



Montefiore, Randwick

Section 75W Modification to MP10_0044

October 2015



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Statement of Validity

Section 75W Report:

Section 75W Report prepared by:

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Land Details: Sir Moses Montefiore Jewish Home

100 – 120 King Street and 33 – 36 Dangar Street, Randwick (Lot 202 DP879576)

Applicant Details: Sir Moses Montefiore Jewish Home

Applicant Address: 36 Dangar Street, Randwick

Project Summary: Modification to the Approved Concept Plan for the Sir Moses Montefiore Seniors Housing and Aged Care Facility

Declaration

We certify that the contents of the Section 75W report to the best of our knowledge, has been prepared as follows:

In accordance with the requirements of the *Environmental Planning and Assessment Act 1979* and *Environmental Planning and Assessment Regulations 2000*.

The information contained in this report is true in all material particulars and is not misleading.



Peter Strudwick



Cameron Nixon

1 Introduction

This Section 75W Modification Report has been prepared on behalf of the Sir Moses Montefiore Jewish Home (Montefiore) and accompanies an application made under Section 75W of the *Environmental Planning and Assessment Act 1979* (EP&A Act) with respect to a proposed modification to Concept Approval MP09_0188 as it relates to land at 100 - 120 King Street and 30 - 36 Dangar Street, Randwick.

1.1 OVERVIEW OF MODIFICATION

Modifications to MP09_0188 are described in detail in Section 4 of this report. Generally however the modification involves the following physical works:

- Modification to the approved building envelopes relating to Buildings D and E and the creation of a Building F envelope on the part of the site previously approved by the extended version of Building E.
- Modification to approved landscaping and car parking by increasing landscaped areas on site and increasing parking numbers to meet requirements.

As a consequence of the above modifications, both the description and composition of seniors housing referenced within the approved Concept Plan needs to change, as well as the plan and documentation and specific conditions within the approval.

A meeting was held with Officers of the Department of Planning and Environment (DPE) on 21 May 2015 as part of developing this proposed modification.

DPE Officers confirmed as part of this meeting that, based on the proposed scope of works, no additional Secretary Environmental Assessment Requirements (SEARs) apply. The proposal has therefore been developed using the existing SEARs issued for the Concept Plan to the extent those requirements apply to the proposed modification.

The DPE Officers also confirmed that Community Consultation should be undertaken as part of the design-development process (which was intended by Montefiore in any case) and has occurred since the meeting with the DPE. This process is described and documented further in Section 2 below as well as the Community Consultation- Summary of Outcomes Report in **Appendix H**.

1.2 THE PROJECT TEAM

Table 1 below details the specialist consultant team and their contribution to the design and documentation of the proposed modification:

TABLE 1 – PROJECT TEAM

CONSULTANT	INPUT
Sir Moses Montefiore Jewish Home	Proponent
Jackson Teece	Architect and Urban design
Urbis	Town Planner and Community Consultation
Oculus	Landscape Architect
Traffix	Traffic Consultant

CONSULTANT	INPUT
Cundall	Sustainability Consultant
Emerson Associates	Stormwater Management

1.3 REPORT STRUCTURE

This Section 75W Environmental Assessment Report is structured as follows:

- Various important background matters including a summary of the existing approval that applies to the site, the drivers that have led to the proposed modification, and the Community Consultation that has occurred in the preparation of this proposal (Section 2)
- A summary of the existing development and site context. (Section 3)
- Details of the proposed modification. (Section 4)
- An Environmental Assessment relative to applicable Director General Environmental Assessment Requirements (DGRS) issued for the Part 3A project. (Section 5)
- Concluding comments (Section 6)

2 Background

2.1 CONCEPT PLAN APPLICATION MP09_0188 FOR THE EXPANSION OF THE EXISTING SIR MOSES MONTEFIORE JEWISH HOME

Concept Approval MP09_0188 was approved on the 19 July 2011 under Part 3A of the EP&A Act by the PAC for the expansion of the existing residential aged care facilities on the site. Specifically the terms of approval included the following works:

- Two new building envelopes (known as Buildings D and E) of between 4-6 storeys in height and an additional level (Level 6) above the existing aged care facility (Building C)
- A new child care centre as part of Building E to replace the existing with associated access and car parking;
- Use of the Building D and E and additional level on Building C for the purpose of a range of residential aged care accommodation and ancillary spaces, noting that Building E also included ILU accommodation on the upper two levels;
- Public space/square on the corner of King and Dangar Streets;
- A retail space of 350sqm at the street level fronting onto the public square/space;
- A total provision of 217 car parking spaces; and
- Associated landscaping and drainage infrastructure

As part of this original Concept Plan approval, various conditions were imposed that provided limitations on certain accommodation types, a maximum GFA, maximum heights, a maximum child care centre capacity, as well as a minimum component for affordable housing across the site.

2.2 PROJECT APPLICATION MP10_0044 FOR THE CONSTRUCTION OF BLOCK D

Project Application MP10_0044 was approved by the PAC concurrently with Concept Approval MP09_0188 on 19 July 2011. The approval related to the construction of Building D and, whilst approved, has not yet been constructed. No amendment to the Project Application is sought under this proposed modification.

2.3 PROPOSED MODIFICATION- DRIVER FOR CHANGE

Since the original Concept Plan approval was issued, market assessment and feedback has been gained from Montefiore regarding demand for certain seniors housing product within the area. This feedback has identified a need to alter the seniors housing mix as part of the site to provide more independent living units (ILUs) than is currently included within the existing approval to meet local needs.

The existing site development contains residential aged care and a range of services. So, whilst an increased provision of ILUs on the site forms part of this proposal, this type of housing is ideally located to cater for such in-house and on-site services and facilities, effectively becoming a form of 'assisted accommodation' over time. This allows active people to age-in-place within these ILUs and to call upon necessary services and facilities as their personal requirements change. Importantly, it also allows the transition of people (and this may include a partner or spouse within one of the ILUs) to the on-site aged care facility.

This change in on-site housing product has allowed for the review of the building envelopes on the site given the very different functional requirements between an aged care facility and independent seniors housing. Residential aged care facilities, by virtue of their very specific staffing, physical and servicing requirements often involve larger, longer and more 'institutionalised' looking building forms, whereas ILU

buildings can present as conventional apartment buildings. This design review has allowed the long approved building form associated with Building E that fronts King Street to now be 'broken up' into smaller footprint forms.

In turn, this provides urban design and architectural advantages for the street and local community beyond the Montefiore site. These advantages and improvements are further discussed in Section 5 of this Report.

In order to retain the equivalent amount of floor space originally approved as part of proposed modifications, the least sensitive positions of the site were identified for increased height possibilities. These areas relate to buildings that will accommodate the ILUs (within Building E) as well as additional dementia care (within building D). Analysis supporting these changes is included within Section 5 of this Report.

2.4 COMMUNITY CONSULTATION

Community Consultation was undertaken over a course of 8 weeks between July and September 2015. Consultation activities included the following:

- A review of previous consultations undertaken in 2009-10;
- A review of submissions and objections to the approved Concept Plan;
- Analysis and mapping of stakeholders, to define the catchment for consultation;
- Advertisement in the Southern Courier;
- Distribution of a community newsletter across 2,000 households;
- Two Community Information and Feedback Sessions (6 and 9 August), attended by approximately 54 people;
- Formal feedback forms, with 9 forms returned;
- The offer of a briefing to Ward Councillors, accepted by 2 Councillors;
- A presentation to the Randwick Precinct Committee, attended by 12 people; and
- All information displayed at the Community Information and Feedback Sessions uploaded to the Montefiore website for broader interest and feedback – attracting 40 visitors over 4 weeks.

This Community Consultation identified the following;

- Despite the significant catchment that was taken to notify people of the proposal (and opportunities to extend for people to comment), few people provided comments on the scheme. Of the 2000 surrounding households who were notified, 54 people attended the Community feedback session, and of this number only 9 feedback forms were returned.
- Those who did participate understood the reasons for the proposed changes and the implications of the design changes, and were generally supportive of these changes.
- Few people who did have concerns primarily lived within the existing apartment block to the west of the site ('The Centennial'), some of which had bought into the area in recent years (i.e. after the original Concept plan was approved).
- The issues of concern relates to:
 - Traffic and parking
 - Potential amenity impacts on the Centennial building (loss of sunlight, privacy)

- Other matters raised related to questions of construction timing and details on the plans.

As a result of the most recent community consultation the following amendments have been made to the proposed revisions to the Concept Plan:

- An increased number of child-care drop off parking spaces provided (now 5, up from the two previously proposed)
- Further decrease to the gross floor area across the development by 2.6%, thereby further reducing the bulk and mass on the proposal
- Further developed landscape plans to enhance screening and buffering between neighbouring buildings
- Prioritised screening and privacy design for the detailed design phase, subject to approval of the amended Concept Plan.

