

## JOINT REGIONAL PLANNING PANEL SYDNEY WEST REGION

JRPP No	2014SYW036
DA Number	DA0498/13
Local Government Area	Ku-ring-gai
Proposed Development	Knox Grammar School - alterations and additions to existing science and tutorial building including new brick façade, roof and fit-out
Street Address	1499 Pacific Highway Wahroonga, NSW, 2076
Applicant/Owner	Knox Grammar School C/-Don Fox Planning Consultants PO Box 230, Pennant Hills, NSW, 1715
Number of Submissions	Nil
Recommendation	Approval
Report by	Scott McInnes, Major Projects Planner

# ASSESSMENT REPORT AND NOTIFICATION

## EXECUTIVE SUMMARY

<b>Primary Property</b>	1499 Pacific Highway WAHROONGA NSW 2076
<b>Lot &amp; DP</b>	10//875542, 1//934321, 1//204768, 2//204768, 1//928128, 3//567065, 1//935156, 5//11709, 6//11709, 7//11709, 2//849368, 2//16271, 12//1009885 and 102//635647
<b>Proposal</b>	Knox Grammar School - alterations and additions to existing science and tutorial building including new brick façade, roof and fit-out
<b>Development application no.</b>	DA0498/13
<b>Ward</b>	WAHROONGA
<b>Date Lodged</b>	6 December 2013
<b>Estimated cost of works</b>	\$6,092,625.00
<b>Issues</b>	
<b>Applicant</b>	Knox Grammar School C/- Don Fox Planning Consultants
<b>Owner</b>	The Uniting Church In Australia Prop Trust
<b>Submissions</b>	No
<b>Land &amp; Environment Court</b>	N/A
<b>Recommendation</b>	Approval
<b>Assessment Officer</b>	Scott McInnes

### LEGISLATIVE REQUIREMENTS:

<b>Zoning</b>	Part Residential 2(c2) and part Special Uses 5(a) (School)
<b>Permissible under Relevant legislation</b>	KPSO and SEPP (Infrastructure) 2007 SEPP 55 SEPP (Infrastructure) 2007 SREP 20 Hawkesbury Nepean River KPSO DCP 31 - Access DCP 40 – Waste Management DCP 43 – Car Parking DCP 47 – Water Management DCP 56 – Notification Schools Development Control Code
<b>Integrated development</b>	NO

## PURPOSE FOR REPORT

This matter is reported to the Joint Regional Planning Panel (JRPP) for determination as the application relates to a school (private infrastructure) and has a capital investment value of more than \$5 million (\$6,092,625). Pursuant to Clause 6 of Schedule 4A of the Environmental Planning and Assessment Act 1979, the JRPP is the consent authority.

## HISTORY

### Site history:

1499 Pacific Highway, Wahroonga (the site) has been used by Knox Grammar as an educational establishment since 1924. Prior to this date, it appears the site was used for residential purposes with the inclusion of small agricultural plots.

Recent Development Applications (DA) for the site are listed below:

- DA0927/06- Piping and covering of an existing open stormwater channel, new service road fencing, floodlighting and an electrical scoreboard. Approved by Council on 20/6/2007.
- DA0730/08 – New residential boarding facilities, first aid clinic and laundry withdrawn on 23/10/08.
- DA0697/08 – Refurbishment of 4 existing tennis courts, carpark extension, and new play area. Approved by Council on 23/12/2008.
- DA1283/08 - Construction of a scoreboard on Knox Grammar School main oval. Approved by Council on 13/2/2009.
- DA1296/08 - Conversion of lecture theatre into 3 classrooms. Approved by Council on 17/3/2009.
- DA0902/10 – Demolition of existing fence and construction of a new sandstone and metal fence on Pacific Highway. Approved by Council on 24/1/2011.
- DA0587/11- Knox Senior Student Academy (KSSA) Building. Originally refused by JRPP on 26/04/2012. Approved via a Section 34 Agreement in the Land and Environment Court 4 February 2013 for a new seniors centre with associated works.
- DA0470/13- Use of existing dwellings as specialised educational establishments for specials needs education, agricultural studies, care takers residence, counselling and support services. Approved by Council on 1/4/2014.

## THE SITE AND SURROUNDING AREA

### The site:

Zoning	Part Residential 2(c2) and part Special Uses 5(a) (School)
Visual character study category:	Pre 1920/1945
Lot/DP	10//875542, 1//934321, 1//204768, 2//204768, 1//928128, 3//567065, 1//935156, 5//11709, 6//11709, 7//11709, 2//849368, 2//16271, 12//1009885 and 102//635647
Area	68,032 square metres
Cross Fall	East/West
Easements/rights of way:	Pipe to easement
Heritage Item:	No
Heritage conservation area:	Yes- Draft Heritage Conservation Area C2 under the Draft Ku-ring-gai Local Environmental Plan 2013
In the vicinity of a heritage item:	Yes(1485 Pacific Highway, Wahroonga, 2 Borambil Street, Warrawee, 32 Heydon Avenue and 34 Heydon Avenue, Warrawee)
Bush fire prone land:	No
Endangered species:	YES (Sydney Blue Gum)
Urban bushland:	No
Contaminated land:	No

### Site description:

The Knox Grammar School main campus is located at 1499 Pacific Highway, Wahroonga. The total area of the combined site is 68,032 m<sup>2</sup>. The site is of an irregular shape with multiple frontages to the Pacific Highway (west), Borambil Street (south and west) Woodville Avenue (north) and abutting the North Shore Railway Line to the east. The site currently contains the Knox Grammar School which includes approximately 16 buildings and outdoor facilities such as tennis courts, rugby field, quadrangle, courtyards and associated car parking. The subject site is legally described as Lot 1 in Deposited Plan (DP) 28128 and is zoned Special Uses 5 (a) – (School) under the Ku-ring-gai Planning Scheme Ordinance (KPSO) (refer to the attached Planning Scheme Zoning Extract).

