



***MODIFICATION REQUEST:
Graythwaite Concept Plan and Stage 1
Project Approval
North Sydney
(MP 10_0149 MOD 1 and MP10_0150 MOD 2)***

Description of Modification Request

- changes to the staging of works
- revised landscaping and tree removal
- alterations to refurbishment works
- revised fencing

Director-General's
Environmental Assessment Report
Section 75W of the
Environmental Planning and Assessment Act 1979

October 2013

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1. BACKGROUND

This report is an assessment of two concurrent modification applications lodged under section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act), by Sydney Church of England Grammar School (Shore, the proponent), seeking approval to modify the concept plan and Stage 1 project approval for the extension of Shore school campus onto the Graythwaite site, North Sydney (MP10_0149 MOD 1 and MP10_0150 MOD 2)

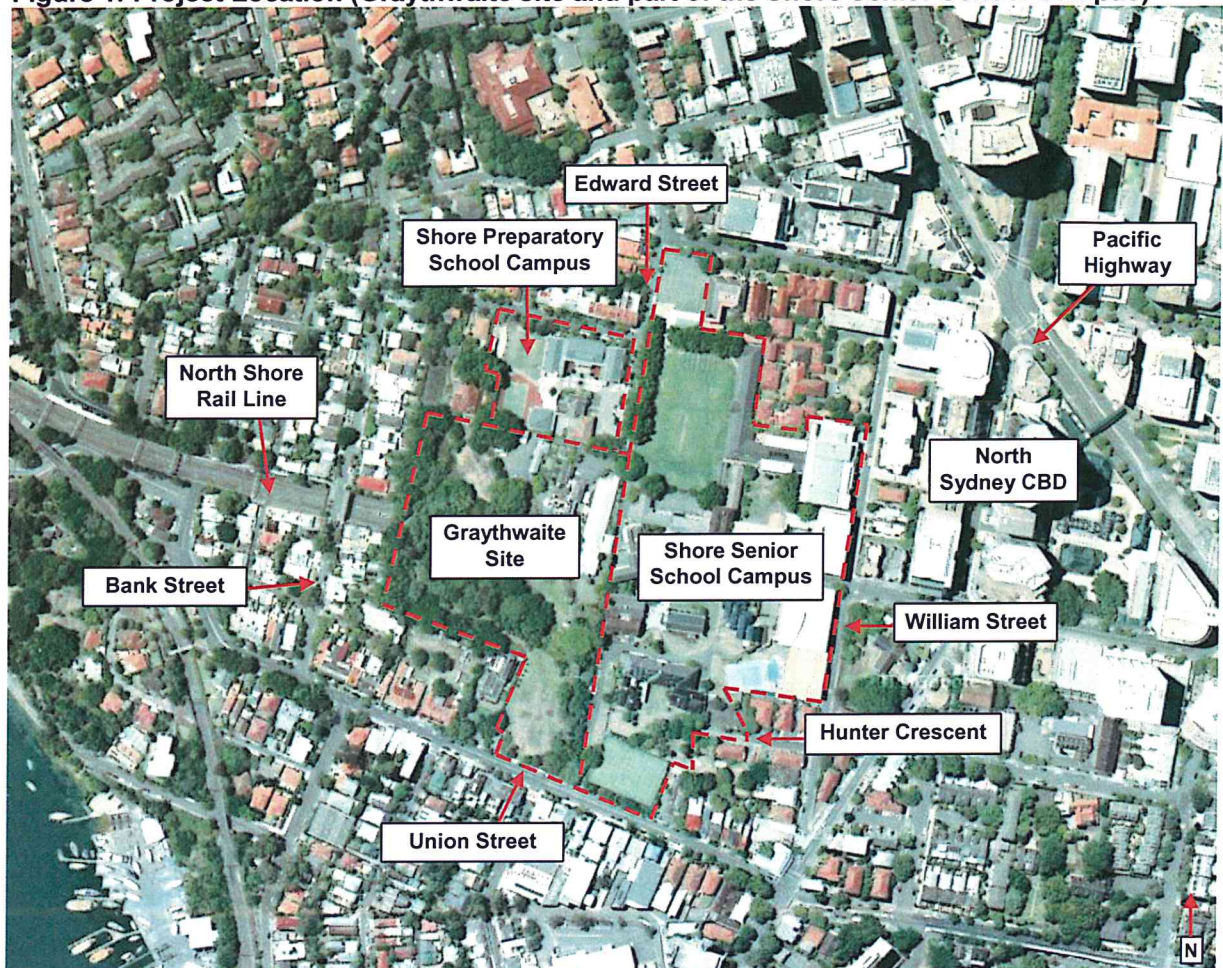
1.1 The Site

The site is located at Edward Street, Union Street, William Street and Hunter Crescent, North Sydney, in the North Sydney Local Government Area. The site comprises the Graythwaite site and part of the adjoining Sydney Church of England Grammar School (Shore) senior school campus, and is legally described as Lot 2 in DP539853 and Part of Lot 1 in DP 120268. The approved project also includes related development on the following additional lots:

