

13 December 2022

Ms Rebecca Sommer

Our Ref: 2022/762784

Email: [Rebecca.sommer@planning.nsw.gov.au](mailto:Rebecca.sommer@planning.nsw.gov.au)

Dear Ms Sommer,

**SSD-26876801 - The New Forest High School (New educational establishment)**

Thank you for the opportunity for Northern Beaches Council to comment on the proposed New Forest High School. Northern Beaches Council is supportive of the development of the New Forest High School in Allambie Heights as it is the first step in realising the long-term strategic objective of delivering the new Frenchs Forest Town Centre on the existing school site.

We acknowledge and thank the Department of Education for engaging with Council in the design development phase of the new school. Several of Council's concerns have been addressed by the Department of Education resulting in substantial changes to the proposal by reducing the height, bulk, and scale from two, three and four storey buildings down to the current proposal of two and part three storey buildings. Additional changes to the building facades, colours, internal and external layouts of the school are also noted.

The new campus is zoned SP1 Special Activities (Health Services Facility, Seniors Housing Community Facilities, Educational Establishments) under *Warringah Local Environmental Plan 2011* (the LEP) and development for the purpose of an educational establishment is permissible with consent within this SP1 Zone.

Given the location of the site on Allambie Road and its location and proximity to Warringah Road, Aquatic Drive and Rodborough Road it is acknowledged that a range of traffic mitigation and transport infrastructure improvements have been proposed to support the new school and the local community including new traffic lights at the intersection of Aquatic Drive and Allambie Road, as well as a new pedestrian crossing at the Rodborough Road/ Allambie Road intersection. These works are to be complemented by a pedestrian refuge on the eastern side of the proposed school on Allambie Road to ensure the safety of students, staff, and the wider community.

Overall Council is supportive of the proposal, but requests that the comments and recommendations provided in the attached be carefully considered in the Department's assessment of the application.

Should you require any further information or assistance in this matter, please contact my office on 8495 6414.

Yours faithfully



Louise Kerr

Director Planning & Place Division  
**Referral Attachments**

1. Traffic
2. Urban Design
3. Strategic Planning
4. Development Engineering
5. Landscape
6. Coast & Catchments
7. Bushland & Biodiversity
8. Environmental Health
  - Industrial
  - Food
  - Contaminated Lands

## **1. Traffic**

The proposal is to relocate the existing Forest High School Campus from the current location on Frenchs Forest Road West adjoining the Northern Beaches Hospital site to the new location at 187 Allambie Road at the intersection of Allambie Road and Aquatic Drive Allambie Heights. The proposal is for up to 1500 students (800 existing site) and 120 Staff (80 existing site).

In the early development of the project both Schools Infrastructure and their consultants have taken on board most of the issues that have been raised by Council, Transport for NSW, and the local community. Council has raised several issues that needed to be addressed for the smooth implementation of the project into the existing environment. There are three outstanding issues that Council would like addressed, whilst also understanding the position of both the department and TfNSW on these issues as well.

- School Bus Services to the site:
  - The available kerb space to provide for dedicated school bus services needs to be further considered as the proposal has less available space than the existing school site.
  - The main commuter services that travel through the area are either Allambie Road (frontage), Wakehurst Parkway (1km) or Frenchs services within Forest Road East (660m), which will be used to some degree to augment dedicated school services. These services within walking distance present challenges crossing major road corridors.
  - Services arriving or departing from the Aquatic Drive stops heading to the west, north or east will be required to turn around, mostly likely in the Warringah Aquatic Centre carpark (existing bus route).
- Kiss and drop zones:
  - These are either in conflict with bus servicing or through traffic in the commercial core area in the business park area.

- On site kiss and drop has been discount due to the impact on the retained vegetation.
- Allambie Road is not suitable due to volume of traffic and general road geometry.
- Off Street Parking provision:
  - The staff parking is contained within the site for 121 vehicles, with additional accessible parking (pick up and drop off) provided for the support unit.
  - Bike and scooter parking is provided within the site for 121 bikes and 62 scooters.
- On Street Parking allocation:
  - Taking into account the need for 189 metres (conservative) for on-street kiss and drop zones, and the parking needs for the adjoining business park users, consideration needs to be given to the management of the on-street parking to ensure that it is not used for the benefit of the senior students.
  - Changes to the existing time restricted parking would impact the adjoining businesses. The applicant will need to provide a suite of solutions to manage this issue during both normal hours of operation and during special events at the school that have the potential to generate significant parking demand.
  - Allambie Road is not generally suitable for longer term parking and as traffic volumes increase in the area the road capacity may need to be reconfigured to cope with changing traffic patterns and as such no parking along this corridor should be considered as a solution.
- Traffic Management requirements:
  - The use of traffic signals at the Intersection of Allambie Road and Aquatic Drive is supported subject to adequate pedestrian cycles included in the phasing.
  - The intersection of Rodborough Road and Allambie Road is still a concern from both a vehicle management and pedestrian safety perspective, notwithstanding the see-through effect concerns raised by TfNSW in previous meetings. Council supports the introduction of signalised controls at this intersection.
  - The interim measure of a raised pedestrian crossing at the intersection of Rodborough Road and Allambie Road is supported until the school reaches full occupancy.
  - A Road Safety Assessment of the immediate surrounding environment needs to be undertaken to determine the location of pedestrian fencing required.

- A walking catchment assessment is to be undertaken to assist in the provision of the required infrastructure and assist in meeting the requirements of the School Travel Plan.
- A suitable extension to the existing School Zone is supported by Council to cover the main access points to the site in line with the current technical direction.
- Green/School Travel Plan:
  - The proponent is required to develop a staff green travel plan and also provide a school travel plan to encourage the use of Active and Public Transport as the first option to travel to the site.
  - Northern Beaches Council's Transport Strategy, Walking Plan, Bike Plan and Road Safety Plan need to be considered as guiding documents in the development of the walking and cycling infrastructure to support the future school site.

## **2. Urban Design**

Construction of of an Education Facility (The Forest High School) including playing field, sports courts, and car parking.





