



70 SOUTH CREEK ROAD COLLAROY (PITTWATER HOUSE SCHOOL)

**STATEMENT OF ENVIRONMENTAL EFFECTS
FOR THE CHANGE OF USE OF A
CENTRE BASED CHILD-CARE CENTRE TO CLASSROOMS,
INCLUDING MINOR ALTERATIONS AND ADDITIONS.**



Report prepared for
PITTWATER HOUSE SCHOOL
November 2023

Contents

1. INTRODUCTION
2. THE SITE AND ITS LOCALITY
3. SITE PHOTOS
4. PROPOSED DEVELOPMENT
5. STATUTORY FRAMEWORK
6. NUMERICAL CONTROL TABLE
7. SECTION 4.15
8. CONCLUSIONS

1. Introduction

- 1.1** This is a statement of environmental effects for the change of use of a centre-based child-care facility to classrooms, including minor alterations and additions, at the existing educational facility, Pittwater School, 70 South Creek Road Collaroy.
- 1.2** The report describes how the application addresses and satisfies the objectives and standards of relevant State Environmental Planning Policies, the Warringah Local Environmental Plan 2011, the Warringah Development Control Plan and the heads of consideration listed in Section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended).
- 1.3** This statement of environmental effects has been prepared with reference to the following:
- Site visit,
 - Site Survey prepared by C.M.S Surveyors,
 - Architectural Plans prepared by JJ Drafting,
 - Cost summary Report,
 - Waste Management Plan
 - Fire Safety Certificates
- 1.4** The proposed development is compliant with the objectives of all relevant State and Council controls, considerate of site constraints and the surrounding landscape and will result in improved facilities for the staff and students of the school. It is an appropriate development worthy of Council consent.

2. The site and its locality

- 2.1 The subject site is located on the northern side of South Creek Road, the southern side of Westmoreland Avenue, with partial frontage to Parkes Road (west) in Collaroy. It is legally described as Lot 1 DP 1215531 and is known as 70 South Creek Road Collaroy (Pittwater House School).
- 2.2 It is an irregular shaped lot with an area of 3.38ha. The primary carpark and school access is via South Creek Road.
- 2.3 The site is occupied by school infrastructure including classrooms, administration buildings and recreational facilities.
- 2.4 Surrounding land uses include residential dwellings to the north, south and west and army and air force cadets to the east. The site is located in close proximity to shops, public transport and services on Pittwater Road to the south.



