

# ENVIRONMENTAL IMPACT STATEMENT

## State Significant Development

**1 ROSEMEAD ROAD  
HORNSBY  
(LOT A DP 327582)**

***“Adaptive reuse of heritage listed dwelling to facilitate Preschool and Primary School use including additions & alterations, on-site car parking, tree removal, landscaping and fencing”***

**PREPARED FOR**

**BEST-PRACTICE EDUCATION GROUP LTD**

**PREPARED BY**

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**1 JUNE 2020**

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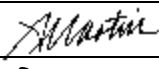

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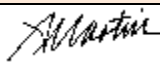

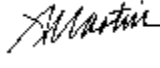
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## QUALITY INFORMATION

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## ENVIRONMENTAL IMPACT STATEMENT CERTIFICATION

For submission of an environmental impact statement (EIS) under Part 4 of the NSW *Environmental Planning and Assessment Act 1979*.

### EIS prepared by

---

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### Proponent

---

Best-Practice Education Group

### Proposed development

---

Adaptive reuse of heritage listed dwelling to facilitate  
Preschool and Primary School use including additions &  
alterations, on-site car parking, tree removal and new  
landscaping and fencing

### Land to be developed

---

Lot A in Deposited Plan 327582  
1 Rosemead Road, Hornsby

### Certification

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In relation to this EIS (1st June 2020) I certify that:

- it has been prepared in accordance with Schedule 2, Clauses 6 and 7 of the NSW Environmental Planning and Assessment Regulation 2000;
- it has been prepared with all available information that is relevant to the environmental assessment of the development to which this EIS relates; and
- the information contained in this EIS is neither false nor misleading.



Andrew Martin  
Director  
Andrew Martin Planning Pty Ltd

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# ENVIRONMENTAL IMPACT STATEMENT

Best-Practice Education Group Ltd

1 Rosemead Road, Hornsby, NSW

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## GLOSSARY OF TERMS

Term	Definition or Meaning
<b>AHD</b>	Australian Height Datum
<b>AMPlanning</b>	Andrew Martin Planning Pty Limited
<b>AS</b>	Australian Standard
<b>Council</b>	Hornsby Shire Council
<b>DA</b>	Development Application
<b>dBA</b>	Decibel
<b>DCP</b>	Development Control Plan
<b>DP</b>	Deposited Plan
<b>EA</b>	Environmental Assessment
<b>EIS</b>	Environmental Impact Statement
<b>EP&amp;A Act</b>	Environmental Planning and Assessment Act 1979
<b>EP&amp;A Regs</b>	Environmental Planning and Assessment Regulation 2000
<b>ESD</b>	Ecologically Sustainable Development
<b>INP</b>	Industrial Noise Policy
<b>LA90</b>	Measured background level
<b>LAeq</b>	Equivalent continuous noise level
<b>LEP</b>	Local Environmental Plan
<b>LGA</b>	Local Government Area
<b>NSW EPA</b>	NSW Environment Protection Authority
<b>NSW RMS</b>	NSW Roads and Maritime Services
<b>TfNSW</b>	NSW Transport
<b>OEHS</b>	NSW Office of Environment and Heritage
<b>REP</b>	Regional Environmental Plan
<b>SEARs</b>	Secretary's Environmental Assessment Requirements
<b>SEPP</b>	State Environmental Planning Policy
<b>SMP</b>	Stormwater Management Plan
<b>SREP</b>	Sydney Regional Environmental Plan
<b>SSD</b>	State Significant Development
<b>The Site</b>	1 Rosemead Road, Hornsby
<b>TIA</b>	Traffic Impact Assessment
<b>WMP</b>	Waste Management Plan

### Acknowledgements and Notes on the Text

The study team wishes to thank members of the businesses who contributed to the preparation of the EIS as well as the organisations and government bodies who provided their assistance.

We also acknowledge and thank all the Project Team that has assisted in the preparation of this EIS document.

Document	Author / Company
Quantity Surveyors Report (CIV)	Napier & Blakeley
Architectural Plans	Armada Architecture Masterplanning and Design Agency
Landscape Plan	Fiona Cole Design
Arboricultural Impact Assessment Report	Earthscape Horticultural Services
Heritage Impact Assessment	Heritage 21
Preliminary (Stage 1) Site Investigation	NG Child & Associates
Stormwater Management Plan	SEEC
Traffic and Parking Assessment	Varga Traffic Planning
Access Report	Code Performance
Noise Impact Assessment	NG Child & Associates
BCA Compliance Assessment	BCA Vision
BCA Performance Solution	Code Performance
Survey Plan	Hammond Smeallie & Co Pty Ltd
Fire Safety Assessment	Priority 1 Fire Consulting
Fire Safety Engineering Analysis	Code Performance
Bushfire Assessment Report	Australian Bushfire Consulting Services
Erosion & Sedimentation	SEEC

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## EXECUTIVE SUMMARY

This Environmental Impact Statement (EIS) has been prepared by Andrew Martin Planning Pty Ltd on behalf of the Best Practice Education Group Ltd for the adaptive reuse of a heritage listed dwelling to facilitate operation of a Preschool and Primary School (known as ‘The Blue Gum Community School’) at Lot A in Deposited Plan (DP) 327582, 1 Rosemead Road Hornsby.

Best-Practice Education Group Ltd (a not-for-profit company limited by guarantee) is the auspicing body for Blue Gum Community School. Blue Gum Community School has been in operation in Canberra since 1998.

This EIS has been prepared in accordance with the Secretary’s Environmental Assessment Requirements issued by the NSW Department of Planning and Environment, Part 4 of the Environmental Planning and Assessment Act 1979, and Schedule 2 of the Environmental Planning and Assessment Regulations 2000.

In order to facilitate the Preschool and Primary school use the proposal includes additions and alterations to the existing dwelling, on-site car parking, tree removal, tree planting and landscaping and fencing. A detailed listing of the proposed works is included in Section 2.2 of the EIS. The two components of the Blue Gum Community School comprise:

32 place pre-school (3-5 year olds), and  
48 place primary school (6-12 year olds).

Consultation with external bodies including Hornsby Council and neighbours occurred via the original development application submitted and subsequently withdrawn. This assessment process provided an insight into the salient issues. The issues raised via the development application process informed the proposal subject of this application. Consultation with the Transport for NSW has occurred as required by the SEARs.

The EIS is supported by a quantity surveyors report dated 28th May 2020 prepared by Napier Blakeley (File Ref: 2077078284/CW-CIV-R1) confirming the Capital Investment Value (CIV) of the project.

The EIS provides sufficient assessment of and mitigation measures for the likely environmental impacts of the project. The potential natural and built form impacts of the proposal have been identified as part of the EIS preparation. The EIS preparation involved a range of skilled consultants having relevant experience in the assessment of this type of development proposal. Each consultant identifies the potential impacts and provides details of measures required to overcome those impacts.

A revised SEARS was issued on the 28th May 2020, removing the need to consult with aboriginal groups.

The design has been formulated by Armada Architecture in collaboration with specialist consultants and the proponent.

The proposal is aimed at addressing the future demand for student enrolments in the Hornsby Local Government Area based on the alternate learning philosophy offered by the proponent.

The subject site supports the learning experience offered by Blue Gum Community School. The existing heritage listed item and grounds provide excellent intra site amenity for learning that is more focused and intimate than learning experiences offered by large schools.

The proposal incorporates best practice in pre and primary school design and is of a compliant standard. The site affords the proponent the necessary facilities required by the curriculum that has been successful in the ACT. Identified environmental risks associated with the project are able to be mitigated, consistent with the recommendations of specialist reports in the areas of arboriculture, contamination, architecture, acoustics, landscape design, heritage, landscaping and traffic and parking.

Accordingly, it is recommended that the Minister for Planning and Environment grants approval to the proposed State Significant Development application.

## 1.0 INTRODUCTION

Best-Practice Education Group Ltd (a not-for-profit company limited by guarantee) is the auspicing body for Blue Gum Community School. A copy of their owner's consent is Appendix W of this EIS. Blue Gum Community School has been in operation in Canberra since 1998. Best-Practice Education Group Ltd purchased the site at 1 Rosemead Road in Hornsby in August 2019 for the purposes of establishing a new community school and preschool in NSW under the same name as the Canberra school.

The Hornsby school site is proposed to cater for a maximum of 80 children on the site; 32 preschool aged children (3-5 years) and 48 primary students (6-12 years).

The development, being a new school, is deemed to be State Significant development and is therefore submitted to the Department of Planning, Industry and Environment, for approval.

Significant progress has been made in relation to community consultation and prior assessment of the proposal by various Hornsby Council departments given that a development application was originally lodged with Council which had progressed through part of the assessment process. The part completion of that process provided insight to the Council's initial position in relation to the proposal and community comments.

Development consent is sought for the proposal from Department of Planning, Industry and Environment ("the consent authority") under Part 4 of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The proposal is deemed to be a State Significant development under the provisions of Schedule 1, clause 15(1) Educational establishments of the *State Environmental Planning Policy (State and Regional Development) 2011* as development is for the purpose of a new school (regardless of the capital investment value). As such an EIS is required for the assessment of the proposal.

Andrew Martin Planning P/L has been engaged by the Best-Practice Education Group Ltd (herein referred to as the 'proponent') to prepare an EIS to support the application to the consent authority. The proponent has undertaken to prepare the EIS in accordance with the Secretary's Environmental Assessment Requirements (SEARs), issued 19 April 2020. The EIS is submitted as part of documentation package to accompany the lodgment of the Application to the consent authority.

### 1.1 Overview of the Project

The Blue Gum Community School comprises the adaptive reuse of a heritage listed dwelling to facilitate the operation of a Preschool and Primary School use including additions & alterations, on-site car parking, tree removal and new landscaping and fencing.

The two components of the community school are to comprise:

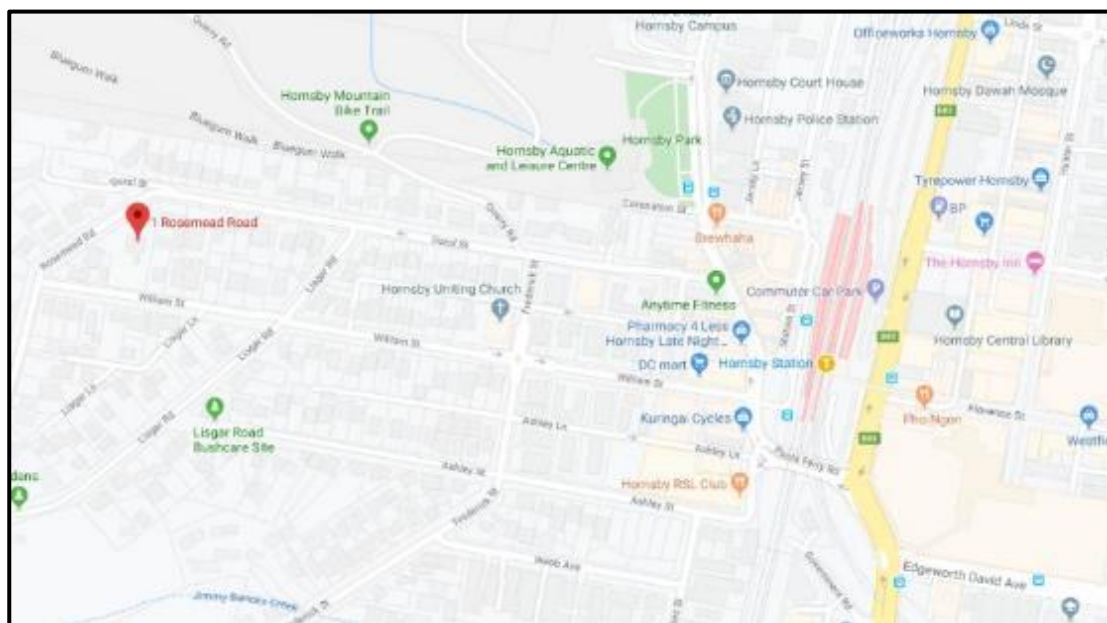
- 32 place pre-school (3-5 year olds), and
- 48 place primary school (6-12 year olds).



## 1.2 The Site and Immediate Surrounds

The subject site is legally described as Lot A in Deposited Plan (DP) 327582. The site is commonly known as No. 1 Rosemead Road, Hornsby.

Figure 1 to Figure 4 below show the location of the site and locational context of the property at the Hornsby district level.



**Figure 1: Location of Subject site**



**Figure 2: Aerial location of subject site**



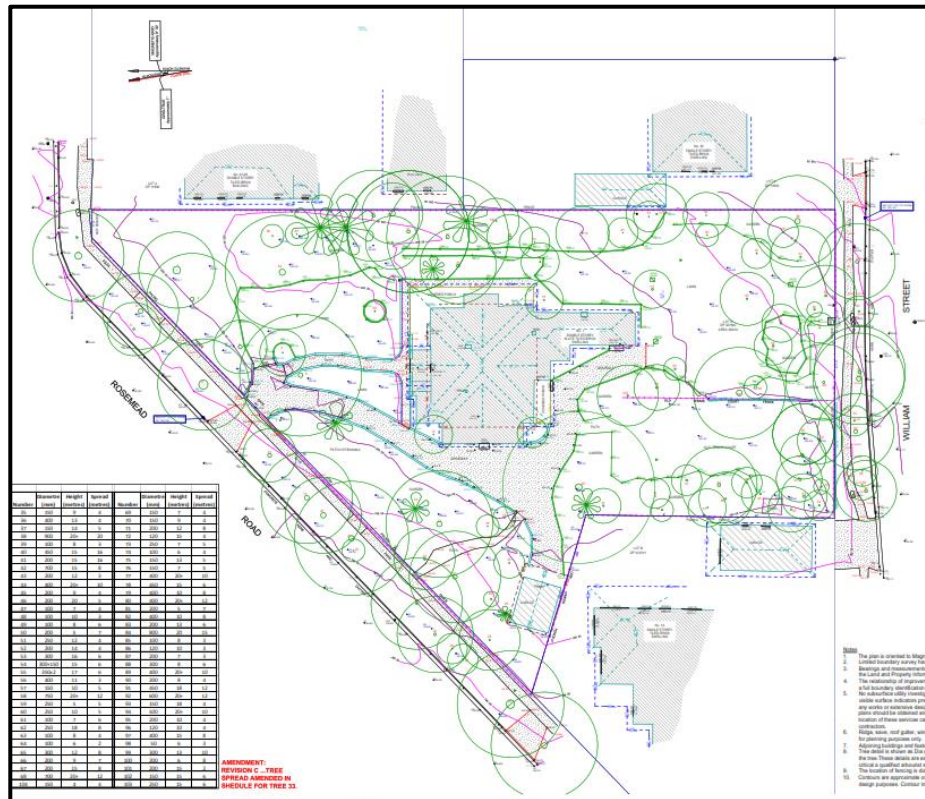


**Figure 3: Location of subject site**



**Figure 4: Photo of existing heritage listed residence**

The site has an area of 3,623sqm, with frontage to Rosemead Road of 83.1m, frontage to William Street of 40.54m, eastern boundary of 97.53m and 32.67m and 24.46m around 1A Rosemead Road (south-western boundaries of the site). The main entry and access into the site are via Rosemead Road. The site is generally flat, with a small fall to the south-east to William Street. Figure 5 below is the existing site plan and survey plan of the site.



**Figure 5: Extract of existing site plan and survey**

### 1.3 The History of the Site

#### Setting (Historical Perspective)

Mount Errington, built in 1897 for the Roberts family, is the chosen site for the proposed school. The home and gardens at 1 Rosemead Road are steeped in significance as one of the original homes of Hornsby. The original features of the home, largely intact from its original build, were a major drawcard influencing the school's decision to purchase the property. Blue Gum intends to celebrate and protect the history of the house, gardens and surrounding area.

The subject site is located within the boundaries of the Mount Errington Precinct, Hornsby West Side Heritage Conservation Area ('HCA') and is listed as an item of environmental heritage in the Hornsby Local Environmental Plan 2013 (HLEP2013). The site is also listed on the National Trust. The site is not however, listed as an item on any other statutory or non-statutory registers or lists.

The Heritage Impact Statement (HIS) describes the existing site as:

*From 1898 - 1899, a two-storey dwelling was built on site in the Federation Arts and Crafts style which overlooked the valley.*

*The subject dwelling pertains to two storeys, with a large building footprint and massing. Stylistically, the house features key physical characteristics of a stately Federation Arts and Crafts residential structure.*

*The dwelling appears to have been constructed on a sandstone foundation that is visible at some points beneath the exterior walls. The external finishes feature dark red face brick at the ground floor in an English bond arrangement and alabaster roughcast rendering at the upper floor. The face brick shows signs of tuckpointing.*

*The high-pitched roof exhibits a cross-gable and valley formation with wide bellcast eaves. There an elongated wing extending from the rear southern ground floor elevation. This section of the house features a hip and valley roof form with two chimneys of brick and roughcast render with dual clay chimney pots. The roof finishes include purple Bangor slate shingles and terracotta tile ridges. Most prominent is the large ornate projecting gable presenting to the entrance of the house, this large gable form is mirrored to the rear and sides of the dwelling. The side and rear gables display upper roof ventilators and brown painted timber shingles with wooden gable brackets. The gable at the primary facade features decorative upper gable infill decorated with brown painted wooden shingles. A balcony sits under the primary gable on the first floor, supported by timber posts. The balcony consists of a timber deck and is encompassed by a low-height simple timber railing.*

*The roughcast render walls of the balcony extend down to the ground floor, creating a small partition in front of the recessed entrance. The partition walls are supported in sandstone piers and separated by a wide arch. There is a large verandah that extends along the entrance to the northern (primary) and eastern facades. There is also a smaller verandah at the rear southern facade of the dwelling. The details of these verandahs include exposed rafters, off-white painted wooden soffit, off-white painted decorative timber friezes, brown painted timber posts and timber decking.*

*There is a small bay window at the facade that is detailed with brown painted timber shingles. The dwelling has an informal fenestration of casement windows in painted timber framing. There are also decorative lead lights at all external doors and on the rear (southern) internal window on the first floor, adjacent to the staircase. There is also a large slate threshold at the front door that has experienced some damage.*

*To the rear, there is a non-original weatherboard garage on the western side of the allotment that was built in the early 1900s to replace the original one that was damaged by fire (refer to Section 2.3). The former tennis court, no longer evident due to the introduction of various plantings and grass, at the rear south western corner of the yard. It is evident that the subject dwelling is in very good condition, specifically, significant features of this dwelling include the principal façade, original siting, the chimneys, fireplaces, ceiling roses, pressed metal ceilings, gravel driveway and the view lines to and from Rosemead Road.*



*The large gardens are a quintessential part of the subject site setting and curtilage. The dwelling is accessible from Rosemead Road with an original timber double gate which introduces a curved masonry pathway leading to the primary entrance of the dwelling. The entrance gate also leads to a curved gravel driveway that extends to the western elevation, garage and to the rear of the dwelling.*

*The lawns occupy a large amount of the grounds, there are small pockets of garden beds surrounding the allotment with mature exotic and native plantings. A notable feature of the landscaping of this property is the Bunya Pines plantations to the front of the property and other mature exotic plantings.*



***View of site from Rosemead Road existing driveway access***



*Western Elevation*



*View of site from William Street*

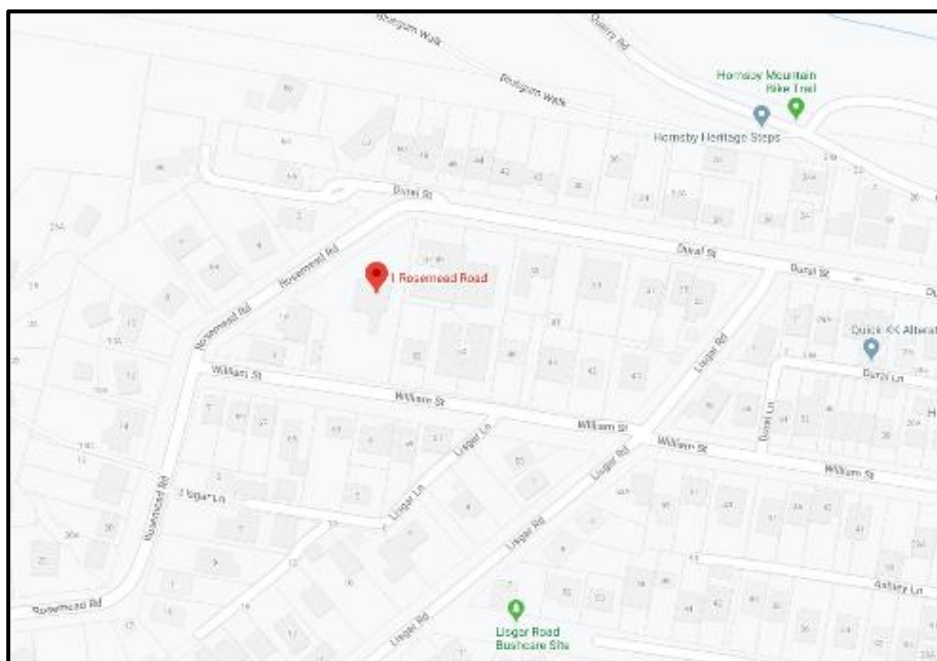
**Figure 6: Photos of the site**



## 1.4 The Surrounding Area

The immediate area is characterised by a variety of low density residential properties and the Adventist Retirement Village to the east.

North of Dural Street is the Bluegum Walk and Hornsby Mountain Bike Trial. The Hornsby Train Station and shops is less than 700m to the east along Dural Street and the Jimmy Bancks Creek is south along Rosemead Road, less than 500m from the site.



**Figure 7: Surrounding area: development pattern**



**Figure 8: Aerial of surrounding area**

## 1.5 Purpose of the EIS

The proposal is State Significant development pursuant to Schedule 1, clause 15(1) of the State Environmental Planning Policy (State and Regional Development) 2011.

Clause 15 of the SEPP states:

### **15 Educational establishments**

*(1) Development for the purpose of a new school (regardless of the capital investment value).*

The Hornsby Local Environmental Plan 2013 defines an Educational Establishment as:

**educational establishment** means a building or place used for education (including teaching), being—

*(a) a school, or*

*(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.*

Given the proposal includes a new primary school, it is defined as State Significant development.

Pursuant to Division 4.7 State Significant Development, of the *EP&A Act 1979*, a DA in respect of State Significant development must be accompanied by an EIS prepared by or on behalf of the applicant, in the form prescribed by the Regulations.

## 1.6 Secretary's Environmental Assessment Requirements

Schedule 2 of the EP&A Regulation sets out the requirements for an EIS, including the need for a written application to be made to the Secretary of the NSW Department of Planning, Industry and Environment for the environmental assessment requirements for the proposal.

The SEARs was issued for the proposal on 19<sup>th</sup> April 2020 (SEARs reference SSD-10444 and reissued 28<sup>th</sup> May 2020) and is included in Appendix A. The SEARs includes additional requirements from the following government agencies:

- **Hornsby Council**
- **Transport for NSW (TfNSW);**
- **Transport for NSW (RMS);**

An overview of how the requirements have been satisfied within the EIS is outlined in Table 1 below.

**Table 1: Summary of SEARs requirements**

SEARs Requirement	Section of EIS where requirement addressed
Meet the minimum form and content requirements in clauses 6 and 7 of Schedule 2 of the <i>EP&amp;A Regulation 2000</i>	Table 2
Environmental Risk Assessment – potential environmental impacts of development	Chapter 5
Capital Value Investment Report and job creation	Chapter 2
Statutory and Strategic context – Commonwealth, State and Local legislation and policies, including draft policies – permissibility, development standards and provisions	Chapter 3
Policies – strategic planning, goals and provisions	Chapter 3
Operation – hours, staff, services	Chapter 2
Built Form and Urban Design – height, density, setbacks, design quality, site facilities, landscaping	Chapter 3
Environmental Amenity – solar access, privacy, acoustics	Chapter 3
Staging – any break up of the development	Chapter 2
Transport and Accessibility – traffic generation, parking, access to site, modes of transport	Chapter 7
Ecologically Sustainable Development (ESD) – 4 principles	Chapter 8
Heritage – impact on item, surrounds and adjacent area	Chapter 9
Social Impacts – affect on people, culture	Chapter 10
Noise and Vibration – noise impacts	Chapter 6
Contamination – soil, buildings, materials	Chapter 11
Utilities – water, sewer, power, telecommunications	Chapter 12
Contributions – payable to Council	Chapter 13
Drainage – stormwater management	Chapter 14
Flooding – affectation and any impact	Chapter 15
Bushfire – affectation and any impact	Chapter 16
Biodiversity Assessment - BDAR	Chapter 17
Sediment, Erosion and Dust Controls	Chapter 18
Waste – construction and operational collection and disposal	Chapter 19
Construction Hours	Chapter 2
Consultation – Council, State agencies and surrounding neighbourhood	Chapter 4



## 1.7 Structure of the EIS

*EP&A Regulation 2000*, Schedule 2 Environmental Impact Statements, Part 3 General provisions, Clause 7(1) Content of environmental impact statement prescribes the required content for an EIS. Specific requirements and where they have been addressed in this EIS are provided in Table 2 below.

**Table 2: Schedule 2 of EP&A Regs - EIS Requirements**

Requirement	Section of EIS where requirement addressed
A summary of the environmental impact statement	Executive Summary
A statement of the objectives of the development, activity or infrastructure	2.2 The Proposal
An analysis of any feasible alternatives to the carrying out of the development having regard to its objectives, including the consequences of not carrying out the development	2.10 Alternative Site Assessment 2.11 Analysis of Design Alternatives 2.12 Justification and the 'Do Nothing' Option
An analysis of the development, including: A full description of the development	2.0 The Project
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	1.3 Site and Immediate Surrounds
The likely impact on the environment of the development, activity or infrastructure, and	5.0 Environmental risk assessment to Other Matters
A full description of the measures proposed to mitigate any adverse effects of the development, activity or infrastructure on the environment, and	5.0 Environmental risk assessment to Other Matters
A list of any approvals that must be obtained under any other Act or law before the development, may lawfully be carried out,	2.9 Operational Regulation and Management
A compilation (in a single section of the EIS) of the measures referred to in item (d) (iv) ie a full description of the measures proposed to mitigate any adverse effects of the development, activity or infrastructure on the environment, and	21.0 MITIGATION MEASURES
The reasons justifying the carrying out of the development, in the manner proposed, having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development.	22.0 justification and Conclusion

## 2.0 THE PROJECT

### 2.1 Introduction

This chapter provides a detailed description of the proposal, including construction and operational management information.

The SEARs requires the following to be addressed in the EIS:

- *Provide details of the proposed operations, including staff and student numbers, school hours of operation, and operational details of any proposed before/after school care services and/or community use of school facilities.*
- *Provide a detailed justification of suitability of the site to accommodate the proposal.*
- *Identify proposed construction hours and provide details of the instances where it is expected that works will be required to be carried out outside the standard construction hours.*

### 2.2 The Proposal

Best-Practice Education Group Ltd (a not-for-profit company limited by guarantee) is the auspicing body for Blue Gum Community School. Blue Gum Community School has been in operation in Canberra since 1998. Best-Practice Education Group Ltd purchased the site at 1 Rosemead Road in Hornsby in August 2019 for the purposes of establishing a new community school and preschool in NSW under the same name as the Canberra school.

This new school, which will incorporate an early childhood setting within a primary school, will provide a unique educational establishment for the Hornsby area, offering an alternative to the current schooling options available. As an intentionally small school with a strong and recognised inquiry-based approach to learning, Blue Gum Community School is ideally suited to children who benefit from flexible and creative approaches to curriculum that prioritise the importance of relationships, the arts and the outdoors alongside the traditional academic disciplines. As a low fee independent school Blue Gum will also offer a choice to families who are looking for an independent school for their children but are not in a position to afford places at higher fee-paying non-government schools nearby.

The Blue Gum Community School comprises the adaptive reuse of a heritage listed dwelling to facilitate Preschool and Primary School use including additions & alterations, on-site car parking, tree removal and new landscaping and fencing.

The Hornsby school is proposed to cater for a maximum of 80 children on the site; 32 preschool aged children (3-5 years) and 48 primary students (6-12 years).

The proposed works are not to be staged. All works – indoor and outdoor – will be undertaken together – one Construction Certificate and one Occupation Certificate.

The proposed works may be summarised as follows:

## **EXTERNAL WORKS**

### **Driveway & Carpark**

- New permeable carpark – surface to match existing driveway.
- Minor realignment of existing drive way kerb.
- 1 x new driveway exit onto Rosemead Road.

### **Fencing& Gates**

- Existing Mount Errington Gates removed and repurposed as gates into the Community Vegetable Garden.
- Existing front gate posts to be retained.
- Western front gate post and letterbox relocated to create compliant driveway width.
- Existing low timber fence to be removed along Rosemead frontage and replace with new low height black open metal fence.
- New powder coated metal fence to enclose outdoor play area at rear to Eastern Boundary.
- New egress/access gate to William Street to replace existing gate.
- Two new pedestrian gates in fence on Rosemead Road at Eastern Boundary.
- New low metal fence and gates to separate carpark from outdoor play area at rear of site.
- New sliding gates at both the driveway entry and exit points and along DDA car space.

### **Access**

- New accessible concrete pathway and ramp.
- One accessible car space in concrete (next to accessible pathway) .
- New BCA compliant external fire stair.
- New drop off and pick up footpath.
- Existing handrail of upstairs verandah raised with solid base to meet BCA height requirements.

### **Landscaping**

- Addition of a new Community Vegetable Garden.
- Tree and Vegetation removal – refer to Arboricultural Impact Assessment Report.
- Substantial new plantings of trees and vegetation - refer to Landscape Plan.
- New paved area utilising recycled brick paving and shade sail mounted on free standing poles .
- Three new stepping stones to match existing near fire stair exit.
- New sandstone pavers in pebble to match existing path to front door.
- New iron bar garden bed edging flush with law to distinguish lawn and garden areas.
- Re-use angophora large branches as climbing structures.
- Dry stone creek bed with water pump at tap.
- New timber amphitheatre steps, built separated from existing building fabric.
- New outdoor storage enclosure with roof reusing existing slab.

### **Waste**

- New open to air screened bin enclosure to existing garage (not original garage).

### **Signage**

- A sign for the school is limited to one sign on the front boundary. An indicative sign has been proposed and is noted on the architectural plans.
- Wayfinding signage is included within the site.
- Additional signage requirements are noted in the Access report.
- Signage size, position and type of fixing will be guided in accordance with the BCA and in response to advice from the Heritage Consultant.

### **Additional Notes**

- No inbuilt amplification devices to be provided.
- No large scale commercial playground equipment planned for outdoor spaces.

## **INTERNAL WORKS**

### **Ground Floor**

#### **Flooring**

- Carpet removed and refurbishment of original floorboards.

#### **New Wet Areas**

- All new wet areas to include a batten and sheet lining to separate existing fabric from new finishes, adhesives, waterproofing and the like.
- New tiles are to be attached to the compressed fibre cement sheeting and not to the original heritage walls (the sheeting would 6mm thick and would be off set from the walls by 40mm).

#### **NEW DDA WC**

- Existing main bathroom converted to new accessible WC to access consultant requirements.
- W18 in existing main bathroom enclosed behind batten system for privacy in new accessible WC.

#### **NEW WC 1**

- Convert existing room into New Ambulant WC and Amenities, using existing footprint.
- W19 retained in this space, but ½ frosted for privacy and supervision.
- New exhaust vent to heritage requirements.

#### **NEW WC 2**

- Existing laundry brick wall and door removed to create new WC layout.
- New exhaust vent to heritage requirements.
- Existing external stairs retained.

#### **Admin**

- Existing covered porch to rear of the property enclosed to create new administration space.
- Detail to match existing adjacent enclosed western verandah.

