

SECTION 4.55(2)

STATEMENT OF ENVIRONMENTAL EFFECTS

210 HEADLAND ROAD, DEE WHY

PROPOSED INCREASE TO STUDENT NUMBERS

**PREPARED ON BEHALF OF
THE ANGLICAN SCHOOLS CORPORATION**

JULY 2018

TABLE OF CONTENTS

1.	INTRODUCTION	3
2.	BACKGROUND	4
3.	SITE DESCRIPTION AND LOCALITY	6
4.	THE DEVELOPMENT PROPOSAL	8
5.	ZONING & DEVELOPMENT CONTROLS	8
6.	EP&A ACT – SECTION 4.15	15
7.	CONCLUSION	17

APPENDICES

APPENDIX 1 – CADASTRAL BOUNDARY MAP

1. INTRODUCTION

This application seeks approval to amend Condition 3 of Development Consent DA2011/0446 to allow for an increase of student numbers to 1092 for the existing educational establishment on land identified as Portion 2112 in DP 752038, Lot 1 in DP 749109 and Lots 3 and 4 in DP 8139 which is known as **No. 210 Headland Road, Dee Why**.

In preparation of this development application consideration has been given to the following:

- Environmental Planning & Assessment Act, 1979.
- Warringah Local Environmental Plan 2011.
- Warringah Development Control Plan 2011.

The following details and documents have been relied upon in the preparation of this document:

- Traffic and Parking and Assessment Report prepared by Varga Traffic Planning Pty Ltd, Ref No. 18145, dated 10 July 2018.
- Traffic Management Plan, prepared by St Luke's Grammar School, Ref No. 18028, dated 10 July 2018.

This Statement describes the subject site and the surrounding area, together with the relevant planning controls and policies relating to the site and the type of development proposed. It provides an assessment of the proposed development against the heads of consideration as set out in Section 4.15(1) of the Environmental Planning and Assessment Act 1979. As a result of that assessment it is concluded that the development of the site in the manner proposed is considered to be acceptable and is worthy of the support of the Council.

2. BACKGROUND

A number of Development Consents have been issued for the site as summarised below:

- Development Application DA563/96, approved on 1 May 1996;
- Development Application DA604/95, approved on 14 December 1995 – this DA related to the construction of a multi-purpose hall to be used in conjunction with the existing school;
- Infrastructure Planning Approval IPA09/0174 approved 3 February 2010 – relating to construction of a two level basement car park with a total of 104 car spaces.
- Development Application DA2011/0446 approved on 4 August 2011 – being development for alterations and additions to a school. This DA included a condition of consent (Condition No. 3) which set out the maximum number of students. The condition stated:
"The maximum number of students to be enrolled at the school is 884 at any time. In this regard, any proposal to increase student numbers as part of a future development application will not be approved without a corresponding increase in on-site parking and pick up and set down capacity".
- Development Application DA2013/1525 – being development for the proposed alteration and additions to an educational establishment. This DA was approved in the Land & Environment Court pursuant to a Section 34 mediation. A number of conditions of consent were imposed on this DA including the following:
 1. Condition 16: The approval of a Traffic Management Plan dated April 2015 prepared by Varga Traffic Planning.
 2. Condition 14 which related to the allocation of spaces and stated that spaces shall be allocated as follows:
"104 car spaces for staff, 14 car spaces for staff within the Basement car park fronting Headland Road, 10 spaces for students, 2 disabled persons parking spaces, 1 space for school visitors and deliveries, and 1 space for school deliveries within the Undercroft Car Park";
 3. Condition 16 which stated the School Traffic Management Plan, dated April 2015, is to be fully implemented and properly managed to ensure compliance with that plan as approved.
- Section 96 – MOD 2017/0071 – was approved by the Sydney North Planning Panel on 8 March 2018. The modification amended Condition 3 of DA 2011/0446 to allow for 992 students as follows:

3. Maximum Number of Students

The maximum number of students to be enrolled at the school is 992 at any time and is subject to traffic management and parking requirements detailed in St Luke's Grammar School Traffic Management Plan dated 12 February 2018, as amended by any conditions of consent.

