

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

JRPP No	2015SYW071
DA Number	0020/15
Local Government Area	Ku-ring-gai Council
Proposed Development	Knox Grammar School - alterations and additions to existing Montgomery and McKenzie buildings including new brick façade, turret, colonnade, revised roof design (to match existing roof form) and fit-out
Street Address	1495-1499 Pacific Highway and 11-17 Woodville Avenue, Wahroonga, NSW, 2076
Applicant/Owner	Knox Grammar School C/-Don Fox Planning Consultants PO Box 230, Pennant Hills, NSW, 1715
Number of Submissions	Two
Recommendation	Approval
Report by	Scott McInnes, Major Projects Planner

EXECUTIVE SUMMARY

Primary Property	1495-1499 Pacific Highway and 11-17 Woodville Avenue, Wahroonga, NSW, 2076
Lot & DP	1//1186815, 3//567065, 2//204768, 1//928128, 1//934321 and 1//204768
Proposal	Knox Grammar School - alterations and additions to the existing Montgomery and McKenzie buildings, including new brick façade, turret, colonnade, revised roof design (to match existing roof form) and fit-out.
Development application no.	DA0020/15
Ward	WAHROONGA
Date Lodged	30 January 2015
Estimated cost of works	\$6,579,457.00
Issues	Nil
Applicant	Knox Grammar School C/- Don Fox Planning Consultants
Owner	The Uniting Church In Australia Property Trust
Submissions	Two
Land & Environment Court	N/A
Recommendation	Approval
Assessment Officer	Scott McInnes

LEGISLATIVE REQUIREMENTS:

Zoning	Part Residential 2(c2) and part Special Uses 5(a) (School)
Draft Zoning	SP2- Educational Establishment
Permissible under	KPSO and SEPP (Infrastructure) 2007
Relevant legislation	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

Integrated development

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 (\$6,579,457). Pursuant to Clause 6 of Schedule 4A of the Environmental Planning and Assessment Act 1979, the JRPP is the consent authority.

HISTORY

Site history:

1495-1499 Pacific Highway and 11-17 Woodville Avenue, 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.
- DA0967/08 – Refurbishment of four 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 three 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 by the Land and Environment Court on 4 February 2013.
- DA0470/13- Use of existing dwellings as specialised educational establishments for special needs education, agricultural studies, care takers residence, counselling and support services. Approved by

Council on 1/4/2014.

- DA0498/13- Alterations and additions to existing science and tutorial building including new brick façade, roof and fit-out. Approved by the JRPP on 23/05/2014.
- DA0063/14- The relocation of a stormwater easement and pipework around the approved car park extension between the Chapel and tennis courts (refer to DA0967/08) to convey stormwater drainage from the high point on the Pacific Highway to the low point in Borambil Street. Approved by Council on 1/05/2014.

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	1//1186815, 3//567065, 2//204768, 1//928128, 1//934321 and 1//204768
Area	68,032m ²
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 2015
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 1495-1499 Pacific Highway and 11-17 Woodville Avenue, Wahroonga. The total area of the combined site is 68,032 m². 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 contains the Knox Grammar School which includes approximately 17 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 at 2 and 6 Borambil Street and 32 and 34 Heydon Street, Warawee to the east. 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 also 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 proposed alterations and additions include a new brick facade, revised roof design (with turret to match other existing Knox Grammar buildings), new colonnade, removal of 1 tree and internal works to improve the amenity of the existing Montgomery and McKenzie building. The following is a full inventory of the proposed works:

McKenzie building refurbishment

- reconfiguration of the library within the existing building;
- relocation of existing Level 3 classrooms and staff rooms;
- demolition of Level 4 mezzanine, stairs and internal walls;
- construction of new Level 4 mezzanine, stairs accessible lift, accessible toilet and partition walls; and
- demolition of non-load bearing façade elements of the eastern façade and reface the façade clad in decorative face brick and sandstone to columns and spandrel walls with glass curtain wall infill.

