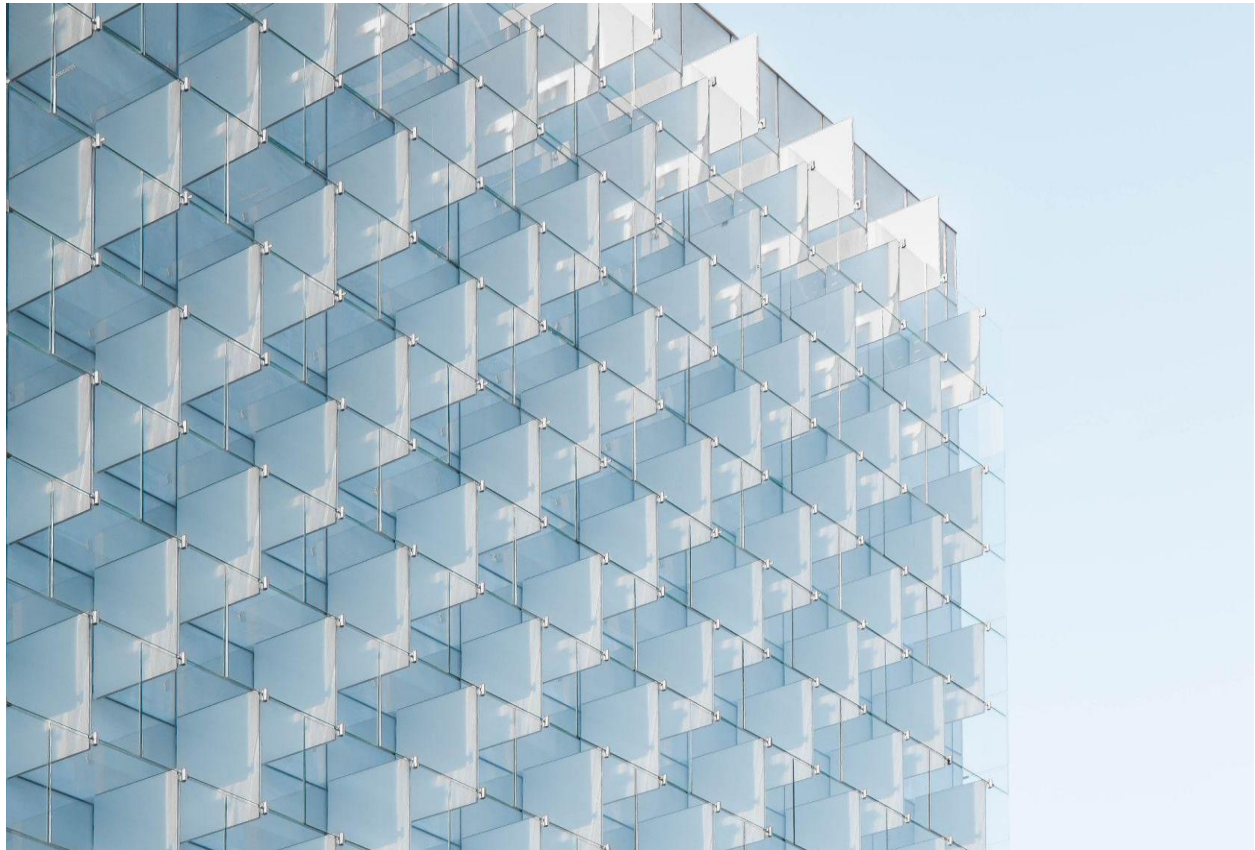


WILLOWTREE PLANNING



8 April 2024

Ref: WTJ24-091
Contact: Macy Fenn



STATEMENT OF ENVIRONMENTAL EFFECTS:

PROPOSED CHILDCARE FACILITY

4-8 Inman Road, Cromer
Lot 1 DP1220169

—
Prepared by Willowtree Planning Pty Ltd
on behalf of ID Fitouts

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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre
4-8 Inman Road, Cromer (Lot 1 DP1220169)

In the spirit of reconciliation and recognition, Willowtree Planning acknowledges the Traditional Owners of this Country throughout Australia and their continuing and ongoing connections to land, waters and community. We show our respect to Elders – past and present. We acknowledge that we stand on this Country which was and always will be recognised as Aboriginal Land. We acknowledge the Traditional Owners of the Lands in this Local Government Area, belonging to the local Aboriginal People, where this proposal is located upon.

DOCUMENT CONTROL TABLE			
Document Reference:	WTJ24-091		
Contact	Macy Fenn		
Version and Date	Prepared by	Checked by	Approved by
Version No.1 – 05/04/2024	Macy Fenn Town Planner	Andrew Cowan Director	Andrew Cowan Director
			

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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

TABLE OF CONTENTS

TABLE OF CONTENTS	2
FIGURES LIST	4
TABLES LIST	4
PART A SUMMARY	5
1.1 INTRODUCTION	5
PART B SITE ANALYSIS	7
2.1 SITE LOCATION AND CHARACTERISTICS	7
2.2 DEVELOPMENT HISTORY	9
PART C PROPOSED DEVELOPMENT	11
3.1 DEVELOPMENT OVERVIEW	11
3.2 DEVELOPMENT STATISTICS	11
3.3 OPERATIONAL DETAILS	14
PART D LEGISLATIVE AND POLICY FRAMEWORK	15
4.2 CONTROLS AND POLICY OVERVIEW	19
4.3 STATE PLANNING CONTEXT	19
4.3.1 Environmental Planning and Assessment Act 1979	19
4.3.2 Environmental Planning and Assessment Regulation 2021	20
4.3.3 Water Management Act 2000	21
4.3.4 Biodiversity Conservation Act 2016	21
4.3.5 Heritage Act 1977	22
4.3.6 State Environmental Planning Policy (Resilience and Hazards) 2021	22
4.3.7 State Environmental Planning Policy (Industry and Employment) 2021	23
4.3.8 State Environmental Planning Policy (Transport and Infrastructure) 2021	26
4.3.9 State Environmental Planning Policy (Planning Systems) 2021	38
4.3.10 State Environmental Planning Policy (Sustainable Buildings) 2022	38
4.4 LOCAL PLANNING CONTEXT	39
4.4.1 Warringah Local Environmental Plan 2011	39
4.4.2 WARRINGAH DEVELOPMENT CONTROL PLAN 2011	42
4.4.3 NORTHERN BEACHES SECTION 7.12 CONTRIBUTIONS PLAN 2022	45
PART E LIKELY IMPACTS OF THE DEVELOPMENT	46
5.1 CONTEXT AND SETTING	46
5.2 BUILT FORM	46



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

5.2.1	Height.....	46
5.2.2	GROSS FLOOR AREA	46
5.2.3	Landscaping.....	47
5.3	TRAFFIC & TRANSPORT	47
5.3.1	Traffic Generation	47
5.3.2	Parking.....	47
5.3.3	Access and Loading.....	47
5.4	CONTAMINATION.....	47
5.5	VISUAL AMENITY	48
5.6	WASTE.....	48
5.7	HERITAGE	48
5.8	CONSTRUCTION	48
5.9	BUILDING CODE OF AUSTRALIA	49
5.10	CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN PRINCIPLES.....	49
5.11	SUITABILITY OF SITE FOR DEVELOPMENT	50
5.12	SUBMISSIONS	50
5.13	THE PUBLIC INTEREST	50
PART F	CONCLUSION	52



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

FIGURES LIST

Figure 1. Cadastral Map (Source: SIX Maps, 2024)	8
Figure 2. Aerial Map (Source: Near Map, 2024)	8
Figure 3. Proposed General Arrangement Plan (Source: ID Fitouts, 2024)	13
Figure 4. Proposed Sections (Source: ID Fitouts, 2024)	13
Figure 5. WLEP2011 Zoning Map (Source: NSW Legislation, 2024)	16
Figure 6. Heritage WLEP2011 Map (Source: NSW Legislation, 2024)	40
Figure 7. Height of Buildings WLEP2011 Map (Source: NSW Legislation, 2024)	41
Figure 8. Landslip Risk WLEP2011 Map (Source: NSW Legislation, 2024)	41
Figure 9. Lot Size WLEP2011 Map (Source: NSW Legislation, 2024)	42
Figure 10. Building Height (ID Fitouts, 2024)	46

TABLES LIST

TABLE 1. SITE IDENTIFICATION	7
TABLE 2. EXISTING CONSENTS	9
TABLE 3. DEVELOPMENT PARTICULARS	12
TABLE 4. OPERATIONAL DETAILS	14
TABLE 5. WLEP2011 ZONING AND PERMISSIBILITY WITHIN THE E4 ZONE	16
TABLE 6. WLEP2011 PERMISSIBILITY WITHIN THE IN1 ZONE	18
TABLE 7. SECTION 4.15(1)(A) CONSIDERATIONS	20
TABLE 8. HOW THE DA IS MADE	21
TABLE 9. SEPP INDUSTRY AND EMPLOYMENT - Schedule 5	24
TABLE 10. CHILD CARE PLANNING GUIDELINE	26
TABLE 11. TRANSPORT AND INFRASTRUCTURE SEPP: NON-DISCRETIONARY DEVELOPMENT STANDARDS	37
TABLE 12. DEVELOPMENT STANDARDS	39
TABLE 13. WDCP2011 ASSESSMENT	42
TABLE 14. DEVELOPMENT CONTRIBUTIONS	45



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

PART A SUMMARY

1.1 INTRODUCTION

This Statement of Environmental Effects (SEE) has been prepared by Willowtree Planning Pty Ltd (Willowtree Planning) on behalf of ID Fitouts (the Applicant) and is submitted to Northern Beaches Council (Council) in support of a Development Application (DA) at 4-8 Inman Road, Cromer (the Site), which captures the following land parcels:

- Lot 1 DP1220169

This DA seeks development consent for new childcare centre at the Site, including other necessary works, as described in **PART C** of this SEE.

The Site is zoned E4 General Industrial, pursuant to the *Warringah Local Environmental Plan 2011* (WLEP2011), which is intended to:

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

The proposal seeks to provide a childcare centre, which is prohibited in the E4 General Industrial zone. However, this land use was previously permitted with consent in the former IN1 General Industrial zone that applied to the Site until 26th April 2023, when changes brought about by the NSW Government's Employment Zones Reform were introduced. Savings provisions were introduced via the Standard Instrument (Local Environmental Plans) Order 2006 as provided below:

Schedule 1 Savings, transitional and other provisions, Part 2 Clause 5 of The Order –

5 Continuation of permitted development

Development that is permitted with development consent on land in a former zone under a local environmental plan, as in force immediately before 26 April 2023, continues to be permitted with development consent on the land until 26 April 2025.

Therefore, in accordance with the above, the proposed child-care centre continues to be permitted with consent until 26 April 2025.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

This SEE has been prepared pursuant to Section 4.12 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and Part 3 of the *Environmental Planning and Assessment Regulation 2021* (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 under **PART D** of this SEE.

This SEE describes the Site and proposed development, provides relevant background information and responds to the proposed development in terms of the relevant matters set out in relevant legislation, environmental planning instruments and planning policies.

The structure of the SEE is as follows:

- **PART A SUMMARY**
- **PART B SITE ANALYSIS**
- **PART C PROPOSED DEVELOPMENT**
- **PART D LEGISLATIVE AND POLICY FRAMEWORK**
- **PART E ENVIRONMENTAL ASSESSMENT**
- **PART F CONCLUSION**

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



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STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

PART B SITE ANALYSIS

2.1 SITE LOCATION AND CHARACTERISTICS

The Site is identified as 4-8 Inman Road, Cromer, containing the following land holdings:

TABLE 1. SITE IDENTIFICATION		
Site Address	Legal Description(s)	Land Area (approx.)
4-8 Inman Road, Cromer	Lot 1 DP1282038	3.655ha

The Site is located at 4-8 Inman Road, Cromer. The Site is bound by South Creek Road to the south and Inman Road to the west. The north-western corner of the Site is bound by Orlando Road, which connects to Parkes Road. The Site also has frontage to Campbell Avenue.

The Site is zoned E4 General Industrial pursuant to the WLEP2011 and includes mostly office buildings and large warehouse/manufacturing buildings. Zones surrounding the Site include RE1 – Public Recreation, RE2 – Private Recreation, SP2 – Infrastructure, and R2 – Low Density Residential.

