



## Mount Errington - 1 Rosemead Road, Hornsby SSD-10444

We object to the above development on the following grounds -

### **HERITAGE LISTED GARDENS:**

- The proposed development will have an unacceptable environmental impact and an unacceptable impact on the heritage values of the property known as Mt Errington and on the locality.
- The Bushfire Assessment Report by Australian Bushfire Consulting Services dated 27th November 2019 (as revised 7th May 2020) states on page 18 that the grounds of the property are to be maintained as a bushfire inner protection area (IPA) in accordance with the following RFS documentation -

### **9.0 Recommendations**

#### **9.1 Asset Protection Zones / landscaping**

1. That 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.

The requirements of Appendix 4 of *Planning for Bush Fire Protection 2019* (PBP 2019) are that the tree canopy cover can be no more than 15% of the whole site, trees canopies are to be greater than 2 metres from any part of the roofline and garden beds of flammable shrubs (most shrubs are flammable) are not to be located under trees and be no closer than 10 metres from an exposed window or door (relevant excerpt below).

*Standards for Asset Protection Zones* states that there must not be a continuous tree canopy leading to the house, tree crowns are to be separated by two to five metres and the canopy should not overhang within two to five metres of the building (relevant excerpt below).

It can be seen from the Google satellite photo below that the tree canopy covers more than 50% of the site, there are many trees within 10 metres of the roofline, the tree crowns overhang the building and the tree canopy is continuous from the boundary to the building.

**As a result, a significant number of trees would need to be removed to comply with stipulation of the Bush Fire Assessment Report, that the whole property is to be managed as a Bushfire Asset Protection Zone Inner Protection Area.**

#### **BUSHFIRE REPORT -**

Recommendations will be included within this report to ensure that at the commencement of subdivision and in perpetuity all land within the subject site is to be maintained as an Asset Protection Zone / Inner Protection Area (IPA). The Asset Protection Zone shall be in accordance with Appendix 4 of PBP 2019 and the NSW RFS document Standards for Asset Protection Zones.

#### **RFS PLANNING FOR BUSHFIRE PROTECTION 2019 -**

##### **Inner protection areas (IPAs)**

The IPA is the area closest to the asset and creates a fuel-managed area which can minimise the impact of direct flame contact and radiant heat on the development and be a defensible space. Vegetation within the IPA should be kept to a minimum level. Litter fuels within the IPA should be kept below 1cm in height and be discontinuous.

In practical terms the IPA is typically the curtilage around the dwelling, consisting of a mown lawn and well maintained gardens.

When establishing and maintaining an IPA the following requirements apply:

##### **Trees:**

- > canopy cover should be less than 15% (at maturity)
- > trees (at maturity) should not touch or overhang the building
- > lower limbs should be removed up to a height of 2m above ground
- > canopies should be separated by 2 to 5m
- > preference should be given to smooth barked and evergreen trees.

##### **Shrubs:**

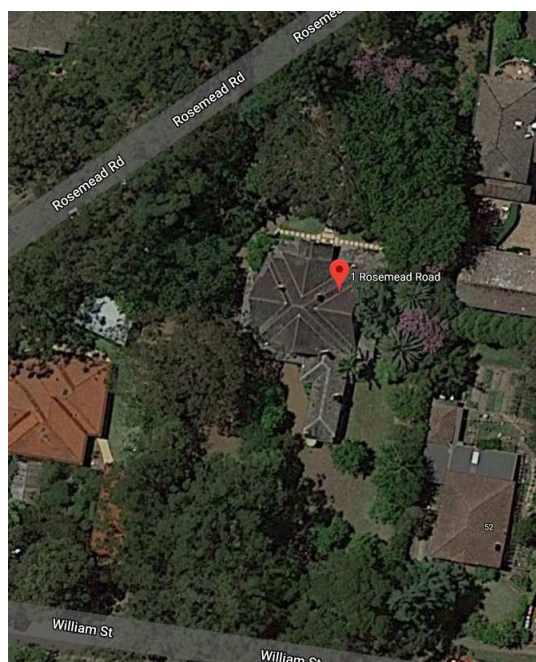
- > create large discontinuities or gaps in the vegetation to slow down or break the progress of fire towards buildings
- > shrubs should not be located under trees
- > shrubs should not form more than 10% ground cover
- > clumps of shrubs should be separated from exposed windows and doors by a distance of at least twice the height of the vegetation.

#### ***Standards for Asset Protection Zones -***

##### **3. removal or pruning of trees, shrubs and understorey**

The control of existing vegetation involves both selective fuel reduction (removal, thinning and pruning) and the retention of vegetation.

Prune or remove trees so that you do not have a continuous tree canopy leading from the hazard to the asset. Separate tree crowns by two to five metres. A canopy should not overhang within two to five metres of a dwelling.



- There are large numbers of mature shrubs both underneath the trees, against the building and near to windows and doors as can be seen in the photographs below, all of which, according to the Bushfire Assessment Report, would have to be removed for the bushfire Inner Protection Area -





- We therefore believe it is unacceptable for the Bushfire Protection Report on page 15 to suggest that *"No tree removal or other vegetation modification is required"* as we feel this is inconsistent with the RFS requirements for a bushfire Inner Protection Area -

In this case the asset protection zones are existing and simple grounds maintenance removing fallen leaf litter, tidy up gardens and ongoing management is required. Other work required onsite would be to prune one Juniper tree so that branches are located 2-5 metres from the building and pruning of limbs around the onsite power supply 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). No tree removal is necessary as such there is minimal impact on the environment of the proposed bushfire protection measures.

- **A independent peer review of the Bushfire Protection Report by Australian Bushfire Consulting Services dated 27th November 2019 (as revised 7th May 2020) should be requested by the consent authority, to ascertain just how many trees will actually need to be removed or pruned to comply with the RFS regulations.**

**Bushfire protection is an important matter. If a basic error has been made on the number of trees that will need to be removed, then we consider that the whole Report should be peer reviewed to ensure there are no errors.**

- Hornsby Shire Council is fully conversant with this type of issue. Council was in the Land and Environment Court at the end of 2019 defending against an appeal on 62 Manor Rd, Hornsby, just a few streets away. Council attempted to raise a late contention with the Court that the proposal would have a detrimental impact on the environment because of the number of trees that would need to be removed to meet the RFS Inner Protection Area regulations, which was not evident in the plans.

**The Court asked Council's solicitor if it was Council's view that this was grounds for refusal of the development application, to which the Council's solicitor replied "Yes".** Unfortunately the Court would not accept a late contention on this matter.

We believe that this proposal for 1 Rosemead Road, Hornsby, has exactly the same issue and should also be refused on the grounds that **there would be an unacceptable environmental and heritage impact on this property due to the number of trees that would need to be removed.**

- The Bushfire Protection Report as revised on 7th May 2020, updates their references from *Planning for Bushfire Protection 2006* to *Planning for Bushfire Protection 2019*. However the Report does not appear to have used the updated PBP clauses with regard to Historic Buildings.

*Planning for Bushfire Protection 2019* has a specific addition to the clause that deals with historic buildings which the Report appears to have not considered. We think the application of a bushfire Inner Protection Area to the whole of a heritage listed property is an unacceptable, unnecessary, generalised approach which has no place in this particular circumstance. The simplistic one-size-fits-all application of bushfire Inner Protection Areas will do enormous damage to Hornsby Shire's rapidly dwindling heritage.

### **8.2.3 Historic buildings**

In relation to land identified as having heritage significance, the usual requirements for bush fire protection may conflict with the conservation of significant heritage fabric and/or its setting.

Development affecting heritage places, and involving the intensification of residential uses, should be considered on an individual basis.

The application of PBP is to be considered in the context of the conservation principles, processes and practices of the Illustrated Burra Charter (Australia ICOMOS, 2013).

The development of a suitable bush fire safety outcome that considers constraints of heritage issues may require a performance-based solution and therefore requires a BFDB.

**A Bush fire Design Brief (BFDB) should have been undertaken, not simply the totally unsuitable application of an Inner Protection Area over the whole property.**

When performance-based solutions are proposed, they will be assessed on their merits and individual circumstances. In these circumstances, a Bush Fire Design Brief (BFDB) process can be undertaken which would involve early agreement on the key elements and acceptance criteria from all stakeholders including the NSW RFS.

