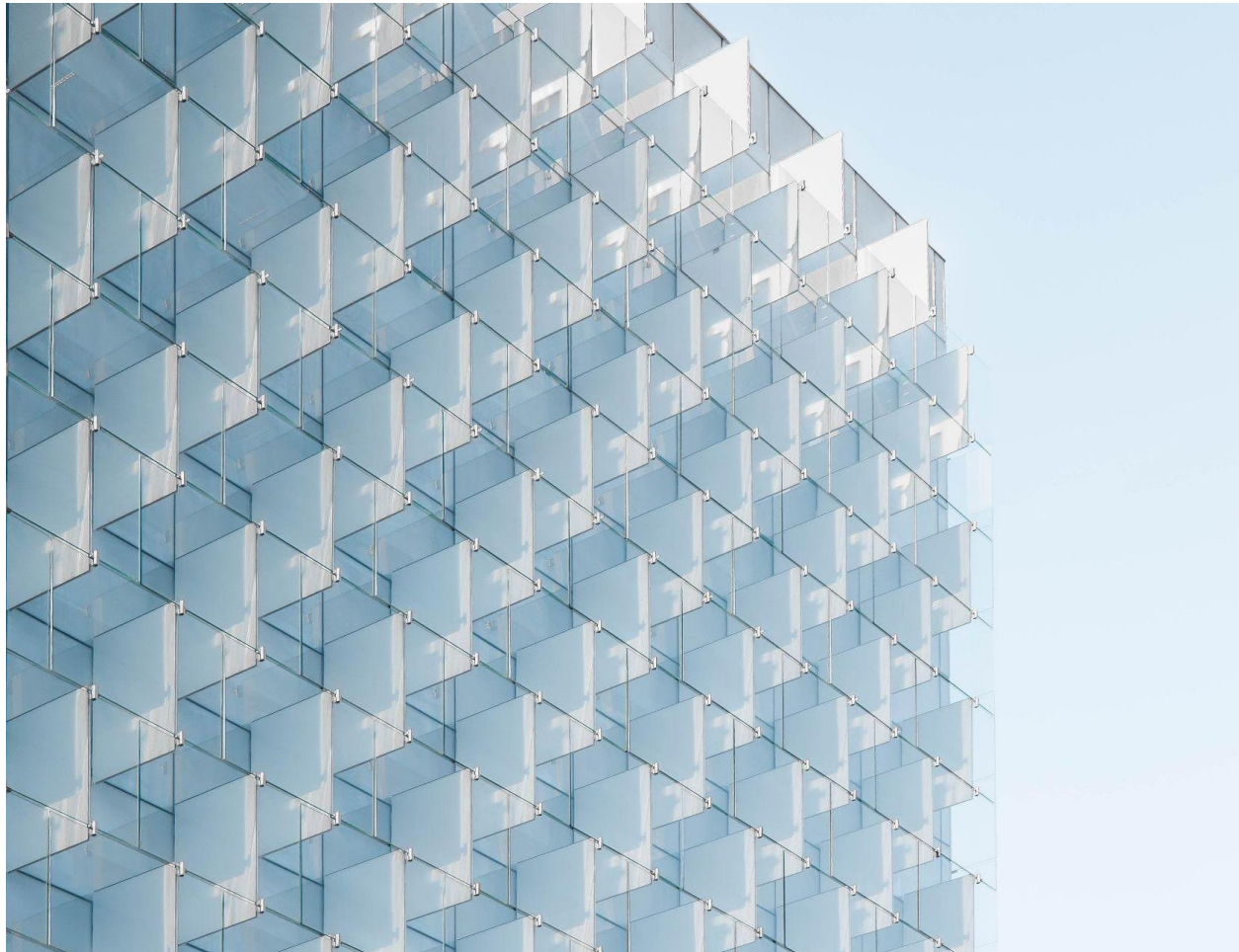


Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 3 DP 789759)



STATEMENT OF ENVIRONMENTAL EFFECTS:

Proposed Change of Use and Fitout - Indoor Recreation Facility
(Swim School)

100 South Creek Road, Cromer
Lot 1 DP 1220196

Prepared by Willowtree Planning Pty Ltd
on behalf of Aquatic Achievers






Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



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Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



TABLE OF CONTENTS

PART A	PRELIMINARY	5
1.1	INTRODUCTION	5
PART B	SITE ANALYSIS.....	6
2.1	SITE LOCATION AND CHARACTERISTICS.....	6
2.2	DEVELOPMENT HISTORY.....	8
PART C	PROPOSED DEVELOPMENT	9
3.1	OVERVIEW	9
3.2	DEVELOPMENT STATISTICS	9
3.3	OPERATIONAL DETAILS.....	10
3.4	SIGNAGE DETAILS	11
PART D	LEGISLATIVE AND POLICY FRAMEWORK	12
4.1	STATUTORY PLANNING FRAMEWORK OVERVIEW	12
4.2	NON-STATUTORY PLANNING FRAMEWORK OVERVIEW	12
4.3	ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979.....	12
4.4	ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000	13
4.5	HERITAGE ACT 1997	14
4.6	WATER MANAGEMENT ACT 2000.....	14
4.7	BIODIVERSITY CONSERVATION ACT 2016	15
4.8	STATE ENVIRONMENTAL PLANNING POLICY NO 33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT	15
4.9	STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND	16
4.10	STATE ENVIRONMENTAL PLANNING POLICY NO 64 – ADVERTISING AND SIGNAGE	16
4.11	STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007	19
4.12	STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018	19
4.13	WARRINAGH LOCAL ENVIRONMENTAL PLAN 2011.....	20
4.13.1	Zoning and Permissibility.....	20
4.13.2	Development Standards.....	21
4.14	DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS.....	24
4.15	WARRINGAH DEVELOPMENT CONTROL PLAN 2011	24
PART E	LIKELY IMPACTS OF THE DEVELOPMENT	25
5.1	CONTEXT AND SETTING	25
5.2	BUILT FORM	25
5.3	TRAFFIC & TRANSPORT	25
5.3.1	Traffic Generation.....	25



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



5.3.2	Parking	26
5.3.3	Access and Loading.....	26
5.4	STORMWATER AND EROSION AND SEDIMENT CONTROL.....	27
5.5	NOISE	27
5.5.1	General Management Measures.....	29
5.5.2	Plant Room and Mezzanine Plant Area Construction	30
5.5.3	Windows and doors.....	32
5.5.4	Absorption	32
5.6	HERITAGE	33
5.7	BIODIVERSITY.....	33
5.8	BUILDING CODE OF AUSTRALIA.....	33
5.9	WASTE	33
5.10	SUITABILITY OF SITE FOR DEVELOPMENT	33
5.11	SUBMISSIONS.....	34
5.12	THE PUBLIC INTEREST	34
PART F	CONCLUSION.....	35



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



APPENDICES

Appendix	Document	Prepared by
1	Architectural Plans	SBA Architects
2	Development Consent (DA2019/1346)	Northern Beaches Council
3	Plan of Management	Aquatic Achievers
4	WDCP2011 Compliance Table	Willowtree Planning
5	Transport Impact Assessment	Stantec
6	Operational Noise Emission Assessment	Acoustic Dynamics
7	BCA Assessment Report	BCA Logic
8	Waste Management Plan	MRA Consultants

FIGURES

Figure 1. Cadastral Map (Source: SIX Maps, 2021)	6
Figure 2. Aerial Map (Source: Near Map, 2021)	7
Figure 3. Site Plan (Source: SBA Architects, 2022)	7
Figure 4. Proposed Floor Plan (Source: SBA Architects, 2022)	10
Figure 5. South Elevation Signage Location (Source: SBA Architects, 2022)	11
Figure 6. WLEP2011 Zoning Map (Source: NSW Legislation, 2021)	20
Figure 7. WLEP2011 Lot Size Map (Source: NSW Legislation, 2021)	22
Figure 8. WLEP2011 Height of Buildings Map (Source: NSW Legislation, 2021)	23
Figure 9. WLEP2011 Heritage Map (Source: NSW Legislation, 2021)	23
Figure 10. WLEP2011 Landslip Risk Map (Source: NSW Legislation, 2021)	24
Figure 11. Example of Internal Ceiling Construction with Plasterboard (Source: Acoustic Dynamics, 2021)	31

TABLES

TABLE 1. EXISTING CONSENTS.....	8
TABLE 2. DEVELOPMENT STATISTICS	9
TABLE 3. OPERATIONAL DETAILS.....	11
TABLE 4. SECTION 4.15(1)(A) CONSIDERATIONS.....	12
TABLE 5. PROPOSED CHEMICALS TO BE STORED	15
TABLE 6. SEPP 64 ASSESSMENT CRITERIA.....	17
TABLE 7. IN1 GENERAL INDUSTRIAL LAND USE TABLE.....	20
TABLE 8. DEVELOPMENT STANDARDS	22
TABLE 9. AVERAGE TRAFFIC GENERATION ESTIMATES	25
TABLE 10. INDICATIVE OPERATING SCHEDULE.....	26
TABLE 11. PREDICATED NOISE EMISSION AND RELEVANT CRITERIA – EXTERNAL RECEIVERS.....	28
TABLE 12. MAXIMUM NOISE EMISSION LEVELS AND RELEVANT OBJECTIVES – INTERNAL RECEIVERS	28
TABLE 13. MAXIMUM ROAD TRAFFIC NOISE EMISSION LEVELS AND CRITERIA FOR RESIDENTIAL RECEIVERS.....	29
TABLE 14. RECOMMENDED INTERNAL CEILING CONSTRUCTION WITH PLASTERBOARD	30
TABLE 15. RECOMMENDED INSERTION LOSS FOR FAÇADE LOUVRE	32



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



PART A PRELIMINARY

1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning) on behalf of Aquatic Achievers. This SEE is submitted to Northern Beaches Council (Council) to support a Development Application (DA) for the change of use and fitout, of Warehouse 1 at Northern Beaches Business Park, for the purpose of a swim school (indoor recreation facility) for the future end user identified as Aquatic Achievers.

