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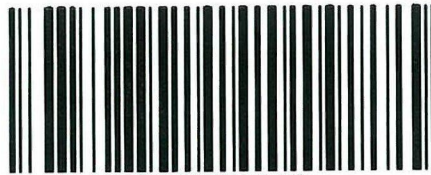
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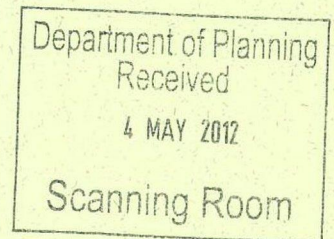
Department of Planning
Attention: Ben Eveleigh
GPO Box 39
SYDNEY NSW 2001



PCU033228

GJY (PDS)

30 April 2012



Dear Sir

**RE: PROPOSED MAJOR PROJECT APPLICATIONS MP 10_0149 & MP 10_0150
20 EDWARD STREET, NORTH SYDNEY (GRAYTHWAITE)
PREFERRED PROJECT REPORT**

The Preferred Project Report and associated documents for the abovementioned Part 3A applications was the subject of a report considered by Council at its meeting held on 23 April 2012.

At this meeting Council resolved to object to the Part 3A application as follows:-

- A. 1. *The Major Project Application made on 20 September 2010 relates to Lot 2 DP 539853 (Graythwaite site) and part of Lot 1 DP 120268 (part of Shore site), however, the project has been expanded under the amended application and Revised EA to include a significant part of Shore school comprising up to nine (9) additional lots, and it is unclear as to whether the enlargement of the site can be accommodated by the original application. Additionally, it is also unclear as to whether the provisions of Part 3A facilitate the submission of an amended scheme and a Revised EA as post exhibition actions that the Director-General may require of the proponent.*
2. *Assessment and determination of the applications should be postponed until such time as the proposed 41 space car park under the new East Building is deleted, the proposal is amended to provide a formal pick-up/drop-off facility for the Preparatory and Senior students on-site, and a formal bus zone is provided on-site which can accommodate 11 buses. The amended application should then include a review of all traffic and transport issues for the entire Shore and Graythwaite site, once the above modifications have been incorporated into the proposal. Council urges the Planning Assessment Commission not to approve the application until the applicant has proved that all traffic generation on site, including cars and buses, can be accommodated on the expanded school site.*

ENGLISH	If you do not understand this information, please ring the Translating and Interpreting Service (TIS) on 13 14 50, and ask for an interpreter in your language to contact North Sydney Council on (02) 9936 8100. This is a free service.
ARABIC	إذا لم يكن بمقدورك فهم هذه المعلومات، فالرجاء الاتصال بخدمات الترجمة الخفية والفورية (Translating and Interpreting Service (TIS)) على الرقم 13 14 50 والطلب من مترجم فوري يتحدث العربية أن يتصل لك بمجلس مدينة شمال سيدني على الرقم (02) 9936 8100. - هذه الخدمة مجانية.
GREEK	Αν δεν καταλαβαίνετε αυτές τις πληροφορίες, παρακαλώ τηλεφωνήστε στην Υπηρεσία Μετάφρασης και Διερμηνείας (Translating and Interpreting Service (TIS)) στο 13 14 50, και ζητήστε να σας διαθέσουν ένα διερμηνέα στη γλώσσα σας για να επικοινωνήσετε με το Δήμο του North Sydney στο (02) 9936 8100. Αυτή είναι μια δωρεάν υπηρεσία.
HINDI	यदि आप इस जानकारी को समझ नहीं सकते हैं तो कृपया अनुवाद और दुभाषिया सेवा (Translating and Interpreting Service - TIS) को 13 14 50 पर फोन करें और अपनी भाषा के दुभाषिए द्वारा उत्तरी सिडनी काउंसिल (North Sydney Council) को (02) 9936 8100 पर फोन करने के लिए कहें। यह सेवा नि:शुल्क है।
INDONESIAN	Jika Anda kurang memahami informasi ini, silakan telepon Translating and Interpreting Service (TIS) di 13 14 50, dan mintalah seorang juru bahasa dalam bahasa Anda untuk menghubungi North Sydney Council di (02) 9936 8100. Layanan ini tidak dipungut biaya.
ITALIAN	Se non capite queste informazioni, chiamate il Servizio di Traduzione e Interpretariato (TIS - Translating and Interpreting Service) al numero 13 14 50, e chiedete ad un interprete nella vostra lingua di contattare il North Sydney Council al numero (02) 9936 8100. Il servizio è gratuito.
JAPANESE	上記の情報について何かご質問がございましたら、通訳・翻訳サービス (Translating and Interpreting Service (TIS)) 電話番号 13 14 50 までお問い合わせください。また、ご自分の国の言語で通訳の手配をご希望の方は、ノース・シドニー・カウンスル (North Sydney Council) 電話番号 (02) 9936 8100 まで電話でお問い合わせください。尚、このサービスは、無料です。
KOREAN	이 정보를 이해하지 못하실 경우 번역 통역 서비스 (Translating and Interpreting Service (TIS))에 13 14 50으로 연락하셔서 한국어 통역사를 요청하시고 노스 시드니 카운슬 (North Sydney Council) 연락처인 (02) 9936 8100로 연결하도록 요청하십시오. 이 서비스는 무료입니다.
TAGALOG	Kung hindi ninyo naiintindihan ang impormasyong ito, mangyari lamang na tumawag sa Translating and Interpreting Service (TIS) sa 13 14 50, at hilingin sa interpreter ng inyong wika na tawagan ang North Sydney Council sa (02) 9936 8100. Ito ay isang libreng serbisyo.
TRADITIONAL CHINESE	如果你不明白這份資料，請致電13 14 50聯絡Translating and Interpreting Service (TIS)，要求一名能說你的語言的傳譯員，代你致電(02) 9936 8100聯絡North Sydney Council。這是免費服務。

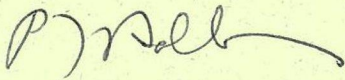
3. *The proposed development does not satisfy objective (b) of the Special Uses Zone as it does not minimise adverse impacts on adjoining residential dwellings, including acoustic privacy, visual impact, and traffic and parking impacts. As such, the proposal does not satisfy the provisions of Clause 14 of NSLEP 2001 – Consistency with aims of plan, zone objectives and desired character.*
 4. *The proposal does not comply with the 8.5m building height development standards under both NSLEP 2001 and Draft NSLEP 2009, with the proposed 12m West Building being located adjacent to the interface of the site with adjoining residential dwelling houses. The 12m high West Building remains unsatisfactory with regard to aural privacy and visual impact on the adjoining low density residential dwellings in Bank Street.*
 5. *The proposed development is unsatisfactory with regard to heritage impacts as detailed in the report to Council.*
- B. ***THAT** should the Department of Planning and Infrastructure, contrary to Council's recommendation, intend to approve the application without seeking the recommended additional information and modifications, that all recommendations contained in this report in relation to town planning, building design, heritage, traffic and parking, BCA compliance and landscaping be included in any consent granted.*
- C. ***THAT** Council resolves that the Department of Planning and Infrastructure be requested to forward any amended plans received to Council for review and comment.*
- D. ***THAT** Council is opposed to the lower terrace of Union Street being used in any way for bus or car parking, the pickup of any persons or the manoeuvring of any vehicles.*
- E. ***THAT** Council holds the view that the streets surrounding Shore School should be regarded as residential streets and prefers the advice from Council's Traffic Engineer and Manager Traffic Planning over that of the traffic consultant.*

In relation to Part A, paragraph 1 of the Council resolution, the inclusion of nine (9) additional lots into the Major Project Application results in the amended scheme being inconsistent with the Director General's requirements. Although the DG is empowered to remove this inconsistency through the modification of the DG's requirements, Council is unaware of this having occurred to date.

Please find attached the report considered by Council at its meeting of 23 April 2012. Recommended conditions of consent to be incorporated into the Department's condition set, in the event that approval is granted contrary to Council's recommendation, have previously been provided to the DPI. A revised set of conditions will be provided separately.

Should you have any queries, George Youhanna, Executive Planner is handling the matter and can be contacted on telephone 9936-8100 and email:
george.youhanna@northsydney.nsw.gov.au

Yours sincerely

A handwritten signature in black ink, appearing to read 'P. Holloway', with a long horizontal flourish extending to the right.

Penny Holloway
GENERAL MANAGER

The amendment was put and **lost**.

Voting on the amendment was as follows: For/Against 1/11

Councillor	Yes	No	Councillor	Yes	No
McCaffery		N	Zimmerman	Absent	
Gibson		N	Baker		N
Christie		N	Robjohns	Y	
Reymond		N	Carland		N
Marchandeanu		N	Burke		N
Raymond		N	Pearson		N
Barbour		N			

The Motion was put and **carried**.

Voting was as follows: Unanimous

Councillor	Yes	No	Councillor	Yes	No
McCaffery	Y		Zimmerman	Absent	
Gibson	Y		Baker	Y	
Christie	Y		Robjohns	Y	
Reymond	Y		Carland	Y	
Marchandeanu	Y		Burke	Y	
Raymond	Y		Pearson	Y	
Barbour	Y				

RESOLVED:

- A. **THAT** Council defers consideration of development application No. 433/11
- B. **THAT** the applicant be requested to lodge amended plans *as per page 7 of the report under Private Open Space*.
- C. **THAT** Council delegates to the General Manager pursuant to Section 377 of the Local Government Act 1993 the following functions in respect of Development Application No: 433/11
 - (i) in the event that amended plans are lodged by the applicant, to determine whether or not to notify the amended application in accordance with the North Sydney Local Environment Plan 2001 and the Environmental Planning & Assessment Act 1979 (as amended); and
 - (ii) in the event that amended plans are lodged by the applicant, to determine the application having regard for the stated issues and concerns in (B) of this resolution.
- D. **THAT** in the event that amended plans are not lodged as requested the application be referred back to the Council for determination.

211. **PDS14: 20 Edward Street, North Sydney (Graythwaite) and part of Shore School (V) - PART 3A DEVELOPMENT - Department of Planning Reference: MP 10_0149; MP 10_0150**

Applicant: Sydney Church of England Grammar School (Shore)

Report of George Youhanna, Executive Planner

This report has been prepared to provide Councillors with details of the Preferred Project Report (PPR) for the revised Concept Plan and Project Application (Revised EA) for extension of Shore School onto No. 20 Edward Street, North Sydney (the Graythwaite site), lodged with the Department of Planning and Infrastructure (DPI) pursuant to Part 3A (transitional arrangements) of the Environmental Planning and Assessment Act, 1979.

The DPI are seeking Council's advice on whether the PPR satisfactorily addresses the issues raised by Council in its previous submission to the DPI on the Revised EA which include amenity impacts on surrounding dwellings, building height, bulk and scale, traffic and parking impacts, landscaping and heritage impact.

The PPR addresses, inter alia, the preferred option for an on-site student pick-up facility and responds to a number of the issues raised by Council. However, with the exception of the selection of Option 2 as the preferred option for student pick-up, the Revised EA remains unchanged from that previously considered by Council. The proponent's response to key issues raised in submissions is predominantly dismissive, stating that most of the objections are not valid.

The revised Concept Plan seeks approval for the following:

1. Use of the Graythwaite site as an *educational establishment*, being an extension of the adjoining Shore campus
2. Conservation and adaptive reuse of Graythwaite House, the Coach House and other existing buildings on the site (and some demolition works)
3. Building envelopes (above and below ground) for new buildings on the Graythwaite and Shore sites with an additional gross floor area of 4,944.4m²
4. Pedestrian and vehicular access arrangements including a new student pick up facility and 48 car parking spaces (pick-up facility involves entry from Union Street and exit from Hunter Crescent.)
5. Capacity or potential to accommodate up to about 450 additional students and 45 additional staff
6. Landscape concept including removal of 98 trees (comprising 58 weed species, 16 inconsistent species, five minor vegetation, three garden escape, four colonisers, two poor quality one unstable Port Jackson Fig and nine located within building footprints or landscaping works)
7. Completion of the Concept Plan works in three stages (Stages may be separated into sub-stages and re-sequenced).

The concurrent revised Project Application for Stage 1 proposes the following development:

1. Conservation and refurbishment of Graythwaite House, the Coach House, Tom O'Neill Centre and associated garden area (the house will be used for administrative support and other activities and not for classes)
2. Minor demolition works
3. Drainage and stormwater improvements, site levelling and landscaping (significantly on the middle and lower terraces) including removal of 98 trees and transplanting of seven trees
4. Use of the Graythwaite middle and lower terrace as a play and educational space
5. Transport, traffic, parking and access improvements to the Graythwaite and Shore sites
6. Miscellaneous works including site fencing and lighting (to Graythwaite House and the driveway)
7. No anticipated increase in student or staff population.
8. Landscaping works on western side boundary adjoining properties that interface with the proposed West Building.

The revised proposal and Environmental Assessment (EA) was lodged with the Department of Planning and exhibited from 9 November 2011 to 9 December 2011. This PPR is reported to Council in order for Council to provide a formal response to the Department of Planning on whether the PPR has addressed Council's previously identified issues.

This report considers the proposed development and PPR against the relevant controls and it is ultimately the recommendation of this report that Council maintains its objections to the proposed development on a number of grounds and forward a further submission to the Department of Planning.

Recommending:

- A. **THAT** Council resolves to **OBJECT** to the Part 3A Applications (MP 10_0149 and MP 10_0150) at No. 20 Edward Street, North Sydney (Graythwaite) on the following grounds:
1. The Major Project Application made on 20 September 2010 relates to Lot 2 DP 539853 (Graythwaite site) and part of Lot 1 DP 120268 (part of Shore site), however, the project has been expanded under the amended application and Revised EA to include a significant part of Shore school comprising up to nine (9) additional lots, and it is unclear as to whether the enlargement of the site can be accommodated by the original application. Additionally, it is also unclear as to whether the provisions of Part 3A facilitate the submission of an amended scheme and a Revised EA as post exhibition actions that the Director-General may require of the proponent.
 2. Assessment and determination of the applications should be postponed until such time as the proposed 41 space car park under the new East Building is deleted, the proposal is amended to provide a formal pick-up/drop-off facility for the Preparatory and Senior students on-site, and a formal bus zone is provided on-site which can accommodate 11 buses. The amended application should then include a review of all traffic and transport issues for the entire Shore and Graythwaite site, once the above modifications have been incorporated into the proposal.
 3. The proposed development does not satisfy objective (b) of the Special Uses Zone as it does not minimise adverse impacts on adjoining residential dwellings, including acoustic privacy, visual impact, and traffic and parking impacts. As such, the proposal does not satisfy the provisions of Clause 14 of NSLEP 2001 – *Consistency with aims of plan, zone objectives and desired character*.
 4. The proposal does not comply with the 8.5m building height development standards under both NSLEP 2001 and Draft NSLEP 2009, with the proposed 12m West Building being located adjacent to the interface of the site with adjoining residential dwelling houses. The 12m high West Building remains unsatisfactory with regard to aural privacy and visual impact on the adjoining low density residential dwellings in Bank Street.
 5. The proposed development is unsatisfactory with regard to heritage impacts as detailed in the report to Council.
- B. **THAT** should the Department of Planning and Infrastructure, contrary to Council's recommendation, intend to approve the application without seeking the recommended additional information and modifications, that all recommendations contained in this report in relation to town planning, building design, heritage, traffic and parking, BCA compliance and landscaping be included in any consent granted.
- C. **THAT** Council resolves that the Department of Planning and Infrastructure be requested to forward any amended plans received to Council for review and comment.
- D. **THAT** Council is opposed to the lower terrace of Union Street being used in any way for a bus car park.
- E. **THAT** Council holds the view that the streets surrounding Shore School should be regarded as residential streets and prefers the advice from Council's Traffic Engineer and Manager Traffic Planning over that of the traffic consultant.
- F. **THAT** submissions held by Council be forwarded to the Department for information.

