

Warren & Vicki Marsh
3 Bank Street, North Sydney
March 11, 2011

Major Projects Assessment
Department of Planning
GPO Box 39
Sydney NSW 2001

Attn: Ben Eveleigh

Application Name: Graythwaite Concept Plan
Application No.: Concept Plan (MP10_1049)
Stage 1 (MP10_0150)

Submission – OBJECTION TO PART 3A APPLICATION

Dear Sir,

We are the owner-occupiers of No.3 Bank Street, North Sydney, which is adjacent to the Graythwaite site at the south-west corner. As residents of Bank Street, we submit that the above application should be rejected or radically modified due to its substantial negative impact on adjoining and neighbouring residential properties, including our own.

We have no objection to, and in fact support, Stage 1 of the project being the restoration and adaptive reuse of the Graythwaite House and Tom O'Neil Centre, and Stage 2, the East Building. Our objections relate to Stage 3, being the West Building, which is also the trigger for a substantial increase in the school's population.

The key points of our objection are –

- Serious negative impact on Bank Street from increased traffic and parking demand
- Flawed Traffic Study
- Non-conforming building scale and bulk of the West Building
- Lack of appropriate setback from residential boundaries
- Failure to comply with Director Generals requirements
- Likely damage to the environment and the sub-surface water table
- Massive loss of trees and significant vegetation.

Details of our Objections:

Increased traffic and parking demand

Bank Street is a dead-end street with direct pedestrian access to the Shore School via the steps up to Lord Street, and also adjacent to the Union Street entry, so Bank Street is used for both access and parking by many senior students. The students drive up and down the street several times looking for the elusive all-day spots, and, if unsuccessful, will use a two-hour space and later leave the campus and swap places with each other several times during the day. This swapping activity is observed by many residents on a daily basis.

During the day, the street is completely parked out, and a noticeable change is evident during school holidays when spaces are more available.



Typical scene opposite our house at No 3 Bank St. – in this case Shore boarders return after sport on 10/3/11, get lucky with an unrestricted park, remove the P plates, get their gear and return to School. Being boarders, this car will remain there till the following weekend.

Many residents of Bank Street, including ourselves, work and run businesses from home offices, most of us do not have garages and therefore rely heavily on available parking in the street close-by to our residences as we come and go during the working day. This becomes a considerable inconvenience when the street is parked-out by Shore students. Visiting trades people also need to be able to park close to their job and access tools in their vehicles. All this will become a complete nightmare when the street is further congested with Shore construction workers and contractors combined with the increased student population.

The West Building is the trigger for 550 additional students and staff, and by the building's very location on the west side of Shore total campus, will undoubtedly increase the demand for senior student and staff parking in Bank Street. We note that the submitted Traffic Study has 14% of students/staff arriving as car driver, so there is an immediate demand of 77 additional spaces required to satisfy this demand. The application only includes an additional 41 spaces in another building of another stage.

The distressing outlook for an expansion of Shore is compounded by Shore's apparent lack of concern for their neighbours – there is no evidence that Shore discourages senior students driving to school, and in fact they condone it by allowing students to leave the campus during the school day to move their cars! This is hardly the behaviour of a neighbour-friendly institution.

Shore should manage this problem themselves and solve the problem on-site. There should be recognition that senior student drivers are a common factor in affluent independent schools, and make provisions for parking on-site. This is not uncommon and other local Councils have made student parking a condition of Consent.

Flawed Traffic Study

We believe the Traffic and Parking Study provided with the application is flawed –

- Bank Street was not included in the survey as a point of drop-off / pick-up, but it is a known drop point at the foot of the Lord Street stairs. This exclusion is a serious error in the report.
- The report states *"about 13% of vehicles are parked on streets near the school and about 23% of vehicles are parked on streets some distance away from the school"*. There is no scientific basis offered for this statement, but it stands to reason that if 23% are parked some distance away, then it clearly demonstrates that streets close by, including Bank Street, are parked out first. If Shore was serious about addressing the issues of student parking, they would have demanded much more detailed information on this statement, and offered a solution for eliminating the parking demand on the adjoining streets.
- When discussing construction traffic the report states *"street parking will be restricted to essential vehicles only. Contractors will be encouraged to car pool and catch public transport."* That is an irresponsible statement by the traffic consultant, completely unworkable and unrealistic. The fact that the statement is still included in the application after extensive editing shows that Shore is not concerned about the real external impacts of its development proposal. Again, Shore must be required to manage the real impacts of construction traffic on-site.

Non-conforming building scale and bulk of the West Building

The current North Sydney LEP 2001 has a general height limit of 8.5 metres away from the NS CBD, including Graythwaite. In the new Draft NSLEP 2009, a height limit of 8.5m is stated for the Graythwaite site. The Director General has confirmed that the Department supports specifically the Graythwaite 8.5m height limit in the Draft LEP and that this is an appropriate height limit for this site. (Letter DoP / NS Council 29/10/11)

From the drawings provided, the section on Dwg. A160 clearly shows the height of the building at 14 metres at the west face of the sectional step of the upper floors (ground level RL 63.57, roof RL 77.57). This is a gross violation of the height controls. Height Controls in North Sydney are traditionally strictly enforced, and there should be no exception here.