A Community Consultation- Summary of Outcomes Report has been prepared by Urbis and is attached as **Appendix H** of this Report.

3 The Site and Context

3.1 SITE LOCATION AND DESCRIPTION

The Sir Moses Montefiore Jewish Home site is located at 100 – 12- King Street and 33 – 36 Dangar Street, Randwick and is shown in Figure 1 below.

FIGURE 1 – PROPOSED DEVELOPMENT SITE (SOURCE: SIX MAPS 2015)



Some key details of the site include:

- The site is 29,353sqm in area, with a 180m frontage to King Street to the south and a 165m frontage to Dangar Street to the east.
- The Sir Moses Montefiore Jewish Home owns the entire site, which comprises a single allotment known as Lot 202 in DP 879576.
- The land slopes down from the site's northern and southern boundaries to form a natural basin at centre of the western end of the site.
- Levels along the northern boundary of the site typically range from 40.5m AHD to the west up to 44.5m AHD to the east. Along the southern boundary, levels range from around 40m to 45.5m AHD from west to east. Levels in the natural basin at the centre/west of the site are as low as around 37m AHD.
- The northern portion of the site is predominantly occupied by the existing residential aged care facility. One of the buildings (Building C) that comprises the existing development extends into the southern portion of the site, which otherwise comprises landscaped area.

- A stormwater detention basin is located in the natural basin in the western portion of the site and is incorporated into on-site landscaping.

The site is located within the eastern portion of an institutional precinct between Darley Street in the west and Dangar Street to the east. The precinct comprises of larger developments occupied by the University of New South Wales (UNSW), State Transit Authority (STA) and the Randwick TAFE.

3.2 EXISTING DEVELOPMENT

Some of the details of the existing development on the site are as follows:

- The existing residential aged care facility on the site comprises three buildings (Buildings A, B and C), which range from 3 to 5 storeys in height.
- Buildings A and B are located in the northern portion of the site. Basement/lower level parking is located in Building A and C.
- Car parking spaces are also located in a hardstand area within the footprint of the approved (but unconstructed Building D) in the south east corner of the site.
- The Dangar Street frontage is characterised by the facade of Building B, landscaping in the building's eastern setback and the turfed area within the south eastern corner of the site.
- Vehicular access into the aged care facility is available via two vehicle crossings – one at the western end of the King Street frontage, the other at the centre of the Dangar Street frontage. Vehicular access to the childcare centre is also provided via the vehicle crossing from King Street.
- Pedestrian access to the aged-care facility is available via the Dangar Street entrance. Access to the aged day care centre is via the King Street entrance, which includes a porte cochere that accommodates buses stopping to drop off visitors to the day care facility. Pedestrian access to the existing childcare centre is also from King Street.
- The site's sloping topography generally allows greater building heights to be accommodated at the centre of the site while reducing apparent building heights at the King Street and Dangar Street frontages. The existing buildings are surrounded by extensive landscaped open space.

4 Description of the Proposed Modifications

4.1 OVERVIEW

The Section 75W application seeks to modify the approved Concept Plan adopted for the Sir Moses Montefiore Randwick Campus. Key modifications involve the following:

- Reduction in the provision of child care places provided on site from 80 spaces to approximately 40 spaces
- Reduction in the total number of additional residential aged care beds (termed 'hostel beds'), ie to the current 276 that exist on the site- from the 232 originally approved down to 126. Note: While this represents a decrease from that originally approved will involve an increase in the proportion of these beds used for dementia care.
- Increase in the total number of Independent Living Units (ILU's) originally approved on the site from 36 units to 104 units
- Providing greater flexibility to the use of the approved retail building fronting the publically-accessible plaza for a range of small-scale retail, business and commercial uses that are permitted with the zone.

The above changes will necessitate changes to the approved building envelopes, as follows:

- Modification to the approved building envelopes for Buildings D and E;
- Creation of a new building envelope (Building F);
- Modification to approved landscaping and car parking by increasing landscaped areas on site and increasing parking numbers to meet requirements.

These modifications will result in a reduction in the total GFA of the site from 47,270sqm (previously approved) to 46,023sqm (ie by 2.6%).

The above will result in the amendment to various administrative matters within the consent, including the following:

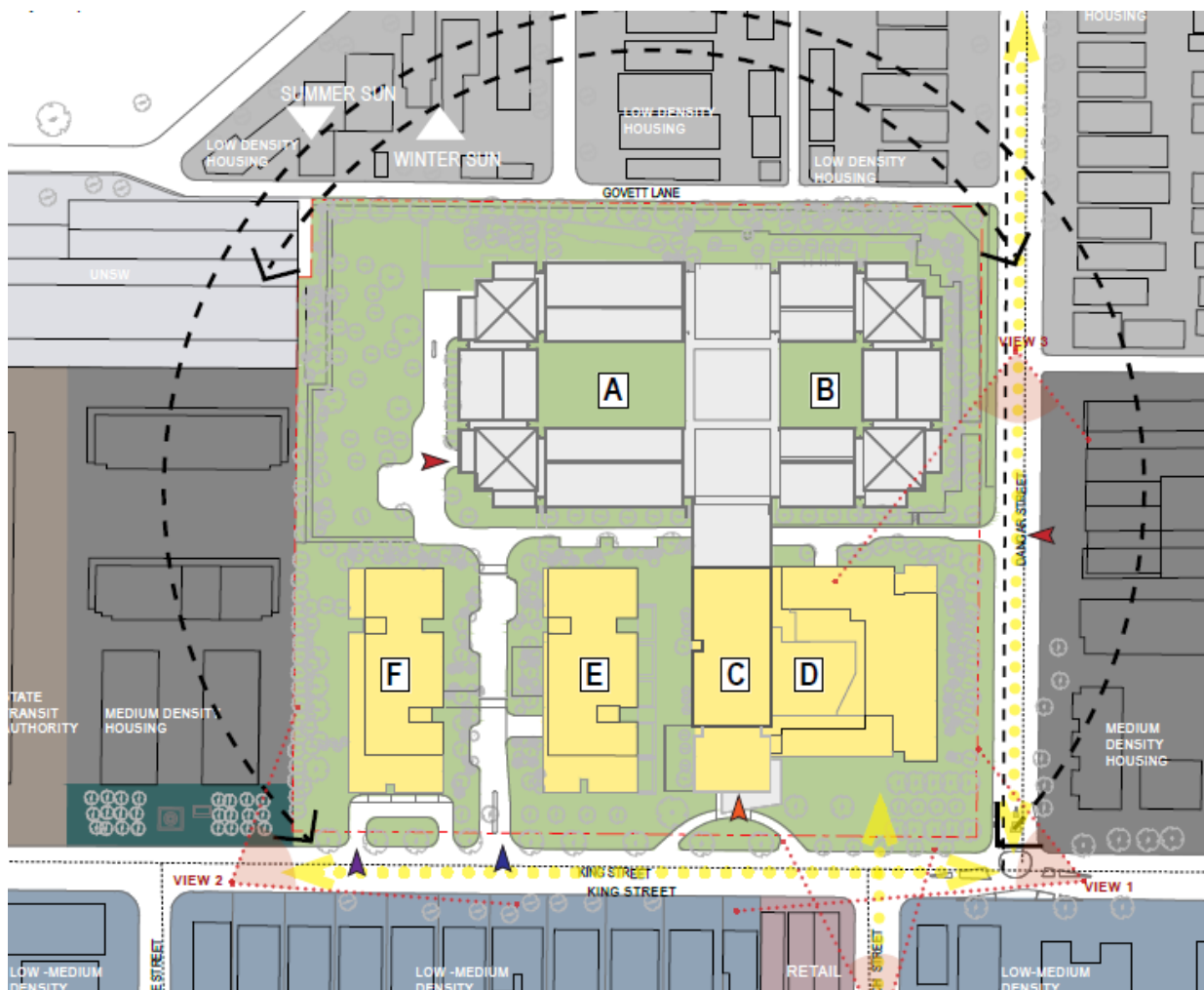
- The general description of the project as detailed in Schedule 1
- The development description of the project as detailed in Part A Schedule 2 (condition 1)
- The list of plans and documentation as detailed in Part A Schedule 2 (condition 2)
- The specific limitations associated with the accommodation provisions as detailed in Part A Schedule 2 (condition 3) and to this extent (and for the sake of simplification and avoiding the unnecessary delineation between conventional aged care beds and dementia-specific beds) we request the consent refer only to aged care beds.
- The reference to maximum GFA as identified within Part B (condition 1)
- The reference to the maximum heights of buildings within Part B (condition 2)

The proposed amendments to the Concept Plan is supported by the architectural plans prepared by Jackson Teece and are attached as **Appendix A** of this report. In respect to the building floor space envelope modifications sought as part of this application, the accompanying plans identify those envelopes sought for approval. Furthermore, the plans show the general location of particular uses sought for approval (such as independent living units, residential aged care accommodation, child-care, and car parking areas).

