

# GYDE

## Statement of Environmental Effects

23-574

35 Consul Road, Brookvale for Change of use to Educational Establishment and minor alterations

Submitted to Artazan Property Group (NSW) Pty Ltd  
on behalf of Gyde Consulting

16 February 2024

## Acknowledgment of Country



**Towards Harmony by Aboriginal Artist Adam Laws**

Gyde Consulting acknowledges and pays respect to Aboriginal and Torres Strait Islander peoples past, present, Traditional Custodians and Elders of this nation and the cultural, spiritual and educational practices of Aboriginal and Torres Strait Islander people. We recognise the deep and ongoing connections to Country – the land, water and sky – and the memories, knowledge and diverse values of past and contemporary Aboriginal and Torres Strait communities.

Gyde is committed to learning from Aboriginal and Torres Strait Islander people in the work we do across the country.

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### **Disclaimer**

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## Appendices

The following plans and technical reports accompany the development application. Gyde has relied on the information in these reports, prepared by professionals in their field, for the preparation of this statement of environmental effects.

Appendix	Document	Prepared by
A	Architectural Plans	FJMT Studio
B	BCA Report	Hontas Hatzi & Co
C	Erosion & Sediment Control Plan	Stantec
D	Fire Safety Schedule	Hontas Hatzi & Co
E	Flood Management Report	Stantec
F	Stormwater Statement	Stantec
G	Survey Plan	LTS
H	Cost Summary Report	Applicant
I	Operational Management Plan	St Augustine's College, Sydney
J	Waste Management Plan	Applicant

# 1. Executive Summary

This Statement of Environmental Effects (SEE) has been prepared by GYDE Consulting (GYDE) on behalf of the applicant to support a Development Application (DA) to Northern Beaches Council. The application is to change the use of an existing dwelling house to administration offices ancillary to an existing educational establishment (St Augustine's College).

The DA for the change of use comprises minor internal works to convert the existing dwelling house into office and storage space.

The key reason for the change of use to facilitate an administration office is to support St. Augustine's College improve their educational facilities for the staff and operation of the College. The Northern Beaches Local Strategic Planning Statement (LSPS) 2020 seeks to prioritise education facilities in the area, including enabling schools to improve their education services. This proposal therefore aligns with Northern Beaches local priorities as it will continue to improve educational facilities for local residents.

The purpose of this report is to describe the proposed change of use, review the applicable planning regime relating to the proposal, assess the degree of compliance and examine the environmental effects of the development when measured against the relevant requirements of the Environmental Planning and Assessment Act 1979 (EP&A Act).

## 2. Introduction

This Statement of Environmental Effects (SEE) has been prepared for Artazan Property Group (NSW) Pty Ltd (a property management company who are working on behalf of St. Augustine's College) to accompany a development application (DA) to Northern Beaches Council.

The development application relates to 35 Consul Road, Brookvale (the **site**) for change of use from a dwelling house to an Educational Establishment and seeks approval for the change of use from a residential premises to an administration office ancillary to the educational establishment St Augustine's College, Brookvale (the **proposal**) together with minor internal and external alterations.

In May 2023, a DA (DA2021/2567) was approved for demolition works and construction of two carparks and an increase in student numbers at St. Augustine's College. This approval involved the demolition of the existing staff administration offices at 60 Federal Parade, to accommodate one of the new car parks. As a result, a new administration office is required for the administration staff. The building is proposed to be occupied by 7 existing staff members from the school's administration (finance and marketing) services. The change of use of the existing building to accommodate office space will contribute to improvements to St Augustine's College, allowing them to improve facilities on site for existing staff, in turn helping to improve educational services for the wider community.

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (the **EPA Act**) and Clause 24 of the *Environmental Planning and Assessment Regulation 2021* (the **EPA Reg**). The purpose of this SEE is to:

- describe the proposed development and its context;
- assess the proposal against the applicable planning controls and guidelines, and
- assess the potential environmental impacts and mitigation measures.

### 3. Site Analysis

#### 3.1 Local Context

The site is located in the suburb of Brookvale, within the Northern Beaches Local Government Area (LGA). The site is known as 35 Consul Road, Brookvale and is legally described as Lot 5 in DP12815. The site is accessed from Consul Road and is adjacent to St Augustine’s College, shown outlined in yellow in Figure 1 below, situated to the rear of the site.

The site is zoned R2 Low Density Residential and has a site area of 694m<sup>2</sup> based on the Survey Plan.