**Surrounding development:**

Development to the south and east of the proposal consists of low density residential dwellings which are generally one and two storeys in height. Additionally, the North Shore Railway Line including Warrawee Station is located to the east of the site. It is noted that heritage items are located on the properties to the east being 2 and 6 Borambil Street and 32 and 34 Heydon Street, Warawee. Development to the west of site (on the opposite Side of Pacific Highway) includes low and high density residential dwellings noting that heritage items are located at 1485-1493 and 1574 Pacific Highway. To the north of the site are low density residential dwellings of one and two storeys (refer to the attached Location Sketch).

**THE PROPOSAL**

The application proposes alterations and additions to the Knox Grammar Science and Tutorial Building and comprises the following works:

- new brick façade on the northern elevation of the Science Building
- new brick façade to the eastern elevation of the Tutorial Building
- altering the roof of the Science and Tutorial Building from a hip to a gable roof to match the adjacent Knox Senior Student Academy (KSSA) Building roof (currently under construction)
- internal alterations and refurbishment works to Levels 2, 3 and 4 of the Science Building (no change is proposed to the number of labs/classrooms at Levels 2 and 3)
- converting two science labs and a chemical storeroom on Level 4 of the Science Building into three business studies classrooms and a staff room
- converting two science labs and the terrace (approximately 130 square metres) on Level 4 of the Tutorial Building into two business studies classrooms and one business studies conference room.

The works comprising the façade upgrade and altering the roof pitch of the existing building will match the architectural style of the adjoining KSSA Building (currently under construction). The proposal does not involve increasing student enrolment or Gross Floor Area at Knox Grammar.

**COMMUNITY CONSULTATION**

In accordance with Development Control Plan No. 56 (DCP 56), the proposal is predominantly for alterations and additions to an educational establishment and has been categorised as a Type F Development requiring notification to adjoining land owners and published in the local newspaper for not less than 30 days commencing on 20 December 2013 and ceasing on 20 January 2014 (refer to the attached Location Sketch).

No submissions were received during this period or at the time of writing this report.

## INTERNAL REFERRALS

### Heritage

Council's Heritage Advisor commented on the proposal as follows:

#### ***"Heritage status***

*The site is not listed as a heritage item but is located within a draft Heritage Conservation Area (HCA) – Area C2 in the draft Ku-ring-gai Draft Local Environmental Plan 2013 and is within the immediate vicinity of several heritage items, including No 2 Borambil Street and 1485 -1493 Pacific Highway. In general, there are a high proportion of heritage items within the vicinity of the site but most are not within the immediate vicinity.*

*The school site has been identified for further investigation for possible listing of several individual buildings on the site but to date, no further assessment has been undertaken by Council and no time frame has been provided on when a further assessment might take place.*

*Clause 61 D(4) of the KPSO requires that before granting consent to the proposed works Council must consider the effect of the works on the heritage item, nearby items or any conservation area. Clause 61 D (5) allows Council to require a HIS before granting consent.*

#### ***Heritage Impact Statement (HIS)***

*The application includes a HIS prepared by an experienced heritage consultant. It is prepared in accordance with the Heritage Council guidelines for such a document and includes useful background information on the site and nearby items and the draft HCA in general. It concludes:*

*"The Science and Tutorial Building is something of an uncharacteristic building in terms of the general style of those to the Knox Grammar School, and the proposed works seek to redress this.*

*In my opinion, the impacts on the conservation area will be positive, the affects on the significance and setting of the heritage items in the vicinity negligible and the proposal is eminently supportable in terms of potential heritage impacts."*

#### ***Comments***

*The existing building has a low visual profile to the public realm from the streetscape but is clearly seen from the adjoining railway station platform and railway line. The existing building is not architecturally related to the approved new facility or other recent buildings on the site and is relatively simplistic in its style although is clearly institutional in form. Currently, it is*

*visible from the Borambil Street streetscape as the site has been cleared for construction of a new facility but when complete it will not be obvious from the streetscape of either Borambil Street or the Pacific Highway and thus would have no real impact on the draft HCA or nearby heritage items. The building is visible from the railway line and railway platform.*

*As proposed, the changes are driven to architecturally connect this building to the building under construction and other more recent buildings on the site. The style is also related to some of the original purpose built school buildings on the site and in a way would unify the architectural imagery on the site. The internal changes to the building have no impact on the draft HCA or the nearby heritage items. From a heritage perspective, I largely agree with the conclusions in the HIS.*

### **Conclusion**

*From a heritage perspective, there are no objections to the proposed works. Given the heritage status of the site and the nature of the proposed works no specific heritage conditions are considered necessary."*

## **Landscaping**

Council's Landscape and Tree Assessment Officer commented on the proposal as follows:

### **"General comments**

*The proposed works are internal changes only. New brick façades are to be constructed on the outside of the existing walls which will not impact on any trees.*

### **Conclusion**

*The Landscape Assessment Officer finds the proposal acceptable in relation to landscape issues.*

To mitigate any construction impacts on existing trees at the site, **Condition 17** and **Condition 18** have been recommended.