Figure 1. The site and its immediate surrounds

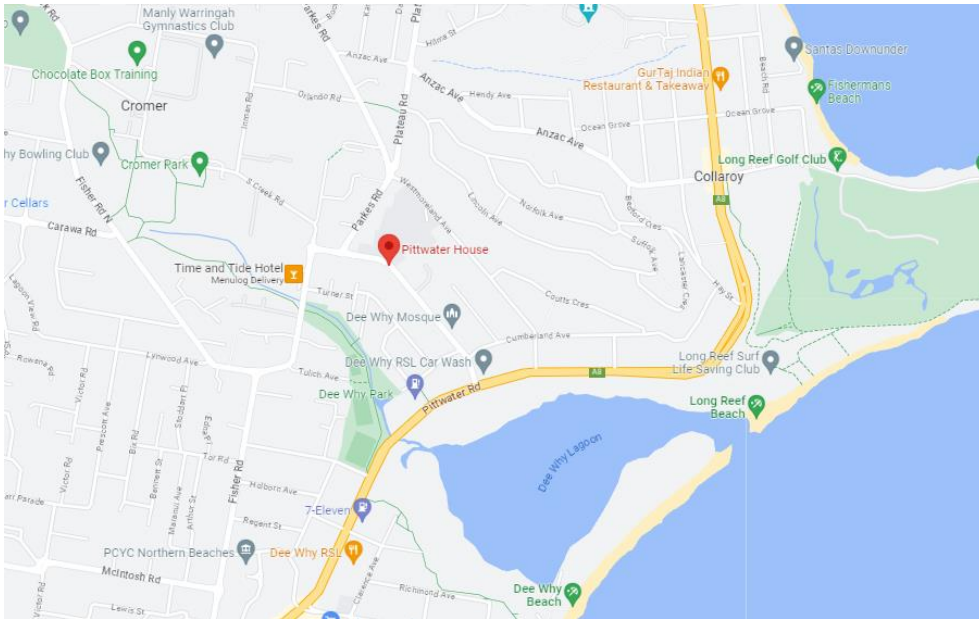


Figure 2. The site within the locality

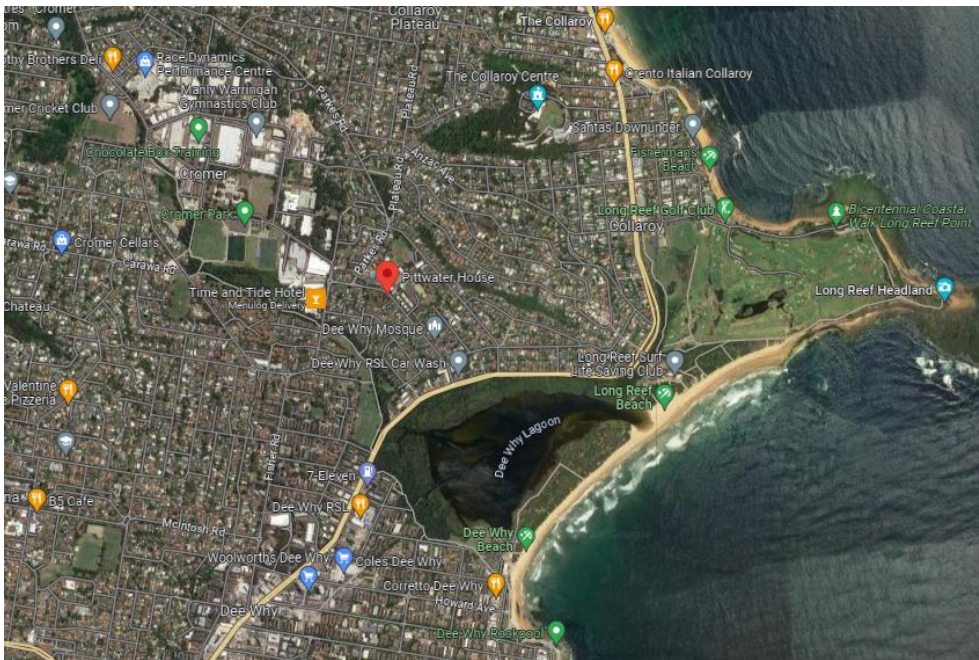


Figure 3. Aerial image of the site within the locality

3. Site Photos



Figure 4. The existing early childhood centre.



Figure 5. The existing early childhood centre rooms, proposed to become classrooms.



Figure 6. The existing early childhood centre rooms, proposed to become classrooms.



Figure 7. The existing early childhood centre playground and sandpit.



Figure 8. The existing early childhood centre playground.

4. Proposed Development

4.1 The proposed development is for the change of use of the existing early childhood centre to classrooms, including alterations and additions and new offices. No increase in student numbers or change to hours of operation is proposed.

4.2 The proposed development will be made up as follows:

- Convert the existing childcare playrooms to become junior classrooms, including a reduction to the opening of classroom 2,
- Convert the existing pantry and storeroom to a meeting room, including a reconfigured wall layout and new window,
- A new deck to outdoor play area 2,
- A new external staircase in the playground,
- A new accessible toilet and resource room, including reconfigured wall layout and new windows,
- Convert the existing directors office to office 3,
- Convert the existing staff WC and store room to office 2,
- Convert the existing staff room to office 1.

5. Statutory Framework

5.1 State Environmental Planning Policies

SEPP (Transport and Infrastructure) 2021

Chapter 3 Educational establishments and child care facilities

SEPP (Educational Establishments and Childcare Facilities) permits development for the purpose of an educational establishment in Zone R2.

The proposed change of use does not meet the definitions set out for exempt or complying development under the SEPP.

Clause	Provision	Comment
3.4	Schools – specific development controls	
3.34	<p>4 Interpretation</p> <p>(1) In this Part— <i>approved school means a school for which development consent has been granted, other than an existing school.</i> <i>prescribed zone means any of the following land use zones—</i></p> <ul style="list-style-type: none"> (a) Zone RU2 Rural Landscape, (b) Zone RU4 Primary Production Small Lots, (c) Zone RU5 Village, (d) Zone RU6 Transition, (e) Zone R1 General Residential, (f) <u>Zone R2 Low Density Residential,</u> (g) Zone R3 Medium Density Residential, (h) Zone R4 High Density Residential, (i) Zone R5 Large Lot Residential, (i1) Zone E1 Local Centre, (i2) Zone E2 Commercial Centre, (i3) Zone E3 Productivity Support, (i4) Zone MU1 Mixed Use, (j) Zone B1 Neighbourhood Centre, (k) Zone B2 Local Centre, (l) Zone B3 Commercial Core, (m) Zone B4 Mixed Use, (n) Zone B5 Business Development, (o) Zone B6 Enterprise Corridor, (p) Zone B7 Business Park, (q) Zone B8 Metropolitan Centre, 	The subject site is Zoned R2 – Low Density Residential.