### **Reception**

- Existing window removed and stored to heritage requirements.
- In place of window, new powder coated aluminum entry door and side window to be installed.

### **Activity Room 1**

- New sink.
- Existing external stairs retained.

### **First Floor**

#### **Existing Stair**

- New handrail added to existing stair handrail to meet BCA requirement and heritage requirements.
- Carpet removed and refurbishment of original floorboards.
- Nosing detailing and a non-slip paint finish (to match existing) are proposed.
- A non-slip paint finish will be applied to the landing area, to match existing, in accordance with the BCA requirements.

#### **NEW WC 3**

- Existing (recent) bathroom reconfigured with new full size toilets and amenities.
- Finish substrate to heritage requirements.

#### **School Room 4**

- Existing wall removed to enlarge room and improve egress.

#### **Common Room**

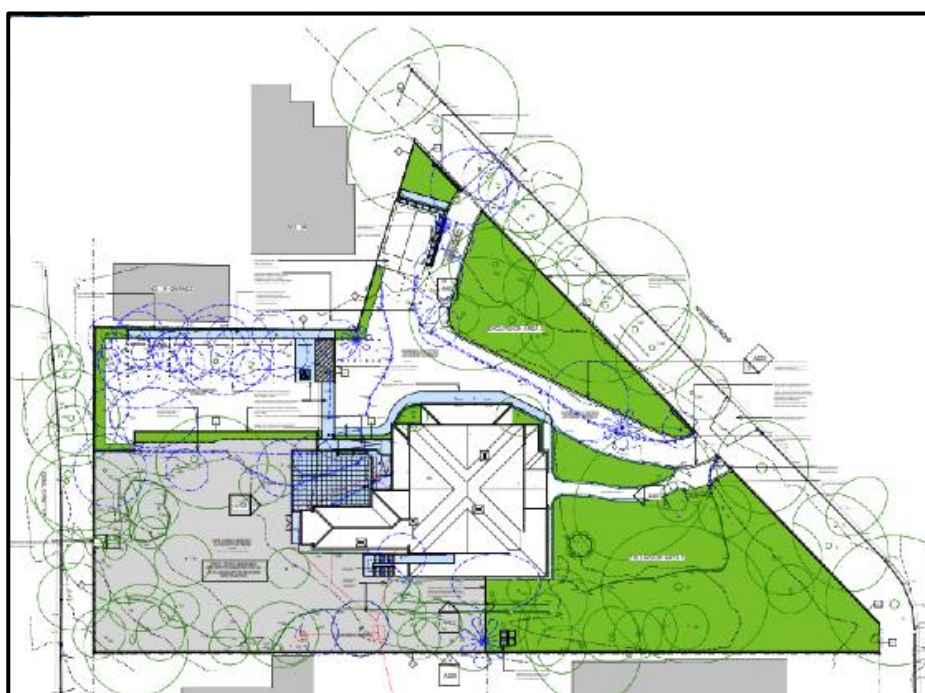
- Existing end wall detail removed, wall cut back to widen opening and then detail replaced to replicate original design.

#### **Additional Notes**

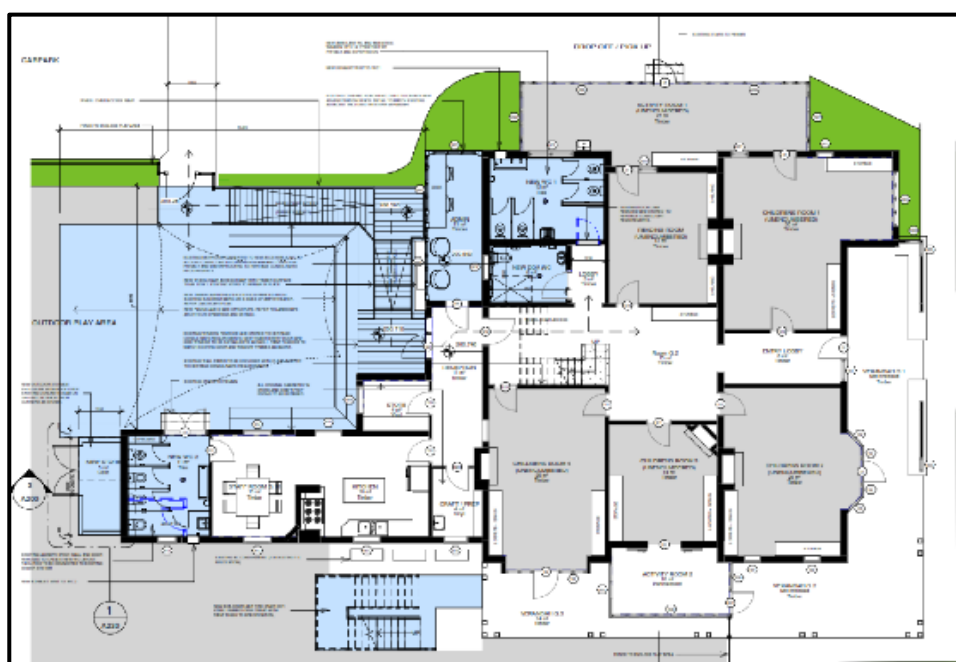
- All original cabinetry to be retained.
- Original features are to be retained throughout the house as noted on the Room Data Sheets.
- All door hardware, with the exception of the handle of the Ground Floor, NEW DDA WC, are to be retained as is.
- Existing wallpaper to be enclosed under clear polycarbonate to heritage requirements.
- Leadlight window features to be enclosed under polycarbonate to heritage requirements.
- Window restricting devices are to be added to windows as required by BCA.
- The pull cords for lights downstairs are sufficiently high to be deemed compliant. Upstairs they need to be shortened slightly – this will be done without altering their look or function.
- No additional lighting (with the exception of emergency lighting) is being proposed internally.
- The Fire Safety Assessment Report (Appendix P) maps out the number of and proposed position for exit signs. It also notes the number of emergency lights required and positions for portable fire extinguishers and fire blankets.

A full copy of the architectural plan set, including elevations and cross sections of the proposal are submitted under separate cover and reproduced in in Appendix D. The Capital Investment Value Report is Appendix B and the Survey Plan is Appendix C.

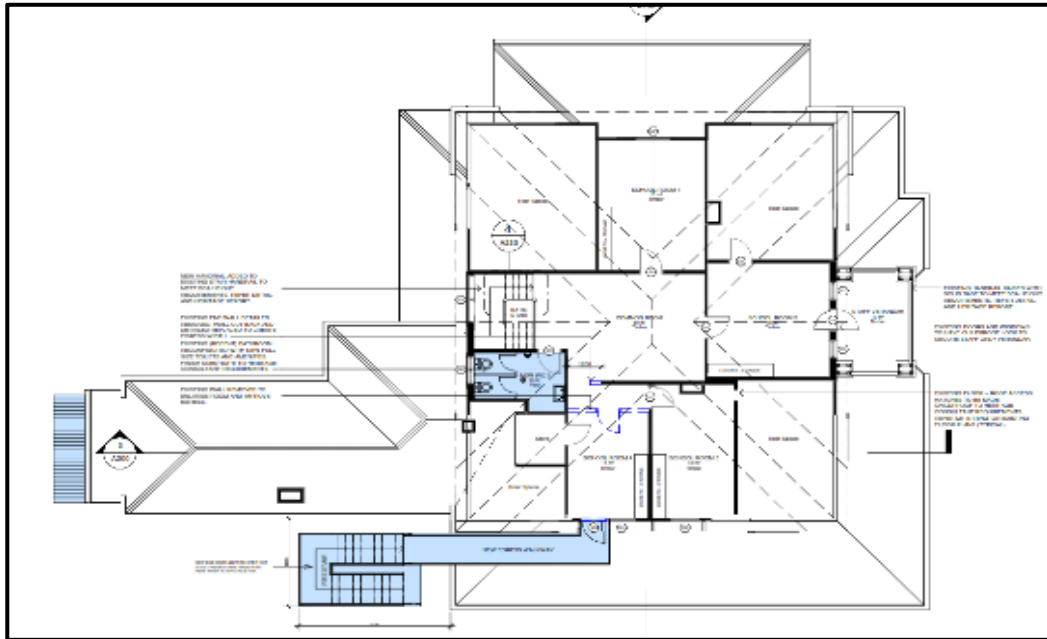
Extracts of the Architectural plans, site plan, elevations and landscape plans are Figure 5They are sourced from Armada Architecture, May 2020, Rev H. The landscape plan by Fiona Cole Design, May 2020, 02419/B.



**Figure 9: Extract of Site Plan**



**Figure 10: Extract of ground floor plan**



**Figure 11: Extract of Elevations of first floor plan**



**Figure 12: North Elevation**



**Figure 13: South Elevation**







## 2.3 Traffic, Access and Parking

### 2.3.1 Traffic generation

The traffic assessment of the proposal reports that, based on the RMS Guidelines for primary schools in the Sydney region, the development proposal yields a traffic generation potential of approximately 71 vehicle trips between 7:00am-9:00am, approximately 31 vehicle trips between 2:30pm-4:00pm and approximately 28 vehicle trips between 4:00pm-6:00pm (all IN and OUT, combined).

The cumulative traffic flows in Rosemead Road as a consequence of the development proposal is therefore not expected to exceed 100 vehicles per hour, even during the morning peak drop-off period and well below the threshold of 200 vph which is the environmental goal for a local residential street. This is an acceptable service level for the proposal.

### 2.3.2 Access

Vehicular access to the car parking and drop-off/pick-up area is to be provided via separate new entry and exit driveways located off the Rosemead Road site frontage, with the proposed entry driveway utilising the existing driveway crossover.

Waste collection for the proposed development is to be undertaken from the kerbside area directly outside the site frontage in Rosemead Road, with the bins to be lined up on "bin night" for collection the following day.

### 2.3.3 On-site parking

Off-street parking is to be provided for a total of 12 cars at various locations throughout the site, plus an on-site drop-off/pick-up bay, in accordance with Council's DCP requirements. Vehicular access to the car parking and drop-off/pick-up area is to be provided via separate new entry and exit driveways located off the Rosemead Road site frontage, with the proposed entry driveway utilising the existing driveway crossover.

Further details on traffic, access and parking for the proposal are provided in the traffic and transport assessment Appendix K and summarised in Chapter 7.0 Traffic and transport.

### 2.3.4 Site security

The safety of children and security of the site at all times is of paramount importance to the proponents.

The site will have secure fencing surrounding the entire property boundary with security gates at access points. The proposed open metal fencing on Rosemead Road (1200mm high) is proposed to increase visibility of the heritage item, whilst enhancing the safety of the site for children.

To minimise the height of fencing at the frontage, the preschool security gate is within the site, set well back from the front and rear boundaries. Lapped timber boundary fencing with a minimum Rw rating of 25dBA to be installed along the eastern and western boundaries of the

outdoor play area associated with the centre. The proposed height of the timber lapped fencing is 1800mm along the eastern and the William Street Boundary of the site and 2100mm alongside the western boundary of the carpark.

## 2.4 Landscaping

The landscape of the site is extensive for the proposal due to the large domestic setting of the existing estate. The proposal requires some tree removal, predominantly of low value vegetation. Where unavoidable higher value mature trees are to be removed. Replacement planting proposed where appropriate. Details are provided in the Landscape plan (Appendix E).

## 2.5 Utilities

### Water, Sewer

The existing potable water mains (DN100 / 150 / 200) are sufficient to service the site. An accredited Sydney Water – Water Coordinator has reviewed the proposal and advised that Sydney Water will not require any augmentation of their assets to facilitate the development. Correspondence is Appendix O of this EIS. A Section 73 has been lodged with Sydney Water in relation to this proposal.

### Stormwater Water

A stormwater management plan of the site has been reviewed and augmented where necessary to allow for the driveway and parking area to drain to the existing street system. Refer to Appendix Q of this EIS.

### Power and Telecommunications

Based on the current and proposed usage of electricity at the site, a licensed electrician has assessed the maximum demand likely once the school is operational will be adequately supplied by the current service to the property. There is an existing three phase installation with air conditioning units already in use at the property. Once operational, the maximum demand on the grid is calculated as 35A per phase. As such no augmentation to service is proposed. Correspondence is Appendix O of this EIS.

The property has an existing connection to high speed commercial NBN Wi-Fi with an associated phone line that will be sufficient to service the school once it is operational.

## 2.6 Construction

A Construction Management Plan (CMP) will form part of the consent conditions to be produced prior to the issuing of a Construction Certificate. The project essentially comprises additions and alterations to the existing building and grounds within the site. A CMP can be developed to suit the proposed works. Construction hours are proposed to be standard hours.

### 2.6.1 Demolition

As previously stated, the proposal is for additions and alterations only. There is no significant demolition of structures required to facilitate the development. The details of the proposal are outlined in Section 2.2 above. All works listed form part of this application.

### 2.6.2 Site preparation and Construction Hours

The SEARs requires the following to be addressed in the EIS:

- *Identify proposed construction hours and provide details of the instances where it is expected that works will be required to be carried out outside the standard construction hours.*

It is proposed to commence construction immediately after the Construction Certificate is issued. The proponent aims to have the preschool open once construction is complete. The school is proposed to be opened in the 2022 school year.

Site preparation includes tree removal, crossover from the roadway, driveway works, waste and materials management, minor associated earthworks, soil disposal and importation, service and utility works.

It is proposed that during site preparation, work on-site will occur Monday to Friday between the hours of 7.00 am and 6.00 pm and Saturday 8am to 1pm. There would be no site preparation works on Sundays or public holidays.

Onsite deliveries associated with site preparation works would include soil, building materials and landscaping.

It is proposed that site preparation and construction works would take approximately 12 weeks. A specific Construction Management Plan (CMP) will be developed with documentation for the Construction Certificate (CC).

### 2.6.3 Capital Investment Value (CIV)

Construction costs, or capital investment value, for the proposal is approximately \$617,388.00 (excluding GST). The CIV for the proposal is Appendix B of this EIS.

## 2.7 Operation

### Operational Characteristics

Blue Gum Community School is to be a preschool and non-government primary school. The school is to cater for pre-school aged children (3-5 years) and primary school children (6 -12 years). In planning terms, it is statutorily defined as part 'centre-based child care centre' and part 'educational establishment'.

The two components of the community school are to comprise:

- 32 place pre-school (3-5 year olds), and
- 48 place primary school (6-12 year olds).

### **Number of Staff**

Preschool: 4

Primary: 2

Support/admin: 2

Grounds Maintenance: contractors/casual

## **2.8 Hours of Operation**

### **Hours of operation**

#### Preschool

8am – 6pm, Monday to Friday, with three (3) enrolment options:

- 9:00am to 3:00pm (STANDARD DAY)
- 8:30 - 4:30pm (MID DAY)
- 8am to 6pm (FULL DAY).

#### Primary school

9 – 3pm (with a before and after school program provided on site from 8-9am and from 3-6pm)

#### Vacation care

Offered to enrolled students, on an opt-in basis, during term breaks (all holidays except 3-weeks at Christmas/New Year each year and public holidays). Based on current experience at the Canberra site, this vacation care program would likely cater to 40-50% of students.

## **2.9 Operational Regulation and Management**

### **Preschool Regulation**

The NSW Department of Education administers the regulation of services in accordance with the:

- National Quality Framework and the National Quality Standards;
- The Children (Education and Care Services) Supplementary Provisions Act 2011 and the Children (Education and Care Services) Supplementary Provisions Regulation 2019.

The Early Childhood Education Directorate, NSW Department of Education will be the regulatory authority that is responsible for granting Blue Gum Community School the approval to provide a new early childhood service in Hornsby NSW on the proposed site.

The proposed preschool will be regulated under the National Quality Framework (NQF). The Canberra campus of the Blue Gum Community School is already a registered provider of Early

Childhood Education and Care Services in NSW. The new Hornsby preschool will be a new service under the school's current provider approval with the Australian Children's Education & Care Quality Authority (ACECQA).

The NQF operates under an applied law system, comprising the *Education and Care Services National Law* and the Education and Care Services National Regulations. The National law sets a national standard for children's education and care across Australia. The Education and Care Services National Regulations (National Regulations) support the National Law by providing detail on a range of operational requirements for an education and care service.

### **Primary School**

The NSW Education Standards Authority (NESA) is the regulatory body through which Blue Gum Community School will register and apply for accreditation as a New Non-government school in NSW, to provide the educational setting for its 48 primary school students.

NESA is responsible for making recommendations to the Minister about the registration of individual non-government schools, the approval of a registration system of schools and the registration of non-government schools within approved registration systems.

Registration is a non-government school's licence to operate. The main purpose of registration is to ensure that the requirements of the Education Act are being, or will be, met.

The Education Act provides for the registration and accreditation of individual non-government schools and non-government schools within a registration system. An updated version of the Education Act can be found on NSW Legislation ([legislation.nsw.gov.au](http://legislation.nsw.gov.au)).

Under the Education Act, the Minister has the authority to:

- approve the registration of an individual non-government school or proposed individual non-government school
- approve the formation of a system of non-government or proposed non-government schools, and
- approve the registration of non-government schools within an approved registration system provided that, in each case, the relevant requirements of the Education Act are met.

The Minister approves the registration of a non-government school for specific Years of schooling for a specific period of time.

### **2.10 Alternative Site Assessment**

Prior to purchasing No. 1 Rosemead Road in Hornsby, the proponent investigated a number of alternative site locations for the establishment of a new Blue Gum Community School in NSW. The alternatives that were contemplated prior to the purchase of Mount Errington included:

1. Establishing Blue Gum Community School in another region of Sydney.
2. Purchasing a different property in Hornsby for the same purpose
3. Leasing Mount Errington from the previous owners

The following Table 3 provides an overview of each option:

**Table 3: Alternative Site Options**

<b>Option 1 - Establishing Blue Gum Community School in another region of Sydney</b>
<p>Various localities and sites were compared and considered for the new Blue Gum Community School campus. The site had to be a good fit for the school based on the school's experience at its Canberra campus since 1998.</p>
<b>Site selection – Hornsby</b>
<p>Hornsby's community profile reveals a growing community with increasing numbers of young families moving into the area, from various cultural backgrounds and interests. There is evidence of an undersupply of school placements in the areas and the new preschool and school, while only small, would be well positioned to meet the needs of young families, especially those interested in a smaller school for their children, offering flexible hours to support working families.</p> <p>Hornsby's focus on the future, the strong arts community and local resident's notable commitment to the environment were also factors that attracted the proponent as it aligned easily with the school's own value and belief system. It was therefore decided that Hornsby would be a good fit and beneficial for the school and the community.</p> <p><b>Hornsby has a growing population, especially households with children</b></p> <ul style="list-style-type: none"> <li>• "The Shire continues to be dominated by 'couples with children' households, which account for 45 percent of all households and this percentage is higher than Greater Sydney" (<u>Hornsby Shire Council Local Strategic Planning Statement</u>, p.13).</li> <li>• 54% of households in Hornsby are households with children (<u>Hornsby Shire Council Local Strategic Planning Statement</u>, p.14).</li> <li>• "From 2020 to 2030, there is forecast to be 7,735 additional private residential dwellings in the Hornsby LGA which will generate an additional population of 16,595 new residents enhanced or augmented community infrastructure." (Draft <i>Hornsby Shire Council Development Contributions Plan 2020 – 2030</i>). This growth will significantly increase the demand for schools in the region over the next decade.</li> <li>• "The NSW Department of Education estimates an extra 21,900 students will need to be accommodated in both government and non- government schools in the North District by 2036, a 20 per cent increase. Growth is projected to be greatest in Ryde (8,160), Ku-ring-gai (5,733), Northern Beaches (3,454) and <b>Hornsby (2,120) local government areas.</b>" (2018, <i>Our Greater Sydney 2056 – North District Plan – Connecting Communities</i>, p.27)</li> </ul> <p><b>Hornsby's Multicultural Community</b></p> <ul style="list-style-type: none"> <li>• 80 languages spoken, 103 different birth places represented, 37% born overseas (<u>Business Paper for General Meeting 8 April 2020</u>).</li> </ul>

#### **Hornsby's Commitment to the Arts**

- As noted by the Hornsby Art Society (HAS), "Hornsby Shire is home to a growing variety of artists working in a range of different artforms from traditional painting through to digital design."
- The HAS "is a non-profit community organisation, with a committee of volunteers actively promoting and facilitating the development of the visual arts and a cultural presence within the Hornsby Shire" since 1963.

#### **Hornsby's Interest in Sustainability and Protecting the Environment**

- As part of the preparations of Hornsby Council's Draft Local Strategic Planning Statement they are developing a new Environmental Sustainability Strategy. The Future Hornsby website notes, "Environmental Sustainability affects decisions we make at every level of planning and underpins the four key themes in Council's Community Strategy Plan of liveable, sustainable, productive and collaboration. The Strategy will be used to plan our approach to environmentally sustainable action over to the next 20 years and will be the cornerstone to ensure our environment is strong, resilient and adaptable into the future."

#### **Hornsby Local Government Area Research**

- Future Hornsby website <https://future.hornsby.nsw.gov.au/>
- Hornsby Shire Council Local Strategic Planning Statement
- Hornsby Shire Council (Adopted June 2018) *Your Vision Your Future 2020: Hornsby Shire Council Community Strategic Plan 2018 -2028*.
- Hornsby Shire Council (On Exhibition 9 April to 11 May 2020) *Draft Delivery Program 2020 - 2022* (including the operational plan 2020/21). Represents Hornsby Shire Council's response to the *Community Strategic Plan* referenced above.
- Greater Sydney Commission (March 2018) *Our Greater Sydney 2056 – North District Plan – Connecting Communities*.
- Draft for Exhibition (March 2020) Hornsby Shire Council, *Section 7.11 Development Contributions Plan 2020 – 2030* as sited in Business Paper for General Meeting 8 April 2020
- Hornsby Art Society - <https://hornsbyartsociety.com.au/>

#### **Option 2 – Site Selection – Hornsby but different site**

Other sites within the Hornsby LGA were considered. However, none provided the aesthetic indoor and outdoor learning spaces that Mount Errington could provide, being highly valued aspects of the school's educational offering. Other sites in Hornsby of similar size were located in industrial areas or more removed from the town centre and key transport links. Other sites also required significant alteration and construction to be deemed compliant for an educational facility. The subject site is unique due to its layout, amenity, cultural history, ambience, structural integrity for this landuse and existing mature, green backdrop. Only relative minor alterations are needed to the building and surrounds to facilitate its use. It is therefore, fit for purpose, capable and suitable for this use.

**Reasoning for choosing Mt Errington – 1 Rosemead Road, Hornsby**

Mt Errington is positioned in the Strategic Centre of Hornsby Shire Council, walking distance from Hornsby train station and Hornsby Town Centre, where population growth is projected to be the largest between 2021 and 2036 (Hornsby Shire Council Local Strategic Planning Statement, p.11, 16).

It's location, close to public transport and the town centre, makes it an ideal choice for a new school and preschool that will live up to the Greater Sydney Commission's aspiration for developing "30-minute cities" (2018, *Our Greater Sydney 2056 – North District Plan – Connecting Communities*, p.25).

Blue Gum Community School's position will ensure will be safe walking or cycling distance for families – thereby encouraging young people and families to be more active. The western side of the Hornsby Town Centre (walking distance from the proposed new school) has been rezoned to allow for a mix of townhouse, five-storey and eight-to ten-storey residential and mixed-used developments. Blue Gum Community School will form part of the essential community infrastructure that will be needed to provide adequate numbers of places for children in child care and in primary school to meet the needs of the growing population.

Blue Gum shares the view expressed by the Greater Sydney Commission, that, "Schools help to create and support inclusive and vibrant neighbourhoods". (2018, *Our Greater Sydney 2056 – North District Plan – Connecting Communities*, p.27).

Establishing a small community school at 1 Rosemead Road will also support the key priorities outlined in the North District Plan, which encourages the delivery of, "healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by:

1. Providing walkable places at a human scale with active street life
2. Prioritising opportunities for people to walk, cycle and use public transport
3. Co-locating schools, health, aged care, sporting and cultural facilities" (p.34)

Mt Errington's position, neighbouring two aged care facilities, was an added benefit of this particular location, creating the possibility of community connection across the age groups in the community.



<b>Option 3 – Site Selection - Leasing, not purchasing 1 Rosemead Road, Hornsby</b>	
This option, while alleviating the need to provide the capital for purchase, presented more disadvantages than advantages.	
<b>Advantages</b>	<b>Disadvantages</b>
<ul style="list-style-type: none"> <li>• Less costly in the short-term, as proponent would not need to fund the purchase or the general maintenance of the home.</li> <li>• Continued relationship with the previous owner who had a commercial and sentimental interest in the house being developed into a small school.</li> </ul>	<ul style="list-style-type: none"> <li>• Rent would have increased substantially with the change of use and on completion of alternations (at the proponent's cost).</li> <li>• Leasing could not satisfactorily ensure the long term use of the site as an educational facility.</li> <li>• Leasing the site would have limited the proponent's influence on the overall design of the spaces and complicated many of the design decisions required to effectively repurpose the site as an educational facility.</li> <li>• There was no assurance that once the space was adapted under the proponent's guidance that the lease would not be transferred to another tenant.</li> </ul>

After evaluating the above options, the proponent determined that the Mt Errington, Hornsby site provides the best strategic location for the small, value-based school and purchase of the subject property was the most viable, logical and practical option for the long-term viability of the property.

The subject site contains sufficient available land, is appropriately zoned for the nature and scale of development and provides the opportunity to retain and preserve the historical significance of the heritage item.

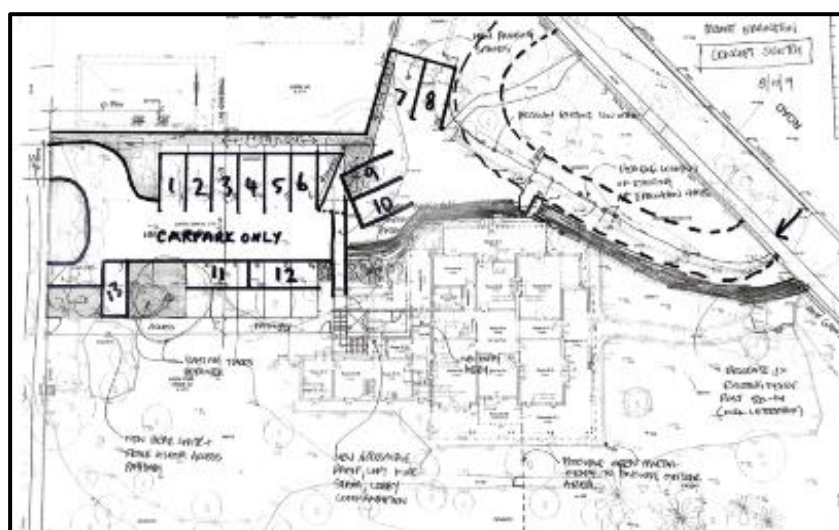
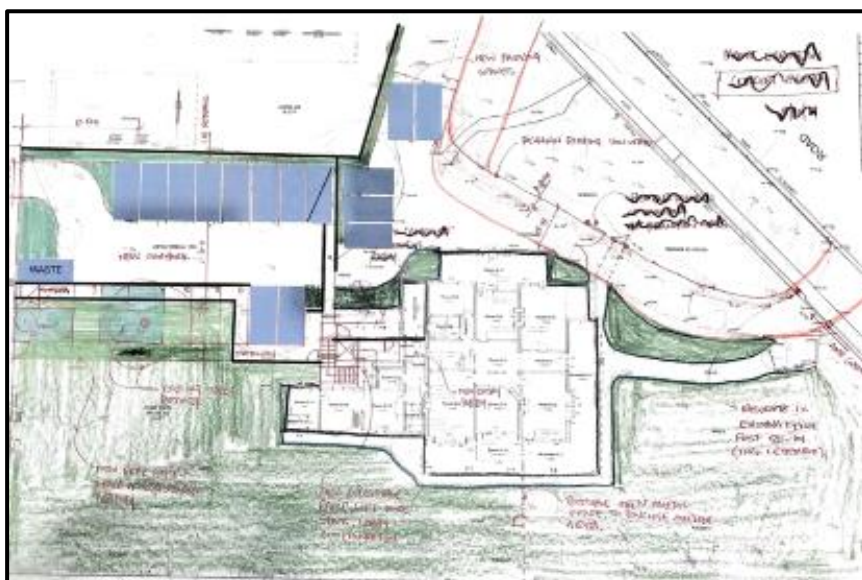
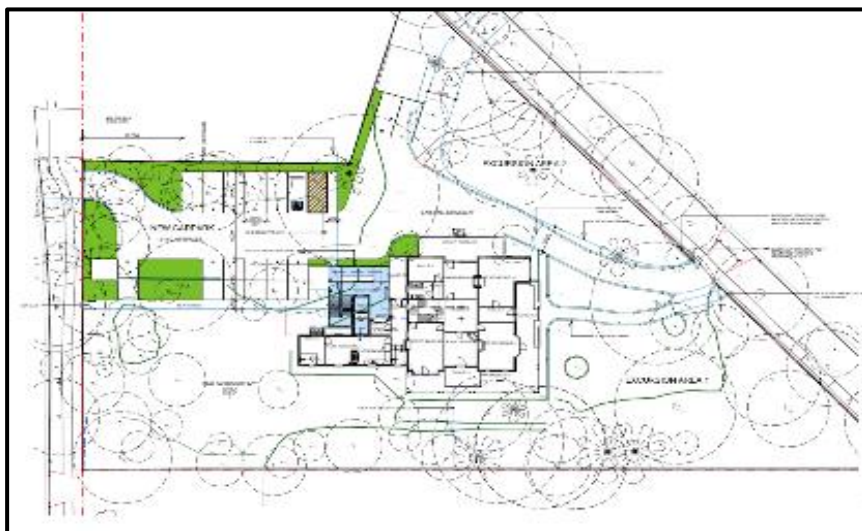
## 2.11 Analysis of Design Alternatives

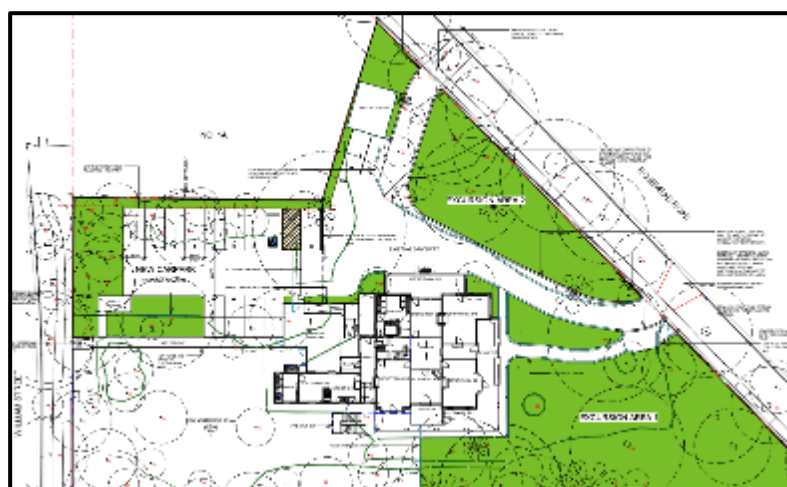
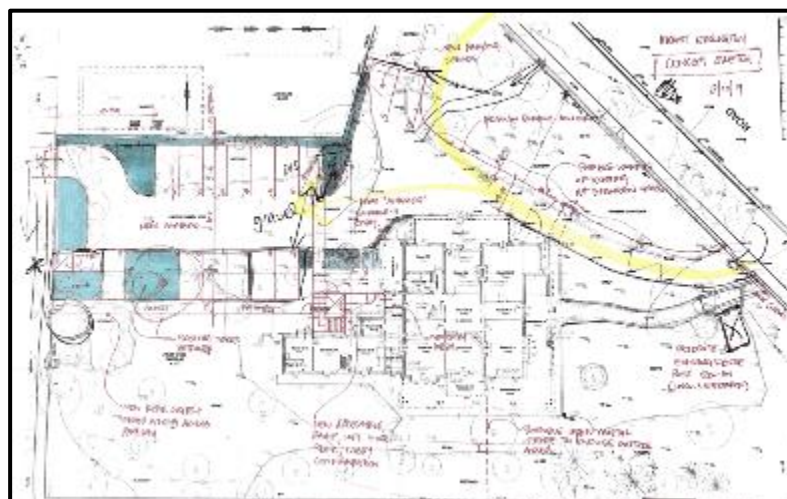
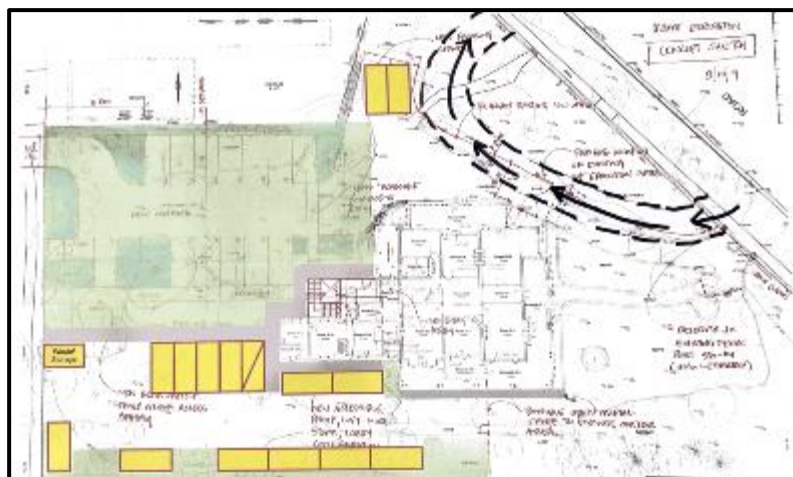
### Driveway & Parking Alternatives

The proposed configuration of the carpark and associated widening and extension of the existing driveway represents a balanced design outcome between tree retention and removal, conservation of the heritage and historical significance of the residence and thematic reading of its setting and the learning space needs of the preschool and primary from a compliance perspective and learning outcomes.

