

**JOINT REGIONAL PLANNING PANEL
(Sydney West Region)**

JRPP No.:	2011SYW088
Development Application No:	DA/709/2011
Description of Proposal:	Redevelopment of Clarke Road Special School
Property Description:	Lot 16 DP 731457, Nos. 48-58 Clarke Road, Hornsby
Applicant:	Department of Education
Statutory Provisions:	State Environmental Planning Policy (Infrastructure) 2007 Hornsby Shire Local Environmental Plan 1994 Special Uses A (Community Purposes) Residential A (Low Density)
Estimated Value:	\$8,500,000
Report Author:	Garry Mahony – Senior Town Planner
Instructing Officers:	Rod Pickles – Manager Assessment Team 2 James Farrington – Acting Executive Manager Planning

ASSESSMENT REPORT AND RECOMMENDATION

EXECUTIVE SUMMARY

1. The application proposes redevelopment of the Clarke Road Special School involving demolition of existing school buildings and construction of a new school including an administration building, hall building and two classroom buildings.
2. The proposal is considered satisfactory in respect to Hornsby Shire Local Environmental Plan 1994, State Environmental Planning Policy (Infrastructure) 2007, the Threatened Species Conservation Act 1995 and the Community Uses Development Control Plan.
3. One submission was received in respect to the application.
4. It is recommended that the application be approved.

RECOMMENDATION

THAT:

Development Application No. 709/2011 for the redevelopment of Clarke Road Special School at Lot 16 DP 731457, Nos. 48-58 Clarke Road, Hornsby be approved subject to the conditions of consent detailed in Schedule 1 of this report.

HISTORY OF THE SITE

A public school has existed on the site for over 50 years.

THE SITE

The site has an area of 9,910m² with a frontage of 106m to the northern side of Clarke Road and a frontage of 94m to the western side Neutral Road. The site is generally of uniform shape other than a splay corner at the intersection of Clarke Road and Neutral Road and the irregular boundary at the north-west corner of the site.

The site has an average fall of 7.5% to the corner frontage.

The existing special school comprises single storey buildings, demountable classrooms, a covered hydrotherapy pool, amenities block, storage sheds and carparking area. The school buildings are generally arranged to form a central open space area. Vehicular access to the site is off Clarke Road.

The special school accommodates 70 students from Kindergarten to Year 12. The school caters to students with moderate and severe intellectual disabilities and students with physical and behavioural disabilities.

The south eastern half of the site includes remnant trees identified as Sydney Turpentine-Ironbark Forest which is an endangered ecological community under the Threatened Species Conservation Act 1995.

The surrounding area comprises low density residential with single and two storey dwelling houses. Hornsby South Primary School is located opposite the site on the southern side of Clarke Road.

The site is approximately 900m south of Hornsby Railway Station and commercial centre.

THE PROPOSAL

The proposal involves the demolition of the existing school buildings and structures on the site, other than the hydrotherapy pool and adjoining amenities block.

The proposed development includes construction of an administration/staff/library building (Block A), a hall and special programs building (Block B) and two classroom buildings to contain a total of ten classrooms (Block C & Block D). The proposed buildings are sited to form a quadrangle with the existing amenities block and hydrotherapy pool.

Also included in the proposal are; a games court, covered outdoor learning area, a car parking area with 24 spaces, two way vehicle access and a drop off and exit lane.

The proposal involves the removal of 26 trees including 8 trees that form part of the endangered ecological community of Sydney-Turpentine Ironbark Forest. Replacement tree planting of 16 trees is proposed on the site and the site of the adjacent primary school. A landscaping plan has been submitted for the proposed redevelopment.

During the construction of the proposed redevelopment, the special school is to relocate to a temporary building within the grounds of the Hornsby South Primary School. The Department of Education has obtained a Complying Development Certificate for the temporary establishment of the school in this location, in accordance with the provisions of State Environmental Planning Policy (Infrastructure) 2007.

ASSESSMENT

The development application has been assessed having regard to the '*Metropolitan Plan for Sydney 2036*', the '*North Subregion (Draft) Subregional Strategy*' and the matters for consideration prescribed under Section 79C of the *Environmental Planning and Assessment Act 1979* (the Act). Subsequently, the following issues have been identified for further consideration.

1. STRATEGIC CONTEXT

1.1 Metropolitan Plan for Sydney 2036 and (Draft) North Subregional Strategy

The *Metropolitan Plan for Sydney 2036* is a broad framework to secure Sydney's place in the global economy by promoting and managing growth. It outlines a vision for Sydney to 2036; the challenges faced, and the directions to follow to address these challenges and achieve the

vision. The *Draft North Subregional Strategy* acts as a framework for Council in its preparation of the *Comprehensive LEP* by the end of 2012.

The *Draft North Subregional Strategy* sets the following targets for the Hornsby LGA by 2031:

- Employment capacity to increase by 9,000 jobs; and
- Housing stock to increase by 11,000 dwellings.

The proposed development would provide improved facilities for the school to cater for the educational needs of school students with disabilities.

Accordingly, the proposed development would be consistent with the *Metropolitan Plan for Sydney 2036* and the *Draft North Subregional Strategy*.

2. STATUTORY CONTROLS

2.1 Environmental Planning and Assessment Act, 1979

Schedule 4A of the Act requires Crown development applications for development over \$5 million to be determined by the Joint Regional Planning Panel. As the estimated value of the project is \$8.5 million, the application is to be determined by the Sydney West Joint Regional Planning Panel.