As depicted in **Figure 6**, the Site is listed as an item of environmental heritage in Schedule 5 of the WLEP2011. The 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 Site, which is outside the scope of this proposal.

The Proposal pertains to Office C as identified within DA2019/1346 as part of the Northern Beaches Business Park. The Site is listed as an item of environmental heritage under Schedule 5 of the WLEP2011 as the Roche Building – Item 52.

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

Refer to **Figure 1** and **Figure 2** below.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

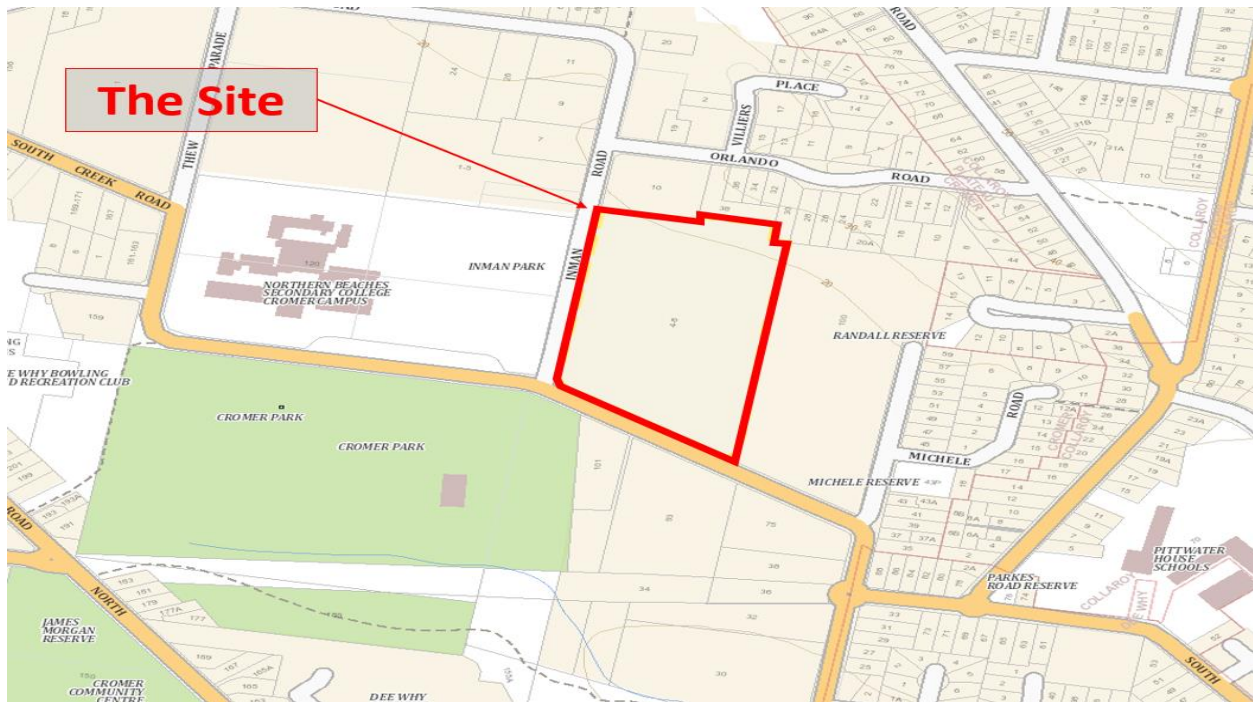


Figure 1. Cadastral Map (Source: NSW ePlanning Spatial View, 2024)

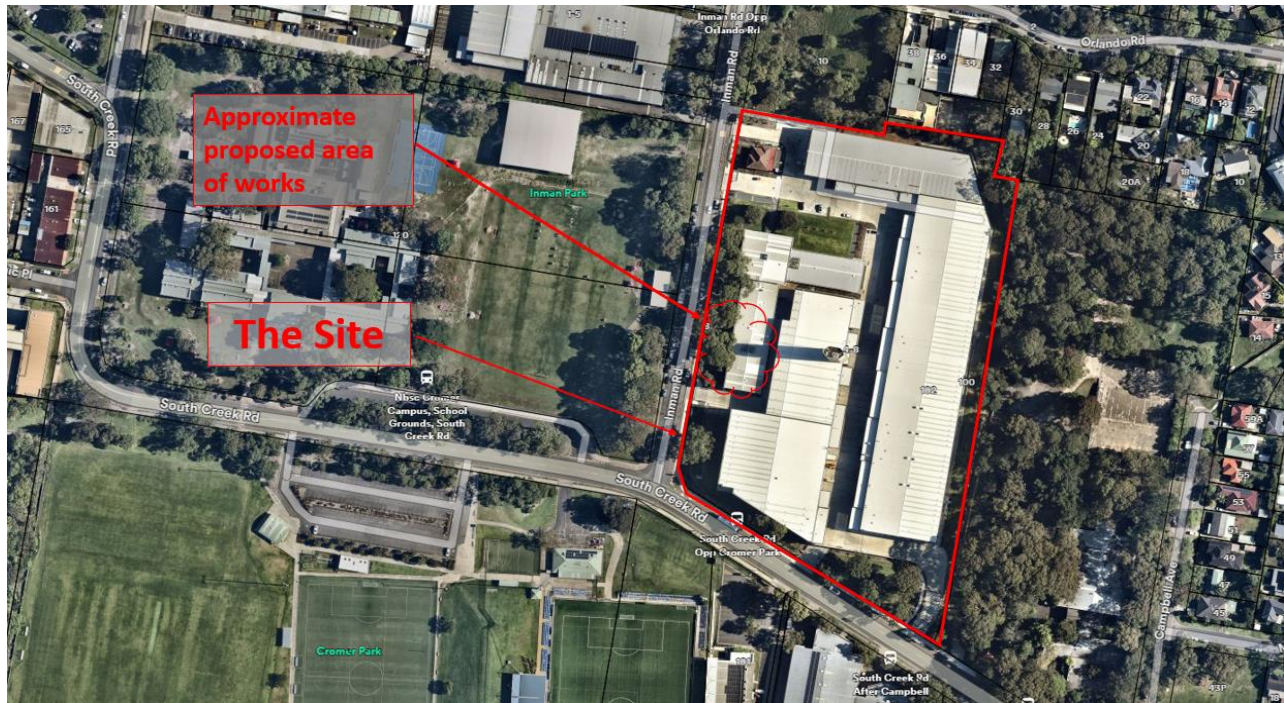


Figure 2. Aerial Map (Source: Near Map, 2024)



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

2.2 DEVELOPMENT HISTORY

TABLE 2 outlined below provides a summary of the DAs, pertaining to the Site and of relevance to the proposal, that have been determined or are under assessment.

TABLE 2. EXISTING CONSENTS		
DA Reference	Summary	Approval Date
DA2024/0123	Use of Premises as an Indoor Recreation Facility, fitout and signage	Lodged 19/02/2024 Status: Under Assessment
DA2023/1644	Alterations and additions to commercial developmt - Use of Premises as an Indoor Recreation Facility, fitout and signage	Lodged 23/11/2023 Status: Under Assessment
Mod2023/0579	Section 4.55 (1a) Minor Environmental Impact - Modification of Development Consent DA2023/1170 granted for Proposed signage, alteration to glazing and enclosing work.	Lodged 03/11/2023 Determined 01/12/2023
DA2023/1202	Use of Premises as an indoor recreational facility, fitout and signage	Lodged 07/09/2023 Determined 06/03/2024
DA2023/1107	Change of use and alterations and additions to Office C for the purpose of a child-care centre and landscaping	Lodged 31/08/2023 Status: under assessment
DA2023/1170	Alterations and additions to industrial development - Proposed signage, alteration to glazing and enclosing work	Lodged 30/08/2023 Determined 16/10/2023
DA2023/1142	Use of existing premises as an indoor recreational facility, including fitout and signage	Lodged 21/08/2023 Determined 24/11/2023
Mod2023/0386	Section 4.55 (1a) Minor Environmental Impact - Modification of Development Consent DA2019/1346 granted for demolition works and alternations and additions to an existing industrial facility, including new warehouse, and self storage, office premises and ancillary café.	Lodged 21/07/2023 Determined 03/08/2023
DA2023/0294	Change of use and fitout of Warehouse 7 and 8 for the purpose of an indoor recreation facility	Lodged 12/04/2023 Determined 18/07/2023
Mod2022/0722	Modification of Development Consent DA2021/1608 granted for Use of Premises (Warehouse 1) as an Indoor Recreation Facility (swim school), internal fit-out, reconfiguration of car parking and signage	Lodged 09/01/2023 Determined 27/02/2023



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

DA2022/1807	Change of use and fitout of Warehouse 11 for the purpose of a golf facility (indoor recreation facility)	Lodged 04/11/2022 Determined 30/01/2023
Mod2022/0452	Fitout of existing office building involving internal and external alterations and additions	Lodged 09/08/2022 Determined 15/12/2022
DA2021/1464	Three (3) Lot Torrens Title Subdivision	Lodged 24/08/2021 Determined 23/02/2022
Mod2020/0611	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 premise and ancillary café.	Lodged 07/12/2020 Determined 01/04/2021
DA2019/1346	Demolition works and alterations and additions to an existing industrial facility, including new warehouse, and self storage, office premises and ancillary café.	Lodged 27/11/2019 Determined 17/08/2020
DA2017/0948	Removal of signage from a heritage listed industrial building (Roche).	Lodged 25/09/2017 Determined 09/01/2018



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

PART C PROPOSED DEVELOPMENT

3.1 DEVELOPMENT OVERVIEW

The proposal seeks consent for the change of use and fit-out of Office C for the purpose of a childcare centre. The future end user is identified as Learn & Play Childcare.

3.2 DEVELOPMENT STATISTICS

The proposed development includes the following scope:

- Demolish the security office, located within the unenclosed area to the south of the subject premises.
- Undertake internal alterations to separate the subject premises at the ground floor level from a new foyer area at the base of the spiral stair, so that the spiral stair may be used to access the upper level office without entering the subject premises. A lift will already exist within that foyer area. The foyer area is to comprise 27m².
- Undertake internal alterations within the subject premises to allow its use as a child-care centre.
- Create a new external opening in the eastern elevation and install a new doorway.
- Create a new opening in the northern wall of a protrusion on the western side of the building, with that part being at a 90-degree angle to Inman Road, for a new door opening.
- Remove specified windows facing Inman Road and replace with new sliding access doors.
- Remove specified windows facing Inman Road and replace with new non-sliding access doors.
- Install a separate air-conditioning system for the premises, as detailed in the submitted architectural details, an existing air conditioning has been installed by base building contractors, this system is to be modified to suit the proposed layout.
- Specified vegetation is to be removed from the Inman Road setback area, in accordance with the submitted tree safety report.
- Minor earthworks are to be carried out within the Inman Road setback area. The earthworks will establish a proposed outdoor play area.
- Undertake landscaping works, including the installation of paving and softfall surface and of play equipment and associated fixtures and fittings in association with the use of the Inman Road setback area as an outdoor play area for children at the centre.
- Install new aluminium shade louvres over part of the proposed new paved area within the Inman Road setback area, using existing support structures in that area.
- Install a new steel and aluminium pergola and louvre shade structure over part of the new paved area within the Inman Road setback area.
- New fencing to be installed is only an extension of the existing 2m high black palisade fencing, which highly transparent not solid, which to include a business identification sign of 4.5m width by 1.2m height, as an illuminated signage panel.
- Install fixtures, fittings and suitable surfaces within the unenclosed area to the southern side of the premises, for the use of that area as an outdoor play area.
- 31 car spaces will be allocated to the child-care centre use (20 allocated spaces and 11 assigned special provisions during nominated drop off and pick up hours from the Site shared pool parking)



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

- Installation of a kitchen and laundry within the eastern area adjacent to the pedestrian walkway, along with amenities for staff and visitors. There is to be a parent lounge area adjacent to the spiral stair. There is to be an entry foyer adjacent to the spiral stair, with a reception desk. A director's office, a meeting room and a staff room will be in the northeast area of the premises.
- A waste storage area is to be adjacent to the eastern side of the premises, with screening from the pedestrian walkway to be provided
- The gross floor area of the childcare centre is to be 780m². The outdoor play areas are to comprise 1,000m²
- The proposed childcare centre has been designed in accordance with the Education and Care Services National Regulations, including in relation to the proportion of children to indoor and outdoor play areas and the provision of the required facilities for licensing of the centre by the NSW Government. There will be a maximum of 20 educators of children at the centre, at peak. The operating hours for the centre are to be 7am to 6pm Mondays to Fridays and 8am to 3pm Saturdays, with no operation on Sundays.