	<p>(r) Zone SP1 Special Activities, (s) Zone SP2 Infrastructure, (s1) Zone SP4 Enterprise under the following local environmental plans— (i) Canada Bay Local Environmental Plan 2013, (ii) Central Coast Local Environmental Plan 2022, (iii) Penrith Local Environmental Plan 2010, (iv) Pittwater Local Environmental Plan 2014, (v) Port Macquarie-Hastings Local Environmental Plan 2011, (vi) Sutherland Shire Local Environmental Plan 2015, (vii) The Hills Local Environmental Plan 2019, (viii) Warringah Local Environmental Plan 2011, (s2) Zone SP5 Metropolitan Centre, (t) Zone C4 Environmental Living. (2) In this Part, development for the purposes of a school does not include development for the purposes of campus student accommodation.</p>	
3.35	<p>Development for purposes of campus student accommodation</p>	<p>Not relevant.</p> <p>The development does not propose student accommodation.</p>
3.36	<p>Schools—development permitted with consent</p> <p>(1) Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.</p> <p>(2) Development for a purpose specified in section 3.40(1) or 3.41(2)(e) may be carried out by any person with development consent on land within the boundaries of an existing or approved school.</p> <p>(3) Development for the purpose of a school may be carried out by any person with development consent on land that is not in a prescribed zone if it is carried out on land within the boundaries of an existing or approved school.</p> <p>(4) Subsection (3) does not require development consent to carry out development on land if that development could, but for this Chapter, be carried out on that land without development consent.</p> <p>(5) A school (including any part of its site and any of its facilities) may be used, with development consent, for the physical, social, cultural or intellectual development or welfare of the community, whether or not it is a commercial use of the establishment.</p>	<p>1. Complies. The subject site is in prescribed Zone R2.</p> <p>2. Not relevant. The proposal is not for complying development or school based child-care.</p> <p>3. Not relevant, the site is within a prescribed zone.</p> <p>4. Noted.</p> <p>5. Noted.</p>

	<p><i>(6) Before determining a development application for development of a kind referred to in subsection (1), (3) or (5), the consent authority must take into consideration—</i></p> <p><i>(a) the design quality of the development when evaluated in accordance with the design quality principles set out in Schedule 8, and</i></p> <p><i>(b) whether the development enables the use of school facilities (including recreational facilities) to be shared with the community.</i></p> <p><i>(7) Subject to subsection (8), the requirement in subsection (6)(a) applies to the exclusion of any provision in another environmental planning instrument that requires, or that relates to a requirement for, excellence (or like standard) in design as a prerequisite to the granting of development consent for development of that kind.</i></p> <p><i>(8) A provision in another environmental planning instrument that requires a competitive design process to be held as a prerequisite to the granting of development consent does not apply to development to which subsection (6)(a) applies that has a capital investment value of less than \$50 million.</i></p> <p><i>(9) A provision of a development control plan that specifies a requirement, standard or control in relation to development of a kind referred to in subsection (1), (2), (3) or (5) is of no effect, regardless of when the development control plan was made.</i></p> <p><i>(10) Development for the purpose of a centre-based child care facility may be carried out by any person with development consent on land within the boundaries of an existing or approved school.</i></p>	<p>6. Noted. Assessment of the design quality principles, set out in schedule 8, is provided below.</p> <p>7. Noted.</p> <p>8. Not relevant.</p> <p>9. The SEPP specifies that the Warringah Development Control Plan does not apply to the development of a school in a prescribed zone in relation to the requirements specified.</p> <p>10. Not relevant. <i>Centre-based child care</i> is not proposed.</p>
<p>3.37</p>	<p><i>Schools—development permitted without consent</i></p> <p><i>(1) Development for any of the following purposes may be carried out by or on behalf of a public authority without development consent on land within the boundaries of an existing or approved school—</i></p> <p><i>(a) construction, operation or maintenance, more than 5 metres from any property boundary with land in a residential zone and more than 1 metre from</i></p>	<p>Not relevant. The proposed change of use does not meet the definition set out in this clause, as such development consent is required.</p>

