

[REDACTED]
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Hornsby NSW 2077
2 July 2020

The Secretary
Department of Planning, Industry and Environment
Locked Bag 5022,
PARRAMATTA NSW 2124

Dear Sir,

Re Project SSD-10444 – Blue Gum Community School

Please accept this as our submission on, and objection to, this proposed project.

As you would be aware, a development application for this project was previously lodged (erroneously) with Hornsby Shire Council and exhibited by Council for public comment. This attracted over 100 submissions, almost exclusively opposing the project.

We ask that you accept our previous submission to Hornsby Shire Council (attached) for your consideration in assessing this project.

In addition we would like to make the following further comments arising out of the latest application.

Traffic

The applicant's revised traffic report (as compared to the original traffic report attached to the development application submitted to Hornsby Shire Council) is again deficient in concentrating almost exclusively on Rosemead Road and failing to understand the implications for vehicle movements in William St.

There are no new traffic flow measurements for William St in the traffic report attached to this latest application. The report states that while

“Council have also requested that William Street and Dural Street are included in the assessment as these two roads will be the likely access roads to/from the major road network ... due to Covid-19 restrictions, obtaining traffic surveys of William Street and Dural Street would not reflect actual existing conditions”.

This is an extraordinary excuse as the applicant would have been aware well before the onset of the coronavirus impact in Australia of residents' concerns about William St traffic. In any event it should have been apparent to a qualified traffic engineer right from the beginning that there would be significant impacts on William Street traffic flows.

The traffic report also makes the claim, without any supporting evidence that -

“It is likely that the majority of traffic will approach the site from Peats Ferry Road onto William Street, right onto Frederick Street, left onto Dural Street, left onto Rosemead Road and then left into the site”.

We would suggest that such a circuitous route would be more unlikely than likely.

The report also ignores the arguments raised previously by concerned residents that William St between Lisgar Road and Rosemead Road is effectively a single-lane road. The extent of parking on both sides of this section of William St means that when two vehicles are attempting to pass each other, one is almost invariably forced to pull over to the side of the road where space permits (eg in front of driveways) to allow the vehicle to pass. On this basis, any predicted traffic flows for this section of William St should be judged against a much lower peak hour flow in the RMS guidelines.

Please also see our earlier submission to Hornsby Shire Council on this issue, as well as the independent traffic study commissioned by concerned residents.

The “Need” for the School

Interestingly, the applicant’s traffic report notes that “Blue Gum Community School is by its own admission, unique, and therefore not the right fit for everyone”. However nowhere in any of the documentation accompanying the proposal is there any evidence that this school would address some unfilled need for its “unique” type of education.

Section 10 of the applicant’s EIS argues that there is an under-supply of primary school places in the Hornsby Shire, comparing 2020 enrolments with “enrolment caps”.

Curiously, the comparison is made for what are termed “the three schools in closest proximity to 1 Rosemead Road”, being Hornsby South, Normanhurst, and Normanhurst West. However the last two of these are considerably further away from 1 Rosemead Road (4.1km and 4.5km respectively by road) than is Waitara Public School (2.3km). Waitara Public School has very recently had a major expansion, with a net 36 additional classrooms now available. Asquith Public School is also closer (albeit marginally) to 1 Rosemead Road than both Normanhurst and Normanhurst West schools.

Regardless, a comparison of the availability of enrolments between a fee-charging private school and public schools is misleading. The local area is well served by a number of private schools that can accommodate children whose parents want them to receive a private education. There is no evidence provided of the local need for an additional private school (regardless of it being labelled a “community” school).

While arguing for the potential demand for this school, the EIS makes no disclosure of its likely fee structure.

In the absence of this information, guidance can be obtained from the fee structure of the applicant’s other campus at Hackett, ACT. Primary school fees there are set at \$2,075 per term, ie \$8,300 pa. In addition there is a \$26 per week charge for “stationery/art/other materials/equipment hire”, \$220 pa for compulsory education camps and a “recommended minimum donation” of \$440 pa to school/library funds (tax deductible).

