



Northern Beaches Christian School, Terrey Hills

# Preliminary Planning Pathway Assessment Report

## Easttown Grammar School

13, April 2022

Please note that this is a preliminary report based on limited information. It cannot be used as a basis for decision making.



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You have provided the following information about you and the school that you represent:

Your name:	Jenny Jenkins
Your role:	Business Manager
Your contact phone number:	(02) 9999 9999
Your email address:	jjenkins@egschool.nsw.edu.au
Name of school:	Eastown Grammar School
Street address of school:	123 Bay Street, Pembroke, NSW, 2000

Table of Particulars of Proposed Development

You have provided the following information that has informed this Report:

Street address of land that is the subject of the Proposed Development:	15 Bent Street, Pembroke, NSW, 2000
Legal description of the land on which the Proposed Development is to be wholly or partially located:	Lot No. 1
	Deposited Plan No. 12345
	Lot No. 2
	Deposited Plan No. 12345
	Lot No.
	Deposited Plan No.
	Lot No.
	Deposited Plan No.
What do you envisage is the approximate cost to undertake the Proposed Development?	\$5.0M to \$10.0M

Do you anticipate the need for external finance to fund the Proposed Development?	Yes
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High-level description of the development that you are proposing ('Proposed Development'):	Structural internal alterations to an existing 2-storey classroom building and extensions to the building to add additional classrooms to replace existing 1-storey portable classroom buildings.
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Q1 Is the proposed development for the purpose of a school or School Based Child Care?	Yes
Q2 Does your school have Development Consent to operate a school on the land on which the Proposed Development is located?	Yes
Q3 Is the part of the allotment on which the Proposed Development is located an Item of Local Heritage Significance or does the Proposed Development involve a building or structure that is an Item of Local Heritage Significance?	Yes
Q4 Is the part of the allotment on which the Proposed Development is located an Item of State Heritage Significance or does the Proposed Development involve a building or structure that is an Item of State Heritage Significance?	No
Q5 Is the part of the allotment on which the Proposed Development is located mapped as Bush Fire Prone Land?	No
<b>Portion 1 - Fitout of or non-structural alterations to the inside of an existing building</b>	
Q6 Does this portion of the Proposed Development involve fitout of or Non-Structural Alterations to the inside of an existing building?	Yes
<b>Portion 2 - Fitout of or alterations to the inside of an existing building that involves work of a structural nature</b>	
Q7 Does this portion of the Proposed Development involve fitout of or alterations to the inside of an existing building that involves work of a structural nature?	Yes
Q7a Would this portion of the proposed development contravene a condition of a Development Consent applying to any part of the school that relates to any one or more of the following:	No
Q7b Do you think that it is likely that this portion of the Proposed Development would significantly [adversely] affect the environment?	No
<b>Portion 3 - Minor alterations or additions to the outside of an existing building</b>	
Q8 Does this portion of the Proposed Development involve minor alterations or additions to the outside of an existing building?	Yes
Q8a Would this portion of the Proposed Development contravene the most recent condition of a Development Consent applying to any part of the school that relates to any one or more of the following:	No
<b>Portion 4 - Removal or pruning of a tree</b>	
Q9 Does this portion of the Proposed Development involve the removal or pruning of a tree?	Yes
Q9a Is it likely that the tree(s) to be pruned or removed poses a risk to human health or safety or of damage to infrastructure?	No
<b>Portion 5 - Removal or pruning of a tree and/or demolition that is not necessary for the construction of a building</b>	
Q10 Does this portion of the Proposed Development involve the demolition of one or more of the following purposes described in section 3.17 and Schedule 5 or section 3.39(1) of the T&I SEPP?	1 Storey Portable Classroom

Portion 6 - Removal or pruning of a tree and/or demolition associated with construction

Q11 Does this portion of the Proposed Development involve the construction of one or more of the following purposes described in section 3.17, Schedule 5 or section 3.39(1) of the T&I SEPP? No

Portion 7 - Construction of a building

Q12 Does this portion of the Proposed Development involve the construction, operation or maintenance of one or more of the following purposes in section 3.37(1) of the T&I SEPP more than 5 metres from any property boundary with land in a residential zone and more than 1 metre from any property boundary with land in any other zone? Permanent Classroom not more than 2 storeys high (to replace an existing portable classroom)

