



Statement of Environmental Effects

**Centre-based child care facility
5 Skyline Place, Frenchs Forest**

Prepared for Platino Properties
Submitted to Northern Beaches Council
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1 Introduction

This Statement of Environmental Effects (SEE) has been prepared by Keylan Consulting Pty Ltd (Keylan) on behalf of Platino Properties to accompany a development application (DA) for the use and fit out of an approved ground floor tenancy for a centre-based child care facility at 5 Skyline Place, Frenchs Forest.

This SEE has been prepared and is submitted to Northern Beaches Council (Council) pursuant to the provisions of Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The proposed development comprises:

- use and fit out of ground floor tenancy at 5 Skyline Place for the purposes of a centre-based child care facility with capacity for 69 children including:
 - 16 babies (0-2 years old)
 - 19 toddlers (2-3 years old)
 - 34 children (3-6 year old)
- provision of 602sqm of outdoor play space
- operating hours of 7:30am-6pm

This SEE describes the site, its surroundings and the proposed development. It provides an assessment of the proposal in terms of the matters for consideration under section 4.15(1) of the EP&A Act.

This SEE demonstrates that the proposal is generally consistent with the relevant provisions of the:

- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *Warringah Local Environmental Plan 2011*
- *Warringah Development Control Plan 2011*
- *Child care planning guideline* (September 2021)

This SEE concludes that the proposal will provide net benefits to the community and not result in any significant environmental impacts.

We recommend that the Council approve the DA subject to the content and findings outlined in this SEE.

1.1 Report structure

The SEE has been prepared in line with the requirements of Part 4 of the EP&A Act. The structure of the report is as follows:

Section	Overview
1. Introduction	Introduction to the SEE.
2. Site and locality	A description of the site, the locality and an assessment of the opportunities and constraints presented by the site.
3. The proposal	A detailed description of the proposed development.
4. Statutory planning context	A detailed review of the proposal against relevant statutory planning legislation.
5. Environmental planning assessment	An in-depth assessment of the relevant planning controls, existing environment, and potential impacts and public benefits arising from the proposed development.
6. Conclusion	A concluding statement taking into account the assessment of the proposal and a recommended course of action with regard to the determination of the application.

Table 1: Statement of Environmental Effects report structure

This SEE should be read in conjunction with the following supporting documents:

Appendices	Supporting documentation
Appendix 1	Child care planning guideline assessment
Appendix 2	Approved consents - DA2021/0212 & Mod2024/0309
Appendix 3	Architectural Plans
Appendix 4	Landscape Plans
Appendix 5	Access Report
Appendix 6	BCA Report
Appendix 7	Bushfire Report
Appendix 8	Noise Report
Appendix 9	Operational Management Plan
Appendix 10	Traffic and Parking Assessment Report
Appendix 11	Cost Report
Appendix 12	Waste Management Plan

Table 2: List of appendices

1.2 Consent authority

The cost of works for the purpose of determining the DA fee for the proposal is calculated in line with Part 9, Division 2, Clause 208(1) of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation) at \$522,500 including GST (Appendix 11).

The DA will be determined by Northern Beaches Council.

1.3 Pre-lodgement meeting with Council

Given the minor nature of the development (fit out and use), a pre-lodgement meeting has not been held with Council.

2 The site and locality

2.1 Site description

The site is located at 5 Skyline Place, Frenchs Forest, within the Northern Beaches Local Government Area. It is legally described as Lot 11 in DP 1258355.

The site has an area of 7,811sqm.

It is predominantly rectangular in shape and is located to the south of Frenchs Forest Road East and on the western side of Skyline Place. The site has primary street frontage to Skyline Place and is located within the Frenchs Forest Business Park.

The location of the site is shown at Figure 1.



Figure 1: Site location (Base source: Nearmap)

The site currently comprises a commercial building, hardstand parking and a small amount of vegetation. It is noted a mixed use development comprising 7-8 levels of seniors housing with disability housing and non-residential uses at ground floor was approved under DA2021/0212 with construction to commence shortly. The proposed childcare centre will be located in the ground floor of this approved building. This is further detailed in Section 2.3 below.

There are no heritage items on or surrounding the site.

2.2 Surrounding locality

The immediate locality is characterised by a variety of uses, including residential, industrial, commercial and retail which range from single to six storeys in height, as outlined below:

- Large format warehousing to the east, west and south of the site. These warehouses incorporate a variety of uses such as light industry, commercial and business.
- A newly constructed and occupied 6 storey mixed use development comprising seniors living and commercial floor space to the immediate north.

The wider locality generally consists of the following land uses:

- Low density residential to the north beyond Frenchs Forest Road East, typically consisting of 1-2 storey detached dwellings.
- The Skyline neighbourhood shops to the north-east, providing a variety of convenience shops including small-scale supermarket, chemist, post-office and bakery. A number of medical suites also front Frenchs Forest Road East.
- The Northern Beaches Hospital approximately 300m west, beyond Wakehurst Parkway, within the broader Frenchs Forest Health and Education Precinct.

There are no known heritage items within the vicinity of the proposed development.

The site context is shown in Figure 2 below.



Figure 2: Surrounding locality (Base source: Nearmap)

2.3 Site history

Previous DAs/approvals for the subject site are shown in the table below.

Application	Development summary	Decision
DA2021/0212	Demolition of existing structures, and the construction of two buildings from 3 storeys to 7 storeys and containing 98 independent living units including 10 units for disability housing, and 4 affordable units for seniors.	Approved by the NSW Land and Environment Court – 20 April 2023
Mod2024/0309	Modification application to DA2021/0212 seeking to: <ul style="list-style-type: none"> relocate the communal area from the Ground Floor of the western building to the ground level of the central building delete commercial uses at Level 1 of the eastern building and replace with 8 ILUs revise design of pool and recreation facilities on Level 2 revise landscape design minor changes to floor levels at each level to ensure floor to floor heights resulting in an increase in height to the western building of 0.5m minor changes to layout of ILUs to improve amenity minor changes to basement levels relocate lift shaft in the eastern building to improve entrance and circulation reallocation of a minor area of communal space at Level 7 to apartment floor area in the eastern tower 	Approved by the Sydney North Planning Panel – 25 July 2024

Table 3: Previous development applications and approvals

3 The proposal

The proposed development is described in the table below:

Element	Comments
Description	5 Skyline Place, Frenchs Forest
Ownership	Platino Properties c/- Skyline Gardens Pty Ltd
Local government area	Northern Beaches
Zoning	SP4 Enterprise
Permissibility	Centre-based child care facilities are permitted with consent in the SP4 zone under the Warringah LEP 2011.
Project elements	<p>The proposed development comprises</p> <ul style="list-style-type: none"> • Use and fit out of the north western ground floor tenancy of the approved building (under DA2021/0212, as modified) at 5 Skyline Place for the purposes of a centre-based child care facility with capacity for 69 children including: <ul style="list-style-type: none"> ○ 16 babies (0-2 years old) ○ 19 toddlers (2-3 years old) ○ 34 children (3-6 year old) • Provision of 602sqm of outdoor play space. • Operating hours of 7:30am-6pm

Table 4: Project overview

The proposed centre-based child care facility will accommodate 69 children within the existing approved north western ground floor tenancy of 5 Skyline Place. The proposed works are limited to internal fit out works, minor external façade works and landscaping to facilitate indoor and outdoor areas as shown in the proposed floor plan extract in the figure below. The amenity provided by the indoor and outdoor spaces is further discussed below.

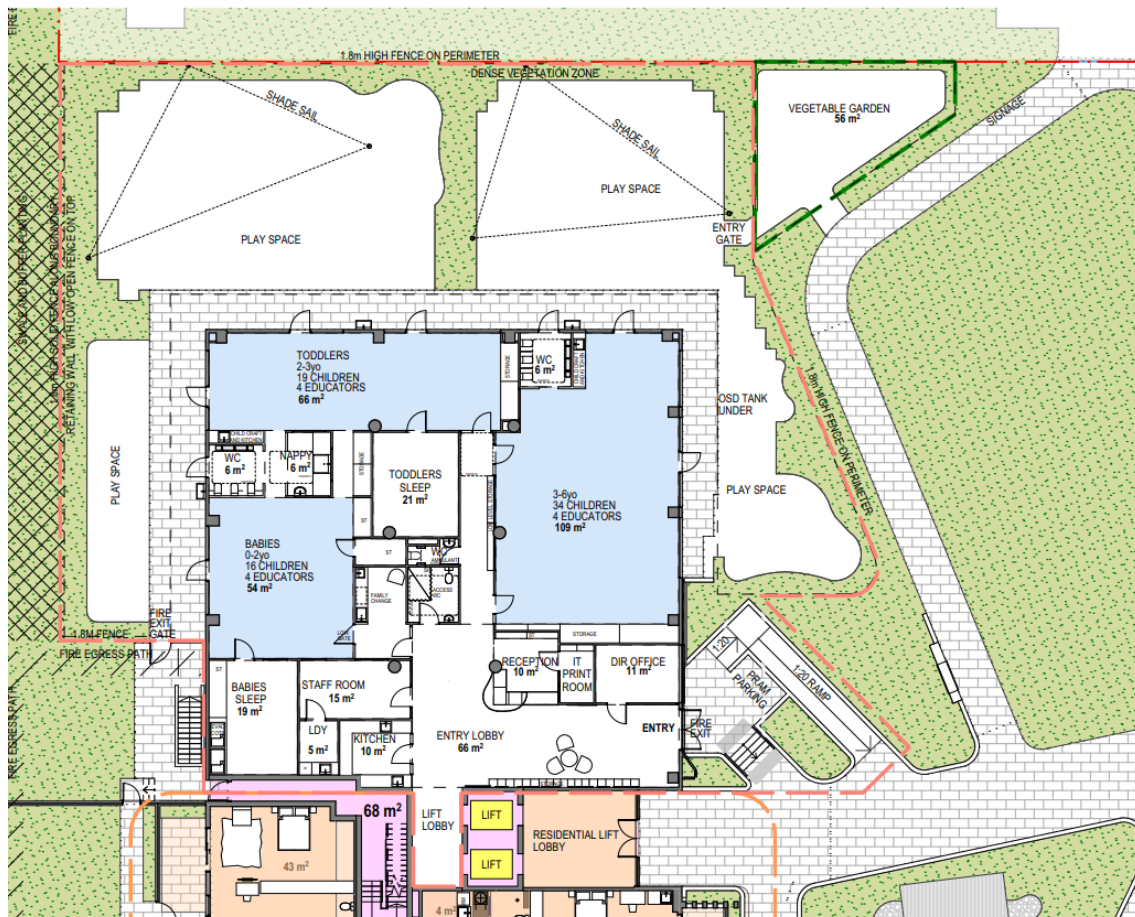


Figure 3: Proposed works and ground floor layout (Source: Architectural Plans, PA Studio)

Indoor amenity

The proposed development complies with regulation 107 and 108 of the *Education and Care Services National Regulations* as it allows for 3.27sqm of unencumbered indoor space per child (the Regulation requires 3.25sqm).

The facility will incorporate windows on the northern, western, and eastern elevations of the building. The facility is proposed to be split into three key rooms for different age groups, with the addition of a toddler sleep space, bathroom, kitchen, storage and office. The indoor spaces have been designed with consideration to the *Child Care Planning Guideline* to provide an adequate space for child play and rest, as well as the efficient operation of the facility.

Outdoor amenity

A total of 602sqm of outdoor area is provided. This complies with regulation 107 and 108 of the *Education and Care Services National Regulations* as it allows for 8.6sqm of unencumbered outdoor space per child (the Regulation requires 7sqm).

The outdoor area will comprise an open free play area, structured play area with shade sails and a sand/water play area. These will provide different opportunities for play dependent on the child age group. A 1.8m fence will be provided along the perimeter of the outdoor play area.

Sufficient shade will also be provided, as required by the *Child care planning guidelines*. In addition to the proposed landscaping, two large shade sails will be provided over the play equipment to allow for sun protection whilst ensuring the equipment is useable during warmer weather. Approximately 421sqm (70%) of shade is proposed as outlined on Drawing 2501-10 of the Landscape Plans (Appendix 4). The proposed play equipment is also detailed at Drawing 2501-05 of the Landscape Plans (Appendix 4).

Parking and access

Traffic and parking impacts for the building in which the facility is located were assessed and approved under the previous application for the site (DA2021/0212, as modified).