The proposed childcare facility includes those works as identified in **TABLE 3** below.

TABLE 3. DEVELOPMENT PARTICULARS	
Component	Proposed
Site Area	6.655 ha
Primary Land Use	Centre-based childcare centre
Gross Floor Area	780m ²
Building Height	Highest external structure proposed is the external stair screen 4.1m. Existing building is 11.14m (no change is proposed to the height of the existing building as part of this application).
Number of Storeys	2
Car Parking	A total of 31 car spaces are provided on site. <ul style="list-style-type: none">○ 20 permanent car spaces are provided for staff use.○ 11 reserved parking spaces during drop-off and pick-up times for visitors.
Tree Removal	Six (6) trees to be removed (T1, T63, T66, T70, T72, T75)
Signage	Business identification sign 4.5m x 1.2m, as an illuminated signage panel
Cost of Works	\$1,427,457



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

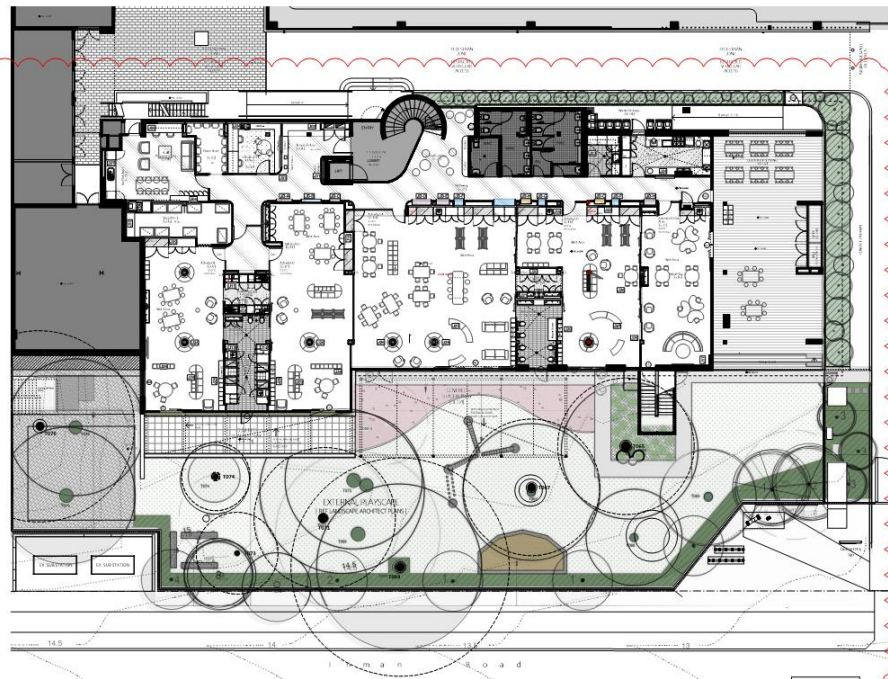


Figure 3. Proposed General Arrangement Plan (Source: ID Fitouts, 2024)

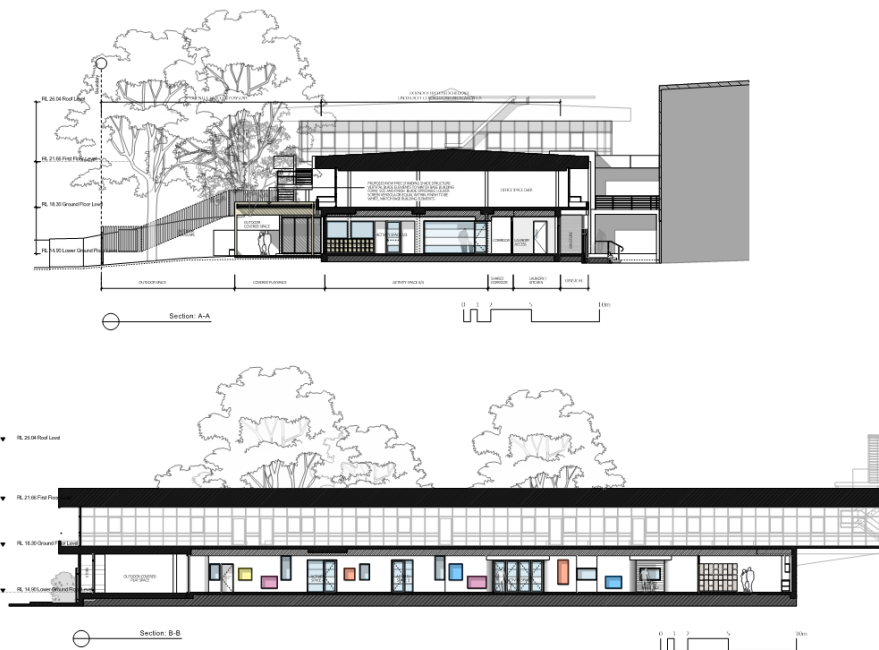


Figure 4. Proposed Sections (Source: ID Fitouts, 2024)



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

3.3 OPERATIONAL DETAILS

The proposal seeks to operate centre-based childcare facility as documented in **TABLE 4**.

TABLE 4. OPERATIONAL DETAILS	
Component	Proposed
Nature of Use	Childcare facility
Hours of Operation	7am to 6pm Mondays to Fridays 8am to 3pm Saturdays No operation on Sundays
Number of Staff	The maximum number of staff capacity is 20 at peak.
Number of Children	Activity room 1 (northern end): 20 x 0-2 year olds, 65m ² (+ 13 x cot room) Activity room 2: 20 x 0-2 year olds, 65m ² (+11 x cot room) Activity room 3: 45 x 3-6 year olds, 148.25m ² (+amenities) Activity room 4 (southern end): 35 x 2-3 year olds, 113.75m ² (+amenities) Total children: 120



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

PART D LEGISLATIVE AND POLICY FRAMEWORK

4.1 ZONING AND PERMISSIBILITY

As noted in **PART C** this DA seeks approval for a centre-based childcare facility.

According to the WLEP2011 a centre-based childcare facility is defined as –

- (a) *a building or place used for the education and care of children that provides any one or more of the following—*
 - (i) *long day care,*
 - (ii) *occasional childcare,*
 - (iii) *out-of-school-hours care (including vacation care),*
 - (iv) *preschool care, or*

- (b) *an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),*

but does not include—

- (c) *a building or place used for home-based child care or school-based child care, or*
- (d) *an office of a family day care service (within the meanings of the Children (Education and Care Services) National Law (NSW)), or*
- (e) *a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or*
- (f) *a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or*
- (g) *a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or*
- (h) *a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.*

Note—

*Centre-based childcare facilities are a type of **early education and care facility***

The Site is currently located within the E4 General Industrial zone under the WLEP2011 as shown in Error! Reference source not found..



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

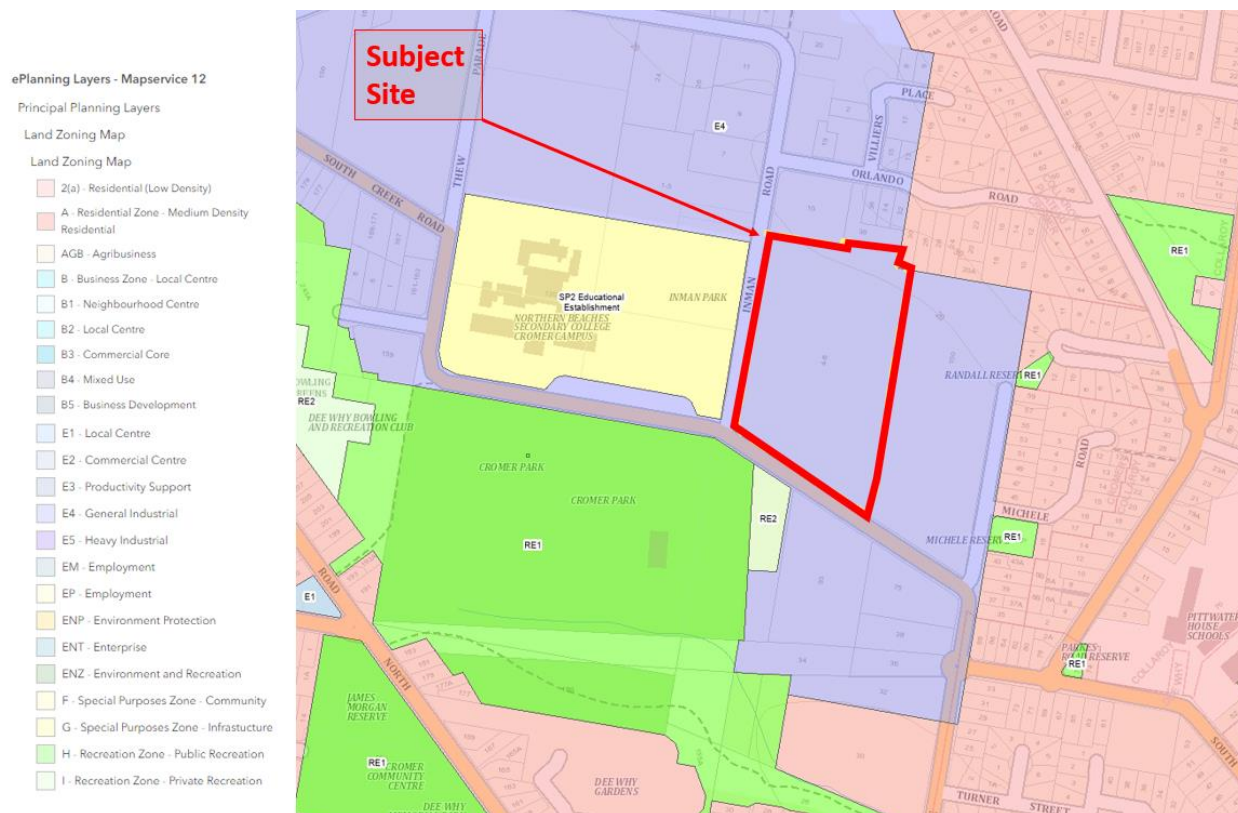


Figure 5. WLEP2011 Zoning Map (Source: NSW Legislation, 2024)

The Table below outlines the objectives and permissible uses within the E4 General Industrial Zone.

TABLE 5. WLEP2011 ZONING AND PERMISSIBILITY WITHIN THE E4 ZONE	
Zone	E4: General Industrial Zone
Objectives	<ul style="list-style-type: none"> To provide a range of industrial, warehouse, logistics and related land uses. To ensure the efficient and viable use of land for industrial uses. To minimise any adverse effect of industry on other land uses. To encourage employment opportunities. To enable limited non-industrial land uses that provide facilities and services to meet the needs of businesses and workers. To provide areas for land uses that need to be separated from other zones. To provide healthy, attractive, functional and safe light industrial areas.
Permissibility	
Permitted without consent	<ul style="list-style-type: none"> Nil



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

Permitted with consent	<ul style="list-style-type: none">Depots; Freight transport facilities; Garden centres; General industries; Goods repair and reuse premises; Hardware and building supplies; Horticulture; Industrial retail outlets; Industrial training facilities; Landscaping material supplies; Light industries; Local distribution premises; Neighbourhood shops; Oyster aquaculture; Take away food and drink premises; Tank-based aquaculture; Timber yards; Vehicle sales or hire premises; Warehouse or distribution centres; Water supply systems; Any other development not specified in item 2 or 4
Prohibited	<ul style="list-style-type: none">Advertising structures; Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Community facilities; Correctional centres; Early education and care facilities; Eco-tourist facilities; Educational establishments; Entertainment facilities; Environmental facilities; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Function centres; Health services facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industries; Information and education facilities; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Passenger transport facilities; Port facilities; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Residential accommodation; Respite day care centres; Restricted premises; Rural industries; Tourist and visitor accommodation; Veterinary hospitals; Water recreation structures; Wharf or boating facilities

The proposed centre-based child care facility is **prohibited** in the zone as the use is a type of *early education and care facility*. However, permissibility is achieved via Standard Instrument (Local Environmental Plans) Order 2006 as described below.