This proposed school will be much smaller than Best-Practice Education Group Ltd’s ACT school which had 121 preschool pupils and 110 primary/middle/high school students across its two campuses (February 2018 – latest published figures). There are certain “fixed costs” associated with any organisation and, in the absence of any information provided by the applicant, it would be reasonable to assume that fees for the proposed school would be at least equal to those charges in the ACT. The ACT also has much higher average household incomes than Hornsby Shire and no analysis is provided by the applicant that local families would be interested in enrolling their children in this fee-charging primary school.

In conclusion, we would argue that there no real evidence to support the argument that this proposal meets any educational need.

Taking into account the arguments we have presented and the overwhelming view of the local community that this development has no intrinsic merit (but substantial negative impacts), we strongly believe that this proposal should be rejected.

Yours sincerely

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Bob Sendt

Margaret Sendt

Attachment: Submission to Hornsby Shire Council dated 22 January 2020

[REDACTED]
[REDACTED]
Hornsby NSW 2077
22 January 2020

The General Manager
Hornsby Shire Council
Peats Ferry Road
Hornsby NSW 2077

Dear Sir,

Re: DA/1119/2019 – 1 Rosemead Road

We object strongly to the above application and submit our following comments, for consideration by the Consent Authority.

In summary, we believe that the development, if approved, would significantly diminish the heritage value of the property to the detriment of both local and Shire residents and would impact substantially on local community amenity.

We ask that you bring our concerns to the attention of the Mayor and all Councillors.

Impacts on Shire and Local Heritage

Mt Errington, 1 Rosemead Road, occupies a unique place in the history and heritage of Hornsby.

Fittingly, it is situated on one of the highest points of the suburb. This location was no accident. The land was chosen by Oscar Garibaldi Roberts (but bought in his wife's name) for his family home to reflect his status as a successful businessman as one of the founders of the city firm of Fairfax and Roberts, Jewellers. The National Gallery of Australia notes that Fairfax and Roberts was "established as Australia's earliest emporium for fine silver, optical instruments and jewellery, its workshop created items for heads of state, country gentlemen and families collecting their first heirlooms".

Mt Errington was constructed in the Arts and Crafts style, a movement which had gained momentum in England in the 1880s and spread to Australia in the mid-1890s. The construction of Mt Errington in this style would have been seen by the Roberts family as showcasing both their wealth and artistic progressiveness. Since its construction, the house known as Mt Errington has been the centrepiece of a group of listed and unlisted houses in nearby streets, with residents in the neighbouring area adopting the unofficial name Mt Errington to describe where they live. (Hornsby Council has since officially endorsed this use, naming the "Mt Errington Precinct" as part of the Hornsby West Side Heritage Conservation Area.)

Oscar Garibaldi Roberts was more than a successful businessman and property owner. Despite catching the train each day to his city business, he took a significant interest in the local community. He served as Provisional Shire President for a period, then a number of terms on the newly-formed Hornsby Shire Council, as well as being appointed to a number of State government trusts.

Since the time of the Roberts family occupation, 1 Rosemead Road has passed through a number of owners, many of whom have spent considerable sums to maintain its heritage value. Despite these changes in ownership, Mt Errington has always been regarded as the 'showpiece' of the local neighbourhood.

As noted in the Statement of Heritage Impact submitted in support of the Development Application, the 1992 Hornsby Heritage Study stated:

“Mount Errington is a showpiece example of the Federation Arts and Crafts style ... The building is beautifully maintained and essentially unaltered. Architecturally it is considered to be of State significance and one of the best houses in the Shire”.

As local residents, we are most concerned that the scope of works proposed will diminish the heritage value of the Mt Errington house and gardens.

We are particularly concerned at the extent of modifications to the interior and exterior of Mt Errington.