Section 89 of the Act requires Crown approval for the imposition of conditions of development consent. The applicant is a Crown authority and has approved the recommended conditions of consent under Schedule 1 of this report.

Section 79C(1)(a) requires Council to consider any relevant environmental planning instruments, draft environmental planning instruments, development control plans, planning agreements and other prescribed matters. These matters are addressed below.

2.2 Hornsby Local Environmental Plan 1994

The subject land is zoned Special Uses A (Community Purposes) and Residential A (Low Density) under the Hornsby Shire Local Environmental Plan 1994 (HSLEP). The objectives of the Special Uses A (Community Purposes) zone are:

- (a) *to provide for the cultural needs of the community.*
- (b) *to identify land for the provision of community services and facilities.*
- (c) *to ensure that community uses are compatible with the amenity of the area in which they are located.*

The objectives of the Residential A (Low Density) zone are:

- (a) *to provide for the housing needs of the population of the Hornsby area.*

- (b) *to promote a variety of housing types and other land uses compatible with a low density residential environment.*
- (c) *to provide for development that is within the environmental capacity of a low density residential environment.*

The proposed development is defined as ‘educational establishment’ under the HSLEP and is permissible in the above zones with Council’s consent.

2.3 State Environmental Planning Policy – Sydney Regional Environmental Plan No. 20 – Hawkesbury-Nepean River

The site is located within the catchment of the Hawkesbury Nepean River. Part 2 of this Plan contains general planning considerations and strategies requiring Council to consider the impacts of this proposal on water quality, scenic quality, aquaculture, recreation and tourism.

Subject to the implementation of sediment and erosion control measures, stormwater management and wastewater management to protect water quality, the proposal would comply with the requirements of the Policy.

2.4 State Environmental Planning Policy No. 55 – Remediation of Land

The aim of the Policy is to promote remediation of contaminated land, reducing the risk of harm to human health and the environment. The Policy requires the consideration of soil contamination in the development application assessment process.

The land use history of the site for school purposes does not include any process that would have resulted in soil contamination. Accordingly, an assessment under the Policy is unwarranted.

2.5 State Environmental Planning Policy (Infrastructure) 2007

The aim of the Policy is to provide a consistent planning regime for infrastructure development and the provision of services.

Part 3 Division 3 of the Policy provides for educational establishments and includes provision for consideration of building and landscaping standards as follows:

- (a) *School Facilities Standards—Landscape Standard—Version 22 (March 2002),*
- (b) *School Facilities Standards—Design Standard—Version 1 (May 2006),*
- (c) *School Facilities Standards—Specification Standard—Version 1 (May 2006).*

The applicant’s Statement of Environmental Effects includes the following discussion in respect to compliance with the standards:

- *A thorough analysis and evaluation was undertaken of site factors, including surveys, flora & fauna studies and an arborists report (see the Appendices of this report).*

- *Attempts were made to retain significant Flora & fauna where practicable, in consultation with specialist environmental and landscape consultants.*
- *Critical building dimensions have been achieved to standard: room & facility areas (including critical dimensions to fit furniture), corridor widths to allow for wheelchairs, covered walkway widths and clearance heights.*
- *Access has been provided for people with disabilities (refer to section 19 of DET Standards, AS1428.2 and new Schools Facilities Standards).*
- *Environmental design features have been included to standard: provision of natural light, orientation, appropriate insulation (will be specified), cross ventilation, single-loaded corridors, water conservation measures (will be specified).*
- *Window sill and head heights have been designed to comply with the standards.*
- *External materials & fabric finishes have been designed to the standards (Section 40), with respect to the following requirements: cost containment, buildability, fire resistance, high durability & low maintenance, security and resistance to vandalism. The standards call for specific materials for walls, roofs, paving, steel members, concrete etc, which have been adhered to.*
- *Roof design has been designed to comply with the standards, including minimum pitches, downpipe location, etc.*
- *Services will be designed to meet the standards: hydraulics, drainage, waste, water, gas, cooking, heating, ventilation, electrical, communications and stormwater (sections 51–57, & 61–65 & 95).*
- *Landscape and site works have been designed to comply with section 90 of the design standard and the SFS Landscape Standard, including paving materials and falls, vegetation selections, retaining walls etc.*

The submitted plans for the school redevelopment have been prepared by the NSW Government Architect's Office in accordance with the School Facilities Standards and the requirements of the Policy.

During construction of the proposed development, the school is to be relocated to the grounds of Hornsby South Public School adjacent to the site. In accordance with the requirements of the Policy the applicant has obtained a Complying Development Certificate (CN11011) dated 31/05/2011 for the placement of demountable classroom buildings on the adjacent school site.

2.6 Threatened Species Conservation Act 1995

The indigenous trees on the site are identified as Sydney Turpentine Ironbark Forest, an endangered ecological community under Schedule 1 the Act.

The applicant has submitted a Flora and Fauna Assessment of the likely impact of the proposal on the community, pursuant to Section 5A of the Environmental Planning and Assessment Act, 1979 (7 Part Test). The report concludes that the loss of 8 trees and replacement with 16 trees would not place the local community at risk of extinction.

As the proposed development is unlikely to significantly impact on the endangered ecological community, a Species Impact Statement is not required for the proposed development.

