

5 February 2024

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

Dear Alex,

Request for Information (RFI)

DA2023/071 212 Forest Way, Belrose

We refer to Northern Beaches Council (Council)'s request for information (RFI) letter, dated 25 September 2023, in relation to DA 2023/071 (PAN-338216) which identifies three (3) items that are preventing the proposed development, in its current form, from being supported by Council.

The items identified relate to:

- The *Warringah Local Environmental Plan 2000* (WLEP 2000) and the requirement to specifically address Schedule 15 of WLEP 2000;
- Concerns regarding the provision of landscaping within the school campus; and
- Preliminary flood investigations from Council identifying that the school campus is affected by a 1/100 AEP storm event.

In response to the items raised by Council, 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 25 September 2023.

1. Amended Documentation

Table 1 identifies the drawings and documentation that has 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	Cover Page: Site Analysis & Construction Traffic Management Plan (CTMP)	C	05/02/2024
DA-03	Ground Floor	B	05/02/2024
DA-06	Sections	C	05/02/2024
DA-07	Elevations & Perspectives	B	05/02/2024
Landscape plans prepared by Matthew Higginson Landscape Architecture			
LP01	Landscape Plan 01	C	22/08/2023
LP02	Landscape Plan 02	C	22/08/2023
LP03	Elevations	C	22/08/2023



Global-Mark.com.au®



Global-Mark.com.au®



Global-Mark.com.au®

Table 1 Amended Documentation			
REF Number	Drawing / Document Name	Revision	Date
LP04	Schedule + Details	C	22/08/2023
LP05	Native Replenishment Planting	C	22/08/2023
Other Documentation			
Covenant Christian School Library – Site Flood Assessment prepared by WMA Water dated 29 January 2024			

2. RFI Response

Council's RFI items and a response summary is provided in **Table 2** below.

Table 2 Request for Information Items	
1. Warringah Local Environmental Plan 2000	Response
<ul style="list-style-type: none"> The proposal is a Category 3 development and will be subject to an "Independent Hearing" pursuant to Warringah Local Environmental Plan 2000 (LEP 2000). The LEP requires that Category 3 uses specifically address Schedule 15 clauses 1 to 8, in being part of the Belrose North Locality. These details may be submitted as a supplement to the current SEE. Also, information requirements for the Architectural Plans including additional dimensions to precisely identify the exceedance to the wall height and maximum building height (annotated on the sections / elevations) should be shown. The major setback dimensions should also be shown on the site plans to the outer boundaries of the site. 	<ul style="list-style-type: none"> An addendum to the Statement of Environmental Effects (SEE) that addresses Clauses 1-8 of Schedule 15 of the WLEP 2000 is provided in Appendix A to this letter. The addendum SEE should be read in conjunction with the SEE prepared by EPM Projects dated 2 June 2023. Updated Architectural Plans have been provided by Bow Goold Architects and have included the requested information.
2. Landscape details	Response
<ul style="list-style-type: none"> The attrition of landscaping is a concern being a Category 3 use on such a large site and the SEE should provide an accurate calculation of the remaining landscape space. The use of textile material is understood for high traffic areas of a school so opportunities to use appropriately placed or suitable trees species in other areas of the site to enhance or compensate for the loss of natural landscaping. 	<ul style="list-style-type: none"> An updated calculation of landscape space has been provided by Bow Goold Architects on Architectural drawing DA-00 Cover Page. 41.5% of the total site area comprises landscape area. The landscape calculations demonstrate that the alterations and additions to Block D will not affect the provision of landscaped areas within the school campus. This is because the alterations and additions are generally located on a similar footprint to the existing buildings. Updated landscape plans provided by Matthew Higginson Landscape Architecture includes six (6) additional tree plantings at the southeastern and western site boundaries. These new trees will increase the existing tree canopy on the site and compensate for the removal of one (1) tree. The tree locations are shown to be consistent with the identified asset protection zone (APZ) requirements.

