

6.6 Consultation – NSW Government and Manly Council

Letters from NPWS concerning the proposals for modification of the CoPA – North Head Quarantine Station Conservation and Adaptive Re-use, and letter sent to Manly Council.



**Office of
Environment & Heritage**
NSW National Parks & Wildlife Service



Our reference: DOC 14/176571
Contact: Stuart Schramm
9585 6308

Mr Chris Ritchie
Manager, Industry and Coastal Projects
Department of Planning and Environment
23-33 Bridge Street
SYDNEY NSW 2000

Dear Mr Ritchie

Mawland Quarantine Station Pty Ltd Application for Modification of Conditions of Approval for Q Station

I refer to the *Preliminary Environmental Overview in Support of a s75W Modification Application* prepared for Mawland Quarantine Station Pty Ltd and submitted in support of an application to amend Conditions of Approval (CoA) for the Q Station project.

The National Parks and Wildlife Service (NPWS), which is responsible for the management of Sydney Harbour National Park, including the Q Station, provides the following comments on the Mawland submission.

It is noted that NPWS has not seen the supporting documentation referred to in the Mawland submission and cannot comment on the veracity or adequacy of such information. Moreover, the following should not be construed as pre-empting any future comment, concurrence or approval by the Office of Environment and Heritage in respect to a future application by Mawland under environmental legislation.

Notwithstanding these limitations, NPWS is supportive of the overall content and intent of the proposed amendment to the CoA that currently apply to the Q Station. Specific matters which should be considered in determining whether and how to amend the conditions are outlined below.

Co-proponency

The Minister for the Environment was the co-proponent for the 2003 *North Head Quarantine Station Conservation and Adaptive Reuse Proposal*. NPWS supports the Mawland proposal to be the sole proponent for the proposed modifications to the CoA.

The operation of the Q Station takes place under a lessor and lessee relationship between NPWS and Mawland. NPWS also exercises a range of environmental regulation functions including, but not limited to, those allocated under the CoA. Co-proponency does not reflect the responsibilities of NPWS in relation to these functions. Mawland is far better placed to identify changes to the CoA that may be required to improve the effectiveness and sustainability of their operation.

Use of buildings

NPWS acknowledges the need for increased flexibility of building use to ensure that the lessee remains responsive to the cultural tourism market. The proposal to allow buildings to be used for different purposes to those prescribed in the CoA is supported, provided that the integrity of the

buildings is retained, significant elements of heritage fabric are protected and the overall balance of uses across the site is maintained.

NPWS supports the revision of the uses specified in the 2003 *Preferred Activity Statement*.

Air conditioning

The proposal to allow the installation of mechanical air conditioning systems in public areas and accommodation buildings is supported subject to measures to ensure that the integrity of the buildings is retained, significant heritage fabric is protected and visual impacts are minimised.

Bandicoots

The current CoA establishes bandicoot mortality thresholds that trigger changes to access arrangements to the Q Station. Bandicoot mortality is calculated across the entirety of North Head rather than restricted to the Q Station. NPWS acknowledges that the Q Station is not the sole, or necessarily the dominant, contributor to motor vehicle movements on North Head. Accordingly, NPWS supports changes to the CoA that focus Mawland accountability and response to bandicoot mortality that is directly associated with the Q Station.

Maximum visitor capacity

NPWS supports the changes proposed by Mawland to the maximum visitor capacity.

Layout of buildings P1, P2 and P9

The proposed changes involving the use of corridor space as bathrooms is supported in principle, provided that the integrity of the buildings is retained, significant elements of heritage fabric are protected and the overall balance of uses across the site is maintained.

However, NPWS is concerned that the wording of the proposed change to condition 21 is not clearly expressed and requires clarification.

Environmental audit cycle

NPWS supports the proposed changes.

Site-wide plans

NPWS supports the proposed changes.

Use of shade structures

NPWS supports the proposed changes relating to shade structures. Shade structures should be retractable or demountable and of minimum visual impact. It is noted that the display of advertising on shade structures would require separate approval by NPWS.

