

9 August 2016

## NSW Planning Assessment Commission Determination Report

### Modification to Sir Moses Montefiore Jewish Home, 100-120 King Street & 30-36 Dangar Street, Randwick (MP09\_0188 MOD 2)

#### 1. INTRODUCTION

Urbis Pty Ltd (the Proponent) has submitted an application to modify the Concept Approval (MP08\_0188) for the development of an aged care facility at 100-120 King Street and 30-36 Dangar Street pursuant to Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A).

The site is located approximately four to five kilometres south-east of the Sydney CBD within the City of Randwick Local Government Area. The site has frontages to King Street to the south, Dangar Street to the east and Govett Lane to the North. The site shares its western boundary with Centennial Apartments (medium density residential flat blocks) fronting King Street and a University of New South Wales facility. The site is occupied by the existing aged care facility (buildings A, B and C), an existing child care facility, hard stand car park and landscaped areas. Context of the site is shown in **Figure 1** below.

**Figure 1** – Site map



Source: Department of Planning and Environment, Secretary's Environmental Assessment Report

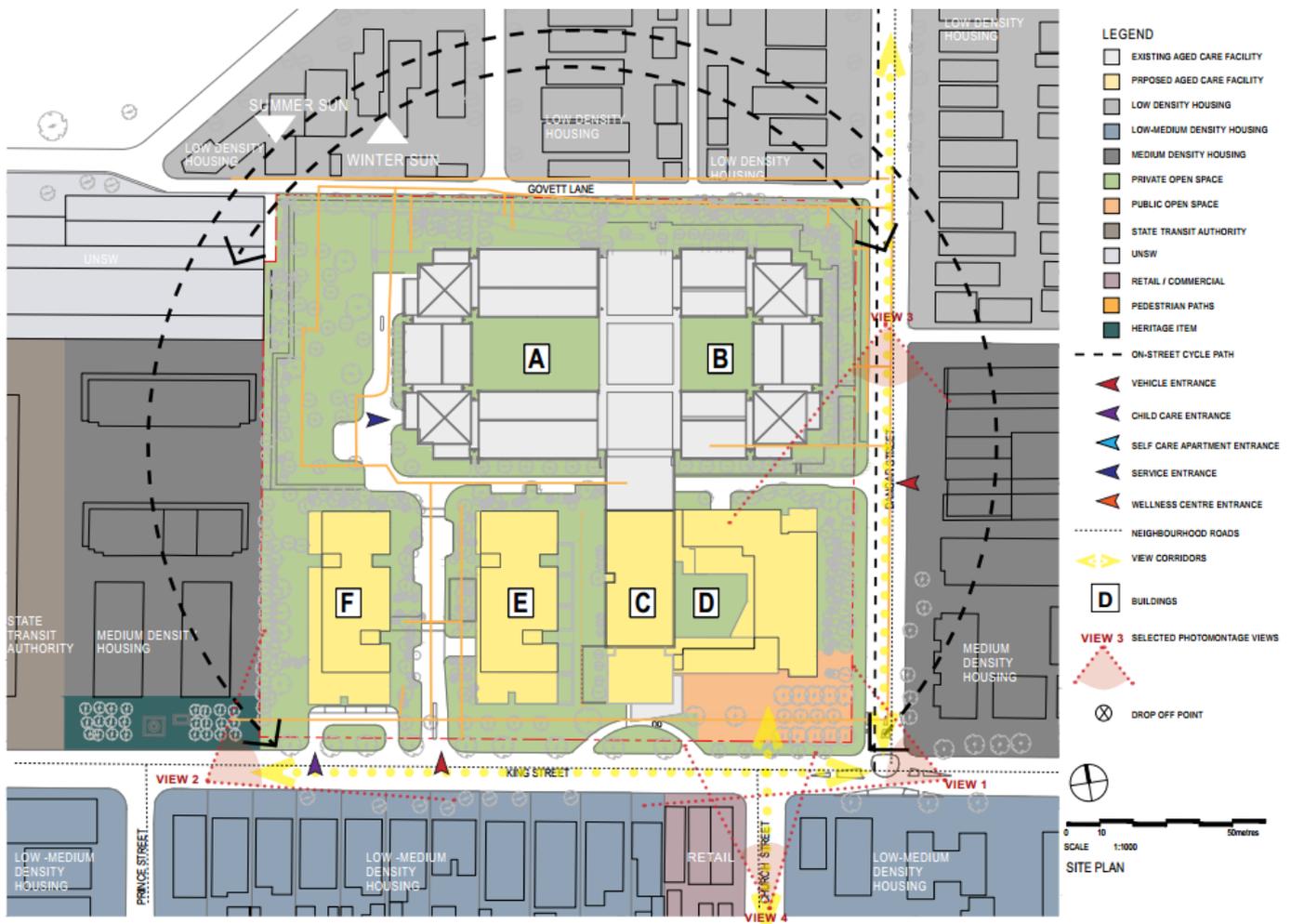
## 2. APPLICATION

The Proponent has submitted a modification to the approved Concept Plan seeking:

- To amend the building envelopes C, D and E (with building E splitting to form buildings E and F);
- An increase of 68 independent living units (from 36 to 104);
- An increase of 15 special care/dementia beds (from 94 to 109);
- A reduction of 170 residential aged care beds (187 to 17);
- A reduction of 40 child care places (from 80 to 40);
- An increase of 63 car parking spaces (from 217 to 280);
- Use of retail space adjacent to the public square for retail, business, commercial and community-related uses; and,
- Modification to access, landscaping and other minor amendments.

