

WARRINGAH DEVELOPMENT ASSESSMENT PANEL MEETING

5.1	212 Forest Way Belrose – Modification of Consent DA2010/1949 granted for Alterations and additions to a Primary School and further education establishment
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Panel Member**Lesley Finn**, Chair (Environmental Law)**Steve Kennedy**, Urban Design Expert**Marcus Sainsbury**, Environmental Expert**Nick Lawther**, Community Representative**Mod2015/0078****Independent Public Hearing**

This report is of an independent public hearing that has been convened pursuant to cl 15 of WLEP 2000 because this application is for Category 3 development. One (1) submission was received.

Applications for Category 3 development entail additional requirements. In particular, the Panel can only recommend that consent be granted if it is satisfied that the proposed development is consistent with the desired future character of the locality as described in the C8 Belrose North Locality WLEP2000 cl 20/Cl.18(3).

Further, the Panel must consider the Statement of Environmental Effects, prepared by the applicant, that addresses the items listed in Schedule 15 WLEP2000 cl 20/Cl.18(3).

Desired Future Character**Desired Future Character (DFC) - C8 Belrose North Locality**

“The present character of Belrose North locality will remain unchanged except in circumstances specifically addressed as follows.

The natural landscape including landforms and vegetation will be protected and, where possible, enhanced. 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.

Development will be limited to new houses conforming with the housing density standards set out below and low intensity, low impact uses.

A dense bushland buffer will be retained or established along Forest Way. Fencing is not to detract from the landscaped vista of the streetscape.

Development in the locality will not create siltation or pollution of Middle Harbour.”

PROCEEDINGS IN BRIEF

This is an application to modify Condition 41 of development consent number DA 2010/1949. That consent was for alterations and additions to the Covenant Christian School originally approved by Council on 20 December 2011 for alterations and additions to a primary school and further education establishment.

Condition 41 of Development Application DA2010/1949 sets the maximum number of students at 900. The application before the panel is to increase the number of students to 1100.

The recommendation of the Panel is that the application be approved, but with conditions that require works to be carried out to the site frontages in Linden Avenue and Bundaleer Street to provide parallel parking along those frontages to Council's satisfaction and to provide a Traffic Management Plan which provides for the provision of traffic marshals. The plan is to be to the satisfaction of the Council and in accordance with the recommendations of the traffic impact assessment report submitted with the application..

Voting 4/0

DECISION OF WARRINGAH DEVELOPMENT ASSESSMENT PANEL

That the Warringah Development Assessment Panel (WDAP) recommends to the General Manager to approve Modification Application Mod2015/0078 to modify Development Consent DA2010/1949 granted for alterations and additions to a primary school and further education establishment at 212 Forest Way Belrose be approved including the following Condition;

41. Maximum Enrolment

The maximum allowable enrolment for the Covenant Christian School on the subject site shall not exceed 1100 students.

Prior to any increase in enrolments above 900 students, design and construction plans shall be submitted to Warringah Council for approval under the Sections 138 and 139 of the *Roads Act 1993* for concrete kerb, gutter, footpath, drainage, traffic signage and bitumen widening to the school frontages along Bundaleer Street and Linden Avenue for the purposes of additional kerbside carparking (referred to as the "Works"), generally in accordance with the *Traffic Management Policy*, prepared by *Covenant Christian School*, version 5.0, dated June 2015. Details are to include the following:

- a) The submission is to include four (4) copies of Civil Engineering plans for the design of works within the road reserve which are to be generally in accordance with the civil design requirements of Council's specification for engineering works - AUS-SPEC #1 and or Council's "Minor Works Policy", including kerb to road width.
- (b) Submission of a completed application form for works within a public road reserve, including payment of applicable Council fees and charges. The applicant/developer is to lodge civil engineering plans with the completed 'Application for works to be approved within Council roadway' form. This form is available on the weblink below:

<http://www.warringah.nsw.gov.au/sites/default/files/documents/pdf-forms/application-works-be-approved-within-councils-roadway/works-be-approved-within-council-roadwaynov2014.pdf>

- (c) Construction works are to be designed and supervised by a practicing and professionally certified Civil Engineer.
- (d) All works are to be constructed to completion in accordance with Council's AUS-SPEC#1 and Minor Works Policy, and include appropriate erosion and sediment controls.
- (e) Council is to inspect the formwork prior to pouring of concrete to ensure the works are in accordance with Council's specification.
- (f) All bonds and inspection fees shall be deposited with Council prior to physical works or demolition work commencing. Details demonstrating payment are to be submitted to Warringah Council 2 working days prior to the commencement of works. Bond details include:
 - i) A "Security Bond" against any damage or failure to complete the construction of the Works as part of this consent is required. The amount of security bond will be determined by Council prior to issue of the *Roads Act* approval for the Works. (NOTE: This bond may be refunded and replaced by the "Maintenance Bond" upon submission to Council of the Final Compliance Certificate/Approval.)
 - ii) A "Maintenance Bond" for the post-construction of the Works. The maintenance bond will only be refunded on completion of the "Maintenance Period" if work has been completed in accordance with the approved plans and to the satisfaction of Council. The amount "Maintenance Bond" will be determined by Council prior to issue of the *Roads Act* approval for the Works.
- (g) Engineering works are to be completed to the satisfaction of Warringah Council's Development Engineer prior to any increase in student enrolments above 900 students.

Reason: To limit maximum enrolment and the intensity of development on the site in accordance with the provision of the *Warringah Local Environmental Plan 2000* and increase available parking to service the additional student enrolments.