## Controls

- Education SEPP; Design Quality Principles



- Principle 1—context, built form and landscape
- Principle 2—sustainable, efficient, and durable
- Principle 3—accessible and inclusive
- Principle 4—health and safety
- Principle 5—amenity
- Principle 6—whole of life, flexible and adaptive
- Principle 7—aesthetics
- GANSW – [Design Guide for Schools](#)
- Warringah DCP; Parts; A Introduction, B Built Form, C Siting Factors, D Design, E The Natural Environment, F Zones & Sensitive Areas, H Appendices
- Warringah LEP
- Northern Beaches Council Public Space Vision & Design Guidelines

*Note: This advice is provided as an internal referral from the Urban Design Unit to the development assessment officer for consideration and coordination with the overall assessment.*

## **General**

The proposal is mainly unchanged from the PLM presentation. Urban Design is generally positive regarding the proposal and the carefully considered school design. As previously requested, further, more detailed drawings of the public domain around the school and how it integrates with and improves the public domain to create a safe, pleasant environment for children to walk, cycle, and take public transport is required. The applicant has shown no bus shelters; will the children have to wait in the sun without shade or in the rain without shelter? There is no integration of the proposed shared path and the existing cycle lane. The current cycle lane is not separated from the road carriage to create a safe cycle route for children and pedestrians, but it could. A detailed concept design for the public domain that integrates infrastructure for sustainable modes of transport is needed. It should show how the applicant will provide safe, separated cycleways or shared paths and footpaths along the children's travel route to the catchment areas.

This report is a preliminary response to the architectural drawings and documentation submitted by the applicant. The information supplied by the applicant is preliminary; therefore, the response is proportionate to the information provided and is preliminary.

## **Public Domain & Public Domain Interface & Transport**

We previously asked for further detailed information illustrating how the public domain will work, but this does not appear to have been provided. Urban Design would still like to see additional details on the design and coordination of the public domain around the site and the travel routes of the children in the catchment area. The Transport

Access Impact Assessment has some interesting information and analysis. This information needs to be coordinated into a drawn public domain concept plan to illustrate how the public domain will be re-designed to cater for the new school and provide infrastructure to encourage safe cycling and walking routes for children to promote sustainable modes of transport and reduce traffic congestion. The applicant should refer to the Northern Beaches Public Space Vision and Design Guidelines 2040. The applicant should consider the pavement width, safe congregation areas, and tree canopy cover. Coordination of bus stops/bus shelters, drop-off/pick-up & congregation points with the public domain design is needed to ensure enough space is provided to enable safe and convenient movement. The applicant should consider if public footpaths have sufficient width for the volume of pedestrians and if any widening is required along travel routes to the catchment areas.

Figure 2-5 Cycling catchment to the proposed site

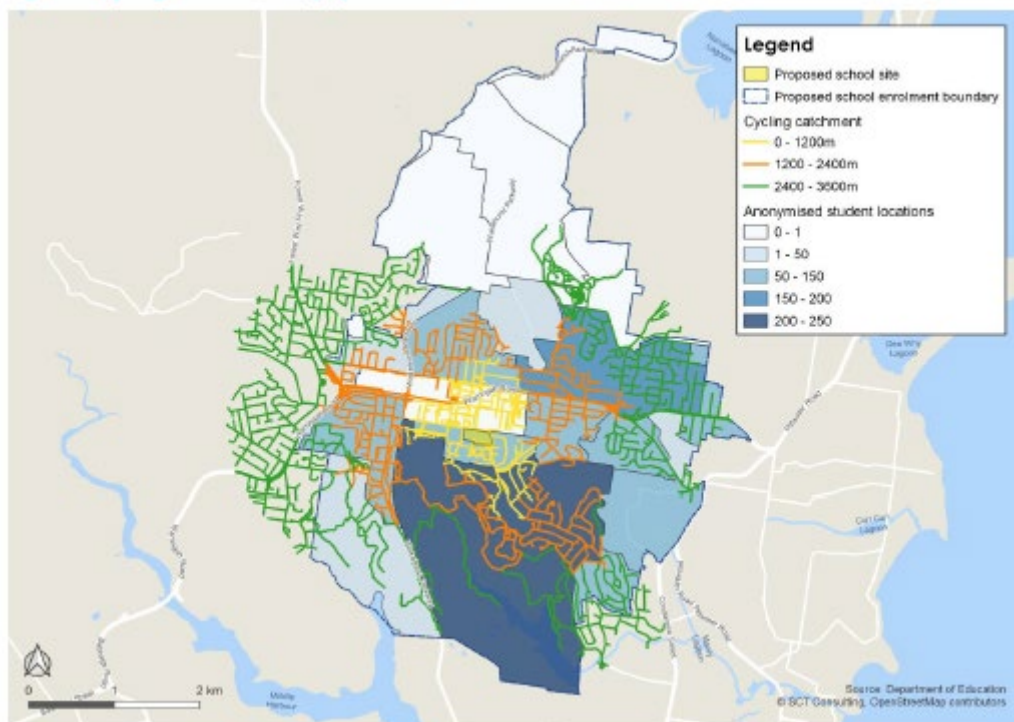


Figure 1 - The cycling catchment to the proposed school. This information should be used as the basis for a concept public domain plan that illustrates where cycle lane and associated infrastructure will be located and designed to create safe, convenient, and attractive routes to school for children and encourage sustainable transport modes (taken from SCT Consulting Transport Access Impact Assessment 2 Nov 2022).