The Flora and Fauna Assessment also includes an assessment of the proposal in respect to criteria under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999*. No further action is required under this legislation in respect to the proposal as the proposed development is unlikely to impact on Sydney Turpentine Ironbark Forest.

Refer also to comments under Section 3.1.

2.7 Community Uses Development Control Plan

The proposed development has been assessed having regard to the relevant performance and prescriptive design standards within Council's Community Uses Development Control Plan (Community Uses DCP). The following table sets out the proposal's compliance with the prescriptive measures of the Plan:

Community Uses Development Control Plan			
Control	Proposal	Requirement	Compliance
Density	Floor Space Ratio 0.25:1	Floor Space Ratio 0.4:1	Yes
Site Coverage	36%	40%	Yes
Setbacks	Clarke Rd – 7.6m Neutral Rd – 2.8m (secondary frontage) Nth Boundary – 2.2m	6m 3m 1m	Yes No Yes
Recreation Space	37m ² playground space per student	20m ² playground space per student	Yes
Landscaping	45%	45%	Yes

As detailed in the above table, the proposed development does not comply with prescriptive measures for setbacks within Council's Community Uses DCP. The matter of non-compliance is detailed below, as well as a brief discussion on compliance with relevant performance standards.

2.7.1 Setbacks

The proposed development has frontage to Clarke Road and Neutral Road.

Proposed Block A has frontage to Clarke Road and has a setback of 7.6m-14.8m. The proposed Block A would occupy 27% of the 106m frontage and would not detract from the streetscape presentation of the site which is dominated by remnant trees.

Proposed Block D has frontage to Neutral Road and has a setback of 2.8m to 7.3m. The applicant submits Neutral Road is the secondary street frontage and that the non-compliance with the 3m minimum setback is minor and acceptable. The site has a 94m frontage to Neutral Road and the proposed building would occupy 41% of the frontage. The proposed portion of the building that encroaches within the setback would be 26m from the nearest adjoining dwelling and is consistent with the setback of the dwelling house opposite on the corner of Neutral Road and Alliedale Close. Therefore the proposed setback would not detract from the existing streetscape and is acceptable.

Proposed Block C is setback between 2.2m and 7.0m from the northern side boundary. The northern elevation of the block C is well articulated with physical breaks in the wall length provided every 10 metres. The building platform is to be excavated between 2.5m and 1.5m below the existing ground level and, subject to provision of 1.8m high fencing above the retaining wall, the building would be adequately screened and would not detract from the amenity of adjoining residents.

It is considered the non-compliance of the proposed setbacks with the Community Uses DCP is acceptable.

2.7.2 Design

The proposed buildings are low scale buildings with a mix of materials and finishes. The buildings feature skillion roofs, articulation in built form and would not detract from the residential character of the area.

The proposed buildings are sited to form a quadrangle around the school's main central open space area. The quadrangle is proposed as the integral element of the functional design of the special school. The proposed buildings do not include architectural treatment for formal presentation to the street. The buildings however feature a traditional domestic theme in design which is acceptable in the streetscape. The proposed main entry to the school is located at the western elevation of the administration/staff/library building.

Proposed Block A fronting Clarke Road and Block D fronting Neutral Road are stepped in design, minimising the extent of built form in the respective street frontages. The large area of significant trees at the corner frontage is retained which generally maintains the streetscape and screens the development.

The proposed buildings maximise natural light and ventilation and are considered satisfactory in respect to design for energy efficiency.

The proposed carpark includes 24 spaces with access off Clarke Road. The car park involves excavation to a depth of approximately 1m and construction of a retaining wall along the western boundary. To minimise impacts on the amenity of the adjoining residents a condition is recommended requiring a lapped and capped timber boundary fence.

It is considered the proposed design meets the design element objective of the Community Uses DCP.

2.7.3 Recreation Space

The proposed recreation areas and facilities comply with the element objectives of the Community Uses DCP for recreation space.

2.7.4 Landscaping

The submitted landscape plan retains the majority of the indigenous trees on the site (Sydney Turpentine Ironbark Forest).

The proposed landscaping is designed to provide the outdoor recreation and educational requirements of the special school, through active and passive open space areas. The landscaping includes provision for screen planting along the common boundaries of the site. It is considered the proposed landscaping meets the landscaping performance criteria of the Community Uses DCP.

Refer also to comments under Section 3.1.

2.7.5 Hazards/Risks

The existing school site includes older buildings with hazardous materials including asbestos and other substances, proposed for demolition. The applicant submitted a *Hazardous Construction Materials Survey* dated 3 March 2011 prepared by AECOM which identifies where asbestos, lead and other contaminants are present in existing buildings on the site. The survey includes recommendations for risk management in the redevelopment of the site.

A condition is recommended requiring implementation of the recommendations together with conditions for compliance with AS 2601-2001 – *Demolition of Structures*.

Subject to the recommended conditions, the demolition and removal of hazardous materials would not result in contamination of the site.

2.7.6 Acoustics

The applicant submitted an Acoustic Assessment dated 12 August 2011 prepared by AECOM which includes an assessment of background noise levels, the likely noise generated during school hours and impact of traffic noise. The acoustic assessment includes the following statement:

There are no acoustic site conditions that would preclude the proposed development from complying with the relevant noise criteria identified in this report. Environmental noise emission from the site will be controlled at all neighbouring residential premises by standard noise control techniques.

