation across the site, sloping from the front (east) towards the rear (west). As such the development proposed a stepped part 1 – part 2 storey built form designed to follow the natural contours of the site to minimise excessive cut and fill.

The development site contains Duffys Forest EEC, as such the design scheme has undertaken specific design measures to avoid and minimise impacts on biodiversity values within the site. This will be achieved by siting the industrial development towards Minna Close where the non-threatened vegetation (not dominant through the remainder of the subject site) occurs and where the vegetation is in the poorest condition. This will ensure that the development will retain 0.17 ha of the Duffys Forest EEC at the rear of the site, which represents approximately 43% of the existing EEC within the subject site, thus maintaining a habitat connectivity corridor in this way. The native vegetation to be retained will be managed and enhanced in accordance with a Biodiversity Management Plan.

The development site is subject to a split zone with the majority of the site zoned SP4 Enterprise and a small corridor to the rear of the site zoned C2 Environmental Conservation. *'Warehouse and Distribution Centre'* and *'Light Industries'* are permissible with consent within the SP4 Zone, noting no works to be undertaken within the portion of the site zoned C2 Environmental Conservation.

The built form along the north-western side of Minna Close comprises of large 2 and 3 storey industrial building set within a landscape setting. As such, the development proposes a part 1 – part 2 storey industrial building designed to be compatible and complement the existing 2 and 3 storey industrial buildings, noting that the overall design scheme has undergone several revision in-order to increase the number of trees within the site to be retained.

The current application will not only permit an underutilised and undercapitalised to be developed to its full zoning potential but will increase valuable industrial floor space that will support the function and role of the existing business park whilst increase economic/employment and job opportunities within Belrose.

The development will also deliver a contemporary part 1 – part 2 storey built form that will not only addresses its frontage but will positively contribute to the existing streetscape along Minna Close.

Consideration have been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, and that the proposal represents an appropriate use of well-located land, the application is submitted to Council for assessment. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.

SITE AND LOCALITY DESCRIPTION

The development site is legally known as Lot 502 in DP875858, but is more commonly known as 4 Minna Close, Belrose.

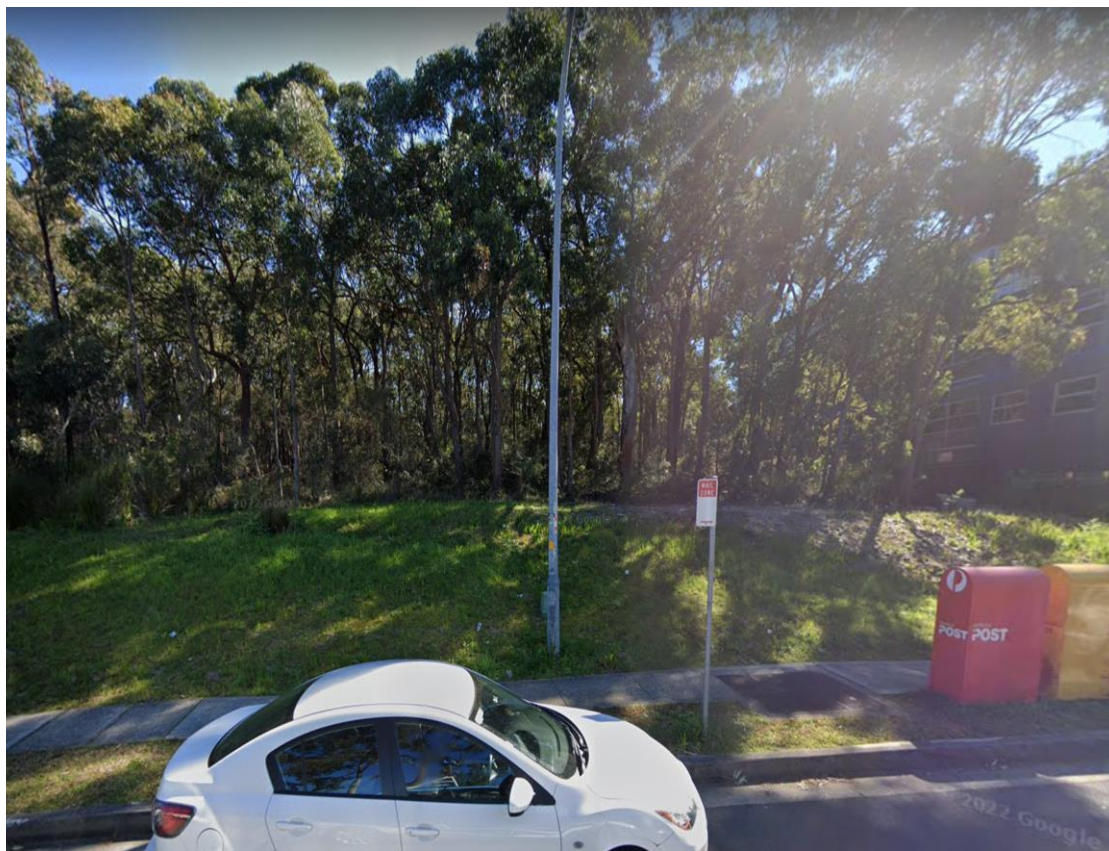
Subject Site

Residing within the Austlink Business Park, the development site is located on the northern side of Minna Close, approximately 80m north-east from the intersection of Minna Close and Narabang Way, Belrose.

With a frontage to Minna Close and a total site area of 5,581m², the development site experiences a distinct change in elevation across the site, sloping from the front (east) towards the rear (west). As such the development proposed a stepped part 1 – part 2 storey built form designed to follow the natural contours of the site to minimise excessive cut and fill.

The subject land parcel, which is current vacant is the last site left to be developed along the north-western side of Minna Close, as illustrated by Photograph 1 below.

Photograph 1: Shows 4 Minna C, viewed from Minna CI looking northwards





The development site bounds large industrial buildings to its eastern and western side boundaries with a 16.7m buffer strip separating the site from Mona Vale Road to the north.

Minna Close separates the site from industrial land uses to the south.

An aerial photograph is provided below for context of the subject site.

Image 1: Aerial Map of Subject Site (Source: Six Map)