The modification to the building envelope can be seen in the **Figure 2** below.

**Figure 2:** Sir Moses Montefiore Jewish Home – Modification 2



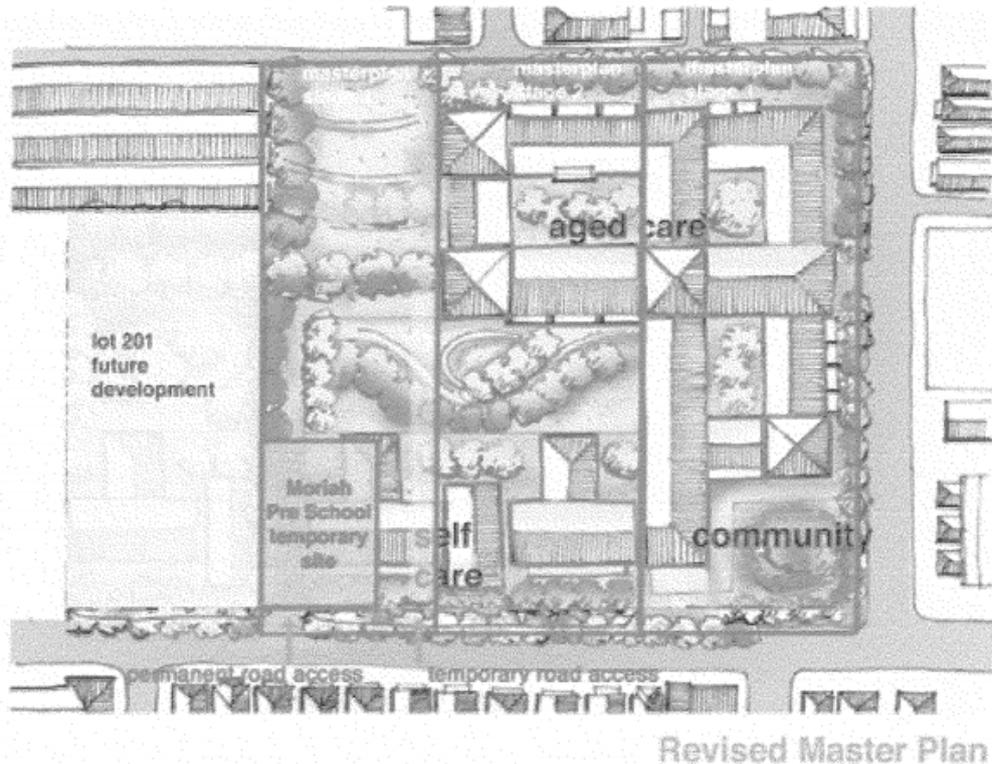
Source: Proponent's submission

### 3. SITE HISTORY

#### 2002 approval

The Masterplan for the Montefiore site was approved by Council on the 22 October 2002. The facility was constructed in accordance with that approval and commenced operation in 2007. The original layout can be seen in **Figure 3** below.

**Figure 3:** Montefiore Master Plan as approved in 2002.



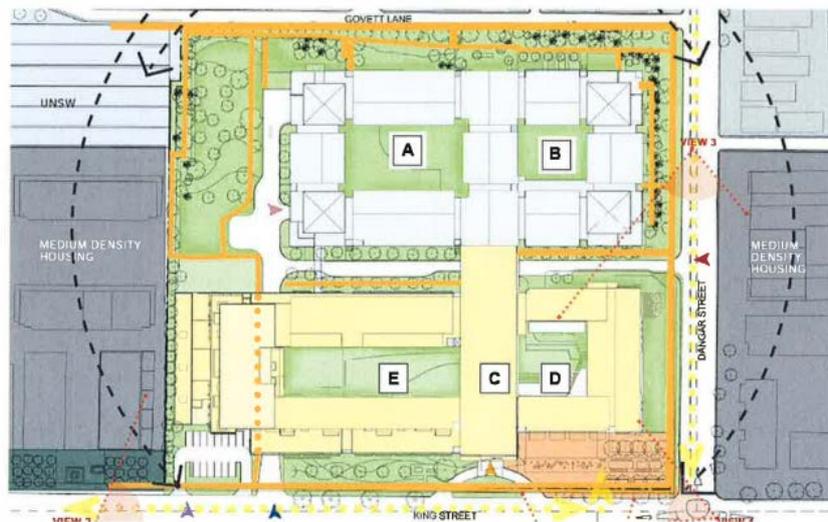
Source: Department's 2011 Concept Plan Assessment

#### Concept Plan

In July 2011, the PAC approved the Montefiore facility Concept Plan. The main components were the introduction of buildings D and E, and expansion of building C. The Concept Approval allows for an additional 281 residential aged care beds and 36 independent living units and allows for a total of 217 car parking spaces. The Concept Plan (**Figure 4**) comprised the follow two stages:

- Stage 1: Building envelopes (C) and (D) of five levels towards the south-eastern corner of the site providing residential aged care accommodation, support services and a 350m<sup>2</sup> retail space fronting onto a public square; and,
- Stage 2: A building envelope (E) of between four to six levels towards the south-western corner of the site providing residential aged care accommodation and ancillary spaces, an 80 place childcare centre to replace the existing childcare centre and associated car parking.