Standard Instrument (Local Environmental Plans) Order 2006

Standard Instrument (Local Environmental Plans) Order 2006 (The Order) contains direction relating to the form and content of the LEP, which are then followed by Council when preparing and amending LEPs. Amendments were introduced as part of the Employment Zones Reforms undertaken by the State Government on 26th April 2023 as outlined below.

Schedule 1 Part 2 of The Order—

Notes-

former zone means Zone B1, B2, B3, B4, B5, B6, B7, B8, IN1, IN2, IN3 or IN4.

new zone means Zone E1, E2, E3, E4, E5, MU1, SP4, SP5 or W4.

The previous zone on the Site was IN1 and the new zone outlined in the table above is E4. Consequently, Schedule 1 of The Order Applies to the Site.

Schedule 1 Savings, transitional and other provisions, Part 2 Clause 5 of The Order –

5 Continuation of permitted development



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

Development that is permitted with development consent on land in a former zone under a local environmental plan, as in force immediately before 26 April 2023, continues to be permitted with development consent on the land until 26 April 2025.

The Site was formally zoned as IN1 General Industrial under WLEP2011 in force immediately before 26th April 2023. Pursuant to Clause 5 of The Order development permitted with consent within the IN1 applies to the Site until the 26th April 2025.

The Table below outlines the permissible uses within the IN1 General Industrial Zone.

TABLE 6. WLEP2011 PERMISSIBILITY WITHIN THE IN1 ZONE	
Zone	IN1: General Industrial Zone
Permissibility	
Permitted without consent	<ul style="list-style-type: none">Nil
Permitted with consent	<ul style="list-style-type: none">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
Prohibited	<ul style="list-style-type: none">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

A **centre-based childcare facility** is not specified in item 2 or 4 therefore the proposed use is permissible with consent by virtue of 'Any other development not specific in item 2 or 4'.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

Therefore, pursuant to Schedule 1, Part 2, Clause 5 of The Order centre based childcare facility is permitted with consent on the Site.

4.2 CONTROLS AND POLICY OVERVIEW

This Part of the SEE addresses and responds to the legislative and policy requirements relevant to the proposed development at the Site in accordance with the EP&A Act.

The following current and draft Commonwealth, State, Regional and Local planning controls and policies have been considered in the preparation of this DA.

State Planning Context

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2021*
- *Water Management Act 2000*
- *Biodiversity Conservation Act 2016*
- *Protection of the Environment Operations Act 1997*
- *Heritage Act 1977*
- *State Environmental Planning Policy (Resilience and Hazards) 2021*
- *State Environmental Planning Policy (Industry and Employment) 2021*
- *State Environmental Planning Policy (Transport and Infrastructure) 2021*
- *State Environmental Planning Policy (Planning Systems) 2021*
- *State Environmental Planning Policy (Biodiversity and Conservation) 2021*
- *State Environmental Planning Policy (Sustainable Buildings) 2022*

Local Planning Context

- *Warringah Local Environmental Plan 2011*
- *Northern Beaches Section 7.12 Contributions Plan 2022*
- *Warringah Development Control Plan 2011*

4.3 STATE PLANNING CONTEXT

4.3.1 Environmental Planning and Assessment Act 1979

The EP&A Act is the principal planning and development legislation in NSW.

4.3.1.1 Section 4.15(1) of the EP&A Act – Considerations

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 7** below.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

TABLE 7. SECTION 4.15(1)(A) CONSIDERATIONS	
Section	Response
Section 4.15(1)(a)(i) any environmental planning instrument, and	The WLEP2011 is the relevant Environmental Planning Instrument (EPI) applying to the Site, which is assessed in Section 0 of this SEE.
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 the Site.
Section 4.15(1)(a)(iii) any development control plan, and	The <i>Warringah Development Control Plan 2011</i> (WDCP2011) applies to the Site and is addressed in Section Error! Reference source not found. and A ppendix 1 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 Northern Beaches Section 7.12 Contributions Plan 2021.
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 4.3.2 of this SEE.
Section 4.15(1)(b)-(c)	These matters are addressed in PART E of this SEE.

Pursuant to Section 4.5 of the EP&A Act, the consent authority for the proposed development is Northern Beaches Council.

4.3.1.2 Section 4.46 of EP&A Act - Integrated Development

Section 4.46 of the EP&A Act defines 'integrated development' as matters that require consent from the consent authority and one or more authorities under related legislation. In these circumstances, prior to granting consent, the consent authority must obtain from each relevant approval body their General Terms of Approval (GTA) in relation to the development, pursuant to Clause 42 of the EP&A Regulation.

The Proposal does not require consent from the listed approval bodies under Clause 4.46. Therefore, the DA is not classified as integrated development.

4.3.2 Environmental Planning and Assessment Regulation 2021

The Proposal has been prepared in accordance with the provisions of the EP&A Regulation. Division 1 of Part 3 of the EP&A Regulation stipulates how a DA must be "made". This DA satisfies the relevant criteria of the Regulation as follows:



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

TABLE 8. HOW THE DA IS MADE	
Considerations	Response
Division 1 - Making development applications	
<i>Section 23 - Persons who may make development applications</i>	
(1) A development application may be made by— (a) the owner of the land to which the development application relates, or (b) another person, with the consent of the owner of the land.	This DA is made by Willowtree Planning Pty Ltd on behalf of ID Fitouts. The owner of the land has provided consent in accordance with Clause 23(1) of the EP&A Regulation to allow for the DA to be made.
<i>Section 24 - Content of development applications</i>	
(1) A development application must— (a) be in the approved form, and (b) contain all the information and documents required by— (i) the approved form, and (ii) the Act or this Regulation, and (c) be submitted on the NSW planning portal.	The DA includes all relevant information including details of the development, address and formal particulars, estimated cost of development, owner's consent, supporting documents including detailed plans and SEE. This DA is submitted via the NSW planning portal.

4.3.3 Water Management Act 2000

The objective 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 Site contains a classified first order creek, a desktop assessment by Eco Logical Australia as part of DA2019/1346 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.

4.3.4 Biodiversity Conservation Act 2016

The *Biodiversity Conservation Act 2016* (BC Act) is the key piece of legislation in NSW relating to the protection and management of biodiversity and threatened species. The purpose of the BC Act is to maintain a healthy, productive and resilient environment for the greater well-being of the community, now and into the future, consistent with the principles of ecologically sustainable development. The BC Act is supported by a number of regulations, including the *Biodiversity Conservation Regulation 2017* (BC Regulation).

As part of **DA2019/1346**, 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



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

Flying-fox (*Pteropus poliocephalus*) and Little Bentwing-bat (*Miniopterus australis*), two (2) threatened flora species *Eucalyptus scoparia* and *Syzygium paniculatum* (all planted), were recorded on the Site. 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 Proposal 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.

4.3.5 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 Site is listed as an item of environmental heritage in Schedule 5 of WLEP2011. However, the Site is not listed on any other statutory or non-statutory lists or registers. The 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 alterations and additions, of an existing heritage building (Office C) as approved under **DA2019/1346**. The Heritage Response letter states the original structure of the subject building would be maintained and most of the proposed works would be limited to previously altered areas.

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

For further consideration refer to **Section 5.7** of this SEE.

4.3.6 State Environmental Planning Policy (Resilience and Hazards) 2021

The *State Environmental Planning Policy (Resilience and Hazards) 2021* (Resilience and Hazards SEPP) contains planning provisions relating to:

- land use planning within the coastal zone, in a manner consistent with the objects of the *Coastal Management Act 2016*.
- management of hazardous and offensive development.
- remediation of contaminated land and to minimise the risk of harm.

In relation to the Site the following matters are highlighted.

Chapter 3 – Hazardous and offensive development

The proposed childcare facility does not involve the storage and/or handling of potentially dangerous goods or materials. As such, no further consideration of Chapter 3 is required.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

Chapter 4 – Remediation of land

Under the provisions of Chapter 4 of the Resilience and Hazards SEPP, where a DA is made concerning land that is contaminated, the consent authority must not grant consent unless (as stipulated by Clause 4.6 of the SEPP):

- (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 **DA2019/1346**, as such no further consideration of Chapter 4 is required under this DA.

The Site Audit Interim Advice states the assessments in relation to the Site contamination of the Heritage Building for the proposed use as a childcare centre have been appropriately conducted and that the findings of the assessment, are supporting by the investigations conducted.

On this basis, the Heritage Building (Office C) is considered by the Site Auditor to be suitable for the proposed use as a childcare centre.

4.3.7 State Environmental Planning Policy (Industry and Employment) 2021

The *State Environmental Planning Policy (Industry and Employment) 2021* (Industry and Employment SEPP) contains planning provisions relating to:

- employment land in western Sydney.
- advertising and signage in NSW.

The policy regulates signage (but not content) under Part 4 of the EP&A Act and provides limited time consents for the display of certain advertisements. The policy does not apply to signage that is exempt development under an environmental planning instrument. It does apply to all signage that can be displayed with or without consent and is visible from any public place or reserve, except as provided by the policy.

This policy should be read in conjunction with the WLEP2011 and the WDCP2011 where these apply.

The proposed external signage must engage and comply with Industry and Employment SEPP as stated above. The following table provides an assessment against the Assessment Criteria provided in Schedule 5 of Industry and Employment SEPP.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

TABLE 9: SEPP INDUSTRY AND EMPLOYMENT – Schedule 5

Assessment Criteria	Compliance	Comment
1. Character of the area		
Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	YES	The proposed signage is compatible with the existing and desired future character of the Cromer Industrial Precinct at 4-8 Inman Road, Cromer, providing logical and appropriate signage with a sympatric approach to both the neighbouring tenancies.
Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	YES	As above.
2. Special Area		
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?	YES	The proposal would not impose adverse amenity or visual impacts in the area. The Site is not in proximity to any environmentally sensitive areas, natural or other conservation areas, open space areas, waterways or rural landscapes. As mentioned, the Site is zoned E4 pursuant to WLEP2011 and is not within close proximity to any residential areas.
3. Views and Vistas		
Does the proposal obscure or compromise important views?	YES	The proposed signage is consistent with the existing built form on the Site and does not disrupt any views or dominate views towards the Site
Does the proposal dominate the skyline and reduce the quality of vistas?	YES	The proposed signage would be of a height and scale consistent with the built form on the Site and would not dominate the skyline.
Does the proposal respect the viewing rights of other advertisers?	YES	The proposed signage would not obstruct any other signage or advertising and would respect the viewing rights of other advertisers.
4. Streetscape, setting or landscape		
Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	YES	The proposed signage has been designed in respect of the proposed built form on the Site to provide effective advertising whilst not being visually obtrusive. The proposed signage is compatible with the existing warehouse and complements of the broader streetscape.
Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	YES	The proposed signage has been designed to visually define the facility on the Site and would be integrated with the façade to create a visually consistent built form.
Does the proposal reduce clutter by rationalising and simplifying existing advertising?	YES	There is no existing signage on the building.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

TABLE 9: SEPP INDUSTRY AND EMPLOYMENT – Schedule 5

Assessment Criteria	Compliance	Comment
Does the proposal screen unsightliness?	YES	The proposed signage is visually compatible with the style and appearance of the neighbouring warehouse premises.
Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	YES	The proposed signage would not protrude above the roof line or tree canopy.
Does the proposal require ongoing vegetation management?	YES	The proposed signage would not require ongoing vegetation management.
5. Site and Building		
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?	YES	The proposed signage is of a suitable scale and design for its intended purpose to provide effective advertising practices. It is therefore considered to be suitable to both the Site and surrounding built form.
Does the proposal respect important features of the site or building, or both?	YES	The proposed signage would be balanced with the existing built form features to integrate with the proposed built form.
Does the proposal show innovation and imagination in its relationship to the site or building, or both?	YES	The proposed signage has been integrated with the layout of the Site showing a discrete traditional design with external finishes complementing the existing built form.
6. Associated devices and logos with advertisements and advertising structures		
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?	YES	No safety devices, platforms, lighting devices or logos been designed as an integral part of the proposal.
7. Illumination		
Would illumination result in unacceptable glare?	YES	The proposed signage will be illuminated and will not result in unacceptable glare.
Would illumination affect safety for pedestrians, vehicles, or aircraft?	YES	The proposed illuminated sign would not affect the safety for pedestrians, vehicles or aircraft.
Would illumination detract from the amenity of any residence or other form of accommodation?	YES	The proposed illuminated sign would not detract from the amenity of any residence or other form of accommodation.
Can the intensity of the illumination be adjusted, if necessary?	YES	If required, the intensity of the proposed illuminated sign will be adjustable.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

TABLE 9: SEPP INDUSTRY AND EMPLOYMENT – Schedule 5

Assessment Criteria	Compliance	Comment
Is the illumination subject to a curfew?	YES	If recommended by Council, a curfew will be implemented.
8. Safety		
Would the proposal reduce the safety for any public road?	YES	The proposed signage is located within the Site boundaries and is adequately set back from the street.
Would the proposal reduce the safety for pedestrians or bicyclists?	YES	The proposed signage would not obstruct any pedestrian or cycle routes or infrastructure and therefore would not negate the safety of pedestrians or cyclists.
Would the proposal reduce the safety for pedestrians or bicyclists?	YES	The size and design of the proposed sign does not obscure any sightlines from public areas frequented by pedestrians or bicyclists.