Figure 1: Aerial View of Site, site outlined in red. St. Augustine’s College is outlined in yellow (Source: Nearmap)

### 3.2 The surrounding locality

The site is located within the suburb of Brookvale, which is approximately 16km north-east of the Sydney Central Business District within the Northern Beaches Region. The site is immediately surrounded by the following development:

- To the north: The site is surrounded to the north by low density residential development.
- To the east: To the east of the site is St Augustine's College, as well as a number of low-density residential dwellings. Further to the east is Brookvale Oval which comprises a Rugby pitch.
- To the south: To the south of the site there is a mix of low density and medium density residential dwellings. Further to the south comprises E3 Productivity Support and E4 General Industrial zones.
- To the west: To the west of the site is largely low-density residential dwellings, as well as a number of public recreation areas and a C2 Environmental Conservation area up to Beacon Hill Road.

The site is within 400m walking distance of the St Augustine's College Bus Stop on Alfred Road.

### 3.3 Relevant Planning History

The following previous applications were found on the Northern Beaches Council Development Application Tracker that are relevant to the site and proposal:

- **CDC2023/0542** – Demolition of a dwelling house. **Determined 14 August 2023.**

A CDC was issued for the demolition of the dwelling house in August 2023 (CDC2023/0542). It should be noted that despite this consent, the College does not intend to demolish the existing building. This consent was part of the College's previous intention for the site, but it has since been determined that their preferred use of the site is an ancillary administration office space.

- A Development Application for this proposal was submitted to the NSW Planning Portal on 7 July 2023. This application was returned on 12 July 2023 due to missing information.
- **DA2021/2567** - Demolition works, construction of two carparks and an increase in student numbers at an educational establishment. **Approved 12 May 2023.**

In May 2023, works were approved at St Augustine's College (DA2021/2567) for the construction of two carparks and relevant demolition works to facilitate an increase in student numbers. The approval included the demolition of the building used as administration staff offices at 60 Federal Parade (Lot 13 DP 568333) (approved under DA2020/1406) to accommodate one of the new car parks. A new building is therefore required to accommodate the administration offices for the educational establishment.

## **4. Description of Development**

### **4.1 The development**

Development consent is sought to change the use of an existing 2 storey residential dwelling to an administration office ancillary to the educational establishment St Augustine's College, Brookvale. This will be the long term use of the site as part of the aim to improve facilities for existing administrative staff on site.

Minor external alterations are proposed as part of this DA, and no change is proposed to the building footprint or external façade. There are a number of minor internal changes to the existing dwelling house as a result of the proposal, in order to facilitate the use as an educational establishment and to ensure the building is compliant with the BCA. The proposed changes include:

- four enclosed offices and one open space office;
- kitchen and pantry;
- two bathrooms;
- one laundry room; and
- three storage rooms and an outdoor covered storage area.

### **4.2 Capital Investment Value**

The capital investment value (CIV) of the project is estimated at \$11,000. Refer to the Cost Summary Report provided at Appendix H.

## 5. Statutory Planning Considerations

### 5.1 Overview

The relevant statutory framework considered in the preparation of this report comprises:

- *Environmental Planning and Assessment Act 1979*;
- *Environmental Planning and Assessment Regulation 2021*;
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*; and
- *Northern Beaches Local Environmental Plan 2011*.

Where relevant, these are addressed below.

### 5.2 *Environmental Planning and Assessment Act 1979*

#### 5.2.1 Section 4.15 of EP&A Act 1979

Section 4.15(1) of the EPA Act specifies the matters which a consent authority must consider when determining a development application. The relevant matters for consideration under Section 4.15 of the EPA Act are addressed in the table below.

**Table 1 Section 4.15 of EP&A Act 1979**

<b>Section</b>	<b>Comment</b>
Section 4.15(1)(a)(i) Any environmental planning instrument	Consideration of relevant instruments is discussed in Section 5.
Section 4.15(1)(a)(ii) Any draft environmental planning instrument	Not relevant to this application.
Section 4.15(1)(a)(iii) Any development control plan	Consideration of relevant the development control plan is discussed in Section 5.6.
Section 4.15(1)(a)(iia) Any planning agreement	Not relevant to this application.
Section 4.15(1)(a)(iv) Matters prescribed by the regulations	Refer to Section 4.2.
Section 4.15(1)(b) - (e)	Refer to Section 6 of this SEE for consideration of (b), (c) and (e). Matter (d) relates to submissions and is a matter for the consent authority following public exhibition of the development application.