Figure 2-3 Walking catchment for the proposed site

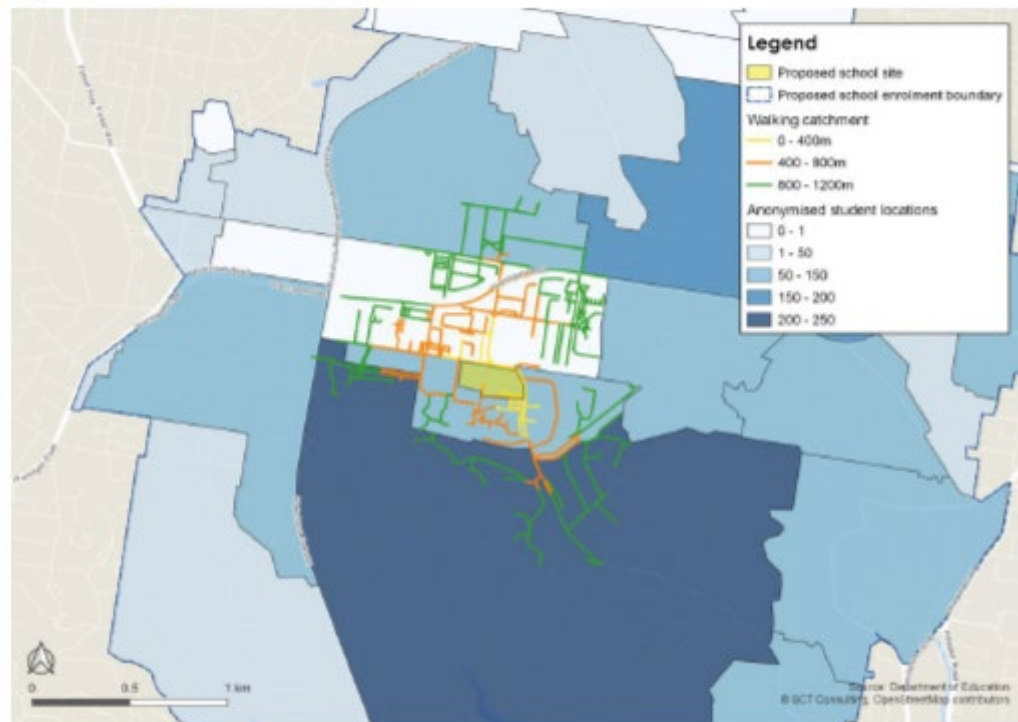


Figure 2 - The walking catchment to the proposed new school. This information should be used as the basis for a concept public domain plan that illustrates where footpaths and associated infrastructure will be located and designed to create safe, convenient, and attractive routes to school for children and encourage sustainable transport modes (taken from SCT Consulting Transport Access Impact Assessment 2 Nov 2022).

### Cycleways, Shared Paths & Pedestrian Routes

PSVG D5 - Shared Paths — shared paths allow both cyclists and pedestrians to use the path — cycling is generally preferable on a dedicated cycling lane. Where the existing street cross-section does not allow sufficient width, a shared path can be considered — the design of shared paths—including minimum dimensions, preferred horizontal and vertical geometry, and safety clearance requirements—are to conform with the Austroads Guide to Road Design Part 6A, Paths for Walking and Cycling.

The existing street cross-section appears to allow sufficient width, and a dedicated cycle lane is provided in the roadway. The applicant should consider an upgrade to create a separated cycleway, given the stated aim to encourage cycling to school and the potential number of children cycling to and from school. The applicant should facilitate this in the safest way possible. A public domain concept illustrating that this is possible should be provided.

The applicant should consider integration with surrounding uses and amenities. Is a non-roadside pedestrian route to Warringah Aquatic Centre and Aquatic Reserve Baseball Park proposed? If it is, the applicant should provide details of the route upgrades. Increased pavement width may be needed along proposed travel routes to catchment areas for pupils to surrounding uses & amenities.



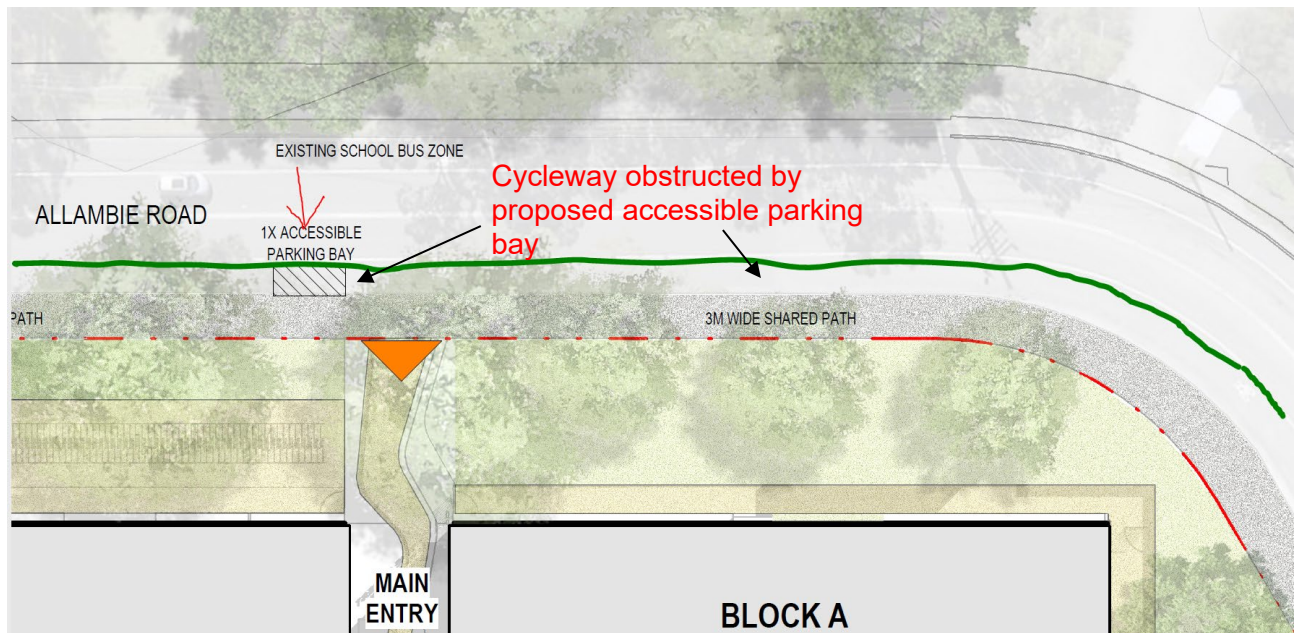


Figure 3 - Proposed accessible parking bay is obstructing the existing dedicated cycle lane.