In summary, 17 parking spaces will be provided for the facility within the upper parking level of the approved two-level basement. A 15 minute pick up and drop off zone between 7am and 9am and 3pm and 5pm weekdays is also proposed on the western side of Skyline Place adjacent to the boundary of 5 Skyline Place. This zone will accommodate 6 car spaces.

The site is also well located as it is in close proximity to residential and employment generating areas. For this reason, it is expected many parents will walk or ride bicycles to drop off and pick up their children at the facility. The site is also well connected to public transport. Multiple bus stops are located along Frenchs Forest Road East and Warringah Road, in both directions.

4 Statutory planning framework

4.1 Environmental Planning and Assessment Act 1979

4.1.1 Integrated development

Under section 4.46(1) of the EP&A Act, the proposal is considered integrated development as it requires approval under section 100B of the *Rural Fires Act 1997* given it concerns a centre-based child care facility. On this basis, and in accordance with Section 4.47 of the EP&A Act, concurrence from the Rural Fire Service is required for the proposal. An assessment against the *Rural Fires Act 1997* is provided at Section 4.2 below.

4.1.2 Objects of the Act

The proposal is consistent with the objects of the EP&A Act as it is considered to promote the orderly and economic use and development of land without resulting in an adverse impact on the environment. Detailed assessment against the objects of the EP&A Act is provided below.

Objects of the Act	Comment
a. to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources	<p>The proposal will promote the social and economic welfare of the community by:</p> <ul style="list-style-type: none">• enhancing service provision for the local community through the provision of additional child care services• providing a co-located facility, in proximity to health services, aged care, office spaces, residential dwellings and public transport• providing an early education facility close to seniors housing, thereby encouraging opportunities for social and inter-generational interaction• facilitating the transition of the locality into an active and high amenity place through a well-designed façade and adequate landscaping• providing an employment generating use
b. to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment	<p>This SEE provides information on the relevant economic, environmental and social impacts of the proposed development to enable the consent authority to undertake a thorough environmental assessment and assist in its decision-making on the application.</p>

Objects of the Act	Comment
c. to promote the orderly and economic use and development of land	The development promotes the orderly and economic use of the land through the fit out and use of a tenancy in an approved building. The centre-based child care facility is also an employment generating use.
d. to promote the delivery and maintenance of affordable housing	Not applicable.
e. to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats	The site is not identified as comprising threatened and high conservation habitat, wildlife corridors or native vegetation. Notwithstanding, the proposal will not impact the natural environment or any ecological communities.
f. to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage)	There are no heritage items located onsite or within proximity to the site.
g. to promote good design and amenity of the built environment	The development proposes the fit out and use of a tenancy in an approved building (in accordance with DA2021/0212, as modified). On this basis, no changes are proposed to the building footprint. The proposed design is provided in the Architectural Plans at Appendix 3 and assessed as providing good design and amenity at Section 5. Appropriate landscaping is provided as outlined at Section 5 and Appendix 4.
h. to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants	The development will be constructed in line with any conditions of approval issued by the consent authority and the relevant requirements that relate to health and safety, construction and maintenance.
i. to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State	Northern Beaches Council is the consent authority for this DA.
j. to provide increased opportunity for community participation in environmental planning and assessment.	The proposal will be notified in accordance with the Council's notification policy. Council officers will consider any submissions received prior to the determination of the application.

Table 5: Objects of the *Environmental Planning and Assessment Act 1979*

4.1.3 Section 4.15 Matters for Consideration

This section of the report provides the planning assessment against the key statutory environmental planning instruments (EPIs) and Development Control Plans (DCPs) relevant to the proposal. A detailed assessment of the proposal is provided and is based on the heads of consideration contained in section 4.15 of the EP&A Act.

Provision	Consideration
a. the provisions of	
i) any environmental planning instrument	The relevant EPIs are addressed at Section 4.
ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved)	The relevant proposed EPIs are addressed at Section 4.
iii) any development control plan	The Warringah Development Control Plan 2011 (WDCP 2011) is addressed at Section 4.
(a) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4	Not applicable.
iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The EP&A Regulations are addressed at Section 0.
b. The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts I the locality	The impacts of the proposal are addressed in Section 5.
c. the suitability of the site for the development	Site suitability is addressed at Section 5.
d. any submissions made in accordance with this Act or the regulations	Council will consider any public submissions relating to the proposal during its assessment.
e. the public interest.	Public interest is addressed at Section 5.

Table 6: Section 4.15(1) assessment

4.2 Rural Fires Act 1997

A portion of the site is identified as bush fire prone as it is mapped as 'Vegetation Buffer' land on Northern Beaches Council's bushfire mapping (Figure 4).

Given the proposed development comprises a centre-based child care facility, it is classified as a 'Special Fire Protection Purpose Development', pursuant to Section 100B of the *Rural Fires Act 1997*.

Under Section 4.46(1) of the EP&A Act, the proposal is considered integrated development as the proposal comprises a centre-based child care facility on bushfire prone land. The proposal therefore requires approval under section 100B of the *Rural Fires Act 1997*.

A Bushfire Assessment Report has been prepared by Building Code & Bushfire Hazard Solutions Pty Limited and is provided at Appendix 7.

This report assesses the proposal for the fit out and use of the tenancy for a centre-based child care facility, noting the use is a 'Special Fire Protection Purpose Development' pursuant to the *Rural Fires Act 1997*.

The Bushfire Assessment Report finds that subject to the implementation of recommended bushfire safety measures, and with consideration to the site specific bushfire risk assessment, the proposal will provide a reasonable and satisfactory level of bushfire protection. Further bushfire assessment is provided at Section 5.7.