**Figure 4:** Montefiore Concept Plan



Source: Concept Plan – DG Assessment Report

<https://majorprojects.affinitylive.com/public/09c48531d2d34bacbe00640ec887c9ec/Director%20General's%20Assessment%20Report%20.pdf>

The July 2011 approval only allowed for the commencement of Stage 1 (building envelopes C and D).

#### Modification 1

This modification sought to clarify and correct erroneous references to the author and dates cited in the Terms of Approval of the Concept Plan. The modification did not result in additional environmental impact and the development remained consistent with the Concept Plan approval. The modification was determined by the Department of Planning and Environment on 11 January 2012.

It is important to note that although the Concept Plan was approved in 2011 (and Modification 1 in 2012), only minor on-site works have occurred to date, and neither of the approved buildings (D and E) have been built.

#### **4. DELEGATION TO THE COMMISSION**

On 22 June 2016, the modification application was referred to the Commission for determination under the terms of the Ministerial delegation dated 14 September 2011 as more than 25 public submissions of objection were received in response to the Proposal.

The Commission panel appointed to determine the application comprised Mr David Johnson (Chair), Dr Maurice Evans and Mr Garry West.

#### **5. ENVIRONMENTAL ASSESSMENT**

The Secretary's Environmental Assessment Report identified the following as key issues associated with the modification request:

- Amendments to built form;
- Building envelope D;
- Building envelope E;
- New building envelope F;
- Building envelope C;
- Density;

- View impacts;
- Traffic and car parking; and,
- Car parking provision.

The Department's assessment found that the proposed modification is *'acceptable and will maintain satisfactory level of amenity to neighbouring properties and would not have a negative visual impact on the existing King and Dangar Street streetscapes.'* The Department recommended that the *'increase in height of the proposed building envelopes, is considered acceptable subject to a modification to ensure the street frontage height along King Street is maintained consistent with the Concept Approval'*

## 6. MEETINGS & SITE VISIT

As part of its consideration of the modification, the Commission met with the Department of Planning and Environment, the Proponent and representatives of Randwick Council.

The Commission inspected the site and the surrounding area. During the site inspection, the Commission viewed the existing facility, the proposed building envelopes, potential visual impacts and the relationships of the modification to neighbouring properties.

On 21 July 2016, the Commission held a public meeting at Randwick Council to provide the community with an opportunity to directly address the PAC and comment on the application prior to determination. A total of eight speakers presented to the Commission. In summary, the speakers raised a number of concerns as follows:

- The size and scale of Building D was excessive;
- Insufficient consultation during the project;
- Building F causing overshadowing and amenity issues to Centennial Apartment residents;
- Potential amenity issues;
- Compliance with SEPP 65; and,
- On-street parking impacts.

Notes from the meetings and site inspection are provided in **Appendix 1** and **2** of this report.

## 7. COMMISSION'S CONSIDERATION

The following key areas were identified by the Commission for further consideration:

### Section 75W

The Commission noted some submissions which questioned whether the proposed modification can properly be made under section 75W of the EP&A Act. The Commission agreed with the Department that the proposed modification of the Sir Moses Montefiore Jewish Home Concept Plan does not fundamentally change the essential nature of the Concept Plan in its current form. The Commission also decided that the Concept Plan, if modified, would provide the same mix of uses, continue to provide for open space, and have essentially the same division of precincts. The Commission therefore found that the proposed changes fall within the broad scope of section 75W as it applies to concept plans and may be considered under section 75W.

### Building E height and envelope

A number of submissions raised objection to the proposed height of Building E. Building E will be the tallest building on the site and residents were concerned that the inclusion of two additional floors, raising the height from RL 58.53 to RL 64.83, would be excessive, out of character with the surrounding built form and contrary to the height principles outlined in the *Randwick Local Environmental Plan 2012*.

Initially, the Proponent had not proposed any upper floor setback. The Department did not support the proposed height along the King Street frontage of that initial proposal and worked with the Proponent to provide a setback of the top three floors so they would not be visible from street level. In addition, the Department recommended *'that future DAs to Council for building E provide appropriate setback to the three topmost levels and any associated structures (such as balustrades for balconies and terraces) are not readily visible from a pedestrian perspective when standing directly opposite the building on the southern side of King Street.'* The 11.5m setback applied to the top floors of Building E was also applied to floors at the same height within Building C and Building F to reduce the visual impacts for residents and pedestrians along King Street.

At the public meeting, Council raised no objection to the height and scale of Building E. The Commission subsequently met with Council to clarify its position on Building E. Council acknowledged and agreed with the recommendations made by the Department to setback the upper floors of the buildings fronting King Street. Council did not raise objection to the height of Building E.

A number of residents raised concern that the additional height of the modification would result in unreasonable view loss. Based on topography, the Commission acknowledges that several residents along Wentworth St and the eastern end of King Street, within the proximity of Montefiore, could have some of their views of the Sydney CBD and their western district views partially obstructed by the proposed Modification. The Commission has considered this issue by reviewing the photomontage prepared from the units at No. 125 King Street and No. 68-74 Wentworth Street, together with the site visit, and agreed with the Department's assessment of view loss and finding that the impact was *minor to negligible*.

