



planning consultants

25 August 2021
Our Ref: 21326A.4TW_SEARs

Department of Planning, Industry and Environment
Locked Bag 5022
Parramatta NSW 2124

Dear Sir/Madam

**RE: Request for Secretary's Environmental Assessment Requirements
The Forest High School
187 Allambie Road, Allambie Heights**

1.0 Introduction and Background

DFP Planning is assisting the NSW Department of Education in the planning and design of the proposed new school, The Forest High School (TFHS). The existing Forest High School is located at 135 Frenchs Forest Road, Frenchs Forest, and is proposed to be relocated to a new site at 187 Allambie Road, Allambie Heights. The proposed school is projected to cater for an enrolment of up to 1,500 students.

2.0 Site Context

2.1 Site Description

The proposed site for the new TFHS is located approximately 2km south east of the existing site, which is located directly west of the Northern Beaches Hospital at the corner of Warringah Road, Wakehurst Parkway and Frenches Forest Road West. Aligning with the Northern Beaches Forest Precinct Plan and the draft Frenches Forest Place Strategy, the school is to be relocated to assist in the future development and transition of the area to become a strategic centre introducing 5,360 dwellings and 2,300 new jobs.

The subject site for the new school contains a large building located on the north eastern corner that was formerly the Country Children's Hospital, known as McLeod House, established in 1957. Directly to the south of the site is the Cerebral Palsy Alliance Disability Support and NDIS Service Provider which assists children and adults with Cerebral Palsy. The Arranounbai School is located to the south west of the site with industrial developments being located along the northern side of Aquatic Drive. To the east the site adjoins generally low-density residential development, predominantly in the form of one (1) and two (2) storey detached dwellings, along Arnhem Road and Sunlea Place.

The site comprises of 3 allotments which are legally described as:

- Lot 11 DP 1194177;
- Lot 12 DP 1112906; and
- Lot 13 DP 1112906.

Note: It is noted that Lot 13 is also alternatively identified as Lot 750 DP 1271174.

Comprising of the above allotments, the site is approximately 4.164ha in area. The area of the site will be re-defined through subdivision under an alternative planning pathway, prior to submission of the EIS. The north western portion of the site is densely vegetated and includes two (2) high-voltage power line easements, while the eastern area of the site is generally cleared and developed. The site slopes from the north west of the site towards the south west.

