



planning consultants

Statement of Environmental Effects

Change of use from a dwelling to an Education Establishment

95 Bathurst Street, Brewarrina

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1 Introduction

1.1 Commission

DFP has been commissioned by Green Point Christian College to prepare a Statement of Environmental Effects (SEE) for the proposed Change of Use at 95 Bathurst Street, Brewarrina (the site).

This report is to accompany a development application (DA) to Brewarrina Shire Council (Council) to change the use of a dwelling (previously used as a rehabilitation centre) to an educational establishment. The current retail building fronting Bathurst Street is to remain as retail. The site is currently zoned RU5 Village under *Brewarrina Local Environmental Plan 2012* (BLEP 2012).

Educational establishments are permissible with development consent in the RU5 Zone under BLEP 2012.

The proposed development does not comprise any physical work or change to vehicular access to the site via the existing driveway system.

The section 10.7 certificate notes a demolition order is outstanding for the demolition of the outbuilding (garage). This has been undertaken.

1.2 Purpose of this Statement

The purpose of this report is to provide Council and relevant NSW State Government Agencies with all relevant information necessary to assess the subject development proposal and to determine the DA in accordance with section 4.16 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Environmental Planning and Assessment Regulation 2000* (the Regulation).

The proposed development is assessable pursuant to Part 4 of the EP&A Act.

1.3 Material Relied Upon

This SEE has been prepared by DFP based on the information listed below:

- Survey Plan (*prepared by Langford and Rowe*);
- Architectural Plan (*prepared by Langford and Rowe*);
- DA Access Report (*prepared by ACCESSED*); and
- Waste Management Plan (prepared by DFP)

2 Background

2.1 Pre-DA Meeting

No formal Pre DA was undertaken, however DFP consulted with Council Officers via telephone calls on 18.5.22 and 20.5.22 . The outcomes of the correspondence was:

- Access report required;
- BCA/ NCC report required at CC Stage; and
- Plans to show intended use of rooms required.

Council advised that the consultant reports would inform Council as to whether any upgrades are required from a change of use from residential to an educational establishment.

3 Site Context

3.1 Site Description

The site is legally described as Lot 2 Section 9 in Deposited Plan (DP) 758161 (**Figure 1**), has an area of 2,028.24m² and is rectangular in shape with a north-east – south-west orientation. Parking is available along is via Bathurst Street with driveway access via rear laneway.



Figure 1 Site Context

The site contains two (2) building structures, (1 structure, being previously used as a rehabilitation centre and 1 as a retail building), with a fence separating the retail and residential building structures (see **Figure 2** and **Figure 3**). The previous rehabilitation centre is the subject of this change of use application. The site is relatively flat.



Figure 2 Aerial of site

3 Site Context



Figure 3 Drone photo of site

3.2 Surrounding Development

To the north, south, east and west the of the site are retail/ commercial and residential uses. Directly to the north of the site is Bathurst Street. Directly to the east and west are retail/ commercial premises. Further to the south-west is Memorial Park and further to the north-east is Brewarrina Hospital. Brewarrina Central School is located approximately 80m south of the site.

4 Proposed Development

4.1 Summary of Proposed Development

The proposed development comprises a change of use from a dwelling (previous rehabilitation centre) to an educational establishment catering for kindergarten to year 8 students.

The school proposes to cater for 60 students and 7 staff. Seven (7) stacked car parking spaces are proposed for staff to the south-east corner of the site, which will be fenced from student play areas and accessed via the existing rear lane.

Student drop off/pick up is proposed via the existing parking spaces and Bus Stop on Bathurst Street.

No physical work to the building are proposed as part of this application. No landscaping or tree removal is proposed.

