

**Archived:** Thursday, 23 April 2020 9:37:30 AM

**From:**

**To:**

**Subject:** Further Correspondence - 1 Rosemead Road

**Sensitivity:** Normal

**Attachments:**

[Further Correspondence - 1 Rosemead Road.doc](#);

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Good afternoon ■■■

Please find attached further correspondence in relation to the partial assessment of your development application.

A summary of the submissions is also attached to this letter.

Submitters and notified properties have been advised of the withdrawal of your application as follows;

*The proposed development of a school and childcare centre satisfies the criteria of “State Significant Development” as defined within State Environmental Planning Policy (State and Regional Development) 2011. Hornsby Shire Council is not the appropriate consent authority for state significant development, and consequently, cannot continue to assess the proposed development application. The appropriate consent authority for state significant development is the New South Wales Department of Planning, Industry and Environment.*

*As Council is unable to assess the proposed application, the applicant has advised Council by correspondence dated 17 March 2020 of the withdrawal of the application. Accordingly, the application is withdrawn in accordance with Clause 52 of the Environmental Planning & Assessment Regulation 2000.*

Regards

**Benjamin Jones**

**Town Planner | Development Assessments | Hornsby Shire Council**

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Council acknowledges the traditional owners of the lands of Hornsby Shire, the Darug and Guringai people.



18 March 2020

Blue Gum Community School  
30 Saddington Street  
SOUTH TURRAMURRA NSW 2074

Dear Sir / Madam

Development Application No.: DA/1119/2019  
Description of Development: CHANGE DWELLING TO A PRESCHOOL CENTRE AND SMALL  
PRIMARY SCHOOL - HERITAGE  
Property: Lot A DP 327582  
1 Rosemead Road, HORNSBY NSW 2077

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In respect of the recently withdrawn development application DA/1119/2019, please find attached to this letter a summary of the outstanding issues identified by Council in relation to your development application. Also attached to his letter is a short summary of issues raised by submitters, as analysed from a subset of supplied submissions.

The attached information should be considered in application preparation, should a future development for a childcare and education centre be pursued on the subject site.

Regards

Ben Jones  
Development Assessments  
Planning and Compliance Division

## Attachment 1: Partial Council Assessment – Withdrawn DA/1119/2019

Please note that the following advice is indicative only and the site will be assessed formally if a development application is lodged with Council, or Council is asked to provide comment on a future development application. Any advice below may be revoked or further restrictions may be applied.

### Heritage Assessment

#### External Works

a) Raised balustrade on first floor balcony	<ul style="list-style-type: none"> <li>The original balustrade should be retained</li> <li>An alternative solution and justification to meet heritage and regulatory requirements</li> </ul>
b) New External Fire Stair	<ul style="list-style-type: none"> <li>Alternative design, finishes and materials to minimise visual impacts and complement the heritage item to meet heritage and regulatory requirements;</li> <li>Amendments to the Landscape Plan to mitigate unsightly views from the public domain;</li> <li>A revised heritage impact assessment and justification for the alternative design.</li> </ul>
c) New metal fencing and gates	<ul style="list-style-type: none"> <li>Alternative design, finishes and materials to meet heritage and regulatory requirements.</li> </ul>
d) New accessibility ramp	<ul style="list-style-type: none"> <li>Alternative handrail design, finishes and materials to minimise visual impacts and complement the heritage item to meet heritage and regulatory requirements.</li> </ul>
e) Removal of Tennis Court	<ul style="list-style-type: none"> <li>Amendments to the Landscape Plan to show retention of the tennis court dimensions, interpretation of the significant elements and appropriate fencing to meet heritage and regulatory requirements</li> <li>A revised heritage impact assessment and justification for the alternative design</li> </ul>
f) New carpark concrete accessible path	<ul style="list-style-type: none"> <li>Alternative material and finish to meet heritage and regulatory requirements</li> </ul>
g) Removal of Landscaping	<ul style="list-style-type: none"> <li>Alternate driveway design to retain T83, T111, T112 and other significant plantings to meet heritage and regulatory requirement;</li> <li>Relocation rather than removal of T27;</li> <li>Retention of T19;</li> <li>Amendments to the Landscape Plan to mitigate visual impact of the new fire stair from public domain views;</li> <li>A revised heritage impact assessment and justification for the alternative design.</li> </ul>
h) New external pathway	<ul style="list-style-type: none"> <li>Alternative material and finish to meet heritage and regulatory requirements.</li> </ul>
i) New main entry door	<ul style="list-style-type: none"> <li>Alternative joinery design and materials to meet heritage requirements;</li> <li>Architectural detail illustrating the new design.</li> </ul>
j) Extension of existing driveway	<ul style="list-style-type: none"> <li>Alternative solution investigated to provide the second driveway off William Street to minimise impact of significant trees on site.</li> <li>A revised heritage impact assessment and justification for the alternative design</li> </ul>

k) Existing gates	<ul style="list-style-type: none"> <li>Retention of the original gates in-situ;</li> <li>Alternative solution to meet heritage requirements.</li> </ul>
l) Existing timber fence replacement	<ul style="list-style-type: none"> <li>Alternative design, materials and finish to meet heritage and regulatory requirements.</li> </ul>