Reason: Traffic, parking and pedestrian safety.

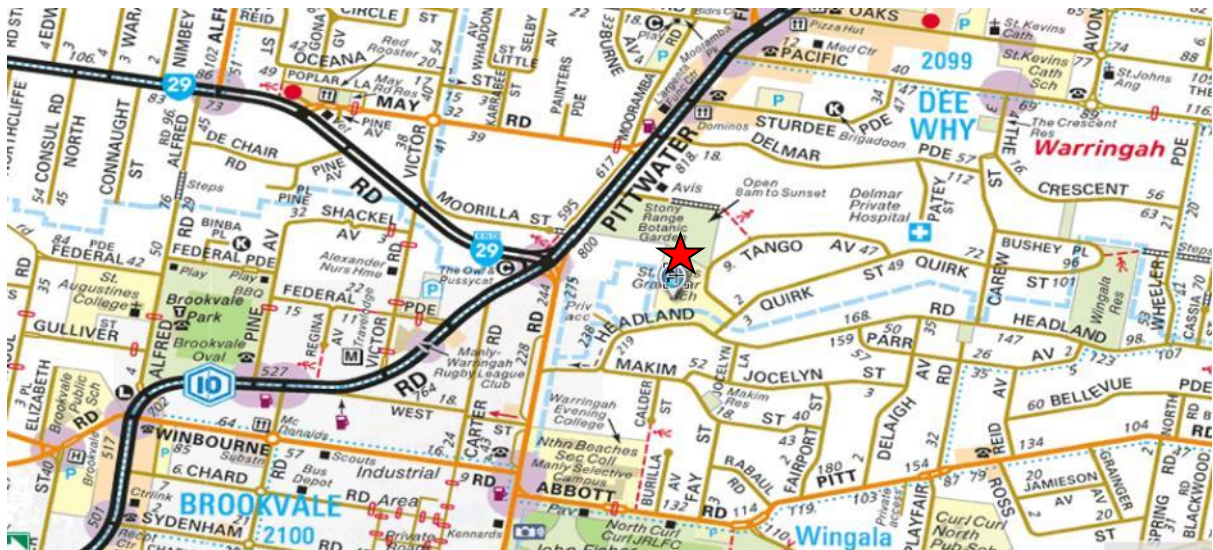
In the *Determination and Statement of Reasons* issued by the Panel the following statement was included:

“Dr John Roseth further noted that while agreeing to the consent conditions on which Council and the applicant have agreed, he would have agreed to the increased number of students that the applicant had originally asked for. This is because the school provides more parking than the vast majority of schools in NSW. He notes it is therefore unreasonable to reduce the student numbers which the applicant has originally applied for on the grounds of traffic and parking.”

Since the determination the School has implemented new drop off/pick up arrangements in the Drop & Go zone in Tango Avenue. The new drop off/pick up arrangements in the Drop & Go zone in Tango Avenue have lessened the traffic impact during peak periods, and therefore this current application seeks to increase student numbers from 992 students to 1092 students.

3. SITE DESCRIPTION AND LOCALITY

The site is identified as Portion 2112 in DP 752038, Lot 1 in DP 749109 and Lots 3 and 4 in DP 8139 which is known as No. 210 Headland Road, Dee Why. The site is located at the northern side of Headland Road. The works proposed as part of this Development Application are contained wholly within Portion 2112. The site also has frontage to Tango Avenue. The locality is depicted in the following map:



Site Location Map

The site is located on the northern side of Headland Road with the site also having frontage to Quirk Street and Tango Avenue. The site has street frontages approximately 129m in length to Headland Road, 48m in length to Quirk Street and 147m in length to Tango Avenue. The sites northern boundary adjoins the Stony Range Flora Reserve with the western boundary adjoining. The sites western boundary adjoins land zoned IN1 Light Industrial.