#### 5.2.2 Section 4.46 – Integrated Development

This section of the EPA Act defines integrated development as matters which require consent from Council and one or more approvals under related legislation. In these circumstances, prior to granting consent Council must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development.

No other approvals are required under related legislation for the proposal and therefore the application is not integrated development.

## 5.3 Environmental Planning and Assessment Regulation 2021

### 5.3.1 Clause 61 – Additional matters that consent authority must consider

Clause 61(1) prescribes that the consent authority in determining a DA must consider Australian Standard AS 2601 – 2001. Any demolition works will be undertaken in accordance with AS 2601-1991. The Demolition of Structures published by Standards Australia.

### 5.3.2 Clause 69 – Compliance with Building Code of Australia

Any building work must be carried out in accordance with the requirements of the Building Code of Australia (BCA) pursuant to Clause 69 of the EP&A Reg and will be conditioned as part any development consent.

The BCA Assessment Report at Appendix B concludes that the proposed development is capable of complying with the relevant provisions of the BCA, subject to the satisfactory resolution of the matters and recommended upgrades contained within the report.

## 5.4 SEPP (Transport and Infrastructure) 2021

### Part 3.4 Schools

Part 3.4, Section 3.36(1) states that "*Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone*". The site is located within the R2 zone Low Density Residential which is a 'prescribed zone' under the SEPP (Transport and Infrastructure) 2021 and therefore development for the purpose of a school is permitted in the zone.

Part 3.4, Section 3.36(6) requires that before determining a development application, the consent authority must take into consideration:

*(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and*

*(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.*

The design quality principles set out in Schedule 8 of the SEPP (Transport and Infrastructure) 2021 are analysed in the table below.

**Table 2: SEPP (T&I) 2021 Schedule 8 Design Quality Principles**

Principle	Analysis
1. Context, Built Form and Landscape	The application is for a change of use with minor external works proposed. Therefore, the proposed works will have no impact on the context, built form or landscape at the College.
2. Sustainable, Efficient, and Durable	The change of use to provide ancillary administration office space to support the college as it continues to improve facilities for existing staff. This additional space will allow the college to evolve over time to meet future requirements.  A Waste Management Plan is provided at Appendix J which ensures any demolition waste is reduced.
3. Accessible and Inclusive	The building will only be used for the 7 existing staff. Staff accessibility needs are known, and the building

	<p>will be designed accordingly. A site induction and access management procedure will be prepared to outline the use and management protocols (i.e. MIUP) for the subject premises.</p> <p>No access will be provided for students or members of the public.</p> <p>More detail can be found in the accompanying Accessibility Statement in the BCA Report at Appendix B.</p>
4. Health and Safety	<p>The proposed change of use will ensure the building optimises health, safety and security within its boundaries and surrounding public domain in line with St. Augustine’s existing procedures. More detail can be found in the accompanying Operational Plan of Management at Appendix I.</p> <p>The College has adopted a plan of action for emergency procedures and staff are trained in the use and implementation of this plan.</p>
5. Amenity	<p>The proposed use will be ancillary to the educational establishment and will only provide office space for existing administration staff. However, the change of use works will ensure appropriate amenity is provided for the employees.</p>
6. Whole of life, Flexible and Adaptive	<p>The proposed administration office provides office space for 7 employees. Locating the non-student services (finance &amp; marketing) at the site 35 Consul Road allows improvement to staff facilities at St. Augustine’s College. It is therefore considered that the design considers the future needs of the college.</p>
7. Aesthetics	<p>Very minor external changes are proposed to the existing dwelling house. The new use will therefore continue to fit with the existing and future desired character of the neighbourhood and retain the sense of identity.</p>

## 5.5 Warringah Local Environmental Plan 2011

### 5.5.1 Zoning and Permissibility

As shown in Figure 2 below, the site is zoned R2: Low Density Residential under the provisions of the Northern Beaches Local Environmental Plan 2011 (the **LEP**). The objectives of the R2 Zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings that are in harmony with the natural environment of Warringah.*

The proposal is consistent with the objects of the zone because it will provide an administration office at the educational establishment that will improve the day-to-day functioning of St Augustine’s College. The proposed development will help to meet the needs of local residents by improving and expanding the educational facilities within the area.