- The applicant should have ensured that the Bushfire Protection Report was written prior to the Arboricultural Impact Assessment and that these two consultants actually consulted with each other. The AIA would then be in a position to be able to accurately record which trees would need to be removed for bushfire purposes, not simply for arboricultural purposes. As it is, it can be seen from the list of documents provided to the arborist to assess the arboricultural impact of the proposal (below), that the Bushfire Protection Report was not provided to or reviewed by the arborist. **The actual number of trees that would need to be removed was therefore not assessed by the arborist.**

## 9 IMPACT ASSESSMENT

- 9.1.1 The intention of this assessment is to determine the incursions to the root zones and canopies created by the proposed development and evaluate the likely impact of the proposed works on the subject trees. Details shown on the following plans were used in this assessment:-

Title	Author	Dwg No.	Date
<i>Site and Roof Plan</i>	Armada	A100 [G]	31/03/2020
<i>Floor Plans and Sections</i>	Armada	A200 [G]	31/03/2020
<i>Elevations - House</i>	Armada	A210 [G]	31/03/2020
<i>Elevations - Site</i>	Armada	A220 [G]	31/03/2020
<i>Site Management and Concept Stormwater Plan</i>	Armada	A300 [G]	31/03/2020
<i>Landscape Plan</i>	Fiona Cole Design	02419 [A]	12/02/2020

It is not as if there was not ample opportunity for the applicant to provide the Bushfire Protection Report to the Arborist. It can be seen from the table below that when the application was initially incorrectly lodged with Hornsby Shire Council in 2019, that the applicant didn't provide the Arborist with the Bushfire Protection Report at that time either.

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<i>Elevations - Site</i>	Armada	A220 [E]	28/11/2019
<i>Site Management and Concept Stormwater Plan</i>	Armada	A300 [E]	28/11/2019
<i>Landscape Plan</i>	Fiona Cole Design	02419 [A]	24/11/2019

- To make matters even worse, the bushfire consultant was not provided with a copy of the Arboricultural Impact Assessment (AIA) nor it appears was there any consultation between the two consultants. It can be seen from the Bushfire Protection Report (below) that the bushfire consultant did not review the AIA. **Consultation should have and needs to occur between these two consultants to determine the real number of trees that need to be removed.**

I undertook and inspection of the subject site and surrounding area on 9<sup>th</sup> October 2019 and again on 30<sup>th</sup> March 2020, at these times free access was available within the subject site and within the vegetated areas to the north and west of the subject site. The site plan and elevations by Armada Ref A400, A401 and A402 Rev G have been reviewed and relied upon for this report.

Again the same situation applied for the initial application, only the Revision has changed (from Rev D below to Rev G above), showing that the bushfire consultant was not provided with the AIA either.

I undertook and inspection of the subject site and surrounding area on 9<sup>th</sup> October 2019, at that time free access was available around the subject site and within the vegetated areas to the north and west of the subject site. The site plan and elevations by Armada Ref A400, A401 and A402 Rev D have been reviewed and relied upon for this report.

- Not only is the building at Mount Errington listed as Locally Significant in the Hornsby Shire Council LEP, the gardens are also listed. The gardens meet the requisite threshold to be assessed as they demonstrate both Criteria (b) Associative and Criteria (c) Aesthetic. It can be seen from the two pages of the Heritage Inventory for this item (below), that the gardens are also considered to be locally significant.



Status:	Listed Item
Item Name:	Mount Errington Garden
Item Type:	Landscape
Circa Date:	1900
Statement of Significance:	Garden with period elements and retained from the Federation period, including mature Bunya Pine as well as later planting. Of local significance.
Physical Description:	Fine Federation house with remnant period garden. Significant elements including fine diagonal pattern timber gates on heavy posts and lozenge shape brown gravel drive with brick gutter edging. Tall Bunya Pine (to 25m from c1900) is sited on the nature strip. An English Oak (to 14m from c1930) and large Palm clump (Possibly from c1930s) are significant. Also of note are the Smooth Bark Angophora (16m) and Red Bloodwood (c14m) as well as trees from c1950/60s. These include Liquid Amber (C16m) and Lemon scented gum. Also Camphor Laurels to 12m in street. Also more recently the garden has been underplanted with native shrubs with the more traditional Azaleas. The garden has overgrown somewhat and period quality could be enhanced by attention to issues of clarity and sympathetic species planting.
Historical Notes:	Mount Errington was built for Sydney jeweller, Oscar Roberts in 1894.
Endorsed Significance:	Local
Criteria b) Associative:	Historically Associative
Criteria c) Aesthetic:	Representative
Historical Theme:	Environmental awareness, Changing the environment
Heritage Listings:	Hornsby Local Environmental Plan 2013 - Schedule 5
Study:	Heritage Study (1993)
Study by:	Perumal Murphy Wu Pty Ltd
Study Inventory No.:	L90
Comments:	Heritage listed in HSLEP 1994, Gazetted 22 July 1994. Two inventory sheets for house and garden.
Date Inspected:	19-Sep-1992
Images:	L900001-2.jpg

Yet the Statement of Heritage Impact by Heritage 21 (Rappoport Pty Ltd - Paul Rappoport) dated December 2019, **fails to acknowledge in its Assessment of Significance, that the gardens (as well as the building) are of associative and aesthetic significance.** We consider this to be a significant oversight in the Statement of Heritage Impact given that 40 trees are proposed for removal with even more needing to be removed to comply with RFS regulations together with many more shrubs.

## 4.2 Assessment of Significance

Accordingly, the building in itself does meet the requisite threshold to be assessed as demonstrating associative significance.

Accordingly, the building does meet the threshold to be assessed as demonstrating aesthetic significance.

Status:	Listed Item
Item Name:	Mount Errington
Item Type:	Built
Circa Date:	1898
Style:	Federation Arts And Crafts
Statement of Significance:	Outstanding Federation mansion. Good example of Federation Arts and Crafts Style. Distinctive design with long sweeping bellcast roof, central entry feature and projecting balcony above. Excellent condition. Original interior and landscape elements. State and local significance.
Category:	Two Storey Residence
Physical Description:	Federation mansion. Attic storey in high pitched slate roof. Sweeping bellcast form with large gables on each elevation. Tuck-pointed face brick walls with extensive roughcast render. Verandahs continue around most of perimeter. Projecting entry with round arch opening, sandstone dwarf wall and balcony above. Shingled gable over. Fine timberwork to verandah and balcony. Original doors and windows. Much of the interior is also original. Original gates with new low, symmetrical fence. Well planted grounds, retaining some original plantings.
Modifications:	Rear verandah enclosure. Fence.
Historical Notes:	Mrs Anne Roberts purchased the 1.25 acre block of land in 1897. Her husband, Oscar Roberts was joint owner of Fairfax and Roberts, jewellers. He was also a Councillor of Hornsby Shire Council. He died in 1922. The house was sold to Frederick Watson of Hornsby in 1928.
Endorsed Significance:	Local
Criteria c) Aesthetic:	Rare, Representative
Historical Theme:	Subdivisions - Suburban - Health and Gentility
Heritage Listings:	Hornsby Local Environmental Plan 2013 - Schedule 5
Heritage Listings 2:	Register of National Trust (NSW)
Sources:	Hornsby Shire Historical Society
Study:	Heritage Study (1993)
Study by:	Perumal Murphy Wu Pty Ltd
Study Inventory No.:	22/19
Comments:	Heritage listed in HSLEP 1994, Gazetted 22 July 1994. Two inventory sheets for house and garden.
Date Inspected:	23-Feb-1992
Images:	22_190001-2.jpg

## The impact of the proposal on this heritage listed garden is unacceptable.

It is considered insufficient for the Statement of Heritage Impact to simply refer to the gardens as being *"part of the subject site setting and curtilage"*. **The gardens themselves are heritage listed** as the Heritage Assessment should have made clear but does not make clear -

### 3.2.3 Gardens & Landscaping

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.

- The Arboricultural Impact Assessment Report (AIA) states that the gardens contain "*remnant locally-indigenous trees*", together with regenerated areas of the "*original forest*" -

#### 5.3.4 General

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.

- 2.1.1 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.<sup>2</sup> 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 globoides* (White Stringybark).

In layman's terms, this means that some of the trees date back to prior to when the houses were built, prior to the original subdivision and pre-date even this heritage-listed house by many decades ie over 120 years old. **These remnant trees must be preserved and protected.**

- The Arboricultural Impact Assessment Report (AIA) documents that there are 116 trees on the property or immediately adjacent. However, a social media post by the Director of the proposed school, Jill McLachlan, states that "*there are more than 200 trees on the site*" -

• In summary, there are more than 200 trees on the site. 9 trees have been recommended for removal due to disease or infestation (or they are dead). 20 trees would be impacted by the provision of access and carparking. 10 trees would be impacted by the extension of the driveway. 2 are affected by the brick paved area proposed, 1 by the new fire stair. In all cases, the design represents the recommendations of a specialist arborist to create the best case scenario with least impact, whilst still meeting council requirements for access and parking. More details are available in "1

**A peer review must be undertaken to ascertain the actual number of trees on the site. We are very concerned that Ms McLachlan publicly stated that there are almost double the number of trees on the site than the AIA has documented.**

- As we have no way to ascertain the actual number of trees or their species we will, for the purpose of this submission, discuss the trees as recorded in the AIA.