Montgomery building corner tower

- covered link to KSSA senior's courtyard roof terrace;
- new ambulant disabled accessible stair;
- reinforced concrete construction clad in face brick and sandstone;
- decorative brick arched openings;
- gabled tower with steel and/or reinforced concrete frame; and
- tiled roof to match adjoining existing roof structures.

Montgomery building colonnade

- demolition of existing balcony and construction of new brick clad concrete covered colonnade to north façade;
- new 3m wide reinforced concrete 3-storey colonnade;

- columns and balustrade clad in decorative face brick and sandstone to match the adjoining existing school buildings;
- 1m high balustrade;
- slip resistant ceramic tile paving;
- new accessible ramp and undercover wheelchair platform lift up from Montgomery ground floor to Level 1; and
- new flat concrete roof, waterproof membrane and pebble finish drains to rainwater outlets.

Montgomery and McKenzie turret (Accessible lift and stair link)

- 26m high turret containing concrete stair and lift core clad in decorative face brick and sandstone with conical copper roof to match existing school buildings;
- 1m high glazed stainless steel balustrade;
- slip-resistant ceramic tile paving and stair treads;
- wheelchair accessible lift;
- slip-resistant tactile indicators and contrasting stair nosing and handrail extensions; and
- brick paving of forecourt and Knox boulevard/driveway to match existing adjoining pavements.

Note: The adjacent bell tower approved as part of the KSSA building by the Land and Environment Court is 37m high.

Breezeway refurbishment

- new glazed curtain wall with horizontal louvres and awning to provide all-weather access;
- new wheelchair accessible platform lifts to AS1428.1 and AS1735 to link Knox boulevard level to McKenzie Level 2 staff common room and classrooms and Main School Building Ground Floor; and
- existing flat metal roof to be demolished with construction of new roof

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 of the school.

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 13 February 2015 and ceasing on 16 March 2015 (refer to the attached **Location Sketch**).

Two submissions were received, from:

Mr P Garrett- 19 Heydon Avenue, Warrawee; and
Ms T Connellan- 9 Warawee Avenue, Warawee

The submissions raised the following issues:

A noise and vibration management plan was not submitted with the application and is required

Councils' DA lodgement requirements do not specify a noise and vibration management plan at the time of lodgement. A noise and vibration plan is required for a proposal of this scale and it has been recommended **(Condition 9)**.

The potential for light spill to impact adjoining properties

External lighting is proposed; however it should not result in light spillage or glare to adjoining properties, a condition regarding outdoor lighting has been recommended **(Condition 32)**.

Visual impact on adjoining properties

The proposal will be visible from the railway line and beyond, the new façade treatment will significantly improve the visual presentation of the buildings.

The proposal would allow greater continuity and a high level of visual presentation by incorporating similar materials and architectural style to the approved KSSA building.

The height of the proposed turret is excessive, will generate a visual impact on neighbouring properties and should be modified to an appropriate height

The KSSA clock tower is the highest structure at Knox Grammar at 37m. The height of the turret is 26m and considered acceptable when considering the overall built form at Knox Grammar.

Linkages between the building will generate significant noise impacts due to the high number of students who will access the stairs during the course of a day

No additional noise or vibration will be created by the proposal as it involves the embellishment and use of existing buildings.

Screen planting should be provided adjacent to the rail corridor to replace the row of trees that were recently removed by RailCorp and to act a visual screen from the height of the building and as an acoustic barrier from the proposed development

The trees were not located on land owned by Knox Grammar and any visual screening they did provide was incidental. There is no suitable land available at the base of the rail batter to plant screening trees.

The planting of mature trees to replace trees that were recently removed between February and March 2015 as part of the KSSA construction is requested

Tree replenishment was considered during the recent Land and Environment Court proceedings for the KSSA building. No additional screening is required for this application.