### **Internal Works**

m) New wet areas	<ul style="list-style-type: none"> <li>Retention of W18 with frosting to match W19 to meet heritage and privacy requirements.</li> </ul>
n) Internal doors to be enlarged	<ul style="list-style-type: none"> <li>Retention of original door width of the store room on the ground floor or justification for its requirement to be widened in respect to Section 4.3 of the <i>Building Compliance Report</i>.</li> </ul>
o) Existing partition on first floor to be removed	<ul style="list-style-type: none"> <li>Retention of wall nibs within School Room 4.</li> </ul>

### **General Notes:**

#### **1. Photographic Archival Record**

- A photographic record of the heritage listed property (house and garden) at No. 1 Rosemead Road, Hornsby must be undertaken.
- The photographic record should be generally undertaken in accordance with Heritage NSW guidelines and 1 complete 'hard' copy submitted to Hornsby Council, plus an electronic copy.
- The photographic and measured drawing record shall include (but not limited to) an accurate record of the exterior and interior of the building and the main garden elements within its curtilage.

#### **2. Consultation with Council**

- All original door and window are to be retained;
- All new door and window required locking fixtures to be discrete and reflect the design and materials of the original hardware and installed to the nominated Heritage Consultant's requirements;
- All original light cords and handles are to be retained;
- Any new lighting plan would require consultation with Council and to be installed to the nominated Heritage Consultant's requirements;

### **Traffic Assessment**

The following information is required before further consideration can be given to the development:

- The drop off/pick up parking spaces for a CCC are to be arranged so that there is no pedestrian/vehicle conflict within the car parking aisle.
- The TPAR is to be amended to include traffic volumes on Dural and William Streets.
- The proponent is to provide a Traffic Management Plan (TMP) to detail how pick up will be controlled to prevent queuing back onto Dural Street. This Traffic Management Plan is to limit drop off and pick up to left in and left out movements only.

- (d) The drawings are to be amended to show suitable signage to enforce left in only at the entry driveway and left turn only at the exit driveway.
- (e) The TPAR is to be amended to include analysis of the intersections of Peats Ferry Road with Dural and William Streets.
- (f) Drop off/pick up is not to be encouraged on the opposite side of the frontage road. The TMP is to address this issue.
- (g) All drop off /pickup parking spaces are to be 2.6m wide, staff parking spaces can be 2.4m wide. Aisle width is to be a minimum of 5.8m wide.

### **Environmental Protection Assessment**

The following information is required to be submitted:

#### **Acoustic Report**

- (a) Table 6.11 states that the allowable noise impact from the outdoor play area ranges between 44 dBA (RBL + 5 dBA) and 49 dBA (RBL + 10 dBA). This is incorrect as the AAAC Guideline for Child Care Centre Acoustic Assessment clearly states that for a total outdoor play time of up to 2 hours (total) per day, “the Leq,15min noise level emitted from the outdoor play area shall not exceed the background noise level by more than 10 dB at the assessment location.” As for a total outdoor play time of more than 2 hours per day, “The Leq,15min noise level emitted from the outdoor play area shall not exceed the background noise level by more than 5 dB at the assessment location.”
- (b) Since Table 6.7 of the Acoustic Report indicates that the total outdoor play time will be more than 2 hours per day, the noise levels emitted from the proposed outdoor play area cannot be more than 5 dBA above the background noise.
- (c) Whilst Council has been informed by the applicant that the excursion areas located at the front (northern portion) of the site will be used as an outdoor learning space where the students will do supervised activities, Council still believe that such activities have the potential to create a significant amount of noise. As a result, the acoustic report needs to incorporate the noise from activities to be undertaken within the Excursion Area 1 and 2 at the sensitive noise receivers, taking into consideration that some receivers are two storey buildings.
- (d) Council requires noise prediction calculations to be made at each of the site’s nominated sensitive residential receivers as per section 6.3.4 of the acoustic report in order to assess the amenity impact of the noise to be emitted from the school to the surrounding community. It is noted that the proposed open black metal fencing may not be sufficient to mitigate noise levels from the proposed development.

### **Waste Management**

Child care centres generate 20L/child/week of garbage and 10L/child/week for recycling. The Better Practice Guide for resource recover in residential developments (2019) indicates that waste generation for primary

schools is 15L/child/week of garbage and 20L/child/week for recycling. Therefore, the development can be expected to generate 1360L/week garbage and 1280L/week recycling.

The number of bins proposed in the Waste management plan is consequently inadequate.

