

14 March 2011

Department of Planning,  
23-33 Bridge Street,  
Sydney

Dear Sir/Madam,

Re PART 3A APPLICATIONS FOR GRAYTHWAITE SITE, EDWARD STREET NORTH SYDNEY

Please find attached a combined submission on the Part 3A application of Graythwaite by Shore school, prepared on behalf of a coalition of three local community groups - the North Sydney Council's Union Precinct Committee, the Friends of Graythwaite group and the recently convened SAD @ Graythwaite (Stand Against Development at Graythwaite) group (the three community groups).

We represent many affected residents and concerned community members. The views of members of Sir Thomas Dibbs family have also been represented in this submission. None of these parties has made a reportable donation to any political party.

We ask that the Minister call for a public inquiry into this Part 3A application and hear the views of this community on such a State significant heritage item. The reasons for why a public inquiry is necessary are set out in the attached submission.

Yours sincerely



Suzanne Clarke-Nash  
Chair, North Sydney Council's Union Precinct Committee  
C/o 73 Bank St, North Sydney 2060  
sclarkn@bigpond.com  
Tel 0407 232 409



Tim Hughes  
Chair, Friends of Graythwaite  
C/o 30 Union St North Sydney 2060  
timvcm@bigpond.net.au  
Tel 0457 835 847



Peter Keel  
Chair, SAD@Graythwaite  
C/o 31-33 Bank St, North Sydney 2060  
pkeel@claytonutz.com  
Tel 0418 276 730

## **GRAITHWAITE PART 3A CONCEPT PLAN AND PROJECT APPLICATION**

(Reference MP – 0149 and MP – 0150)

### **SUBMISSION TO THE NSW DEPARTMENT OF PLANNING**

On behalf of

- The North Sydney Council Union Precinct
- The Save Graythwaite Community Group
- The SAD@Graythwaite Community Group

14 March 2011

## INTRODUCTION

This submission has been prepared on behalf of a coalition of three local community groups - the North Sydney Council's Union Precinct Committee, the Friends of Graythwaite group and the recently convened SAD @ Graythwaite (Stand Against Development at Graythwaite) group (the three community groups). None of these groups has ever made a reportable donation.

The submission has been prepared by a team of local residents with expertise in planning, heritage, law, architecture and environmental assessment. In preparing this submission the authors have had regard to the documentation submitted by the proponent, the Director-General's requirements for the Concept Plan and Project Application, their thorough knowledge of the site and neighbourhood in which it is located, and their understanding of local community concerns.

For the many sound reasons set out in this submission the three community groups request that the Minister hold a public inquiry into this matter before making a determination.

Failing that, the application should be refused.

### 1. REQUEST FOR A PUBLIC INQUIRY

We hereby request the Minister to hold a public inquiry into this application as permitted under clause 268R of the Regulations to the Environmental Planning and Assessment Act, 1979. The reasons for why an inquiry is needed are those set out in this submission.

As the submission demonstrates the proponent has failed to satisfy a number of the Director-General's requirements, including most critically a failure to adequately consult with the community. Without that consultation and without full and proper information, neither the community nor the Minister can rely on the application as submitted.

Furthermore the proposed development will have a significant and adverse impact on the heritage significance of the site and on the environmental amenity of the locality and adjoining residences, and it is completely devoid of any public benefits.

In short the environmental costs are borne by the community, the community has not been consulted and there are no community benefits to help offset those costs.

Furthermore as the application is being made under Part 3A of the Act and as the Heritage Act does not apply the usual checks and balances of the approvals process is compromised. A public inquiry will help restore the faith of the local community that the matter is openly and transparently considered.

## 2. ABUSE OF THE PART 3A PROCESS & NON-COMPLIANCE WITH LOCAL CONTROLS

The application for a Concept Plan and Project Application has been made under Part 3A of the Environmental Planning and Assessment Act 1979 (the Act) as the proposal is prohibited under the existing *Special Use (Hospital)* zoning provisions of the North Sydney LEP.

It will, however, become permissible under the new *Infrastructure (Schools)* zoning proposed in the draft North Sydney LEP 2010 that is currently on exhibition, should that zoning be approved.

The Part 3A approvals pathway not only avoids the local Council as the assessment or decision-making agency, but in this case it also avoids Heritage Council approval under the Heritage Act. Without these usual checks and balances the application needs to be particularly rigorously scrutinised and thoroughly assessed.

The conservation and reuse of the Graythwaite House and Coach House buildings is supported in principle by the three community groups. These works however could, and should, be approved by way of a Part 4 Development Application (DA) using the clause 51 of the North Sydney LEP.

If it weren't for the overriding power of Part 3A of the Act this otherwise local matter could not currently be approved. It could be approved, however, if it either waited for the draft LEP to be gazetted or the land was rezoned via a planning proposal process under Part 3 of the Act. A planning proposal process has the advantage of greater community involvement as it is managed and largely decided by the Council. It is this process therefore that is favoured by the three community groups.

As an education facility, to qualify as a Part 3A application the project must have a Capital Investment Value (CIV) of more than \$30 million. This means that the application by necessity must be inflated to get over the CIV threshold, whether the proponent ultimately needs to construct such a large amount of development or whether the site can sustain such a large amount of development. The choice of the Part 3A approvals pathway, therefore, inflates the scale of the development.

In this particular case the subject proposal is a SERIOUS overdevelopment of this site. It is not, by any stretch of the imagination, a development that could reasonably be described as of "state or regional significance". The use of Part 3A is in fact an abuse of Part 3A. The overdevelopment is a function of the process, **but this does not warrant its approval.**

Whilst we understand that Part 3A Concept Plan applications are not bound by land use permissibility or development standards in LEPs or DCP's, the Director-General's Requirements specifically includes the North Sydney LEP and DCP on the list of statutory instruments of policies that must be taken into account. These local instruments are very important rules that the community has come to accept as governing development of their own private properties and on other land in their neighbourhood.

Under the North Sydney LEP 2001 buildings in the Special Use zone unless they are consistent with the objectives, permissible uses and development standards for the particular building type on adjoining land and on land directly across the road. The most restrictive planning regime applies when a site is adjacent to more than one zone, and in this case the most restrictive zone is the Residential A2 zone. The adjoining residential area to the west and the land opposite on Union Street are also part of a long-standing heritage conservation area.

Under the A2 zone the height limit is 8.5 metres. The height limit is a fundamental control that is essential to help protect the character of the area and contain the scale and impacts of buildings. It has been carefully and consistently applied by the Council over many years.

Furthermore the Director-General of the Department of Planning, only two days after issuing his DGR's for this project endorsed a 8.5 metre height limit *specifically for the Graythwaite site*, when granting a s.65 certificate for the public exhibition of the North Sydney draft LEP 2010 (see letter to Council from the DG dated 29 October 2010, enclosed as **Attachment A**).

Clearly the intended height limit for this land is 8.5 metres, and this limit must be upheld. The integrity of the planning system and the public interest are not served by an application that is fundamentally at odds with current and proposed statutory instruments supported by the Director General of the Department of Planning.

In marked contrast the height of the proposed East Building is over 10 metres and the height of the proposed West Building, which is in close proximity to the Residential A2 zone, is over 14 metres. Furthermore the mass of these buildings far exceeds that of any other buildings in the residential area. The West Building for example has a footprint of over 1,000 square metres, which is larger than most commercial floor plates in the North Sydney CBD. It is massive and significantly out of scale and character with the other buildings in the A2 zone.

Section 7.3 of the Robinson EA report purports to 'justify' these major breaches of the height controls, but fails to do so. For one thing it only addresses the visual impact of the buildings. There is no analysis of the objectives of the height control and why it is unnecessary or unreasonable, as would be the case for a SEPP 1 objection to development standards. The 'justifications' in section 7.3 are cursory and dismissive with the visual impacts to be managed by screen planting. The significant breaches of the height limit are unacceptable and can not be sustained on environmental planning or merit grounds.

We therefore request the Minister to refuse the application as an overdevelopment of the site. Any future applications for a lesser and more reasonable development can and should be made by way of the Part 4 DA process, and if necessary a Part 3 planning proposal process.

### 3. LACK OF COMMUNITY CONSULTATION

The Director-General's requirements include at requirement 16 that the School undertake *"an appropriate and justified level of consultation in accordance with the Department's Major Project Community Consultation Guidelines October 2007..."* Consultation with North Sydney Council and the NSW Heritage Council is specifically noted.

Those guidelines include the requirement that there be consultation with (amongst others):

*"Those individuals and organisations likely to have an interest in the proposal had enough opportunity to express their views. The community of interest can be broadly categorised into three groups:*

- a. those directly impacted by the project (eg. neighbouring residents ... )*
- b. individuals and groups likely to have an interest in the local or regional implications of the project (eg. local councils, local members of Parliament and P&Cs, environmental, indigenous, heritage, business and other community organisations in the area)."*

The EA is also to include a report on the consultation process which is to include (amongst other things):

- a. A summary of findings*
- b. The process including:*
  - The objectives of the consultation process*
  - When was consultation undertaken*
  - The number and type of stakeholders involved*
  - Engagement techniques — how feedback was collected and how discussions with community were undertaken*
  - An assessment of how well the objectives were met.*
- c. An analysis of the issues raised. This should be comprehensive and identify:*
  - What issues were raised by particular stakeholder groups*
  - How each issue is proposed to be addressed in the environmental assessment*
  - Where the proposal has been altered as a result of feedback received.*

Section 5 of the Robinson EA sets out the so called "consultation" undertaken, prior to lodging the applications. It is both telling and alarming, and clearly demonstrates that the level of consultation is neither "appropriate" or "justified", particularly for such a significant property that has been the subject of intense public interest over the last decade, ever since the NSW State government began investigating the disposal of the site.

That level of public interest increased with an attempt by the State Government to build townhouses on the lower terrace about 1993-4. The community was horrified and campaigned to prevent this. The local community formed a gardening group in the late 1990's to attempt to maintain the heritage gardens that had been ignored for a decade by the State Government. The gardening group won significant awards for its work on the gardens over the years.

That group, the Friends of Graythwaite, then began a public awareness campaign of the threat to the Graythwaite Estate. They handed out close to twenty thousand postcards that were mailed back to the NSW State Premier asking him to save Graythwaite. They set up a website and Facebook page. The Graythwaite campaign was covered over the years by the local press, the national and international media. When Google Earth organised a flyover Sydney to update its Google Earth website, members of the Friends of Graythwaite wrote "Save Graythwaite" in three metre high letters that can be clearly seen on the present Google Earth website.

The then Labour Prime Minister Kevin Rudd, after viewing mass posters about Graythwaite displayed on people's front fences in North Sydney, chose to visit the grounds on a Sunday morning to inform himself of the issue. He understood that the importance of the preservation of this historic ANZAC icon crossed all political boundaries and he committed to spend up to \$30 Million dollars to keep it in public ownership despite Graythwaite being in a safe Liberal party electorate. In the end, Shore outbid the Federal Government by \$5 Million.

The saving of Graythwaite was an election commitment by every local candidate at the last federal election.

The NSW State Labour Government went to the Supreme Court to seek permission to sell the site. North Sydney Council was represented in this Court case and over 100 local residents regularly attended the Court hearings to lend their support. The Supreme Court had to move the case to a significantly larger Court room due to the public interest. The case was covered by all the national television media as well as national and local newspapers.

Graythwaite brought together a very unusual alliance committed to protecting the site. These allied groups included the Federal Labour Party, Federal Liberal Party, State Liberal Party, The Greens, The Shooters Party, Fred Niles Group, State Independents, The RSL (both State and National) and the CFMEU. The Federal Liberal member, Joe Hockey stood with the CFMEU and the RSL at a joint press conference when the CFMEU announced that they were placing a Green Ban on Graythwaite.

Additionally many Local Councils passed resolutions to support its preservation included Woollahra, Waverly, Pittwater, Mosman, Leichhardt, Marrickville, Sydney and Willoughby to name just a few.

The Save Graythwaite Estate Bill 2009 was moved in State Parliament to keep Graythwaite in public hands. The Greens moved it in the Upper House where it was passed 23 votes to 18. For the first time ever the Shooters party voted for a Greens bill.

When the Save Graythwaite Estate Bill 2009 was sent to the lower house it attracted passionate support from the Independents and State Liberals but it was lost 35 - 46 due to the votes of State Labour. Many State Labour Members offered private support for Graythwaite remaining in public hands but were bound to vote with the Government on threat of expulsion from the Labour Party.

The public gallery was full to overflowing with interested community members and various members of Parliament commented on the public presence during the debate on the Bill.

The Save Graythwaite Estate Bill 2009 was drafted by pro bono lawyers included a Senior Counsel who all gave their time to try to protect the site.

The public concern over what may happen to Graythwaite was so great that over two hundred individuals contributed to take out a half page advertisement in the Daily Telegraph (see copy enclosed as **Attachment B**). The Dibbs family members expressed their concern at the purchase of the site by Shore as they understood that Sir Thomas Dibbs had expressly said that Shore was not to ever get the site. Alan Jones gave significant airtime to the issue. The community also expressed concern given that Shore had in the past tried to demolish the historic house *Kailoa* when they owned it, despite its listing as a heritage item.

Many of the general public consider the Graythwaite Estate as significant to our State's history as Government House in the Domain. Both are of similar size and location and both have important links to our State and National history.

Over the ten years that the public campaign ran, thousands of people attended public meetings, rallies, wrote letters and gave time to express their concern of the future of this ANZAC site.

They are still concerned at the outcome for this priceless part of our heritage.

The 'consultation' noted in the EA comprised one meeting with the North Sydney Council (Councillors); one meeting to North Sydney Council staff and heritage advisors; one site meeting with staff of the Heritage Office (not the Heritage Council); and one combined meeting with 2 representatives each of the three immediately affected Precinct Committees.

Since lodgement we understand there has been one further meeting with Councillors and staff, one presentation to the Heritage Council and one presentation to 2 people each from the 3 Precinct Committees.

The level of consultation with the local community is seriously inadequate. There has been zero consultation (outside the Department's notification letters as part of the statutory consultation process) with any of the immediately adjoining residents or landowners individually or collectively, either before the application was submitted or since it was placed on exhibition, even though they are seriously impacted.

The consultation with the Precinct Committees, of which the Union Precinct is one, has been extremely limited and tightly controlled by the School. The presentation before lodgement and during the exhibition period was by invitation only, and limited to two representatives of the Precincts. There were no records of the meeting distributed to the attendees, nor has the EA nominated the issues raised by Precincts, the Council or the Heritage Office staff. It is impossible to even tell what those issues are or how they have been addressed.

At the presentation to the combined Precinct representatives in February 2011 during the exhibition period a number of important issues were raised. At that presentation a request for School to present to other Precinct members (not just two representatives) and the public generally was rejected by the School on the basis that there '*was nothing in it for the School to hold a public meeting*'. A subsequent email from the Union Precinct to the School requesting a public meeting, and further information about the proposal, including additional photomontages, the pegging out of the footprint of the West Building and the erection of height poles, has gone unanswered.

The lack of commitment to full and proper consultation by the School is also demonstrated by the fact that the consultant team does not include any community consultation specialist, even though there are over 14 specialists working on the project, in addition to the Shore's consultant town planner and its two architects.

The level of "community consultation" and the demonstrated lack of interest or activity in addressing this requirement of the Director-General is a serious and significant failing of the planning process for this site. It is considerably less than what would normally be undertaken for a site or project of this size, impact and level of public interest. In fact is it not full and proper consultation at all.

The request for a public inquiry is the only way acceptable to the local community (who has not been consulted) to now make up for these failures. We understand that the North Sydney Council and numerous other objectors have also requested a public inquiry.

#### 4. SIGNIFICANT HERITAGE ISSUES

The site is of State and local heritage significance, and is on the Register of the National Estate. It is an extremely important heritage item.

This application is made under Part 3A of the Environmental Planning and Assessment Act, which 'switches off' the NSW Heritage Act, and removes all State Heritage items, such as Graythwaite from the usual protection of that legislation. It is therefore especially important and incumbent on the Minister to pay particular attention to this issue before making any decision. The heritage issues associated with this application alone are of such significance to warrant the calling of a public inquiry, as requested in this submission.

