

10 April 2024

Alexander Keller
Principal Planner
Development Assessment – South Team
Northern Beaches Council
PO Box 82 Manly NSW 1655

Dear Alex,

RE: Request for additional information
DA2023/0714 - Covenant Christian School 212 Forest Way, Belrose

This letter has been prepared on behalf of Covenant Christian School (the applicant) in response to Northern Beaches Council's request for additional information (RFI) letter regarding DA No.544/2023 (PAN-370252) for alterations and additions to an existing educational establishment.

The proposal comprises alterations and additions to the existing library building (Block D) and will be facilitated by the demolition of an existing staff room and the partial demolition ground flood components within the library's ground floor area. The Development Application (DA) was lodged with Northern Beaches Council (Council) 15 June 2023.

1. RFI Context

Following the DA's submission, Council's flood plain and development engineering branch identified that a preliminary Middle Harbour Flood Study had commenced and indicated that the school was affected by a 1% annual exceedance probability (AEP) and probable maximum flood (PMF) event. Correspondence from Council to the applicant confirmed that the preliminary flood study was supported by a non-adopted council overland flow study, completed in 2018.

The preliminary flood study and non-adopted 2018 overland flow study were not made available at the time of pre application consultation (completed 23 March 2023) or at the time of DA submission, and on 14 August 2023 Council's development engineer provided a referral response to Council's online portal identifying that the 'new' library building was not supported as the land was affected by overland flow in a '1/100 AEP storm event'.

On 15 September 2023 the applicant requested that Council issue a RFI to clarify the flood planning requirements and on 26 September 2023 Council issued a RFI letter via the NSW planning portal. The RFI identified matters to be addressed by the applicant in relation to plan and document updates, landscape details as well as overland flow and flood study requirements. To assist in preparation of the RFI, Council provided the applicant with the draft 1% AEP and PMF extents.

After the RFI was provided, Council and the Sydney North Regional Panel confirmed a panel briefing date of 13 March 2024 and on 11 March 2024 Council advised that their flood plain and development engineering branch did not support the development. In response to direction given during the Sydney North Regional Panel briefing, a RFI was issued by Council via the NSW planning portal on 13 March 2024.

In response to the latest RFI, the applicant seeks to amend the DA pursuant to Section 37 of the *Environmental Planning and Assessment Regulation 2021* (EP&A Regulation). This letter has



been prepared to address the requirements under Section 37(6) of the EP&A Regulation and provides a response to Council's RFI letter dated 13 March 2024, along with a description of the proposed amendments, including the name, number and date of any plans and documentation that has been amended.

2. Amended and Additional Documentation

Table 1 identifies the drawings and documentation that have been amended from those originally submitted with the development application.

Table 1 Amended Documentation			
Ref Number	Drawing / Document Name	Revision	Date
Architectural Plans prepared by Bow Goold Architects			
DA_00	Site Analysis & Construction Traffic Management Plan (CTMP)	D	08/4/24

Table 2 identifies the additional documentation provided to supplement the information originally submitted with the development application.

Table 2 Additional Documentation			
Ref Number	Drawing / Document Name	Revision	Date
Architectural Plans prepared by Bow Goold Architects			
DA_08	Floor level Study	B	04/2/24
Other documentation			
Learning Hub Redevelopment Statement (Bow Goold Architects)			

3. Proposed Amendments

The following additional information is provided in response to the matters raised in Council's RFI letter dated 13 March 2024:

- An additional floor level study plan which includes:
 - Clarification of which floor levels are to be maintained or raised
 - Clarification regarding the extent of structure retained
 - Calculation of the overall extent of floor area retained in Block D
- An updated site analysis which:
 - Identifies Block D's position relative to the senior and junior campus facilities
 - Identifies the other existing buildings which are positioned at the same level as Block D
- Design rationalisation statement that identifies why the existing floor levels can't be raised

4. Request for Additional Information

Table 3 provides a response to address each of Council's requests for additional information.

Table 3 Request for Additional Information	
Council Comment	Applicant Comments
<ul style="list-style-type: none"> The flood report prepared by WMA Water has submitted a Flood assessment/ study and determined the 1/100AEP flood level in the vicinity of the proposed library building to be 158.58 m AHD. The required Flood Planning Level for the development is 159.08. However, WMA have recommended the 	<ul style="list-style-type: none"> The existing school campus, including Block D's ground floor level, was approved prior to the adoption of <i>Warringah Local Environmental Plan 2000</i> and prior to the commencement of the preliminary Middle Harbour Flood Study The School has confirmed that they are unable to raise the existing ground floor levels and have provided design rationalisation advice which outlines why the alterations and additions to Block D are proposed.