Figure 4 - Current Allambie Road public domain. Note the shared path with a dedicated (but not separated) cycleway on either side of the road carriageways. The proposal doesn't integrate with nor seeks to upgrade the public domain to provide for the new school.

Please provide the following: A public domain concept plan that shows where and how the applicant will provide safe cycle and footpath routes along the travel routes of students from the catchment areas to the school. Also, illustrate a coordinated public domain proposal for the interface between the school and the existing public domain showing upgrades for safe, convenient, sustainable movement. Illustrate the location of bus shelters for shade and protection from the rain and how they can work with dedicated cycleways, shared paths, vehicular traffic, accessible parking bays etc., and that enough clear width of travel is maintained along the routes of cycleways and shared paths. A coordinated detailed public domain concept plan that shows the applicant can accommodate proposals for the safe travel routes of children from the catchment areas to the school within the road reservation should be provided.

### **Schools Design Quality Principles: Context, built form and landscape**

Principle 1 context, built form and landscape of the [Schools Design Quality Principles](#), require an appropriate response to context.

Note Principle 6 of the [Schools Design Quality Principles](#) states that new school development, *'Be based on a masterplan of the school site that includes the testing of options for future potential growth'* this could be incorporated in a detail context analysis that considers changes over time. We note that the current proposal is for nearly double the current student numbers, but it would be prudent to consider where/how the school can expand in the future.

### **Conclusion**

Overall, Urban Design is positive regarding the proposal. The design is in the early schematic design stages and could be supportable by Urban Design if the issues raised in the body of the report are addressed. As previously requested, please provide the following information:

- A coordinated transport and concept public domain plan of Allambie Road & Aquatic Drive with street cross-sections illustrating how the various mode of transport are being accommodated and the quality of the public domain proposed. A coordinated transport and concept public domain plan of the cycle and walking routes between the school and the catchment areas, illustrating where the applicant will provide additional infrastructure to encourage cycling and walking to school.

## **3. Strategic &Place Planning**

The State Significant Development (SSD) Application seeks consent for the construction of The Forest High School at Allambie Heights, with a capacity of up to 1,500 students and 120 staff. Following construction of the new school, approximately 800 current students and 80 staff will be relocated to the new school. The proposed school campus would generally arrange two (2) storey buildings around a central

playground on the eastern half of the site with a sports field, sports courts, basement car parking and remnant bushland on the western half of the site.

The SSD application was supported by various technical studies. This referral response considers the following documents in its response: Environmental Impact Statement by DFP, SEARS Reference Table by DFP, Architectural Design Report by Architectus, Consultation Report by NSW Department of Education.

From a Strategic and Place Planning perspective, the proposal is considered acceptable and is supported for the following reasons:

1. The proposal aligns with the broader strategic directions that are identified for Frenchs Forest to transition towards a Strategic Centre and Health and Education Precinct.
2. The relocation facilitates the delivery of a new town centre for Frenchs Forest, which is identified as a key outcome in Council's Local Strategic Planning Statement, Council's Hospital Precinct Structure Plan and the Department of Planning and Environment's Frenchs Forest 2041 Place Strategy.
3. The proposal will incorporate several sustainability conscious initiatives in design and operation and is seeking a Green Star rating.
4. The proposal has incorporated feedback from key stakeholders, including consideration of adjoining uses at Cerebral Palsy Alliance and Sunnyfield, who have indicated that they are supportive of the proposal.

## **4. Development Engineering**

### **1) Stormwater management – On site Stormwater Detention (OSD)**

The stormwater management strategy prepared by Enstruct Group detailing the provision of OSD has been reviewed and is satisfactory. Post development stormwater flows up to the 1 /100% AEP storm event are less than the predevelopment state of nature flows.

### **2) Stormwater site discharge**

The site has been divided into three catchments, Catchment 3 (OSD3) drains to Allambie Drive. An engineering review of the capacity and condition of the downstream systems including Councils stormwater system in Allambie Road is to be undertaken. Catchment 2 (OSD 2) drains to the adjoining sites stormwater system (187 Allambie Road). Catchment 3 (OSD 3) drains to the Arranoubai School sites drainage system. The consultant should confirm whether the newly introduced development stormwater flows have an impact on these systems.

A review also of the impacts on the existing stormwater drainage system of the subdivision development (Madison Way) is also to be undertaken. The development site stormwater flows are to have a minimal impact on the drainage system and there is to be no resultant flooding/overland flow impacts.

### **3) Proposed extension of Councils stormwater system from Aquatic Drive**

The stormwater drainage plans detail the extension of councils existing pit and pipe system from aquatic Drive with a 600mm RCP line. There appears to be a conflict with the extension of this line with a site drainage line which will runs over this line. The engineering consultant is to confirm whether there is a conflict and adjust the internal stormwater line location to avoid any potential conflict.

## **5. Landscape**

### **Considerations specific to Landscape Architect's comments:**

- State Environmental Planning Policy (SEPP) Educational Establishments and Child Care Facilities 2017, Part 7, Schedule 4 Schools - design quality principles.
- Government Architect NSW Better Placed Design Guide for Schools, section 2.1 application of the Education SEPP design quality principles, and section 2.2 design considerations.
- Warringah Local Environmental Plan (WLEP)
- Warringah Development Control Plan (WDCP)

Note: the current scheme deviates from the Pre-Lodgement scheme presented and dated 4 August 2022 (last scheme viewed by Council's Landscape Architects).

### **Landscape Assessment:**

- SEPP, Part 7, Schedule 4 Schools - design quality principles
- › Principle 1 - context, built form and landscape: including "Landscape should be integrated into the design of school developments to enhance on-site amenity, contribute to the streetscape and mitigate negative impacts on neighbouring sites".
  - + Landscape Architect's comments: the encroachment of the built form into the front setback zone of Allambie Road as required under the WDCP (10 metres) limits the capacity to integrate the built form and landscape, and the streetscape amenity presented will focus on a prominence of the built form as an inadequate buffer zone is provided to support tree and vegetation planting (see also principle 7).
- › Principle 3 - accessible and inclusive: including "Schools should provide pleasant and engaging spaces that are accessible for a wide range of educational, informal and community activities, while also considering the amenity of adjacent development and



the local neighbourhood”, and “Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours”.