Q12a Would this portion of the Proposed Development contravene the most recent condition in a Development Consent relating to any one or more of the following? No

Portion 8 - Construction of a building

Q13 Does the Proposed Development involve the construction of or alterations or additions to one or more of the following purposes in section 3.40(1) of the T&I SEPP? Permanent Classroom

Q13a Would this portion of the Proposed Development contravene the most recent condition in a Development Consent relating to any one or more of the following? No

SAMPLE REPORT ONLY

# EPM Preliminary Conclusion

## Portion 1 - Fitout of or non-structural alterations to the inside of an existing building

Based on the information that you have provided to us this portion of the Proposed Development involving fitout of or non-structural alterations to the inside of an existing building is likely to be able to be carried out as Exempt Development subject to meeting the other requirements of the T&I SEPP for Exempt Development. However, the development must have no more than a minimal the heritage significance of the item or area

## Portion 2 - Fitout of or alterations to the inside of an existing building that involves work of a structural nature

Based on the information that you have provided to us, if this portion of the Proposed Development involving fitout of or alterations to the inside of an existing building that also involves work of a structural nature does not involve a change in a vehicular access point to the school and would not significantly affect the environment, including the significance of the heritage item or Heritage Conservation Area, that portion is likely to be permitted without Development Consent. Before that portion of the development can be carried out, the school must commission the preparation of an environmental assessment in accordance with the NSW Code of Practice for Part 5 Activities for Registered Non-government Schools.

## Portion 3 - Minor alterations or additions to the outside of an existing building

Based on the information that you have provided to us, if this portion of the Proposed Development involving minor alterations or additions to the outside of an existing building that does not involve a change in a vehicular access point to the school and would not significantly affect the environment (including if the development involves the pruning or removal of trees that are not protected by the Biodiversity Conservation Act 2016), including the significance of the heritage item or Heritage Conservation Area, that portion is likely to be permitted without Development Consent. Before that portion of the Proposed Development can be carried out, the school must commission the preparation of an environmental assessment in accordance with the NSW Code of Practice for Part 5 Activities for Registered Non-government Schools.

## Portion 4 - Removal or pruning of a tree

Based on the information that you have provided to us, this portion of the Proposed Development involving the pruning or removal of one or more trees is unlikely to be able to be carried out without Development Consent because the tree(s) do not pose a risk to human health or safety or of damage to infrastructure and will likely require a Development Application or a permit from Council.

**Note** the T&I SEPP permits the removal or pruning of a tree under certain circumstances where this is associated with the construction of a building which is addressed later in this assessment.

## Portion 5 - Removal or pruning of a tree and/or demolition that is not necessary for the construction of a building

Based on the information that you have provided to us this portion of the Proposed Development involving the pruning or removal of one or more trees and demolition that is located on land that is an item of environmental heritage significance is unlikely to be able to be carried out without Development Consent and will likely require a Development Application. Note: the T&I SEPP permits the removal or pruning of a tree under certain circumstances where this is associated with the construction of a building which is addressed later in this assessment.

## Portion 6 - Removal or pruning of a tree and/or demolition associated with construction

Not Relevant

## Portion 7 - Construction of a building

Based on the information that you have provided to us, if this portion of the Proposed Development involving the construction, operation or maintenance of a building does not involve a change in a vehicular access point to the school and would not significantly affect the environment (including if the development involves the pruning or removal of trees that are not protected by the Biodiversity Conservation Act 2016), including the significance of the heritage item or Heritage Conservation Area, that portion is likely to be permitted without Development Consent. Before that portion of the Proposed Development can be carried out, the school must commission the preparation of an environmental assessment in accordance with the NSW Code of Practice for Part 5 Activities for Registered Non-government Schools.

## Portion 8 - Construction of a building

Based on the information that you have provided to us this portion of the Proposed Development involving demolition and/or construction of alterations or additions to a building will likely require a Development Application because it involves an Item of Local Heritage Significance and/or is on Bush Fire Prone Land and/or would contravene a condition of a Development Consent (in the way indicated in the Table of Particulars above).