INTERNAL REFERRALS

Heritage

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

“Heritage status

The school site is not listed as a heritage item, however the site is considered to have aesthetic, social and historic significance. It is located in Heritage Conservation Area C – 2 in the Ku-ring-gai Local Environmental Plan 2015 (KLEP). The KLEP was gazetted on 5 March 2015 and came into effect on 2 April 2015.

The school site adjoins a number of heritage items. Clause 61 E of the KPSO requires Council to consider impacts from the development on the heritage significance of any items within the vicinity of a development. The nearby items include:

*2 Borambil Street;
1485 – 1493 Pacific Highway;
32 Heydon Avenue; and
34 Heydon Avenue.*

Proposed development

The proposed development is for refurbishment remodelling two existing buildings on the site – Mackenzie and Montgomery Buildings by adding new colonnades, a lift and stair structure to the eastern and northern façade facing the oval which incorporates a tower structure and new mezzanine level to the Montgomery building. The work also involving refurbishment to a breezeway.

Heritage impacts of proposed development

In architectural terms, the elevations suggest that the proposed refurbishment/remodelling is intended to link the existing buildings with walkways and change the architectural presentation of the buildings to be more consistent with the predominant architectural style of the school including the early buildings along the Pacific Highway and the recently constructed buildings at the Woodville Avenue and Borambil Street frontages.

A larger site, whether institutional, commercial or other, usually has a number of buildings from different architectural periods. This reflects the layering of buildings from different styles/period and historic period of development and provides reference to a site. The desire to remodel buildings to reflect a predominant style or period tends to alter the historic understanding of a place. From a heritage perspective is not helpful as it alters the pattern of historic layering.

The Mackenzie and Montgomery buildings have little visual reference to the public realm of the Pacific Highway, Borambil Street or Woodville Avenue. However, they are distinctive elements from the adjoining North Shore Railway line which runs along the eastern boundary of the site seen behind the oval.

The proposed works would alter the existing historic relationship but would provide a different, more consistent architectural language across the site. It is considered that this level of change is acceptable, however it would be desirable for the buildings to be photographically recorded before the change occurs.

Conclusion and recommendation

It is considered that the proposed works would have minimal impacts on the HCA because the two buildings do not have a visual presence or setting from the main public areas and has minor visual impacts on its setting from the North Shore Railway line. It is recommended to record the existing buildings be photographically before any works commence."

To ensure an accurate recording of the Montgomery and McKenzie buildings before they significantly altered a photographic archival recording has been recommended **(Condition 7)**.

Landscaping

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

"Tree impacts

The development requires the removal of one tree a Platanus

orientalis (Oriental Plane) located within the development footprint. The tree is a mature specimen and although, providing on site amenity is not considered to have broader landscape significance beyond the site. The tree removal is acceptable.

No other trees will be impacted by the development works.

Landscape plan/tree replenishment

Supported – new tree planting is proposed to replace the tree to be removed.

Stormwater plan

Supported.

Conclusion

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

Engineering

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

*“The proposal is acceptable in relation to engineering issues, subject to standard conditions and the submission of a Construction and Traffic Management Plan (CTMP) prior to commencement of works (**Condition 8**).*

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 proposed permitted use is within the zone and is also permissible 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 10**).

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 proposed works are not 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 proposed works are not 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 existing buildings 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 for alterations to existing buildings 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 7 May 2015 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 not raised any objections regarding 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 force.

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 20** 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 applicant's 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 KLEP was on exhibition from 25 March 2013 to 6 May 2013. The Draft KLEP was gazetted 5 March 2015. The Draft KLEP took effect on 2 April 2015 and includes savings provisions for applications made prior to the date it took effect.

This assessment report has considered the following provisions of the exhibited Draft KLEP:

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).

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.

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 does not apply to this proposal as 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 has not raised any issues.

Development Control Plan No. 56

The proposal was notified in accordance with the requirements of DCP 56.