The site is an irregular shaped allotment with a combined area of 15,209.51m². Generally the site falls from north to south towards Headland Road. The main pedestrian entry is via Headland Road with secondary entry provided from Tango Avenue.

The site is occupied by St Luke's Grammar School which is an independent Anglican co-educational school catering for students from pre-kindergarten to Year 12.

The site is currently developed by a number of buildings including the junior school, middle school and senior school as well as a multi purpose hall, playing courts, grass areas and parking. Vehicular access is provided from Headland Road and Tango Avenue with drop off/pick up areas also available from these streets, and with bus bays located in discrete locations on all street frontages.

The St Luke's Traffic Management Plan dated 10 July 2018 has been adopted and has been implemented. This is discussed in detail later in this report.

The existing surrounding development comprises low density residential to the south of Headland Road and east of Tango Road and Quirk Street, public open space within Stony Range Flora Reserve to the north and industrial developments to the west.

The existing site and the surrounding development is depicted in the following aerial photograph:



Aerial Photograph of Locality

4. THE DEVELOPMENT PROPOSAL

This proposal seeks amend Development Consent DA 2011/0446 (as Modified MOD2017/0071) to amend Condition 3 and increase student enrolments from 992 students to 1092 students. This includes an increase of 17 additional Year 12 students.

There will be no change in staff numbers as additional students will be accommodated on an 'infill' basis whereby the additional students will fill gaps in existing classes or where some teachers with spare capacity in their timetable will be given additional classes. This will mean the student to teacher ratio will increase from 8.4:1 to 9.2:1 to one which is well under the Department of Education Guidelines of 14:1.

The existing 132 car parking spaces on site will be retained.

The St Luke's Traffic Management Plan has been implement and will remain relevant for the proposed increase in student numbers.

There are no physical changes proposed by this application.

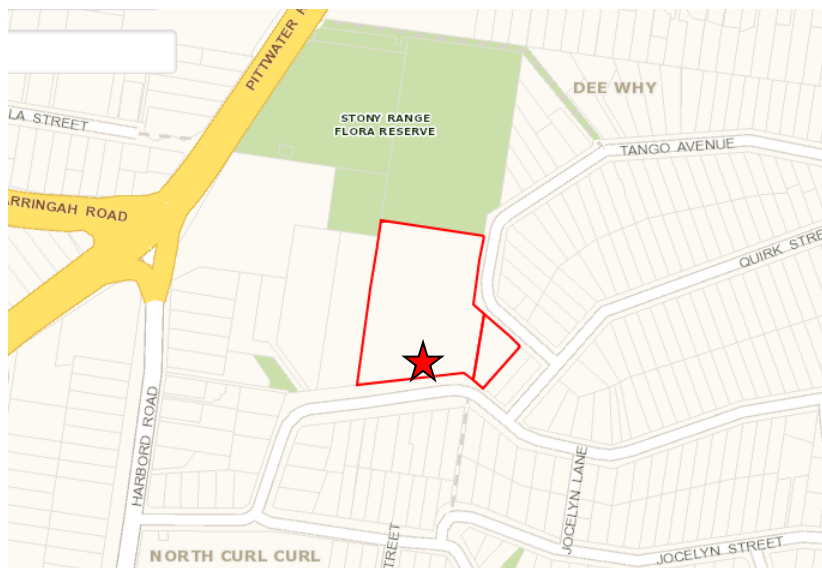
5. ZONING & DEVELOPMENT CONTROLS

The proposed development is identified as development requiring the consent of the Council under the provisions of the Environmental Planning and Assessment Act 1979, as amended. The following is an assessment of the proposal against the relevant provisions of the Act and all of the relevant planning instruments and policies of Warringah Council.

5.1 SEPP (Educational Establishments and Child Care Facilities) 2017

Clause 35 of the SEPP indicates that development for the purposes of an educational establishment are permitted in the prescribed zones. The R2 zone is defined as a *prescribed zone* and therefore consent for an educational establishment can be approved on the subject site.