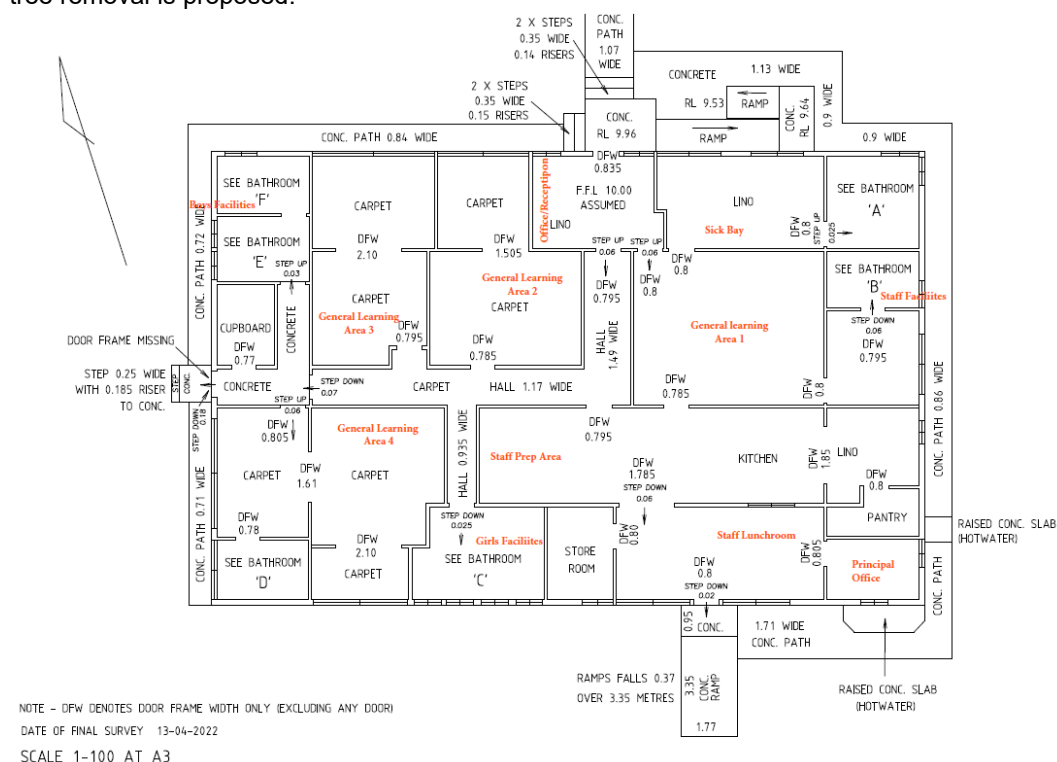


Figure 4 Proposed internal layout

The proposal comprises the following room changes:

Table 1 Current use vs new use	
Residential Building	Administration building
Entrance foyer	Office/ Reception
Sunroom	Sick Bay
Loungeroom	General Learning Area (GLA) 1
Bedroom	GLA 2
Bedroom	GLA 3
Bedroom	GLA 4
Dining room	Staff prep area
Communal gathering area	Staff lunchroom
Storage	Principal office
Bathrooms	Bathrooms

4 Proposed Development

4.2 Built Form

No internal or external works to the built form of the residential building are proposed.

4.3 Landscaping

No tree removal or additional landscaping is proposed. The application relates only to a change of use of the building.

4.4 Vehicular Access and Car Parking

Seven (7) stacked car spaces are proposed to the south-east corner of the site.

4.5 Waste

General waste is proposed to be collected from the front boundary of 95 Bathurst Street as part of Council's weekly garbage collection service.

Staff will ensure the 3 x 240L bins and 2 x 120L bins are transferred to the kerbside the night before collection and again transferred to the bin storage area on site, once collected.

The bin storage area is located on the northern side of the staff carpark.

4.6 Expected Population

The proposed educational establishment proposes to accommodate a maximum of 60 students and 7 staff.

4.7 Signage

One sign is proposed to be located on the gate along Bathurst Street (shown in red arrow). No illumination of the signage is proposed.



Figure 5 Proposed location of sign

4 Proposed Development

The sign is proposed to be 2.4m x 1.2m with the school logo and the following wording:



Figure 6 Proposed signage

5 Environmental Planning Assessment

This section provides an environmental assessment of the proposed development in respect of the relevant matters for consideration under section 4.15(1) of the *Environmental Planning and Assessment Act, 1979* (EP&A Act).

5.1 Planning Controls

The following subsections assess the proposal against the relevant provisions of applicable Environmental Planning Instruments (EPIs), Draft EPIs, Development Control Plans (DCPs), Planning Agreements and matters prescribed by the Regulation in accordance with section 4.15(1)(a) of the EP&A Act.