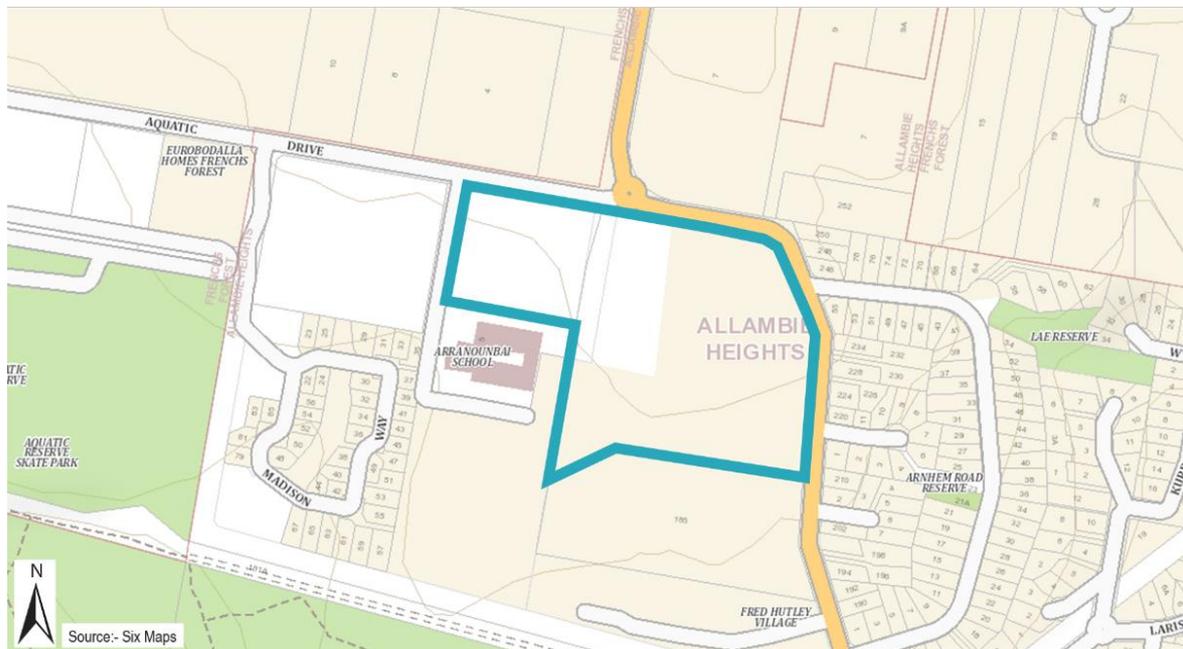


Figure 1 Site Location



Figure 2 Aerial Photograph – proposed location of The Forest High School

2.2 Surrounding Development

The site is surrounded by a mixture of established low-density developments and some industrial areas. Adjoining development is described as:

- North: Allambie Road and Aquatic Drive are located to the north of the site. Industrial developments are located on the northern side of Allambie Road and Aquatic Drive;
- East: Arnhem Road and Sunlea Place are roads that adjoin Allambie Road to the east. On the eastern side of Allambie Road are residential developments, predominantly detached dwelling houses;
- South: Directly to the south of the proposed school site is the Cerebral Palsy Alliance (CPA) office building, with Sunnyfield Intellectual Disability Services and Support Centre and the Fred Hutley Retirement Village located further south beyond CPA;
- West: Arranounbai School is located to the west. Madison Way is also located to the west, which is surrounded by predominantly detached dwelling houses.

3.0 Development Description

3.1.1 Enabling Works and Main Works

The delivery of works for the new TFHS campus will be carried out over two (2) stages, including:

- Stage 1: Enabling works package that is pursued under alternative planning pathways (including exempt development, complying development and development applications); and
- Stage 2: Main works package which are subject to this proposed SSDA.

The enabling works will facilitate the delivery of the main works package, including demolition of all existing buildings on site as well as tree removal, remediation of land (if required), opening and closing of vehicular crossings and other on-site enabling works.

The remaining works would be carried out under a main works SSDA submission to the Department of Planning, Industry and Environment (DPIE).

3.1.2 Proposed Development

The project involves the construction of TFHS as outlined in the plans prepared by Architectus (**Attachment 1**). The proposed development will incorporate the following elements:

- Teaching and Learning Facilities;
- Special Support Units;
- Canteen(s);
- Administration and Staff Facilities;
- A Gymnasium;
- Wood and Metal Work Facilities;
- A Library;
- On-site Car Parking Arrangements;
- Playing Fields; and
- Games Courts.

The plans provide details of the site context, planning controls, and constraints and opportunities of the site. The endorsed scheme for the site is centred on “Faculty-Based Neighbourhoods” (**Figure 3**).



Figure 3 Ground floor site plan. Source: Architectus

4.0 Statutory Planning Framework

The following legislation, environmental planning instruments and development control plans are relevant to the proposed educational establishment development. These are addressed in further detail below:

- Environmental Planning and Assessment Act 1979;
- Biodiversity Conservation Act 2016;
- Rural Fires Act 1997;
- State Environmental Planning Policy No. 55 - Remediation of Land;
- State Environmental Planning Policy No. 64 - Advertising and Signage;
- State Environmental Planning Policy (State and Regional Development) 2011;
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017 (Vegetation SEPP);
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017;
- State Environmental Planning Policy (Koala Habitat Protection) 2021;
- Draft State Environmental Planning Policy (Remediation of Land);
- Warringah Local Environmental Plan 2011; and
- Warringah Development Control Plan 2011.