- Lot 1 in DP 539853
- Lot C and D in DP 975970
- Lot 3 in DP 75717
- Lot 1 in DP 570826
- Lot 1 in DP 57339
- Lot 3 in DP 570829
- Lot 2 and 3 in DP 18725
- Lot 1 in DP 60719

The approved project location is shown in **Figure 1**.

Figure 1: Project Location (Graythwaite site and part of the Shore Senior School Campus)



1.2 Approval History

1.2.1 Concept Plan and Stage 1 Project Approval

On 9 November 2012, the Planning Assessment Commission, as delegate of the Minister for Planning and Infrastructure, approved a concept plan (MP10_0149) and a concurrent Stage 1 project (MP10_0150) for the extension of Shore school onto the Graythwaite site.

The concept plan incorporated three stages, and included the following:

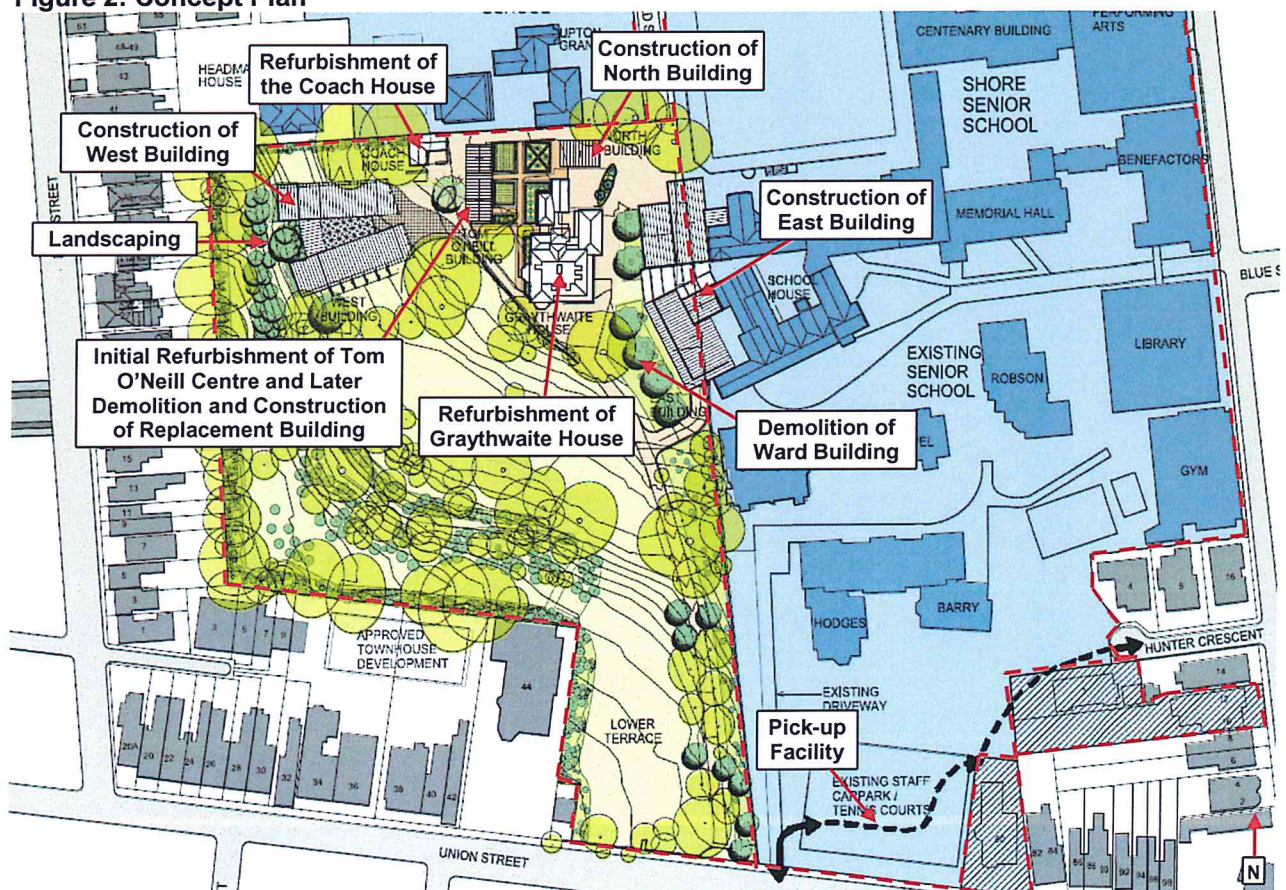
- conservation and refurbishment of Graythwaite House Complex, the Coach House, Tom O'Neill Centre and associated garden areas;
- development of three new buildings with a total GFA of 6,080 sqm to accommodate additional students and staff;
- additional car parking spaces and other transport, parking, traffic and access improvements and a new student pick-up facility; and
- miscellaneous works including drainage, landscaping, site fencing and gates.