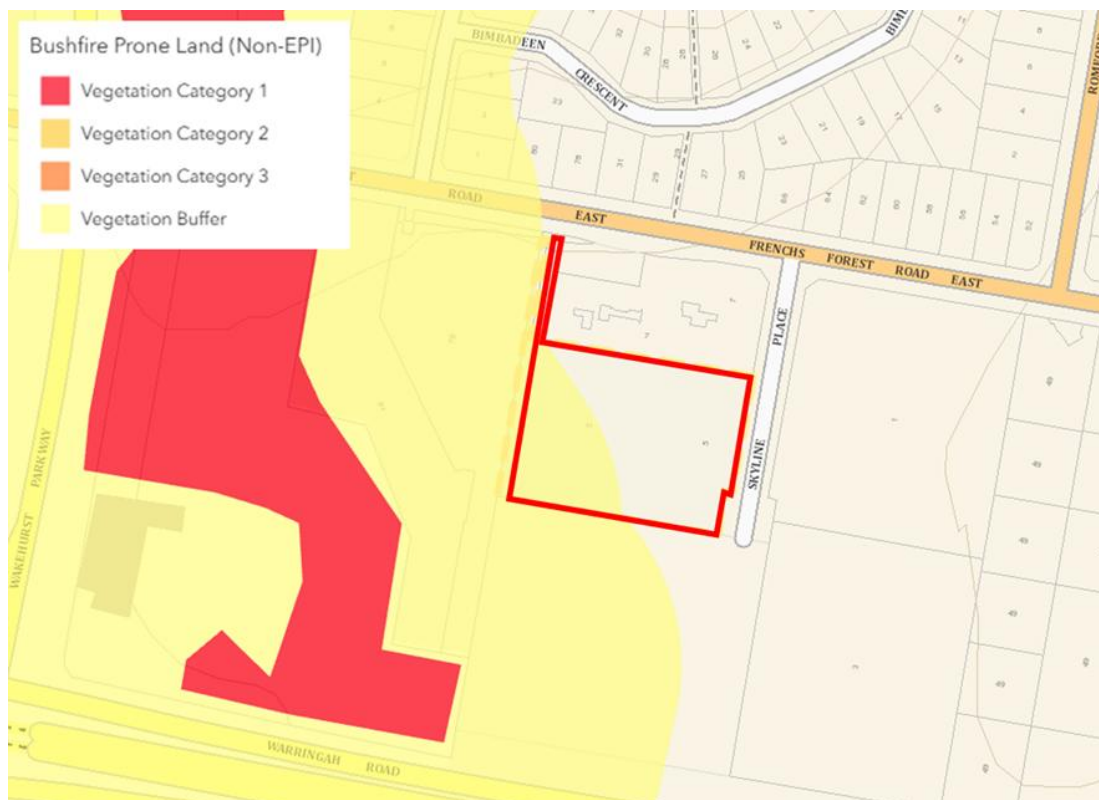


Figure 4: Surrounding locality (Base source: Espatial Viewer)

4.3 State Environmental Planning Policies

Under the provisions of the EP&A Act, the key applicable state environmental planning policies are:

- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*

The application of the above plans and policies is discussed in detail below.

4.3.1 State Environmental Planning Policy (Industry and Employment) 2021

Chapter 3 of the *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP) aims to ensure that signage is well located, compatible with the amenity of an area and are of a high quality.

The fit out of the tenancy for a centre-based child care facility will include the provision of four external signs.

All signs will be classified as business identification signage and will function to identify the building as a centre-based child care facility, whilst also directing visitors to the facility's entry.

The details of the size and position of each sign are provided in the Landscape Plans at Appendix 4. An indicative render of the proposed entry way sign is shown at Figure 5 below.



Figure 5: Indicative render of child care entry including signage (Source: PA Studios)

Section 3.6 of the Industry and Employment SEPP requires the consent authority to assess the proposal against the objectives of Chapter 3. An assessment is provided in the table below.

Section 3.1(1)(a)	Comment
(a) to ensure that signage (including advertising)—	
(i) is compatible with the desired amenity and visual character of an area, and	<ul style="list-style-type: none"> The proposed business identification signage is an appropriate scale to its surrounds. Each sign will have a maximum area of 1.8sqm. The proposed horizontal signage will be fully contained within the fence and will not protrude above or below it. The proposed vertical signage design will be located within the basement as well as at the street level entry. This sign will be positioned within a garden bed and will incorporate a sympathetic design that is consistent with the building architecture and landscaping. An indicative render of the proposed entry way sign is shown at Figure 5.
(ii) provides effective communication in suitable locations, and	<ul style="list-style-type: none"> The proposed signage will clearly identify the building as a centre-based child care facility, whilst also directing visitors to the facility's entry.
(iii) is of high quality design and finish, and	<ul style="list-style-type: none"> The location and size of each sign is provided in the Landscape Plans at Appendix 4. The signage will exhibit a high quality design consistent with the approved built form (under DA2021/0212, as modified) and proposed fit out design of the centre-based child care facility.

Table 7: Assessment against Chapter 3 objectives

Section 3.6 also requires the consent authority to assess the proposal against the criteria specified in Schedule 5 prior to granting consent to carrying out of any development on that land. The proposal is consistent with the Schedule 5 criteria as the signage:

- relates to business identification signage and its main purpose is to identify the centre-based child care facility to vehicles and pedestrians
- incorporates a sympathetic design that is consistent with the building architecture and landscaping
- signage proposed on fencing will not protrude above the fencing to which it is proposed so as to block views
- signage proposed in the garden bed will be an appropriate scale to the landscaping and surrounding built form
- the signage will not be illuminated

4.3.2 State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) seeks to guide the provision of well-designed and located infrastructure including transport. An assessment of the relevant provisions is provided below.

Chapter	Discussion
Chapter 3 - Educational establishments and child care facilities	
Section 3.22 -	<p>This section does not apply as the proposed development complies with regulation 107 and 108 of the <i>Education and Care Services National Regulations</i> as:</p> <ul style="list-style-type: none"> • 3.27sqm of unencumbered indoor space is provided per child (the Regulation requires 3.25sqm) • 8.6sqm of unencumbered outdoor space is provided per child (the Regulation requires 7sqm)
Section 3.23 - Matters for consideration by consent authorities	An assessment against the <i>Child Care Planning Guideline</i> is provided at Appendix 1.
Section 3.26 - Non-discretionary development standards	The standards in this section are noted.
Section 3.27 - Development control plans	An assessment against the <i>Child Care Planning Guideline</i> is provided at Appendix 1.

Table 8: Transport and Infrastructure SEPP– relevant provisions

4.4 Warringah Local Environmental Plan 2011

The *Warringah Local Environmental Plan 2011* (WLEP 2011) is the principal EPI applicable to the land. It aims to establish planning principles and development controls that will promote the orderly and economic use of land.