Mr McWilliam, Ms Bindon, Mr Poole and Mr Keel addressed the Meeting.

RESOLVED:

- 1. THAT** the report be adopted subject to a revised Point 2, with the addition that Council urges the Planning Assessment Commission not to approve the application until the applicant has proved all traffic generation on site, including cars and buses, can be accommodated on the expanded school site.
- 2. THAT** Council urges the Planning Assessment Commission not to approve the application until the applicant has proved all traffic generation on site, including cars and buses, can be accommodated on the expanded school site.
- 3. THAT** Council review the Traffic Report prepared for residents and if appropriate provide an additional submission to the Planning Assessment Commission on traffic matters.
- 4. THAT** Council staff prepare draft conditions to submit to Planning Assessment Commission in the circumstance that the application is approved and that those conditions have particular regard to traffic, design, heritage, parking, BCA and landscaping issues and provide conditions governing construction management, including a construction traffic management plan to reduce impacts on residents in Bank Street and Union Street.
- 5. THAT** part D be amended to read, 'THAT Council is opposed to the lower terrace of Union Street being used in any way for a bus or car parking, the pickup of any persons or the manoeuvring of any vehicles'.

The Motion was moved by Councillor Baker and seconded by Councillor Gibson.

Voting was as follows:

Unanimous

Councillor	Yes	No	Councillor	Yes	No
McCaffery	Y		Zimmerman	Absent	
Gibson	Y		Baker	Y	
Christie	Y		Robjohns	Y	
Reymond	Y		Carland	Y	
Marchandean	Y		Burke	Y	
Raymond	Y		Pearson	Y	
Barbour	Y				

212. PDS15: 17 Stratford Street, Cammeray (T) - DA480/11

Applicant: Emili Fox

Report of Lara Huckstepp, Executive Planner, 17 April 2012

This development application seeks Council's approval for a first floor addition to an existing detached dwelling at No.17 Stratford Street, Cammeray.

The matter is reported to Council due to the building height breach being greater than 20%, which is required to be determined by Council as advised by the Department of Planning requirements.

Council's notification of the proposal has attracted two submissions raising particular concerns about views, solar access, privacy, bulk, scale, height, building height plane and building height. The assessment has considered these concerns as well as the performance of the application against Council's planning requirements.



MEETING HELD ON 23/04/12

Attached:

- (1) Site Plan
- (2) Pick Up Facility Plan

REPORT TO THE GENERAL MANAGER

ADDRESS/WARD: 20 Edward Street, North Sydney (Graythwaite) and part of Shore School (V)

APPLICATION No: **PART 3A DEVELOPMENT** - Department of Planning
Reference: MP 10_0149; MP 10_0150

PROPOSAL: Concept Plan application for Staged Development comprising the conservation and refurbishment of the Graythwaite House, parking and access works, development of additional buildings and associated demolition, student pick-up facility, and Project Application for Stage 1 including conservation and refurbishment works to existing buildings, stormwater improvements, landscaping, parking and access improvements.

PLANS REF: Drawings numbered A.000 to A007 Revision G, A.100 to A.104 Revision G, A.161, A.170 and A.060 to A.063, Revision G, and plans numbered AR.DA.0001 to AR.DA.0003, AR.DA.1001 to 1003, AR.DA.2001 to 2003, AR.DA.3001, AR.DA.4001 and AR.DA.5001, all Revision B, and plans numbered LT.001 to LT.011, all Revision E.

OWNER: Sydney Church of England Grammar School (Shore)

APPLICANT: Sydney Church of England Grammar School (Shore)

AUTHOR: George Youhanna, Executive Planner

DATE OF REPORT: 13 April 2012

DATE OF EXHIBITION: 9 November 2011 to 9 December 2011

RECOMMENDATION Council's objection is forwarded to the Department of Planning

EXECUTIVE SUMMARY

This report has been prepared to provide Councillors with details of the Preferred Project Report (PPR) for the revised Concept Plan and Project Application (Revised EA) for extension of Shore School onto No. 20 Edward Street, North Sydney (the Graythwaite site), lodged with the Department of Planning and Infrastructure (DPI) pursuant to Part 3A (transitional arrangements) of the Environmental Planning and Assessment Act, 1979.

The DPI are seeking Council's advice on whether the PPR satisfactorily addresses the issues raised by Council in its previous submission to the DPI on the Revised EA which include amenity impacts on surrounding dwellings, building height, bulk and scale, traffic and parking impacts, landscaping and heritage impact.

The PPR addresses, inter alia, the preferred option for an on-site student pick-up facility and responds to a number of the issues raised by Council. However, with the exception of the selection of Option 2 as the preferred option for student pick-up, the Revised EA remains unchanged from that previously considered by Council. The proponent's response to key issues raised in submissions is predominantly dismissive, stating that most of the objections are not valid.

The revised Concept Plan seeks approval for the following:

1. Use of the Graythwaite site as an *educational establishment*, being an extension of the adjoining Shore campus
2. Conservation and adaptive reuse of Graythwaite House, the Coach House and other existing buildings on the site (and some demolition works)
3. Building envelopes (above and below ground) for new buildings on the Graythwaite and Shore sites with an additional gross floor area of 4,944.4m²
4. Pedestrian and vehicular access arrangements including a new student pick up facility and 48 car parking spaces (pick-up facility involves entry from Union Street and exit from Hunter Crescent.)
5. Capacity or potential to accommodate up to about 450 additional students and 45 additional staff
6. Landscape concept including removal of 98 trees (comprising 58 weed species, 16 inconsistent species, five minor vegetation, three garden escape, four colonisers, two poor quality one unstable Port Jackson Fig and nine located within building footprints or landscaping works)
7. Completion of the Concept Plan works in three stages (Stages may be separated into sub-stages and re-sequenced).

The concurrent revised Project Application for Stage 1 proposes the following development:

1. Conservation and refurbishment of Graythwaite House, the Coach House, Tom O'Neill Centre and associated garden area (the house will be used for administrative support and other activities and not for classes)
2. Minor demolition works

3. Drainage and stormwater improvements, site levelling and landscaping (significantly on the middle and lower terraces) including removal of 98 trees and transplanting of seven trees
4. Use of the Graythwaite middle and lower terrace as a play and educational space
5. Transport, traffic, parking and access improvements to the Graythwaite and Shore sites
6. Miscellaneous works including site fencing and lighting (to Graythwaite House and the driveway)
7. No anticipated increase in student or staff population.
8. Landscaping works on western side boundary adjoining properties that interface with the proposed West Building.

The revised proposal and Environmental Assessment (EA) was lodged with the Department of Planning and exhibited from 9 November 2011 to 9 December 2011. This PPR is reported to Council in order for Council to provide a formal response to the Department of Planning on whether the PPR has addressed Council's previously identified issues.

This report considers the proposed development and PPR against the relevant controls and it is ultimately the recommendation of this report that Council maintains its objections to the proposed development on a number of grounds and forward a further submission to the Department of Planning.

[illegible]

☐ Property/Applicant ☒ Submitters - Properties Notified

DESCRIPTION OF PROPOSAL

On 9 June 2005, the NSW Parliament passed the *Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Bill*. This contained key elements of the NSW Government's planning system reforms through major changes to both plan-making and major development assessment. The Act was assented to on 16 June 2005. A key component of the amendments was the insertion of a new Part 3A (Major Projects) into the *Environmental Planning & Assessment Act, 1979* (EP&A Act). On 1 August 2005, the new Part 3A and related provisions commenced.

Part 3A applies to major State government infrastructure projects, development previously classified as State significant, and other projects, plans or programs of works declared by the Minister. The State Environmental Planning Policy (SEPP) for State Significant Development gazetted on 25 May 2005, was accordingly amended to reflect the new arrangements and was renamed as State Environmental Planning Policy (Major Development) 2005.

Clause 20 of Schedule 1 of the SEPP (Major Development) 2005 identifies the following as being Part 3A Major Development:

"20 Educational facilities

Development for the purpose of teaching or research (including universities, TAFE or schools) that has a capital investment value of more than \$30 million."

The proposed development has an estimated capital investment value of \$42,917,931, and is in excess of the \$30 million threshold. Under Clause 6 of the Major Development SEPP, the Minister has declared the project to be one to which Part 3A of the EP&A Act applies by virtue of it being development of a kind that is described in Schedule 1 of the SEPP (Major Projects). As such, the proposed development will be assessed by the NSW Department of Planning and the Minister for Planning is the consent authority.

It should be noted that although Part 3A of the Environmental Planning and Assessment Act 1979 was repealed on 28/9/2011, the project is subject to the transitional arrangements under Schedule 6A of the Environmental Planning and Assessment Act 1979 which facilitate assessment and determination under the provisions of Part 3A as a *transitional Part 3A project*.

In relation to the current stage of the Part 3A application, s.75H(6) of the Environmental Planning and Assessment Act 1979 states:

- (6) *The Director-General may require the proponent to submit to the Director-General:*
 - (a) *a response to the issues raised in those submissions, and*
 - (b) *a preferred project report that outlines any proposed changes to the project to minimise its environmental impact, and*
 - (c) *any revised statement of commitments.*

The proponent has provided a PPR, a submissions report and a revised statement of commitments to the DPI, in relation to the revised proposal.

DESCRIPTION OF PROPOSAL

The revised Concept Plan, Project Application and EA have been submitted to the Minister for Planning pursuant to Part 3A of the Environmental Planning and Assessment Act 1979. The applications address the Director-General's Requirements (see attachments) for the preparation of an Environmental Assessment for expansion of the Sydney Church of England Grammar School (Shore) educational establishment onto the Graythwaite site at 20 Edward Street, North Sydney (the Graythwaite site). The project, as amended from the original scheme, now also relates to a substantial part of the existing Shore Campus, in relation to the student pick-up facility accessed from Union Street and exiting in Hunter Crescent.

The revised Concept Plan seeks approval for the following:

1. Use of the Graythwaite site as an *educational establishment*, being an extension of the adjoining Shore campus
2. Conservation and adaptive reuse of Graythwaite House, the Coach House and other existing buildings on the site (and some demolition works)
3. Building envelopes (above and below ground) for new buildings on the Graythwaite and Shore sites with an additional gross floor area of 4,944.4m²
4. Pedestrian and vehicular access arrangements including a new student pick up facility (Option 2 – entry from Union Street and exit via Hunter Crescent) and 48 car parking spaces
5. Capacity or potential to accommodate up to about 450 additional students and 45 additional staff
6. Landscape concept including removal of 98 trees (comprising 58 weed species, 16 inconsistent species, five minor vegetation, three garden escape, four colonisers, two poor quality one unstable Port Jackson Fig and nine located within building footprints or landscaping works)
7. Completion of the Concept Plan works in three stages (Stages may be separated into sub-stages and re-sequenced).

The concurrent revised Project Application for Stage 1 proposes the following development:

1. Conservation and refurbishment of Graythwaite House, the Coach House, Tom O'Neill Centre and associated garden area (the house will be used for administrative support and other activities and not for classes)
2. Minor demolition works
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4. Use of the Graythwaite middle and lower terrace as a play and educational space
5. Transport, traffic, parking and access improvements to the Graythwaite and Shore sites
6. Miscellaneous works including site fencing and lighting (to Graythwaite House and the driveway)
7. No anticipated increase in student or staff population.
8. Landscaping works on western side boundary adjoining properties that interface with the proposed West Building.

The following table from Volume 1A of the revised EA compares the original and revised schemes in terms of key numerical indices:

Table 4 Comparison of the Original and Revised project

Attribute	Original EAR	Revised EAR	Change
GFA			
- Total (existing + proposed)	7,594.40m ²	7,193.00m ²	-401.4m ²
- Net increase	5,345.80m ²	4,944.40m ²	-401.4m ²
Landscaped area	20,307.6m ² (75.84% site area)	20,687.2m ² 77% site area	+380m ²
Additional population	Up to 500 student Up to 50 staff	Up to 450 students Up to 45 staff	-10%
West Building			
- Western interface - storeys	3 storeys	2 storeys	-1 storey
- Western interface - metres	10.6m	8.5m	-2.1m
- Maximum height	14m	12m	-2m
- GFA	3,082.50m ²	2,681.10m ²	-401.4m ²
- Footprint	11,301m ²	10,378m ²	-923m ²
- Setback	16.8m – 18.6m	20.8m – 27.8m	+4m (or more)
Parking spaces	48 spaces	48 spaces	-
Pick-up facility	As existing	New pick-up facility (Stage 2)	

The figures below include an indicative east-west section and plan of the proposed development. It should be noted that detailed design of the East Building, West Building and North Building would be subject to further future project applications. The section drawing provides an indication of the proposed massing of the building envelopes sought in relation to surrounding development.