It is acknowledged there is 'detail' within these envelope lines such as the location of internal walls and partitions, stairwells, balcony locations and marked car parking bays. This detail will be the subject of future detailed applications- it is simply included on the plans demonstrating that the internal concept envelope areas are capable of accommodating these sorts of functions, and consequently that the revised envelope areas were capable of complying with SEPP 65 and appropriate for approval.

An extract of the proposed modification to the Concept Plan is reproduced in **Figure 2** below:

FIGURE 2 – CONCEPT PLAN EXTRACT (SOURCE JACKSON TEECE 2015)



4.2 DETAILS OF MODIFICATIONS SOUGHT

The various modifications sought by this Section 75W are detailed below:

Envelopes for Buildings D, E and F

The building envelope modifications involve:

- Building C's envelope remains as previously approved. It is noted that only the first 3 levels of Building C has been constructed (marked 'Ground', 'Level 1' and 'Level 2' on the plans) The original Concept Plan approval sought approval for a further storey as shown as 'Level 3' on the proposed plans. This level has never been constructed, yet remains as part of the Concept Plan.
- Building D's envelope will be increased through the addition of one storey in the north-eastern corner of the envelope to provide additional aged care beds, specifically for dementia care. This will result in

Building D being total of 5 storeys above basement parking. Due to the fall of the land and that only an additional 'component' storey is proposed to be added to Building D, this building will continue to be read as a 4 storey building when viewed from the King Street frontage and read as a 4-5 storey building along Dangar Street. Building D (excluding the public plaza and associated retail/commercial element) will continue to be used as an aged-care facility inclusive of dementia care.

- The Building E envelope will be separated from Building C and developed for the sole purpose of ILUs. Due to the significant loss of floor space generated by the truncation of the building envelope, an additional two storeys are proposed resulting in the building being seven storeys above basement, but due to the fall of the land and the significant setting-back of the upper two levels, Building E will present as a 4-4¹/₂ storey building from the King Street frontage with the 2 additional upper storeys (proposed as part of this modification) being recessed within the roof-plane and setback 20m from the King Street property boundary.
- Building F is a newly created building envelope sitting within the south-western corner of the site. Although a new envelope, it effectively sits within the western portion of the previously approved Building E envelope. The envelope will provide for basement car parking, a Child Care Centre and ILU's. At this point (fronting King Street), the land falls away, consequently whilst Building F is 6 storeys, this land fall, together with the setting-back of the upper level, means that the Building will read as a 4 storey building from the King Street frontage with an additional level recessed within the roof-plane and setback 20m from the King Street property boundary. This building envelope will result in a building set further away from the adjoining Centennial apartment building at the basement and lower ground levels and will maintain the previously approved 14m setback for the upper levels. Comparison with the previous Concept Plan also shows that the proposed modified building envelope will result in a building approximately 1m shorter than Concept Plan approval.

Publically-accessible Square/Plaza

Consent is sought via this modification to expand the range of uses for which this component of the building may be used for. That is, to amend the reference within the approved Concept Plan from 'retail' to allow for the range of business, retail, commercial and community-related uses that are permitted within the existing R3 zone.

This broader description would allow for greater certainty in the assessment and determination of future specific uses of this space. This will provide a greater level of flexibility and viability for this space to become one which serves the needs of both the Montefiore facility and local Community and, importantly, provides an active and successful public space. More commentary on this matter is included within Section 5.3.5.1 of this Report.

Child Care Centre

The Child Care Centre was originally located within lower ground floor of the approved Concept Plan with an associated rear outdoor play area. The building form itself was positioned close to the western boundary.

The modified plan involves the re-location of the centre within the Building F envelope, ie approximately 14m from the western boundary, and located at the King Street level with the outdoor play area within a component of the western building setback. The total floor area associated with child-care centre has been reduced, and accordingly the number of places it can accommodate has also been reduced from the 80 spaces approved to now approximately 40 spaces.

Car Parking and Access

Total on-site parking will be increased as a result of the proposed modifications to the seniors housing. In an overall sense, considering all existing facilities on the site and proposed modifications, a total on-site parking requirement of some 248 spaces applies to the site. The plans demonstrate that the on-site parking requirement can easily be met with some 276-280 spaces capable of being provided (ie. up 59-63 spaces from the previously approved 217 spaces).

The spaces will be used by all land uses on the site and will be located over a common basement beneath Buildings A and B (as currently constructed) and also beneath Buildings C, D, E and F. Future

detailed Project Application/Development Applications will detail the specific Seniors Housing and the appropriate parking, however the basements layouts shown within this modification clearly demonstrate that more than adequate parking will be provided.

The specific modifications to the basement layouts associated with each of the proposed building envelopes are shown on the architectural plans and are relied upon in this matter, however in summary the following is proposed to be modified:

- Some of the previous parking associated with the child-care centre will be re-located to the basement, importantly however the porte cochere and pick-up and drop-off car spaces will be retained at the King Street entrance to Building F as well as 2 further pick-up/drop-off spaces being provided on the eastern side of the child-care centre.
- The parking level immediately below C, D and E will be slightly reconfigured to accommodate changes driven from above and the slight-re-organisation of the approved facilities such as the Wellness centre, Hydrotherapy pool and lobby spaces (refer to the 'Lower Ground Floor' level on the architectural plans).
- Additional lower-level parking will be provided in a linked basement format between Buildings E and F (refer to the 'Basement Level 1' on the architectural plans).
- Further additional parking will be provided at the level further below, together a detention basin, recycle area and pedestrian service tunnel to the basement associated with Building A.

No additional access points are proposed for the site, with the King Street access point being re-located approximately 15m eastwards.

Landscaping

The re-arrangement of building envelopes, and in particular the breaking up of the former elongated Building E envelope, allows a greater level of landscaping to be provided around buildings and within the King Street streetscape. The proposed landscaping theme is consistent with the approved landscape scheme for the site and are detailed in full in the Landscape Design Statement attached as **Appendix B** of this report and the Landscape Plans attached as **Appendix C** of this report.

4.3 FUTURE PROJECT APPLICATIONS AND DEVELOPMENT APPLICATIONS

The following is proposed through subsequent applications and does not form part of the components of this Concept Plan application:

- Detailed design, layout and configuration of buildings, including external appearances and materials, details of articulation and built form detail.
- Specific landscape design and detail including hard and soft landscaping components and maintenance.
- Operational requirements and details of each individual use, and plans of management for each use.
- Provision of infrastructure and services including stormwater management and Water Sensitive Urban Design (WSUD), waste servicing requirements and trunk infrastructure provision.
- Compliance with SEPP 65 design requirements, although the envelope plans together with the particular uses that exist and are proposed within each of the building envelopes demonstrate that sufficient separation and orientation is provided to allow a future compliant design.
- Compliance with BASIX.
- Comprehensive noise and acoustic management plans and access and mobility requirements.

5 Environmental Assessment

5.1 APPLICATION OF SECTION 75W

The project was declared to be a project to which Part 3A of the *Environmental Planning and Assessment Act 1979* (the Act) applies on 1 December 2008.

Following the repeal of Part 3A of the Act on 1 October 2011, the project is saved by transitional provisions provided in Schedule 6A of the Act.

Pursuant to the version of the Act in force prior to 30 September 2011, Section 75W provides that the proponent may request the Minister to modify the Minister's approval for a project, including the approval of a Concept Plan. Such modifications may include:

- (a) *revoking or varying a condition of the approval or imposing an additional condition of the approval, and*
- (b) *changing the terms of any determination made by the Minister under Division 3 in connection with the approval.*

This section does not limit the circumstances in which the Minister may modify a determination made by the Minister under Division 3 in connection with an approved project.

The requirements of s75W of the Environmental Planning & Assessment Act 1979 (EP&A Act) have been considered by the Courts on several occasions. The Land and Environment Court has observed that the language of s75W is not constrained by the qualification (contained in s96 of the EP&A Act) that the development as modified be "substantially the same" as the development already approved. (*Williams v Minister for Planning* (2009) 164 LGERA 204). In other words, the power under s75W to modify is broader than the test under s96.

