

Statement of Environmental Effects

Development Application

2 Macpherson Street, Warriewood

Civil Works

17 August 2017

PREPARED BY

Meriton Property Services Pty Ltd
ABN 69 115 511 281

Karimbla Constructions Services (NSW) Pty Ltd
ABN 67 152 212 809

Level 11 Meriton Tower
528 Kent Street, Sydney NSW 2000

Tel (02) 9287 2888

meriton.com.au



Contents

1	Introduction	1
1.1	Overview.....	1
1.2	Background	1
1.3	Consent Authority.....	1
1.4	Pre-Lodgement Consultation	1
1.5	Integrated Development.....	2
1.6	Structure of the Report.....	2
2	Site and Surroundings.....	3
2.4	Local Infrastructure Improvements.....	5
2.5	Current Development Activity.....	5
3	Proposed Development	7
3.1	Overview.....	7
3.2	Site Analysis	7
3.3	Site Preparation Works	7
3.4	Civil Works	9
3.5	Parking, Traffic and Access.....	9
3.6	Utility Services.....	9
3.7	Vegetation Management	10
4	Environmental Planning Assessment.....	11
4.1	Section 79C(1)(a)(i): Environmental Planning Instruments.....	11
4.1.1	State Environmental Planning Policy No. 55 – Remediation of Land	11
4.1.2	Pittwater Local Environmental Plan 2014	11
4.2	Section 79C(1)(a)(ii): Draft Environmental Planning Instruments.....	12
4.3	Section 79C(1)(a)(iii): Development Control Plans	12
4.4	Section 79C(1)(a)(iiia): Planning Agreements.....	13
4.5	Section 79C(1)(a)(iv): Regulations.....	13
4.6	Section 79C(1)(b): Likely Impacts	13
4.6.1	Flood Management	13
4.6.2	Access and Traffic.....	13
4.6.3	Bushfire.....	14
4.6.4	Social and Economic Impact	14
4.6.5	Cumulative Impacts.....	14
4.7	Section 79C(1)(c): Suitability of the Site	14
4.8	Section 79C(1)(d): Submissions	14
4.9	Section 79C(1)(e): The Public Interest.....	14
5	Conclusion.....	15

Annexure 1: Survey Plan

Annexure 2: Flood Report

Annexure 3: Civil works package

Annexure 4: Traffic Report

Annexure 5: Contamination Report

Annexure 6: Flora and Fauna Report

Annexure 7: Bushfire Management Plan

Annexure 8: Geotechnical Report

Annexure 9: DCP Compliance Schedule

1 Introduction

1.1 Overview

This Statement of Environmental Effects (SEE) forms part of a Development Application (DA) for civil works, including the construction of a new internal access road, the introduction of drainage works and earthworks to create a suitable platform for future development at land at 2 Macpherson Street. The proposed works will render the site suitable for future development. At this stage an end use has not been determined. The DA has been lodged in accordance with Division 2A Clause 83B of the *Environmental Planning and Assessment Act, 1979*.

1.2 Background

The site is zoned R3 Medium Density Residential. It is also identified as 'Buffer Area 1m' of the Warriewood Valley Release Area (WVR) by the *Pittwater Local Environmental Plan 2014* (Pittwater LEP). The proposal is for a new road and associated civil works. Roads are permissible with consent within the R3 zone.

The proposed road and other works proposed by the DA will provide the necessary infrastructure to render the site suitable for future development. The current zoning (R3 medium density residential) permits a range of potential uses which include:

- Child care centres
- Community facilities
- Neighbourhood shops
- Places of public worship
- Respite day care centres
- Veterinary hospitals
- Serviced apartments

There is potential for the final land use mix to comprise one or a combination of the above land uses. The exact land use composition has not been determined at this stage.

1.3 Consent Authority

The proposed development is for local development and is permissible with consent from the relevant planning authority. The application will be assessed under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). This DA is lodged with Northern Beaches Council pursuant to Part 4 of the EP&A Act. The cost of works of the project is estimated to be \$1,662,877. The Council will therefore be the consent authority for the DA.