5.1.1 State Environmental Planning Policy (Transport and Infrastructure) 2021

Chapter 2, section 2.117 is not relevant to this proposal as Bathurst Street is not a Classified Road.

Chapter 2, section 2.121 relates to traffic generating development

Comment: As the proposal will not generate 50 or more vehicles per hour, referral to Transport for NSW is not required.

Chapter 3, Section 3.36(1) states:

Development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone.

Comment: RU5 zone is a prescribed zone under section 3.34 of the T&I SEPP.

Chapter 3, Section 3.36(6) of the T&I SEPP applies the proposal and states:

(6) *Before determining a development application for development of a kind referred to in subclause (1), (3) or (5), the consent authority must take into consideration—*

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

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

Comment: The proposal is for a change of use only and no design changes are proposed to the existing building and no proposed shared use with the community is proposed.

5.1.2 State Environmental Planning Policy (Planning Systems) 2021

The proposal is for a change of use from residential (previous rehabilitation centre) to an educational establishment. This will encompass 60 students and seven (7) staff. No physical works to the building are proposed. Seven (7) stacked car parking spaces will be located to the south-east of the site. The change of use is defined as a new school however, there is minimal costs associated with the proposal (under \$20 million). Therefore, the application is not classified as State or Regionally Significant Development.

5.1.3 State Environmental Planning Policy (Resilience and Hazards) 2021

Chapter 4 applies to all land within the State of NSW and is therefore relevant to this application.

Section 4.6(2) of SEPP (R&H) states:

“Before determining an application for consent to carry out development that would involve a change of use on any of the land specified in subclause (4), the consent authority must consider a report specifying the findings of a preliminary investigation of the land concerned carried out in accordance with the contaminated land planning guidelines”.

The section 10.7 certificate notes the land is not significantly contaminated, however given the previous use as a rehabilitation centre a Preliminary Site Investigation is being undertaken. The results of the PSI will be forwarded to Council once complete. Should any rehabilitation

5 Environmental Planning Assessment

works be required, these will be undertaken prior to occupation, making the site suitable for use as an educational establishment.

5.1.4 State Environmental Planning Policy (Industry and Employment) 2021

The proposed signage is consistent with the Assessment criteria listed in Schedule 5.

Proposed signage does not obscure views or dominate the skyline and is consistent with the proposed future character of the site, being a school. The sign is for School identification and is 2.4m x 1.2m wide, to be located on the fence along Bathurst Street.

5.1.5 Brewarrina Local Environmental Plan 2012

The site is zoned RU5 Village pursuant to BLEP 2012. Educational Establishments are permitted with consent in the RU5 zone.