Section 94 Plan

Educational establishments are not identified under Section 1.4 of Council's Contributions Plan 2010 as a development type that requires 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 site is considered to be suitable for the proposed development.

ANY SUBMISSIONS

Two submissions were received (refer to **Community consultation** above).

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.

CONCLUSION

Having regard to the provisions of section 79C of the Environmental Planning and Assessment Act 1979, the proposed development is considered to be satisfactory. Therefore, it is recommended that the application be approved.

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 DA0012/15 for alterations and additions to the Knox Grammar School McKenzie and Montgomery buildings at 1495-1499 Pacific Highway and 11-17 Woodville Avenue, Wahroonga, for a period of 2 years from the date of the Notice of Determination, subject to the following conditions.

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
A0101 Level 1 Plan	Drew Dickson Architects	20/01/2015
A0102 Level 2 Plan	Drew Dickson Architects	20/01/2015
A0103 Level 3 Plan	Drew Dickson Architects	20/01/2015
A0104 Level 4 Plan	Drew Dickson Architects	20/01/2015
A0105 Roof Plan	Drew Dickson Architects	20/01/2015
A0201 Elevations	Drew Dickson Architects	20/01/2015
A0301 Sections	Drew Dickson Architects	20/01/2015
A0006 Roof Drainage Plan	Drew Dickson Architects	21/01/2015

Document(s)	Dated
A0402 External materials and colours	20/01/2015

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

2. Inconsistency between documents

In the event of any inconsistency between conditions of this consent and the drawings/documents referred to above, the conditions of this consent prevail.

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

3. Approved landscape plans

Landscape works shall be carried out in accordance with the following landscape plan(s), listed below and endorsed with Council's stamp, except where amended by other conditions of this consent:

Plan no.	Drawn by	Dated
A0007 Landscape Plan	Drew Dickson Architects	Undated

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

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

4. Asbestos works

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

Reason: To ensure public safety

5. Notice of commencement

At least 48 hours prior to the commencement of any development (including demolition, excavation, shoring or underpinning works), a notice of commencement of building or subdivision work form and appointment of the principal certifying authority form shall be submitted to Council.

Reason: Statutory requirement.

6. 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.

7. Archival recording of buildings

Prior to the commencement of any development or excavation works on site, the Principal Certifying Authority shall be satisfied that an archival report has been submitted to Council's Heritage Advisor.

The report must consist of an archival standard photographic record of the building (internally and externally), its garden and views of it from the street illustrating its relationship to neighbouring properties and the streetscape. Recording shall be undertaken in accordance with the guidelines for "Photographic Recording of Heritage Items Using Film or Digital Capture (2006)" prepared by the New South Wales Heritage Office.

Information shall be bound in an A4 report format. It shall include copies of photographs, referenced to plans of the site. Two (2) copies (one (1) copy to include negatives or CD of images shall be submitted to Council's Heritage Advisor. The recording document will be held in the local studies collection of Ku-ring-gai Library, the local historical society and Council's files.

Note: A written acknowledgment from Council must be obtained (attesting to this condition being appropriately satisfied) and

submitted to the Principal Certifying Authority prior to the commencement of any works.

Reason: To ensure the proper management of historical artefacts and to ensure their preservation.

8. 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 and excavation contractor, builder, owner and subcontractors. The CTMP applies to all persons associated with demolition, excavation and 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:

- o Demolition
- o Excavation
- o Concrete pour

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.

9. Noise and vibration management plan

Prior to the commencement of any works, a noise and vibration management plan is to be prepared by a suitably qualified expert addressing the likely noise and vibration from demolition, excavation and construction of the proposed development and provided to the Principal Certifying Authority. The management plan is to identify amelioration measures to achieve the best practice objectives of AS 2436-2010 and NSW Department of Environment and Climate Change Interim Construction Noise Guidelines. The report shall be prepared in consultation with any geotechnical report that itemises equipment to be used for excavation works.