### Building D height and envelope

The Modification seeks to add an additional story or 3.1m to the top of Building D, to a three story building already approved under the Concept Plan approval in 2011. The prominent issue raised by a number of speakers at the public meeting and through submissions was that the bulk and scale of the proposed additional floor on Building D would be excessive. The Department's report found that despite the height being considerably higher than the standard stipulated under the *Randwick Local Environmental Plan 2012*, it would not have a detrimental impact as:

- *The increase in height is appropriate given its prominent corner location;*
- *It remains 1.3m lower than 113-125 King Street, which is a residential flat building located diagonally opposite;*
- *The inclusion of a one metre top floor setback fronting Dangar Street ensures that the proposed top floor will be visually recessive;*
- *The increased height will not cause adverse shadow impacts; and,*
- *The building envelope is setback between 10 to 11 metres from the site boundary allowing landscaping to screen the development.*

At the public meeting Randwick Council raised concerns over the visual impacts of Building D due to its bulk and scale. The Commission subsequently met with Council to seek further clarification of its

concern with Building D. Council wrote to the Commission further defining why it considered the top-storey of Building D as unreasonable. Council considered that the additional 3.1m of built form for Building D was *unwarranted given its intrusive and dominant nature to the street and surrounding low to medium scaled buildings in the immediate locality*. It was recommended by Council that the *deletion of the whole proposed new level for Building D would create a better built form relationship between the approved four-storey Building D and the existing 2-3 storey town house/apartment complex on the eastern side of Dangar Street*.

The Commission also sought additional information from the Proponent as to why the principles underpinning the setback applied to Building E should not be applied to Building D. The Proponent outlined a number of reasons as to why it considered that Building D as proposed would not create an unreasonable visual impact:

- *36m setback between Building D and dwellings fronting Dangar Street;*
- *Opportunity for deep soil planting to screen the Building D;*
- *The additional height is only 3.1m;*
- *Building D can be 'articulated' in both the horizontal and vertical planes to reduce its visual mass;*
- *The top floor has already been set back by 1m to be visually recessive;*
- *As Building D sits on the corner, it provides the opportunity to mark the corner and 'frame the urban square; and,*
- *In absolute terms it remains 1.3m lower than the height of the building on the corner of Dangar Street and King Street.*

The Proponent also indicated that the assessment should not be just limited to impacts of built form but social and public benefits should also be considered.

The Commission considered detailed responses from the community, Department, Council and Proponent about the height, bulk and scale of the proposal. While the Commission acknowledged a public benefit associated with the provision of dementia beds proposed within Building D, the Commission considered this did not justify the proposed exceedance of height controls and associated bulk, amenity and streetscape impacts of Building D.

The Commission acknowledged that the height sought is less than that of the residential unit building diagonally opposite at 113-125 King St, but considered that neither the height of that building nor the height of the building on the opposite corner justified the additional height sought. The Commission particularly noted that the additional floor primarily fronts Dangar St, and Council's concern that the existing approved maximum building height of approximately 12m already significantly breaches the maximum permissible height control of 9.5m under the Randwick LEP 2012.

The Commission found that the concern about the height, bulk and scale of the building can be separated into two parts. The first relates to potential loss of views from residences to the CBD and the west. As discussed above in relation to Building E (which is the taller of the buildings) this impact has been assessed and found to be acceptable. The second issue relates to the bulk and scale of the building from street level. The Commission determined that setting back the top storey of Building D, to ensure it is not visible from the street would best overcome this issue. By taking an approach that is consistent with the Department's approach for Building E, the Commission is satisfied it has addressed the community and Council's key streetscape concerns while providing the Proponent the scope to explore opportunities to develop the top floor, albeit with a much greater setback. As a result, the Commission has adopted the following condition to setback the top story of Building D and amended the following condition:

## 8. Design of the Top Storey of Building D

Future project / development application(s) shall demonstrate that the top storey of Building D and associated structures (above RL 57.753) provide an appropriate setback behind the street frontage height so it is not readily visible from a pedestrian's perspective on the footpath on the eastern side of Dangar Street directly opposite the building and;

- a) Is architecturally treated to achieve a light weight external appearance; and,
- b) Employs high quality materials and finishes.

The Commission has retained the Department's requirements for design elements in part (a) and (b) of the condition, as due to the topography of the dwellings to the east of Montefiore, the top floor of building D will still be visible to residents despite the revised setback.