## Engineering

Council's Development Engineer commented on the proposal as follows:

*"There is an existing stormwater management system within the school grounds to which any new roof areas can be connected. A large rainwater tank and a large on site detention tank are to be installed in conjunction with the KSSA and there are no additional water management requirements for the subject development.*

*No increase in student or staff numbers is proposed, and no parking spaces will be removed as a result of the development. The following discussion is from DA0587/11 and is also applicable to the subject development.*

*The number of Year 12 students has been a maximum of 230 over the last ten years and the number of equivalent full time staff is also 230, so under Council's DCP 43 Car parking a total of 259 parking spaces would be required.*

*On-site parking was increased by some 68 spaces to approximately 235 spaces in conjunction with the Multi-Purpose Hall constructed between 2009 and 2011 under the Nation Building Education Revolution Program. The works also included a pick-up and drop-off area off Woodville Road and the connection of the driveways from Borambil Avenue and Woodville Road. The traffic report accompanying that application contained parking surveys indicating that the additional parking would effectively remove all-day on-street parking associated with the school and contained the statement "Observations of the activity in Borambil Street indicate only limited usage in both the morning and afternoon periods."*

*Therefore, no additional parking or traffic will be generated by the development, and traffic conditions in Borambil Street would not be expected to change as a result of it.*

*It is recommended that a Construction and Traffic Management Plan (CTMP) be prepared prior to commencement of works and has been included in **Condition 4** of this report. The CTMP included in the Adco Project Management Plan is satisfactory and could be appended to the CTMP, which would also require referral (at that time) to Roads and Maritime Services because of the signs on the Pacific Highway.*

*The CTMP would include other information such as locations of employee parking on site, so that on-street commuter parking is not disrupted.*

*There are no engineering objections to the proposed development. "*

## Building



Council's Building Officer commented on the proposal as follows:

*"Class 9b building*

*The proposed design complies in general with the Building Code of Australia requirements. "*

## **Environmental Health**

Council's Environmental Health Officer has assessed the DA in relation to environmental health and has no comments regarding the proposal. **Condition 2** and **Condition 22** have been included in this report to mitigate any impacts associated with the proposal.

## **EXTERNAL REFERRALS**

No external referrals were required as part of this assessment.

## **STATUTORY PROVISIONS**

### **State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure)**

SEPP Infrastructure sets out the process for simplifying the approval pathway and establishing permissibility for defined categories of infrastructure within the state.

The proposal is lodged pursuant to the requirements of SEPP Infrastructure. The relevant clauses of the SEPP and an assessment against those clauses have been provided below.

### **28 Development permitted with consent**

(1) *Development for the purpose of educational establishments may be carried out by any person with consent on land in a prescribed zone.*

(2) *Development for any of the following purposes may be carried out by any person with consent on any of the following land:*

*(a) development for the purpose of educational establishments—on land on which there is an existing educational establishment,*

*(b) development for the purpose of the expansion of existing educational establishments—on land adjacent to the existing educational establishment.*

(3) *An educational establishment (including any part of its site and any of its facilities) may be used, with consent, for any community purpose, whether or not it is a commercial use of the establishment.*

(4) *Subclause (3) does not require consent to carry out development on land if that development could, but for this Policy, be carried out on that land without consent.*

The proposal is considered to be a permitted use within the zone and pursuant to Clause 28(2) (a) of SEPP Infrastructure as the development involves works to an existing educational establishment.

### **32 Determination of development applications**

- (2) *Before determining a development application for development for the purposes of a school, the consent authority must take into consideration all relevant standards in the following State government publications (as in force on the commencement of this Policy):*
  - (a) *School Facilities Standards—Landscape Standard—Version 22 (March 2002);*
  - (b) *Schools Facilities Standards—Design Standard (Version 1/09/2006); and*
  - (c) *Schools Facilities Standards—Specification Standard (Version 01/11/2008).*
- (3) *If there is an inconsistency between a standard referred to in subclause (2) and a provision of a development control plan, the standard prevails to the extent of the inconsistency.*

Clause 32 directs the consent authority to take into consideration the School Facilities Standards (landscaping, design and specification) when determining a DA. These standards provide construction level detailed design criteria for School development. The proposal is considered satisfactory to the extent that may be applied for DA purposes with additional detail to be provided prior to issue of a Construction Certificate. **Condition 6** is recommended to ensure compliance with this clause.

## **85 Development immediately adjacent to rail corridors**

- (1) *This clause applies to development on land that is in or immediately adjacent to a rail corridor, if the development:*
- (a) is likely to have an adverse effect on rail safety, or*
  - (b) involves the placing of a metal finish on a structure and the rail corridor concerned is used by electric trains, or*
  - (c) involves the use of a crane in air space above any rail corridor.*
- (2) *Before determining a development application for development to which this clause applies, the consent authority must:*
- (a) within 7 days after the application is made, give written notice of the application to the chief executive officer of the rail authority for the rail corridor, and*
  - (b) take into consideration:*
    - (i) any response to the notice that is received within 21 days after the notice is given, and*
    - (ii) any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette.*

The proposal is not considered to be in or immediately adjacent to the North Shore Railway Line and therefore this requirement does not apply.

## **87 Impact of rail noise or vibration on non-rail development**

- (1) *This clause applies to development for any of the following purposes that is on land in or adjacent to a rail corridor and that the consent authority considers is likely to be adversely affected by rail noise or vibration:*
- (a) a building for residential use,*
  - (b) a place of public worship,*
  - (c) a hospital,*
  - (d) an educational establishment or child care centre.*
- (2) *Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette.*
- (3) *If the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:*

*(a) in any bedroom in the building—35 dB(A) at any time between 10.00 pm and 7.00 am,*

*(b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

The proposal is not considered to be in or immediately adjacent to North Shore Railway Line and therefore this requirement does not apply.