4.1 Environmental Planning and Assessment Act 1979

The assessment framework for SSD is established under Part 4 Division 4.7 of the Environmental Planning and Assessment Act 1979 (EP&A Act). Section 4.12(8) requires a Development Application (DA) for SSD to be accompanied by an Environmental Impact Statement (EIS). Matters relevant to the preparation of an EIS (including the application for SEARs) are set out under Schedule 2 of the Environmental Planning and Assessment Regulations (The Regulations). Section 3(1) of Part 2 Requirements of Planning Secretary and Approval Bodies, states that a written application to the Planning Secretary for the environment assessment requirements must be provided before preparing an EIS.

Clause 4.36 of the EP&A Act identifies that the Minister is the consent authority for SSD.

4.2 Biodiversity Conservation Act 2016

The site is identified as containing high biodiversity value on the Biodiversity Values Map published by the Environment, Energy and Science division of DPIE under the Biodiversity Conservation Act 2016 (BC Act). The proposal will be assessed against Section 7.3 of the Biodiversity Conservation Act 2016 (NSW), to test whether the proposed new school will likely significantly affect threatened species or ecological communities, or their habitats.

It is noted that in an initial Arborist Report undertaken by Eco Logical Australia, the western portion of the site was not able to be fully assessed. The information available identified 20 high retention value trees, 58 medium retention value trees and 83 low retention value trees. An Environmental Impact Assessment will be conducted on the site to identify any potential significant flora and fauna and provide a preliminary assessment against the Biodiversity Assessment Methodology. Findings will be discussed further in the EIS.

Section 7.9(3) of the Biodiversity Conservation Act 2016 states that any application for the purpose of State Significant Development must be accompanied by a Biodiversity Assessment Report (BDAR), unless it has been determined by the Planning Agency Head and the Environmental Agency Head that the proposed development is not likely to have any significant impacts on biodiversity values. Due to the requirement to remove some of the existing vegetation on site and the identification of some land that contains high biodiversity values, a BDAR will be prepared to accompany the SSDA.

4.3 Rural Fires Act 1997

In accordance with Section 100B(3) of the Rural Fires Act 1997, a bushfire safety authority is required to be obtained before developing on bush fire prone land for a purpose specified in Section 100B(1). Development of bush fire prone land for a special fire protection purpose is specified in Section 100B(1)(a). In accordance with Clause 100B(6) a school is a special fire protection purpose. However, it is noted that under Section 4.41 of the EP&A Act, authorisation is not required for a bushfire safety authority for State Significant Development.

Notwithstanding, a Bushfire Assessment will be prepared to discuss the requirements of Planning for Bushfire Protection in relation to the new school facilities.

4.4 State Environmental Planning Policy No. 55 - Remediation of Land

The provisions of SEPP 55 apply to the Site and are a relevant matter for consideration as part of the assessment of the Proposal. Preliminary assessments indicate there are some potential areas of contamination on the site. Accordingly, the provisions of SEPP 55 will be considered as part of the EIS accompanying the DA.

The site was previously occupied by the Spastic Centre of New South Wales which commenced operations in 1945. In 1957 the large building that is identified along the eastern boundary of the site was constructed (McLeod House), which would become the Country Children's Hostel. In 2011, the Spastic Centre was renamed to Cerebral Palsy Appliance (now located to the south of the site), with McLeod House ceasing operations in 2015. The has not been in operation since that time.

Whilst there are unlikely to be any major contaminants within the site, there is potential for contamination associated with building materials, due to the age of some of the built structures on the site. As a result, a hazardous material assessment will be undertaken to determine if any contamination is associated with the existing buildings. The provisions of SEPP 55 will be considered as part of the EIS accompanying the DA and a preliminary contamination assessment will be lodged with the EIS.

Until the Draft State Environmental Planning Policy (Remediation of Land) comes into effect, SEPP 55 applies to the site and the proposed works.

4.5 State Environmental Planning Policy No. 64 - Advertising and Signage

State Environmental Planning Policy No. 64 – Advertising and Signage (SEPP 64) sets out provisions relating to the assessment of development which comprises signage, including business identification signs. It is likely that there will be some signage included in the proposal to display the school name and to provide wayfinding, although the exact location, size and content of any such signage has not yet been determined. Details will be provided with the application material and the provisions of SEPP 64 will be considered as part of the EIS.

