

19 October y, 2019

**The Department of Planning, Industry and Environment a
320 Pitt Street
Sydney NSW 2000**

**State Significant Development
Submission for the SSD-10260 International Chinese School**

Greenwich and St Leonards Action Group submission – State Significant Development Submission for the SSD-10260

Submission for the State Significant Development - International Chinese School

GSL Action Group writes this submission in relation to the State Significant Development Application (SSD – 10260) hereafter referred to as the DA.

GSL Action Group is a community-based organisation active in representing the views of the St Leonards and Greenwich community. GSL Action Group supports good urban planning and sustainable development in the Greenwich and St Leonards areas.

Executive summary

We strongly object to the DA for the design concept, negative impact on the surrounds, extensive intrusion on publicly available facilities, the use of public community facilities for its private use and benefit such as the Gore Hill Oval, the confined site that is unfit for a school, impact on streets with traffic, significant contravention of SEPP, substantial reduction in amenity and services for the area, contravention of the development standards, cumulative adverse effects on the precinct, incompatibly with the character of the area, impact on State Significant Heritage listed Gore Hill Cemetery, RNS Hospital and community aspirations.

We also object to the degree of exceedance and breaches the DA includes that cumulatively become excessive and renders the DA unacceptable as a planning proposal capable of delivering on intended outcomes.

The DA departs from the planning standards with significant number of inconsistency. The DA is unlikely to cater for the wide range of people in the precinct and will impose on public and crown land for private use and gain; this will benefit the proponent to the public and community detriment. State Significance grounds is not justifiable because it does not appeal to a wider public but a small subset of the community and ceases to be significant by purpose and consequence.

The DA is unlikely to cater for full range of people and demography in the area and will not attract a mix of students. The proposed school will appeal for a small segment of the population yet will use a large important section of the open space and facilities of the Gore Hill Oval (the recreation reserve associated with Gore Hill Oval from the 1920s and is enjoyed by many residents that frequent it) while confiscating some of the basic elements for the Heritage listed Gore Hill Historic Cemetery and interfering with the operations of the 'The Avenue' which is important for the community.

The DA takes away open space, parks and community facilities for its sole benefit with the exclusion of others, with dwindling services and infrastructure in the area that will be immediately felt by the residents. The DA exacerbates land use, adds to the traffic congestion on the busiest streets in the region, and has inadequate transition (as the DA has an impact and does not allow transition to the surrounds).

As such State Significance category should not apply and the DA should be rejected due to the exceedance of numerous development regulations as well as the intrusion on public assets facilities including heritage and community assets. The use of State Significance categorisation is

Greenwich and St Leonards Action Group submission – State Significant Development Submission for the SSD-10260

not intended to be an excuse for additional density and contravention of several development standards.

The Minister of Planning should reject this DA on the grounds that the development intrusion and use of public assets on the one small site would leave the surrounding neighbourhood reeling from the aftermath.

The DA is also out of character with the single dwelling family homes adjacent to the site and will be impacting existing low density residential single and two storey detached houses predominately surrounding the site such as in Greenwich, Naremburn Conservation Area and the St Leonards suburbs.

The area has witnessed several years of under supply of service and infrastructure and lack of open space and parks and would be incapable of accommodating such a project. There will be an increase of 2000% overnight on this site and in essence this will be a gross overdevelopment. The surrounding neighbourhood will not have enough amenities as it will be swallowed up from the area.

As well cumulative traffic impacts from the rest of the precinct which has been largely ignored. This DA is adding more cars and traffic from teachers, staff, visitors, service vehicles, drop-offs and pickups, before and school after care. As well as competing with other motorists in the busy Pacific Highway and adjacent streets.

The DA in essence does not meet design principles, sense of place, land use, nor Community expectations. It is difficult to comprehend the change is use from a small business on that site that to a private use of facilities that would exhaust community recreational facilities paid for by the rate payers.

It is also important to note that community notification was lacking and left many residents unaware of this DA at their doorstep. We also note that the documentation and assessment provided by the applicant has misleading information (such as Heritage and arborist) in some parts and in other parts relying on the wrong assumption (such as Traffic and parking with lower assumptions as a basis). Through the DA documentation we noticed how the community and impact on the residents has been made to look insignificant and even missing crucial consequences.