### **101 Development with frontage to classified road**

*(1) The objectives of this clause are:*

*(a) to ensure that new development does not compromise the effective and ongoing operation and function of classified roads, and*

*(b) to prevent or reduce the potential impact of traffic noise and vehicle emission on development adjacent to classified roads.*

*(2) The consent authority must not grant consent to development on land that has a frontage to a classified road unless it is satisfied that:*

*(a) where practicable, vehicular access to the land is provided by a road other than the classified road, and*

*(b) the safety, efficiency and ongoing operation of the classified road will not be adversely affected by the development as a result of:*

*(i) the design of the vehicular access to the land, or*

*(ii) the emission of smoke or dust from the development, or*

*(iii) the nature, volume or frequency of vehicles using the classified road to gain access to the land, and*

*(c) the development is of a type that is not sensitive to traffic noise or vehicle emissions, or is appropriately located and designed, or includes measures, to ameliorate potential traffic noise or vehicle emissions within the site of the development arising from the adjacent classified road.*

The site has a frontage to the Pacific Highway which is a classified road. The proposal is considered to be largely consistent with the above requirements. The proposal involves alterations to an existing building and does not create any new vehicular access points.

### **102 Impact of road noise or vibration on non-road development**

*(1) This clause applies to development for any of the following purposes that is on land in or adjacent to the road corridor for a freeway, a tollway or a transitway or any other road with an annual average daily traffic volume of more than 40,000 vehicles (based on the traffic volume data published on the website of the RTA) and that the consent authority*

*considers is likely to be adversely affected by road noise or vibration:*

- (a) a building for residential use,*
- (b) a place of public worship,*
- (c) a hospital,*
- (d) an educational establishment or child care centre.*

*(2) Before determining a development application for development to which this clause applies, the consent authority must take into consideration any guidelines that are issued by the Director-General for the purposes of this clause and published in the Gazette.*

*(3) If the development is for the purposes of a building for residential use, the consent authority must not grant consent to the development unless it is satisfied that appropriate measures will be taken to ensure that the following LAeq levels are not exceeded:*

- (a) in any bedroom in the building—35 dB(A) at any time between 10 pm and 7 am,*
- (b) anywhere else in the building (other than a garage, kitchen, bathroom or hallway)—40 dB(A) at any time.*

*(4) In this clause, freeway, tollway and transitway have the same meanings as they have in the Roads Act 1993.*

The proposal is considered to be alterations to an existing building where the use would not change and is not considered to generate increased noise and vibration impacts on sensitive receptors.

#### **State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55)**

The provisions of SEPP 55 require Council to consider the potential for a site to be contaminated.

Before the establishment of the site for an educational establishment in 1924 the site was used for residential purposes. A search of Councils and the Environment Protection Authority contaminated land records databases on 28 February 2014 did not identify any contamination at the site.

#### **Sydney Regional Environmental Plan No. 20 - Hawkesbury-Nepean River (SREP 20)**

SREP 20 applies to land within the catchment of the Hawkesbury Nepean River. The general aim of the plan is to ensure that development and future land uses within the catchment are considered in a regional context. The Plan includes strategies for the assessment of development in relation to water quality and quantity, scenic quality, aquaculture, recreation and tourism.

The proposal is considered to achieve the relevant aims under this policy on the basis of the proposal not being located within close proximity to a waterway and Council's Development Engineer (refer to **Engineering** above) has indicated that the proposal satisfactory deals with stormwater drainage.

## **Ku-ring-gai Planning Scheme Ordinance**

The KPSO is a planning scheme ordinance originally made under the Local Government 1919 (LG Act) and transferred from the LG Act under Schedule 6 of the EP&A Act as transitional arrangements that continue to be in forced.

Like an Environmental Planning Instrument (EPI) made under Part 3 of the EP&A Act, the KPSO also performs the purpose of environmental planning within each LGA. This report has considered the following provisions of the KPSO:

### **Part III Restrictions on Building and Use of Land**

The area of the site to be developed is zoned Special Uses 5(a) (School) and part Residential 2(c2) under the KPSO. An educational establishment is defined as:

*"a building used or intended for use as a school, college, technical college, academy, lecture hall, gallery or museum, but does not include a building used or intended for use wholly or principally as an institution."*

A school is defined as an educational establishment.

The proposal may be carried out only with development consent.

### **Clause 33 – Aesthetic appearance**

The subject site fronts Pacific Highway which is a classified road. The clause requires consideration of the aesthetic appearance of the proposed building when viewed from the Pacific Highway. It is noted that the proposal is located approximately 80 metres (at its closest point) from the Pacific Highway and will only be apparent from limited vantage points. The aesthetic appearance when viewed from the Pacific Highway is considered to be satisfactory.

### **Clause 38B- Services**

The subject site benefits from existing services. **Condition 14** is recommended to ensure compliance with this clause.

### **Clause 61E – Development in the vicinity of heritage items**

As noted previously in this report, the proposal is located within proximity of heritage items located at 2 Borambil and 6 Borambil Street, 32 Heydon and 34 Heydon Avenue and 1485 to 1493 Pacific Highway. The application has been considered by Council's Heritage Advisor who largely agrees with the conclusions of the Heritage Impact Statement (HIS) and raises no objections to the proposed works (refer to **Heritage** above).

## **Draft Ku-ring-gai Local Environmental Plan 2013 (Draft KLEP)**

The Draft Ku-ring-gai Local Environmental Plan 2013 (Draft KLEP) was adopted by Council on 26 November 2013 and is currently awaiting gazettal by the Department of Planning and Infrastructure. The Draft KLEP will replace the KPSO for all areas outside the six local centres. The Draft KLEP has been designed to reflect current and future community concerns and interests. The following provisions of the Draft KLEP are applicable:

#### **Land use table**

Under the Draft KLEP the site would be zoned SP2 Infrastructure. It is considered that the proposal would not contradict the following draft objectives:

Objective a)	To provide for infrastructure and related uses.
Objective b)	To prevent development that is not compatible with or that may detract from the provision of infrastructure.