Northern Beaches Business Park is identified as 100 South Creek Road, Cromer, as more formally described as Lot 1 in DP 516470 (Subject Site).

The proposed development entails provisions for the following components, including:

- Formally seek a change of use to an indoor recreation facility;
- Construction fitout works (internal) including:
 - Two (2) swimming pools including associated pump and mechanical equipment;
 - Amenities for patrons including change rooms, showers and seating areas;
 - Associated reception area and staff area;
- Relocation of four (4) car parking spaces;
- Pedestrian footpath and crossings;
- Additional mechanical plant room; and
- Erection of business identification signage.

The Site is zoned IN1 General Industrial pursuant to the *Warringah Local Environmental Plan 2011* (WLEP2011) and is located within the Northern Beaches Local Government Area (LGA). The proposed development is permissible with development consent within the IN1 General Industrial zone and is considered contextually appropriate.

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

Based on the assessment undertaken, it is recommended that favourable consideration to the approval of the DA be given by Council.

The structure of this SEE is as follows:

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



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



PART B SITE ANALYSIS

2.1 SITE LOCATION AND CHARACTERISTICS

The Subject Site is located at 100 South Creek Road, Cromer, also known as 4 – 10 Inman Road, Cromer. The Subject Site is bound by South Creek Road to the south and Inman Road to the west. The north-western corner of the Subject Site is bound by Orlando Road, which connects to Parkes Road. The Subject Site also has frontage to Campbell Avenue. The remainder of the Subject Site shares a common boundary with existing residential dwellings and childcare centre to the north.

The Subject Site is zoned IN1 General Industrial, pursuant to the WLEP2011 and includes mostly office buildings and large warehouse/manufacturing buildings. Zones surrounding the Subject Site include RE1 – Public Recreation, RE2 – Private Recreation, SP2 – Infrastructure, and R2 – Low Density Residential.

Located twenty (20) kilometres from the Sydney CBD, the Subject Site is within the Cromer Industrial Precinct, close to the Northern Beaches Hospital, the B-line bus network, and the Beaches Link Tunnel project. It is also near to the Dee Why Town Centre, which is undergoing significant urban renewal.

The Subject Site has been significantly developed and includes a variety of buildings and structures, ranging in age from the 1920s through to 2006, with works commenced to facilitate the redevelopment works approved in 2020. Three (3) separate heritage listings apply to the Subject Site, under the WLEP 2011, being; Item 52: 'Roche Building'; Item 53: 'Givaudan-Roure Office'; and Item 38: 'Trees'.

The proposed development pertains to Warehouse 1 that was approved under **DA2019/1346 (Appendix 2)** as part of the Northern Beaches Business Park and is located in the northwest portion of the Site along Inman Road.

The existing Site characteristics are depicted in **Figures 1, 2 and 3** below.

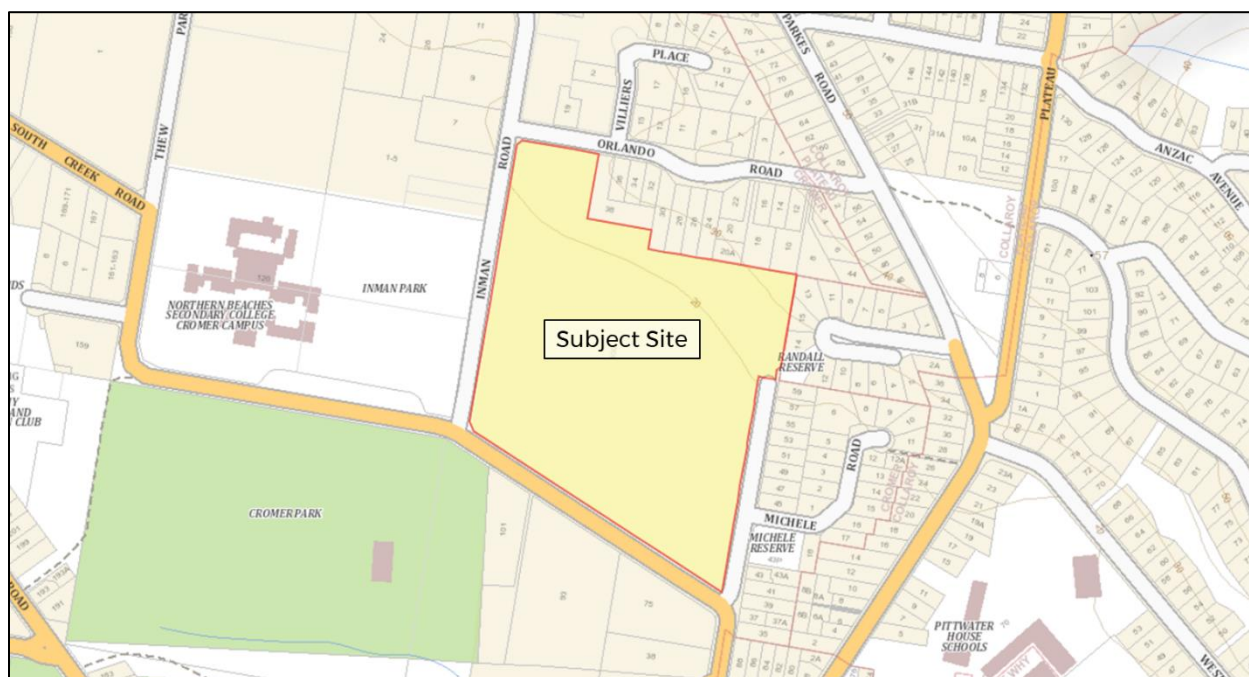


Figure 1. Cadastral Map (Source: SIX Maps, 2021)



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



Figure 2. Aerial Map (Source: Near Map, 2021)

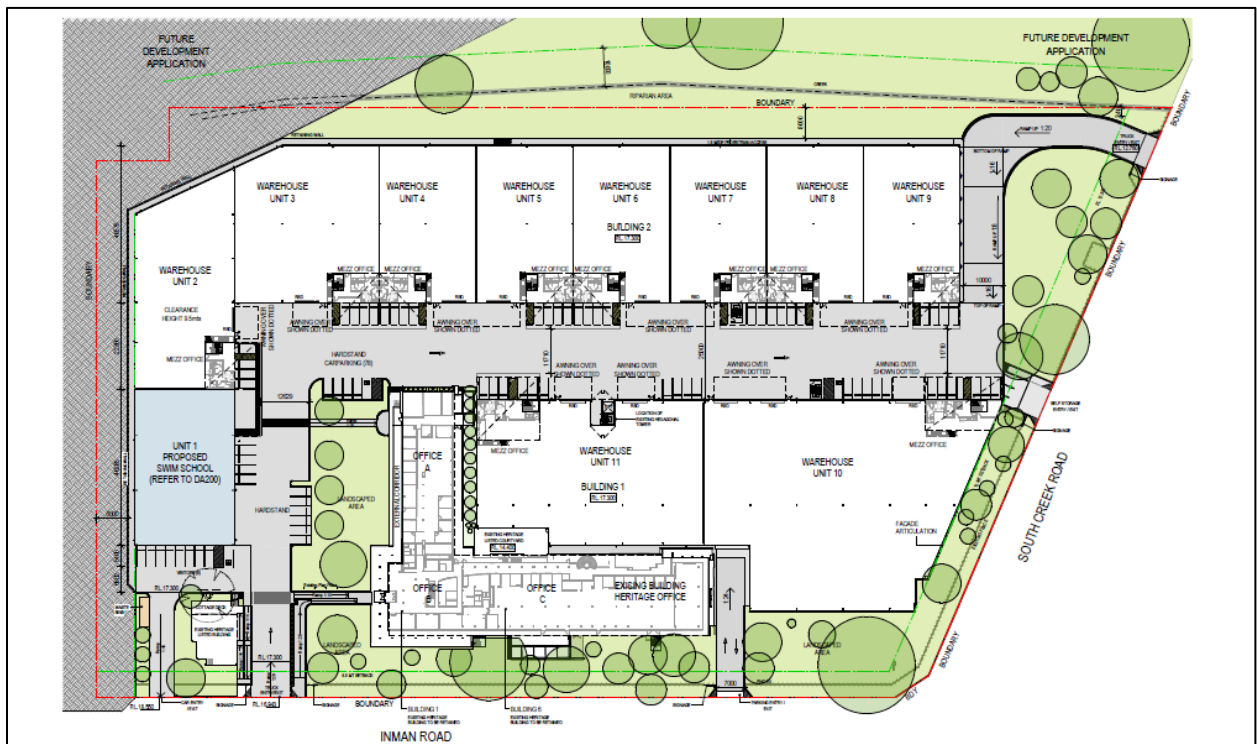


Figure 3. Site Plan (Source: SBA Architects, 2022)



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



2.2 DEVELOPMENT HISTORY

TABLE 1 below provides a summary of the DAs pertaining to the Site that have been determined or are under assessment.