 Subject Site

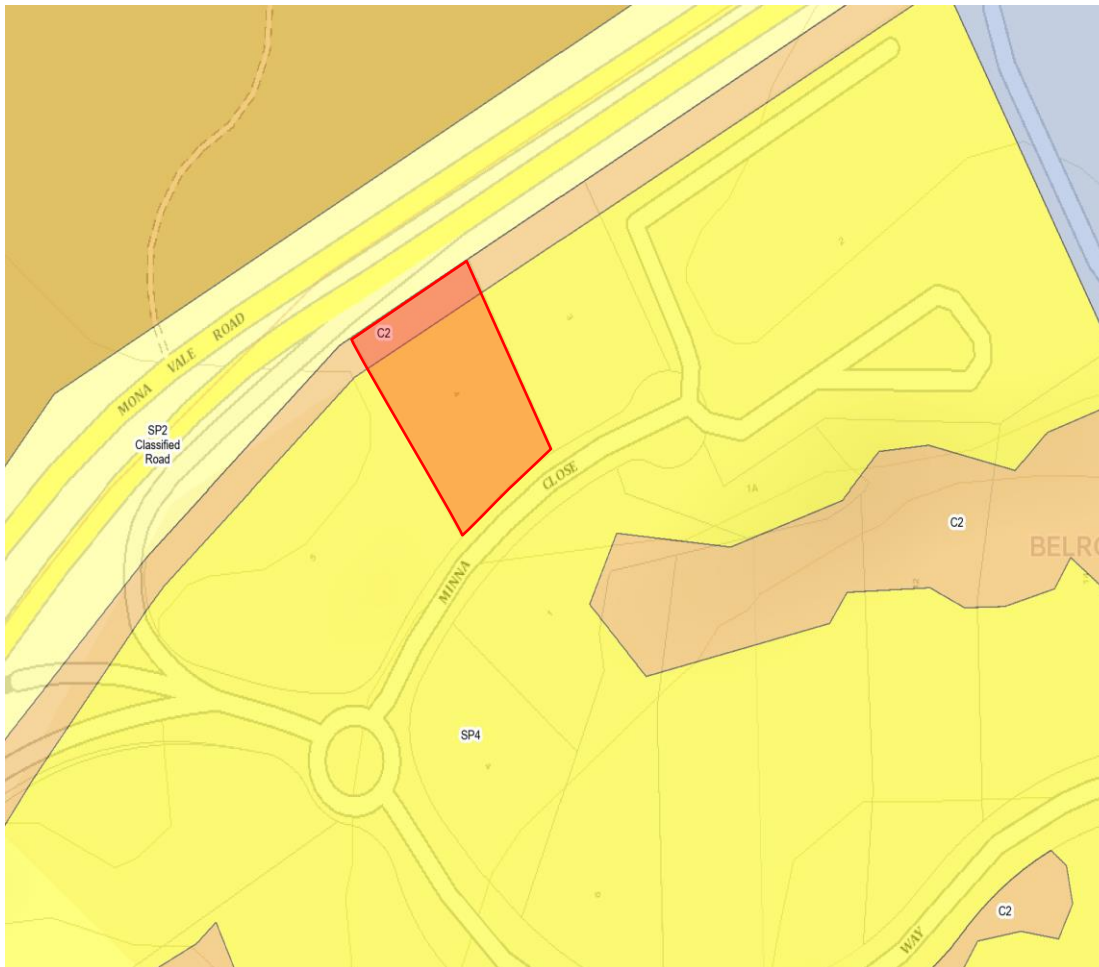
ZONING

As illustrated by Council's zoning map extract overleaf, the development site is subject to a split zone with the majority of the site zoned SP4 Enterprise and a small corridor to the rear of the site zoned C2 Environmental Conservation.

'Warehouse and Distribution Centre' and 'Light Industries' are permissible with consent within the SP4 Zone, noting no works to be undertaken within the portion of the site zoned C2 Environmental Conservation.



Image 2: Zoning Map Extract (Source: NSW Planning Portal – Spatial Viewer)



 Subject Site

The proposal will permit an underutilised and undercapitalised to be developed to its full zoning potential whilst increasing valuable industrial floor space that will support the function and role of the existing business park and also increase economic/employment opportunities within Belrose. The revision to the design scheme will also ensure that retention of a greater number of existing trees on-site.

Built Form Analysis

The built form along the north-western side of Minna Close comprises of large 2 and 3 storey industrial building set within a landscape setting. As such, the development proposes a part 1 – part 2 storey industrial building designed to be compatible and complement the existing 2 and 3 storey industrial buildings, with the primary material selection is of muted bushland tones which will help enhance the natural bushland setting. Furthermore, it is also noted that the overall design scheme has undergone several revision in-order to increase the number of trees within the site to be retained.

BROADER LOCALITY ANALYSIS

As illustrated by the broader locality map extract below, the development site resides within the Austlink Business Park, comprising of industrial/commercial businesses and large bulk goods premises including Bunnings Belrose and HomeCo. Belrose Shopping Mall.

Bus stops with services to Manly, Mona Vale, Warringah Mall, City (Town Hall) and Macquarie Uni are within a 150m walking radius from the development site.

Image 3: Broader Locality Map Extract (Source: Google Maps)



The development is to deliver a contemporary part 1 – part 2 storey industrial building set within a landscape setting that will not only addresses its frontage but will positively contribute to the existing streetscape whilst increasing valuable industrial GFA within the established business park.

Photographs are provided in the following page that give context to the locality and also the relationship of the development site with adjoining developments.



Photograph 2: Shows existing streetscape along Haldon St looking northwards



Photograph 3: Shows existing streetscape along Centenary Rd looking southwards



HERITAGE

The site is not identified as a heritage item, is not located within a heritage conservation area nor is it in the vicinity of any surrounding heritage items as illustrated by the heritage extract map below.

Figure 4: Heritage Map Sheet HER_007 Extract (Source: Warringah LEP 2011)



 Subject Site

As a result, the subject site will not have any associated heritage restriction and subsequently any further heritage investigation is not deemed to be necessary.

BIODIVERSITY

Land Eco Consulting have been engaged to prepare a Biodiversity Development Assessment Report for the site and proposed industrial development.

As the site contains Duffys Forest EEC the development has been designed to minimise impacts on this community, which is dominant at the rear of the site, whereas the development is dominant at the front of the site. This is illustrated via Figure 5 below.

Figure 5: Location of the Subject Property, Subject Land and BAM Plot (Source: Biodiversity Development Assessment Report)



The development site contains Duffys Forest EEC, as such the design scheme has undertaken specific design measures to avoid and minimise impacts on biodiversity values within the site. This will be achieved by siting the industrial development towards Minna Close where the non-threatened vegetation (not dominant through the remainder of the subject site) occurs and where the vegetation is in the poorest condition. This will ensure that the development will retain 0.17 ha of the Duffys Forest EEC at the rear of the site, which represents approximately 43% of the existing EEC within the subject site, thus maintaining a habitat connectivity corridor in this way. The native vegetation to be retained will be managed and enhanced in accordance with a Biodiversity Management Plan. Furthermore, the development is to also implement a landscape plan that consists entirely of flora that forms part of the Duffys Forest EEC assemblage.

The revised scheme will reduce the overall building in terms of its overall building footprint/site coverage and adopt a revised 4m front setback scheme as recommended by Council. This will not only deliver a more substantiation setback to the buffer area to the north but will increasing the overall landscaped open space whilst retaining a greater number of trees (revision to front setback arrangement will only result in the loss of 5 additional trees then under the previous front setback scheme) and minimise the amount of cut into the rising landform of the site, which will positively address the concerns and comments raised by Council.

DESCRIPTION OF PROPOSAL

This Development Application is seeking consent to remove identified trees and construct a part 1 – part 2 storey warehouse building with basement parking at 4 Minna Close, Belrose.

The key aspects of the proposal are provided below:

Warehouse:

The proposed industrial development will comprise of one large format warehouse building including covered loading hardstand, mezzanine office area and basement carparking area. At the completion of the project, the development is to provide a total GFA of 1,689m² including 1,514m² of warehouse GFA on the ground floor and 175m² of mezzanine office GFA. The warehouse floor area also includes 2 x loading docks, dock office, staff room and toilet/change facilities.

The warehouse is to operate between 8am and 5pm Monday to Saturday and managed by a total of 25 staff.

Parking:

A total of 25 carparking spaces over a basement levels. The development also provides a total of 2 motorbike parking spaces within the basement and a total of 12 bicycle parking spaces at the basement level and at grade (2 at street level & 10 at the ground floor warehouse level).

Vehicular access to the basement level is via a new vehicle crossover and driveway from Minna Close with a heavy vehicle egress vehicle crossover and graded ramp situated towards the south western corner of the site via Minna Close. Furthermore, the heavy vehicle entry provides access to the rear hardstand loading area, loading docks and graded exit to existing private driveway running along the site's eastern boundary – noting right-of-way consent/agreement will be sought to use neighboring driveway.

Infrastructure:

The warehouse development is to be serviced by new civil and stormwater infrastructure including on-sit OSD and rainwater tank, retaining earthworks and appropriate sediment and erosion control.

Landscape buffer zones will be provided along the south and west boundaries and will be comprised only of species endemic to Duffy's Forest.

Signage:

Signage is not proposed as part of the current application, noting signage will be part of future DAs.

A brief description of the various aspects of the proposal is provided below.