4.4.1 Zoning

The site is zoned SP4 Enterprise pursuant to WLEP 2011 (Figure 6).

Centre-based child care facilities (under the 'early education and care facilities' definition) are permissible with consent in the SP4 zone under the WLEP 2011.

The proposed centre-based child care facility is consistent with the SP4 zone objectives as it will contribute to the diversity of employment generating uses within the zone and provide a use that is compatible with nearby residential and mixed use land uses as well as the residential dwellings approved within the building to which the facility will be located.

Further, the proposed centre-based child care facility will have a high visual quality consistent with the approved building. It will also provide appropriate landscaping that integrates the use into the site.

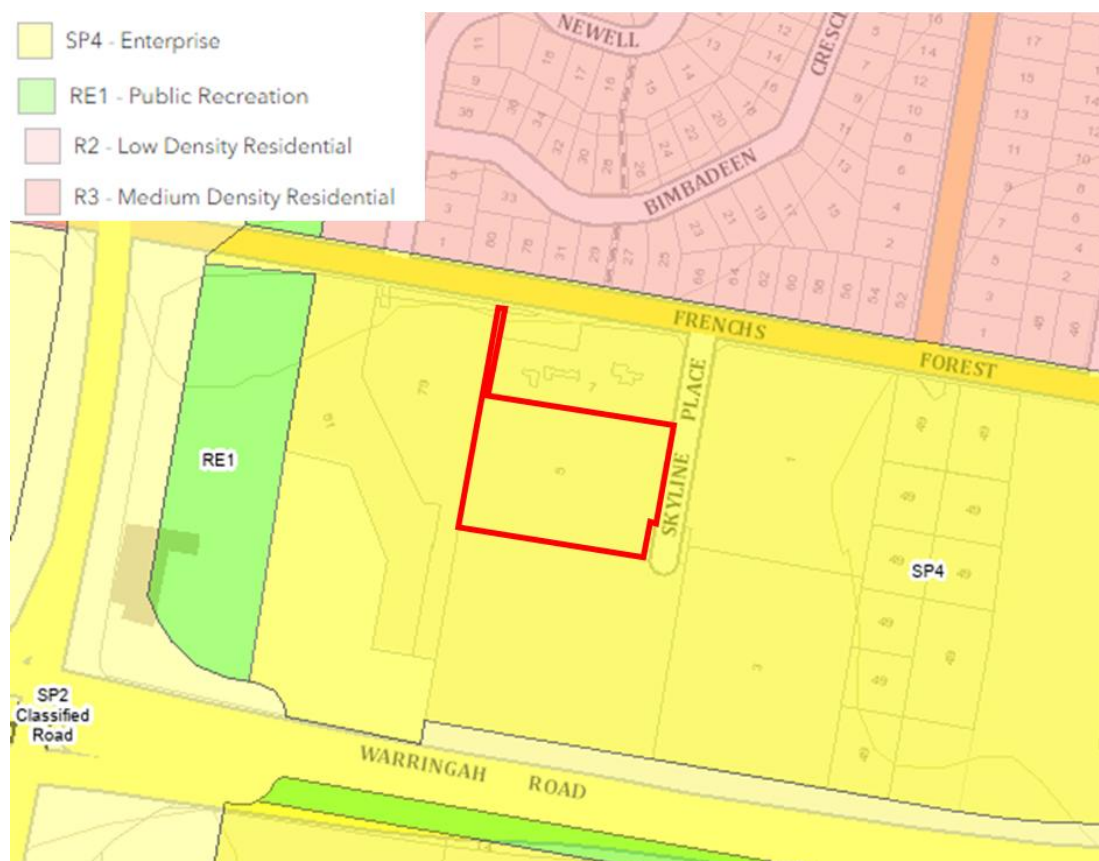


Figure 6: Site zoning (Base source: Espatial Viewer)

4.4.2 Floor space ratio

Clause 4.4 of the WLEP 2011 provides development standards relating to FSR. There is no prescribed FSR for the subject site, indicating the capacity of the site and the surrounding SP4 area to accommodate larger and denser building forms.

The proposed development does not seek to increase the gross floor area (GFA) or FSR from that approved for the broader development (under DA2021/0212, as modified).

4.4.3 Height

Clause 4.3 of the WLEP 2011 sets out maximum building heights for buildings. There is no prescribed maximum height for the site.

The proposal seeks approval for fit out and use only within the approved building footprint and does not involve the construction of a building nor does it seek to amend the approved height of the building.

4.4.4 Other matters

Relevant clause	Comment	Compliance
Clause 5.10 Heritage Conservation	There are no known heritage items within the vicinity of the proposed development.	N/A
Clause 5.21 Flood Planning	The site is not identified on Council's Flood Hazard mapping.	N/A
Clause 6.1 Acid Sulphate Soils	The site is not identified as containing Acid Sulphate Soils.	N/A
Clause 6.4 Sloping land	The site is identified as having a Landslide Risk - 'Area A – Slope less than 5 degrees'. This does not affect the proposal as the application relates only to the fit out and use of an existing approved building.	Yes

Table 9: Other matters

4.5 Warringah Development Control Plan 2011

The proposal is generally compliant with the aims, objectives and key provisions of the WDCP 2011.

No change to the building footprint approved under DA2021/0212 (as modified) is proposed and an assessment against the WDCP 2011 was also provided as part of this application.

Notwithstanding, the WDCP 2011 specifies a centre-based child care facility parking rate of 1 space for every 4 children.

The proposal parking complies with this rate as:

- 17 parking spaces are provided for the facility within the upper parking level of the approved two-level basement.
- a 15 minute pick up and drop off zone between 7am and 9am and 3pm and 5pm weekdays is proposed on the western side of Skyline Place adjacent to the boundary of 5 Skyline Place. This zone will accommodate 6 car spaces. The Traffic and Parking Assessment Report at Appendix 10 provides further discussion on the proposed pick up and drop off arrangement, including a 'Proposed Parking Restrictions Plan'. An excerpt of this plan is provided at Figure 10 of this report.

A Traffic and Parking Assessment Report provides further information (Appendix 10).

4.6 Contributions

Contributions are to be paid in accordance with the *Northern Beaches Section 7.12 Contributions Plan 2024* as part of the original DA for the site (DA2021/0212). Accordingly, no further contributions are triggered as the proposal is limited to the fit out and use of the north western tenancy which was approved as a non-residential use under DA2021/0212.

