



THE PADDINGTON SOCIETY Inc.
For Community and Heritage
Est 1964

31 August 2016

The Secretary
NSW Department of Planning &
Environment
23-33 Bridge Street
SYDNEY NSW 2000

Dear Secretary,

Section 75W Amendment to MP10_0016, Scottish Hospital Paddington

The Paddington Society objected to the original plans for the proposed Terraces development on the Scottish Hospital site, on grounds including:

- overdevelopment of the site –“too big, too deep and intrusive”
- the scale of the proposed buildings in a low scale residential area and the resulting adverse impact on surrounding residents
- the destruction of heritage landscape, including negation of remaining evidence of the original sandstone-walled terraces which defined the site, and
- removal of approximately 80 of the 151 mature trees.

The Society’s submission (Submission no. 71, 20 December 2010) was only one of 103 submissions from the public, local and State government authorities, politicians and interest groups in response to the initial proposal.

Nevertheless the proposal was approved by the PAC in May 2012, after consideration by the Department of Planning and Infrastructure and amendments including reduction in the Brown Street building height from nine storeys to eight, changes to the street façade of the Stephen Street building and alternative options for landscape treatment within the boundary setback on Stephen Street in order to address concerns of residents.

The Minister’s approval is now being sought for modifications to the original proposal in respect to 8 elements. Of particular concern in this proposal are:

- changes to landscape plans including replacement of palm trees with other species (amendment 3) and further removal of significant mature trees heretofore identified for preservation (amendments 4 and 5), and
- modifications to building use involving increased gross floor area (amendment 8).

Specific comments on these proposed amendments follow.

Amendment 3 Stephen Street Palms

The original approval included the relocation of several palms from elsewhere on the site to the Stephen Street boundary, to be interspersed with Weeping Lilly Pilly. It is now proposed the palms be relocated to the exercise area and Stephen Street be planted entirely with Weeping Lilly Pilly.

In the absence of any report from the arborist on this proposal, it might be inferred that the main reason for this proposal is economic or opportunistic. It does not respond to any element of the landscape plan. Relocation of the palms to create an exercise area on part of what was originally the lower lawn - then characterised by lawn and large shade trees - would completely change the landscape character in this area in contravention of Condition D7 of the development approval.

An unrelieved stand of Weeping Lilly Pilly along Stephen Street would result in a bland landscape solution and one which will only add to the bleakness created by the large building (including loading dock) being constructed so close to the boundary in this narrow street.

Amendment 4 Removal of Tree 5

Tree 5 is a mature 18m Camphor Laurel currently classified with Retention Value B. It is one of the largest remaining trees on the site. The Department and the PAC considered it of sufficient significance to be not only retained but listed among trees specified to be subject to special protection measures in the construction period (Approval document, Condition C5). The reasons given by the arborist are of 3 kinds:

1. improved convenience in construction phase;
2. benefits to other significant trees identified for retention, specifically Trees 6, 127 and 133
3. new plantings can be added as required.

Reasons related to 1 are matters of convenience for the builder and should not override the destruction of trees identified as deserving retention.

Reasons related to 2 include that it will reduce competition for and improve views of Tree 6, a Weeping Lilly Pilly which similar to Tree 5 has been identified as of sufficient significance to be retained and protected in the construction period. The arborist's report has not explored alternatives to removal of Tree 5, such as pruning of either or both trees and measures to improve water retention and soil nutrition, to the extent that these problems are serious.

Trees 127 (Port Jackson Fig) and 133 (Magenta Lilly Pilly) have previously been identified for retention. According to the arborist, both these trees are threatened by construction works unless Tree 5 is removed. This recommendation makes a nonsense of the original recommendation for retention of all these trees (among the minority of then existing trees to be preserved). Clearly the real reason is convenience for construction. All these trees should be retained.

Reason 3, new plantings, is no substitute for existing significant mature trees.

Amendment 5 Removal of Tree 130

Tree 130 is a 16m Sydney Red Gum (Angophora) rated as of Retention Value A. This tree species is protected under the Woollahra Tree Preservation Order. The reasons given for its removal all relate to improved convenience in the construction phase, apparently exacerbated by an error in the surveyor's plan putting the tree's trunk "marginally" further from the proposed driveway ramp to the basement than it actually is, and giving rise to the possibility that the tree will be undermined in construction of the proposed ramp.

There is no evidence that any alternatives to removal of this significant tree have been considered. In view of its high retention value, Tree 130 should be preserved even if this entails modifications to the construction plan. In view of the "marginal" nature of the survey error, this should be feasible.

Amendment 6 Photovoltaic Cells on Brown Street ILU roof.

The reduction of electricity requirements and consequent replacement of electricity generators with solar panels is welcome. As Paddington is a Heritage conservation Area installation of the solar panels should comply with the *Woollahra DCP 2015*, Chapter E6, Section 6.3, i.e. they should not be visible from the public domain. From the roof plans provided, the panels appear to be on a flat roof surrounded by a low parapet, which should ensure they are not visible.

Amendment 8 Brown Street Theatrette

While the conversion of an unnecessary storage area in the basement level of the Brown Street building to a theatrette would not affect the footprint of the building, it would involve an increase in GFA of 80 sq m. Considering major and widespread concerns about the scale of the development as expressed in submissions, this new usage previously considered unnecessary should not be permitted and the applicant should be required to take advantage of the freeing up of space to reduce the profile of the building. This would also ensure that the installation of a theatrette did not result in an increase in traffic and visitor impact on the site.

Additional changes Removal of Tree 18

As an addendum to all the above, we would like to object to the apparent disappearance of Tree 18 that was once such a prominent feature of the lower lawn. This is the first opportunity we have had to look at the revised landscape plans, and we note with dismay that Tree 18 is no longer shown anywhere – a tree that was such an important element in the approved development landscape plans.

This tree has a history. T18 was originally a heritage listed Port Jackson Fig, 20m high with a canopy in excess of 30m, Retention Value A. In mid 2011 some 9 or 10 months before the development approval, the Presbyterian Church submitted DA 130/2011, "Removal and Replacement of Heritage listed Port Jackson Fig." The arborist's report claimed the tree could be subject to failure and thus dangerous. The accompanying drawing showed the tree replacement close to its original position.

Council approved the removal on the basis that it be replaced as shown on the application drawing. Tree 18 was removed and a much smaller replacement was eventually planted as required. Then at the beginning of this year the replacement Tree 18 was removed and, according to the latest landscape plans, will not be replaced. Tree 19, also marked to be retained and the last tree left standing on the lower lawn, was also removed about this time apparently also without approval.

If Condition D7 of the development approval is to be met and the original landscape character is to be maintained, it is fundamental that Tree 18 be replaced and as close to its original position as possible. It must be stressed that this removal is also in contravention of the original Council approval conditions.

Summary

For the reasons stated above, The Paddington Society requests that Amendments 3, 4 and 5 relating to changes in the landscape plan be refused. We also ask that the unapproved removal of the replacement for Tree 18 be rectified by the planting of a similar tree as close to its original site as possible.

We consider any approval to remove trees that are designated to be retained sets a worrying precedent. More than enough trees have been removed from this site - well over the 61% approved and stage 2 is not begun. Will the eastern half of this site become as barren as the western side is now?

In respect to Amendment 8, the Society requests that the freeing up of space by the deletion of storage space in the basement of the Brown Street building be required to be used to reduce the profile of the building.

We have no objections to Amendment 6 provided that the result complies with the *Woollahra DCP 2015*. We have no objections to Amendments 1, 2 and 7.

Yours faithfully,

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