Level	Inclusion
Lower Ground Floor / Basement Level	<p>Access Arrangements</p> <p><u>Vehicle Access:</u> Direct access to the basement via a new vehicular cross-over and driveway from Minna Close. Development also provides a separate vehicular crossover, driveway and graded ramp for heavy vehicle egress also off Minna Close.</p> <p><u>Pedestrian:</u> Direct access to the lobby area situated towards the centre portion of the site from Minna Close. The pedestrian ramp provides direct access to an entry point into the proposed building with a platform lift to provide access to the lobby and lift core.</p> <p>Parking A total of 25 car parking spaces including an accessible car parking space within the basement.</p> <p>The development also provides a total of 2 motorbike and 2 bicycle parking spaces within the basement level and 2 bicycle space located externally at street level. The basement level includes internal circulation areas with turning areas to allow vehicles to enter and exit the lower basement level in a forward direction.</p> <p>Service</p> <ul style="list-style-type: none"> - Service cupboard - Rainwater tank <p>Lobby area including a lift core.</p>
Ground Floor	<p>Access</p> <p><u>Vehicle:</u> Graded egress ramp from the street level providing access to the loading area and includes 2 x HRV loading docks. The loading hardstand area also provides access to a graded ramp to an existing driveway that runs along the site's eastern boundary.</p> <p>Parking A total of 2 bicycle parking space in-front of the building and 10 bicycle spaces at the ground floor warehouse level.</p> <p>Warehouse The warehouse comprises a total GFA of 1,513.84m² and includes a dock office (14.80m²), staff room which includes a kitchenette (36.43m²), bicycle storage area (capacity to accommodate a total of 10 bicycles), amenities including an accessible toilet, male and female change room with shower and WCs.</p>



The warehouse floor also includes a designated loading dock with the capacity to house 2 x HRVs, 2 x stairwells including an internal stairwell to the mezzanine and egress stairwell and lobby with a lift core.

Mezzanine

The mezzanine level includes the office floor which comprise a total GFA of 175.47m², and includes internal stairwell and lift core.

The relevant architectural plans for the proposal have been prepared by SRH Architecture whilst supporting reports and documents have been prepared by relevant sub consultants dealing with matters such as traffic and parking, drainage and landscaping.

The proposed contemporary part 1 – part 2 storey industrial building has been designed to be compatible within an existing business park context, as illustrated by an 3D Photomontage provided below and overleaf.

Image 6: 3D Photomontage Extract 1





Image 7: 3D Photomontage Extract 2



The updated scheme will reduce the overall building in terms of its overall building footprint/site coverage, noting that the revision of the front setback to 4m will only result in the loss of 5 additional trees whilst ensuring that the built form pattern is more compatible with adjoining properties than under the previous scheme. As such will deliver a better built form outcome whilst continuing to retain a great number of trees.

The proposal will not only be consistent with its SP4 zoning in that it will deliver valuable industrial floor space that but will permit a vacant site to its full zoning and economic potential whilst supporting the function and role of the existing business park and increase economic/employment and job opportunities within Belrose.

PRE-DA MEETING

A Pre-DA meeting was held with Council staff on the 2 June 2022.

The matters raised are summarised below and the comments and recommendations are contained in the table below as well as a response to the issues.

Panel Comments	Response
<i>Response to Matters Raised by the Applicant</i>	<p><u><i>Building Design and Footprint</i></u></p> <p>As per the pre-DA the overall building envelope/site coverage has been revised in-accordance with the advice provided by Council.</p> <p><u><i>Landscape Area</i></u></p> <p>The overall landscaping provided has increase to 2,334.5m² or 41.8% of the site and thus being consistent with the landscaping required under the Warringah DCP 2012.</p> <p><u><i>Side Setbacks</i></u></p> <p>As per Council's comments – the development provides additional landscaping between the heavy vehicle driveway/graded ramp to neighbouring property to the west.</p> <p>The landscaped setback to the west is slightly less than 5m, however it is noted that the previous scheme the western side setback was dominated by a driveway with no landscaping provided along the western boundary.</p> <p>Considering compliance with the DCP landscaping requirements and that the new scheme substantially increases landscaping along the western side boundary, the minor intrusion of the driveway into the western side setback is acceptable and worthy of Council support as per Pre-DA comments.</p> <p><u><i>Rear Setbacks</i></u></p> <p>The revised scheme reduced the overall building footprint/site coverage and increase additional landscaping and retention of existing trees, noting compliance with rear setback controls.</p> <p><u><i>Site Coverage</i></u></p> <p>The revised scheme reduces the overall site coverage from 36% of the site to the complying 27.1% (1,513.84m²).</p>

	<p>Building footprint in accordance with the DCP, noting an introduction of landscaping along the western setback and compliance with the landscaping requirements under the DCP.</p>
Specialist Advice	<p><u>Traffic</u></p> <p>A Traffic and Parking Impact Report has been prepared and will be provided as part of the overall DA Package.</p> <p><u>Bushland and Biodiversity</u></p> <p>Complies – has been addressed within the SEE. Refer to SEE for more detail.</p> <p>Biodiversity Development Assessment Report, Biodiversity Management Plan, Arboricultural Impact Assessment and Bushfire Hazard Assessment have been prepared and will be provided as part of the overall DA Package.</p> <p>The design scheme has reduced the overall size of the development in terms of its building footprint/ site coverage and shifted/redesigned the driveway/ramp along the western boundary to increase additional landscaping along the western boundary whilst delivering a front setback arrangement (4m) that is more compatible with neighbouring properties as per Council's recommendation to minimise cut and fill and maximise the retention of trees on-site.</p> <p><u>Development Engineering</u></p> <p>A Stormwater Management Plan has been prepared and will be provided as part of the overall DA Package.</p> <p>The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area.</p> <p>Right of way will be sought with neighbouring property to the east.</p> <p><u>Environmental Health</u></p> <p>Noted – no contamination or acoustic report required as per the Pre-DA.</p> <p><u>Water Quality</u></p> <p>Noted.</p>

	<p><u>Landscape Comments</u></p> <p>Comply – SEE addressed relevant landscape clauses of the DCP</p> <p>A Landscape Plan has been prepared and will be provided as part of the overall DA Package.</p> <p>No works is proposed within the portion of the site zoned C2 - Environmental Conservation Zone – which will ensure that the vegetation within the C2 zone will remain undisturbed.</p> <p>41.8% of the site is to be retained as landscape open space as per the DCP.</p>
<p>Documentations</p>	<p>The following documentation accompanies this application:</p> <ul style="list-style-type: none"> - SEE - Scaled and dimensioned plan: <ul style="list-style-type: none"> o Site Plan o Floor Plans o Elevations; and o Sections - Certified Shadow Diagrams - Cost of works estimate / Quote prepared by a quantity surveyor - Site Analysis Plan - Excavation and fill Plan - Waste Management Plan (Construction & Demolition) - Driveway Design Plan - Erosion and Sediment Control Plan / Soil and Water Management Plan - Stormwater and Management Plan / Stormwater Plan and On-Site Stormwater Detention - Geotechnical Report - Traffic and Parking Impact Assessment - Biodiversity Development Assessment Report - Biodiversity Management Plan - Arboricultural Impact Assessment - Bushfire Hazard Assessment - Landscape Plan - Photomontage

DESIGN + SUSTAINABILITY ADVISORY PANEL MEETING REPORT

A DSAP meeting was held on 01.02.2024.

The design scheme will continue to concentrate the proposal towards Minna Close and after discussion with Council, the overall building footprint/site coverage to be reduced. This will not only deliver a more substantiation setback to the buffer area to the north but will increasing the overall landscaped open space whilst retaining a greater number of trees, which will positively address the concerns and comments raised by Council.

Furthermore, the front setback has been revised with the design scheme to now adopt a 4m front setback as agreed to by Council. It is noted that the new front setback arrangement will result in only the loss of 5 additional trees then under the previous scheme and therefore the development will continue to preserve as many trees on the site and minimise site excavation whilst also delivering a front setback pattern more compared to neighbouring properties then that proposed under the previous scheme.

The matters raised from the DSAP meeting are summarised below and the comments and recommendations are contained in the table below as well as a response to the issues.

