

JOINT REGIONAL PLANNING PANEL (Region)

JRPP No	2012SYW061
DA Number	DA/402/2012
Local Government Area	Hornsby
Proposed Development	Proposed Staged Masterplan for an educational establishment, St Leos College
Street Address	Lot A DP 404491 and Lot 4 DP 1034913, Nos. 37 - 63 Unwin Road, Wahroonga
Applicant	Catholic Schools Office, Broken Bay c/o PMDL Architects
Owner	T'Tees of Catholic Church
Number of Submissions	6
Recommendation	Approval with Conditions
Report by	Aditi Coomar – Senior Town Planner

Assessment Report and Recommendation

EXECUTIVE SUMMARY

1. The application proposes a masterplan for St. Leos College to be implemented in six stages.
2. The proposal complies with the requirements of the *Hornsby Shire Local Environmental Plan 1994* and Council's *Community Uses Development Control Plan*.
3. Six submissions have been received in respect of the application.
4. It is recommended that the application be approved.

RECOMMENDATION

THAT Development Application No. 402/2012 for a proposed staged masterplan for an educational establishment, St.Leos College at Lot A DP 404491 and Lot 4 DP 1034913, Nos. 37 - 63 Unwin Road, Wahroonga be approved subject to the conditions of consent detailed in Schedule 1 of this report.

HISTORY OF THE SITE

St Leos College was founded by Christian Brothers in 1956. Several applications have been approved since then for construction of classroom blocks, alterations and additions to existing buildings and associated facilities within the complex.

In 2009, a multi purpose hall was approved within the school grounds as a project under the Federal Government's Stimulus Programme. The hall has been built and is centrally located within the site.

THE SITE

The site comprises two parcels of land, Lot 4 DP 1034913 and Lot A DP 404491, known as St. Leos College at Nos. 37 - 63 Unwin Road, Wahroonga. The College is a Catholic system high school with 955 students from Years 7 to 12 and 108 staff members (75 full time staff members). The mix of students includes 370 female and 585 male students.

The property is irregular shaped. It has a total area of 5.2 hectares with a 90m frontage to Unwin Road (west), 70m frontage to Woolcott Avenue/Windarra Crescent (east) and 11m frontage to Yardley Avenue (north). The site slopes from east to west (towards Unwin Road) with a fall of 20m across its length intercepted by two flat ovals.

Existing site developments include school buildings and playing fields. The buildings are primarily grouped in the eastern and south-eastern sections of the site bounded by the main oval to the north-west. A further unused playground is located to the west adjoining Unwin Road and Yardley Avenue. Three basketball courts are located to the north of this playground.

The school buildings include a library, science building, general learning areas, chapel, administrative block and a hall. A recently approved multi-purpose school hall is located on the western side of the main oval. The buildings comprise a mixture of demountables and one to three storey brick buildings.

Vehicular and pedestrian access to the school grounds is provided from Woolcott Avenue (east) via a loop road and from Unwin Road (west) via a driveway along the southern boundary. The two driveways are not connected. Additionally, pedestrian access is also available via Yardley Avenue. The loop road currently provides the formal entry to the school for cars and delivery vehicles. Informal car parking areas accommodating a few cars are located around the driveway. "Kiss and Drop" occurs along Woolcott Avenue, whereas bus drop off/pick up occurs on Unwin Road. A total of 66 car spaces are currently accommodated on the site.

The site contains mapped Blue Gum High Forest Critically Endangered Ecological Community (BGHF) listed under the *Threatened Species Conservation Act 1995* to its north connecting to the bushland reserve which adjoins the north-eastern corner. The site also includes areas of established and significant planted specimens of Blue Gum High Forest. Dense landscaped areas exist along the entire frontage of Unwin Road and in between the oval and the multi-purpose school hall.

The school is located in close proximity to Waitara Railway Station. The surrounding developments to the south and east include single/two storey detached dwelling houses. A primarily school (Our Lady

of the Rosary), church and a retirement village (The Grange) are located to the north of the site. Barker College is located in close proximity to the north-west of the site.

THE PROPOSAL

The proposal involves a concept masterplan for the St. Leos College site. The demolition/construction works would be undertaken in 4 – 6 stages under separate development applications.

The proposed works include the following:

- Demolition of the existing old brothers accommodation, two general learning areas (GLA), administration and staff building, music facility, existing chapel and removal of nine demountable buildings;
- A new three storey administrative building adjoining the existing three storey GLA in the southern section of the site;
- A new single storey chapel with a maximum capacity of 190 attendees, adjoining the eastern part of the oval with associated open plaza areas;
- A new part three storey library building, with office areas and mechanical plant rooms adjoining the southern side of the existing GLAs (Block A and Block B) fronting the eastern boundary;
- A new two storey classroom building with 6 GLAs and shared zones located on the northern side;
- A new single storey visual arts building on the southern side;
- A new single storey trade-training centre incorporating two commercial kitchens and associated facilities to the south of the multi-purpose hall at the centre of the site;
- External walkways and plazas;
- A central landscaped area between the buildings;
- Conversion of the westernmost playground to a carpark accommodating 130 cars accessed via a loop road off Unwin Road;
- A new entry driveway with a cul-de-sac connecting the southern driveway (off Unwin Road) to the proposed school buildings, and 7 visitor car spaces at the end of the driveway;
- Reconfiguration of the entry and service vehicle facilities on the south and north-eastern sides;

- “Kiss and drop” facility to be located at the northern end of the proposed carpark;
- Bus parking area at the northern end of the carpark; and
- Construction of a cul-de-sac at the end of Yardley Avenue and propose pedestrian access only from this street.

A number of existing buildings would be retained on the site and would be refurbished and reused as follows:

- The existing library building on the northern side would be reused as a music, drama and learning facility;
- The existing science building would be refurbished to provide updated facilities and flexible GLAs;
- The ground floor of the existing GLA building (Block A) would be converted to student services facility;
- The GLA building (Block C) would be refurbished and upgraded; and
- The existing school hall (Brian Berg Hall) located at the south would be refurbished to include domestic kitchen and workshop facilities.

The submitted plans include concept internal layouts, heights and sections for the buildings. The maximum gross floor area proposed for the site after the completion of all works would be approximately 17,363 m².

Proposed staging:

- The building works would occur in 4 – 6 stages depending on available funding. The details of the stages have not been identified in the masterplan.

Capacity of the school:

The proposed masterplan would improve the operation of the school and regularize traffic movements. It is not proposed to increase the capacity of the school in terms of student or staff numbers.

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). 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 not be inconsistent with the *Metropolitan Plan for Sydney 2036*. The proposal would facilitate the provision of improved educational facilities to cater for a growing population.

2. STATUTORY CONTROLS

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.

2.1 Hornsby Local Environmental Plan 1994

The subject land is zoned Special Uses A (Community Purposes) under the *Hornsby Shire Local Environmental Plan 1994 (HSLEP)*. The objectives of the 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 proposed development is defined as an 'educational establishment' under the *HSLEP* and is permissible in the zone with Council's consent. The development complies with the objectives of the Special Uses A zone as it would facilitate the provision of improved educational facilities to provide for the needs of the growing population.

