

Article

Statement of Environmental Effects

**Proposed Strata Subdivision of
Common Property**

For

Metro Management

Site address

**Lot 92 SP74535 & Common Property
SP72321 at No. 42-46 Wattle Road,
Brookvale**



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Table of Revisions

Initial	Rev	Date	Details
ST	0	20/02/2025	First Draft



1.0 INTRODUCTION

This Statement of Environmental Effects has been prepared on behalf of Metro Asset in support of a development application (DA) for a Proposed Strata Subdivision of Common Property at Lot 92 SP74535 & Common Property SP72321 at No. 42-46 Wattle Road, Brookvale.

This DA seeks approval for:

- Subdivision of an existing strata scheme of Lot 92 SP74535 and common property SP72321

The purpose of this Statement of Environmental Effects is to describe the site and the development proposal and review the proposal in accordance with the provisions of Section 4.15 of the Environmental Planning and Assessment Act 1979 (EP&A Act). The report also provides an assessment of the potential environmental impacts of the proposal and where impacts are identified, outlines the measures to mitigate any harm on the environment.

This Statement of Environmental Effects is based on the following plans and technical information submitted with this application, including (but not limited to):

- Strata Subdivision plan, prepared by Allen Price;
- Car Parking Plan, prepared by AusWide Consulting;
- Owner's Consent, prepared by Allen Price;
- Cost of Work Summary, prepared by Allen Price;

2.0 SITE CHARACTERISTICS AND SURROUNDING LAND USES

2.1 KEY CHARACTERISTICS OF THE SITE

Legal Description:

As shown by the accompanying site survey the development site (the site) comprises the following allotments:

- Lot 92 SP74535 – 42-46 Wattle Road, Brookvale
- SP72321 – 42-46 Wattle Road, Brookvale

Site Description:

The site (**Figure 1**), is located on the north side of Wattle Road and on the western side of Mitchell Road at Brookvale in the Northern Beaches Local Government Area. The site has a total area of 10,200sqm.



Figure 1 - Site Image - Source: Six Maps



Site Location:

The site is located within Brookvale within the Northern Beaches local government area and is approximately 600m east of the Waringah Mall, 1.8km west of Curl Curl Beach, 400m east of Pittwater Road, and 800m northeast of Waringah Golf Course. Figure 1 (above) provides an aerial photo of the site.

Existing Improvements:

The site contains a 3 level industrial warehouse complex, known locally as Eastpoint Business Centre. It contains associated commercial tenancies comprising of mixed office, light industrial, storage, distribution, specialised retail premises car parks, lifts, stairs, and ancillary infrastructure & services (as shown in **Figure 2**).

The primary frontage and main pedestrian access point to the site is from Wattle Road, however tenancies benefit from a secondary car parking access off Mitchell Road. On-site private car parking is utilised and shared between businesses located within the complex.

Topography and Vegetation:

The site has a moderate crossfall with topography ranging from RL 13.48 in the south east corner at Wattle Street falling steadily to RL 8.85 in the north west corner at Mitchell Road. There is no significant vegetation on the site.

Relevant Development History

The following relevant history applies to the site:

Table 1 – Approvals History

Application	Approved Use	Date
2002/1871DA	Construction and strata subdivision of a 3 level factory unit building for industrial/warehouse purposes	23.06.03

2.2 SURROUNDING LAND USES

The site is located at the southern edge of the Brookvale town centre and is within an established commercial precinct, on the edge of a residential neighbourhood. Surrounding land uses are described as follows:

North: Multiple single storey and multistorey industrial premises, known locally as Mitchell Road Industrial Estate (49-51 Mitchell Road), two storey industrial premise (53 Mitchell Road)

South: Two storey dwelling (57 Wattle Road), two storey dwelling (55 Wattle Road), single storey dwelling (53 Wattle Road), single storey dwelling (51 Wattle Road), two storey dwelling (49A Wattle Road), single storey dwelling (47 Wattle Road), two storey dwelling (45 Wattle Road)

East: Two storey commercial building, known as Sydney Rope Access Professionals (48 Wattle Road), single storey industrial building, known as Max Harder Motors (1 Powells Road),

West: Multistorey industrial building (40 Wattle Road)

Figure 2 (below) shows the surrounding land uses to the site.