1.4 Pre-Lodgement Consultation

A formal pre-lodgement meeting to discuss the development of the site was held with officers of Northern Beaches Council on 27 June 2017. The key matters from the discussion have been addressed within the DA.

1.5 Integrated Development

The proposal requires referral for Integrated Development Assessment by the following agencies:

- NSW Office of Water: The proposed development is within 40 metres of a watercourse. Narrabeen Creek passes through the northern extent of the site. The proposal involves a “controlled activity” under the NSW Water Management Act 2000. Accordingly, the DA will be referred by Council to the NSW Office of Water for their General Terms of Approval.
- Office of Heritage and the Environment: The site has been identified as containing significant vegetation. The DA will therefore be referred to the Office of Heritage and the Environment for their General Terms of Approval.

1.6 Structure of the Report

This Statement:

- Describes the site and its surrounding area;
- Details the nature of the proposed development; and
- Undertakes an assessment of the proposal under the heads of consideration in Section 79C (1) of the *Environmental Planning and Assessment Act, 1979*.

The conclusion is reached that the proposal is acceptable with regard to all relevant planning issues.

This report should be read in conjunction with the architectural drawings and supporting documentation attached at **Appendices 1-9** as summarised below.

TABLE 1: LIST OF ANNEXURES

Annexure	Document
1	Survey plan
2	Flood report
3	Civil drawings (including stormwater management plan and erosion and sediment control plan)
4	Traffic report
5	Contamination report
6	Flora and fauna report
7	Bushfire management plan
8	Geotechnical report
9	Assessment of compliance against Pittwater DCP 21

2 Site and Surroundings

2.1 Site Location

The site comprises land at 2 Macpherson Street, Warriewood Valley. It is situated within the Warriewood Valley Release Area which has been zoned for urban development.

Warriewood is located on Sydney's northern beaches between Mona Vale and North Narrabeen in the Pittwater Local Government Area (LGA). Narrabeen Creek flows through the centre of Warriewood and Mullet Creek marks the southern boundary of Warriewood Valley.

Mona Vale town centre is located approximately 1.5km to the north. Brookvale / Dee Why and Sydney CBD are approximately 11km and 26km to the south respectively.

Figure 1: Site Location



2.2 Site Description

The site is entirely within the ownership of the applicant and comprises Lot 25 Section C in DP5464.

The site comprises an irregular shaped parcel of land bound by Macpherson Street to the south and land zoned for medium density housing but currently undeveloped to the north, east and west.

The site has a total area of approximately 2.1 hectares and has a street frontage of over 120 metres to Macpherson Street. The central portion of the site has been modified (levelled and raised) and is surrounded by low lying land which is undeveloped and vegetated.

Levels across the site range from 1.4m AHD in the northern section of the site (within the creek) to a high point of 3.7m AHD within the central portion of the site. The flood planning level for the proposed development varies from 3.77 metres AHD to 4.15 metres AHD.

The site is semi-rural in character and partially developed, comprising agricultural sheds, other related structures and planted garden beds associated with the site's current use (market garden) which occupies the majority of the site.

Vehicular access to the site is gained from Macpherson Street. There is no street curb adjacent to the site. Council is currently undertaking road improvement works to address localised flooding on Macpherson Street. These works include the introduction of a new driveway access to the site. The proposed development has been designed to align with the road works being undertaken by Council on Macpherson Street.

Figure 2: Existing Site



2.3 Surrounding Area

The surrounding area forms part of the Warriewood Valley Release Area and is similarly zoned for medium density residential use. This includes the land immediately adjacent to the site to the north, east and west, which is currently yet to be developed.

Traditionally, redevelopment in the WVR has largely comprised two and three storey buildings consisting of detached dwellings and terrace housing. However, more recent redevelopment in the vicinity of the sites is becoming characterised by residential flat buildings. Recently approved development on Macpherson Street including the Warriewood Brook Anglican Retirement Village and the Oceanvale apartment development has contributed to redefining the character of Warriewood Valley. These developments include building heights of three to four storeys and achieve densities of 60 dwellings per hectare.