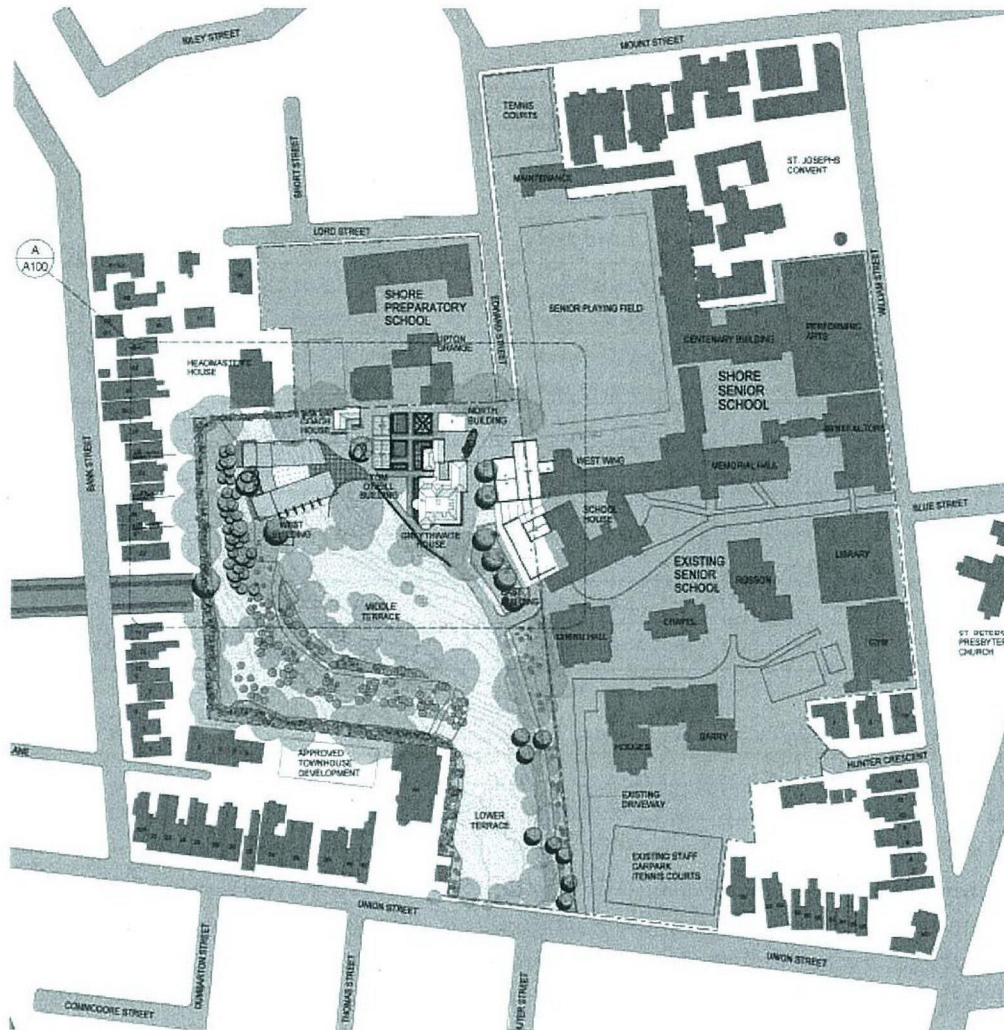


Figure 1 – Proposed Site Plan

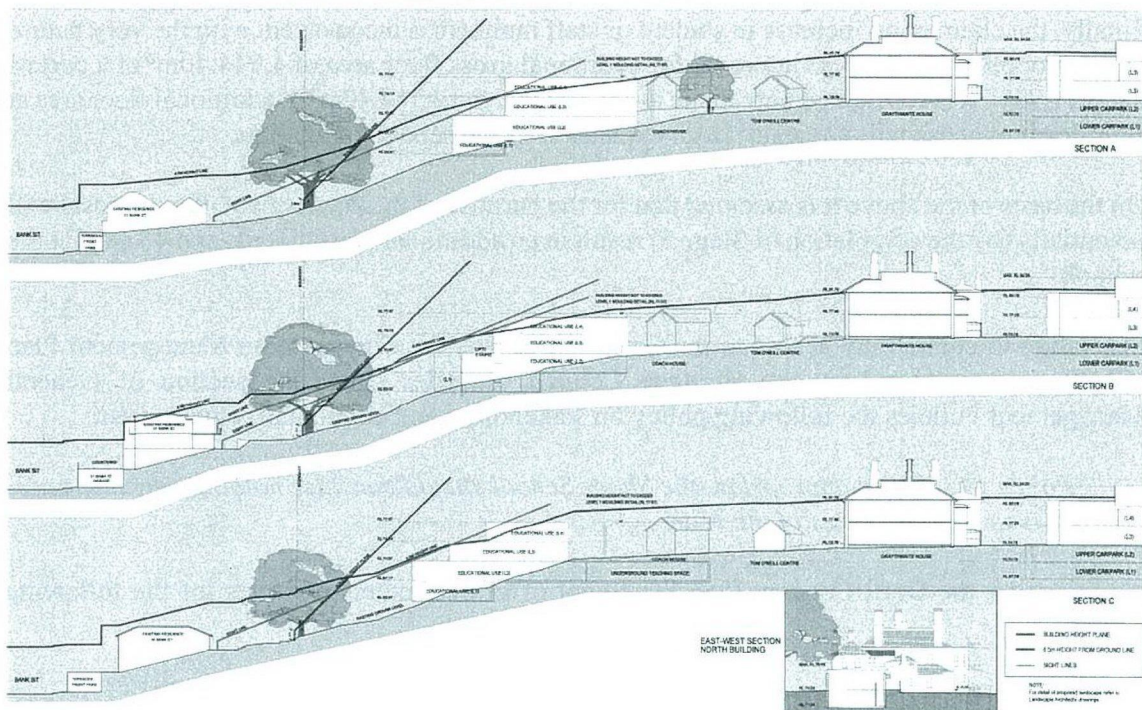


Figure 2 – East-west sections showing: Nos.27, 31 and 35 Bank Street, West Building, Graythwaite and East Building

The Major Project application submitted to the Department of Planning states that the development will result in approximately 250 construction jobs and approximately 50 full time jobs. It is assumed that the 50 full time jobs created by the proposal are the 50 additional staff positions (now revised to 45 staff) specified in the Statement of Environmental Effects. In this regard, Shore School have orally advised Council at briefing meetings that it is not intended to increase student or staff numbers as a result of the proposed development.

This advice is inconsistent with the Major Project application and details contained in the revised EA which state that the proposal has the capacity to accommodate approximately 450 additional students and 45 additional staff. More specifically, section 1.3 of the revised EA states in relation to alternative design and expansion options that:

Alternative design and expansion options include:

- *No school expansion: This option is not feasible as Shore's existing and potential future student population cannot be satisfactorily accommodated on the existing Shore site. Additional buildings and grounds are required.*

The claim that it is not intended to increase student or staff numbers is inconsistent with the submitted Transport and Accessibility Impact Assessment and the Acoustic Impact Assessment, which both assess the proposal on the basis of a potential 450 additional students and 45 additional staff.

Finally, the claim of no increase in student or staff numbers is inconsistent with the very nature of the proposal, which seeks approval for additional gross floor area of 4,944.40m² at a cost of \$42,917,931. It is considered unrealistic to suggest that the 4,944.40m² of additional floor area at significant expense will not result in an expansion of the school population.

On the basis of the above it is assumed that for the purpose of this assessment, the proposal will potentially (by the completion of Stage 3) result in an additional 450 students and 45 staff at the school.

In relation to community access to the Graythwaite site, the Conservation Management Plan (CMP), now endorsed by the Heritage Council, includes under the section of General Management Policies the following policy on stakeholder and community engagement:

Policy 14 Where appropriate the Shore School should consider holding periodic open days at relevant times of the year.

Additionally, the Draft Concept Plan Statement of Commitments provides for the following access:

11. Public access to Graythwaite

Community access to the Graythwaite site will be available at nominated times throughout the year (eg. Heritage Week by arrangement). Community access will only be provided on the basis that it does not interfere with school activities.

Stages 2 and 3

Development in proposed Stages 2 and 3 (subject to further Project Applications) includes the following:

Stage 2

- Development of a new building to the north of the house which may be used for education or administration purposes (North Building)
- Demolition of the Ward Building to the east of Graythwaite House
- Construction of a new building (two wings) to the east of the house for additional classrooms, teaching or other educational facilities (East Building)
- A new student pickup facility on the Shore School site (Option 2), entering from Union Street and exiting to Hunter Crescent and William Street.
- Capacity or potential to accommodate approximately 100 students and 10 staff.

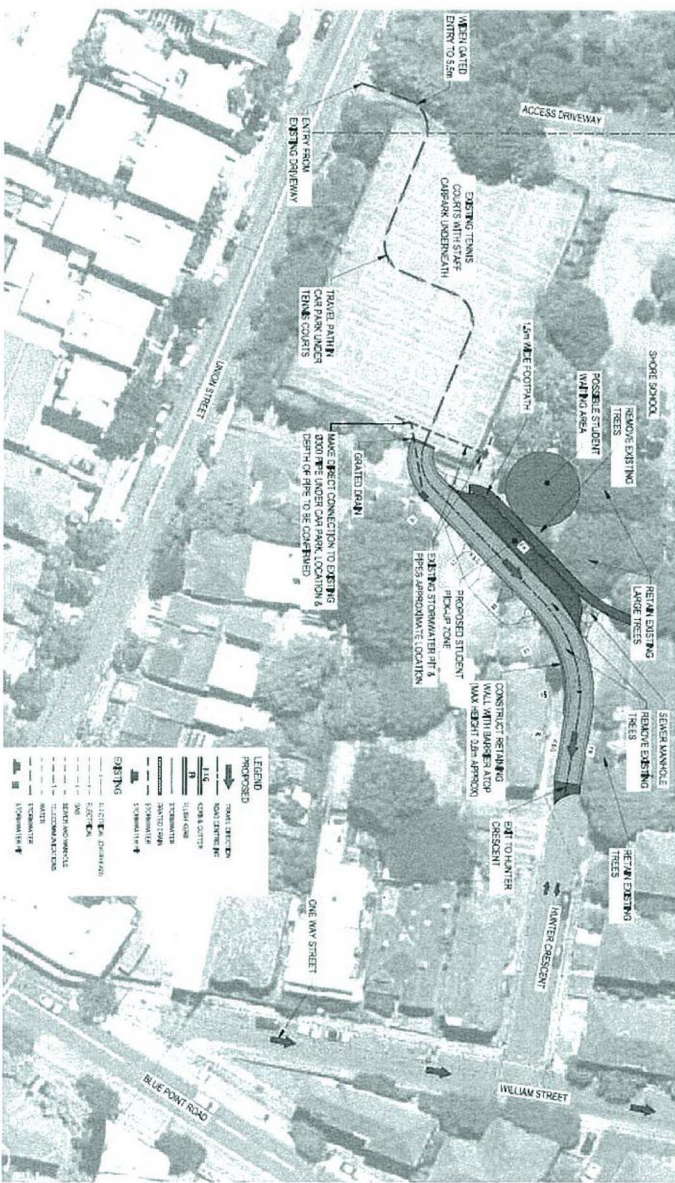
Stage 3

- Construction of a new building to the west of the Graythwaite House for additional classrooms, teaching or other educational facilities (West Building). The West Building is proposed to be set back 20.8m to 33.6m from the western side boundary of the property, adjoining dwellings at Nos.25-37 Bank Street.
- Capacity or potential to accommodate approximately 350 students and 35 staff
- Potential demolition and replacement of the Tom O'Neill Centre.

Figure 3 – Concept Plan staging diagram.



Figure 4 - Preferred Option for student pick-up facility:



STATUTORY CONTROLS

North Sydney LEP 2001

- Zoning – Special Uses Hospital (Graythwaite); Special Uses School (Shore School)
- Item of Heritage – Yes (Graythwaite – State Heritage Register)
- In Vicinity of Item of Heritage – Yes (multiple, including Shore School buildings)
- Conservation Area - No
- FSBL - No

S94 Contribution – No

Environmental Planning & Assessment Act 1979

SEPP No.19 – Bushland In Urban Areas

SEPP No. 55 – Remediation of Land

SEPP (Major Development) 2005

SEPP (Infrastructure) 2007

SREP (Sydney Harbour Catchment) 2005

Draft North Sydney LEP 2009

POLICY CONTROLS

DCP 2002

DESCRIPTION OF LOCALITY

The site as described on the Major Project Application form comprises Graythwaite and part of Shore School, with frontages to Edward and Union Streets, North Sydney. The legal description is Lot 2 DP 539853 (Graythwaite site) and part of Lot 1 DP 120268 (Shore site). The site area of Graythwaite is 2.678 ha. It is noted that the site has now been expanded under the amended application and Revised EA, to include a significant part of Shore school comprising up to nine (9) additional lots, in relation to the Stage 2 student pick-up options.

Existing buildings on the Graythwaite site are located on the upper terrace to the north-east, accessed via a curved driveway from the main gate in Union Street.

Existing buildings and structures include:

- The Graythwaite house complex—house, kitchen wing, former c1833 stables, former massage room/doctor's room, lavatory/bathroom block addition, associated enclosed links, courtyard and garden/yard walls
- The c1882 coach house
- The former Tom O'Neill Centre (1918)
- The ward building (c. 1918), recreation room and lavatory/bathroom block and link to the house.

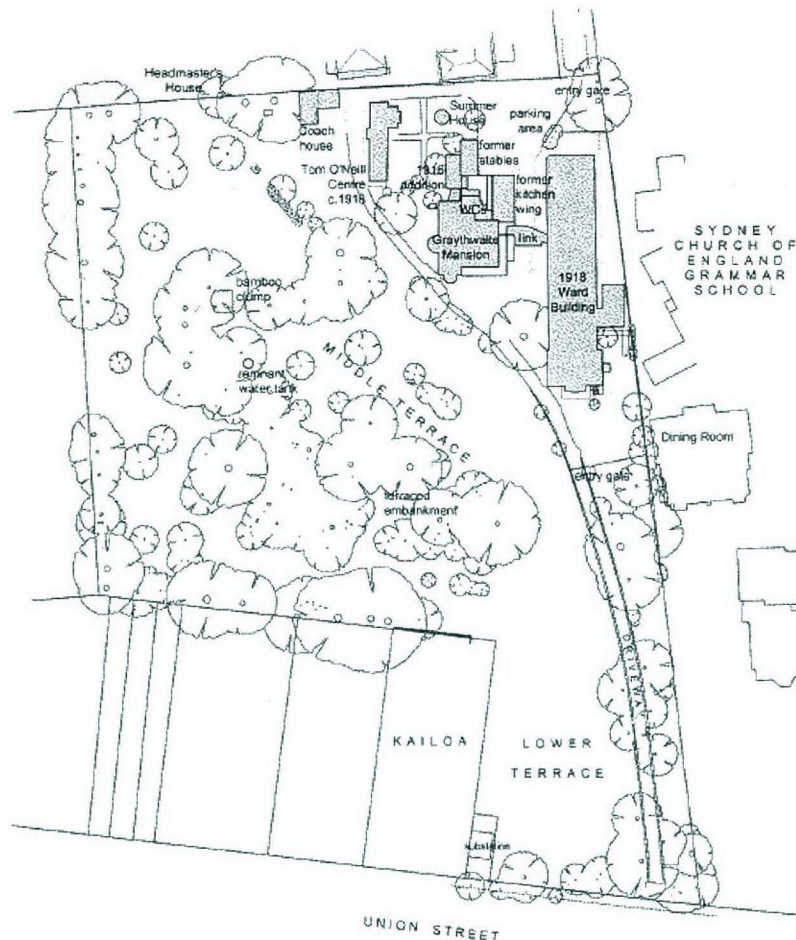


Figure 4 – Existing site plan

RELEVANT HISTORY

In October 2009, Sydney Church of England Grammar School (Shore) purchased the Graythwaite site with the objective of integrating the site into the existing school grounds.

Council were advised in correspondence from the Department of Planning, dated 1 October 2010, that an application had been received pursuant to Part 3A of the EP&A Act for the subject Concept Plan and Project Application for the site. Council was requested to review the draft Director-General's Requirements. Council provided a list of matters for inclusion in the DGR's in correspondence dated 18 October 2010. **Importantly, the matters raised by Council for inclusion in the DGR's were limited in scope to the original application which did not include the proposed student pick-up facility which traverses the lower part of the Shore campus. Had this been included in the original application, it is likely that Council would have requested that a master plan be prepared for the development of the entire expanded Shore campus (including the Graythwaite site), in order to facilitate orderly and appropriate expansion of Shore, particularly in relation to traffic and parking for the entire school. While a traffic and parking master plan was not prepared for the original application, given the expansion of the proposal to now include a through site drop-off facility traversing the lower part of Shore (between Bishopsgate and Hunter Crescent), it is considered that a whole of campus traffic management plan is an essential requirement.** Council was formally notified of the proposed Part 3A development on 19 January 2011, with

the exhibition period starting on 27 January 2011 and concluding on 14 March 2011. The exhibition period end date was extended by the Department of Planning, from 28 February 2011 to 14 March 2011 as a result of a number of adjoining properties not being notified in writing of the proposal.

The original proposal and EA exhibition generated 151 public submissions and 7 submissions from other agencies, including one from North Sydney Council. Under the provisions of clause 75H(6) of Part 3A, the following post exhibition actions may be required

- (6) The Director-General may require the proponent to submit to the Director-General:*
 - (a) a response to the issues raised in those submissions, and*
 - (b) a preferred project report that outlines any proposed changes to the project to minimise its environmental impact, and*
 - (c) any revised statement of commitments.*
- (7) If the Director-General considers that significant changes are proposed to the nature of the project, the Director-General may require the proponent to make the preferred project report available to the public.*

Of particular concern is the expansion of the subject site from two (2) lots to eleven (11) lots, as the site area proposed for on-site pick up of students comprises up to nine (9) additional lots that were not part of the original site or scheme. While it is agreed that the proposed development of the site warrants detailed consideration of the potential traffic and parking impacts on the surrounding road network and a traffic master plan, as acknowledged to some extent by the amended application including on site pick-up of students, it is unclear whether the proposed amendments and expanded development site can be considered under the original Major Project Application or whether the revised scheme should be considered under a fresh application. It is noted that Part 3A was repealed prior to the amended scheme and Revised EA being submitted. These are ultimately procedural and statutory matters for the DPI to address.