AECOM has also provided internal room acoustics criteria and preliminary design advice for internal ambient noise levels, reverberation times, and noise separations

between adjacent acoustically critical spaces to ensure that optimal internal acoustics is achieved within the proposed development.

The acoustic report includes recommendations for the use of the proposed hall. However, the acoustic report is not clear in relation to the number of times per year that the hall would be used outside of normal school hours, 7.30am-4.30pm. Similarly, no information has been submitted concerning the number of times the hydrotherapy pool is proposed to be used outside of normal school hours. In this regard a condition is recommended limiting the operation of these facilities within prescribed hours to a maximum of 30 days outside of the approved school hours.

Subject to the recommended conditions the proposed development is considered satisfactory in respect to the acoustics element objective of the Community Uses DCP.

2.7.7 Soil and Water Management

The applicant submitted a plan for stormwater management during construction of the development which includes provision for stockpiles, vehicle shakedown point, earth bank swales and sediment collection points.

Subject to recommended conditions of consent for compliance with the manual *'Soils and Construction 2004 (Bluebook)'* the proposed development is considered satisfactory for soil and water management during construction.

2.7.8 Crime Prevention

The proposed development is designed in accordance with the NSW Police 'Crime Prevention Through Environmental Design' (CPTED) principles and meets the requirements of the Community Uses DCP for surveillance and access control.

2.7.9 Waste Minimisation and Management

The proposed development involves the demolition of the existing buildings on the site other than the hydrotherapy pool and amenities block.

The application does not include a Demolition and Waste Management Plan. In response to a request for information in this regard the applicant advises that a plan would form part of the documentation prepared for the tender process.

The applicant, as a Crown authority, is required to meet statutory obligations under the *Waste Avoidance and Resource Recovery Act, 2001* and in this regard the applicant's procedure for documentation at the tender stage of the development is considered acceptable.

3. ENVIRONMENTAL IMPACTS

Section 79C(1)(b) of the Act requires Council to consider *"the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality"*.

3.1 Natural Environment

The proposed development would necessitate the removal of 26 of the 79 trees located on the site. Of the 26 trees, 8 are Sydney Turpentine Ironbark Forest species. The application is supported by an arborist report that assesses the age, health and condition of trees on the site, makes recommendations to protect trees to be retained and for the planting of replacement trees. The proposed removal of the 26 trees is considered acceptable subject to recommended conditions requiring planting of replacement trees.

The Sydney Turpentine Ironbark Forest on the site is identified as an endangered ecological community under the Threatened Species Conservation Act 1995. The proposed development includes the planting of 16 trees to replace the 8 trees to be removed. The applicant submitted location details of the 16 replacement trees of which 4 are to be planted within the Hornsby South Public School site. Conditions are recommended for advanced trees from local provenance. Subject to recommended conditions, the proposal is unlikely to have a significant impact on Sydney Turpentine Ironbark Forest.

3.2 Built Environment

The existing site includes limited car parking with provision for 9 car parking spaces and 2 small buses. The site is located opposite the Hornsby South Public School in Clarke Road which incurs busy traffic conditions at school drop off and pick-up times.

The proposed redevelopment would not increase the number of new students or staff. There would be a maximum of 8 students per classroom, approximately 15 full time and 10 part time staff.

The proposed development includes 24 on-site car parking spaces with a two-way accessway and internal loop exit way to provide for parking, set-down and pick-up. The applicant submitted a Traffic & Parking Impact Assessment prepared by McLaren Traffic Engineering in support of the proposed development. The assessment includes the temporary relocation of the school to the grounds of Hornsby South Public School with access off Ronald Street via Homewood Avenue.

The assessment of the traffic engineering consultants and their recommendations are supported by Council subject to recommended conditions.

3.3 Social Impacts

The proposed development would be of positive social benefit in meeting the educational needs of children with disabilities.

3.4 Economic Impacts

The proposal would have a minor positive impact on the local economy in conjunction with other development in the locality by generating an increase in demand for local services.

4. SITE SUITABILITY

Section 79C(1)(c) of the Act requires Council to consider “*the suitability of the site for the development*”.

The site includes an area of Sydney Turpentine Ironbark Forest, an endangered ecological community. The proposed development maintains the ecological community and includes replacement tree planting for trees proposed to be removed. Subject to replacement tree planting the site is considered suitable for the proposed development.

5. PUBLIC PARTICIPATION



Section 79C(1)(d) of the Act requires Council to consider “*any submissions made in accordance with this Act*”.

5.1 Community Consultation

The proposed development was placed on public exhibition and was notified to adjoining and nearby landowners between 21 July and 11 August 2011 in accordance with Council's Notification and Exhibition Development Control Plan. During this period, Council received one submission. The map below illustrates the location of the nearby landowner who made a submission.



NOTIFICATION PLAN

• PROPERTIES NOTIFIED	X SUBMISSIONS RECEIVED	 PROPERTY SUBJECT OF DEVELOPMENT	
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One submission objected to the development, generally on the following grounds:

- Impact on Sydney Turpentine Ironbark Forest;
- Unsustainable building design;
- Noise impacts from construction and school operation;
- The removal of significant trees;

- Detailed Soil & Water Management Plan not submitted.

The merits of the matters raised in the submission have been addressed in the body of the report.

6. THE PUBLIC INTEREST

Section 79C(1)(e) of the Act requires Council to consider “*the public interest*”.