We submit that the proposed modifications are appropriate for assessment under S75W of the Act because:

- The proposal will not result in a change to the principle purpose of the site as an Aged Care Facility- it will still provide for both aged care beds and ILUs (albeit with a different mix involved).
- The number and general location of access points to the site will remain the same.
- The general facilities services and supporting the development will remain.
- The non-residential component within Building D will be retained as well as the adjoining publically-accessible plaza/square within the south-eastern portion of the site.
- While modifications to building envelopes are involved:
 - The newly created Building F envelope effectively represents the previous western wing of the approved Building E envelope
 - Building E will continue to front King Street, albeit in a revised north-south orientation (ie there will still be building 'presence' to King Street, however the building will be reduced in its mass when viewed from this Street)
 - Building D continues to exist in the same configuration as approved, but with an additional level to a portion of its roof-plane

5.2 CONSISTENCY WITH RELEVANT STRATEGIC POLICIES

The following strategic planning documents are relevant to the assessment of the proposal:

- NSW 2021 – A Plan to Make NSW Number One
- A Plan for Growing Sydney

A summary assessment of the proposal's compliance with the above is provided in the sections below.

5.2.1 NSW 2021

The *New South Wales State Plan 2021: A Plan to Make NSW Number One* was released in September 2011. The main priority of the Plan is to restore economic growth and establish NSW as the first place in Australia to do business. The proposal satisfies a number of key priority actions of the State Plan as detailed in the Table 2 below:

TABLE 2 – ASSESSMENT OF THE APPLICATION AGAINST THE RELEVANT OBJECTIVES OF NSW2021

PRIORITY ACTION	DESIGN RESPONSE
Grow employment by an average of 1.25 per cent per year to 2020	The proposal will provide the appropriate planning framework by way of an approved Concept Plan to allow for the expansion of the facility. Any expansion approved under subsequent Project Approvals/Development Applications will create employment both during construction and post construction.
Improve housing affordability and availability	The proposed amendment to the Concept Plan will increase the total number of ILU's from 36 to 104. This increase will significantly increase the availability of ILU's within the immediate area. This supply, together with the requirement under the approved Concept Plan to provide for as minimum of 10% of affordable places promotes housing affordability and availability for seniors.
Increase neighbourhood crime prevention	The design of the premises has been carefully considered the principles of Crime Prevention Through Environmental Design (CPTED) to promote safety of residents and the broader community.
Increase the number of opportunities for cultural participation	The proposed development, including the proposed public plaza, have been designed to ensure that adequate and appropriate opportunities are provided for social interaction on site. Cultural activities will also be organised as part of the day to day operation of the facility.

5.2.2 A PLAN FOR GROWING SYDNEY

A Plan for Growing Sydney was adopted in December 2014. The plan positively encourages well designed, higher density development within walking distance of public transport infrastructure with a key focus on urban renewal in appropriate areas such as the development site. Table 3 below provides an assessment of the planning proposal and concept design against the relevant objectives of the Plan.

TABLE 3 – ASSESSMENT OF THE APPLICATION AGAINST THE RELEVANT OBJECTIVES OF A PLAN FOR GROWING SYDNEY

A PLAN FOR GROWING SYDNEY ACTION	DESIGN RESPONSE
Accelerate Housing Supply and Local Housing Choices	The proposal seeks to amend the existing Concept Plan which applies to the site to facilitate additional ILUs on the site. This has allowed the opportunity for greater seniors housing choice to be provided meeting demands experienced by Montefiore, and also experienced at a broader level within the Community.
Invest in strategic centres across Sydney to grow jobs and housing and create vibrant hubs of activity	<p>The proposal will allow future local employment opportunities through both the construction and operation of the site further supporting the local employment market.</p> <p>Although the non-residential component of the proposal is relatively small, it is appropriately located and designed and promotes vibrancy at a local level, without detrimental impact. The broadening of the range of potential uses as part of this modified Concept Plan also will support the success of this small community hub.</p>
Undertake long term planning for Social Infrastructure to support growing communities	The proposal, inclusive of its modifications, directly contributes to the provision of vital social infrastructure within the area that supports the local Community. It effectively provides for a genuine aging-in-place proposition.

5.3 CONSISTENCY WITH RELEVANT STATUTORY POLICIES

The following statutory planning documents are relevant to the assessment of the proposal:

- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (SEPPBASIX);
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004; (SEPP Seniors)
- State Environmental Planning Policy No 55—Remediation of Land; (SEPP55)
- State Environmental Planning Policy No 65 —Design Quality of Residential Apartment Development (SEPP 65)
- Randwick Local Environmental Plan 2012; (RLEP2012)
- Randwick Comprehensive Development Control Plan 2013 (RDCP2013)

A summary assessment of the proposal's compliance with the above is provided in the sections below.

5.3.1 STATE ENVIRONMENTAL PLANNING POLICY (BUILDING SUSTAINABILITY INDEX: BASIX) 2004

The modifications proposed under this application relate to the Concept Plan only.

BASIX Certification in accordance with the requirements of SEPP BASIX will be provided as part of the future Project Approval/ Development Application lodged for the site.

5.3.2 STATE ENVIRONMENTAL PLANNING POLICY (HOUSING FOR SENIORS OR PEOPLE WITH A DISABILITY) 2004

The objectives of the Seniors SEPP are to increase the supply and diversity of residences that meet the needs of seniors or people with a disability, make efficient use of existing infrastructure and services, and be of good design. The Seniors SEPP aims to provide well-designed seniors housing proposals in response to site and context, and ensuring that the development is well serviced by support services required for seniors living.

A full compliance of the proposed modification against the relevant development standards of the Seniors SEPP is included at **Appendix D** of this report.

5.3.3 STATE ENVIRONMENTAL PLANNING POLICY NO 55 –REMEDIATION OF LAND

The object of this Policy is to provide for a state-wide planning approach to the remediation of contaminated land and to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment.

A Phase 2 Environmental Site Investigation was completed by Cetec as part of the original Concept Plan documentation. The report concluded that no issues of unacceptable environmental concern warranted remediation action.

As this Section 75W application seeks to vary the Concept Plan, rather than seek detailed construction works, the conclusions of the original Phase 2 EIS are relied upon as part of this modification.

A Construction Environmental Management Plan (CEMP) will be prepared for the development as part of any Project Application/ Development Application lodged for the site as required by the DGR's for the proposal. The CEMP will detail requirements and procedures during demolition and construction in terms of any hazardous material uncovered.

5.3.4 STATE ENVIRONMENTAL PLANNING POLICY NO 65—DESIGN QUALITY OF RESIDENTIAL APARTMENT DEVELOPMENT

Analysis of the building envelopes that form part of this modified Concept Plan (together with the indicative layouts as shown on the Concept Plan), and inclusive of proposed heights, orientation, building separation, landscaped provision and shadow diagram impacts, all show that the proposed ILUs have the potential to exhibit good levels of residential amenity, including adequate levels of solar access, privacy and natural ventilation.

Similarly, these building envelopes and indicative internal layouts demonstrate the ability for the proposal to have an acceptable impact on neighbouring development in relation to the requirements of SEPP 65.

Given this proposal seeks to modify a Concept Plan envelope (and does not seek approval of the detailed unit planning), a detailed assessment against the provisions of SEPP 65 is not relevant at this stage. A detailed SEPP 65 assessment report of the proposed ILUs would be included as part of the future Project Applications/Development Applications for the site. Nevertheless, the details shown within the architectural plan-set demonstrate that it is appropriate to approve these modified building envelopes, inclusive of the uses contained within these envelopes.

5.3.5 RANDWICK LOCAL ENVIRONMENTAL PLAN 2012

The principle local planning instrument applying to the site is the *Randwick Local Environmental Plan 2012*.

5.3.5.1 PERMISSIBILITY AND LAND USE

The site is zoned R3 Medium Density Residential Zone under the RLEP2012 as demonstrated in **Figure 3**. The objectives of the R3 zone are as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*

- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To recognise the desirable elements of the existing streetscape and built form or, in precincts undergoing transition, that contribute to the desired future character of the area.*
- *To protect the amenity of residents.*
- *To encourage housing affordability.*
- *To enable small-scale business uses in existing commercial buildings.*

As part of this modification, the proposal will retain *Seniors Housing* as its primary land use. *Seniors Housing* is permissible under the provisions of the RLEP 2012 in addition to it being permissible under SEPP Seniors. The continued use of the site as seniors housing, and in particular the allowance of a greater proportion of ILUs, will ensure that the needs as experienced by Montefiore, and of the broader Community, are met.