The proposal is categorised as alterations and additions to an existing 'educational establishment' as defined by the Draft KLEP and would be permitted with consent.

#### **Clause 5.10-Heritage conservation**

##### **(5) Heritage assessment**

Under this draft clause the consent authority may request a heritage management document before granting consent to a development on land that is within the vicinity of a heritage item or within a heritage conservation area.

The DA included a HIS that considered the proposal's impact on the Draft Heritage Conservation Area- C2 to be negligible and has been endorsed by Council's Heritage Advisor (refer to **Heritage** above).

#### **Schools Development Control Code (Schools DCC)**

The Schools DCC applies to development of new and existing schools within the Ku-ring-gai Local Government Area (LGA).

##### **Aims of the code**

The aims of the Schools DCC are:

- a) *To encourage schools to work towards a master plan for the overall development of the school site at a standard in keeping with the nature of the surrounding areas and the Municipality in general.*
- b) *To encourage schools to consider future growth and direction of development of the site in relation to buildings, enrolment numbers, playground area and amenities and to recognise any limitations imposed by site characteristics and surrounding development pattern at an early stage.*

- c) *To discourage piecemeal growth of development and intensification of density on fixed sites to the detriment of facilities for the pupils and amenity of surrounding owners/residents.*
- d) *To encourage via forward planning, rational and logical placement of school buildings and amenities on school sites allowing for maximum flexibility with future additions and development while not decreasing beyond a reasonable standard pupils amenities and surrounding residents' amenity.*
- e) *To encourage schools to consider the amenity of surrounding owners or residents and the scale and density of adjoining development when consideration of buildings aesthetics, scale, height, location and aspect are undertaken.*
- f) *To not require existing substandard schools to improve the existing standard via reduction to numbers or purchase of land but to have any future development of these substandard schools at a higher standard than existing.*

The applicant has indicated in the Statement of Environmental Effects (SEE) that there is no need for a Master Plan at the site given there are no changes to current enrolments proposed. It is not considered that all of the above aims have been met.

#### **Section 4- Code for development of schools**

The proposal has been assessed against the development standards of the School DCC with Significant points of consideration identified and discussed in the table below.

Clause	Standard	Proposed	Compliance
4 (a) Playground Area	20.5m <sup>2</sup> of playground area per student	The proposal does not increase student numbers. No modification or alteration is proposed in this regard.	N/A
4 (b) Site Area	28m <sup>2</sup> per student	The proposal involves upgrading an existing school building and does not increase student numbers. No modification or alteration is proposed in this regard.	N/A
4 (c) Car Parking	1 space per employee (teaching and other	The proposal does not seek to intensify the existing use of	N/A



	<p>employees).</p> <p>1 space per 8 students enrolled in Year 12.</p> <p>1 space per 100 students enrolled, provided for visitors and/or parent parking.</p>	<p>the school therefore no additional car parking is required (refer to <b>Engineering</b> above).</p>	
4 (d) Buildings and Landscaping	<p>Proposals for additions, alterations and new buildings shall be considered in light of their effect on adjoining properties.</p> <p>Considerations will relate to shadows, overlooking, noise factors, proximity to adjoining development and visual amenity.</p> <p>The use of landscaping is encouraged and may be necessary in certain cases for the purposes of screening.</p>	<p>Proposed works involve a refurbishment to the northern and eastern elevation of the Science and Tutorial Building and revising the roof from a hip to a gable roof. The Science and Tutorial Building is located within the School grounds given it adjoins the KSSA Building (currently under construction) and is surrounded by the Reid Building, the Patterson Centre Building and the Chapel. It is considered that the proposal is unlikely to generate adverse impacts on adjoining properties.</p>	Yes
4 (e) Environmental Impact Assessment	<p>For new buildings or extensions - provide Statement of Environmental Effects (SEE), Environmental Impact Statement (EIS) or Review of Environmental Factors (REF).</p>	<p>A SEE was submitted with the DA.</p>	Yes

	<p>Included in this consideration is the production of a Master plan for the long term development of the site indicating the total projected enrolments, location of buildings and amenities, landscaping and trees, parking and shadow effects of buildings on internal play areas and adjoining developments.</p>	<p>The requirement for a Master Plan has been discussed in this report (refer to <b>Aims of the code</b> above).</p>	<p>Yes</p>
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### **Development Control Plan 31 – Access (DCP 31)**

DCP 31 establishes the framework for ensuring access to a variety of public buildings and any alterations and additions to various building categories including the proposal with the exclusion of dwelling houses and dual occupancies.

Matters for assessment under DCP 31 have been taken into account in the assessment of this application. Specifically, the applicant has submitted an Access Review in support of the DA. The report concludes that the proposal is satisfactory and able to meet the Premises Standard 2011 established under the Disability Discrimination Act 1992, the Building Code of Australia (BCA), DCP 31 and the Australian Standards covering general access requirements. **Condition 20** is recommended to ensure compliance with the relevant Australian Standards.

### **Development Control Plan 40 - Construction and Demolition Waste Management (DCP 40)**

DCP 40 establishes the framework to ensure that the volume of waste generated during the demolition and construction phases of development, through reuse and recycling and the efficient selection and use of resources is minimised.

Waste generation rates for Educational Establishments are not listed in Appendix A of DCP 40 therefore no generation rates for the general operation of the building have been submitted as part of the DA. However, a construction Waste Management Plan (WMP) has been provided. The WMP describes how materials on site will be classified and where possible recycled in order to minimise waste. The WMP is satisfactory.