- + Landscape Architect’s comments: it is considered the scheme provides pleasant spaces internally for the operation of the School, however the scheme’s reversion to including the built form of the Gymnasium along the northern boundary of Allambie Road (at the prominent roundabout) eliminates the visual awareness and integration of the proposed Playing Field to the community and instead privatises what should be a community recreational facility clearly ‘open’ to the public after hours (see also principle 7).
- › Principle 7 - aesthetics: including “The built form should respond to the existing or desired future context, particularly, positive elements from the site and surrounding neighbourhood, and have a positive impact on the quality and sense of identity of the neighbourhood”.
- + Landscape Architect’s comments: it is considered that the encroachment into the 10-metre front setback is the fundamental concern, that when considered with the proposed building heights, establishes a prominent built form to the streetscape amenity that has limited landscape setting opportunities for softening and integration of landscape that will adequately minimise the impact of the built form.
- + It is noted that the Government Architect (NSW) Better Placed Design Guide for Schools at Principle 1 notes that proposals should retain or include tree planting and the reduced front setback inhibits this.
- General previous applicable comments, and it is noted that the level of current documentation does not allow for detailed responses apart from the following general site planning advice:
  - › The Playing Field should be accessible to the public and sporting clubs for practice and weekend sports, and as such the design shall integrate safe access from public roads and transport to the playing field, without compromising any required isolation of parts of the school,
  - › The layout of the Playing Field may be considered more appropriate located near Aquatic Drive where the Gymnasium is proposed with the Gymnasium relocated along the southern boundary area above the carpark, to ensure the Playing Field is near the public road and in a visible location that would appeal as a ‘public’ space rather than hidden behind buildings,
  - › The Games Courts should be accessible to the public and sporting clubs for practice and weekend sports, and as such the design shall integrate safe access from public roads and transport,
  - › Increased (and compliant) front setbacks to development along Allambie Road will result in increased retention of existing significant trees as well as the provision of suitable deep soil natural ground area to establish a suitable landscape setting for the development,
  - › Within the central courtyard many existing trees are unlikely to be able to be retained, thus emphasis on tree retention as well as replacement canopy tree planting should the existing forested area, and along the road corridor front setbacks to Aquatic Drive and Allambie Road #

# subject to analysis of significant trees identified in a Arborist report, which is not included at this stage of the proposal.

- Applicable comments under the WDCP, and it is noted that the level of current documentation does not allow for detailed responses apart from the following general advice:
  - › B7 Front Boundary Setbacks: 10m along Allambie Road and Aquatic Drive, to be landscaped and generally free of any structures, basements, carparking or site facilities other than driveways, letter boxes, garbage storage areas and fences, and to retain any significant existing trees,
  - › D1 Landscaped Open Space and Bushland Setting: 50%, inclusive of landscaped open space,
  - › D18 Accessibility and Adaptability: inclusive of a safe and unobstructed pedestrian system that is connected to all areas of the site
  - › D21 Provision and Location of Utility Services: above ground light spill from sports fields shall be contained wholly within the site.
  - › E1 Preservation of Trees or Bushland Vegetation: promote the retention and planting of endemic trees and vegetation within adequate deep soil areas.

E6 Retaining unique environmental features: development is to be designed to address any distinctive environmental features of the site and on adjoining nearby land, and this applies to: remnant Duffys Forest vegetation association; fauna habitat, rock outcrops, and downstream watercourses.

## 6. Coast and Catchments

The site is a mix of developed and undeveloped land that is located in both the Manly Creek catchment (Curl Curl Creek) and the Brookvale Creek catchment. The proposed site is located in the headwaters of the Manly Dam Catchment.

Manly Dam Reserve covers approximately 375 ha of which 78% is bushland. This provides a high level of connectivity of natural vegetation in the floodplain and riparian zone the creek and reasonable habitat for dispersal of native terrestrial fauna species. Geomorphic diversity is also very high, providing a wide range of habitats and supporting excellent native species richness. Curl Curl Creek and its tributaries also provide high landscape and passive recreation value to the area.

The proposal has identified an ephemeral creek within the property that Council has mapped as an open stormwater channel, not a watercourse. The ephemeral creek appears to flow mainly from a stormwater pipe outlet from Allambie Road, across the north-western portion of the site and back into Council's stormwater pipe system on the western edge of the site. There is also some internal drainage from the site itself that flows to the ephemeral creek.

The watercourse on the site is also not mapped on the Water NSW *Water Management (General) Regulation 2018* hydro line spatial data, and it is not considered a 'River' under the Water Management Act 2000.

Due to the identification of an ephemeral creek on the site, Council's Protection of Waterways and Riparian Land Policy applies.

The Policy states:

### 3.1 Protection of Waterways and Riparian Land

a) Natural ecological processes of waterways and riparian land shall be maintained and enhanced to the greatest extent possible by:

- causing no net loss to biodiversity;
- supporting natural flow regimes;
- minimising bank erosion and promoting naturalistic bank protection works when stabilisation is necessary (i.e. soft engineering outcomes);
- preventing alteration of watercourses (includes piping, channelling, relocation or removal);
- improving plant communities through natural area restoration;
- maintaining natural floodplains where appropriate.

b) Bushfire asset protection zones shall be maintained outside of riparian land.

c) Piped or channelised watercourses shall be reinstated to more natural forms where possible.

d) Cultural heritage shall be preserved and opportunities created for appropriate public access and recreation in publicly owned land.

*Note: Public access should be located outside riparian zones where possible except for crossing points or other strategic locations*

In regard to creek riparian zones and buffer widths, Council's Protection of Waterways and Riparian Land Policy considers the ephemeral creek to be a first order watercourse with a defined channel where water flows intermittently, and as such a 10 metre riparian zone plus a 10 metre riparian buffer would apply to both sides of the creek.