The immediate surrounds comprise a variety of land uses which are described below:

- North: Land to the north has been cleared and is used as a caravan storage yard.
- East: The site is bounded to the east by 23-27 Warriewood Road (also within the ownership of the applicant and similarly zoned for medium density residential use). The two sites are separated by Narrabeen Creek.
- South: Macpherson Street separates the site from the sewage treatment plant opposite. There is no pavement on either side of Macpherson Street in the vicinity of the site.
- West: Land to the west is undeveloped and consists of fairly dense vegetation.

2.4 Local Infrastructure Improvements

Macpherson Street is identified as a sub-arterial street (two clear traffic lanes and parking bays on both sides of the carriageway). It is currently being upgraded as follows:

- Macpherson Street is being upgraded to a main collector road serving the Warriewood Release Area.
- A major road creek crossing on Macpherson Street (at Narrabeen Creek) for emergency access and evacuation purposes is being constructed.
- Realignment of the Warriewood Road / Macpherson Street intersection to promote Macpherson Street as the main access corridor.
- Landscape and streetscape improvements.

The Applicant has been liaising with Council to ensure that the road upgrade works and the proposed development of the subject site align with each other. The timing of the projects provides an invaluable opportunity to provide a seamless connection between Council's road works and site infrastructure.

2.5 Current Development Activity

Development consent has been granted for the comprehensive redevelopment of land immediately adjacent at 23-27 Warriewood Road for the construction of a residential aged care facility (N0611/16). Development of the site will involve:

- Residential aged care facility containing 130 sole occupancy high care rooms with amenities including a theatre room, gym, activities rooms, salons, dining rooms, and office and administration areas.
- Subdivision to create 3 lots comprising two development lots and land to be dedicated to Council (creek line corridor).
- Civil works including creek widening (relates to the creek along the boundary of the subject site to which our application relates).
- Extension of a public road (Lorikeet Grove).

This site adjoins the subject site along its north eastern boundary, forming the northern portion of the creek line. The timing of the two DAs provides an excellent opportunity for creek line rehabilitation works to be undertaken in tandem providing a coordinated and holistic approach to the rehabilitation of the creek.

3 Proposed Development

3.1 Overview

The DA seeks consent for civil works including the construction of a private access road, the introduction of drainage infrastructure and the creation of a suitable building pad for future development.

The proposal involves the dedication of land to Council as a public creek connection (riparian corridor) in accordance with the requirements of the Pittwater 21 DCP.

The proposed works are shown in the DA drawings at **Annexure 1**.

The construction of new buildings does not form part of this application; nor does the application seek consent for a specific land use. A separate development application will be lodged for future development.

3.2 Site Analysis

The site is subject to a number of environmental constraints which have influenced the form and scale of development proposed. The low lying portions of the site are flood affected and include riparian vegetation which limits the development potential of these parts of the site. The DA has considered these environmental constraints and consequently proposes that these parts of the site sit outside the developable area.

The lot layout responds to existing site constraints as follows:

- **Bushfire:** The proposal includes a 10-20 metre managed asset protection zone (APZ). The APZ will generally be cleared of existing vegetation.
- **Riparian corridor:** New development is setback within the site and a 50 metre riparian buffer zone is maintained in accordance with the requirements of the Pittwater DCP 21. The riparian buffer zone comprises two areas:
 - (1) 25 metre inner creek line corridor – land to be dedicated to Council in its current state.
 - (2) 25 metre outer creek line corridor – land to be retained within private ownership.

No works / vegetation management of the inner creek line corridor is proposed as part of this application. A Vegetation Management Plan (VMP) has been prepared and makes recommendations with respect to the future management of the riparian corridor (refer to **Annexure 6**).

Flood risk: While part of the site is flood affected, the proposal seeks to retain the low lying parts of the site as landscaped areas (consisting of a combination of riparian corridor and managed landscaped areas). Future development will occur on the previously developed, central portion of the site. The flood planning level for the proposed development varies from 3.77m AHD to 4.15m AHD. The proposal involves filling the portion of the site to be developed to achieve the required levels.