The proposed buildings are wholly located on land zoned Special Uses A (Community Purposes) and there is no Floor Space Ratio prescribed for development in the Special Uses A zone by Clause 15 of the *HSLEP*. Notwithstanding the above, it is anticipated that upon completion of all works on the site, as delineated in the concept masterplan, the proposal would result in a maximum floor space ratio of 0.33:1 which is below the maximum permissible in the adjoining Residential A (Low Density) zone (0.4:1).

Clause 18 of the *HSLEP* sets out heritage conservation provisions for Hornsby Shire. The site is not listed as a heritage item under Schedule D of the *HSLEP*, nor is located in a heritage conservation area. The north-western boundary of the site adjoins a heritage listed house of local significance at No. 1A Clarke Road, Waitara. The proposed works with regard to the car park would be located at the rear of the house and would be screened by existing and proposed landscaping. Accordingly, the development would not impact on the heritage significance of the building.

2.2 Draft Comprehensive Hornsby Local Environmental Plan

At its meeting on 7 March 2012, Council resolved to endorse the *draft Hornsby Local Environmental Plan (DHLEP)* for exhibition. The draft Plan has been exhibited and submissions are currently being reviewed. Under the *DHLEP*, the subject land would be zoned R2 - Low Density Residential zone and “educational establishments” would be permissible within the zone with Council’s consent.

The *DHLEP* specifies that the maximum permissible height within the zone should be 8.5m. It is noted that a number of existing buildings on the site are more than 12m high and exceed this height limit. Concept sections and elevations have been submitted which demonstrate that the proposal would maintain or be less than the existing building height on the site. The non-compliance with regard to height is considered acceptable given the existing height of development on the site. Building heights would be considered in detail under future development applications for approval of the individual buildings on the site.

2.3 State Environmental Planning Policy (Infrastructure) 2007 (The Infrastructure SEPP)

Division 3 of Part 2 of the *Infrastructure SEPP* applies to educational establishments in ‘prescribed zones’ in the *Standard Instrument* or zones in existing *Local Environmental Plans* equivalent to those zones. The provisions of the *Infrastructure SEPP* prevail over any inconsistency between other environmental planning instruments including the *HSLEP*. Specifically, the *Infrastructure SEPP* includes the following provisions:

- Makes educational establishments a permissible use in zones equivalent to the Standard Instrument R2 Low Density Residential zone. This would permit an “*educational establishment*” on the site zoned as R2 Low Density Residential zone under the *DHLEP*.
- Enables an educational establishment to be used, with consent, for any community purpose, whether or not it is a commercial use; and
- Identifies certain types of non-government school development as complying development, subject to certain standards being met. This includes development for the purposes of a library, administration building, classrooms, and cafeteria, child care facilities for students or staff and car parks.

The development does not meet the complying development criteria as it proposes an overall masterplan for the site. Therefore, the application has been submitted as local development. It is

noted that a number of the future buildings may be assessed as complying developments subject to compliance with the *Infrastructure SEPP* criteria.

The proposed masterplan would not result in an increase in the student population of the college. The development is not considered to be enlargement or extension of the existing premises. Accordingly, the application was not referred to the *Roads and Maritime Services (RMS)* pursuant to Schedule 3 of the *Infrastructure SEPP*.

2.4 State Environmental Planning Policy No. 44 – Koala Habitat

State Environmental Planning Policy No 44 (SEPP 44) applies to land that has an area of over 1 ha. The subject site has an area of 5.2 ha and Council is required to consider whether the land is a potential core koala habitat.

The site has long been developed for school purposes and is largely cleared with remnant native forest trees and BGHF located at the north-eastern corner. The development areas of the site do not contain any potential habitat for koalas and no further assessment is required under the provisions of *SEPP 44*.

2.5 State Environmental Planning Policy No. 19 – Bushland in Urban Areas

The provisions of *State Environmental Planning Policy No. 19 – Bushland in Urban Areas (SEPP 19)* apply to land adjoining land zoned or reserved for public open space.

The site adjoins a bushland reserve to the north-east, zoned as Open Space A (Public Recreation zone). Therefore *SEPP 19* applies to this development.

Clause 9 specifies that *the public authority shall not carry out that development or grant the approval or development consent unless it has taken into account:*

- (a) the need to retain any bushland on the land,*
- (b) the effect of the proposed development on bushland zoned or reserved for public open space purposes and, in particular, on the erosion of soils, the siltation of streams and waterways and the spread of weeds and exotic plants within the bushland, and*
- (c) any other matters which, in the opinion of the approving or consent authority, are relevant to the protection and preservation of bushland zoned or reserved for public open space purposes.*

The masterplan aims to retain the existing BGHF within the site adjoining the bushland reserve. The application is supported by an Ecological Report which outlines the proposed methods of retaining BGHF within the site and re-vegetation of the north-eastern section. Council's assessment in this regard concludes that the proposal is satisfactory subject to implementation of suitable conditions regarding retention of BGHF species and replacement planting on the site when building works occur in the future.

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

The application has been assessed against the requirements of *State Environmental Planning Policy No. 55*. This Policy provides State-wide planning controls to promote the remediation of contaminated land and reduce the risk of harm to human health and the environment.

Historical information and an inspection of the site and surrounding areas indicates that the site has been used for school purposes and there is no known history of uses that might result in soil contamination such as industry, commercial horticulture or agricultural purposes. No further assessment in this regard is considered necessary.

2.7 Sydney Regional Environmental Plan No. 20 – Hawkesbury Nepean River

The site is located within the catchment of the Hawkesbury River. Any development works associated with the construction of the proposed development in the future would have the potential to impact on the integrity of downstream watercourses. No building works are proposed under this application. Specific conditions would be recommended regarding erosion and sediment control measures to be installed during building works under future development applications for the site.

2.8 Community Uses Development Control Plan

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

Community Uses Development Control Plan			
Control	Proposal	Requirement	Compliance
Site Area	5.2 ha	N/A	N/A
Gross Floor Area (approximate)	17,363 m ²	N/A	N/A
Proposed FSR	0.33:1	0.4:1 (adjoining residential zone)	Yes
Site Coverage	17%	40%	Yes
Car parking	137 spaces	110 spaces	Yes
Recreation Space	2.2 ha	1.9ha (@ 20m ² per student)	Yes
Landscaping	59%	45%	Yes
Setbacks - Woolcott Avenue	Existing retained	N/A	N/A

Side setbacks (new buildings)			
East (Bldg No. 24)	6.5m-9m	1m	Yes
West (Bldg No. 27)	12m	1m	Yes
North (Bldg No. 22)	20m	1m	Yes
Rear Setback (new buildings)			
South (Bldg No. 27)	18 m	3 m	Yes
South (Bldg No. 25)	6 m	3 m	Yes
South (Bldg No. 26)	13 m	3 m	Yes

As detailed in the above table, the concept masterplan complies with the prescriptive requirements contained within Council's *Community Uses DCP*. A brief discussion on compliance with the relevant performance requirements is provided below.

2.8.1 Site Cover

Council's *Community Uses DCP* requires that the site coverage should not exceed 40% of the site area. The performance criteria states that site coverage should allow adequate areas for access, car parking, landscaping and useable outdoor recreation. Furthermore, the area of the site covered by impervious surfaces (including roofed areas, paving, driveways etc) should be minimised to reduce stormwater runoff from the site.

The concept masterplan, upon implementation, would result in 50% of the college site being available for use as open space including sporting ovals and natural bushland. Landscaping is also proposed throughout the existing campus. The application is assessed as satisfactory in this regard.