Table 2 Request for Information Items	
3. Overland Flow Study	Response
<ul style="list-style-type: none"> The application for a new library building is not supported as the land has been identified as being affected by overland flow in a 1 /100 AEP storm event. A flood/overland study prepared by a NER qualified hydraulic /civil engineer to identify the flood extents up to the PMF event. The flood/overland study is to be prepared using a 2D hydraulic like 'Rafts' or 'Tu Flow' to identify the flood extents, heights and velocities. Parameters in determining the flood extents, heights and velocities are to be detailed in the flood report. Councils existing stormwater drainage system within the site is to be modelled accordingly and pit blockage factors used as prescribed in Councils Auspec one design document. The report in to be prepared in accordance with "A Guide to Flood estimation of Australian Rainfall and Runoff 2019. A Flood Management report is to be prepared addressing Clause 76 of Warringah LEP. The report is to determine the flood risk level and address the requirements of the matrix in particular Floor Levels C1 and C2 and flood effects caused by the development. 	<ul style="list-style-type: none"> A Site Flood Assessment has been completed by WMA Water addresses the relevant flood provision of WLEP 2000. Based on the findings of the report the school campus would be flood affected land, and subject to Clause 47 Flood Affected Land of WLEP 2000. Although the floor level matrix from DCP 2011 does not apply to land zoned by WLEP 2000, the report provides an assessment against the floor level matrix contained in Warringah DCP 2011 as requested. It is noted that whilst the finished floor level of Block D is below both the Flood Planning Level (FPL) and Probable Maximum Flood (PMF) level, the proposed floor levels are consistent with the floor levels of adjoining buildings and raising floor levels to meet the FPL would be difficult to achieve and introduce accessibility issues. The report confirms that the proposed alterations and additions to Block D will have no adverse impact on flood behaviour and identifies that suitable mitigation measures can be provided to manage the residual flood risk to the ground floor of Block D. It is recommended that a Flood Emergency Management Plan is prepared, which can be incorporated into the school's existing emergency management protocols.

Should you have any questions regarding the items identified in **Table 2** please contact the undersigned on 0493 680 933 to discuss further.

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



Amy Cropley

Associate Planner

M. Urban Design (Urb Des & Plan) USyd
RPIA

Attachments:

A Assessment against Schedule 15 of the WLEP 2000

Appendix A – Warringah Local Environmental Plan 2000 Schedule 15 Response

Warringah Local Environmental Plan 2000 Schedule 15 Response

Clause	Response
1) A summary of the statement of environmental effects.	<p>The proposed development for alterations and additions alterations to the existing school campus at 212 Forest Way Belrose has been assessed in accordance with the requirements of the <i>Environmental Planning and Assessment Act 1979</i> (EP&A Act) and other relevant legislation.</p> <p>The site is an existing "primary school" and "further education facility" within Locality C8 Belrose North as designated by WLEP 2000. As an existing Category Three development within the locality the proposal is permissible with consent.</p> <p>Impacts associated with the proposed development have been assessed and are considered to result in no adverse impacts, relating to bushfire hazard, built form, flooding or desired future character of the locality.</p> <p>Accordingly, the proposal is considered to satisfactorily respond to the opportunities and constraints of the site and provided by relevant legislation. Subject to the implementation of the recommended mitigation measures the proposal is unlikely to result in adverse impacts to the locality and is therefore worthy of Council approval.</p>
2) A statement indicating how the proposed development is consistent with the relevant desired future character statement and general principles of development control established by this plan.	<p>Locality C8 Belrose North: Desired Future Character</p> <ul style="list-style-type: none"> • <i>The present character of the Belrose North locality will remain unchanged except in circumstances specifically addressed as follows:</i> • <i>The natural landscape including landforms and vegetation will be protected and, where possible, enhanced.</i> • <i>Buildings will be grouped in areas that will result in the minimum amount of disturbance of vegetation and landforms and buildings which are designed to blend with the colours and textures of the natural landscape will be strongly encouraged.</i> • <i>Development will be limited to new detached style housing conforming with the housing density standards set out below and low intensity, low impact uses.</i> • <i>A dense bushland buffer will be retained or established along Forest Way. Fencing is not to detract from the landscaped vista of the streetscape.</i> • <i>Development in the locality will not create siltation or pollution of Middle Harbour.</i> <p>The proposed development comprises demolition, alterations and additions to an existing building within the school campus. The existing school campus was granted development consent in prior to the commencement of WLEP 2000 and is therefore a component of the locality's existing character.</p> <p>Located centrally within the school campus, the alterations and additions would be sited in an area of the school campus that primarily comprises hardstand areas for access, internal courtyards and existing buildings. The scale of the alterations would be consistent with the existing school campus and due to the site's topography and siting of existing buildings within the campus would not affect the locality's broader landscape character.</p> <p>The development would result in the removal of one (1) planted tree and as a planted species is not a component of the locality's natural landscape. The loss of this tree would be offset by additional eight (8) trees including six (6) native trees, which will embellish the tree canopy along the schools eastern and western boundary as well as the Forest Way Landscape buffer.</p> <p>As a result of the above, the proposed development demonstrates consistency with the desired future character of the Belrose North.</p>