The existing heritage buildings on the site have fallen into a state of disrepair, largely due the neglect of the NSW State Government in recent years. The proposed restoration of the Graythwaite House, Coach House and other heritage elements, as detailed in the Project Application for the Stage 1 works is strongly supported in principle. However as there is not yet an adopted Conservation Management Plan (CMP) for the site, the adequacy of those proposed works is not clear. We therefore request that the Project Application be the subject to an independent review by suitably qualified people (inside or outside the Heritage Branch of the Department of Planning) and also endorsed by the Heritage Council of NSW, notwithstanding that Part 3A applications are removed from the provisions of the Heritage Act.

When purchasing the land from the State Government in 2009 Shore School was perfectly aware of the listing on the State Heritage Register. Nevertheless the School chose to pay over \$35 million for the land, and in doing so assumed it could develop the land to a significant extent to obtain a sufficient return on its considerable investment. Clearly the school did not see the State heritage listing as any real impediment to development. Should the Concept Plan be approved as currently proposed then that assumption will have been confirmed and will persevere into the future.

The process of determining where future development on the land might occur, and at what scale, without adversely impacting on the significance of the place usually involves the preparation of a thorough CMP. Once the heritage constraints and parameters are properly understood, the site planning and the conservation works can follow. Therefore the CMP is a fundamental planning document of the utmost importance.

To that end the Director-General has specifically required that *"The EA shall include a Conservation Management Plan endorsed by the Heritage Council of NSW; and ...a statement of significance (that) shall have regard to the Conservation Management Plan"* (emphasis added). Furthermore the Director-General's requirements include a *"detailed Landscape Masterplan"* that *"shall have regard to the Heritage statement of significance and Conservation Management Plan"*.

The Director-General's requirements (D-GRs) are very clear on these points.

Yet the CMP exhibited as part of the Concept Plan has not been endorsed by the Heritage Council of NSW. It is not even clear if the CMP has been adopted by the School (we note that Policy 1 of the Tanner CMP says the school SHOULD adopt it).

The public has no way of knowing whether this CMP is adequate or not, and in what manner it may be amended prior to any 'endorsement'. To base the whole planning of the site on a CMP that has not been properly considered is anathema to good planning practice for heritage sites, particularly sites of this significance.

The Preface to the draft CMP prepared by Tanner Architects dated November 2010 (the Tanner CMP) acknowledges there is already an adopted CMP for the site, prepared by Graham Edds in 1995 and updated in 2000 (the adopted CMP). The Tanner CMP states that this CMP expired in August 2005. Yet it was issued to the potential purchasers of the land by the NSW government, when it marketed the property in 2009, as a guiding document to potential purchasers. The adopted CMP was also the basis upon which the site was listed on the NSW state heritage register as an item of State significance.

The adopted CMP allowed for construction on the lower terrace fronting Union Street. The Tanner CMP however states that *"The Shore School, however ... has decided not to pursue this option in the public interest. The Shore School, however, needs to relocate the **development potential** to elsewhere on the Graythwaite lands – with the north-west area identified as the area with the least potential impacts."* (Our emphasis)

This statement erroneously suggests that the Edds CMP conferred some sort of 'development potential' or 'rights' and that there is some sort of entitlement to transfer that 'development potential' to some other part of the site. This is false and misleading. Amongst the Tanner CMP conservation policies, at section 6, are policies that the CMP should be adopted by the School, endorsed by the Heritage Council of NSW (as indeed the Director-General's requirements have made clear), and that it should be reviewed and amended within five years (Conservation Policy 5).

This is most alarming in that it acknowledges the likelihood that the CMP and its policies will change, and clearly throws into doubt the integrity of the CMP in the medium (5 year) or longer term. This creates an unacceptable level of uncertainty for the community and other stakeholders (presumably also for the School).

Changes of policy could have major implications. For example the adopted Edds CMP found it was appropriate for the lower terrace fronting Union Street to be built upon. The Tanner CMP on the other hand has moved away from this policy for "public interest" reasons, without justification on heritage grounds. It is entirely possible, if not predictable, therefore that future revisions to the CMP will reclassify the Union Street open area as a place suitable for new building development.

It is also worth noting that in the Supreme Court case on Graythwaite a third view was expressed on what development could take place on the site. Heritage consultant Stephen Davies of Urbis expressed the view that no development should take place on any part of the gardens or curtilage, and that a simple two storey building at the rear of the Graythwaite building should be the only new built development. He also argued that the pedestrian link between Edward and Union be reinstated and the Ward building be demolished. Shore was represented at this Court hearing and was well aware of the potential restrictions that may be imposed, due to its heritage significance.

Tanner Architects in their document entitled "Planning Parameters" has identified (at page 9) an area in the south-west corner of the site, immediately behind the Bank Lane houses, as a "Potential Future Development Site".

The Tanner draft CMP has also identified on Figure 6.1 two large areas as having “Potential scope for sensitive new development”, in the north-west portion of the site (where the Stage 3 envelope is shown) and in the south-west corner of the site, and further south of the Stage 3 building, along the western boundary. This demonstrates that the current Concept Plan with its ‘Stages 1, 2 and 3’ is not the end of the future development of this land. The community is deeply concerned about further stages of development, both in the areas identified in the CMP and on the Union Street Lower Terrace emerging at a later date.

There is no apparent explanation for why development on the western side of the site is now acceptable when the previous CMP and Stephen Davies in giving evidence to the Supreme Court both suggested it was not. Nor is there any explanation for why this area differs in terms of its supposed ‘acceptability for development compared to the Lower Terrace at Union Street. This degree of ‘flexibility’ is unacceptable to the local community and is unacceptable on heritage grounds as it does not adequately identify or justify which areas are considered acceptable to develop and which are not. Nor does such flexibility ensure the site is fully and properly protected.

Approval of the Concept Plan should not be granted until such time as either a Voluntary Planning Agreement under the Environmental Planning and Assessment Act or a Heritage Agreement, under the Heritage Act, is in place. That Agreement is essential to guarantee the exact location and scale of all future development on the land, and to guarantee the on-going protection of this significant heritage item. It is critical that this issue is resolved now before some envelopes are locked in place, and there remains the potential for development creep.

Tanner CMP specifies four “main objectives” for the conservation and reuse of Graythwaite as follows:

- *“retain and conserve the exceptional heritage significance of Graythwaite as a large nineteenth century house within a parkland setting;*
- *retain and conserve those qualities, features and elements that make a significant contribution to the heritage significance of the site;*
- *facilitate the adaptive reuse of the significant buildings, including the house/stables/kitchen complex and coach house, to ensure their on-going use in the longer term; and*
- *“allow for sensitive new development in discrete areas which would not adversely impact on the heritage significance of Graythwaite or its key elements”*

These objectives are supported in principle, although trying to hide new development in “discrete” locations is not of itself an appropriate heritage justification for the insensitive and massive building envelopes proposed for Stage 3.

### **The cultural or natural landscape.**

The Significance Assessment (section 4.4) of the Tanner CMP refers in a few places to the “garden setting” and “landscaped grounds” (as part of the ensemble with the buildings) and acknowledges that *“Owing to the extent of the land holding and the retention of its garden setting, Graythwaite is one of the largest extant estates dating from the nineteenth century in Sydney”*, and that this is of State significance.

The Tanner CMP however does not specifically recognise the importance of the gardens and plantings, even though they are accurately noted in the North Sydney Council's listing of the site, which states:

*"Graythwaite's grounds contain one of the largest and most significant collections of late 19th and early 20th century cultural plantings in North Sydney. Morton Bay and Port Jackson figs dominate an eclectic mix of exotic and Australian rainforest plantings including rare historic and botanic examples."*

The Tanner CMP states that there was a survey and assessment of the natural and cultural landscape heritage significance undertaken by Craig Burton of CAB consulting. The CMP includes references to the CAB report (at section 4.6.5) and some figures are sourced from it, yet the CAB report has not been included in the appendices to the CMP. There is no explanation why this has been withheld from the released material, even though other specialist sub-consultant reports are attached.

The CAB report needs to be released not only to the public, but to the relevant heritage authorities, particularly the Heritage Council which has been asked to endorse the Tanner CMP.

The Tanner CMP suggests, in terms of the cultural landscape, that there are three main areas of High heritage significance; namely the terraced landforms (including the slopes between the terraces); the open spaces associated with the former tennis court (on the middle terrace) and the former orchard (on the lower terrace); and the garden area adjacent to the House. Three (built) landscape elements are noted as significant, along with a large number of individual trees, although the reasons for the significance of the trees are not documented in the CMP.

For example the fig trees along the estate's western and southern boundaries (to the rear of the Bank Street, Union Street and Bank Lane houses) also have significant landmark qualities that identify the Graythwaite estate from other major public vantage points such as the Parramatta River, the Balls Head Reserve, Waverton Park and the former BP terminal park. These highly visible trees are individually identified as being of High significance, yet the collection of trees (including but not limited to the figs) is not recognised.

The three community groups strongly support the Conservation Policies 24 – 27 and Policy 29 relating to the Cultural Landscape, in particular in Policy 25 the retention of the "mass planted embankments". This however is at odds with Policies 28 and 82 which state in part that *"Removal of weeds and some later plantings to restore significant views and vistas from the house to the south and south-west are envisaged."*

The removal of weeds is supported as is the selective removal of some non significant trees or other planting to allow views in a **southerly** direction towards Union Street. This would help open up the important vista of the House from this public vantage point. However any clearing (other than weeds) and the failure to include supplementary mass planting of the slopes to the south-west and west is not supported. Views from the house in these directions are not currently available, and views of the house from these directions would not be available from the public domain if such clearing were to occur. The retention of mass screen planting on the south-westerly and westerly slopes is essential to protect the amenity and privacy of adjoining residents.

The CMP fails to identify the natural springs on the land, and the significance of the site's hydrology in terms of supporting the cultural landscape.

The CMP fails to adequately note and record the extraordinary and significant underground cistern and reticulation system. The cistern is located near the historically significant giant bamboo grove, to the west of the house, and is thought to be fed by a natural spring. This brick roofed and lined cistern is thought to be constructed during the Graythwaite period (1883 – 1915) if not earlier. It is a large partially underground cistern, estimated to be 4 metres by 8 metres in area with a depth of approximately 3-4 metres. This important archaeological resource is not adequately addressed in the CMP.

The cistern is located within an area that has been identified for clearing of vegetation and the removal of some trees. Policy 10 of the CMP notes there needs to be further heritage investigations, recording and assessment prior to any "maintenance, conservation or works". This must be extended to include the removal of any vegetation in this and other areas of the site that are identified as having potential archaeological significance.

The CMP fails to adequately identify and acknowledge the World War II air raid shelters that were constructed on the land, thought to be on the Lower Terrace. This too could be an important archaeological resource.

Further it is noted that the report fails to identify the historic steps carved into the sandstone that date back to the early occupation of the house. The steps link between two of the terraces and are believed to be related to the location of the Giant bamboo and its relationship with the house.

The CMP notes the significance of the intact nature of the estate and that its boundaries are essentially the same as those dating from the 1880's. The northern and eastern boundaries (to the Shore School) however date back to the 1840's. (Refer to the diagrams "Evolution of the Graythwaite site boundaries" at Appendix B of the CMP at pages B-82 to B-86). The CMP also correctly supports (at page 101) the retention of the current State Heritage Register listing (which is the current lot boundaries) as the appropriate curtilage for Graythwaite. This is strongly supported.

The Concept Plan however seeks consent for the Stage 2 building envelopes that not only ignore the boundaries as a significant heritage element, they actually straddle the boundary and thereby remove the ability to interpret the boundary at this highly visible location. The Concept Plan proposes building across a property boundary, and there is no proposal (at least at this stage) to adjust the boundary or amalgamate the title with the adjoining school land. We understand that there are a number of building and other regulations which preclude buildings of this nature to be constructed across property boundaries.

Whilst we understand that the Concept Plan is not seeking consent to build at this stage it nevertheless would result in a legally binding consent to build across an existing boundary. To overcome other regulatory constraints in the future, prior to approval of the Stage 2 works, there would need to be a significant adjustment to the boundary, or amalgamation with the school land, to the east. We understand that legally if the building envelope is approved, then a subsequent development application for subdivision (to adjust the boundary and enable development consistent with the approved building envelopes) could not be refused.

This issue of building across the eastern site boundary, blurring the distinction between the different historic land uses of Graythwaite and the School, and precluding the interpretation of the historic boundaries and curtilage are not addressed in either the CMP or Statement of Heritage Impact Statement prepared by Tanner Architects. A fundamental heritage conservation policy should be a clear definition of the historic boundary and a prohibition of building within a reasonable setback from that boundary. A reasonable setback would be at least that matching the current setback of the main easterly alignment of the 1918 Ward building.

The interpretation of the boundary must be manifestly apparent to any visitor to the site, and needs to be recognised NOW in the site planning, and any approved Concept Plan. The interpretation needs to be achieved by the exclusion of buildings on or across the boundary, and not merely left to some ineffectual "interpretation plan" that seeks to make sense of the layout after the horse has bolted.

For all the reasons outlined above, therefore, the current location of the Stage 2 envelopes cannot be approved.

### **Conservation Policies**

The Conservation Policies in the CMP are generally supported by the community. However the three community groups are concerned that the School will not follow them is not bound to follow them. Already we have seen the failure of the School to comply with Policies 13 – 15 of the CMP regarding Stakeholder and Community Engagement. As set out elsewhere in this submission the local community has not been adequately consulted.

We do not support Policy 18 that there should be site-specific exemptions from the need to gain approval for certain works under the Heritage Act.

The CMP includes a policy on masterplanning of the site (Policy 74). The commentary to this Policy states: *"The purpose of masterplanning is to provide consistent and integrated development which ensures the significance of Graythwaite is not eroded by incremental or piecemeal change."* We thoroughly support this approach. It reinforces the Precinct's request that no approval be granted until a VPA or Heritage Agreement is in place to ENSURE there is no further "incremental or piecemeal change" or development creep.

Conservation Policy 83 states that new development in the northwest area is acceptable, subject to certain provisos. One of those provisos is that the height of the new Stage 3 building, which is located approximately 45 metres west of the House, not exceed the height of the first floor level of the house (as illustrated in Figure 6.2 of the CMP) at RL 78.55. This is approximately 11.7 metres above the ground level at the eastern side of the Stage 3 envelope, and is extrapolated out in a westerly direction for a considerable distance, even though the land slopes steeply away and the height of the building above the receding ground level increases alarmingly. This is 2.2 metres higher than the LEP and draft LEP height limit (8.5 metres) for the site. The Stage 3 building itself, even though it 'steps down' this steep slope, is over 5.5 metres in excess of the height limit. From a heritage impact perspective there is no justification for a height limit that exceeds the planning controls. In any event a height limit of 8.5 metres would be less than the RL 78.55 metres and therefore consistent with the CMP.

Figure 6.2 also illustrates the height control for new building to the east of the site, in the area of the Stage 2 buildings. The height of the Stage 2 buildings, however, can extend according to the CMP to a much higher level, RL 84.28<sup>1</sup>, even though the Stage 2 building is located only 12 metres away from the House. This is approximately 11 metres above ground level. The proposed height limit for the Stage 2 building is initially at RL 81.79 (approximately the eaves height of Graythwaite) and then increases by another floor level to approximately the roof height of Graythwaite, apparently to coincide with a solar access plane that permits sunlight access to the upper level veranda.

Unlike the specific policies for new development in the north-west area (see section 6.6.5 of the CMP) there are no specific policies for development to the east of the House Complex. Section 6.6.7 of the CMP which purports to address this instead cross references to other policies for new development “contained within section 6.2.2 of this CMP”. Section 6.2.2, however, merely addresses the policies for the review and endorsement of the CMP, and is in fact silent on development controls for new development east of the House. How can the building envelopes proposed in the Concept Plan have been formulated without suitable heritage guidelines? What justification on heritage grounds is there for heights that exceed the LEP and draft LEP’s height limits?

There is absolutely no explanation or justification, in heritage or other terms, for why the height of the Stage 3 building should be considerably less than that of the much closer Stage 2 building. In terms of scale relationship it is nonsensical. If the relationship is acceptable for the Stage 2 buildings then surely it is also reasonable to allow a taller Stage 3 building closer to the House. This may be an important consideration when amending the Stage 3 building envelope as requested in this submission.