2.8.2 Masterplan

The 'Density' element of the *Community Uses DCP* requires applications for special use developments to be accompanied by a masterplan. The current application proposes a concept Masterplan in accordance with the above requirement for the redevelopment of the school and regularisation of operations.

2.8.3 Site Selection

The site is currently utilised as an educational establishment and is well serviced by train and bus services. The campus is large enough to provide extensive recreation areas and adequate car parking for the school population.

Accordingly, the attributes of the site are conducive to the proposed development and is assessed as satisfactory against the 'Site Selection' element of the *Community Uses DCP*.

2.8.4 Parking and Access

As discussed in the "Site" section of this report, the site currently does not have any formal provision of parking for students. 66 spaces are accommodated in scattered locations within the site.

The Statement of Environmental Effects indicates that currently there are 140 students in Year 12, 50% reaching driving age. In accordance with the *Community Uses DCP* and assuming that 1 parking space is provided for each full time staff, a total of 110 spaces would be required (35+75). The submitted traffic report includes a "Mode of Travel Survey" for all students and traffic flow studies for the local roads. Based on the requirements of the DCP and the surveys, the masterplan proposes a formal car parking area within the site with access from Unwin Road, including 130 car spaces. This includes additional parking provisions within the site as it is difficult to estimate the exact number of students of driving age. The carpark would also include a bus parking facility at the northern end. Additionally, 7 spaces are proposed at the end of the new loop road on the southern boundary of the site. A "Kiss and Drop facility" with a capacity of approximately 14 vehicles is proposed at the northern end of the car park utilising the loop road. Additionally, the proposal also includes bus parking provisions within the site at the eastern end of the carpark.

The application proposes 130 spaces in lieu of the existing 66 spaces, which would improve the current car parking situation on the local roads. The number of spaces provided on site is in excess of the requirements of the *Community Uses DCP*.

The *Community Uses DCP* also requires that 5 bike spaces be provided per class between Years 5 and 12. The Masterplan does not include any specific location for bike racks. A condition of consent is recommended that the provision of bike parking be provided with any future development application for the site.

A cul-de-sac with footpath is proposed at the end of Yardley Avenue. Pedestrian access would only be allowed from this road during school times. A vehicular gate proposed on the northern boundary would facilitate occasional vehicular access within the campus outside school hours, if required.

The proposed parking provisions, vehicular access, bus parking facility and the location of the 'Kiss and Drop' facility are assessed as satisfactory.

2.8.5 Design, Height and setbacks

The existing buildings are located on the southern and eastern sections of the site close to the adjoining residences, due to the presence of the ovals and the BGHF. The proposed buildings are to be clustered in similar locations. This would maintain linkages between the buildings accommodating the various uses and would provide an opportunity to design well connected shaded walkways, plazas and landscaped areas. The site layout would also separate the car parking area and multi-purpose hall from core school activity area and retain the BGHF and other significant trees. The proposed location of the buildings is considered appropriate.

The *Community Uses DCP* does not prescribe a height control for land zoned Special Uses A. The masterplan indicates that the proposed buildings would not exceed the maximum height of the existing buildings within the site which vary between 1 – 3 storeys.

Accordingly, the development would not have an adverse visual impact overall.

The buildings are not in a visually sensitive location and the view from land used for residential purposes would be moderated by distance. Accordingly, the development would not have an adverse visual impact overall. The design and location of the following buildings require further consideration as outlined below.

Addition of the Library building to the GLA (Block B)

An existing 2 storey classroom block 'B' is setback 1m – 2m from the eastern boundary of the site fronting a residential property at No. 27 Windarra Crescent. The GLAs are located along the eastern façade of the building.

The masterplan proposes to extend the building and include the 3 storey high central library facility for the school. The extended section would replace the existing demountable building accommodating GLAs and would adjoin No. 27 Windarra Crescent to the east and No 25A Russell Avenue to the south. The concept building plan indicates that the proposed extension would include a 2 storey element setback 6.5m to 8.6m from the eastern boundary with maintenance areas on the ground floor and one GLA and office/admin areas on the first floor. This section of the building would be lower in height than that of Block B, but would be setback further to articulate the façade and reduce adverse amenity impact on the adjoining residence. The 3-storey building element (the library) would be setback 15m from the eastern boundary. The overall height of the extended building, however, would not exceed the existing ridge height of Block B due to the slope of the land.

Therefore, the library building would step up from the boundary eliminating visual obtrusiveness and adverse bulk and scale impacts on the adjoining residences.

As stated in the table above, the proposed setbacks are in excess of the requirements of the *Community Uses DCP*. The proposed height does not exceed the height of the existing buildings. The Landscape Masterplan indicates that the building would be separated from the boundary by landscaped buffers in the future. The proposed height variation and location of service areas adjoining the residences would reduce adverse impacts on the adjoining residence with regard to noise, privacy and overshadowing. Accordingly, the location and height of the building is acceptable.

The administrative building

The proposed administrative building, replacing a demountable building, would be located on the southern boundary with a setback of 6m and be 3 storeys in height. The building would potentially accommodate offices and staff rooms and would front the rear yards of the properties along Russell Avenue. The development would be well separated by a driveway and landscaped buffer.

The building does not appear to be dominant in terms of bulk and scale as it would sit at a lower level than the adjoining GLA block given the downward slope of the land. The location and scale of the building are considered suitable.

Change of use of Library to music/drama facility

The two existing buildings - the library and the science block, located at the north eastern section of the site, would be refurbished and the library converted to a music/drama facility. The building is

separated from the residences via a driveway and trees. Therefore, the proposed change of use and the corresponding setbacks are assessed as satisfactory.

It is to be noted that the designs and setbacks of the buildings are conceptual at the masterplan stage. The locations and heights of the buildings comply with the requirements of the *Community Uses DCP*. However, the applicant would be required to submit separate development applications for the various stages of development. Assessment of the design of the individual buildings having regard to shadows/overlooking/acoustics/setbacks/landscaping/tree retention etc. would be considered in detail at that time.

2.8.6 Recreation Space

The objective of the 'Recreation Space' element in the *Community Uses DCP* is "To ensure that sufficient space is available for recreational pursuits". The element requires 20m² of recreation space per student which includes internal sports facilities such as gymnasiums, swimming pools and the like. The campus provides in excess of 2ha of recreation space in the form of an oval, basketball court, tennis courts and general outdoor recreation areas. Additionally, the school hall would include provisions for indoor recreation for students. The masterplan complies with this requirement and is assessed as satisfactory.

2.8.7 Landscaping

The 'landscaping' element of the *Community Uses DCP* requires 45% of the site to be landscaped. The site would achieve the minimum required landscape area. A landscape buffer of sufficient width surrounds the development on all sides. The development aims to retain a number of these existing large trees to provide a suitable landscape setting for the buildings. Accordingly, the proposal incorporates appropriate landscaping to enhance the amenity of the buildings and preserve significant stands of trees.

2.8.8 Acoustics

The proposed masterplan would not result in intensification of school activities. Therefore, it is anticipated that the proposed site layout would not generate additional noise. Noise restrictions are set out in the *Protection of the Environment Operations Act 1997* and noise generated by the development could be reasonably managed on site. The acoustic impacts of the various components of the development are addressed further below.

Classrooms

The proposed classrooms and hall are set well back from the boundaries and are located within a long established school campus. They do not present any significant potential to increase noise arising from operation of the school.