Panel Comments	Response
<i>Strategic Context, Urban Context: Surrounding Area Character</i>	<p>As per the Pre-DA, the development revised the design scheme to minimise the overall building footprint/site coverage whilst increasing landscape area along the western boundary and adopting a 4m front setback as recommended by Council to maximise retention of trees (noting that the revision to front setback arrangement will only result in the loss of 5 additional trees then under the previous front setback scheme).</p> <p>The stepped built form that is to follow the natural contours of the site will also contribute towards minimising excessive cut and fill.</p>
<i>Scale, Built Form and Articulation</i>	<p>As per Council recommendations – the revised design scheme is to adopt a 4m front setback with a roof form that does not extend over the front boundary to reduce the amount of cut into the site and retain a greater number of trees then the previous scheme.</p> <p>It is noted that the revision to the front setback to 4m will only result in the loss of 5 additional trees then under the previous front setback scheme.</p>

<i>Access, Vehicular Movement and Car Parking</i>	<p>The heavy vehicle egress access arrangements have been revised with the heavy vehicular cross-over and driveway/graded ramp redesigned with the introduction of a landscape strip between the driveway and adjoining property to the west. with exit to be provided via an existing driveway along the site eastern boundary.</p> <p>Heavy vehicle access is designed to cater up to Heavy Rigid Vehicles only and not semi-trailers.</p>
<i>Landscape</i>	<p>The revised scheme will positively contribute towards retaining more trees, reduce areas of hardstand area then the previous scheme whilst complying the landscaping requirements under the DCP.</p>
<i>Amenity</i>	<p>The mezzanine provides appropriate windows that will improve its amenity.</p>
<i>Façade Treatment/Aesthetics</i>	<p>The development will continue to deliver a contemporary part 1 – part 2 storey industrial building with an attractive building façade that is to address Minna Close.</p>
<i>Sustainability</i>	<p>The overall scheme has been designed to maximise sustainability where appropriate, including the additional of rainwater tanks.</p>

Conclusion

The revised scheme has taken into consideration the key issues raised by both the Pre-DA meeting with Council and the Pre-DA meeting with the Panel in that the reduced building footprint/site coverage, comply with minimum landscaping requirements under the DCP and combined with the adoption of a 4m front setback will positively contribute towards maximising the retention of existing trees and minimising the amount of cut into the site required whilst providing a front setback pattern more compared to neighbouring properties then that proposed under the previous scheme.

Furthermore, the heavy vehicle access arrangement has been modified to introduce a landscape strip along the site's western boundary to introduce additional landscaping that will have a positively impact on the streetscape character along Minna Close.

PLANNING CONTROLS

STATUTORY CONTROLS

The relevant Statutory Planning Controls include:

- State Environmental Planning Policy (Sustainable Buildings) 2022
- State Environmental Planning Policy (Resilience and Hazards) 2021
- State Environmental Planning Policy (Biodiversity and Conservation) 2021
- State Environmental Planning Policy (Transport and Infrastructure) 2021
- Warringah Local Environmental Plan 2011

POLICY CONTROLS

The applicable policy control documents include:

- Warringah Development Control Plan 2011

CONSIDERATION OF PLANNING CONTROLS

The subject site itself is located within the Northern Beaches Council, however it is noted that the development site is still subject to planning instruments associated with the former Warringah Council, including the Warringah Local Environmental Plan 2011 & Warringah Development Control Plan 2011.

The following summarises the relevant planning controls in relation to the proposal and the compliance of each.

STATE ENVIRONMENTAL PLANNING POLICY (SUSTAINABLE BUILDINGS) 2022

Introduced on 1 July 2004, BASIX is an integral part of the NSW planning system. It assists in reducing potable water consumption and greenhouse gas emissions from new homes built in NSW.

This SEPP came into effect on 1 October 2023 and incorporated the provision of the now repealed State Environmental Planning Policy (BASIX) 2004.

The Sustainable Building SEPP encourages the design and construction of more sustainable buildings across NSW. It applies to a range of development types, including residential and commercial developments.

Chapter 2 of the SEPP contains controls for the standards for residential development – BASIX and is not applicable to this development.

Chapter 3 of the SEPP contains controls for the Standards for non-residential development. This chapter applies as the proposal is for the erection of a new building greater than \$5 million.

Refer to detailed discussion below regarding the application of Chapter 3.

Clause 3.1 Application of Chapter	Response
<p>(1) This Chapter applies to development, other than development for the purposes of residential accommodation, that involves—</p> <p>(a) the erection of a new building, if the development has a capital investment value of \$5 million or more, or</p> <p>(b) alterations, enlargement or extension of an existing building, if the development has a capital investment value of \$10 million or more.</p>	<p>Chapter 3 applies to the current application as the erection of the new building has a capital investment value greater than \$5 million.</p>

(2) This chapter does not apply to the following development-	
<p>(a) development that is permitted with or without consent or that is exempt or complying development under—</p> <p>(i) State Environmental Planning Policy (Exempt and Complying Development Codes) 2008, or</p> <p>(ii) State Environmental Planning Policy (Resources and Energy) 2021, Chapter 2, or</p> <p>(iii) State Environmental Planning Policy (Transport and Infrastructure) 2021, Chapter 5,</p>	The development is not permitted or permitted without consent under relevant SEPPs.
<p>(b) development on land wholly in any of the following zones—</p> <p>(i) Zones RU1, RU2 or RU3,</p> <p>(ii) Zone E5,</p> <p>(iii) Zone IN3,</p> <p>(iv) Zones C1, C2 or C3,</p> <p>(v) Zones W1, W2, W3 or W4,</p>	The subject site is not within a prescribed zone.
<p>(c) development for the purposes of residential care facilities.</p>	N/A - The development is for the purpose of other than residential care facilities.

Clause 3.2 Development Consent for Non-Residential Development	Response
<p>(1) In deciding whether to grant development consent to non-residential development, the consent authority must consider whether the development is designed to enable the following —</p> <p>(a) the minimisation of waste from associated demolition and construction, including by the choice and reuse of building materials,</p> <p>(b) a reduction in peak demand for electricity, including through the use of energy efficient technology,</p> <p>(c) a reduction in the reliance on artificial lighting and mechanical heating and cooling through passive design,</p>	<p>The development is seeking to construct an industrial building situated within an industrial precinct, noting where appropriate the development has been designed to achieve sustainable goals.</p> <p>Has been designed to comply where appropriate.</p> <p>Energy efficient technology including appliance that achieve high NatHERS scores.</p> <p>The development archives opening including that on the roof and glazing to the front façade to maximise solar access to the proposed building to minimise reliance on artificial lighting.</p>

- (d) the generation and storage of renewable energy,
 - (e) the metering and monitoring of energy consumption,
 - (f) the minimisation of the consumption of potable water
- A rainwater tank is to be provided within the basement level.

STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of three now repealed SEPP's being:

- State Environmental Planning Policy (Coastal Management) 2018;
- State Environmental Planning Policy No 33—Hazardous and Offensive Development; and
- State Environmental Planning Policy No 55—Remediation of Land.

Chapter 2 of the SEPP contains controls for coastal management and it not applicable to this development.

Chapter 3 of the SEPP contains controls for Hazardous and Offensive Development. This development is not for Hazardous and Offensive development and accordingly this chapter is not applicable to this development.

Chapter 4 of the SEPP contains a state-wide planning framework for the remediation of contaminated land and to minimise the risk of harm.

As per the Pre-DA meeting, contamination reports are not required as no prior development or land use has occurred on the development site.

If any contaminated material or suspected contaminated material is unearthed during the construction process, then actions consistent with the legislative requirements and guideline document will be undertaken.

STATE ENVIRONMENTAL PLANNING POLICY (BIODIVERSITY AND CONSERVATION) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of eleven now repealed SEPP's being:

- SEPP (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP)

- SEPP (Koala Habitat Protection) 2020 (Koala SEPP 2020)
- SEPP (Koala Habitat Protection) 2021 (Koala SEPP 2021)
- Murray Regional Environmental Plan No 2—Riverine Land (Murray REP)
- SEPP No 19—Bushland in Urban Areas (SEPP 19)
- SEPP No 50—Canal Estate Development (SEPP 50)
- SEPP (Sydney Drinking Water Catchment) 2011 (Sydney Drinking Water SEPP)
- Sydney Regional Environmental Plan No 20 – Hawkesbury – Nepean River (No 2 – 1997) (Hawkesbury–Nepean River SREP)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 (Sydney Harbour Catchment SREP)
- Greater Metropolitan Regional Environmental Plan No 2 – Georges River Catchment (Georges River REP)
- Willandra Lakes Regional Environmental Plan No 1 – World Heritage Property (Willandra Lakes REP).

Chapter 2 of the SEPP contains planning rules and controls from the former Vegetation SEPP relating to the clearing of native vegetation in NSW on land zoned for urban and environmental purposes that is not linked to a development application.

This chapter seeks to protect the biodiversity values of trees and other vegetation in non-rural areas of the state, and to preserve the amenity of non-rural areas of the State through the appropriate preservation of trees and other vegetation.