The public interest is an overarching requirement, which includes the consideration of the matters discussed in this report. Implicit to the public interest is the achievement of future built outcomes adequately responding to and respecting the future desired outcomes expressed in environmental planning instruments and development control plans.

The application is considered to have satisfactorily addressed Council’s and relevant agencies’ criteria and would provide a development outcome that, on balance, would result in a positive impact for the community. Accordingly, it is considered that the approval of the proposed redevelopment of the Clarke Road Special School would be in the public interest.

7. CONCLUSION

The proposed redevelopment of Clarke Road Special School involves the demolition of existing buildings and structures on the site, other than the hydrotherapy pool and adjoining amenities block, construction of an administration/staff/library building, two classroom buildings, a hall and special programs building.

The proposed development provides for the educational requirements of school children with intellectual disabilities and physical disabilities.

The proposed development is designed to integrate with the surrounding residential environment and is sited to retain existing trees identified as an endangered ecological community.

The proposed development is designed to achieve the building and landscaping standards (*School Facilities Standards*) provided for under the State Environmental Planning Policy (Infrastructure) 2007.

The proposal complies with the element objectives of the Community Uses Development Control Plan in respect to density, design, recreation space, landscaping, hazards/risks, acoustics, soil and water management, crime prevention and waste minimisation and management. The proposed non-compliance with the prescriptive measure for setbacks is considered acceptable.

The Department of Education has obtained Complying Development approval for the temporary relocation of the school to the grounds of Hornsby South Primary School, during construction of the proposed development.

The application is recommended for approval.

Note: At the time of the completion of this planning report, no persons have made a *Political Donations Disclosure Statement* pursuant to Section 147(3) of the Environmental Planning and Assessment Act 1979 in respect of the subject planning application.

Attachments:

1. Locality Plan
2. Existing Site Plan
3. Demolition Plan
4. Site Plan
5. Floor Plans
6. Roof Plan
7. Elevations & Sections

SCHEDULE 1

GENERAL CONDITIONS

The conditions of consent within this notice of determination have been applied to ensure that the use of the land and/or building is carried out in such a manner that is consistent with the aims and objectives of the relevant legislation, planning instruments and Council policies affecting the land and does not disrupt the amenity of the neighbourhood or impact upon the environment.

Note: For the purpose of this consent, the term 'applicant' means any person who has the authority to act on or the benefit of the development consent.

Note: For the purpose of this consent, any reference to an Act, Regulation, Australian Standard or publication by a public authority shall be taken to mean the gazetted Act or Regulation, or adopted Australian Standard or publication as in force on the date that the application for a construction certificate is made.

1. Approved Plans and Supporting Documentation

The development must be carried out in accordance with the plans and documentation listed below and endorsed with Council's stamp, except where amended by Council and/or other conditions of this consent:

<i>Plan No.</i>	<i>Drawn by</i>	<i>Dated</i>
DA00 – Cover & Location Plan	NSW Public Works	14/06/2011
DA01 – Site Plan	NSW Public Works	14/06/2011
DA02 – Demolition Plan	NSW Public Works	14/06/2011
DA03 – Floor Plans	NSW Public Works	14/06/2011
DA04 – Floor Plans (Lower Ground)	NSW Public Works	14/06/2011
DA05 – Roof Plans	NSW Public Works	14/06/2011
DA06 – Elevations	NSW Public Works	14/06/2011
DA07 – Sections 01	NSW Public Works	14/06/2011
DA08 – Sections 02	NSW Public Works	14/06/2011
DAH01 – Stormwater Management	NSW Public Works	7/07/2011
DAH02 – Stormwater Management	NSW Public Works	7/07/2011
DAH03 – Stormwater Management	NSW Public Works	3/06/2011
L01 – Landscape Site Plan	NSW Public Works	3/06/2011
L02 – Plant Schedules	NSW Public Works	3/06/2011
L03 – Typical Equipment Types	NSW Public Works	3/06/2011

<i>Document No.</i>	<i>Prepared by</i>	<i>Dated</i>
D01712807 – Schedule of Finishes	NSW Public Works	Undated
D01712810 – Statement of Environmental Effects	BBC Consulting Planners	June 2011
D01712817 – Tree Assessment Report	NSW Public Works	5 April 2011
D01745890 – Acoustic Report	AECOM	12 August 2011
D01745891 – Hazardous Construction Materials Survey	AECOM	3 March 2011

2. Removal of Existing Trees

This development consent only permits the removal of trees numbered 25, 26, 27, 28, 29, 30, 31, 32, 33, 43, 44, 45, 49, 50, 61, 88, 155, 160, 161, 165, 166, 167, 170, 171, 173, 174, 175, 176 and 177 as identified on Plan No. DA01 prepared by NSW Public Works dated 14/06/2011. The removal of any other trees requires separate approval under Council's Tree Preservation Order.

3. Building Code of Australia

All building work must be carried out in accordance with the requirements of the Building Code of Australia.

4. Sydney Water – Quick Check

The application must be submitted to a *Sydney Water* 'Quick Check Agent' or 'Customer Centre' for approval to determine whether the development will affect any *Sydney Water* infrastructure, and whether further requirements are to be met.

Note: Refer to www.sydneywater.com.au or telephone 13 20 92 for assistance.