### Conclusion

The proposal for the site is considered inconsistent with Council's Protection of Waterways and Riparian Land Policy as the development of the sportsground and netball courts requires the piping of the watercourse, and the clearing of the riparian zone and buffer.

Based on the above considerations, the proposed development in its current form is unlikely to be supported by Council's Coast and Catchment team. The following information would be required for Council's Coast and Catchments Team:

### Survey

A survey of the ephemeral creek should be carried out, identifying the extent of the creek and an indication of where the creek is in relation to the proposed development including the sportsground and netball courts.

#### Waterway Impact Statement

A Waterways Impact Statement (WIS) would be required to accompany a Development Application. The WIS must demonstrate the effect that works in the riparian zone will have on the watercourse itself, downstream properties and the downstream environments including Manly Dam.

The WIS shall be prepared by a suitably qualified person and shall refer to the requirements of the LEP 2000 and Council's Protection of Waterways and Riparian Land Policy.

#### Erosion and Sediment Control Plan

An Erosion and Sediment Control Plan (ESCP) would be required with the development application prepared in accordance with Landcom's Managing Urban Stormwater: Soil and Construction Manual (2004) and Council's Water Management for Development Policy.

#### **Water Quality Referral Comments**

Council's Water Management for Development Policy establishes the basis for the development of a water quality treatment chain. The proposed development is located in a high-quality catchment (refer Water Policy map page 95) ultimately discharging into sensitive receiving waters. In addition to the pollutant reduction objective (developed with /without treatment modelling), a no impact objective is required (pre/post water modelling).

It is also noted that the site is proposed to be connected to an existing downstream system on the adjoining property, no evidence of the water management impacts on the existing water quality system downstream has been provided. Water quality and water quantity impact assessment are required to establish the suitability of the proposed stormwater connection.

The results of the water quality modelling are not showing a reduction of the flow volume, leading to a risk of altered downstream natural conditions. As a minimum the project is to mitigate the reduction/increase in flows and alteration in seasonality of flows.

The use of rainwater tanks and infiltration systems is highly recommended to control the flow volume. The treatment chain is to be based on a sound water management strategy including control, harvesting and reuse, and quality.

From a practical approach the proposed extensive use of pit inserts (Oceanguard) would require a high level of maintenance. Alternative gross pollutant traps (end of line solution) would be more appropriate for this type of project.

The use of stormwater cartridges is acceptable if they form part of a treatment chain including harvesting, reuse and infiltration.

#### **Recommendations**



- Further opportunities to maintain and improve the site existing ephemeral creek and associated riparian buffers.
- Additional investigations and mitigations measures to design the stormwater quality and quantity system to protect the downstream environment.
- The construction and operational phases should not impact the downstream receiving waters and catchments.

## 7. Bushland & Biodiversity

Council's biodiversity team have reviewed the plans and relevant biodiversity reporting for the proposed State Significant Development (SSD) of Forest High School. Reporting exhibited with the proposal includes a Biodiversity Development Assessment Report (BDAR) prepared by SLR Consulting Australia, 2022.

Council biodiversity officers have previously inspected the property and consider that the BDAR reasonably describes and assesses the site in accordance with the Biodiversity Assessment Methodology (BAM). Most of the property has a long history of disturbance and the small area mapped as part of the Threatened Ecological Community (TEC), Duffy Forest, is substantially degraded despite part being assessed in the BDAR as being in moderate to good condition. The BDAR notes impacts to 0.28 hectares of the TEC in moderate to good conditions and 0.15 hectares in low condition.

Numerous trees (planted and local natives) will require removal across the site which will inevitably result in increased fragmentation of local habitats. It is noted that SSD does not require consideration of Development Controls Plans covering the subject property' including the mapped Wildlife Corridor. It is acknowledged that the proposal includes a 'forest regeneration area' and that tree planting is proposed, albeit within the limitations of bushfire hazard protection requirements.

On balance, the proposed school site is well located in terms of the potential scale of impacts to biodiversity from a large SSD development. Nearby site options within the Frenchs Forest area would have resulted in substantially greater impacts to biodiversity.

### Recommendations

- Further opportunities to maintain and improve the sites existing biodiversity values such as by tree retention, local native tree planting and landscaping is generally supported by Council's biodiversity team.
- The construction and operational phases of the school should consider the biodiversity values surrounding the site. In particular the existing Biobank (Lot3/DP829747) located immediately west of the site should not be impacted by construction impacts.

- Consent conditions should include requirements for preparation and implementation of a detailed Biodiversity / Vegetation Management Plan including measures to remove weeds and replant with species consistent with the Duffys Forest Ecological Community. The plan should be implemented by an appropriately qualified bush regeneration contractor.
- Retained trees and native vegetation outside the development footprint must be fenced off during prior to clearing and for the duration of the construction phase to prevent impacts.

## 8. Environmental Health (Industrial)

### **Supported – Subject to Conditions**

Environmental Health have reviewed the application for the new Forest Hight School at 187 Allambie Road ALLAMBIE HEIGHTS and provided the following comments and conditions on noise, food premises fit out for the canteen and contaminated land.

### **Noise/ industrial use**

Schools have the potential to cause noise impacts on surrounding residential receptors. There are a number of residential receptors located nearby.

An acoustic report has been prepared by Resonate Consultants dated 28 October 2022 (reference: S210867RP1 Revision D).

**Environmental Health recommend the following noise conditions:**

### **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

#### **Acoustic Report Recommendations**

Prior to the issuing of any Construction Certificate, documentation is to be submitted to the satisfaction of the Principal Certifying Authority that recommendations within the Acoustic Report prepared by Resonate Consultants dated 28 October 2022 (reference: S210867RP1 Revision D) have been implemented/incorporated into the design of the premises.

Reason: To maintain acoustic amenity of building occupants and protect surrounding residence from any noise generated by the operation of the development.

#### **Noise - Mechanical Plant, Public Address System and School Bell**

Prior to the issue of a Construction Certificate, the design, specifications and locations of noise generating mechanical plant, the public address system and school bell are to be provided to the Principal Certifying Authority. An acoustic assessment is to be undertaken by a suitably qualified professional such as an acoustic engineer to determine acoustic treatments to control noise emissions from mechanical plant, the public address system and the school bell in accordance with the recommendations

within the Acoustic Report prepared by Resonate Consultants dated 28 October 2022 (reference: S210867RP1 Revision D).