The proposed bin storage area is inadequate for the following reasons:

- It is not deep enough – the 240L bins would need to be placed in it sideways, and these bins cannot be manoeuvred sideways without lifting, which is a work place health and safety issue that can easily be avoided by good design.
- It does not have sufficient space for all of the required bins.
- Insufficient information has been provided about the screening of the bins. How does the screening integrate with the heritage of the site?

Note that 240L bins are 600mm wide, 740mm deep, 1100mm high; 660L bins are 1370mm wide, 850mm deep, 1250mm high; 1100L bins are 1370mm wide, 1245mm deep, 1470mm high; allow 75 mm between bins for ease of manoeuvring and to avoid damage to walls and doors from bins scraping against them.

The 660L and 1100L bins have 4 wheels so can be manoeuvred in any direction. The 240L bins have 2 wheels and can only be manoeuvred forwards and backwards, not sideways.

#### Service options:

Presenting 240L bins kerbside and using Council's side loader service has the following concerns:

- Bins cannot be serviced where a car is parked in front of them, and cars are always parked outside of schools.
- A line of 6 garbage bins and 12 recycling bins or 4 green waste bins will negatively impact the heritage values of the site.

240L bins serviced from a bin bay located within 5m walking distance from the front boundary (rear loader truck):

- There will likely be cars parked on both sides of the street, so the truck will need to double park which will block traffic in both directions.

660L bins serviced from a bin bay located within 5m walking distance from the front boundary (rear loader truck):

- There will likely be cars parked on both sides of the street, so the truck will need to double park which will block traffic in both directions.
- The bin carting route from the bin bay to the truck needs to be smooth hard surface, no steps, maximum gradient of 1:30, no less than 2.0m wide.

There is also the option of a 1.5 cubic metre skip bin, though these are mostly serviced by a front lift vehicle (almost no manoeuvring of these bins is possible).

Note that since this development is in a residential area, waste collection services must not take place between 8PM and 6AM weekdays or 8PM and 8AM on weekends and public holidays.

Amended plans and additional information as per above are recommended to be submitted prior to the determination of the application.

## **Natural Resources Assessment**

### **Recommendation**

Natural Resources cannot support the proposal in its current form due to the significant biodiversity impact on the site and streetscape. The removal of vegetation not only impacts the heritage value of the lot and streetscape but also habitat trees for threatened species as well as impacting the existing vegetation community.

## **Arboricultural Assessment**

### **1. Amendment of plans for tree preservation - carparking and driveway**

Amended plans incorporating the following requirements are to be submitted to Council for review:

- (a) The reduction of the proposed carparking element development must provide sufficient setback to prevent/minimise encroachment into the Tree Protection Zones (TPZ) of trees numbered 40, 59, 64-74.
- (b) The plans must show deletion of the secondary access onto Rosemead Road; consideration that some of this driveway space could be used to make up for the lost parking spaces.
- (c) The engineering plans showing the construction methodology for the carparking area and driveway upgrades.
- (d) The plans must indicate that the re-designed driveway will be constructed within excavation limited 50mm of the surface material.
- (e) The plans must indicate that the use of load bearing material which requires minimal compaction must be used as the bedding/subgrade material.
- (f) The revised design must indicate the use of geotextile material or similar, to minimise concrete leaching into the soil profile.

-End-

## Attachment 2: Submission Summary

99 unique submissions were received in response to the notification of the proposal, with the majority of the submissions being by way of objection. Five submissions were received in support.

The application was publicly notified for a four week period commencing 27 December 2019 until 23 January 2020.

A subsection of these submissions were reviewed for the purpose of identifying the key issues raised by the community with relation to the proposal. The primary concerns identified are summarised below.

### List of Issues Raised, ranked by frequency.

#### 1) Traffic and Parking

Primary concerns;

- 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
- Traffic report inaccurate
- Site access dangerous / too close to a blind corner
- Safety of pedestrians and road users

#### 2) Heritage

Primary concerns;

- 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

#### 3) Tree Removal

Primary concerns;

- Removal of significant trees
- Habitat loss
- Heritage impacts associated with tree removal
- Canopy Connectivity Loss
- General negative impacts to the local environment

#### 4) Noise

Primary concerns;

- Operational noise impacts to neighbouring and local receivers
- Year round / relentless noise
- Noise impacts associated with traffic impacts
- Width of existing roads too narrow to accommodate development

#### 5) Bushfire Risk

Primary concerns;

- General Bushfire Risk to development
- Evacuation routes involve navigation of narrow and congested streets
- Additional traffic associated with School will hamper resident's evacuation.

## **6) Commercial Development in Residential Zoning**

Primary concerns;

- 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

## **7) Streetscape Impacts**

Primary concerns;

- Signage, tree removal and front fencing changes would have a detrimental impact on the streetscape.

-End-