Other specific concerns and grounds for rejection include:

A- Appropriateness of a school on this site

The site is not appropriate for such a development as it is poorly designed and inappropriately located for this particular use. The development is incompatible with the immediate settings impinging on every facet of the immediate Heritage (refer Heritage section for more detail) surrounding area. This development is incompatible with the nearby area and the streets that contain communities with single dwelling houses who use the Gore Hill Oval and the Historical

Greenwich and St Leonards Action Group submission – State Significant Development Submission for the SSD-10260

Gore Hill Cemetery for recreation. The site is in conflict with its immediate and extended surroundings even within a 10 km radius.

The DA has implications on traffic, transport, access (new driveway), on-site parking, servicing of the site, heritage, pickups and drop offs, after school programs, environmental, use of public assets and facilities for private use, contrary to the 2036 plan and noise which are some of the significant impacts and remain as a major concern.

There is no opportunity for natural and expected future expansion as the site is confined in size and potential. Managing the site for a normal school operations, after school care and further growth will be a continued struggle and will result in a school that is not befitting of the expected levels of an education institution in this area.

The school is not self-sufficient for the required facility such as the play area and has to rely on Gore Hill Oval and the Historical Gore Hill Cemetery for its feasibility as a going concern as a school. The school should not share the Gore Hill Oval facilities for sport and exercise as it will always be competing with the residents and the community for this patch.

The site currently can only propose a restricted 300 m² play area which is not sufficient or suitable for a school of this size. So the only way the school is viable if it relies on publicly provided facilities (paid for by the rate payers) outside the site that are used by the community and does not even belong to the school.

This will set a precedent that publicly funded and open for the community use can be directed towards private use and sole benefit of a small group to the detriment of the public good, even though paid by the tax payers. If the school is approved then the Gore Hill Oval and the Historical Cemetery are unlikely to cater for the full range of public use and will always be viewed as a school grounds inaccessible to the public.

This site is a semi sacred site for the St Leonards and Greenwich community due to its heritage significance and connection to the community; it is also historically significant to the Lower North Shore and Sydney. The site is a well-respected site especially for its religious significance. The Gore Hill Memorial Cemetery site contains monuments of significant artistic quality. The brickwork including the pavements of 'The Avenue' is one of a kind. The community is keen to have all this preserved further not deteriorated in reality, significance and stature. The community is working relentlessly to further support and preserve this significance and will not allow developments that erode this standing in the Lower North Shore – which this DA is contributing to.

B- Utilising public space

There is no delivery within the DA for dedicated play areas, exercise area and open space for the children to enjoy. The DA merely shows little areas that will not be sufficient and then presents designs to exploit the public space in Gore Hill Oval. The DA further attempts to introduce unusual and untested solutions such as the use of the Gore Hill Oval, Gore Hill Historic Cemetery and over reliance on the “The Avenue” as an access. This leads to unacceptable outcomes for the school children, the area and the community.

C- Dedicated facilities, services and infrastructure

Dedicated facilities and infrastructure are essential for the operations of the school and for this DA. These should be targeted for the specific and sole use of the school which support physical and health care. The reliance on community publicly provided facilities that do not belong to the school is unacceptable to the community. The DA also cannot rely on the historic lane “The Avenue” as shared for access especially when “The Avenue” is historical and heritage listed as it is enjoyed by the community and visitors to the cemetery. Also persistent and daily use would lead to more deterioration of this heritage item. Additionally, a play area used from the Gore Hill Oval and encroaching on Gore Hill Historical Cemetery would cumulatively lead to an erosion of public facilities and assets and the erosion of community trust that this is a well maintained heritage item.

Based on this account the DA does not meet the minimum adequate levels to sustain itself as a school. Especially given that Gore Hill Oval has already been allocated to accommodate current developments in the area. This Oval should not be shared by the school children because it is public area to be enjoyed by everyone. It is doubtful if the impact of the other developments will outweigh the benefit of the school given that the parks are needed just to cover the developments.