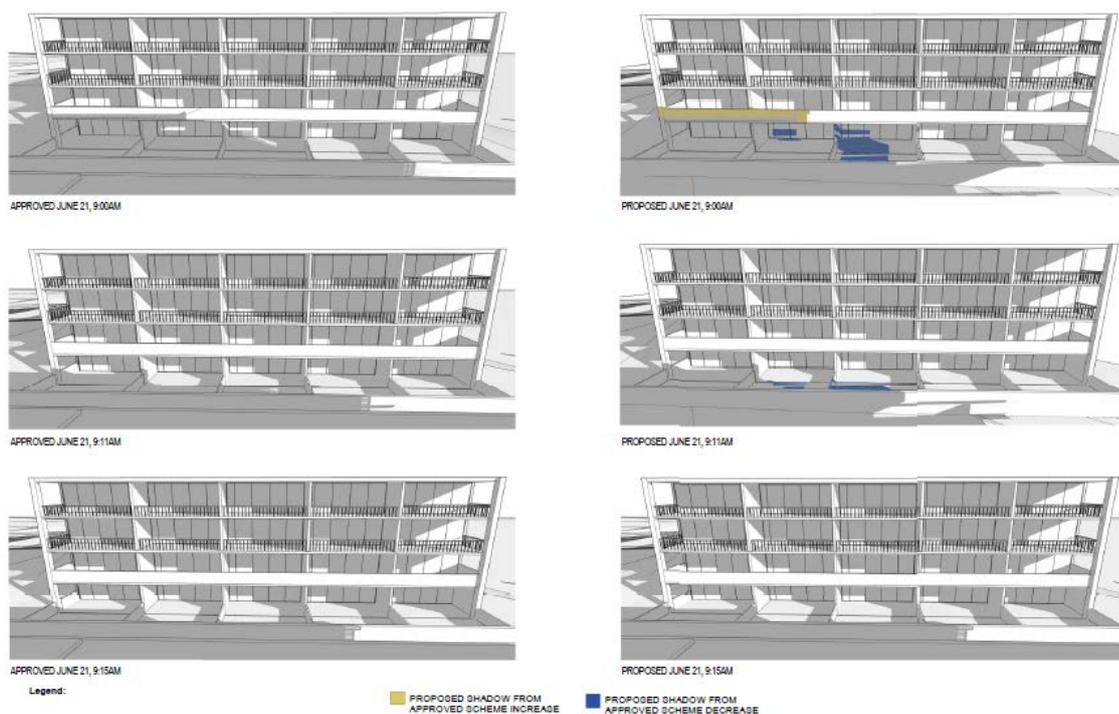
### Building F height and envelope

The Commission received a number of submissions and heard several concerns at the public meeting regarding the bulk and scale of Building F. The concerns regarding Building F related to the impact on the neighbouring Centennial Apartments. Objectors were concerned that the height and bulk of building would overshadow their properties and impact on the amenity and value of their residences.

The Commission noted that the envelope of Building F within the Modification would reduce what was previously approved within the Concept Plan. The height of the building (RL 58.53) has not changed and the setback of liveable spaces from the western boundary has increased from 14.5m to 18m.

In addition, the Commission requested information from the Proponent detailing the changing shadow impacts as a result of the Modification. The shadow diagrams showed that there is little to no impact on residents of the Centennial Apartments (see **Figure 5**).

**Figure 5 – Impact of shadow diagrams (Proponent's additional information)**



## Amenity

The Commission noted submissions that the facility could have an additional impact on the amenity of residents in respect to noise and light spillage. Consequently, the Commission added an additional condition to ensure that the Proponent must adequately consider noise and light spillage mitigation on neighbouring residents when preparing a development application for the building. Accordingly the Commission included the following condition in the determination:

### **7. Design of Building C, D, E and F**

**Future development application(s) shall demonstrate that any development facing Centennial Apartments, King Street and Dangar Street shall manage light spill and also adequately consider potential noise impacts.**

## SEPP 65

The Commission noted that a number of submissions and speakers at the public meeting raised concerns about whether the application was inconsistent with *State Environmental Planning Policy 65 Design Quality of Residential Apartment Development* provisions. Council subsequently indicated that *no assessment has been made under SEPP 65 of the current modification proposal either in terms of applying the Design Quality Principles of the SEPP or referring the proposals to Council's Design Review Panel*. Council letter to the Commission indicated that SEPP 65 is *prescriptive in excluding assessment of independent living units* and that *assessment of the modification proposal was not applied to the current modification proposal*. The Commission agreed with Council's response and found that assessment against the Design Quality Principles was not necessary at this stage.

## Child Care

Residents suggested that the current child care arrangements would be *noisy but tolerable* however any movement in the location of the facility along the western boundary could have adverse noise impacts on residents of Centennial Apartments. As the number of child care placements sought is halved, from 80 to 40, and the location of the child care facility would only be shifting slightly, the Commission considered the child care arrangements indicated in the Proposal to be acceptable. The Commission however adopted the following condition to encourage quality design and appropriate inclusions to reduce potential noise impacts on Centennial Apartment residents:

### **9. Design of Child Care Facility**

**Future development application(s) shall demonstrate that potential noise impacts on residents of the neighbouring Centennial Apartments are controlled through suitable design and/or acoustic treatment measures.**

## Landscaping

The visual impact of Building D was raised by a number of respondents at the public meeting. It was also suggested that the visual impact mitigation was minimal as the deciduous trees aligning the western side of Dangar Street dropped their leaves and exposed the building during winter. The Proponent's response to the Commission's request for additional information acknowledged that the *presentations at the public meeting referred to the existing deciduous trees within the Dangar Street setback not being adequate enough to screen the building*. The Proponent subsequently acknowledged that a *greater component of evergreen species could be planted within the Dangar*

*Street setback to further screen the building and contribute to a greater landscaped outlook for the residents opposite.* The Commission agreed that more evergreen species could assist in screening and softening the bulk and scale of Building D. As a result, the Commission has adopted the following condition:

**10. Landscaping**

**Future development application(s) shall demonstrate evergreen tree species be planted, where possible, along Dangar Street to further reduce the visual impact of the built form.**

Parking

The public meeting and submissions raised a number of concerns about the impacts of the Modification on the availability of on-street parking. Many suggested that on-street parking in the area was already near capacity and that the proposed modification would add to the already existing parking problems for residents.