4.6 State Environmental Planning Policy (State and Regional Development) 2011

Clause 11 of the SEPP SRD excludes the application of development control plans (DCPs) (whether made before or after the commencement of the SEPP) to SSD projects.

Clause 15(1) of Schedule 1 of State Environmental Planning Policy (State and Regional Development) 2011 (SEPP SRD) identifies that development for the purpose of a new school is State Significant Development, regardless of the capital Investment Value (CIV). Accordingly, the project is State Significant Development pursuant to Clause 15 of SEPP SRD.

4.7 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

The proposed development is situated in a non-rural area and requires the clearance of some vegetation to facilitate the proposed works. Tree removal will form part of the development proposal (where not captured by the enabling works package).

The EIS will address the relevant provisions of the Vegetation SEPP and will be accompanied by relevant Arboricultural and Ecological impact Assessments.

4.8 State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017

State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017 (Education SEPP), contains provisions that are relevant to educational establishments.

Pursuant to the Warringah Local Environmental Plan 2011, the site is zoned SP1 – Special Activities. Educational Establishments are a permissible land use within the SP1 zone, given they are an identified land use on the land zoning map. Furthermore, development for the purpose of a school may be carried out by any person with development consent on land in a prescribed zone. In accordance with Clause 33 of the Education SEPP, the SP1 zone is a prescribed zone.

Provisions of the Education SEPP will be considered as part of the EIS for the proposal. Specifically, the preparation of a Design Statement pursuant to Clause 35(6) and where relevant Clause 42 which overrides the need to prepare a Clause 4.6 Variation to a Development Standard request for SSD, for educational establishments that do not comply with an LEP standard. The design quality principles of Schedule 4 and details of any proposed shared use of facilities with the community will be considered as part of the EIS.

Under the provisions of Clause 57 of the Education SEPP, the proposal is classified as traffic generating development. The proposal will provide for a new Educational Establishment and must therefore be referred to NSW Road and Maritime Services (RMS) for comment as part of the assessment process. The EIS will also be accompanied by a Traffic Impact Assessment to address potential traffic and parking matters associated with the development.

4.9 State Environmental Planning Policy (Koala Habitat Protection) 2021

Schedule 1 of the State Environmental Planning Policy (Koala Habitat Protection) 2021 includes the Northern Beaches Local Government Area as being a koala management area. This Policy encourages the conservation and management of areas of natural vegetation that provide habitat for koalas to support a permanent population.

As tree removal is required to facilitate the proposed new school, the EIS will consider the significance of these trees in determining the level of impact the proposal will have on the koala population within the Northern Beaches Local Government Area.

4.10 Draft State Environmental Planning Policy (Remediation of Land)

This SEPP will replace SEPP 55 when it comes into effect. Following the introduction of this SEPP, it is anticipated that a Phase 1 assessment will still be required as part of this proposed development.

4.11 Warringah Local Environmental Plan 2011

The site is zoned as SP1 Special Activities pursuant to the Warringah Local Environmental Plan 2011 (the LEP). Development for the purpose of an educational establishment is permissible with consent in the SP1 zone, as it is a land use that has been identified on the land zoning map. A zoning map extract is provided below in **Figure 5**.