TABLE 1. EXISTING CONSENTS		
DA Reference	Lodged	Summary
DA2021/1464	24/08/2021	Three (3) Lot Torrens Title Subdivision
Mod2020/0611	07/12/2020	Modification of Development Consent 2019/1346 granted for Demolition works and alterations and additions to an existing industrial facility including new warehouse and self storage office premises and ancillary cafe.
DA2019/1346	27/11/2019	Demolition works and alternations and additions to an existing industrial facility, including new warehouse, and self-storage, office premises and ancillary café
DA2017/0948	25/09/2017	Removal of Signage from a heritage listed industrial building (Roche)
Mod2017/0202	01/08/2017	Modification of Development Consent DA2017/0438 granted for Demolition Works and Tree Removal
DA2017/0438	11/05/2017	Demolition Works and Tree Removal
DA2017/0236	20/03/2017	Tree Application



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



PART C PROPOSED DEVELOPMENT

3.1 OVERVIEW

The proposed development is for the change of use and fitout of Warehouse 1 at the Subject Site, for the purpose of a swim school (indoor recreation facility) for future end user identified as Aquatic Achievers. Aquatic Achievers is one of Australia's premier 'Learn to Swim' providers. It has been in operation for over 25 years, each year teaching over 600,000 lessons across its locations in Queensland, Victoria, NSW and ACT.

This DA seeks development consent for the following components:

- Formally seek a change of use to an indoor recreation facility;
- Construction fitout works (internal) including:
 - Two (2) swimming pools including associated pump and mechanical equipment;
 - Amenities for patrons including change rooms, showers and seating areas;
 - Associated reception area and staff area;
- Relocation of four (4) car parking spaces;
- Pedestrian footpath and crossings;
- Additional mechanical plant room; and
- Erection of business identification signage.

3.2 DEVELOPMENT STATISTICS

The proposed swim school (indoor recreation facility) includes those works as identified in **TABLE 2** below.

TABLE 2. DEVELOPMENT STATISTICS	
Component	Proposed
Site Area	37,031 m ² (total)
Proposed Use	Swim school (indoor recreation facility)
Gross Floor Area	1,089 m ² (Warehouse 1)
Landscaping	No change
Car Parking	35 car parking spaces <ul style="list-style-type: none">▪ 31 allocated within the approved basement car parking level▪ 4 relocated spaces proposed adjacent to the subject tenancy
Signage	One (1) business identification sign
Capital Investment Value (CIV) Estimate	\$2,298,090.86 (including GST)
Hours of Operation	6:30am to 9pm, 7 days a week



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)

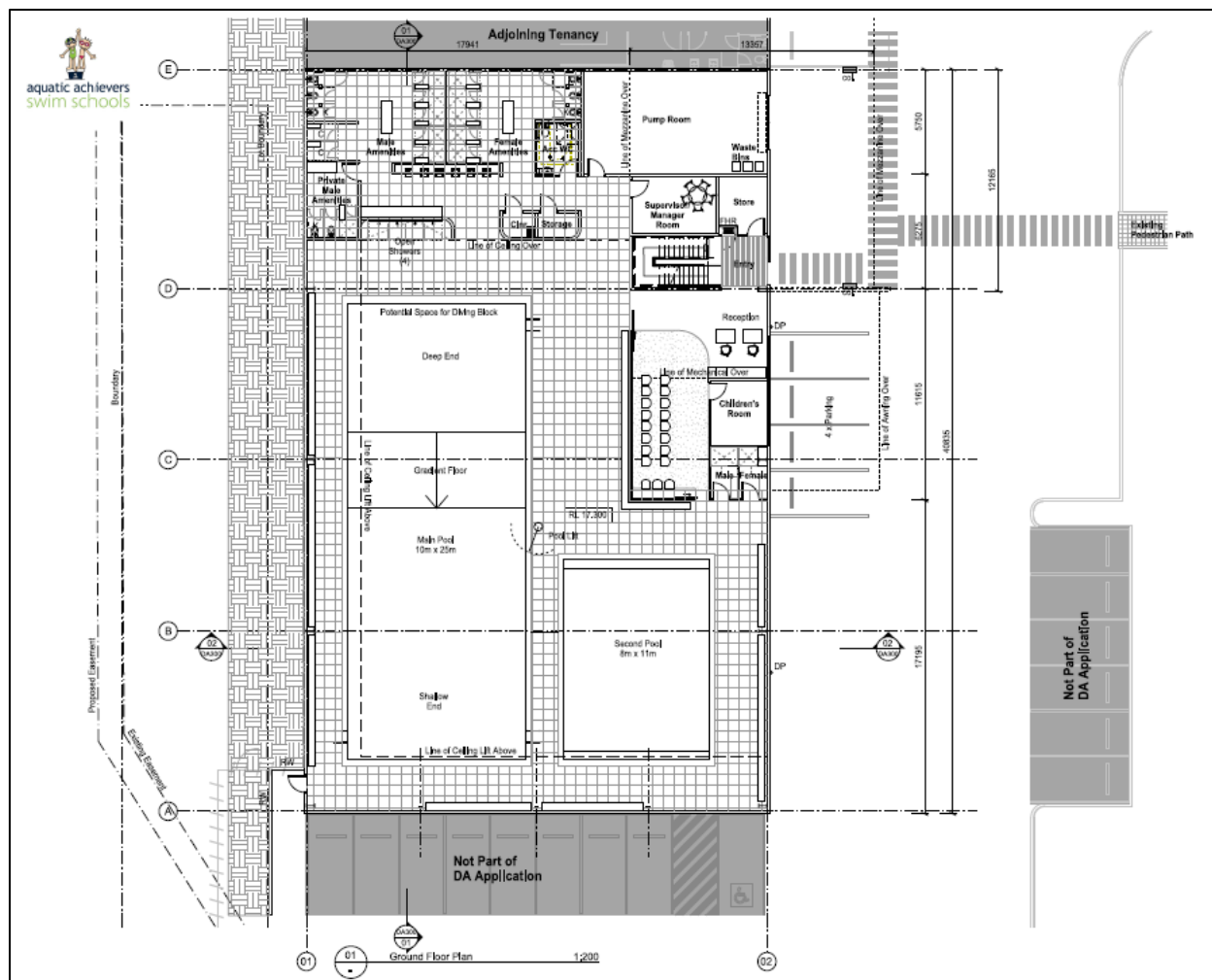


Figure 4. Proposed Floor Plan (Source: SBA Architects, 2022)

3.3 OPERATIONAL DETAILS

The proposed development is for the construction and operation of a swim school (indoor recreation facility) for use by Aquatic Achievers.

Lesson times generally vary from level to level, with infants, toddlers and pre-school aged children attending lessons of 30 minutes, with a maximum of 3 to 6 children per class. School aged children lessons are 45 minutes to 60 minutes, with 8 to 12 children per class.

The total number of classes and children varies from shift to shift and could typically range from 4 to 8 classes at one given time during the day. The classes primarily operate in the morning and afternoon.

In addition, Aquatic Achievers offer access to swimming merchandise such as caps, goggles and flippers, however this is an ancillary retail offering and would not involve sales to the general public.

Aquatic Achiever Centre's typically employ up to 50 staff per centre in a Full time, part time and casual capacity as per below:

100 South Creek Road, Cromer (Lot 1 DP 1220196)



- Further details of the operation of the swim school by Aquatic Achievers can be found in the Plan of Management (**Appendix 3**). **TABLE 3** provides a brief summary of the operations to be conducted.

Component	Proposed
Nature of Use	Swim school (indoor recreation facility)
Hours of operation	6:30am to 9pm, 7 days a week
Number of staff	7-12 will be present in center at any given time (up to 50 employees in total)
Capacity	132 patrons (including staff)
Number of classes	Typically, 30-50 classes per day (more classes occur on weekends than weekdays)

Details of the proposed signage are further illustrated within the Architectural Plans (**Appendix 1**) and in **Figure 5** below.



Figure 5. South Elevation Signage Location (Source: SBA Architects, 2022)



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



PART D LEGISLATIVE AND POLICY FRAMEWORK

4.1 STATUTORY PLANNING FRAMEWORK OVERVIEW

This Part of the SEE addresses and responds to the legislative and policy requirements relevant to the proposed development at the Subject Site in accordance with the EP&A Act. The statutory planning framework relevant to the proposed development at the Subject Site includes:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Heritage Act 1997*
- *Water Management Act 2000*
- *Biodiversity Conservation Act 2016*
- *State Environmental Planning Policy No 33 – Hazardous and Offensive Development*
- *State Environmental Planning Policy No 55 – Remediation of Land*
- *State Environmental Planning Policy No 64 – Advertising and Signage*
- *State Environmental Planning Policy (Infrastructure) 2007*
- *State Environmental Planning Policy (Coastal Management) 2018*
- *Warringah Local Environmental Plan 2011*

4.2 NON-STATUTORY PLANNING FRAMEWORK OVERVIEW

- *Warringah Development Control Plan 2011;*

4.3 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

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

4.3.1 Section 4.15(1) of the EP&A Act 1979

Section 4.15(1) of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. The relevant matters for consideration under Section 4.15(1) of the EP&A Act are provided in **TABLE 4** below.

TABLE 4. SECTION 4.15(1)(A) CONSIDERATIONS	
Section	Response
Section 4.15(1)(a)(i) any environmental planning instrument, and	The principal Environmental Planning Instrument (EPI) for the proposed development on the Subject Site is WLEP2011.
Section 4.15(1)(a)(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and	No draft instruments are applicable to this Site.



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



Section 4.15(1)(a)(iii) any development control plan, and	The applicable Development Control Plan (DCP) is the <i>Warringah Development Control Plan 2011</i> (WDPCP2011), with the relevant provisions discussed below in Section 4.8 of this SEE.
Section 4.15(1)(a)(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and	There are no voluntary planning agreements (VPA) applicable to the Site. Notwithstanding, the proposed development would be subject to the <i>Northern Beaches Section 7.12 Contributions Plan 2021</i> .
Section 4.15(1)(a)(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),	The EP&A Regulation is addressed in Section 4.4 of this report.
Section 4.15(1)(b)-(c)	The potential environmental impacts and the suitability of the Site for the proposed development are discussed in Part E of this SEE.