A Biodiversity Constraints Assessment Report which has been prepared by Eco Consulting concludes the following regarding the current proposal:

There are a small number of hollow-bearing trees on the site and habitat for a range of fauna. It is recommended to avoid clearing of as much Duffys Forest vegetation as possible, with effort taken to ensure substantial connective corridor(s) remain to connect remaining patches of Duffys Forest along Mona Vale Road.

As the site contains Duffys Forest EEC the development has been designed to minimise impacts on this community, which is dominant at the rear of the site, whereas the development is dominant at the front of the site.

The application responds to the flora and fauna circumstances of the site by not only concentrating development towards Minna Close consistent with the zone but to implement management plans to ensure that the substantial area of C2 zoned land is improved in its quality and retaining the corridor along Mona Vale Road; and implement

a landscaping proposal that consists entirely of flora that forms part of the Duffys Forest EEC assemblage.

Furthermore, the revised scheme will reduce the overall building in terms of its overall building footprint/site coverage and adopted a 4m front setback as recommended by Council. This will not only deliver a more substantiation setback to the buffer area to the north but will increasing the overall landscaped open space whilst retaining a greater number of trees (revision to the front setback scheme will only result in the loss of 5 additional trees) and minimise the amount of cut into the rising landform of the site, which will positively address the concerns and comments raised by Council.

The development is to also introduce additional landscaping between the driveway and adjoining property to the west and provide soft landscaping where appropriate of flora that form part of the Duffys Forest EEC assemblage. Refer to attached Landscape Plan for detail.

Chapter 4 – contains the land-use planning and assessment framework from the former Koala SEPP 2021 for koala habitat within Metropolitan Sydney and the Central Coast and applies to all zones except RU1, RU2 and RU3 in the short term.

As per the accompanying Biodiversity Development Assessment Report, the subject site is located within a Local Government Area listed in Schedule 1 of the Chapter 4: Koala Habitat Protection. Six species of 'Koala Use Tree Species' listed in Schedule 2 were identified within the subject site with documented koala use in the Central Coast Koala Management Area. A review of NSW Wildlife Atlas data revealed 20 koala records in the 10km locality, including a record from 202 at Narabang Way Belrose, approximately 190m south-east of the subject site.

The subject site is not considered 'core koala habitat'. While suitable koala use trees are present, the subject site is within an industrial area with no koalas recorded present in the last 18 years.

Chapter 6 - contains provisions relating to water catchments, also incorporating clauses from the now-repealed Chapters 7-12 of this SEPP.

This chapter applies as the site is within the Sydney Harbour Catchment area as well as the Hawkesbury Nepean Catchment. However, the site is not mapped by council as being susceptible to the probable maximum flood, thus it is not identified as flood liable land.

Additionally, the proposed works will have a minimal impact on water quality, stormwater run-off and sedimentation; and the cumulative environmental impacts on the regulated catchment are negligible.

Additionally, sedimentation and erosion control are to be provided as part of subdivision and construction work construction.

The table below discusses the requirements of Chapter 6.

Clause	Response
Division 2 Controls on Development Generally	
6.6 Water quality and quantity	
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—	
(a) whether the development will have a neutral or beneficial effect on the quality of water entering a waterway,	The proposed works will have a minimal impact on water quality, water flow and stormwater run-off.
(b) whether the development will have an adverse impact on water flow in a natural waterbody,	
(c) whether the development will increase the amount of stormwater run-off from a site,	Where appropriate, the development is to incorporate onsite stormwater reuse.
(d) whether the development will incorporate on-site stormwater retention, infiltration or reuse,	
(e) the impact of the development on the level and quality of the water table,	The proposed works will have a negligible impact on the water table, as limited excavation works are proposed.
(f) the cumulative environmental impact of the development on the regulated catchment,	The cumulative environmental impact of the development on the regulated catchment is negligible.
(g) whether the development makes adequate provision to protect the quality and quantity of ground water.	
(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied the development ensures—	The utilisation of erosion and sedimentation devices during the construction phase and the installation of stormwater systems will ensure that the quality of water entering a natural water body will be neutral.
(a) the effect on the quality of water entering a natural waterbody will be as close as possible to neutral or beneficial, and	
(b) the impact on water flow in a natural waterbody will be minimised.	

Clause	Response
(3) Subsections (1)(a) and (2)(a) do not apply to development on land in the Sydney Drinking Water Catchment.	
6.7 Aquatic ecology	
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the following—	
(a) whether the development will have a direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation,	The development is not in a site where it would have adverse impacts on animals or vegetation, The development does not involve the clearing of riparian vegetation.
(b) whether the development involves the clearing of riparian vegetation and, if so, whether the development will require—	
(i) a controlled activity approval under the Water Management Act 2000, or	The site is not located near enough to a natural waterbody to affect it, and the development will have a negligible impact on sedimentation.
(ii) a permit under the Fisheries Management Act 1994,	
(c) whether the development will minimise or avoid—	N/A
(i) the erosion of land abutting a natural waterbody, or	N/A
(ii) the sedimentation of a natural waterbody,	
(d) whether the development will have an adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area,	N/A
(e) whether the development includes adequate safeguards and rehabilitation measures to protect aquatic ecology,	
(f) if the development site adjoins a natural waterbody—whether additional measures are required to ensure a neutral or beneficial effect on the water quality of the waterbody.	
Example—	
Additional measures may include the incorporation of a vegetated buffer between the waterbody and the site.	The only impact is the removal of vegetation. However, this will be enhanced by the proposed landscaping works.
(2) Development consent must not be granted to development on land in a	

Clause	Response
regulated catchment unless the consent authority is satisfied of the following—	N/A
(a) the direct, indirect or cumulative adverse impact on terrestrial, aquatic or migratory animals or vegetation will be kept to the minimum necessary for the carrying out of the development,	N/A
(b) the development will not have a direct, indirect or cumulative adverse impact on aquatic reserves,	N/A
(c) if a controlled activity approval under the Water Management Act 2000 or a permit under the Fisheries Management Act 1994 is required in relation to the clearing of riparian vegetation—the approval or permit has been obtained,	
(d) the erosion of land abutting a natural waterbody, or the sedimentation of a natural waterbody will be minimised,	
(e) the adverse impact on wetlands that are not in the coastal wetlands and littoral rainforests area will be minimised.	
(3) In this section—	
coastal wetlands and littoral rainforests area has the same meaning as in the Coastal Management Act 2016, section 6.	
6.8 Flooding	
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider the likely impact of the development on periodic flooding that benefits wetlands and other riverine ecosystems.	The site is located in an area that is not indicated as being subject to flooding.
(2) Development consent must not be granted to development on flood liable land in a regulated catchment unless the consent authority is satisfied the development will not—	The site is not located on flood liable land
(a) if there is a flood, result in a release of pollutants that may have an adverse impact on the water quality of a natural waterbody, or	

Clause	Response
(b) have an adverse impact on the natural recession of floodwaters into wetlands and other riverine ecosystems.	
6.9 Recreation and public access	
(1) In deciding whether to grant development consent to development on land in a regulated catchment, the consent authority must consider—	
(a) the likely impact of the development on recreational land uses in the regulated catchment, and	No impact
(b) whether the development will maintain or improve public access to and around foreshores without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation.	The site is not located near any of these natural features or ecosystems. It is noted as per the accompanying Biodiversity Development Assessment Report – the development has been designed to retain the greatest number of trees on site, in particular to the rear of the site, noting no works to be undertaken within the portion of the site zoned C2 Environmental Conservation.
(2) Development consent must not be granted to development on land in a regulated catchment unless the consent authority is satisfied of the following—	
(a) the development will maintain or improve public access to and from natural waterbodies for recreational purposes, including fishing, swimming and boating, without adverse impact on natural waterbodies, watercourses, wetlands or riparian vegetation,	The development will not affect public access to and from natural waterbodies.
(b) new or existing points of public access between natural waterbodies and the site of the development will be stable and safe,	N/A
(c) if land forming part of the foreshore of a natural waterbody will be made available for public access as a result of the development but is not in public ownership—public access to and use of the land will be safeguarded.	N/A
(3) This section does not apply to development on land in a regulated catchment if the land is in a special area under the Water NSW Act 2014.	
6.10 Total catchment management	
In deciding whether to grant development consent to development on land in a	

Clause	Response
regulated catchment, the consent authority must consult with the council of each adjacent or downstream local government area on which the development is likely to have an adverse environmental impact.	The development will have a negligible environmental impact on the Sydney Harbour catchment.
Division 3 Controls on Development in Specific Areas	
6.11 Land within 100m of natural waterbody	The site is not located within 100m of natural waterbody, in a Riverine Scenic Area or a Hawkesbury-Nepean conservation area sub-catchment
6.12 Riverine Scenic Areas	
6.13 Hawkesbury-Nepean conservation area sub-catchments	
6.14 Temporary use of land in Sydney Harbour Catchment	
Division 4 Controls on development for specific purposes	Development does not fall under the specific purposes listed
Part 6.3 Foreshores and Waterways Area	The site is not located in or near the Foreshores and Waterways area.
Part 6.4 Heritage conservation in Sydney Harbour	The site is not located within a heritage conservation area nor is it identified as a heritage item
Part 6.5 Sydney Drinking Water Catchment	The site is not located within the Sydney Drinking Water Catchment

Based on the above, and with appropriate conditions of consent, it is deemed the proposal will meet the provisions of this Chapter of the SEPP.