The concurrent Stage 1 project approval included:

- use of the Graythwaite site and buildings as an educational establishment, being an extension to the adjoining Shore school campus;
- conservation and refurbishment of Graythwaite House, the Coach House, Tom O'Neill Centre and associated garden areas; and
- transport, traffic, parking, access, drainage, stormwater, fencing, lighting and landscaping works.

The layout of the approved concept plan is shown in **Figure 2** and the layout of the Stage 1 project approval is shown in **Figure 3**.

Figure 2: Concept Plan



The site plan illustrates the proposed works for the Graythwaite House Complex. Key features include:

- Landscaping:** Indicated in two areas, one along the western boundary and another near the Coach House.
- Refurbishment of the Coach House:** A specific building within the complex.
- Refurbishment of Tom O'Neill Centre:** A building located near the Coach House.
- Refurbishment of Graythwaite House Complex:** The central focus of the plan, showing multiple buildings.
- Minor Demolition Works Between Ward Building and Graythwaite House Complex:** An area between the main complex and the Ward Building.
- Pick-up Facility:** Located at the southern end of the site, near Union Street.

The plan also shows surrounding streets (Union Street, North Sydney Highway, Ash Street), adjacent properties, and a north arrow.

On 13 June 2013, the then Director, Metropolitan and Regional Projects North, under delegation from the Minister for Planning and Infrastructure, approved a section 75W modification (MP10_0150 MOD 1), which included the following changes to the Stage 1 project approval:

- NSW Government
Department of Planning & Infrastructure

2. PROPOSED MODIFICATION

2.1 Modification Description

The modification applications seek approval to modify the concept plan (MP10_0149 MOD 1) and Stage 1 project approval (MP10_0150 MOD 2), as follows:

Concept Plan Modifications

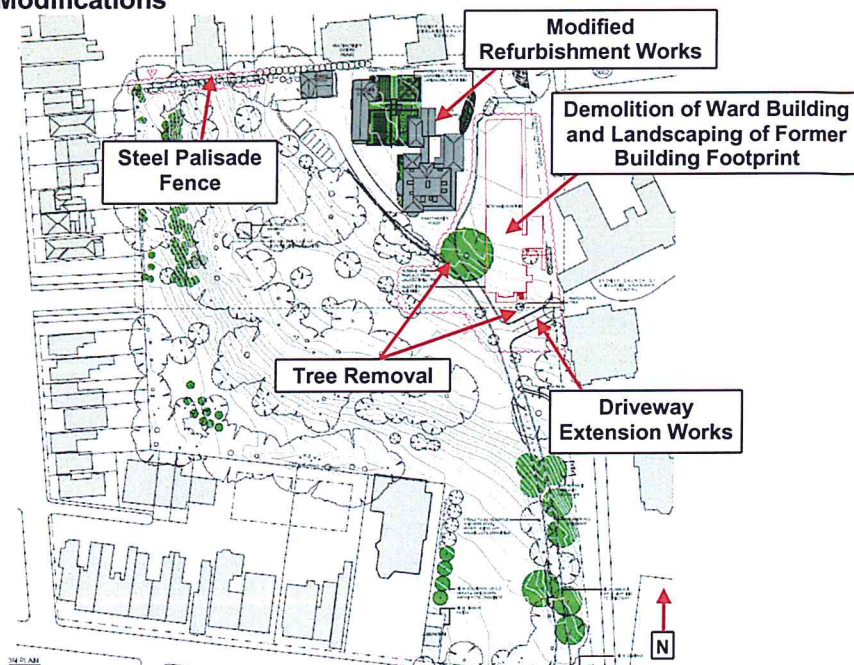
- Moving the following approved works from Stage 2 to Stage 1 (as part of the Stage 1 project approval):
 - demolition of the Ward Building; and
 - construction of part of the driveway extension works to service the basement car park under the future East Building, and construction of an additional driveway extension to the boundary between the Graythwaite site and Shore senior school campus.
- Removal of two trees located in the vicinity of the Ward Building.

Stage 1 Project Approval Modifications

- Inclusion of the following works in Stage 1:
 - demolition of the Ward Building; and
 - construction of part of the driveway extension works to service the basement car park under the future East Building, and construction of an additional driveway extension to the boundary between the Graythwaite site and Shore senior school campus.
- Removal of two trees located in the vicinity of the Ward Building;
- Landscaping of the former Ward Building footprint;
- Removal of a non-original brick internal wall in the Stables Museum and minor servicing changes; and
- Modification of the approved timber paling fence along the north-west site boundary (near the headmaster's house) to a steel palisade fence.

The location of the proposed modifications are identified in **Figure 4**.

Figure 4: Proposed Modifications



3. STATUTORY CONTEXT

3.1 Modification of the Minister's Approval

In accordance with clause 3 of Schedule 6A of the EP&A Act, section 75W of the EP&A Act as in force immediately before its repeal on 1 October 2011 and as modified by Schedule 6A, continues to apply to transitional Part 3A projects.

Section 75W(2) of the EP&A Act provides that a proponent may request the Minister to modify the Minister's approval of a project. The Minister's approval of a modification applications is not required if the approval of the concept plan and Stage 1 project as modified would be consistent with the original approvals. As the modification applications involve changes to the staging of works, revised landscaping and tree removal, alterations to refurbishment works, and a revised fence, the modification requires the Minister's approval.

3.2 Environmental Assessment Requirements

Section 75W(3) of the EP&A Act provides the Director General with scope to issue Environmental Assessment Requirements (DGRs) that must be complied with before the matter will be considered by the Minister. Environmental Assessment Requirements were not issued for this modification as the proponent had addressed the key issues in the modification request.

3.3 Delegated Authority

On 14 September 2011, the Minister delegated his powers and functions under section 75W of the EP&A Act to Directors in the Major Projects Assessment Division where:

- a) the relevant local council has not made an objection, and
- b) a political disclosure statement has not been made, and
- c) there are less than 10 public submissions in the nature of objections.

The modification applications comply with the terms of that delegation as North Sydney Council has not made an objection, a political disclosure statement has not been made and only one public submissions was received on the modification applications, which supported the applications. Therefore, the Director, Industry, Social Projects and Key Sites can determine the applications.

4. CONSULTATION AND SUBMISSIONS

4.1 Exhibition

In accordance with section 75X(2)(f) of the EP&A Act and clause 8G of the EP&A Regulations, the modification applications were made available on the department's website for 14 days. The modification applications were also referred to North Sydney Council and the Heritage Council of NSW for comment. The department also notified a number of adjoining landowners and members of the general public who made submissions on the original concept plan and stage 1 project application. Due to the minor nature of the proposed modifications, the modification applications were not exhibited by any other means.