4.3.2 Section 4.46 of the EP&A Act 1979

The proposed development would not constitute Integrated Development and does not require referral under Section 4.46 of the EP&A Act.

4.4 ENVIRONMENTAL PLANNING AND ASSESSMENT REGULATION 2000

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

1) *A development application must:*

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

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

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

The DA is accompanied with all the relevant consultant reports as required under the EP&A Act and EP&A Regulation.

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

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

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



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



The DA will be lodged via the NSW Planning Portal.

Further, the proposal does not trigger 'Designated Development' pursuant Schedule 3 of the EP&A Regulation.

4.5 HERITAGE ACT 1977

The *Heritage Act 1977* protects the cultural and natural history of NSW and those items identified as State or local heritage significance. The Subject Site is listed as an item of environmental heritage in Schedule 5 of the WLEP2011. However, the Subject Site is not listed on any other statutory or non-statutory lists or registers. The Subject Site comprises three (3) items of environmental heritage, all of which are listed under Schedule 5 of the WLEP2011.

Clause 5.10(4) and 5.10(5) of the WLEP2011 require Council to assess the potential heritage impact of non-exempt development, such as the proposed works, on the heritage significance of said heritage items, and also assess the extent to which the proposal would impact the heritage significance of those heritage items.

The proposed development is for the fitout and use, including some minor alterations and additions, of an existing building (Warehouse 1) as approved under **DA2019/1346 (Appendix 2)** and will have no additional impacts on heritage items contained within the Site.

The proposal, from an external viewpoint is generally in accordance with the development approved under **DA2019/1346**.

For further consideration refer to **Section 5.6** of this SEE.

4.6 WATER MANAGEMENT ACT 2000

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

Whilst the Subject Site contains a classified first order creek, a desktop assessment by Eco Logical Australia as part of **DA2019/1346 (Appendix 2)** has found that the creek line does not meet the WM Act classification. As such, the proposed development is not within 40m of what is classified as a 'river', therefore a controlled activity approval on waterfront land is not required.

It is also noted that previous investigations at the Subject Site (i.e. borehole drilling and cone penetration tests) by Douglas Partners, typically encountered groundwater at depths of between 2.5 m and 4.5 m below ground level (at approximately RL 10 m to RL 14 m).

The maximum depth of the proposed pools is approximately 1.6 m below ground, which extends to an RL of around 15.7 m. As such, it is considered that aquifer interference would not occur.



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



4.7 BIODIVERSITY CONSERVATION ACT 2016

The *Biodiversity Conservation Act 2016* (BC Act) commenced on 25 August 2017 and sets out, among other things, to establish a scientific method for assessing the likely impacts on biodiversity values of proposed development and land use change.

As part of **DA2019/1346 (Appendix 2)**, an ecological survey and assessment have been undertaken in accordance with relevant legislation including the EP&A Act and the BC Act.

In respect of matters required to be considered under the EP&A Act and relating to the species / provisions of the BC Act, three (3) threatened fauna species including the Powerful Owl (*Ninox strenua*), Grey-headed Flying-fox (*Pteropus poliocephalus*) and Little Bentwing-bat (*Miniopterus australis*), two (2) threatened flora species *Eucalyptus scoparia* and *Syzygium paniculatum* (all planted), and no threatened ecological communities (TECs) were recorded within the study area.

The assessment of significance test in accordance with Section 7.3 of the BC Act concluded that the proposed development is not likely to have a significant effect on any threatened species, endangered communities, or their habitat. Therefore, a species impact statement is not required for the proposed activity.

Notwithstanding, the proposed development is part of the footprint approved under **DA2019/1346 (Appendix 2)** and built form work is proposed that would impact on any biodiversity contained within the Site.

4.8 STATE ENVIRONMENTAL PLANNING POLICY NO 33 – HAZARDOUS AND OFFENSIVE DEVELOPMENT

The proposal, as modified, does involve the storage and/or handling of potentially dangerous goods or materials. The following chemicals are proposed to be stored on the Site to support the operation of the swim school;

TABLE 5. PROPOSED CHEMICALS TO BE STORED	
Chemical	Quantity stored at any given time
Salt	40 x 10kg bags
Liquid Chlorine	2 x 15 litre drums
Dry Acid	10 x 10kg bags
Sodium Bicarbonate	2 x 20kg bag

Based on the above quantities, the proposal is not identified as hazardous industry or offensive industry. As such, no further consideration of SEPP 33 is required.



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



4.9 STATE ENVIRONMENTAL PLANNING POLICY NO 55 – REMEDIATION OF LAND

Clause 7(1) of *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55) requires that a consent authority must not grant development consent on land unless:

- a) *it has considered whether the land is contaminated, and*
- b) *if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*
- c) *if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

Site remediation works form part of the previous development consent of **DA2019/1346**, as such no further consideration of SEPP 55 is required under this DA.

4.10 STATE ENVIRONMENTAL PLANNING POLICY NO 64 – ADVERTISING AND SIGNAGE

State Environmental Planning Policy No 64 – Advertising and Signage (SEPP 64) applies to all signage:

- (a) *that, under another environmental planning instrument that applies to the signage, can be displayed with or without development consent, and*
- (b) *is visible from any public place or public reserve.*

The proposal includes the following signage:

- One (1) business identification signs:
 - 'Aquatic Achievers' business identification flush wall sign located over the main entrance.

The specification and location of the proposed signage is provided in the Architectural Plans located within **Appendix 1** of this SEE.

Pursuant to Clause 8 of SEPP 64, a consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:

- (a) *that the signage is consistent with the aims/objectives of the Policy, and*
- (b) *that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.*

Aims and Objectives of SEPP 64

The aims of SEPP 64 are:

- (1)(a) *to ensure that signage (including advertising):*
 - (i) *is compatible with desired amenity and visual character of an area, and*
 - (ii) *provides effective communication in suitable locations, and*
 - (iii) *is of high quality design and finish, and*
- (b) *to regulate signage (but non content) under Part 4 of the Act, and*
- (c) *to provide time-limited consents for the display of certain advertisements, and*
- (d) *to regulate the display of advertisements in transport corridors, and*
- (e) *to ensure that the public benefits may be derived from advertising in and adjacent to transport corridors*



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



- (2) *this policy does not regulate the content of signage and does not require consent for a change in the content of signage.*

Assessment Criteria

The Assessment criteria under Schedule 1 of SEPP is addressed in **TABLE 6**.

TABLE 6. SEPP 64 ASSESSMENT CRITERIA	
Criteria	Comment
1. Character of the area	
Is the proposal compatible with the existing or desired future character of the area or locality in which is to be located?	Yes, the proposed signage is compatible with the existing and desired future character of the Site and other development within the immediate area, which is primarily other commercial and industrial buildings.
Is this proposal consistent with the particular theme for outdoor advertising in the area or locality?	Yes, as above.
2. Special Areas	
<i>Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?</i>	The Site is located within close proximity to heritage items; however, the proposed sign would not detract from any views to or from these items. Furthermore, all future signage would be of a high quality design and finish and would improve the visual amenity of the Site through effective identification.
3. Views and vistas	
<i>Does the proposal obscure or compromise important views?</i>	No. The proposed signage is to be located flush on the wall of the existing building (Warehouse 1) and is of height and scale consistent with the built form on the Site and would not disrupt or dominate views toward the Site.
<i>Does the proposal dominate the skyline and reduce the quality of vistas?</i>	No, the proposed signage would be of a height and scale consistent with the built form on the Site and would not dominate the skyline.
<i>Does the proposal respect the viewing rights of other advertisers?</i>	Yes, the signage would not obstruct any other signage or advertising.
4. Streetscape, setting or landscape	
<i>Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?</i>	Yes. The proposed signage has been designed in respect of the proposed built form on the Site to effectively identify the business. The proposed



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



	signage is compatible with the character of the Site and its surrounds as detailed above.
<i>Does the proposal contribute to the visual interest of the streetscape, setting or landscape?</i>	Yes. The proposed signage would visually define the business (Aquatic Achievers) occupying Warehouse 1 and would be integrated with the Site to create a visually coherent built form. Furthermore, the proposed sign is located along the internal road which contribute to the visual interest of the streetscape and Site.
<i>Does the proposal reduce clutter by rationalising and simplifying existing advertising?</i>	<p>Yes. The proposed signage relates to business identification, compromising of one (1) flush wall signs on the southern elevations of Warehouse 1. The proposed signage is of appropriate size, scale and spaced to be suitable within the area.</p> <p>Given the above, the proposed signage would not cause any clutter.</p>
<i>Does the proposal screen unsightliness?</i>	No. The proposed sign is not used as a visual screen or filter.
<i>Does the proposal protrude above buildings, structures or tree canopies in the area or locality?</i>	No. the signage would not protrude above the roof line or tree canopy.
<i>Does the proposal require ongoing vegetation management?</i>	No. The proposed sign would not require ongoing vegetation management.
5. Site and building	
<i>Is the proposal compatible with the scale proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?</i>	Yes. The proposed sign is of a suitable scale and design for its intended purpose to effectively identify the building and future tenant (Aquatic Achievers) on-Site and would integrate with the existing built form and façade design to achieve visual coherence.
<i>Does the proposal respect important features of the site or building, or both?</i>	Yes, the sign does not obscure any important architectural features of the building.
<i>Does the proposal show innovation and imagination in its relationship to the site or building, or both?</i>	Yes. The proposed signage has been integrated with the layout of the Site so as not to obstruct any vehicle or pedestrian movements and achieve a positive visual outcome.
6. Associated devices and logos with advertisements and advertising structures	
<i>Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?</i>	Yes. The proposed signa contains a logo that is pertinent to the proposed operations.
7. Illumination	