The proposal is characterised as an ‘*educational establishment*’ according to the dictionary to the LEP. Educational Establishment is permissible with development consent in the R2 Zone.



**Figure 2** Zoning Map, site outlined in yellow (Source: NSW Legislation)

### 5.5.2 Relevant Clauses

An assessment of the proposal against the relevant provisions of the **LEP** is set out in the following table.

**Table 3 Assessment against relevant provisions of Warringah Local Environmental Plan 2011**

Clause	Provision	Assessment
4.3 Height of buildings	Establishes a maximum building height of 8.5m for the site.	The proposal seeks a change of use of the existing dwelling house and does not propose to increase the existing height of the building.
4.4 Floor space ratio ( <b>FSR</b> )	No FSR has been established for the site.	No FSR has been established for the site. No increase in floorspace is proposed for the development.
5.21 Flood Planning	The site is mapped as high, medium and low flood risk.	A Flood Management Report has been provided at Appendix E. The reports concludes that the proposed development meets all flood related requirements from the relevant planning controls.
6.4 Development on sloping land	The site is within Area A – Slope <5°	A Stormwater Report is provided at Appendix F.

## 5.6 Warringah Development Control Plan 2012

It is specified in section 3.42 of the EPA Act, that the purpose of a DCP is to provide guidance on:

- giving effect to the aims of the Warringah LEP
- facilitating development that is permissible under the Warringah LEP, and
- achieving the objectives of the R2 Zone applying to the site.

The provisions of a development control plan made for that purpose are not statutory requirements.

Within this context it is useful to consider the relevant provisions of the Warringah Development Control Plan 2012 (the **WDCP**).

An assessment of the proposal against the relevant provisions of the WDCP is set out in the following table. In any instances where the proposal departs from a numerical requirement this is assessed in the context of the objectives or aims of the numerical requirement (where available) and the principal purpose of the WDCP as noted above.

**Table 4 Assessment against relevant provisions of Warringah Development Control Plan 2012**

Clause	Relevant Provision	Assessment
<p>C2 Traffic, Access &amp; Safety</p>	<ol style="list-style-type: none"> <li>1. Applicants shall demonstrate that the location of vehicular and pedestrian access meets the objectives.</li> <li>2. Vehicle access is to be obtained from minor streets and lanes where available and practical.</li> </ol>	<p>The proposed use will not have delivery vehicles visiting the site. Visitors will be able to park in the onsite parking spaces if required.</p> <p>The spaces are stacked making them screened from public view from Consul Road being located on the existing driveway, with two of the spaces located under the existing car port.</p> <p>The 7 staff members will use of 4 on-site parking spaces, as well as having access to use the main St. Augustine's car park. With adequate car parking spaces, there will be no queuing on Consul Road. No on street parking is proposed and there will be no impact on public transport, pedestrians or cyclists.</p>
<p>C3 Parking Facilities</p>	<ol style="list-style-type: none"> <li>2. Off street parking is to be provided within the property demonstrating that the following matters have been taken into account: <ul style="list-style-type: none"> <li>• the land use;</li> <li>• the hours of operation;</li> <li>• the availability of public transport;</li> <li>• the availability of alternative car parking; and</li> <li>• the need for parking facilities for courier vehicles, delivery / service vehicles and bicycles.</li> </ul> </li> <li>3. Carparking, other than for individual dwellings, shall : <ul style="list-style-type: none"> <li>• Avoid the use of mechanical car stacking spaces;</li> <li>• Not be readily apparent from public spaces;</li> <li>• Provide safe and convenient pedestrian and traffic movement;</li> <li>• Include adequate provision for manoeuvring and convenient access to individual spaces;</li> <li>• Enable vehicles to enter and leave the site in a forward direction;</li> <li>• Incorporate unobstructed access to visitor parking spaces;</li> <li>• Be landscaped to shade parked vehicles, screen them from public view, assist in micro-climate</li> </ul> </li> </ol>	<p>The development proposes 4 stacked car parking spaces on the existing driveway and car port.</p> <p>The 7 staff members will use of 4 on-site parking spaces, as well as having access to use the main St. Augustine's car park. Whilst the proposed car parking spaces are stacked, the staff will coordinate their arrival and departure times as required. All spaces provide convenient access and meet the requirements of the DCP objectives.</p>