Any design recommendations made by the consultant must be implemented into the plans prior to issuing the Construction Certificate in order to achieve compliance with noted conditions of this consent.

Details demonstrating compliance are to be submitted to the satisfaction of the Principal Certifying Authority.

Reason: To maintain amenity of the surrounding area.

## **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

### **Noise and Vibration During Works**

Noise and vibration recommendations within Section 5.3 of the acoustic report prepared by Resonate Consultants dated 28 October 2022 (reference: S210867RP1 Revision D) are to be implemented during works.

Reason: To protect the acoustic amenity of neighbouring properties.

## **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**

### **Lighting**

Prior to the issuing of any interim / final occupation certificate, certification is to be provided that any outdoor lighting does not detrimentally impact upon the amenity of other premises and complies with where relevant, Australia Standard AS 1158.3:2005 Lighting for roads and public spaces – Pedestrian Area (Category P) lighting – Performance and design requirements and Australian Standard AS 4282:1997 Control of the obtrusive effects of outdoor lighting.

Reason: To protect the amenity of adjoining properties.

### **Acoustic Report Certification**

Prior to any occupation certificate being issued, a further acoustic assessment is to be undertaken by a qualified and experienced person(s) to confirm compliance with recommendations within the Acoustic Report prepared by Resonate Consultants dated 28 October 2022 (reference: S210867RP1 Revision D).

Any recommendations made by the consultant must be implemented prior to issuing the Occupation Certificate in order to achieve compliance with noted conditions of this consent.

Reason: To protect the acoustic amenity of neighbouring properties.

## **ONGOING CONDITIONS**

### **Movement Studio / Lecture Theatre Noise**

The external doors to the Movement Studio / Lecture Theatre are to be closed during events.

Reason: To protect the acoustic amenity of neighbouring properties.

## **Environmental Health (Food)**

As the school canteen is preparing food for sale it will need to be designed in accordance with the relevant standards and comply with the requirements under the Food Act 2003.

**Environmental Health recommend the following food conditions for the School Canteen:**

## **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

### **Plans of Canteen Kitchen Design, construction and fit out**

Prior to any Construction Certificate (CC) being issued, detailed plans that demonstrate compliance with Standard 3.2.3 of the Australian and New Zealand Food Standards Code, the Food Act 2003 and Australian Standard AS 4674 'Design, construction and fit out of food premises', must be submitted to and approved by the Certifying Authority. These plans are to be prepared by a suitably qualified person.

The plans must detail adequate provision for storage including separate storage of food, equipment, chemicals and personal belongings.

Reason: To ensure that the food premises complies with the design construction and fit-out requirements.

### **Mechanical Ventilation Plans**

Where Mechanical ventilation is required to be installed in the food premises, prior to any Construction Certificate (CC) being issued, detailed plans must be submitted to and approved by the Principle certifier that demonstrate compliance with Australian Standard (AS) 1668.2 "The use of ventilation and air-conditioning in buildings -



Mechanical ventilation in buildings”. These plans are to be prepared by a suitably qualified person.

Reason: To ensure that the installed mechanical ventilation complies with the requirements of the Australian Standard 1668.2.

## **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**

### **Mechanical Ventilation**

Where Mechanical ventilation is required to be installed in the food premises it must comply with Australian Standard (AS) 1668.2 “The use of ventilation and air-conditioning in buildings - Mechanical ventilation in buildings” Prior to any Occupation Certificate (OC) being issued, certification is to be provided by a suitably qualified person that the mechanical ventilation complies with the above requirements.

Reason: To ensure that the installed mechanical ventilation complies with the requirements of the Australian Standard 1668.2.

### **Kitchen Design, Construction and Fit-out of Food Premises Certification**

Prior to the issuing of any interim / final occupation certificate, certification is to be provided from a suitably qualified person demonstrating that the design, construction and fit out of food premises kitchen is compliant with the requirements of AS 4674 Design, construction and fit out of food premises.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority.

Reason: To ensure that the kitchen complies with the design requirements.

### **Registration of food Business**

The food business must be registered with the Appropriate Regulatory Authority, prior to Occupation Certificate being issued.

Reason: Food premises are required to be registered with the Appropriate Regulatory Authority.

## **Environmental Health (Contaminated Land)**

Applicant has provided the following contaminated land reports:

- Preliminary Site Investigation by GHD Pty Limited dated September 2020 (reference: Report for NSW DoE – 187 Allambie Road, Allambie Heights, NSW – 12535166);
- Detailed Site Investigation Report by Tetra Tech Coffey Pty Ltd dated 15 June 2021 (reference: 754-SYDGE284698-AC);

- Landfill gas and groundwater level monitoring report by Aurecon Australasia Pty Ltd dated 3 February 2022 (reference: Aurecon\_P520739\_TFHS\_LFG\_rev0.docx); and
- Remedial Action Plan by Aurecon Australasia Pty Ltd dated 27 October 2022 (reference: P520739).

The reports have identified contamination including asbestos, heavy metals and polycyclic aromatic hydrocarbons (PAHs) mainly associated with uncontrolled historical filling.

The Remedial Action Plan (RAP) has recommended a remedial strategy that involves capping and containment and management via a long-term environmental management plan.

Given the sensitive site use, identified contamination and planned capping, Environmental Health recommends that a Site Auditor be appointed for the development.

## **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE**

### **Appointment of Site Auditor & Review of Contamination Reports by a Site Auditor**

Prior to the issuing of the construction certificate, a NSW EPA accredited Site Auditor is to be appointed for the duration of the works until the issue of a Site Audit statement.

The following reports are to be submitted to the appointed Site Auditor for review and approval prior to issuing the construction certificate.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of the construction certificate.

Reason: Protection of the environment, State Environmental Planning Policy (Resilience and Hazards) 2021 compliance.