However, in relation to on-site parking provision the Commission considered the Proponent's proposal of 280 on-site parking spaces (which exceeds the DCP and SEPP minimum parking standard by 32 spaces) sufficient.

The Commission acknowledged that the existing on-street parking issues are generated not just by the Montefiore development but other development in the vicinity including the university, bus depot, residential, shops and other nearby uses. The Commission recommended that Council consider the implementation of resident only car parking along the southern side of King Street and eastern side of Dangar Street in order to resolve some of the congestion faced by residents. In addition, the Commission has adopted the following condition to ensure construction and operational parking impacts are managed:

**11. Parking**

**Future development application(s) shall include a construction and operational (including staff, visitors and volunteers), traffic and parking management plan to minimise congestion impacts on limited on-street parking.**

## 8. COMMISSION'S DETERMINATION

The Commission carefully considered the Proponent's modification request and the Department's Environmental Assessment Report. The Commission heard from members of the community, the Proponent, the Department and Council during its various briefings meetings and at the public meeting held in Randwick.

The Commission found that the proposed top floor of Building D is excessive and agreed with Council's opinion that the building would be *visually dominant*. Consequently, the Commission has imposed requirements to set back the top storey of Building D, so that it not be visible from the street, and to provide landscaping to help alleviate the bulk and scale impacts on the surrounding area. As a result of the concerns raised during the consultation process, a number of other conditions have been included to assist in preserving the amenity of the neighbouring properties.

The Commission has considered the merits of this application and has approved the application subject to the conditions set out in the instrument of approval.



**Mr David Johnson (Chair)**



**Dr Maurice Evans**



**Mr Garry West**

**Notes of Briefing from with the Department of Planning and Environment**

The meeting is part of the Determination process.		
<b>Meeting note taken by:</b> Robert Bisley	<b>Date:</b> 19 July 2016	<b>Time:</b> 9:30am
<b>Project:</b> Montefiore aged care facility modification (MP09_0188)		
<b>Meeting place:</b> Planning Assessment Commission office		
<p><b>Attendees:</b></p> <p>Members of the Commission:</p> <p>David Johnson (Chair), Garry West and Maurice Evans</p> <p>Commission Secretariat:</p> <p>Megan Webb, Team Leader and Robert Bisley, Senior Planning Officer</p> <p>Department representatives:</p> <p>Ben Lusher, Brendon Roberts and Matthew Rosel</p>		
<p><b>The purpose of the meeting</b> is to receive a project briefing on the background of the Montefiore aged care facility modification to date and particular issues the Department has considered in making its recommendation.</p>		
<p><b>Meeting overview:</b></p> <ul style="list-style-type: none"> <li>- Project summary: <ul style="list-style-type: none"> <li>o The Department noted there are two primary components of modification: <ul style="list-style-type: none"> <li>▪ Realignment of envelopes; and,</li> <li>▪ Reappropriation of uses.</li> </ul> </li> <li>o The Department is satisfied the project falls under the category of a s75W Modification.</li> </ul> </li> <li>- The Department noted that the modification would open the site to King Street, but that it had had some concerns about the height of building E given the lower scale on the opposite side of the street. Consequently the Department has reduced the parapet height and recommended conditions to set back the additional floors, based on the line of sight from the street. While Building D is also proposed to increase in height, the Department noted it will accommodate dementia care beds, and that there is a public benefit associated with this.</li> <li>- The Commission noted Council’s submissions and asked the Department whether it had had any further discussions with the Council. The Department confirmed that it consulted Council both initially and once the Preferred Project Report was prepared. The Proponent responded to the key issues raised by Council, and the Department has also considered Council’s concerns in its assessment, particularly in relation to: <ul style="list-style-type: none"> <li>o Building bulk and scale; and</li> <li>o View impacts.</li> </ul> </li> </ul> <p>The Department confirmed that Council had not raised traffic and parking in its latest submission.</p>		

- The Commission noted the Gross Floor Area requirements in the approval were proposed to be deleted. The Department confirmed the GFA calculations differ depending on whether they are applied through the Randwick LEP or Seniors Living SEPP. There was recognition that at the Concept Plan stage, building envelopes and building height is more useful, and that these are clearer.
- The Commission sought confirmation from the Department that the development isn't classified as 'Designated Development'.
- The Department noted that there is a wider issue with on-street parking saturation within the area. It noted the childcare centre has been reduced in scale and that it has included conditions to protect existing on street parking spaces.