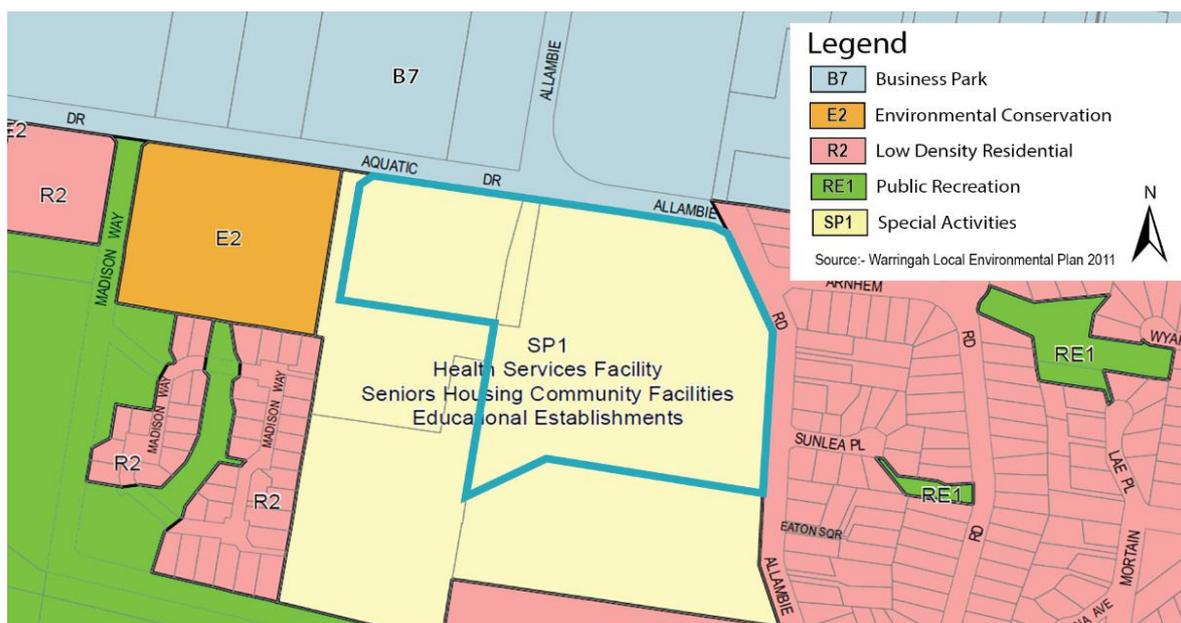


Figure 4 Land Zoning Map

In accordance with the LEP and as detailed in **Figure 6** below, the site does not possess a minimum lot size.

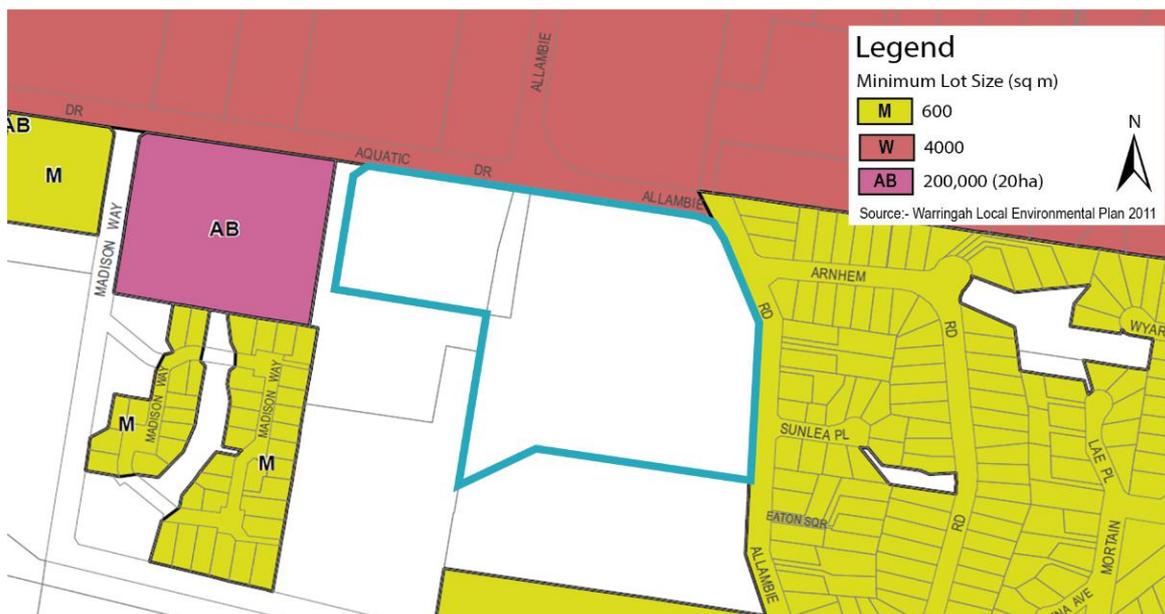


Figure 5 Minimum Lot Size Map

The LEP also sets out a maximum building height, being 8.5m as detailed in **Figure 7** below. The design will involve works that exceed the 8.5m building height development standard, and a full assessment of environmental impacts will be provided in the EIS.