Tree preservation was at the forefront of the design process and selection of the preferred option. With the landscape and heritage issues the design team had to balance the issue of traffic flow and parking. The ultimate design is one that balances each issue to achieve an outcome that is capable of satisfying the relevant planning objectives and controls and one which serves the interests of the students together with the broader public interest.

A number of options were considered, as shown below:





The proposed layout is the result of extensive negotiations within the project team and also responses to pre-EIS consultation with technical staff at Hornsby Council. The preferred scheme balances the competing issues and reasonably preserves the environmental qualities of the site and the locality along with the heritage values of Mt Errington and its surrounds.

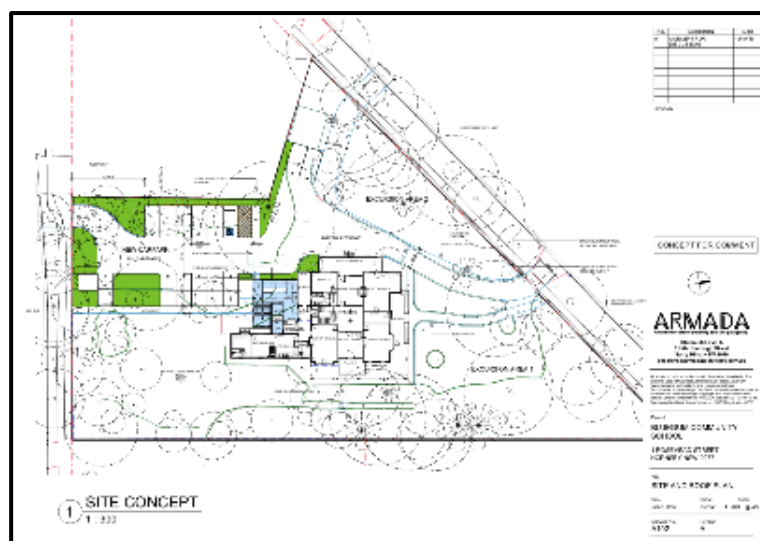
Of note, the loop driveway design offers a benefit in the way it creates a 'kiss and drop' zone for primary students, that can be easily managed by staff on site to ensure safe movement of pedestrians around vehicles. This design, accompanied by an operational plan for staggered drop offs satisfied the proponent's goal of easing traffic flow at key pick up and drop off times. In addition, not creating a driveway onto William Street ensured significant street trees on that boundary were not impacted by the development. The new driveway exit onto Rosemead Road was able to be positioned to impact the smallest and youngest trees on that boundary of the property.

### Fire Safety Measures

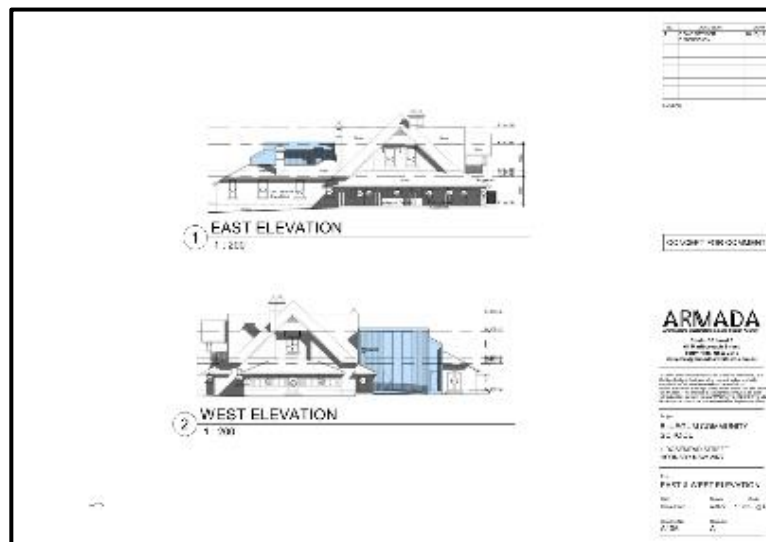
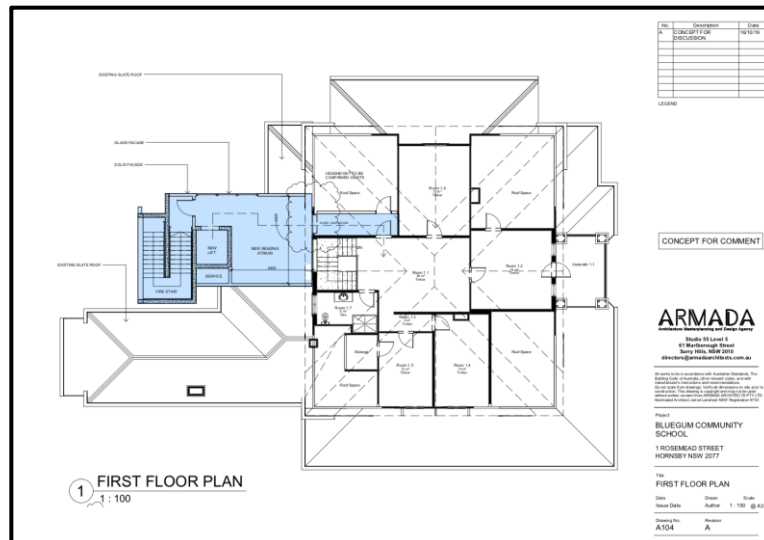
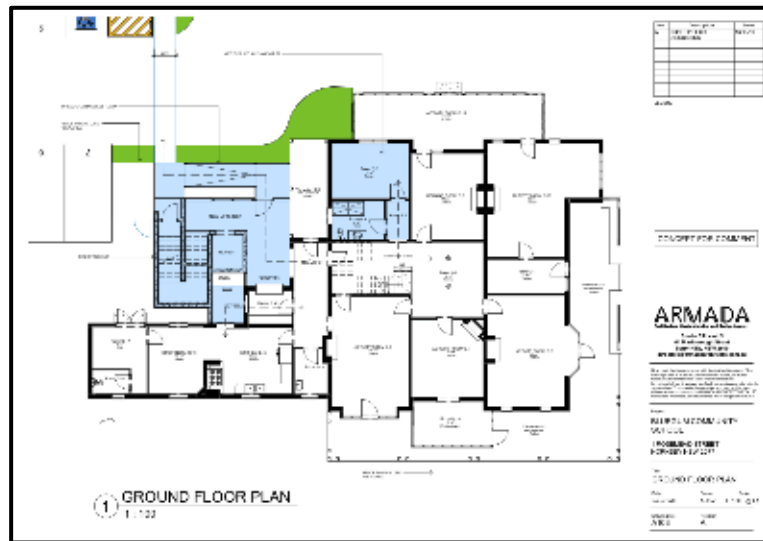
Options to address statutory fire safety measures were explored in terms of compliance, learning spaces, heritage conservation and access.

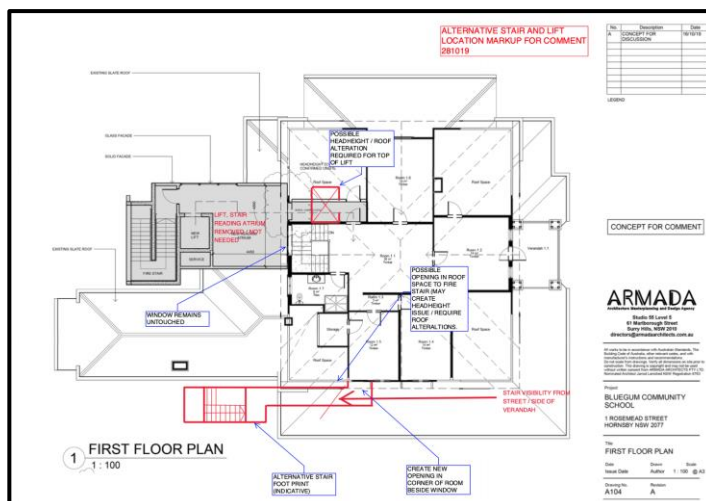
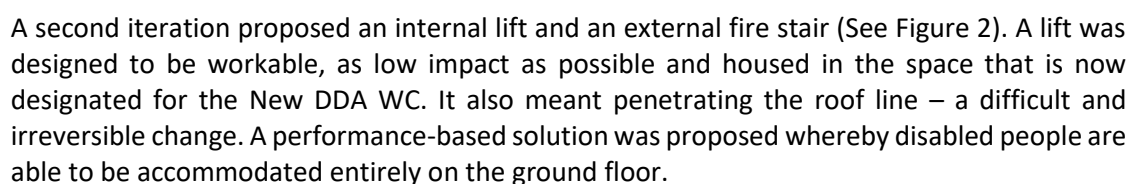
Options ranged from the addition of a new structure to the rear of the property to providing a compliant fire stair and additional administration space. Negotiations led to a balance of amenity, aesthetics, practicality of spaces and safety.

The initial design proposed the addition of a new modern structure to the rear of the property to provide a compliant fire stair and additional administration space. Consultation with the designers led to simplifying the project and prioritising a design that would ensure less impact to the amenity at the front and the rear of the property, avoiding a modern addition to the rear of the site. While the early design resolved compliance issues, its removal provided improved heritage interpretation of the building for the children, staff and visitors. The plans from this initial concept design are included below.





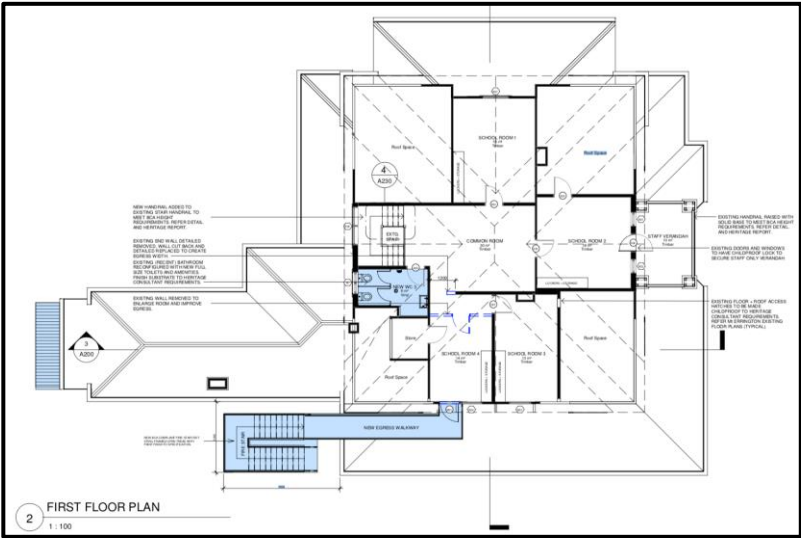






The submitted design represents the simplest and least invasive approach to the provision of a second exit and a compliant fire stair from the first floor. It is preferred over an internal sprinkler system as it was able to be designed such that it sits away from the original slate roof and only alters the fabric on one wall and can be easily reversed, if needed.

The school’s management plan will ensure the needs of any child, staff member or parent with a disability requiring lift access will be ameliorated by a positioning of all activities related to that person and their family on the ground floor of the building. This ensured the experience of a person with a disability would not be negatively impacted by the design, and that the design could ensure minimal impact to the original house fabric.



Fencing Alternatives

This section relates to the alternatives considered in relation to fencing around the site. The bolded text represents what is being proposed as part of the EIS.

Front Fence in timber and heritage style	Front Fence in black open metal
<p>Pros</p> <ul style="list-style-type: none"><li>• Preference of Council</li></ul>	<p>Pros</p> <ul style="list-style-type: none"><li>• <b>Provides a better long term solution for security and upkeep of the property, especially in relation to driveway gate options.</b></li><li>• <b>Better visibility at gate entry and exit would be beneficial for supervision and safety.</b></li><li>• <b>Based on guidance and the advice of the project’s heritage architect, this style of fencing was proposed to be recessive and disappear into the background over time due to landscaping proposed on the boundary.</b></li></ul>

	<ul style="list-style-type: none"> <li>• <b>Metal is a non-combustible material.</b></li> <li>• <b>Matches Dural St playground, opposite the site.</b></li> </ul>
<b>Cons</b> <ul style="list-style-type: none"> <li>• There is no photographic material advising the style of fence that may have been used when the house was first built.</li> <li>• The original house was likely to have not been fenced.</li> <li>• Timber will wear more quickly and require more maintenance.</li> <li>• Timber is combustible.</li> </ul>	<b>Cons</b> <ul style="list-style-type: none"> <li>• <b>Feedback about this design decision was mixed from neighbours. Some indicated they felt it was not in keeping with the character of the Mt Errington Heritage Precinct's aesthetic.</b></li> </ul>
<b>Rear boundary fence as a lap and cap timber 1800mm</b>	<b>Open playground section of back fence as open black metal fence 1800mm</b>
<b>Pros</b> <ul style="list-style-type: none"> <li>• <b>Preference of heritage representative at Hornsby Shire Council</b></li> <li>• <b>It would match the existing fence, which although not pleasing to the eye, is what people in the neighbourhood are used to.</b></li> </ul>	<b>Pros</b> <ul style="list-style-type: none"> <li>• Gives new visibility to the Heritage Item from William Street, reveals the back facade of the magnificent gardens and home.</li> <li>• Acoustic Assessment did not require an acoustic treatment along this boundary.</li> <li>• Create a better experience for children and users of outdoor space who would be able to see beyond the fence line.</li> <li>• Better visibility at gate entry would be beneficial for supervision and safety.</li> <li>• Advice suggested this style of fencing would be recessive and disappear into the background over time due to landscaping proposed on the boundary.</li> <li>• Metal is a non-combustible material.</li> <li>• Easier to upkeep.</li> </ul>
<b>Cons</b> <ul style="list-style-type: none"> <li>• <b>There is no photographic material advising the style of fence that may have been used when the house was first built.</b></li> <li>• <b>The original house was likely to have not been fenced.</b></li> <li>• <b>Timber will wear more quickly and require more maintenance.</b></li> <li>• <b>Timber is combustible.</b></li> </ul>	<b>Cons</b> <ul style="list-style-type: none"> <li>• Greater visibility could be deemed as a negative by some, either those concerned that people could see the children, or that the children we see out. We do not share this concern as no child would be in the outside area unsupervised at any time.</li> </ul>

#### Differing layouts for toileting facilities

Adapting the house to incorporate suitable and accessible toileting facilities for the children, staff and visitors represents the most significant of the changes proposed. In order to minimise impact the toilets have been designed with pre-existing toileting areas to make use of the existing connections. All new bathrooms have been designed in a pod style, as a shell within the original fabric. All these new wet areas will include a batten and sheet lining that will separate the existing fabric from new finishes, adhesives, waterproofing and the like. This will ensure that any changes made could be reversed with no damage to the original fabric.

Earlier designs explored the possibility of the NEW DDA WC in the STORE Area off the reception. This was workable but would have involved the removal of original cabinetry and a loss of valued storage space. This would have been required should a performance-based solution not have been found that alleviated the need for a lift.

#### Enclosure of rear verandah for admin vs. incorporate admin in existing spaces

Consideration was given to using the Store area on the Ground Floor or School Room 2 on the First Floor as the main admin office. The Store area was deemed to be too small to suit this purpose and School Room 2 presented challenges due to its distance from the proposed new entry for the school at the rear of the building on the ground floor. The enclosed verandah, designed to match the already existing enclosed Western Verandah offered a way to make better use of this space and ensure adequate provision of space for administration of the school.

#### Entry through front door vs. orienting the new entry for the school at the rear of property

Although the idea of using the front entry as the entry for the school presented a delightful possibility for the school, the requirements that would have been triggered to allow this (in relation to fencing and ramps) would have more significantly changed the front façade of the heritage item. By positioning the entry to the rear of the building ramp access and security fencing for the preschool entry could be positioned to the rear of the property, out of sight from the frontage.

### **2.12 Justification and the 'Do Nothing' Option**

The Canberra Campus of Blue Gum Community School has been a successful model for the proponents to pursue within the Sydney Metropolitan area. Research into the educational placement supply and demand, together with the community profile and strategic planning initiatives of the local Hornsby Council attracted the proponent to the Hornsby area and to the subject site.

The proposal, being a small scale, private educational facility would provide an alternative to mainstream public and private schools in the area. The site provides a unique opportunity to provide a school environment which can focus on high quality indoor and outdoor learning spaces, in an intimate setting and smaller classes with flexibility for working parents in hours of operation and vacation care options.

The ‘Do-Nothing’ option would involve the proponent abandoning the proposed development and on-selling the site as a residential site. Given the undersupply of school places in the immediate area the loss of any additional places for students is a significant disbenefit to the wider community. Further, there is no guarantee that the heritage item, if sold, would be preserved and conserved in the manner proposed or the grounds would be as well maintained.

As stated by the proponent *‘the Mt Errington, Hornsby site provides the best strategic location for the small, value-based school and purchase of the subject property was the most viable, logical and practical option for the long-term viability of the property.’*

### 3.0 LEGISLATIVE FRAMEWORK

#### 3.1 Introduction

This chapter describes the relevant Commonwealth, NSW and LGA based legislation and regulatory framework under which the proposal is assessed and would be determined.

#### 3.2 Commonwealth Legislation

##### 3.2.1 Environment Protection and Biodiversity Conservation Act 1999

The Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act) aims to protect matters deemed to be of national environmental significance (NES), specifically:

- world heritage properties;
- places listed on the National Heritage Register;
- Ramsar wetlands of international significance;
- threatened flora and fauna species and ecological communities;
- migratory species;
- Commonwealth marine areas;
- nuclear actions (including uranium mining); and
- a water resource in relation to coal seam gas development and large coal mining.

If an action (or proposal) would, or is likely to have a significant impact on any of the matters of NES, it is deemed to be a controlled action and requires approval from the Commonwealth Environment Minister or the Minister’s delegate.

The proposal would not have a significant impact on any matters of National Environmental Significance (NES) and accordingly approval from the Commonwealth is not required under the EPBC Act.

### 3.3 NSW Legislation and Guidelines

#### 3.3.1 NSW Environmental Planning and Assessment Act 1979

##### General

The *Environmental Planning and Assessment Act 1979* (referred to as the “EP&A Act”) and its regulation – the *Environmental Planning and Assessment Regulation 2000* (referred to as the “EP&A Regs”) provide the assessment and approvals framework for development in NSW. Implementation of the EP&A Act is the responsibility of the Minister for Planning, Industry and Environment, statutory authorities and local councils.

The EP&A Act contains three parts that impose requirements for planning approval:

- Part 4 which provides for control of ‘development’ that requires development consent from the relevant consent authority;
- Part 5 which provides for control of ‘activities’ that do not require development consent under Part 4; and
- Part 5.1 which provides for control of State significant infrastructure (SSI) that does not require approval or development consent under Part 4.

Development consent is set out in the relevant EPIs – State Environmental Planning Policies (SEPPs), Regional Environmental Plans (REPs), and Local Environmental Plans (LEPs).

As discussed in this chapter, the proposal is a form of development which requires development consent under Part 4 of the EP&A Act 1979.

The objects of the EP&A Act 1979 are:

*(a) to encourage:*

*(i) the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*

*(ii) the promotion and co-ordination of the orderly and economic use and development of land,*

*(iii) the protection, provision and co-ordination of communication and utility services,*

*(iv) the provision of land for public purposes,*

*(v) the provision and co-ordination of community services and facilities, and*

*(vi) the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*

*(vii) ecologically sustainable development, and*

*(viii) the provision and maintenance of affordable housing, and*

*(b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*

*(c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The proposal is consistent with each of the relevant objectives of the EP&A Act 1979 as discussed in Chapter 3.3 NSW Legislation and Guidelines.

### **State Significant Development**

The proposal is State Significant development pursuant to Schedule 1, clause 15(1) of the State Environmental Planning Policy (State and Regional Development) 2011.

Clause 15 of the SEPP states:

#### **15 Educational establishments**

*(1) Development for the purpose of a new school (regardless of the capital investment value).*

The Hornsby Local Environmental Plan 2013 (HLEP 2013) defines an Educational Establishment as:

**educational establishment** means a building or place used for education (including teaching), being—

*(a) a school, or*

*(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.*

Given the proposal includes a primary school component, it is a new *educational establishment* and is therefore termed a new school. Notwithstanding the small size and scale of the school, it is required to be assessed as a State Significant Development (SSD).

Pursuant to Division 4.7 State Significant Development, of the EP&A Act 1979, a DA in respect of state significant development must be accompanied by an EIS prepared by or on behalf of the applicant, in the form prescribed by the Regulations.

Schedule 2 of the EP&A Regulation relates to EISs. It stipulates:

- requirements of the Director-General (now Secretary) and approval bodies in relation to EISs (ie the SEARs); and
- general provisions relating to EISs.

The general provisions specify the form (clause 6) and the content (clause 7) of an EIS.



Clause 6 states:

*An environmental impact statement must contain the following information:*

- (a) the name, address and professional qualifications of the person by whom the statement is prepared,*
- (b) the name and address of the responsible person,*
- (c) the address of the land:*
  - i. in respect of which the development application is to be made, or*
  - ii. on which the activity or infrastructure to which the statement relates is to be carried out,*
- (d) a description of the development, activity or infrastructure to which the statement relates,*
- (e) an assessment by the person by whom the statement is prepared of the environmental impact of the development, activity or infrastructure to which the statement relates, dealing with the matters referred to in this Schedule,*
- (f) a declaration by the person by whom the statement is prepared to the effect that:*
  - i. the statement has been prepared in accordance with this Schedule, and*
  - ii. the statement contains all available information that is relevant to the environmental assessment of the development, activity or infrastructure to which the statement relates, and*
  - iii. that the information contained in the statement is neither false nor misleading.*

Clause 7 states that an EIS must also include each of the following:

- (a) a summary of the environmental impact statement,*
- (b) a statement of the objectives of the development, activity or infrastructure,*
- (c) an analysis of any feasible alternatives to the carrying out of the development, activity or infrastructure, having regard to its objectives, including the consequences of not carrying out the development, activity or infrastructure,*
- (d) an analysis of the development, activity or infrastructure, including:*
  - i. a full description of the development, activity or infrastructure, and*
  - ii. a general description of the environment likely to be affected by the development, activity or infrastructure, together with a detailed description of those aspects of the environment that are likely to be significantly affected, and*
  - iii. the likely impact on the environment of the development, activity or infrastructure, and*
  - iv. a full description of the measures proposed to mitigate any adverse effects of the development, activity or infrastructure on the environment, and*
  - v. a list of any approvals that must be obtained under any other Act or law before the development, activity or infrastructure may lawfully be carried out,*
- (e) a compilation (in a single section of the environmental impact statement) of the measures referred to in item (d) (iv),*
- (f) the reasons justifying the carrying out of the development, activity or infrastructure in the manner proposed, having regard to biophysical, economic and social considerations, including the principles of ecologically sustainable development set out in subclause (4).*

*Note. A cost benefit analysis may be submitted or referred to in the reasons justifying the carrying out of the development, activity or infrastructure.*

The above requirements and where they are addressed in the EIS are set out in Table 2: Schedule 2 of EP&A Regs - EIS Requirements achieved above.

### **Integrated development**

A proposal is classified as integrated development when specific licences/approvals, as defined in section 4.46 of the EP&A Act, are required in addition to the development consent.

The proposal is not integrated development, noting that the site is not listed as a State Heritage item (refer to the Heritage Impact Assessment contained in Appendix H).

### **Matters for consideration**

When assessing an application for development consent under Part 4 of the EP&A Act 1979, the consent authority is required to take into consideration the matters outlined in section 4.15 of the EP&A Act 1979. S4.15 relevantly provides:

#### ***(1) Matters for consideration—general***

*In determining a development application, a consent authority is to take into consideration such of the following matters as are of relevance to the development the subject of the development application—*

*(a) the provisions of—*

*(i) any environmental planning instrument, and*

*(ii) any proposed instrument that is or has been the subject of public consultation under this Act and that has been notified to the consent authority (unless the Planning Secretary has notified the consent authority that the making of the proposed instrument has been deferred indefinitely or has not been approved), and*

*(iii) any development control plan, and*

*(iiia) any planning agreement that has been entered into under section 7.4, or any draft planning agreement that a developer has offered to enter into under section 7.4, and*  
*(iv) the regulations (to the extent that they prescribe matters for the purposes of this paragraph),*

*(v) (Repealed)*

*that apply to the land to which the development application relates,*

*(b) the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality,*

*(c) the suitability of the site for the development,*

*(d) any submissions made in accordance with this Act or the regulations,*

*(e) the public interest.*

The matters for consideration that apply to the proposal are discussed below.

### **3.3.2 State Environmental Planning Policies (SEPP)**

The following SEPPs apply to the proposal:

- State Environmental Planning Policy (State and Regional Development) 2011.
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017.
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017.
- State Environmental Planning Policy No 55 – Remediation of Land.
- State Environmental Planning Policy No.64 – Advertising and Signage.
- Draft State Environmental Planning Policy (Remediation of Land).
- Draft State Environmental Planning Policy (Environment).

These are addressed in Section 3.5 below.

The following non-statutory state level planning policies are listed in the SEARs as relevant to the proposal:

- NSW State Priorities.
- The Greater Sydney Regional Plan, A Metropolis of three cities.
- Future Transport Strategy 2056.
- State Infrastructure Strategy 2018 – 2038 Building the Momentum.
- Sydney's Cycling Future 2013.
- Sydney's Walking Future 2013.
- Sydney's Bus Future 2013.
- Crime Prevention Through Environmental Design (CPTED) Principles (NSW Police)
- Better Placed: An integrated design policy for the built environment of New South Wales (Government Architect NSW (GANSW), 2017).
- Child Care Centre Guideline (DPE, August 2017).
- Healthy Urban Development Checklist (NSW Health, 2009).
- Draft Greener Places Policy.
- Greater Sydney Commission's North District Plan.

Each of these are addressed in Section 3.8 below.

### **3.4 Hornsby Local Government Area Planning Controls and Policies**

Local level planning consists of statutory and non-statutory planning instruments, plans and policies. HLEP 2013 is the relevant local statutory planning instrument that applies to all land within the Hornsby LGA. Hornsby Development Control Plan 2013 (HDCP 2013) and its related policies and guidelines are the non-statutory controls for various development typologies and environmental matters. An assessment of the proposal against the relevant statutory and non-statutory planning provisions is provided in 'Section 3.4 Hornsby Local Government Area Planning Controls and Policies'.

### 3.4.1 Hornsby LEP 2013

#### **Aims of the Plan**

- (a) to facilitate development that creates—*
  - (i) progressive town centres, thriving rural areas and abundant recreation spaces connected by efficient infrastructure and transport systems, and*
  - (ii) a well-planned area with managed growth to provide for the needs of future generations and people enriched by diversity of cultures, the beauty of the environment and a strong economy,***
- (b) to guide the orderly and sustainable development of Hornsby, balancing its economic, environmental and social needs,***
- (c) to permit a mix of housing types that provide for the future housing needs of the community near employment centres, transport nodes and services,*
- (d) to permit business and industrial development that meets the needs of the community near housing, transport and services, and is consistent with and reinforces the role of centres within the subregional commercial centres hierarchy,***
- (e) to maintain and protect rural activities, resource lands, rural landscapes and biodiversity values of rural areas,*
- (f) to provide a range of quality passive and active recreational areas and facilities that meet the leisure needs of both the local and regional community,*
- (g) to facilitate the equitable provision of community services and cultural opportunities to promote the well being of the population of Hornsby,*
- (h) to protect and enhance the scenic and biodiversity values of environmentally sensitive land, including bushland, river settlements, river catchments, wetlands and waterways,*
- (i) to protect and enhance the heritage of Hornsby, including places of historic, aesthetic, architectural, natural, cultural and Aboriginal significance,***
- (j) to minimise risk to the community in areas subject to environmental hazards, including flooding and bush fires.*

The proposal satisfies these aims as the LEP, particularly those bolded for emphasis. The educational establishment supports the local community in providing essential learning and training opportunities for students and their families. The retention and adaptive reuse of the heritage listed property protects the integrity of the property as it will be purposefully reused to allow a quazi public use. The school will also support the Hornsby economy directly and indirectly through participation and business within the district. The school also offers a range of full time and part time jobs which support the economy. The use provides for the orderly use of the land given that the impacts of that use can be appropriately managed. The reports submitted with the application collectively demonstrate that the use is appropriate for this site and the heritage conservation values can be preserved.

### 3.4.2 Hornsby DCP 2013

HDCP 2013 is relevant to the assessment of the application given that the HDCP 2013 applies to all development in the LGA. The HDCP 2013 does not contain specific provisions applying to an *educational establishment*. However, Chapter 1, General Provisions are relevant to the proposed works and are addressed in this EIS, noting that the majority of matters listed in Chapter 1 are the subject of a consultant report forming part of the application package. Where matters require broader assessment, these are addressed below.

An assessment against the relevant provisions of the DCP is provided in Section 3.4.2 Hornsby DCP 2013

### 3.4.3 Consent Authority

The consent authority for DAs under Part 4 of the EP&A Act 1979 varies depending upon the development type and capital investment value (CIV). For development classified as State Significant Development (SSD), the consent authority is the NSW Minister for Planning, Industry & Environment (or his/her delegate such as the Planning Assessment Commission).

In this case, the proposal is a new school and there is CIV threshold for consideration as a SSD. Therefore, the Minister (or their delegate) is the consent authority for the development application.

## 3.5 State Environmental Planning Policies

### 3.5.1 State Environmental Planning Policy (State and Regional Development) 2011

As previously stated, SSD is defined within Schedule 1, Clause 15 of the SEPP (SRD) 2011.