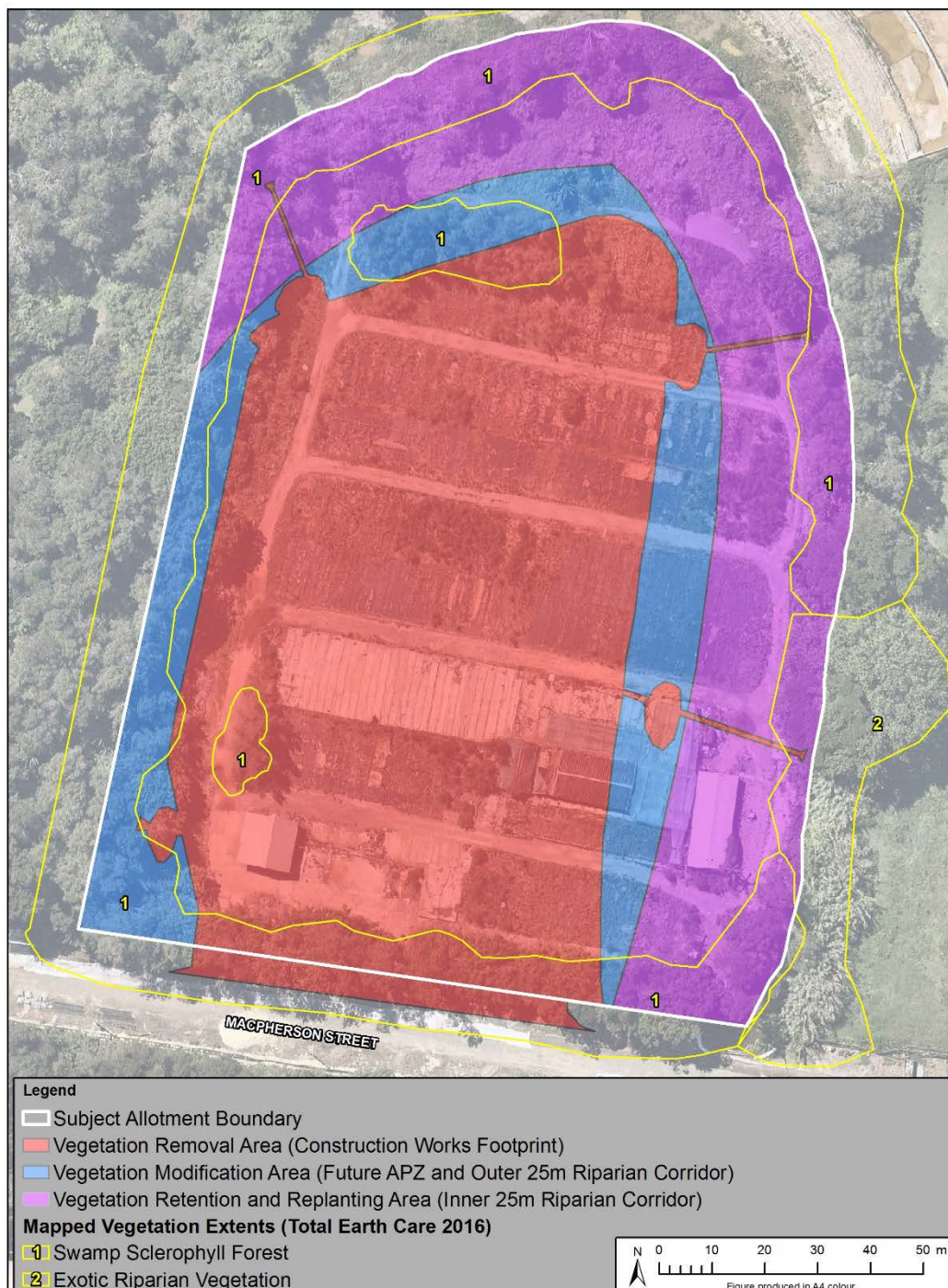
3.3 Site Preparation Works

The proposed development requires the demolition of all existing structures and clearance of the site.

Having regard to flood planning levels, which vary from 3.77metres AHD at the downstream edge of the site to 4.15 metres AHD at the upstream edge, the central portion of the site will be raised 0.5 metres above the flood planning level to accommodate new development. Noting that the site has previously been modified to accommodate its current use (central portion of the site has been filled) site levels will not change to any significant degree.