Figure 6 Maximum Building Height

In accordance with the LEP the site does not possess a maximum floor space ratio (FSR).

4.12 Warringah Development Control Plan 2011

The Warringah Development Control Plan 2011 (the DCP) applies to the site. Notwithstanding that Clause 11 of SEPP SRD notes that DCPs (whether made before or after the commencement of a SEPP) do not apply to SSD, the proposal will have regard to those provisions of the DCP that may be deemed relevant (such as parking, landscaping, heritage, and stormwater).

5.0 Strategic Plans and Policies

The EIS will address the relevant planning provisions, goals and objectives of the following plans and policies:

- NSW State Infrastructure Strategy 2018 - 2038
- Future Transport Strategy 2056;
- Crime Prevention Through Environmental Design Principles;
- A Metropolis of Three Cities – The Greater Sydney Regional Plan
- North District Plan
- Shape 2028 Northern Beaches Community Strategic Plan 2018 - 2028
- Northern Beaches Bush Fire and Management Policy
- Northern Beaches Bushland and Biodiversity Policy
- Northern Beaches Water Management Development Policy
- State Infrastructure Strategy 2018-2038 Building the Momentum
- Sydney's Cycling Future 2013
- Sydney's Walking Future 2013
- Sydney's Bus Future 2013
- Health Urban Development Checklist, NSW Health
- Better Placed: An integrated design policy for the built environment of NSW (GANSW 2017)
- Design Guide for Schools (GANSW, 2018)
- Environmental Design in Schools (GANSW, 2018)
- Greater Sydney Commission's North District Plan 2006
- Draft Frenches Forest Place Strategy.

6.0 Community and Stakeholder Engagement

Consultation with the community and government stakeholders will be undertaken during the preparation of the EIS. The Department of Education will prepare an engagement strategy which will be implemented during the preparation of the EIS.

It is anticipated that the following community and stakeholder engagement will be carried out during the preparation of the EIS:

- School Community: Including all design review and oversight by the representative committee from the school.
- Surrounding Community: Including community information sessions and letter drops to neighbours and members of the surrounding community.
- Aboriginal Community: Including liaison with the Local Aboriginal Land Council and any Registered Aboriginal Parties involved in the consultation process of the Aboriginal Heritage Assessment.
- Technical Stakeholders: Including involvement from all Department of Education design, safety, operations and maintenance stakeholder groups.
- Government Agencies: Including State and local agencies, including:
 - Department of Planning, Industry and Environment;
 - Transport for NSW; and
 - Northern Beaches Council.

7.0 Preliminary Impact Identification and Assessment

The likely impacts of the proposal are discussed below and will be addressed in detail within the EIS required to accompany the SSD submission.

To summarise, the proposal is to occur on a currently vacant site along Allambie Road, Allambie Heights. The impacts and risks from the proposed new educational establishment are considered to be manageable, as the potential environmental impacts appear to be capable of being appropriately mitigated. It is also considered that the construction of a new educational establishment on a site that has been unoccupied for a number of years, will provide for significant benefits to the community.

7.1 Bushfire

The site is partially mapped as containing bushfire prone land on the western portion of the site (**Figure 7**). The land is mapped as containing a Vegetation Buffer (majority of the site) and Vegetation Category 1 (Western corner boundary). The proposed development will be assessed against the provisions of Planning for Bushfire Protection.

Preliminary assessment indicates that the site can accommodate the required APZs and that the construction, access, services, and emergency management requirements can also be accommodated.



Figure 7 Bushfire Prone Land

7.2 Traffic and parking

Options for traffic and parking have been investigated in the draft Rapid Transport Assessment which have been informed by the available plans and comparisons of the current and proposed school sites, mode shares and infrastructure requirements. While the new site removes conflict with the heavily trafficked Warringah Road and Frenches Forest Road, it also presents new conditions and opportunities with accessibility, connectivity, and safety.