**Documents:** None.

**Meeting closed:** 10:15am

## Notes of Briefing from URBIS (the Proponent)

The meeting is part of the Determination process.		
<b>Meeting note taken by:</b> Robert Bisley	<b>Date:</b> 19 July 2016	<b>Time:</b> 9:30am
<b>Project:</b> Montefiore aged care facility modification (MP09_0188)		
<b>Meeting place:</b> Planning Assessment Commission office		
<p><b>Attendees:</b></p> <p>Members of the Commission:</p> <p>David Johnson (Chair), Garry West and Maurice Evans</p> <p>Commission Secretariat:</p> <p>Megan Webb, Team Leader and Robert Bisley, Senior Planning Officer</p> <p><b>Proponent:</b></p> <p>Peter Strudwick (Urbis - Proponent), Robert Orié (Montefiore), Bruce Wallis (EDM), Damien Barker (Jackson Teece), Connie Argyrou (Jackson Teece)</p>		
<p><b>The purpose of the meeting</b> is to receive a project briefing on the background of the Montefiore aged care facility modification from the Proponent and to understand what issues have arisen during the project and how the Proponent has resolved these issues.</p>		
<p><b>Meeting overview:</b></p> <ul style="list-style-type: none"> <li>- Project background, the Proponent noted: <ul style="list-style-type: none"> <li>o Sir Moses Montefiore Jewish Home, Randwick opened in 2006 – 276 residents.</li> <li>o Since Modification 1 was granted approval in 2011, there was a recognition that there has been a substantial demand for independent living units. This change in demand was the foundation for the development of Modification 2.</li> </ul> </li> <li>- MOD 2 consists of a redistribution of building envelopes resulting in: <ul style="list-style-type: none"> <li>o 2 additional floors to Block E;</li> <li>o 1 additional floor to Block D; and,</li> <li>o No change to F (revised building envelope gives a greater setback to Western boundary).</li> </ul> </li> <li>- The Proponent believes that this project can be considered under s.75w and that there is no change of use on the site, just proportional changes of use (i.e less child care and more independent living units).</li> <li>- The Proponent is reducing the child care capacity due to planning constraints e.g. traffic, building envelopes, parking, pick up and drop off points.</li> <li>- Outline of consultation undertaken by the proponent: <ul style="list-style-type: none"> <li>o Letterbox drops;</li> <li>o Committee meetings;</li> <li>o Social media; and,</li> <li>o Phone hotlines.</li> </ul> </li> <li>- The Department of Planning’s letter to the Proponent raised a number of issues:</li> </ul>		

- Parking and traffic:
  - Council and the Community support the parking provisions within Modification 2, the Department was originally against the higher parking provisions proposed for the site.
  - Modification 2 provides 30 additional spaces onsite. The Proponent indicated that the additional parking spaces satisfied the Department's previous parking concerns.
  - The modification will result in an additional vehicle 10 movements per hour in the AM peak and 2 vehicle movements per hour in the evening peak.
- Visual impact assessment:
  - The properties of objectors were accessed, where possible, and a detailed assessment from the properties was undertaken.
  - The assessment found that the visual impacts were minimal to negligible.
- Building bulk:
  - Building D – reduced setbacks of the top floor.
  - Building E – Increased setback (1.5m) from King Street and reduced width of top 2 levels (2.5m on each side).
  - Increased setback of top 2 levels by 2.5m to reduce visual impact from street frontage.
- The consultation was supportive of the streetscape improvements.
- Retail component:
  - The LEP allows for more than just retail. There is a need for the space to be adaptable e.g. either a café or medical related retail like a pharmacy.

**Documents:** None.

**Meeting closed:** 11:15am.

## Notes of site visit

The site visit is part of the Determination process.		
<b>Meeting note taken by:</b> Robert Bisley	<b>Date:</b> 21 July 2016	<b>Time:</b> 2:30pm
<b>Project:</b> Montefiore aged care facility modification (MP09_0188)		
<b>Meeting place:</b> Planning Assessment Commission office		
<b>Attendees:</b>  Members of the Commission: David Johnson (Chair), Garry West and Maurice Evans  Commission Secretariat: Megan Webb, Team Leader and Robert Bisley, Senior Planning Officer  Proponent: Peter Strudwick (Urbis - Proponent), Robert Orié (Montefiore), Connie Argyrou (Jackson Teece)		
<b>Site visit overview:</b>  The following locations were observed during the site inspection: <ul style="list-style-type: none"><li>- The building envelope of Block D.</li><li>- Porte Cochere access to Block C.</li><li>- King St pedestrian pathing adjacent to the site.</li><li>- Visual aspects of the proposed Block F, E, C from the opposite side of King Street.</li><li>- Visual aspects of the proposed Block D from the opposite side of Dangar Street.</li><li>- The boundary between Block F and Centennial apartments.</li></ul>		