The department received two submissions from public authorities and one submission from the general public. A summary of the issues raised in submissions is provided in Section 4.2 and 4.3 below.

4.2 Public Authority Submissions

A summary of submissions received from public authorities is provided below:

North Sydney Council

North Sydney Council raised no objection to the proposed modifications.

Heritage Council of NSW

The Heritage Council of NSW recommended that the department impose a condition requiring the relocation of the Washington Palm (one of the trees proposed to be removed) to an alternative location on the Graythwaite site.

4.3 Public Submissions

One public submission was received which supported the proposed modifications.

4.4 Response to Submissions

The proponent provided a response to submissions which agreed to the Heritage Council's recommended condition to transplant the Washington Palm to an alternative location on the Graythwaite site, or to retain it in its current location. Additionally, the response provided additional information on the proposed changes to the driveway extension works. Further discussion of the driveway works is provided in Section 5.1 of this report.

5. ASSESSMENT

The department considers the key issues to be:

- staging;
- revised refurbishment works;
- tree removal; and
- boundary fence.

5.1 Staging

The demolition of the Ward Building and construction of the driveway extension to service the future basement car park under the East Building (off the formal Graythwaite site driveway from Union Street) are currently approved in Stage 2 of the concept plan (and subject to further development approval). The approved driveway extension also provides managed emergency and maintenance vehicle access between the Graythwaite site and Shore senior school campus.

The modification applications propose moving the demolition of the Ward Building and part of the driveway extension works from Stage 2 to Stage 1 (as part of the Stage 1 project approval). Additionally, the modification applications propose a minor design revision to the driveway extension works to include an additional driveway extension to the boundary between the Graythwaite site and Shore senior school campus. The proponent identified that a separate development application would be lodged with North Sydney Council for the continuation of the driveway extension and landscaping within the Shore senior school campus. Additionally, the vehicle access

ramp from the driveway extension to the future basement car park under the East Building would remain in Stage 2.

The department considers that moving the demolition of the Ward Building from Stage 2 to Stage 1 (as part of the Stage 1 project approval) to be acceptable as it would improve the setting of Graythwaite House Complex in the interim period prior to the construction of the East Building in Stage 2. Condition B3 of the existing approval requires that all works in Stage 1 are to be in accordance with the endorsed CMP for the site, and Policy 46 of the CMP identifies that the Ward Building must be archivally recorded prior to its demolition, and that the historic hospital function of the building be interpreted. Additionally, the proponent will be required to undertake a hazardous materials assessment of the building prior to its demolition in accordance with the Statement of Commitments.

The department therefore has recommended that the proponent undertake a hazardous materials assessment, archival recording and implementation of a heritage interpretation strategy prior to demolition of the building.

Additionally the department considers that moving part of the proposed driveway extension works from Stage 2 to Stage 1 to be acceptable. Notwithstanding, during the assessment, the department raised concern with the proposed design revision to the driveway extension and the potential future driveway extension through the Shore senior school campus (subject to a separate development application with council). The department considered that these additional works could go beyond the role of providing limited emergency and maintenance vehicle access between the Graythwaite site and Shore senior school campus, and could potentially be used by staff, visitor and student vehicles, which could impact on traffic flows entering and exiting the school campus, as well as traffic flows in the surrounding road network.

The proponent responded by identifying that the additional driveway extension to the boundary between the Graythwaite site and Shore senior school campus is intended to be used primarily as a pedestrian connection for students, as well as for intermittent use by emergency and maintenance vehicles. The proponent identified it would accept the imposition of a condition requiring the installation of bollards on the driveway to enforce the primary pedestrian function and to ensure the driveway extension was not used by staff, visitor and student vehicles. The department considers that the installation of bollards would ensure that the driveway extension would not be used by general school traffic, and therefore the works would not result in any change in traffic flow within and around the school campus. The department has recommended a condition to ensure this occurs.

5.2 Revised refurbishment works

The modification applications propose minor changes to the approved internal refurbishment works in the Stables Building, including the removal of a non-original brick internal wall, relocation of an air vent and removal and replacement of an external door in the loft.

The modification application was supported by a Heritage Impact Statement which identified that the proposed minor changes to the approved refurbishment works would have a minimal impact to the heritage significance of Graythwaite, whilst

improving the usable space in the building, and would benefit the future and continued use of the building.