5.2 Planning for Bushfire Protection 2006



Extract of Bushfire Prone Lands Map

The subject site is not identified as bushfire prone land on Council's Bushfire Prone Land Map and therefore the provisions of Planning for Bushfire Protection 2006 do not apply.

5.3 Environmental Planning and Assessment Act, 1979

Section 4.55(2) of the Act states:

A consent authority may, on application being made by the applicant or any other person entitled to act on a consent granted by the consent authority and subject to and in accordance with the regulations, modify the consent if:

- (a) it is satisfied that the development to which the consent as modified relates is substantially the same development as the development for which consent was originally granted and before that consent as originally granted was modified (if at all), and*

Comment: The Consent (as modified) granted approval for the increase of students to 992. This application does not provide for any physical changes to the existing structures but merely seeks to amend the condition relating to student numbers. Therefore the development proposed is considered to be substantially same development for which approval was originally granted.

- (b) it has consulted with the relevant Minister, public authority or approval body (within the meaning of Division 4.8) in respect of a condition imposed as a requirement of a concurrence to the consent or in accordance with the general terms of an approval proposed to be granted by the approval body and that Minister, authority or body has not, within 21 days after being consulted, objected to the modification of that consent, and*

Comment: There is no consultation required.

- (c) it has notified the application in accordance with:
 - (i) the regulations, if the regulations so require, or*
 - (ii) a development control plan, if the consent authority is a council that has made a development control plan that requires the notification or advertising of applications for modification of a development consent, and**
- (d) it has considered any submissions made concerning the proposed modification within the period prescribed by the regulations or provided by the development control plan, as the case may be*

Comment: The application will be notified in accordance with Council guidelines.

5.4 Warringah Local Environmental 2011

The Warringah Local Environmental Plan 2011 (LEP 2011) came into effect on Friday 9 December 2011.



Extract of Zoning Map

The site is zoned R2 Low Density Residential. Development for the purposes of an educational establishment is permissible in this zone with the consent of Council.

The objectives of the R2 Low Density Residential Zone are as follows:

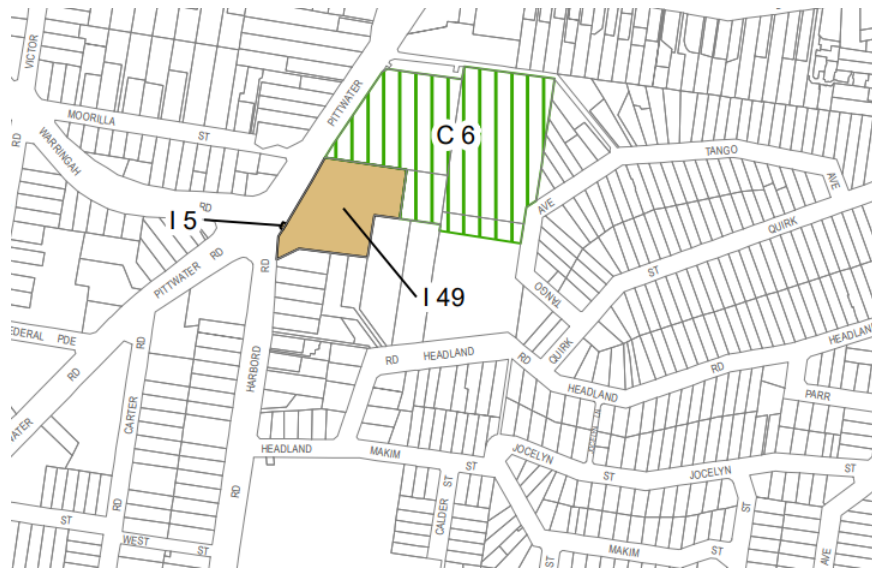
- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To ensure that low density residential environments are characterised by landscaped settings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

The proposed increase in student numbers within an existing school on site achieves the objectives by continuing to service the day to day needs of the residents.