The proposal, being an Educational Establishment (of any size or value) is deemed to be a SSD and therefore the consent authority is the Minister for Planning (or delegate) and the application is to be accompanied by a EIS. The EIS is to be prepared in accordance with the SEARs for the project and the EP&A Regulations 2000.

### 3.5.2 State Environmental Planning Policy No.55 – Remediation of Land

SEPP 55 requires that the issue of contamination be considered whenever a consent authority considers a DA in NSW. Clause 7(1) of SEPP 55 states:

*(1) A consent authority must not consent to the carrying out of any development on land unless:*

*(a) it has considered whether the land is contaminated, and*

*(b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and*

*(c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.*

A Phase 1 ESA was prepared for the proposal by NG Child & Associates, dated 30 April 2020 (contained in Appendix I of this EIS). The report sets out the relevant methodology and concludes as follows:

*“Based on the site inspections undertaken the general environmental condition of the 1 Rosemead Road Hornsby site is considered to be sound, and a detailed physical inspection of the site has not indicated any significant environmental or contamination issues prejudicial to the childcare centre use proposed for the site.*

*However, the following issues are noted:*

- 1. Asbestos: No asbestos based materials were noted at or in the immediate vicinity of the site. Cladding associated with a small sun or sewing room extension present on the eastern site verandah was sampled and tested, and found not to contain asbestos; and*
- 2. Lead Based Paints: It was found that while some underlying paint films at the site contained lead, no significant hazard or risk resulted provided that*
  - (a) painted surfaces throughout the building are maintained in a stable condition, and*
  - (b) paints used following the repair of several areas of rising damp are lead free.”*

### **3.5.3 State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017**

SEPP (VNRA) commenced on 25 August 2017 but does not apply to this application as the site contains a heritage item, as follows. Clause 10 of the SEPP states:

#### **10 Council may issue permit for clearing of vegetation**

- (1) A council may issue a permit to a landholder to clear vegetation to which this Part applies in any non-rural area of the State.*
- (2) A permit cannot be granted to clear native vegetation in any non-rural area of the State that exceeds the biodiversity offsets scheme threshold.*
- (3) A permit under this Part cannot allow the clearing of vegetation—*
  - (a) that is or forms part of a heritage item or that is within a heritage conservation area, or***
  - (b) that is or forms part of an Aboriginal object or that is within an Aboriginal place of heritage significance,****unless the council is satisfied that the proposed activity—*
  - (c) is of a minor nature or is for the maintenance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area, and*
  - (d) would not adversely affect the heritage significance of the heritage item, Aboriginal object, Aboriginal place of heritage significance or heritage conservation area.*
- (4) A permit may be granted under this Part subject to any conditions specified in the permit.*

The Arborist report, prepared by Earthscape Horticultural Services, dated April 2020 and its addendum is Appendix G of this EIS. It identifies the trees to be removed and provides justification in support of certain trees not being affected by the proposed works. Based on the findings in the Arborist report the proposal achieves a suitable level of environmental protection whilst allowing for reasonable levels of development. The proponent is entitled to make an application for tree removal as part of the SSD DA process. Offset planting is proposed as part of the landscape plan.



### 3.5.3 State Environmental Planning Policy No.64 – Advertising and Signage

The aims of the SEPP are:

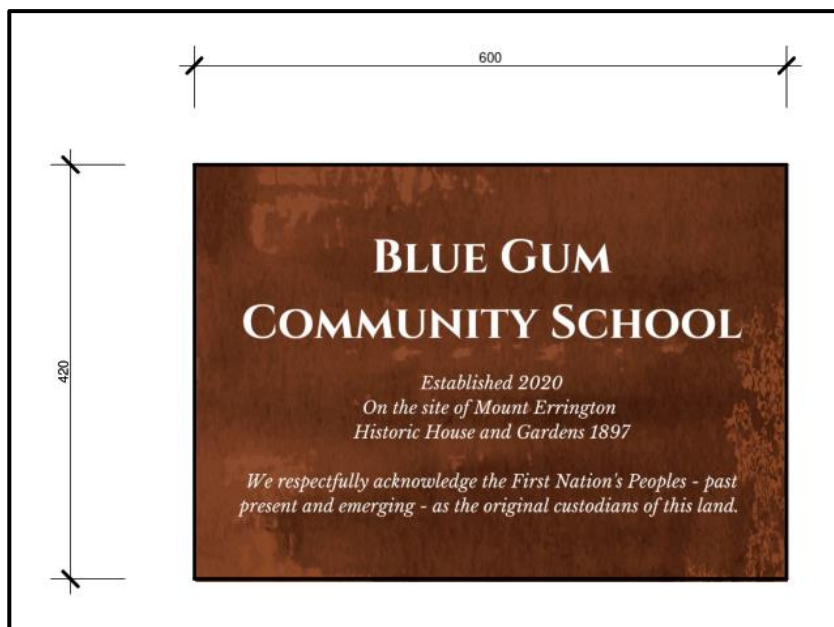
#### 3 Aims, objectives etc

(1) *This Policy aims:*

- (a) *to ensure that signage (including advertising):*
  - (i) *is compatible with the desired amenity and visual character of an area, and*
  - (ii) *provides effective communication in suitable locations, and*
  - (iii) *is of high quality design and finish, and*
- (b) *to regulate signage (but not content) under Part 4 of the Act, and*
- (c) *to provide time-limited consents for the display of certain advertisements, and*
- (d) *to regulate the display of advertisements in transport corridors, and*
- (e) *to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.*

(2) *This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.*

The only signage requiring approval with the DA is the following business identification signage to be erected on the Rosemead front fence. The sign measures 600mm x 420mm. It is not illuminated. Additional wayfinding street signage is proposed and is detailed in the Traffic report.



**Figure 17: Extract of Business Identification Sign to be placed on Rosemead Road fence**

Table 4 below provides an assessment of the proposed signage for the proposed school in accordance with the provisions of SEPP 64.

**Table 4: SEPP 64 Assessment Table**

SEPP 64 Criteria	Comment	Complies
<p>Clause 3 is relevant to the assessment of signage and states:</p> <p><b>Part 2 Signage generally</b></p> <p><b>8 Granting of consent to signage</b>  <i>A consent authority must not grant development consent to an application to display signage unless the consent authority is satisfied:</i>  <i>(a) that the signage is consistent with the objectives of this Policy as set out in clause 3 (1) (a), and</i>  <i>(b) that the signage the subject of the application satisfies the assessment criteria specified in Schedule 1.</i>  <i>(1) This Policy aims:</i>  <i>(a) to ensure that signage (including advertising):</i>  <i>(i) is compatible with the desired amenity and visual character of an area, and</i>  <i>(ii) provides effective communication in suitable locations, and</i>  <i>(iii) is of high quality design and finish, and</i>  <i>(b) to regulate signage (but not content) under Part 4 of the Act, and</i>  <i>(c) to provide time-limited consents for the display of certain advertisements, and</i>  <i>(d) to regulate the display of advertisements in transport corridors, and</i>  <i>(e) to ensure that public benefits may be derived from advertising in and adjacent to transport corridors.</i>  <i>(2) This Policy does not regulate the content of signage and does not require consent for a change in the content of signage.</i></p>	<p>Compatible, non-intrusive business identification sign on the front fence of the property. It will be a high-quality sign with contents acknowledging the Aboriginal heritage of the area. The sign is not to be illuminated.</p>	<p>✓</p>

Schedule 1 Criteria		
<b>1.Character of the area</b>		
• Is the proposal compatible with the existing or desired future character of the area or locality in which it is proposed to be located?	Yes	✓
• Is the proposal consistent with a particular theme for outdoor advertising in the area or locality?	No current theme in the locality – residential area.	✓
<b>2.Special areas</b>		
• Does the proposal detract from the amenity or visual quality of any environmentally sensitive areas, heritage areas, natural or other conservation areas, open space areas, waterways, rural landscapes or residential areas?	No.	✓
<b>3.Views and vistas</b>		
• Does the proposal obscure or compromise important views?	No.	✓
• Does the proposal dominate the skyline and reduce the quality of vistas?	No.	✓
• Does the proposal respect the viewing rights of other advertisers?	No.	✓
<b>4.Streetscape, setting or landscape</b>		
• Is the scale, proportion and form of the proposal appropriate for the streetscape, setting or landscape?	Yes. To be placed on the front fence of the property.	✓
• Does the proposal contribute to the visual interest of the streetscape, setting or landscape?	It does not detract from the streetscape, setting or landscaping of the site or surrounds.	✓
• Does the proposal reduce clutter by rationalising and simplifying existing advertising?	N/A	N/A
• Does the proposal screen unsightliness?	N/A	N/A
• Does the proposal protrude above buildings, structures or tree canopies in the area or locality?	No.	✓
<b>5.Site and building</b>		

• Is the proposal compatible with the scale, proportion and other characteristics of the site or building, or both, on which the proposed signage is to be located?	Yes.	✓
• Does the proposal respect important features of the site or building, or both?	Yes.	✓
• Does the proposal show innovation and imagination in its relationship to the site or building, or both?	Not required.	N/A
<b>6.Associated devices and logos with advertisements and advertising structures</b>		
• Have any safety devices, platforms, lighting devices or logos been designed as an integral part of the signage or structure on which it is to be displayed?	No.	✓
<b>7.Illumination</b>		
• Would illumination result in unacceptable glare?	N/A	N/A
• Would illumination affect safety for pedestrians, vehicles or aircraft?	N/A	N/A
• Would illumination detract from the amenity of any residence or other form of accommodation?	N/A	N/A
• Can the intensity of the illumination be adjusted, if necessary?	N/A	N/A
• Is the illumination subject to a curfew?	N/A	N/A
<b>8.Safety</b>		
• Would the proposal reduce the safety for any public road?	No.	✓
• Would the proposal reduce the safety for pedestrians or bicyclists?	No.	✓
• Would the proposal reduce the safety for pedestrians, particularly children, by obscuring sightlines from public areas?	No.	✓

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

This SEPP commenced on 1<sup>st</sup> September 2017. It was introduced to integrate the planning, design is fit for purpose, providing some overarching design principles and guidelines for the location, built form, spatial requirements for premises.

#### 3 Aims of Policy

*The aim of this Policy is to facilitate the effective delivery of educational establishments and early education and care facilities across the State by—*

- (a) **improving regulatory certainty and efficiency through a consistent planning regime for educational establishments and early education and care facilities, and***
- (b) **simplifying and standardising planning approval pathways for educational establishments and early education and care facilities (including identifying certain development of minimal environmental impact as exempt development), and***
- (c) **establishing consistent State-wide assessment requirements and design considerations for educational establishments and early education and care facilities to improve the quality of infrastructure delivered and to minimise impacts on surrounding areas, and***
- (d) **allowing for the efficient development, redevelopment or use of surplus government-owned land (including providing for consultation with communities regarding educational establishments in their local area), and***
- (e) **providing for consultation with relevant public authorities about certain development during the assessment process or prior to development commencing, and***
- (f) **aligning the NSW planning framework with the National Quality Framework that regulates early education and care services, and***
- (g) **ensuring that proponents of new developments or modified premises meet the applicable requirements of the National Quality Framework for early education and care services, and of the corresponding regime for State regulated education and care services, as part of the planning approval and development process, and***
- (h) **encouraging proponents of new developments or modified premises and consent authorities to facilitate the joint and shared use of the facilities of educational establishments with the community through appropriate design. (our emphasis)***

Comment: The proposal is consistent with the aims of the policy, particularly those bolded for emphasis. The applicant is seeking to undertake an adaptive reuse of a heritage listed dwelling and its curtilage to provide a small community-based pre-school and primary school for up to 80 children.

The SEPP contains provisions relevant to new and existing schools, child care facilities, universities and TAFEs. In this case Part 4 – Schools Specific Development Controls and Schedule 4 – Principles of Design apply to the primary school. Part 3 - Early education and care facilities—specific development controls apply to the preschool.

Table 5 below provides an assessment of the proposal Part 4 of the SEPP and the Design Principles contained in Schedule 4 of the SEPP. Further, a checklist against Part 3 – Early education and care facilities and the associated Child Care Planning Guidelines is Appendix F of this EIS.

**Table 5: SEPP (EE&CCF) – Part 4 Schools Assessment**

<b>SEPP (Educational Establishments and Child Care Facilities) 2017 Assessment Table – Part 4 – Schools – Specific Development Controls</b>		
<b>Requirement</b>	<b>Proposed</b>	<b>Complies</b>
CI33 Definition of Prescribed Zone	The R2 zone is a prescribed zone.	Yes
CI 34 Development for the purpose of student accommodation	Not applicable	N/A
CI35 Schools – development permitted with consent	The proposed primary school is a non-government, privately owned and operated establishment. It is located within a prescribed zone. It is a new school, not an existing school.	Yes
CI36 Schools – development permitted without consent	Non-government establishment on privately owned land. Therefore, not applicable.	N/A
CI 37 Notification of carrying out of certain development without consent	CI36(1) does not apply, therefore not applicable	N/A
CI38 Existing Schools – exempt development	New primary school, not existing	N/A
CI39 Existing schools – complying development	New primary school, not existing	N/A
CI40 School-based child care – complying development	New primary school, not existing	N/A
CI41 Complying development certificates – additional conditions	N/A	N/A
CI42 State significant development for the purpose of schools – application of development standards in	Applies to the proposal. Noted.	Noted



<p>environmental planning instruments</p> <p><i>Development consent may be granted for development for the purpose of a school that is State significant development even though the development would contravene a development standard imposed by this or any other environmental planning instrument under which the consent is granted.</i></p>		
<b>Schedule 4 Schools – Design Quality Principles</b>		
<b>Requirement</b>	<b>Proposal</b>	
<p><b>Principle 1—context, built form and landscape</b></p> <p><i>Schools should be designed to respond to and enhance the positive qualities of their setting, landscape and heritage, including Aboriginal cultural heritage. The design and spatial organisation of buildings and the spaces between them should be informed by site conditions such as topography, orientation and climate.</i></p> <p><i>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.</i></p> <p><i>School buildings and their grounds on land that is identified in or under a local environmental plan as a scenic protection area should be designed to recognise and protect the special visual qualities and natural environment of the area, and located and designed to minimise the development's visual</i></p>	<p>The proposal, being the adaptive reuse of an existing residential building is effectively pre-set in terms of its setting, existing mature landscaping and established historical significance in the locale. Building works includes additions and alterations to the building designed to be as minimal as possible and capable of removal in the long term, thereby not significantly changing the overall fabric and thematic reading of its heritage.</p> <p>There are nearly 120 existing trees on site – of various retention value. The Arborist report (Appendix G) assesses each of the trees and details proposed tree removal, tree protection measures and replacement planting options. Overall, the site will retain its contribution to the landscape character of the neighbourhood.</p> <p>The site is not located within a scenic protection area. It is located within a Heritage Conservation Area and it is acknowledged and accepted that the site makes a positive contribution to the visual landscape of the area.</p>	

<p><i>impact on those qualities and that natural environment.</i></p>	
<p><b>Principle 2—sustainable, efficient and durable</b></p> <p><i>Good design combines positive environmental, social and economic outcomes. Schools and school buildings should be designed to minimise the consumption of energy, water and natural resources and reduce waste and encourage recycling.</i></p> <p><i>Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.</i></p>	<p>The environmental, social and economic impacts of the proposal are addressed throughout this EIS. Overall, the proponent seeks to provide an alternative learning space (indoors and outdoors) for a small number of children, with an emphasis on education on environmental awareness and be good citizens within their physical, social and cultural environment.</p> <p>The primary school is to be integrated with the new preschool onsite. It will therefore cater for children from child care age up to age 12. This is an innovative approach to education that brings stability and strong networks to the children, staff and families involved with the school.</p>
<p><b>Principle 3—accessible and inclusive</b></p> <p><i>School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.</i></p> <p><i>Note. Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.</i></p> <p><i>Schools should actively seek opportunities for their facilities to be shared with the community and cater for activities outside of school hours.</i></p>	<p>The grounds and the building are to be accessible. The first floor of the building will not be wheelchair accessible without the provision of a lift, however, the proponents are providing ground floor and outdoor accessibility to ensure a high level of inclusiveness.</p> <p>Wayfinding signage is to be erected within the site to assist all visitors and contractors to easily navigate their way into and around the site.</p> <p>The proponents are not adverse to the community use of their facilities in the future. Once established opportunities are likely to arise where mutual benefits are available.</p>

<p><b>Principle 4—health and safety</b></p> <p><i>Good school development optimises health, safety and security within its boundaries and the surrounding public domain, and balances this with the need to create a welcoming and accessible environment.</i></p>	<p>The proposal is a small scale, non-government school, offering smaller classes with an emphasis on shared learning. The building and setting of the new establishment will be very welcoming and accessible to staff, families and visitors to the site.</p>
<p><b>Principle 5—amenity</b></p> <p><i>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.</i></p> <p><i>Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.</i></p> <p><i>Schools should include appropriate, efficient, stage and age appropriate indoor and outdoor learning and play spaces, access to sunlight, natural ventilation, outlook, visual and acoustic privacy, storage and service areas.</i></p>	<p>The existing setting of the property, being a large residential site with mature landscaping including substantial trees and gardens is a pleasant and engaging site for the proposal. The design and layout include high-quality indoor and outdoor learning spaces.</p> <p>The site is not located near a busy road.</p>
<p><b>Principle 6—whole of life, flexible and adaptive</b></p> <p><i>School design should consider future needs and take a whole-of-life-cycle approach underpinned by site wide strategic and spatial planning. Good design for schools should deliver high environmental performance, ease of adaptation and maximise multi-use facilities.</i></p>	<p>The proposal is the adaptive reuse of the existing heritage site. A whole-of-life approach is the basis for the site selection in this case. Construction works comprises only additions and alterations to the existing building which have been designed to be able to be reversed where possible.</p>

<p><b>Principle 7—aesthetics</b></p> <p><i>School buildings and their landscape setting should be aesthetically pleasing by achieving a built form that has good proportions and a balanced composition of elements. Schools should respond to positive elements from the site and surrounding neighbourhood and have a positive impact on the quality and character of a neighbourhood.</i></p> <p><i>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.</i></p>	<p>For a small non-government school, the site is aesthetically appealing due the built form of the existing residence, the landscape setting and the balance of indoor and outdoor learning spaces.</p> <p>The proposal comprises only additions and alterations to the existing building, thereby preserving and conserving the thematic reading of the heritage and historical significance of the site. The retention of the majority of trees on the site, particularly adjacent the boundaries and street trees, retains the visual appearance of the site when viewed from the street.</p>
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### 3.5.5 Draft State Environmental Planning Policy (Remediation of Land)

The Draft SEPP (Remediation of Land) is aimed at providing a state-wide planning framework for the remediation of land; including consideration of the SEPP provisions at the rezoning stage; clearly listing remediation works that require development consent; and introducing certification and operational requirements for remediation works that can be undertaken without development consent.

Comment: The assessment of the subject site has not revealed any soil or water contamination issues with its adaptive reuse from low density residential to preschool and primary school. (Refer to Chapter 11 of this EIS and Appendix I).

### 3.5.6 Draft State Environmental Planning Policy (Environment)

This consolidated SEPP proposes to simplify the planning rules for a number of water catchments, waterways, urban bushland, and the Willandra Lakes World Heritage Property. These environmental policies will be accessible in one location, and updated to reflect changes that have occurred since the creation of the original policies. Changes include consolidating the following seven (7) SEPPs:

- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- State Environmental Planning Policy (Sydney Drinking Water Catchment) 2011
- State Environmental Planning Policy No. 50 – Canal Estate Development
- Greater Metropolitan Regional Environmental Plan No. 2 – Georges River Catchment

- Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River (No.2-1997)
- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005
- Willandra Lakes Regional Environmental Plan No. 1 – World Heritage Property.

Comment: The proposed changes to be introduced as part of this SEPP will not impact on the use of the subject site as a preschool and educational establishment.

### 3.5.7 Biodiversity Conservation Act 2017

A request for a Biodiversity Waiver, prepared by Cumberland Ecology dated 1 May 2020, was lodged with the Department of Environment, Energy and Science Group (EES). The Director of Social and Infrastructure Assessments, as delegate of the Secretary, reviewed the application of the test of significance under sections 1.5 and 7.3 of the *BC Act* and clause 1.4 of the *Biodiversity Conservation Regulation 2017*.

The Waiver has been approved as it was determined that the development is not likely to have any significant impacts on biodiversity values and that the application does not need to be accompanied by a BDAR.

The Waiver was granted under section 7.9. The delegated “Environment Agency Head” in the Environment, Energy and Science Group of the Department also granted a waiver, by letter dated 14<sup>th</sup> May 2020. A copy of the approval letter is Appendix V of this EIS.

## 3.6 Local Planning Assessment

### 3.6.1 Hornsby Local Environmental Plan 2013

#### Zoning and objectives

The site is zoned R2 Low Density Residential pursuant to the Hornsby LEP 2013.

The objectives of the R2 zone are:

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

Uses listed as permitted with consent include ‘Centre-based Child Care Facilities’ and ‘Educational establishments’.

The proposed landuses are defined as follows:

**“educational establishment”** means a building or place used for education (including teaching), being:  
(a) a school, or  
(b) a tertiary institution, including a university or a TAFE establishment, that provides formal education and is constituted by or under an Act.

***centre-based child care facility means—***

*(a) a building or place used for the education and care of children that provides any one or more of the following—*

- (i) long day care,*
- (ii) occasional child care,*
- (iii) out-of-school-hours care (including vacation care),*
- (iv) preschool care, or*

*(b) an approved family day care venue (within the meaning of the Children (Education and Care Services) National Law (NSW)),*

*but does not include—*

*(c) a building or place used for home-based child care or school-based child care, or*

*(d) an office of a family day care service (within the meanings of the Children (Education and Care Services) National Law (NSW)), or*

*(e) a babysitting, playgroup or child-minding service that is organised informally by the parents of the children concerned, or*

*(f) a child-minding service that is provided in connection with a recreational or commercial facility (such as a gymnasium) to care for children while the children's parents are using the facility, or*

*(g) a service that is concerned primarily with providing lessons or coaching in, or providing for participation in, a cultural, recreational, religious or sporting activity, or providing private tutoring, or*

*(h) a child-minding service that is provided by or in a health services facility, but only if the service is established, registered or licensed as part of the institution operating in the facility.*


Having regard to the above definitions the proposal is a combination of both an education establishment and centre-based child care centre, noting that the latter use in this case is operated in a manner commonly referred to as a pre-school rather than a child care centre. There is an established curriculum and educational focus for all ages of children rather than a focus on child care only. The proposed vocational care is ancillary to the primary use of the land for the aforementioned purposes.

### **Hornsby LEP 2013 Planning Provisions**

Hornsby LEP 2013 (HLEP 2013) contains a number of planning provisions applicable to the proposal. These are assessed in Table 6 below.



**Table 6: HLEP 2013 Planning Provisions**

LEP Clause	Proposal
<b>4.3 Height of buildings</b>  <i>Subject site: 8.5m</i>	HOB – As existing. No change to the overall height of the existing dwelling.
<b>4.4 Floor Space Ratio</b>  <i>Not mapped.</i>	FSR – Not applicable to the subject site.
<b>5.10 Heritage Conservation</b>  Site is locally listed and adjoining other heritage items.	<p>The subject site is listed as a local heritage item. There are other heritage listed items within the immediate proximity of the site and the site is located within heritage conservation area.</p>  <p>A Heritage Impact Statement, prepared by Heritage 21 is Appendix H of this EIS. A detailed assessment of heritage matters is provided in Chapter 9 of this EIS.</p> <p>The subject site is local heritage item No. 545, described as:</p> <p>Hornsby: Mt Errington and gardens: 1 Rosemead Rd, Hornsby: Lot A, DP 327582 Local: 545</p>

### **Assessment of Heritage Impact and Conservation**

The site is situated within the vicinity of the following heritage items listed in the HLEP2013:

Suburb	Item Name	Address	Property Description	Significance	Item no
Hornsby	House	52 William Street	Lot 5, DP 17856	Local	557
Hornsby	"Birklands"	52 Dural Street	Lot C, DP 361718	Local	824
Hornsby	House	4 Rosemead Road	Lot 518, DP 412118	Local	546
Hornsby	"The Haven"	6 Rosemead Road	Lot 522, DP 626635	Local	825
Hornsby	"Kuranda"	8 Rosemead Road	Lot 53, DP 3369	Local	826
Hornsby	Street trees	Dural Street	Road reserve	Local	468
Hornsby	Street trees	Galston Road	Road reserve (between Ryan Avenue and Montview Parade)	Local	553
Hornsby	Street trees	Rosemead Road	Road reserve (upper eastern section)	Local	544

*Among the above heritage items in the vicinity listed above, the subject site is adjacent to or within the visual catchment of Item 557 (House, 52 William Street), 824 ("Birklands", 52 Dural Street), 546 (House, 4 Rosemead Road), 825 ("The Haven", 6 Rosemead Road), 468 (Street trees, Dural Street), 553 (Street trees, Galston Road) & 544 (Street trees, Rosemead Road).*

*The proposed development of the site is not located within the visual catchment of heritage items 826 (8 Rosemead Road) listed above and neither is it considered to be sufficiently proximate to those places to warrant discussion in the Heritage Impact Assessment contained in Section 6.0 of this SOHI. Furthermore, it is the opinion of Heritage 21 that the remaining heritage items would not be affected by the proposal as the new works would be adequately concealed from these properties by the existing roof pitch. .... Therefore, the scope of works would not engender a significant negative heritage impact on heritage items in the vicinity.*

#### **3.6.2 Draft planning instruments**

There are no draft planning instruments that are applicable to the site and/or the proposal.

#### **3.6.3 Non-statutory planning policy - Development control plans**

The proposed development is subject to the provisions of the *Hornsby Development Control Plan 2013* (HDCP 2013). Table 7 below outlines the compliance of the proposal with the relevant elements of the DCP.

**Table 7: HDCP 2013 Compliance**

DCP Provisions	Proposal	Complies
<b>Chapter 1 General Provisions</b>		
<b>1C.1.2 Stormwater Management</b>	The existing stormwater system for the site will be utilised. The size of the roof is not altered. Run off from the parking area will be drained to the existing system. Refer to Stormwater Management Plan in Appendix Q.	Acceptable
<b>1C.2.1 Transport and Parking</b>  Child Care Centre 1 space per 4 children  Educational Establishments 1 space per full time teacher Allocated set down/pick up area	Proposal: 80 children + 8 staff  Preschool – 32 children Primary – 48 children (2 full time staff and 2 support staff)  Required:  Preschool = 8 cps Staff (primary) = 4 cps Total required = 12 cps  Proposed: 12 cps with set down/pick up areas allowed for on-site.	Refer to section 4.4.1 below.
<b>1C.2.2 Accessible Design</b>	An Accessibility Report is submitted as part of the DA package. Where the existing residence does not currently comply with the relevant regulations, alternative solutions and/or exceptions to compliance are recommended due to the circumstances of the case.	Refer to Access Report (Appendix P).
<b>1C.2.3 Waste Management</b>	A Waste Management Plan is submitted as part of the DA package. Refer to Appendix N.	Acceptable.
<b>1C.2.5 Noise and Vibration</b>	An Acoustic Assessment Report of the proposed use, prepared by NG Child & Associates, dated May 2020 is submitted as part of the EIS package as Appendix L.  Refer to comments in section 4.4.2 below.	Refer to Report.
<b>1C.2.9 Landscaping</b>	An Arboricultural Report is submitted as part of the DA package. Refer to Appendix G.  It assesses the trees onsite and proposed tree removal, where needed.	Acceptable.

	<p>A Tree Protection Plan is submitted with the documentation, recognising the importance of retaining the grounds of the heritage item and creating a high amenity area for the children that provides a range of learning and activity areas.</p> <p>Refer to the landscape plan, prepared by Fiona Cole Design, Dwg No. 02419, submitted as part of the DA package and in Appendix E.</p> <p>The Landscape plan provides offset planting as required to embellish the existing landscape elements.</p>	
<b>1C.2.10 Services and Lighting</b>	<p>All services are available to the site i.e. energy, electricity, water, NBN. Where any of these need to be augmented for the operation of the school, the applicant will contact the relevant provider.</p>	Acceptable.
<b>1C.2.11 Signage</b>	<p>Signage is indicated on Rosemead Road fencing only. See Elevation drawings for more detail. SEPP 64 assessment completed as part of this EIS.</p>	N/A
<b>1C.3.1 Bushfire</b>	<p>A Bushfire Assessment Report, prepared by Australian Bushfire Consulting Services, dated May 2020, is submitted as part of the DA package and is Appendix M.</p> <p>There are no construction recommendations and the site is to be maintained as an asset protection zone / inner protection area as per the provisions of the PBFP 2006. Recommendations of the bushfire report to be adopted as conditions of consent.</p>	Acceptable.
<b>1C.3.4 Land Contamination</b>	<p>A Preliminary Site Investigation Report (Contamination – PSA and SEPP 55 Report), prepared by NG Child &amp; Associates, dated April 2020 is</p>	Acceptable.

	submitted as part of the DA package and is Appendix I.	
<b>Part 7 Community</b>		
<b>7.1 Community Uses</b>	The proposal is a type of community use identified and addressed in Part 7 of the DCP.	
<b>7.1.1 Site Requirements</b>  The development site width of a school should not be less than 60 metres in urban areas, measured at the primary street frontage.  Community uses should not be situated on: - battle-axe allotments, or - in a street, or portion of a street, ending in a cul-de-sac.	Compliant.  The site is not located in a battle-axe or cul-de-sac.	Yes
<b>7.1.2 Scale</b>  a. The maximum floor space ratio shall be in accordance with the HLEP Floor Space Ratio Map:  b. The maximum building height shall be in accordance with the HLEP Height of Buildings Map.  c. The scale of buildings should be in accordance with Table 7.1.2(a). i.e.  R2 Low Density Residential Zone: Apply height and site coverage controls for dwelling houses in Section 3.1 of the DCP.	The scale of the building and the grounds remain unchanged. The preschool and school combined will cater for 80 children only. The existing building is sited towards the centre of the site with large setbacks to boundaries.  The existing building complies with height. Overall, the scale of the built form is acceptable.	Yes

Child Care Centres - additional controls		
<p>d. A maximum of one child care centre per allotment.</p> <p>e. The size of a child care centre should be limited to the following prescribed in Table 7.1.2(b),</p> <p>Residential Zones (excluding existing school sites):</p> <p>30 children (for a dwelling house conversion)</p> <p>40 children (for a purpose built centre), or 60 children, when at least 33% of all places are provided for 0-2 year olds, and the child care centre involves the conservation of a heritage item or a building of contributory value in a heritage conservation area in the case of a dwelling-house conversion, and/or</p> <p>„ a minimum of 3.25m<sup>2</sup> of unencumbered indoor play space and a minimum of 15m<sup>2</sup> of unencumbered outdoor play space is provided per each child for above 40 for a purpose built centre, and/or a minimum of 15m<sup>2</sup> of unencumbered outdoor play space is provided per each child above 30 in a dwelling house conversion, and/ or</p> <p>„ where other children’s services are integrated into the development.</p>	<p>Combined preschool and primary school for up to 80 children.</p> <p>The amount of indoor and outdoor space required is subject to the SEPP. In this case the building and the grounds are more than adequate to cater for both the pre-school and primary school children.</p>	Acceptable
<p>Within the R2 Low Density Residential Zone, the maximum floor area of any child care centre should comply with the following:</p> <p>Table 7.1.2(c): Floorspace of Child care centres - R2 zone - 900sqm or larger: 430m<sup>2</sup></p>	Complies.	