Section 6.6.18 and Policy 120 deal with site security. Policy 120 proposes that the design of the fencing to Union Street “*should be based on historic evidence - i.e. the C1870’s fence and gates visible from historic photographs.*” There does not appear to be any historic photographs showing this fence in the documentation on exhibition. Section 6.6.18 states:

*“Graythwaite is a place of State heritage significance with a unique history as a grand private residence and subsequent use as a convalescent home and hospital. Principal views of the place from the public domain, primarily Union Street, should therefore reinforce Graythwaite’s distinctive late nineteenth century presentation. Conventional security fencing is anticipated for all boundaries with all properties owned by others and on Edward Street.”*

The Union Street fence design, illustrated on plan reference AR.DA.5001, however, shows closely spaced pickets on top of a sandstone plinth for the lower portion of the fence. The height of the solid pickets, however, is over 1.8 metres above the height of the Union Street footpath for most of the length of the fence. This will obscure the significant views of Graythwaite from this important public vantage point, contrary to the stated intent of protecting these views. Once obscured in this way the justification for more development in this screened area is strengthened for future (as yet undisclosed) buildings.

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<sup>1</sup> See sections Tanner drawing reference A160

Council's DCP 2002, on the other hand specifically nominates a maximum fence height for the Union Street frontage of 1.0 metres, precisely for the heritage reason of maintaining public views of this significant heritage item. The Council's DCP approach is also that taken by the Heritage Branch of the Department of Planning, which reasonably asks as one of the 'model questions' in its publication "Statements of Heritage Impacts": *"Will the public, and users of the item, still be able to view and appreciate its significance?"*

Therefore the current fence design can not be approved, and any fencing along this boundary must be of a palisade or similar style that allows full transparency between Union Street and the property. Palisade fencing is used on the school boundaries in Edward and Lord Streets, and there is no security or other reason why it cannot be used at Union Street.

## 5. TRAFFIC & PARKING ISSUES

The scale of the development in terms of additional student numbers (500 extra students and 50 extra staff) is excessive. This is an increase of over 34% on the existing number of 1430 students (Preparatory and Secondary Schools combined).

In assessing the traffic generation and parking demand of the School, and the additional student and staff population, the traffic engineers have sort to rely in large part on a survey they conducted of the existing students and staff. An analysis of the results of that survey, however, demonstrates a number of significant deficiencies. It is evident that the results of this survey are of poor quality, and do not offer a reliable guide to the actual situation.

In Section 2.4.1, page 14, the report states:

*"About 830 people responded to the survey (i.e. 667 students and 163 staffs), which is about a 46% survey response. While the data set is not perfect, it does provide a very definite picture of typical travel patterns."*

Actually, the picture is a lot less clear than claimed. The problem is that even though 830 people responded, many of them skipped some or most of the important questions.

For example:

- Only about 20% of students answered the question of whether they arrived at school as a driver or passenger.
- Only 14% answered the question about how many other people were dropped off from the car they travelled in.
- Only 6% answered the question about how many people in total were dropped off from the car they travelled in.
- Only 14% answered the question about where they got out of the car.
- Only 6% answered the question about how many other people were in the car.
- Only 6% answered the question about where they parked.

Furthermore, there has been no attempt to determine whether the differential response rates for different categories of respondent have a material effect on the interpretation of the responses.

Nevertheless one of the questions which did attract a high response rate (807 responded and 23 skipped the question) was the simple but telling question: *"How did you arrive at school?"*, to which 46.1% responded that they arrived by car. This is an alarmingly high mode split to private transport, particularly in an area so well served by public transport and for a school where the majority of the population are not old enough to be car drivers.

The school currently fails to adequately manage the parking and traffic impacts or its transport arrangements for the existing school population. This will be exacerbated by the massive increase in student and staff numbers, and extrapolating out the high number of people arriving by car.

In particular the school currently fails to adequately manage the following traffic and parking impacts it causes:

- The school's coaches that use Mount Street at least four days out of five for excursions and sporting teams. These coaches are increasingly coming into conflict with the growing number of coaches accessing the Mary McKillop Museum and Chapel with which the school coaches share road and pavement space on upper Mount Street.
- The drop off and pick up of students, especially those attending the junior school. This results in unacceptable congestion in William, Mount, Edward and Lord Streets in particular.
- The students parking in neighbouring residential streets – in terms of numbers of students, and driving behaviour. Residents observe senior school students on a daily basis parking in 2 hour parking zones and returning to their vehicles to move them during the school day to avoid fines. This impacts on local visitors and residents with parking permits being able to park in their streets during school hours.
- The overflow parking by staff in local streets.

The Halcrow traffic report notes that there will be 6 additional visitor parking spaces provided on site in Stage 1 and 41 additional staff parking spaces in Stage 2, but there will be no change to the existing bus/car drop off pick up at any of the three Stages. No change, despite the significant increase in population serving the site. Instead the drop off and pick up of students or staff *"... will continue to occur at the (unchanged) Preparatory drop off / pick up area accessed via Edward Street and along William Street for the Senior School."* (See page 33 of the Halcrow report).

A simple site inspection of the Preparatory School's drop off / pick up area in Edward Street and of William Street (a narrow one-way public road) will reveal that these "facilities" are woefully inadequate (at the Preparatory School) or non-existent (at William Street) and during the morning and afternoon school hour peaks can not satisfy the current demand.

The Halcrow report acknowledges (at page 19) that *"Observations indicate that some congestion occurs during the peak PM pick up period. This suggests that the (Preparatory School drop off / pick up) facility is approaching capacity under its current management."*

The School itself is acutely aware of the problem. In the "Prep Peek" newsletter to parents of the Preparatory School, dated Friday 18 February 2011 it states:

***"Pick-Up and Drop-Off***

*Thank you to all parents who have been thoughtfully and co-operatively negotiating the difficult circumstances of Edward Street particularly of an afternoon. Your care and patience has been greatly appreciated in ensuring our students arrive and leave the school safely. Please be mindful of our neighbours who often have to negotiate heavy traffic simply to come and go from their premises."*

There is no bus drop off and pick up area on William Street or anywhere in close proximity to the main school gate on that side of the campus. The bus drop off and pick up area on Mount Street is also seriously deficient. It is located in a public parking area of 8 car lengths in Mount Street that is made available for the coaches between 10.00am and 4.00pm.

The length of this bus loading area is approximately 48 metres, meaning it is capable of accommodating no more than three buses. The bus loading area is also ***shared with buses accessing the adjoining Mary McKillop Museum*** and Chapel which is experiencing large increases in visitors since Mary McKillop's canonisation.

The bus parking area takes up parking that would otherwise be available to the public on a 2 hour basis or to local residents with a resident parking permit on an unlimited basis. The public and local residents are therefore already impacted by the demand for coach parking generated by the school and Mary McKillop Centre. The Part 3A applications NOW provide the means by which this demand could be met, in the School's case at least, on the School's own land.

With the additional 500 student population the number of the school buses in the afternoon will increase from 8 to 11. How these buses are to be accommodated is unclear. The Halcrow report fails to adequately address this issue, instead it simply states (at page 44) "*... this increase can be adequately accommodated within the existing road network capacity and furthermore the School would have the ability to spread the load of buses over a greater length of time such that the demand at any one time would be maintained at existing levels.*" (our emphasis).

With regard to the first point in the above argument, the road network capacity refers to the ability of the intersections to accommodate the through movement of the buses, and NOT the amount of kerbside bus stops available (which is a key issue of concern).

Secondly the School and its traffic engineers seem to again be relying on a "management" solution of 'spreading the load of buses', whatever that means. There is not any explanation of how that will be managed, and where waiting buses are to lay-by until there is parking space available. There is certainly no room for lay-bying buses in the streets of North Sydney. Nor it is possible for the school to "manage" or commandeer the three bus spaces to the exclusion of the other buses that use these three spaces for visitors to the Mary McKillop Centre. Again this dismissive approach to a very real and increasing problem is irresponsible and unsustainable, resulting in yet more significant impacts being transferred to the general public and the local residents in particular.

With the acquisition of the Graythwaite site Shore School has the rare opportunity and the public responsibility to resolve these existing problems and ***accommodate its own traffic and parking impacts on its own land.*** The current problems and opportunity to improve them is recognised by NSW Transport in its letter to Daniel Cavallo for this project (dated 28.10.10) which states "*... this project application presents an opportunity for the Sydney Church of England Grammar School to improve transport and accessibility impacts regardless of changes to student and staff numbers.*" (our emphasis).

The site planning is seriously deficient in failing to provide for on-site parental drop off and pick up, particularly in close proximity to the Preparatory School, and in failing to provide for on-site coach drop off and pick up. With a lesser development on the site and with careful site planning a vehicle turning area could be accommodated for cars and coaches to drop off on the northern part of the site or on Edward Street south of Lord Street, which is not used by traffic other than that accessing Shore and the Graythwaite site.

The Halcrow traffic report when assessing the cumulative effects of the proposed three stages, when all the additional 500 students and 50 staff will be on site, acknowledges the congestion at the narrow Edward Street / Mount Street intersection (in the form of average vehicle delays). The average vehicle delays at this intersection will almost double, which the Halcrow report notes (at page 44) “... indicates that **management** of the Edward Street drop off/ pick up facility will need to be **considered and implemented** when the Preparatory School population increases”. (our emphasis).

It is simply not acceptable, nor is it good planning practice to ‘fob off’ to some future time the resolution of these important issues, AFTER consent for the Concept Plan has been granted and the opportunity to design-in suitable facilities on-site has passed. Reliance on “management” as a solution to a design problem that can be solved is completely unacceptable, particularly where that “management” is of public facilities that are available to others and is beyond the ability of the School to manage.

The current plans also fail to provide for a dedicated right turn bay off Union Street, to prevent the congestion this will cause.

The Robinson EA report notes that there is currently 390 staff employed by the School – of which 240 are full time. This is a ratio of 1.615:1 full time staff to one part time staff. The proposal will add 50 more full time equivalent staff, which in fact equates to 80 employees, based on the current ratio of full time to part time staff. The Robinson EA admits (at page 96) that “Based on the travel questionnaire completed by Halcrow, it is estimated that some 70% of **all staff** drive to the School and park either on the site **or on street**. This reflects the travel needs of staff which includes early starts, late finishes and flexible / part time hours. This demand occurs despite the proximity of the School to good public transport.” (our emphasis). The parking demand for the School’s staff (in total) will therefore rise to 329 spaces (390 + 80 x 70%).

The School currently provides 151 formal parking spaces, although the Halcrow report does not advise how many are for staff and how many for visitors. To this number it is proposed to add 41 staff spaces. Therefore the total onsite parking provision, post development, will be 191 spaces. Even if all 191 spaces are used by staff there will be 178 cars that will overflow onto the local streets. While many of the streets already have restricted parking others do not, or have a mixture of some restricted and some unrestricted, as in Bank Street for example. The fact that there are some all day parking places in the local streets of itself encourages commuters from the school and elsewhere to scour the streets looking for spaces and further adding to congestion.

The ‘reasons’ for why the School’s staff ‘need’ to drive to work are unacceptable and unreasonable for a school that is so exceptionally well served by public transport. The same excuses could equally be used by a vast number of workers in the North Sydney CBD, yet the North Sydney Council does not provide any dispensation for those employees.

The School also fails to provide any on-site parking for the senior students who persist in parking in local residential streets, apparently with impunity from the school administration. These students are easily recognised by their uniform, and are observed scouring the local streets every school day looking for spaces.

They are also regularly observed by local residents parking in the 2 hour restricted spaces, and returning at the end of the two hour period to move their vehicles or remove any tyre markings left by the North Sydney parking officer patrols. Presumably the students skip classes to do so.

The traffic impacts associated with the school's operations, currently and with the larger school population contemplated by the Concept Plan are significant. Furthermore they can and should be managed on site. They need not and should not impose those environmental costs on the local community.

## 6. THROUGH-SITE LINKS

The local areas is characterised by a labyrinth of interconnected pedestrian pathways connecting to the North Sydney CBD, and these are heavily used by local residents and others. The combined Shore School / Graythwaite site is massive in area (over 7 hectares) and dimensions, and if developed as proposed by this Concept Plan will be totally impermeable. The School's combined North Sydney premises occupy the vast majority of this extremely large block bounded by Bank Street, Union Street, William Street, Mount and Lord Streets. There is, however, a large population living south and west of this block in McMahons Point and Waverton, seeking access to the North Sydney CBD, the Australian Catholic University and the North Sydney Demonstration School to the north and east.

The site planning is severely deficient in failing to include a through-site link across the Graythwaite land in a north-south direction from Edward to Union Streets. The North Sydney Council's DCP 2002 includes a specific "Character Statement for Graythwaite". Included is the following public access requirement:

*"m. Public Access*

- 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*

This oversight in the site planning and EA also constitutes a failure to adequately address one of the "key issues" in the Director-General's requirements (under the heading Built Form and Urban Design) for permeability and connectivity.

Historically the local community since 1915 have used the site to walk between Edward and Union St. That usage has only been interrupted by in the last 10 years for short periods when the NSW Health Department have tried to restrict access.

A dedicated through site link, secured through public ownership or easement on title, is one public benefit that must be included in any final approved plans, as a minimum off-set for the considerable environmental impacts of the proposal. It is not good enough to use student security as an excuse to lock out public access, when numerous schools elsewhere operate perfectly safely with split campuses. Shore School itself has operated to date as a split campus with its prep and senior school separated by Edward St. These issues can be managed in the design and operation of the through site link.

## 7. ADVERSE IMPACT ON TREES AND OTHER VEGETATION

The Part 3A Concept Plan and Project Application before the Minister seeks approval for (amongst other things) the “*Landscape concept including removal of 80 trees ..*” If approved these applications will allow the School to undertake considerable clearing of vegetation (the 80 trees being only part of it) without further approval, and well beyond the areas required for building or construction access purposes. This puts such works beyond the tree conservation orders managed by North Sydney Council. It becomes imperative, therefore, that the utmost care and scrutiny is applied to the assessment of whether this vegetation needs to be removed, what precisely has to be removed and how precisely the remainder of the vegetation is to be fully protected.

The vegetation and landscape quality of the site, and the retention of its trees, is fundamental to the character and heritage significance of the land, and to the amenity of the site, the adjoining residences and the wider neighbourhood.

Large Port Jackson Fig trees were introduced during the Graythwaite period (1890 – 1915) according to the Earthscape Horticultural Services (EHS) report, dated November 2010 and included as an appendix to the EA. They were introduced as boundary planting to define the western and southern boundaries of the estate, and as part of the garden setting of the house. These trees are a particularly significant element of the site, both in terms of their heritage significance but also their amenity importance.

The trees are of exceptional heritage significance at the state level, as a key remaining element of the Graythwaite era (along with the House and associated outbuildings). They are also the most visible reminder of the estate from the broader neighbourhood, and marker of its western and south-western boundaries.

They have a critical landmark status in identifying the site from the surrounding area and major public parklands to the west (including Balls Head) and from the Parramatta River. They are a significant source of food for foraging flying foxes. Along with the other trees and lesser vegetation they also provide habitat for nesting birds. They are also highly significant in terms of the site's amenity.

The Earthscape Horticultural Services report notes “*A total of two hundred and thirty (230) trees stand within the site and in close proximity to the boundaries on adjoining properties. These are a mix of native and exotic species in fair to good health and condition. A number of the trees, mostly Figs, are remnant of the original gardens laid out by Thomas Dibbs in 1875.*”<sup>2</sup>

The EHS report states at page 7 “*The boundary plantings of ... (Moreton Bay Fig) were planted c.1875, together with the other Fig plantings on the embankments. These include... (Port Jackson Fig) and ...(Small leaf Fig). Other rain forest trees and ... the tall (Cooks Pine) and the ... (Giant Bamboo) are also likely to have been planted about this time.... A number of .. (Washington Palms) are thought to have been planted on the south side of Graythwaite about this time..*” (1916 – 1918 period of conversion of the house to a convalescent home for the returned ANZAC soldiers).