Figure 2 – Aerial Image of Site – Source: Nearmap

Figure 3 to Figure 8 show images of the site and nearby development.



Figure 3 – Wattle Road – source: AP



Figure 4 – Wattle Road entrance – source: AP



Figure 5 – Mitchell Road – source: AP



Figure 6 – Mitchell Road entrance – source: AP



Figure 7 – Location of proposed parking spots on level 2 – source: AP



Figure 8 – Proposed parking space – source: AP

3.0 PROPOSED DEVELOPMENT

This development application proposes to subdivide existing common property on the first floor of the industrial business premise at the above address to create 5 additional car parking spaces.

The proposed car parking spaces are located within an existing carpark; therefore, no associated engineering design for the creation of the parking spaces is required nor proposed.



Figure 9 – Plan of proposed spaces – source: AusWide Consulting

The subdivision is solely required for facilitate the creation of the car parking spaces on the land under separate ownership.

As shown in **Figure 9**, the Common Property of SP72321 and Lot 92 of SP74535 are proposed to be subdivided to allow for the establishment of the additional car parking spaces. Proposed carparks 1-4 are to have dimensions of 6.2m x 2.1m (each 13m²), while proposed car park 5 has dimensions of 6.2m x 2.5m (15m²).

The application seeks approval for the strata subdivision under the terms of the Strata Schemes Freehold Development) Act 1973.

The strata subdivision is shown on the plans, prepared by Allen Price, to be submitted with the application.

The development design generally satisfies the requirements as outlined in the Waringah DCP 2011 which is discussed further in this application.



4.0 PLANNING LEGISLATION, COUNCIL CODES AND POLICY

4.1 ENVIRONMENTAL PLANNING & ASSESSMENT ACT 1979

There are a number of pertinent provisions of the EP&A Act relevant to this project, notwithstanding Section 4.15 (1).

4.1.1 SECTION 1.7: APPLICATION OF THE BIODIVERSITY CONSERVATION ACT 2016

The site is not mapped with any known Biodiversity values. The site has previously been disturbed and therefore no supporting biodiversity assessment accompanies the proposal.

4.1.2 SECTION 4.46: INTEGRATED DEVELOPMENT

The proposed development does not trigger the requirements of any of any legislation under section 4.46 and the development proposal therefore does not constitute integrated development pursuant to the provisions of Section 4.46 of the EP&A Act.



4.2 STATE ENVIRONMENTAL PLANNING POLICY SUMMARY

A summary of State Policies relevant to the subject site and proposal is summarised below.

Table 2 – SEPP Summary

State Policies Relevant to Subject Site		
State Environmental Planning Policy (Sustainable Buildings) 2022	x	x
State Environmental Planning Policy (Biodiversity and Conservation) 2021	x	x
State Environmental Planning Policy (Exempt and Complying Development Codes) 2008: Land Application	x	x
State Environmental Planning Policy (Housing) 2021	x	x
State Environmental Planning Policy (Industry and Employment) 2021	x	x
State Environmental Planning Policy (Planning Systems) 2021	x	x
State Environmental Planning Policy (Precincts – Central River City) 2021	x	x
State Environmental Planning Policy (Precincts – Eastern Harbour City) 2021	x	x
State Environmental Planning Policy (Precincts – Regional) 2021	x	x
State Environmental Planning Policy (Precincts – Western Parkland City) 2021	x	x
State Environmental Planning Policy (Primary Production) 2021	x	x
State Environmental Planning Policy (Resilience and Hazards) 2021	Chapter 4: Remediation of Land	Addressed below.
State Environmental Planning Policy (Resources and Energy) 2021	x	x
State Environmental Planning Policy (Transport and Infrastructure) 2021	x	x

4.2.1 STATE ENVIRONMENTAL PLANNING POLICY (RESILIENCE AND HAZARDS) 2021 – CHAPTER 4: REMEDIATION OF LAND

Chapter 4 of SEPP (Resilience and Hazards) 2021 provides a state-wide planning approach to the remediation of contaminated land. Under Chapter 4, Council is required to consider whether land is contaminated and whether the proposed remediation of any proposed contaminated site will satisfactorily render the land suitable for the intended use, when determining a Development Application.