On 9 December 2011, Council issued a letter to the DPI advising as follows:

- A. **THAT** Council resolves to **OBJECT** to the Part 3A Applications (MP 10_0149 and MP 10_0150) at No. 20 Edward Street, North Sydney (Graythwaite) on the following grounds:*
 - 1. The Major Project Application made on 20 September 2010 relates to Lot 2 DP 539853 (Graythwaite site) and part of Lot 1 DP 120268 (part of Shore site), however, the project has been expanded under the amended application and Revised EA to include a significant part of Shore school comprising up to nine (9) additional lots, and it is unclear as to whether the enlargement of the site can be accommodated by the original application. Additionally, it is also unclear as to whether the provisions of Part 3A facilitate the submission of an amended scheme and a Revised EA as post exhibition actions that the Director-General may require of the proponent.*

2. *Assessment and determination of the applications should be postponed until such time as the proposed 41 space car park under the new East Building is deleted, the proposal is amended to provide a formal pick-up/drop-off facility for the Preparatory and Senior students on-site, and a formal bus zone is provided on-site which can accommodate 11 buses. The amended application should then include a review of all traffic and transport issues for the entire Shore and Graythwaite site, once the above modifications have been incorporated into the proposal.*
3. *The proposed development does not satisfy objective (b) of the Special Uses Zone as it does not minimise adverse impacts on adjoining residential dwellings, including acoustic privacy, visual impact, and traffic and parking impacts. As such, the proposal does not satisfy the provisions of Clause 14 of NSLEP 2001 – Consistency with aims of plan, zone objectives and desired character.*
4. *The proposal does not comply with the 8.5m building height development standards under both NSLEP 2001 and Draft NSLEP 2009, with the proposed 12m West Building being located adjacent to the interface of the site with adjoining residential dwelling houses. The 12m high West Building remains unsatisfactory with regard to aural privacy and visual impact on the adjoining low density residential dwellings in Bank Street.*
5. *Insufficient information has been submitted in relation to the proposed East Building in order to facilitate a detailed assessment of potential impacts on Graythwaite mansion.*
- B. **THAT** *should the Department of Planning, contrary to Council's recommendation, intend to approve the application without seeking the recommended additional information and modifications, that all recommendations contained in this report in relation to town planning, building design, heritage, traffic and parking, BCA compliance and landscaping be included in any consent granted.*
- C. **THAT** *Council resolves that the Department of Planning be requested to forward any amended plans received to Council for review and comment.*
- D. **THAT** *Council is opposed to the lower terrace of Union Street being used in any way for a bus car park.*
- E. **THAT** *Council holds the view that the streets surrounding Shore School should be regarded as residential streets and prefers the advice from Council's Traffic Engineer over that of the traffic consultant (see attached report).*

On 20 December 2011, the DPI advised the proponent that:

*"...The department notes that a new pick-up and drop-off facility forms part of the concept plan, and a range of conceptual options have been provided within the Transport and Accessibility Impact Assessment. Notwithstanding that the proposed facility will be the subject of a future development application, the department considers that a "preferred option" needs to be established in the concept plan, in consultation with North Sydney Council. **The department requires that any response to submissions report or preferred project report be accompanied by a preferred pick-up and drop-off facility option, in sufficient detail that it can be assessed as part of the concept plan determination.**"* (emphasis added)

REFERRALS

Heritage

Council's Conservation Planners (Lucinda Varley and Lisa Truman) have reviewed the proposal and provided the following heritage comments:

1. HERITAGE LISTINGS

- *The property contains a heritage item of State Significance*
- *Located within the immediate vicinity of several heritage items being: Shore School, Upton Grange at 22 Edward St, Rockleigh Grange at 40 Edward St and Kailoa at 44 Union St.*
- *The property is not located within a Conservation Area, however it is located adjacent to the Union/Thomas/Bank Conservation area and in the vicinity of the Edward Street Conservation Area.*
- *Listed on the Register of the National Estate*

2. THE PROPERTY

The Property contains the late Victorian estate of 'Graythwaite' house and various outbuildings. The significance of the individual elements of the property and Graythwaite House, have been extensively assessed and researched in the Conservation Management Plan for the property. The CMP (Tanner Architects 2010) has been lodged with the Heritage Office of NSW, but has not yet been endorsed.

3. THE PROPOSAL

The proposal is for staged development to accommodate facilities for use by the current owners of the site, being Sydney Church of England Grammar School (Shore). The application is for approval of two proposals which have been deemed 'Major Projects' and are therefore being assessed under Part 3A of the EPA. Council is not the approval authority, but has been asked to provide comments.

The current submission includes two separate applications:

- **Application mp10_0149** is for a concept master plan for the entire site, that outlines three future stages of works.
- **Application mp_0150** is for the stage one works. Stage One works include the restoration of the Graythwaite House, works to the Tom O'Neill Centre and Coach House, new perimeter fences and gates, landscape and drainage works and change of use to educational establishment.

4. ORIGINAL APPLICATION

An assessment of the application, as originally submitted, was undertaken on 16 February 2011, and the following conclusion was made in relation to the heritage impact of the proposal, specifically on the built heritage of the site (landscape heritage was assessed separately by Lucinda Varley)

'The Stage One works propose the full restoration and conservation of Graythwaite House, which is strongly supported on heritage grounds. The Concept Master Plan proposes works that have generally been designed with respect to the heritage significance of the site and seek to minimise any adverse impact, with some exceptions. The change of use to an 'educational establishment' is considered acceptable on heritage grounds.

However, two significant concerns are raised in relation to the applications, and a number of other recommendations are suggested in order to ensure that an adverse heritage impact is minimised.

4.1. Concerns relating to the applications:

4.1.1 Lack of Heritage Council Endorsement of 2010 Graythwaite Conservation Management Plan:

The current part 3 applications have been lodged for determination prior to the endorsement of the 2010 Conservation Management Plan for the site. This is considered to be highly inappropriate. It is considered that the Heritage Office should be given the opportunity to comment on, finalise and endorse the CMP prior to assessment of these applications, as this document would guide the assessment of the Heritage impact of the works.

It is recommended that Council request that assessment and determination of the applications be postponed until such time as the Heritage Council has endorsed the final 2010 Conservation Management Plan, so that it can be used to facilitate the assessment of the applications.

4.1.2 Potential changes to the historic lot boundaries and impact on the acknowledged heritage curtilage of Graythwaite.

The State Heritage Register listing and CMP 2010 establish the heritage curtilage of the Graythwaite site as being the current (and historic) lot boundaries. The East buildings are proposed to be located across the lot boundary between the current Graythwaite site and Shore School. There is no discussion in the application documents about what impact this has on the historic curtilage of the site. Although there does not appear to be an intention to amalgamate the sites or change the lot boundaries at this stage, changes to the boundaries may be being considered at a later stage. Concerns are raised about the impact any such changes would have on the historic curtilage of the Graythwaite site.

Accordingly, concerns are raised about the location of the buildings, pending an assessment of the heritage impact of their construction across the lot boundary and clarification of any changes to the lot boundary in future stages of the development.

4.1.3 BCA Upgrade, including Fire Safety Upgrade

The proposal to upgrade Graythwaite House to the BCA requirements, including the fire safety upgrade is inadequately resolved and will, as currently proposed, result in loss of heritage significance to the building. Some of the detail is lacking and is required as recommended below.

4.2 Specific Recommendations for the Part 3A applications

Notwithstanding these general comments, the proposed works have been assessed using the 2010 CMP as a background document. The following recommendations are made

4.2.1 Application mp_0150 for Stage One works: *the Stage One works are generally supported on heritage grounds, as they will have a significant positive impact on the listed House. The following specific recommendations:*

- 1. The proposed lift to Graythwaite House be lowered in height to no higher than the gutter line of the House, and sensitively designed to minimise its impact on the listed building. A hydraulic system with basement overrun should be implemented, in order to reduce the height of the structure*
- 2. Details of the proposed verandah balustrade, and its compliance with BCA, should be submitted to Council for comment*
- 3. Comments regarding the need for BCA and fire upgrade have been addressed separately*
- 4. Heritage Landscape comments have been addressed separately*

4.2.2 Application mp_0149 for Concept Master Plan: *Although most elements of the Concept Master Plan are generally acceptable, there are some areas that are not supported on heritage grounds. The following specific recommendations are suggested in order to ensure the heritage impact of the works are minimised:*

- 1. Concerns are raised about the location of the East building across the lot boundaries between the Graythwaite site and Shore School, and the potential heritage impact of any future changes to the lot boundaries and historic curtilage.*

2. *The height of the East Building (North and South) should be reduced in height in order to be subservient to Graythwaite House.*
3. *The detailed design of all proposed new buildings (East, North, West) must be guided stringently by the 'High Level Design Objectives' and 'Building Descriptions' and 'Building Materials', as given in the 'Graythwaite Planning Parameters' document. The buildings must be designed and detailed under the guidance of, and fully supported by, a heritage architect of considerable experience.*
4. *Objections are raised to the proposed demolition of Tom O'Neill Centre in Stage 3, which is contrary to the recommendations of the CMP.'*

5. AMENDED PROPOSAL - NOVEMBER 2011

In response to issues raised by Council, the public and other agencies, in relation to the original proposal, the application was amended, with an amended submission lodged with Council on 1 November 2011. The following comments were made in relation to the amended application:

'The following changes are relevant to the assessment of the heritage impact if the proposal, in relation to built heritage:

1. **Endorsement of CMP by NSW Heritage Office, June 2011.** *The 2010 Conservation Management Plan for Graythwaite was endorsed by the NSW Heritage Office in June 2011. This addresses one of the major concerns relating to the original submission. It is noted that the Heritage Office required a number of changes be made to the document, prior to its endorsement, and that these changes have required amendments to the design and location of buildings on the site, reducing the heritage impact of the development.*
2. **Alternative solution to fire and BCA upgrade of Graythwaite House:** *The report prepared by Davis Langdon states that alternative solutions using fire engineered principles are to be used to upgrade the buildings on the Graythwaite site such that they are 'deemed to satisfy' the provisions within the Building Code of Australia 2011. This is most satisfactory subject to the following detail design considerations occurring; most of which could be resolved by the recommended conditions.*
3. **Reduction in the size of the 'West Building':** *the proposed 'West Building' has been substantially reduced in height and footprint, with increased setbacks and a reduced overall floor area, in accordance with the endorsed CMP. These changes reduce the bulk and scale of the proposed building and result in a reduced heritage impact. The changes are supported on heritage grounds.*

4. ***Additional information and amendments to landscape plan.*** The presence of the pond, cistern, sandstone stairs and springs have been documented on the plans, (however the WW2 shelters have not been precisely located), a detail design of the front boundary in the Stage 1 has been submitted and is considered to be acceptable, and the Site Plan for Graythwaite Defining Levels of Significance, has been satisfactorily modified to include the 1890s brick edging and significant fig tree. However, the landscape plans for these works are still largely conceptual except for that of the Formal Garden, and the documentation does not successfully retain the existing natural landscape, namely the hydrology of the site and its associated landscape features. This is contrary to the CMP Policy.

Stage One works to Graythwaite House

The endorsement of the CMP, and alternative solution to fire and BCA upgrade works, have addressed the major concerns raised in relation to the heritage impact of the Stage One works on the built heritage of Graythwaite. Some detail is lacking, and specific conditions have been recommended to ensure that the impact of the works is further minimised.

However, the landscape plans for the Stage One works are still largely conceptual (except for that of the Formal Garden), and the documentation does not successfully retain the existing natural landscape, namely the hydrology of the site and its associated landscape features. This is contrary to the CMP Policy. Accordingly, extensive landscape conditions have been recommended, should the application be approved.

Concept Masterplan

The amendments to the concept masterplan, in particular the reduction in the size of the West building, are a significant improvement from the original application.

In relation to the issue raised about the location of the 'East Buildings' across the lot boundary and historic curtilage, it is noted that this has been addressed in Policy 90 of the endorsed CMP. As previously stated, the State Heritage Register listing and CMP 2010 establish the heritage curtilage of the Graythwaite site as being the current (and historic) lot boundaries. Concerns were raised about the location of the East building across the lot boundaries between the Graythwaite site and Shore School, and the potential heritage impact of any future changes to the lot boundaries and historic curtilage. The endorsed CMP states, in Policy 90, that 'subdivision of the Graythwaite site for sale to others should not occur, considered integration with the Shore School is presumed'. The location of these buildings is therefore supported by the CMP. It is acknowledged that there is no proposal to subdivide or amalgamate the lots in these applications. Any such changes would not be supported.

It is noted that some heritage issues raised in relation to the original proposal, as previously detailed, have not been addressed through amendments or further information. Accordingly, those remain of concern, and specific conditions are therefore recommended. Of particular concern is any future plan to demolish the Tom O'Neill Centre, which has heritage significance and should be retained.

Further, the landscape plans do not successfully retain the existing natural landscape,

namely the hydrology of the site and its associated landscape features. This is contrary to the CMP Policy.

CONCLUSION AND RECOMMENDATIONS

The amended application is considered to have an improved outcome for the built heritage of Graythwaite. The endorsement of the Conservation Management Plan 2010 prior to the finalisation of the design of the development was essential to ensure an appropriate outcome. It is further considered that the reduction to the scale of the West building, which was guided by the endorsed CMP, is a significant improvement in heritage terms. The change of use to an 'educational establishment' is considered acceptable on heritage grounds.

The Stage One works propose the full restoration and conservation of Graythwaite House, which is strongly supported on heritage grounds. The Concept Master Plan proposes works that have generally been designed with respect to the heritage significance of the site and seek to minimise any adverse impact, with some exceptions. However, the landscape plan is considered to be lacking in detail and does not successfully retain the existing natural landscape.

A number of conditions are recommended in order to ensure that any adverse heritage impact is minimised, should the application be approved:

6.1 Application mp_0150 for Stage One works: *the Stage One works are generally supported on heritage grounds, as they will have a significant positive impact on the listed House, subject to the following specific recommendations:*

- **Lowering of height of lift:** *The proposed lift to Graythwaite House be lowered in height to no higher than the gutter line of the House, and sensitively designed to minimise its impact on the listed building. A hydraulic system with basement overrun should be implemented, in order to reduce the height of the structure*
- **Fire and BCA upgrade:** *the following conditions are recommended in relation to the heritage impact of the fire and BCA upgrade works:*
 - *Council place a Fire Order on Graythwaite House and its associated buildings to ensure that Council is satisfied that the heritage significant fabric is retained.*
 - *A suitably qualified and experienced heritage architect to be engaged to work with the BCA consultant and fire engineer to resolve the detail design of the BCA upgrade to ensure that heritage fabric is retained. Original features with medium, high or exceptional significance are to be retained. All new work should reflect the character of the building. Fire fighting equipment, and egress detection systems are to be located sympathetically with regard to the character of the buildings to be upgraded. Such items are not to be placed in highly intrusive locations and are to be designed to have the least impact to the significant fabric whilst also having proper regard to fire safety requirements. Details to be submitted to Council.*
 - *Consideration is to be given to using Edward St as the fire truck entry point such that all major fire equipment and detection panels may be located away from the primary facade of Graythwaite House.*
 - *The fire panel to be located away from the primary facade of Graythwaite House rather than detracting from the significant front facade. The existing fire*

hydrant to be upgraded if necessary and relocated to the rear of Graythwaite House if inadequate when tested. The fire hydrant is to be located in a box and labeled in a contrasted colour and located sympathetically within a landscape setting. The fire board is to be located sympathetically and painted to be visually sympathetic to the building.

