

WILLOWTREE PLANNING



3 August 2022

REF: WTJ21-087

Independent Planning Commission
C/- Department of Planning and Environment
Locked Bag 5022
Parramatta NSW 2124

Attention: Independent Planning Commission

PROPERTY AT 20 AVON ROAD, PYMBLE GREY HOUSE PRECINCT SSD-17424905

Dear Sir/ Madam

We write in response to the **SSD-17424905**, submitted on behalf of Pymble Ladies College (PLC) for the Grey House Precinct (GHP). Specifically, this letter and attachments responds to the conflict between the proposed GHP development, and the existing Concept Approval consented under **SSD-5314**.

We write on behalf of PLC, who are the landowners of the Site located at 20 Avon Road, Pymble. Pymble Ladies College Property Limited are the registered landowner of the Site. PLC has provided their consent for the GHP development, and this modification as attached at **Appendix 1. SSD-5314** was submitted on behalf of the Uniting Church in Australia, which is consistent with the current application and owners of the land.

It is noted that the current GHP building has a minor conflict with the building envelope of the healthcare centre approved as part of Stage 4 of the Concept Approval (**SSD-5314**), and as such PLC are seeking to resolve the inconsistency as part of the current application. Under the *Environmental Assessment and Planning Regulation 2021* (EP&A Regulation), Section 4.17(1)(b) and (5) outlines that an existing approval can be modified by another instrument. This letter provides the relevant requirements under Clause 67 of the EP&A Regulation as outlined in

TABLE 1. MODIFICATION OF DEVELOPMENT CONSENT

EP&A Regulation	Comment
67 <i>Modification or surrender of development consent or existing use right—the Act, s 4.17(5)</i> (1) <i>A development consent or existing use right may be modified</i>	This letter is the written notice to modify development consent SSD-5314 .

ACN: 146 035 707 ABN: 54 146 035 707
Suite 1, Level 10, 56 Berry Street
North Sydney, NSW 2060

enquiries@willowtp.com.au
willowtreeplanning.com.au
02 9929 6974



SYDNEY | NEWCASTLE | GOLD COAST | BRISBANE

<p>or surrendered by written notice to the consent authority.</p>	
<p>(1) A development consent or existing use right may be modified or surrendered by written notice to the consent authority.</p>	<p>This letter is the written notice to modify development consent SSD-5314.</p>
<p>(2) The notice must contain the following information— (a) the name and address of the person giving the notice,</p>	<p>The notice is provided on behalf of Pymble Ladies College, 20 Avon Road, Pymble.</p>
<p>(b) the address and folio identifier of the land to which the consent or right relates,</p>	<p>The land to which the consent relates is described as 20 Avon Road, Pymble, legally described as Lot 1 DP 69541 and Lots 1-26 DP7131. It is noted that the modifications specifically relate to Lot 1 on DP 69541.</p>
<p>(c) a description of the consent or right to be modified or surrendered,</p>	<p>SSD-5314 was approved on 9/7/2013 for Pymble Ladies College Staged Development Application including:</p> <ul style="list-style-type: none"> ▪ A concept proposal for the redevelopment of school facilities over four stages including: <ul style="list-style-type: none"> ○ Demolition of existing swimming pool; ○ Construction of three new buildings with a combined GFA of 5,596sqm including an Aquatic and Fitness Centre, a Dining and Function Centre and a Healthcare centre; ○ Use of aquatic and fitness centre by school and community ○ Use of dining and function centre by school and community; ○ Minor upgrade of existing Jeanette Buckham PE centre; ○ Relocation of existing Mollie Dive Field with car parking below or 232 vehicles and removal of 36 existing car parking spaces; ○ Landscaping and utilities; ○ No additional staff or students; ▪ Stage 1 works including: <ul style="list-style-type: none"> ○ Demolition of existing swimming pool; ○ Construction of an aquatic and fitness centre; ○ Landscaping and utilities; ○ Relocation of existing Mollie Dive Field ○ Use of new aquatic and fitness centre by school and community; and ○ Minor upgrade of existing Jeanette Buckham PE Centre.
<p>(d) whether the consent or right will be modified, including details of the modification, or surrendered,</p>	<p>Details of the proposed modifications to SSD-5314 are outlined in this letter below with the updated Masterplan provided at Appendix 2.</p>
<p>(e) if the person giving the notice is not the owner of the land—a statement signed by the owner of the land that the owner consents to the modification or surrender of the consent or right.</p>	<p>This letter is provided on behalf of PLC, who are the land owner. Attached at Appendix 1 is owners consent.</p>

The proposed modifications to **SSD-5314** are outlined below. The proposed amendments are demonstrated in blue, with deletions as a ~~strikethrough~~ and additions as underlined.