The built environment surrounding the site is primarily industrial in nature. The above locality plan and aerial image (**Figure 2**) demonstrates that overtime land in this area has been developed. The information available to the applicant has not concluded that the site has previously been used for a purpose that would trigger or justify the need for remediation of the land.

A walkover assessment of the site and surrounds also did not identify any items that would potentially trigger the need for phase 1 contamination investigations. Should the consent authority have evidence contrary to the above findings, further phase 1 contamination investigations would be justified to be undertaken.

4.3 WARINGAH LOCAL ENVIRONMENTAL PLAN 2011

The subject land is zoned E4: General Industrial under the provisions of the Waringah Local Environmental Plan, 2011. Car spaces will be ancillary to established industrial and commercial premises established at the site. Therefore, the proposed development application is best characterised as proposed subdivision – dividing a parcel of land into multiple, individually titled units or cubic spaces which is permitted with consent within the zone. The following development types are permissible within the E4 zone:

Depots; Freight transport facilities; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Horticulture; Industrial retail outlets; Industrial training facilities; Landscaping material supplies; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Water supply systems; **Any other development not specified in item 2 or 4**

The objectives of the Zone E4 General Industrial are as follows:

Objectives of zone

- To provide a range of industrial, warehouse, logistics and related land uses.
- To ensure the efficient and viable use of land for industrial uses.
- To minimise any adverse effect of industry on other land uses.
- To encourage employment opportunities.
- To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers.
- To provide areas for land uses that need to be separated from other zones.
- To provide healthy, attractive, functional and safe light industrial areas.



As outlined in the table below, the proposal is compliant with the relevant standards and objectives of WLEP 2011.

The pertinent Waringah Local Environmental Plan 2011 provisions relating to this proposal are addressed in **Table 3**.

Table 3 - WLEP 2011 Relevant Clauses

Clause	Clause requirement	Comments on this proposal
2.6 Subdivision	Subdivision requires consent	Strata subdivision is permissible in E4: General Industrial zoned land under Clause 2.6 with development consent.
4.1 Minimum Lot Size (4) (a)	4000m ² (4) This clause does not apply in relation to the subdivision of any land - (a) by the registration of a strata plan or strata plan of subdivision under the <i>Strata Schemes Development Act 2015</i>	The minimum lot size is 4000m ² , however, as for this development application, strata subdivision is proposed for the creation of car parking spaces, the minimum lot size does not apply to this proposal, as specified in Clause (4) (a).
4.3 Maximum Building Height	11m	No physical works are proposed.
5.10 Heritage	No overlay mapping applies.	Neither the subject site, nor the adjoining land, contains an item under Schedule 5 of the LEP
5.21 Flood Planning Area	No overlay - Clause 5.21 applies.	Clause 5.21 has been considered. This land does not fall within the flood planning area as defined on the flood maps in WLEP 2011.
6.1 Acid Sulfate Soils	The site is mapped with class 4 Acid Sulfate Soils	The site is mapped as having Acid Sulfate Soils - Class 4. However, as no physical works are proposed, there will be no adverse effects on the site or surrounding development.

4.4 WARINGAH DEVELOPMENT CONTROL PLAN 2014

A full assessment of Waringah DCP 2011 is provided at **Appendix 1** of this report.

Table 4 provides a summary of the WDCP 2011 chapters.

Table 4 - DCP Compliance Summary

DCP 2011 Chapter	Relevance to this application
Chapters	
Part A Introduction	Sections of this chapter are deemed relevant to the proposal and are addressed in Appendix 1 .
Part B Built Form Controls	This chapter is not considered relevant to the proposal and has not been assessed.
Part C Siting Factors	Sections of this chapter are deemed relevant to the proposal and are addressed in Appendix 1 .
Part D Design	This chapter is not considered relevant to the proposal and has not been assessed.
Part E The Natural Environment	This chapter is not considered relevant to the proposal and has not been assessed.
Part F Zones and Sensitive Areas	This chapter is not considered relevant to the proposal and has not been assessed.
Part G Special Area Controls	This chapter is not considered relevant to the proposal and has not been assessed.