- *All building and fire regulations, notices and signs are to reflect the style of the building and where possible, use traditional materials.*
- *All emergency lighting is to reflect the style of the building and where possible, use traditional materials.*
- *Proposed hose reels and fire extinguishers to be enclosed sympathetically, coloured in a contrasting colour and labeled.*
- *Alternative fire solution to be designed such that the original Victorian round door handles and timber doors are to be retained and cupboards under the staircase are retained.*
- *Details of the proposed First Level verandah and Widow's Walk balustrades, and their compliance with BCA, should be submitted to Council for comment ensuring that they are based on historic evidence.*
- *Details for the usage of the fire places and chimney are to be provided. It is noted that dampers are to be installed where not already existing.*
- *Detail design for dormer windows and windows on stair landings with sill heights below 865mm to be advised on how BCA compliance is to be achieved. Consideration may be given to the insertion of a simple horizontal rail at 1m height.*
- *Details regarding the provision of air conditioning and/or heating to be provided. The location of condenser units, ductwork and registers to be determined by a suitably qualified and experienced heritage architect.*
- *Existing glazing is not to be substituted with double glazing.*

• **Landscape Heritage Conditions:** *the following conditions are recommended in relation to the heritage impact of the landscape works:*

- *The stormwater engineer in conjunction with a landscape architect suitably experienced in WSUD and a flora/fauna consultant to redesign the stormwater proposal for the drainage design whereby water logged areas are not drained. Connection to the street drainage system does not use the principles of WSUD and does not comply with Policy 25 of the CMP.*
- *A Landscape Interpretation Plan is to be prepared by a suitably qualified and experienced heritage landscape architect to ensure the understanding and protection of the remnant plantings associated with the Dibbs Family, the well, cistern, pond, sandstone stairs and WW 2 air raid shelters.*
- *A Vegetation Management Plan to be created by a suitably experienced landscape architect and flora/fauna expert in accordance with Policy 74 of the CMP. The Plan is to:*
 - a. *Include a Bush Regeneration Location Plan showing clearly the zones where mechanical removal of vegetation is not to occur, and where pesticides and herbicides may/not be used. The plan should identify the techniques to be used in bush regeneration*
 - b. *Techniques where specific maintenance methods may be applied with specific reference made to machines that that may/may not be used (slashers and mowers, snippers and the like) and where physical hand removal must occur.*

- c. *Techniques where specific pesticide and herbicide use may or may not occur to ensure the retention of habitat.*
 - d. *Identify a project time schedule that identifies the areas to be cleared/modified/re-planted/regenerated against a timeframe.*
 - e. *Ensure that the replacement under planting and screen plantings provide adequate habitat for existing fauna and that the removal of understorey weed species and subsequent replanting occurs in a time frame to prevent the wholesale loss of habitat.*
 - f. *Include native plant species on the slopes to be retained in accordance with Policy 25, including all under and middle storeys to retain the wildlife habitat.*
 - g. *Include Landscape Concept Plans such that ongoing maintenance occurs in accordance with the future landscape proposals for the site and in accordance with Policies 25 and 100 of the CMP.*
- *Landscape Plans are to be prepared by a suitably qualified and experienced landscape architect experienced in heritage assessment and design of Victorian and Federation landscapes as per Policy 99 in the CMP. The plans are to address:*
 - a. *Detailed landscape plans for the area around Graythwaite House(Plan LT.005 by Taylor Brammer) to further detail the southern, western and eastern areas.*
 - b. *The new location of the palms and their relocation management plan.*
 - c. *Detail plan of the supplementary planting to the driveway (Plan LT.007 by Taylor Brammer) to include tree species and specific planting locations.*
 - d. *Areas to be cleared.*
 - e. *Forward planting to the Western boundary (Plan LT. 010 by Taylor Brammer) to further include the technique for minor regrading and extent of plant removal. The plan is note that grubbing out of the understorey by mechanical plant is not to occur due to the potential wholesale loss of habitat.*
 - f. *The product specification for the bonded gravel driveway material and is to be similar in appearance to that used at Kailoa with an appearance similar to gravel.*
- ***Standard Conditions:*** *In addition, it is recommended that the following standard conditions be attached to any approval:*

- A4 No demolition of Extra Fabric***
- C16 Heritage Architect to be commissioned***
- C15 Sandstone re-pointing***
- D1 Photographic survey (entire site)***
- E11 Removal of Extra Fabric***

6.2 Application mp_0149 for Concept Master Plan: *Although most elements of the Concept Master Plan are generally acceptable, there are some areas that are not supported on heritage grounds. The following specific recommendations are suggested in order to ensure the heritage impact of the works is minimised:*

- ***The Design of the East Building (North and South).*** *The majority of the East building must be no higher than the eaves height of Graythwaite House, and must be designed in accordance with Policy 88 of the endorsed Graythwaite CMP 2010*
- ***The detailed design of all proposed new buildings (East, North, West) must be guided stringently by the 'High Level Design Objectives' and 'Building Descriptions' and 'Building Materials', as given in the 'Graythwaite Planning***

Parameters' document, and strictly in accordance with the relevant Policies of the endorsed Graythwaite CMP 2010. The buildings must be designed and detailed under the guidance of, and fully supported by, a heritage architect of considerable experience.

- **The detailed design of future landscaped works:** *must be strictly in accordance with the relevant Policies of the endorsed Graythwaite CMP 2010. The landscaping must be designed and detailed under the guidance of, and fully supported by, a heritage landscape architect of considerable experience.*
- **Retention of the Tom O'Neill Centre.** *The Tom O'Neill building has been determined to have moderate significance and it should be retained. Any application to demolished in Stage 3 would not be supported.*

6. PREFERRED PROJECT REPORT MARCH 2012

A Preferred Project Report and Statement of Commitments was submitted to the NSW Department of Planning in March 2012, responding to the key issues identified and additional information required by the Department after the exhibition of the amended scheme. The Preferred Project Report includes a detailed response to the issues raised by Council in relation to the amended scheme, including the draft recommended conditions of consent.

The relevant heritage issues are listed below (with the corresponding PPR reference and page no.)

Objection No. 4 .Landscape Heritage (p14)

- **Transplanting of Palm Trees**

Comment: *Council's Conservation Planner raises no objection to the removal of the palm trees in order to achieve the desired Victorian landscape but notes that they have become part of the evolving landscape associated with Graythwaite and its front facade. Council's Landscape Officer, however, has a different opinion relating to the effectiveness and cost of the transplants.*

- **Vegetation Management**

Comment: *Council's Conservation Planner supports the proposal that Shore School prepare a Vegetation Management Plan for the site.*

- **Stormwater**

Comment: *The redistribution of the status quo in the water regime across the site is supported by the Conservation Planner.*

Objection No. 5 Water Management (p17)

- **Water logged areas**

Comment: *The installation of shallow zone sub-surface drainage in the areas of waterlogged zones is acceptable.*

- **Graythwaite Roof Water**

Comment: *The re-use of the Graythwaite roof water to the groundwater flows is highly supported to ensure the protection of the trees and their longevity.*

- **Western Building**

Comment: No objection is raised to the roof water from the proposed western building being collected in tanks and reused within the building and for infiltration into the groundwater system.

Objection No. 6 Heritage (p 18)

- **Union Street fence should be lowered**

Comment: There was no request from the Conservation Planner for lowering of the fence. The proposed fence detail is supported as it is based on historical evidence.

- **Review of CMP**

Comment: The Conservation Planner agrees that the CMP has been endorsed by the NSW Heritage Office and that a review should be conducted in five years time as best conservation practice.

- **Inadequate information has been provided to assess the potential impact of the East Building on Graythwaite House:**

Comment: Council's Conservation Planners did not raise this objection.

- **Tom O'Neill Building should be retained.** The applicant does not consider this objection to be valid, because the Concept Master Plan, which has been endorsed by the Heritage Office, proposes that the building to be demolished.

Comment: the building has been determined to have moderate heritage significance as has been confirmed by an internal and external inspection by Council Planner. Notwithstanding the Heritage Office's support of the revised Concept Plan, it is considered by Council's Conservation Officer that the demolition of the Tom O'Neill Centre is not an appropriate heritage outcome.

Objection No. 7 Recommended Conditions of Consent (p20)

The PPR agrees with the proposed heritage related conditions of consent, with the exception of the following:

- **Lowering of Height of Lift at rear of Graythwaite House:**

Agree: The applicant submits that the lift can be designed appropriately for its heritage context, while extending beyond the buildings eaves, citing other examples designed by Tanner Architects. They also argue that the design of the lift is supported by the NSW Heritage Council. This information is satisfactory and the condition is no longer recommended.

- **Lowering of Height of Lift at rear of Graythwaite House:**

Agree: The applicant submits that the lift can be designed appropriately for its heritage context, while extending beyond the buildings eaves, citing other examples designed by Tanner Architects. They also argue that the design of the lift is supported by the NSW Heritage Council. This information is satisfactory and the condition is no longer recommended.

- **Original Features with medium, high or exceptional significance should be retained**

Agree: It is agreed that all Fire and BCA upgrade works should be undertaken to have the least impact on significant fabric. The adoption of 'Condition C8 Heritage Architect to be commissioned' satisfactorily resolves this issue as does the condition 'Fire safety and BCA upgrade works and installation of new services should have the least impact on significant fabric and be undertaken in a manner consistent with the policies of the endorsed Graythwaite Conservation Management Plan, under the direction of an experienced conservation architect.'

- **All new work should reflect the character of the building:**

Agree: The condition 'Fire safety and BCA upgrade works and installation of new services should have the least impact on significant fabric and be undertaken in a manner consistent with the policies of the endorsed Graythwaite Conservation Management Plan, under the direction of an experienced conservation architect' is acceptable and may be applied to resolve this issue.

- **Building and Fire regulations:**

Agree: The condition 'Fire safety and BCA upgrade works and installation of new services should have the least impact on significant fabric and be undertaken in a manner consistent with the policies of the endorsed Graythwaite Conservation Management Plan, under the direction of an experienced conservation architect' is acceptable and may be applied to resolve this issue.

Condition C8 Heritage Architect to be commissioned

- **Emergency Lighting:**

Agree: The condition 'Fire safety and BCA upgrade works and installation of new services should have the least impact on significant fabric and be undertaken in a manner consistent with the policies of the endorsed Graythwaite Conservation Management Plan, under the direction of an experienced conservation architect' is acceptable and may be applied to resolve this issue.

- **All new work should reflect the character of the building:**

Agree: The condition 'Fire safety and BCA upgrade works and installation of new services should have the least impact on significant fabric and be undertaken in a manner consistent with the policies of the endorsed Graythwaite Conservation Management Plan, under the direction of an experienced conservation architect' is acceptable and may be applied to resolve this issue.

- **Fire Safety and BCA upgrade conditions rewording:**

Agree: The condition 'Fire safety and BCA upgrade works and installation of new services should have the least impact on significant fabric and be undertaken in a manner

consistent with the policies of the endorsed Graythwaite Conservation Management Plan, under the direction of an experienced conservation architect' is acceptable and may be applied to resolve this issue.

- **Landscape Heritage:**

Disagree: Council's Conservation Planner recommends in the absence of revised stormwater drawings that the following conditions be applied:

Roof water from Graythwaite to be collected and redirected to an artificial groundwater infiltration system on the site.

Roof water from the new western building to be collected for re-use within the building and for re-direction to an artificial groundwater infiltration system on the site.

Water logged areas to use high level subsoil drainage to a nominal depth of 500 mm for redirection to an artificial groundwater infiltration system.

Disagree: As a Vegetation Management Plan has not been presented to Council, the following condition is recommended:

A Vegetation Management Plan to be created by a suitably experienced landscape architect and flora/fauna expert in accordance with Policy 74 of the CMP. The Plan is to:

a. Include a Bush Regeneration Location Plan showing clearly the zones where mechanical removal of vegetation is not to occur, and where pesticides and herbicides may/not be used. The plan should identify the techniques to be used in bush regeneration

b. Techniques where specific maintenance methods may be applied with specific reference made to machines that that may/may not be used (slashers and mowers, snippers and the like) and where physical hand removal must occur.

c. Techniques where specific pesticide and herbicide use may or may not occur to ensure the retention of habitat.

d. Identify a project time schedule that identifies the areas to be cleared/modified/re-planted/regenerated against a timeframe.

e. Ensure that the replacement under planting and screen plantings provide adequate habitat for existing fauna and that the removal of understorey weed species and subsequent replanting occurs in a time frame to prevent the wholesale loss of habitat.

f. Include native plant species on the slopes to be retained in accordance with Policy 25, including all under and middle storeys to retain the wildlife habitat.

g. Include Landscape Concept Plans such that ongoing maintenance occurs in accordance with the future landscape proposals for the site and in accordance with Policies 25 and 100 of the CMP.

Disagree: In the absence of a Landscape Interpretation Plan, the following condition is still recommended:

A Landscape Interpretation Plan is to be prepared by a suitably qualified and experienced heritage landscape architect to ensure the understanding and protection of: the remnant plantings associated with the Dibbs Family, the well, cistern, pond, sandstone stairs and WW2 air raid shelters.

- **Photographic Survey:**

Disagree: the recommended conditions states that the Archival Photographic Survey should be approved by Council. This is important to ensure that the document, which will be kept in Stanton Library, is of acceptable standard. The applicant requests that reference to Council approval of the survey be deleted to avoid delays. However, Council can usually issue an approval within a few days, and therefore this deletion is not necessary. The other noted conditions (Re-use of sandstone, Removal of Extra Fabric) do

not require any further Council approval and should remain)

- **Aboriginal heritage:**

Agree: the requirements of the Heritage Branch have been addressed in the Statement of Commitments, therefore this condition is not required.

- **Eaves of East Building no higher than Graythwaite House and Design of East Building:**

Agree: these requirements have been addressed in the Statement of Commitments, therefore this condition is not required.

- **Design of West Building:**

Comment: Council's Conservation Planners did not raise the issue of the 8.5m height limit

- **Retention of the Tom O'Neill Centre:**

Disagree: the applicant does not consider this objection to be valid, because the Concept Master Plan, which has been endorsed by the Heritage Office, proposes that the building to be demolished. The building has been determined to have moderate heritage significance as has been confirmed by an internal and external inspection by Council Planner. Notwithstanding the Heritage Office's support of the revised Concept Plan, it is considered by Council's Conservation Officer that the demolition of the Tom O'Neill Centre is not an appropriate heritage outcome.

Traffic Comments

Council's Manager Traffic Planning (Aurelio Lindaya) has provided the following comments:

On December 2011 correspondence was sent to the Department of Planning detailing resolutions made at Council's meeting on 5 December 2012.

Council resolved to object to the Part 3A Applications (MP 10_0149 and MP 10_0150) at No. 20 Edward Street, North Sydney (Graythwaite), based on various issues. With regards to traffic and transport management, the following resolution was made.

"2. Assessment and determination of the applications should be postponed until such time as the proposed 41 space car park under the new East Building is deleted, the proposal is amended to provide a formal pick-up/drop-off facility for the Preparatory and Senior students on-site, and a formal bus zone is provided on-site which can accommodate 11 buses. The amended application should then include a review of all traffic and transport issues for the entire Shore and Graythwaite site, once the above modifications have been incorporated into the proposal."

Background

With regards to transport, the Preferred Project includes the following key amendments to the original proposal

- *Reduction in size of the proposed new buildings as detailed in the revised Concept Application.*
- *A preferred option to increase the capacity of the School's afternoon pick up facilities*

in conjunction with Stage 2 works.

- *Proposal to improve existing and future school bus operations.*

Preferred Project Modifications

The original Concept Plan included the potential to accommodate an additional 500 students and some 50 staff within new buildings to be constructed on the Graythwaite site.

The Preferred Project as described in the Revised EA would reduce the proposed new West building floor area which would reduce the potential additional student and staff numbers that could be accommodated at the school.

The Preferred Project proposal was continue to be staged over 10-15 years as follows

- *Stage 1 – Conservation and restoration of Graythwaite House and associated buildings. No additional students or staff.*
- *Stage 2 – New buildings accommodating an additional 100 students and 10 staff*
- *Stage 3 - New buildings accommodating an additional 350 students and 35 staff*

Traffic Generation

The Preferred Project proposal estimates that the Total Vehicle Trips/ peak hour to be 117 for the Preparatory School and 168 for the Senior School - a total of 285 Vehicle Trips/ peak hour.

Similar to traffic advice provided for the previous application, the addition of 285 peak hour vehicles will have the following impacts:

- *A decrease in service levels on the surrounding road network and increase in congestion*
- *A decrease in resident amenity*
- *Localised parking and congestion issues associated with the School pick-up/ drop-off*

As stated in previous Council reports and traffic advice, the impact of this proposed development on resident amenity will be significant. The maximum environmental capacity in William Street and Edward Street will be exceeded in the AM Peak.