Of the 115 trees onsite, more than one third of the trees (40) are proposed to be removed.

Of the 115 trees onsite, one third of the trees (38) are tree species of the Blackbutt Gully Forest, a locally significant vegetation community, as described by Smith and Smith in *Native Vegetation Communities of Hornsby Shire 2008* (below).

**Of the 38 trees of the Blackbutt Gully Forest, half of those trees (19) are proposed for removal. The scale of removal of remnant and regrowth trees of the Blackbutt Gully Forest would have an unacceptable environmental impact and must not be allowed.**



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# Native Vegetation Communities of Hornsby Shire

## 2008 Update

### 3.10 Blackbutt Gully Forest (Community L1)

**Description:** Tall open-forest in which the main tree species are *Eucalyptus pilularis* (Blackbutt), *Angophora costata* (Sydney Red Gum) and *Syncarpia glomulifera* (Turpentine). Other, less common tree species include *Corymbia gummifera* (Red Bloodwood), *Eucalyptus piperita* (Sydney Peppermint) and *E. resinifera* (Red Mahogany), with occasional *E. punctata* (Grey Gum) and *E. saligna* (Sydney Blue Gum). Low tree and shrub species include *Acacia linifolia*, *Allocasuarina littoralis*, *A. torulosa*, *Banksia serrata*, *Callicoma serratifolia*, *Ceratopetalum gummiferum*, *Dodonaea triquetra*, *Elaeocarpus reticulatus*, *Grevillea linearifolia*, *Leptospermum trinervium*, *Persoonia linearis*, *Pittosporum undulatum* and *Pultenaea flexilis*. Ground layer species include *Calochlaena dubia*, *Dianella caerulea*, *Entolasia stricta*, *Lomandra longifolia*, *Microlaena stipoides*, *Pratia purpurascens*, *Pteridium esculentum* and *Xanthosia pilosa*. Climbers include *Billardiera scandens*, *Cassytha pubescens* and *Smilax glycyphylla*.

The same list of trees is described in the AIA under section "5.2.2 Wildlife Habitat" -

#### 5.2.2 Wildlife Habitat

*Allocasuarina littoralis* (Black She-oak) [T78, T93, T95, T96 & T98], *Angophora costata* (Sydney Red Gum) [84], *Eucalyptus pilularis* (Blackbutt) [T2, T40, T50, T55, T56, T58, T59, T60, T61, T62, T63, T64, T66, T67, T68, T69, T70, T73, T76, T91, T92, T97, T99, 100 & T105], *Eucalyptus resinifera* (Red Mahogany) [T108] and *Pittosporum undulatum* (Sweet Pittosporum) [T16, T21, T38, T104 & T105] are all locally-indigenous species, representative of the original vegetation of the area and would be of benefit to native wildlife. However, none of the trees contain cavities that would be suitable as nesting hollows for arboreal mammals or birds. A number of trees including T113 (Soulange Magnolia) & T17 (Orchid Tree) exhibit evidence of foraging by Brushtail or Ringtail Possums. There were no other visible signs of wildlife habitation.

- Most of these remnant and regrowth Blackbutt Gully Forest species "are in good health and condition" yet still a significant number of these are proposed for removal which is not acceptable -

9.1.5 The proposed development will also necessitate the removal of fifteen (15) trees of moderate retention value. These include Tree No.s T21 (Sweet Pittosporum), T27 (Bangalow Palm), T28 (Lasiandra), T64, T66, T67 & T73 (Blackbutt), T72 (Brown Pine), T74 & T86 (Blueberry Ash), T79 (Kurrajong), T80 (Illawarra Flame), T83 (Cabbage Tree Palm), T88 (Sassafras) and T90 (Chinese Windmill Palm). These trees are not considered significant, but are in good health and condition and make a fair contribution to the amenity of the site and surrounding properties. In order to compensate for loss of amenity resulting from the removal of these trees to accommodate the proposed development, consideration should be given to replacement planting within the site in accordance with Section 11.

- The Statement of Environmental Effects (SEE) states that *"The proposal is consistent with the aims of the State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017"*. However **that is not the case with regard to Schedule 4 Schools - design quality principles (Clause 35 (6) (a)), Principle 1 - context, built form and landscape**. This principle states -

**Principle 1—context, built form and landscape**

*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.*

*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.*

In response to this principle the SEE states that the car park has been positioned to the rear of the property as the trees in this area are younger -

*The proposal has been designed to have the least amount of impact as possible, in the way that it satisfies the requirements for parking and access more generally on the site. The car park has been positioned to the rear of the property on the advice of both the arborist and heritage consultant's assessments of the property. The trees in this area of the property were deemed younger and less significant to the landscape and therefore provided the most effective way forward for the design.*

**However these remnant Blackbutt (*Eucalyptus pilularis*) are obviously not young - trees T64, T66, T67, T68, T70 and T73 are all between 10m to 23m high. Yet it is proposed that these remnant Blackbutt trees are to be removed just for a car park. Their removal must not be allowed.**

Tree Identification No.	Species	Height (m)
63	<i>Eucalyptus pilularis</i> (Blackbutt)	18
64	<i>Eucalyptus pilularis</i> (Blackbutt)	18
65	<i>Macadamia tetraphylla</i> (Macadamia Nut)	6
66	<i>Eucalyptus pilularis</i> (Blackbutt)	23
67	<i>Eucalyptus pilularis</i> (Blackbutt)	22
68	<i>Eucalyptus pilularis</i> (Blackbutt)	15
69	<i>Eucalyptus pilularis</i> (Blackbutt)	10
70	<i>Eucalyptus pilularis</i> (Blackbutt)	16

Tree Identification No.	Species	Height (m)
71	<i>Grevillea robusta</i> (Silky Oak)	8
72	<i>Podocarpus elatus</i> (Brown Pine)	5
73	<i>Eucalyptus pilularis</i> (Blackbutt)	15

- It is proposed to remove the significant Cabbage Tree Palm (*Livistona australis*), Tree T111, to facilitate widening the driveway. As described in the Arboricultural Impact Assessment, "*this species is typical of the late Victorian / Federation period and may have been planted contemporary with the dwelling or soon after*". In other words **this tree is likely to be about 120 years old.**

It is suggested by the AIA that a replacement species be planted, which is also promised in the Statement of Environmental Effects -

detrimental extent. However, while the palm tree at the subject dwelling's façade is proposed to be removed as to make room for the new driveway, this species would be replanted in close proximity to the original tree. This element of the proposal can be further understood with the arborists report by

Which poses an interesting question. If the same species will be "*replanted in close proximity to the original tree*", why not simply **MOVE THE TREE !!!** We gather that any "*replanted*" tree would probably just be a 1.5m high plant purchased from Bunnings that would take another 120 years to grow.

Of all trees that can be replanted, the most successful are palms. Three out of four palms survive transplanting -

few years back but applies to our area. The study on palm survival revealed that removing all the fronds on cabbage palms gave the palm a chance to grow new roots while it had no foliage to demand water uptake, and thus was under less stress. Survival rates were significantly higher in palms that were handled in this way. The old practice of tying the fronds up so they look like a feather duster is rarely done by installers anymore, except for palms other than cabbage palms. In 3-4 months, new fronds should be pushing their way out of the crown and the palm should start to look much better, if it survived the transplant. On average, three out of four palms survive transplanting.

If, as the SEE states, this species would be replanted in close proximity, it would not be a difficult process to dig out the root ball (palm root balls are relatively small), dig a hole in "*close proximity*", and get a professional arborist with a crane to move it across a few metres. **VOILA !!! Palm saved. The community doesn't have to wait another 120 years. Heritage saved.** If the applicant is serious about protecting the heritage values of the garden this would be a step in the right direction.