The management plan shall address, but not be limited to, the following matters:

- identification of the specific activities that will be carried out and associated noise sources
- identification of all potentially affected sensitive receivers, including residences, churches, commercial premises, schools and properties containing noise sensitive equipment
- the construction noise objective specified in the conditions of this consent
- the construction vibration criteria specified in the conditions of this consent
- determination of appropriate noise and vibration objectives for each identified sensitive receiver
- noise and vibration monitoring, reporting and response procedures
- assessment of potential noise and vibration from the proposed demolition, excavation and construction activities, including noise from construction vehicles and any traffic diversions
- description of specific mitigation treatments, management methods and procedures that will be implemented to control noise and vibration during construction
- construction timetabling to minimise noise impacts including time and duration restrictions, respite periods and frequency
- procedures for notifying residents of construction activities that are likely to affect their amenity through noise and vibration
- contingency plans to be implemented in the event of non-compliances and/or noise complaints

Reason: To protect the amenity afforded to surrounding residents during the construction process.

CONDITIONS TO BE SATISFIED PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE:

10. 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 PRIOR TO THE ISSUE OF THE CONSTRUCTION CERTIFICATE OR PRIOR TO DEMOLITION, EXCAVATION OR CONSTRUCTION (WHICHEVER COMES FIRST):

11. 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.

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

12. 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.

13. 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:

- a) The work must be carried out in accordance with the requirements of the Building Code of Australia.
- b) 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.

14. 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 (i.e.) 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.

15. 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.

16. Construction noise

During excavation, demolition and construction phases, noise generated from the site shall be controlled in accordance with the recommendations of the approved noise and vibration management plan.

Reason: To ensure reasonable standards of amenity to neighbouring properties.

17. 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.

18. 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 2.5m²
- ☐ are removed within 14 days of the completion of all construction works

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

19. 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.

20. 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.

21. 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.

22. 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.

23. Approved tree works

Approval is given for the following works to be undertaken to trees on the site:

Tree/Location	Approved tree works
<i>Platanus orientalis</i> (Oriental Plane) Within development footprint	Removal

Removal or pruning of any other tree on the site is not approved, excluding species exempt under Council's Tree Preservation Order.

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

24. 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.

25. 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.

26. Canopy replenishment trees to be planted

The canopy replenishment trees to be planted shall be maintained in a healthy and vigorous condition until they attain a height of 5.0 metres whereby they will be protected by Council's Tree Preservation Order. Any of the trees found faulty, damaged, dying or dead shall be replaced with the same species.

Reason: To maintain the treed character of the area.

27. 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:

28. Completion of landscape works

Prior to the release of the Occupation Certificate, the Principal Certifying Authority is to be satisfied that all landscape works, including the removal of

all noxious and/or environmental weed species, have been undertaken in accordance with the approved plan(s) and conditions of consent.

Reason: To ensure that the landscape works are consistent with the development consent.

29. 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.

30. 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.

31. Fire safety certificate

Prior to the issue of the Occupation Certificate, the Principal Certifying Authority shall be satisfied that a Fire Safety Certificate for all the essential fire or other safety measures forming part of this consent has been completed and provided to Council.

Note: A copy of the Fire Safety Certificate must be submitted to Council.

Reason: To ensure suitable fire safety measures are in place.

CONDITIONS TO BE SATISFIED AT ALL TIMES:

32. Outdoor lighting

At all times for the life of the approved development, all outdoor lighting shall not detrimentally impact upon the amenity of other premises and adjacent dwellings and shall comply with, where relevant, AS/NZ1158.3: 2005 Pedestrian Area (Category P) Lighting and AS4282: 1997 Control of the Obtrusive Effects of Outdoor Lighting.

Reason: To protect the amenity of surrounding properties.

33. 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. Statement of Heritage Impact
6. Access Review
7. Waste Management Plan