Multi-purpose hall and library

No changes are proposed to the operation of the multi-purpose hall, located at a significant distance from adjoining residential properties. The applicant has advised that the library building, located close

to the southern and eastern boundaries would not be used after school hours for any activities. The library building would generate less noise than the existing GLAs along the eastern boundary, which are proposed to be replaced.

Carpark

The carpark, located at the southern end of the site, would generate some noise, when compared to the current use as an oval. However, the noise would be mainly restricted to the peak school times in the morning and afternoon. The carpark would be setback at least 25m from the southern boundary and 15m from the northern boundary. The bus parking area is also sufficiently separated from adjoining residences to reduce adverse impact due to noise. The renovated existing driveway on the southern boundary would have more intensive use during the peak school times due to bus and car movements. It is expected that only 6 buses would be parked within the site on school excursion days and up to three buses accessing the site on a regular basis at any one time which would not generate unreasonable noise.

All noise generating activities would be restricted to the school hours, Monday to Friday. Given this, the location of the buildings is assessed as satisfactory having regard to the acoustic impact on surrounding residences.

Notwithstanding the above, it is understood that further development applications would be lodged with Council for the various stages of the development. If required, acoustic impact statements would be submitted during assessment of the detailed proposals for the carpark and the school buildings and conditions recommended to address any potential acoustic impacts.

2.8.9 Solar Access

The proposed 2 – 3 storey heights and siting of buildings would ensure that no additional overshadowing of neighbouring properties would occur.

The applicant has provided shadow diagrams which indicate that the adjoining residence and the rear yard at No. 27 Windarra Crescent (east) currently receive 3 hours solar access during the winter solstice in the morning (up to 12 pm). The proposed extension of the library building along the eastern boundary would not alter this situation or result in additional overshadowing. The residences to the east and south of the building would receive 3 hours of solar access between 9 am -12 pm during the winter solstice, the overshadowing occurring at 3pm.

Shadow diagrams also demonstrate that the location of the single storey building (visual arts) and the three storey building (administrative block) along the southern boundary would not result in significant additional overshadowing to adjoining southern properties. All residences would receive 3 hours of solar access between 12pm and 3pm during the winter solstice.

The matters regarding solar access would be assessed in detail under future development applications for individual buildings. However, subject to the buildings being located in similar locations as approved under this masterplan, the proposed development would not adversely overshadow adjoining residences or public areas.

2.8.10 Crime Prevention

The site has been designed to minimise crime in accordance with *Crime Prevention through Environmental Design* (CPTED) principles by way of clear sightlines, suitable pedestrian access of the users of the school and clearly defined building entry and access.

The proposal complies with the *Community Uses DCP* crime prevention element objective.

2.9 Car Parking Development Control Plan

The primary purpose of Council's *Car Parking Development Control Plan* is to provide parking controls for the development.

As discussed in Section 2.8.4 of this report, the proposed development includes provision of 137 spaces on-site and complies with the minimum car parking requirements of the *DCP*. The requirement to provide bike parking is recommended as a condition of consent.

2.10 Access and Mobility Development Control Plan

The objective of Council's *Access and Mobility Development Control Plan* is to ensure that new development is accessible and usable by all people in Hornsby Shire, including people with disabilities. The masterplan proposes broad principles of site design which comply with the requirements of AS1428.1 and *Building Code of Australia* requirements. A continuous path of travel is proposed within the school campus including lifts for the multi-level buildings connected via bridges for disabled access. Three basic levels of pedestrian access (upper, middle and lower streets) with a fourth level of elevated walkway are proposed to provide at grade access to all levels of the buildings.

Disabled access to the two remote buildings within the campus, the multi-purpose hall and the trade training centre would be provided in the following ways:

- Direct vehicular access to these buildings;
- Assisted pedestrian access via pathways linking the administrative building to the hall (maximum grade 1:2);

The applicant advises that detailed Access Reports would be submitted for assessment and approval under future development applications for the individual stages of development. The application is assessed as satisfactory against the provisions of Council's *Access and Mobility Development Control Plan*.

2.11 Waste Minimisation and Management Development Control Plan

The primary purpose of Council's *Waste Minimisation and Management Development Control Plan* is to provide planning strategies and controls promoting waste minimisation and management. The existing garbage collection facility for the site is located at the south-western corner near the entrance from Unwin Road. The applicant has provided the following waste management strategies for the site under the masterplan:

- Waste Collection vehicles would access the site via Woolcott Avenue (as is the current arrangement). Service vehicle access provisions, truck turning areas and waste collection areas are included in this section of the site;
- Service access points to the site are provided via the extended driveway along the southern boundary and via Woolcott Avenue; and
- A maintenance access route is proposed around the school buildings.

The location of the waste collection area is assessed as satisfactory. Future development applications for the school campus would include waste management plans for construction and demolition works, swept path analysis of garbage trucks and details of on-going waste management for detailed assessment.

2.12 Sustainable Water Development Control Plan

The objective of this *DCP* is to ensure the sustainability of water as a renewable resource and adopt the principles of Ecologically Sustainable Development to achieve this goal. The development site is not located in close proximity to an existing creek. Future development applications constituting building works would address erosion and sediment control measures in detail.

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

3.1.1 Ecological Impact

The site comprises mapped Blue Gum High Forest (BGHF) Critically Endangered Ecological Community (CEEC) (BGHF) listed under *Threatened Species Conservation Act 1995*. The application includes an Ecology Report and a Part 7 Assessment of Significance test for the BGHF on the site. According to the information supplied by the applicant, BGHF occurs in two areas on site including:

- The remnant vegetation in the northern section adjoining the oval (0.2ha) which has connectivity with the BGHF on the adjoining northern sites;
- Additional canopy extension of 41 trees with little or no native understory occurring throughout the school grounds (0.3ha);
- 24 of these trees are considered to be consistent with BGHF CEEC determination;

The application also includes a Tree Assessment Report which identifies 448 trees on the site. The location of the buildings and the carpark would directly impact upon 185 trees, a number of which include BGHF species. None of the trees proposed for removal are hollow-bearing, however they are

assessed as being in good condition. The Ecology Report submitted with the application concludes that the proposal would not have a significant impact upon the local population of BGHF, Gang Gang Cockatoo and Grey-headed Flying Fox. Around 150 trees would be planted throughout the site as replacement planting during the various stages of the project.

The report includes recommendations for weed control, revegetation using BGHF species, ameliorative measures and environmental protocols during and post construction works including the provision of Vegetation Management Plan.

Council has identified the following matters during assessment of the impact of the proposed location of the buildings on the natural environment of the site:

- Trees numbered 182-187 (marked on the Tree Plan), constitute a significant and healthy group of Blue Gum High Forest trees. The trees would require removal due to the construction of the Chapel.
- Tree numbered 322 is a significant and large *Eucalyptus saligna* BGHF species tree located in close proximity to the existing southern access driveway from Unwin Road. The proposed driveway works would require removal of the tree.
- The location of the other buildings would not have a major impact on the BGHF or significant trees within the site.

In this regard, the applicant submits that the location of the Chapel is critical to the masterplan. It is required to be positioned centrally and the current location is most suitable given the slope of the site and the location of the surrounding buildings. The applicant has explored alternate locations to retain the trees. However, these locations would not result in a suitable outcome for the site on planning grounds.