	<p>any property boundary with land in any other zone, of—</p> <ul style="list-style-type: none"> (i) a library or an administration building that is not more than 2 storeys high, or (ii) a portable classroom (including a modular or prefabricated classroom) that is not more than 2 storeys high, or (iii) a permanent classroom that is not more than 2 storeys high to replace an existing portable classroom and that is used for substantially the same purpose as the portable classroom, or (iv) a kiosk or shop selling school-related goods to students and staff, such as books, stationery or school uniforms, that is not more than 2 storeys high, or (v) a cafeteria or canteen that is not more than 2 storeys high and carried out in accordance with AS 4674—2004, Design, construction and fit-out of food premises, published by Standards Australia on 11 February 2004, or (vi) a car park that is not more than 1 storey high, <p>(b) minor alterations or additions, such as—</p> <ul style="list-style-type: none"> (i) internal fitouts, or (ii) alterations or additions to address work health and safety requirements or to provide access for people with a disability, or (iii) alterations or additions to the external facade of a building that do not increase the building envelope (for example, porticos, balcony enclosures or covered walkways), (c) restoration, replacement or repair of damaged buildings or structures, (d) security measures, including fencing, lighting and security cameras, (e) demolition of structures or buildings (unless a State heritage item or local heritage item). <p>(2) Subsection (1) applies only if the development does not require an alteration of traffic arrangements, for example, a new vehicular access point to the school or a change in location of an existing vehicular access point to the school.</p> <p>(3) Subsection (1)(a) applies only if the development does not result in a prohibited increase in student or staff numbers.</p> <p>(4) Nothing in this section authorises the carrying out of development in contravention of any existing condition of the development consent currently operating (other than a complying development</p>	
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	<p><i>certificate) that applies to any part of the school, relating to hours of operation, noise, car parking, vehicular movement, traffic generation, loading, waste management, landscaping or student or staff numbers.</i></p> <p><i>(5) A reference in this section to development for a purpose referred to in subsection (1)(a), (b) or (c) includes a reference to development for the purpose of construction works in connection with the purpose referred to in subsection (1)(a), (b) or (c).</i></p> <p><i>(6) This section does not apply to development for the purposes of campus student accommodation.</i></p> <p><i>(7) In this section— prohibited increase in student or staff numbers means— (a) an increase in the number of students that the school can accommodate that is more than the greater of 10% or 30 students, compared with the average number of students for the 12 months immediately before the commencement of the development, or (b) an increase in the number of staff employed at the school that is more than 10%, compared with the average number of staff for the 12 months immediately before the commencement of the development.</i></p> <p><i>Note—Section 100B(3) of the Rural Fires Act 1997 requires a person to obtain a bush fire safety authority under that Act before developing bush fire prone land for a special fire protection purpose such as a school.</i></p>	
3.38	<p><i>Notification of carrying out of certain development without consent</i></p> <p><i>(1) This section applies to development to which section 3.37(1)(a) applies.</i></p> <p><i>(2) Before development to which this section applies is carried out, the proponent of the development must— (a) give written notice of the intention to carry out the development to the council for the area in which the land is located (unless the proponent is that council) and to the occupiers of adjoining land, and</i></p>	<p>Not relevant.</p> <p>The proposed change of use does not meet the definition set out in this clause, as such development consent is required.</p>

	<p><i>(b) take into consideration any response to the notice that is received within 21 days after the notice is given.</i></p>	
<p>3.39</p>	<p><i>Existing and approved schools—exempt development</i></p> <p><i>(1) Development for any of the following purposes is exempt development if it is on land within the boundaries of an existing or approved school and complies with any requirements of this subsection that apply to the development—</i></p> <p><i>(a) an awning or canopy attached to a building, that is more than 1 metre from any property boundary,</i></p> <p><i>(b) the removal or pruning of a tree that has been assessed by a Level 5 qualified arborist as posing a risk to human health or safety or of damage to infrastructure, but only if a replacement tree that is capable of achieving a mature height of 3 metres or more is planted within the grounds of the school,</i></p> <p><i>(c) landscaping, including irrigation schemes (whether using recycled or other water),</i></p> <p><i>(d) play equipment where adequate safety provisions (including soft landing surfaces) are provided, but only if any structure is more than 1.2 metres from any fence,</i></p> <p><i>(e) routine maintenance (including earthworks associated with playing field regrading or landscaping),</i></p> <p><i>(f) walking paths (including raised walking paths), boardwalks, ramps, minor pedestrian bridges, stairways, gates, seats, barbecues, shelters and shade structures,</i></p> <p><i>(g) a sporting field, tennis court, basketball court or any other type of court used for sport, and associated awnings or canopies,</i></p> <p><i>(h) the use of existing facilities or buildings for the purposes of school-based child care between the hours of 7:00am and 7:00pm on a weekday only, whether or not it is a commercial use of the establishment,</i></p> <p><i>(i) the use of existing facilities or buildings for the physical, social, cultural or intellectual development or welfare of the community, whether or not it is a commercial use of the establishment,</i></p> <p><i>(j) an amenities building, workshop or storage shed—</i></p> <p><i>(i) that is not more than 1 storey high, and</i></p> <p><i>(ii) that is more than 5 metres from any property boundary with land in a residential zone and more</i></p>	<p>The proposed change of use does not meet the definition set out in this clause, as such development consent is required.</p>

	<p>than 1 metre from any property boundary with land in any other zone, (k) environmental management works, (l) a short-term portable classroom (including its removal)— (i) that is not more than 1 storey high, and (ii) that is more than 5 metres from any property boundary with land in a residential zone and more than 1 metre from any property boundary with land in any other zone, and (iii) that is removed within 48 months of being installed, (m) demolition of development that would be exempt development under this or any other environmental planning instrument if it were being constructed or installed, if it is not carried out on or in a State or local heritage item or in a heritage conservation area.</p> <p>Note— Exempt development must also comply with the general requirements in section 3.16.</p> <p>(2) Section 3.16(3)(g), to the extent that it relates to a permit or approval required under an environmental planning instrument, does not apply in relation to development carried out under subsection (1)(b).</p> <p>(3) Development for a purpose specified in Schedule 5 that is carried out by a person other than a public authority is exempt development if— (a) it is carried out on land within the boundaries of an existing or approved school, and (b) it meets the development standards for the development specified in Schedule 5.</p> <p>Note 1— Exempt development must also comply with the general requirements in section 3.16.</p> <p>Note 2— Section 3.17 covers development carried out by or on behalf of a public authority.</p> <p>(4) This section applies to development for the purposes of existing campus student accommodation on land within the boundaries of the existing school with which the accommodation is associated only.</p>	
3.40	Existing and approved schools—complying development	