It may however be that your Proposed Development can be modified so that it avoids the need for a Development Application for some or all the development. This could only be confirmed through a more detailed investigation that evaluates all the relevant facts and information relating to the development.

I invite you to contact me at [searp@epmprojects.com.au](mailto:searp@epmprojects.com.au) or (0412) 199 225 to discuss your Proposed Development and how we can assist you with the further investigations.

EPM Projects  
Stephen Earp  
Head of Planning

## Acknowledgements:

This free resource is made possible through the collaborative effort of the following business supporters:



EPM provides development management, town planning, project management, building advisory and facilities management services with a focus on non-government schools. This includes Master Planning, Design Competitions, Development Approvals, Tendering & Contract Administration. We are highly experienced in the NSW planning system including the fast-track approval processes for schools under the State Environmental Planning Policy (Transport and Infrastructure) 2021.

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Johnson Winter & Slattery provide legal services to independent schools, with a particular focus on planning and environment law. We have provided advice to many independent schools regarding expansions and modifications of existing schools, as well as the development of new schools. We advise school clients on all aspects of planning and environment law including approval requirements, compliance, development contributions, aboriginal cultural heritage, biodiversity, contamination and pollution. We have expertise in advising schools on the application of State Environmental Planning Policy (Transport and Infrastructure) 2021, and are able to provide practical advice to schools as to how best to plan their development programs so as to deliver projects as quickly and cheaply as possible.



At Westpac we strongly believe in the power of Education and how a positive education can help future generations of students thrive. We also believe that innovation plays a key role in education and as technology evolves so should the way we educate. That is why we are partnering with industry leaders and creating new and innovative ways to support schools and education across Australia, so that communities can continue to grow and develop, through our students, well into the future. More than just a bank, we are in the business of supporting education.

## GLOSSARY OF TERMS

Bush Fire Prone Land	Land that is recorded as bush fire prone land on a bush fire prone land map certified as such by the Commissioner of the NSW Rural Fire Service. You can find out whether land is bush fire prone by using the ePlanning Spatial Viewer tool on the NSW Planning Portal
Bush Fire Safety Authority	An authority issued by the Commissioner of the NSW Rural Fire Service authorising development of bush fire prone land for a school, subject to compliance with bush fire protection standards
Complying Development	Development that can be addressed by specified predetermined development standards and requires a complying development certificate (but not a development consent)
DCP	This means a Development Control Plan, which you can obtain from your Local Council
Development Application	An application for consent under Part 4 of the <i>Environmental Planning and Assessment Act 1979</i> (NSW) to carry out development

Development Consent	Means the consent of a Local Council or of the Department of Planning, Industry and Environment to use and develop land for a specified purpose
Exempt Development	Development that is of a minor impact and does not require development consent or environmental impact assessment to be carried out
Heritage Conservation Area	As identified on the Heritage Map: see Schedule 5, Part 2 of your Local Environmental Plan.
Item of Local Heritage Significance	An item having historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value to a local area. For the names, addresses and property descriptions of items of local heritage significance in your area, see Schedule 5 of your Local Environmental Plan
Item of State Heritage Significance	An item having historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value to the State. For the names, addresses and property descriptions of items of state heritage significance in your area or suburb, see Schedule 5 of your Local Environmental Plan or search the State Heritage Register
Non-Structural Alterations	For instance, the replacement of doors, wall, ceiling or floor linings or deteriorated frame members with equivalent or improved quality materials
NSW Code of Practice for Part 5 Activities for Registered Non-government Schools	The Code that registered non-government schools must follow in undertaking environmental assessment under Part 5 of the <i>Environmental Planning and Assessment Act 1979</i> (NSW)
Review of Environmental Factors	A document prepared by or on behalf of a proponent that addresses and documents the proponent's consideration of all the factors listed in section 171(2) of the Environmental Planning and Assessment Regulation 2021 (NSW)
School	This means a government school or non-government school within the meaning of the Education Act 1990
School-Based Child Care	Care for school-aged students before and after normal school hours
T&I SEPP	State Environmental Planning Policy (Transport & Infrastructure) 2021

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