The Heritage Branch and council raised no objection to the proposed minor changes to the refurbishment works.

The department considers that the proposed changes to the refurbishment works are minor in nature and would not result in any impacts to the heritage significance of Graythwaite. The proposed changes are therefore considered acceptable.

5.3 Tree removal and landscaping

The modification applications propose minor changes to the approved landscaping and tree removal, including the addition of landscaping of the former Ward Building footprint (now proposed to be demolished as part of Stage 1), removal of one Port Jackson Fig tree, and removal of one Washington Palm tree. The modification applications were accompanied by a HIS and arborist report which supported the landscaping of the former Ward Building footprint and the removal of the two trees.

The proposed landscaping of the former Ward Building footprint comprises turfing over the footprint in the interim period prior to the construction of the East Building in Stage 2.

The Port Jackson Fig tree proposed to be removed is identified as having high heritage significance in the endorsed CMP and HIS, however the arborist report identifies that the tree has been impacted by prior lopping which has resulted in the death of trunk tissue and decay. Additionally, some minor soil abatement works are required to be undertaken in the vicinity of the tree which could further deteriorate its health and condition. To mitigate the negative impact of removing the tree, the proponent has proposed propagating a new Port Jackson Fig tree from the tree to be removed, and planting the new propagated tree in the same location, once the soil abatement works are completed.

The Washington Palm tree is proposed to be removed to improve the landscaped setting of the Graythwaite site. The tree is identified as being structurally sound and in good health in the arborist report, however it is identified as having low heritage significance, and the HIS identified that its removal would benefit the historic cultural landscape of the Graythwaite site and would not result in any negative heritage impacts.

The Heritage Council and North Sydney Council raised no objection to the proposed landscaping of the former Ward Building footprint or removal of the Port Jackson Fig tree, however, the Heritage Council recommended that the department impose a condition requiring the relocation of the Washington Palm at an alternative location on the Graythwaite site.

The proponent responded to the Heritage Council's recommendation by identifying that it would now be willing to accept a condition requiring either the transplantation of the Washington Palm to an alternative location on the Graythwaite site, or its retention in its current location.

The department considers the proposed landscaping of the former Ward Building footprint acceptable as it would enhance the setting of Graythwaite House Complex and aid the connectivity between the Graythwaite and Shore school campuses in the interim period prior to the construction of the East Building in Stage 2. Additionally, the department considers the removal of the Port Jackson Fig tree to be acceptable as the negative impact of removing the tree is mitigated through propagating a new Port Jackson Fig tree from the tree to be removed and its planting in the same location. The department also supports the retention of the Washington Palm tree on site and has recommended a condition to ensure this occurs.

5.4 Boundary fence

The modification applications seek approval to change the approved timber paling fence along the north-west site boundary (near the headmaster's house) to a steel palisade fence.

The revised fence is proposed to improve visual amenity between the Graythwaite site and the headmaster's residence. The HIS identified that the proposed revised fence would not result in any heritage impacts to the Graythwaite site.

The department therefore considers the proposed revised fence to be acceptable.

6. CONCLUSION

The modification applications seek approval for changes to the staging of works, revised landscaping and tree removal, alterations to refurbishment works and revised fencing.

The proposed modifications would not result in any significant impacts to the heritage significance to the Graythwaite site, and the department is satisfied that the measures proposed by the proponent and the recommended conditions would satisfactorily mitigate any impacts associated with the proposed modifications.

Accordingly, the department recommends that the modification requests be approved, and the concept plan and Stage 1 project approval be amended accordingly.

7. RECOMMENDATIONS

It is recommended that the Director, Industry, Social Projects and Key Sites:

- a) **Consider** the findings and recommendations of this report
- b) **Approve** the modifications, subject to conditions, under section 75W of the *Environmental Planning and Assessment Act 1979*, and
- c) **Sign** the attached instruments of modification approval (**TAG A & TAG B**).

Endorsed by:

 16/10/13

David Gibson
Team Leader
Industry, Social Projects and Key Sites



Heather Warton 22/10/13
Director
Industry, Social Projects and Key Sites