STATE ENVIRONMENTAL PLANNING POLICY (TRANSPORT AND INFRASTRUCTURE) 2021

This SEPP came into effect on 1 March 2022 and incorporated the provisions of four now repealed SEPP's being:

- State Environmental Planning Policy (Infrastructure) 2007;
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017;
- State Environmental Planning Policy (Major Infrastructure Corridors) 2020; and
- State Environmental Planning Policy (Three Ports) 2013.

Chapter 2 – contains planning rules and controls from the former Infrastructure SEPP for infrastructure in NSW, such as for hospitals, roads, railways, emergency services, water supply and electricity delivery.

In accordance with this chapter, it is not anticipated that Council will refer the application to an electricity supply authority as works will not occur within 5m of an exposed overhead electricity power line.

The SEPP also requires a consent authority to consider the impact of a classified road on buildings used for residential purposes. However, considering that the current proposal is not for residential purposes, further investigation is not necessary.

This chapter identifies a number of types of development that require concurrence from Roads and Maritime Services where development is identified as 'traffic generating development'. The current proposal is not identified as traffic generating development as the site does not trigger the threshold requirements.

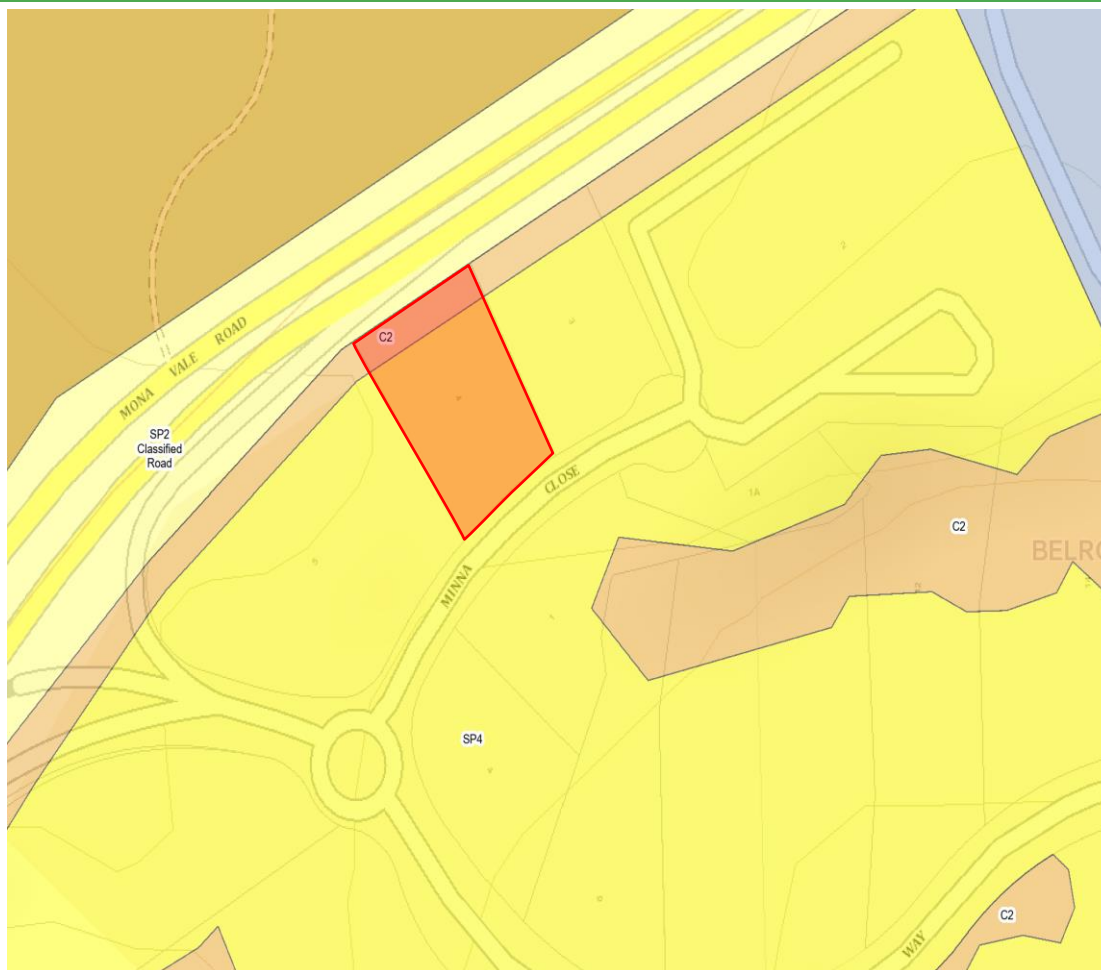
Therefore, concurrence from the RMS is not required. Accordingly, the proposal is not required to be referred to the RMS for comment.

WARRINGAH LOCAL ENVIRONMENTAL PLAN 2011

As illustrated by Council's zoning map extract below, the development site is subject to a split zone with the majority of the site zoned SP4 Enterprise and a small corridor to the rear of the site zoned C2 Environmental Conservation.

'Warehouse and Distribution Centre' and 'Light Industries' are permissible with consent within the SP4 Zone, noting no works to be undertaken within the portion of the site zoned C2 Environmental Conservation.

Image 8: Zoning Map Extract (Source: NSW Planning Portal – Spatial Viewer)



Subject Site

Furthermore, the proposal is consistent with the definition contained within the LEP:

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, and includes local distribution premises.

light industry means a building or place used to carry out an industrial activity that does not interfere with the amenity of the neighbourhood by reason of noise, vibration, smell, fumes, smoke, vapour, steam, soot, ash, dust, waste water, waste products, grit or oil, or otherwise, and includes any of the following-

- (a) high technology industry,
- (b) home industry,
- (c) artisan food and drink industry,
- (d) creative industry.

The proposal is also consistent with the prescribed SP4 zone objectives that are stipulated as:

- To provide for development and uses that support enterprise and productivity.
- To provide healthy, attractive, functional and safe business areas.
- To minimise conflict between land uses in the zone and adjoining zones and ensure the amenity of adjoining or nearby residential land uses.
- To create business environments of high visual quality that relate favourably in architectural and landscape treatment to neighbouring land uses and to the natural environment.
- To provide a range of facilities and services, light industries, warehouses and offices.
- To provide opportunities for new and emerging light industries.
- To restrict retail uses to ensure sufficient land is available for industrial and light industrial uses to meet future demands.

The portion of the site zoned C2 Environmental Conservation is not to be developed and as such the development will continue to be consistent with the objectives of that zone:

- To protect, manage and restore areas of high ecological, scientific, cultural or aesthetic values.
- To prevent development that could destroy, damage or otherwise have an adverse effect on those values.
- To protect and enhance the quality and character of visually sensitive areas and preserve significant natural landforms in their natural state.

- To manage development in areas having steep sloping topography or that are subject to any potential landslip.
- To manage water quality in significant water catchment areas.
- To ensure that development, by way of its type, design and location, complements and enhances the natural environment in environmentally sensitive areas.