<p>3) A Statement of the objectives of the proposed development</p>	<p>The proposed development seeks to provide alterations and additions and landscape embellishments to the existing school campus, consistent with the design and quality principles outlined in <i>State Environmental Planning Policy (Transport and Infrastructure) 2021</i> (TI SEPP). The proposed development will create a new Learning Hub for the school containing library and a range of study areas and break out areas as well as improved staff facilities.</p> <p>The proposal seeks to include additional tree planting to that will embellish the existing landscaped embankment along the Forest Way and in accordance with <i>Planning for Bushfire Protection</i> (2019) would manage the remainder of the campus as an asset protection zone (APZ).</p> <p>The development will incorporate suitable flood mitigation measure to manage the safe evacuation of students during flood events and would incorporate suitable measures to manage the residual flood risk associated with the ground level of the alteration to Block D.</p>
<p>4) An analysis of any feasible alternatives to the carrying out of the development, having regard to its objectives, including— (a) the consequences of not carrying out the development, and (b) the reasons justifying the carrying out of the development.</p>	<p>The revised layout of Block D provides an adaptable learning environment capable of meeting the future needs of the school and has been designed to minimise the apparent bulk and scale of development. With the visual bulk of the additions integrating into the school's existing roofscape, the alteration provide a suitable adaptive use of the school facility that is nearing the end of its functional use.</p> <p>The existing building fabric of Block D and the adjoining staff facility are nearing their end-of-life phase and as a consequence are no longer fit for purpose due to maintenance issues arising from factors such as water ingress and material failure.</p> <p>Similarly, the building's internal layout is not consistent with the School's pedagogy requirements and does not meet the curriculum requirements of a contemporary school. Accordingly, the extant built form of Block D and the adjacent staff room are not consistent with the design quality principles for schools, required by Schedule 8 of the TI SEPP.</p> <p>Block D's design and location would consolidate facilities into a single building learning hub and would be constructed using resilient materials, such as concrete and compressed fibre sheeting, which provide durability during flood events and require comparably minimal maintenance.</p> <p>The building would also facilitate greater accessibility throughout the campus by connecting the accessible walkway of Block H and would provide opportunities to increase student welfare through the amenity provided the proposal's learning environment.</p> <p>If the development is not undertaken as proposed, the school will be required to seek an alternative location for students and staff facilities within the campus. An alternative location would likely have a greater visual impact on the future character of the locality and due to APZ requirements would require further tree removal and a reduction in the provision of landscaped area within the school.</p>
<p>5) An analysis of the development including:</p>	
<p>a) a full description of the development, and</p>	<p>The proposal comprises alterations and additions to Buildings D which are required to support the refurbishment of the existing library and staff facilities. The refurbishment will be facilitated by the partial demolition of Block D, the demolition of an adjacent, single-storey staff facility and its adjacent garden beds.</p> <p>The building works will involve minor cut and fill works to the area north of the current building footprint. The refurbishment works will be supported by ancillary access and services upgrades and will include replacement landscaping and tree plantings.</p> <p>On ground level, the alterations and additions to Block D will incorporate the footprint for the demolished staff room and the former accessway between these buildings. The split-level design will leverage the natural elevation change provided by the existing natural ground level to create a mezzanine level between ground and first floor.</p> <p>At first floor, the refurbishment will include a north facing staff verandah and the building will be finished with separate skillion and lean-to roofs. The proposed roof form would complement the rhythm and scale of the existing campus buildings and provide improved access to natural light.</p> <p>Internally, access to the mezzanine and first floor will be supported by a central lift core and stairs. External access would be supported by upgrades to the existing walkways and stairs from the proposed staff verandah.</p>