5.0 OTHER MATTERS FOR CONSIDERATION

5.1 AMENITY

The existing streetscape will not be altered by the proposed development. The proposed car parking spaces are located within an established industrial premise and are consistent with Council requirements and nearby developments.

5.2 SERVICES

The site is fully serviced, it is not anticipated that the additional parking spaces will require service relocation or place unreasonable demands upon the existing infrastructure network.



5.3 IMPACT ON LOCAL ROAD NETWORK

The proposed car parking will assist in on-site parking provision in a location experiencing high demand for on-street parking. Therefore, the proposed development will assist in alleviating demand for on-street parking.

As the proposal is located within a large, multistorey established industrial and commercial premise, it is not anticipated that the subdivision and subsequent creation of 5 additional car parking spaces will have an adverse effect between vehicular and pedestrian traffic in this locale as a result of this proposal.

5.4 HERITAGE

The heritage overlay of the Waringah Local Environmental Plan 2011 does not indicate any heritage items on the site or in close proximity to it under Schedule 5.

5.5 NATURAL HAZARDS

The site is not mapped as being bushfire prone or flood prone.

5.6 ACID SULFATE SOILS

The site is mapped with class 4 Acid Sulfate Soils on the Waringah Mapping. This will not be adversely impacted by the proposed development.

5.7 SUITABILITY OF THE SITE FOR THE DEVELOPMENT

The site is considered suitable for the Proposed Strata Subdivision of Common Property upon Lot 92 SP74535 & Common Property SP72321 at No. 42-46 Wattle Road, Brookvale.

The proposal is considered appropriate with regard to the zoning of the site and is not expected to have any negative impacts on the amenity of the locality or adjoining land uses.

5.8 ANY SUBMISSIONS MADE IN ACCORDANCE WITH THIS ACT OR THE REGULATIONS

It is anticipated that the proposal will be advertised in accordance with Council's notification policy. We do not anticipate any submission being received when advertised however should a submission be received, this will be assessed by the council in consultation to the applicant.

5.9 THE PUBLIC INTEREST

The proposal complies with the relevant State and local planning controls. The application is not expected to have any unreasonable impacts on the environment or the amenity of the locality. It is considered appropriate with consideration to the zoning and the character of the area and is therefore considered to be in the public interest.



6.0 CONCLUSION

It is our conclusion that the proposed development is consistent with the intent of Council's planning objectives for the zone, which is predominately aimed at providing the opportunity for a range of industrial uses within the area.

The proposal will not have any unacceptable adverse impacts on either the built or natural environment and it is considered that the proposal is not contrary to public interest. It is generally in line with Council policies and regulations and we respectfully request that it be supported by Council.

Allen Price Pty Ltd

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7.0 APPENDICES

7.1 APPENDIX 1 – DCP ASSESSMENT TABLE

PART A INTRODUCTION

A.5 Objectives

The overriding objective of the DCP is to create and maintain a high level of environmental quality throughout Warringah. Development should result in an increased level of local amenity and environmental sustainability. The other objectives of this plan are:

- To ensure development responds to the characteristics of the site and the qualities of the surrounding neighbourhood
- To ensure new development is a good neighbour, creates a unified landscape, contributes to the street, reinforces the importance of pedestrian areas and creates an attractive design outcome
- To inspire design innovation for residential, commercial and industrial development
- To provide a high level of access to and within development.
- To protect environmentally sensitive areas from overdevelopment or visually intrusive development so that scenic qualities, as well as the biological and ecological values of those areas, are maintained
- To achieve environmentally, economically and socially sustainable development for the community of Warringah

Comments

The proposed development of the creation of 5 additional car parking spaces via strata subdivision of common property at the above address is consistent with the objectives of this DCP. No physical works or a change of use is proposed; the proposal is minor in nature and is consistent with all relevant planning controls.

C1 Subdivision

Objectives

- To regulate the density of development.
- To limit the impact of new development and to protect the natural landscape and topography.
- To ensure that any new lot created has sufficient area for landscaping, private open space, drainage, utility services and vehicular access to and from the site.
- To maximise and protect solar access for each dwelling.
- To maximise the use of existing infrastructure.
- To protect the amenity of adjoining properties.
- To minimise the risk from potential hazards including bushfires, land slip and flooding.