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



<i>Would illumination result in unacceptable glare?</i>	N/A – illumination is not proposed.
<i>Would illumination affect safety for pedestrians, vehicles, or aircraft?</i>	N/A – illumination is not proposed.
<i>Would illumination detract from the amenity of any residence or other form of accommodation?</i>	N/A – illumination is not proposed.
<i>Can the intensity of illumination be adjusted, if necessary?</i>	N/A – illumination is not proposed.
<i>Is the illumination subject to a curfew?</i>	N/A – illumination is not proposed.
8. Safety	
<i>Would the proposal reduce the safety for any public road?</i>	No. The proposed sign is not located over a public road. Therefore, the proposed sign will not reduce the safety of any public road.
<i>Would the proposal reduce the safety for pedestrians or bicyclists?</i>	No, the proposal would not obstruct any pedestrian or cycle routes or infrastructure and therefore would not negate the safety of pedestrians or bicyclists.
<i>Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?</i>	No, the proposed sign would not obscure any sightlines from public areas frequented by pedestrians. Neither would the proposed signage obstruct any vehicle sight lines from public roads.

4.11 STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Among other functions, *State Environmental Planning Policy (Infrastructure) 2007* (SEPP Infrastructure) repeals the former *State Environmental Planning Policy No. 11 – Traffic Generating Development* and provides for certain proposals, known as Traffic Generating Development, to be referred to Transport for NSW (TfNSW) for concurrence.

Under Clause 104 of SEPP Infrastructure, referral may be required for 'Traffic Generating Development'. Schedule 3 lists the types of development that are defined as 'Traffic Generating Development'. The internal nature of the works does not necessitate referral to TfNSW.

4.12 STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

The *State Environmental Planning Policy (Coastal Management) 2018* (SEPP Coastal Management) aims to promote an integrated and co-ordinated approach to land use planning in the coastal zone in a manner consistent with the objects of the *Coastal Management Act 2016*. These objectives include the management of development in the coastal zone and protecting environmental assets as well as establishing a framework for land use planning to guide decision making in the coastal zone.

It is noted that that the Subject Site is located in proximity to a coastal zone (approximately 120m southwest), however is not subject the provisions of the SEPP Coastal Management.



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



4.13 WARRINAGH LOCAL ENVIRONMENTAL PLAN 2011

The WLEP2011 is the primary EPI that applies to the Subject Site.

The relevant provisions of WLEP2011 as they relate to the Subject Site are considered below:

4.13.1 Zoning and Permissibility

The Subject Site is zoned IN1 General Industrial, pursuant to WLEP2011.

Refer to **Figure 6** below.

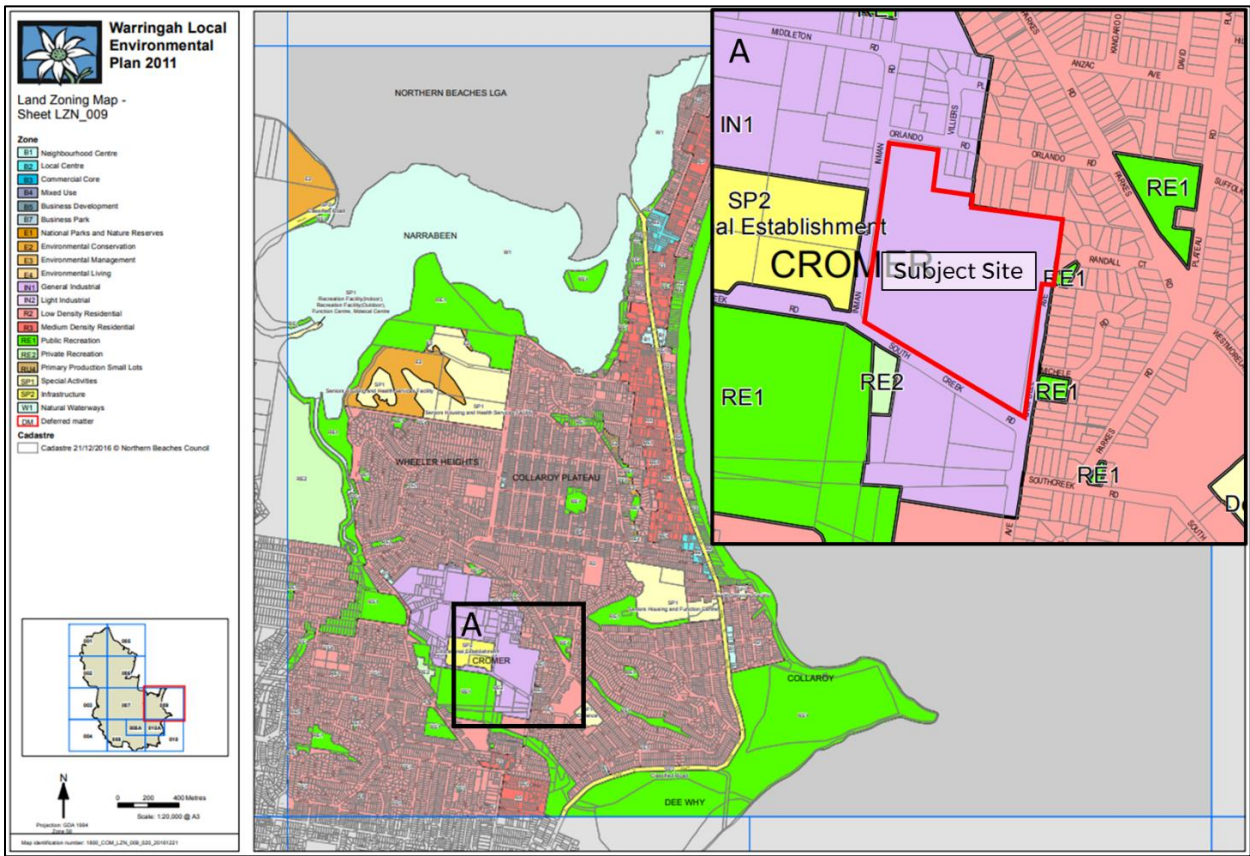


Figure 6. WLEP2011 Zoning Map (Source: NSW Legislation, 2021)

The following table provides an overview of the land use permissibility within the IN1 zone.

TABLE 7. IN1 GENERAL INDUSTRIAL LAND USE TABLE	
Land Use Table	
Objectives of zone	<ul style="list-style-type: none">To provide a wide range of industrial and warehouse land uses.To encourage employment opportunities.To minimise any adverse effect of industry on other land uses.To support and protect industrial land for industrial uses.



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



	<ul style="list-style-type: none"> To enable other land uses that provide facilities or services to meet the day to day needs of workers in the area. To enable a range of compatible community and leisure uses. To maintain the industrial character of the land in landscaped settings. <p>The proposal is consistent with the objectives of the IN1 General Industrial zone as it will provide a community recreational facility and employment generation with positive economic benefits to the local and regional economies.</p>
Permitted without consent	<i>Nil</i>
Permitted with consent	<p><i>Boat building and repair facilities; Depots; Freight transport facilities; Garden centres; General industries; Hardware and building supplies; Industrial retail outlets; Industrial training facilities; Light industries; Liquid fuel depots; Neighbourhood shops; Oyster aquaculture; Places of public worship; Roads; Storage premises; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle body repair workshops; Vehicle repair stations; Vehicle sales or hire premises; Warehouse or distribution centres; Any other development not specified in item 2 or 4.</i></p> <p>Pursuant to the WLEP2011, a swim school (indoor recreation facility) is classified as any other development that is not specified in item 2 or 4 and is therefore permitted with consent within the IN1 General Industrial zone.</p>
Prohibited	<p><i>Advertising structures; Agriculture; Air transport facilities; Amusement centres; Animal boarding or training establishments; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Heavy industries; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Information and education facilities; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Pond-based aquaculture; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Restricted premises; Rural industries; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Wharf or boating facilities</i></p>

4.13.2 Development Standards

TABLE 8 outlines the developments consistency and compliance with the relevant development standards and controls under the WLEP2011.



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



TABLE 8. DEVELOPMENT STANDARDS

Clause	Comment
Clause 4.1 – Minimum Lot Size	The Site is subject to a minimum lot size of 4,000m ² under the WLEP2011 (refer to Figure 9). No subdivision is proposed as part of this development.
Clause 4.3 – Height of Buildings	The Site is subject to a maximum Height of Building (HOB) of 11m under the WLEP2011 (refer to Figure 10). Notwithstanding, this development is for the internal fit out of Warehouse 1 and does not propose an increase to the existing building height as approved under DA2019/1346 (Appendix 2) .
Clause 4.4 – Floor Space Ratio	The Subject Site is not subject to a maximum Floor Space Ratio (FSR) under the WLEP2011.
Clause 5.10 – Heritage	As depicted in Figure 11 below, the Subject Site is listed as an item of environmental heritage in Schedule 5 of the WLEP2011. For further consideration refer to Section 5.6 of this SEE.
Clause 6.4 – Development on sloping land	The Site is identified as being located on Area A, D and E (refer to Figure 12). Notwithstanding, no changes to the predominant built form is proposed as approved under DA2019/1346 (Appendix 2) .
Clause 7.14 – Acid Sulfate Soils	The Subject Site is not identified as being subject to Acid Sulfate Soils under LEP mapping.