<p>b) a general description of the environment likely to be affected by the development, together with a detailed description of those aspects of the environment that are likely to be significantly affected, and</p>	<p>The surrounding development adjacent to the existing school campus comprises early learning and educational facilities, detached residential dwellings as well as public recreation and bushland areas.</p> <p>Development to the immediate north comprises an early learning centre and detached residential dwelling with the Yanginanook School, Leonis Foundation and Kamaroi Rudolf Steiner School located to the north, on the opposite side of Bundaleer Street.</p> <p>To the east, the school is bound by the Forest Way (SP2 Classified Road) and a bushland area. The bushland contains intermittent large lot residential development and is functionally and physically separated from the school by the alignment of the Forest Way.</p> <p>To the south, the school is adjacent to the tennis courts of a residential and a RE1 zoned public recreation area. To the west, on the opposite side of Linden Ave, development comprises two (2) detached dwellings positioned on large lots with a resource recovery centre located behind the dwellings.</p> <p>The proposed development will occur within the central portion of the existing school campus, with ancillary tree plantings provided adjacent to the eastern and western boundaries. Due to relative distance of the alterations from the site boundary and the existing and proposed tree plantings, the development would not have any adverse impacts to the adjoining land uses identified above.</p> <p>In terms of available views, the alterations and additions would be screened from through views of the site by the built form of Blocks C, E and H. These views would be filtered further by the mature tree line located along the school's eastern boundary and western boundary.</p> <p>The proposed development will not include any increase to staff and student numbers. As a result, the proposal would not affect the operation of the road network and is therefore not traffic generating development.</p> <p>The application site is identified as bushfire plan prone land (vegetation buffer) and the proposal has incorporated suitable asset protection zones and will be managed as an inner protection area in accordance with <i>Planning for Bushfire Protection</i> (2019).</p> <p>The development would not cause an adverse impact to flood behaviour.</p>
<p>c) a description of the likely impact on the environment of the development, having regard to—</p> <p>(i) the nature and extent of the development, and</p> <p>(ii) the nature and extent of any building or work associated with the development, and</p> <p>(iii) the way in which any such building will be erected in connection with the development, and</p> <p>(iv) any rehabilitation measures to be undertaken in connection with the development, and</p>	<p>The application site is not identified as contaminated land on the NSW EPA's record of notices. The proposed development would be undertaken on an existing school campus and the existing use is not considered to be a potential source of contamination.</p> <p>The proposed alterations additions to the existing campus would not increase the capacity of the school in terms of student or staff numbers and is therefore not traffic generating development.</p> <p>Within the context of an existing primary school and further education facility, the alterations and additions to Block D would not, to a significant degree, change the scale of development at the site. The scale of development proposed would support improved accessibility within the school and would rationalise the height of the existing block H walkway.</p> <p>To mitigate the visual impact of previous development and to improve the tree canopy coverage across the school campus, additional trees would be planted along the school's northeastern and south western boundaries.</p>

<p>d) a full description of the measures proposed to mitigate any adverse effects of the development on the environment.</p>	<p>Bushfire</p> <p>A Bushfire Assessment Report has been prepared by Building Code & Bushfire Hazard Solutions in accordance with Section 4.14 of the EP&A Act and concludes that the proposed development would provide a reasonable and satisfactory level of bushfire protection.</p> <p>The report outlines that the proposal is consistent with <i>Planning for Bushfire Protection</i> (2019) and the bushfire assessment details that the existing school campus is currently managed as an asset protection zone (APZ).</p> <p>The report identifies that vegetation affecting the site is located to the north and west of the existing school campus. The Bushfire Assessment Report outlines that the building would provide an APZ of more than 77 metres to the north and 123 metres to the west, consisting of:</p> <ul style="list-style-type: none"> • maintained grounds, • existing buildings and hard surfaced areas (within the school) • maintained grounds (adjoining properties located on Linden Avenue and Bundaleer Street) <p>Tree removal and landscaping</p> <p>The proposal would require the removal and demolition of the garden adjacent to the existing staff room. A landscape plan and planting schedule has been prepared by Matthew Higginson Landscape Architecture and details that a landscaped area would be reinstated following construction works.</p> <p>The planting schedule identifies that the landscaping would include a mix of native and exotic species and would include the refurbishment of artificial turf to the adjoining open space area. Additional tree plantings would also be provided at the eastern and western campus boundary.</p> <p>The Bushfire Assessment Report prepared by Building Code & Bushfire Hazard Solutions outlines that the proposed landscaping is suitable and is consistent with the inner protection area management requirements specified by <i>Planning for bushfire Protection</i> (2019).</p> <p>Stormwater Management</p> <p>In accordance with the Northern Beaches Council <i>Water Management Policy for Development (2021)</i> a Stormwater Management Plan has been prepared by Sparks and Partners. The Stormwater Management Plan is supported by a sediment and erosion control plan.</p> <p>The Stormwater Management Plan details the pre and post developed impervious area and details stormwater management measures. The management plan outlines that the key point of discharge for the proposed development would be the existing kerb inlet pit.</p> <p>The design of the proposed stormwater management plan is supported by water sensitive urban design (WSUD) modelling and demonstrates that the proposed development would result in a reduction of flow volume as well as sediment and pollutant discharge.</p> <p>Based on the modelled outputs and with the implementation of the stormwater management plan the alterations and additions to Block D would not have adverse off-site impacts. The proposal is therefore considered to be consistent with Northern Beaches Council's <i>Water Management Policy for Development (2021)</i>.</p> <p>Demolition and Waste Management</p> <p>As prescribed by Section 61(1) of the <i>Environmental Planning and Assessment Regulation 2021</i> (EP&A Regulation) a determining authority must consider all demolition work when determining a development. The proposed alterations and additions to Block D will include the first floor (total) ground floor (partial) demolition of the existing library and the demolition of an existing staff facility, as well as the associated access and landscape structures.</p> <p>A Waste Management Plan has been prepared by Bow Gould Architects (Appendix I) to demonstrate consistency with Australian Standard AS 2601—2001: <i>The Demolition of Structures</i> and details the expected volumes and management requirements for waste generated at the demolition, construction and operational phases of the proposed development.</p> <p>The Waste Management Plan details that demolition waste will be transported and managed in accordance with <i>Protection of the Environment Operations Act 1997</i> and will be processed off site at a licensed recycling outlet.</p>
---	---