## **CONDITIONS TO BE COMPLIED WITH DURING DEMOLITION AND BUILDING WORK**

### **Contamination management**

All remediation and validation works are to be carried out in accordance with the Remediation Action Plan (RAP) that has been reviewed and approved by the Site Auditor.

Any recommendations within the approved RAP must be followed during works.

Reason: Protection of the environment, State Environmental Planning Policy (Resilience and Hazards) 2021 compliance.

**Dust Control Measures**

Dust control measures, including best practice and in accordance with NSW Workplace Health and Safety Regulations and the Protection of the Environment Operations Act 1997, shall be implemented to minimise dust to neighbouring residents and businesses and ensure any airborne substance is kept within the boundaries of the site.

Measures may include but not be limited to:

- Water sprays
- Bunker storage
- Limiting size of stockpiles and covering stock piles
- Vertical barriers e.g. fencing with fine mesh attached
- Exhaust and capture

Reason: To minimise dust to neighbouring residents and businesses and avoid air pollution.

**Classification of Waste & Off-site Disposal of Waste (fill and/or soil material)**

Prior to the exportation of waste (fill and/or soil) from the site, the waste materials must be tested and classified in accordance with the provisions of the Protection of the Environment Operations Act 1997 and the NSW EPA Waste Classification Guidelines, Part 1: Classification of Waste (November 2014).

Testing is required prior to off-site disposal. In accordance with DECC Waste Classification Guidelines (2014) materials identified for off-site disposal must be removed by a suitably qualified contractor to an appropriately licensed waste facility.

‘Chain of Custody’ documentation including receipts shall be kept for the exportation of waste (fill and/or soil material) from the site.

Details demonstrating compliance are to be submitted to the Principal Certifying Authority within seven (7) days of transport and made available to Council upon request.

Reason: Appropriate disposal of waste and protection of the environment.

**Requirement to Notify about New Contamination Evidence**

Any new information revealed during remediation, demolition or construction works that has the potential to alter previous conclusions about site contamination or hazardous materials shall be immediately notified to the NSW EPA accredited Site Auditor and the Principal Certifying Authority.

Any variations to the approved Remediation Action Plan shall be submitted to and approved in writing by the Site Auditor prior to the continuing of such work.

Reason: To protect human health and the environment.

## **CONDITIONS WHICH MUST BE COMPLIED WITH PRIOR TO THE ISSUE OF THE OCCUPATION CERTIFICATE**

### **Validation for Remediation**

At the completion of remediation works a validation report is to be prepared by, or reviewed and approved, by a certified consultant as defined under NSW EPA Contaminated Land Consultant Certification Policy and submitted to the satisfaction of the Principal Certifying Authority.

The Validation Report must be in accordance with the requirements of the following:

- State Environmental Planning Policy (Resilience and Hazards) 2021 compliance;
- Contaminated Land Management Act 1997;
- Relevant NSW EPA guidelines including the NSW EPA Guidelines for Consultants reporting on contaminated Land: Contaminated land guidelines 2020

The report shall document the following:

- i) The extent of validation sampling, and the results of the validation testing; and
- ii). That the remediation and validation of the site has been undertaken in accordance with the Remediation Action Plan (RAP) that has been reviewed and approved by the Site Auditor.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: Protection of the environment, State Environmental Planning Policy (Resilience and Hazards) 2021 compliance.

### **Long-term Environmental Management Plan (EMP)**

On completion of remedial works, a long-term Environmental Management Plan (EMP) is to be prepared for the long-term management of any residual contamination remaining onsite. The EMP is to be prepared by, or reviewed and approved, by a certified consultant as defined under NSW EPA Contaminated Land Consultant Certification Policy.

The EMP shall describe the nature and location of the contamination and prescribe how the contaminants will be managed and the responsible parties for this management in the long-term.

The EMP must be submitted for review and approval by Council and approved by the Site Auditor prior to the issue of the Site Audit Statement.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: Manage contaminated land in a way that protects human and environmental health.

### **Site Audit Statement**

Upon completion of the works, a Site Audit Statement must be submitted to Council and the Principal Certifying Authority on completion of remediation works. The Site Audit Statement must be prepared by a Site Auditor registered with the NSW Department of Planning, Industry and Environment (DPIE) and must be in accordance with the EPA's

Site Audit Scheme and the protocol outlined in the NSW EPA (1997) document entitled *Guidelines for Consultants Reporting on Contaminated Sites*, and the NSW EPA (2017) *Guidelines for the NSW Site Auditor Scheme*. The Site Audit Statement must state the following:

- That the remediation and validation has been completed in accordance with the approved Remediation Action Plan and that the site is suitable for its proposed use; and
- That the long-term Environmental Management Plan (EMP) prepared for the site is suitable for its proposed use.

Details demonstrating compliance are to be submitted to the Certifying Authority prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure compliance with Contaminated Land Guidelines and protection of environment and human health

### **Positive Covenant for Encapsulated Contamination**

The applicant must register a covenant on the title of the land under Section 88E of the Conveyancing Act 1919, to indicate that contaminated fill is being managed under a management plan onsite.

The covenant shall be binding upon the registered proprietors of the subject land and successors on the title, binding the owners to be responsible for ongoing maintenance and any future rehabilitation works required in terms of the encapsulated materials.

This covenant shall also include, but not necessarily be limited to, the following;

- i) Survey delineating the position, depth and dimensions of any containment cells.
- ii) The Environmental Management Plan as reviewed by the NSW EPA accredited site auditor, as required by the development consent.

Details demonstrating compliance are to be submitted to Council and the Principal Certifying Authority, prior to the issue of any interim / final Occupation Certificate.

Reason: To ensure the encapsulated contamination is managed appropriately in a way that protects environmental and human health.

## **ONGOING**

### **Compliance with Long-term Environmental Management Plan (EMP)**

The requirements of the EMP are to be fully implemented in perpetuity from the issue of any interim / final occupation certificate.

Any future intrusive ground works carried out that have the potential to conflict with any residual contamination remaining onsite must only be carried out in accordance with the EMP.

Reason: To ensure the encapsulated contamination is managed appropriately in a way that protects environmental and human health.