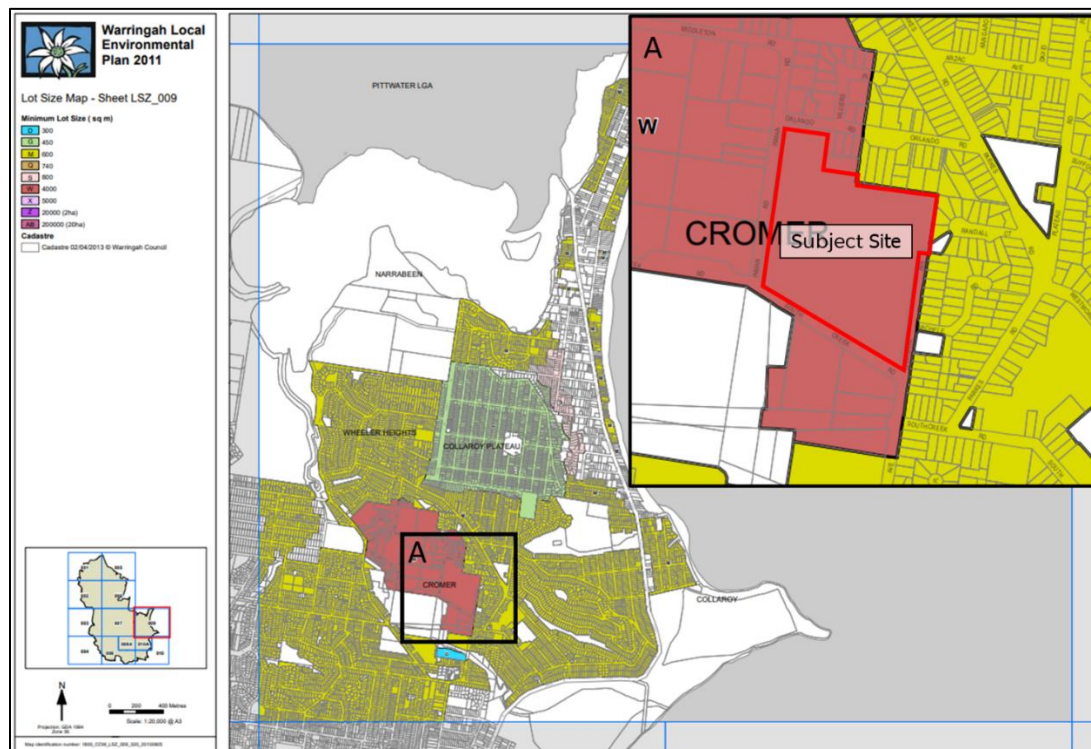


Figure 7. WLEP2011 Lot Size Map (Source: NSW Legislation, 2021)



Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)

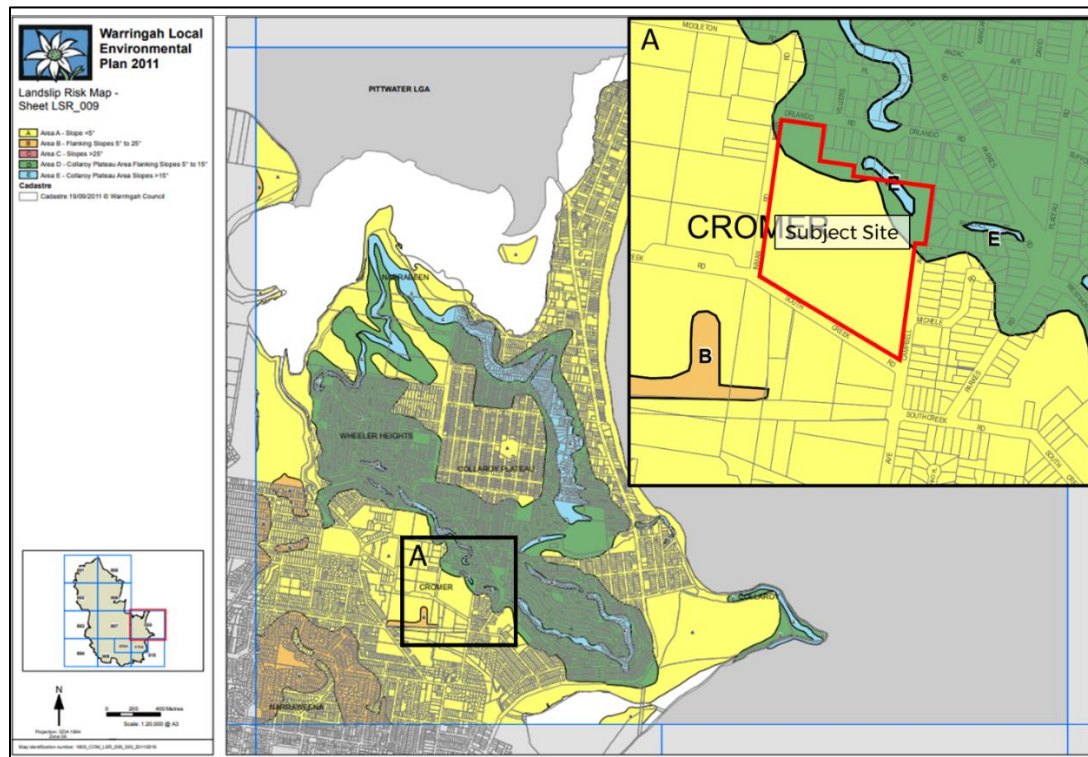


Figure 10. WLEP2011 Landslip Risk Map (Source: NSW Legislation, 2021)

4.14 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS

No Draft Environmental Planning Instruments apply to the Site.

4.15 WARRINGAH DEVELOPMENT CONTROL PLAN 2011

The WDCP2011 provides detailed planning and design guidelines to support the planning controls of the WLEP2011.

An assessment of the proposal against the relevant sections of the WDCP2011 is provided at **Appendix 4**.



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



PART E LIKELY IMPACTS OF THE DEVELOPMENT

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15(1) of the EP&A Act.

5.1 CONTEXT AND SETTING

In its existing state, the Subject Site comprises an industrial development, which is permissible within the IN1 General Industrial zone under WLEP2011. The swim school (indoor recreation facility) is considered compatible with use of the existing Site and surrounding land uses. Additionally, the proposal does not adversely impact on the functionality or amenity of the adjoining SP2 Infrastructure zone to the west or R2 Low Density Residential zone to the east. Rather, the proposed development, would be considered contextually appropriate and commensurate with prevailing development in the immediate vicinity, as well as the wider locality.

5.2 BUILT FORM

The proposal includes an internal fitout and minor work to the exterior of Warehouse 1 located at 100 South Creek Road, Cromer. The main built form of the building will remain unchanged to that approved under DA2019/1346 (Appendix 2). As such, it is considered that the proposal would remain consistent with the aesthetics of the area.

5.3 TRAFFIC & TRANSPORT

A Transport Impact Assessment was completed by Stantec and can be found at Appendix 5. This report is summarised in the following sections.

5.3.1 Traffic Generation

The approved Northern Beaches Business Park as approved under DA2019/1346 (Appendix 2) was assessed to generate 168 and 181 vehicle trips in the weekday AM and PM peak hours respectively. This was determined to be less than the historic use on the Subject Site. As a result, the business park was determined to generate approximately 130 vehicles less during the peak hours, or at least 40 per cent less traffic compared to the previous site operation.

The TfNSW Guide 2002 and a first principles assessment of trip generation has also been undertaken and TABLE 9 sets out the resultant vehicle generation for both the AM and PM peak hours.

TABLE 9. AVERAGE TRAFFIC GENERATION ESTIMATES						
Time Period	Classes per session	Sessions per hour	Children per class	Parking Demand	Trips per parking space	Trips per hour
Weekday AM	5	2	3	24	2	48
Weekday PM	8	2	3	38	2	76



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



Weekend AM	13	2	3	62	2	124
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Although the proposed swim school is anticipated to generate more traffic than traditional commercial, warehouse and industrial uses, most of the traffic is anticipated to be from nearby residential areas thus using the local road network to access the swim school more directly.

It is noted that although the weekend AM peak trips generated by the proposal are the highest (as illustrated in **TABLE 9**), the development traffic is unlikely to have a significant effect on the road network, as it would operate both outside the network peak of the surrounding road (for a weekend, the peak is typically around midday), and outside opening hours of traditional commercial, industrial and warehouse uses, which would be generally closed for the weekend.

Overall, the anticipated traffic volumes associated with the swim school are not expected to compromise the safety or function of the surrounding road network during either the weekday or weekend peaks.

5.3.2 Parking

The car parking requirements for different development types are set out in WDCP2011. A review of land uses suggests that a gymnasium would be indirectly related to the proposed use. The parking rate for a gymnasium is 4.5 spaces per 100 square metres GFA and is adopted from the *TfNSW Guide to Traffic Generating Developments 2002*. Application of this parking rate to the proposed swim school (1,089 m² GFA) results in a parking requirement of 49 spaces.

TABLE 10 suggests that the proposal could generate demand for 28 and 44 parking spaces on the weekday AM and PM peaks respectively, increasing to 71 spaces in the weekend AM peak. It is noted that the weekday PM peak demand is similar to the requirement adopting the WDCP2011 (and TfNSW Guide 2002) parking rate for a gymnasium.