SCHEDULE 1

Pymble Ladies College Staged Development Application including:

- A concept proposal for the redevelopment of school facilities over four stages including:
 - Demolition of existing swimming pool;
 - Construction of three new buildings with a combined GFA of 5,596sqm including an Aquatic and Fitness Centre, a Dining and Function Centre ~~and a Healthcare centre;~~
 - Use of aquatic and fitness centre by school and community
 - Use of dining and function centre by school and community;
 - Minor upgrade of existing Jeanette Buckham PE centre;
 - Relocation of existing Mollie Dive Field with car parking below or 232 vehicles and removal of 36 existing car parking spaces;
 - Landscaping and utilities;
 - No additional staff or students;
- Stage 1 works including:
 - Demolition of existing swimming pool;
 - Construction of an aquatic and fitness centre;
 - Landscaping and utilities;
 - Relocation of existing Mollie Dive Field
 - Use of new aquatic and fitness centre by school and community; and
 - Minor upgrade of existing Jeanette Buckham PE Centre.

SCHEDULE 2 – PART A DEVELOPMENT DESCRIPTION AND TERMS OF CONSENT

Determination of Future Applications

A3. In accordance with section 83B(3)(a) of the EP&A Act, Stage 2, ~~and 3 and 4~~ of the 'concept proposal' are to be the subject of future development application(s).

A4. The determination of the future Stage 2, ~~and 3 and 4~~ development application(s) are to be generally consistent with the terms of this development consent as described in Schedule 1, Condition A5 of Part A of Schedule 2 and subject to the conditions in Part A in Schedule 2.

Development in Accordance with Plans and Documents

A5. The Applicant shall carry out the development generally in accordance with:

- a) Environmental Impact Statement, as amended by the Response to Submissions; and
- b) Following drawings, except for:
 - i. Any modifications which are 'exempt' or 'complying development'; and
 - ii. Otherwise provided by the conditions of this consent

Concept Proposal			
Architectural (or Design) Drawings prepared by <i>PMDL Architecture & Design Pty Ltd</i>			
Drawing No.	Revision	Name of Plan	Date
DA009	B C	Overall Staging Plans	August 2012 2022
DA010	B	Overall Ground Level Site Plan	August 2012
DA011	B	Overall Upper Level Site Plan	August 2012
DA012	B	Overall Lower Level Site Plan	August 2012
DA020	B	Overall Site Elevations	August 2012
DA030	B	Overall Site Section	August 2012
Landscape Drawings prepared by <i>Taylor Brammer Landscape Architects Pty Ltd</i>			
Name of Plan			Date
PLC Aquatic Centre, Mollie Dive Field and Dining – Landscape Concept			11 October 2011

SCHEDULE 2 – PART B CONDITIONS OF CONCEPT PROPOSAL (CONDITIONS TO BE MET IN FUTURE DEVELOPMENT APPLICATIONS FOR STAGES 2, ~~AND 3 AND 4~~)

Building Design



~~B2. The Healthcare Centre is restricted to a maximum height of RL 126.82 metres AHD and is to be contained within the building envelopment illustrated on the approved plans referenced in Condition A5 of Part A of Schedule 2.~~

Landscaping

B5. All future development applications for Stage 2, and 3 ~~and 4~~.... (cont).

Contamination

B12. All future development applications for Stage 2, and 3 ~~and 4~~.... (cont).

This modification is required, as the healthcare centre building envelope conflicts with the proposed GHP building, and as such both consents could not be enacted at the same time. Furthermore, the proposed GHP includes the relevant facilities that were envisioned for the healthcare centre as part of Stage 4 of the original concept proposal under **SSD-5314** and as such it is considered that the proposed modification of this consent would not impact on the delivery of the overall intention of the masterplan for the School.

We trust that this letter provides all the relevant information required to allow for the modification of **SSD-5314** and for the assessment and determination of **SSD-17424905**. If you have any further questions, please do not hesitate to contact the undersigned.

Your sincerely,



Sally Prowd
Associate
Willowtree Planning Pty Ltd

Encl. – Appendix 1 – Landowners Consent
Appendix 2 – Updated Masterplan