Clause	Relevant Provision	Assessment
	<p>management and create attractive and pleasant places;</p> <ul style="list-style-type: none"> <li>• Provide on-site detention of stormwater, where appropriate; and</li> <li>• Minimum car parking dimensions are to be in accordance with AS/NZS 2890.1.</li> </ul> <p>4. Carparking is to be provided in accordance with Appendix 1 which details the rate of car parking for various land uses. Where the carparking rate is not specified in Appendix 1 or the WLEP, carparking must be adequate for the development having regard to the objectives and requirements of this clause. The rates specified in the Roads and Traffic Authority's Guide to Traffic Generating Development should be used as a guide where relevant.</p> <p>5. Adequate provision for staff, customer and courier parking, and parking and turning of vehicles with trailers must be provided if appropriate to the land use.</p>	
<p>C4 Stormwater</p>	<p>Stormwater runoff must not cause downstream flooding and must have minimal environmental impact on any receiving stormwater infrastructure, watercourse, stream, lagoon, lake and waterway or the like.</p> <p>The stormwater drainage systems for all developments are to be designed, installed and maintained in accordance with Council's Water Management for Development Policy.</p>	<p>Stantec prepared a Stormwater Statement at Appendix F that details the OSD requirements for the proposed change of use. The report notes that the site is situated within the Central Stormwater Region as defined in Northern Beaches Council's Water Management for Development Policy (Version 2, 26 February 2021).</p> <p>Upon review of NBC's Water Management for Development Policy (Version 2, 26 February 2021), Appendix 16 – On-site detention checklist: Part 2, it is stated that if a proposed development site is located within an established Flood Prone Land, then an On-site stormwater detention system is not required.</p> <p>The Stormwater Statement also notes that the site has an easement to drain water that is 5m in width and varies that runs from</p>

Clause	Relevant Provision	Assessment
		<p>North-west to South-east through the rear of the site (E248005). This is shown on the Survey Plan prepared by LTS at Appendix G.</p> <p>Therefore, it is considered that the DA complies with Clause C4 in the WDCP 2012.</p>
C8 Demolition and Construction	<p>All development that is, or includes, demolition and/or construction, must comply with the appropriate sections of the Waste Management Guidelines and all relevant Development Applications must be accompanied by a Waste Management Plan.</p>	<p>A Waste Management Plan has been provided at Appendix J.</p>
C9 Waste Management		
D1 Landscaped Open Space and Bushland Setting	<p>The required minimum landscape open space is 40% as per the Landscaped Open Space and Bushland Setting DCP Map.</p>	<p>The proposal is for the change of use of the existing dwelling house.</p>
D3 Noise	<p>5. Where possible, locate noise sources away from the bedroom areas of adjoining dwellings/properties to minimise impact.</p>	<p>The College is operated in accordance with the recommendations of the Acoustic Assessment dated 5 April 2023 prepared by E-LAB consulting. Please see the Operational Plan of Management at Appendix I.</p>
E11 Flood Prone Land	<ol style="list-style-type: none"> <li>1. Development must comply with the prescriptive controls set out in the Matrix below. Where a property is affected by more than one Flood Risk Precinct, or has varying Flood Life Hazard Category across it, the assessment must consider the controls relevant at each location on the property.</li> <li>2. Development on flood prone land requires the preparation of a Flood Management Report by a suitably qualified professional.</li> </ol>	<p>A Flood Management Report and Stormwater Statement have been provided at Appendix E and F respectively.</p>

## **6. Assessment of Likely Impacts**

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 4.15 of the Act.

### **6.1 Natural Environment**

#### **6.1.1 Flood Risk**

The site is mapped as a high, medium and low flood risk on the Northern Beaches Flood Hazard Map. The majority of the site is defined as having a low flood risk, with a small area of high risk in the low-lying driveway, carport area and some medium risk to the rear of the site.

The flood risk has been assessed in the accompanying Flood Management Report at Appendix E. The report found that the proposed development meets all the flood related requirements from the Warringah DCP and therefore is considered to be acceptable in terms of flood risk.

### **6.2 Built Environment**

#### **6.2.1 Traffic and parking**

The 7 staff members who will occupy the office are existing staff members will continue to have access to the main St. Augustine's College car park. In addition, 4 stacked car parking spaces are provided on the site to be used for staff when required. No on-street parking is proposed, and as there are sufficient spaces provided on site and within the college, there will be no additional impact on the surrounding road network in terms of traffic and safety.