There are no specific development standards applicable to the proposed development:

The following clause is also relevant to the proposed development:

Clause 5.10 Heritage Conservation



Extract of Heritage of Map

Council's mapping identifies the site as being in proximity the old former Wormal Factory building fronting Pittwater Road. This building is removed from the site by existing industrial development in Headland Road adjoining the site as well as the Stony Range Flora Reserve.

A mapping error within the Warringah LEP 2011 indicates that the northern portion of the existing school site is incorrectly identified as being C6 Conservation Area – Landscape (ie part of the adjacent Stony Range Flora Reserve). This northern portion of the school site is occupied by existing school buildings and playground area and has no landscape conservation value. Please see attached email from Land Registry Services dated 29 March, 2018 showing the correct Cadastral boundary.

It is noted that the zoning map under Warringah LEP 2011 shows the correct boundary for the public recreation area.

Notwithstanding, the proposed increase in student numbers (which do not comprise any physical works) will not have any detrimental impact on the surrounding heritage items.

There are no other specific provisions of the Warringah Local Environmental Plan 2011 that apply to the proposed development.

5.5 Warringah Development Control Plan 2011

The Warringah Development Control Plan 2011 (DCP 2011) contains detailed planning controls that support LEP 2011.

The following provides a summary of the relevant controls of the DCP 2011:

C3 – Parking Facilities	Garages not to visually dominate façade Parking to be in accordance with AS/NZS 2890.1	Yes A Traffic & Parking Assessment Report has been submitted and is discussed at the end of this table.
E7 – Development on land adjoining public open space	Preserve adjoining bushland Development to respond to natural qualities of the environment.	Yes The sites rear northern boundary adjoins Stony Range Flora Reserve. However the proposed increase to student numbers which requires no physical works will not have any impact on the adjoining open space.
E10 – Landslip Risk	Identified on map as part A and part B	Not Applicable The proposal does not provide for any physical works on site and as such a geotechnical report is not required.

The following provisions are discussed in further detail below:

C2 Traffic, Access and Safety

A Traffic and Parking Assessment Report has been prepared by Varga Traffic Planning Pty Ltd dated July 2018. This report is summarised below:

Traffic

The projected increase in traffic activity of an additional 26 vph dropping-off students in the AM peak, and an additional 15 vph picking-up students in the PM peak is minimal, and will clearly not have any unacceptable traffic implications in terms of road network capacity.

The Traffic Management Plan (dated 10 July 2018) has been implemented by the school which has significantly improved drop off and pick up procedures. The Traffic Management Plan includes new drop off and pick up arrangements in Tango Avenue including the following:

- Parents/carers to display family name on dashboard to enable school staff to call children forward in readiness to get in the car.
- School staff open car doors and assist students in and out of the car. This ensures drivers stay in the car and minimise delays.

The Traffic and Parking Assessment has revealed that these new arrangements have eliminated congestion on Headland Road during pick up and drop off times.

C3 Parking Facilities

A Traffic and Parking Assessment Report has been prepared by Varga Traffic Planning Pty Ltd. This report is summarised below:

Parking

On a pro-rata basis, the proposed increase in student numbers would therefore result in an increase in the peak parking demand for drop-off and pick-up of approximately 1 additional car at any one point in time throughout the duration of the morning and afternoon school peak periods.

The survey results indicate that there is sufficient capacity to accommodate the additional drop-off/pick-up demands of 1 vehicle which is expected to be generated by the proposed increase in student numbers.

Accordingly, no change is proposed to the existing drop-off and pick-up arrangements located in the street around the perimeter of the school site.

Underlining added.

There are no other provisions of the DCP 2011 that apply to the proposed development.