The applicant also submits that the existing driveway is already close to tree N. 322. The proposed driveway works would require widening of the driveway in accordance with the *Australian Standards*. Retention of the tree would require major redesign of the loop road and the carpark itself which is not warranted in this instance, considering the overall planning outcome for the site and benefit of providing regularized carparking for school users.

The "Landscape Masterplan Report" for the site identifies the areas where vegetation is to be retained in the future and also provides details of replacement planting including the species. On balance, Council's assessment of the application concludes that the proposed location of the building, the carpark and the building works pertaining to the masterplan would not have a significant adverse impact on the BGHF subject to implementation of recommended conditions.

It is understood that masterplan does not propose any building works. Therefore, removal of trees or alteration to the existing vegetation on the site is not permitted under this development application. Conditions of consent are recommended outlining the information to be submitted with the development application for Stage 1 works on the site. Tree Protection Fencing and retention of specific trees would be required under future development applications for individual buildings on the site.

3.1.2 Stormwater Management

Most of the stormwater from the school grounds is collected, piped and drained to Unwin Road. An above ground on-site detention system (OSD) with a capacity of 5000 m² exists over the main oval. A further on-site detention basin extends over the playing field on the western section of the site. The detention basins currently play a major role in retaining water for the surrounding catchment. Some of the flows from the multi-purpose hall are collected in large rainwater tanks located within the site. The existing piping and OSD are to be retained.

The proposed development, when completed would result in an additional 7716 m² of impervious area on the site including the carpark, hard paved areas, access driveways and new buildings. Parts of the site with minimal increased impervious area (eastern side) would drain to the existing drainage system on Woolcott Avenue and to Russell Avenue via an existing easement located at the south-eastern corner.

A new OSD is proposed under the carpark to cater for the increased impervious surface on the site prior to connection with the existing Council controlled drainage system. The application includes concept Stormwater Management plans which include the above hydraulic details.

Council's engineering assessment of the proposal concludes that the stormwater management plan is satisfactory subject to recommended conditions requiring submission of a detailed Stormwater Drainage Masterplan for the site with the Stage 1 works and increase in the capacity of the on-site detention system in accordance Council's requirements and specifications.

3.2 Built Environment

3.2.1 Visual and Amenity Impacts

The impact of the conceptual location and height of the buildings on the built environment of the locality have been discussed in Section 2.8 of this report.

3.2.2 Traffic Impacts

The application is supported by a Traffic and Parking Report analysing the impact of the proposed location of car park and the access points on the traffic network in the locality. The applicant advises that the proposed development would not increase the traffic flow in the locality nor generate additional traffic. The masterplan would result in redistribution of the traffic among the existing roads to improve the current situation. The proposed new kiss and drop facility would redirect 50% of the vehicles using this facility from Woolcott Avenue to Unwin Road.

The application also includes a SIDRA analysis of the intersections of Woolcott Avenue/Windarra crescent, Unwin Road/School Access, Unwin Road/Clarke Road, and Clarke Road/ Yardley Avenue. Diagrams indicating the redistributed traffic as a result of the construction of the carpark and the new facilities have been provided to Council.

Council's traffic and road safety assessment of the proposal concludes that parking needs would be met via the proposal and that the proposed masterplan would not generate any additional traffic. The proposed kiss and drop facility within the site would reduce the queuing along Woolcott Avenue, which is currently up to 44 vehicles in the afternoon. The proposed road works on Yardley Avenue and the operation of the 'kiss and drop facility' are considered appropriate subject to the implementation of the following requirements:

- a. Provision of turning for a small rigid vehicle at the end of Yardley Avenue;
- b. The following parking restrictions on both sides of Unwin Road along the frontage of the school to ensure that the queuing does not impact on the traffic thoroughfare at Unwin Road:
 - "No Stopping" during school zone times on western side of Unwin Road;
 - "No Stopping" during school zone times on the eastern side Unwin Road between Yardley Avenue and the entry driveway;
 - "No Parking" during school zone times on the eastern side of Unwin Road between entry and exit driveways; and
 - Full time "No Stopping" sign, 10 metres either side of school driveways.
- c. Overflow set down and pick up be allowed to occur in the area designated "Bus Overflow" on the exit driveway to Unwin Road;

Impact of the proposed vehicular parking and access on Unwin Road

Unwin Road has a speed limit of 40km/hr during school times. Therefore, the traffic flow along the road is generally slow during the peak times. The width of the road does not allow a median or slip lane to be provided. However, with the parking restrictions outlined above, queuing on the road due to the incoming/outgoing traffic would be minimised. Providing off street parking within the school would alleviate a proportion of the traffic congestion that is already occurring on Unwin Road.

The existing "No Stopping" restrictions on Unwin Road, College Crescent and the pedestrian crossing are recommended to be retained. The above parking restriction scheme is to be submitted to Council by the applicant prior to the construction of the carpark. The applicant would be required to consult with affected property owners and refer the results to Council for referral to the Local Traffic Committee for final implementation.

Given the above, it is considered that the proposal would not have an adverse impact on the local road network, would rather improve the current situation by proposing off street parking facilities, kiss and drop facilities and redistributing the traffic within the existing network.

3.3 Social Impacts

The development would make a positive social contribution to the local community by providing a modern educational establishment with improved facilities to service the needs of the school community.

3.4 Economic Impacts

The proposed development would not have a negative economic impact on the locality.

4. SITE SUITABILITY

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

4.1 Flooding

Part of the land the subject of the development at the north-eastern corner (Lot A DP 404491) is identified as being Flood prone land (Level 2). The applicant has submitted details of Stormwater management on the site which is assessed as satisfactory. Most of the buildings would be located at the south-eastern corner of the site, at a sufficient distance from this area.

4.2 Bushfire Risk

The land does not constitute bushfire prone land.