The closest bus stop is on Alfred Road within 400m walking distance of the site, with a number of bus routes passing through. A further bus stop is located on Pittwater Road within 550m which is located on more bus routes with more frequent travel times, such as the B199 which stops at Pittwater Road Monday to Friday between 5am and 11pm.

The car parking spaces make use of the existing driveway and car port and will be screened from view from the existing vegetation at the front of the site resulting in no change in visual impact on the street frontage from the existing use.

#### **6.2.2 Impacts on surrounding residents**

The change of use of the existing residential dwelling to an educational establishment will have a negligible impact on surrounding residents. The ancillary office will be accessed from Consul Road, as per the existing dwelling and the building will be accessed through the existing dwelling entrance. There will also be a pedestrian gate added to the rear of the property to allow direct access to St. Augustine's College site, integrating the two sites for any pedestrian staff access. As discussed above, the traffic and parking impact is considered to be appropriate.

The block to the south of the site is currently an empty lot forming part of the College boundaries. To the north are a number of residential dwellings, facing onto Federal Parade.

The building, as per the existing, is set back from the neighbouring properties to the north by the driveway and car port. The neighbouring properties also face onto Federal Parade with their rear gardens adjoining the site boundary. Therefore, the proposed Change of use results in negligible impacts in regard to privacy and overlooking and the proposal is considered to be acceptable.

### 6.2.3 Impacts on the public domain

The change of use of the existing residential dwelling to an administration office ancillary to the educational establishment will likely have a negligible impact on the public domain due to there being minimal external changes to the building. The operational procedures, as outlined in the Operational Management Plan found at Appendix I, will ensure that the new use will not negatively impact the surrounding public domain. Therefore, the change of use will not have an unacceptable impact on the public domain.

## 6.3 Social and Economic Impacts

### 6.3.1 Education Establishment

The *Northern Beaches Local Strategic Planning Statement (LSPS) 2020* seeks to prioritise education facilities in the area. Priority 10 of the LSPS outlines the key principles which include helping schools to provide education services required as the number of students increase. The proposed change of use of the existing residential dwelling to an administration office ancillary to St. Augustine's College will contribute to improving the facilities at this educational establishment supporting the college to improve staff facilities on site. This proposal will therefore contribute to improving educational facilities for residents in the surrounding area and address the priorities of the *LSPS 2020* to improve educational services within the Northern Beaches area.

### 6.3.2 Employment

The proposed change of use will provide office space for 7 existing administrative employees at St. Augustine's College. As a result of a recent DA to demolish existing buildings to accommodate two new car parks and an increase in student numbers, the administrative staff require a new office. This proposal will enable these jobs to be retained on site, with suitable office space. The proposal therefore contributes to retaining existing jobs resulting in social and economic benefits to the area.

## 6.4 Suitability of the Site

The proposed change of use is for an existing dwelling, with minimal internal and external changes proposed to accommodate an administration office. The building is adjacent to St. Augustine's College and is therefore suitably located in proximity to the educational establishment it serves.

The site is located within a mapped high, medium and low flood risk area. A Flood Management Report has been provided at Appendix E, which found that the proposed development meets all flood related requirements from the relevant planning controls. Therefore, the site is considered to be suitable for the proposed change of use.

## 6.5 Public interest

According to Brown C in *Ex Gratia Pty Limited v Dungog Shire Council [2005] NSWLEC 148*, a development proposal is in the public interest when the public advantages of the proposal outweigh the public disadvantages.

This SEE provides that the proposal is in the public interest for the following reasons:

- the proposal is a permissible land use in the R2: Low Density Residential zone, with consent;
- It has been found that the proposal satisfies the relevant objectives of the R2 zone;
- the proposal is compliant with the relevant planning controls; and
- a significant public benefit, in the form of improving the facilities at and functioning of St Augustine's College, will be delivered.

## **7. Conclusion**

This SEE has undertaken an environmental assessment of the proposal to change the use from an existing residential dwelling to an administration office ancillary to the educational establishment at 35 Consul Road, Brookvale.

This assessment found that the proposal is consistent with the relevant framework. In particular, the proposal represents a permissible land use within the R2 Low Density Residential zone and complies with provisions of the Warringah LEP and WDCP.

The change of use to an educational establishment will contribute to improving education facilities in Brookvale, by providing additional space for the improved functioning of the college, and therefore will be beneficial to the local community.

Given the findings of this assessment, we consider that the proposal is in the public interest and merits approval.