	<p>Flooding</p> <p>The site is located within the Bare Creek catchment and has been identified as being affected by overland flow in a 1:100 AEP storm event. The site is located within a 'medium flood risk precinct'. A site-specific flood assessment has been undertaken by WMA Water that provides an assessment of the proposed alterations and additions to Block D against the relevant provisions of clause 47 of the WLEP 2000, as well as the flood controls under the Warringah Development Control Plan 2011 (WDCP 2011).</p> <p>The Site Flood Assessment prepared by WMA Water concludes that the alterations and additions to Block D will not have an adverse impact on flood behaviour. Whilst the finished floor level of Block D does not meet the minimum floor level requirements under the WDCP 2011, this is considered acceptable as the proposed finished floor level is consistent with other the floor levels of adjoining buildings and will maintain connectivity and accessibility through the school campus. There will be residual flood risk to the ground floor of Block D but this can be mitigated by providing evacuation access to flood free areas of the school. A Flood Emergency Management Plan should be prepared for the school to ensure that a practical and reasonable plan is enacted in a flood event.</p> <p>Visual Impacts</p> <p>There is a minor exceedance of the 8.5m height requirement for buildings located within the Belrose North locality under the WLEP 2000. However, the visual impacts are minor as Block D is predominantly screened from view Forest Way by the existing school buildings and vegetation along the site boundary. When viewed from Dell Street, the height, scale and form of Block D will be consistent with the other buildings on campus. The alterations and additions to Block D adopt a similar contemporary architectural language and therefore, the development will not have an adverse impact on the existing or desired future character of the area.</p>
<p>6) The reasons justifying the carrying out of development in the manner proposed, having regard to biophysical, economic and social considerations and the principles of ecologically sustainable development</p>	<p>Schools are a vital part of any healthy and thriving community and the proposed alterations and additions to the existing school campus would allow the school to function as an important civic place for parents, teachers and students.</p> <p>The proposal would facilitate building and landscape upgrades suitable to a modern school curriculum and would contribute to better student outcomes through the provision of a quality learning environment.</p> <p>The proposal would provide improved outcomes for students and teachers in terms of wellbeing and attentiveness with a focus on air quality, ventilation, natural lighting, thermal comfort and acoustic performance central to the pedagogy provided by alterations and additions to the campus.</p> <p>The proposed development would provide short term and long-term economic benefits. In the short term the proposal would support the creation of additional full-time employment in the construction industry which would in turn support vendors and allied services.</p> <p>Long term, the productivity and growth as a result of student's continuing education would drive better labour market outcomes by supporting students.</p>
<p>7) The statement is to include a compilation (in a single statement) of the measures proposed to mitigate any adverse effects of the development on the environment</p>	<p>The proposal would mitigate the adverse impact from tree removal by replacing trees at of ratio of 6:1 and would incorporate operational measures to manage the residual flood risk associated with evacuation to flood free areas of the school campus. Subject to the ongoing implementation of bushfire protection measures outlined in the Bushfire Assessment Report, the site will maintain a reasonable and satisfactory level of bushfire protection.</p>
<p>8) A list of any other approvals that must be obtained under any other Act or law before the development may be lawfully carried out</p>	<p>The application site is identified as bushfire plan prone land and comprises a vegetation buffer. As Schools are listed development for a Special Fire Protection Purpose (SFPP) under section 100b (6a) of the <i>Rural Fires Act 1997</i>. Accordingly, the proposed development will require a Bush Fire Safety Authority (BFSA) from the Commissioner of the NSW Rural Fire Service (RFS). As a result, the alterations and additions will be integrated development pursuant to Section 4.46 of the EP&A Act.</p>