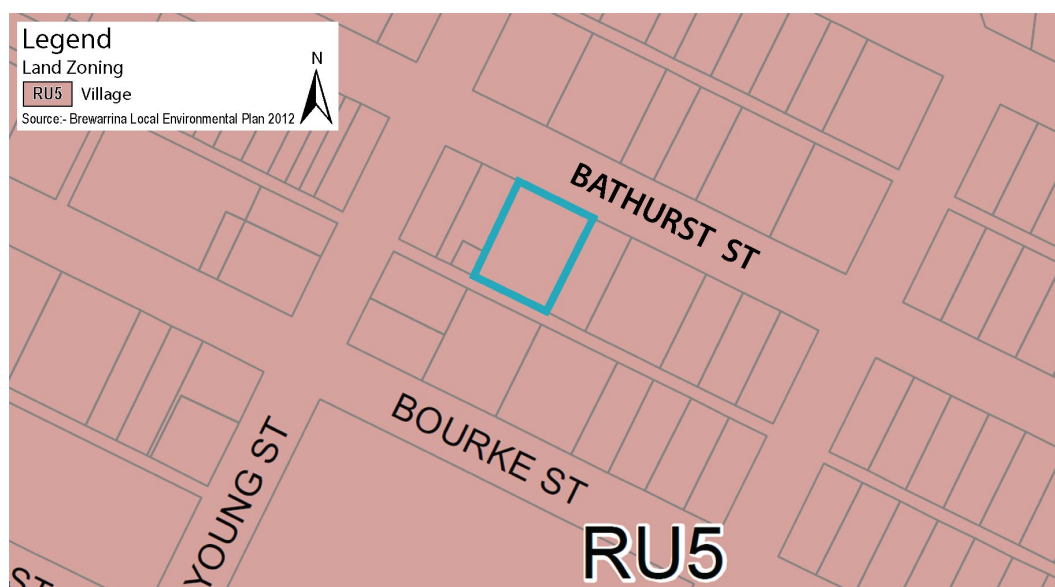


Figure 7 Extract of Brewarrina LEP Zoning Map

5.1.6 Brewarrina Development Control Plan 2012

Table 22 provides a summary assessment of the proposed development against the relevant provisions of the DCP.

Table 2 Assessment against Relevant Provisions of DCP 2012		
Provision	Assessment	Consistent
3.2 Flooding	<p>The s10.7 certificate states the site is not affected by flood, however will be affected should the Brewarrina Flood Levy fail.</p> <p>Should Council require a flood emergency Response Plan, one can be provided, prior to Occupation, however it is considered, the site is at no higher risk of flooding if the Brewarrina Flood Levy breaks, than the remainder of the township of Brewarrina.</p>	Yes
3.3 Bushfire	The site is not mapped as being affected by bushfire	Yes
6.2.1 Parking Parking must be provided as per the Schedule in Appendix 1. * Parking and traffic requirements will be based on consideration of:	<p>No appendices were attached to Council's DCP.</p> <p>Parking has been calculated at 1 space per employee based on peak usage and demand for off-street, car parking.</p>	Yes

5 Environmental Planning Assessment

Table 2 Assessment against Relevant Provisions of DCP 2012

Provision	Assessment	Consistent
<ul style="list-style-type: none"> likely peak usage times; the availability of public transport; likely demand for off street parking generated by the development; existing traffic volumes on the surrounding street network; and efficiency of existing parking provision in the location. <p>* Comply with Australian Standard AS2890.1 Parking Facilities.</p> <p>* Where existing premises are being redeveloped or their use changed, the following method of calculation shall apply:-</p> <p>(a) Determine the parking requirements of the previous or existing premises in accordance with Appendix A;</p> <p>(b) Determine the parking requirement of the proposed development in accordance with Appendix I to these Guidelines;</p> <p>(c) Subtract the number of spaces determined in (a) above from the number of spaces calculated in (b) above;</p> <p>(d) The difference calculated in (c) above represents the total number of parking spaces to be provided either in addition to the existing on-site car parking or as a cash-in-lieu contribution to Council where applicable.</p>		
<p>6.2.2 Landscaping</p> <p>* Location and grouping of plant types shall be multi-functional providing privacy, security, shading and recreation functions.</p> <p>* Landscaping or shade structures shall be provided in outdoor car parking areas where >10 spaces are required, to provide shading and soften the visual impact of large hard surfaces.</p> <p>* Landscaping shall comprise low maintenance, drought and frost tolerant species.</p>	<p>Less than 10 parking spaces are proposed, no additional landscaping is proposed.</p>	Yes
<p>6.2.4 Outdoor Advertising/ Signage</p> <p>Where there is potential for light spill to adjoining properties, all illuminated signage shall be fitted with a timer switch to dim or turn off by 11pm each night.</p> <p>♣ Signage must comply with SEPP 64 – Advertising and Signage Schedule 1 Assessment Criteria.</p> <p>♣ The following types of signs are not acceptable:</p> <ul style="list-style-type: none"> Portable signs on public footways and road reserves including A Frame and Sandwich Boards; Electronic trailer mounted road signs used for promotional or advertising purposes; Outdoor furniture (including chairs, bollards and umbrellas) advertising products such as coffee, alcohol or soft drink; A roof sign or wall sign projecting above the roof or wall to which it is affixed; Flashing or intermittently illuminated signs; Advertisements on parked motor vehicles or trailers (whether or not registered) for which the principal purpose is for advertising; Signs fixed to trees, lights, telephone or power poles; Signs which could reduce road safety by adversely interfering with the operation of traffic lights or authorized road signs; 	<p>One sign is proposed to be located on the fence fronting Bathurst Street.</p> <p>The sign will be 2.4m x 1.2m with the school logo and the following wording:</p> <p>Brewarrina Christian School W: www.brewarrinacs.nsw.edu.au P: tba "equipped for life"</p> <p>No illumination of the signage is proposed</p>	Yes