Details regarding traffic and parking will be addressed in the EIS, including a final Traffic Impact Assessment Report.

7.3 Built form and Residential Amenity

The location of the proposed new school site is on land which is already developed, however the site is currently not occupied. The non-for-profit organisation which previously occupied the site is now known as the Cerebral Palsy Alliance which has been rebuilt and upgraded to the

site to the south of the original development with the existing single storey building on site now abandoned. Proposed improvements to the existing site will include the development of multi-storey buildings which will front onto Allambie Road on the eastern side of the site. These buildings have been designed and setback a suitable distance from the eastern boundary in an attempt to preserve privacy and view sharing for residential developments located to the north and east of the site.

Impacts to be considered include overshadowing, privacy, acoustic amenity, and increased traffic to the immediate area. These potential impacts have been considered early in the design process to ensure they can be appropriately mitigated where possible. The proposed development will incorporate high-quality built form and landscape elements to minimise potential built form, visual and streetscapes.

The proposal will also be designed to address the design quality principles of the Education SEPP.

7.4 Earthworks and Landscaping

Earthworks are proposed to prepare the site for the development and will consider the biodiversity which is on the site, in the context of Council's engineering requirements and the sites topography.

Building design has taken into account geotechnical and structural advice in regard to existing retaining walls, and to address this the proposal will utilise foundations which pier down to the bedrock so as to avoid increasing loads on adjoining properties.

Further, detailed Ecological, Arboricultural and Geotechnical assessments will be undertaken to ensure impacts are minimised. Careful consideration with regard to providing suitable landscaping buffers between the proposed development and the surrounding residential and industrial development are a key consideration for the proposal.

7.5 Acoustics

Acoustic impacts are a key matter for consideration having regard to the partial residential setting of the site. Measures to minimise the potential for adverse acoustic impact to ensure the amenity of the locality is not compromised will be considered as a part of the design. The SSSDA will be supported by an Acoustic Impact Assessment.

7.6 Environmental Impacts

7.6.1 Biodiversity

The site contains high biodiversity value vegetation pursuant to the *Biodiversity Conservation Act 2016* (see **Figure 9**). As a result, a Biodiversity Development Assessment Report (BDAR) is to be prepared by a suitably accredited assessor to provide additional clearing area assessments, GPS informed mapping and additional bat roost surveys in the existing buildings.

A Biodiversity Due Diligence Report has been prepared by Abel Ecology which identifies that the site vegetation is consistent with that mapped as Endangered Ecological Community 'Duffys Forest'. The report also states that some trees on site are of high retention value, with the proposal seeking to retain these trees where possible, as part of the design of the new school.

An Arborist Report has also been prepared which identified that some of the high retention value trees on the site are of high retention value and subsequently are potentially valuable to locally threatened fauna.