<b>7.1.3 Setbacks</b>  R2 Low Density Residential Zone,  Apply setback controls for Dwelling Houses in Part 3.1 of the DCP, except for purpose built centres where the minimum side setback should be 2m.	As existing. No change.  The existing residence is sited well back from all boundaries and is adequate to provide both visual and acoustic privacy to the adjoining properties.	Yes
<b>7.1.4 Landscaping</b>  a. Landscaping that is compatible with the character of the locality. b. Landscaping that retains existing landscape features such as significant trees, flora and fauna habitats and urban streams.	Refer to the Landscape Plans and Arboricultural Report and Addendum submitted with the EIS package. Refer to Appendix G.	Yes
<b>7.1.5 Open Space</b>	Subject to the SEPP. The SEPP overrides the DCP provisions for the provision of indoor and outdoor spaces.  In this case the proposal complies with the SEPP.	Yes
<b>7.1.6 Privacy, Security and Sunlight</b>	As noted previously.  Satisfactory.	Yes
<b>7.1.7 Vehicle Access And Parking</b>	Refer to the Traffic and Parking Report submitted with the DA package and is Appendix K.	Yes
<b>7.1.8 Design Details</b>	Refer to the Architectural Plans submitted with the EIS package.	Yes
<b>Part 9 Heritage</b>		
<b>9.3.7 Hornsby West Side Heritage Conservation Areas–Character Statement</b>		
<i>The Mt Errington Precinct was initially subdivided in two sections – between Frederick Street and Lisgar Road in 1886, west of Lisgar Road in 1897. The Pretoria Parade Precinct comprises small lot Edwardian and Post War subdivision development. Peat’s Ferry Road was established by George Peat for his own private access. The government adopted it as</i>		

*an official route and improved it for traffic in 1850. This is more or less the route of the present Pacific Highway from Pearce's Corner. The Pacific Highway name was adopted in 1931.*

**Mt Errington Precinct**

h. William and Dural Streets run parallel to the ridge, while Lisgar and Rosemead Roads run down the steep slopes. Pockets of remnant and regenerated native vegetation remain in the road reserves, verges and in private gardens. The tall tree canopy is a significant and unifying feature of the area, and intrinsic to the bushland setting.

i. The subdivision of the earlier eastern section intentionally created smaller, narrower lots to support modest housing forms. In comparison, lots to the west of Lisgar Road are typically larger. Remnants of these historic development patterns are evident, with more modest houses constructed nearest the railway line and grander houses on the western ridge overlooking the valley.

j. The built form is diverse and predominantly residential, characterised by detached single storey houses on separate lots. Houses from the Federation and Inter-War periods establish the characteristic qualities of the precinct.

k. Front setbacks vary in response to the topography and historical development. Roof forms are characteristically hipped or gabled with broad, simple planes and verandahs to the street.

The proposal provides for the adaptive reuse of the existing building and its curtilage. There are limited structural building works proposed and the primary façade of the residence remains largely unchanged.

There is a high tree retention rate and additional landscaping proposed.

Yes

#### **3.6.4 Planning agreements**

There are no planning agreements proposed as part of this proposal. All contributions are to be applied in accordance with EP&A Act.

#### **3.6.5 The EP&A Act Regulation**

Relevant matters under the EP&A Regulations relating to the proposal have been addressed above.

#### **3.6.6 Likely impacts**

This EIS comprehensively describes the likely impacts of the proposal. It also describes commitments proposed by the proponent to mitigate and manage these impacts.

These descriptions are based on technical studies prepared by specialists, which are appended to this EIS. The technical studies were prepared using the most recent and accurate data and procedures relevant to the proposal in consideration of current policies and legislation. In addition, the technical studies adopted conservative commitments in relation to environmental management and operation of the site are contained in Chapter 22. Should an alternate view or additional data be provided by the consent authority or an agency then further investigations will be undertaken by the consultant team and reported as an addendum to this EIS.

#### **3.6.7 Suitability of the site**

It is considered that the site is suitable for the educational establishment and Centre-based Child Care Facility for a number of reasons. Justification for the proposal is provided in Chapter 2.12 Justification and the 'Do Nothing' Option and Chapter 22.0 justification and Conclusion.

#### **3.6.8 Submissions**

This EIS will be placed on public exhibition by the Department of Planning, Industry and Environment.

Submissions received as a result of the public notification of the application will be forwarded to the proponent to consider and respond to (via a Response to Submissions (RTS) report).

#### **3.6.9 Additional Consultation**

The proponent has sought counsel with Aboriginal Indigenous leaders in the Sydney region. In particular, with Darug Elders. Refer to Section 4.7 below.

#### **3.6.10 Public interest**

This EIS provides a justification for the proposal (refer to Chapter 22.0 justification and Conclusion) and takes into consideration to the extent necessary the potential environmental impacts of the use and proposed works and the suitability of the site. It also considers the proposal against the principles of ecologically sustainable development (ESD). The consent

authority will also be required to consider all submissions by business owners, land owners and stakeholders received during the public exhibition of the EIS.

### 3.7 Other NSW legislation

#### 3.7.1 National Parks and Wildlife Act 1974

The NSW *National Parks and Wildlife Act 1974* (NPW Act) provides for nature conservation in NSW including the conservation of places, objects and features of significance to Aboriginal people and protection of native flora and fauna. A person must not harm or desecrate an Aboriginal object or place without an Aboriginal heritage impact under section 90 of the NPW Act.

The proposal would not impact on any Aboriginal object or site. As such, an Aboriginal heritage impact assessment under section 90 of the NPW Act is not required for the proposal.

#### 3.7.2 Threatened Species Conservation Act 1995

The Threatened Species Conservation (TSC) Act aims to conserve biological diversity in NSW through the protection of threatened flora and fauna species and endangered ecological communities (EECs).

The proponent has requested a BDAR Waiver as part of the initial SEARs request to the State Planning Department which has been granted. A copy of the Waiver is attached as an annexure.

#### 3.7.3 Roads Act 1993

The NSW *Roads Act 1993* (Roads Act) regulates activities that may impact on public roads in NSW. Section 138 of the Roads Act states that:

A person must not:

- (a) erect a structure or carry out a work in, on or over a public road, or*
- (b) dig up or disturb the surface of a public road, or*
- (c) remove or interfere with a structure, work or tree on a public road, or*
- (d) pump water into a public road from any land adjoining the road, or*
- (e) connect a road (whether public or private) to a classified road, other than with the consent of the appropriate roads authority.*

The proposal seeks to construct a new driveway crossing from Rosemead Road into the boundary of the site and utilisation of the existing permeable driveway within the site. Accordingly, an approval under section 138 of the Roads Act is required for the proposal which can occur post approval of the application.

### 3.8 Strategic Policies and Guidelines

#### 3.8.1 EIS guidelines

This EIS has been prepared in accordance with relevant government guidelines, addressing the SEARs and specific Council requirements. The SEARs requires the proponent to address relevant planning provisions, goals and strategic planning objectives in the following policies:

- NSW State Priorities
- The Greater Sydney Regional Plan, A Metropolis of three cities
- Future Transport Strategy 2056
- State Infrastructure Strategy 2018 – 2038 Building the Momentum
- Sydney's Cycling Future 2013
- Sydney's Walking Future 2013
- Sydney's Bus Future 2013
- Crime Prevention Through Environmental Design (CPTED) Principles
- Better Placed: An integrated design policy for the built environment of New South Wales (Government Architect NSW (GANSW), 2017)
- Child Care Centre Guideline (DPE, August 2017)
- Healthy Urban Development Checklist (NSW Health, 2009)
- Draft Greener Places Policy
- Greater Sydney Commission's North District Plan
- Hornsby Development Control Plan 2013
- Hornsby Local Strategic Planning Statement

Policy	Proposal
<b>NSW State Priorities</b>	<p>Premier's Priorities:</p> <ul style="list-style-type: none"> <li>- A Strong Economy</li> <li>- Highest Quality Education</li> <li>- Well-connected communities with quality local environments</li> <li>- Breaking the cycle of disadvantaged</li> </ul> <p>Comment: The proposal works towards achieving high quality education for a diversity of children that adds value to the local economy by employment of full and part time staff and contributes to a well-connected community as part of the preschool and primary school community.</p>
<b>The Greater Sydney Regional Plan, A Metropolis of three cities</b>	<p>Hornsby LGA is identified as a key regional growth centre within northern part of Sydney. The area is and will continue to experience a major focus on new communities, jobs and services. The proposal is consistent with this vision as it secures long term education for local residents together with local employment opportunities. The site is strategically placed to serve its target markets in preschool and primary school aged education. Alternative, private based education, outside of the mainstream NSW</p>

	public or private curriculums, based on a different value set for the growth and maturity of students. The proposed educational establishments will contribute to a different educational market that has its base in experience at the Canberra campus of the same school. The proponent anticipates that the popularity of the Canberra campus will be repeated at Hornsby.
<b>Future Transport Strategy 2056</b>	The site is within walking distance of the Hornsby Train Station with good walking and cycling connections to and from the site.
<b>State Infrastructure Strategy 2018 – 2038 Building the Momentum</b>	Action 13. Education: The proposal will add to the supply of non-government primary school infrastructure and places in the Hornsby area.
<b>Sydney's Cycling Future 2013</b>	Cycling as a mode of transport is available to and from the site. The proposal encourages alternative modes of transport, if relevant. Safety of students is important and must be balanced in this case as students are primary school age.
<b>Sydney's Walking Future 2013</b>	The site is located within walking distance of the train station and surrounding shops and services. Similar to cycling, the safety of children must be balanced with walking, if unaccompanied, in the area.
<b>Sydney's Bus Future 2013</b>	Buses are available within walking distance of the site. Again, the safety of students must be balanced with the age of the children.
<b>Crime Prevention Through Environmental Design (CPTED) Principles</b>	Security for staff, students and parents is paramount to the proponents. An assessment of the four CPTED principles is provided in Section 3.7.2 below.
<b>Better Placed: An integrated design policy for the built environment of New South Wales (Government Architect NSW (GANSW), 2017)</b>	The proposal achieves the five aspects of a well-designed built environment: healthy, responsive, integrated, equitable and resilient. The adaptive reuse of the historical residence is a good fit for the site, is sustainable, inclusive and connected to the local community. The use is safe, comfortable, functional, efficient and offers an attractive site for this educational establishment.
<b>Child Care Planning Guideline (DPE, August 2017)</b>	Achieved. This guideline is addressed in Appendix F.



<b>Healthy Urban Development Checklist (NSW Health, 2009)</b>	The proposal achieves the guiding principles, being equity of access, early engagement with the community, interdependence and building partnerships.
<b>Draft Greener Places Policy</b>	The site is conserved in terms of the retention of the historical residence and the extensive mature gardens within the site. Where tree removal is required for the development, additional offset planting is proposed. Overall, the site retains its high-quality contribution to the green backdrop of the immediate neighbourhood.
<b>Greater Sydney Commission's North District Plan</b>	Hornsby is part of this area. The proposal provides a balance between the occupation of the site for a permissible landuse and the adaptive reuse of the historical residence and its surrounds ensuring maintenance and conservation of its history.
<b>Hornsby Development Control Plan 2013</b>	The HDCCP provisions are addressed in section 3.5.8 of this EIS.
<b>Hornsby Local Strategic Planning Statement</b>	The Hornsby LSPS contains four themes – liveable, sustainable, productive and collaborative. The proposal contributes to each of these themes for the future growth and development of the Hornsby area. The proposal supports family orientated growth in the Hornsby LGA and supports residential growth predicted within the LGA over the next 10-20 years.

### 3.8.2 CPTED Assessment

Crime prevention through environmental design (CPTED) seeks to influence the design of buildings and places by:

- increasing the perception of risk to criminals by increasing the possibility of detection, challenge and capture
- increasing the effort required to commit crime by increasing the time, energy or resources which need to be expended
- reducing the potential rewards of crime by minimising, removing or concealing 'crime benefits' removing conditions that create confusion about required norms of behaviour.

The following provides an outline of the four (4) CPTED principles and the proposed design solution for the project:

#### Surveillance

*The attractiveness of crime targets can be reduced by providing opportunities for effective surveillance, both natural and technical.*

*Good surveillance means that people can see what others are doing. People feel safe in public areas when they can easily see and interact with others. Would be offenders are often deterred from committing crime in areas with high levels of surveillance.*

*From a design perspective, 'deterrence' can be achieved by:*

- *clear sightlines between public and private places*
- *effective lighting of public places*
- *landscaping that makes places attractive, but does not provide offenders with a place to hide or entrap victims.*

Proposal: Open style fencing at the front boundary of the property to provide clear sightlines between the school and the surrounding streets.

Outdoor lighting to provide surveillance is to be considered in balance with the residential surrounds. The pendant light at the front door will be left on at night to ensure the property is visible when the school is not open.

The removal of the Giant White Birds of Paradise (Tree 112) will substantially improve the capacity for surveillance of the site. Its removal is necessitated by the widening of the driveway proposed but the improvement of sightlines is a secondary benefit of its removal.

#### **Access control**

*Physical and symbolic barriers can be used to attract, channel or restrict the movement of people. They minimise opportunities for crime and increase the effort required to commit crime.*

*By making it clear where people are permitted to go or not go, it becomes difficult for potential offenders to reach and victimise people and their property. Illegible boundary markers and confusing spatial definition make it easy for criminals to make excuses for being in restricted areas. However, care needs to be taken to ensure that the barriers are not tall or hostile, creating the effect of a compound.*

*Effective access control can be achieved by creating:*

- *landscapes and physical locations that channel and group pedestrians into target areas*
- *public spaces which attract, rather than discourage people from gathering*
- *restricted access to internal areas or high-risk areas (like carparks or other rarely visited areas). This is often achieved through the use of physical barriers.*

Proposal: New fencing and clear directional signage will ensure access is directed appropriately around the site. The driveway gates at the driveway entrance and exits will be closed whenever children are supervised in small groups in the outdoor learning spaces.

To ensure the heights of the front fence are not obtrusive and out of character in the residential surrounds, the higher (1.8m) preschool security fencing and entry gates are positioned to the rear of the property, well setback from the street. This enables the front fence to be 1.2m instead of 1.8m.

The access to the carpark will be restricted during the bulk of the day. Gates will only be opened as needed and under the supervision of a staff member to ensure safety of all visitors and users of the site.

### **Territorial reinforcement**

*Community ownership of public space sends positive signals. People often feel comfortable in, and are more likely to visit, places which feel owned and cared for. Well used places also reduce opportunities for crime and increase risk to criminals.*

*If people feel that they have some ownership of public space, they are more likely together and to enjoy that space. Community ownership also increases the likelihood that people who witness crime will respond by quickly reporting it or by attempting to prevent it.*

Proposal: Having been vacant for almost two years, the gardens of Mount Errington are in need of refurbishment and rejuvenation. The benefit of this proposal is that the site will be inhabited and improved upon, increasing the visibility that the home and gardens are owned and cared for.

The community is already proud and protective of the site, due to its historical significance. The presence of engaged and supportive neighbours will be a benefit to the territorial reinforcement ensuring people will be quick to report any unusual behaviour on the site.

### **Space management**

*Space management strategies include activity coordination, site cleanliness, rapid repair of vandalism and graffiti, the replacement of burned out pedestrian and carpark lighting and the removal or refurbishment of decayed physical elements.*

Proposal: The proponent currently operates a similar campus in Canberra. The appearance of the site, its cleanliness and maintenance are a high priority. Operational protocols are part of the overall management of the site. Therefore, attention to the cleanliness and upkeep of the site is assured with this proposal.

## **4.0 CONSULTATION**

### **4.1 Introduction**

This chapter describes the process for and outcomes of consultation which has been undertaken in accordance with the SEARs requirements.

The community consultation was completed by Hornsby Council pre-EIS as part of the DA. Stakeholder consultation occurred as part of the EIS preparation.

### **4.2 SEARs**

The SEARs require consultation to be undertaken with relevant local and State government agencies “in order to agree the scope of investigation” for the EIS, comprising:

- Hornsby Shire Council (HSC);
- Transport for NSW (TfNSW); and
- Transport for NSW (Roads and Maritime Services (TfNSW RMS))

The SEARS states:

*The EIS must describe the consultation process and the issues raised, and identify where the design of the development has been amended in response to these issues. Where amendments have not been made to address an issue, a short explanation should be provided.*

#### 4.3 Background

To meet the requirements of the SEARs, consultation was divided into three groups, namely: Hornsby Shire Council; State government agencies; and community stakeholders.

#### 4.4 Approach

A variety of stakeholder tools and methods were adopted for the proposal's consultation process as shown in Table 8 below.

**Table 8: Method of Consultation**

Method of Consultation	Activity
Letters	Council undertook formal public notification in response to the lodgement of the original DA with Council.  A copy of the consultation letter is included as U of this EIS.
Meetings with local organisations	Relevant Stakeholders were consulted by proponent representative/s one-on-one.
Contact with local residents	One-on-meetings or small group meetings with local residents
Social Media	A landing page ( <a href="http://www.bluegumcommunityschool.com">www.bluegumcommunityschool.com</a> ) was created. The site provides information about the proposal and invites people to contact the school for more information or with feedback.
State Agencies	Letters were issued to State agencies outlining details of the proposal inviting feedback.
Phone Calls	Contact details were provided in all letters to enable questions, comments and feedback.
Responses	Responses to the initial consultation was enabled by post, email or phone call with either the proponent representative or Andrew Martin Planning P/L staff.

#### 4.5 Hornsby Council

The proposal was originally lodged with Hornsby Council as a Development Application - with Hornsby Council as the consent authority (DA1119/2019). This resulted in a range of pre-assessment consultation with the public and intra-departmental comments being received by Council's Assessment Planner. The following departments and sections were consulted:

- Tree Management Team
- Natural Resources Unit
- Environmental Health Planning Division
- Traffic and Road Safety Branch
- Heritage Planning Division
- Council Building Surveyors, including Council's Senior Building Certifier
- Town Planning Division
- Waste Management Services' Environmental Scientist
- Development Engineer
- Environmental Protection Team
- Strategic Planning Team

Their comments and initial responses were made available to the proponent as feedback that has assisted with the preparation of consultant reports, architectural plans and the EIS.

##### Departmental Responses

As part of the initial assessment of the DA, interdepartmental comments were sought by the Assessment Planners. A number of matters were raised. These were provided to the proponent to assess with design review of the proposal as part of the preparation of the application package, including the architectural plans, expert reports and the EIS.

##### Public Consultation

As part of the initial assessment of that DA Council publicly notified the DA in accordance with their notification policy contained within the Hornsby DCP 2013. A number of submissions were received. These have been made to the proponent as part of the consultation phase for the preparation of the EIS to accompany the SSD application.

The following Table 9 provides a review of the matters received in those public submissions and comments/responses to the matters raised. Where a matter is addressed within a section of the EIS or within a specialist report, these are referenced accordingly.

**Table 9: Summary of Issues – Initial Public Consultation**

Issue	Response
<p><b>Traffic and Parking:</b></p> <p>Traffic generation will overwhelm local road network leading to congestion Width of existing roads too narrow to accommodate development Parking demand in the locality already exceeds current demand and is unable to accommodate the development Site access dangerous / too close to a blind corner Safety of pedestrians and road users</p>	<p>A Traffic Parking and Assessment Plan (Appendix K) has been submitted with the EIS outlining how the project intends to mitigate the possible negative impact on traffic and parking in the area surrounding the proposed site.</p> <p>A 1m pedestrian pathway has been added to the car park area to connect the parking area to the newly proposed access pathway. A new low height wall section is now proposed to separate pedestrians and vehicles along the circular driveway.</p>
<p><b>Heritage:</b></p> <p>Degradation of Heritage Values of Mount Errington Mansion and Grounds Tree Removal of Heritage Listed trees within and adjacent to the property Degradation of the character of the area Irreversible destruction of architectural elements</p>	<p>The early engagement of the Heritage Architect into the proposal has resulted in alternative design solutions for many of the works to the heritage item. Every effort has been made to have a minimal impact on the original fabric and character of Mount Errington and its gardens. A comprehensive Heritage Impact Statement (Appendix H) included with the EIS. It outlines the proposed strategies for protecting, restoring and enhancing the heritage value of the property. Where impact could not be avoided the proponents have acted on the advice of a qualified and experienced Heritage Architect. All changes proposed are designed to be reversible.</p>
<p><b>Tree removal:</b></p> <p>Removal of significant trees</p>	<p>Some tree loss was unavoidable on the heavily treed site. The design of the carpark and driveway extension has been optimised to account, where possible, for the location of the existing trees. The car park has been positioned in the area of the site that was previously a grass tennis court. The trees in this area are substantially less mature than others on the site and the flat surface of the tennis court ensured minimal excavation ensuring the root protection zones of additional trees (not marked for removal) were protected. An Arboricultural Impact Assessment Report and Addendum is included as Appendix G.</p>



<p><b>Noise:</b></p> <p>Operational noise impacts to neighbouring and local receivers              Year round / relentless noise</p>	<p>An Acoustic Impact Report is Appendix L. it has informed the design of acoustic barriers to minimise acoustic impacts on surrounding properties.</p> <p>Specific concerns raised by the neighbours at 1A Rosemead Road have led to a change in the proposed height of fencing alongside the 1A garage (2.1m proposed).              No outdoor amplification is proposed.              No school bell will be used.              The school is not operational before 7:45am or after 6pm and will not be in use on weekends.</p>
<p><b>Bushfire Risk:</b></p> <p>General Bushfire Risk to development              Evacuation routes involve navigation of narrow and congested streets              Additional traffic associated with School will hamper resident's evacuation.</p>	<p>The original DA lodged with Hornsby Council was referred to the NSW RFS and received approval subject to conditions. A Bush Fire Assessment Report is Appendix M.</p> <p>The school would not be open on days categorized as catastrophic. This will alleviate any pressure on roads on such days, should an evacuation need to occur.</p> <p>A pedestrian gate has been included on the William Street boundary to enable swift evacuation from the site from either street, as required.</p>
<p><b>Commercial Development in Residential Zoning</b></p> <p>Development for a commercial purpose is not appropriate for the site as it is zoned for residential use.              The proposal is commercial in nature and will impact on the amenity of the residential area</p>	<p>The site is zoned R2 Low Density Residential under the Hornsby LEP 2013. The proposal, defined as a centre based childcare and educational establishment, is permissible with consent.</p>
<p><b>Streetscape Impacts</b></p> <p>Signage, tree removal and front fencing changes would have a detrimental impact on the streetscape.</p>	<p>Signage has been designed to be elegant and respectful of the Heritage character.</p> <p>Tree removal has been kept to a minimum based on advice. Tree removal has been kept primarily to trees in the rear yard to protect the front facade.</p>

	<p>Additional landscaping and new tress proposed will add to the front amenity significantly over time.</p> <p>The existing front face is dilapidated and rotting. Proposed fencing is to be kept at 1.2m and designed to be recessed into the front landscaped hedge. The design intent is for the front fence to disappear over time ensuring the stunning view and enjoyment of Mount Errington is protected for all to enjoy.</p> <p>The fencing proposed will match the existing fencing that encloses Council's Dural Street playground, opposite the site.</p>
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#### 4.6 State Government Agencies

Government agencies identified in the SEARs (TfNSW (Transport) and TfNSW (RMS) were consulted via letter as part of the preparation of the EIS. A copy of the letter to TfNSW is Appendix U of this EIS.

At the time of finalising the EIS no response from any Agency had been received.

The TfNSW had previously provided comments as part of the SEARS preparation and therefore relevant matters have been considered in the preparation of the EIS.

It is anticipated that DPI&E will consult with relevant State Agencies during the public notification period of the DA assessment. Any matters raised as a result of that notification will be addressed as part of the Response to Submissions (RTS) Report and SSD process.

#### 4.7 Other Consultation

The proponent also undertook the consultation with representatives of the local aboriginal community. This was conducted via one-on-one contact and meetings.

Correspondence has been issued to the CEO of the Metro Local Aboriginal Land Council to share information about the proposal and seek feedback and advice. No initial concerns have been raised.

Consultation has also been undertaken with the Indigenous Early Childhood Education Consultant, Priscilla Reid Loynes (Gamilaroi and Yularoi woman), to ensure the project is established in a manner that honours the values and teachings of Australia's first people. Representatives of both organisations co-wrote the acknowledgment of country - to be included on the front signage of the school.

No reported concerns with the proposal have been raised.

## 4.8 Conclusion

The proponent and its representatives have carried out the required stakeholder consultation as part of the preparation of the EIS. This has included Hornsby Shire Council, State government agencies and other stakeholders – local property owners and community organisations.

Table 9 above outline issues raised during the consultation process and how they have been addressed within the design, layout and fabric of the proposal. All relevant issues and opportunities associated with the proposal have been identified and suitably resolved.

## 5.0 ENVIRONMENTAL RISK ASSESSMENT

### 5.1 Introduction

The SEARs requires the proponent to undertake a preliminary Environmental Risk Assessment (ERA) as part of the preparation of the EIS. The ERA is to determine the potential environmental impacts of the proposal. This chapter presents the preliminary risk ratings for the proposal.

### 5.2 Methodology

The risk assessment is based on the following three risk matrix tables were used:

**Table 10: Evaluating Level of Risk**

Likelihood	Consequences			
	Low	Minor	Moderate	Major
Almost certain	High	High	Extreme	Extreme
Likely	Moderate	High	High	Extreme
Possible	Low	Moderate	High	Extreme
Unlikely	Low	Low	Moderate	High
Rare	Low	Low	Moderate	High

**Table 11: Evaluating Likelihood**

Likelihood	Description	Frequency
Almost certain	Expected to happen	Occurs once a week
Likely	May easily happen	Occurs once a month
Possible	May happen	Occurs once every year
Unlikely	May happen sometime	Occurs once every 10 years

**Table 12: Evaluating Consequences**

Consequence	Health and Safety	Environment	Loss/ Damage
Low	First Aid	Short term environmental impact managed on site	\$0-\$5k
Minor	Medical treatment	Medium term on-site environmental impact managed on site	>\$5k-\$50k
Moderate	Classified injury (LTI or restricted workcase)	Medium term on-site environmental impact needing external assistance	>\$50k-\$500k
Major	Severe permanent disability, Fatality/ies, health effects to >50 persons	Very serious, long-term, or irreversible environment impairment of ecosystem	>\$500k-\$5M plus

### 5.3 Results

The results of the environmental risk assessment are summarised in Table 13 below.

**Table 13: Environmental risk rating without mitigation**

	Aspect	Impact	Risk Ranking
<b>Water and Runoff Management Plan</b>	Site works during construction phase – Works near stormwater drains	Potential for debris, chemicals and other pollutants to wash into stormwater system.	Low
	Day to Day Site Activities – Contaminated water to enter site and Council stormwater drains	Potential for unforeseeable chemicals and waste or poor materials handling to result in discharge to stormwater.	Low
	Day to Day Site Activities – Traffic On-site	Release of debris and leaking oil into stormwater.	Low
	Day to Day Site Activities - Litter	Discharge of gross pollutants into stormwater.	Low
<b>Site Contamination /Hazardous Building Materials Management Plan</b>	Day to Day Site Activities – Presence of Hazardous Building Materials	Hazardous building materials (e.g. asbestos, lead- based paints, polychlorinated biphenyls)	Low

		presenting an occupational health risk.	
	Day to Day Site Activities – Breaking of ground, disturbance of underlying soil	Exposure of potentially contaminated soil and groundwater.	Low
<b>Waste Management Plan</b>	Day to Day Site Activities – inappropriate disposal of waste generated on-site.	Contamination of receiving site. Litigation by NSW EPA.	Low
	Day to Day Site Activities – Increase in non-recyclable component to waste stream	Reduced sustainability of operations.	Low
	Day to Day Site Activities – Changed site activities affecting waste streams on-site.	New waste streams inappropriately managed.	Low
	Day to Day Site Activities – Inappropriate storage/containment of waste	Spills, pollution, ground and water impact.	Low
<b>Noise and Vibration</b>	All activities - Site Planning	Activities adversely affecting neighbours buildings and the surrounding area.	Moderate
	All activities - Excessive vehicle traffic during construction	Noise complaints from vehicle movements during construction.	Moderate
<b>Retention of onsite vegetation</b>	Excessive loss of existing onsite vegetation	Reduction in tree canopy and visual impact on historical setting of heritage items.	Moderate

	Landscaping planting not carried out in accordance with approved plans	Insufficient planting or maintenance of landscaping onsite resulting in loss of amenity and street presentation.	Moderate
<b>Conservation of locally listed heritage item</b>	All activities – loss of heritage significance and thematic reading of heritage item	Preservation of the heritage building declines over time if not well maintained by operator.	Low

## 5.4 Conclusion

All risks without mitigation were rated as low to moderate. The level of risk associated with each environmental issue was considered in the context of the SEARs requirements to determine the level of assessment that should be undertaken.

The identification of risks enabled the determination of assessment priorities for the EIS and further amelioration measures to be incorporated into the design of the proposal. Standalone technical reports assessing potential impacts and proposed mitigation measures have been prepared for noise impact, traffic, stormwater, and various types of site contamination. These reports are included as appendices to this EIS.

## 6.0 NOISE AND VIBRATION

### 6.1 Introduction

The SEARs for the project required the EIS to address Noise and Vibration, including:

- *Identify and provide a quantitative assessment of the main noise and vibration generating sources during construction. Outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land.*
- *Identify and assess operational noise, including consideration of any public-address system, school bell, mechanical services (e.g. air conditioning plant), use of any school hall for concerts, the amphitheatre, outdoor play areas and excursion areas (both during and outside school hours) and any out of hours community use of school facilities, and outline measures to minimise and mitigate the potential noise impacts on surrounding occupiers of land.*

An Acoustic Assessment Report, prepared by NG Child & Associate, dated 6 May 2020 is provided in Appendix M. Key extracts and recommendations are summarised in this chapter.



## 6.2 Existing Environment

The subject site is located within a neighbourhood that is predominantly low density residential. The assessment of noise in relation to preschools, child-care centres and schools involves two primary considerations. Firstly, the potential impacts of external noise sources on the conduct and well-being of the proposed school, and the children and staff involved. Secondly, the potential impact of sounds generated by the school and its activities on nearby activities and individuals.

The position of the school in relation to residential neighbours is shown in Figure 18, below. Residential receivers are present to the immediate east and west and south of the site (locations 1, 2 & 3), and to the north and south on the opposite sides of Rosemead Road and William Streets respectively (locations 4 & 5). In the case of the residential receivers situated on the opposite sides of Rosemead Road and William Street, road traffic noise and distance are significant attenuating (reducing) influences.

The potentially affected residential receivers are considered to be those to the immediate east and west of the proposed development.



*Figure 18: Location of noise sensitive receptors*



The assessment establishes the existing background levels for the site and surrounds. Those measurements are then used to provide the basis for a thorough acoustic assessment, in accordance with the requirements of Hornsby Shire Council and the NSW Government, including relevant provisions of the NSW EPA Industrial Noise Policy. The results of the background sound level measurements are detailed in Section 5.3.4 of the report.