There will be a large and sudden increase in vehicles due to one development, albeit over two stages, rather than a gradual increase caused by a number of smaller developments over a number of years. Therefore the impact of this increase in vehicles is more likely to be “felt” by the local residents and community.

Parking

The Preferred Project proposal makes no changes to the Concept Application with respect to the quantity of additional on site parking provisions. This is of significant concern given that Council has resolved to object to the proposal until such time as the proposed 41 space car park under the new East Building is deleted.

As there has been no change made with regards to the quantity of additional on site parking provisions, previous advice made by Council's Traffic Planning Section (detailed below) is still appropriate.

The North Sydney DCP 2002 and draft North Sydney DCP 2010 outlines a maximum parking rate of 1 space per 6 staff. The existing school has 240 full-time staff and 150 part-time staff. Assuming the 150 part-time staff is 100 full-time equivalent staff, this gives 340 full-time equivalent staff in Stage 1. In Stage 2 this will rise to 350 full-time equivalent staff and in Stage 3 this will rise to 390 full-time equivalent staff. Under the DCP, a maximum of 65 parking spaces is required for 390 full-time equivalent staff. A conservative calculation, taking into account all of the part-time staff gives 440 staff which equates to a maximum of 74 parking spaces. The School already has 151 formal parking spaces.

Therefore at Stage 1, the school already has 132% more parking than that envisaged under the current and draft DCP. Increasing the parking by 48 parking spaces will see the development exceeding the maximum parking space limits set out in the DCP by 169% at Stage 3. This is of significant concern.

I do not accept Halcrow's argument in Section 5.2.4 that parking is required to meet the needs of staff and despite proximity to public transport. If parking is restricted on-site, and on-street parking is increasingly restricted within easy walking distance, then all commuters to the CBD (including teachers and students associated with this development) will be forced to consider their travel options, with public and sustainable transport modes as the preferred option.

Council must take into consideration the development in the context of North Sydney as a whole. Council's LEP and DCP have been prepared in consideration of the overall impact of future development on the local area. Traffic generation is one of the key impacts associated with new developments. North Sydney is a high density area and congestion and traffic generation issues are of particular concern to the community and impact greatly on resident amenity.

The parking rates as outlined in Council's DCP were a deliberate policy decision of Council to restrict car parking and therefore car ownership and commuting by car in the busy CBD/retail areas close to good public transport. Council's strategic plan, the 2020 Vision states, "Public transport and alternative means of transport are the mode of choice for trips to, from and within North Sydney. The community's reliance on the car has reduced. Considerable effort has been made to improve public transport and reduce traffic congestion, particularly through the use of more innovative and environmentally friendly systems."

The various State and Local policies and plans quoted in Section 3 Strategic Context of Halcrow's report all support and prioritise the utilisation of public and alternative transport modes above private motor vehicles.

If Council were to permit all developments to provide 169% more parking than is permitted under the DCP, the road network in North Sydney, and particularly the North Sydney CBD where this development is located would increasingly reach failure point.

It is accepted that the existing seven marked parking spaces on Graythwaite can remain under "existing use" rights. However, it is recommended that Council not permit the construction of the proposed 41 space car park in Stage 2 for the reasons stated above.

Additional On Site Student Pick Up Facilities

The revised Concept Application included a number of options for the provision of an additional formal vehicle "pick up" facility on the school site.

Currently the only formal vehicle pick up facility at the school is provided at the Preparatory School which is accessed via Edward and Mount Streets. The purpose of the proposed new pick up facility is to provide additional capacity to accommodate for a possible increase in the Preparatory School students.

The revised Concept Application does not provide for a morning peak on-site vehicle "drop off" facility. This should be of concern to Council. Although I agree that the afternoon "pick up" period is the most critical period due to its intensity, the morning "drop off" period is also a problem (peak 'drop off' vehicular demand in the order of 33 vehicles during the 15 minute period between 8.00am-8.15am). With the proposed increase in Preparatory student numbers, the problems will increase. This should be addressed by the inclusion of a formal vehicle "drop off" facility on the school site.

Preferred Option for "Pick Up" Facility

The Preferred Project proposal details that the preferred option for the additional "Pick Up" facility is Option 2 as detailed in the report prepared by Cardno, dated September 2011, titled "Shore School, North Sydney – Pick-up Zone Options".

The key features of this option include:

- *Construction of an internal road providing a link between Union Street and Hunter Crescent;*
- *The link road will utilise the existing driveways at*
 - *Union Street – car park access*
 - *Hunter Crescent*
- *The link road to include the existing circulation aisle within the car park beneath the tennis courts;*
- *Construction of a pick up zone with the capacity to accommodate a minimum of 4 vehicles adjacent to the designated student waiting area.*
- *Vehicles to enter via Union Street, access the pick-up area and depart to Hunter Crescent (one way flow through the school); and*
- *On-site queuing area = approximately 100 metres or 16 vehicles.*

Concerns are raised with the ability of Union Street to handle the right turning movements into the Shore School driveway. The report states that the nature of the afternoon pick up is short and intense (within a 15 minute period). This short intense period would result in localised traffic congestion, particularly in the afternoon peak 15 minute interval, which would result in a reduction in residential amenity. The previous traffic report titled "Transport and Accessibility Impact Assessment" Table 5.2 details that the Union Street/School access intersection would operate at a Level of Service A with a 95th percentile Queue Length for the worst case scenario as 9 metres. These modelling results appear low

and it is requested that the raw input data be provided to Council's Traffic Planning Section for checking.

Concerns are also raised with the length of parking provided at the "pick up" zone. The provision of four spaces is low and the Traffic Committee usually recommends significantly larger capacity on-street "kiss and ride" zones (similar to drop off/pick up zones) for schools. The reduced length and design of the "pick up" zone will also likely affect the queuing length as smaller car parking spaces take longer for vehicles to draw in and out of a space.

Buses

The Preferred Project includes a proposal to improve the existing bus facility operations in Mount Street by:

- *Retaining the existing bus stops in Mount Street;*
- *Operating an additional bus stop in William Street, north of Blue Street; and*
- *Utilising the existing public bus stop in Blue Street at North Sydney Railway station.*

Concerns are raised with the installation of an additional "Bus Zone" in William Street, north of Blue Street. This proposal would require approval by the North Sydney Traffic Committee. The Traffic Committee is well aware that the areas in or around the North Sydney CBD currently have high public on-street parking demand. It is unlikely that the Traffic Committee would be supportive of removing public on-street parking to establish a new "Bus Zone" in William Street, north of Blue Street, for the sole use of a private development.

Concerns are also raised with utilising the existing public bus stop in Blue Street, at North Sydney Railway Station. There is no evidence that there has been consultation with the relevant authorities such as the NSW State Transit Authority, Transport for NSW Department and/or the Minister for Transport. Any proposal to utilise an existing "Bus Stop" in Blue Street, would require detailed analysis and relevant approvals from the appropriate authorities.

I concur with previous advice from Council's Traffic Planning Section with regards to School Bus Operations.

The existing Shore buses in Mount Street already cause significant congestion issues and potential safety issues. There is a Bus Zone which can accommodate 3-4 buses. On-site observations reveal that buses are not being managed/ staggered and therefore buses are frequently observed double-parking and/ or parking outside of the formal Bus Zone.

An on-site visit was undertaken on Wednesday 9 February 2011. The following photos were taken between about 3pm and 3.10pm.



Photograph 7: Queued buses in Mount Street



Photograph 8: A queued bus is double-parked in Mount Street



Photograph 9: The double-parked queued bus forces through motorists to cross onto the wrong side of the road.



Photograph 10: The end of the queue of waiting buses. These three buses are parked in the No Parking zone on Mount Street, between William Street and the Pacific Highway (opposite the Post Office). The buses were observed to be parked at this location for longer than two minutes.

Given this proposed significant redevelopment with a proposed increase in student numbers by 35%, it is appropriate that the School now provides on-site accommodation for the buses. The benefit of this is:

- The existing bus zone parking can be returned to regular timed parking for the benefit of the wider community*
- Relocating the buses will reduce the current congestion issues in Mount Street*
- Relocating the buses will increase safety for through traffic in the area*
- A formalised arrangement on-site will increase safety for the school students, as they are no longer required to interact with general traffic in the area*

The location of this on-site bus zone should be determined by the School to best fit in with the other operational needs of the site.

Conclusion

It is recommended that this development not be approved until the following matters have been addressed:

- 1. That the applicant not be permitted to construct the proposed 41 space car park underneath the new East Building.*
- 2. That the applicant provide a formal pick-up and drop-off facility for the Preparatory and Senior students on-site. The formal pick-up/drop-off facility must be able to cater for the peak demand and minimise the impacts on the surrounding local road network.*
- 3. That the applicant provide a formal bus zone on-site which can be managed to accommodate 11 buses on a staggered basis.*
- 4. The applicant review the traffic and transport issues associated with the proposed development, once the above modifications have been incorporated.*

Should this development be approved, it is recommended that the following conditions be imposed:

- 1. That a Construction Traffic Management Program be prepared and submitted to Council for approval by Council's Traffic Committee prior to the issue of the Construction Certificate for each of the three Stages. Any use of Council property shall require appropriate separate permits/ approvals.*
- 2. That an operational Transport Management Plan for delivery and garbage vehicles, for the operation of the on-site bus zone, for the operation of the on-site pick-up/ drop-off zone and to address pedestrian access and safety for staff and students walking to the site shall be prepared and submitted to Council for approval by Council's Traffic Committee prior to the issue of the Occupation Certificate for Stage 2*
- 3. A green travel plan is to be developed to highlight to staff and students the available public and alternative transport options for travelling to the site. The green travel plan is to include development of a school car pooling system to encourage multiple occupants in each vehicle. This is to be submitted to Council for approval by the Director of Engineering and Property Services prior to the issue of the Occupation Certificate for Stage 2.*
- 4. All vehicles, including delivery vehicles, garbage collection vehicles and buses must enter and exit the site in a forwards direction.*

5. *The driveways to the site must be modified such that there are minimum sight lines for pedestrian safety as per Figure 3.3 of AS 2890.1.*
6. *That the driveways, particularly in Union Street, be modified to improve pedestrian safety on the footpaths. This includes the installation of traffic control devices within the development's property boundary such as convex mirrors, "STOP" control treatments, etc.*
7. *That a minimum of 10 undercover bicycle parking spaces be provided for use by the students and staff.*
8. *That end-of-trip shower and locker facilities be provided for use by those that cycle to the school.*
9. *That all aspects of the bicycle parking and storage facilities comply with the Australian Standard AS2890.3.*
10. *That the parking arrangements for any internal "pick up" facility be increased to a minimum of 8 parking spaces and designed to accommodate large cars (99th percentile vehicle).*
11. *That the developer pay to upgrade the lighting levels to the Australian Standard in William Street, Mount Street, Edward Street and Union Street, adjacent to the site.*
12. *All driveway exits from the school are to have signage which says "Stop – Give Way to Pedestrians"*
13. *That the developer pay to improved pedestrian access and safety at the intersection of Mount Street and Edward Street. The plans are to be subject to community consultation and submitted to the North Sydney Traffic Committee for approval, with the works to be constructed prior to the issue of the Occupation Certificate for Stage 2.*
14. *That it be noted that Council will reduce the length of the existing bus zone in Mount Street to accommodate one bus, for use by the Mary Mackillop site.*

Building

Council's Executive Assessment Officer - Fire Safety (Anthony Hilt) has provided the following advice:

1. *BCA Compliance & Fire Engineering – Comments made that Heritage takes precedence over BCA non compliance (Page XIV). Addition statement should be added that there will be no reduction to life safety*
2. *Access To Premises Standard has not been referenced in Section 9.8 Accessibility P147. (referenced Page 5 – Access Associates Sydney*
3. *Care Takers Residence (first floor coach house) is not to be made accessible. (Section 9.8 Accessibility P147.) How is this addressed considering Clause D3.1 & 3.4 of BCA 2011.*
4. *Any Construction certificate being issued should be under the current BCA at the time. Davis Langdon report dated 17/6/11 has been assessed under BCA 2010, not BCA 2011. However Part3 Page 5 for the Coach House and similarly for the Tom O'Neil Centre and Graythwaite House of the report has noted this may have design ramifications. It is suggested that the report to be amended to include the assessment under BCA 2011.*
5. *In regard to EP&A Regulation Section 94, Council is prepared to accept the exemption of Section J of the BCA from assessment only. The other requested exemptions are in appropriate and need to be assessed under BCA 2011 by*

either the "deem to satisfy" or the performance solutions. Proposals such as using windows as part of the exit system and exempting disabled access are not appropriate.

Conclusion

Condition to be place on the Development Consent in that:

Construction Certificate is to be assessed under BCA 2011 and that only Section J of BCA 2011 is to be exempted under Environmental Planning & Assessment Regulations all other consideration are to either meet the "Deem To Satisfy" or Performance Requirements.

Landscaping

Council's Landscape Development Officer (Brian Smith) has provided the following comments:

It is advised that I have inspected the property with the benefit of the submitted plans and Arborist's report.

The Development of the site is to be staged and there is little vegetation of significance threatened by stage one of the works with the majority of the plantings to be removed are either shrubs or small trees in poor condition, weed or undesirable species. The majority of the appropriate plantings in the garden area to the west of the "Graythwaite House" itself are being retained.

However I believe that my observations and commentary should cover the whole site and include what impacts stage two and three may have on existing vegetation.

The general nature of all the embankment, grassed areas and tree plantings to the west of "Graythwaite House" are as follows:

- *The upper level of the embankment leads down to grassed area and the embankment itself has some quite valuable and desirable mature trees both native and exotic species, intermingled with numerous undesirable tree species such as Celtis sp., as well as many weed species including Privet, Ochna, Balloon Vine etc.*

There are four mature Cotton Palms approximately 16-20 metres tall (indicated as trees T61, T61a, T190, T191 in the Arborist's report, they are shown as relocated to the lower embankment referred to below.)

While no objection is raised with their relocation, my own observations are that they do not appear to be getting in the way of any proposed works, and I wonder why they do not allow them to remain in their existing location.

- *The grassed area that acts as a terrace between the upper embankment and the lower embankment that leads down the Railway Tunnel and the rear of properties along the eastern side of Bank Street, has a few useful mature trees in dispersed within the area, a clump of Giant Bamboo and a number of undesirable and weed species growing amongst small Palm Trees and Tree Ferns and semi-mature and mature Fig Trees along its west and south western alignment.*

- *The lower embankment that descends down to western and southern boundaries of the property and has common boundaries with both properties in Bank and Union Street, is quite steep, undeveloped and consists of a number of mature Fig Trees, a couple of Eucalyptus Sp., a number a tree ferns, ferns and Palm Trees. However in dispersed between these plantings are numerous Pittosporum sp., undesirable and weed species. Due to the numerous Pittosporum sp. growing amongst the Figs, Palms and Ferns, the area has very much the feel of a rainforest pocket.*
- *Whilst there are numerous tree, shrub and groundcover plantings covering the whole property, the majority of plantings are contained within the lower embankment area.*
- *Stage two of the proposal will impact on little if any of the mature or valuable plantings on the property. However during the course of these works, or maybe even through stage one a mature Fig (indicated as tree no: 160 in the Arborist's report) may be removed as it has poor structural integrity and has been shown on the Taylor Brammer tree removal and retention plan as potentially removed subject to a further assessment and testing by the appointed Arborist. It is apparent from my own visual assessment of the tree that the majority of primary branching is re growth from limbs pruned potentially 40-50 years ago. As a result the tree does have a most unusual main trunk that consists of three or four main trunks that have grown together.*
- *Stage Three of the Development may impact on a number of mature trees; however they are either undesirable or weed species. The large Fig trees growing along the western boundary and south western boundary that act as privacy screens to residential properties in both Bank Street and Union Street do not appear to be impacted upon by the proposed works in stage three.*

In conclusion there are a number of valuable and mature trees growing within the property, however the majority of all valuable trees will be maintained through all three stages of the development proposal and should not be threatened by the works. This provided an Arborist is consulted during the works to ensure the protection methods contained within the submitted Arborist's report are undertaken.