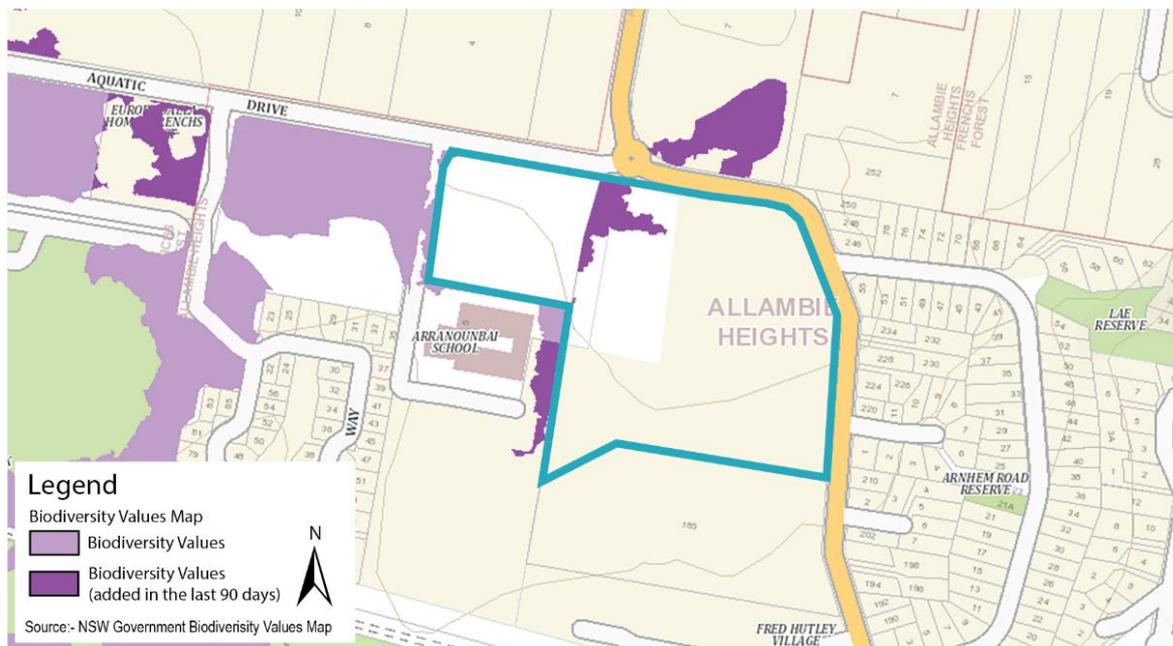


Figure 8 Biodiversity Values Map. Source: NSW Government Biodiversity Values Map

7.6.2 Tree Removal and Impacts

The proposed development involves the removal of multiple trees to facilitate the proposed works. An initial Arborist Report has been prepared by Eco Logical Australia that had not assessed the entirety of the site which is identified as ‘areas not accessible’ in the report.

The section of land that has been covered by the Arborist Report has identified 20 high retention value trees, 58 medium retention value trees and 83 low retention value trees. A large portion of the trees that have high retention value are identified as being close to the existing car park within a central location on the site. It is anticipated that a number of these trees identified will need to be removed to facilitate the construction of the play field and gym. Further analysis into the potential for removing (and replacing) these trees must be conducted and will be addressed in the EIS. Currently, the details of the trees in the ‘areas not accessible’ are unknown at this stage.

Trees in the mid of the site will be maintained and created as a central focus of the site. Where possible the trees will be maintained.

7.7 Construction and Operational Impacts

Construction works are proposed to be undertaken in a sequential order and in a manner to which will have minimal disruption to the functioning of the surrounding residential amenity and local traffic networks. These will be addressed further in the EIS and upon receiving the final Construction Management Plan. Given the setting of the site it is expected that some impacts may include, but not limited to the following;

- Dust Control
- Erosion and Sediment Control
- Noise and Vibration
- Traffic Impacts

All concerns will be addressed further in the final EIS.



8.0 Justification

Aligning with the Northern Beaches Forest Precinct Plan and draft Frenches Forest Place Strategy, The Forest High School is to be relocated to assist in the future development and transition of the area to become a strategic centre introducing 5,360 dwellings and 2,300 new jobs.

The proposal will deliver on strategic planning objectives for the locality, as well as deliver new high quality teaching facilities for the community while at the same time utilising a currently disused site.

As the proposed development involves the construction of a new school, it must proceed via the SSDA pathway pursuant to SEPP SRD.

9.0 Conclusion and Recommendations

The proposed new school located at 187 Allambie Road, Allambie Heights is classified as SSD, pursuant to Clause 15(1) of Schedule 1 of the SRD SEPP, being development that is for the purpose of a new school (regardless of the capital investment value).

SINSW requests that the Secretary of DPIE issue the SEARs for the proposed new school development to facilitate the preparation of the EIS to accompany the SSD.

Should you have any queries regarding the above application for SEARs, please do not hesitate to contact the undersigned on 9980 6933.

Yours faithfully
DFP PLANNING

A handwritten signature in black ink, appearing to read 'Tom West', written over a horizontal line.

TOM WEST
PROJECT PLANNER

twest@dfpplanning.com.au

Reviewed: _____

A handwritten signature in black ink, written over a horizontal line.

Attachment 1 – Architectural Plans