Based on pre-EIS consultation, the main noise issues raised relate to outdoor play areas, road, traffic and carpark noise. The report includes detailed analysis of both indoor and outdoor uses on the site, together with a carefully considered assessment of plant, amplification equipment. The report makes the following discussion:

*The nature of the exiting building to be used as part of the proposed facility, as detailed in this report, clearly indicates that requisite internal background sound levels will be readily achieved, and that sound generated by activities within the school will have no significant impact at site boundaries*

*This assessment also indicates that sound generated by outdoor play and other activities at the school will have no undue or non-compliant impact on neighbouring properties.*

*The key noise control mechanisms that will ensure this outcome are:*

- *Moderation and minimisation of noise levels by effective planning and supervision of outdoor activities;*
- *The availability of sufficient space to provide flexibility in the positioning of outdoor activities, and to avoid concentrations of activity near neighbouring boundaries;*
- *The effect of distance resulting from the above point in reducing sound levels at property boundaries;*
- *The use of appropriate and acoustically effective boundary fencing to contribute to noise minimisation;*
- *The encouragement of a cooperative approach from those dropping off and picking up children from the school to minimise noise generated on nearby roads; the school driveway, and within the school, car park; and*
- *The reflection of these control mechanisms in an appropriate, plain language Noise management Plan to form part of the overall management plan for the school.*

The key findings of the assessment are Section 7.1 of the report. The report states:

#### **7.1 KEY FINDINGS**

*This report presents the results of an acoustic assessment undertaken in relation to a Community School proposed for development proposed for 1 Rosemead Road Hornsby NSW.*

*The following is a summary of the key findings of this assessment:*

- 1. Sound levels of less than 40 dB(A) will be achieved throughout the internal areas of the proposed educational facility, based on measured background sound levels and proposed layout and school design details as described in this report;*
- 2. Sound levels in the range 30-35 dB(A) will be achievable within any rest areas associated with the proposed facility, based on measured background sound levels; and proposed layout and school design details as described in this report;*
- 3. Noise levels of less than 55 dBA are projected to be achieved within the outdoor play areas associated with the proposed school;*
- 4. The level of noise estimated to be generated by activities within the internal areas of the proposed facility is projected to be essentially contained by the building structure of the school itself, and accordingly is projected to have no negative or non-compliant impacts on surrounding buildings, activities and individuals;*
- 5. The level of noise estimated to be generated by activities within the outdoor activity areas associated with the proposed school is projected to have no negative or non-compliant impacts on surrounding buildings, activities and individuals, subject to the implementation of the recommendations summarised below; and*
- 6. On this basis, the acoustic performance of the proposed Community School will comply fully with the requirements of all relevant acoustic guidelines and requirements.*

The report includes the following recommendations that are to be adopted by the school.

- On the basis that vehicles would park close to this fence line, an 1800mm double lapped timber fence was originally proposed. It is now intended that a 1000mm path will be located between the car parking spaces and the boundary fence. As the acoustic performance of this section of fence is reduced with the distance of the noise source (car parking and associated activities) from the fence, and to ensure a safe and conservative acoustic outcome, an increase in the height of this section of fence, and therefore its acoustic performance, has now been included.*
- It is acknowledged however that the consistent use of 1800mm fencing may be preferred for other reasons, including consistency with the design character of other existing fences and fence heights in the area, and it is noted that the inclusion of this section of 2100mm fence is precautionary, and that in our professional opinion acoustic compliance at the adjoining residential boundary could be achieved using 1800mm double lapped timber fencing.*
- Based on the assessment presented above, the proposed school will comply with all relevant acoustic guidelines and requirements, subject to the adoption and implementation of the following recommendations:*
- Double lapped timber boundary fencing of height 2100 mm and with a minimum Rw rating of 25 should be installed along the western boundary of the outdoor play area, adjacent to the school car park, as detailed in this report;*

- *Double lapped timber boundary fencing of height 1800 mm and with a typical Rw rating of 25 should be installed along the remaining western boundaries of the site, as detailed in this report;*
- *Double lapped timber boundary fencing of height 1800 mm and with a typical Rw rating of 25 should be installed along the southern or William Street boundary of the site, as detailed in this report.*
- *Double lapped timber boundary fencing of height 1800 mm and with a typical Rw rating of 25 should be installed along the eastern boundary of boundary of the site, with the short section of fence between the front facade of the adjoining building progressively reducing in height to 1200mm to meet the open form black metal fence proposed for the Rosemead Road property boundary, as detailed in this report;*
- *Careful supervision of all external activities associated with the school should be maintained as detailed in this report to assist in achieving the required acoustic outcomes;*
- *A compact of understanding should be achieved with parents and guardian, and those dropping off and picking up children, to ensure that minimum noise driving practices are applied on streets near the school, and when using the school's driveway and car park to assist in achieving the required acoustic outcomes;*
- *Validation that any plant & equipment associated with the proposed school will not have an impact greater than 5 dBA above the measured background IA90 RBI, as indicated in this report, may be provided if required prior to the issue of an Occupation Certificate for the development; and*
- *A Noise Management Plan consistent with the guidelines set out in this report is prepared and included in the overall Management Plan for the school for implementation and where necessary continuous improvement.*

### 6.3 Conclusion

Measurements and calculations show that the level of noise emitted by the operation of the school can meet the acceptable noise and vibration level requirements of the NSW EPA and Hornsby Council and is therefore capable of being acceptable. Mitigation measures can be adopted and implemented, including a Noise Management Plan for the site and good operational management practices. Conditions of consent deal with these matters.

## 7.0 TRAFFIC AND TRANSPORT

### 7.1 Introduction

The SEARs for the project required the EIS to address traffic and transport, including:

*Include a transport and accessibility impact assessment, which details, but not limited to the following:*

- *accurate details of the current daily and peak hour vehicle, existing and future public transport networks and pedestrian and cycle movement provided on the road network located adjacent to the proposed development. Specifically, traffic counts are to be undertaken on Dural Street, Rosemead Road and William Street during normal traffic conditions (weekdays, non-lockdown conditions).*
- *details of estimated total daily and peak hour trips generated by the proposal, including vehicle, public transport, pedestrian and bicycle trips based on surveys of the existing and similar schools within the local area. Specifically, estimations are to be provided for Dural Street, Rosemead Road and William Street during normal traffic conditions (weekdays, non-lockdown conditions).*
- *the adequacy of existing public transport or any future public transport infrastructure within the vicinity of the site, pedestrian and bicycle networks and associated infrastructure to meet the likely future demand of the proposed development.*
- *the impact of trips generated by the development on nearby intersections, with consideration of the cumulative impacts from other approved developments in the vicinity, and the need/associated funding for, and details of, upgrades or road improvement works, if required (Traffic modelling is to be undertaken using SIDRA network modelling for current and future years).*
- *the identification of infrastructure required to ameliorate any impacts on traffic efficiency and road safety impacts associated with the proposed development, including details on improvements required to affected intersections, additional school bus routes along bus capable roads (i.e. minimum 3.5 m wide travel lanes), additional bus stops or bus bays.*
- *details of travel demand management measures to minimise the impact on general traffic and bus operations, including details of a location-specific sustainable travel plan (Green Travel Plan and specific Workplace travel plan) and the provision of facilities to increase the non-car mode share for travel to and from the site. The Green Travel Plan should include, but not be limited to:*
  - *information about the school's hours of operation, number of staff and student catchment.*
  - *proposed parking arrangements.*
  - *information regarding site accessibility, including any specific accessibility requirements for students/staff/visitors with mobility impairments, and the measures that are in place to address them, including any priority arrangements.*
  - *information regarding proposed drop off and pick up arrangements for students.*
  - *strategies that encourage the use of public and active transport and discourage the use of single occupant car travel to access the site for students and staff, where appropriate.*

- *predicted mode share.*
- *mapping of preferred walking and cycling routes and preparation of a Transport Access Guide that details access arrangements for staff and students.*
- *a communication strategy for engaging staff, visitors and the local community regarding sustainable transport use to the site.*
- *include promotion of the health and wellbeing benefits of active travel to the site.*
- *identification of the number of students who can reasonably access the site from walking or cycling distance.*
- *proposed access arrangements, including car and bus pick-up/drop-off facilities, and measures to mitigate any associated traffic impacts and impacts on public transport, pedestrian and bicycle networks, including pedestrian crossings and refuges and speed control devices and zones.*
- *proposed bicycle parking provision, including end of trip facilities, in secure, convenient, accessible areas close to main entries incorporating lighting and passive surveillance.*
- *proposed pedestrian facilities and School Zones to be investigated as a result of the development.*
- *proposed number of on-site car parking spaces for teaching staff and visitors and corresponding compliance with existing parking codes and justification for the level of car parking provided on-site.*
- *an assessment of the cumulative on-street parking impacts of cars and bus pick-up/drop-off, staff parking and any other parking demands associated with the development including compliance with the requirements of the relevant Australian Standards (i.e.: turn paths, sight distance requirements, aisle width, etc) and parking codes.*
- *an assessment of road and pedestrian safety adjacent to the proposed development and the details of required road safety measures and personal safety in line with CPTED.*
- *emergency vehicle access, service vehicle access, delivery and loading arrangements and estimated service vehicle movements (including vehicle type and the likely arrival and departure times).*
- *the preparation of a preliminary Construction Traffic and Pedestrian Management Plan to demonstrate the proposed management of the impact in relation to construction traffic addressing the following:*
  - *assessment of cumulative impacts associated with other construction activities (if any).*
  - *an assessment of road safety at key intersection and locations subject to heavy vehicle construction traffic movements and high pedestrian activity.*
  - *details of construction program detailing the anticipated construction duration and highlighting significant and milestone stages and events during the construction process.*
  - *details of anticipated peak hour and daily construction vehicle movements to and from the site.*
  - *details of on-site car parking and access arrangements of construction vehicles, construction workers to and from the site, emergency vehicles and service vehicle.*
  - *details of temporary cycling and pedestrian access during construction.*

Relevant Policies and Guidelines:

- *Guide to Traffic Generating Developments (Roads and Maritime Services, 2002).*
- *EIS Guidelines - Road and Related Facilities (Department of Urban Affairs and Planning (DUAP), 1996).*
- *Cycling Aspects of Austroads Guides.*
- *NSW Planning Guidelines for Walking and Cycling (Department of Infrastructure, Planning and Natural Resources (DIPNR), 2004).*
- *Austroads Guide to Traffic Management Part 12: Traffic Impacts of Development.*
- *Standards Australia AS2890.3 (Bicycle Parking Facilities).*
- *Hornsby Development Control Plan 2013.*

A Traffic and Parking Assessment Report, prepared by Varga Traffic Planning, dated 8 May 2020, is Appendix K of this EIS.

This assessment has been made in accordance with the following relevant policies and guidelines:

- the SEARs issued for the proposal; and
- the Roads and Traffic Authority (RTA, now RMS) (2002) *Guide to Traffic Generating Developments*.

## 7.2 Existing Environment

### 7.2.1 Road network

The site provides off-street parking, with vehicular access provided via a single driveway crossover located off the Rosemead Road site frontage. There is no vehicular access provided via the William Street site frontage

In relation to traffic and parking the report notes the following aspects of the proposal:

- *Proposal to accommodate up to 32 children at the preschool (3-5 year olds only) and 48 children at the primary school (5-12 year olds). Vacation care will be offered in all holiday periods with the exception of public holidays and a 3-week Christmas shutdown in December/January each year. The holiday programs will be staffed and managed by Blue Gum Community School and attendance is not compulsory. Based on the Canberra school, the vacation care program typically caters for the needs of 40-50% of the total student population, or 32-40 children based on a total enrolment of 80 children.*
- *The operational characteristics of the proposal are detailed in on pages 8 – 10 of the report.*
- *Off-street parking to be provided for a total of 12 cars plus an on-site drop-off/pick-up bay.*
- *Former tennis court to be converted to 9 car parking spaces, including a disabled space and a turn bay.*
- *This parking area to be fitted with a gate that will be closed during core teaching hours and open during drop-off/pick-up hours. A further 3 spaces are*



*to be located in front of the secure rear parking area and are to be allocated to staff.*

- *By law, parents must sign their children enrolled at the preschool in/out at the start/end of the day. These parents will utilise the rear parking area.*
- *Primary school aged children however are not required to be signed in/out, therefore an on-site "kiss & drop" area is to be provided directly outside the western side of the building.*
- *Vehicular access to the car parking and drop-off/pick-up area is to be provided via separate entry and exit driveways located off the Rosemead Road site frontage. In this regard, all turning movements into/out of the site will be restricted to left-in/left-out only, as requested by Council. Suitable signage will be installed advising drivers of the restrictions as well as incorporating the restrictions into the Operational Traffic Management Plan.*
- *Public footpaths are provided along both site frontages, with pedestrian access gates provided off the Rosemead Road site frontage only. There will not be any pedestrian or vehicular access provided via the William Street site frontage.*
- *Unrestricted parking is also permitted along both sides of Rosemead Road such that parents of primary school children are also able to drop-off/pick-up their children from the kerbside area. Notwithstanding, it is not desirable for children to be dropped off on the northern side (i.e. opposite side) of Rosemead Road as they would then need to cross the road. Parents will be advised that if they prefer to drop-off their child on-street, it should occur along the southern side of Rosemead Road, directly outside the site.*
- *Deliveries to the proposed preschool and primary school are expected to be undertaken by a variety of light commercial vehicles such as white vans, utilities and the like. In this regard, deliveries will be scheduled to arrive outside of peak periods. In practice, the delivery driver will park in the on-site kiss & drop" area, directly outside the building, as it will be vacant. There are expected to be 2-3 deliveries per week, with "dwell times" unlikely to exceed a few minutes.*
- *Waste collection for the proposed development is to be undertaken from the kerbside area directly outside the site frontage in Rosemead Road, with the bins to be lined up on "bin night" for collection the following day.*

### **7.2.2 Road Hierarchy**

The Pacific Highway, George Street and Jersey Street North are classified by the RMS as *State Roads* which and provides the key north-south road link in the area, linking North Sydney to Hornsby and beyond. It typically carries two to three traffic lanes in each direction in the vicinity of the site, with turning lanes provided at key locations.

Rosemead Road and William Street are local, unclassified roads which are primarily used to provide vehicular and pedestrian access to frontage properties. Kerbside parking is generally permitted on both sides of both roads.



The existing traffic controls which apply to the road network in the vicinity of the site are:

- *a 50 km/h SPEED LIMIT which applies to Rosemead Road, William Street and all other local roads in the area*
- *TRAFFIC SIGNALS in Peats Ferry Road where it intersects with William Street, including a RIGHT TURN HOLDING BAY*
- *a NO RIGHT TURN restriction for southbound traffic on Peats Ferry Road turning onto Dural Street between 7am-9am & 3pm-6pm weekdays*
- *a ROUNDABOUT at the intersection of William Street and Frederick Street*
- *a ONE WAY westbound restriction in Dural Street, between Quarry Road and Lisgar Road.*

### **7.2.3: Alternative modes of transport**

Hornsby Railway Station & Bus Interchange is located approximately 750m walking distance east of the site along either Dural Street or William Street, with studies suggesting that people are typically willing to walk up to 800m to get to public transport.

Hornsby Railway Station is situated on the T1 North Shore, Northern and Western Line, operating between Emu Plains and Hornsby via Strathfield and Epping, with train services operating every 5-10 minutes during peak periods and every 15 minutes during off-peak periods.

There are also 10 bus services operating from Hornsby Bus Interchange, servicing the local areas and beyond. There are no bus services that presently operate along William Street, Rosemead Road, Dural Street or Frederick Street, nor are there expected to be any in the future.

The bicycle network in the vicinity of the site can potentially save travel time as well as being an ideal way to save money, stay active and protect the environment.

Sealed footpaths are provided throughout the local area. This includes along both site frontages, thereby providing safe means of pedestrian access to/from the site.

### **7.2.4 Green Travel Plan**

A Green Travel Plan is a package of actions designed to encourage safe, healthy and sustainable travel options. The objectives of a Green Travel Plan are to remove barriers to active travel for all users of developments and to maximize the number of people who walk, cycle or take public transport to and from a development.

A key feature of a Green Travel Plan includes a plan detailing the location of all public transport services, footpath walking routes and cycle routes located within a 5 minute and 10-minute walking radius of the site, as well as contact details and websites for local bus companies, taxi companies and the like.

The use of sustainable modes of transport will provide a range of public benefits including:

- improved health
- improved community connectivity
- reduced competition for road space and congestion

- reduced competition for car parking
- reduced noise and air pollution
- potential cost savings.

A Green Travel Plan by way of a standalone document is not considered necessary in this instance due to the small size of the proposed pre-school and primary school. Notwithstanding, a member of staff will be designated as the *travel co-ordinator* who will be responsible for advising new staff and families of the alternate transport options available and their benefits. This information will also be provided in the foyer's notice board as well as on their website and via email notifications.

## 7.3 Impact Assessment

### 7.3.1 Traffic Generation

The report provides a detailed analysis of the existing and proposed projected traffic generation of the site (pages 19 – 24). It notes that additional surveys requested by Hornsby Council were unable to be conducted and any results would not be representative due to the Corona Virus restrictions from mid March 2020. Therefore, a review of other projects in the vicinity was undertaken to establish further baseline data for this report.

In terms of the traffic generation, the report concludes:

*“the cumulative traffic flows in Rosemead Road as a consequence of the development proposal is therefore not expected to exceed 100 vehicles per hour, even during the morning peak drop-off period and well below the threshold of 200 vph which is the environmental goal for a local residential street.”*

*.... if the proposed traffic movements detailed in the foregoing are added to the existing peak traffic movements along the approach and departure route, William Street (west of Frederick Street), Frederick Street and Dural Street will continue to remain below the threshold of 200 vph which is the environmental goal for a local residential street.*

*William Street, east of Frederick Street, is currently operating as a collector road carrying approximately 260-270 vehicles during the weekday morning and afternoon peak hours. The addition of the proposed development traffic will result in approximately 340 vehicles during the weekday morning peak hour and approximately 290 vehicles during the weekday afternoon peak hour, thereby remaining within acceptable parameters for a collector road.*

*As such, the projected increase in traffic activity as a consequence of the development proposal will clearly not have any unacceptable traffic implications in terms of road network or environmental capacity, nor will any infrastructure upgrades be required.*

### 7.3.2 Onsite Car Parking Assessment

The off-street car parking requirements applicable to the development proposal are specified in Council's Hornsby Development Control Plan 2013, Table 1C.2.1(d) On-Site Car Parking Rates, as outlined in Table 14 below.

**Table 14: Councils Parking Requirements**

Type of Development	Car Parking Requirement	
	Sites < 800m from Railway Station	Sites > 800m from Railway Station
<b>Education</b>		
Child Care Centre	1 space per 4 children	
Educational Establishments	1 space per full time teacher + 1 space per 2 students of driving age	

In addition, *HDCP 2013, Part 7.1.7 Vehicle Access & Parking* requires that educational establishments provide driveways that incorporate a set-down/pick-up area for students.

Application of the above car parking requirements to the various components of the development proposal yields an off-street car parking requirement of 12 spaces plus a set-down/pick-up area, as set out below:

#### HDCP 2013 Minimum Parking Requirements

Preschool (32 children): 8.0 spaces  
Primary school (4 staff/48 children): 4.0 spaces

**TOTAL: 12.0 spaces + set-down/pick-up area**

#### Proposal

Off-street parking spaces – 12 spaces, comprising 8 preschool spaces (staff and parents combined), 4 primary school staff spaces and a drop-off/pick-up area

This satisfies Council's HDCP 2013 requirements.

The site is also large enough to provide up to 6 bicycle spaces for staff or students. The building includes an accessible bathroom with shower, thereby providing staff with end-of-trip facilities.

### 7.3.3 Drop-off & Pick-up Procedures

The Traffic report states:

*The preschool component of the proposal, as per government legislation, requires all children to be physically signed in and out. As such, preschool parents (including those with older children enrolled at the primary school) will park in the rear parking area.*

*Primary school parents will utilise the on-site drop-off/pick-up area located outside the building. During the morning drop-off period, parents tend to literally kiss and drop such that vehicle "dwell time" along the entry driveway and drop-off area will be minimal. Staff will be in place to ensure the process runs smoothly. During the afternoon pick-up period, parents and children will know their pre-allocated collection time (Group A, Group B & Group C, detailed earlier in this report), with each 10-minute group comprising up to 16 children (although realistically, 8-10 children per group). Furthermore, children will be grouped together at the pick-up area at the commencement of their respective allocated collection period. Staff will again be in place to ensure the process runs smoothly.*

*In this regard, the entry driveway is sufficiently long enough to accommodate 6 cars entirely within the site which is expected to be more than adequate".*

*.... It is anticipated that a 40km/h School Zone will be required in the vicinity of the site that will need to be coordinated with Transport for NSW. Experience indicates however that an application for the School Zone speed limit should be applied for once the school is approved and the construction certificate has been issued. Furthermore, standard procedure is that the School Zone speed limit would not be installed until the occupation certificate has been issued."*

## 7.4 Conclusion

The development achieves a satisfactory provision of parking and access. The Traffic and Parking assessment concludes that:

*The foregoing assessment has found that Rosemead Road will continue to operate at Level of Service "A" under the proposed scenario, whilst the greater surrounding road network will also continue to operate within acceptable parameters.*

*Furthermore, the proposed development satisfies Council's HDCP 2013 in terms of off-street parking and drop-off/pick-up requirements, as well as the design requirements within the Australian Standards.*

*It is therefore reasonable to conclude that the proposed development will not have any unacceptable implications in terms of road network/environmental capacity or off-street parking/access.*

The traffic consultant includes a Construction Management Plan (CMP) in terms of traffic generation to and from the site. Also, signage recommendations to ensure on-site parking spaces are turned over regularly and for increased safety.

## 8.0 ECOLOGICALLY SUSTAINABLE DEVELOPMENT (ESD)

The SEARs for the project requires the EIS to address traffic and transport, including:

- *Detail how ESD principles (as defined in clause 7(4) of Schedule 2 of the Regulation) will be incorporated in the design and ongoing operation phases of the development.*
- *Include a description of the measures that would be implemented to minimise consumption of resources, water (including water sensitive urban design) and energy.*

### 8.1 Assessment

An Ecologically Sustainable Development Review, prepared by Armada Architects, dated May 2020 is Appendix T of this EIS.

In order to address the requirements of the SEARS and the provisions of the Regulations, the following Table 15 addresses the ESD principles in relation to the proposal.

**Table 15: ESD principles**

ESD Principle and Programme	Comment
<p><i>The precautionary principle—namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.</i></p> <p><i>In the application of the precautionary principle, public and private decisions should be guided by:</i></p> <p><i>(i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and</i></p> <p><i>(ii) an assessment of the risk weighted consequences of various options.</i></p>	<p>None of the physical works proposed in this change of use are deemed to have a serious or irreversible environmental impact.</p> <p>It is considered that the adaptive reuse of an existing building results in no threats of serious or irreversible environmental damage.</p> <p>A full assessment of the potential impact of trees, flora and fauna are outlined within the Arboricultural Impact Review and the Ecological &amp; Biodiversity assessment and report provided by Cumberland Ecology.</p> <p>All care has been taken to ensure the proposed changes to the site are done sensitively and with the softest impact possible on the environment.</p> <p>All reasonable and practical steps have been undertaken to avoid, wherever practicable, serious or irreversible damage to the environment. All tree removal is offset by new tree planting in accordance with the landscape plan. As mentioned above on site harvesting of timber.</p>

	The use is bound to operate in accordance with the conditions of consent that collectively serve to manage and limit impacts on the environment.
<i>Inter-generational equity—namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations.</i>	<p>Refer to the assessment and recommendation of the Ecological Report; Arborist report; landscape plans; and architectural plans submitted with the SSD application.</p> <p>The long term impact of this proposal is to protect and enhance the environment. This proposal will ensure the house and gardens of Mt Errington are able to be enjoyed and used for generations to come. The existing health, diversity and productivity of the environment will be maintained.</p>
<i>Conservation of biological diversity and ecological integrity—namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration</i>	The Arboricultural Impact Assessment (AIA) and the Ecological & Biodiversity assessment report thoroughly consider and set out mitigation strategies to conserve the biological diversity and ecological integrity of the site.
<p><i>Improved valuation, pricing and incentive mechanisms—namely, that environmental factors should be included in the valuation of assets and services, such as:</i></p> <p><i>(i) polluter pays—that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,</i></p> <p><i>(ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste.</i></p> <p><i>(iii) environmental goals, having been established, should be pursued in the most cost-effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.</i></p>	<p>Environmental factors have been considered in the design, layout and operational management of the proposal. These are detailed throughout the EIS and accompanying expert reports contained in the appendices of this EIS.</p> <p>The conditions of consent of any approval will act as the operational guidelines for ensuring the continuing ecological sustainability of the site.</p>

## 8.2 Conclusion

The Project Architect concludes that the following key strategies are addressed:

- *Design in a manner that ensures energy efficiency as well as occupant comfort (including thermal, visual and acoustic comfort) Incorporate appropriate passive and active design strategies to ensure a low energy as well as low maintenance design outcome*
- *Adopt an intentional approach to resources conservation (energy, water and water)*
- *Adopt practices to minimise demolition, construction and operational waste*
- *Provide facilities to encourage staff to cycle or walk to work*
- *Create an integrated community resource through the development and maintenance of a community vegetable garden*
- *Maintain and continually improve upon the current landscape of the property to improve upon the existing natural environment year after year, protecting it for future generations*
- *Take responsibility and great care with the removal of any pollutants in a timely and cost effective manner.*

## 9.0 HERITAGE

### 9.1 Introduction

The SEARs requires the EIS to assess the potential impacts of the proposal on the heritage significance of the heritage items on the site and immediately adjacent items, as follows:

- *Provide a statement of significance and an assessment of the impact on the heritage significance of the heritage items on the site and immediately adjacent to the site in accordance with the guidelines in the NSW Heritage Manual (Heritage Office and DUAP, 1996). The assessment of the impact on the heritage significance must detail any proposed changes required to convert the site from a dwelling house to an educational establishment and childcare centre, including, but not limited to:*
  - *required changes to the external fabric of the Mount Errington Mansion, including changes to the external façades, balconies, entry points, external lighting, and any fittings.*
  - *required changes to the internal fabric of the Mount Errington Mansion, including changes to any fittings, hardware, doorways, surface coverings, internal staircases, windows, room uses, wet areas, walls and the like.*
  - *required changes to the grounds of the Mount Errington Mansion, including the removal of the tennis court, vegetation and tree removal, realignment of the driveway, front fencing treatment, signage, any new pathways / paving, the addition of an amphitheatre and the removal of the front gates.*
  - *justification of any changes.*
- *Address archaeological significance on the site and the impacts the development may have on this significance.*

A Statement of Heritage Impact, prepared by Heritage 21, Job No. 8618, dated May 2020 is Appendix I of this EIS.



## 9.2 History

A detailed history of the site, its ownership over time and the development of the area during the last century is outlined in the SOHI report. It is not repeated in the main body of this EIS. The Report also contains a thorough series of photos of the existing residence.

The SOHI states:

### 4.2.1 Statement of Significance

*It is the assessment of Heritage 21 that the dwelling and landscaping of 1 Rosemead Road, Hornsby present a great deal of historic and aesthetic significance at a local level. The dwelling exhibits a fine expression of the Arts and Crafts architectural style (c. 1880-1910), features such as the intact façade, the decorative slate roof with prominent gables, chimneys and unaffected fireplaces all contribute to its aesthetic significance. The manicured landscaping complements the impressive structure, especially the mature plantings of Bunya Pine, Palms and English Oaks. The dwelling, as an outstanding example of the Arts and Crafts architecture, denotes an example of an expansion of grand scale houses in the Hornsby area, as Sydney's wealthier classes sought quieter lifestyles. Furthermore, the subject dwelling presents techniques and use of materials that were uncommon at the time of its creation and it, therefore, is considered a rarity within the region.*

*Additionally, the site is associated with the Roberts family who were influential within the Hornsby community in the early twentieth century. Notably, Oscar Garibaldi Roberts, husband of Mrs Anne Roberts, served as the president of the Hornsby Shire's Provisional Council. Additionally, he was the joint proprietor of Fairfax and Roberts Jewellers, who was among Australia's pioneers in the jewellery trade. The Roberts were present at the site since the late twentieth century and would have commissioned the construction of the dwelling.*

## 9.3 Heritage Assessment

The detailed heritage assessment of the proposal is addressed in Section 6.2 of the SOHI Report. It addresses the proposal against the provisions of Part 9- Heritage of the Hornsby DCP 2013 and the list of considerations and questions from the NSW Office of Environment and Heritage Guidelines. These are divided in sections to match the different types of proposal that may occur on a heritage item, item in a heritage conservation area or in the vicinity of heritage.

*The assessment concludes the following likely positive and negatives of the proposal:*

### 7.1 Impact Summary

*Below we summarise our assessment of heritage impact as carried out in Section 6.0 of this report.*

#### 7.1.1 Aspects of the proposal which respect or enhance heritage significance

*In our view, the following aspects of the proposal would respect the heritage significance of the subject site and the heritage conservation area:*

- *The proposed usage of lightweight construction materials colour schemes/materials have been selected with due consideration given to the surrounding materiality of the existing heritage items such as neutral colours, and timber;*
- *Heritage 21 is of the opinion that the new works would be of a modest scale, bulk, massing and detail as to respect the heritage dwelling. Furthermore, the new works would be concentrated to the rear of the allotment and in areas deemed to be of less significance. In light of the above, Heritage 21 is of the opinion that the proposal would not visually dominate the heritage dwelling or its setting;*
- *The significant view lines to and from the heritage item would remain generally unaltered; and*
- *The reuse of the site would prolong the occupation of the historic site and promote community access and ongoing maintenance. Additionally, the transformation of the site into a space of learning would facilitate the historical understanding of the subject site and its contribution to the early development of the broader Hornsby district.*
- *The proposed changes to the existing dwelling including the installation of new bathrooms, have been designed to ensure that the introduction would not generate any negative impacts upon the significant fabric, due to the installation of FC sheeting.*

#### **7.1.2 Aspects of the proposal which could detrimentally impact significance**

*The proposal would entail the removal and replacement of two internal doors and one window, however, these elements would be retained and correctly stored on site in a secured waterproof area with clear labels. Additionally, the proposal seeks to remove the existing front gate, however, this element would be reinstalled in the new landscaping works allowing for the interpretation of its original use.*

*Furthermore, the proposed removal of two internal walls, adaptation of the internal balustrades and new external fire stair could engender a negative impact on existing heritage fabric. However, Heritage 21 finds that this impact would be minimal and would not pose a high risk to the aforementioned fabric. Overall, it is our assessment that the significant elements of the heritage item would remain intact and legible, such as the principal façade, the chimneys, fireplaces, ceiling roses, pressed metal ceilings, gravel driveway and the significant view lines to and from Rosemead Road.*

## **9.4 Archaeological Assessment**

Heritage 21, in the SOHI makes the following statement in relation to the archaeological significance of the site and any potential impact by the development works:

*“To the best of our understanding, as non-archaeological consultants, the proposal would comprise minimal excavation, aside from the carpark, with no more than 100 mm deep or the footing of the shed which would be no more than 400 mm deep. Further, the site is not known to be listed as being of archaeological significance. As such, in Heritage 21’s opinion, the site is unlikely to be of archaeological significance.”*

## 9.5 Conclusion

The SOHI Report provides the following conclusions:

### 7.2 Conclusion

*Considering the assessment presented in this report, Heritage 21 has found that the proposed works at the subject site of: 1 Rosemead Road would generally have a minimal and not unreasonable heritage impact on the subject site and the Mt Errington HCA in which the site is located. It is the opinion of Heritage 21 that the proposed change of use of the subject site is considered a particularly positive aspect as it would encourage continued occupation, restoration and interpretation of the subject site's cultural significance.*

*Heritage 21 therefore recommends that Hornsby Shire Council, as the consent authority, would view the current proposal favourably on heritage grounds.*

## 10.0 SOCIAL IMPACTS

The SEARs for the project requires the EIS to:

*"Include an assessment of the social impacts of the proposed development".*

A social impact is a consequence experienced by people due to changes associated with a project. Social impacts can involve changes to people's way of life, community, access to and use of infrastructure, services and facilities, culture, health and wellbeing, surroundings, personal and property rights, decision-making systems or fears and aspirations about the future of their community.

The following provides comment on the social impacts of the proposal within the Hornsby LGA.