Amplified music on site

NPWS supports the proposed changes relating to amplified music subject to demonstration through environmental impact assessment and the ongoing monitoring program that the resident Little Penguins would not be adversely impacted.

Conditions proposed for administrative amendment

NPWS supports these proposed changes except with respect to condition 53.

Condition 53 should not refer to a specific role within NPWS. It is recommended that amended CoA should allocate obligations or responsibilities to NPWS at an agency level rather than to specific roles. NPWS staff will continue to manage and regulate lessee activity on the site. However, in the context of ongoing sector wide changes to organisational structures and role definitions, it is no longer appropriate to specify the roles that will exercise those functions through CoA.

Conditions not requiring change - satisfied

NPWS notes the advice from Mawland that certain CoA have been fully satisfied. Confirmation of whether particular actions have been completed will be confirmed through the next comprehensive audit of the site (as per CoA 228).

Conditions not requiring change

NPWS supports the submission that these do not need to change.

It is important to note that in respect to the use of buildings; maximum visitor capacity; environmental audit cycle; site wide plans; use of shade structures and amplified music on site, NPWS has not sighted the supporting documentation referenced by Mawland.

Should you require further information please contact Stuart Schramm, Director Park Assets on 9585 6308 or via email at stuart.schramm@environment.nsw.gov.au.

Yours sincerely

A handwritten signature in black ink, appearing to be 'Michael Wright', with a long horizontal flourish extending to the right.

25/9/14

Michael Wright
Acting Deputy Chief Executive - National Parks and Wildlife Service
Office of Environment and Heritage

Director
Planning and Development
Manly Council
PO Box 82
MANLY NSW 1655

28 February 2015

Dear Director

QStation- S75W Modification Application-North Head Manly

The ten year anniversary of the issuing of the Quarantine Station Conditions of Planning Approval (CoPA) has recently passed. Since the issuing of that approval, our site has moved from establishment phase to operation phase. Inevitably, and based on the experience gathered across that decade, there are a number of conditions that warrant review and modification. Any such modifications would require that a formal application be made to the Department of Planning and Environment for modification of the consent under s75W of the NSW EP&A Act.

Mawland and NPWS have identified that some of the conditions of planning approval (CoPA) relating to some significant issues warrant review and substantive amendment. These changes relate an 'operation' phase. In the view of Mawland and the NSW NPWS the changes proposed to the conditions of planning approval more accurately reflect the reality of the site's current operations, and the best approach to management of the site as developed over the past 10 years

A document has been prepared in support of such an application, and has been the subject of preliminary lodgement at DOP. Formal lodgement is expected in early March. This letter is sent to Council as the result of a recommendation from DOP that Council be advised of the proposal, pending contact from DOP.

There are only ten Conditions requiring substantive amendment, some few others requiring administrative amendment, to reflect changed administrative arrangements, and most require no change at all either because they have already been satisfied or because they are still extant.

These changes have been considered by our Consultative Committee, which is chaired by Cathy Griffin, and the Committee is supportive of the changes. The site's Heritage Architect Paul Davies is supportive of the changes and a number of expert reports have been obtained as to the minimal impact of the changes on the cultural and environmental heritage, flora and fauna on the site.

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The modification issues are:

1. Co-proponency (administrative changes)
2. Flexibility and balance of use of buildings on site
3. Air conditioning (limited buildings only)
4. Bandicoot triggers (signage and recognition of increased use of roads on North Head)
5. Site visitor capacity (small increases requested for tours/dining/functions/open days)
6. Spatial Layout (Building P1, P2 and P9)
7. Environment audit cycle extension
8. Site wide plans review
9. Use of umbrellas/shade structures for guest/staff protection
10. Ambient dining music /restaurant

This letter is to inform Council of the Modifications process commencement. Should Council require any further information please contact the writer at this stage. Once the Application is lodged with DOP, I will be able to provide you with a reference number.

Yours faithfully

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