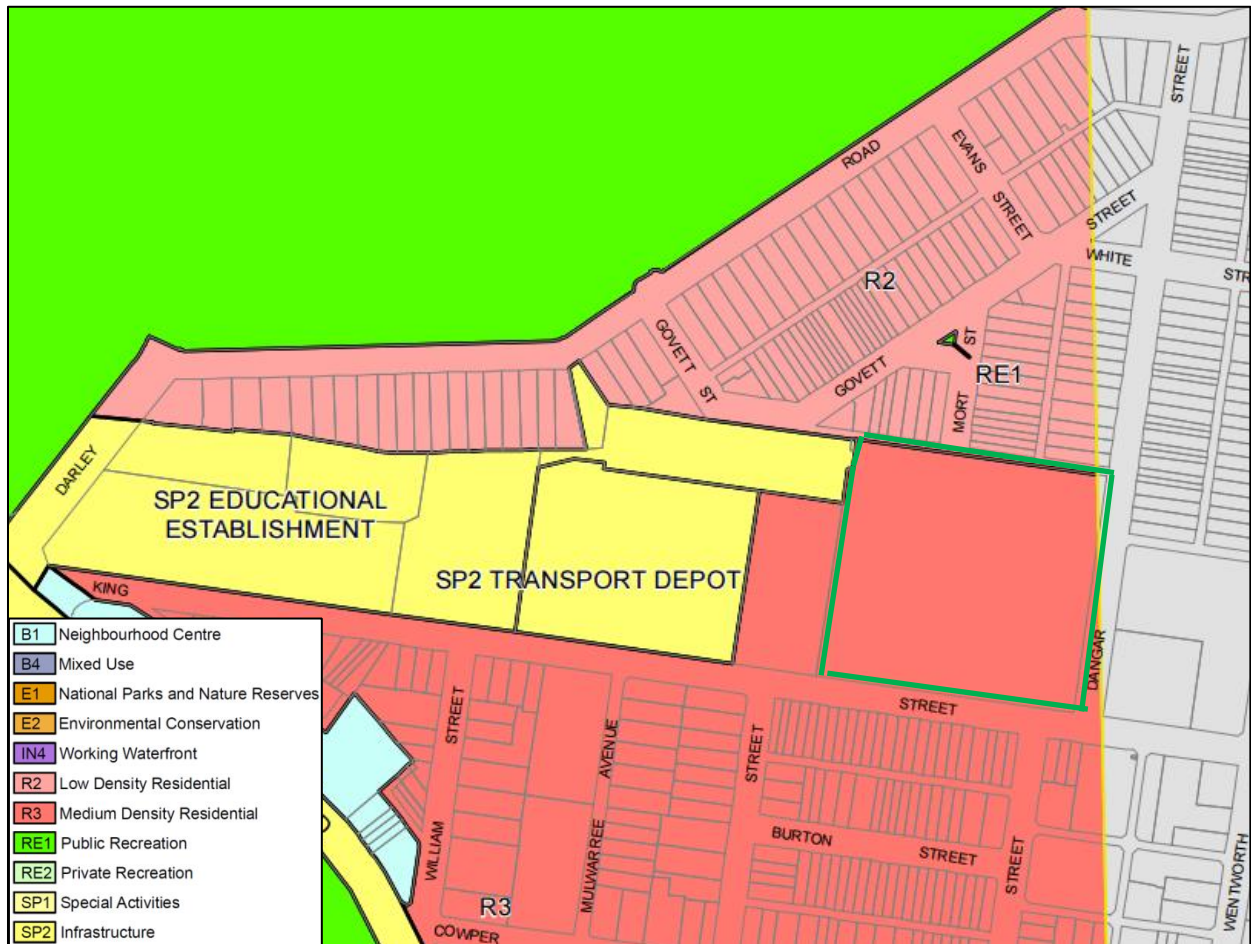
The modified Concept Plan seeks to retain the Child Care Centre, albeit in a different configuration. Child care centres continue to be a permissible use within the zone.

In relation to the non-residential component of Building D, this modified Consent Plan also seeks to amend the reference within the approved Concept Plan from 'retail' to allow for the range of business, retail, commercial and community-related uses that are permitted within the existing R3 zone. This broader description would allow for greater certainty in the assessment and determination of future specific uses of this space. This will provide a greater level of flexibility and viability for this space to become one which serves the needs of both the Montefiore facility and local Community and, importantly, provides an active and successful public space.

By way of further explanation and justification, we note that:

- Montefiore is a Jewish organisation and operates within orthodox Jewish principles. This includes observing the Sabbath on Saturday which prohibits retail trading. As such, it may be extremely difficult to attract retail tenants and accordingly it will certainly impact on business viability and successful activation of this space.
- Montefiore has a need for more office space. Its Home Care business is expanding rapidly due to the ageing demographic in the eastern suburbs. Being able to utilise space within the 'plaza precinct' as an office for its Home Care business would be highly beneficial and a good use of the space, particularly as at this location it would be accessible to older people living in the area to attend appointments (noting that use of this space would be the subject of a separate approval).
- Limiting the entire space to retail operations is likely to fail from a viability perspective, and it is considered that by providing flexibility so that the space can be used for a range of activities under the R3 zoning will offer the best opportunity for the area to be successful, active and productive.
- Allowance of this range of activities in the particular space allocated for these uses is consistent with the zone objectives, in particular it *"enables other land uses that provide facilities or services to meet the day to day needs of residents and is of a scale that is acceptable in respect to residential amenity"*.

FIGURE 3 – RLEP2012 LAND ZONING EXCERPT SITE OUTLINE IN GREEN: (SOURCE: NSW LEGISLATION 2015)



5.3.5.2 CLAUSE 4.3 HEIGHT OF BUILDING

The site is subject to a dual building height control of 9.5m (relevant to Building's C and D) and 12m (relevant to Building E and F). The approved development exceeded the height controls. Due to the sloping nature of the site away from the street frontages and the significant size of the site, the previous assessment particularly concentrated on the height of the buildings (and hence the resultant impacts) at both the Dangar and King Street frontages.

As part of this proposed modification, additional height is sought over that previously approved in order to re-distribute the originally approved floor space 'lost' as a result of truncating and re-orientated Building E to now represent to north-south forms- being Building E and Building F. This floor space re-distribution has taken particular heed of the results of the community consultation as well as the Department's original assessment of the building height, and placed the additional building height on the least sensitive areas of the site, being in the form of:

- Two additional levels (equating to 6m) within Building E- being setback 20m from the road frontage (and hence equating to part levels).
- One additional level (equating to 3m) within Building D- being located within part of the building footprint and involving a 20m setback from King Street and a 10m setback from Dangar Street

The proposed RLs compared with the approved RLs of these buildings is shown within the architectural drawing set.

Impacts that arise from building height have been considered as part of the design analysis, including streetscape character, visual mass, privacy, solar access and view-sharing. In summary, the further increase in building height to both Buildings D and E are considered acceptable, having regard to the following:

In relation to Building E:

- The modified design will continue to result in the King Street frontage of the development being read as a four-storey form- given the additional levels are setback a further 10m than the lower levels (being a total of 20m from the King Street boundary).
- This upper level setback results in these levels not being readily read (and in most cases not physically seen) from many vantage points along the King Street frontage. Material detailing of Building E (as part of the future Development Application) can further reduce this perception.
- From both a streetscape character and visual mass view-point, the modified design is far superior, involving the 'breaking up'; of the building mass along King Street and a greater level of soft landscape exposure within the street.
- The position of these upper levels to Building E, their setback and the overall separation to neighbouring units continues to provide an acceptable situation in respect to privacy issues (see further commentary in Section 5.6.2 of this Report).
- The re-distribution of floor space associated with Building E allows greater views being gained through the site, including landscaped views.
- Further, the position of the upper levels of Building E, together with the limited vantage points and degree of views across the site, means that the modified design continues to provide appropriate view-sharing for residents who live adjacent to the site (see further commentary in Section 5.7 of this Report).
- The setback of the upper levels of Building E, together with the re-design of the shape of this building, its separation from the King Street frontage, and also characteristics of adjoining properties to the south, means that the modified design continues to result in adequate levels of solar access being provided to the public domain and adjoining properties (see further commentary in Section 5.6.1 of this Report).

In relation to Building D:

- Only part of the Building D's King Street elevation will accommodate the additional level.
- Although part Building D's façade will be read as 5 levels (compared to the approved 4 under the original scheme), the actual RL height associated with the roof level of this part of the building (being RL 61.63) it continues to remain lower (1.3m lower) than the RL height of the prominent 4 storey buildings on the southern side of King Street (RL 62.95 and RL 66.13).
- The 10m building setback to the Dangar Street frontage (as per the original design) is maintained as part of the modified scheme. This setback and separation continue to allow for significantly scaled deep-soil tree plantings to be provided along the entire Dangar Street frontage
- Material detailing of Building D (as part of the future Development Application) can further reduce the perception of height of this facade- possible lighter weight treatments are shown within the Dangar Street perspective drawings within the architectural plan set, illustrating this possibility.
- The combination of the above points results in the modified height of Building D to continue to positively respond to the streetscape and character of the immediate area, as well as alleviating visual impacts.
- The position of the upper level to Building D, its setback and the overall separation to neighbouring units to both the south and east continues to provide an acceptable situation in respect to privacy issues (see further commentary in Section 5.6.2 of this Report).
- The residential properties on the eastern side of Danger Street do not have habitable floors that are affected by the additional height on Building D. Furthermore, the westerly City views from the apartment building further east are blocked by the existing apartment building fronting Dangar Street,

and hence are also unaffected by the proposed modification to Building D (see further commentary in Section 5.7 of this Report).