TABLE 10. INDICATIVE OPERATING SCHEDULE							
Time Period	Classes per session	Sessions per hour	Children per class	Patron parking Demand	Staff on duty	Staff parking demand	Total Parking demand
Weekday AM	5	2	3	24	6	4	28
Weekday PM	8	2	3	38	9	6	44
Weekend AM	13	2	3	62	14	9	71

5.3.3 Access and Loading

WDCP2011 does not provide service vehicles parking rates. It is expected that the swim school will be serviced by 6.4-metre-long small rigid vehicles, with less than one delivery daily. There is covered



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



hardstand area adjacent to the roller shutter door of the warehouse that will be used for deliveries and waste collection (if separate to the broader business park). Vehicles can park parallel to the roller shutter, with forward entry and exit. Minor reversing may be required when departing the loading area in order to drive forward out. The reversing can be completed in a controlled manner, with appropriate audible and light warnings from the service vehicle. On this basis, the available loading provision is more than suitable for the swim school, with swept path analysis and design review for the business park completed as part of the approved Northern Beaches Business Park under **DA2019/1346 (Appendix 2)**.

In Summary, based on the analysis and discussions presented within the Transport Impact Assessment (**Appendix 5**) the following conclusions have been made by Stantec;

- Based on a first-principles assessment, the proposed swim school is expected to generate demand for 28 and 44 car parking spaces in the weekday AM and PM peaks respectively, increasing to 71 spaces in the weekend AM peak.
- The proposed supply of 35 car parking spaces is generally acceptable with reliance on available on-street parking to accommodate the minor level of additional demand forecast during the weekday PM peak.
- Given that most of the commercial, warehouse and industrial uses are expected to be closed on weekends, the applicant proposes to negotiate an agreement with the property manager and/or directly with surrounding tenants to use some of the spare 244 car parking spaces available across the Site for the additional demand of 36 spaces forecast during the weekend AM peak.
- Approved angled parking adjacent to Warehouse 1 is proposed to be relocated west to improve the entrance and back-of-house for the swim school and remains compliant with Australian Standards.
- The proposal requires nine bicycle parking spaces. There are 40 bicycle spaces provided across the business park to accommodate the demand associated with the proposal.
- Swim schools have low demand for deliveries and waste collection, therefore the available provision would be suitable for the proposal.
- Based on a first-principles assessment, the proposal is expected to generate 48 trips in the weekday AM peak, 76 trips in the weekday PM peak and 124 trips in the weekend AM peak.
- Although the proposed swim school is anticipated to generate more traffic than traditional commercial, warehouse and industrial uses, most of the traffic will be from nearby residential areas thus using the local road network to access the swim school instead of Pittwater Road.
- There is adequate capacity in the surrounding road network to cater for the traffic generated by the proposal.
- On this basis, the proposed swim school can be supported from a traffic and transport perspective.

5.4 STORMWATER AND EROSION AND SEDIMENT CONTROL

The proposed development would not alter the existing stormwater and erosion and sediment control provisions of the Site.

5.5 NOISE

An Operational Noise Emission Assessment was conducted by Acoustic Dynamics and can be found at **Appendix 6**. The following noise controls and guidelines have been used to determine the relevant noise criteria to be applied:



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



- Northern Beaches Assessment Criteria;
 - WLEP2011;
 - WDCP2011;
 - Protection of the Environment Operations (POEO) Act;
- NSW Environment Protection Authority (EPA);
 - Noise Policy for Industry (NPfI);
 - Project Noise Trigger Level;
 - Project Intrusiveness Noise Level;
 - Project Amenity Noise Level;
 - Project Noise Trigger Level;
 - Sleep Disturbance Criterion;
- The EPA's Road Noise Policy; and
- Relevant Australian Standards;
 - AS 2107 – “Acoustics – Recommended Design Sound Levels... for Buildings”

TABLE 11, TABLE 12 and **TABLE 13** provide a summary of the findings and assessment of the maximum cumulative noise impacts from noise sources associated with the use of the proposed swim school at nearby sensitive receivers, against the various noise emission criteria and objectives as outlined above. The assessment location is defined as the most affected point on or within any sensitive receiver property boundary.

TABLE 11. PREDICATED NOISE EMISSION AND RELEVANT CRITERIA – EXTERNAL RECEIVERS					
Sensitive Receiver Location	Activity / Noise Source	Relevant Assessment Period	Calculated LAEQ Noise Level [dB]	Project Noise Trigger Level LAEQ [dB]	Complies?
Residential [R1] 30 Orlando Road [NNE]	Use and Operation of the Swim School	Night-time (10pm – 7am)	30	40	Yes
Commercial [R4] Warehouse 2 (directly adjacent)		When in Use	57	63	Yes

TABLE 12. MAXIMUM NOISE EMISSION LEVELS AND RELEVANT OBJECTIVES – INTERNAL RECEIVERS				
Location	Location ²	Calculated Maximum LAEQ (15 min) Noise Level [dB]	Relevant LAEQ (15 min) Objective [dB]	Complies?
Commercial [R4] Warehouse 2 (directly adjacent)	Ground Floor Warehouse Area	36	45 ¹	Yes
	Mezzanine Office Area	<40	40 ²	Yes



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



TABLE 13. MAXIMUM ROAD TRAFFIC NOISE EMISSION LEVELS AND CRITERIA FOR RESIDENTIAL RECEIVERS

Residential Receiver Location	Noise Source	Quietest Period Source Operates	Calculated Maximum LA _{EQ} (1 Hour) Noise Level [dB]	Relevant Noise Criterion LA _{EQ} (1 Hour) [dB]	Complies ?
Along South Creek Road or Inman Road	Off-site car movements	Night (10pm to 7am)	<35	50	Yes

Based on the findings, a number of recommendations and advice have been made and are contained with Section 5.2 of the Operational Noise Emission Assessment (**Appendix 6**). Acoustic Dynamics advise that the noise levels indicate that:

- External noise emission from the use and operation of the proposed swim school will achieve compliance with Northern Beaches Council and the EPA NSW NPfI criteria with the incorporation of recommendations provided below.
- Internal noise emission from the use and operation of the proposed swim school will achieve compliance with Northern Beaches Council and Australian Standard 2107-2016 with the inception of the recommendations provided below.
- Sleep disturbance from the use and operation of the proposed swim school will achieve compliance with Northern Beaches Council and EPA NSW criteria;
- Acoustic Dynamics has determined that the noise emission from the proposed swim school will achieve compliance with offensive noise component of the NSW POEO Act 1997 with the incorporation of the recommendations provided below.

It is concluded that from the noise monitoring and measurements conducted and review of the relevant acoustic criteria, requirements and calculations, the proposed operation is predicted to achieve compliance with the relevant noise emission criteria of the Northern Beaches Council, NSW EPA and the NSW POEO Act 1997, subject to the recommendations outlined in below being incorporated. See recommendations outlined below:

5.5.1 General Management Measures

- The erection of clear signage at all entries and exits advising students and patrons that they must not generate excessive noise when entering and leaving the premises.
- Staff monitoring the behaviour of students and patrons within the subject premises and as students/guardians' egress to ensure emission of students/guardians is kept to a minimum when entering and leaving the premises; and
- Restricting the use of low frequency speakers (sub-woofers) and ensuring any full range speakers are isolated from the building structure. Furthermore, if any full range speakers exceed LA_{EQ}(15 min) 75dB. Note is made that the maximum internal reverberant sound pressure level can be set to ensure the adjacent receivers are not adversely affected by the operation of the swim school, following the fit-out of the premises and the installation of a speaker system.



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



5.5.2 Plant Room and Mezzanine Plant Area Construction

Acoustic Dynamics advise that the existing ceiling/roof construction direct to the proposed plant room and mezzanine plant area is likely to required additional acoustic treatment to ensure noise transmission is minimised through to the adjoining tenancy (Warehouse 2) and to the various office spaces associated with the swim school. This is based on our predictions and not on measurements at this site.

We understand that the roof construction is an unlined steel framed roof with a combination of metal & polycarbonate cladding. This type of construction is likely to allow flanking of noise from the pump room into the adjoining space (i.e., offices).

In light of the above, Acoustic Dynamics provide the following option to achieve an adequate level of acoustic isolation:

5.5.2.1 Internal fitout for proposed pump room (warehouse ceiling)

Based on Acoustic Dynamics desktop predictions, the following construction is recommended:

- 1. The exposed steel framed roof is required to be enclosed to the following minimum specifications:

TABLE 14. RECOMMENDED INTERNAL CEILING CONSTRUCTION WITH PLASTERBOARD	
Roof	
1.	Existing metal and polycarbonate cladding of steel purlins; to
Ceiling Construction	
2.	Clips direct fixed to purlin at 1200mm centres; with
3.	Rondo furring channel No. 129 at 600mm maximum centres; to
4.	1 layer of 13mm Gyprock plasterboard; with
Cavity Infill	
5.	50mm GW Acoustigard minimum density of 11kg/m ³ (or equivalent).

- 2. A schematic diagram showing the proposed ceiling construction (excluding cavity infill) is presented as **Figure 11**. Note should be made that the plasterboard sheeting is to be affixed to the underside of the Rondo furring channel.