D- Safety concerns

It is potentially hazardous for the school children during school times operating hours from the very busy Pacific Highway, and after and before school program from the new driveway to allow cars to exit onto the Highway at a dangerous spot on a curve with poor lines of sight. The Gore Hill Cemetery vehicular gates are kept locked for a reason and that is for security reasons and to prevent vehicular egress onto the Highway at a dangerous exit and as such this will present security risk to the school.

It is also dangerous as the cemetery is frequented by many and it is of doubt how safe it is for the school kids in that environment.

Continued safety for the children is an issue on this site, keeping kids safe in and around vehicles and when playing nearby.

E- State Significance categorisation

The conditions that deemed this development appropriate is questionable. There are a multitude of deviations from the norm and especially for a school in this area. Therefore the State Significant designation is erroneous for this DA.

The DA is unlikely to cater for full range of people and demography in the area and will not attract a mix of students. The proposed school is only for a small segment of the population yet using an important area of the open space and facilities near the Gore Hill Oval and confiscating some of the basic elements for the Heritage listed Gore Hill Historic Cemetery while interfering with the operations of the 'The Avenue' which is important for the community.

The assessment reports are almost based on the premise that the site and the area in the precinct exists in isolation. There is little to virtually no real assessment of the impacts and in most cases are played down and dismissed e.g. traffic, parking, open space, heritage. The analysis in most of the assessment reports is simplistic and does not consider cumulative impacts from the surrounding greater area.

In order not to complicate any assessment (and cast doubt on the applicant own assessment) the solutions offered to make the DA work do not pass the real test in other areas. This implies that the DA does not meet the rules unless it relies on fallaciousness in order to satisfy the requirements.

F- School capacity

The size of the school with 7 classes, 8 learning area and 210 students, with associated administration facilities and shared resource areas, parking, provision of a new vehicular access point for drop off and pick up of students, landscape and other associated works is not a small DA and is more than the site can tolerate. From a planning perspective the site will not cope with this development but will introduce more planning problems. The school will be out of character with the rest of the neighbourhood. The school will bring a 10 fold increase over night to a section of the precinct that has single dwelling houses and is close to a suburb that houses many families.

The natural progress of any school is an increase in school kid's numbers. As such in a couple of years' this school will have additional students and the number will rise from 210 coupled with an increase in the students for the before and after school program. There should be enough allowances in capacity and size on the site for growth in numbers of students. The possibility that year on year growth will be between 20% and 50% and therefore the forecast will be another 100 students within few years. As such the site is incapable of accommodating this expansion and is incapable of providing the facilities for sports and exercise unless more area is taken over or even the whole of the Gore Hill Oval.

The jump in the number of student's year on year should be factored in and not dismissed. As such the whole premise of which this DA is based is not correct.

This constricted site due to its size and surrounding limitations (historical, actual dimension and restriction) will not be able to meet the objectives of this DA.

G- Traffic and Roads

The traffic assessment from the DA attempts to underplay the traffic demand as result of the development into a school. This DA will result in an increase in traffic and motor vehicles that frequenting the site. There will be a continual flow of vehicles at most times. The increase in traffic will be as the vehicles turning into the new Driveway and then from the Driveway onto Pacific Highway, Greenwich Road, River Road and Longueville Road leading to unmanageable outcomes.

There is no cumulative transport assessment that sheds light of the impact from such a type of DA and in this location; especially with the nearby increased developments that are in the process of being built or in the pipeline affecting upstream and downstream areas.

The Stanbury Consulting traffic report conducted by the applicant (dated August 2019) is full of contradictions and conjecture. For instance, the report does not take into account that all the developments “on” the Pacific Highway that will affect the traffic and in turn the DA. The driveway of this DA is “on” the Pacific Highway as such causes delays on the Pacific Highway due to the traffic slowing and starting.

The report also has a disclaimer that renders the report itself not worth the amount spent on producing (ie worthless) since the disclaimer absolves the author of the report from having any “skill” in producing the report and relies on the user to become the expert.

For instance the disclaimer notes “People using the information in the report should apply and rely on their own skill and judgement to a particular issue they are considering.” It is acknowledged that the report is undertaken by a very competent adviser Stanbury, but appears to have been completed under a strict objective to reach a particular outcome/recommendation.