5. Stormwater Drainage

The stormwater drainage system for the development must be designed and constructed in accordance with Council's *Civil Works – Design and Construction Specification 2005* and the following requirements:

- a. The roof and stormwater drainage system from existing and proposed buildings and paved areas to be connected to the proposed on-site detention drainage system.

6. On Site Stormwater Detention

An on-site stormwater detention system must be designed by a chartered civil engineer and constructed in accordance with Council's *On-Site Detention Specification* and the following requirements:

- a. Have a capacity of not less than 50 cubic metres, and a maximum discharge (when full) of 64 litres per second.
- b. Have a surcharge/inspection grate located directly above the outlet.
- c. Discharge from the detention system to be controlled via 1 metre length of pipe, not less than 50 millimetres diameter or via a stainless plate with sharply drilled orifice bolted over the face of the outlet discharging into a larger diameter pipe capable of carrying the design flow to an existing drainage system.
- d. Where above ground and the average depth is greater than 0.15 metres, a 'pool type' safety fence and warning signs to be installed.
- e. Due to high permitted site discharge flowrate, the outflow from the on-site detention system shall be connected directly to Council's piped drainage system in Clarke Road via Council's standard double grate kerb inlet junction pit.

7. Dilapidation Report

A 'Dilapidation Report' is to be prepared by a 'chartered structural engineer' detailing the structural condition of the adjoining properties:

No. 8 Neutral Road Hornsby
No. 60 Clarke Road Hornsby

8. Car Parking and Deliveries

All car parking must be constructed and operated in accordance with *Australian Standard AS 2890.1 – 2004 – Off Street Car Parking* and *Australian Standard 2890.2 – 2002 – Off Street Commercial vehicle facilities* and the following requirement:

- a. All parking areas and driveways are to be sealed to an all weather standard, line marked and signposted.
- b. Car parking, loading and manoeuvring areas to be used solely for nominated purposes.
- c. Vehicles awaiting loading, unloading or servicing shall be parked on site and not on adjacent or nearby public roads;
- d. All vehicular entry on to the site and egress from the site shall be made in a forward direction.

9. Roadworks

In order to provide amenity and safety, the following shall be designed and constructed in accordance with Council's Design and Construction Specification 2005 at the Applicant's expense;-

- a. Removal and reconstruction of Council's standard 150 mm kerb and gutter and road shoulder on the Clarke Road frontage from the western boundary to east of the Clarke Road pedestrian crossing.
- b. Existing concrete footpath and footpath verge adjacent the work area in (a) above shall be demolished and regraded to ensure verge crossfalls reduce and pedestrian crossing ramp grade complies with AS1428.1-2009 Section 10.3.
- c. Provision for suitable transition to match footpath grades either side of the works which remain, and support of school property with retaining walls as required.
- d. Design and construction of walkways entering into the works area in accordance with AS1428.1-2009 Section 10.
- e. Construction of standard pram ramps at the corner of Clarke and Neutral Road in accordance with AS1428.1-2009 Section 10.7.
- f. To reduce risk of slip and fall in public areas, provision of drainage system in school land at the corner of Clarke and Neutral Road to ensure school runoff is collected and drained directly to Council's street drainage system.
- g. The roadworks are subject to Section 138 *Roads Act 1993* and approval by Hornsby Shire Council as Roads Authority. The works must be inspected and approved by Hornsby Shire Council prior to occupation of the development.

10. Traffic Control Plan

A Traffic Control Plan (TCP) must be prepared by a qualified traffic controller in accordance with the *Roads & Traffic Authority's Traffic Control at Worksites Manual 1998* and *Australian Standard 1742.3* for all work on a public road and be submitted to Council. The TCP must detail the following:

- a. Arrangements for public notification of the works.
- b. Temporary construction signage.
- c. Vehicle movement plans.
- d. Construction Traffic management plans.

11. Vehicular Crossing

A separate application under the *Local Government Act, 1993* and the *Roads Act, 1993* must be submitted to Council for the installation of new vehicular crossings and the removal of any redundant crossing on the Clarke Road frontage. The vehicular crossing must be constructed in accordance with Council's *Civil Works Design, 2005* and the following requirements:

- a. Any redundant crossings to be replaced with integral kerb and gutter.

- b. The footway area to be restored by turfing.

Note: An application for a vehicular crossing can only be made to one of Council's Authorised Vehicular Crossing Contractors or to Council as Roads Authority. You are advised to contact Council on 02 9847 6940 to obtain a list of contractors.

12. Erection of Construction Sign

A sign must be erected in a prominent position on any site on which building work, subdivision work or demolition work is being carried out:

- a. Showing the name, address and telephone number of the principal certifying authority for the work,
- b. Showing the name of the principal contractor (if any) for any demolition or building work and a telephone number on which that person may be contacted outside working hours, and
- c. Stating that unauthorised entry to the work site is prohibited.

Note: Any such sign is to be maintained while the building work, subdivision work or demolition work is being carried out, but must be removed when the work has been completed.

13. Protection of Adjoining Areas

A temporary hoarding, fence or awning must be erected between the work site and adjoining lands before the works begin and must be kept in place until after the completion of the works if the works:

- a. Could cause a danger, obstruction or inconvenience to pedestrian or vehicular traffic.
- b. Could cause damage to adjoining lands by falling objects.
- c. Involve the enclosure of a public place or part of a public place.

Note: Notwithstanding the above, Council's separate written approval is required prior to the erection of any structure or other obstruction on public land.