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)

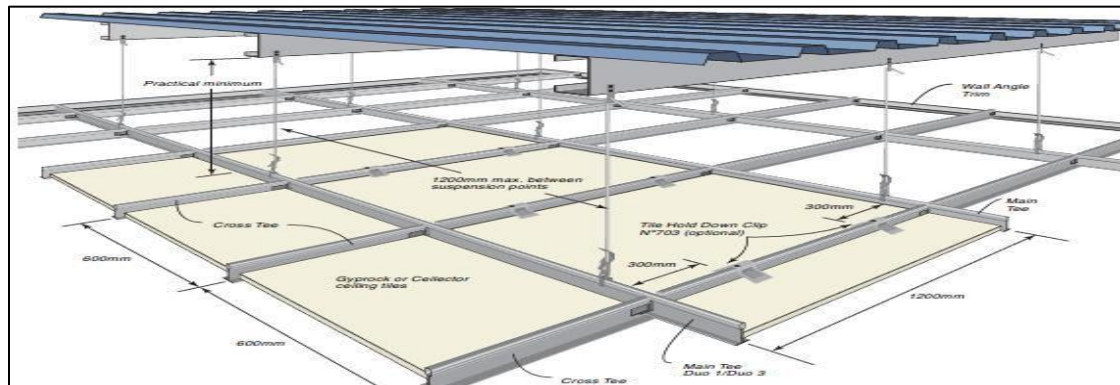


Figure 11. Example of Internal Ceiling Construction with Plasterboard (Source: Acoustic Dynamics, 2021)

3. The gaps to the adjoining wall are to be treated with an acoustically rated flexible mastic sealant.

Acoustic Dynamics advises that the recommended mitigation measures will improve the acoustic performance of the existing ceiling and will achieve an adequate level of acoustic amenity for the adjacent tenancy (Warehouse 2).

5.5.2.2 Internal fit out for proposed mezzanine plant platform

Based on our desktop predictions, the following construction is recommended for the mezzanine plant platform:

1. The floor of the plant platform is required to be constructed using a suspended floor system constructed to the following specification:
 - i. Minimum 1 layer of 19mm or 22mm particle board or fibre cement sheeting (15kg/m²), crossed laid on the flooring frame; to
 - ii. Timber or steel joists at 600mm maximum centres; with
 - iii. 205mm deep cavity infilled with insulation 14kg/m³; to
 - iv. Rondo furring channel clipped to Gyprock Resilient mounts; to
 - v. 1 layer of 13mm moisture resistant plasterboard;
2. The exposed steel framed roof is required to be enclosed to the minimum specifications as outlined in **TABLE 14**.
3. A schematic diagram showing the proposed ceiling construction (excluding cavity infill) is presented as **Figure 11**. Note should be made that the plasterboard sheeting is to be affixed to the underside of the Rondo furring channel.
4. The internal walls of the plant platform should achieve an acoustic rating Rw 50 and be constructed using a stud frame to the following specification:
 - i. 2 layers of 13mm thick moisture resistant plasterboard on Gyprock resilient mounts; to
 - ii. 92mm thick timber or steel stud frame; with
 - iii. 75mm thick insulation in the cavity (11kg/m³); with
 - iv. 2 layers of 13mm thick moisture resistant plasterboard; and
 - v. All penetrations sealed with flexible mastic sealant;



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



5. The facade wall of the mezzanine plant room should be upgraded to ensure noise is not emitted from the facade. The upgrades should include:
 - i. Lining the existing sheet metal facade frame with insulation with minimum density 14kg/m³;
 - ii. Fixing 2 layers of 13mm moisture resistant plasterboard to the facade frame;
6. All gaps to the adjoining facade wall and ceiling are to be treated with an acoustically rated flexible mastic sealant;
7. All gaps to the adjoining facade wall and ceiling are to be treated with an acoustically rated flexible mastic sealant;
8. The weather louvres on the southern facade wall of the underground car park must be upgraded to FanTech SBL1 Acoustic Louvres, or achieves the same minimum insertion losses as a Fantech SBL1. Acoustic Dynamics advises that a Mechanical Engineer must be consulted to confirm that the above recommendations meet the air flow requirements for the specified pumps;

TABLE 15. RECOMMENDED INSERTION LOSS FOR FAÇADE LOUVRE

63 Hz	125 Hz	250 Hz	500 Hz	1000 Hz	2000 Hz	4000 Hz	8000 Hz
4 dB	7 dB	9 dB	13 dB	14 dB	12 dB	12 dB	8 dB

9. All items of mechanical plant and associated ductwork should be isolated from the building structure through the use of resilient mounts, resilient sleeves and or spring hangers; and
10. Following development approval, an acoustic consultant is to be engaged to assess the proposed mechanical design to ensure compliance with the requirements of Council.

5.5.3 Windows and doors

Acoustic Dynamics advise that all windows and glass doors must ensure an adequate acoustic (air tight) seal when closed. Any sound flanking paths around the windows and doors must be sealed to provide adequate acoustic insulation.

All gaps between the window frame and the wall structure should be sealing using polystyrene rods and silicone mastic sealant.

5.5.4 Absorption

Acoustic Dynamics advise that due to the space being highly reverberant, consideration may be given to installing absorptive panels to the walls and underside of the mezzanine are of the ground floor, to reduce the reverberant build-up of sound energy. The incorporation of absorptive panels, such as 24mm thick Zintra Acoustic Panel (NRC≈0.75) (or equivalent product), will also help with management the sound level at which instructors and students are likely to speak and also the acoustic quality for all present.



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)

100 South Creek Road, Cromer (Lot 1 DP 1220196)



Acoustic Dynamics advises that incorporation of the above recommendations will ensure that noise emission associated from the use and operation of the proposed swim school centre is likely to comply with the relevant noise emission criteria and not adversely impact nearby receivers.

5.6 HERITAGE

As depicted in **Figure 11**, the Subject Site is listed as an item of environmental heritage in Schedule 5 of the WLEP2011. The Subject Site comprises three (3) items of heritage:

- Item 52: 'Roche Building';
- Item 53: 'Givaudan-Roure Office'; and
- Item 38: 'Trees'.

It is noted that Item 53: 'Givaudan-Roure Office' and Item 38: 'Trees' are in the eastern portion of the Subject Site, which is outside the scope of this proposal.

Clause 5.10(4) and 5.10(5) of the WLEP2011 require Council to assess the potential heritage impact of non-exempt development, such as the works proposed as part of this development, on the heritage significance of the listed items, and the extent to which the proposal would impact on their heritage significance.

As the proposed works do not include any intervention to the heritage items themselves and are only for the operational use and fitout of Warehouse 1 for the purpose of a swim school (indoor recreation facility), no further impacts that would detract from the heritage, amenity or views to and from these heritage items is anticipated. Furthermore, through the high quality material and finishes proposed on the exterior of the building, it would maintain the amenity of the Site.

5.7 BIODIVERSITY

Notwithstanding, the proposed development is for the fitout and use of an existing building as approved under **DA2019/1346 (Appendix 2)** and would have no further impact on biodiversity. Notwithstanding, refer to **Section 4.7** of this SEE for further consideration.

5.8 BUILDING CODE OF AUSTRALIA

A BCA Assessment Report has been provided at **Appendix 7** by BCA Logic. This indicates that the development is capable of complying with the relevant Australian Standards and the BCA.

5.9 WASTE

A Waste Management Plan (WMP) has been prepared by MRA Consulting as part of **DA2019/1346 (Appendix 2)** and can be found at **Appendix 8**. The proposed development will be consistent with this WMP.

5.10 SUITABILITY OF SITE FOR DEVELOPMENT

The Site is located within an established industrial area and is zoned for IN1 General Industrial under WLEP2011. The proposed swim school will provide an indoor recreation facility that is consistent with the objectives of the IN1 zone to encourage employment generating activities and provide compatible community and leisure uses. Furthermore, the Site will typically be used by children and their parents for which the Site is ideally located, within proximity to residential areas.



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



Additionally, the peak use time of the proposed swim school will be on the weekends. This is when the industrial land uses on the Site will be at a minimum. This will further reduce any impact (noise or traffic) that the swim school will have on the surrounding area.

5.11 SUBMISSIONS

No submissions have been received in relation to the proposed development; however, the proponent is willing to address any submissions, should they be received by Council.

5.12 THE PUBLIC INTEREST

The proposed development is in the public interest as it:

- Is consistent with the objectives of the IN1 General Industrial zone and provides an indoor recreation facility that is commensurate with the existing use of the Site and wider locality.
- Shall not create any measurable environmental or amenity impacts on the surrounding sites or public domain; and
- Employment generation.

The proposed development will have no adverse impact on the public interests and is in accordance with the aims and objectives of the WLEP2011 and WDCP2011. The development of the Site will be carried out to support the continued use of the Site through the provision of an indoor recreation facility that is commensurate to the Sites surroundings and shall result in a positive impact for the Northern Beaches LGA and the broader region.



Statement of Environmental Effects

Proposed Change of Use and Fitout – Indoor Recreation Facility (Swim School)
100 South Creek Road, Cromer (Lot 1 DP 1220196)



PART F CONCLUSION

The proposed development for the purpose of a swim school (indoor recreation facility) at the Subject Site, 100 South Creek Road, Cromer, (Lot 1, DP 1220196), is permissible with consent within the IN1 General Industrial zone pursuant to WLEP2011. The proposal is compatible with the zone objectives and would facilitate the intended use of land within the IN1 zone, and more broadly within the Northern Beaches LGA. As stipulated previously in this SEE, the matters for consideration under Section 4.15(1) of the EP&A Act have been satisfactorily addressed demonstrating that the proposed development is compatible with the surrounding environment.

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

- The context of the Site and locality.
- The relevant heads of consideration under Section 4.15(1) of the EP&A Act.
- The aims, objectives and provisions of the relevant statutory and non-statutory planning instruments.

The proposal is considered to warrant a favourable determination for the following reasons, including:

- It is appropriate within the context of the Site and surrounding locality.
- The development shall not create any adverse amenity impacts on the surrounding sites or public domain.
- The proposed development is consistent with the relevant provisions of WLEP2011.
- The proposed development is considered consistent with the objectives and provisions of the WDCP2011.

Therefore, it is recommended that Northern Beaches Council support the proposal for a favourable determination.