Comment: The proposed development is a subdivision of common property in SP72321 and Lot 92 of SP74535. The existing development on site consists of commercial tenancies in the E4 zone and is not a residential subdivision.

The proposed parking spaces are located within the footprint of the existing concrete pavement. No changes to servicing or stormwater drainage are required as a result of this proposal. The proposed development is considered to be consistent with the relevant objectives and controls of C1 Subdivision.

C2 Traffic, Access and Safety

Objectives

To minimise:

- a) traffic hazards;
- b) vehicles queuing on public roads
- c) the number of vehicle crossings in a street;
- d) traffic, pedestrian and cyclist conflict;
- e) interference with public transport facilities; and
- f) the loss of “on street” kerbside parking.

Controls	Comments
<i>Vehicular Access</i> 1. Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives. 2. Vehicle access is to be obtained from minor streets and lanes where available and practical. 3. There will be no direct vehicle access to properties in the B7 zone from Mona Vale Road or Forest Way. 4. Vehicle crossing approvals on public roads are to be in accordance with Council’s Vehicle Crossing Policy (Special Crossings) LAP-PL413 and Vehicle Access to Roadside Development LAP-PL 315. 5. Vehicle crossing construction and design is to be in accordance with Council's Minor works specification. <i>On-Site Loading and Unloading</i> 6. Facilities for the loading and unloading of service, delivery and emergency vehicles are to be: appropriate to the size and nature	No new accessway is proposed; refer to the accompanying car park certification report by AusWide Consulting for compliance of the proposed parking spaces. As above. As above. As above. As above. As above. As above.

of the development; screened from public view; and designed so that vehicles may enter and leave in a forward direction.	
Parking Facilities Objectives	
• To provide adequate off street carparking. • To site and design parking facilities (including garages) to have minimal visual impact on the street frontage or other public place. • To ensure that parking facilities (including garages) are designed so as not to dominate the street frontage or other public spaces.	
Controls	Comments
<i>Requirements</i> 1. The following design principles shall be met: • Garage doors and carports are to be integrated into the house design and to not dominate the façade. Parking is to be located within buildings or on site.; • Laneways are to be used to provide rear access to carparking areas where possible; • Carparking is to be provided partly or fully underground for apartment buildings and other large scale developments; • Parking is to be located so that views of the street from front windows are not obscured; and • Where garages and carports face the street, ensure that the garage or carport opening does not exceed 6 metres or 50% of the building width, whichever is the lesser. 2. Off street parking is to be provided within the property demonstrating that the following matters have been taken into account: • the land use; • the hours of operation; • the availability of public transport;	No physical works are proposed; refer to the accompanying car park certification report by AusWide Consulting for compliance of the proposed parking spaces with the relevant standards. As above.

• the availability of alternative car parking; and • the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles. 3. Carparking, other than for individual dwellings, shall : • Avoid the use of mechanical car stacking spaces; • Not be readily apparent from public spaces; • Provide safe and convenient pedestrian and traffic movement; • Include adequate provision for manoeuvring and convenient access to individual spaces; • Enable vehicles to enter and leave the site in a forward direction; • Incorporate unobstructed access to visitor parking spaces; • Be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate management and create attractive and pleasant places; • Provide on site detention of stormwater, where appropriate; and • Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1.	As above.
4. Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses. Where the carparking rate is not specified in Appendix 1 or the WLEP, carparking must be adequate for the development having regard to the objectives and requirements of this clause. The rates specified in the Roads and Traffic Authority's Guide to Traffic Generating Development should be	As above.

used as a guide where relevant.	
5. Adequate provision for staff, customer and courier parking, and parking and turning of vehicles with trailers must be provided if appropriate to the land use.	As above.
6. For bulky goods premises adequate on-site parking spaces for service/delivery vehicles at a convenient location, separated from customer parking must be provided.	As above.
7. Where appropriate, car parking which meets the needs of people with physical disabilities must be provided in accordance with the relevant Australian Standard.	As above.
8. For Forest Way Village car parking at ground level is to be provided for individual units.	As above.