4.7 Environmental Planning and Assessment Regulations 2021

There are no known matters prescribed by the EP&A Regulations that are relevant to the consideration of this application. The proposal will be compliant with the National Construction Code.

5 Environmental planning assessment

Section 4.15(1)(b) of the EP&A Act requires an assessment of the impact of development on environmental impacts (natural and built), and social and economic impacts.

5.1 Built form

The proposal is for the fit out and use of the space for a centre-based child care facility and does not seek to increase the footprint or gross floor area approved under the development consent DA2021/0212 (as modified).

The approved built form and design of the proposed buildings has been informed and driven by a range of design studies that were undertaken in collaboration with Matthew Pullinger, Architect. The studies, including an Alternative Massing Study, established a clear urban design structure for the site.

The approved development in which the proposed facility will be located comprises two separate buildings ranging from 3 to a maximum part 7, part 8 storeys, a range of employment generating uses on the ground floor, 10 units for disability housing at ground floor with seniors living apartments (independent living) and associated common areas above. The proposed centre-based child care facility will occupy the ground floor tenancy in the north west corner of the approved building as shown in an excerpt from the Architectural Plans at Figure 7 below.

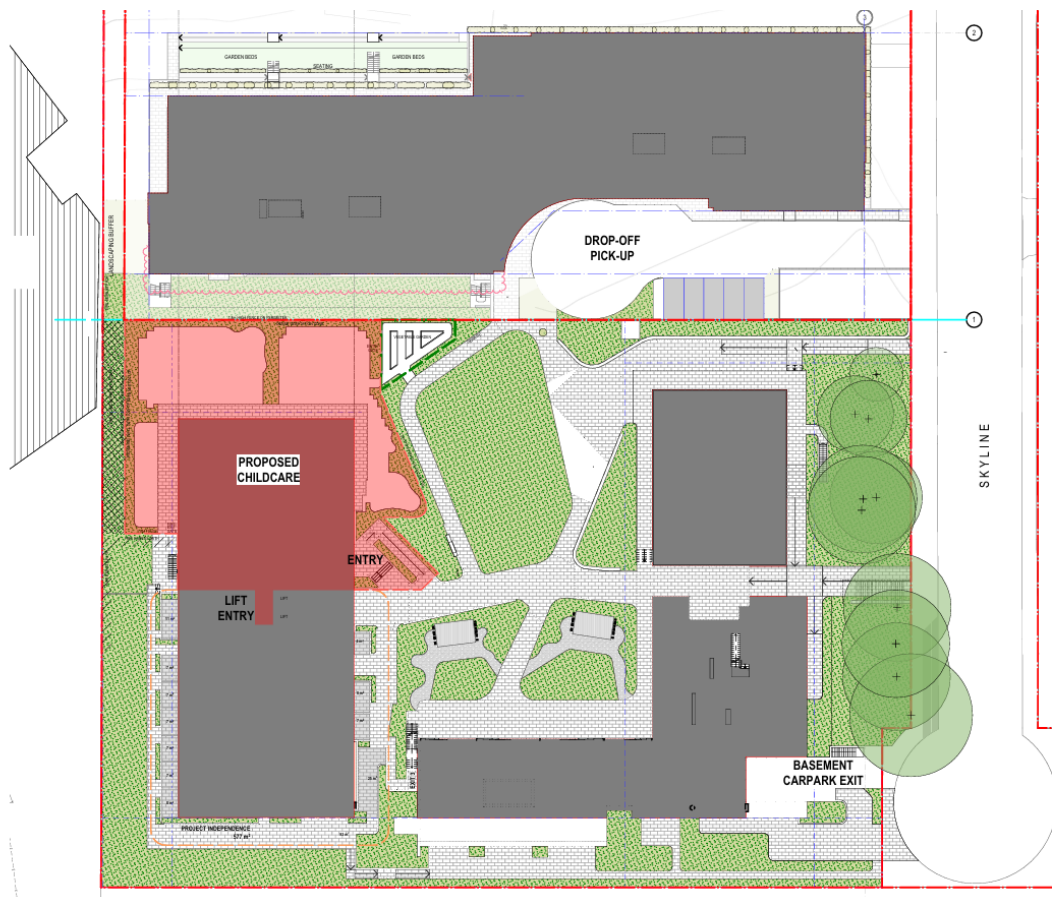


Figure 7: Plan excerpt (Source: PA Architects)

5.2 Public domain and landscaping

Public domain works were assessed and approved under the previous application for the site (DA2021/0212, as modified) and the proposal is for the fit out and use of the north western ground level tenancy of this building. Notwithstanding, this application proposes the design of the tenancy's external façade as well as landscaping, both of which will be visible from the public domain.

The design of the external façade of the facility and landscaping will be consistent with that approved under DA2021/0212 (as modified), whilst ensuring the facility can be differentiated from other tenancies and the residential component of the approved development as required by the *Child care planning guideline*. Minor façade treatment works are proposed near the entry way of the proposed facility.

In regard to landscaping, the application proposes buffer planting and dense vegetation along the boundary of the proposed site, integrated with the perimeter fencing. A variety of tree and vegetation species are also proposed, noting that existing trees at the site will be retained.

Architectural and Landscape plans are provided at Appendix 3 and 4, respectively. Renders have also been prepared for the facility to provide an indicative view of the proposal (refer Figure 5 above, and Figures 8 and 9 below).



Figure 8: Indicative render of proposed child care from entry (Source: PA Studios)



Figure 9: Indicative render of proposed child care from communal space (Source: PA Studios)

5.3 Access

The centre-based child care facility is proposed across a single level on the ground floor of the north western tenancy approved under DA2021/0212 (as modified). The pathway to the entry from Skyline Place will cross through the communal open space approved under the previous DA. This pathway will be at least 2m wide, allowing for two prams to pass at the same time. Both a ramp and stairs are provided at the street entry.

The facility will also be accessible via a lift from the basement below. The lift exit and entry on the ground floor is immediately adjacent to the internal entry to the facility.

A BCA Assessment Report and Access Assessment Report are provided at Appendix 5 and 6, respectively. These reports provide additional information on the relevant regulations and standards in regard to access.