- It is proposed to replace the current low timber front fence with a ghastly modern black tubular steel fence. We are not able to ascertain from the landscape plans whether the existing hedge behind the timber fence is to be retained. The landscape plan shows *Duranta repens* in this position and refers to the quantity as "ex", from which we understand it is meant that the *Duranta repens* is existing. However from the photo below it is again not clear what species the hedge is. **Whatever species the hedge along the front boundary is, it should be retained.**



- The Arboricultural Impact Assessment and the Landscape Plan both indicate that there are numerous mature trees and shrubs along the front boundary. **No existing trees or shrubs should be impacted by any change to the fence.**
- The adjacent road reserve also contains remnant trees of the Blackbutt Gully Forest which are heritage listed -

The road reserve in Rosemead Road is listed as an item of Environmental Heritage [Item 544] under Schedule 5, Part 1 of the HLEP. This item is described as mature street trees forming a strong visual element, being a combination of indigenous Blackbutt [T2, T106, T99, T97, T92 & T91] and Turpentine trees, together with a Bunya Pine [T4] and Camphor Laurels [T1 & T107] planted adjacent Mount Errington.<sup>9</sup>


**It is imperative that there is no detrimental impact on these heritage listed trees.**

- Not only does the applicant want to fell heritage listed Blackbutt Gully Forest tree species within their own property, but so that they can have a drive-in / drive-out driveway, **they propose to remove two street trees that are also heritage listed in Environmental Heritage (Item 544) under Schedule 5, Part 1 of the HLEP.** This item does not just contain two species of trees as one might surmise from the above quote from the AIA, this Item is for Blackbutt Gully Forest species which "include" those two species. **The two trees the applicant wants Council to remove from the nature reserve are *Allocasuarina littoralis*, which are Blackbutt Gully Forest species and they are both significant trees at 7 metres high & 6 metres spread. That is NOT acceptable.**

This Heritage item meets the threshold to be assessed of no less than three criteria - (a) Historic, (c) Aesthetic and (g) Representative -

<b>Criteria a) Historic:</b>	Early historic/ cultural associations
<b>Criteria c) Aesthetic:</b>	Aesthetic/ visual significance (natural vegetation on ridgeline/ streetscape)
<b>Criteria g) Representative:</b>	Item is important in demonstrating the principal characteristics of a class of natural places or natural environments (old growth specimens). Remnant native community of local significance. Ecological/ biodiversity values (including faunal habitat).

**These heritage listed trees MUST NOT be removed by Council simply so that the applicant can build an extension to the driveway.**

<b>Item No.:</b>	I 544 
<b>Location:</b>	Rosemead Road Hornsby . STREETS NSW 1000 Show related property details: <a href="#">Rosemead Road, Hornsby, NSW AUSTRALIA</a>
<b>Status:</b>	Listed Item
<b>Item Name:</b>	Street Trees
<b>Historic/Other Name:</b>	Roadside Trees - Road Reserve (upper eastern section)
<b>Item Type:</b>	Landscape
<b>Statement of Significance:</b>	<p>The public verges and adjoining gardens along the ridgetop of this upper eastern portion of Rosemead Road retain remnant components (canopy, sub-canopy and some understorey species) of Blackbutt Gully Forest. Although relatively common in the Hornsby Shire, this community is poorly conserved outside the local area. <b>Blackbutt Gully Forest is considered to be of local significance in Hornsby Shire (Smith &amp; Smith 2007 and HSBCS 2006).</b> This community has previously been described as Western Sandstone Gully Forest (DE&amp;CC 2002) and Sydney Sandstone Gully Forest (Map Unit 10agii) (Benson &amp; Howell 1994). This impressive stand of trees has significance in terms of its natural, representative, rarity, ecological/ biodiversity, genetic, visual and aesthetic values. The group is dominated by a number of massive old growth specimen Blackbutt (<i>Eucalyptus pilularis</i>), some of which are of individual significance. These tall trees are evocative of the original bushland character and create a memorable sense of place. They form a more or less contiguous group of trees which extends to Dural Street (refer to listing). <b>This remnant native tree group has a broader association with other groups in the local area further reinforcing the significance of this cluster (refer to similar listings for William Street and Manor Road, Hornsby).</b> These remnant native trees merge with other heritage listed trees associated with the gardens of 'Mount Errington' (c.1895) and 12 Rosemead Road. The verge adjacent to 'Mount Errington' contains a magnificent specimen Bunya Pine (<i>Araucaria bidwillii</i>) and Camphor Laurel (<i>Cinnamomum camphora</i>). Other planted cultural specimens, including English Oak (<i>Quercus robur</i>) and Cabbage Palm (<i>Livistona australis</i>), are located in this private garden (refer to listing). The single Norfolk Island Pine (<i>Araucaria heterophylla</i>), located in the front garden of 12 Rosemead Road, further enhances the visual and aesthetic qualities of this location (refer to listing).</p>

<b>Category:</b>	Trees - Street Trees (remnant native group)
<b>Physical Description:</b>	The native and exotic trees have been retained/ protected within the public verges and adjoining private gardens. The main clusters of remnant native trees (Blackbutt Gully Forest) occur within the north-eastern portion of Rosemead Road (near Dural Street) and adjacent to properties Nos.14-20 Rosemead Road (western verge). No details are provided for cultural exotic planting (see individual listings). Native tree species include the following:- Common Name(s): Botanical Name(s): Smooth-barked Apple ( <i>Angophora costata</i> ); Blackbutt ( <i>Eucalyptus pilularis</i> ); Turpentine ( <i>Syncarpia glomulifera</i> )
<b>Historical Notes:</b>	This listing includes items of natural occurrence [ie. not cultivated] and a cultural overlay of exotic planting dating from the late nineteenth/ early twentieth century.
<b>Area/Group/Complex:</b>	Remnant native trees and exotic specimen planting in road reserve (public verge) and adjoining private gardens as scheduled.
<b>Group:</b>	Vegetation community - remnant tree group/ BGF; and Parks, Gardens and Trees - exotic planting
<b>Current Use:</b>	Public verges and private gardens
<b>Origin:</b>	Natural occurrence (Blackbutt Gully Forest)
<b>Extent of Influence:</b>	Canopies extend over public verges, adjoining private properties and partially over roadway. The root zones are likely to extend to a similar or possibly larger area of influence.
<b>Height:</b>	up to 25-30 metres
<b>Canopy Spread:</b>	up to 25-30 metres
<b>Trunk Diameter:</b>	av. 600mm-900mm (up to 1300mm) @ 1.0 metre above ground level
<b>Estimated Age:</b>	av. 60-80 years+/- some old growth specimens up to 120-150 years+
<b>Integrity/Intactness:</b>	Old growth specimens are retained in the group structure [canopy, sub-canopy and some understorey species are present]. Natural recruitment however is restricted by current management practices [eg. regular mowing/ pruning, tree removals and general garden maintenance]. This remnant group is increasingly vulnerable to further fragmentation and attrition and may be lost altogether over time unless these management issues are properly addressed.
<b>Condition/Health:</b>	Most trees appear to be in fair to good condition with minimal pruning to canopies [overhead power lines/ canopy alignment]. The trees display a varying level of insect damage, some with basal cavities/ hollows and dead wood in the crowns.
<b>Recommended Management:</b>	Investigate opportunities for enhanced natural recruitment/ regeneration and connectivity particularly within gaps along the public road reservation. Identify potential seed sources for propagation and future restoration programs. For further detailed assessment of health, condition and tree management recommendations, a qualified arborist should be consulted.
<b>Endorsed Significance:</b>	Local
<b>Criteria a) Historic:</b>	Early historic/ cultural associations
<b>Criteria c) Aesthetic:</b>	Aesthetic/ visual significance (natural vegetation on ridgeline/ streetscape)
<b>Criteria g) Representative:</b>	Item is important in demonstrating the principal characteristics of a class of natural places or natural environments (old growth specimens). Remnant native

community of local significance. Ecological/ biodiversity values (including faunal habitat).

<b>Heritage Listings:</b>	Hornsby Local Environmental Plan 2013 - Schedule 5
<b>Conservation Area:</b>	Hornsby / Westside HCA
<b>References:</b>	Hornsby Shire Council, Biodiversity Conservation Strategy 2006 Smith, P & Smith, J. Native Vegetation Communities of Hornsby Shire 2007 Native Vegetation of the Cumberland Plain DE&CC (NSW) 2002 Benson, D & Howell, J. (1994) Cunninghamia 3(4): 677-780 Benson, D & McDougall, L. (1998) Cunninghamia 5(4): 808-983 Benson, D & Howell, J. (1990) Taken for Granted. (Kangaroo Press)
<b>Study:</b>	Heritage Review 4 (2008)
<b>Study by:</b>	Landarc Pty w Patrick O'Carrigan & Partners
<b>Study Inventory No.:</b>	036
<b>Previous Studies:</b>	Hornsby Shire Heritage Study, Perumal Murphy Wu Pty Ltd for Hornsby Shire Council and the NSW Department of Planning (1993) [Survey by: Ashton, W 12.08.1992].
<b>Comments:</b>	Heritage listed in HSLEP 1994, Gazetted 22 July 1994. Heritage listing reviewed in Heritage Review 4 (2008).
<b>Date Inspected:</b>	11-Apr-2007
<b>Images:</b>	View of Rosemead Road looking north-east; remnant tree group; mature Bunya Pine





We think it is astonishing that it is not mentioned in the documentation that these two trees are in themselves heritage listed under Item 544.

**We reiterate, these two heritage listed trees MUST NOT be removed by Council simply so that the applicant can build an extension to the driveway.**

- It should also be noted that *Allocasuarina littoralis* are the sole food source for the Threatened Species of Glossy Black Cockatoo which inhabits the adjacent Berowra Valley National Park. In an act of what we consider to be sheer environmental idiocy, Council permitted nearly half a hectare of *Allocasuarina littoralis* to be cleared and burnt at the rear of 62 Manor Rd, Hornsby, prior to the Land and Environmental Court case for the DA for that site. Council did not raise so much as a whimper that it was crucial foraging for the Glossy Black Cockatoos.