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<sup>2</sup> See page 12 of EHS report

The Earthscape Horticultural Services report concludes (at page 12) *"The older plantings are typical of the Victorian era and are considered to be significant. Plantings of Camphor Laurels, Brushbox and Lombardy Poplars are more likely to have occurred in the Inter-war period. Whilst not as significant as the older plantings they are still of heritage importance given the use of the site. ... Whilst some attempts have been made to eradicate weeds by the local community there are still densely wooded areas within the site particularly over the steep embankments in the central portion of the site. Some of these include species ... that may be progeny of original plantings (or interwar period plantings) of the same species."*

The EHS report also refers to and analyses the trees in terms of their amenity value, and includes at Appendix 1 of that report the accepted criteria for the assessment of amenity values. The EHS report describes the amenity value of a tree as *"... a measure of its live crown size, visual appearance (form, habit, crown density), visibility and position in the landscape and contribution to the visual character of an area. Generally the larger and more prominently located the tree, and the better its form and habit, the higher its amenity value"*. To this, of course, must be added the collective amenity value of a large number of prominent trees on the landscape and visual character of the broader locality.

The plantings on the site are also critical to the environmental amenity of adjoining residences, presently and even more so in the future when they will be essential to help screen any new buildings and the activities on the site, should they be approved.

Environmental Horticultural Services, according to their report, purportedly rate the trees in terms of their amenity value and their "Retention Value", based on the longevity of the trees and their "Landscape significance rating". This assessment is said to be provided in Appendices 3 and 5 of the EHS report. Critically these two appendices, and another two critical appendices, have not been attached to the report as posted on the Department of Planning's website. The critical relevant appendices not provided as part of the on-line documentation for public exhibition are:

- Appendix 3 – Tree Assessment Schedule
- Appendix 4 – Impact Assessment Schedule
- Appendix 5 – Tree Location Plan showing Tree Retention Values
- Appendix 6 – Tree Protection Plan showing Trees to be Removed and Tree Protection Zones.

Without this critical documentation it is not possible for anyone, whether the public, affected neighbours or the assessment authority to be able to fairly and accurately consider the reasonableness or otherwise of the proposal. This is a major deficiency in the formal consultation and assessment process, and further supports the request for a public inquiry.

Another significant failing of the EA insofar as the impact on the trees is concerned is that the EHS report does not acknowledge the existing natural springs on the site, the importance of this constant water source to the health of the larger trees in particular and the impact the proposal will have on these subsurface water flows, particularly arising from the excavation for the proposed West Building. Nor does it address the impact of the drainage strategy which proposes to alter the surface hydrology of the site, by collecting rainwater and draining excess water to the stormwater system, rather than allow natural percolation as at present.

A large number of trees are noted at page 98 of the Tanner CMP as being of exceptional, high or moderate significance. These trees are identified by a tree number and the Tree Removal and Retention Plan drawing reference LA.DA.002 (the Tree Removal Plan) shows the location of those trees superimposed on the site survey. This Tree Removal Plan provides as a schedule on that plan the only available information of why the trees to be removed have been selected for removal. It does not, however rate their significance.

The schedule on the Tree Removal Plan indicates that:

- The significant Washington Palms planted during the ANZAC era, that are 14 to 16 metres tall, are to be relocated, although there is no reason for why they are being relocated or where they are going to be relocated to. It appears that they will be relocated off site as they are not shown on the Landscape Plan. These significant trees should not be moved under any circumstance.
- 19 trees are described as “inconsistent”, “garden escape” or “minor vegetation” (even though none is less than 3 metres) whatever those terms mean.
- 13 are described as being “within footprint of works”, even though several in the south-west corner of the site near the Bank Lane residences are NOT located within the footprint of the currently proposed works, but rather in a future stage, not as yet identified but foreshadowed in the Tanner Architects “Planning Parameters Report”.

One important shortcoming of the architectural and landscape plans lodged is the failure to provide a drawing which overlays the Tree Removal Plan information with the proposed building footprints, to accurately identify the potential impacts of the proposed building envelopes, the excavation and construction areas on the trees and their root systems. By careful cross-referencing the plans it becomes obvious, however, that some significant trees in proximity to the proposed West Building will need to be removed or will be adversely affected.

Three or four of the significant Fig trees are proposed to be removed, along with over 80 other trees and countless other understorey plantings, which are not specifically identified. One of those Figs is located near the south-east corner of the House and is being removed to allow for new building and vehicular access ways.

The proposed Stage 3 “West Building” is particularly close to a large number of the important heritage and environmental amenity trees. One significant 16 metre Port Jackson Fig tree (identified as tree T 163), immediately adjacent to the West Building is to be removed to make way for that building. Photographs of that tree are included as **Figures 1 and 2**. The purported reason noted on the schedule to the Tree Removal Plan is that this tree is being removed because it is “unstable”. This is false and misleading. In fact it needs to be removed to accommodate the proposed West Building. The massive root system of this fig is intertwined with the stand of historic giant bamboo, (see **Figure 3** photograph) and its removal will destabilise the bamboo as well as the steep bank below. This trees is not unstable, but rather strongly supported by its above and below ground root system, and it is of exceptional heritage and amenity significance. **This tree must remain and be adequately protected.**



**Figure 1 – Fig tree (T163) that is to be removed to accommodate the proposed West Building**



**Figure 2 – Root system of Fig tree T163, intertwined with Giant Bamboo**

The West Building involves a massive amount of excavation into the slope, which will interrupt the natural hydrology of the site. The site has a number of natural springs and, as a result, the trees are unusually well watered. The EA seeks consent for envelopes and excavation at a location that is within the root zones of many trees and/or where they will impact on the tree's water supply. Yet there is no adequate hydrological or botanical information that addresses how the trees will be adequately protected, and their retention guaranteed.

Many of these trees will also have their sunlight reduced by the overshadowing from the proposed West Building, should it be approved at its currently proposed height and location. This overshadowing will also impact on the health of these trees, and has not been addressed.

Even if some of these trees are reaching the latter stages of their natural life, they are an essential part of the site's heritage and in our understanding that they would need to be replaced in any event. The demise of the trees must not be accelerated by bad site planning.

The School's landscape concept is to remove massive amounts of the dense planting on the steep slopes between the Middle and Lower Terraces. Most of this planting has not been specifically and individually noted in the Tree Removal Plan, but a site inspection will clearly show the quantity and quality of vegetation in this area. These slopes to the west and south-west of the House will be seriously denuded as a result of this clearing.

The landscape plan retains most of the larger trees that are specifically noted, but replaces the dense planting with ground covers to create a 'trees in parkland' landscape concept to enable views out from the house through and under the tree canopies – views that are not currently available. The removal of this planting, much of it rainforest and heritage trees or their progeny, will significantly impact on the landscape amenity and character of the site and locality. It will also significantly compromise the privacy of the residences in Bank Street and Bank Lane. Instead this area should be weeded and supplemented by more rainforest and other appropriate planting of trees and understorey species. Removal of understorey vegetation on the slopes immediately south of the House is however supported to allow for views of the House from Union Street, and to allow views of the Harbour in this direction from the House.

If the security of the students is of concern the slopes to the south-west and west should be fenced off to deny their access. Security fencing is probably needed for much of this area in any event due to the archaeological resources located there (as referred to earlier). Furthermore there should be no student access along the boundaries to the rear of the Bank Street and Bank Lane houses for privacy and noise mitigation reasons. Fencing and dense planting will help ensure this occurs. These measures need to be included in any conditions of consent for the Stage 1 Project Application.

Before the Minister can agree to any building envelopes, the applicant must provide full details of the amenity value and landscape significance of the trees, as well as their heritage significance, and the impact on the trees that are to be retained. The statement of commitments also needs to detail how they are to be fully protected.

## 8. LACK OF PUBLIC BENEFITS

Redevelopment of the Graythwaite site completely fails to provide any public benefit, other than arguably the restoration of the House and Coach House, albeit that these buildings are being adapted and reused for school purposes and not open to the public.

If this land were to have been redeveloped for other purposes, such as housing or commercial uses, then development levies (or section 94 contributions) would have been required to provide for the needs of the development and future community. The NSW Metropolitan Plan 2010 requires all Councils to accommodate more housing and employment in the existing urban areas, particularly areas like this with high levels of public transport. This in turn increases the demand for open space and other amenities for the growing resident and worker communities. It is usually provided by way of development contributions. The Shore School's Concept Plan fails to offer any development contributions, whether in terms of public open space, through site links, or any other public benefits.

The Concept Plan should not be approved without such contributions being formally tabled by the School, including how they are to be guaranteed, via a Voluntary Planning Agreement (VPA), as provided for under the Environmental Planning and Assessment Act. As a minimum a dedicated through-site link from Union Street to Edward Street needs to be provided.

The Director General's requirements specifically state that the proponent must address the Council's Section 94A Contribution Plan and/or details of any Voluntary Planning Agreement. Table 2 of the EA purportedly sets out where in the document each of the DGR's is addressed. It states that contributions are addressed in section 4.2.3 of the report. In fact there is no section 4.2.3, and the EA is completely silent on contributions. Again the EA is deficient in satisfying the DGR's and should be dismissed. At the very least re-exhibition of a complete and compliant document is required, along with any VPA. A VPA needs to be publicly exhibited in any event, and it is essential for the public to have the opportunity of understanding what contributions the School is offering and in commenting on that Agreement, prior to any determination of any Part 3A application (Concept Plan or Project Application).

## 9. IMPACT ON RESIDENTIAL AMENITY

The main residential amenity issues associated with this proposal arise from the adverse impacts on noise levels (both during construction and once operational), privacy, overshadowing, views, visual impact and landscape amenity. Each of these is discussed below.

Other major impacts on amenity arising from the noise and safety issues associated with the additional traffic generated and the additional demand for on-street parking, which are addressed above.

Much of the adverse impact on amenity arises from the overdevelopment of the site in terms of additional student and staff numbers which has generated the excessive amount of built space and unacceptable bulk, height and scale of buildings, and/or the proximity of the proposed West Building to the dwellings on Bank Street.

### 9.1 Noise

The Acoustic impact assessment is deficient in a number of key respects, and accordingly can not be relied on as a fair and accurate assessment of the likely future impact on the adjoining residential properties. The particular deficiencies are outlined below:

Noise loggers were deployed at only three locations on the site (see Figure 1 of the Heggie report dated 23 November 2010). The number of loggers is too few and the choice of the three locations is flawed, with the results distorted accordingly. L1 is shown on Figure 1 as being located outside the Graythwaite site on the Headmaster's tennis court, at a location relatively remote from the West Building future noise source and where it is shielded to some extent by the cliff on the eastern side of the tennis court. L2 is located at the top of the slope between the middle terrace and the lower terrace, immediately above the railway line, remote from the residential boundary and clearly impacted by the railway noise. L3 is the only receiver which appears to be located appropriately near the residential boundary, this time on the Lower Terrace at the rear of the Union Street properties.

The noise loggers must be located at the boundary of the residential properties most affected. As Note 1 to Table 1 (page 7) of the Heggie report makes clear *"Noise levels apply at the property boundary that is most exposed ... and at a height of 1.5 metres."* In this case the relevant boundaries are those to two main groups of dwellings:

- the houses at 25 to 39 Bank Street, to the west of the proposed "West Building" noise source, and
- the dwellings to the south of the Middle Terrace and west of the Lower Terrace at 44 Union Street (the State Heritage listed item known as *Kailoa*), the approved townhouses behind 34 to 42 Union Street and the dwellings at 3 to 9 Bank Lane, nearest to the proposed outdoor play areas noise source.

By inappropriately locating the noise loggers the critical background noise levels are inaccurate. As the performance criteria of what is deemed to be an acceptable noise increase is the measured Rated Background Level (RBL) plus 5dBA (over any 15 minute period), then any increase in background noise means potentially a higher dBA at the sensitive boundary could be approved.

It is critical therefore that before the Concept Plan is determined, that the acoustic studies be supplemented by additional independent noise readings to establish the true background noise levels at the boundaries of each of the properties at 25 to 39 Bank Street, and at the boundaries with the Union Street (numbers 34 to 44) and Bank Lane properties (numbers 3 to 9).

The noise report acknowledges that for new noise sources generated by the School's activities the INP Intrusiveness Criteria of RBL plus 5 dBA is the appropriate Project Specific noise emission. This performance standard is supported and must be applied to any condition of consent, and applied irrespective of the particular noise source.

For example the three community groups do not support the School's proposition to allow for greater noise when generated by children in outside play areas. The Heggie report proposes that for any noise generated by children in outside play areas, the noise criteria should be increased to RBL plus 10 dBA for up to 2 hours per day (and dropping back to plus 5dBA for anything over 2 hours per day). This exception for playground noise is related to child care centres, which presumably generate less noise than older children. In any event the playground exclusion is unacceptable, particularly as the Graythwaite site is large enough for playgrounds to be located well away from residential areas and/or mitigated with appropriate design measures, such as acoustic walling.

The noise generated from the play areas is clearly underestimated. Again the acoustic consultants are reliant upon the School's advice that of the 500 additional students accommodated on the site, only up to 100 will play on the Middle Terrace and up to 100 on the Lower Terrace during recess and lunch times. The School also advised that it may hold "special events" and functions on the terraces where more people attended, although the number of attendees or frequency of these events is not specified.

The acoustic report, at page 13, when referring to the noisy outdoor recreation activities, states "*We understand from the client (i.e. the School) that students could be expected to congregate within the Middle and Lower Terraces (identified in Figure 2).*" There is no Figure 2 in the Heggie reports. However in the architects drawings the Middle Terrace and Lower Terrace constitute a large area of the site south of the new building works and on Union Street respectively.

The acoustic report claims that the distance from the Lower Terrace to the nearest potential noise affected residential receiver is in the order of 50 metres. This is because the acoustic engineers have NOT included the nearest dwelling Kialoa, immediately adjacent to the Lower Terrace. They appear to have relied on some private and undisclosed arrangement or "consultation" that the School has reportedly entered into with the current owners of Kialoa (see footnote, page 14) as the basis for ignoring the impact on this dwelling. This is highly irregular and unprofessional, and cannot be sustained on environmental planning grounds. The impacts flow to the affected property, and cannot simply be dismissed by some purported private arrangements with current owners who may not be resident (and therefore affected) in the future.

In any event it is not clear where the 50 metres separation is measured from and to. This needs to be clarified on a plan. Even without the shielding effect of Kialoa the noise levels from the outdoor areas at the nearest Union Street dwellings are said to be 54 dBA which is 12 dBA, not 5 dBA above the background level of 42 dBA, and is totally unacceptable.

The noise levels at the nearest Bank Street residences, according to the Heggie report, are in the order of 51 dBA, which is 9 dBA, not 5 dBA, above the purported background level of 42 dBA. However as the location of the noise receptor at L1 is suspect, this background noise level is questioned, and can not be verified until independent noise testing is carried out along the boundaries of all the affected residential properties in Bank Street.

As they are potentially a significant noise source, the outdoor areas used for student play or for functions and events must be:

- clearly identified to the affected community of residents,
- be located well away from existing residences, and
- mitigated by appropriate means (such as acoustic walls next to the play areas) to ensure the noise impacts do not exceed RBL plus 5 dBA.

Furthermore the noise impacts on Bank Street residences mentioned above (the 51 dBA ) relates only to the noise generated from the outdoor play areas on the Middle and Lower Terraces.

Significantly for the Bank Street dwellings, the acoustic report does not quantify the expected noise levels emanating from the West Building's unenclosed circulation atrium. This space is approximately 10 metres wide and in the centre of the west facing façade, and directly oriented to the rear of the Bank Street houses. The western end of the atrium is located only 16.8 metres away from the exposed BOUNDARY to the adjoining residential properties, which is the applicable point for measurement, and not the nearest dwelling façade, which are some 30 metres distant from the atrium.

The atrium space contains the open circulation corridors and stairs that students will use as they transfer between classrooms and between levels. Another Heggie report - the Indicative ESD Assessment, dated 28 December 2010 – at page 13, recommends that the western side of the circulation atrium include low and high level louvers to allow for natural ventilation.

This highly active, naturally ventilated space will be a major noise source, even more so than the class rooms, with the noise reverberating out through the louvers. There is no doubt that the senior boys using the central circulation spaces will make a considerable amount of noise, and this will be impossible for the School to control. A significant problem with the noise criteria selected in the Heggie report is that the noise source should not be more than 5 dBA above the measured RBL over any 15 minute period. The 15 minute qualification period clearly will not work in this instance where very noisy episodes might not necessarily last beyond 15 minutes in any one occurrence, even though they occur reasonably frequently during the school day.