6. EP & A ACT - SECTION 4.15

The Provisions of any Environmental Planning Instruments or Development Control Plan

The proposal is subject to the provisions of the Warringah Local Environmental Plan 2011. The site is zoned R2 Low Density Residential under the provisions of the LEP. The proposed increase in student numbers of an existing educational establishment is permissible with the consent of Council in this zone. It is considered that the provisions of this document have been satisfactorily addressed within this report and that the proposal complies with the relevant provisions.

As assessment against the provisions of the Warringah Development Control Plan has been provided and it is considered that the proposal is consistent with the aims and objectives of the relevant clauses.

There are no other environmental planning instruments, development control plans, planning agreements or regulations applying to the site.

The Likely Impacts of the Development

It is considered that the development will provide for an increase in student numbers of the existing educational establishment without detrimentally any physical changes or any detrimental impact on the environment, social and economic status of the locality as detailed below:

Context and setting

The proposed increase in student numbers does incorporate any physical works or changes to the existing built environment.

Character, location, siting, bulk, scale, shape, size, height, density, design or external appearance of that development

The proposed increase in student numbers does incorporate any physical works or changes to the existing.

Traffic Assessment

This has been discussed previously in this report and in greater detail in the *Traffic and Parking Assessment Report* prepared by Varga Traffic Planning Pty Ltd.

Landscaping and Tree Removal

The increase in student numbers does not require any alteration to the existing landscaping.

Acoustic Impacts

The proposed increase of students will be accommodated utilising existing teaching staff with only minimal increase in vehicle movements to the parking area as discussed in the Traffic and Parking Assessment Report. Therefore it is not considered that this increase will have any detrimental impact on the acoustic privacy of the surrounding properties.

Amenity Impacts

The privacy of the adjoining properties will not be diminished by the proposed increase in student numbers. As noted above there are no physical changes proposed on site with the additional students being accommodated by utilising existing teaching staff

It is not considered that there will be any detrimental impacts to the surrounding residents.

Stormwater, Drainage, Construction & Utilities

The proposal does not require any physical works and as such there is no increase in stormwater runoff.

Heritage Impact

Council's mapping identifies the site as being in proximity the old former Wormal Factory building fronting Pittwater Road. This building is removed from the site by existing industrial development in Headland Road adjoining the site as well as the Stony Range Flora Reserve.

A mapping error within the Warringah LEP 2011 indicates that the northern portion of the existing school site is incorrectly identified as being C6 Conservation Area – Landscape (ie part of the adjacent Stony Range Flora Reserve). This northern portion of the school site is occupied by existing school buildings and playground area and has no landscape conservation value. See attached Cadastral Plan.

It is noted that the zoning map under Warringah LEP 2011 shows the correct boundary for the public recreation area.

The proposed increase in student numbers will not have any impact on surrounding heritage items.

The Suitability of the Site for the Development

The subject site is zoned R2 Low Density Residential and the increase in student numbers of an existing educational establishment in this zone is permissible with the consent of Council.

The proposed additional students can be accommodated utilising the existing teaching staff and built form. The proposal does not incorporate any physical works.

For these reasons it is considered that the site is suitable for the proposed development.

The Public Interest

It is considered that the proposal is in the public interest in that it will provide an increase in student numbers of an existing educational establishment without impacting the amenity of the adjoining properties or the public domain.

7. CONCLUSION

This application seeks approval for the increase of student numbers to an existing educational establishment. As demonstrated in this report the proposal is consistent with the aims and objectives of the Warringah Local Environmental Plan 2011 and the Warringah DCP 2011. The proposal does not have any detrimental impact on the amenity of the adjoining properties or the character of the locality.

The proposal addresses part of the need for additional student spaces in this region.

It is therefore considered that the proposed increase in student numbers to an existing educational establishment at **No. 210 Headland Road, Dee Why** is worthy of the consent of Council.

Natalie Nolan
Grad Dip (Urban & Regional Planning) Ba App Sci (Env Health)
Nolan Planning Consultants
July 2018

APPENDIX 1 – CADASTRAL BOUNDARY MAP



Source: Land Registry Services