- The additional part level on Building D results in some additional shadowing within the front (western) setback of the apartment development on the north-eastern corner of King and Dangar Streets. However, this additional shadow occurs at 3pm at the winter solstice. This area still enjoys good levels of solar access from the mid-morning up until 3pm, thereby comfortably complying with the required minimum solar access duration for the winter solstice. Therefore, the modified design continues to provide good levels of solar access and residential amenity for apartments fronting Dangar Street (see further commentary in Section 5.6.1 of this Report).

5.3.5.3 CLAUSE 4.4 FLOOR SPACE RATIO

The proposed alterations to the building envelopes proposed under this application will reduce the Gross Floor Area of the proposal from 47,270sqm (ie 1.61:1) down to 46,023sqm (1.57:1), ie a 2% reduction. The GFA area calculations have been included within the architectural plan-set.

Although the resultant site FSR still exceeds the required FSR, it represents both a numeric and qualitative reduction in the bulk and scale of the building. The re-distribution of floor space has also resulted in a greater landscaped area (2% increase to that originally approved). Again, this represents both a numeric and qualitative benefit for the modified scheme.

Impacts that flow from FSR such as building mass and scale, solar access, privacy, parking capacity and traffic generation have all been assessed as satisfactory- the conclusions of which are documented in the relevant sections within Section 5 of this Report.

5.3.5.4 CLAUSE 5.10 HERITAGE CONSERVATION

The site is not identified as being an item of environmental heritage under the RLEP2012 or the *Heritage Act 1977* and is not located within a heritage conservation area. However the site is located within close proximity to the locally listed brick chimney stack at 88-98 King Street and the North Randwick Heritage Conservation Area.

The modified scheme provides a more conventional medium density residential context with separated building forms and a more open landscaped streetscape. A10m setback to King Street has been maintained which is consistent with the streetscape, and upper levels are setback a further 10m (ie a total of 20m from the King Street property boundary). These measures better respond to the adjoining Heritage Conservation Area, rather than the longer building form previously approved.

The modified Concept Plan retains the significant views of the chimney stack from King Street and the landmark quality of the chimney stack will be retained. The proposal is therefore considered not to adversely impact on the heritage significance of the nearby heritage item and Conservation Area.

5.3.5.5 CLAUSE 6.4 STORMWATER MANAGEMENT

An amended Stormwater Design Report has been prepared for the proposal by Emerson Associates and is attached as **Appendix E** of this report. The report confirms that the site is capable of accommodating the urban stormwater which will be generated as a result of the revised Concept. Detailed stormwater plans will be provided as part of any future Project Application/Development Application on the demonstrating specific compliance with Clause 6.4 of the RLEP2012.

5.4 RANDWICK COMPREHENSIVE DEVELOPMENT CONTROL PLAN 2013

The Randwick Development Control Plan 2013 (RDCP2013) applies to the site. A comprehensive assessment of the proposed modification against the relevant provisions of the RDCP2013 is attached as **Appendix D** of this report.

It is noted that recent amendments to the Environmental Planning and Assessment Act 1979 have further clarified the role of Development Control Plans. As a result of these amendments consent authorities are now required to adopt a flexible approach in applying DCP provisions and allow alternative solutions

should appropriate planning justification for a proposal be provided by the applicant. Where this proposal has not complied appropriate alternative measures have been put forward.

5.5 BUILT FORM AND URBAN DESIGN

The proposed modifications to the Concept Plan significantly improve the built form of the site by enhancing the overall visual permeability of the space by separate buildings on the King Street frontage of the site. The additional building height proposed for the development allow for thinner building footprints which in turn allows for a higher quality streetscape with improved landscaped character, solar access and through-site views, without resulting in any significant adverse visual impacts or overshadowing.

The proposed modifications continue to appropriately respond to the varied built form surrounding the site, including single / two storey dwelling houses to the south (across King Street), apartment development to the east and west as well as the institutional buildings further west. The newly created north-south orientation of Building E and F provide a more seamless transition between the Centennial development to the west with the other apartment development fronting both King and Dangar Streets, The more open building form and landscaped character provides a more compatible response to the residential character of the area, including the North Randwick Heritage Area.

Streetscape activation along King Street and the establishment of attractive landscaped public spaces will create an active and useable public domain which links the new development to the surrounding streets. The provision of a range of uses and a strong integration between the community and residential components of the development will create a vibrant neighbourhood focal point that caters to a broad spectrum of potential users and sustains activity throughout the day.

The siting and arrangement of the modified building envelopes have sought to reduce the visual mass bulk of the development when viewed from adjoining streets. The additional levels to Building E and F have been further setback from the street (ie some 20m from the street frontage) have therefore provide a recessive element. Similarly, the additional level to Building D is only proposed within a component of the existing foot print. The open siting of these building envelopes, together with the setbacks established within these envelopes, provides modulation in their own right.

The potential to further reduce the mass and bulk of these buildings will be further refined under subsequent applications for built form works and include glazing treatments to add definition to the building's facades and architectural articulation including deep balconies, sun hoods, balcony projections, acoustic soft panelling and glass balustrades. Although not forming part of this modification, details of external finishes are included within the architectural plan set demonstrating the quality of finishes intended for the detailed design- consistent with the quality that currently exists as part of the existing Buildings A and B.

Overall it is considered that the proposal will significantly improve the built form and design of the Montefiore campus and positively impact upon the street and locality.

5.6 RESIDENTIAL AMENITY

5.6.1 SOLAR ACCESS

The proposed modifications to the Concept Plan improve the internal solar access opportunities within the development as well as provide an overall improvement of shadows cast on neighbouring properties.

Detailed shadow analysis was prepared for the original version of the Concept Plan, and has been repeated as part of the proposed modifications. The following provides a summary of this competitive analysis.

Less shadow is cast within the development site allowing greater levels of solar access to penetrate to courtyards and building facades, especially in the mid-morning to mid-afternoon periods. This increases internal amenity within private and communal open space areas within the site.

The slight re-design of the plaza area and allowing the non-residential component of the ground floor of Building D to get access to the eastern setback area allows direct sunlight to this space within the early-mid morning period which will greatly enhance this space (especially if used for a purpose as a coffee/eating offer)

While some of the eastern courtyards of the Centennial apartments will be in part shadow at 9am, all shadow cast as a result of the Building F envelope will disappear from these courtyards by 9.30am. We note the extent of shadow cast as a result of the approved Concept Plan resulted in at least two of the east-facing facades of the ground level units of the Centennial being entirely in shadow at 9.00am, and all of these courtyards still being in shadow at 9.30am. Therefore, the modified design provides an improved result for the solar access to the Centennial building over what was originally approved and allows these units to maintain the required minimum solar access at the winter solstice.

The 'breaking up' of the proposed building mass along King Street results in less shadow being cast of the roadway and footpaths by the proposed development. While the front (northern) yards of some adjoining King Street properties will be in shadow at 9am, these yards are front yards and do not represent the 'principal private open space' areas of these dwellings. Further, this shadow does not extend up the facades of these dwellings, and this will disappear from these yards shortly after 9.30am. Therefore, the modified design results in better public amenity (in relation to solar access) along King Street than previously approved, and inconsequential impacts for only 2-3 properties.

The additional part level on Building D results in some additional shadowing within the front (western) setback of the apartment development on the north-eastern corner of King and Dangar Streets. However, this additional shadow occurs at 3pm at the winter solstice. This area still enjoys good levels of solar access from the mid-morning up until 3pm, thereby comfortably complying with the required minimum solar access duration for the winter solstice. Therefore, the modified design continues to provide good levels of solar access and residential amenity for apartments fronting Dangar Street.

5.6.2 PRIVACY

The proposed modifications to the Concept Plan have specifically considered both internal and external visual and acoustic privacy considerations and have sought to retain and improve the existing high levels provided as part of the original approval.

More detailed assessment of these matters is appropriate at the detailed Project Application/Development application stage, where particular design detail or Acoustic testing can be provided, however the envelopes and land uses that form part of this modified Concept Plan are considered acceptable for approval for the following reasons:

In relation to internal privacy we note the following:

- The proposed building alignments (in relation to their interface with the existing Buildings A and B on the site have been retained) and landscaping opportunities will continue to be provided between the modified building envelopes and Buildings A and B.
- Building D continues to be an addition to Building C, and both of these buildings will continue to operate as a residential aged care facility. Room wings have been designed having regard to the need (and desires) for integration, surveillance and community contact.
- The separation between the western elevation of Building C and the eastern elevation of the revised Building E envelope has considered that Building C is a residential aged care building (rather than an ILU building) and contains rooms over 3 levels (ie above a service, community and amenities level at ground).
- Buildings E and F are more than sufficiently separated when considering the building separation provisions of SEPP 65.