4.3.8 State Environmental Planning Policy (Transport and Infrastructure) 2021

The *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) contains planning provisions relating to:

- infrastructure in NSW, such as hospitals, roads, railways, emergency services, water supply and electricity delivery.
- child-care centres, schools, TAFEs and Universities.
- planning controls and reserves land for the protection of three corridors (North South Rail Line, South West Rail Link extension and Western Sydney Freight Line).
- land use planning and assessment framework for appropriate development at Port Kembla, Port Botany and Port of Newcastle.

Of these, the proposed development must have regard to the following chapters:

Chapter 3 – Educational establishments and child care facilities

Part 3 of the *State Environmental Planning Policy (Transport and Infrastructure) 2021* (Transport and Infrastructure SEPP) outlines specific development controls for centre-based child care facilities.

Clause 3.22 is applicable where the floor area and outdoor play areas that are proposed do not comply with the requirements of Sections 107 and 108 of the Education and Care Services National Regulations (the Regulations). Clause 3.22 is not applicable to the proposed development because the proposed development complies with those indoor and outdoor play area standards.

Most salient is Clause 3.23, which requires the consent authority to take into consideration any applicable provisions of the *Child Care Planning Guideline*. Consideration of the provisions are included in the table below.

TABLE 10. CHILD CARE PLANNING GUIDELINE



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

Clause	Summary of relevant provision	Compliance comment
2	<i>Design quality principles</i>	
P1	<p><u>Context</u></p> <p>Good design responds and contributes to its context, including the key natural and built features of an area, their relationship and the character they create when combined. It also includes social, economic, health and environmental conditions.</p> <p>Well-designed child care facilities respond to and enhance the qualities and identity of the area including adjacent sites, streetscapes and neighbourhood.</p> <p>Well-designed child care facilities take advantage of its context by optimising access by walking and public transport, public facilities and centres, respecting local heritage, and being responsive to the demographic, cultural and socio-economic makeup of the facility users and surrounding communities.</p>	<p>The design of the proposed outdoor play area responds to the context of the vegetated setback area of Inman Road by retaining significant trees that may be feasibly retained and by managing those trees to ensure safety to children playing in the area.</p> <p>The proposed landscaping strategy for the Inman Road setback area will enhance the heritage significance of the heritage item by removing existing lower shrubs that block views of the heritage item from Inman Road. The proposal will provide for a more open presentation whilst retaining a tree canopy that enhances the setting of the item.</p> <p>The design of the proposed development responds to the approved Conservation Management Plan for the heritage item by avoiding impacts to significant fabric.</p> <p>The proposed child care centre is within an 800 metre walking distance of frequently operating bus services and will also be well accessed from the approved car park. The proposed child care centre responds to the demographic needs of workers at the industrial development under construction.</p>
P2	<p><u>Built form</u></p> <p>Good design achieves a scale, bulk and height appropriate to the existing or desired future character of the surrounding area.</p> <p>Good design achieves an appropriate built form for a site and the building's purpose in terms of building alignments, proportions, building type, articulation and the manipulation of building elements. Good design also uses a variety of materials, colours and textures.</p>	<p>The built form is already established and is acceptable.</p> <p>The built form of the proposed fence along Inman Road will be acceptable because the heritage item is in a raised position and will remain visible from Inman Road.</p> <p>The built form of the proposed earthworks and retaining structures within the Inman Road setback area is acceptable because those structures will not present unacceptable or significant visual bulk to the public domain.</p>



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

	<p>Appropriate built form defines the public domain, contributes to the character of streetscapes and parks, including their views and vistas, and provides internal amenity and outlook.</p> <p>Contemporary facility design can be distinctive and unique to support innovative approaches to teaching and learning, while still achieving a visual appearance that is aesthetically pleasing, complements the surrounding areas, and contributes positively to the public realm</p>	
P3	<p><u>Adaptive learning spaces</u></p> <p>Good facility design delivers high quality learning spaces and achieves a high level of amenity for children and staff, resulting in buildings and associated infrastructure that are fit-for purpose, enjoyable and easy to use. This is achieved through site layout, building design, and learning spaces' fit-out.</p> <p>Good design achieves a mix of inclusive learning spaces to cater for all children and different modes of learning. This includes appropriately designed physical spaces offering a variety of settings, technology and opportunities for interaction.</p>	<p>The proposed childcare centre will be provided within spaces featuring extensive uncluttered floor plates that are well suited to child care centre use. The design of the proposed centre has been undertaken having regard to the relevant regulations and will meet the regulatory requirements of the NSW Government.</p> <p>The proposed childcare centre features high quality facilities and spaces and will achieve excellent outcomes for children and parents using the facility</p>
P4	<p><u>Sustainability</u></p> <p>Sustainable design combines positive environmental, social and economic outcomes. This includes use of natural cross ventilation, sunlight and passive thermal design for ventilation, heating and cooling reducing reliance on technology and operation costs. Other elements include recycling and re-use of materials and waste, use of sustainable</p>	<p>The proposed childcare centre is an adaptive reuse of the existing Roche Building and therefore constitutes a good use of resources, as an alternative to demolition and reconstruction using new materials.</p> <p>The sustainability of the overall development of the Site has been the subject of the original development application and has been found to be positive in the assessment and approval of that development application.</p>



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DPI220169)

	<p>materials and deep soil zones for groundwater recharge and vegetation.</p> <p>Well-designed facilities are durable and embed resource efficiency into building and site design, resulting in less energy and water consumption, less generation of waste and air emissions and reduced operational costs.</p>	<p>The proposal will incorporate energy and water efficient fixtures and fittings and will include suitable waste facilities including space for recyclables.</p>
P5	<p><u>Landscape</u></p> <p>Landscape and buildings should operate as an integrated and sustainable system, resulting in attractive developments with good amenity. A contextual fit of well-designed developments is achieved by contributing to the landscape character of the streetscape and neighbourhood.</p> <p>Well-designed landscapes make outdoor spaces assets for learning. This includes designing for diversity in function and use, age-appropriateness and amenity.</p> <p>Good landscape design enhances the development's environmental performance by retaining positive natural features which contribute to the local context, co-ordinating water and soil management, solar access, micro-climate, tree canopy, habitat values and preserving green networks.</p>	<p>The proposal maintains the landscape contribution of the site to the street by maintaining significant trees, whilst removing specified vegetation as is necessary to provide a safe environment for children using the play area.</p> <p>The proposed outdoor play area has been designed by a landscape architect to include a diversity of landscaped settings to enhance the educational experience of children playing there.</p> <p>The existing and proposed additional landscaping are suitably located to enhance shading to the western elevation of the existing building. The existing and proposed landscaping includes areas that will be suitable for wildlife such as reptiles, insects and birdlife, which will enhance biodiversity and the educational experience of children using the facility.</p>
P6	<p><u>Amenity</u></p> <p>Good design positively influences internal and external amenity for children, staff and neighbours. Achieving good amenity contributes to positive</p>	<p>The proposed child care centre is suitably located where there will be no noise impacts to other users. The centre will be no more sensitive to acoustic impacts from industrial activities on the overall site than the established office use of the building, and is</p>



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

	<p>learning environments and the well-being of children and staff.</p> <p>Good amenity combines appropriate and efficient indoor and outdoor learning spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage, service areas and ease of access for all age groups and degrees of mobility.</p> <p>Well-designed child care facilities provide comfortable, diverse and attractive spaces to learn, play and socialise.</p>	<p>well separated from the proposed industrial units in any case.</p> <p>The child care centre is adjacent to a driveway that will not be used by heavy vehicles associated with the industrial use of the site. The proposed child care centre will therefore not generate those kinds of conflicts between pedestrians and vehicles.</p> <p>The proposed childcare centre will itself have a high level of amenity because the building that is being used is designed with extensive, uncluttered space and good natural light and ventilation. The proposal has all of the appropriate facilities and spaces to enhance the educational experiences of children using the facility.</p>
P7	<p><u>Safety</u></p> <p>Well-designed child care facilities optimise the use of the built and natural environment for learning and play, while utilising equipment, vegetation and landscaping that has a low health and safety risk, and can be checked and maintained efficiently and appropriately.</p> <p>Good child care facility design balances safety and security with the need to create a welcoming and accessible environment. It provides for quality public and private spaces that are inviting, clearly defined and allow controlled access for members of the community. Well-designed child care facilities incorporate passive surveillance and Crime Prevention Through Environmental Design (CPTED).</p> <p>Well designed vehicular parking and access minimise traffic safety risks on children and staff.</p>	<p>The proposed childcare centre has been designed to have a low level of health and safety risk. The trees to be retained have been assessed by a qualified arborist as not posing any significant safety risk from the dropping of limbs or branches, and the trees will be maintained to further manage that risk so that there is no unacceptable level of risk.</p> <p>The proposed outdoor play area will maintain the existing fencing along Inman Road and the only addition would be new fencing along the southern end of the tenancy which would be along the driveway to ensure that access is blocked to this area. So that there will be no unacceptable or unreasonable level of risk from intruders gaining unauthorised access from that road. There will be suitable levels of supervision to further mitigate against that risk.</p> <p>The proposed childcare centre has a secure entry point from the eastern side of the premises, where there is an appropriate level of security control via a supervised reception area.</p>



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

		There is safe pedestrian access between the basement level parking area, where spaces are allocated for the proposed use, and the proposed childcare centre entry. There is no heavy vehicle use of the driveway adjacent to the proposed childcare centre
3	Matter for Consideration	
3.1	<p>Site Selection</p> <p>Sites for a child care centre should not be unacceptably affected by bushfire, flooding and other natural hazards and should not be affected by site contamination.</p> <p>Child care centres should be compatible with surrounding land uses.</p> <p>Child care centres should not have an unsafe relationship to busy roads.</p>	<p>The site is not bushfire or flood affected and is not affected by other natural hazards.</p> <p>The proposed outdoor play area includes established trees. Any hazardous trees are proposed to be removed and the other trees, that will be retained for their enhancement of the setting of the heritage item, will be managed so that they will not present an unacceptable safety hazard to the outdoor play area.</p> <p>The Site is being remediated to ensure that it is suitable for the proposed use. The submitted documentation from Trace Environmental and Enviroview sufficiently demonstrate that contamination matters are addressed. The Site Audit processes underway in relation to the total site development, along with the additional advice from Trace Environmental, will address those matters.</p> <p>The Site is on a reasonably busy road but will be appropriately separated from that road by fencing along the outdoor play area. The driveway adjacent to the child care centre will not be used by heavy vehicles and there will be suitable pedestrian facilities to ensure that there is no unacceptable level of safety for parents taking their children between the parking areas and the proposed child care centre.</p>
3.1 C1	<p>For proposed child care centres in commercial or industrial zones, consider:</p> <ul style="list-style-type: none">potential impacts on the health, safety and wellbeing of children, staff and visitors with regard to local environmental or amenity	<p>The proposed child care centre will not be subject to any polluting industries because the types of industries in the Cromer Industrial Area do not emit significant air pollutants into the environment. The locality does not receive an excessive level of impact from traffic.</p>