	<p>(1) Development carried out by or on behalf of any person on land within the boundaries of an existing or approved school is complying development if—</p> <p>(a) it consists of the construction of, or alterations or additions to, any of the following—</p> <ul style="list-style-type: none"> (i) a library, an administration building or office premises for the purposes of the school, (ii) a gym, indoor sporting facility or hall, (iii) a teaching facility (including a classroom or lecture theatre), laboratory, trade facility or training facility, (iv) a cafeteria or canteen that is carried out in accordance with AS 4674—2004, Design, construction and fit-out of food premises, published by Standards Australia on 11 February 2004, (v) a kiosk or shop selling school-related goods to students and staff, such as books, stationery or school uniforms, (vi) a hall with associated covered outdoor learning area or kiosk, (vii) an outdoor learning or play area and associated awning or canopy, (viii) demolition of a building or structure (unless a State heritage item or local heritage item), (ix) minor alterations or additions (such as internal fitouts, structural upgrades, or alterations or additions to enable plant or equipment to be installed, to address work health and safety requirements or to provide access for people with a disability), (x) restoration, replacement or repair of a damaged building or structure, and <p>(b) it complies with this section.</p> <p>(2) Development carried out by or on behalf of any person on land within the boundaries of an existing or approved school is complying development if—</p> <p>(a) it is an alteration or addition referred to in <u>subsection (1) or section 3.41(2)(e) that is carried out for the purpose of a change of use to another use specified in subsection (1), and</u></p> <p>(b) it complies with this section.</p> <p>(3) Development carried out by or on behalf of any person on land within the boundaries of an existing or approved school for the purposes of campus student accommodation is complying development if the development—</p> <p>(a) involves only—</p>	<p>The proposed change of use does not meet the definition set out in this clause, as the existing use is a centre based child care facility not school based child care.</p> <p>As such development consent is required.</p>
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	<p><i>(i) a minor alteration or addition to a building that does not result in an increase in the gross floor area or height of the building, or</i></p> <p><i>Example—Minor alterations and additions include internal fitouts, structural upgrades, or alterations or additions to enable plant or equipment to be installed, to address work health and safety requirements or to provide access for people with a disability.</i></p> <p><i>(ii) the restoration, replacement or repair of a damaged building that does not result in an increase in the gross floor area or height of the building, and</i></p> <p><i>(b) complies with this section.</i></p> <p><i>(4) Except as provided by subsection (3), development for the purposes of campus student accommodation is not complying development under this section.</i></p> <p><i>(5) The development standards for complying development under this section (other than for development referred to in subsection (1)(a)(viii), (ix) or (x)) are set out in Schedule 6.</i></p> <p><i>(6) Development that will result in the erection of a building over a registered easement is not complying development under this section.</i></p> <p><i>(7) Nothing in this section authorises the carrying out of development in contravention of any existing condition of the development consent currently operating (other than a complying development certificate) that applies to any part of the school, relating to hours of operation, noise, car parking, vehicular movement, traffic generation, loading, waste management, landscaping or student or staff numbers.</i></p> <p><i>Note 1—Complying development must also comply with the general requirements in section 3.18.</i></p> <p><i>Note 2—Development to which the Rural Fires Act 1997, section 100B(1) applies is not complying development under this Chapter.</i></p>	
3.41	<i>School-based child care — complying development</i>	The proposed development is not for centre based child care.
3.42	<i>Complying development certificates—additional conditions</i>	Not relevant

3.43	<i>State significant development for the purpose of schools—application of development standards in environmental planning instruments</i>	The proposed works are not state significant development.
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Schedule 8 – Design quality principles in schools

Clause	Provision	Comment
<p>Principle 1— context, built form and landscape</p>	<p><i>Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.</i></p> <p><i>Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites.</i></p> <p><i>School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area, and located and designed to minimise the development’s visual impact on those qualities and that natural environment.</i></p>	<p>The proposed change of use and alterations and additions respond to the sites context and there will be no impact on heritage items. Works are proposed within the existing building footprint and on the disturbed portion of the lot.</p> <p>No changes are proposed to the existing landscaping on the site, with a new decking area improving amenity and functionality of the playground area.</p> <p>The proposed works will have no impact on nearby residential land uses.</p> <p>The site is not identified as scenic protection land.</p>
<p>Principle 2— sustainable, efficient and durable</p>	<p><i>Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.</i></p> <p><i>Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.</i></p>	<p>The proposal has been designed to minimise consumption of energy, water and natural resources.</p> <p>Appropriate waste management will be undertaken during the construction process, with all demolished materials to be recycled where possible. The site contains an existing approved waste storage area which will be retained. Further details are provided in the accompanying Waste Management Plan.</p>