5.4 Traffic and transport

Traffic and parking impacts for the building in which the facility is located were assessed and approved under the previous application for the site (DA2021/0212, as modified). A Traffic and Parking Assessment Report for the proposed child care facility use is provided at Appendix 10 which demonstrates sufficient parking will be provided for the facility in accordance with this application.

In summary, 17 parking spaces will be provided for the facility within the upper parking level of the approved two-level basement. This is compliant with the WDCP 2011 rate for centre-based child care facilities and will provide ample parking for the facility, considering the maximum capacity is 69 children and 12 staff.

In addition, a 15 minute pick up and drop off zone between 7am and 9am and 3pm and 5pm weekdays is proposed on the western side of Skyline Place adjacent to the boundary of 5 Skyline Place. This zone will accommodate 6 car spaces. The Traffic and Parking Assessment Report at Appendix 10 provides further information, including an arrangement plan. An excerpt of this plan is provided at Figure 10 below.

The site is also well located as it is in close proximity to residential and employment generating areas. For this reason, it is expected many parents will walk or ride bicycles to drop off and pick up their children at the facility. The site is also well connected to public transport. Multiple bus stops are located along Frenchs Forest Road East and Warringah Road, in both directions.

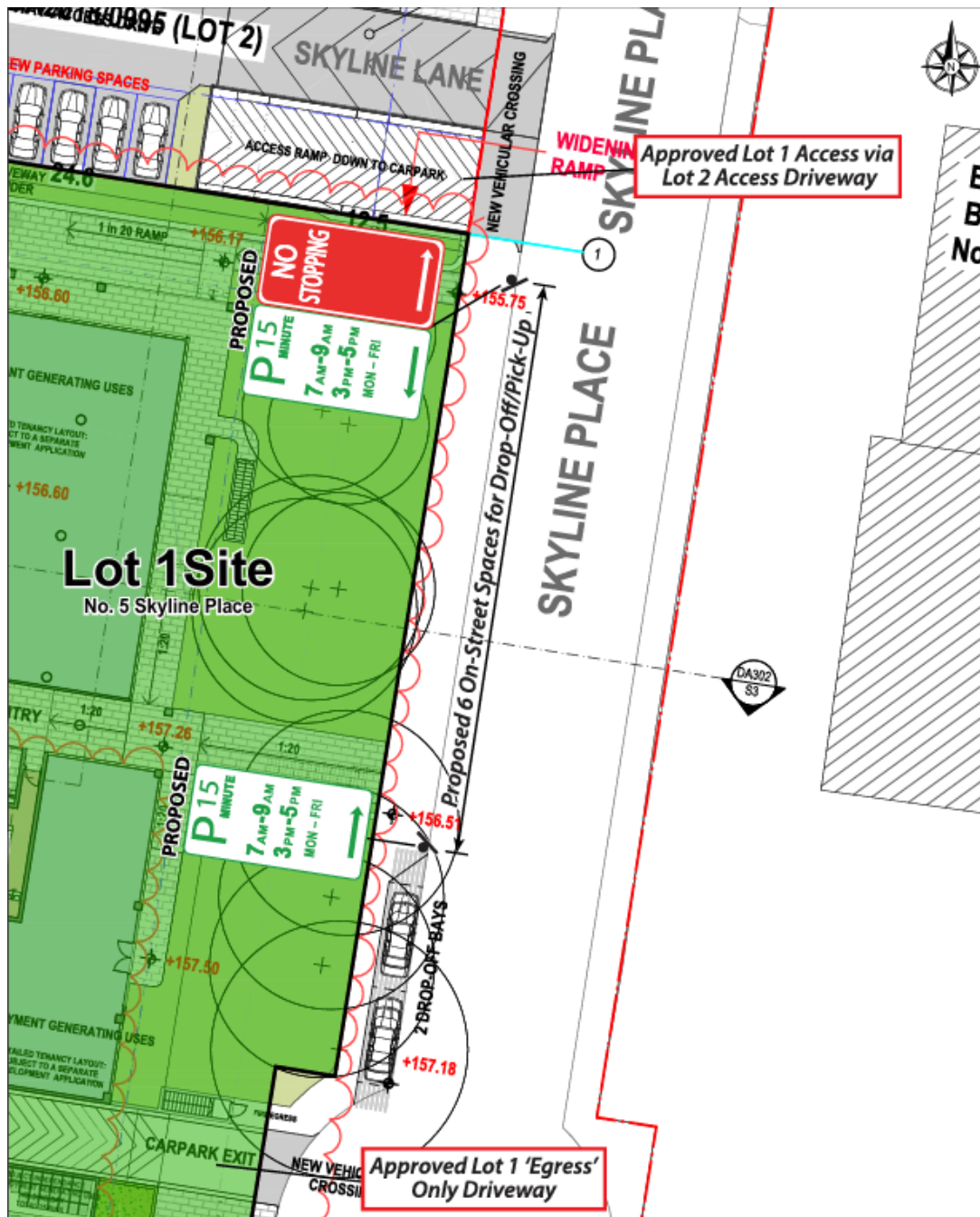


Figure 10: Proposed Parking Restrictions Plan showing proposed pick up and drop off zone (Source: Traffic and Parking Assessment Report, Appendix 10)

5.5 Child safety

The proposed facility has been designed to ensure child safety is maintained at all times, from both a built form design and operational perspective. Key measures include:

- adequate fencing
- well-trained staff
- entry/exit surveillance and security
- appropriate staff to child ratios
- appropriate play equipment and outdoor areas, including landscaping and materials

In addition to the above, the OMP for the facility (Appendix 9) provides specific safety management strategies. The facility will operate in accordance with this OMP at all times.

5.6 Noise

A Noise Impact Assessment (NIA) has been prepared by Acoustic Logic and is provided at Appendix 8. The NIA considers the potential acoustic impacts of the development on the closest sensitive receivers (approved residential development on Skyline Place and existing commercial development to the east and west) as shown at Figure 11 below.

The NIA found the proposed facility will not exceed the noise level criteria for both residential and commercial receivers following an assessment of the projected indoor and outdoor noise levels and considering the proposed number of children.