### **Development Control Plan No. 43 - Car Parking (DCP 43)**

DCP 43 establishes a framework to ensure adequate parking is provided for developments and the design of car parking infrastructure is adequate for the local road network, safe, efficient and consistent with the desirable characteristics and environmental standards expected in the Ku-ring-gai area.

DCP 43, applies to the proposal. A car parking assessment was undertaken by Councils Development Engineer (refer to **Engineering** above) who concluded:

*"...no additional parking or traffic will be generated by the development and traffic conditions in Borambil Street would not be expected to change as a result of it."*

#### **Development Control Plan 47 - Water Management (DCP 47)**

DCP 47 has been developed to clearly establish Council's water management requirements as they relate to development proposals.

DCP 47 applies to the proposal. Council's Development Engineer has assessed the proposal in relation to water management (refer to **Engineering** above) and concluded:

*"There is an existing stormwater management system within the school grounds, to which any new roof areas can be connected. A large rainwater tank and a large on site detention tank are to be installed in conjunction with the KSSA, and there are no additional water management requirements for the subject development."*

#### **Development Control Plan No. 56**

In accordance with DCP 56, the proposal is predominantly for alterations and additions to an existing educational establishment and has been categorised as a Type F Development. Therefore, requiring notification to adjoining land owners and published in the local newspaper for not less than 30 days commencing on 20 December 2013 and ceasing on 20 January 2014.

No submissions were received during this period or at the time of writing this report.

#### **Section 94 Plan**

The development is not subject to a Section 94 Contribution.

## LIKELY IMPACTS

In all aspects the proposal would have a negligible impact on the natural and built environment, subject to the conditions of consent recommended in this report.

## SUITABILITY OF THE SITE

The proposal is a permissible form of development within the site and is zoned Special Uses 5(a) (School) and part Residential 2(c2) under the KPSO. The proposal involves the continued use of the site for educational purposes with nil intensification of students or staff and therefore will not create any significant adverse impact on the environment.

The site is considered to be suitable for the proposed development.

## ANY SUBMISSIONS

No submissions have been received.

## PUBLIC INTEREST

The interest is best served by the consistent application of the relevant EPIs and by ensuring that any adverse environmental impacts at the site or on the surrounding area are minimised through the implementation of conditions of consent. The proposal has been assessed against the relevant EPIs and policy provisions and is deemed satisfactory in its current form.

## RECOMMENDATION

PURSUANT TO SECTION 80(1) OF THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT, 1979

That the Sydney West Joint Regional Planning Panel grant development consent to DA0498/13 for alterations and additions to the Knox Grammar Science and Tutorial Building at 1499 Pacific Highway, Wahroonga, for a period of 2 years from the date of the Notice of Determination, subject to the following conditions.

### CONDITIONS THAT IDENTIFY APPROVED PLANS:

#### 1. Approved architectural plans and documentation (new development)

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

Plan no.	Drawn by	Dated
DA3.12	Jones Sonter Architects	25/11/13

DA3.13	Jones Sonter Architects	25/11/13
DA3.14	Jones Sonter Architects	25/11/13
DA3.15	Jones Sonter Architects	25/11/13
DA5.01	Jones Sonter Architects	25/11/13
DA5.02	Jones Sonter Architects	25/11/13
DA6.10	Jones Sonter Architects	25/11/13
DA6.11	Jones Sonter Architects	25/11/13
DA6.12	Jones Sonter Architects	25/11/13

Document(s)	Dated
Colours and finishes schedule, prepared by Jones Sonter Architects	11/13
Waste Management Plan, prepared by ADCO constructions	25/11/13
Hazardous Materials Risk Assessment, prepared by Greencap	12/13
Access Review, prepared by Morris Goding Accessibility Consulting	26/11/13
BCA Assessment report, prepared by Blackett Maguire Goldsmith	25/11/13

**Reason:** To ensure that the development is in accordance with the determination.

## **CONDITIONS TO BE SATISFIED PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION:**

### **2. Asbestos works**

All work involving asbestos products and materials, including asbestos-cement-sheeting (ie. Fibro), must be carried out in accordance with the guidelines for asbestos work published by WorkCover Authority of NSW.

**Reason:** To ensure public safety

Prior to commencement of any works the Principal Certifying Authority shall be satisfied that suitable measures have been employed to ensure that recommendations are met as outlined in the Hazardous Materials Risk Assessment prepared by Greencap Limited dated December 2013.

**Reason:** To ensure public safety.

### **3. Notification of builder's details**

Prior to the commencement of any development or excavation works, the Principal Certifying Authority shall be notified in writing of the name and contractor licence number of the owner/builder intending to carry out the approved works.

**Reason:** Statutory requirement.

### **4. Construction and traffic management plan**

The applicant must submit to Council a Construction Traffic Management Plan (CTMP), which is to be approved prior to the commencement of any works on site.

The plan is to consist of a report with Traffic Control Plans attached.

The report is to contain commitments which must be followed by the demolition contractor, builder, owner and subcontractors. The CTMP applies to all persons associated with construction of the development.

The report is to contain construction vehicle routes for approach and departure to and from all directions.

The report is to contain a site plan showing entry and exit points. Swept paths are to be shown on the site plan showing access and egress for an 11 metre long heavy rigid vehicle.

The Traffic Control Plans are to be prepared by a qualified person (red card holder). One must be provided for each of the following stages of the works:

- Demolition
- Delivery of materials

Traffic controllers must be in place at the site entry and exit points to control heavy vehicle movements in order to maintain the safety of pedestrians and other road users.