		The proposed works allow for the existing site to adapt to current needs.
Principle 3— accessible and inclusive	<p><i>School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.</i></p> <p>Note— <i>Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.</i></p> <p><i>Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.</i></p>	The existing buildings will be retained and modified to provide additional classrooms, with appropriate access to classrooms and facilities retained.
Principle 4—health and safety	<p><i>Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.</i></p>	The proposed works will retain the existing building security measures, playground and landscaped areas, providing a safe and secure environment for students and staff.
Principle 5 — amenity	<p><i>Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and the local neighbourhood.</i></p> <p><i>Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.</i></p> <p><i>Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.</i></p>	The proposed works will provide additional classrooms and offices, improving facilities and amenity for students and staff, compliant with the relevant school and building code standards.
Principle 6—whole of life, flexible and adaptive	<p><i>School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide</i></p>	The proposal will meet the ongoing needs of students at the school.

	<i>strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.</i>	
Principle 7— aesthetics	<p><i>School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood.</i></p> <p><i>The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood.</i></p>	The alterations and additions utilise the existing site and propose upgrades to the classroom and office facilities on the site.

State Environmental Planning Policy (Biodiversity and Conservation) 2021

Chapter 2 – Vegetation in non-rural areas

State Environmental Planning Policy (Biodiversity and Conservation) 2021 aims to protect biodiversity values and preserve the amenity of non-rural areas, through the preservation of trees and other vegetation. The development remains consistent with the provisions of the SEPP as it does not propose to remove any trees.

State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 2 Coastal Management

The site is mapped as ‘Coastal Environment Area’ and accordingly the consent authority must consider clause 2.10 and 2.12 of the SEPP.



Figure 9: Extract – SEPP Resilience and Hazards, Coastal Use and Environment area map

2.10 Development on land within the coastal environment area

(1) Development consent must not be granted to development on land that is within the coastal environment area unless the consent authority has considered whether the proposed development is likely to cause an adverse impact on the following—

- (a) the integrity and resilience of the biophysical, hydrological (surface and groundwater) and ecological environment,*
- (b) coastal environmental values and natural coastal processes,*
- (c) the water quality of the marine estate (within the meaning of the Marine Estate Management Act 2014), in particular, the cumulative impacts of the proposed development on any of the sensitive coastal lakes identified in Schedule 1,*
- (d) marine vegetation, native vegetation and fauna and their habitats, undeveloped headlands and rock platforms,*
- (e) existing public open space and safe access to and along the foreshore, beach, headland or rock platform for members of the public, including persons with a disability,*
- (f) Aboriginal cultural heritage, practices and places,*
- (g) the use of the surf zone.*

(2) Development consent must not be granted to development on land to which this section applies unless the consent authority is satisfied that—

- (a) the development is designed, sited and will be managed to avoid an adverse impact referred to in subsection (1), or*
- (b) if that impact cannot be reasonably avoided—the development is designed, sited and will be managed to minimise that impact, or*

(c) if that impact cannot be minimised—the development will be managed to mitigate that impact.

The proposed development remains consistent with the provisions of the SEPP, as the works are located outside of the mapped area.

2.12 Development in coastal zone generally—development not to increase risk of coastal hazards

Development consent must not be granted to development on land within the coastal zone unless the consent authority is satisfied that the proposed development is not likely to cause increased risk of coastal hazards on that land or other land.

The proposed development will not increase the risk of coastal hazards on the subject site.

Chapter 4 Remediation of Land

The subject site has historically been used for the purposes of a centre based child care centre and the development proposes a change of use to classrooms for an existing educational establishment on the site. There is no known reason to suspect the site may be contaminated and it is considered that the land is suitable for the use as a school.

5.2 Warringah Local Environmental Plan 2011

The relevant clauses of the Warringah Local Environmental Plan 2011 are assessed below.

Zoning

The subject site is zoned R2 Low Density Residential, pursuant to the provisions of the Warringah Local Environmental Plan 2011 and *Educational establishments* are permitted with consent in the R2 Zone.



Figure 10: Extract from Warringah LEP 2011 Zoning Map

Demolition

Minor demolition works are proposed, as described above and illustrated in the attached DA plan set, to allow for the construction of the proposed alterations and additions.

Minimum Lot Size

The site is mapped with a minimum lot size of 600m². The subject site comprises a compliant area of 3.38ha. and no subdivision is proposed.