## Notes of briefing from Randwick Council

The meeting is part of the Determination process.		
<b>Meeting note taken by:</b> Robert Bisley	<b>Date:</b> 25 July 2016	<b>Time:</b> 9:30am
<b>Project:</b> Montefiore aged care facility modification (MP09_0188)		
<b>Meeting place:</b> Randwick Council Office		
<p><b>Attendees:</b></p> <p>Members of the Commission: David Johnson (Chair), Garry West and Maurice Evans</p> <p>Commission Secretariat: Megan Webb, Team Leader and Robert Bisley, Senior Planning Officer</p> <p>Council Staff: Alan Bright and David Ongkili</p>		
<p><b>The purpose of the meeting</b> is to seek further information on Council’s submission made at the public meetings.</p>		
<p><b>Meeting overview:</b></p> <ul style="list-style-type: none"> <li>- Council discussed its position on Block D: <ul style="list-style-type: none"> <li>o Council view is that it doesn’t believe the top floor is appropriate.</li> <li>o King Street resolution to setback the upper levels is appropriate.</li> <li>o Landscaping needs to be a bit stronger along King Street.</li> <li>o There are a number of amenity issues that will need to be resolved at the Development Application stage – Lighting, noise and garbage trucks etc. Council acknowledged this will also need to apply to all Blocks.</li> <li>o Council noted that setback of upper stories for heritage buildings requires a 3m setback of upper levels. Although not relevant here, could provide good guidance.</li> <li>o A setback of at least 3m should be applied to the top level of Block D.</li> <li>o ‘corner treatment’ should not be used as justification for increased height.</li> </ul> </li> <li>- Council discussed its position on traffic: <ul style="list-style-type: none"> <li>o The Commission noted to Council that a possible solution to resident’s concerns around the availability of parking is to consider resident only parking along the Eastern side of Dangar Street and Southern side of King Street.</li> <li>o Additional information clarifying the baseline year data the traffic study used would be useful.</li> </ul> </li> <li>- Council discussed its position on issues it raised with conditions not being tight enough: <ul style="list-style-type: none"> <li>o Recognition of a contrast between how building D and E have been dealt with.</li> <li>o The wording ‘light weight material’ and ‘height quality material’ are subjective and don’t necessarily achieve sound design.</li> </ul> </li> <li>- Council discussed its position on SEPP 65: <ul style="list-style-type: none"> <li>o Council possibly undertook a SEPP 65 assessment against the original proposal.</li> <li>o Council’s working group that evaluates SEPP 65 matters will be meeting in the second week of August.</li> </ul> </li> </ul>		

- Council discussed its position on landscaping:
  - o There is a need for specific areas of landscaping to be further detailed.

**Documents:** None.

**Meeting closed:** 10:15am.

**PLANNING ASSESSMENT COMMISSION MEETING**  
**MONTEFIORE AGED CARE FACILITY MODIFICATION 2**

Date & Time: Thursday 21 July 2016, 4pm

Place: Randwick Town Hall

**List of Speakers**

1. Alan Bright – Randwick Council
2. Nick Weinmann
3. Brad Mulligan – Executive Committee Owners Corporate
4. Chris Daly
5. Jan Murrell
6. Brian Phillips
7. Leanne Zalapa
8. Elizabeth Wright

The following Issues were raised:

**Block D**

- There are concerns around the bulk and scale of Block D.
- Believe the impacts on Dangar Street have not adequately been taken into consideration.
- The upper level amendments to provide a slight setback reduction, do not negate the impact.
- Breaches in FSR and height are a precursor to future breaches as demand for this type of development increases.
- Site is prominently located and design does not make any sort of appropriate gesture to the corner.
- The building is considered too large for the locality and neighbouring properties along Dangar Street.
- The photomontage of the proposed changes to Block D is misleading and taken from different angles to deliberately misrepresent the development.
- The setback quoted from Block D to the liveable spaces of residents along Dangar Street (the distance between Block D and resident's living rooms) is quoted as 80m within the Department's report. It is believed that this is actually closer to 30m.
- View loss from residents along Dangar Street will be significantly impacted.

**Conditions**

- The conditions within the Department's recommendation are considered to be quite weak.
- Future environmental assessment requirements – prescriptive for Building E, quite weak to Building D.
- Materials will have no impact on the bulk and scale of the building - conditions defining the use of materials could be manipulated.

**Consultation**

- Residents feel as though they have been left out.
- 75%-90% of investor owners at Centennial apartments were not notified of the development.
- There is a feeling that the community has not adequately been engaged.
- 61% of responses don't believe they were notified adequately.
- The Department's report 'waters down' the concerns raised during the exhibition period.
- The views of the residents within the Department's report were considered to be distorted.
- There is a view that the Department's report is not considered to be independent.

## Block F

- Residents within Centennial Apartments have major concerns with Block F.
- It is believed that the Modification will result in a substantial change of use and that the Modification is a substantial deviation from what was initially proposed.
- Development is excessive – exceeds FSR & height, exceeds and does not achieve compliance with the master plan.
- Shadow diagrams are insufficient – one diagram and not during the winter solstice.
- Block F will have a substantial impact on solar access to Block 2 of Centennial Apartments.
- Significant noise impacts from the child care.
- Decreasing the height would solve most of the problems.

## Landscaping

- Concerned that the landscaping ratio takes into consideration hard surfaces.
- Existing trees which provide the landscaped buffer are deciduous and only provide screening for 6 months per year.

## Non-compliance with SEPP 65

- The proposed modification is not sympathetic to the surrounding built form.
- The development does not optimise solar access and amenity.
- The development will result in substantial view loss.
- Due to non-compliance, recommend removing 1 story from the Building D and applying an additional setback.

## Parking

- On street parking is at its worst during day-care hours.
- Between 7:30am and 10:30pm the availability of on-street parking is almost non-existent.
- The lack of on-street parking is a cumulative effect due to the university, the bus depot, residents and the Montefiore facility.
- There is a perceived need for at least an additional 50 parking spaces.
- There will be additional parking and traffic impacts from the light rail, have these been considered?
- The site is often used for events, the impact of these events has not been considered within the proposal's assessment.

## Water table

- As a neighbouring property, a significant investment was recently made to install new pumps to remove water.
- Wants to make sure the development will not impact on the water table.

## Amenity

- The existing development already causes significant light spillage.
- Air conditioners produce a low hum.
- The impact of additional changes to light and noise have not been considered in the proposal.

## Notification

- Several attendees raised concerns about the notification process for the public meeting and provided their contact details. These specific concerns were subsequently investigated and no correctable or procedural error was found.