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

	<p>issues such as air or noise pollution and local traffic conditions</p> <ul style="list-style-type: none">the potential impact of the facility on the viability of existing commercial or industrial uses	<p>The proposed child care centre is sufficiently well separated from industrial uses within the whole industrial development as for those uses not to cause a significant level of noise to the facility. The submitted acoustic report demonstrates that the proposal will not cause an unacceptable acoustic impact.</p>
3.1 C2	<p>Ensure that:</p> <ul style="list-style-type: none">the location and surrounding uses are compatible, andthe site is environmentally safe, andthere are no potential contaminants, andthe lot dimensions are suitable, andthe development will not have an unacceptable impact on the area, andthe proposal will retain the significance of the heritage item, andthere are suitable and safe drop off and pick up areas, andadjacent roads are safe, with no direct access to dangerous roads, andthere are no socially incompatible uses nearby.	<p>The Site is opposite to a high school. The Site is sufficiently separated from industrial units within the site for there to be no unacceptable impact. The backs of some industrial units are close but they present solid walls and are accessed from the other sides of those units, so that there will be no discernible impact.</p> <p>There are no environmental hazards, subject to the proposed vegetation management measures within the children's play area.</p> <p>The appointed Site Auditor will ensure that the Site, including the outdoor play area, is suitable for occupation prior to the issue of any Occupation Certificate for the proposed development.</p> <p>There are no sensitive uses nearby that will be unacceptably impacted by the proposal.</p> <p>The lot dimensions are ample to accommodate the use.</p> <p>The Site does not directly access dangerous roads, as there is a separate driveway from Inman Road into the main site and because that driveway will not be used by heavy vehicles.</p> <p>There are no socially incompatible uses nearby.</p>
3.1 C3	<p>A child care centre should be located near compatible social uses such as schools and open space area. There should be good public transport access.</p>	<p>The Site is opposite a school and is near a major recreational area. There are regularly operated bus services an 800 metre walking distance from the site.</p>
3.1 C4	<p>The child care centre should not be near environmentally hazardous uses.</p>	<p>Complies.</p>



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

3.2	Local character, streetscape and public domain interface	
3.2 C5	<p>The development should:</p> <ul style="list-style-type: none">• respond to the character of the locality and streetscape,• draw from the local history and character of the place,• reflect the character and form of surrounding land uses,• recognise important streetscape elements and use landscaping to contribute positively to the street,• integrate parking.	<p>The proposal is an adaptive reuse and does not involve significant new building elements. The proposed fence is suitable because the building is in a raised position and will continue to be visible. The proposed landscaping has been chosen for its positive contribution to the character of the building. The parking is already integrated into the overall development of the site.</p>
3.2 C6	<p>Create a clear delineation between public and private realms, with suitable fencing, passive surveillance and appropriate transitions into the facility.</p>	<p>The Proposal includes appropriate fencing to the outdoor play area. The approved upper level office provides passive surveillance to the play area, to further enhance the active surveillance that will be employed by staff of the centre. The proposed entry into the facility is via a reception area and is suitably secure.</p>
3.2 C7	<p>Differentiate the child care entry where the site has multiple entries.</p>	<p>There is a clear distinction provided between the entry to the office area and the entry to the child care centre.</p>
3.2 C8	<p>Where the centre adjoins public parks or bushland...</p>	<p>N/A</p>
3.2 C9	<p>Fencing to be designed according to heritage provisions</p>	<p>The proposed new fencing is to be installed is only an extension of the existing 2m high black palisade fencing, which is highly transparent not solid. This is acceptable in context because the site is within an industrial area. Vegetation within the setback area will be maintained.</p>
3.2 C10	<p>High acoustic fencing may be used to provide shielding from traffic noise.</p>	<p>The proposed fence to Inman Road will be acoustically treated insofar as required by the submitted acoustic report, so as to reduce any traffic impacts to the child care centre from Inman Road</p>
3.3	Building orientation, envelope, building design and accessibility	
3.3 C11	<p>Orient a building and design the building layout to:</p>	<p>There are no visual or acoustic privacy impacts arising from the orientation of the proposed</p>



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

	<ul style="list-style-type: none">• ensure visual and acoustic privacy,• optimise solar access,• minimise overshadowing,• minimise cut and fill,• address the street,• provide microclimatic protection.	development. The centre will receive good solar access from the west, which will be managed through vegetation. The Proposal causes no overshadowing impact. The proposal involves only minor levels of cut and fill within the proposed outdoor play area adjacent to Inman Road. The existing building already suitably addresses the street. Vegetation will be managed to provide suitable microclimatic protection.
3.3 C12-C14	Provisions relating to height, density and setbacks.	Not applicable, because the building envelope is already established
3.3 C15	Entry should be limited to one secure point which is: <ul style="list-style-type: none">• located to allow ease of access,• directly accessible from the street, where possible,• directly visible from the street frontage,• easily monitored by CCTV,• not accessed through an outdoor play area.	The proposed entry is: <ul style="list-style-type: none">• easily accessed from the approved parking area,• not directly accessible from the street – however, that is appropriate because of the nature of the whole redevelopment,• directly visible from the common pedestrian walkway and heritage square within the development,• CCTV will be able to be provided, as set out in the submitted operational plan of management,• not accessed through the play area
3.3 C16	Achieve accessible design.	The established development consent, which allows use of the premises as an office, already demonstrates compliance with applicable accessibility requirements. The proposed child care centre, including the internal facilities, has also been designed to comply with the Access to Premises Standard.
3.4	Landscaping	
3.4 C17	Appropriate planting should be provided along the boundary, integrated with fencing. Screen planting should not be included in the	The submitted landscape plan demonstrates achievement of that outcome.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

	calculation of unencumbered outdoor play areas.	
3.4 C18	Incorporate car parking into the landscape design by...	Not applicable, as the site's car parking is already established.
3.5	Visual and acoustic privacy	
3.5 C19	Avoid balconies overlooking the children's play areas.	Complies. The first floor level office uses will overlook the outdoor play area. That is acceptable because office areas are in a semi-public, relatively safe setting and it is unlikely that that will pose a safety or privacy risk to children playing.
3.5 C20	Minimise overlooking from public areas.	The proposed outdoor play area will be screened from the street by the proposed fencing.
3.5 C21	Minimise privacy impacts on adjoining properties.	Not applicable, as discussed
3.5 C22	Relates to sites adjacent to residential.	Not applicable.
3.5 C23	A suitably qualified acoustic consultant should provide an acoustic report where specified.	The submitted acoustic report demonstrates that the proposed child care centre will comply with applicable acoustic standards and will not cause an unacceptable acoustic impact to other properties or tenancies.
3.6	Noise Pollution	
3.6 C24	Adopt specified design solutions to minimise the impacts of noise.	Relevant considerations are addressed in the accompanying acoustic report.
3.6 C25	An acoustic report should be provided for child care centres on industrial land.	The submitted acoustic report addresses relevant considerations.
3.6 C26	Locate child care centres to avoid significant noise.	The proposal is acceptable in that regard for the reasons set out above.
3.6 C27	Air assessment report should be provided where specified.	There are no surrounding uses warranting the provision of such a report.
3.7	Hours of Operation	
3.7 C28	Where predominant use is residential...	N/A
3.7 C29	Within commercial areas, assess on merit.	The proposed child care centre will operate from 7am to 6pm Mondays to Fridays and



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

		from 8 am to 3pm Saturdays, with no operation on Sundays. Those hours are reasonable given the lack of proximity to residential uses or to any other uses that would be sensitive to those hours.
3.8	Traffic, parking and pedestrian circulation	
3.8 C30	Provide off-street parking at specified rates	Please refer to the assessment of the proposal in relation to the applicable Development Control Plan as set out elsewhere in this statement.
3.8 C31	Ensure no conflicts with truck movements.	Complies, as set out elsewhere in this statement and table.
3.8 C32	A traffic and parking study should be provided where specified.	A traffic and parking assessment accompanies the development application and meets that requirement.
3.8 C33	Alternate vehicular access should be provided where specified.	Suitable vehicular access, separated from Inman Road, is already established for the site
3.8 C34	Relates to cul-de-sacs.	N/A
3.8 C35	Design solutions may include: <ul style="list-style-type: none">• separate pedestrian access• defined pedestrian crossings within large car parks• separate delivery areas• minimise pedestrian-vehicular conflicts• separate from truck areas• vehicles exit in a forwards direction	The parking is part of the whole development and safe, separate parking is already part of the design. Deliveries to the centre will use standard parking spaces as they will be from vehicles such as vans and utes. Truck parking in the estate is separated. Vehicles exit the car park in a forwards direction.
3.8 C36	Mixed use developments should...	Not applicable
3.9 C37	Car park design should include a child safe fence to separate parking from children's play, provide clearly marked accessible parking as close as practicable to the entrance, and include wheelchair and pram accessible parking	The parking area is already approved and has already been designed in accordance with relevant standards that support accessibility.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

4	Applying National Regulations to the proposed development	The designer of the proposed development has designed it to comply with the applicable National Regulations. Further assessment of that matter in this statement is unnecessary as that matter will be determined by the NSW Government through their licensing procedures.
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Clause 3.26 prescribes non-discretionary development standards, meaning that, if complied with, the consent authority cannot require more onerous standards for those matters. The non-discretionary development standards are summarised below.

TABLE 11. TRANSPORT AND INFRASTRUCTURE SEPP: NON-DISCRETIONARY DEVELOPMENT STANDARDS	
Matter	Non-Discretionary Development Standard
Location	<i>the development may be located at any distance from an existing or proposed early education and care facility,</i>
Indoor or outdoor space	(i) for development to which regulation 107 (indoor unencumbered space requirements) or 108 (outdoor unencumbered space requirements) of the Education and Care Services National Regulations applies—the unencumbered area of indoor space and the unencumbered area of outdoor space for the development complies with the requirements of those regulations, or (ii) for development to which clause 28 (unencumbered indoor space and useable outdoor play space) of the Children (Education and Care Services) Supplementary Provisions Regulation 2012 applies—the development complies with the indoor space requirements or the useable outdoor play space requirements in that clause,
Site area and site dimensions	the development may be located on a site of any size and have any length of street frontage or any allotment depth,
Colour of building materials or shade structures	The Site is listed as an item of environmental heritage under Schedule 5 of the WLEP2011 as the Roche Building – Item 52. The materials and finishes provided in the Architectural Plans consider and are sensitive to the heritage item.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

Further, Clause 3.27 stipulates that Development Control Plans do not apply in relation to the following matters for centre-based child care facilities:

- (a) *operational or management plans or arrangements (including hours of operation),*
- (b) *demonstrated need or demand for child care services,*
- (c) *proximity of facility to other early education and care facilities,*
- (d) *any matter relating to development for the purpose of a centre-based child care facility contained in—*
 - i. *the design principles set out in Part 2 of the Child Care Planning Guideline, or*
 - ii. *the matters for consideration set out in Part 3 or the regulatory requirements set out in Part 4 of that Guideline (other than those concerning building height, side and rear setbacks or car parking rates).*

Accordingly, by virtue of Clauses 3.26 and 3.27 of the Transport and Infrastructure SEPP, certain provisions of the WDCP 2011 would no longer apply.

4.3.9 State Environmental Planning Policy (Planning Systems) 2021

The Planning Systems SEPP contains planning provisions relating to:

- State or regionally significant development, State significant Infrastructure, and critical State significant infrastructure.
- consideration of development delivery plans by local Aboriginal land councils in planning assessment.
- election of the Planning Secretary to be the concurrence authority for certain development that requires concurrence under nominated State environmental planning policies.

Chapter 2 – State and regional development

Given the size and scale of the proposed child care centre, this is categorised as 'local development' and the DA will be determined by Northern Beaches Council.

4.3.10 State Environmental Planning Policy (Sustainable Buildings) 2022

The *State Environmental Planning Policy (Sustainable Buildings) 2022* (Sustainable Buildings SEPP) encourages the design and delivery of more sustainable buildings across NSW and will commence on 01 October 2023. It sets sustainability standards for both residential and non-residential development and contributes to NSW's target of achieving net zero by 2050.

Chapter 3 – Standard for non-residential development

Chapter 3 applies to non-residential development. The requirements for non-residential development include the following:



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre
4-8 Inman Road, Cromer (Lot 1 DP1220169)

- consideration of the general sustainability provisions to be considered
- documentation that discloses embodied emissions
- a net zero ready statement for large commercial and state significant development
- for large commercial development only - submission of a NABERS commitment agreement to demonstrate that the development is on track to achieving its energy and water standards]

Pursuant to Clause 3.1(1)(a) this Chapter applies to non-residential development that involves the erection of a new building if the development has a capital investment value of \$5 million or more.

The proposed development attracts a capital investment value of **\$1,427,457** (including GST), and so the provisions of Chapter 3 of the Sustainable Buildings SEPP do not apply.