Height of Buildings

The LEP restricts the height of any development on the subject site to 8.5 metres. The proposed change of use and alterations and additions will not alter the existing, compliant building heights.

Floor Space Ratio

The site is not identified on the floor space ratio map.

Heritage Conservation

The site is not a heritage item, is not located within a heritage conservation area and is not located in proximity to any heritage items.

Flood Planning

The subject site is not identified on the NBC flood hazard map.

Acid Sulfate Soils

The site is not located in an area nominated as Acid Sulfate soils.

Earthworks

Minimal earthworks are proposed to construct new decking over the existing sandpit. Standard erosion and sediment control measures will be implemented to ensure best practice procedures are followed and all works will be undertaken in accordance with engineering details.

Development on Sloping Land

The site is located in the area nominated the LEP maps as Area A – Slope <5 and Area D – Collaroy Plateau Area Flanking Slopes 5 to 15. As such the consent authority must be satisfied that:

- (a) the application for development has been assessed for the risk associated with landslides in relation to both property and life, and*

- (b) the development will not cause significant detrimental impacts because of stormwater discharge from the development site, and*
- (c) the development will not impact on or affect the existing subsurface flow conditions.*

The proposed development is for the change of use from a centre based child care centre to classrooms and minor alterations and additions to existing buildings. It is considered the minor works proposed do not require a Geotechnical Report.

5.3 Warringah Development Control Plan 2011

The Warringah Development Control Plan 2011 does not technically apply to the proposed development, as it is for a use set out in clause 3.36 (9) of SEPP (Transport and Infrastructure) 2021. Regardless, the relevant provisions of the DCP are assessed below.

Part A Introduction

Objectives

The proposed development is entirely consistent with the ecologically sustainable, environmental, social and economic objectives as specified in the DCP. The proposal is appropriate to the site and the locality and has been designed with fulfilment of these objectives as essential criteria.

Part B Built Form Controls

Wall Heights

A maximum wall height of 7.2 metres is permitted by the DCP. No change is proposed to the existing approved wall heights on the site.

Side Boundary Envelope

The site requires a side boundary envelope of 4m/45⁰ and no change is proposed to the existing building envelope on the site.

Side Boundary Setbacks

Side setbacks of 0.9 metres are permitted on the subject site and no changes are proposed to the existing side setbacks.

Front Boundary Setback

Setback will be unchanged by the change of use and minor internal works.

Rear Boundary Setback

The DCP requires a minimum rear setback of 6 metres. As the site 3 street frontages, it does not have a rear boundary.

Part C Siting Factors

Traffic Access and Safety

The subject site has vehicular access and onsite carparking accessed via South Creek Road and Westmoreland Avenue and no change is proposed.

Parking Facilities

There will be no increase in the approved number of students resulting from the change of use. Additionally, early childhood students will no longer be catered for, accordingly, no change to parking is required.

Stormwater

No changes are proposed to the existing stormwater drainage infrastructure on the site.

Excavation and Landfill

Minimal earthworks are proposed to construct new decking over the existing sandpit. Standard erosion and sediment control measures will be implemented to ensure best practice procedures are followed and all works will be undertaken in accordance with engineering details.

Demolition and Construction

Minor demolition works are proposed, as described above and illustrated in the attached DA plan set, to allow for the construction of the proposed alterations and additions.

Waste Management

Appropriate waste management will be undertaken during the construction process, with all demolished materials to be recycled where possible. The site contains an existing

approved waste storage area which will be retained. Further details are provided in the accompanying Waste Management Plan.

Part D Design

Landscaping and Open space and bush land setting

The DCP requires 40% landscaping on the site (with minimum dimensions of 2 metres), which equates to 1.352 ha. for the site area of 3.38ha.

The existing approved landscaped area will remain unchanged.

Noise

It is considered the proposed change of use from a centre based child care facility to school classrooms will not materially alter the noise levels on the site, which will remain appropriate for the surrounding residential area. The site is not located in close proximity to a noise generating activity.

Access to sunlight

At least 50% of the private open space of the subject site and the adjoining dwellings are required to receive a minimum of 3 hours of sunlight between 9am and 3pm on June 21 by the DCP.

The development is for a change of use and internal alterations to existing buildings, meaning there will be no change to existing shadowing for neighbouring residential properties.

Views

A site visit has been undertaken and it is concluded the development will have no impact on views.

Privacy

Privacy will be retained for neighbours with existing boundary fencing, landscaping and windows retained.

Fences

No changes are proposed to the existing boundary fencing on the site.

Safety and Security

The site retains existing fencing and security features.

Part E The Natural Environment

Landslip Risk

As described above the site is located in the area nominated the LEP maps as Area A – Slope <5 and Area D – Collaroy Plateau Area Flanking Slopes 5 to 15. The proposed development is for the change of use from a centre based child care centre to classrooms and minor alterations and additions to existing buildings. It is considered the minor works proposed do not require a Geotechnical Report.