14. Toilet Facilities

Toilet facilities must be available or provided at the works site before works begin and must be maintained until the works are completed at a ratio of one toilet for every 20 persons employed at the site. Each toilet must:

- a. be a standard flushing toilet connected to a public sewer; or
- b. be a temporary chemical closet approved under the *Local Government Act, 1993*; or

- c. have an on-site effluent disposal system approved under the *Local Government Act, 1993*

15. Erosion and Sediment Control

Erosion and sediment control measures must be provided and maintained throughout the construction period in accordance with the manual '*Soils and Construction 2004 (Bluebook)*', the approved plans, Council specifications and to the satisfaction of the principal certifying authority. The erosion and sediment control devices must remain in place until the site has been stabilised and revegetated.

Note: On the spot penalties up to \$1,500 may be issued for any non-compliance with this requirement without any further notification or warning.

16. Construction Work Hours

All work on site (including demolition and earth works) must only occur between 7am and 5pm Monday to Saturday.

No work is to be undertaken on Sundays or public holidays.

17. Demolition

All demolition work must be carried out in accordance with *Australian Standard 2601-2001 – The Demolition of Structures* and the following requirements:

- a. Demolition material is to be disposed of to an authorised recycling and/or waste disposal site and/or in accordance with an approved waste management plan.
- b. Demolition works, where asbestos material is being removed, must be undertaken by a contractor that holds an appropriate licence issued by *WorkCover NSW* in accordance with Chapter 10 of the *Occupational Health and Safety Regulation 2001* and Clause 29 of the *Protection of the Environment Operations (Waste) Regulation 2005*.
- c. On construction sites where buildings contain asbestos material, a standard commercially manufactured sign containing the words 'DANGER ASBESTOS REMOVAL IN PROGRESS' measuring not less than 400mm x 300mm must be erected in a prominent position visible from the street.

18. Environmental Management

The site must be managed in accordance with the publication '*Managing Urban Stormwater – Landcom (March 2004)*' and the *Protection of the Environment Operations Act 1997* by way of implementing appropriate measures to prevent sediment run-off, excessive dust, noise or odour emanating from the site during the construction of the development.

19. Street Sweeping

Street sweeping must be undertaken following sediment tracking from the site along Clarke Road and Neutral Road during works and until the site is established.

20. Works near Trees

All required tree protection measures are to be maintained in good condition for the duration of the construction period.

All works (including driveways and retaining walls) within 4 metres of any trees required to be retained (whether or not on the subject property, and pursuant to this consent or the *Tree Preservation Order*), must be carried out under the supervision of an 'AQF Level 5 Arborist' and a certificate submitted to the principal certifying authority detailing the method(s) used to preserve the tree(s).

Note: Except as provided above, the applicant is to ensure that no excavation, filling or stockpiling of building materials, parking of vehicles or plant, disposal of cement slurry, waste water or other contaminants is to occur within 4 metres of any tree to be retained.

21. Impacts on Bushland

To maintain bushland diversity, the applicant must ensure the following:

- a. Seed must be collected by an arborist from trees identified as part of the Sydney Turpentine Iron Bark ecological community prior to their approved removal and donated to the 'Hornsby Shire Community Nursery' for propagation and future replanting within the local area.
- b. A total of 16 Sydney Turpentine (*Syncarpia glomulifera*) trees with a minimum pot size of 25 litres are to be planted to replace the 8 Sydney Turpentine trees to be removed, 12 of the trees are to be planted on the Clarke Road School site as detailed on the Landscape Plan L01 Tender Documents and 4 of the trees on the Hornsby South Public School site as detailed on the plan 'Additional Turpentine Tree Planting Locations' (Council Ref. D01767746).

Note: The following nurseries supply the required pot size for replacement tree planting:

ReVeg-It – Hornsby, Tel. (02) 9970 8709

Toolijooa Nursery – Ingleside, Tel (02) 9970 8709

Toolijooa Nursery – Dural, Tel (02) 9651 3859

Ku-ring-gai Community Nursery – St Ives, Tel (02) 9498 0825

Harvest Seeds and Native Plants – Terry Hills, Tel (02) 9450 2699

Wirreanda Nursery – Ingeside, Tel (02) 9450 1400

Sydney Wildflower Nursery – Terrey Hills, Tel 9450 1555

Tharwa Propagation Nursery – Terrey Hills, Tel 9450 1967

22. Council Property

During construction works, no building materials, waste, machinery or related matter is to be stored on the road or footpath. The public reserve is to be kept in a clean, tidy and safe condition at all times.

23. Disturbance of Existing Site

During construction works, the existing ground levels of open space areas and natural landscape features, (including natural rock-outcrops, vegetation, soil and watercourses) must not be altered unless otherwise nominated on the approved plans.

24. Landfill

Landfill must be constructed in accordance with Council's '*Construction Specification, 2005*' and the following requirements:

- a. All fill material imported to the site is to wholly consist of Virgin Excavated Natural Material (VENM) as defined in Schedule 1 of the *Protection of the Environment Operations Act 1997* or a material approved under the *Department of Environment and Climate Change's* general resource recovery exemption.
- b. A compaction certificate is to be obtained from a geotechnical engineer verifying that the specified compaction requirements have been met.

25. Excavated Material

All excavated material removed from the site must be classified in accordance with the *NSW Environment Protection Authority's Environmental Guidelines – Assessment, Classification and Management of Liquid and Non-Liquid Wastes* prior to disposal to an approved waste management facility and reported to the principal certifying authority.