When a satisfactory CTMP is received, a letter of approval will be issued with conditions attached. Traffic management at the site must comply with the approved CTMP as well as any conditions in the letter issued by Council. Council's Rangers will be patrolling the site regularly and fines may be issued for any non-compliance with this condition.

**Reason:** To ensure that appropriate measures have been considered during all phases of the construction process in a manner that maintains the

environmental amenity and ensures the ongoing safety and protection of people.

**CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE OR PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION (WHICHEVER COMES FIRST):**

**5. Infrastructure restorations fee**

To ensure that damage to Council Property as a result of construction activity is rectified in a timely matter:

- a) All work or activity taken in furtherance of the development the subject of this approval must be undertaken in a manner to avoid damage to Council Property and must not jeopardise the safety of any person using or occupying the adjacent public areas.
- b) The applicant, builder, developer or any person acting in reliance on this approval shall be responsible for making good any damage to Council Property, and for the removal from Council Property of any waste bin, building materials, sediment, silt, or any other material or article.
- c) The Infrastructure Restoration Fee must be paid to the Council by the applicant prior to both the issue of the Construction Certificate and the commencement of any earthworks or construction.
- d) In consideration of payment of the Infrastructure Restorations Fee, Council will undertake such inspections of Council Property as Council considers necessary and also undertake, on behalf of the applicant, such restoration work to Council Property, if any, that Council considers necessary as a consequence of the development. The provision of such restoration work by the Council does not absolve any person of the responsibilities contained in (a) to (b) above. Restoration work to be undertaken by the Council referred to in this condition is limited to work that can be undertaken by Council at a cost of not more than the Infrastructure Restorations Fee payable pursuant to this condition.
- e) In this condition:
  - “Council Property” includes any road, footway, footpath paving, kerbing, guttering, crossings, street furniture, seats, letter bins, trees, shrubs, lawns, mounds, bushland, and similar structures or features on any road or public road within the meaning of the Local Government Act 1993 (NSW) or any public place; and
  - “Infrastructure Restoration Fee” means the Infrastructure Restorations Fee calculated in accordance with the Schedule of Fees & Charges adopted by Council as at the date of payment and the cost of any inspections required by the Council of Council Property associated with this condition.

**Reason:** To maintain public infrastructure.



## **6. School facilities standards**

Pursuant to Clause 32 of SEPP (Infrastructure) 2007, the relevant school facilities standards must be addressed by a suitably qualified consultant including a detailed report in response to the provisions, providing an assessment of the development against the relevant standards. The report must be to the satisfaction of the principal certifying authority prior to the issue of any Construction Certificate.

**Reason:** Statutory requirement.

## **CONDITIONS TO BE SATISFIED DURING THE DEMOLITION, EXCAVATION AND CONSTRUCTION PHASES:**

### **7. Road opening permit**

The opening of any footway, roadway, road shoulder or any part of the road reserve shall not be carried out without a road opening permit being obtained from Council (upon payment of the required fee) beforehand.

**Reason:** Statutory requirement (Roads Act 1993 Section 138) and to maintain the integrity of Council's infrastructure.

### **8. Prescribed conditions**

The applicant shall comply with any relevant prescribed conditions of development consent under clause 98 of the Environmental Planning and Assessment Regulation. For the purposes of section 80A (11) of the Environmental Planning and Assessment Act, the following conditions are prescribed in relation to a development consent for development that involves any building work:

- The work must be carried out in accordance with the requirements of the Building Code of Australia
- In the case of residential building work for which the Home Building Act 1989 requires there to be a contract of insurance in force in accordance with Part 6 of that Act, that such a contract of insurance is in force before any works commence.

**Reason:** Statutory requirement.

### **9. Hours of work**

Demolition, excavation, construction work and deliveries of building material and equipment must not take place outside the hours of 7.00am to 5.00pm Monday to Friday and 8.00am to 12 noon Saturday. No work and no deliveries are to take place on Sundays and public holidays.

Excavation or removal of any materials using machinery of any kind, including compressors and jack hammers, must be limited to between 7.30am and 5.00pm

Monday to Friday, with a respite break of 45 minutes between 12 noon 1.00pm.

Where it is necessary for works to occur outside of these hours (ie) placement of concrete for large floor areas on large residential/commercial developments or where building processes require the use of oversized trucks and/or cranes that are restricted by the RTA from travelling during daylight hours to deliver, erect or remove machinery, tower cranes, pre-cast panels, beams, tanks or service equipment to or from the site, approval for such activities will be subject to the issue of an "outside of hours works permit" from Council as well as notification of the surrounding properties likely to be affected by the proposed works.

**Note:** Failure to obtain a permit to work outside of the approved hours will result in on the spot fines being issued.

**Reason:** To ensure reasonable standards of amenity for occupants of neighbouring properties.

#### **10. Approved plans to be on site**

A copy of all approved and certified plans, specifications and documents incorporating conditions of consent and certification (including the Construction Certificate if required for the work) shall be kept on site at all times during the demolition, excavation and construction phases and must be readily available to any officer of Council or the Principal Certifying Authority.

**Reason:** To ensure that the development is in accordance with the determination.

#### **11. Site notice**

A site notice shall be erected on the site prior to any work commencing and shall be displayed throughout the works period.