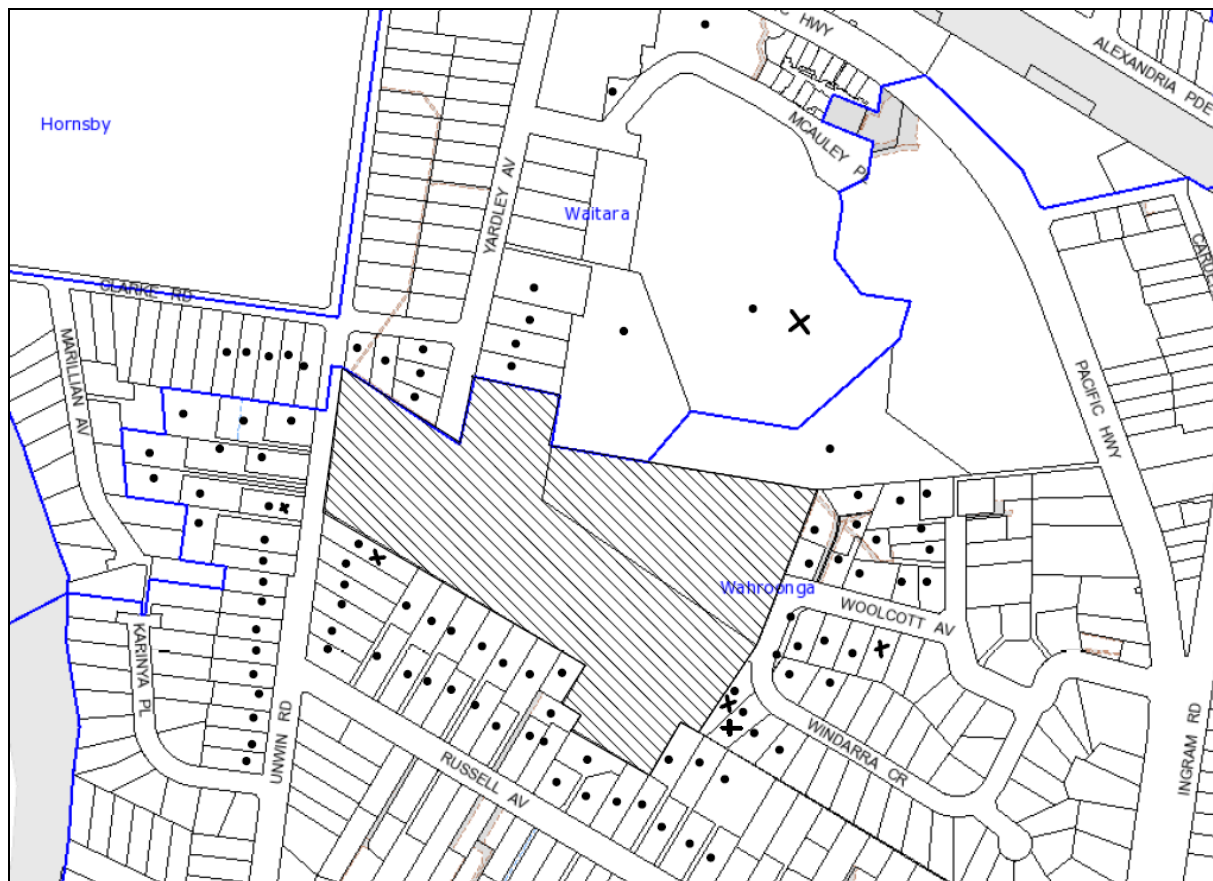
The site is currently used as an educational establishment and the attributes of the site are conducive to the proposed masterplan.

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 10/05/2012 and 1/06/2012 in accordance with Council's *Notification and Exhibition Development Control Plan*. During this period, Council received 3 submissions. The proposal was re-notified to adjoining property owners between 4/09/2012 and 25/09/2012 to extend the number of properties notified of the proposal. During this period, Council received 3 additional submissions. The map below illustrates the location of those nearby landowners who made a submission:



NOTIFICATION PLAN

• PROPERTIES NOTIFIED	X SUBMISSIONS RECEIVED	 PROPERTY SUBJECT OF DEVELOPMENT	
-----------------------	------------------------	---	---

The submissions object to the development, generally on grounds that development would result in:

- Unacceptable traffic on local streets;
- Additional impact on Unwin Road which is already burdened by traffic from local schools, child care centres and retirement villages;
- Unacceptable overshadowing of adjoining properties including No. 25 and 27 Windarra Crescent;
- Unacceptable noise impact from activities within the school premises and the library building on the adjoining properties;
- Unacceptable noise impact due to the proposed carpark and the bus movements within the site outside the school hours;
- Unacceptable visual privacy impact on the adjoining eastern properties;
- Adverse impact on the adjoining residences due to the existing and proposed flood lights;
- Overlooking opportunities from the carpark on to the adjoining southern properties;
- Buses being parked next to the house at No. 65 Unwin Road resulting in adverse impact on the privacy of the residential property;
- The removal of a significant tree;
- Adverse impact on the native flora and fauna; and

- Development that is excessive in bulk and scale.

Additionally, the objectors make the following observations:

- Vehicular access to the site should be provided from Yardley Avenue or alternatively, the existing situation at Woolcott Avenue should be maintained;
- The bus parking area should be moved away from the southern boundary;
- Our Lady of the Rosary Primary school currently shares the playground facilities and the multi-purpose hall with St Leos. The internal playground within the primary school campus is an on-site detention system and is fenced off. There are 360 students in the primary school. Should the playground on the western side be converted to a carpark, it would compromise the overall recreational area for the students of both the schools. The total recreational area would not comply with the requirements of the *Community Uses DCP*.
- One objector has enquired about the impact on the traffic generation on “The Grange” retirement village located to the north of the site.

The merits of the matters raised in community submissions have been addressed in the body of the report with the exception of the following:

5.1.1 Impact of the library building

The proposal initially included a three storey building in close proximity to the eastern boundary of the site. Council raised objections to the design and the setbacks due to the adverse impact on the neighbouring properties. Accordingly, the proposal has been amended by reducing the building height and increasing the setbacks. The amended plans were notified to the owner of the property at No. 27 Windarra Crescent who raised objections regarding the location/height and setbacks of the building as amended and recommended that the building be relocated elsewhere on the site.

The amended proposal has been assessed in detail in Section 2.8 of this report. The location/height, setbacks/solar access and privacy provisions of the library building are assessed as satisfactory.

5.1.2 Bus Parking and privacy

The buses would be parked at the eastern end of the carpark. No buses are proposed to be parked adjoining the southern boundary (adjoining No. 65 Unwin Road) which would accommodate the driveway. Notwithstanding, a condition of consent is recommended requiring the applicant to provide information about landscaped screening and installation of privacy devices along the common boundary with the development application for Stage 1 works. The matter could be considered in detail during the assessment of a future development application.

The school has advised that no activities would be undertaken outside the school hours. However, should buses use the internal driveway and facilities during night, the matters would be addressed in detail under future development applications.

5.1.3 Flood Lights

The concept Masterplan does not include any provision for flood lights. As such, the carpark is not proposed to be used during the night. Should future development applications propose flood lights for the carpark, the matter would be assessed in detail at that time.

5.1.4 Loss of privacy due to the location of the library building

The library building is to be located at a sufficient distance from the eastern boundary. It would not accommodate GLAs fronting the existing dwelling at No. 27 Windarra Crescent. Given this, it is considered that the location of the building would not have a negative impact on the privacy of the adjoining residences.

5.1.5 Recreational facilities

Council's records do not indicate that the recreational facilities are shared between St. Leos and the primary school. Previous approvals have not been granted based on this. Notwithstanding, an assessment of the recreational facilities has been conducted. Assuming that Our Lady of the Rosary has 360 pupils, 0.72 ha of recreational area would be required (20 m²/child). As discussed in section 2.8.6 of this report, St. Leos school grounds include 2.2 ha of recreational space. The total recreational space requirement for both the schools would be 2.6 ha. The primary school has a bitumen play area between the church and the school and a playground at the rear in addition to the on-site detention area. Should the two schools share the multi-purpose hall (housing indoor recreational facilities) and the outdoor recreational facilities, the available area, including both the sites is considered sufficient.

5.1.6 Traffic Impact on the Grange

The proposed development would not generate additional traffic in the locality. Traffic would be redistributed on the local roads to improve the current traffic situation surrounding the school. "The Grange" retirement village is located on McCauley Place, to the north of the site. Given that Yardley Avenue is not proposed to be used as one of the primary access points, the redistribution of the traffic would not have a significant impact on traffic ingress and egress from "The Grange".

5.2 Public Agencies

The proposal was not referred to any Public Agencies for comments.

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 concept masterplan would be in the public interest as it would facilitate the provision of modern educational facilities for the community.