4.4 LOCAL PLANNING CONTEXT

4.4.1 Warringah Local Environmental Plan 2011

The WLEP2011 is the primary Environmental Planning Instrument that applies to the Site

The relevant provisions of WLEP2011 as they relate to the Site are considered in the following subsections.

4.4.1.1 Development Standards

TABLE 12 outlines the developments consistency and compliance with the relevant development standards and controls under WLEP2011.

TABLE 12. 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 7). The Proposal will not exceed the existing height limit. The highest external structure proposed is the external stair screen 4.1m
Clause 4.4 – Floor Space Ratio	The Site is not subject to a maximum Floor Space Ratio (FSR) under the WLEP2011.
Clause 4.6 – Exceptions to development standards	The proposed development does not seek to contravene any development standards.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

Clause 5.10 – Heritage	The Site is listed as an item of environmental heritage in schedule 5 of the WLEP2011 (refer to Figure 6). For further consideration refer to Section 5.7 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 8). Notwithstanding, no changes to the predominant built form is proposed as approved under DA2019/1346 .
Clause 7.14 – Acid Sulfate Soils	The Site is not identified as being subject to Acid Sulfate Soils under LEP mapping.

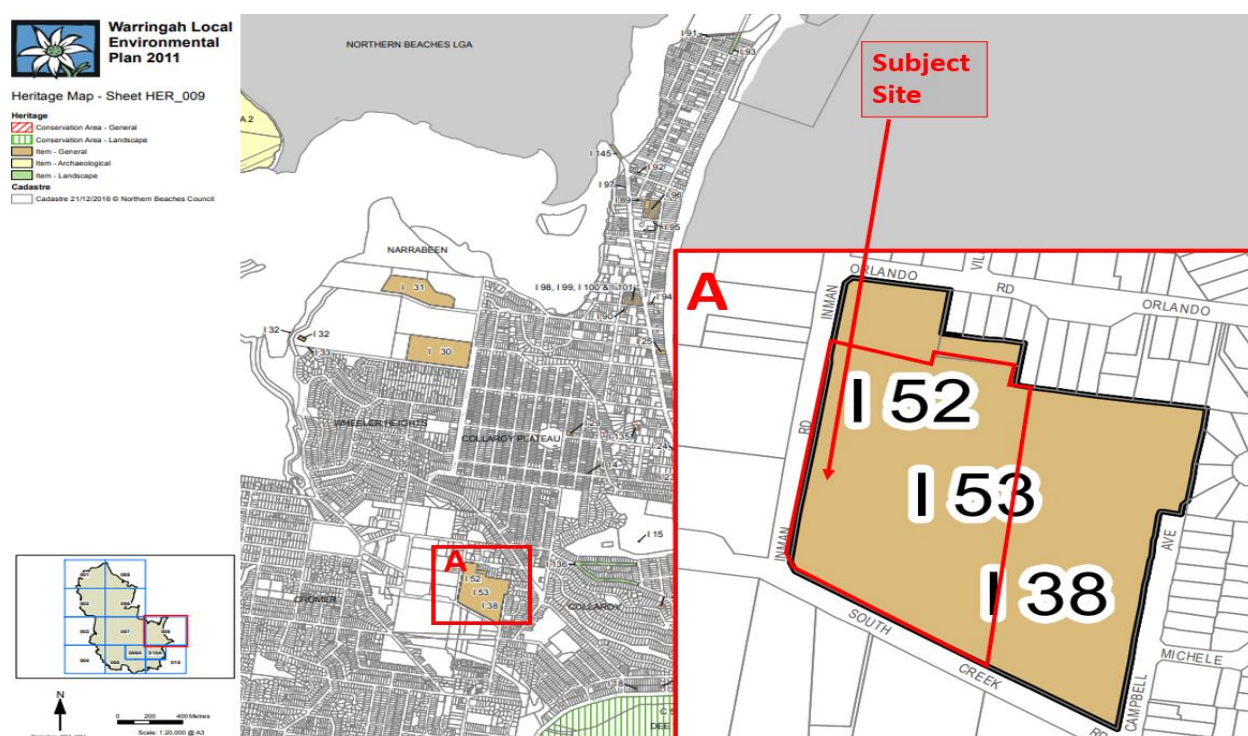


Figure 6. Heritage WLEP2011 Map (Source: NSW Legislation, 2024)



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

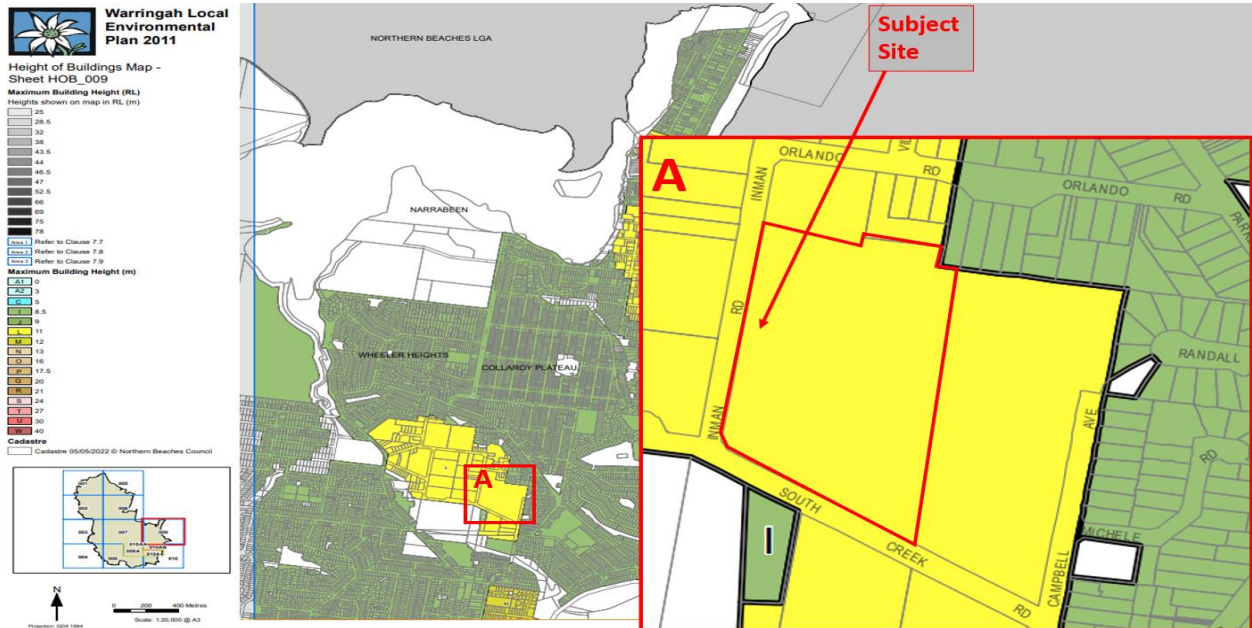


Figure 7. Height of Buildings WLEP2011 Map (Source: NSW Legislation, 2024)

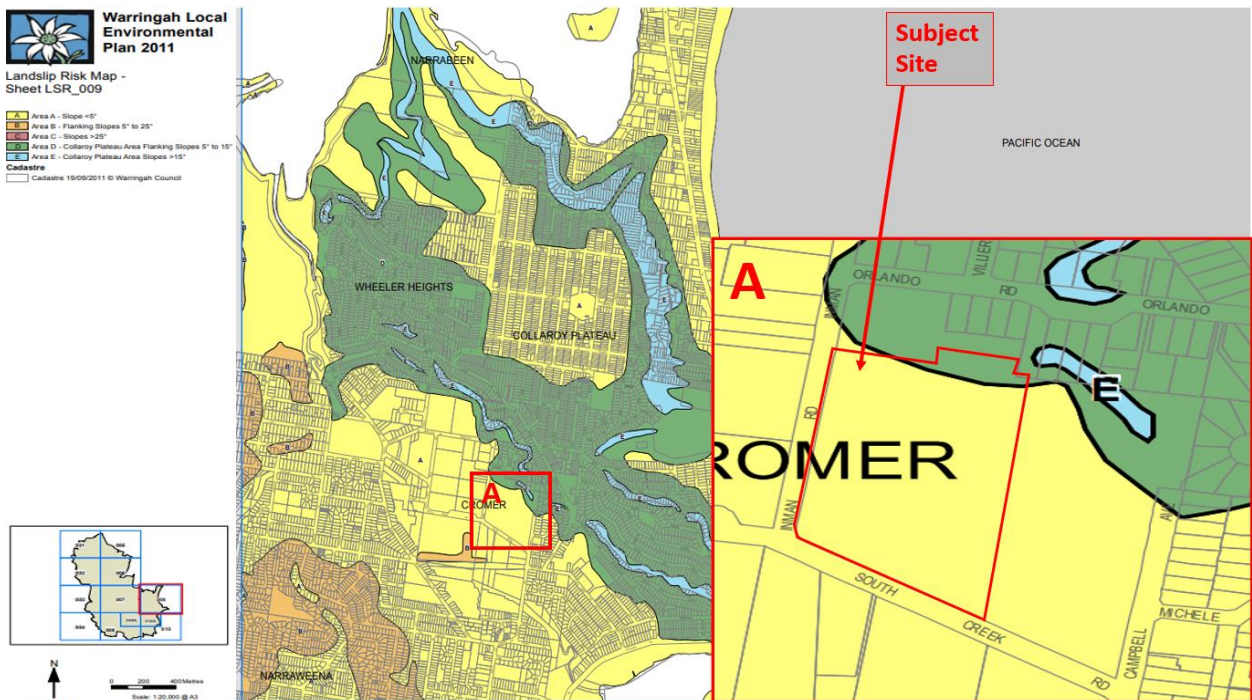
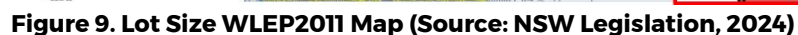


Figure 8. Landslip Risk WLEP2011 Map (Source: NSW Legislation, 2024)



SYDNEY | BRISBANE

Proposed Child-care Centre
4-8 Inman Road, Cromer (Lot 1 DP1220169)



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

Clause	Summary or relevant provision	Compliance comment
Part B	Built form controls	There is limited relevance to the built form controls because the proposal adapts an existing building. There are landscaping works proposed along within minor external works. However, none of the built form controls are relevant to those works.
Part C	Siting Factors	



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

Part C2	Traffic, access and safety Vehicle access to be obtained from minor streets where practicable	Vehicular access to the site is already established.
Part C3	<u>Car parking</u> Car parking is to be provided in accordance with Appendix 1 of WDCP2011. Requirement is 1 space per 4 children that would be on the premises at any one time.	<p>The proposed child care centre will accommodate as many as 120 children at any one time. The required car parking for that number of children is 30 spaces.</p> <p>There are in excess of 30 car spaces available within the approved car parking areas within the overall development. It is demonstrated in the submitted Traffic and Parking Report that the proposed demand for parking spaces is consistent with the total provision of parking within the approved development.</p>
Part C4	<u>Stormwater</u> Stormwater design to be in accordance with Council's technical requirements.	Proposal complies - the proposed landscaping within the outdoor play area is suitably connected to Council's drainage system.
Part C7	<u>Excavation and landfill</u> All landfill to be clean. Must not impact adjoining land. Must be structurally stable. Must no create pollution or siltation of waterways.	The proposed earthworks will use clean fill. Structural engineering details shall accompany the construction certificate demonstrating that the earthworks will be structurally stable. A sedimentation-erosion control plan will accompany a construction certificate application and will demonstrate that construction works will be undertaken in such a way as to minimise sedimentation-erosion control-related impacts to waterways.
Part C8	<u>Demolition and construction</u> Demolition and construction is to be carried out in accordance with the applicable guidelines.	The Proposal involves only minor demolition and construction works and those will be carried out in accordance with Council's standard requirements.
Part C9	<u>Waste management</u> A waste management plan is to accompany the development application.	A waste management plan accompanies the development application, demonstrating that:



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

		<ul style="list-style-type: none">• Construction and demolition wastes will be suitably managed,• Wastes generated by the child care centre use shall be stored in a suitably designed waste storage area,• There will be suitable waste collection arrangements, and• Wastes will be separated into recyclable and non-recyclable parts and the recyclable wastes will be recycled.
Part D	Design	
Part D1	Landscaped open space and bushland setting	Not applicable as the site is not mapped on the WDCP2011 Landscaped open space and bushland setting map
Part D3	<u>Noise</u> Development near existing noise generating activities is to be designed to mitigate the effects of that noise.	The proposed child care centre has its outdoor play area oriented away from industrial buildings. The internal play areas will be separated from external areas within the industrial estate by other rooms (such as staff rooms and amenities). An acoustic report accompanies the development application addressing any requirements for the proposed fence to Inman Road to provide acoustic attenuation.
Part D13	<u>Front fences and front walls</u> Fences are to be compatible with the streetscape character.	There is no particularly established streetscape character. The proposed front fence will not block views from the street of the main part of the heritage item.
Part D18	<u>Accessibility and adaptability</u> Proposal is to comply with relevant standards including the Access to Premises Standard.	The proposed development complies with the Access to Premises Standard, as demonstrated in the accompanying <i>Building Code of Australia</i> report.
Part D20	<u>Safety and security</u> The provisions includes various matters relevant to Crime Prevention Through Environmental	The Proposal includes suitable passive surveillance from the first floor level office areas. The proposed entry to the child care



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

	Design. Those provisions are generally only relevant to new development.	centre is suitably secure through a controlled access point. A suitable fence is provided along the boundary to Inman Road.
Part D22	Conservation of energy and water Landscape design is to assist in the conservation of energy and water.	The proposed landscape design has been prepared having regard to the need to use plants with low water requirements.
Part D23	Signs are to meet specified requirements - not set out in detail here because they are addressed under the applicable State Environmental Planning Policy. Exception to the above is requirement 13. However, the proposal does not fit any of the specified signage types.	The proposed signage is 4.5 metres wide by 1.2 metres in height, with an area of 4.5 square metres. The proposed signage is set well back from the road boundary and is discrete and appropriate.