It should be further noted that as this property has been allowed to fall into such a state of disrepair due to minimal maintenance for more than 50 years, the undeveloped portion of the site has been overcome by numerous undesirable and weeds species. If appropriate weed removal takes place and many of the useful and appropriate existing trees, shrub and Palm Tree plantings are retained and inter-planted with appropriate species the vegetative qualities of the western side of the property should be quite good and provide a reasonable privacy screen.

Approved Landscaping Plan

- A5 *Landscaping works on the site are to be undertaken generally in accordance with the landscaping plan numbered LA. DA.001,.002,.003,.004,.005 and.006, prepared by Taylor Brammer, dated 24/11/2010, and received by Council on 19/1/2011.*

(Reason: To ensure appropriate landscaped area and landscaping amenity at the final inspection stage of the development)

Protection of Trees

C43 The recommendation contained within the Development Impact Report Assessment Report prepared by Earthscape Horticultural Services, dated November 2010, and received by Council on 19/1/2011, shall be implemented on site for the duration of the works. The Certifying Authority must ensure that the building plans and specifications submitted by the Applicant, referenced on and accompanying the issued Construction Certificate, fully satisfy the requirements of this condition.

(Reason: To ensure that appropriate tree protection measures are adopted and employed for the duration of works on the site)

Pruning

C45 Any tree pruning necessary for construction shall be carried out under the supervision of an appropriately qualified Arborist.

(Reason: To ensure the protection and longevity of existing significant trees)

PUBLIC SUBMISSIONS

Council was formally notified of the amended Part 3A development on 19 October 2011, with the exhibition period starting on 9 November 2011 and concluding on 9 December 2011. Council was formally notified of the PPR on 14 March 2012 and has been granted an extension of time until 24 April 2012 to make a submission to the DPI.

There is no requirement under Part 3A for the PPR to be notified and exhibited. The DPI rather than Council is the consent authority and submissions must be directed to the Department.

It is noted that the Stanton and Union Precincts have made submissions to Council objecting to the proposal with regard to traffic impacts, student numbers and building height. It is presumed that the Precincts will forward their submissions directly to the DPI. In any case it is recommended the submissions be forwarded for certainty.

CONSIDERATION

The relevant matters for consideration under Section 79C of the *Environmental Planning and Assessment Act 1979*, are assessed under the following headings:

STATE ENVIRONMENTAL PLANNING POLICY (INFRASTRUCTURE) 2007

Clause 28(2)(b) of SEPP (Infrastructure) 2007 states:

28 Development permitted with consent

- (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.*

The provisions of SEPP (Infrastructure) 2007 permit the development of the Graythwaite site for the purpose of expansion of an existing educational establishment on adjacent land, with consent. In this instance, the consent authority is the Minister for Planning.

The site is also subject to Division 15 of SEPP (Infrastructure) 2007, relating to excavation in, above or adjacent to rail corridors. The consent authority must obtain the concurrence of the CEO of Rail Corporation NSW (RailCorp).

Division 17 of SEPP (Infrastructure) 2007 relates to Roads and Traffic and clause 104 states:

104 Traffic-generating development

...(3) Before determining a development application for development to which this clause applies, the consent authority must:

- (a) give written notice of the application to the RTA within 7 days after the application is made, and*
- (b) take into consideration:*
 - (i) any submission that the RTA provides in response to that notice within 21 days after the notice was given (unless, before the 21 days have passed, the RTA advises that it will not be making a submission), and*
 - (ii) the accessibility of the site concerned, including:*
 - (A) the efficiency of movement of people and freight to and from the site and the extent of multi-purpose trips, and*
 - (B) the potential to minimise the need for travel by car and to maximise movement of freight in containers or bulk freight by rail, and*
 - (iii) any potential traffic safety, road congestion or parking implications of the development.*

This clause requires the consent authority to consider the traffic, parking, safety and road congestion implications of the development. In this regard, Council's Traffic Engineer provided detailed comments on the original proposal and has raised a number of concerns in relation to impact on the surrounding road network. Council's Manager Traffic Planning has also recommended that on site set-down and pick-up be provided and that an overall review of traffic and transport issues be conducted.

STATE ENVIRONMENTAL PLANNING POLICY (MAJOR DEVELOPMENT) 2005

Clause 20 of Schedule 1 of SEPP (Major Development) 2005 identifies educational facilities as being Part 3A Major Development. Given the proposed development has an estimated capital investment value of \$38,781,805, it is in excess of the \$30 million threshold and under Clause 6 of the SEPP, the Minister has declared the project to be one to which Part 3A of the EP&A Act applies.

PART 3A OF THE EPA ACT 1979

As previously raised, although Part 3A of the Environmental Planning and Assessment Act 1979 was repealed on 28/9/2011, the project is subject to the transitional arrangements under Schedule 6A of the Environmental Planning and Assessment Act 1979 which facilitate assessment and

determination of the application under the provisions of Part 3A as a *transitional Part 3A project*.

NORTH SYDNEY LOCAL ENVIRONMENTAL PLAN 2001

1. Permissibility within the zone

The site is zoned 'Special Uses - Hospital' pursuant to Clause 14 of NSLEP2001, and the proposed development for an educational establishment is prohibited under NSLEP 2001. However, the proposal is permissible pursuant to SEPP (Infrastructure) 2007, as previously discussed.

Pursuant to s.75R(3) of the EP&A Act, major project applications are only required to comply with State Environmental Planning Policies and other environmental planning policies (LEPs and REPs). However, s.75O(3) which relates to concept plans provides that the Minister may take into account the provisions of any environmental planning instrument that would not otherwise (ie, because of section 75R) apply to the project if approved.

In this instance, the DGR's require an assessment of compliance with both NSLEP 2001 and DCP 2002.

2. Objectives of the zone

The particular objectives of the Special Uses Zone as stated in clause 14 are:

- (a) identify land on which special land uses are carried out, and*
- (b) minimise the impact of the use of that land on adjoining land*

The proposed concept plan is considered to be inconsistent with objective (b) of the Special Uses Hospital zone, particularly with regard to the impact of the west building on adjoining residential properties in Bank Street and with regard to traffic and parking on the surrounding road network.

3. LEP Compliance Table

Site Area – 2.678ha	Proposed	Control	Complies
Buildings in the Special Use Zone: A2 zone development standards apply			
Building Height (Cl. 17)	12m	8.5m	NO
Building Height Plane (Cl. 18)	Within plane	1.8m / 45° plane	YES
Landscaped Area (Cl. 20)	77%	60%	YES

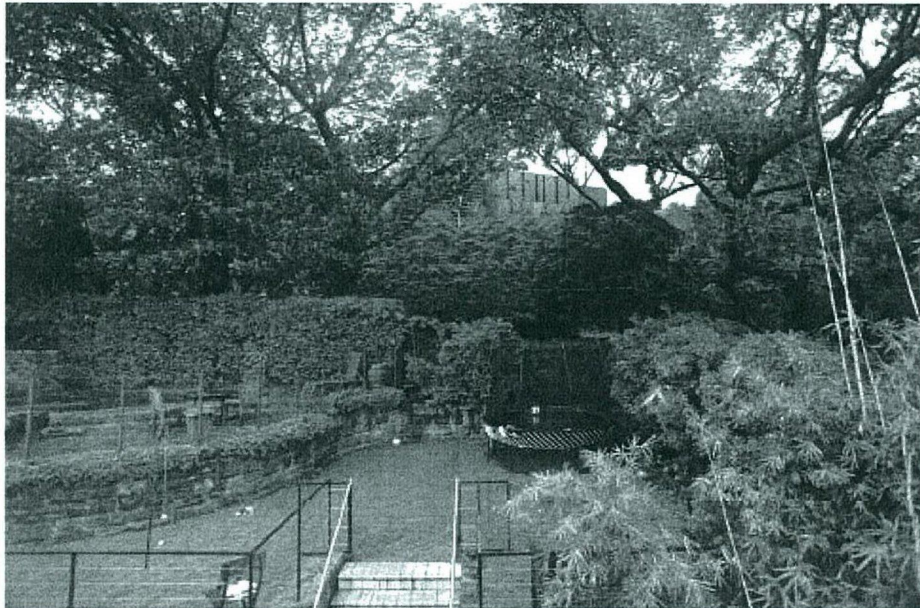
The proposed west building has a maximum height of approximately 12m and steps down to the west. The building has a setback of 20.8m to 27.8m from the western side boundary of the site at Levels 1 & 2 then steps back at Level 3 to 27m-32.5m, with the 4th level set back 32.5m to 33.7m from the western boundary. The uppermost level (5th level) is set back 26.9m to 33.6m from the western boundary. The West Building will read as a stepped 4 storey building from the adjoining dwellings to the west of the site, in Bank Street, with the upper two levels having a greater setback but remaining visible. Existing landscaping includes a number of Fig Trees adjacent to

the western boundary of the site.

A number of dwellings are located immediately to the west of the proposed West Building, at Nos.25-37 Bank Street. These dwellings have their rear yards adjoining the boundary with the development site. The following photomontages show the visual impact of the proposed West Building on No.31 Bank Street, with and without additional landscaping:



B. View with Proposed West Building and Weed Vegetation Removed

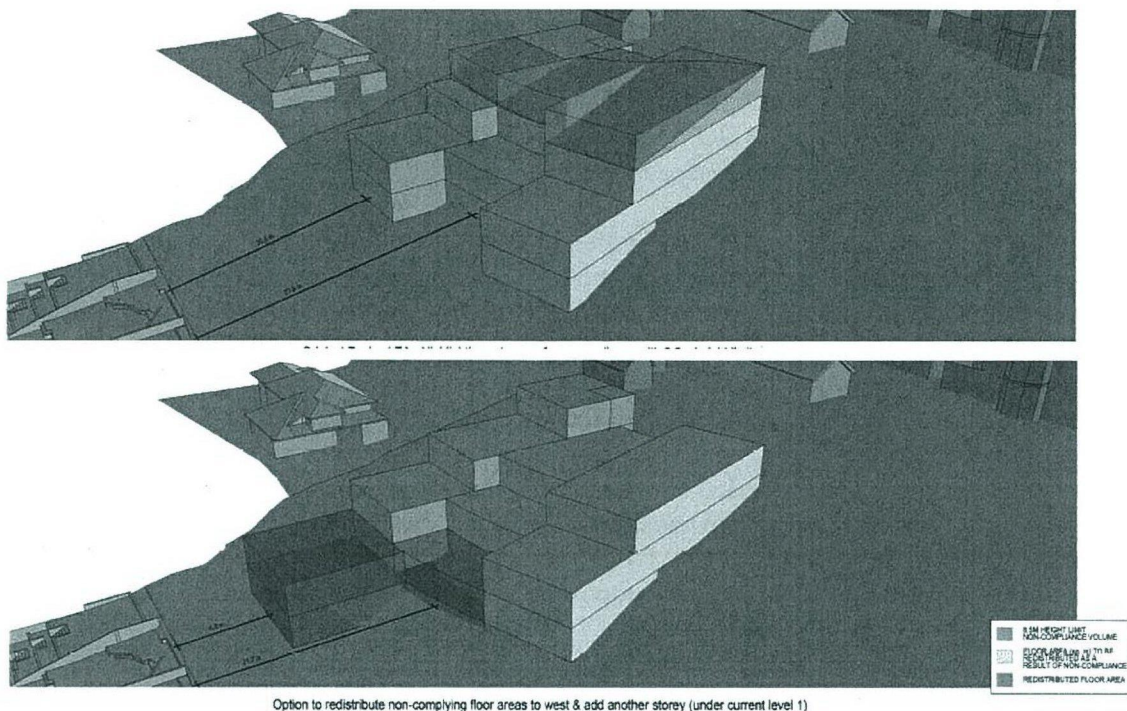


C. View with Proposed West Building and Screen Planting

As can be seen from these photomontages, the West Building will remain visible from the rear yard of No.31 Bank Street, despite the planting of screen landscaping. It should be noted that the most visually prominent part of the building (Level 4) above the proposed landscape screening exceeds the 8.5m height limit. A compliant building would have a discernibly reduced visual

impact.

The PPR includes arguments in support of the proposed West Building that in part rely on a comparison with an alternate building envelope which is located closer to the Bank Street residences as depicted below:



The argument is essentially that no further reduction in GFA is justified and that a reduction in height will result in an unavoidable redistribution of building bulk closer to Bank Street, reducing the minimum setback from 20.8m down to 8.8m. This approach is based on a number of arguable assumptions, such as the currently proposed GFA being acceptable. Further, any substantial redesign of the West Building as indicated above would also raise issues relating to the acceptability of such amendments within the framework of the now repealed Part 3A process, whether the nature and character of the proposal has been substantially modified to the extent that a fresh application is required, and issues relating to notification, exhibition and public consultation generally. The proposition that there are only two options available in relation to the bulk and form of the West Building is unjustified and simplistic, and this argument should not be accepted as justification for the currently proposed height non-compliance with associated amenity impacts.

ADDITIONAL PPR ISSUES:

Expansion of Part 3A Application Site

In relation to the identified issue of the addition of a significant part of the Shore campus to the original scheme (resulting in the land to which the application relates not according with the Director Generals Requirements), the PPR states that:

"Shore discussed this with the DPI and it was confirmed that submission and re-exhibition of the Revised EAR (as a replacement to the original EAR) was lawful. The addition of a new Statement

of Commitment to provide a pick-up facility at Stage 2 does not compromise the validity of the process, particularly given that the commitment confirms that the detailed design of the pick-up facility will be subject to a further application (in conjunction with the detailed design of the Stage 2 project). This process will ensure that Stage 2 (and any potential population increase associated with that stage) does not proceed until the detailed design of the pick-up facility has been resolved and approved."

Section 75F(3) (now repealed) of the EPA Act provides:

*The Director-General is to notify the proponent of the environmental assessment requirements (being the DG Requirements). **The Director-General may modify those requirements by further notice to the proponent.***

Accordingly, despite the inconsistency with additional lots being incorporated in the project beyond the DGRs, the DG is empowered to modify those requirements and this could include the additional lots identified in the amended scheme. However, as previously discussed, the matters raised by Council for inclusion in the DGR's were limited in scope to the original application which did not include the proposed student pick-up facility which traverses the lower part of the Shore campus. Had this been included in the original application, it is likely that Council would have requested that the DGRs include a requirement that a master plan be prepared for the development of the entire expanded Shore campus (including the Graythwaite site), in order to facilitate orderly and appropriate expansion of the school, particularly in relation to traffic and parking. Council is unaware of the DGRs having been modified to include the nine (9) additional lots (pick-up facility) in the proposal.

In summary, the issue raised by Council relates to the expansion of the site beyond the land identified in the original Part 3A applications. This issue remains a concern and the PPR does not include any information that addresses this specific issue. The level of detail provided for the pick-up facility is not the issue at hand.

East Building Car Park

The PPR retains the 41 space car park below the East Building, and no drop-off facility is proposed. It is noted that the DPI also requested that a drop-off facility be provided on site. No on site bus zone has been provided and no traffic master plan or review has been undertaken. The proposal remains unsatisfactory with regard to all of the above issues.

East Building

The revised Concept Plan and endorsed CMP is considered satisfactory in relation to the future design of the East building and no further issue is raised in this regard.

4. Excavation

Clause 39 of NSLEP provides a number of objectives and controls with regard to minimising excavation and ensuring land stability and the structural integrity of neighbouring properties.