**Removing another two mature *Allocasuarina littoralis*, from public land, will further reduce the foraging sources for this Threatened Species which occurs locally.**

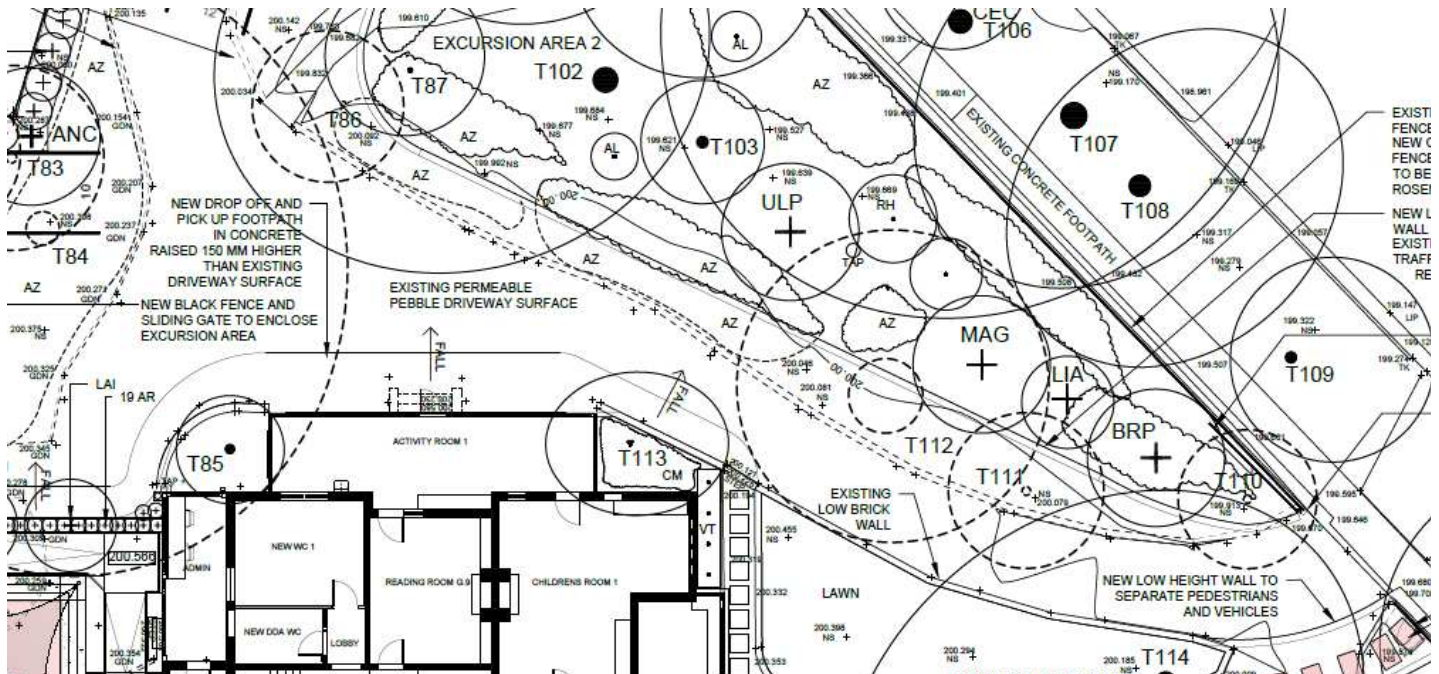
- The applicant wishes to widen the driveway to almost double the width of the existing driveway, then widen it out to almost four times the width of the existing driveway alongside the house (see diagram below). To facilitate this expansion, **nine large mature trees would need to be removed**. Trees that are in themselves heritage listed as the "gardens" of Mount Errington.

A new extension to this driveway is then proposed, **requiring the removal of yet another six heritage listed trees**. Two huge garden beds of mature 4-6 metre high Azaleas are also to be removed for this large driveway. Yes 4-6 metres high is what it says in the Landscape Plan. **These Azaleas are specifically mentioned in the heritage inventory for this garden.**

Instead of the driveway being a discrete strip of gravel, it will become the dominant visual feature of the front of the house, **detracting from the views of the house from the street.**

- Instead of a lush, dense, private garden full of mature trees and shrubs (photo below), with glimpses of Mount Errington framed by trees and shrubs, which would harmonise with neighbouring gardens (2nd photo below), the street view will be of a massive driveway seen through a black, out-of-character modern front fence, with the trees and shrubs heavily thinned out.

**This treatment of the street view of Mount Errington is incompatible with the heritage values of the property and must not be permitted.**





- The car park, rather than removing only a few insignificant young trees as suggested throughout the documentation, decimates a remnant stand of Blackbutt trees. It is responsible for the destruction of 21 more trees, from a heritage listed garden. Yet we are astonished to read the Heritage Impact Statement that only refers to one tree of significant heritage importance. This is not correct, the **WHOLE GARDEN** is of heritage importance in its intactness and entirety. **The car park has an unacceptable impact on the environmental heritage of this property.**

The applicant even wants to remove two mature trees just to put in a vegetable garden. Might we suggest that they **move the vegetable garden elsewhere**, or just buy vegetables to show the children, instead of killing two trees to teach children about the benefits of growing things.

- Then they're going to remove the heritage listed front gates and put them in the children's outdoor play area in a vegetable garden. Seriously? Just how long will those gates last? Children will use them to climb on, they will be out of sight and out of mind. No-one but 6 to 12 year olds and four teachers will ever see them again. They'll rot into obscurity. Shame on everyone of you that thinks this is an acceptable end for this item of heritage.

The gates must NOT be relocated. Other schools and child care centres do not have automatic sliding steel gates and this one can do without them too. If that means the children can't access the front garden then perhaps this property is not suitable as a school. Again, **the works proposed are NOT consistent with Principle 1 of the SEPP (Educational Establishments and Child Care Facilities).**



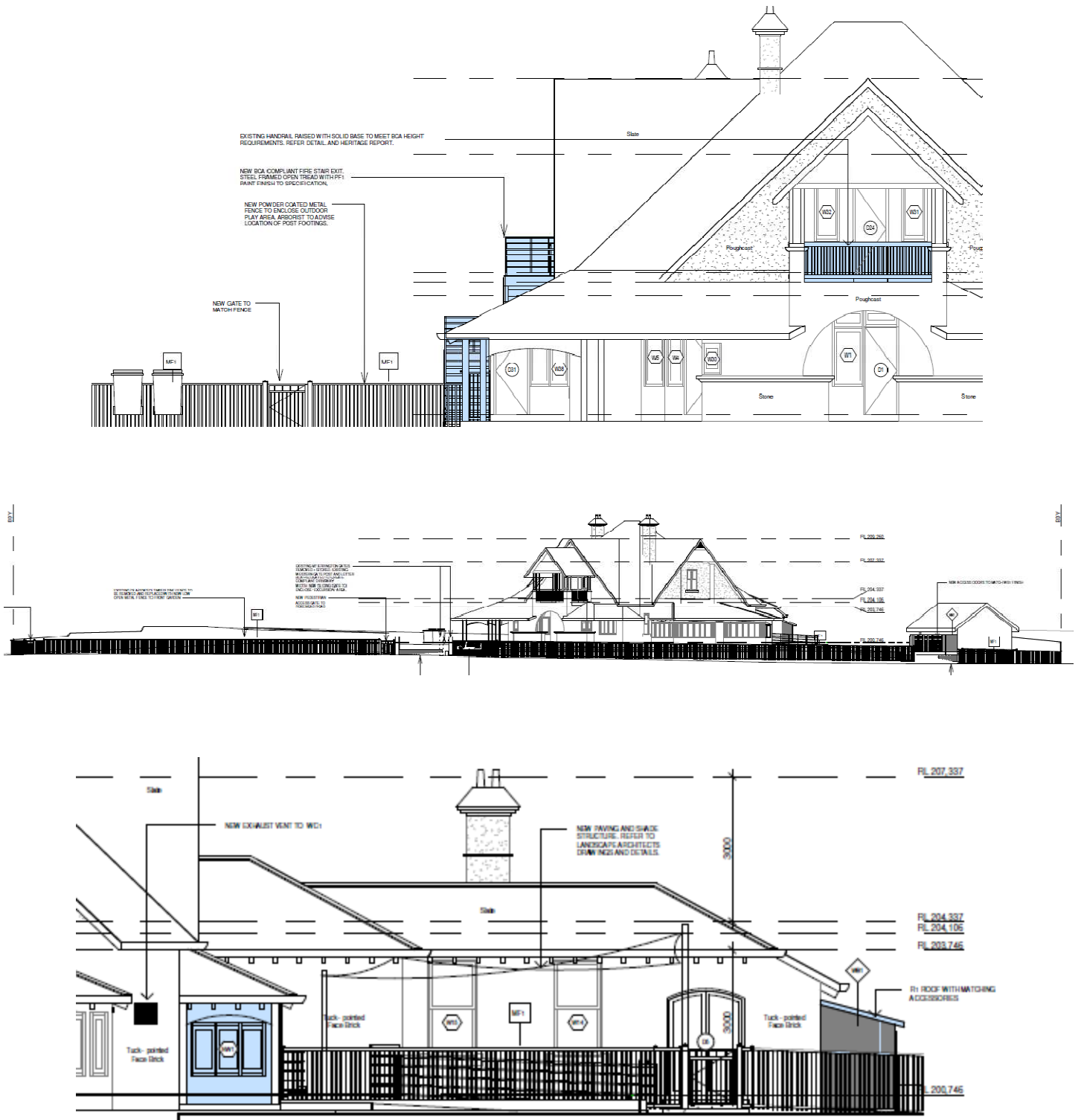
MOUNT ERRINGTON GATES AT ROSEMEAD  
ENTRANCE TO BE RELOCATED TO VEGETABLE  
GARDEN IN OUTDOOR PLAY AREA