The site notice must:

- be prominently displayed at the boundaries of the site for the purposes of informing the public that unauthorised entry to the site is not permitted
- display project details including, but not limited to the details of the builder, Principal Certifying Authority and structural engineer
- be durable and weatherproof
- display the approved hours of work, the name of the site/project manager, the responsible managing company (if any), its address and 24 hour contact phone number for any inquiries, including construction/noise complaint are to be displayed on the site notice
- be mounted at eye level on the perimeter hoardings/fencing and is to state that unauthorised entry to the site is not permitted

**Reason:** To ensure public safety and public information.

## **12. Construction signage**

All construction signs must comply with the following requirements:

- are not to cover any mechanical ventilation inlet or outlet vent
- are not illuminated, self-illuminated or flashing at any time
- are located wholly within a property where construction is being undertaken
- refer only to the business(es) undertaking the construction and/or the site at which the construction is being undertaken
- are restricted to one such sign per property
- do not exceed 2.5m<sup>2</sup>
- are removed within 14 days of the completion of all construction works

**Reason:** To ensure compliance with Council's controls regarding signage.

## **13. Road reserve safety**

All public footways and roadways fronting and adjacent to the site must be maintained in a safe condition at all times during the course of the development works. Construction materials must not be stored in the road reserve. A safe pedestrian circulation route and a pavement/route free of trip hazards must be maintained at all times on or adjacent to any public access ways fronting the construction site. Where public infrastructure is damaged, repair works must be carried out when and as directed by Council officers. Where pedestrian circulation is diverted on to the roadway or verge areas, clear directional signage and protective barricades must be installed in accordance with AS1742-3 (1996) "Traffic Control Devices for Work on Roads". If pedestrian circulation is not satisfactorily maintained across the site frontage, and action is not taken promptly to rectify the defects, Council may undertake proceedings to stop work.

**Reason:** To ensure safe public footways and roadways during construction.

## **14. Services**

Where required, the adjustment or inclusion of any new utility service facilities must be carried out by the applicant and in accordance with the requirements of the relevant utility authority. These works shall be at no cost to Council. It is the applicants' full responsibility to make contact with the relevant utility authorities to ascertain the impacts of the proposal upon utility services (including water, phone, gas and the like). Council accepts no responsibility for any matter arising from its approval to this application involving any influence upon utility services provided by another authority.

**Reason:** Provision of utility services.

## **15. Erosion control**

Temporary sediment and erosion control and measures are to be installed prior to the commencement of any works on the site. These measures must be maintained in working order during construction works up to completion. All sediment traps must be

cleared on a regular basis and after each major storm and/or as directed by the Principal Certifying Authority and Council officers.

**Reason:** To protect the environment from erosion and sedimentation.

#### **16. Drainage to existing system**

Stormwater runoff from all new impervious areas and subsoil drainage systems shall be piped to the existing site drainage system. The installation of new drainage components must be completed by a licensed contractor in accordance with AS3500.3 (Plumbing Code) and the BCA. No stormwater runoff is to be placed into the Sydney Water sewer system. If an illegal sewer connection is found during construction, the drainage system must be rectified to the satisfaction of Council and Sydney Water.

**Reason:** To protect the environment.

#### **17. No storage of materials beneath trees**

No activities, storage or disposal of materials shall take place beneath the canopy of any tree protected under Council's Tree Preservation Order at any time.

**Reason:** To protect existing trees.

#### **18. Removal of refuse**

All builders' refuse, spoil and/or material unsuitable for use in landscape areas shall be removed from the site on completion of the building works.

**Reason:** To protect the environment.

#### **19. On site retention of waste dockets**

All demolition, excavation and construction waste dockets are to be retained on site, or at suitable location, in order to confirm which facility received materials generated from the site for recycling or disposal.

- Each docket is to be an official receipt from a facility authorised to accept the material type, for disposal or processing.
- This information is to be made available at the request of an Authorised Officer of Council.

**Reason:** To protect the environment.

### **CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF AN OCCUPATION CERTIFICATE:**

#### **20. Accessibility**

Prior to the issue of an Occupation Certificate, the Principal Certifying Authority shall be satisfied that:

- the lift design and associated functions are compliant with AS 1735.12 & AS 1428.2
- the level and direction of travel, both in lifts and lift lobbies, is audible and visible
- the controls for lifts are accessible to all persons and control buttons and lettering are raised
- international symbols have been used with specifications relating to signs, symbols and size of lettering complying with AS 1428.2
- the height of lettering on signage is in accordance with AS 1428.1 - 1993
- the signs and other information indicating access and services incorporate tactile communication methods in addition to the visual methods

**Reason:** Disabled access & services.

## **21. Infrastructure repair**

Prior to issue of the Occupation Certificate, the Principal Certifying Authority must be satisfied that any damaged public infrastructure caused as a result of construction works (including damage caused by, but not limited to, delivery vehicles, waste collection, contractors, sub contractors, concrete vehicles) is fully repaired to the satisfaction of Council Development Engineer and at no cost to Council.

**Reason:** To protect public infrastructure.

## **CONDITIONS TO BE SATISFIED AT ALL TIMES:**

### **22. Noise control - plant and machinery**

All noise generating equipment associated with any proposed mechanical ventilation system/s shall be located and/or soundproofed so the equipment is not audible within a habitable room in any other residential premises before 7am and after 10pm Monday to Friday and before 8am and after 10pm Saturday, Sunday and public holidays. The operation of the unit outside these restricted hours shall emit a noise level of not greater than 5dba above the background when measured at the nearest boundary.

**Reason:** To protect the amenity of surrounding residents

S McInnes  
**Major Projects Planner**

S Segall  
**Team Leader Development Assessment**

C Swanepoel  
**Manager Development Assessment Services**

M Miocic  
**Director Development and Regulation**

**Attachments:**

1. Location Sketch
2. Ku-ring-gai Planning Scheme Zoning Extract
3. Survey Plans
4. Architectural Plans
5. Colour Finishes
6. Statement of Heritage Impact
7. Access Review
8. Waste Management Plan