The considerable noise generated by the boys as they move around, and the reverberation effect of the atrium has simply been ignored in the acoustic report. Instead the noise report simply refers (at page 14) to the noise transmission from the indoor classrooms or 'teaching spaces' which Heggies estimate will be within the 47 dBA criterion. This highly selective assessment is misleading and deceptive. A full and proper assessment of the noise impact is impact of the atrium spaces must be released to the affected neighbours, and the Concept Plan cannot be approved if the building location and building design principles (like open louvers) or performance standards cannot reasonably be achieved. Furthermore the standard of RBL plus 5 dBA must not be eroded by the 15 minutes duration proviso for the circulation areas, or outdoor play areas.

## 9.2 Privacy

The proposed development will impact on the privacy of adjoining residential properties unless the following measures are strictly adhered to:

- Fixed screens are to be provided to any windows or openings below a height of 1.8 metres from the finished floor levels in the western elevation of the West Building.
- Fixed screens are to be provided to the windows or openings below a height of 1.8 metres from the finished floor levels in the northern and southern elevations of the West Building to demonstrably prevent oblique views into the private open space areas of the adjoining residences to the north-west and south-west of the building. The reliance on possible external vegetated screens as shown in the Tanner Architects "Planning Parameters" report for the West Building is completely unacceptable. There is no guarantee that the planting on these screens will survive or be adequately maintained or that it won't be removed to enhance natural lighting as proposed in the ESD strategy. The appropriate alternative strategy is to maintain and enhance the existing dense planting on the site (see below).
- The existing Fig trees and other vegetation located along the boundaries to all neighbouring dwellings, and on the western and south-western slopes are retained, protected and enhanced by further screen planting throughout, and that these areas be fenced to preclude access by students at all times.

## 9.3 Views and visual impact

The only reference to the impact on views in the Robinson EA is at 7.4.5 which simply states "There are no private views over the site". This is an extremely misleading and inadequate assessment. Over 20 dwellings currently overlook the site from their private open space areas, and this number will increase by several dwellings once the approved town houses at 34 to 42 Union Street are constructed. These views are immediate and critically important to the amenity of all the affected houses. Many of these views will be significantly and adversely affected by the extremely large and excessively high West Building, the scale of which can be gauged by the 3D computer modelling of that building prepared by the architects contributing to this submission (see **Attachment C**).

The Robinson EA is also incorrect in saying that the visual impact of the new building envelopes "will be minimal and reasonable" (at page 86). We note that the report does not go so far to claim that the visual impact will be minimal from the adjoining Bank Street residences, but rather that it will be "acceptable".

The acceptability is said to arise from the setback of the building from the property boundary, the distance being comparable to the rear dwelling setbacks of many of those houses, the stepping of the building down the slope and its height of two storeys at the western end, and the proposed planting. The three community groups contest this dismissive “assessment”. The impact on these dwellings will be significant and is unacceptable because;

- The buildings are not setback far enough.
- The distance of the rear boundary setback of the houses and whether it is comparable to the West Building setback is not a relevant consideration. Rather the use and amenity of the Bank Street residential setbacks is what is critical to any assessment of this area. These rear yards are heavily used by residents for outdoor dining, entertaining, recreation and children’s play. The residents of these dwellings, who are best placed to assess that impact, strongly disagree that the visual impact is “acceptable”.
- The building fails to adequately ‘step down’ the slope, but rather looms large and dominating on the landscape upslope of the houses, thereby increasing its apparent height and visual impact. In fact the buildings will be much higher than the large boundary Fig trees. Furthermore because of the steepness of the slope the building is not 2 but 3 storeys out of the ground at its western end, as can be seen from the 3D computer models.
- The planting measures proposed to help provide privacy to these badly affected houses (see section 9.2 above) are equally if not more necessary to mitigate the visual impact of this building on the School’s neighbours remain even when the occupants of the School’s buildings have gone home.
- Whilst the proposed planting will help it is still insufficient to alone mitigate the impact of such a massive building on these relatively tiny residential buildings down the slope.

The proposed West Building envelope therefore needs to be:

- Much smaller in its footprint and building mass.
- Setback much further from the Bank Street neighbours beyond the edge of the Middle Terrace (so that it is no closer than the eastern side wall of the Headmaster’s House). This will mean it does not have the problem of negotiating or ‘stepping down’ the steep slope from the Middle Terrace.
- Fully screened by dense vegetation, not exposed by a ‘trees in parkland’ landscape concept, at least to the west and south-west of the Building.
- No higher (at any point) than the 8.5 metre maximum height limit in the current LEP and draft certified LEP.

#### 9.4 Overshadowing

The midwinter shadows (21 June) as shown in the EA clearly demonstrate a significant shadow impact from the West Building on the dwellings at 9 -21 Bank Street at 9.00am, and that there is no shadow impact on the Bank Street properties at 9.00m at the equinoxes. The diagrams and shadow analysis fails, however, to show the extent of shadows cast for the 6 month period between the equinoxes (or either side of mid winter) during which time the shadows are further south and therefore the impacts will extend north of 21 Bank Street.

The argument that the affected areas are already overshadowed by trees is irrelevant and has been held to be irrelevant by the Land and Environment Court. Nor is the argument that the proposal complies with the North Sydney Building Height Plane, because of the steeply sloping land on which the West Building is proposed to be located.

The extent of such a tall and large (30 metre by 35 metre) building mass is NOT as claimed in the EA *“comparable to the impact that would occur if Bank Street style residential development was to occur on the Graythwaite site.”* The Bank Street style of development is characterised by multiple, residential scale building footprints and mass that are significantly smaller than the singular enormous bulk and mass of the educational buildings proposed, as the context drawings with the building footprints clearly demonstrates.

The increased setback of the West Building and its reduction in size and height, as proposed above in 9.3 above to help mitigate its visual impact will however have the added benefit of reducing the shadow impacts to an acceptable level, further supporting those recommendations.

## 10. WATER MANAGEMENT

The Integrated Water Management Plan prepared by ACOR, dated 6 October 2010 does not adequately research the existing natural springs, which are critical to the watering of the trees on the site. This needs to be undertaken and measures adopted in any Statement of Commitments to ensure the hydrology is not altered such that it affects the vegetated areas of the site.

## 11. CONCLUSIONS & RECOMMENDATIONS

For the reasons detailed above the Graythwaite Concept Plan and Project Application cannot be approved as currently submitted. Significant changes need to be made in the form of a Preferred Project Report, ***preceded*** by the submission of further information and proper community consultation.

A public inquiry under the Planning Act, as requested in this and other submissions, is essential for a site and project with this level of public interest, significant deficiencies in the Applications and the paucity of community consultation.

Failing that, and if the application is not withdrawn, we request that the application be refused by the Minister.

A revised scheme, VPA and revised Statement of Commitments needs to be exhibited for public comment and any submissions taken into account before any decision is made.

The Planning Parameters document needs to be significantly reviewed and its status as part of the approved documents clarified. Alternatively it should not be adopted.

In summary the reasons for refusal of the current applications are:

1. The proposal represents an overdevelopment of the site. That overdevelopment is partially driven by the need to satisfy the CIV threshold requirements of Major Projects SEPP.
2. The application either fails to address or fails to ***adequately*** address a number of the key Director-General's Requirements, including:
  - The failure to include with the EA an ADOPTED Conservation Management Plan (Key Issue 8).
  - The failure to consult adequately with the local community in accordance with Department Guidelines for Major Projects, including the failure to consult at all with immediate residential neighbours (Key Issue 16).
  - The failure to address development contributions under Council's Section 94 or by way of a Planning Agreement (Key Issue 6).
  - The failure to adequately address permeability and connectivity (Key Issue 2).
  - The failure to adequately address the bulk, height and scale of the development in the context of the surrounding environment and the desired future character of the locality (Key Issue 2).
  - The failure to adequately analyse the visual impacts and views to and from the site (Key Issue 2).

- The failure to adequately justify the non-compliance with the 8.5 metre height limit in the current LEP and draft LEP and the non-compliances with several of the site-specific controls in DCP 2002 (Key Issue 1).
- 3. The proposal fails to address the existing traffic and parking impacts of the proposal and only exacerbates the existing problems generated by the School's current operations. Those impacts continue to be externalised from the site and therefore borne by the public, particularly local residents and businesses.
- 4. The proposed building envelopes are excessive in scale, bulk, mass and height for this site bearing in mind its heritage significance, environmental constraints and the Council's DCP 2002 desired future character requirements for buildings to be "... subordinate to the massing and scale of Graythwaite Mansion, are lower in height and have a smaller footprint"
- 5. The proposal does not prevent further development beyond the currently nominated Stages 1 to 3 into other areas of the site, in particular the south-west corner and the Lower Terrace fronting Union Street. The Planning Parameters report and Conservation Management Plan do not preclude this.
- 6. The proposal fails to adequately address the full significance of the trees in terms of their heritage and environmental amenity values.
- 7. The proposal would result in the unjustified removal of a large number of trees including some of exceptional significance.
- 8. The landscape concept of 'trees in parkland' will destroy the densely vegetated areas of the site, adversely affecting avifauna habitat, visual amenity and privacy. This design approach cannot be supported or sustained on environmental grounds.
- 9. The proposed Union Street fence will block views to the House and Lower Terrace, contrary to heritage conservation recommendations.
- 10. The proposal fails to provide public benefits of any kind.
- 11. The proposal fails to provide a through-site link to improve permeability and accessibility for local pedestrians and cyclists, and as required in the North Sydney DCP 2002.
- 12. The proposed development will have a significant adverse noise impact and exceed the relevant acoustic standards, both during construction but also during normal school operations.
- 13. The building envelope and excavations required for the West Building are excessive and unjustified.
- 14. The proposed development will have an unacceptable impact on the amenity of adjoining residential development and this is exacerbated by the non-compliance with the 8.5 metre height limit and the proximity of the West Building to the western boundary of the site.

## ATTACHMENT A

Letter from Director-General, Department of Planning to North Sydney Council  
(29 October 2010)



## Planning

Ms Penny Holloway  
The General Manager  
North Sydney Council  
PO Box 12  
NORTH SYDNEY NSW 2059

Attention: Mr Joseph Hill

Dear Ms Holloway

### **North Sydney Draft Local Environmental Plan 2009 – Certificate to exhibit draft Plan**

I am writing in response to Council's submissions of 19 August 2010 and 26 August 2010, requesting a revised s65 certificate for the Draft North Sydney Local Environmental Plan 2009 (DLEP). Please find attached a copy of the conditional section 65(2) certificate for the DLEP 2009. I advise that this letter replaces the previous letter certifying the DLEP for exhibition dated 2 July 2010.

The draft instrument has been reviewed by the Department's Sydney Region East, Planning Operations and Coordination, and Legal Services teams. As a result, the certificate requires a number of amendments be made to the content of the LEP to comply with the Standard Instrument.

Key issues relating to the DLEP are discussed below:

#### **Residential Capacity**

It is considered that the Residential Development Strategy overestimates the residential development capacity of the LGA under the DLEP. However, given that Council has provided adequate information that the DLEP can achieve the identified 2031 dwelling targets, the Department agrees to the proposed zonings - including the R2 zoning for Cremorne Point, under this DLEP.

Council is requested to monitor the proportion of commercial buildings that are converted to mixed use under the DLEP, and to review the planning controls within 5 years of the making of the plan to determine whether the controls are sufficient to achieve the North Sydney LGA residential targets.

#### **Employment Capacity**

The following amendments to the DLEP are required to ensure the North Sydney component of the St Leonards Strategy can be realised:

- Amend the Floor Space Ratio Map - Sheet FSR\_001 to show a minimum non-residential FSR of 2:1 for the land at 545-583 Pacific Highway.
- Amend the Floor Space Ratio Map - Sheet FSR\_001 to show a minimum non-residential FSR of 1.5:1 on the land being 497-521 and 378-420 Pacific Highway.

## **DLEP 2009 – Instrument**

### Land Use table

Council's preference to include uses in the Land Use Table allowable under the various SEPPs for the purposes of clarity and transparency is inconsistent with previous practice. However, it is noted that the *Standard Instrument Options Paper*, released March 2010, suggests the proposed inclusion of uses permitted with consent under the Infrastructure SEPP, Affordable Rental Housing SEPP and SEPP 62 – Sustainable Aquaculture into the Land Use Table.

On this basis, the Department agrees to the uses listed in, and the current format of the Land Use Table for exhibition, but Council may need to review its approach at the s68 stage.

### Additional Local Provisions

- **6.3 Railway Infrastructure**
  - The inclusion of this clause is accepted and Council is requested to review once 250,000m<sup>2</sup> is constructed and contributions have been paid.
- **6.5 Miller Street setback area**
  - The inclusion of this clause is accepted, and its prohibition on development on the affected land is accepted for exhibition.
- **6.6 Dual Occupancy Development:**
  - The inclusion of this clause is accepted for exhibition to address the amalgamation of the Residential A1 & A2 zones under the North Sydney LEP 2001 into the R2 zone in the DLEP, with an understanding that it will be revisited at the s69 stage
- **6.12 – Residential Flat Buildings**
  - The intent of this clause is supported, but Council is required to reword the provisions in 6.12(2) to ensure they align with the objective 6.12(1), in accordance with the conditional s65 certificate before the exhibition of the DLEP.

### **Specific Policy Issues**

#### Zoning for SP2 Infrastructure

It is noted that while Council has mapped the majority of special use sites to the adjoining zone, the following sites retain a special use zoning in the DLEP:

- HMAS Waterhen;
- HMAS Platypus;
- Kirribilli House;
- Admiralty House;
- Australian Customs – Neutral Bay;
- Classified Roads;
- Railway lines / stations;
- Luna Park
- SHORE school

The proposed zonings are supported given the unique and/or strategic nature of the sites.

### **Consistency with s117 Directions**

It has been identified that the DLEP is inconsistent with section 117 Directions 1.1 Business and Industrial Zones, 3.1 Residential Zones, 3.5 Development Near Licensed Aerodromes, 6.2 Reserving Land for Public Purposes and 6.3 Site Specific Provisions.

To ensure consistency with s117 direction 3.5 Development Near Licensed Aerodromes, Council is required to include draft model clause 7.4 - Airspace Operations into the DLEP prior to exhibition.

I have approved that the remaining inconsistencies are justified or of minor significance.

Council is required to place this letter on exhibition to demonstrate that these inconsistencies have been addressed and are of minor significance.

### **Specific Sites**

#### 12 Shirley Street, Wollstonecraft.

A request has been received from the Land & Property Management Authority (LPMA) for the site be rezoned to IN4 – Working Waterfront, and a number of additional permitted uses to be added to the IN4 Working Waterfront zone in the LUT before the exhibition of the DLEP.

The additional uses requested by the LPMA of 'Food and Drink Premises', 'Registered Club', and 'Public Administration buildings' are not supported as they conflict with the objectives of the IN4 – Working Waterfront zone, as set out in the DLEP. However, Council is required to amend the Land Zoning - Sheet LZN\_002 to show the land at 12 Shirley Street, Wollstonecraft as IN4 - Working Waterfront (currently SP2 - Research Station and RE1 - Public Recreation) before exhibition of the DLEP.

I advise that Council's request to condition an 8.5m height limit for the site is not supported. All other land zoned IN4 – Working Waterfront under the DLEP has been set a 10m height limit and setting an 8.5m would be inconsistent with this approach. No particular features of this site demonstrate a need to vary this standard.

Council is required to amend the Amend the Height of Buildings Map - Sheet HOB\_002 to show a 10m maximum building height for the site.

#### 1 Henry Lawson Drive, McMahon's Point

The reservation for Regional Open Space purposes is no longer required. As advised in a previous letter to Council dated 24 July 2009, the Department supports an 'IN4 – Working Waterfront' zoning for the site. Council's request to zone the site 'IN4 – Working Waterfront' is supported.

Council's request for a site specific clause to be added to the DLEP allowing a single dwelling on the site ancillary to a waterfront use is supported, given the history of land uses of the site.

As detailed above all other land zoned 'IN4 – Working Waterfront' under the DLEP has been set a 10m height limit and setting an 8.5m would be inconsistent with this approach.