The NIA recommends the following management controls to ensure this noise levels remain compliant:

- The proposed hours of operation to be 7:30am – 6pm with a maximum of 4 hours play time.
- The facility should not exceed 69 children at any one time.
- Signs be installed at entry and exit points to remind staff and visitors to minimise noise, including a contact number for visitors to use for complaints.
- Staff be trained appropriately.
- The following maximum number of children are permitted outside at any one time during outdoor play):
 - 9 babies
 - 19 toddlers
 - 30 children
- Children are to be play in their designated outdoor areas for each age group as shown on the Landscape Plans at Appendix 4.
- No amplified music to be used in external areas.
- Mechanical plant to operate only during the proposed hours of operation (7:30am-6pm).

In addition to the above, an Operational Management Plan (OMP) for the facility has been prepared and is provided at Appendix 9. The facility will operate in accordance with this OMP, including the noise management strategies.



Figure 1: Aerial View of the Site Location and Sensitive Receivers.



Figure 11: Sensitive receivers (Source: Noise Impact Assessment, Appendix 8)

5.7 Bushfire

As outlined at Section 4.2, the Bushfire Assessment Report provided at Appendix 7 details appropriate bushfire safety measures for the proposed fit out and use of the tenancy for a centre-based child care facility.

The Bushfire Assessment Report makes a number of recommendations which will be implemented throughout construction and operation of the childcare centre to ensure safety in the case of a bushfire. These recommendations include:

- managing the site as an inner protection area in accordance with *Planning for Bush Fire Protection 2019* (PBP 2019);
- ensuring the childcare centre complies with relevant sections for BAL 19 under AS 3959 'Construction of buildings in bushfire-prone area';
- all new construction is to comply with Section 7.5 of PBP 2019;

- a Bushfire Emergency Management Plan (BEMP) is to be prepared for the development and be consistent with NSW RFS guidelines;
- new electrical services should be underground, and where not possible, lines are installed with short pole spacing and to be at distance to trees in accordance with *Guideline for Management Vegetation Near Power Lines*;
- new gas services to comply with AS 1596:2014 'The storage and handling of LP Gas'; and
- extended internal hydrant system is to comply with Table 6.8c of PBP 2019.

The Bushfire Assessment Report demonstrates the development's ability to comply with the provisions of PBP 2019 and the requirements of the *Rural Fires Regulation 2013*.

5.8 Waste management

A Waste Management Plan (WMP) prepared by Platino Properties accompanied the previous DA at the site (DA2021/0212, as modified). This WMP is provided at Appendix 12 and addresses construction and operational waste in accordance with the WDCP 2011. The proposed centre-based child care facility will be constructed and operate in accordance with this WMP.

In addition to the above, the OMP for the facility (Appendix 9) includes specific waste management strategies for the proposed facility that are to be followed.

5.9 Stormwater management and contamination

The proposal is for the fit out and use of the north western ground floor tenancy of the development approved under DA2021/0212, as modified). Stormwater management and contamination were assessed and approved under this application. The proposed centre-based child care facility will be constructed and operate in accordance with these documents.

The approval for DA2021/0212 required a detailed Remediation Action Plan (RAP) to be prepared at the commencement of construction. The RAP has subsequently been prepared and found the site generally does not contain contaminated soils, with the exception of a minor area of contamination of which will be removed. On this basis, the site will be suitable for the proposed centre-based child care facility to be located at ground level.

5.10 Economic and socio-economic

The proposal will promote the social and economic welfare of the community by:

- enhancing service provision for the local community through the provision of additional child care services
- providing a co-located facility, in proximity to health services, aged care, office spaces, residential dwellings and public transport
- providing an early education facility close to seniors housing, thereby encouraging opportunities for social and inter-generational interaction
- facilitating the transition of the locality into an active and high amenity place through a well-designed façade and adequate landscaping

5.11 Construction management

A Construction management plan (CMP) will be prepared prior to any construction works commencing on the site. The CMP will address the following key matters:

- pedestrian and traffic management
- hours of construction work
- noise and vibration
- waste management
- air quality.

It is considered subject to the preparation and implementation of the CMP, that the impacts arising from the construction of the development can be mitigated and managed.

5.12 Suitability of the site

The characteristics of the site, its land use context and its location are described in Section 2 of this report.

The site is suitable in accommodating the proposed centre-based child care facility for the following reasons:

- it is well located given its proximity to residential and employment areas as well as public transport
- it provides an early education facility which will encourage community and inter-generational interaction
- the proposal includes the provision of a high quality landscaping scheme and an appropriate façade design
- it facilitates the transition of the existing locality into an active and high amenity, diverse place
- the development will foster the economic growth of Frenchs Forest, the wider Northern Beaches LGA and provide an employment generating use
- there are no natural, physical or cultural constraints on the site or in the surrounding locality that preclude the proposed development.

Accordingly, it can be concluded that the site and north western tenancy is suitable to accommodate the nature and scale of the proposal.

5.13 Public interest

The proposal is in the public interest as it will achieve:

- a well located early education facility that is accessible via active transport from residential and employment areas, as well as via public transport
- the co-location of a child care centre with major health facilities and other services
- the co location of a child care centre with seniors housing which encourages opportunities for inter-general interaction
- an employment generating use

- improved surveillance of the private and public domain during the facility's operating hours
- adequate landscaping to ensure the facility integrates into the site and is consistent with the broader approved development

In addition, Council will consider any public submissions relating to the proposal during its assessment. Accordingly, it can be concluded that the proposed development is entirely in the public interest.

6 Conclusion

This SEE supports a development application for the use and fit out of an approved ground floor tenancy for a centre-based child care facility at 5 Skyline Place, Frenchs Forest.

This SEE has been prepared and is submitted to Council pursuant to the provisions of Part 4 of the EP&A Act. A detailed examination of the proposal, in its legislative and physical context, has found that it:

- is consistent with the current legislative framework
- is consistent with the relevant strategic documents
- exceeds the requirements of the *Child Care Planning Guideline*
- is suitable for the site and the area, after an assessment against the heads of consideration of section 4.15(1) of the EP&A Act
- meets the objectives of the SP4 zone
- does not give rise to any adverse impacts on nearby heritage items
- will not lead to any adverse traffic or pedestrian safety issues
- will not result in any environmental impacts or adverse impacts on the amenity of surrounding land.

Consequently, approval of the proposed fit out and use of an existing tenancy for a centre-based child care centre is recommended.