The development is to deliver a contemporary part 1 – part 2 storey industrial building set within a landscape setting that will not only addresses its frontage but will positively contribute to the existing streetscape whilst increasing valuable industrial GFA within the established business park.

The table below provides details on the development standards relevant to the current proposal as well as other relevant provisions.

Warringah Local Environmental Plan 2011 – Compliance Table			
Clause	Controls	Comments	Complies
Zoning	SP4 – Enterprise C2 - Environmental Conservation	<i>‘Warehouse and Distribution Centre’ and ‘Light Industries’</i> are permissible with consent within the SP4 Zone, noting no works to be undertaken within the portion of the site zoned C2 Environmental Conservation.	Yes
Part 2 Permitted or Prohibited Development			
2.3	Zone objectives and land use table	The proposal is consistent with the zone objectives of the SP4 Enterprise Zone as it will appropriately permit the last remaining land parcel left to be developed along the north-western side of Minna Close.	Yes
2.6	Subdivision – consent requirements	No subdivision is proposed as part of this application.	N/A
2.7	Demolition requires development consent	Considering that the development site is currently vacant and void of any man-made structures, no demolition works is required.	N/A
Part 4 Principal Development Standards			
4.3	Height of building: 11m	As per Council’s Height of Buildings Map Sheet HOB_007, the development site is subject to a maximum building height of 11m. The development proposes a part 1 – part 2 storey industrial building with no part of the proposed built form to encroach 11m in height in accordance with the height provisions.	Yes

Clause	Controls	Comments	Complies
4.4	Floor space ratio	Development site is not subject to any FSR controls.	N/A
Part 5 Miscellaneous Provision			
5.10	Heritage conservation	The site is not identified as a heritage item, is not located within a heritage conservation area nor are there any local heritage item located within the broader vicinity of the subject site. As a result, the subject site will not have any associated heritage restriction and subsequently any further heritage investigation is not deemed to be necessary.	N/A
5.21	Flood planning	The development site is not identified as being flood prone land.	N/A
Part 6 Additional Local Provision			
6.1	Acid sulfate soils	The subject site is not identified as being affected Acid Sulfate Soils. Not applicable.	N/A
6.2	Earthworks	<p>This application seeks Council consent for the excavation of the site as per the attached plans.</p> <p>It is considered that the proposed excavation, particularly for the car parking area will have minimal adverse environmental or amenity impact.</p> <p>The development has undertaken revision of the previous scheme including the reduction of the overall building footprint/site coverage whilst adopting a 4m front setback as recommended by the Design + Sustainability Advisory Panel Meeting that will not contribute towards maximising retention of trees (revised front setback arrangement will only result in the loss of 5 additional tree then that of the previous scheme) but will minimising the amount of cut into the rising landform of the site.</p> <p>Furthermore, the development proposes a stepped part 1 – part 2 storey built form designed to follow the site's natural topography to minimise excessive cut and fill.</p> <p>The proposal results in an appropriate outcome when considering the nature of the development, the unique characteristics of the site and compliance with relevant Council controls.</p>	Yes

Clause	Controls	Comments	Complies
		<p>The proposal will not adversely affect or disrupt drainage and flood patterns, flood storage or soil stability in the area.</p> <p>The proposed excavation is consistent with the current and future use of the land and will develop the site into context with its surrounds and in accordance with Councils current and proposed planning strategies.</p> <p>It is considered unlikely due to the location of the site as well as previous development that excavation will lead to the disturbance of relics.</p>	
6.4	Development on sloping land	<p>The site is identified as Area A on the landslip risk map.</p> <p>The topography of the site is considered relatively flat and will not affect the proposal, noting that the development proposes a stepped part 1 – part 2 storey-built form designed to follow the site's natural topography to minimise excessive cut and fill.</p>	Yes

WARRINGAH DEVELOPMENT CONTROL PLAN 2011

The table below provides detail on the provisions relevant to the current proposal.

Warringah Development Control Plan 2011 – Part B – General Controls Compliance Table			
Clause	Controls	Comment	Complies
Part B – Built Form Controls 1 Transport and Parking			
B1	Wall Heights	<p>B1 applies to land zoned the following:</p> <ul style="list-style-type: none"> - RU4 Primary Product Small Lots - R2 Low Density Residential - E3 Environmental Management - E4 Environmental Living <p>B1 does not apply to the current proposal as the development site is zoned SP4/C2.</p>	N/A
B2	Number of Storeys	<p>Not applicable – the subject site is not identified on the DCP Map Number of Storeys Map.</p> <p>It is noted that the development complies with the prescribed maximum building height under the Warringah LEP 2011.</p>	N/A
B3	Side Boundary Envelope	Not applicable – the subject site is not identified on the DCP Side Boundary Envelope Map nor is it zoned R3 – Medium.	N/A
B4	Site Coverage	<p>The site is subject to a maximum site coverage of 33.3%.</p> <p>The development proposes a building footprint of 1,513.84m² – which equates to a maximum site coverage of 27.1%. Complies.</p>	Yes
B5	Side Boundary Setbacks – 5m	The development provides a side boundary setback of 5m from the primary building line as per the DCP. Complies.	Yes
B7	<p>Front Boundary Setbacks</p> <p>Primary: 6.5m</p>	The front setback arrangement has been revised to adopt a front setback of 4m as agreed to by Council, which will result in a front setback pattern more comparable to neighbouring properties than that proposed under the previous scheme.	On Merit

		<p>The modification to the front setback arrangement will result in only the loss of 5 additional trees then than under the previous scheme whilst also continuing to minimise the amount of cut into the rising landform of the site.</p> <p>As such the non-compliance is considered acceptable and worthy of Council support.</p>	
B9	Rear Boundary Setbacks “merit assessment”	Having regard to the 30m Main Road setback at the rear of the site, the setback is appropriate.	Yes
B14	Main Road Setback 30m	Complies.	Yes
Part C – Siting Factors			
C1	Subdivision	No subdivision is proposed as part of this application.	N/A
C2	Traffic, Access and Safety	<p>Vehicular Access</p> <ol style="list-style-type: none"> 1. The proposed vehicular and pedestrian access designed to minimise traffic hazards, Yes 2. Noted – Development only has a frontage to Minna Close. Yes 3. Continue to comply – no direct vehicle access to SP4 zoned properties is to be provided from Mona Vale Road. Yes 4. Proposed vehicular crossing is in accordance with Council requirements. Yes 5. Construction and design of proposed vehicular crossing in in accordance with Council requirements. Yes <p>On-Site Loading and Unloading</p> <ol style="list-style-type: none"> 6. Appropriate loading and unloading areas are proposed behind the proposed industrial building and hardstand area designed to permit vehicles to enter and exist the site within a forward direction. Yes 	
C3	Parking Facilities	Parking is to be provided within the basement level and loading areas to be located behind the proposed building and therefore will not be visible from the public domain.	Yes

	Warehouse 1.3 spaces per 100m ²	Appendix 1 – Car Parking Requirements prescribes the following parking requirements:	
	Office 1 space per 40m ²	<p>Warehouse – 1.3 spaces per 100m² $(1,551.52m^2 / 1.3 \times 100m^2 = 19.7$ Office – 1 space per 40m² = 175m² / 40m² = 4.4</p> <p>Total – 24.1</p> <p>Having regard to the parking requirements, 24.1 (25) spaces are required and 25 are proposed. Complies.</p>	
C4	Stormwater	<p>A Stormwater Management Plan has been prepared and is attached as part of this application.</p> <p>The proposed development incorporates Water Sensitive Urban Design (WSUD) principles that seek to minimise and manage the impact of stormwater on site and within the area.</p> <p>The proposed development appropriately addresses the unique characteristics of the site and will allow for the efficient management of stormwater.</p> <p>See attached Stormwater Management Plan for detail.</p>	Yes
C7	Excavation and Landfill	<p>The design responds to the slope across the land and provides an appropriate response through excavation to provide below ground parking and truck movement spaces, within the height of building requirement.</p> <p>Furthermore, the development is to adopt a 4m front setback as recommended by council that will contribute towards minimising the amount of cut into the rising landform.</p>	Yes
C8	Demolition and Construction	A Waste Management Plan has been prepared and accompanies this application.	Yes
C9	Waste Management	<p>A Waste Management Plan is attached as part of this application.</p> <p>Notwithstanding it is noted that waste is to be appropriately managed during the demolition and construction stages of the development.</p> <p>Refer to attached Waste Management Plans for detail.</p>	Yes