7. CONCLUSION

The application proposes a concept masterplan for an educational establishment, St Leos College. The site current accommodates the school and the masterplan endeavours to improve the operations of the site without increasing the student capacity. The development would involve demolition of old and obsolete structures, refurbishment of certain buildings, construction of new buildings, landscaped areas and provision of a carpark with 130 cars and 7 additional visitors' spaces. The proposed masterplan would be undertaken in six stages.

The current application does not include any building works. Future development applications would be submitted to Council for the development of individual stages.

The proposal is consistent with the relevant aims and objectives contained within the relevant *State and Regional Environmental Planning Policies*, the *Hornsby Shire Local Environmental Plan 1994*, and the *Development Control Plans* which are applicable to the site.

The development is unlikely to result in any significant impacts upon the natural environment including the Blue Gum High Forest or built environments, or have any negative social or economic impacts. The development provides improved educational facilities for the school community.

Approval of the proposal is recommended.

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; 1 page
2. Site Analysis Plan; 1 page
3. Site Plan; 1 page
4. Tree Plan; 1 page
5. Concept Floor Plans; 4 pages
6. Plans of individual units; 1 page
7. Landscape Masterplan; 1 pages
8. Concept Elevations; 1 pages
9. Shadow Plan; 1 page

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>
	PMDL Architecture + Design Pty Ltd	15/08/2012
Tree Survey Plan TP-01 Rev A	Arterra Design Pty Ltd	26/04/2012
Landscape Masterplan MP-01 B	Arterra Design Pty Ltd	20/06/2012

<i>Document No.</i>	<i>Prepared by</i>	<i>Dated</i>
Site Analysis – DA002 A	PMDL Architecture + Design Pty Ltd	27/04/2012
Demolition Plan DA003 A	PMDL Architecture + Design Pty Ltd	27/04/2012
Site Plan Level 1 DA101 B	PMDL Architecture + Design Pty Ltd	21/06/2012
Site Plan Level 3 DA102 B	PMDL Architecture + Design Pty Ltd	21/06/2012
Site Plan Level 4 DA103 C	PMDL Architecture + Design Pty Ltd	15/08/2012
Site Plan Level 5 DA104 C	PMDL Architecture + Design Pty Ltd	15/08/2012
Site Plan Level 6 DA105 C	PMDL Architecture + Design Pty Ltd	15/08/2012
Sections DA201 A	PMDL Architecture + Design Pty Ltd	27/04/2012
Shadow Diagrams DA301 B	PMDL Architecture + Design Pty Ltd	16/08/2012
Hydrological and drainage Details 1 of 6 - A	Site Plus Pty Ltd	20/04/2012
Site Analysis 2 of 6 - A	Site Plus Pty Ltd	20/04/2012
Drainage Details 3 of 6 - A	Site Plus Pty Ltd	20/04/2012

Drainage Details 4 of 6 - A	Site Plus Pty Ltd	20/04/2012
Drainage/OSD Calculations and Details 5 of 6 - A	Site Plus Pty Ltd	20/04/2012
Sediment Control and Soil Management Details 6 of 6	Site Plus Pty Ltd	20/04/2012
Tree Removal plan TP-02 B	Arterra Design Pty Ltd	20/06/2012
Masterplan Sections MP-02 A	Arterra Design Pty Ltd	26/04/2012
St Leos Ecological Assessment – V2	Molino Stewart Pty Ltd	August 2012
Arboricultural Impact Assessment Report AIAR-01 Rev B	Arterra Design Pty Ltd	20/06/2012
Landscape Masterplan Report – Rev B	Arterra Design Pty Ltd	20/06/2012
Traffic Impact Assessment-X11413 and Traffic Redistribution Diagrams	Brown Smart Consulting	April 2012
Statement of Environmental Effects – Rev A	PMDL Architecture + Design Pty Ltd	10/08/2012

2. Removal of Existing Trees

This development consent does not permit the removal of any trees on the site. The removal of any trees requires separate approval under Council's Tree Preservation Order or under separate development applications.

3. The Development Consent

- This development consent does not permit any demolition or construction works on the site. The approved masterplan is concept only. Separate development applications are required to be submitted for any building/drainage/infrastructure/tree removals works within the site.
- The works, in accordance with the approved masterplan, are to be undertaken in six stages. Detailed staging of works are not approved under this development application.
- The site must include a minimum of 137 car spaces after the completion of all stages of building works in accordance with the approved *“Cover Sheet and Site/Roof Plan – DA001 C”*.
- This development consent does not permit an alteration to the current student capacity of 955 at St. Leos College.

Note: A further development application is required to be lodged and approved for an increase in student numbers within the campus.

4. Amendment of Plans

The approved *Landscape Masterplan MP-01 Rev B* prepared by *Arterra Design Pty Ltd* dated 20/06/2012 is to be amended to incorporate the setbacks as approved under Cover Sheet and *Site/Roof Plan – DA001 C* prepared by *PMDL Architecture + Design Pty Ltd* dated 15/08/2012.

THE FOLLOWING INFORMATION (REFERRED TO IN CONDITION NOS. 5 -14) ARE TO BE SUBMITTED WITH THE DEVELOPMENT APPLICATION FOR STAGE 1 WORKS ON THE SITE

PRIVACY

5. Privacy devices

Details of installation of privacy devices and landscape screening along the southern boundary adjoining the driveway and the carpark to maintain privacy to adjoining residents.

6. External Lighting

All external lighting must be designed and installed in accordance with *Australian Standard AS 4282 – Control of the Obtrusive Effects of Outdoor Lighting*.

ACOUSTICS – Applicable to all future development applications lodged for the school

7. Acoustic Report

An acoustic report is to be prepared by a suitably qualified acoustic consultant detailing the predicted noise levels to be emitted from the proposed development and the carpark and any proposed noise attenuation measures to be implemented so that background levels are not exceeded by 5Db(A) when measured at the closest premises.

Note: The EPA's NSW Industrial Noise Policy (2000), Hornsby Shire Council Policy and Guidelines for Noise and Vibration Generating Development (Acoustic Guidelines V.5, 2000) and the DEC's Noise Guide for Local Government (2004) must be used to prepare the acoustic report.

ENGINEERING WORKS, CAR PARKING AND ROAD WORKS

8. On Site detention and On site retention

- a. The proposed development must ensure that the existing on site retention facilities are retained and/or augmented where required to ensure that the pre development retention

volume of 5,060m³ with a maximum discharge rate of 3.37 cumecs at pit No 2003 is maintained.

- b. All future buildings and hardstand areas must provide for an additional on-site detention system that has a maximum discharge from that area of the site of less than or equal to the pre development 1 in 5 year ARI flow rate. The system must provide stormwater storage for all storm events up to and including the 1 in 20 year post development flows.
- c. A stormwater drainage master plan is to be prepared by a suitably qualified NPER accredited Civil Engineer detailing the proposed stormwater drainage retention and detention systems. The plans are to include, inter alia, catchment plans, hydrological and hydraulic calculations, required civil works and staging of the stormwater drainage construction being commensurate with the schedule of works.
- d. All plans and calculations are to be prepared in accordance with Australian Rainfall and Runoff, Council Civil Works Specification and Councils On Site Detention Policy.

9. Water Sensitive design

The proposed development must incorporate water sensitive urban design into the stormwater drainage design. The performance targets to be achieved for the site are:

Pollutant Type	Performance Target Reduction Loads
Total Suspended Solids	90% reduction in the post development mean annual load of total gross pollutants
Total Suspended Solids	80% reduction in the post development mean annual load of total suspended solids
Total Phosphorous	60% reduction in the post development mean annual load of total phosphorous
Total Nitrogen	45% reduction in the post development mean annual load of total nitrogen

Note: The design of the stormwater management system must be supported with a MUSIC model demonstrating compliance with the above targets.