6. Section 4.15 Considerations

The following matters are to be taken into consideration when assessing an application pursuant to section 4.15 of the Environmental Planning and Assessment Act 1979 (as amended). Guidelines to help identify the issues to be considered have been prepared by the former Department of Urban Affairs and Planning. The relevant issues are:

6.1 The provision of any planning instrument, draft environmental planning instrument, development control plan or regulations

This report clearly and comprehensively addresses the statutory regime applicable to the application and demonstrates that the proposed development is complimentary and compatible with adjoining development. The proposal achieves the aims of the Warringah LEP and DCP.

The development is permissible in the zone.

6.2 The likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality

Context and Setting

What is the relationship to the region and local context in terms of:

- the scenic qualities and features of the landscape?*
- *the character and amenity of the locality and streetscape?*
- *the scale, bulk, height, mass, form, character, density and design of development in the locality?*
- *the previous and existing land uses and activities in the locality?*

These matters have been discussed in detail in the body of the statement.

What are the potential impacts on adjacent properties in terms of:

- *relationship and compatibility of adjacent land uses?*
- *sunlight access (overshadowing)?*
- *visual and acoustic privacy?*
- *views and vistas?*
- *edge conditions such as boundary treatments and fencing?*

The proposed development has been designed to complement the site and its surrounds. The proposal is appropriate and will have negligible impact on adjacent properties.

Access, transport and traffic

Would the development provide accessibility and transport management measures for vehicles, pedestrians, bicycles and the disabled within the development and locality, and what impacts would occur on:

- *travel demand?*
- *dependency on motor vehicles?*
- *traffic generation and the capacity of the local and arterial road network?*
- *public transport availability and use (including freight rail where relevant)?*
- *conflicts within and between transport modes?*
- *traffic management schemes?*
- *vehicular parking spaces?*

No conflict or issues will arise as a result of the proposed development.

Public domain

There will be no impact.

Utilities

There will be no impact on the site, which is already serviced.

Flora and fauna

There will be no impact.

Waste

There will be no impact.

Natural hazards

The natural hazard of landslide risk has been assessed and can be effectively mitigated to allow the development to proceed.

Economic impact in the locality

There will be no impact, other than the possibility of a small amount of employment during construction.

Site design and internal design

Is the development design sensitive to environmental conditions and site attributes including:

- *size, shape and design of allotments?*
- *the proportion of site covered by buildings?*
- *the position of buildings?*
- *the size (bulk, height, mass), form, appearance and design of buildings?*
- *the amount, location, design, use and management of private and communal open space?*
- *landscaping?*

The proposed development is highly appropriate to the site with regard to all of the above factors. The proposal fits well within the context of the surrounds and is an appropriate scale.

How would the development affect the health and safety of the occupants in terms of:

- *lighting, ventilation and insulation?*
- *building fire risk – prevention and suppression/*
- *building materials and finishes?*
- *a common wall structure and design?*
- *access and facilities for the disabled?*
- *likely compliance with the Building Code of Australia?*

The proposed development will comply with the provisions of the Building Code of Australia and all relevant Council controls. It is noted that no change of building class results.

Construction

What would be the impacts of construction activities in terms of:

- *the environmental planning issues listed above?*
- *site safety?*

Site safety measures and procedures compliant with relevant legislation will ensure that no site safety or environmental impacts will arise during construction.

6.3 The suitability of the site for the development

Does the proposal fit in the locality?

- *are the constraints posed by adjacent developments prohibitive?*
- *would development lead to unmanageable transport demands and are there adequate transport facilities in the area?*
- *are utilities and services available to the site adequate for the development?*

The adjacent development does not impose any unusual development constraints.

Are the site attributes conducive to development?

The site is appropriate for the proposed development.

6.4 Any submissions received in accordance with this Act or the regulations

It is envisaged that the consent authority will consider any submissions made in relation to the proposed development.

6.5 The public interest

It is considered that the proposal is in the public interest as it allows for appropriate use of the residential site.

Section 4.15(1) of the Environmental Planning and Assessment Act has been considered and the development is considered to fully comply with all relevant elements of this section of the Environmental Planning and Assessment Act 1979.

7. Conclusions

- 7.1** The proposed development, for the change of use from a centre based child care centre to school classrooms for the existing, approved educational establishment at 70 South Creek Road, Collaroy (Pittwater House), is appropriate considering all State and Council controls.

- 7.2** When assessed under the relevant heads of consideration of s4.15 of the Environmental Planning and Assessment Act, the proposed development is meritorious and should be granted consent.

- 7.3** Considering all the issues, the development is considered worthy of Council's consent.

Planner Declaration

Document Control Table

Document Purpose:	Statement of Environmental Effects	
Date	Prepared by	Approved by
21/11/2022	Naomi Lyons Senior Planner	Sarah McNeilly Director

Disclaimer

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