26. Sydney Water – s73 Certificate

A s73 Certificate must be obtained from *Sydney Water*.

27. Damage to Council Assets

Any damage caused to Council's assets as a result of the construction of the development must be rectified in accordance with Council's written requirements and at the sole cost of the applicant.

28. Street Lighting

The Clarke Road frontage to the site from the vehicular entrance to the site to the pedestrian crossing at least shall be lit according to AS1158.3 as amended for pedestrian access and safety. Make early contact with the energy network provider in order to arrange lighting and ensure design and construction of luminaires and poles as required for general and pedestrian crossing lighting. The network provider shall certify the lighting is constructed in accordance with its network standards.

29. Retaining Walls

All required retaining walls must be constructed as part of the development.

30. Boundary Fencing

Lapped and capped timber fencing must be erected along the western property boundary to a height of 1.8 metres.

31. Traffic Management For Temporary School

The following traffic control measures must be implemented for the duration of the temporary operation of the school from Ronald Street:

- a. Time limited "NO STOPPING" restrictions are to be installed on the north side of Ronald Street between Homewood Avenue and the school entrance
- b. Time limited "NO STOPPING" restrictions are to be installed on the south side of Ronald Street between the school entrance and the driveway to No. 4 Ronald Street.
- c. The time limit for the "NO STOPPING" restrictions is to be '8:30am – 9:30a, 2:15pm – 3:15pm, Mon – Fri, School days', or as agreed with the Clarke Road Special School.
- d. Parking restrictions are to be subject to public consultation with the owners of 1 to 15 and 2 to 10 Ronald Street and approval by the Local Traffic Committee.
- e. The proposed changes to the parking restrictions are to be subject to approval by the Local Traffic Committee.
- f. Vehicle access via the access handle is to be managed by the Special School. The objective will be to prevent grid lock within the site and along Ronald Street

32. Noise

All noise generated by the proposed development must be attenuated to prevent levels of noise being emitted to adjacent premises which possess tonal, beating and similar characteristics or which exceeds background noise levels by more than 5dB(A).

33. Landscaping

The proposed landscaping must address the following:

- a. A certificate must be provided by a practicing landscape architect, horticulturalist or person with similar qualifications and experience certifying that all required landscaping works have been satisfactorily completed in accordance with the approved landscape plans.
- b. The landscape works must be maintained into the future to ensure the establishment and successful growth of plant material to meet the intent of the landscape design. This must include but not be limited to watering, weeding, replacement of failed plant material and promoting the growth of plants through standard industry practices.

34. Hours of Operation

- a. The hours of operation of the school are restricted to those times listed below:

Monday to Friday	7.30am to 6.00pm
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- b. The hours of operation of the pool facilities and the hall are restricted to the times listed in Condition No. 37.1 but for 30 days per year when the hours of operation may extend to the following times:

Monday to Friday	6.00pm to 12 midnight
Saturday	8.00am to 12 midnight
Sunday	9.00am to 10.00pm

A log book is to be kept by the Clarke Road Special School which records the times, dates and details of the events for the extended hours of operation.

35. Car Park Operation

- a. Accessible parking spaces are to have head room in accordance with AS/NZS 2890.6:2009.
- b. A parking and set-down/pick up management plan is to be prepared to control on-site queuing on the loop road.

- END OF CONDITIONS -

ADVISORY NOTES

The following information is provided for your assistance to ensure compliance with the Environmental Planning and Assessment Act 1979, Environmental Planning and Assessment Regulation 2000, other relevant legislation and Council's policies and specifications. This information does not form part of the conditions of development consent pursuant to Section 80A of the Act.

Environmental Planning and Assessment Act, 1979 Requirements

- The Environmental Planning and Assessment Act, 1979 requires:
- Council to be given at least two days written notice prior to the commencement of any works.
- Mandatory inspections of nominated stages of the construction inspected.

Fees and Charges – Works in Public Road

All fees payable to Council as part of any construction or compliance certificate or inspection associated with the development (including the registration of privately issued certificates) are required to be paid in full prior to the issue of the occupation certificate. Any additional Council inspections beyond the scope of any compliance certificate required to verify compliance with the terms of this consent will be charged at the individual inspection rate nominated in Council's Fees and Charges Schedule.

Dial Before You Dig

Prior to commencing any works, the applicant is encouraged to contact *Dial Before You Dig* on 1100 or www.dialbeforeyoudig.com.au for free information on potential underground pipes and cables within the vicinity of the development site.

Asbestos Warning

Should asbestos or asbestos products be encountered during demolition or construction works you are advised to seek advice and information should be prior to disturbing the material. It is recommended that a contractor holding an asbestos-handling permit (issued by *WorkCover NSW*) be engaged to manage the proper handling of the material. Further information regarding the safe handling and removal of asbestos can be found at:

www.environment.nsw.gov.au

www.nsw.gov.au/fibro

www.adfa.org.au

www.workcover.nsw.gov.au

Alternatively, telephone the *WorkCover* Asbestos and Demolition Team on 8260 5885.

Rain Water Tank

It is recommended that water collected within any rainwater tank as part of the development be limited to non-potable uses. *NSW Health* recommends that the use of rainwater tanks for drinking purposes not occur where a reticulated potable water supply is available.