- The Base case for the Stanbury Report is based on low Traffic levels (outdated) and the data in the report is so far out of date for an area experiencing very strong annual growth rates and thus should be dismissed for lack of relevance to current conditions.
- The Stanbury report ignored few key intersections that are directly impacted (for instance any of the roads feeding from Pacific Highway onto Greenwich Road, River Road, Park Road and Portview Road) thus the Stanbury traffic report is proving to be “not fit” for its intended use.
- The Stanbury report has a number of other short comings in the data adopted and does not take into account a number of important factors such as the current constraints in the network.
- The Stanbury report makes no real assessment of the impact of the proposed congestion on response times for emergency vehicles accessing the Royal North Shore Hospital.

Greenwich and St Leonards Action Group submission – State Significant Development Submission for the SSD-10260

- We disagree with the conclusion of the Stanbury report which notes that a “satisfactory network” is maintained even after all the additional cars from the DA. The area has narrow streets and limited access and already has congested roads. The Stanbury report ignores current congested conditions (Pacific Highway, Greenwich Road, and River Road are congested in the AM peak and this cannot be denied) and the resultant increase in traffic from the DA cannot be simplistically assumed to have no marked deterioration on the network.

However the impact on traffic is larger than noted in the DA as:

- Traffic constraint will impact immediately adjacent neighbourhood and streets
- Effects on traffic flow from cars exiting and entering the school driveway has not been assessed accurately – it is a blind spot The school traffic will still affect the very congested Greenwich Road and River Road
- Upstream and downstream impacts on traffic on the Pacific Highway and in turn off streets feeding into Pacific Highway impacting Crows Nest and North Sydney
- The precinct does not just stop outside the proposed school and is not an isolated site from the rest of the area
- Vehicle access to the site is impaired
- Congested narrow roads that cannot be expanded

H- Parking impacts on residents

The DA does not adequately consider the impact of parking on the surrounding streets especially as this type of development will receive a larger number of visitors and service vehicles that need parking for extensive time duration in local streets. As such the DA assessment report ignores the impact on residents and commuters parking when cars related to the DA, such as visitors, parents or staff, park on the side streets.

The “Ethos Urban staff” survey to assess the use of the car park and the open space at Gore Hill Oval provides an abridged version of the real situation. The methodology used for this survey (refer Appendix X_Gore Hill Oval and Car Park Data Collection by Ethos Urban document # 218421 dated 24 May 2019) was only over 5 days in early April 2019. The Oval was still under maintenance and not frequented by the residents for activity. The assumptions drawn from this survey are questionable since for the previous 18 months the Gore Hill Oval was upgraded and only opened in March and the assessment conducted in April. So the basis of the study is not accurate and draws the wrong conclusion in the DA.

I- Heritage and Historical significance

The site for the DA adjoins the Gore Hill Historical Cemetery which a significant heritage item for Sydney. This heritage item is significant enough to the community of St Leonards and Greenwich to warrant additional care, less interference and generous setbacks from this DA.

The Gore Hill Cemetery is of rare and representative social significance at a State level because of the unusually high esteem in which it is held by major identifiable groups in the community, a fact which led to its becoming a benchmark in the conservation of historic cemeteries through its saving from conversion and its dedication as a Memorial Cemetery.

Gore Hill Historical Cemetery is very unique and distinctive. It retains many landscape features such as its original carriageway, gates and piers, Californian desert fan palm avenue plantings,

Greenwich and St Leonards Action Group submission – State Significant Development Submission for the SSD-10260

gates leading into the old sections, an Arts and Crafts style robing room. As well “The Avenue” is one of the most outstanding features with the brickworks as a central core heritage item and much more.

The Historical Gore Hill Cemetery and the previous Sexton Cottage is important heritage item for the area that needs to be safeguarded. The Gore Hill Cemetery with its current setting and present context provides special character and significance. The significance is inherent in its design, physical location, its associated landscape and setting. None of these elements should be altered, reformed or transformed as any variation will misrepresent this valuable piece of heritage. However this DA dilutes and violates the setting thus steering the Gore Hill Historical Cemetery ever so slowly into less significance, less historical setting and less heritage value. Within few years the Cemetery will lose its grandeur due to the permeant impact from this DA.