In relation to external privacy (ie with adjoining development outside the site) we note the following:

- The western edge of the Building F envelope is sited 14m from the western boundary (with the Centennial apartment building). This edge is set back much further than the previous position of the child care centre and slightly further back than the primary building that formed the original Building E envelope- in other words, this is an improved outcome in relation to separation and privacy.
- The overall building separation between the Building F and the eastern elevations of buildings associated with the Centennial apartments range between 18.5- 23.5m which easily comply with the building separation and privacy requirements under SEPP 65. In effect, the Montefiore 'share' of this building separation is more than is required under the SEPP. Further to this issue, more details will be provided in the future Development application relating to this building that can further mitigate any perceived concerns regarding privacy including detailed window/balcony design and landscaping within the generous western setback.
- The 10m landscaped setback to King Street is maintained as part of the proposed modification. This setback, in combination with the width of the King Street carriageway and front setbacks of residential properties on the southern side of King Street provides adequate separation distance between the proposal and properties to the south. The additional upper levels to Building E are setback a further 10m from the King Street frontage (ie 20m from the King Street boundary) providing a satisfactory privacy outcome.
- The 10m landscaped setback to Dangar Street is maintained as part of the proposed modification. This setback, in combination with the width of the Dangar Street carriageway, substantial street-tree plantings and front setbacks of residential properties on the eastern side of Dangar Street, all combine in providing an adequate privacy outcome between the Building D and properties to the east. We further note that the upper level of Building D involves residential aged care rooms that do not have balconies. As with the above, more details will be provided in the future Project application relating to this building that can further mitigate any perceived concerns regarding privacy.

5.7 VISUAL IMPACT AND VIEWS

A comprehensive visual impact and view analysis has been prepared by Jackson Teece and is included in the Architectural Plans submitted as **Appendix A** of this report to demonstrate the impact of the proposed modifications. This analysis is built upon the previous study that was carried out for the original Concept Plan.

In reviewing this analysis it is important to reference the 'notes' on each of the pages as they provide further context on the extent of real impact (which is minimal). The following conclusions can be drawn from this analysis:

- Only few properties are affected by the proposed modifications in respect to potential view loss. These properties are confined to 113-127 King Street, noting that:
 - The properties to the east of 127 King Street (uphill) are above the height of the proposal and will continue to 'look over' the site toward the City (albeit at an oblique angle).
 - The properties to the west of 113 King Street (downhill and opposite the site) are below the height of the existing Montefiore and Centennial buildings and currently cannot 'see over' the site.
- The affected properties (113-127 King Street) have small solid balconies fronting King Street. Whilst, there is a potential to gain wide-sweeping district views to the north and north-west (and more obliquely to the west), the design of these balconies and the restricted views from within units on the eastern elevations of each of these properties means that the extent of the real vantages points with orientation toward the City are restricted.
- The residential properties on the eastern side of Dangar Street do not have habitable floors that are affected by the additional height on Building D. Furthermore, the westerly City views from the apartment building further east are blocked by the existing apartment building fronting Dangar Street, and hence are also unaffected by the proposed modification to Building D.

It conclusion, the additional height building elements to Buildings D and F have been provided on the least sensitive part of the site and have been sited and designed to reduce their visual impact when viewed from the street frontage and surrounding properties. Further, these modifications have arisen through marked improvements to the streetscape and landscaped streetscape character associated with the development. They provide a negligible impact on 'real views' from a small number of apartments on King Street, which still enjoy good amenity in terms of their outlook to the north and north-west. That is, the proposed modification continues to promote the adequate sharing of views and to the extent that isolated views of City buildings are lost from specific positions, such an impact should be measured against the substantial public benefits associated with the proposal- not least the improvements to the streetscape and provision of suitable seniors housing on the site to meet a growing local need.

5.8 LANDSCAPING AND PUBLIC DOMAIN

The revised building envelopes provides for an additional 2% of landscapes area across the whole site (when compared to the original Concept Plan approval). Importantly, however the location of additional landscaping opportunities will have a positive effect on the streetscape character public domain. Landscaping will be maintained along the King Street streetscape, however greater opportunities are available for landscaping in between buildings.

An updated Landscape Design Report and Landscape Plans have been prepared by the project's Landscape Architects, Oculus, and is attached as **Appendix B** and **Appendix C** of this report. Oculus concludes that the modified Concept Plan will have a positive impact on the site and local area through the implementation of the following strategies and principles:

The provision of a soft landscaping buffer along Dangar Street and King Street will be maintained as part of this proposal. This will soften the built form and ensure a harmonious relationship with adjacent development. Existing trees will be maintained where possible

The line of large trees south to King Street be continued as part of the proposed development.

The Public Plaza will continue to allow for the integration of retail/commercial uses on the site with the public domain. This will increase the permeability of the site and increase the amenity for visitors to such uses.

No street trees will be removed as a result of the realignment of the north-south internal street vehicular crossover.

Building D will incorporate an outdoor terrace to private additional open space and a viewing area.

An outdoor play area for use by the Child Care Centre will be located at the ground floor of Building F and incorporate play equipment for supervised play.

5.9 CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN

Crime Prevention Through Environmental Design (CPTED) seeks to influence the design of buildings and places by:

Increasing the perception of risk to criminals by increasing the possibility of detection, challenge and capture.

Increasing the effort required to commit crime by increasing the time, energy or resources which need to be expended.

Reducing the potential rewards of crime by minimising, removing or concealing crime benefits.

Removing conditions that create confusion about required norms of behaviour.

The Department of Urban Affairs and Planning publication “Crime Prevention and the Assessment of Development Applications” sets out four main principles to guide the design of new developments to minimise the risk of crime. The proposal has been designed to consider these four principals and is considered to be fully compliant with these principals as summarized in Table 4 below:

TABLE 4 – CPTED DESIGN RESPONSE

CRITERIA	DESIGN RESPONSE
Surveillance	<p>The potential for passive surveillance has been maximised by the provision of pedestrian access ways along strategic sightlines</p> <p>The future mix of retail uses on the ground floor will ensure that activity is maintained throughout the day.</p> <p>Strategic landscape and lighting design will enhance surveillance opportunities by directing movement to areas of greatest surveillance.</p> <p>Surveillance will be maximised by ensuring sightlines are not interfered and furniture is located in areas where passive surveillance of the users is possible.</p>
Access Control	<p>The main pedestrian paths are in keeping with the natural desire lines of pedestrians, ensuring easy access to the road network and the public plaza.</p> <p>Paving and landscape will provide visual interest and define pedestrian paths.</p> <p>Accessibility for all age groups and the disabled has been an important consideration in the design.</p>
Territorial Reinforcement	<p>Hard and soft landscape is another contributing element to defining and establishing positive territorial behaviour.</p> <p>The developments edge and the street trees delineate the boundary between the pedestrian environment of the development and the public realm of the street, distinguishing between pedestrian routes into the development and pedestrian routes bypassing the development.</p>
Space Management	<p>Detailed design would take maintenance and vandal proofing into consideration in areas of high pedestrian use. Materials used will be robust and hard wearing. Lighting would be, as far as possible located in inaccessible areas. Detailed design plans will be prepared at the Project Application/Development Application Stage of the project.</p>

5.10 ACCESS AND PARKING

Total on-site parking will be increased as a result of the proposed modifications to the seniors housing. In an overall sense, considering all existing facilities on the site and proposed modifications, a total on-site parking requirement of some 248 spaces applies to the site. The plans demonstrate that the on-site parking requirement can easily be met with some 276-280 spaces capable of being provided (ie. up 59-63 spaces from the previously approved 217 spaces).

No additional access points are proposed for the site, with the King Street access point being re-located approximately 15m eastwards.