In this instance, significant excavation is required to construct the West Building and the basement car parking in the East Building. A detailed geotechnical investigation should be required to be provided as part of the Project Application stage of the development at Stages 2

and 3.

5. Heritage Conservation

Council's Conservation Planner has assessed the proposal and provided detailed comments – see Heritage Comments.

6. North Sydney DCP 2002 Compliance Table – Graythwaite Character Statement

DEVELOPMENT CONTROL PLAN 2002		
	<i>Complies</i>	<i>Comments</i>
Function		
<p>Building typology:</p> <p>Graythwaite is a grand Victorian Italianate mansion on a large, prominent urban property. Historic fabric from its three phases of development are readily evident within the main complex of buildings and the earliest remnants c.1830-50. Substantial sandstone Victorian villa with attached kitchen wings, single storey sandstone outbuilding with loft, and single storey masonry building. Single storey brick building, single storey brick outbuilding with attic, and associated landscaped grounds.</p> <p>ii. Additional uses, as identified in the Conservation Management Plan, include:</p> <ul style="list-style-type: none"> • A grand residence on substantial grounds • A residence in conjunction with a commercial use • Wedding and function reception centre • Community use – a neighbourhood centre in conjunction with public open space • Professional offices in association with a hospital or other health care facility <p>Uses must be non-intrusive and maintain the heritage fabric of the site. An interpretive feature or explanation may be incorporated into the site.</p>	No	The proposed school use is not consistent with the provisions of DCP 2002.
Archaeological relics on the site are protected and can be used to shed light on its development or add to understanding of past uses. An excavation permit is obtained for any ground disturbance.	Yes	The adopted CMP includes provisions for excavation and ground disturbance.
Environmental Criteria		
<p>Views:</p> <p>i. Distant views of CBD and Sydney Harbour. ii. Views of the mansion and substantial landscaping from Union St.</p>	Yes	The proposal would improve views of the mansion, including from Union Street.
<p>Natural Features:</p> <p>i. Trees in grounds of Graythwaite (Moreton Bay &</p>	Yes	Council's Landscape Development Officer has

Port Jackson Figs, Washington Palms, Small fruit fig; Cook Pine; Firewheel tree; Jacaranda; English Oak; Monterey pine; Coral trees, Camphor laurels; Brush Box).		indicated that the proposal is generally satisfactory, subject to conditions, and that the landscaping works will remove a number of weed species and undesirable tree species currently present on the site.
Quality built form		
Subdivision:		
i. The grounds form the curtilage to the mansion and should not be subdivided. Do not break up or separate the landscaped terraces and their relationship to the mansion.	Yes	No subdivision is proposed. The landscaped terraces are not proposed to be separated from the mansion.
Siting:		
i. New buildings are located to the north-east and north-west of Graythwaite Mansion.	No	The proposed West building is located generally to the north-west of the mansion, however, the East Building (replacing the Ward Building in Stage 2) is located to the south-east of the mansion.
ii. View corridors of Sydney Harbour, Parramatta River to Parramatta are retained.	Yes	Existing view corridors are retained.
Fences:		
i. Fences are no higher than 1 metre to provide views of Graythwaite from Union Street.	No	The proposed Union Street fence is approximately 1.8m high, comprising a 300mm high sandstone plinth with timber pickets above. The picket fence details indicate that only limited views of Graythwaite would be available through the fence, which is inconsistent with this provision.
ii. Fencing includes open timber picket fences, low brick or stone wall or a hedge.	No	The proposed picket fencing above a sandstone plinth is considered to not be open style – this could be modified by condition of consent.
Gardens:		
i. Historic plantings and significant trees are retained, including figs, pines and remnant vineyards.	Yes	Council's Landscape Development Officer has indicated that the proposal is generally satisfactory, including in relation to the retention of valuable trees on the site.
ii. The lower, middle landscaped terraces are retained as open space for public access.	No	It is accepted that when DCP 2002 was adopted, the Graythwaite site was in public ownership, and as it is now private land, Shore School has a duty of care to its students (including 198 boarders) which precludes unrestricted public access. The applicant has indicated that public access will be available during nominated events throughout the year as indicated in the Statement of Commitment.

<p>Form, Massing and Scale:</p> <p>i. New buildings are subordinate to massing and scale of Graythwaite Mansion, are lower in height and have a smaller footprint.</p>	<p>No</p>	<p>The new buildings are lower in height, however, both the East and West Buildings have larger footprints than the Graythwaite mansion. It is unclear whether the new buildings are subordinate in massing and scale, due to the limited details provided in the Concept Plan.</p> <p>In the absence of additional details of the proposed East and West Buildings, such as elevations and façade details, finishes, materials, perspectives, etc, it is difficult to determine whether the relationship of the new buildings to Graythwaite Mansion is satisfactory, particularly given the larger building footprints.</p>
<p>Roofs:</p> <p>i. Roofs are pitched between 30 - 45 degrees made of either slate or terracotta tiles.</p>	<p>No</p>	<p>The proposed buildings have flat roofs. It is difficult to determine whether the relationship of flat roof buildings to Graythwaite Mansion is satisfactory, due to the lack of details provided in this application in relation to building design.</p>
<p>Windows and doors:</p> <p>i. Windows are timber framed with traditional vertical proportions.</p>	<p>No</p>	<p>No elevation details have been provided in relation to the new buildings.</p>
<p>Materials, colours, detail:</p> <p>i. Buildings are constructed of face brick, masonry, timber and/or sandstone.</p> <p>ii. Colours used are browns, greens, grey.</p> <p>iii. Architectural detail, external finishes of any new building are compatible with the Graythwaite Mansion but not a copy.</p>	<p>No</p> <p>No</p> <p>No</p>	<p>No details have been provided.</p> <p>No details have been provided.</p> <p>No details have been provided.</p>
<p>Quality urban environment</p>		
<p>Car Accommodation:</p> <p>i. Car spaces or underground parking is available to accommodate cars.</p>	<p>Yes</p>	<p>7 at grade and 41 basement car parking spaces are proposed (Stages 1 and 2).</p>
<p>Public Access:</p> <p>i. Public access is maintained through the site from Edward to Union Street. Access should be maintained during daylight hours and should not be restricted by keyed access.</p> <p>ii. Public access is retained to open space on lower, middle and upper terraces.</p> <p>iii. Property is retained in public ownership, and some buildings are retained for community use.</p>	<p>Yes</p>	<p>As previously discussed, when DCP 2002 was adopted the Graythwaite site was in public ownership. It is now privately owned by Shore School, which has a duty of care to its students (including 198 boarders) which precludes unrestricted public access to the site. The applicant has indicated that public access will be available during nominated events throughout the year as indicated in the Statement of Commitment.</p>

The Draft North Sydney Local Environmental Plan 2009 was publicly exhibited from 20 January 2011 to 3 March 2011, following certification of the plan by the Director-General of the Department of Planning. It is therefore a matter for consideration under S.79C of the Environmental Planning and Assessment Act 1979. However at this stage little weight can be given to the plan since the final adoption of the plan is neither imminent nor certain.

The provisions of the draft plan have been considered in relation to the subject proposal. Draft LEP 2009 is the comprehensive planning instrument for the whole of Council's area which has been prepared in response to the planning reforms initiated by the NSW state government.

The provisions of the Draft Plan largely reflect and carry over the existing planning objectives, strategies and controls in the current NS LEP 2001 in relation to this site, particularly the 8.5m height limit. The Draft Plan does, however, rezone the site to SP2 Educational Establishments.

The proposal is unsatisfactory with regard to Draft NSLEP 2009 due to non-compliance with the 8.5m height limit.

SECTION 94 CONTRIBUTIONS

Section 94 contributions do not apply to educational establishments.

SEPP 55 and Contaminated Land Management Issues

The applicant has submitted a soil investigation concluding that identified contaminants can be removed during the development stages.

CONCLUSION

The proposed Concept Plan for the Graythwaite site relates to a property with immense heritage significance. The amended proposal also includes a significant part of Shore school, however, the addition of this land to the development site raises concerns, given that it was not part of the original application.

It is reiterated that despite the claims made in the PPR, the amended proposal does not satisfactorily address the likely impacts on traffic congestion and parking demand in the surrounding road network, particularly as a result of the necessary on site set-down and pick-up facility and with regard to traffic issues relating to the entire campus. Issues relating to the absence of a formal bus-zone, increased traffic generation due to excessive on site parking, etc, have not been adequately addressed. These issues should be resolved in a coordinated manner before any consent is granted.

The proposal does not comply with the 8.5m height limit under NSLEP 2001 or Draft NSLEP 2009. While not required to comply with these standards (under the repealed Part 3A provisions), the West Building as currently proposed is inconsistent with adjoining residential development in Bank Street due to the proposed height, bulk and scale, given the 1 to 2 storey nature of the adjoining dwellings. A modified West Building with an improved interface with the residential dwellings to the west could be designed within the 8.5m height limit and without reducing the setback from the western boundary, contrary to the proposition in the PPR.

It is concluded that the PPR does not address a number of key issues raised by Council in its previous submission and that the proposed development cannot be supported. It is the recommendation of this report that Council should resolve to maintain its **OBJECTION** to the application.

RECOMMENDATION

- A. **THAT** Council resolves to **OBJECT** to the Part 3A Applications (MP 10_0149 and MP 10_0150) at No. 20 Edward Street, North Sydney (Graythwaite) on the following grounds:
1. The Major Project Application made on 20 September 2010 relates to Lot 2 DP 539853 (Graythwaite site) and part of Lot 1 DP 120268 (part of Shore site), however, the project has been expanded under the amended application and Revised EA to include a significant part of Shore school comprising up to nine (9) additional lots, and it is unclear as to whether the enlargement of the site can be accommodated by the original application. Additionally, it is also unclear as to whether the provisions of Part 3A facilitate the submission of an amended scheme and a Revised EA as post exhibition actions that the Director-General may require of the proponent.
 2. Assessment and determination of the applications should be postponed until such time as the proposed 41 space car park under the new East Building is deleted, the proposal is amended to provide a formal pick-up/drop-off facility for the Preparatory and Senior students on-site, and a formal bus zone is provided on-site which can accommodate 11 buses. The amended application should then include a review of all traffic and transport issues for the entire Shore and Graythwaite site, once the above modifications have been incorporated into the proposal.
 3. The proposed development does not satisfy objective (b) of the Special Uses Zone as it does not minimise adverse impacts on adjoining residential dwellings, including acoustic privacy, visual impact, and traffic and parking impacts. As such, the proposal does not satisfy the provisions of Clause 14 of NSLEP 2001 – *Consistency with aims of plan, zone objectives and desired character*.
 4. The proposal does not comply with the 8.5m building height development standards under both NSLEP 2001 and Draft NSLEP 2009, with the proposed 12m West Building being located adjacent to the interface of the site with adjoining residential dwelling houses. The 12m high West Building remains unsatisfactory with regard to aural privacy and visual impact on the adjoining low density residential dwellings in Bank Street.
 5. The proposed development is unsatisfactory with regard to heritage impacts as detailed in the report to Council.
- B. **THAT** should the Department of Planning and Infrastructure, contrary to Council's recommendation, intend to approve the application without seeking the recommended additional information and modifications, that all recommendations contained in this report in relation to town planning, building design, heritage, traffic and parking, BCA compliance and landscaping be included in any consent granted.

- C. **THAT** Council resolves that the Department of Planning and Infrastructure be requested to forward any amended plans received to Council for review and comment.
- D. **THAT** Council is opposed to the lower terrace of Union Street being used in any way for a bus car park.
- E. **THAT** Council holds the view that the streets surrounding Shore School should be regarded as residential streets and prefers the advice from Council's Traffic Engineer and Manager Traffic Planning over that of the traffic consultant.
- F. **THAT** submissions held by Council be forwarded to the Department for information.

GEORGE YOUHANNA
EXECUTIVE PLANNER

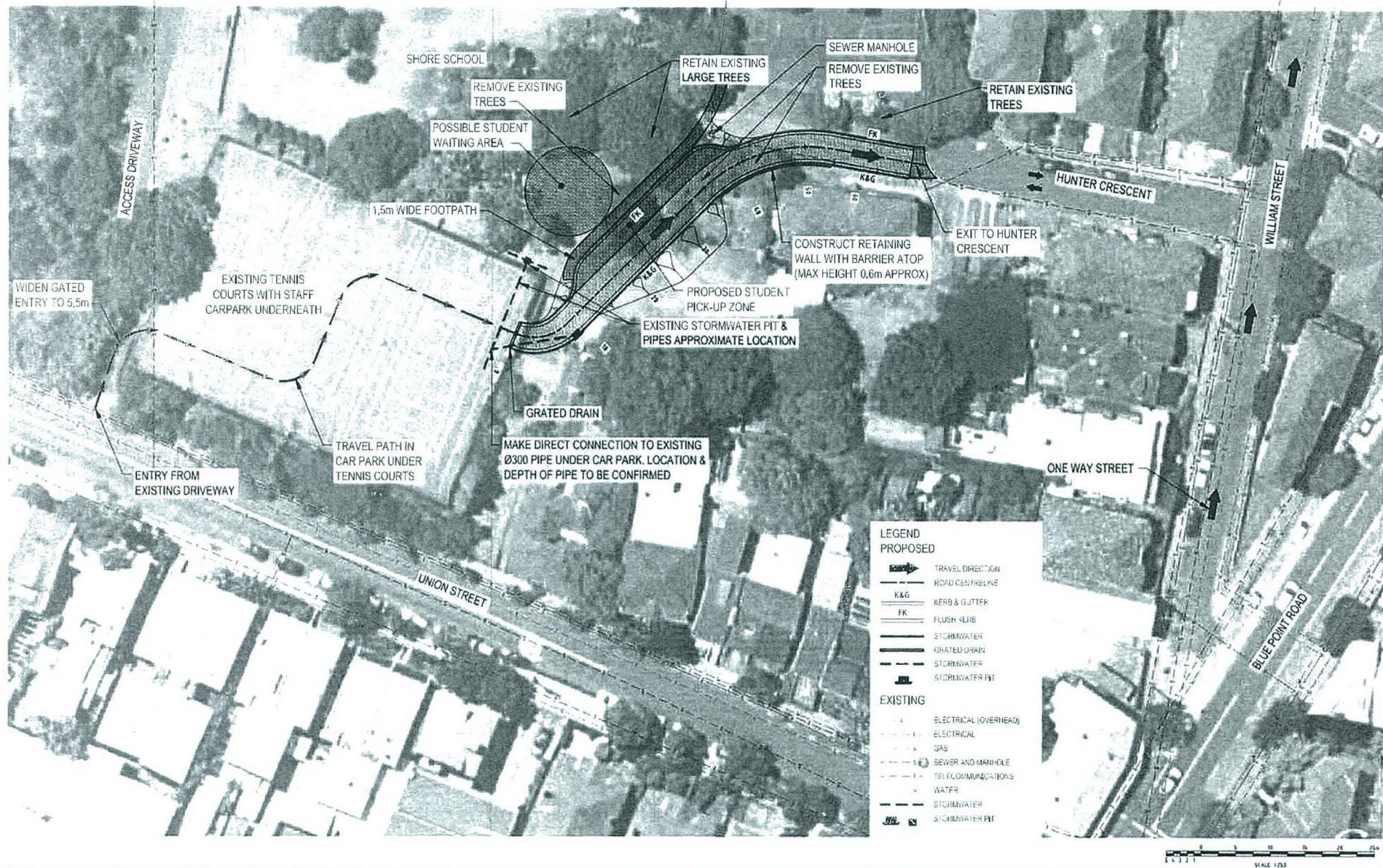
STEPHEN BEATTIE
MANAGER DEVELOPMENT SERVICES



North Sydney Council

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SHORE SCHOOL NORTH SYDNEY

PICK-UP ZONE DESIGN CONCEPTS

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OPTION 2

UTILISE EXISTING CAR PARK FOR THOROUGHFARE

25/08/2011
 600321-SK03(2)