Council is therefore required to make the following amendments to the DLEP prior to exhibition:

- Amend the Land Reservation - Sheet LRA\_002 to remove the land at 1 Henry Lawson Drive, McMahon's Point.
- Amend the Land Zoning - Sheet LZN\_002 to show the land at 1 Henry Lawson Drive, McMahon's Point as IN4 - Working Waterfront (currently RE1 – Regional Open Space in the DLEP)
- Amend the Height of Buildings Map - Sheet HOB\_002 to show a 10m maximum building height for the land at 1 Henry Lawson Drive, McMahon's Point
- Incorporate a site specific provision in the DLEP permitting a single dwelling ancillary to a waterfront use on the land at 1 Henry Lawson Drive, McMahon's Point.

#### 50-52 McLaren Street, North Sydney

The Director-General has agreed to allow Council to exhibit height limits of RL90 and RL110 for the land at 50-52 McLaren Street, North Sydney.

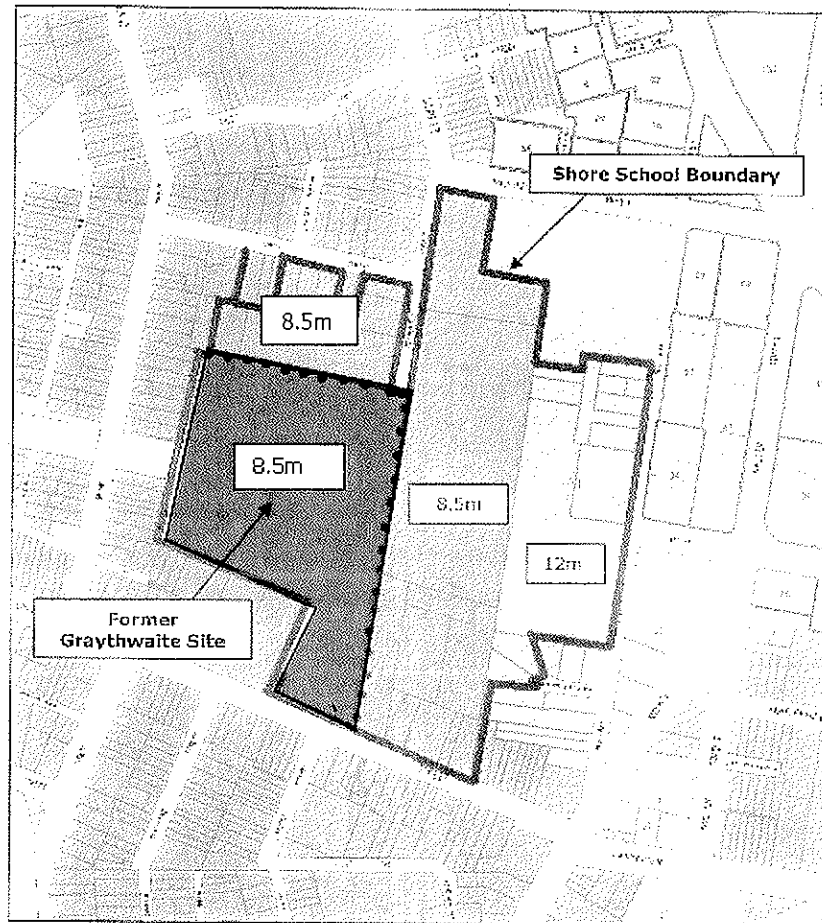
The Department is of the understanding that submissions are likely to be received in relation to this site during exhibition of the draft LEP. Council is advised that attachment 1 is to be included in the exhibition material. This allows the community to be aware of and consider alternative controls for the site proposed by the land owners.

Housing NSW properties at 17-19 Christie Street, Crows Nest, 7-17 Nicholson Street, Crows Nest, 2 Lytton Street, North Sydney and 3-11 McDougall Street, Kirribilli

The proposed maximum building heights in the DLEP for the above sites do not reflect the existing built form on the land. Council is therefore required to amend the Height of Buildings Sheets in accordance with the conditional s65 certificate before the exhibition of the DLEP.

#### Shore School and incorporated Graythwaite Site

The Department supports Council's request that 12m and 8.5m height limits be conditioned for the Shore School site, and that an 8.5m height limit be conditioned for the former Graythwaite site in accordance with Figure 1 below.



*Figure 1: North Sydney Council's proposed height controls for the Shore School/Graythwaite site*

Council is therefore required to make the following amendments to the DLEP prior to exhibition:

- Amend the Height of Buildings Map - Sheet HOB\_005 to show maximum building heights of 12m and 8.5m for the Shore School/Graythwaite site

#### **Draft LEP Maps**

A review has been conducted on the draft LEP maps based on their content.

Council is required to amend the maps in accordance with the conditions of the s65 certificate, prior to exhibition of the DLEP.

The remaining technical changes contained within Attachment 2 can be commenced whilst the maps are on exhibition.

The maps accompanying the DLEP instrument must comply with the Standard Technical Requirements for LEP maps before submission under section 68.

### **Public Exhibition**

Council is reminded that the public exhibition requirements in relation to the Standard Instrument (LEP) are set out in Planning Circulars PS06-008 and PS07-020.

Council is also reminded that:

- the enclosed Section 65(2) certificate, this letter, attachment 1 and the current s117 directions are to be exhibited with the DLEP; and
- any strategic studies and any other supporting material that informed the DLEP, including justification of proposed changes to existing provisions of the DLEP should be made available during the exhibition of the DLEP, and;
- the conditions of the section 65(2) certificate must be strictly adhered to, otherwise Council risks invalidating the public exhibition.

If you have any questions in relation to this matter, please contact Mr Neil McGaffin, Executive Director, Planning Operations on (02) 9228 6565.

Yours sincerely



Sam Haddad  
**Director-General**  
**Department of Planning**

29/10/2010



## Planning

### ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 SECTION 65(2) CERTIFICATE

I, the Director-General, under section 65(2) of the Environmental Planning and Assessment Act, 1979, certify that the draft LEP named in Schedule 1 may be publicly exhibited under section 66 of the Act (File 10/01909).

Dated this 29<sup>th</sup> day of October 2010

Sam Haddad  
**Director-General**  
**Department of Planning**

#### Schedule 1

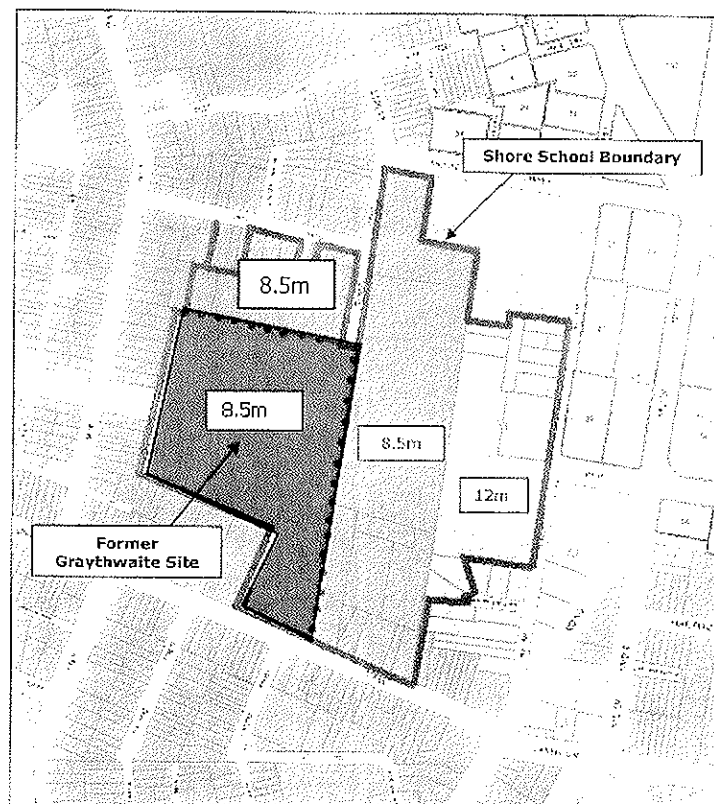
Draft North Sydney Local Environmental Plan 2009

Subject to the changes (1-15) listed in Schedule 2.

#### Schedule 2

- 1) Amend the Height of Buildings - Sheet HOB\_001 to show the maximum building height for 17-19 Christie Street, Crows Nest as 30m;
- 2) Amend the Height of Buildings - Sheet HOB\_001 to show the maximum building height for 7-17 Nicholson Street, Crows Nest as 12m;
- 3) Amend the Height of Buildings - Sheet HOB\_003 to show the maximum building height for 2 Lytton Street, North Sydney as 11m;
- 4) Amend the Height of Buildings - Sheet HOB\_004 to show the maximum building height for 3-11 McDougall Street, Kirribilli as 42m;
- 5) Amend the Floor Space Ratio Map - Sheet FSR\_001 to show a minimum non-residential FSR of 2:1 on the land at 545-583 Pacific Highway, St Leonards.
- 6) Amend the Floor Space Ratio Map - Sheet FSR\_001 to show a minimum non-residential FSR of 1.5:1 on the land being 497-521 and 378-420 Pacific Highway, Crows Nest.
- 7) Amend the Land Zoning - Sheet LZN\_002 to show the land at 12 Shirley Street, Wollstonecraft as IN4 - Working Waterfront (currently SP2 - Research Station and RE1 - Public Recreation in the DLEP)

- 8) Amend the Height of Buildings Map - Sheet HOB\_002 to show a maximum building height of 10m for the land at 12 Shirley Street, Wollstonecraft.
- 9) Remove the land at 1 Henry Lawson Drive, McMahons Point from Land Reservation - Sheet LRA\_002
- 10) Amend the Land Zoning - Sheet LZN\_002 to show the land at 1 Henry Lawson Drive, McMahons Point as IN4 - Working Waterfront (currently RE1 – Regional Open Space in the DLEP)
- 11) Amend the Height of Buildings Map - Sheet HOB\_002 to show a maximum building height of 10m for the land at 1 Henry Lawson Drive, McMahons Point
- 12) Incorporate a site specific clause into Schedule 1 permitting a single dwelling ancillary to a waterfront use on the land at 1 Henry Lawson Drive, McMahons Point.
- 13) Insert draft model clause 7.4 - Airspace Operations into the DLEP.
- 14) Amend the Height of Buildings Map - Sheet HOB\_005 to show maximum building heights of 12m and 8.5m for the Shore School and incorporated Graythwaite site as shown Figure 1



**Figure 1:** Maximum building heights for Shore School and incorporated Graythwaite site

- 15) Reword Clause 6.12 - Residential flat buildings as follows:

**6.12 Residential flat buildings**

- 1) *The objective of this clause is to ensure that dwelling-houses or dual occupancies will not be left isolated on sites that are not reasonably capable of development for residential flat buildings.*

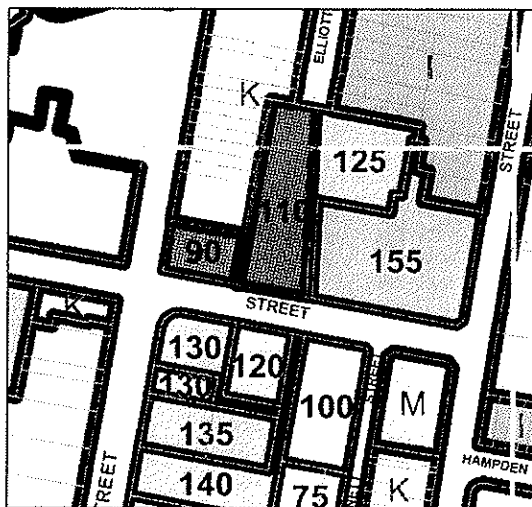
- 2) *Consent must not be granted to develop a residential flat building within the R4 High Density Residential zone which results in a dwelling-house or dual occupancy being left isolated on an adjoining allotment of land, unless:*
  - a) *the adjoining allotment has a site area greater than 900m<sup>2</sup>, or it can be adequately demonstrated that the adjoining allotment is reasonably capable of development for residential flat buildings*

## Attachment 1: Extract - 50-52 McLaren Street, North Sydney

### Land at 50-52 McLaren Street, North Sydney

The Director-General has agreed to allow North Sydney Council to include maximum building height limits of RL90 and RL110 for the land at 50-52 McLaren Street, North Sydney in the draft North Sydney Comprehensive Local Environmental Plan 2009 (DLEP) for exhibition purposes.

Figure 1 below shows an extract from Council's Height of Buildings Map - Sheet HOB\_005 of the DLEP, with the subject land indicated by red highlight.



**Figure 1:** Extract from North Sydney Council's s64 submission showing proposed maximum heights of RL90 and RL110 for 50-52 McLaren Street, North Sydney.

However, Uniting Care Ageing, the owners of the site, propose that building heights of RL113 and RL 158 should be applied to the site, maintaining that these heights reflect Council's current maximum heights under North Sydney Local Environmental Plan 2001 (see cl 28D and shadow diagram).

In summary:

**Table 1:** North Sydney Council and Uniting Care Ageing proposed heights for the subject land.

North Sydney Council preferred heights	RL90 & RL110
Uniting Care Ageing preferred heights	RL113 & RL158

Please note: North Sydney Council does not support the heights as proposed by Uniting Care Ageing. Submissions are encouraged to be submitted in relation to this site during exhibition of the DLEP.

## Attachment 2: Assessment of DLEP Maps

Comment	Action
<b>GENERAL – ALL MAPS</b>	
The text at the bottom right hand corner of the map should be deleted. It does not comply with the technical guidelines.	Review and revise
The halo effect for the text labels should be turned off as the export/print to PDF function of the GIS system used to prepare these maps has a known weakness in this regards. The text labels are difficult to read with the halo effect turned on. Also the planning control text labels have priority over any street name or place name labels and should be in true black colour rather than grey.	Review and revise
The line thickness of the planning control patches (rectangle boxes) in the legend should be of medium thickness – 18 points x 9 points or 6.3252 mm x 3.1626 mm.	Review and revise
The grid system is incorrectly designed as grid tiles are not permitted to cross or overlap another grid tile. Although an inset map can be floating i.e. it can be located anywhere within a base tile, however it cannot cross or overlap another grid tile, inset or base tile. The recommended solution is to move the base grid system north and east so the whole North Sydney Centre area is located on map sheet 002. The inset map at 5K scale will end up as a subset of map sheet 002 to become 002A rather than 005.	Review and revise
The map tiles in the locator diagram should be labelled with the number only without the map type acronym.	Review and revise
The font size for street names should be in accordance to the technical guidelines i.e. 2.5 points or 0.8785 mm. This applies to expressway text labels also.	Review and revise
The LGA boundary should be a fine line rather than a thick line on all maps except the LAP map.	Revise
The street name text labels should be shown in a grey colour as they are of secondary importance and are currently overpowering the planning information labels on the maps.	Review and revise
The maps should be submitted individually i.e. 35 single PDF files rather than one single PDF file. Each map should be named in	Review and revise

accordance to the map identification number. This information should also be reflected in the map cover sheet.	
<b>LAND APPLICATION MAP</b>	
The LGA patch and reference texts are missing from the legend.	Revise
<b>LAND ZONING MAP</b>	
SP2 and SP1 polygons should be labelled correctly in accordance to the Infrastructure SEPP - e.g. "SP2 School" should be labelled "SP2 Educational Establishments", etc.	Review and revise
All land use polygons should be labelled especially along the edges of the map grid.	Review and revise
<b>HERITAGE MAP</b>	
Heritage items should be labelled in accordance to the technical guidelines v1.2	Revise
The heritage polygon boundary lines should be of medium size thickness. i.e. 0.8 points or 0.28112 mm in accordance to the technical guidelines.	Revise
The SI LEP only applies to the area inside the "Included" area or the LGA boundary. Therefore the wharfs at Berrys Bay on HER_002 should be greyed out but if council is responsible for these wharfs then consider amending the LGA boundary to accommodate them.	Review and revise
<b>FLOOR SPACE RATIO MAP</b>	
To reduce clutter (FSR labels) on this map, consider shading the roads (except the SP2 roads) in the same colour as that of the adjacent FSR area. The Liverpool LEP 2008 HOB map on the legislative web site is a good example.	Review and revise
The complex development standard boundary (thick blue line) on the face of the map should be a bit thinner – 2.0 points or 0.7028 mm.	Review and revise
The list of complex development standard keys in the legend i.e. Area 1 to Area 12 should be deleted from the legend and added to the clause in the draft written instrument.	Review and revise
The standard floor space ratio codes that occur inside the complex development standard areas should be depicted on the face of the map and labelled accordingly. They should be included in the legend if not	Review and revise

currently displayed.	
The "Maximum Non-residential Floor Space Ratio" legend heading text should be deleted as there should only be one legend heading to represent all the FSR codes.	Review and revise
All FSR polygons should be labelled especially along the map sheet edges.	Revise
The FSR polygon boundary lines should be of medium size thickness. i.e. 0.8 points or 0.28112 mm in accordance to the technical guidelines.	Revise
<b>HEIGHT OF BUILDINGS MAP</b>	
To reduce clutter (HOB labels), on this map, consider shading the roads (except the SP2 roads) in the same colour as that of the adjacent	Review and revise
HOB area. The Liverpool LEP 2008 HOB map on the legislative web site is a good example.	Review and revise
All HOB polygons should be labelled especially those located along the map sheet edge.	Review and revise
The polygons shown by a thick red boundary on the face on the map should be included in the standard list of HOB codes with corresponding colours, etc. The red rectangle in the legend should be deleted.	Revise
The HOB polygon boundary lines should be of medium size thickness. i.e. 0.8 points or 0.28112 mm in accordance to the technical guidelines.	Revise
<b>LAND RESERVATION ACQUISITION MAP</b>	
The LRA polygon boundary lines should be of medium size thickness. i.e. 0.8 points or 0.28112 mm in accordance to the technical guidelines.	Revise
<b>LOCAL PROVISIONS MAP</b>	
The map title for this map is incorrect. Refer to Figure 1 below for an example of the correct way to show multiple map themes on a single map	Review and revise
The red broken line on the map is missing from the legend.	Review and revise
The North Sydney Centre shown as a black filled rectangle in the legend is not depicted correctly on the map. Is this a line feature or	Review and revise

an area feature?	
<p>The written instrument and dictionary should reflect the correct map names:-</p> <ul style="list-style-type: none"> <li>- "Foreshore Building Line Map"</li> <li>- "Open Space Building Area Map"</li> <li>- "Prohibited Dual Occupancy Map"</li> <li>- "North Sydney Centre Map" rather than "Local Provisions Map".</li> </ul>	Revise