The cemetery is not neglected but is well maintained and year on year increasingly supported and rejuvenated. There are several restorations taking place. However this DA being a school will bring consequential influences that will slowly render the historical site less significant as it will impact the core of the site due to the existence of a school on this site. It is important to remember that as a memorial most visitors enjoy the peace and quiet times. The DA with the school kids will affect this atmosphere and will stop the public from enjoying their time at the memorial Cemetery.

The DA includes a change of use of existing structures within the former Sexton’s Cottage, with extension and modifications to “The Avenue”, landscaping works and road remodelling. The principal works that will have the most impact are those associated with remodelling works on the line of “The Avenue”. The modifications from the DA will not be minor but intrusive and will result in further deterioration of the historical site. This DA proposal is relying on a road that will be a minimum of 4 meter width with a 40 meter length, which is an unacceptable outcome. Within the Avenue the school access roadway is proposed to provide a width of 6.5 meter and the school will take 3 meter thus affecting “The Avenue” permanently.

These impacts are Not shallow in nature and will slowly change the heritage importance of this site. The proposed establishment of a formal one way north bound roadway is indicating that there is underway several modification to the nature and spirit of the cemetery as a historical site for the community to use and in turn will erode the status of the heritage listing of the existing site.

The Cemetery is of substantial State historical heritage significance and “The Avenue” is a primary connection and a single lane access to the cemetery used by the whole community and cannot be compromised or promised to provide access for private use. The more usage and trespassing on “The Avenue” from the DA the more deterioration of the concrete and will be more expensive to maintain as this will result in cracks and surface breaks if used as much as intended in the DA.

This DA is not appropriate in the context of this heritage item and there are detrimental impacts generated on the Gore Hill Historical Cemetery.

Therefore this DA should not be supported from a heritage perspective.

J- Scale, built form and setbacks

The design and scale is out of character and will be to the detrimental of the immediate local area, impinging on the village atmosphere enjoyed by a large section of the community for families and single dwelling houses. A mandatory requirement should be in place for greater setbacks and transition for this DA and should be a requirement due to the large number of students and chaos that will affect every facet of the daily life of the surrounding community. As such the site with the former Sexton Cottage may not be ideal for the use of a school but an alternative business that is less crowded with kids.

K- Design principles, sense of place, land use

The DA contravenes good design principles, does not pay attention to land use and totally overlooks the sense of place. The DA is an overextended development which is unsuitable for the site and inappropriate in design and planning principles.

L- Change of Use, LEP and DCP

The change of use from an architectural office to a school is an extreme deviation and should not be permissible for this site. This site is limited/confined and will not accommodate such a big project. This is also a material change of use and contravenes the LEP, DCP, SEPP and several council regulations.

M- Royal North Shore Hospital

The Royal North Shore Hospital ('RNSH') is the first to be affected by this DA and valuable capacity that the hospital needs will be taken away. The Eastern boundary of this site stretches to the RNS Hospital and Gore Hill Park and also the Southern boundary with Gore Hill Park. As such the RNS Hospital should be afforded more space and acknowledgement rather than competing for the same space as this DA.

N- Contravenes the 2036 plan

This DA is also not in line with the 2036 plan for St Leonards and Crows Nest. The 2036 plan calls for more emphasis on long term office space, medical and IT for the St Leonards area in order to sustain employment. Also the State Government's plan for St Leonards is for mixed use with a commercial emphasis and a focus on medical and IT services.

This DA is incapable of demonstrating consistency with the vision and design principles of the St Leonards and Crows Nest draft 2036 plan. The school does not respond to the 2036 plan as it takes away open space for private use, adds to the lack of open space, adds to the density appearing overnight, akin to high density site rather than commercial, IT and medical emphasis.

O- Council car park

The Gore Hill Oval car park is for the use of general public for recreational use. The DA will impact the car park and is likely to change people perception of the real use of the Oval. Eventually the car park will cease to be viewed by the public as accessible with ease of access for sports but will always be associated with the school. Hence a loss by the community of enjoyment of these public facilities.

As result of the DA there will be a loss of 3 parking spots. Access to the car park will be affected for the school pickups and drop off arrangements. Due to loss of car park space there will be a reduced use of the sports and accessibility

Future expansion, future movement and flexibility for the car park will be removed thus affecting the residents, the community and council plans.