A detailed Traffic Impact Assessment has been undertaken for the proposal by Traffix and is attached as **Appendix F** of this report. The report concludes the following:

- *The parking requirement for the concept development under Council's DCP and the SEPP is for a total of 248 car spaces plus 5 spaces for pick up and set down. In response a total of 280 spaces has been proposed on site with 7 pick-up and set-down spaces provided adjacent to the childcare centre, meeting the requirements of council and the Seniors SEPP.*
- *The proposed scheme represents a significant improvement in the AM peak over the approved scheme, largely due to the proposed reduction in childcare size and reduced staff numbers required on site for the shift changeover periods.*
- *In the PM peak the additional generation associated with the revised scheme demonstrates a comparable trip generation rate to the additional traffic predicted from the approved expansion.*
- *The overall traffic impacts of the proposed development are considered negligible and can be comfortably accommodated with no external improvements to the local network required;*
- *The proposed access arrangements for the site are considered appropriate for the proposed development and do not require further alteration; and*
- *Servicing arrangements for the site are appropriate and do not require alteration*

5.11 WATER CYCLE MANAGEMENT

An amended Stormwater Design Report has been prepared for the proposal by Emerson Associates and is attached as **Appendix E** of this report. The report concludes the following:

- *The proposed design arrangements and analysis show that the existing discharge restrictions and 100 year ARI plus 50% additional storage requirements can be accommodated after the construction for the proposed Part 3A Concept Plan Building works at the site.*
- *Replacing the existing basins M-1 and M-2 with new basins and the re-contouring of the landscape for Basin R-1 can be carried out to future designs to suit the building works, landscape objectives and detention requirements whilst achieving the required discharge limits and storage volumes.*
- *Roofwater recycling will be implemented with a rainwater storage tank between buildings E and F and will be for non-potable uses such as toilet flush and irrigation. This will supplement existing stormwater recycle storage located near the northern boundary of the site which would be suitable for irrigation with adequate filtration.*
- *The proposed stormwater concept plan developed for the proposal is capable of satisfying the requirements of Randwick City Council's Private Stormwater Code (2013) and to conditions imposed for the original development in 2005 and 2006*

5.12 CONTRIBUTIONS

Pursuant to Clause 13.2 of the *Randwick City Council Section 94A (s94A) Development Contributions Plan 2015* development for the purposes of Seniors Housing is exempt from S94 contributions. No contributions will be made by the proponent in the form of a Voluntary Planning Agreement or other in support of the application.

5.13 SALINITY

A Preliminary Desktop Salinity Assessment was undertaken as part of the original Part 3A Application by Environmental Investigation Services which confirmed that the risk associated with salinity to the

proposed development is relatively low". Having consideration to the amended scope of works associated with the proposed concept plan further investigations regarding the soil salinity are not considered appropriate.

5.14 GEOTECHNICAL CONDITIONS

A Preliminary Geotechnical Investigation was undertaken by Jeffery and Katauskas as part of the Part 3A Application which made several recommendations regarding demolition, excavation, mitigation of vibration and ground surface movements, seepage, fill, basement tanking, retention and the use of batters, installation of footings and piles and subsurface preparation.

As per the existing approval these recommendations will be implemented at the Construction Certificate stage of any Project Approval/Development Application

5.15 CONTAMINATION

A Site Contamination Review was undertaken by Cetec as part of the Part 3A Concept Approval for the site which concluded that the site was suitable for use as Seniors Living subject to further investigation and remediation works to be undertaken at the Construction Certificate phase of any proposed development. The proposed amendment to the Concept Plan does not seek to alter this requirement.

5.16 ENVIRONMENTALLY SUSTAINABLE DEVELOPMENT

An amended Sustainability Strategy has been prepared for the proposal by Cundall and is attached as **Appendix G** of this report.

The Cundall report confirms that the proposed Concept Plan has developed best-practice sustainability strategies that provide a considerable benefit to the new building as well as providing benefits in operational performance to the existing building. This is due to the following key sustainability initiatives which will be included as part of the proposal:

1. **Cogeneration:** *A micro gas-fired cogeneration unit that provides a low carbon solution to base building energy generation, recycling all the heat for supplying the domestic hot water and pool heating in the new and existing buildings. This technology is a considerable investment for Montefiore with a long-term vision to reduce carbon emissions. The new building will reduce operational carbon emissions by 40% compared to the existing building's performance.*
2. **Photovoltaic (PV) solar array:** *A PV provides an alternative methodology achieving a low carbon solution to base building energy generation feeding in to offset a percentage of the base electricity load of the building. This technology is a reasonable investment for Montefiore with a long-term vision to reduce carbon emissions.*
3. **Improved fresh air:** *Planning principles were established at the beginning of the project to promote natural ventilation and daylighting throughout. The ventilation for the building will work under a number of different modes depending on external conditions. Openable windows are provided throughout and on the hot and cold days the building will be heated and cooled by an efficient VRV system that pumps 50% more fresh air through the building.*
4. **Laundry water savings:** *The laundry within the existing building supplies a number of offsite operations and was a focus for water conservation. This laundry processes 34,000kg of laundry per month, which equates to approximately 10.5 Mega litres of water per year. The proposal is to supply the laundry with recycled rainwater from the roofs of proposed Buildings D and E, which would mean an overall 25% reduction in water usage for the new building in comparison to the existing.*
5. **Long-term carbon reduction strategy:** *Montefiore has fully embraced a long term strategy to continually improve the operational performance of the facility and reduce its carbon footprint. Montefiore is committed to:*

- *Reviewing the energy, water and waste bills annually.*
- *Reviewing renewable energy trends/technologies and potential funding opportunities annually.*
- *Targeting continual incremental improvements in carbon reduction to achieve a 60% to 70% reduction in carbon by 2030, which is in excess of the City of Sydney's new sustainable targets and in line with current global carbon reduction targets.*

5.17 SOCIAL AND ECONOMIC IMPACT

The proposed amendments to the Concept Plan will enhance a number of Social and Economic Impacts which will be generated by the Concept Plan, these impacts are listed below:

- The provision of additional ILU's have been proposed to meet a demonstrated market demand for this type of aged care facility and as such the proposal responds to the needs of the community;
- The proposal will maintain the provision of seniors' living within close proximity to the medical and community services of the Randwick City Centre including the Prince of Wales Hospital. This will promote convenient access to these services which is consistent with State government policy;
- The proposal will increase the total amount of ILU's located on the site and in doing so will ensure the provision of seniors housing generally. This will assist in promoting housing affordability in the aged care sector;
- It is considered that there is a general lack of alternative sites within the same ring around Randwick shops and the medical hub that would enable the achievement of key strategic outcomes;
- The proposal will maintain an orderly staging of the proposed Concept Plan development and the use of a presently underutilised site will promote the economic use of land; and
- The development will continue to provide an employment generating use in a residential area close to public transport routes will promote the use of public transport in by commuters both during construction and post construction.

5.18 STATEMENT OF COMMITMENTS

The previous Statement of Commitments that were approved for the site will not be altered as a result of the proposed works and is considered suitable for the proposed amendments to the Concept Plan.

6 Conclusion

The proposed modification to the existing Concept Plan has been prepared under Section 75W of the *Environmental Planning and Assessment Act 1979*.

The application seeks to modify the Concept Plan Approval (MP09_0188) which relates to the expansion of the Sir Moses Montefiore Seniors Housing and Care facility at 100-120 King Street and 30-36 Dangar Street, Randwick which was approved on 19 July 2009. The particular nature of the modifications are set out in section 4 of this report.

The assessment provided in this report has indicated that the application is in accordance with key policy drivers and will provide a net community benefit for the local and wider community.

The proposal has been designed following an analysis of the opportunities and constraints of the site. It is considered that the proposed development is appropriate for the following reasons and provides a sound framework for detailed development applications to be lodged:

- The site is considered a suitable location having regard to criteria to determine where Seniors Living developments should be located. The modifications relate to an existing and established facility.
- The proposed modification will provide much needed Seniors housing to the Randwick and Eastern Suburbs which is undersupplied. This will assist in promoting the retention of residents within the Community following retirement, and importantly providing a concept that allows residents to 'age in place' with appropriate levels of care provided to them, meeting their particular needs.
- The modified Concept Plan retains the key aspects and benefits of the originally approved design. Importantly, the design of the publically accessible plaza and adjoining non-residential tenancies fronting this space will improve the functionality and amenity of this space. The further increase to the range of intended uses will also increase the viability and amenity of this space for site residents, staff and the broader Community.
- The modified Concept Plan significantly improves the site's relationship with King Street by providing an open and permeable building form. It provides greater landscape opportunities within and around buildings when viewed from the street frontage and allows better integration of the site within the adjoining medium density context.
- The modified Concept Plan provides revised building envelopes that will continue to provide sound internal amenity for future residents, as well as protect the amenity of adjoining and nearby residents.
- The modified Concept Plan provides more than adequate capacity for increased on-site parking.

Disclaimer

This report is dated October 2015 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Sir Moses Montefiore Jewish Home (**Instructing Party**) for the purpose of development consent (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

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This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

Appendix A

Concept Plan

Appendix B

Landscape Design Statement

Appendix C

Concept Landscape Plans

Appendix D

Town Planning Compliance Tables

Appendix E

Stormwater Design Report

Appendix F

Traffic Impact Assessment

Appendix G

Sustainability Strategy

Appendix H

Community Consultation– Summary of Outcomes Report

Appendix I

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