With a total width of 35m, the increased height of this building is translated as a massive and inappropriate bulk as the land falls away significantly to Bank Street. By examining the model provided, it can be clearly seen that the sheer bulk and scale of this building is totally inappropriate for its setting, in that it has no meaningful relationship with Graythwaite House due to lack of articulation and detail, and it has a sheer blandness of bulk that dwarfs its residential neighbours.



Photo of model from SW corner - Bank St houses at left, looking north showing inappropriate bulk and height of West Building

Lack of appropriate setback from residential boundaries

The West Building is shown as being setback 16.8m at its SW corner from the west site boundary, and with a height of 14m. The submitted plans indicate that there is ample room for the West Building to be moved to the east, and there should be an absolute minimum setback of 25m for any building of 8.5m height. It should be setback behind the eastern face of the Headmasters house immediately to the north.

The impact of a minimum setback is its negative effect on the stand of Port Jackson figtrees along the boundary and their root system, and also noise and visual impact on the residential properties to the west. It would be appropriate in this case for the height plane control to start at the eastern side of the figtree drip line.

As residents of No.3 Bank Street, our interest here is one of precedent, as the plans clearly indicate the SW corner of the Shore property being suitable for future long-term development. We demand an appropriate setback of 25m enforced along the entire western boundary of the site.



Photo of model looking north showing lack of western boundary setback, but with ample room for the building to be moved east.

Failure to comply with DG requirements

From our reading of the DG's requirements issued on 27/10/2010, it is obvious the application fails on the following fronts:

- No adequate consultation. Clearly there has been inappropriate consultation with the immediate neighbours of this property. Opportunities for discussing the application have not been proactively sought by the proponent, and without the North Sydney Precinct system, there would have been no consultation whatsoever.
- Justification of all non-compliances. There is no attempt in the documents to explain or justify the non-conformance with the prevailing planning controls. The proponent has adopted an arrogant attitude that a Part 3A process does not require normal justification and detailed analysis of any non-conformance, no SEPP 1 objections etc. The application fails on this point.
- Development contributions under Council's S94 Plan / Voluntary Planning Agreement. We do not believe this matter has been addressed.
- Inclusion of an "Endorsed" conservation management plan. A CMP is included with the application, and we understand it may have been submitted to the Heritage Council of NSW, but is not an Endorsed Plan. The DG requires an Endorsed Plan.

Environment and the Sub-Surface Water Damage

We are vitally concerned on the impact of development on the natural hydrology and water table of this site. The site has a unique hydrology, with water lying over the top of a significant rock base, with existing natural springs, wells and other features. The current hydrology supports stands of significant and historical Port Jackson fig trees, exotic bamboo and other undercover vegetation.

Faced with such a distinctive hydrology regime, the appropriate design response would have been to avoid significant excavation at all costs. The design of the West Building does just the opposite. It shows significant cut and excavation into the hillside for its entire 35m width, forming a "dam" wall which will block natural east to west drainage that supports the boundary fig trees.

Similarly, there is an east-west tunnel linking the classroom building to an entry near Graythwaite House, fully below ground, which forms a complete 30m long subterranean barrier to the natural drainage running to the south.

We believe that this is a totally incorrect design response to the natural hydrology of this site, and it will result in a mass loss of the western boundary figs, the exotic bamboo stand and other vegetation. The applicant's own Arborist Report indicates how sensitive the vegetation is by giving strict rules on excavation for drainage trenches, but the base design has massive excavations for buildings and tunnels that must, by size alone, dramatically alter and destroy the natural hydrology. No amount of new planting can replace these century-old trees.

Massive loss of trees and significant vegetation.

The applicant's report states that there will be a loss of some 83 trees across the developed part of the site. Three fig trees are listed amongst those.

Whilst we acknowledge that there are some undesirable species on the site, there are many significant trees providing shade and protection to the understorey vegetation. Removal of these trees en-masse at one time will have a dramatic effect on the landscape quality of the site and will threaten the very survival of the natural understorey that has been established over the last century, which is also an important habitat for a wide variety of birdlife and flying foxes, both resident and migratory. The report also indicates that the understorey planting will be cleaned out and replaced with turfing or ground covers, which again will dramatically destroy the delicate landscape of this part of the site.

Of most concern is that the documents fail to identify the actual location of the 83 trees to be removed, therefore preventing us from making a proper judgment on the impact of the removal.

Summary

The application as it stands should be rejected, and any future submission be significantly altered to take into consideration the matters we have raised. We trust the Department and Director-General will act to ensure that proper and reasonable planning processes are followed.

Declarations.

We have not made any political donations or gifts of any amount to any political party or person.

A handwritten signature in black ink that reads "Warren + Vicki Marsh". The signature is written in a cursive, flowing style. The "Warren" part is on the left, followed by a plus sign, and "Vicki Marsh" is on the right. The "Marsh" part has a long, sweeping underline that extends to the right.

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