#### Principle 1—context, built form and landscape

*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.*

- The new black tubular steel front fence and the fence extending from side of building to boundary to enclose the play area detracts from the heritage values of the residence and does not complement the heritage property at all. It would be visible from almost every sightline both external to and within the property. What are they thinking? We think this has the heritage sensitivity of a block of concrete. Even the magnificent facade gets this ugly tubular fence as a visual extension.

Not content with that, the whole front of the property would be defaced with this incompatible, incongruous, cheap and nasty modern tubular fence, so that every person that passes this magnificent property would have to view it through a cheap, ugly black eyesore. It is not consistent with the architectural style of fencing used during the Arts and Crafts period and should be rejected outright. **Fencing that is consistent with the architectural style of the house must be used.**



- The Hornsby Shire Council Development Control Plan (DCP), Section 9 Heritage, Clause 9.2.4 Fences and Gates, Desired Outcomes, looks to *"New fencing that complements the heritage significance and architectural style of the heritage item"*. Well they missed that by an architectural mile. **Either a picket fence or a low paling fence must be installed.**

If that is not suitable for primary school age children, then those children should not be allowed unsupervised in the front garden. If that is not feasible, then **it's more than likely that this property is not suitable as a primary school.**

## 9.2.4 Fences and Gates

### Desired Outcomes

- a. Development that **retains significant and original fences and gates.**
- b. **New fencing that complements the heritage significance and architectural style of the heritage item.**

### Prescriptive Measures

#### Fences and gates

- a. **Original fences and gates should be retained.** Where sections of fence are required to be replaced because of poor condition, **sections of the old fence in good condition should be integrated where possible.**
- b. **Location of gates should be retained where the associated path and garden are part of a traditional garden layout and are historic links between the property and the street.**
- c. **Fences and gates should complement the period and style of the building as indicated in Figure 9.2 (c).**
- d. Traditional fencing materials should be used such as timber, iron, brick and stone. Sheet metal and **tubular steel fences should be avoided.**

#### Fences on busy roads

- e. High, solid fences should be avoided other than on-sites along roads with significant traffic volumes. In these instances:
  - fences should be a maximum height of 1.8 metre;
  - piers should be a maximum height of 2 metres and where the fence is to be broken up, a maximum of 3 metres apart; and
  - fences should incorporate articulation.

#### Note:

Council may require the fence to be setback at least 600mm from the property boundary to allow hedge planting to soften the appearance in the streetscape.

**Roads with significant traffic volumes** include: Pacific Highway (south of Edgeworth David Avenue); Pennant Hills Road; Carlingford Road; Beecroft Road; Epping Road; Castle Hill Road; Boundary Road; and New Line Road.

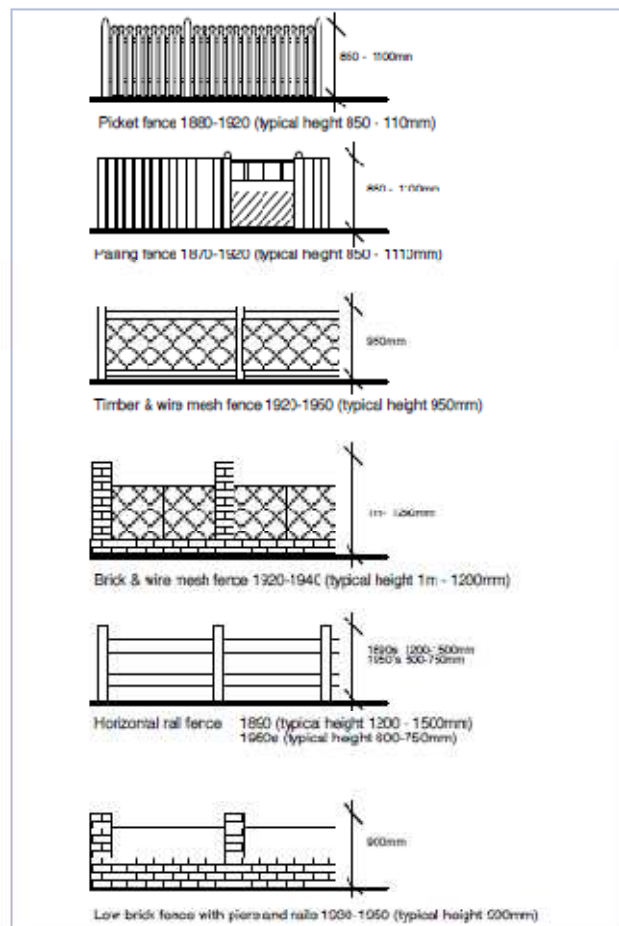


Figure 9.2(c): Typical fences and gates. (C)

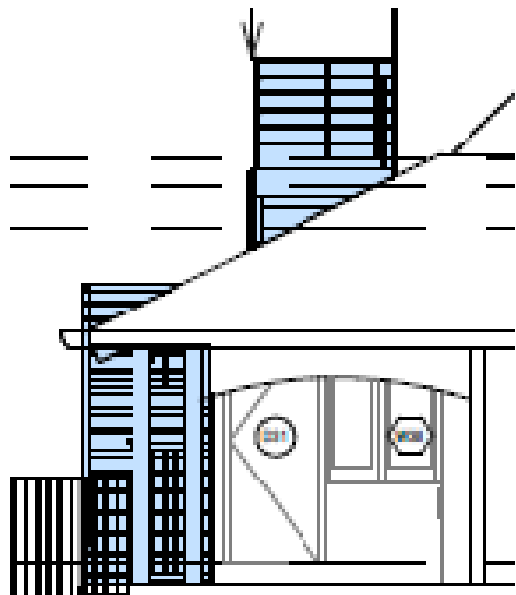
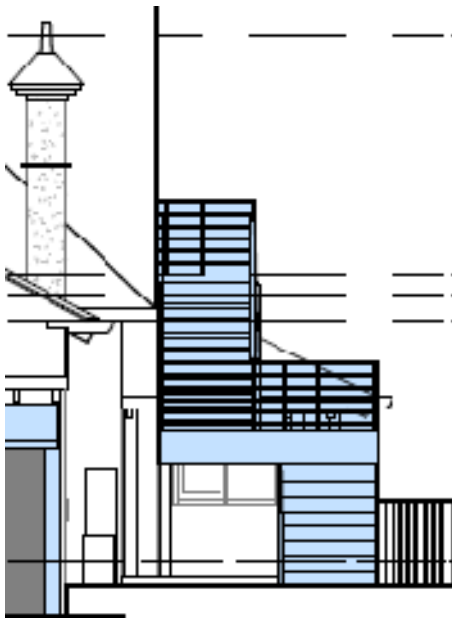