P- Circulation, Pedestrians and Flows

There is incompatibility with the circulation, flows, pedestrians and cyclist's movement. Problems are mainly caused by the complicated traffic flow that this DA will create. The driveway introduced at the front of the site will create more complications for the Pacific Highway impacting upstream and downstream traffic.

There is likely to be a substantial number of vehicles that access this site during the day and evening. Any additional traffic will be unmanageable and will create traffic bottleneck in and out of the school, added to cumulatively on the Pacific Highway by the residential units.

There is currently considerable traffic around the area and especially around the RNS Hospital which is intensifying. There is a new office building that will bring more foot and car traffic very near this DA impacting the Pacific Highway and the adjacent streets. The DA assessment reports are silent on the impacts from these new tower developments.

Pedestrian's flows in the area will also be affected by the increased levels from students, staff, parents and visitors especially with the new driveway.

This DA for the school will be busiest during drop off and pickup times and after school program. This will endanger the students. Safety of the school children is important who may be at risk from excessive traffic and reduced parking.

Q- Vibrant Community and Neighbourhood Character

This DA will introduce unwarranted consequences, is out of character with the rest of the neighbourhood and will affect the surrounding community of Greenwich, Naremburn Conservation Area and St Leonards suburb to an extent that the area will cease to be a vibrant community. Added to this is the Loss of village atmosphere, Loss of character and Lack of consideration for precinct context.

R- Other sites availability

This DA is better suited on another site that does not have all these restrictions and disadvantages. Other sites provide more capacity with suitable facilities for the students and teachers to enjoy and feel safe. Also other sites will present fewer restrictions and accommodate all the equipment for such a school. A site that is self-sufficient providing the facilities as required is by far a better option and would serve the students, teachers, staff and the school better.

S- Trees affected

There are 16 trees that will be possible affected to a certain varying degrees by this DA and there is a possibility of 5 trees that would be specifically impacted. The Trees protection and tree management plans are not very clear on this and how best to address these impacts without causing further deterioration.

Greenwich and St Leonards Action Group submission – State Significant Development Submission for the SSD-10260

T- Noise and Pollution

The effects of noise and pollution from the school would be significant. This will exceed bearable levels with 210 school kids and teachers in a small area. There is also daily unwanted or unpleasant sounds from the school that will begin at 7 am and finish at 6 pm (officially) but likely to extend even longer. The before and after school program is of concern as this means that the activity around the school would extend past 6 pm as the hours of operations are 7am–9:30am and 3pm–6pm. There are also Parent information sessions that are endless and continue to generate more traffic and Noise and chaos in the area.

U- Conclusion

The site for the DA is confined by its nature and cannot stretch its requirements imposing more on other facilities such as the Gore Hill Oval for sports and exercise. To succeed as a concept the school has to impinge on the Historical Gore Hill Cemetery and 'The Avenue' pushing the viability of these heritage items. The DA on the site further impacts the immediate setting, does not have an acceptable heritage impact and encroaches on the Historical Gore Hill Cemetery while altering the context and heritage importance for the Lower North Shore.

This DA consumes a substantial level of infrastructure and services of the area especially given the change in use of the site. Traffic is impacted and compounded affecting the Pacific Highway and even stretching to Greenwich Road and River Road. There is insufficient assessment of traffic and pedestrians flow on the area from this DA. Cumulative effects on services, infrastructure and urban amenity have been largely ignored and not included in the study and assessment reports provided by the applicant's consultants.

All commercial projects, which this DA needs to be judged by, must prove self-sufficiency as a "business" and not relying heavily on other sites that are publicly owned by the rate payers. The viability of the DA is then questioned.

This DA is incongruent to the area and has several deficiencies that are linked to the central premise of this DA.

The conclusion that this DA is State Significant is called into question due to the reasons discussed above.

This contravention of standards warrants a rejection of the DA as there are insufficient environmental planning grounds to justify. To allow the number of variations to the development standards in this DA for a site that is so critical for St Leonards, Greenwich and Naremburn Conservation Area is unacceptable.

Based on the above reasons this DA should be rejected on merit.

Yours Sincerely

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