Ms Jill McLachlan, Education Director of Blue Gum Community School has stated to Hornsby Councillor Joe Nicita that “all of the changes proposed internally are entirely reversible”. No similar assurance was given in respect of external changes. It is not clear how feasible it would be to reverse either internal or external changes if the house were to cease operating as a school. It is more likely that, if this Development Application is approved, Mt Errington would continue to operate as a school even if its ownership changed. The extent of changes made and the cost of their reversal (eg rebuilding internal walls that have been removed, demolition of proposed toilet block and associated “make good”) might well be seen as prohibitive by any future prospective owner who wishes to purchase the house purely as a private residence.

We are concerned that the existing driveway gate is to be removed. Retention of gates (and fences, where in good condition) is a specific requirement of section 9.2.4 of the Hornsby Development Control Plan 2013. The existing gate introduces and complements the dramatic view of the impressive front façade of Mt Errington from Rosemead Road and we believe its removal would be detrimental to the street view of the house.

Further, it is unclear from the Statement of Heritage Impact what is to happen to this gate. On page 54 of the Statement of Heritage Impact it is stated both that the gate (i) “would be retained and appropriately stored on site in a secured waterproof area” and (ii) “would be ... reused in the new landscaping works” (the latter understood to be at the entrance to a vegetable garden). In our view, neither of these alternatives compensates for the loss of view from the street.

We are also deeply concerned at the extent of tree removal proposed.

One large *Angophora costata* has already been removed. The Arboricultural Impact Assessment Report submitted with the Development Application lists 116 trees of varying retention values on the site. The Report identifies that 41 of these require removal. These include 5 *Eucalyptus pilularis* (“Blackbutts”) – some up to 22 metres in height. While some of the 41 trees are stated to require removal because they are diseased or damaged, the majority are proposed for removal to allow the proposed works to proceed.

This number represents an extraordinary loss of trees to the area. While few are identified individually as having high retention value, the aggregate effect of the loss of such numbers is substantial.

Such removal is completely inconsistent with Hornsby Council’s tree preservation policies (particularly in a Heritage Conservation Area), with the heritage status of Mt Errington, and flies in the face of Council’s policy of “planting 25,000 new trees by September 2020 to further strengthen our reputation as the Bushland Shire and to invest in the environment for future generations”.

The “Statement of Environmental Effects” submitted as part of the Development Application notes (para 1.5):

“the subject site is zoned R2 Low Density Residential ... One objective of the R2 zone enables land uses that provide facilities or services to meet the day to day needs of residents. The proposal satisfies this objective.”

However it is apparent that the majority of local residents do not believe that this proposed development would meet their needs, day to day or otherwise. Certainly there are few families in the immediate vicinity that have young children; the population is overwhelmingly older (with no school-age children) or middle aged (with any children likely to be of high school or university age). Further the apparently specialised nature of the educational approach to be taken by the school means that it is likely to appeal to only a small proportion of parents of young children. The clientele is thus likely to come from a large catchment area rather than be local residents.

Traffic Implications

In our view the Traffic and Parking Assessment Report prepared as part of the Development Application is deeply flawed.

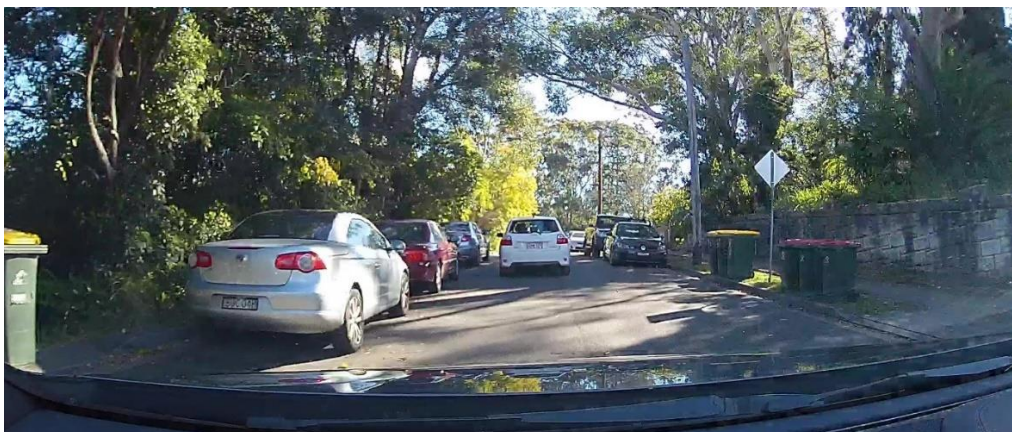
The Report concentrates almost exclusively (and inappropriately) on the measurement of traffic flows in one section of Rosemead Road. The Report concludes (p18) that:

“the cumulative traffic flows in Rosemead Road as a consequence of the development proposal is [sic] 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 [vehicles per hour] which is the environmental goal for a local residential street”.

However, as local residents are all too aware, it is William Street that already has major traffic problems - problems that will be exacerbated by this proposed development.

Sections of William Street - particularly between Rosemead Road and Lisgar Road - are already unable to satisfactorily handle existing traffic flows. Other than in school holiday times, commuter parking extends to this section of William Street, with both sides fully occupied with commuters’ and (to a lesser extent) residents’ parked cars.

This parking reduces the width of this section of William Street available for traffic to less than two lanes. If two cars are being driven in opposite directions in this section, one driver must pull over into the space in front of a driveway to allow the other car to pass. On occasions, a driver may have to repeat this manoeuvre a number of times in this relatively short section of road. The following photos show how William Street is narrowed to one lane at different places.





The situation in this section of William Street is even worse at waste collection times, when garbage trucks completely block traffic in both directions for periods at a time.

The Traffic Report makes no reference to the William Street problem, nor the worsening of this problem from the additional vehicle trips associated with the proposed school. In doing so, it provides a misleading assessment of the overall traffic impacts.

The Report also quotes (page 18) and relies upon Roads and Maritime Services environmental capacity performance standards to justify its findings in respect of Rosemead Road. However the standard used by the Report is that relating to “one-lane per direction roads”. As argued above, sections of William Street are more akin to a single lane road (other than in school holiday times) and the lower RMS standard of an “access way” should apply. If the “access way” classification is used, the RMS environmental capacity performance standard sets a limit of 100 vehicles per hour. It is highly likely that the additional traffic flow of 71 vehicles between 7.00am and 9.00am (as identified in the Report), when added to existing traffic flows, would significantly fail the RMS standard.

In completely ignoring William Street impacts, the Report fails to recognise that most vehicle trips associated with the proposed school would be via William Street, not Dural Street.

Parental vehicles coming from the north of Hornsby CBD cannot legally turn right from Peats Ferry Road into Dural Street at relevant school drop-off and pick-up times; nor are they likely to return via Dural Street as it is one-way in part.

Parental vehicles coming from the south of Hornsby CBD have no reason not to turn left into William Street nor are they likely to return via Dural Street as it is one-way in part.

Finally, the argument in the Report (page 18) that “there are also expected to be a number of families that will walk to/from the facility, further reducing the traffic movements” ignores the demographic nature of the immediate neighbourhood which includes few families with young children.

In our view, Council or the Consent Authority cannot place any credence on the Traffic Report submitted by the applicant and should not make any decision on the application until it commissions a more comprehensive and independent study.

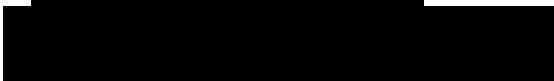
Conclusion

Section 4.15 of the *Environmental Planning and Assessment Act 1979* requires that, in assessing a development application, the consent authority considers *inter alia* -

(1) (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

Our strong view is that there are virtually no positive impacts from the proposed development, but rather overwhelming negative impacts. As such the Development Application should be rejected.

Yours sincerely

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Bob Sendt

Margaret Sendt