Removal of some trees and vegetation is also proposed. The extent of vegetation to be cleared is confirmed in the flora and fauna report at **Annexure 6** and is illustrated in **Figure 3** below.

Figure 3 Vegetation to be cleared



Site investigations to confirm the potential for contamination have been undertaken. The findings and recommendations of these investigations are provided at **Annexure 6**. In summary, isolated sources of contamination were detected within the site including the presence of asbestos. A contamination management plan will be prepared to manage its removal in line with the recommendations of the contamination report.

3.4 Civil Works

The proposal includes all road and stormwater civil works associated works to render the site suitable for future urban development. These works include:

- **Internal access road**: One way road with separate in / out driveway access points off Macpherson Street.
- **Drainage**: All necessary infrastructure to accommodate the needs of future development on the site.
- **Earthworks**: Cut and fill to create a suitable platform for future development above flood planning levels.

The detailed civil drawings and supporting report from the civil designer are provided at **Annexure 3**.

3.5 Parking, Traffic and Access

A Traffic Report has been prepared by Arup and is provided at **Annexure 4**.

The site is currently serviced by Macpherson Street which will support access to and from the site. Pedestrian and vehicular ingress/egress to the site is proposed via one way road system which comprises an 8 metre wide access road (private access road) with pavement on either side providing access to the development from Macpherson Street. Separate entry and exit driveways are provide allowing for one way circulation around the site. The access road has been designed to accommodate the standard EPA garbage vehicle (10.24m length) and as such is of sufficient width to accommodate Council's waste garbage trucks and fire brigade access. In accordance with Council requirements the access road would allow for two heavy goods vehicles to pass each other should the need arise in an emergency situation.

Northern Beaches Council has finalised the design of upgrade works to Macpherson Street. This has included proposed works to the access to the subject site to ensure the safe operation of the driveway alongside new road infrastructure, including the new Narrabeen Creek bridge crossing. The proposed dual access arrangement is included within Council's latest design for the roadway immediately adjacent to the site.

Further traffic analysis will be undertaken as part of a future DA for a nominated land use.

3.6 Utility Services

The existing infrastructure and utility services available to the site will be extended and modified to service the new development. The relevant service providers have been consulted on the project and their requirements have been incorporated into the detailed design of the proposal. Servicing requirements for the site have also been discussed with Council and the necessary connections have been allowed for within Council's road design.

3.7 Vegetation Management

A Vegetation Management Plan (VMP) has been prepared and makes recommendations with respect to the future management of the riparian corridor. The final landscape improvement works within the riparian zone will be subject to agreement with Council.

4 Environmental Planning Assessment

4.1 Section 79C(1)(a)(i): Environmental Planning Instruments

4.1.1 State Environmental Planning Policy No. 55 – Remediation of Land

SEPP55 requires the consent authority to consider the likelihood that the site has previously been contaminated and to address any necessary remediation of land. The potential for contamination within the site has been extensively investigated. Detailed site investigations have confirmed that contamination present within the site can be suitably managed through the implementation of a contamination management plan.

4.1.2 Pittwater Local Environmental Plan 2014

Part 2 of the Pittwater Local Environmental Plan (LEP) 2014 identifies that the development site is zoned R3 Medium Density Residential. The proposal is for civil works including the construction of a private access road. Roads are permissible within the R3 zone.

The intention of the proposal is to provide the necessary infrastructure for the future development of the site. The form and nature of future development is not known at this stage. The R3 zone permits a range of land uses including:

- Child care centres
- Community facilities
- Neighbourhood shops
- Places of public worship
- Respite day care centres
- Veterinary hospitals
- Serviced apartments

The final composition of development may include a combination of these permissible land uses and would be subject to a separate DA.

Clause 5.9 Preservation of trees or vegetation: The proposal will involve the removal of some trees. The Flora and Fauna report at **Annexure 5** documents the condition and significance of these trees. Demolition and construction works will be undertaken in accordance with the recommendations of the Flora and Fauna report to ensure that the trees to be retained are suitably protected.