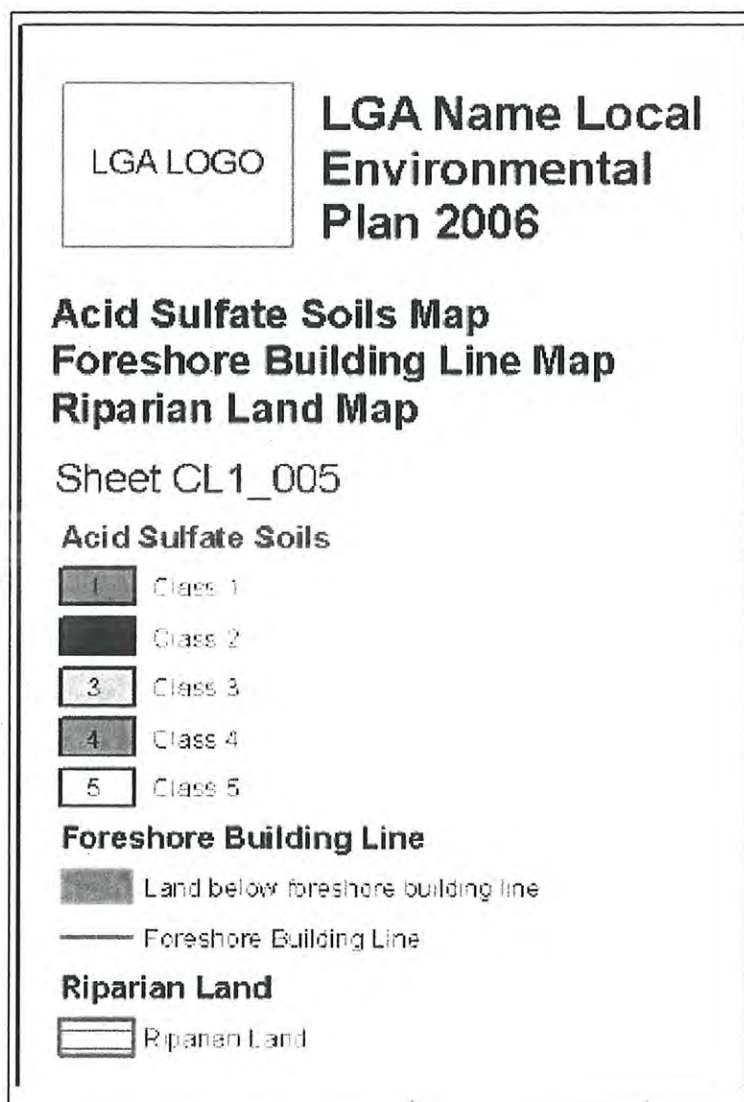


Figure 1

## ATTACHMENT B

Advertisement in the Daily Telegraph

# An open letter to the NSW Parliament

Please pass the Save Graythwaite Bill. The bill will ensure Graythwaite stays in public hands and provide for a new rehabilitation facility at Ryde, plus 52 new rehab beds at the Graythwaite site and a Hyde Park for the North Sydney CBD.

Graythwaite was given to the people of NSW by Sir Thomas Dibbs in 1915. Keeping it in public hands is what the descendents of Sir Thomas want.

It's what the community wants. Yours faithfully

Dibbs Family  
Michael Gaden  
Georgie Kernohan  
Tim Honnor  
Peter Le Bas and family  
The Hon. Joe Hockey  
CFMEU  
Peter Besseling MP  
Clover Moore MP  
Greg Piper MP  
Peter Draper MP  
Dawn Fardell MP  
Rob Stokes MP  
Lee Rhiannon MLC  
Sylvia Hale MLC  
Ted Mack  
Robyn Read  
Cr Trent Zimmerman  
Cr Veronique Marchandea  
Cr Stephen Barbour  
Cr Jilly Gibson  
Cr Caroline Raymond  
Cr Michel Reymond  
Cr Fiona Byrne  
Tim Hughes  
Suzanne Clarke-Nash  
Jane Diamond  
Sally King  
A group of teachers in  
Castle Cove

Tom Uren  
Wendy Harmer  
Susan Archer and family  
Tony Maxwell  
Helvi Love  
Eric Love  
Sophie Troy  
Dawn Morgan  
Kevin Troy  
Will and Jenny Hutchins  
Rob Emerson  
Lindsie Arthur-Hulme  
Elise Diamond  
Michael Diamond  
Selena Hutchins  
Chris Woods  
Diana Daisy  
Colin Hesse  
Mimi Neave  
Dora Neave  
Diane and Michael Causer  
Jess Clarke-Nash  
Jarred Drew  
Tristan Clarke  
Lynne and Nick Sheridan  
Rachel Miller  
Geoff Miller AO  
Frennie Beytagh  
Sharon Coley  
Hans Zeilder

Barbara & Victor Noden  
Mark and Ruth Sampson  
Michelle Gleeson  
Rilda Mossop  
Friends of Callan Park  
Hall Greenland  
Merv Jones  
Julie Jones  
Amanda & Peter Newton  
Mark Wilcox  
Nick Fisher  
Glenn Rourke and family  
Helene Rendall  
Ross Hickey  
Kerry Gilbert  
Nicole Beavan  
G Mathams  
Claire Beavan  
Susan Beavan  
Tony Beavan  
Ben Kong  
Ivan and Lizzie Lock  
Wendy Clare  
Patricia and Joan Fletcher  
Barbara Masel  
Stephen Harrop  
Susan Rowe  
JB and V Meiers  
Bruce and Alison Handmer  
Sandra Moore

Ralph Forinash  
Pamela and John Duff  
Alica McInnes  
Marge McInnes  
Milla McInnes  
Margot and Neville Johnson  
R Z De Ferranti  
Chris Geraghty  
Roz Gregory  
Pip Vice  
Sharon Coley  
Penny Holloway  
Mark Wilcox  
Andrew Macoun  
E Willard  
N Bannister  
Therese Delanty  
Turnbull Planning  
Julianne Crosby  
David and Evelyn Willard  
A and P Newton  
Fergus Fricke  
Harry and Jill McBurney  
Bruce Lang and family  
K Shortridge  
E Sadler  
Ramin Khosravi  
Penny Barker  
Wendy Zingler  
Michael Mitchell

Alison Rushton  
Julie Harders  
Philip Atkin  
Louise Vidler  
Ann Crawford  
Cynthia Nadai  
Roslyn Burge  
Guillotine Pty Ltd  
Warren Bartik  
Jeremy Dawkins  
Kate Miller  
Elizabeth Thynne  
Song Zu Sydney  
James Claridge  
Rick Schweikert  
Ruth McColl  
Theresa Stott  
C Thuillier  
Georgina San Roque  
Barbara Otton  
Irene Breheny  
P.A. McMahon  
Julia and Andrew Varnava  
E & P Groenewegen  
James Neave  
Susie Cameron  
Libby Salkeld  
Piper Keel  
Katie Burrell  
Angela Keel

Peter Keel  
Peter Cudlipp  
Sue Stephens  
Suzana Hulak  
Sean Downes  
Helen Woittiez  
Carol Jones  
Meryl Campbell  
James Strickland  
Mrs D Harrison  
John Nearhos  
Ben Johnstone  
Owen Johnstone  
Linden Stokes  
Stanton Precinct  
Michelle Gleeson  
Michelle McKernan  
Matthew McKay  
Michele Symonds  
Gracie Mathews  
Catherine Williams  
Albert Pesman  
Marlene Pentecost  
Colin Sands  
Mark and Ann Austin  
Kate Southam  
Ella Martin  
Sachiko and Roland Hughes  
Patricia Durning  
Jacqui Axford

Support our campaign. email the Premier: [thepremier@www.nsw.gov.au](mailto:thepremier@www.nsw.gov.au)

For more information: 0407 232 409, [www.graythwaite.org.au](http://www.graythwaite.org.au)

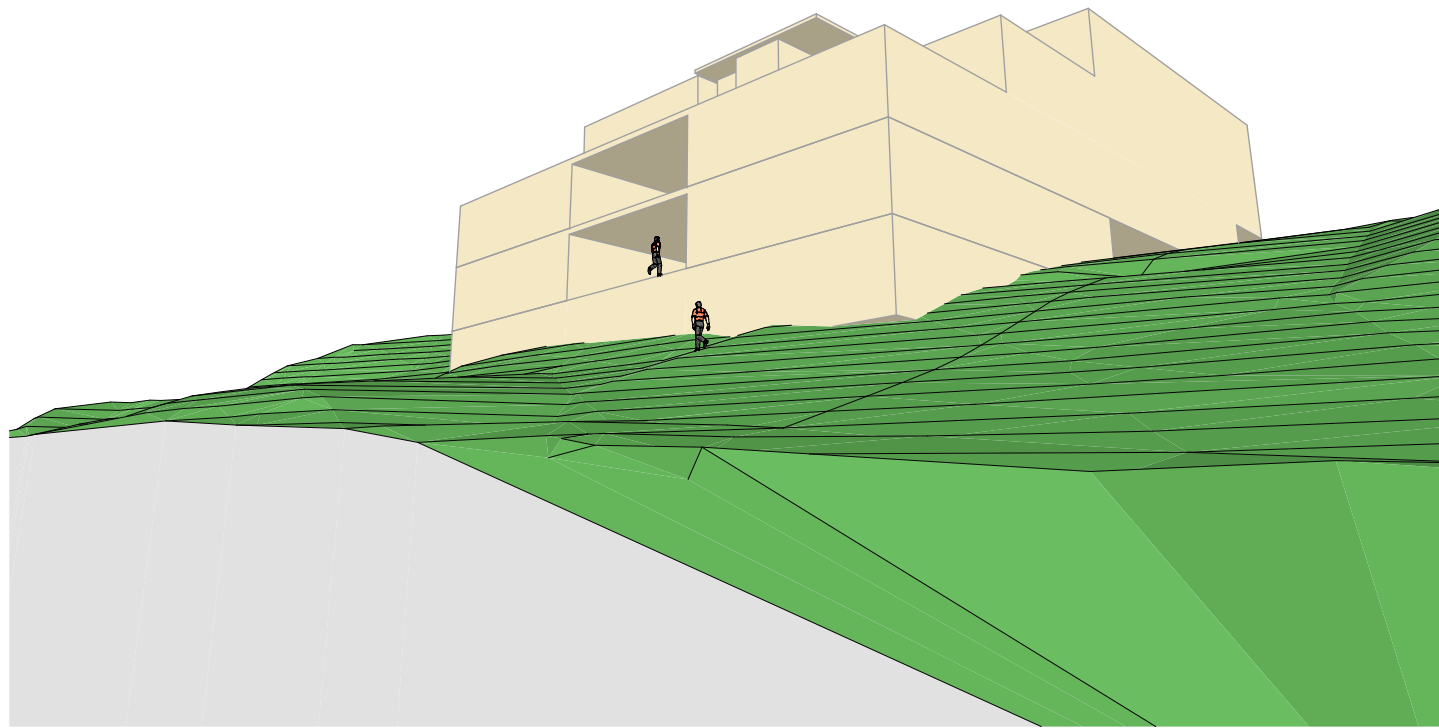
This advertisement was paid for by The Friends of Graythwaite, the signatories above and other members of the community.

Graythwaite – a gift for our returned ANZACs in 1915. Premier Holman said the NSW Government would