4.4.3 NORTHERN BEACHES SECTION 7.12 CONTRIBUTIONS PLAN 2022

The Site is subject to the Northern Beaches Section 7.12 Contributions Plan 2022. **TABLE 14** below summaries the applicable Section 7.12 rates.

TABLE 14. DEVELOPMENT CONTRIBUTIONS	
Development with cost of works:	Percentage of Cost of works
Up to \$100,000	Nil
\$100,001 to \$200,000	0.5%
More than \$200,000	1%



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

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

The childcare centre 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 the wider locality.

5.2 BUILT FORM

The Proposal includes an internal fitout and alterations and additions to the existing 'Office C' on the Site for the purposes of a childcare facility.

5.2.1 Height

The existing building height of 'Office C' including all three levels is 11.14m high. The works proposed for this DA are not located higher than 7.66m of the existing building. The highest external structure proposed as part of this DA is the external stair screening which is 4.1m and aligns with the L1 Solid Balustrade height. The proposed shade structure posts are also 4.1m tall.

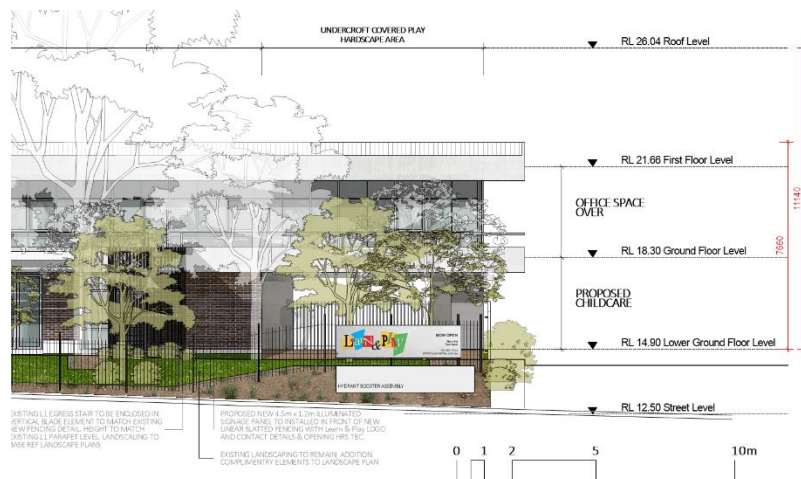


Figure 10. Building Height (ID Fitouts, 2024)

5.2.2 GROSS FLOOR AREA

The GFA of the childcare centre is 780m². There is no material increase to the bulk or scale resulting from the Proposal.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

5.2.3 Landscaping

The existing landscaped areas have been retained as per DA2019/1346, and this proposal seeks to retain the setback of the former Roche office building, fronting Inman Road.

The proposed childcare facility maintains the existing fencing along Inman Road and the only addition would be new fencing along the southern end of the tenancy along the driveway to ensure access is blocked.

5.3 TRAFFIC & TRANSPORT

A Traffic Impact Assessment has been prepared by Transport and Traffic Planning Associates supporting the proposed childcare facility from a traffic and transport perspective.

5.3.1 Traffic Generation

The traffic assessment confirms the existing regular lengthy gaps in the traffic movements along Inman Road will enable vehicles to ingress and egress the Site without any difficulty or delay.

5.3.2 Parking

The proposed parking areas and driveways for the childcare centre at 4 Inman Road, Cromer, comply with the relevant standards whereby:

- A total of 31 car spaces are provided on-site for childcare use in satisfaction council's minimum requirement of 30 comprising of the following arrangements:
 - 20 permanent car spaces are provided for staff use.
 - 11 reserved parking spaces during drop-off and pick-up times for visitors.
- Implementation of a shared zone to ensure a safe vehicle operating environment around the childcare facility. The reserved parking spaces for childcare use will occur outside the general business hours of 9am-5pm and therefore have a negligible impact on the rest of the shared parking space provisions provided on site.

5.3.3 Access and Loading

The proposed vehicle access arrangements will be located on the southwestern boundary of the site with good sight distances available and complying with the design requirements of AS 2890.2 and will accommodate all vehicles requiring access to the site. A turning path assessment has been provided.

The design of the car park, including access driveways, aisles, bays and grades etc., will continue to comply with the requirements of AS2890.1,2 and 6, with quite generous manoeuvring space available.

Small service vehicles, which will be able to access and utilise the available parking spaces, as is normal for the proposed childcare facility.

5.4 CONTAMINATION

A Site Audit Interim Advice has been provided and was prepared by a Site Auditor to assist in the management of contamination issues regarding the requirements of the Site Audit at a particular stage of the Site Audit, prior to issuing the Site Audit Statement.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

The Site Audit Interim Advice notes that the assessments in relation to the site contamination of the Heritage Building for the proposed use as a childcare centre have been appropriately conducted and that the findings of the assessments, are supporting by the investigations conducted.

On this basis, the Heritage Building (Office C) is considered by the Site Auditor to be suitable for the proposed childcare centre.

5.5 VISUAL AMENITY

The childcare centre has been designed to encourage visual amenity across the Site, as detailed in the Schedule of Materials and Finishes provided within the Architectural Plans.

5.6 WASTE

A Waste Management Plan has been provided as part of this DA to outline the construction and operation waste management procedures to be utilised across the Site. A waste storage area is to be adjacent to the eastern side of the premises, with screening from the pedestrian walkway to be provided

5.7 HERITAGE

As depicted in **Figure 6** the Site is listed as an item of environmental heritage in Schedule 5 of the WLEP2011. The Site comprises three (3) items of heritage:

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

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

The Proposal pertains to Office C that indicated within DA2019/1346 as part of the Northern Beaches Business Park. The Site is listed as an item of environmental heritage under Schedule 5 of the WLEP2011 as the Roche Building – Item 52.

A Heritage Report and Heritage Response letter has been prepared by Heritage 21. The original structure of the subject building would be maintained and most of the proposed works would be limited to previously altered areas. Further discussions regarding the heritage impacts of the proposal are provided within the heritage documents.

5.8 CONSTRUCTION

Construction will be undertaken in accordance with Council's conditions of consent. Appropriate measures will be undertaken to mitigate any potential impacts from construction including dust, noise, odours, traffic impacts and erosion.



SYDNEY | BRISBANE

STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

5.9 BUILDING CODE OF AUSTRALIA

A BCA Statement has been provided. This indicates the development is capable of complying with the relevant Australian Standards.

5.10 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN PRINCIPLES

The Crime Prevention Through Environmental Design Guidelines (CPTED) were prepared by the NSW Police in conjunction with DPIE. CPTED provides a clear approach to crime prevention and focuses on the 'planning, design and structure of cities and neighbourhoods'. The main aims of CPTED are to:

- Limit opportunities for crime;
- Manage space to create a safe environment through common ownership and encouraging the general public to become active guardians; and
- Increase the perceived risk involved in committing crime.

The CPTED Guidelines provide four (4) key principles to limit crime, being:

- Surveillance;
- Access control;
- Territorial re-enforcement; and
- Space/ activity management

Principle 1 - Surveillance

The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical.

- The proposed development orientates indoor and outdoor areas and incorporates transparent materials and finishes where appropriate, so as to promote passive surveillance;
- Building openings and active areas have been designed and located to achieve an appropriate level of visibility from the public domain;
- The proposal utilises low-level landscaping in appropriate locations to ensure there is no obstruction of surveillance opportunities; and
- External security lighting will be appropriately located and controlled so as to enable the maintenance of sight-lines and surveillance after dark, whilst not causing light spill or glare for neighbouring properties.

Principle 2 - Access Control

Access control can be defined as physical and symbolic barriers that are used to 'attract, channel or restrict the movement of people'.

The centre will have the following security measures in place:

- Surrounding childproof fences and gates;
- Security cameras and CCTV external and internal back to base alarms; and
- design features would also facilitate legibility and direct all site-users to the appropriate access points and areas of the child care centre.

Principle 3 - Territorial Reinforcement



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

- The development's generous landscaped setbacks provide robust defensible space around the Site's perimeter;
- The provision of boundary treatments will emphasise the separation between the private and public realm; and
- Well maintained planters, gardens and pavers will indicate the development is well-used and cared for to reduce criminal activity

Principle 4 – Space Management

- Space management strategies to be implemented include activity coordination, site cleanliness, rapid repair of vandalism, rapid removal of graffiti and the replacement of decayed physical elements should any of these occur;
- Landscaping and paved areas will be well maintained;
- Continued repairs and maintenance will discourage vandalism;
- High quality materials, varied façade treatments and landscaping along boundaries will assist in discouraging vandalism and graffiti.

Accordingly, through the integration of CPTED in design, the design response of the new child care centre has been developed to prevent and deter crime

5.11 SUITABILITY OF SITE FOR DEVELOPMENT

The Site is located within an established industrial area and is for E4 General Industrial under WLEP2011. The proposed childcare facility is consistent with the objectives of the E4 zone to encourage employment generating activities and provides a use and service meeting the needs of the Northern Beaches community.

The proposal will not interfere with the ability of industrial tenants of the new development to undertake their activities. The proposed use is no more sensitive to such impacts than the already approved office uses in that regard, and the warehouse component of the approved development is designed so that truck manoeuvring is on the other side of warehouse buildings to the subject premises and has suitably enclosure to prevent the unreasonable transmission of noise. The proposed use complements the nearby school and recreational open space areas.

5.12 SUBMISSIONS

The Applicant is willing to address any submissions, should they be received by Council.

5.13 THE PUBLIC INTEREST

The Proposal is in the public interest as it:

- Is consistent with the objectives of the E4 General Industrial zones and provides a childcare 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
- Promotes employment generation.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

The Proposal will have no adverse impact on the public interests and is 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 provisions of a childcare facility that is commensurate to the sites surroundings and shall result in a positive impact for the Northern Beaches LGA and broader region.



STATEMENT OF ENVIRONMENTAL EFFECTS

Proposed Child-care Centre

4-8 Inman Road, Cromer (Lot 1 DP1220169)

PART F CONCLUSION

The purpose of this SEE has been to present the proposed childcare facility for 4-8 Inman Road, Cromer and to assess its potential impacts having regards to Section 4.15(1) of the EP&A Act

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

- The development history of the site;
- The context of the site and locality;
- The relevant heads of consideration under Section 4.15(1) of the EP&A Act; and
- 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:

- 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.

The proposed development is permissible within the zone and is compatible with the zone objectives. As stipulated previously in this SEE, the matters for consideration under Section 4.15(1) of the EP&A Act have been satisfactorily addressed.

In light of the merits of the proposed development and in absence of any significant environmental impact, the proposed development warrants support by Council.