### 10.1 Why Hornsby?

A review of the site assessment in Section 2.11 of this EIS provides a detailed insight into the proponent's due diligence when considering a site for a new preschool and primary school within the Sydney Metropolitan region. There are a number of matters that led to the proponent to the Hornsby LGA in terms of educational opportunities and then to site selection. This is included, but is not limited to the number of school places in the area, the community profile of the area, the characteristics of the subject site and its locational context. Each of these matters reflects in the social impacts of the proposal.

### 10.2 Supply of School Places in Hornsby area

In an article published in the SMH (04/05/2020), *The Sydney schools exceeding new enrolment caps by almost 1000 students*, the authors note that "More than 500 NSW schools exceed their newly-introduced enrolment caps, and some will have to reduce their populations by almost 1000 students to meet them." The schools named include a large number of schools within the Hornsby Shire. Significantly the six public primary schools closest geographically to the site of the proposed new Blue Gum School have enrolments that all exceed their cap by many

hundreds of students. See details in Table 16 below showing the enrolment figures for the three schools in closest proximity to 1 Rosemead Road, Hornsby.

**Table 16: Enrolment Numbers – Hornsby area**

School	Enrolment Cap	2020 Enrolment	Student numbers above the cap
Hornsby South Public School	393	658	265
Normanhurst Public School	231	417	186
Normanhurst West Public School	393	519	126

### 10.3 Community Profile

The following community profile includes a demographic analysis of Hornsby, based on 2016 Australian Bureau of Statistics (ABS) and Department of Planning, Industry and Environment data.

#### Population and age

- Children aged 0 - 14 years made up 19.5% of the population
- 5.8% of the Hornsby population were aged between 0-4 years
- 7.0% of the Hornsby population were aged between 5-9 years
- 6.7% of the Hornsby population were aged between 10-14 years

#### Cultural diversity

- 59.5% of the population were born in Australia and speaking English only at home and 65.3% speak only English at home
- The most common countries of birth were China (excludes SARs and Taiwan) 6.1%, England 4.2%, India 3.8%, Korea, Republic of (South) 1.9% and Hong Kong (SAR of China) 1.6%.
- 80 languages spoken, 103 different birth places represented, 37% born overseas (Business Paper for General Meeting 8 April 2020).

#### Education and employment

- 38.4% of the population have attained a bachelor degree level or higher as their highest level of educational attainment.
- The working population is dominated by white collar workers with Professionals (33.7%), Managers (15.6%) and Clerical and Administrative Workers (14.6%) representing the top three occupation types in Hornsby.

#### Family composition

- 56.5% were couples families with children
- 11.4% were one parent families

#### Household Composition

- Hornsby has a growing population, especially households with children

- “The Shire continues to be dominated by ‘couples with children’ households, which account for 45 percent of all households and this percentage is higher than Greater Sydney” (Hornsby Shire Council Local Strategic Planning Statement, p.13).
- 54% of households in Hornsby are households with children (Hornsby Shire Council Local Strategic Planning Statement, p.14).
- “From 2020 to 2030, there is forecast to be 7,735 additional private residential dwellings in the Hornsby LGA which will generate an additional population of 16,595 new residents enhanced or augmented community infrastructure.” (Draft *Hornsby Shire Council Development Contributions Plan 2020 – 2030*). This growth will significantly increase the demand for schools in the region over the next decade.
- “The NSW Department of Education estimates an extra 21,900 students will need to be accommodated in both government and non- government schools in the North District by 2036, a 20 per cent increase. Growth is projected to be greatest in Ryde (8,160), Ku-ring-gai (5,733), Northern Beaches (3,454) and **Hornsby (2,120) local government areas.**” (2018, *Our Greater Sydney 2056 – North District Plan – Connecting Communities*, p.27)

Overall, there is an undersupply of school places in the Hornsby area. The proposal, while small in scale, will assist in redressing some of the balance between supply and demand. The community profile and other strategic documents show that:

- Hornsby LGA is expected to increase from by 27,400 people between 2016 and 2041, from 147,400 to 174,800.
- The number of children aged 14 and under is estimated to change by 650 children, from 29,100 in 2016 to 29,750 in 2041.
- Strong numbers of people coming to the area from other parts of Sydney is estimated to drive population growth in Hornsby, combined with natural change.
- The subject site (Mt Errington) is positioned in the Strategic Centre of Hornsby Shire Council, walking distance from Hornsby train station and Hornsby Town Centre, where population growth is projected to be the largest between 2021 and 2036 (Hornsby Shire Council Local Strategic Planning Statement, p.11, 16).

On a neighbourhood level, there are positive and negative impacts. The initial public consultation, conducted by Hornsby Council as part of the original DA, provides an overview of initial community concerns and issues to be addressed by the proposal. These are outlined in Table 17 below, noting that each of these matters has been considered by the proponent throughout the preparation of the EIS documentation – plans and reports. Additionally, the proponent makes a number of commitments (Chapter 21 of this EIS) which will address some of the matters raised. The proponent has continued to consult with Hornsby Councils staff during the preparation of the EIS – addressing a number of the technical matters raised in their initial departmental responses to the proposal.

#### 10.4 Potential Negative Impacts

- Traffic congestion and parking
- Disruptions during construction
- Acoustic Impact

**Table 17: Initial Public Submissions**

Issue	Proposal – mitigation measures
Increased traffic generation	<p>Provision of 12 on site car spaces</p> <p>A designated 'Kiss and Drop Zone' for school students incorporated within the site.</p> <p>A staggered 'pick up and drop off' management plan to minimise cars on site at any given time.</p> <p>Provision of secure bicycle parking and end of trip facilities to encourage active transport.</p> <p>Traffic and parking assessment includes the predicted vehicle trips provided as part of surrounding developments to ensure cumulative impacts addressed on local roads.</p>
Disruptions during construction	<p>Proposal involves additions and alterations to the building and site works for the parking and access. Construction time can be limited by conditions as deemed necessary. Hours of construction to comply with standard hours.</p> <p>Nearby residents will be notified prior to commencement of construction works and contact details of the site manager will be provided to Council and immediate neighbours.</p>
Acoustic Impacts - Noise due to outdoor activities. - Out of hours traffic and visitors to the site	Acoustic consultant reviewed potential noise impacts of proposal. Subject to adoption of mitigation measures and good management, noise emissions considered acceptable.

## 10.5 Potential Positive Impacts

**Table 18: Potential positive impacts**

Issue	Proposal – mitigation measures
Educational Opportunities	<p>Provision of additional school places in area of undersupply of places.</p> <p>Benefits of establishing good networks for students due to small class sizes and small group activities.</p>
Combined preschool and primary school	<p>Children are not required to move from the one facility until the end of primary school.</p> <p>Allows longer term relationships and networks to be created over time for children, staff and families.</p> <p>Families with multiple children will make one trip as opposed to numerous trips to different schools.</p>

Fostering Meaningful, Respectful and Ongoing Community Partnerships	<p>Cornerstone to the work of the school will be to establish and foster meaningful, respectful and ongoing partnerships with others in the community. This will be achieved in various ways. For example:</p> <ul style="list-style-type: none"> <li>- Reaching out to Indigenous representatives in the community beyond the connections already established to establish relationship and invite partnerships in relation to educational and community priorities.</li> <li>- Partnering with relevant community groups, special interest groups as the work of the school progresses.</li> <li>- Building relationships with neighbours and other community members interested in the work of the school.</li> <li>- The location of the school, border on both Rosemead Road and William Street be residential aged care facilities allows for the possibility of making intergenerational connections which are recognised to be beneficial for the well-being of all age groups.</li> <li>- Establishing a community vegetable garden in the play area and seeking out community volunteers to help with the maintenance and care of the Mount Errington gardens.</li> <li>- Offering support services to other early childhood services in the area including family day care services.</li> <li>- Provision of play group opportunities for parents and carers of 0-2 year olds.</li> </ul>
Protection of Hornsby Heritage	<p>Protection and long-term maintenance of Heritage Item 545 – Mount Errington House and Gardens for generations to come.</p> <p>Proposal designed to minimise impact on the item, celebrating its features and leaving the majority of the original footprint and fabric of the house intact.</p> <p>All changes proposed have been designed to be reversible should the home ever be returned to a residence.</p> <p>The Heritage gardens will be improved upon and maintained as a result of this change of use. Landscape augmentation of the gardens and tree planting to offset tree removal.</p>
General benefits	<ul style="list-style-type: none"> <li>- The development is located amongst a growing residential area with low traffic flows,</li> <li>- The site is in close proximity to public transport, thereby able to promote alternative modes of transport to car travel amongst students and parents.</li> <li>- Employment of local tradespeople during construction,</li> <li>- The premises will employ permanent teachers, clerical and maintenance positions.</li> </ul>



	<ul style="list-style-type: none"><li>- Provision of outside school hours care to assist families with particularly needs regarding the care of their children.</li><li>- Small scale premises and holistic approach to families' needs prioritises children's social, emotional, and physical well-being at school.</li><li>- Small class sizes, a strong arts-based approach and a commitment to learning in the natural world position the school as a rich alternative to larger schools in the area.</li></ul>
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## 10.6 Conclusion

The social impacts of establishing a small community preschool and school at 1 Rosemead Road in Hornsby are broadly considered to be positive.

The school will provide further opportunities for a high standard of education to the local community. A small local community school not only provides direct impacts in relation to the convenience of local services, but also enables increased community interaction and familiarity for both students and parents, and promotes a growth in overall social capital.

Through the proposed provision of a new community school in Hornsby, the ability to accommodate for the projected growth in preschool and school aged children in Hornsby LGA will also improve, helping to prevent identified education shortfalls in the future. In this regard, this school is designed to relieve pressure and the associated requirement for demountable classrooms at nearby public schools.

Notably, the development is located amongst a growing residential area with low traffic flows, in close proximity to public transport. Therefore, the site is ideally located to promote alternative modes of transport to car travel amongst students and parents.

Other general anticipated social impacts include:

- Employment of local tradespeople during construction, and the creation of permanent teacher, clerical and maintenance positions.
- The provision of outside school hours care to assist families with particularly needs regarding the care of their children.
- Anticipated negative social impacts are generally those that indirectly relate to physical impacts, such as traffic, parking, built form, etc. These matters are individually discussed elsewhere throughout this EIS.

## 11.0 CONTAMINATION

The SEARs for the project required the EIS to address potential site contamination, including:

- *Assess and quantify any soil and groundwater contamination and demonstrate*
- *that the site is suitable for the proposed use in accordance with SEPP 55.*
- *Where relevant, undertake a hazardous materials survey of all existing structures*
- *and infrastructure prior to any demolition or site preparation works.*

### Relevant Policies and Guidelines:

- *Managing Land Contamination: Planning Guidelines - SEPP 55 Remediation of Land (DUAP, 1998)*
- *Sampling Design Guidelines (EPA, 1995)*
- *Guidelines for Consultants Reporting on Contaminated Sites (OEH, 2011)*
- *National Environment Protection (Assessment of Site Contamination) Measure (National Environment Protection Council, as amended 2013)*

## 11.1 Introduction

A Preliminary (Stage 1) Site Investigation Report, prepared by NG Childs, dated 30 April 2020, is Appendix I of this EIS.

The overall objective of this assessment is to investigate and assess all relevant general environmental, soil quality and potential contamination issues at the subject site, in order to satisfy the provisions of SEPP 55 (Remediation of Land) and to provide guidance to any future works on the site in relation to soil quality, building works (e.g. asbestos or hazardous materials) or use of the site.

## 11.2 Site History

The site history (refer to page 22 of the Report) finds that the use of the site prior to 1900 is unlikely to have had any actual or ongoing environmental or contamination implications for the current proposal. Since 1900 the ownership has been exclusively for residential use, with associated gardens and landscaping. As such the historical occupation of the site is not indicative of any significant environmental or contamination impacts.

## 11.3 Building and materials Assessment

An inspection of the existing dwelling was undertaken to identify any hazardous or potentially hazardous materials that may be present. The report states:

*In the main, the basic building structure did not include any materials of concern.*

*A small addition to the original structure in the form of a sun-room or sewing-room extending onto the external verandah on the eastern side of the building was noted. This building extension was obviously later than the original structure, and included cement based sheeting of a type similar to "fibro", and asbestos cement based sheeting material (ACM).*

*"Scrape" samples of this sheeting material were collected and examined by microscope to identify any possible asbestos fibres present. Details are provided in Section 6.8, below.*

*Painted surfaces throughout the existing house at the site were considered to be of an age that may include lead. Samples were collected and tested for the presence of lead, and in-situ testing for the presence of lead was undertaken.*

*A quantity of lead based ridge capping was noted on part of the property roof."*

#### **11.4 General Site Condition**

The following observations were made about the site condition:

***Site condition and general standards of housekeeping***

*The site and associated improvements were found to be in a clean and well-maintained condition.*

***Presence of fuel, lubricant or chemical storage***

*No fuel, lubricant or chemical storage facilities were noted at or in the immediate vicinity of the site, and no bulk chemical, fuel or lubricant storage facilities were noted.*

***Visible staining on the ground, or in the vicinity of drainage systems***

*No significant staining of structural or surface areas was noted throughout the site.*

***Evidence of waste disposal on or from the site***

*There was no indication of significant waste or waste disposal issues at or in the immediate vicinity of the property.*

***Odours***

*No unusual odours, or odours not typically associated with the current use of the property, were noted at or in the immediate vicinity of the site. No odours were noted in or near any drains on or in the immediate vicinity of the site.*

***Likelihood of spillages associated with site practices***

*No practices or activities were noted at the site, or in its immediate vicinity, that could be considered likely to give rise to the possibility of significant spillages of fuels, chemicals or other potentially hazardous goods.*

***Surface water and drainage***

*No significant or atypical surface water drainage issues or potential problems or hazards were noted at or in the immediate vicinity of the site.*

### 11.5 Other matters – Air Quality and Electromagnetic Field Sources

The site is not located close to any particularly busy or heavily trafficked roads, and no obvious air quality or odour issues were apparent in the vicinity of the site, or within the existing building at the site. The site area was noted to be open and subject to good natural air flow and ventilation.

No significant electromagnetic field sources were noted in the general vicinity of the site, or within a distance from the site considered likely to result in any electromagnetic field impact of potential concern at the proposed development site.

### 11.6 Conclusion

Overall, the Site Investigation Assessment found that:

*....in general terms, no practices or activities representing potential environmental risks or hazards were noted at, or in the site; no plant, equipment or other potentially hazardous storerooms or storage facilities were noted at or in the immediate vicinity of the sit and no items of plant and equipment were noted in operation in the general area of the site.*

*Surrounding buildings were noted to be clean and well-maintained condition, with no indications of environmental or contamination issues. Further, surrounding vegetation growth, like that at the 1 Rosemead Road site, appeared healthy and vigorous, and provided no indication of underlying soil quality or contamination issues.*

### 11.7 Recommendations

The report makes the following recommendations:

- *Disposal of Lead Paint Residues: That any lead paint residues generated by the repair of areas of peeling paint at the site are safely collected and disposed of in a safe and appropriate manner*
- *Unexpected Finds: That appropriate care is taken in respect of the possible identification of any other potentially hazardous or dangerous materials that may unexpectedly be identified during the preparation of the site for the educational purpose proposed.*

These are to be included in the list of Mitigation Measures in Chapter 21 of this EIS.

## 12.0 UTILITIES

The SEARs for the project requires the EIS to address utilities that service the site, including:

*In consultation with relevant agencies, provide information on the existing capacity and any augmentation and easement requirements of the development for the provision of utilities including staging of infrastructure.*

### 12.1 Water

Sydney Water - Water Services Coordinators, ACOR Consultants have reviewed the proposed development to assess any potential requirements related to sewer infrastructure. Upon review of the development and the existing potable water mains (DN100 / 150 / 200) that service the site, ACOR believe that there is sufficient capacity. They do not believe that Sydney Water will require any augmentation of their assets to facilitate the development. Correspondence is Appendix O of this EIS. A Section 73 has been lodged with Sydney Water (No. 184812). It is anticipated that it will confirm the initial assessment of the Water Services Coordinator.

### 12.2 Sewer

Sydney Water - Water Services Coordinators, ACOR Consultants have reviewed the proposed development to assess any potential requirements related to water infrastructure. Upon review of the development and the existing DN225 sewer main that services the site, we believe that there is sufficient capacity. We do not believe that Sydney Water will require any augmentation of their assets to facilitate the development. Correspondence is Appendix O of this EIS. A Section 73 has been lodged with Sydney Water (No. 184812). It is anticipated that it will confirm the initial assessment of the Water Services Coordinator.

### 12.3 Stormwater Drainage

Stormwater Management Plan and diagrams prepared by Jason Armstrong, SEEC Consultants on 1<sup>st</sup> May 2020 and are included with the EIS as Appendix Q.

### 12.4 Power

An Electrical Assessment, prepared by Gus Godfrey of C2 Electrical. It notes, “based on the current and proposed usage of electricity at 1 Rosemead Road Hornsby NSW 2077, the maximum demand likely once the school is operational will be adequately supplied by the current service to the property. There is an existing three phase installation with Air Conditioning units already in use at the property. Once operational, the maximum demand on the grid is calculated as 35A per phase.” As such no augmentation to service is proposed.

### 12.5 Telecommunications

The property has an existing connection to high speed commercial NBN Wi-Fi with an associated phone line that will be sufficient to service the school once it is operational.

### 13.0 CONTRIBUTIONS

The SEARs for the project required the EIS to address developer contributions for the proposal, including:

*Address Council's 'Section 7.12 Contributions Plan' and/or details of any Voluntary Planning Agreement, which may be required to be amended because of the proposed development.*

Contributions apply to development with a value of more than \$100,000.00. The final amount payable will depend on the date of payment, adjusted to CPI at the time.

### 14.0 DRAINAGE

The SEARs for the project requires the EIS to address site drainage, including:

- *Detail measures to minimise operational water quality impacts on surface waters and groundwater.*
- *Stormwater plans detailing the proposed methods of drainage without impacting on the heritage fabric of the subject site, surrounding heritage listed sites on Rosemead Road or William Street or the downstream properties.*

*Relevant Policies and Guidelines:*

- *Guidelines for developments adjoining land managed by the Office of Environment and Heritage (OEH, 2013).*

A Stormwater Management Plan, prepared by SEEC Consultants, Job No. 20000114, dated 1 May 2020 is Appendix Q of this EIS.

#### 14.1 Proposed Stormwater Environment

The proposed measures to address operational water quality impacts are listed on the SWMP plans as:

- Fall permeable gravel driveway/parking area towards grassed play area to the east
- Modify existing pit level to match proposed amphitheatre level as required.
- Grades and levels to comply with relevant accessibility requirements.
- Existing grated trench drain and pit near No. 1A side boundary to be retained.
- Proposed widening of existing driveway and provide 230mm wide (at 2.4m centres) cut-outs in proposed brick garden wall to allow surface water from driveway to flow into garden area.
- Retain 2 x existing 100mm stormwater outlets into the kerb on Rosemead Road.
- Existing stormwater connections from roof water drainage retained.
- Existed grated pits (as indicated on submitted plans) to be retained.

An extract of the site drainage plan is shown in Figure 19 below.

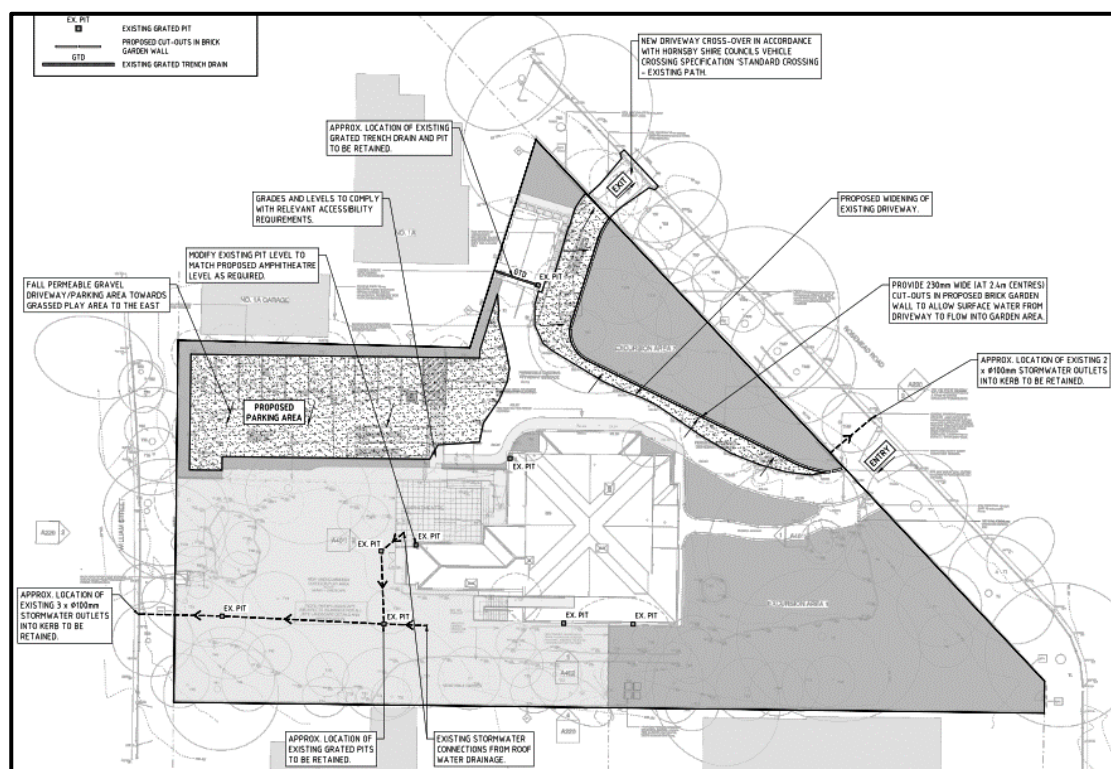


Figure 19: Extract of drainage plan (SEEC, dated May 2020)

## 15.0 FLOODING

The SEARs for the project required the issue of Flooding to addressed, including:

- *Identify flood risk on-site (detailing the most recent flood studies for the project area) and consideration of any relevant provisions of the NSW Floodplain Development Manual (DIPNR, 2005), including the potential effects of climate change, sea level rise and an increase in rainfall intensity. If there is a material flood risk, include design solutions for mitigation.*

Correspondence from SEEC (Strategic Environmental & Engineering Consulting), dated 1<sup>st</sup> May 2020 is Appendix J of this EIS.

The site is not subject to flooding – pursuant to the local planning provisions contained in Hornsby LEP 2013. That is the site is not mapped as subject to any flood risk.

The consultant conducted both a desktop review of the topography surrounding the site and a site inspection for confirmation. It is reported that:

*... there are no major watercourses flowing through or near the property. The property is not located within a floodplain and is located on a ridge known as Mount Erington. This was also confirmed from a desktop study of the existing topographical mapping. The closest major waterways are Jimmy Bancks Creek located to the south and a tributary watercourse of Old Mans Creek located to the north.*



*Based on the above, we do not believe that a regional flood assessment for this site is warranted with regard to the provisions outlined in the NSW Floodplain Development Manual (DIPNR, 2005) as stated in the SEARs key issue No. 16.*

Onsite drainage that may result in any site or localised flooding is addressed via the stormwater management plan for the project. Refer to Appendix Q – Stormwater Management Plan.

## 16.0 BUSHFIRE RISK ASSESSMENT

The SEARs for the project required the issue of bushfire hazard to be addressed, including:

- *Address bushfire hazard and, if relevant, prepare a report that addresses the requirements for Special Fire Protection Purpose Development as detailed in Planning for Bush Fire Protection 2020 (NSW RFS).*

A Bush Fire Assessment Report, prepared by Australian Bushfire Consulting Services, dated 7<sup>th</sup> May 2020 is Appendix M of this EIS.

In addition, The NSW RFS assessed the proposal when originally referred to the Service by Hornsby Council. General Terms of Approval, under Division 4.8 of the *Environmental Planning and Assessment Act 1979*, and a Bush Fire Safety Authority, under section 100B of the *Rural Fires Act 1997*, have been issued and the initial response is included within the Bushfire Assessment Report.

### 16.1 Introduction

The subject site is mapped on Hornsby's Councils Bushfire Prone Land Map as follows:



**Figure 20: Extract of Council's Bushfire Prone Land Map**

## 16.2 Bushfire Assessment

A summary of the bushfire assessment is Table 19: Summary of Bushfire Assessment below.

**Table 19: Summary of Bushfire Assessment**

Aspect	North	Northwest	South/ east/ west
<b>Vegetation Structure</b>	Forest	Forest	n/a
<b>Hazard slope</b>	10-15° downslope	10-15° downslope	n/a
<b>Required Asset Protection Zone Table A1.12.1</b>	100 metres	100 metres	n/a
<b>Existing Asset Protection Zone</b>	112 metres	124 metres	n/a
<b>Features that may mitigate the impact of bush fire on the development.</b>	<p>The bushfire hazardous vegetation is located to the north and northwest within Hornsby Reserve adjacent to Old Man's Valley (Hornsby Quarry site). The closest part of the Reserve is 112 metres to the north of the subject building.</p> <p>The separation from the hazard interface includes maintained land within the subject site and land considered to be equivalent to an APZ being maintained land within Rosemead Road and Dural Street road reserves and neighboring residential allotments.</p>		
	An additional grassed buffer area within the reserve to the north provides additional separation from the forest interface however this maintenance is not relied upon for this assessment.		
<b>Noteworthy landform &amp; environmental features.</b>	Rosemead Road & Dural Street	Rosemead Road, & Dural Street	Maintained curtilages
<b>AS1959 – 2018 Bushfire Attack Level</b>	BAL Low	BAL Low	n/a
<b>AS1959 – 2018 Proposed construction level</b>	<p>None applicable. The existing building and any new works are located &gt; 100 metres from the bushfire hazard in an area determined to be BAL Low.</p> <p>AS3959 - 2018 Construction of buildings in bushfire prone areas: This Standard does not provide construction requirements for buildings assessed in bushfire- prone areas in accordance with Section 2 as being BAL-LOW. The Bushfire</p>		

	<p>Attack Level BAL-LOW is based on insufficient risk to warrant specific bushfire construction requirements.</p> <p>Note: BAL Low and nil recommendations is also important in relation to the fact that the usual requirements for bush fire protection may conflict with the conservation of significant heritage fabric and its setting in relation to the heritage item, Mt Errington House. In this instance nil recommendations ensures that there is no conflict with the heritage fabric of this building.</p>
<b>Property Access</b>	<p>The most distant external point of the building footprint is less than 70 metres from a public through road that supports the operational use of fire appliances (hydrants) and therefore the property access requirements of Table 5.3b of PBP 2019 are not applicable. Pedestrian access to the hazard interface is available via neighbouring allotments without the need to enter the subject site.</p>
<b>Water Supply</b>	<p>The subject site is connected to reticulated water mains for domestic needs. Hydrants are located within Rosemead Road, William Street and surrounding streets available for the replenishment of fire fighting appliances. The nearest hydrant is located immediately adjacent to the subject a 2 or more locations. The spacing specified in AS2419:2017 is achieved. The existing water supply is considered satisfactory for this development and satisfies Table 5.3c of PBP 2019. A static water supply is not required.</p>
<b>Electrical &amp; Gas Supply</b>	<p>The existing electrical supply to the site is overhead. Reticulated gas is provided in this area. There is no new electrical or gas connections proposed as part of this development. Recommendation of maintenance of vegetation along the power lines onsite will be included within this report.</p>
<b>Evacuation</b>	<p>It is recommended that a Bushfire Emergency Evacuation Plan is prepared in accordance with the NSW Rural Fire Service Guidelines for the Preparation of Emergency! Evacuation Plan. This plan should include a trigger for safe refuge onsite to avoid relocation in times of imminent bushfire impact and measures for non- occupation of the centre on days of predicted catastrophic fire danger ratings.</p>

### 16.3 Recommendations

The Bushfire Report contains the following recommendations:

- *Asset Protection Zones / landscaping: all grounds within the subject property are to be maintained as an Asset Protection Zone / Inner Protection Area as detailed in Appendix 4 of Planning for Bushfire Protection 2019 and the NSW RFS document Standards for Asset Protection Zones.*
- *Emergency management plan: a Bushfire Emergency Evacuation Plan is prepared in accordance with the NSW Rural Fire Service Guidelines for the Preparation of Emergency/Evacuation Plan. This plan shall address refuge onsite as the primary response to imminent bushfire impact (avoiding late evacuation) and non-occupation of the preschool on days of predicted catastrophic fire danger ratings.*
- *Construction: any new fencing within 6 metres of the building is required to be of non-combustible material.*
- *Services (Water Electricity and Gas): pruning of limbs around the onsite power supply is to occur so that no part of a tree is closer to a power line than the distance set out in ISSC3 Guideline for Managing Vegetation Near Power Lines (1.5 metres in this instance).*

### 17.0 BIODIVERSITY ASSESSMENT

The SEARs for the project requires the assessment of biodiversity impacts in accordance with the provisions of the *Biodiversity Conservation Act 2017*. The SEARS states:

- *Biodiversity impacts related to the proposed development (SSD-10444) are to be assessed in accordance with Section 7.9 of the Biodiversity Conservation Act 2017, the Biodiversity Assessment Method and documented in a Biodiversity Development Assessment Report (BDAR). The BDAR must include information in the form detailed in the Biodiversity Conservation Act 2016 (s6.12), Biodiversity Conservation Regulation 2017 (s6.8) and Biodiversity Assessment Method, including an assessment of the impacts of the proposal (including an assessment of impacts prescribed by the regulations).*
- *The BDAR must document the application of the avoid, minimise and offset framework including assessing all direct, indirect and prescribed impacts in accordance with the Biodiversity Assessment Method. The BDAR must include details of the measures proposed to address the offset obligation as follows:*
  - *the total number and classes of biodiversity credits required to be retired for the development/project.*
  - *the number and classes of like-for-like biodiversity credits proposed to be retired.*
  - *the number and classes of biodiversity credits proposed to be retired in accordance with the variation rules.*
  - *any proposal to fund a biodiversity conservation action.*
  - *any proposal to make a payment to the Biodiversity Conservation Fund.*

- *If seeking approval to use the variation rules, the BDAR must contain details of the reasonable steps that have been taken to obtain requisite like-for-like biodiversity credits.*
- *The BDAR must be submitted with all spatial data associated with the survey and assessment as per Appendix 11 of the BAM.*
- *The BDAR must be prepared by a person accredited in accordance with the Accreditation Scheme for the Application of the Biodiversity Assessment Method Order 2017 under s6.10 of the Biodiversity Conservation Act 2016.*
- *Where a Biodiversity Assessment Report is not required, engage a suitably qualified person to assess and document the flora and fauna impacts related to the proposal.*

*Note: Notwithstanding these requirements, the Biodiversity Conservation Act 2016 requires that State Significant Development Applications be accompanied by a Biodiversity Development Assessment Report unless otherwise specified under the Act.*

### **17.1 BDAR Waiver Request**

A BDAR waiver request has been approved for the development and is Appendix V of this EIS.

### **17.2 Arborist Assessment**

An Arboricultural Impact Assessment (AIS), prepared by Earthscape Horticultural Services, dated April 2020, is Appendix G of this EIS.

#### **17.2.1 Introduction and background**

The report was prepared in accordance with Hornsby Council's Arboricultural (Tree) Report Guidelines (March 2016), Section 11 of Councils Development Application Submission Guideline 2013 and Sections 2.3.2-2.3.5 of the Australian Standard for Protection of Trees on Development Sites (AS 4970:2009).

The AIS assessed the health and condition of one-hundred and sixteen (116) trees located within or immediately adjacent to the site in order to determine the potential impact of the proposed development on the subject trees and to make recommendations for amendments to the design or construction methodology, where necessary, to minimise any adverse impact. The report includes tree protection measures to ensure the long-term preservation of the trees to be retained where appropriate.