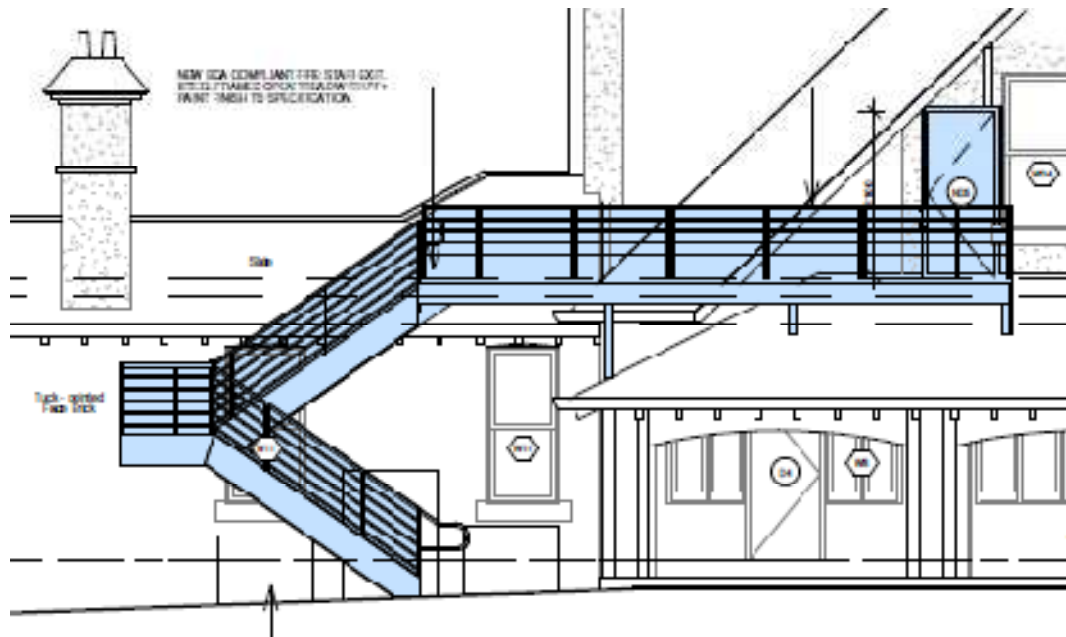
Figure 9.2(d): Hedges are a traditional form of fencing for many heritage items. (E)

- **The fencing and gates should be compatible with and sympathetic to neighbouring properties** that have made the effort to replace fencing with an architectural style that is compatible with the era of the house (photo below of neighbouring property). Just because this would be a school does not give them carte blanche to put in a cheap modern fence when other neighbours have made the effort, paid for a compatible fence, and complied with the Hornsby Shire Development Control Plan.



- The black fire escape attached to the building detracts from the heritage values of the residence and does not complement the heritage property at all. **Just because it's black doesn't mean it disappears. It is intrusive and detracts from the architectural lines of the house** from every angle. It is not in any way hidden. It is visible from the street view and is overbearing in relation to the house. **If that is the best that can be offered, then this DA should be refused as the proposed works are incompatible with the heritage values of the property.** It's quite simply an eyesore. Dreadful.





- **The proposed tacked on store room does not complement the heritage building in any way.** The materials used, including a charcoal tin roof, will be an eyesore that would no doubt be torn down by any future owner as being totally incompatible with the heritage values of the building. It is a square block with a flat roof that looks more like a tin shed than something that could be attached to a heritage building.

It should either be designed so that it complements the architecture of the building or put the shed in a corner of the property where it can't be seen. We think it's appalling that anyone could propose such a monstrosity of an attachment to a beautiful heritage mansion such as this. Shameful.



- While we understand that there are two "schools of thought" when it comes to works on heritage items - one that seeks to respond and complement the architectural style and the other that seeks to differentiate new from old - **that is no excuse for ugly, unsympathetic additions.** We frequently see the "newer" fibro extensions to heritage homes being removed as they do not add to the heritage value of the property. Similarly these black metal fences, fire escapes and tin sheds should be now, and would be in the future, viewed with shock and horror. **Either compatible solutions must be found or this property is simply not suitable for the purposes of a school.**

## WORKS TO THE HERITAGE BUILDING ITSELF

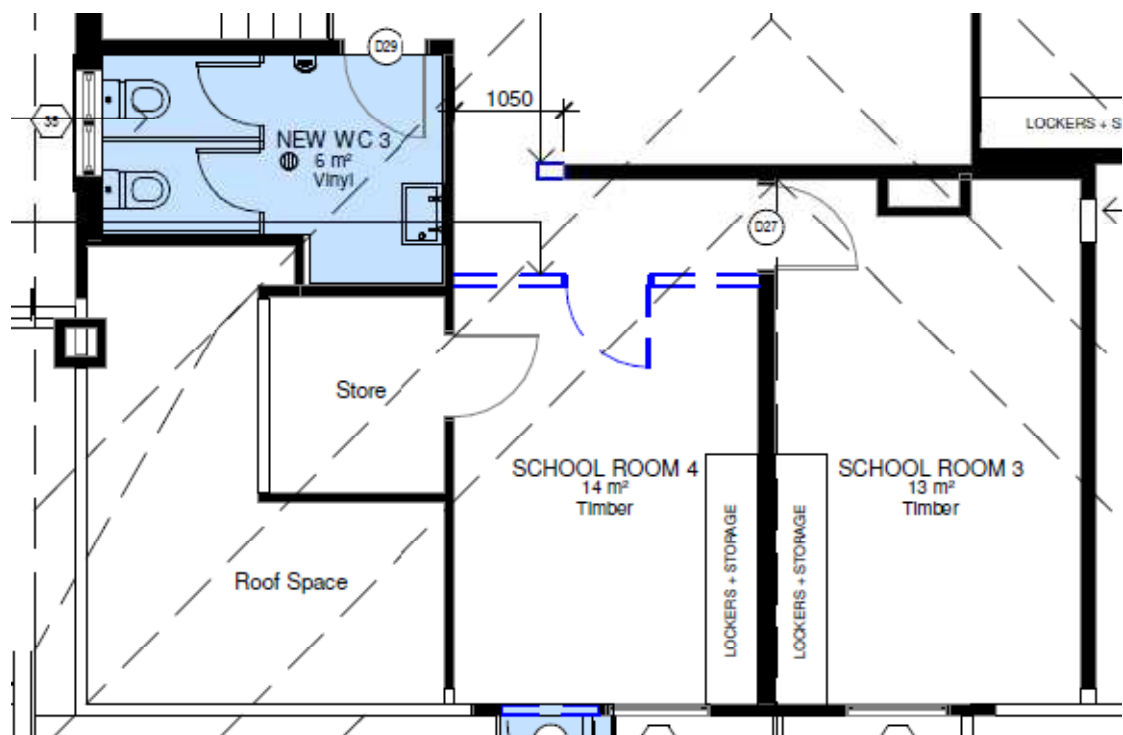
- **We think it is unacceptable to remove internal walls to reconfigure the space** (diagram below). The upstairs layout would have always had a hallway. It would never have been laid out so that one had to walk through one bedroom to get to another. It also seems poor design for a school for the students to have to walk through and disturb one class to get into or out of their classroom. **The small amount of extra space gained does not justify the removal of internal walls.**

Excerpts from the Statement of Environmental Effects stating walls and doors that would be removed

Existing partition wall on first floor to be removed to create larger area

Existing end wall in existing first floor wet area to be removed and replaced

Internal doors to be enlarged to meet access requirements



EXISTING WALL REMOVED TO ENLARGE ROOM AND IMPROVE EGRESS.

EXISTING END WALL DETAILED REMOVED, WALL CUT BACK AND DETAILED REPLACED TO CREATE 1000MM EGRESS WIDTH.

EXISTING (RECENT) BATHROOM RECONFIGURED WITH NEW FULL SIZE TOILETS AND AMENITIES. FINISH SUBSTRATE TO HERITAGE CONSULTANT REQUIREMENTS.

It is noted that the Director of the School, Jill McLachlan, stated on social media that *"The mention of widening doorways was included in the list of works in error"*. However there is no documented confirmation that is correct. It must be made clear that **doorways must not be widened. To do so would permanently impact on the whole fabric of the building.**

- It is proposed to put a *"solid base"* underneath the existing handrail of the internal stair to raise the height. No plans or detailed diagrams have been provided to show that this can be done sympathetically. Without plans, a contractor could simply remove the balustrade and put a plain plank of wood underneath to replace the baserail, which would look hideous.

To install a higher baserail for the balustrade in a sympathetic design could cost a significant amount of money, which the school might be reluctant to spend. **This cannot be overlooked as the staircase is the main visual as one enters the house.** It is insufficient to just say the handrail will be "raised". It's morticed into the newel posts of the staircase. What are they going to do, try to attach the handrail higher up in the newel post, where it's narrower, much narrower than the handrail? It cannot then be morticed - will it be attached with an ugly angle bracket? How will the handrail be removed from the newel post - sawn off? How will each individual baluster be re-attached at the base to make them secure?

**Architectural drawings must be provided. The staircase must not be butchered.**

Existing handrail of internal stair to be raised with solid base to meet BCA height requirements



- It is proposed to enclose the marble fireplaces *"with clear acrylic panels"*. By now we should have been beyond being surprised by anything but this takes the cake. Are they really going to build acrylic boxes around each fireplace, including the marble and tiled hearth? Or are they going to just ignore those bits and somehow simply attach a sheet of acrylic over the hole?