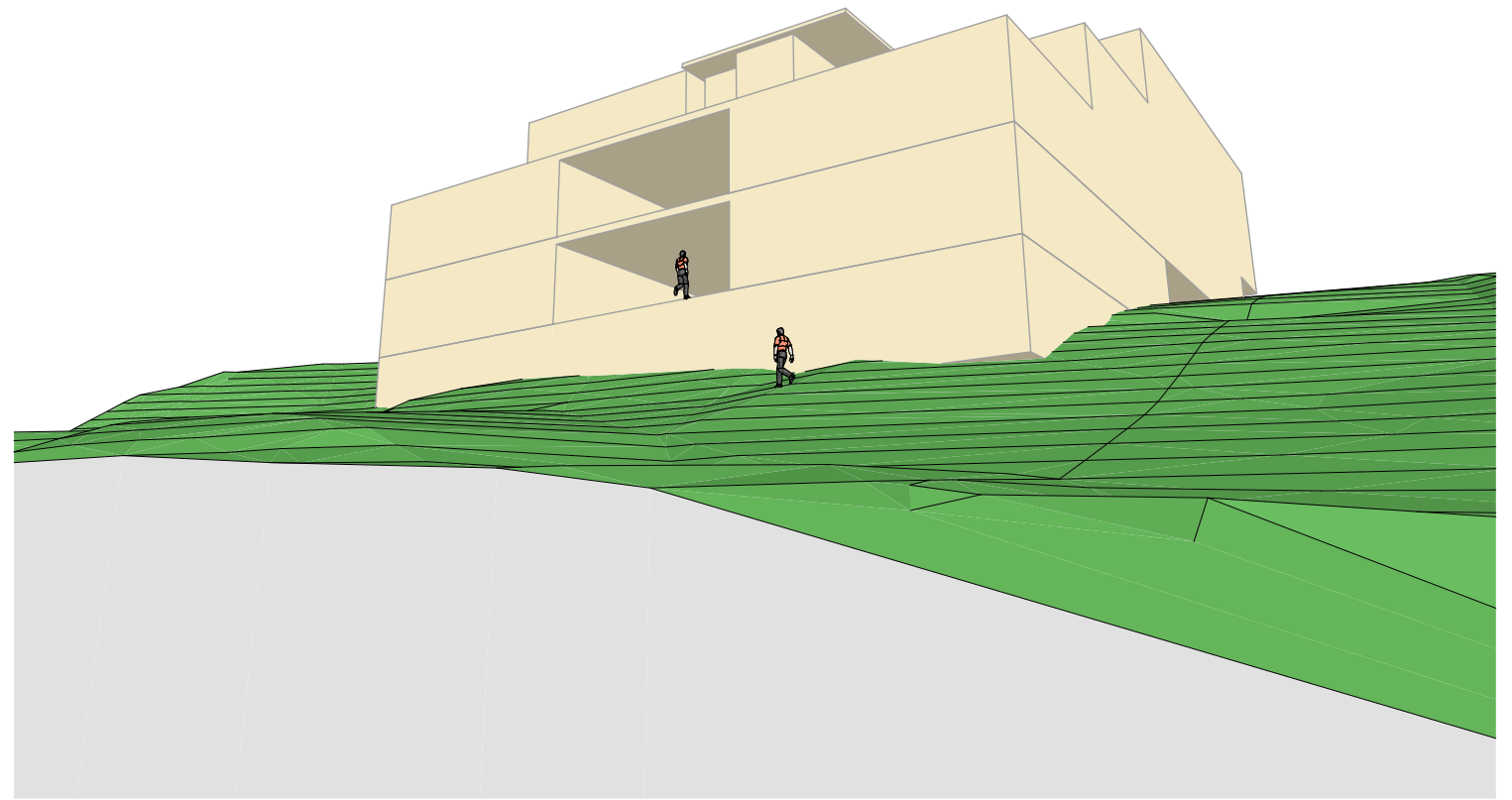
*"honour the gift for all time"*

# ATTACHMENT C

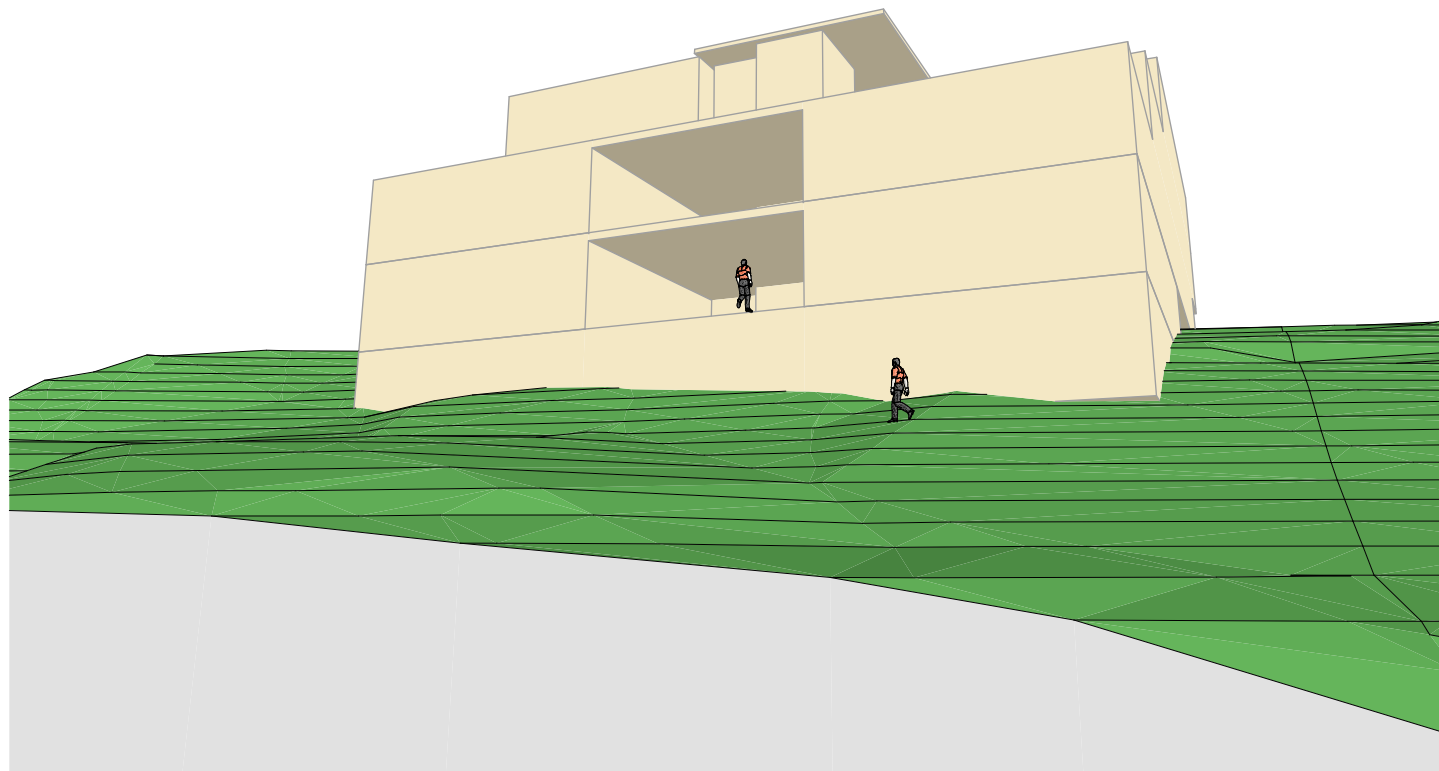
## 3D Images of Proposed West Building



Camera 1 - 25 Bank St



Camera 2 - 27 Bank St



Camera 3 - 29 Bank St



Camera 4 - 31 Bank St

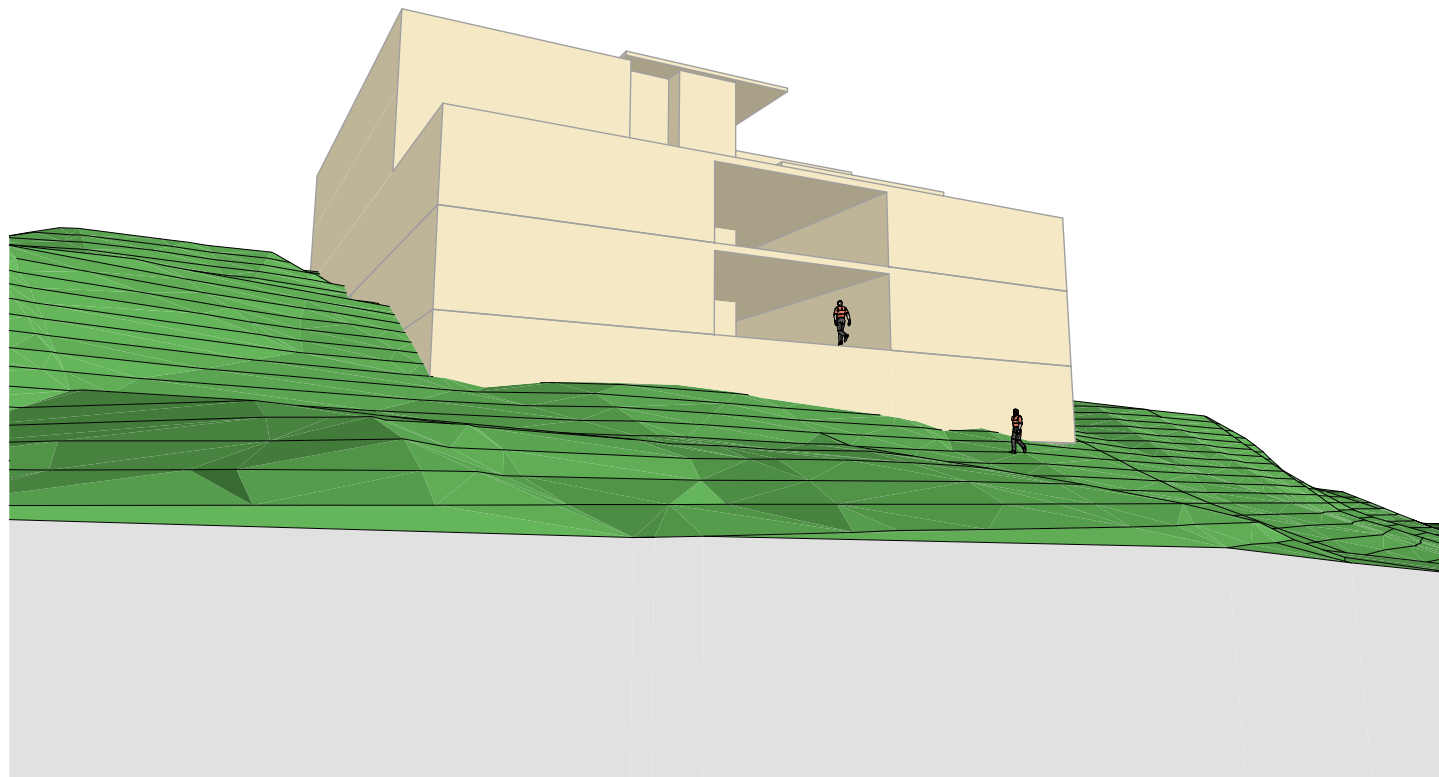
Views showing proposed building for Graythwaite Shore School from 25 to 39 Bank St. McMahons Point North Sydney



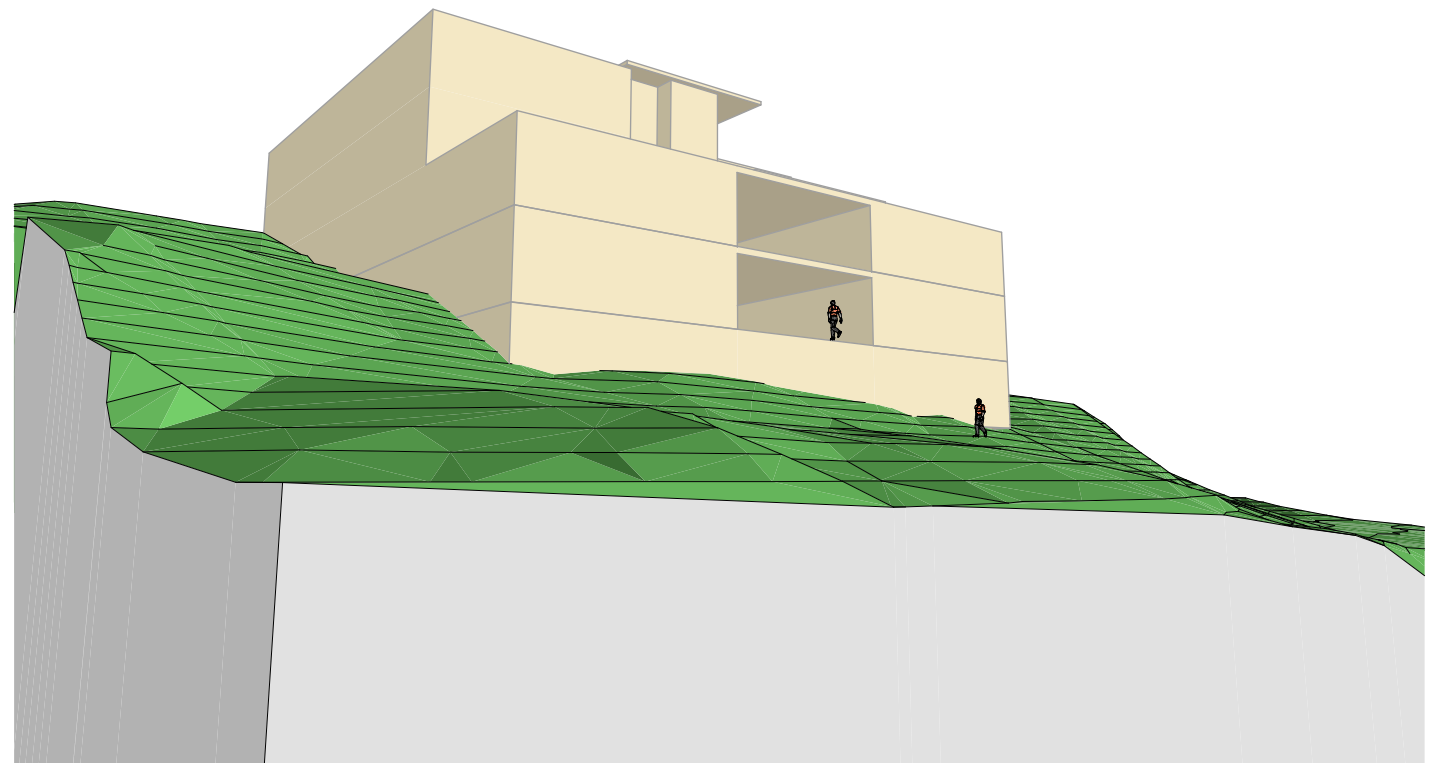
Camera 5 - 33 Bank St



Camera 6 - 35 Bank St



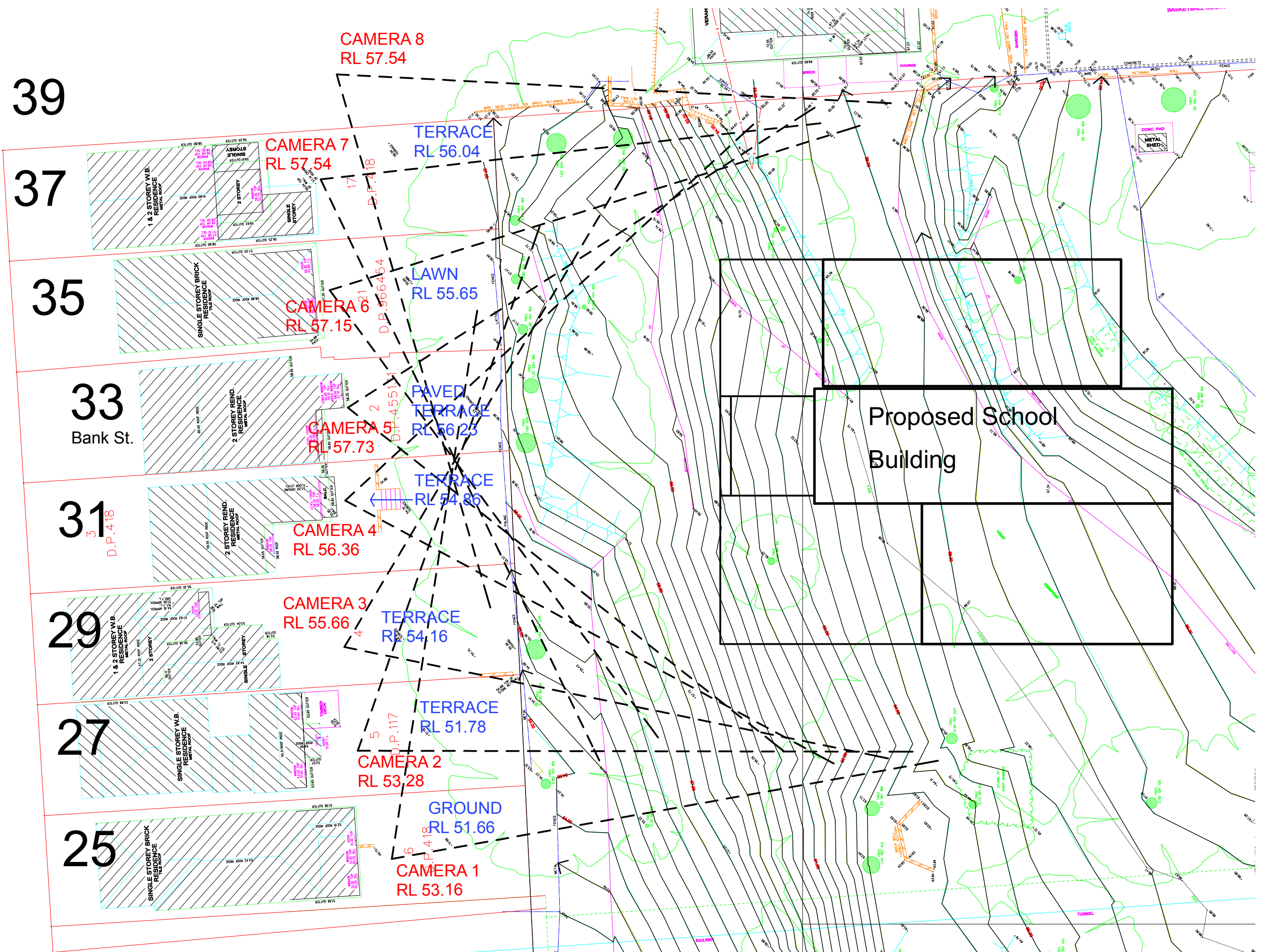
Camera 7 - 37 Bank St



Camera 8 - 39 Bank St

Views showing proposed building for Graythwaite Shore School from 25 to 39 Bank St. McMahons Point North Sydney

BANK STREET



PART PLAN Showing Camera 1 & Camera 2 location