10. Access and Parking

- All access and parking areas are to comply with AS 2890.1 and AS 2890.2.
- Bike parking facilities are to be provided on the site at the rate of 5 spaces per class between Years 5 and 12.

11. Road Works – Yardley Avenue

- a. The cul-de-sac at the end of Yardley Avenue is to be designed and constructed in accordance with Councils *Civil Works Design and Construction Specification, 2005*, and Austroads Design Guidelines.
- b. The cul-de-sac must include the following requirements:
 - a turning area for a small rigid truck and a 99th percentile car in a single movement;
 - a vehicular access gate from the end of Yardley Avenue to the new loop road (to be only used outside of school zone times);
 - a footpath within the verge area around the cul-de-sac to the intersection at Clarke Road;
 - The minimum width of the footpath on the east side of Yardley Avenue must be 2m;
 - The verge width is to be a minimum of 3.5m and all land needed to facilitate the construction of the verge and footpath is to be dedicated at no cost to Council as public road; and
 - The minimum width of the verge on the western side of Yardley Avenue is to be 1.2m.

Note: All works within Yardley Avenue are to be approved by Hornsby Shire Council under Section 138 of the Roads Act.

12. Parking Signs

Prior to the issue of the Occupation Certificate for Stage 1 of the development a parking restriction sign posting scheme must be prepared, covering both sides of Unwin Road along the entire frontage of the school (starting from the southern boundary) to ensure queuing does not impact on through traffic using Unwin Road. The plan must incorporate the following restrictions for Unwin Road:

- a. 'No Stopping' during school zone times, western side of Unwin Road;
- b. 'No Stopping' during school zone times, eastern side of Unwin Road between Yardley Avenue and the entry driveway;
- c. 'No Parking' during school zone times, eastern side Unwin Road between entry and exit driveways;
- d. Full time 'No Stopping', 10 metres either side of school driveways; and
- e. Retain the existing 'No Stopping' restrictions and the pedestrian crossing on Unwin Road.

The parking restriction sign posting within the school must be consistent with that used on public roads.

Note 1: After Council accepts the parking restriction plan the applicant will be required to consult with affected property owners and provide the result to Council for approval by the Local Traffic Committee.

Note 2: Consideration should be given to allow overflow set down and pick up to occur in the area designated "Bus Overflow" on the exit driveway.

BUSHLAND MATTERS

13. Weed removal and Blue Gum High Forest restoration

A Vegetation Management Plan (VMP) must be prepared by a qualified and experienced ecologist/ bush regeneration company and submitted with the development application for Stage 1 works within the site. The VMP must be prepared in accordance with Council Guidelines for the preparation of *Bushland Management and Restoration Plans* (available on Council's website, <http://www.hornsby.nsw.gov.au/planning-and-building/planning-controls-and-studies/policies,-guides-and-best-practices>) and include, but not be limited to, the following:

- a. Recommendations provided within the *Ecological Assessment* Report – V2 prepared by Molino Stewart dated August 2012;
- b. A Schedule of Works;
- c. Details of Blue Gum High Forest (BGHF) replacement offset plantings in accordance with Council's Green Offsets Code 2010;
- d. Consideration of the educational aspect of using the BGHF restoration area for students to learn and be involved in the protection of BGHF Critically Endangered Ecological Community;
- e. A statement provided upfront indicating that all works within the plan would be undertaken under the supervision of a suitably qualified and experienced bush regeneration company (minimum Certificate 3 in Natural Area Restoration).

Note:

- *The VMP must be approved by Council's Natural Resources Unit.*
- *Any landscape plan submitted with the development applications for the site must incorporate the details provided in the VMP.*
- *All noxious and introduced weed removal on the site be undertaken in accordance with the VMP.*

14. Construction Environmental Management

A *Construction Environmental Management Plan*, prepared by a suitably qualified and experienced person must accompany all development applications lodged for the site and include, but not be limited to, the following information:

- a. Scaled survey plan of the site showing the development footprint in relation to the Blue Gum High Forest and remnant trees proposed for retention;
- b. Location of protective fencing (1.8m high cyclone mesh) installed around bushland areas proposed for retention during and after building works;
- c. Location of tree protection fences for specific trees to be retained during building works;
- d. Location of temporary and permanent trenches required for installation of services;
- e. Location and specification of sediment and erosion control fencing to prevent degradation of known threatened species and their habitat recorded immediately down-slope of the building site (in accordance with Council's Blue Book – Sustainable Water Best Practices);
- f. Location of soil, mulch, waste and building material stock piles;
- g. Location of dedicated construction vehicle parking areas;
- h. Specifications of proposed cut and fill;
- i. Location of the driveways;
- j. Notation describing '*that no mulch is to be applied within remnant bushland areas*';
- k. Phytophthora management protocols;
- l. A statement indicating that a qualified arborist (AQF5 level) shall supervise the severance of any roots greater than 40mm; and
- m. Notations describing that an ecologist would be present on the site during tree clearing works to ensure fauna is relocated.

- 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:
- The lodgement and approval of a development application prior to any development on the site.
- The issue of a construction certificate prior to the commencement of any works. Enquiries regarding the issue of a construction certificate can be made to Council's Customer Services Branch on 9847 6760.
- A principal certifying authority to be nominated and Council notified of that appointment prior to the commencement of any works.
- 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.
- An occupation certificate to be issued before occupying any building or commencing the

Long Service Levy

In accordance with Section 34 of the *Building and Construction Industry Long Service Payments Act 1986*, a 'Long Service Levy' must be paid to the *Long Service Payments Corporation* or *Hornsby Council*.

Note: The rate of the Long Service Levy is 0.35% of the total cost of the work.

Note: Hornsby Council requires the payment of the Long Service Levy prior to the issue of a construction certificate.

Tree Preservation Order

To ensure the maintenance and protection of the existing natural environment, it is an offence to ringbark, cut down, top, lop, remove, wilfully injure or destroy a tree outside 3 metres of the approved building envelope without the prior written consent from Council.

Note: A tree is defined as a single or multi-trunked wood perennial plant having a height of not less than three (3) metres, and which develops many branches, usually from a distance of not less than one (1) metre from the ground, but excluding any plant which, in its particular location, is a noxious plant declared as such pursuant to the Noxious Weeds Act 1993. This definition of 'tree' includes any and all types of Palm trees.

All distances are determined under Australian Standard AS4970-2009 "Protection of Trees on Development Sites".

Fines may be imposed for non-compliance with Council's *Tree Preservation Order*.

Disability Discrimination Act

The applicant's attention is drawn to the existence of the *Disability Discrimination Act*. A construction certificate is required to be obtained for the proposed building/s, which will provide consideration under the *Building Code of Australia*, however, the development may not comply with the requirements of the *Disability Discrimination Act*. This is the sole responsibility of the applicant.

Covenants

The land upon which the subject building is to be constructed may be affected by restrictive covenants. Council issues this approval without enquiry as to whether any restrictive covenant affecting the land would be breached by the construction of the building, the subject of this consent. Applicants must rely on their own enquiries as to whether or not the building breaches any such covenant.

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.