All internal fireplaces to be enclosed with clear acrylic panels

Do they really think that is going to do anything at all to protect this magnificent pink marble fireplace (photo below). That marble is likely to have been quarried here in Australia in the 19th century - it's Wombeyan Pink Marble, from the Wombeyan Caves area of the Southern Highlands of NSW.

And they're going to get toddlers drawing on it, chunks chipped off it, tiled shattered, pink marble hearth surround smashed. We have two words for this, **HERITAGE VANDALISM.**



Other rooms contain white marble and tile fireplaces. To be left similarly unprotected no doubt.

**Either the applicant must properly protect the heritage fabric of this magnificent mansion or sell it to someone that WILL love it and protect it.**

- **The same goes for the timber fireplaces. Quite likely to be Australian Cedar.** Again is the applicant just suggesting a bit of plastic over the hole? Or lunches, drinks, texta, you name it, they will be able to deface the fireplaces with them?



- This next one's a gem -

Existing wallpaper to be enclosed with clear acrylic
--

Has advice been sought and a methodology approved by a professional paper and textiles conservator? What gap from the wallpaper will there be to the sheets of acrylic? How will the standoffs be mounted? Through the wallpaper or will the sheets be hung? What does the underneath wall surface consist of? Is it a plaster finish? How will heating and humidity be dealt with? Is there sufficient ventilation? Will this treatment cause mildew on the wallpaper from humidity?

Without proper detailing, which has not been provided, some of these "works" appear to raise more questions than they answer. **Architectural details must be provided and a methodology signed off by a profession in the field of paper and textiles conservation.**

### TRAFFIC:

- The development could introduce up to 100 more vehicle movements in and out of the area. Dural St, Lisgar Rd, the top section of Rosemead Rd and William St are already full of resident and commuter parking, rendering those streets as one way for the majority of the day.
- It is in a quiet residential area and the proposal would impact surrounding neighbours from 8am until 6pm every weekday for 49 weeks of the year, with vacation care included. With the amount of traffic and congestion currently in the area, the street simply wouldn't cope with the additional traffic to and from a school.
- Access in and out of the area is already very difficult for residents, particularly as large trucks come and go from the water treatment works.
- Evacuation in the event of a bushfire in Berowra Valley National Park would be a nightmare bottleneck trying to get everyone out.

### SENIORS DEVELOPMENT ADJACENT TO SITE:

- While it is commendable that the applicant has approached the seniors development next door to the site and wishes to investigate the possibilities of interaction between these neighbours and the school children, in reality for the majority of the time the elderly residents next door would most likely prefer the current peace and quiet of the existing residential use.

They retired there for a quiet last stage of their life, not wanting to listen to the high pitched excited squeals of little children playing, from 8am to 6pm, 5 days a week, 49 weeks of the year. We think that would put the school somewhere in the vicinity of **neighbours-from-hell for the majority of these senior citizens**, no matter how high the timber side boundary fence is. While the elderly can often be hard of hearing, it is often high pitched noises that they can hear and hear excruciatingly well.

## **HEATING AND COOLING**

- With the closing up of the internal fireplaces it will be necessary to provide heating as well as cooling in this heritage building. These types of mansions with their high ceilings, large rooms and large windows are notoriously cold in winter without significant amounts of heating. The rooms in these homes were traditionally used with open fires in living rooms and master bedrooms with maids to tend to them. The other rooms were simply freezing cold.

This building will require full central heating / cooling into each classroom which will entail ducting as well as outlets in the ceilings and probably in some floors. The amount of penetrations that would be required into the internal brick walls, decorative ceilings and hardwood floors is simply unacceptable.

## **STATE ENVIRONMENTAL PLANNING POLICY (EDUCATIONAL ESTABLISHMENTS AND CHILD CARE FACILITIES) 2017 - SCHEDULE 4 SCHOOLS - DESIGN QUALITY PRINCIPLES**

- The development is inconsistent with most of the Design Quality Principles listed in *Schedule 4 Schools (Clause 35(6)(a))*.

### **Principle 1—context, built form and landscape**

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.

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.

- The removal of described items within the heritage listed gardens, including trees, shrubberies, street trees, remnant locally significant forest, as well as the gates and driveway, does not enhance the positive qualities of the setting, landscape and heritage. In fact it is entirely the opposite - it is detrimental to those qualities. The addition of a cheap shed onto the side of the building, the ugly black fire stairs and front fence, and the internal changes are all detrimental to the heritage qualities of the built form.

The amount of penetrations that would be required into the internal brick walls, decorative ceilings and hardwood floors for central heating / cooling ducting and outlets would cause extensive damage and cause negative impacts to the heritage qualities.

The widened front driveway and the removal of so many trees and shrubs from the front garden, which are described in the LEP Environmental Heritage listing, will have an enormously negative impact on the front landscaping and streetscape.

### **Principle 2—sustainable, efficient and durable**

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.

Schools should be designed to be durable, resilient and adaptable, enabling them to evolve over time to meet future requirements.

- As described previously in this submission, large heritage mansions are the antithesis of energy saving buildings. Energy consumption was not an design criteria in that era. The amount of energy required to make this building comfortable in winter / summer will not be able to be minimised.

The school cannot be adaptable. It cannot evolve and grow over time to meet future requirements without having a further negative impact on the heritage gardens, the landscape and the streetscape. The internal features that make it such a worthwhile historic building, such as the marble fireplaces, heritage wallpapers, multi-paned doors and leadlights are anything but durable or resilient to the wear and tear of a school.

### **Principle 3—accessible and inclusive**

School buildings and their grounds should provide good wayfinding and be welcoming, accessible and inclusive to people with differing needs and capabilities.

**Note.**

Wayfinding refers to information systems that guide people through a physical environment and enhance their understanding and experience of the space.

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

- There is no opportunity for the community to share facilities and cater for activities outside of school hours. The simple exercise of talking up the benefits of a school with the neighbours does not constitute providing shared facilities.

### **Principle 4—health and safety**

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.

- There are a large number of big native and exotic trees in the gardens. The native Eucalyptus and Angophora are NOTORIOUS for dropping large branches. That is their growth habit. You don't see these trees with branches low to the ground because they consistently shed their branches. The safety of young children CANNOT be balanced with the preservation of these trees. If this school is approved the trees will be removed in the future, if not in the very short term. This is a heritage listed garden of which the trees form a major integral part. It is again the antithesis of child safety for them to spend large amounts of their play time in a garden that has safety risks.

**DON'T CUT DOWN THE TREES. INSTEAD DON'T PUT CHILDREN IN THERE.**

### **Principle 5—amenity**

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.

Schools located near busy roads or near rail corridors should incorporate appropriate noise mitigation measures to ensure a high level of amenity for occupants.

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.

- The adjacent development of concern to this site is the retirement homes next door. Putting squealing young children next to elderly residents is going to cause not only distress to the elderly neighbours but also considerable long term conflict of land use.

It is not simply the total volume of the number of children that are permitted to play outside at any one time, it is also the pitch and acoustic frequency of high pitch squeals that needs to be considered.

### Principle 6—whole of life, flexible and adaptive

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.

- The design of a heritage mansion is neither adaptable nor multi-functional. There is no flexibility in the number of rooms or their placement. It cannot be expanded to accommodate a range of facilities.

### Principle 7—aesthetics

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.

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.

- The school does not have a positive impact on the quality and character of the heritage neighbourhood. Clearing of trees, replacement of heritage landscape features to accommodate child safety and the visual impact on the heritage building itself of the tacked on black steel tubing, will all negatively impact on the neighbourhood.

These detrimental impacts do not respond to either the existing or desired future context of the site or the neighbourhood and will have a negative impact on the quality and identity of the neighbourhood.



## **CONCLUSIONS:**

**We trust that each of the above points of this 32 page submission will be considered and addressed.**

**As a result of all of the above, we object to the proposed development because:**

- The development in its current form is unsatisfactory in respect to Section 4.15(1)(b) of the Environmental Planning and Assessment Act 1979 as the proposed development has not adequately taken into consideration the environmental impacts, including heritage impacts.
- The development in its current form is unsatisfactory in respect to Section 4.15(1)(c) of the Environmental Planning and Assessment Act 1979 as the site is not suitable for the proposed development.
- The development in its current form is unsatisfactory in respect to Section 4.15(1)(d) of the Environmental Planning and Assessment Act 1979 with regard to public submissions received in response to the application objecting to the proposed development in respect to applicable planning controls.
- The development in its current form is unsatisfactory in respect to Section 4.15(1)(e) of the Environmental Planning and Assessment Act 1979 as the proposed development is not in the public interest.
- The works proposed are not consistent with any of the Principles 1 through to 7 of the *SEPP (Educational Establishments and Child Care Facilities) Schedule 4 Schools - Design Quality Principles*.

**We therefore believe that this proposal should be refused.**