Table 3 Request for Additional Information	
Council Comment	Applicant Comments
<p>Finished Floor Level be set at 158.43. This recommendation by WMA cannot be supported based on Clause 47 of the LEP 2000.</p> <ul style="list-style-type: none"> Council's Development Engineers and Floodplain Engineers, having undertaken an assessment of the DA and WMA report require that it is essential for all the habitable floor levels of the library redevelopment to be at the FPL = 159.08, to provide a freeboard at least 500mm above the 1% AEP" level. The library redevelopment proposal is not supported due to non-compliance with the required Flood Planning Level controls pursuant to Clause 47 of Council's LEP (2000). <p>Clause 47 of The Warringah Local Environmental Plan (LEP) 2000 states:</p> <p>"47. Flood affected land</p> <p>Development on flood affected land is to be sited and designed to minimise impacts of flooding on property and have regard to the existing flood regime.</p> <p>In particular—</p> <ul style="list-style-type: none"> development is not to reduce flood storage area or impact upon the existing flood regime, habitable floor areas of buildings are to be at a level of at least 500mm above the 1% annual exceedance probability flood level, and buildings or works affected by flooding are to be constructed of flood compatible building materials. <p>For the purposes of this clause, flood affected land means land below the 1 per cent annual exceedance probability flood level."</p>	<ul style="list-style-type: none"> Flood investigation was undertaken by WMA Water in response to Council's RFI (26 September 2023) and the investigation identified the flood risk associated with the proposal during the 1% AEP and PMF events WMA Water's report provides the following items for consideration assessing the flood risk associated with the proposal: <ul style="list-style-type: none"> The incorporation of the staff centre into Block D reduces flood risk when compared to existing conditions The flood risk at Block D in a 1% AEP event is considered to be minor, with flood depths being approximately 0.2 m at the upstream (southern) end of the building and reducing to approximately 0.1 m around the building. overland flow that makes its way through the gap between the Block D and Block E will generally flow to the east and indicates that the main library entry is unlikely to be inundated during a flood event The proposed locations of building entry points reduces the risk of water ingress when compared with existing conditions Due to the flood gradient and momentum of water at the western side of Block D, the 1% AEP event is unlikely to cause any sufficient inundation within the building Once water is on the pathway at the northern side of the building, an existing retaining wall would direct flow to the east and in this location building floor levels may be inundated by shallow flows. The flood risk at the building in a PMF event is considered to be moderate, with flood depths being approximately 0.5 m – 0.6 m around the building, triggering H3 hazard. In consideration of WMA water's advice, the School has engaged a consulting engineer to develop an appropriate flood response that will mitigate the risk of water ingress to the Block D during the 1% AEP and PMF events The school and the consulting engineer are investigating a combination of treatments that will redirect water away from Block D and include: <ul style="list-style-type: none"> Flood diversion infrastructure Physical barriers Operational management measures The Engineer will also investigate any potential off site impacts resulting from water diversion The school is investigating a combination of measures as a component of a broader flood mitigation strategy across the site, aimed at future proofing the school against flood events The flood mitigation measures proposed by the school will be finalised in the coming weeks and will be provided for Councils consideration, prior to the scheduled regional panel meeting (1 May 2024)

5. Conclusion

This letter has been prepared on behalf of Covenant Christian School to address the requirements of Section 37 of the EP&A Regulations. The proposed amendments to the DA will include a combination of operational management measures and infrastructure upgrades that respond to Council's RFI (dated 13 March 2024). The measures to manage water ingress and residual flood risk are currently being investigated and will be confirmed prior to the scheduled Sydney North Panel briefing, 1 May 2024.

Pursuant to Section 4.15 (1) of the *Environmental Planning and Assessment Act* (1979) the amended proposal will result in no material change to the development's impacts to the natural and built environment or a material change to the social and economic impacts in the locality. As a result, the amended proposal will provide improved landscape, social and economic outcomes and the environmental impact assessment detailed in the Statement of Environmental Effects (SEE) prepared by EPM Projects remains valid.

Therefore, it is considered that the proposed development satisfactorily responds to the opportunities and constraints of the site and the relevant legislation and is worthy of approval in its amended form.

Please do not hesitate to contact the undersigned if you have any queries or require further information.

Yours sincerely,
EPM Projects



Isaac Clayton
Senior Planner
B. Arts (Human Geography, the Environment and Sociology), UoN
M. Urban and Regional Planning, Curtin University
MPIA



Stephen Earp
Head of Planning
B. Planning (Hons), UWS
Registered Planner Plus (EIA)

Attachment A – Architectural Plans
Attachment B – Design Rationalisation Statement