*The original vegetation of this area consisted of transitional forest, most of which was cleared for timber getting from early in the nineteenth century then later for agriculture (mainly orchards and market gardens) and more recently for urban development.*

*The dominant locally-indigenous tree species found in this area include Eucalyptus pilularis (Blackbutt), Angophora costata (Sydney Red Gum) and Syncarpia glomulifera (Turpentine). Other species occurring in this vegetation community may include Eucalyptus paniculata (Grey Ironbark), Eucalyptus resinifera (Red Mahogany) and Eucalyptus globoidea (White Stringybark).*

### 17.2.2 Tree Assessment

The AIS contains a detailed assessment of the health and condition of each tree onsite. In general terms the Arborist describes the existing gardens as follows:

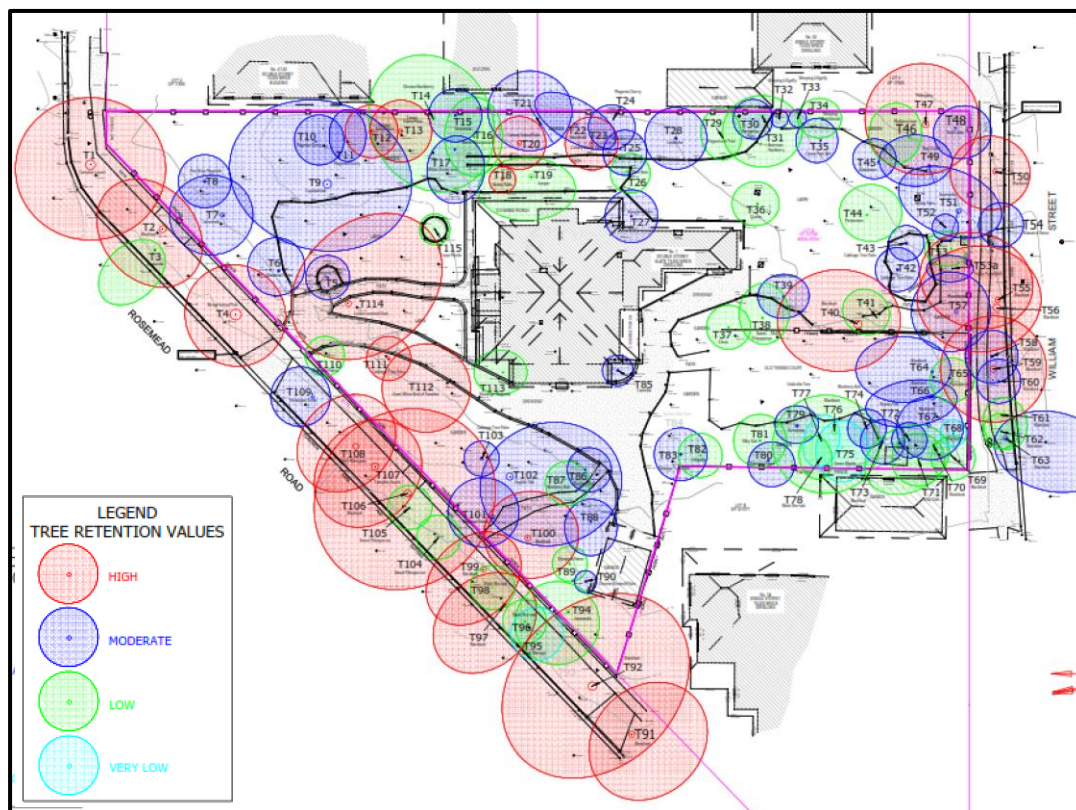
*The gardens at Mount Errington exhibit an overlay of various planting periods, containing some remnant locally-indigenous trees, together with more recent progeny of the original forest and plantings from the early development of the garden around the turn of the twentieth century through the Inter-War (1919-1939) and Post-War periods (1940-1960). The 1943 aerial photo of Sydney indicates a row of locally indigenous trees along the Rosemead Road frontage, together with a few on the William Street frontage. The larger Blackbutt trees in this group (including T2, T106, T97, T92 & T91) are likely to be remnant trees, together with the Sydney Red Gum [T84] which is clearly visible as a mature tree at this time, and T55, T56 & T59 (Blackbutts) on the William Street frontage.*

*The Araucaria bidwillii (Bunya-bunya Pine) [T4] on Rosemead Road is also clearly visible as a semi-mature tree in the 1943 aerial and is one of the earliest plantings (c.1900-1910). The Strelitzia nicolai (Giant White Bird of Paradise) [T112] and Livistona australis (Cabbage Tree Palm) [T111] are also likely to date back to this period, being fairly typical of Federation era plantings.*

*Four (4) Canary Island Palms [T12, T13, T20 & T23] stand along the eastern side of the house. These were probably planted in the Inter-War period, being typical of this era. A Howea belmoreana (Sentry Palm) [T18] and a Bauhinia sp. (White-flowered Orchid Tree) [T17] are also typical of the Federation and Inter-War Period and were probably planted about this time.*

*A large Quercus robur (English Oak) could be a relatively early Post-War period planting (c. 1940's). It is not clear whether this exists in 1943. The Liquidambar [T9] is likely to have been planted c. 1960s or 70s, together with a number of Jacarandas [T7, T51, T94]. More recently a number of Australian rainforest trees have been planted within the site. These include a Blackbean [T45], Crows Foot Ash [T35], Kurrajong [T79], several Blueberry Ash [T86, T87], Magenta Cherry [T10, T11 & T24], Weeping Lillypilly [T32 & T33] and Red Cedar [T48 & T49]. These appear to have been planted c. 2000-2010.*





**Figure 21: Extract of Tree locations and values**

### 17.2.3 Recommendations

Section 9 of the report provides a detailed outline of recommendations for the project. By way of summary they include:

- Removal of 20 trees of low and very low retention value.
- Removal of 3 trees that are in poor health.
- Removal of 15 trees of moderate retention value – required to accommodate the development.
- Removal of 2 trees of high retention value – required to widen the driveway.
- Replacement planting in accordance with recommendations and shown on the submitted landscape plan.
- Tree protection measures – eg fencing, signage, ground protection, alternative construction methods.
- List of prohibited activities within specified TPZ's.
- Methodologies for provision of services, paving, root pruning.



#### 17.2.4 Conclusion

The Arborist Report provides a detailed overview of the current vegetation on the site, including a history of the likely layers of planting that has taken place over time. Whilst 40 are to be removed, over 50% of the trees have a low or very low retention value. Only 2 high value trees are identified for removal and it is recommended that at least 3 replacement trees, capable of growing over 10m, are replanted on the site. The remaining 15 trees are of moderate value and within the area of influence of the development works and cannot be retained.

The DPI&E have approved a BDAR Waiver for the site. A copy of the approval is Appendix V of this EIS.

#### 18.0 SEDIMENT, EROSION AND DUST CONTROLS

The SEARs for the project required the EIS to address the management of erosion and sedimentation, including:

- *Detail measures and procedures to minimise and manage the generation and off-site transmission of sediment, dust and fine particles.*

##### Relevant Policies and Guidelines:

- *Managing Urban Stormwater - Soils & Construction Volume 1 2004 (Landcom).*
- *Approved Methods for the Modelling and Assessment of Air Pollutants in NSW (EPA).*
- *Guidelines for development adjoining land managed by the Office of Environment and Heritage (OEHL, 2013).*

An Erosion and Sedimentation Control Plan (ESCP), prepared by SEEC Consulting engineers, dated 29<sup>th</sup> April 2020, is Appendix R of this EIS.

#### 18.1 Proposed Erosion and Sedimentation works

The proposed development comprises the conversion of the existing dwelling and grounds into a small education facility (the proposal). Construction works required for this proposal are minimal, with the ground-disturbing activities limited to landscaping, extension of the existing driveway, and establishment of a permeable-paved carpark (Figure 1-1). Details of the works required are provided in the EIS by others.

This Report has been prepared to meet the guidelines and standards set in the NSW Blue Book (Landcom, 2004). The identified impacts in relation to soil and erosion controls are:

- Dust generated during ground disturbance activities and landscaping;
- Sediment tracked onto surrounding roads from vehicles;
- Erosion of sediments exposed or stockpiled onsite;
- Sediment pollution in the local stormwater system as a result of erosion.

## 18.2 Erosion and Sedimentation Requirements

The proposal does not involve ground disturbance to more than 2,500m<sup>2</sup> of land. In accordance with Landcom (2004), a Soil and Water Management Plan (SWMP) is therefore not required. A simple ESCP will suffice and no calculations are required to demonstrate the erosion hazard.

Table 1 of the ESCP Report contains a number of mitigation and management measures for the proposal. Mitigation measures include sedimentation fences, covering of stockpiles, monitoring any dust generating activities, maintaining the site and surrounds in a clear manner and protecting stormwater pits in the area from sediment. These provisions can be conditioned as part of any consent as the measures will be implemented during construction by the Site Manager. For this proposal it is sufficient for the proponent to commit to the preparation and adoption of an ESCP at the CC stage.

## 19.0 WASTE MANAGEMENT

The SEARs for the project required the EIS to address waste management, including:

- *Identify, quantify and classify the likely waste streams to be generated during construction and operation and describe the measures to be implemented to manage, reuse, recycle and safely dispose of this waste. Identify appropriate servicing arrangements (including but not limited to, waste management, loading zones, mechanical plant) for the site.*

### Relevant Policies and Guidelines:

- *Waste Classification Guidelines (EPA, 2014).*

A Waste Management Plan, prepared by the proponent (in consultation with Hornsby Council staff) is Appendix N of this EIS.

## 19.1 Introduction

Waste from the proposal would be generated during the construction phases within the site. Once completed operational waste would be generated from the preschool and primary school use of the land. Consultation with Hornsby Council waste management staff has been undertaken in relation to the number of bins needed and the collection points (on-street).

## 19.2 Construction Waste Management

The Project Contractor for this project is yet to be commissioned. Therefore, detailed quantities of waste during the construction phase is not available. Building works, limited to additions and alterations to the existing residence will not generate significant construction waste. Should any hazardous materials e.g. asbestos be found during the construction phase, those materials will be collected and disposed of in accordance with government regulations. It is noted that no such material was observed by the contamination consultant during site inspections of the site.

Details of the final quantities will be prepared and submitted with the documentation for the Construction Certificate, as part of any Construction Management Plan (CMP) for the project. The following management measures for treating construction waste are to be implemented:

- waste hierarchy adopted;
- all waste requiring offsite disposal would be appropriately classified and tested (if required) against the EPA's Waste Classification Guidelines (EPA 2014);
- all waste recycled/disposed at an appropriately licensed facility; and
- any asbestos to be handled and disposed of would be undertaken in compliance with POEO Regulation and NSW SafeWork requirements.

### 19.3 Operational Waste Management Plan

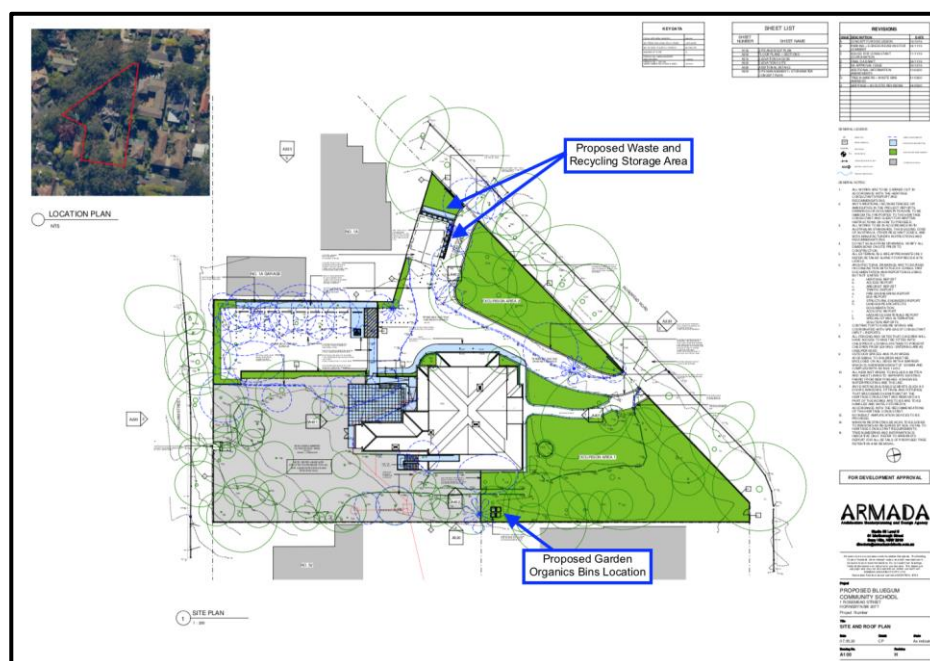
The proponents, as part of their operational protocols have a high regard for the environmental protection, including responsible collection and disposal of waste and recycling. It is a part of the School's value set. The waste management system will seek to:

- Minimise the generation of waste through avoid-reduce-reuse-recycle education policies;
- Provide the opportunity to educate staff/students in waste management and resource recovery processes;
- Meet regulatory and best practice requirement and guidelines;
- Be 'hands on' but safe.
- Allow students/staff to segregate their wastes into different receptacles at source (i.e. where it is generated: yard, inside, office, workshops, canteens etc.) and then transferred to the waste collect area by cleaning staff;
- Educate cleaning contractors on the schools protocols and system;
- Be cost effective.

The current residence generates up to 6 bins of waste on a weekly basis with collection from the Rosemead Road kerbside. The number of bins for the proposal is:

- 5 x 240L garbage (collected weekly)
- 4 x 240L recycling (collected weekly)
- 5 x 240L greens (collected fortnightly)

The storage location for the 14 bins is shown in Figure 22 below. Screening plants along the front fence line are to ensure the bin storage enclosure is not visually dominant. It is also positioned well away from the front facade of the heritage item, alongside the non-original weatherboard garage, close to the proposed new driveway exit.



**Figure 22: Location of waste bin storage on-site**

The collection cycle is 9 bins one week and 14 bins the next week. Collection is to be undertaken from the kerbside area directly outside the site frontage in Rosemead Road, with the bins to be lined up on "bin night" for collection the following day. The bins are to be lined up for collection in groups of 6. The frontage is some 83.1m long and capable of accommodating all the bins on a weekly and fortnightly basis.

## 20.0. OTHER MATTERS

### 20.1 BCA, Access and Fire Safety Compliance

A series of reports have been prepared to address building related matters of relevance to the additions and alterations to the existing historical dwelling and fire safety needs of its adaptive reuse away from a residential landuse.

The reports are:

1. Access Report
2. BCA Compliance Report
3. BCA Performance Solution (Access)
4. Statement of Design Intent – Fire Safety Engineering
5. Fire Safety Assessment Report

These reports are Appendix P of the EIS.

The following series of figures includes the site plan, elevations and photomontage of the development. The red hatched area identifies the primary Project Area (excluding the existing residence).

## 21.0 MITIGATION MEASURES

### 21.1 Introduction

This chapter summarises the mitigation measures designed to manage and/or mitigate potential environmental impacts arising from the project. These measures include management, mitigation, monitoring and/or compensation measures to be implemented for the life of the project.

### 21.2 Summary of Mitigation Measures

A summary of the environmental management and mitigation measures described throughout the EIS are provided in Table 20 below.

**Table 20: Summary of Mitigation Measures**

Issue	Mitigation Measure/s
General Operation of the site	<ul style="list-style-type: none"> <li>• The site will be kept clean and tidy at all times, including the road reserves along the boundaries of the site.</li> <li>• The behaviour of staff and students will be monitored by management and any unruly behaviour will be actioned quickly.</li> <li>• Housekeeping is to be maintained across the site.</li> <li>• Preparation of an operational management plan including a protocol for parents and guardians, and those dropping off and picking up children, to ensure that minimum noise driving practices are applied on streets near the school, and when using the school's driveway and car park to assist in achieving the required acoustic outcomes;</li> <li>• Operate premises in accordance with the approved hours of operation.</li> </ul>
Construction Management Plan	<ul style="list-style-type: none"> <li>• Preparation of a Construction Management Plan (CMP), to be submitted to the nominated consent authority for the Construction Certificate.</li> <li>• All erosion and sediment control measures are to be erected and maintained in accordance with the NSW OEH (2004), <i>Managing Urban Stormwater: Soils and Construction (4th Edition)</i>.</li> <li>• During construction phase, site access to be stabilised and all required geotextile fabric erected prior to works commencing on site.</li> <li>• Operational phase - ensure erosion and sediment controls are in place around stormwater drains.</li> <li>• Compliance with the construction hours outlined in any development approval, that is, hours typically associated with residential construction.</li> <li>• If required, contractors can provide stop and go controls for traffic to minimise impacts on Rosedale Road as is</li> </ul>

	typically the case for road works or private works where trucks are entering the site to carry out approved works.
Contamination – materials used in existing building	<ul style="list-style-type: none"> <li>• Disposal of Lead Paint Residues – if any lead paint residues are generated by the repair of areas of peeling paint at the site, they are safely collected and disposed of in a safe and appropriate manner</li> <li>• Unexpected Finds - Appropriate care is taken in respect of the possible identification of any other potentially hazardous or dangerous materials that may unexpectedly be identified during the preparation of the site for the educational purpose proposed.</li> </ul>
Impacts from tree removal	<ul style="list-style-type: none"> <li>• Only trees approved to be removed.</li> <li>• Tree protection zones to be established prior to commencement of construction phase.</li> <li>• Ongoing tree protection zones established during operational phase, including measures identified in the approved Arborist Report.</li> <li>• Replacement plantings as per Landscape Plan set.</li> </ul>
Bushfire risk for the site	<ul style="list-style-type: none"> <li>• Asset Protection Zones / landscaping: all grounds within the subject property are to be maintained as an Asset Protection Zone / Inner Protection Area as detailed in Appendix 4 of Planning for Bushfire Protection 2019 and the NSW RFS document Standards for Asset Protection Zones.</li> <li>• Emergency management plan: a Bushfire Emergency Evacuation Plan is to be prepared in accordance with the NSW Rural Fire Service Guidelines for the Preparation of Emergency/ Evacuation Plan.</li> <li>• Construction: any new fencing within 6 metres of the building is required to be of non-combustible material.</li> <li>• Services (Water Electricity and Gas): pruning of limbs around the onsite power supply.</li> </ul>
Heritage Conservation	<ul style="list-style-type: none"> <li>• The mitigation measures outlined in Section 7 of the SOHI are to be carried out. These include: <ul style="list-style-type: none"> <li>i) Photographic Archival Recording of the site</li> <li>ii) Salvaging of materials of materials and brickwork and reuse where possible</li> <li>iii) Interpretation Strategy to identify key users of the site, develop themes and key messages for visitors and users of the site – graphic, art, design features, interpretative media.</li> <li>iv) Use of lime plaster for minor building works</li> <li>v) Halt of work should any significant damage occur to the fabric of the building and seek professional heritage advise</li> </ul> </li> </ul>

		<ul style="list-style-type: none"> <li>vi) Services to be wall-mounted or run through the slab and not chased into the original masonry.</li> <li>• Loop driveway proposed mitigates the impact on high value heritage listed street trees on both Rosemead Road and William Street.</li> <li>• Fencing of each boundary as per the details in this EIS and any conditions of consent.</li> <li>• Access to and within the building in accordance with Australian Standards, or acceptable solutions.</li> </ul>
Acoustic construction and operational phase	Impacts – and	<ul style="list-style-type: none"> <li>• Preparation of a Noise Management Plan consistent with the guidelines set out in this report; to be included in the overall Management Plan for the school for implementation and where necessary continuous improvement.</li> <li>• Construction of boundary fencing as set out in this EIS and any conditions of consent.</li> <li>• Careful supervision of all external activities associated with the school to be maintained to assist in achieving the required acoustic outcomes.</li> <li>• Validation that any plant &amp; equipment associated with the proposed school will not have an impact greater than 5 dBA above the measured background IA90 RBI, as indicated in this report, may be provided if required prior to the issue of an Occupation Certificate for the development; and</li> <li>• Compliance with operational hours, in accordance with any consent conditions.</li> </ul>
Traffic and increased generation	Parking – traffic	<ul style="list-style-type: none"> <li>• Comply with the DA approval conditions issued by the NSW Planning, Transport NSW and Hornsby Council, including the provision of 12 on-site car spaces.</li> <li>• A designated 'Kiss and Drop Zone' for school students incorporated within the site.</li> <li>• A staggered 'pick up and drop off' management plan to minimise cars on site at any given time.</li> <li>• Provision of secure bicycle parking and end of trip facilities to encourage active transport.</li> <li>• Installation of signage to the rear of a number of spaces, as well as at the entry to the car park.</li> <li>• Maintenance of onsite parking spaces for their principle use at all times (no storage of materials on designated parking areas).</li> <li>• Ongoing information delivery by school management on how to improve drop off and pick up or changes to local transport that could reduce car dependency.</li> </ul>



Fencing – visual, heritage and acoustic	<ul style="list-style-type: none"> <li>• Construction of the proposed fencing along residential boundaries, street boundaries in accordance with the fencing details approved as part of the architectural and landscape plan sets.</li> <li>• Fencing to be well maintained for the life of the project.</li> <li>• No additional signage attached to fencing at any time without consent.</li> </ul>
Waste management	<ul style="list-style-type: none"> <li>• Operational waste: compliance with the Waste Management Plan for the use.</li> <li>• Undertake regular monitoring of all waste management aspects of the operation with the aim of identifying any efficiencies able to be implemented.</li> <li>• Monitoring kerbside collection points along Rosemead Road to ensure ongoing functionality and access to the bins along the street.</li> </ul>

## 22.0 JUSTIFICATION AND CONCLUSION

### 22.1 Introduction

Justification for the project is provided in this chapter having regard to Section 4.15 matters for consideration under the EP&A Act 1979 including environmental, economic and social considerations, and the objectives of the EP&A Act 1979 including the principles of ecologically sustainable development (ESD).

### 22.2 Section 4.15 Matters for Consideration

The consent authority is required to take into consideration the matters outlined in section 4.15 of the *EP&A Act*. Matters identified in sections 4.15(1)(c)–(e) are as follows:

- (c) the suitability of the site for the development,
- (d) any submissions made in accordance with this Act or the regulations,
- (e) the public interest.

These matters are addressed below.

#### 22.2.1 Site suitability

The suitability of the project area is underpinned by its location which is:

- Situated to take advantage of its proximity to transport and local road connections. The site is located within a natural setting which aligns with the ethos of the school and how it delivers its curriculum.
- Strategically located within the Hornsby LGA to be accessible to parents who work and live in the Hornsby Area that prefer to have children surrounded by natural elements with high value environmental qualities. The school provides an alternate to schools in built up areas with hard surfaces and abrasive interfaces.

### **22.2.2 Submission/s made in accordance with the EP&A Act**

This EIS will be publicly exhibited as part of the State Governments assessment of the proposal. The proponent will receive copies of the submissions and prepare a Response To Submissions (RTS) addressing relevant issues.

### **22.2.3 Public interest**

In preparing this EIS, Hornsby Shire Council carried out consultation with local residents as part of the original DA lodged with the Council. The proponent, as prescribed by the SEARs consulted with relevant agencies and the technical staff at Hornsby Council and other local stakeholder organisations. All known and relevant issues and opportunities associated with the project have been identified and addressed where necessary.

## **22.3 Environment, Economic and Social Considerations**

In general, investment in State Significant Development can only be justified if the benefits of doing so exceed the costs. Such an assessment must consider all costs and benefits, and not simply those that can be easily quantified. As a result, the *EP&A Act 1979* specifies that such a justification must be made having regard to environmental, economic and social considerations and the principles of ecologically sustainable development.

This means that the decision on whether a project can proceed or not needs to be made in the full knowledge of its effects, both positive and negative, whether those impacts can be quantified or not.

The proposed development involves the adaptive reuse of an existing residential dwelling and surrounds as a small-scale preschool and primary school. The assessment must therefore focus on the identification and appraisal of the effects of the proposed change over the site's existing condition.

### **22.3.1 Environmental and Technical Reports**

Technical reports have been prepared for tree removal, BDAR Waiver, noise, traffic, bushfire, landscaping, drainage and contamination assessment. Technical assessments have been undertaken in accordance with relevant government guidelines, the SEARs for the project and specific Hornsby Council departmental responses. Where necessary, the project design has been amended and management measures proposed to ensure that the development accords with all relevant guidelines and that development specific requirements have been addressed.

Operation of the site will have no additional adverse impact on the physical environment where all impacts can be managed at an acceptable level. Due to the nature of the development, the impact on the environment would be minimal and would represent the best available environmental outcome for the adaptive reuse of an historical residence and its surrounds to a permissible landuse pursuant to the local planning provisions.

### 22.3.2 Social and Economic

The site selection justification, as presented by the proponent, is outlined in Section 2.12 of this EIS. It states, in part, that:

*... the proponent determined that the Mt Errington, Hornsby site provides the best strategic location for the small, value based school and purchase of the subject property was the most viable, logical and practical option for the long-term viability of the property.*

*The subject site contains sufficient available land, is appropriately zoned for the nature and scale of development and provides the opportunity to retain and preserve the historical significance of the heritage item.*

In addition to this, there is evidence of an undersupply of school places in the Hornsby LGA. The proposal is one step towards redressing the supply/demand balance in the form of an alternative education offering. The use is provided within a repurposed residence located in an appropriate location for its intended use.

If approved, the facility would provide employment opportunities as well as supporting working families across school terms and school holidays. Alternative modes of transport can also be encouraged at this location as the site has access to walking, cycling and public transport options.

### 22.3.3 – Objects of the EP&A Act 1979

Section 5 of the EP&A Act contains the objects of the Act.

The objects of the EP&A Act (as they relate to the proposal) are:

- (a) to encourage:*
  - (ii) the promotion and co-ordination of the orderly and economic use and development of land,*
  - (iii) the protection, provision and co-ordination of communication and utility services,*
  - (vi) the protection of the environment*
  - (vii) ecologically sustainable development, and*
- (b) to promote the sharing of the responsibility for environmental planning between the different levels of government in the State, and*
- (c) to provide increased opportunity for public involvement and participation in environmental planning and assessment.*

The project achieves the objectives given that:

- the project is located on land within the Hornsby LGA which is identified as suitable for educational establishments, child care centres and similar serviced based facilities, subject to development consent;
- the proposal is an adaptive reuse of a large residential property that is capable of the accommodating the proposed use in an orderly and economic manner;

- the project minimises negative environmental impacts through the implementation of mitigation measures identified in this EIS, and would operate in a manner that reasonably avoids/minimises adverse environmental impacts; and
- the project complies with the four ESD principles described in the EP&A Regulation.

#### 22.3.4 – ESD Principles

The proposal addresses the principles of ESD in Chapter 8 of this EIS. Further comment is provided below:

ESD Principle	Proposal
<p><b>Precautionary principle:</b> Namely, that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. In the application of the precautionary principle, public and private decisions should be guided by:</p> <p>(i) careful evaluation to avoid, wherever practicable, serious or irreversible damage to the environment, and</p> <p>(ii) an assessment of the risk-weighted consequences of various options</p>	<p>The environmental impacts associated with the proposed development have been detailed and addressed in this EIS. Each potential impact, where able to be anticipated, has been identified and quantified to an adequate degree of certainty. Subject to the development being carried out in a manner that factors in precautionary approaches and mitigating measures, then all necessary actions to prevent detrimental impacts from occurring have been adequately addressed.</p>
<p><b>Inter-generational equity:</b> Namely, that the present generation should ensure that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations.</p>	<p>As described above, it is established that the proposed reuse of this residential site to an educational establishment will not result in unreasonable impacts on the receiving environment.</p>
<p><b>Conservation of biological diversity and ecological integrity:</b> Namely, that conservation of biological diversity and ecological integrity should be a fundamental consideration,</p>	<p>The proposed development is assessed as capable and suitable for the development. Mitigating measures are to be put in place to prevent the likelihood, and in the worst case, removal of any significant quantity of high-quality vegetation.</p>
<p><b>Improved valuation, pricing and incentive mechanisms:</b> Namely, that environmental factors should be included in the valuation of assets and services, such as:</p>	<p>The value of the environmental resources affected by the proposal is recognised through the examination of foreseeable environmental consequences of the proposal. Where possible mitigation measures provided to address potential</p>

<p>(i) polluter pays, that is, those who generate pollution and waste should bear the cost of containment, avoidance or abatement,</p> <p>(ii) the users of goods and services should pay prices based on the full life cycle of costs of providing goods and services, including the use of natural resources and assets and the ultimate disposal of any waste,</p> <p>(iii) environmental goals, having been established, should be pursued in the most cost-effective way, by establishing incentive structures, including market mechanisms, that enable those best placed to maximise benefits or minimise costs to develop their own solutions and responses to environmental problems.</p>	<p>impacts, including any construction impacts.</p>
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## 23.0 CONCLUSION

This Environmental Impact Statement (EIS) has been prepared to assess the environmental, social and economic impacts of the proposed adaptive reuse of a heritage listed residence and surrounds as a preschool and primary school for up to 80 children. The EIS has addressed the issues outlined in the SEARs and accords with Schedule 2 of the *EP & A Regulation* with regards to consideration of relevant environmental planning instruments, built form, social and environmental impacts including heritage conservation, traffic, biodiversity, bushfire, noise, stormwater management and waste.

Having regard to environmental, economic and social considerations, including the principles of ecologically sustainable development, the carrying out of the project is justified for the following reasons:

- The proposal is permissible with consent and satisfies to the extent necessary the requirements of the relevant planning controls on the site;
- The facility will provide much needed school placements in the Hornsby area in the short term;
- The new school will offer an alternative value-based education for those seeking an alternative to the mainstream approaches to curriculum;
- Local construction employment and various ongoing employment within the school is provided;
- The development promotes the orderly and economic use of the historical residence the proponent; and
- The facility will have no additional impact to the biophysical environment.

Given the merits described above it is requested that the application be approved.

## **APPENDICES**

<b>Appendix A</b>	<b>SEARS</b>
<b>Appendix B</b>	<b>Quantity Surveyors Report (CIV)</b>
<b>Appendix C</b>	<b>Survey Plan</b>
<b>Appendix D</b>	<b>Architectural Plans</b>
<b>Appendix E</b>	<b>Landscape Plan</b>
<b>Appendix F</b>	<b>SEPP (EE &amp; CCF) Assessment table</b>
<b>Appendix G</b>	<b>Arboricultural report + addendum</b>
<b>Appendix H</b>	<b>Statement of Heritage Impact</b>
<b>Appendix I</b>	<b>Contamination – PSA and SEPP 55 report</b>
<b>Appendix J</b>	<b>Flooding – Review of Regional Flood Constraints</b>
<b>Appendix K</b>	<b>Traffic and Parking Assessment Report</b>
<b>Appendix L</b>	<b>Acoustic Impact Assessment Report</b>
<b>Appendix M</b>	<b>Bushfire Assessment Report</b>
<b>Appendix N</b>	<b>Waste Management Plan</b>
<b>Appendix O</b>	<b>Utilities correspondence</b>
<b>Appendix P</b>	<b>BCA compliance, Fire Safety and Access report</b>
<b>Appendix Q</b>	<b>Stormwater and drainage</b>
<b>Appendix R</b>	<b>Erosion and Sedimentation</b>
<b>Appendix S</b>	<b>Schedule of External Finishes</b>
<b>Appendix T</b>	<b>ESD Report</b>
<b>Appendix U</b>	<b>Consultation – Letters - agencies</b>
<b>Appendix V</b>	<b>BDAR Waiver Approval</b>
<b>Appendix W</b>	<b>Owners Consent</b>