Clause 6.1 Warriewood Valley Release Area: The Warriewood Valley Release Area has been divided into Sectors. The site is identified as 'Buffer 1m'. Clause 6.1 seeks to ensure that development will not adversely impact Warriewood's waterways. Narrabeen Creek extends through the site. Flood modelling has been undertaken (refer to **Annexure 2**).

Additionally, a landscaped buffer to the creek has been retained. A flora and fauna assessment has been undertaken and confirms that no adverse ecological impacts will arise as a result of the proposal (refer to **Annexure 6**).

Clause 7.1 Acid sulphate soils: The site includes land within class 3 and 4 of the acid sulphate soils classifications. The appropriate management of acid sulphate soils on the site is addressed in the geotechnical investigation attached at **Annexure 9**.

Clause 7.2 Earthworks: The proposal will involve earthworks to address flood constraints. The proposal involves cut and fill. Fill will be excavated from within the site and used to create a suitable platform for development. The proposed works are addressed within the Flood Study attached at **Annexure 2**.

Clause 7.3 Flood planning: A flood study has been prepared and is attached **Annexure 2**. This study addresses the suitability of the site for the proposed residential development. It concludes that all proposed dwellings will occupy land 0.5 metres above the 1 in 100 year flood planning level, and that the proposal will not result in any loss of floodplain storage below the regional 100 year flood level.

Clause 7.6 Biodiversity: As illustrated in Figure 8 the site includes land mapped as having biodiversity value. The land relates to the riparian corridor in the vicinity of the Narrabeen Creek which extends through the site. The potential impacts of the proposed development on flora and fauna have been investigated and are discussed within the Flora and Fauna report at **Annexure 6**.

The report identifies that no threatened flora species within the site. Potential habitat is highly disturbed and unlikely to be suitable for locally occurring threatened flora species. One endangered ecological community was observed on the site (Swamp Oak Floodplain Forest). Additionally, three threatened fauna species were observed within the site during site surveys (Grey-headed Flying fox, Little Bentwing bat and Eastern Bentwing bat). A 7-part test has been undertaken to assess the impacts of development on these flora and fauna species. This assessment confirms that the proposal is unlikely to result in a significant effect on threatened biodiversity.

Clause 7.10 Essential services: The clause requires that essential services are available to future development, or that adequate arrangements have been made to make these services available. The site is serviced by water, electricity and sewer, all of which will be augmented in consultation with the relevant service provider, if required.

Two vehicle access/egress driveways off Macpherson Street are proposed allowing for a one way system around the site. The design of the site entry has been developed in consultation with Council to ensure alignment with Council improvement works to Macpherson Street.

The stormwater drainage strategy for the site is detailed in **Annexure 3**.

4.2 Section 79C(1)(a)(ii): Draft Environmental Planning Instruments

The site is subject to a current Planning Proposal to amend Clause 6.1 as it relates to the site. The proposal seeks to amend the dwelling allowance for the site as specified under Clause 6.1 to allow for up to 22 dwellings to be constructed on the site (Clause 6.1 currently prohibits residential development by allocating a nil dwelling allowance to the site). The Planning Proposal has been endorsed by the Department of Planning and Environment and will shortly be publicly exhibited.

This development application does not rely on the Planning Proposal for permissibility; nor does it impact on the details of that proposal.

4.3 Section 79C(1)(a)(iii): Development Control Plans

Pittwater 21 Development Control Plan applies to development across the LGA. In particular, Part D outlines the controls applicable to land within the Warriewood Valley Release Area. The relevant provisions are addressed in the DCP compliance schedule at **Annexure 8**. Overall the proposal achieves a high level of compliance with the requirements of the DCP.

4.4 Section 79C(1)(a)(iia): Planning Agreements

No planning agreements have been entered into in respect of the site or the proposed development.

4.5 Section 79C(1)(a)(iv): Regulations

The Development Application has been made in accordance with the requirements contained in Clause 50(1A) of the *Environmental Planning and Assessment Regulation 2000*.