Part D – Design

D1	Landscaped Open Space and Bushland Setting 33.3%	<p>As per the Landscaped open Space and Bushland Map – the SP4 zoned proportion of the size is subject to a minimum landscaped area of 33.3%</p> <p>The site will retain 41.8% or 2,334.5m² of the site as landscaped area.</p>	Yes
D2	Private Open Space	<p>The development proposes the construction of an industrial building and as such this provision is not applicable.</p> <p>The development does provide staff room within the warehouse.</p>	N/A
D3	Noise	The proposal is consistent with the acoustic environment anticipated in the Business Park.	Yes
D4	EMR	Noted	Yes
D7	Views	The development has been designed to follow the natural contours of the site with a stepped part 1 – part 2 storey built form designed to minimise visual impacts when viewed from the public domain.	Yes
D9	Privacy	Development provides complying setback combined with blank walls to the site's eastern and western side elevation to minimise potential privacy impacts to neighbouring properties.	Yes
D9	Building Bulk	<p>The development provides a structure that is orientated towards the street, which does not have excessive bulk and complies with the height of building control.</p> <p>The stepped part 1- part 2 storey built form has been designed to follow its natural contours combined with articulation of the built form to not only minimise excessive bulk and scale but minimise excessive bulk and scale of the proposed industrial building.</p> <p>The building has been designed to address Minna Close as per the DCP.</p>	Yes
D10	Building Colours and Materials	The structure is to use appropriate colours and materials which are sympathetic to the surrounding environment and compatible within an established Business Park.	Yes

D11	Roofs	The development proposes a contemporary skillion roof design which will not detract from the existing buildings in the streetscape or cause unnecessary bulk.	Yes
D12	Glare and Reflection	Development has been designed to minimise excessive glare and reflection.	Yes
D13	Front Fences and Front Walls	No front fencing or front walls proposed.	N/A
D14	Site Facilities	<p>The garbage storage area is designed and located in a manner to ensure it is not visible from the public domain.</p> <p>Waste facilities have been designed to comply with the relevant requirements under Part C9 – Waste Management under the WDCP 2011 for non-residential development. Refer to attached Waste Management Plan for detail.</p>	Yes
D15	Side and Rear Fences	Development is to provide appropriate fencing in accordance with Council requirements.	Yes
D18	Accessibility and Adaptability	The proposal incorporates accessible access via a street and lift from the carpark.	Yes
D20	Safety and Security	<p>The proposed landscaping and fencing is appropriate when considering CPTED principles and will not permit entry concealment of intruders.</p> <p>The proposal incorporates built elements and landscaping that clearly distinguishes between the public and private domain. Clear entry points are proposed, that are easily read by residents, visitor and passer by alike.</p> <p>It is considered that the proposal does not impact negatively on the amenity or the streetscape of the area but is in context with development and street presentation of surrounding developments, and provides a positive relationship with the street through open, well-lit and well defined façade treatment.</p> <p>All materials and finishes are appropriate to their purpose. The proposed development results in an appropriate built form outcome that provides measures, built elements, landscaping and design features that are consistent with CPTED principles.</p>	Yes

D21	Provision and Location of Utility Services	All appropriate utilities are to be provided whilst ensuring appropriate environmental and bushfire protection measures are undertaken.	Yes
D22	Conservation and Energy and Water	The warehouse building where appropriate has been designed to maximise solar access and natural ventilation.	Yes
D23	Signs	No signs/signage is proposed as part of this application.	N/A
Part E – The Natural Environment			
E1	Preservation of Trees or Bushland Vegetation	The application proposes removal of vegetation and requires detailed biodiversity assessment, along with a proposal to implement positive features in the C2 zone.	Yes
E2 & E3	Prescribed Vegetation & Threatened Species	<p>The site is noted to contain Threatened and High Conservation Habitat.</p> <p>The development proposes to remove 0.35ha of native vegetation with the proposed warehouse building to be sited towards the site's frontage to Minna Close where non-threatened vegetation occurs and where the vegetation is in the poorest condition. The portion of Duffys Forest EEC at the rear of the property is to be retained, maintaining a habitat connectivity corridor. Furthermore, the proposed landscape plan is to incorporate locally indigenous species belonging to Duffys Forest EEC.</p> <p>Finally, a Biodiversity Management Plan is to manage and enhance the native vegetation that is to be retained on-site.</p>	Yes
E4	Wildlife Corridors	<p>The site is identified as a wildlife corridor, as is the entire Business Park.</p> <p>As per the accompanying Biodiversity Development Assessment Report, the locality forms part of a major habitat corridor matrix for wildlife. Major habitat corridor runs through nearby Garigal National Park and Ku-ring-gai National Park with smaller habitat links connecting these corridors throughout the existing industrial precinct where remnant native vegetation has been retained. Several obstacles disrupt the habitat connectivity in the locality including Mona Vale Road, Minna Close and Forest Way, along with existing industrial and commercial development.</p>	Yes

The subject site forms a peninsula to an existing habitat connection that runs along the southern side of Mona Vale Road, Northern Beaches Council have identified this connection and have zoned it accordingly as 'C2 – Environmental Conservation'. In accordance with the zone objectives 'protect, manage and restore areas of high ecological values' the proposed development seeks to retain this corridor. The remnant bushland to be retained within the subject site is approximately 25m wide which exceeds the Environmental Conservation zone mapped by Council is 14m wide.

A Biodiversity Management Plan is to manage and enhance the native vegetation that is to be retained on-site.

Refer to attached Biodiversity Development Assessment Report for more detail.

E5	Native Vegetation	<p>The site is partly mapped for native vegetation, noting that the development proposes to remove 0.35 ha of native vegetation.</p> <p>As per the accompanying Biodiversity Development Assessment Report, the design scheme has undertaken specific design measures to avoid and minimise impacts on biodiversity values within the site. This will be achieved by siting the industrial development towards Minna Close where the non-threatened vegetation (not dominant through the remainder of the subject site) occurs and where the vegetation is in the poorest condition. This will ensure that the development will retain 0.17 ha of the Duffys Forest EEC at the rear of the site, which represents approximately 43% of the existing EEC within the subject site, thus maintaining a habitat connectivity corridor in this way. The native vegetation to be retained will be managed and enhanced in accordance with a Biodiversity Management Plan.</p> <p>Finally, the proposed Landscape Plan is to incorporate locally indigenous specie belonging to Duffys Forest EEC.</p> <p>Refer to attached Biodiversity Development Assessment Report for more detail.</p>	Yes
E6	Retaining unique environmental features	<p>The C2 land is to be remain undeveloped and the SP4 land is to be developed consistent with its zone.</p>	Yes

		This will ensure that the remnant Duffys Forest EEC at the rear of the property is retained, noting that this bushland is connected to adjoining Duffys Forest EEC along Mona Vale Road. Furthermore, the proposed landscaping incorporates locally indigenous species belonging to Duffy Forest EEC.	
E7	Development on Land Adjoining Public Open Space	Site does not adjoin public open space. Not applicable.	N/A
E8	Waterways and Riparian Lands	Site does not contain waterway or riparian lands.	N/A
E9	Coastline Hazard	The subject site is not located within close proximity to the coastline. Not applicable.	N/A
E10	Landslip Risk	<p>The site is located within Areas A & B on Council's Landslip Risk Map.</p> <p>A Geotechnical Assessment has been prepared and attached as part of this application. Refer to Geotechnical Assessment for more detail.</p>	Yes
E11	Flood Prone Land	The site is not identified to be located within flood prone land. Not applicable.	N/A

CONCLUSION

Consideration has been given to the potential environmental and amenity impacts that are relevant to the proposed development and this report addresses these impacts.

Having regard to the benefits of the proposal and taking into account the absence of adverse environmental, social or economic impacts, the application is submitted to Council for assessment and granting of development consent.

Following a review of the relevant planning controls, it is concluded that the proposed development is consistent with the objectives, planning strategies and detailed controls of these planning documents. Think Planners Pty Ltd recommends the approval of the application, subject to necessary, relevant and appropriate conditions of consent.