5 Environmental Planning Assessment

Table 2 Assessment against Relevant Provisions of DCP 2012

Provision	Assessment	Consistent
<ul style="list-style-type: none"> Any sign which would in the opinion of Council, be unsightly, objectionable or injurious to the amenity of the locality, any natural landscape, public reserve or public place; Numerous small signs and advertisements carrying duplicate information; and Overhead banners and bunting, except in the form of temporary advertisement. 		
6.3.2 Soil and Erosion Control * Runoff shall be managed to prevent any land degradation including offsite sedimentation. * Cut and fill will be minimised and the site stabilised during and after construction. * Arrangements in place to prompt revegetation of earthworks to minimise erosion.	No cut or fill is proposed.	Yes
6.3.3 Vegetation Development design shall accommodate the retention of any significant trees and vegetation.	No tree removal is proposed.	Yes
6.3.4. Waste Management General waste storage and collection arrangements shall be specified.	A Waste Management Plan has been prepared by DFP Planning. Weekly collection by Council is proposed, with garden waste being re-used on site.	Yes
6.3.5. Noise Where relevant, applications are to contain information about likely noise generation and the method of mitigation.	<p>The school may generate noise before school, recess, lunch and after school from student arrival, play time and student departure. The proposed school does not directly adjoin residential properties and is within the same vicinity as Brewarrina Public School. The noise generated from the school of maximum 60 students is considered to have minimal impact to the surrounding area.</p> <p>The school will implement mitigation measures around the volume of the school bell and PA system.</p>	Yes

5.2 Likely Impacts of the Development

The following subsections assess the likely impacts of the development in accordance with section 4.15(1)(b) of the EP&A Act.

5.2.1 Flora and Fauna

No vegetation is proposed to be removed. No additional landscaping is proposed.

5.2.2 Water Quantity and Quality

No physical works are proposed, therefore, no upgraded stormwater management measures are warranted.

5.2.3 Existing and/or Future Character

The character of the area will remain unchanged as there will be no physical changes to the built form, landscaping or vehicular access. Retail premises will continue to front Bathurst Street.

5 Environmental Planning Assessment

5.2.4 Amenity Impacts

There will be no adverse visual or acoustic privacy, solar access or view loss impacts as no physical changes to the external built form or landscaping are proposed and the site is not adjoined by any residential development.

5.2.5 Traffic and Parking

Stacked parking to accommodate seven (7) parking spaces is proposed to the south-east corner of the site as it to be fenced from the student play area. Access to the parking is via the rear laneway (existing vehicular access). Should it be required a plan of proposed line marking for the parking spaces can be prepared.

5.2.6 Waste Management

General waste is proposed to be collected from the front boundary of 95 Bathurst Street as part of Council's weekly garbage collection service.

Staff will ensure the 3 x 240L bins and 2 x 120L bins are transferred to the kerbside the night before collection and again transferred to the bin storage area on site, once collected.

The bin storage area is located on the northern side of the staff carpark.

5.3 Suitability of the Site for Development

The site is suitable for the proposed use in accordance with section 4.15(1)(c) of the EP&A Act because it is permissible within the RU5 zone, comprises no physical works and will not alter the streetscape or give rise to adverse environmental impacts.

5.4 Public Interest

In accordance with section 4.15(1)(e) of the EP&A Act, the proposed development is considered to be in the public interest as it provides additional educational facilities to Brewarrina with minimal adverse environmental impacts.

6 Conclusion

The proposed development for a change of use from a dwelling (previous rehabilitation centre) to an educational establishment, and proposed carparking at 95 Bathurst Street, Brewarrina, has been assessed in accordance with the requirements of the EP&A Act and other relevant legislation.

The proposal is permissible with development consent and is consistent with all relevant statutory and non-statutory planning controls.

The proposal does not involve any physical works and as such will not result in any significant adverse environmental impacts.

Accordingly, the proposal is considered to satisfactorily respond to the opportunities and constraints of the site and the relevant legislation, is unlikely to result in significant adverse impacts in the locality and is worthy of Council approval.