4.6 Section 79C(1)(b): Likely Impacts

The likely impacts of the development including environmental impacts on both the natural and built environment, and the potential social and economic impacts of the proposal have been assessed. The relevant issues are addressed below.

4.6.1 Flood Management

The flood constraints affecting the site are acknowledged. However, an appropriate strategy can be developed to suitably manage these constraints and achieve development on the site. A site specific Flood Study has been undertaken to analyse the development capability of the site. This study has confirmed that residential development can be accommodated on the site (refer to **Annexure 2**) and that importantly:

- The site can be filled to achieve the required flood planning level for future development.
- Flood evacuation can be achieved. Shelter in place could be adopted for short periods (vertical evacuation to the upper levels of future buildings). It is also noted that Council undertaking road improvements to Macpherson Street to facilitate its use as a flood evacuation route. Evacuation from the site would be possible via Macpherson Street under most conditions up to the probable maximum flood (PMF) event.
- Development of the site can occur without any loss of floodplain storage below the regional 1 in 100 year flood level. The effect of the proposed earthworks strategy is an overall lowering of the flood levels upstream of the site and across the site in the 1 in 100 year flood level and PMF events.

A site specific flood study has been prepared and confirms that development of the site can be achieved (**Annexure 2**). The required flood storage levels can be maintained, and indeed improved as a result of the proposal.

4.6.2 Access and Traffic

A Traffic Impact Assessment has been prepared by Arup. This report is included at **Annexure 4**. It includes consideration of the adequacy of access arrangements, the proposal's impact on the local traffic network, and compliance with relevant access and circulation standards. The key issues as they relate to the development are summarised below.

- There is sufficient capacity on surrounding roads to allow for the proposed driveway accesses.
- The road can adequately accommodate Council garbage vehicles and emergency service vehicles.

4.6.3 Bushfire

The proposal includes a 10-20 metre managed asset protection zone (APZ). The APZ will generally be cleared of existing vegetation.

4.6.4 Social and Economic Impact

The proposed development is considered to be suitable for the subject site and will result in positive social and economic impacts. It will contribute to the provision of new employment during the construction period. As part of the proposal land will be dedicated to Council for the implementation of a public access corridor along the riparian corridor in accordance with the requirements of the Pittwater 21 DCP.

4.6.5 Cumulative Impacts

There are no cumulative impacts which have been identified as a result of the proposed development.

4.7 Section 79C(1)(c): Suitability of the Site

There are no environmental constraints on the site that would impede the proposal or render it unsuitable for the site.

4.8 Section 79C(1)(d): Submissions

Council will consider submissions at the close of the exhibition period.

4.9 Section 79C(1)(e): The Public Interest

For the reasons set out in this Statement, it is considered that the public interest would be best served by approval of the DA under consideration, particularly, given the absence of any demonstrable adverse impacts resulting from the proposal.

5 Conclusion

The proposal seeks Council's consent for civil works including the construction of a new road, earthworks to create a suitable platform for development and the introduction of new drainage infrastructure at 2 Macpherson Street, Warriewood.

The proposal satisfies the relevant heads of consideration under Section 79(C) of the *Environmental Planning & Assessment Act, 1979*. The proposed development is consistent with the underlying objectives of the existing planning controls applicable to the subject site.

Our assessment of the proposed development concludes that:

- The proposal is permissible pursuant to the PLEP 2014 and demonstrates a high level of consistency and compliance with the relevant provisions of that instrument.
- The proposed development will not result in any unreasonable traffic or amenity impacts while the social and economic benefits to be gained from the proposal are significant.

As outlined within this report, the proposed development is considered to be an appropriate response to the site. The proposal will create the necessary infrastructure for future urban development, providing the opportunity for the site to make a meaningful contribution to the ongoing development of the Warriewood Valley Release Area.

Accordingly, the application should be recommended for approval.

Meriton
August 2017

Annexure 1: Survey Plan

Annexure 2: Flood Report

Annexure 3: Civil works package

Annexure 4: Traffic Report

Annexure 5: Contamination Report

Annexure 6: Flora and Fauna Report

Annexure 7: Bushfire Management Plan

Annexure 8: Geotechnical Report

Annexure 9: DCP Compliance Schedule