

13 April 2016

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Dear Simon,

**Response to Submissions- Section 75W Modification to Concept Approval
(MP 09_0188 Mod 2), Sir Moses Montefiore Jewish Home, Randwick**

1 Introduction

This letter and the accompanying information forms a 'Response to Submissions' letter addressing the submissions lodged as part of the public exhibition process, together with those submissions raised by the Department of Planning and Environment (DPE) in Schedule 1 of the letter dated 14 December 2015.

This letter provides further detailed information than was included in the original Section 75W submission to assist in explaining and justifying some elements of the proposal. The package accompanying this letter includes:

- A document title 'Preferred Project Report' prepared by Jackson Teece Architects incorporating various plans, perspectives, view analysis and architectural information.
- Landscape Drawings prepared by Oculus Landscape Architects incorporating an updated Landscape Drawing package, and in particular identifying areas of deep soil planting and podium planting.

We note that Preferred Project Report' package includes a revised set of envelope plans for consideration by the DPE (located at **Section 2** of the package).

In summary, the further amendments to the plans made as a result of this submission include the following:

- Reductions to the southern and eastern extents of the top-most level of the Building D envelope
- Reductions to the eastern and western extents of the upper two levels of the Building E envelope
- Reductions to the southern (King Street) envelope of all levels above the lower ground floor level of Building E
- Reductions to the southern (King Street) envelope of all levels above the lower ground floor level of Building F

Increase to a portion of the rear (northern internal) envelope of all levels of Buildings E and F.

The above changes results in a further 2.6% reduction of GFA from that originally tabled with the DPE in October 2015 as part of the current proposal, which will translate to a loss in independent living units. Overall, it provides an 8% reduction in floor space to that which was originally approved as part of the Concept Plan.

2 Summary of Submissions

As a result of the public exhibition period a total of 34 resident submissions were received as well as a submission from Randwick Council. This compared to 65 submissions that were received during the assessment of the original Concept plan approval.

The plan at **Appendix 1** of this letter shows the location of resident properties whom lodged submissions, it being noted that many submissions did not include their address details and were generally worded, so it is unclear as to whether these people lived directly adjoining the site or within the wider locality.

The following **Table 1** identifies a summary of the key issues raised during the public exhibition of the Section 75W proposal. Section 3 of this letter provides commentary and assessment of each of these matters

TABLE 1 – SUMMARY OF THE KEY ISSUES

ISSUE	DETAILS
Building height and view Loss	<ul style="list-style-type: none"> 25 submissions (including Randwick Council) related to building height and perceived view loss as a result of the proposal. 8 Submissions (including Randwick Council) related to the proposed built form and did not consider the break-up of the street-façade was an adequate trade-off for the additional building height. 7 submissions have a confirmed address which is located in the street block directly east of the site (including Dangar Street). No submissions included a recorded address along King Street. Resident concerns are focused not only on the view to the CBD but also the view to the Blue Mountains. Further view assessment was requested by both the DPE and Randwick Council.
Traffic Generation and Parking	<ul style="list-style-type: none"> 17 submissions were received from residents with concerns relating to traffic generation and the lack of on-site car parking. The principle objection was employees parking on street as opposed to within the Montefiore Campus. Minor concerns were raised over traffic generation. No objection was raised by Transport for NSW. No objection was raised by Roads and Maritime Services. No objection was raised by Randwick Council except stating that employees

ISSUE	DETAILS
	<p>should be encouraged to park on the Montefiore Campus</p> <ul style="list-style-type: none"> The DPE has requested further justification as to why the proposal exceeds the minimum requirements of the Randwick DCP and SEPP Seniors.
Acoustic Impact	<ul style="list-style-type: none"> 10 submissions stated that plant would result in acoustic impacts for adjacent residents.
Overshadowing	<ul style="list-style-type: none"> 3 residents raised concern relating to overshadowing. One submission was received from a property at 89 Dangar Street.
Light Pollution	<ul style="list-style-type: none"> 6 submissions raised concerns regarding light pollution. No objection was raised by the DPE or Randwick Council on this matter.
Community Consultation	<ul style="list-style-type: none"> 4 Submissions were received claiming the community consultation carried out by the applicant was not appropriately advertised.

3 Responses to Key Issues

As specifically requested by the DPE, the following provides a response to each of the key issues cited within Schedule 1 of the letter dated 14 December 2015. Most of the issues cited in the DPE letter incorporate the issues raised by residents and Randwick Council (except for light pollution and community consultation). For the sake of completeness, these two additional issues are also addressed in the relevant sections below.

Whilst this 'Response to Submission' letter provides additional information and also includes amendments to the building envelopes, the previous environmental assessment that supported the October 2015 Section 75W submission can still be (and is) relied upon in the assessment of the following issues.

3.1 VISUAL IMPACTS

This matter within the DPE letter specifically relates to the height and mass of Buildings E and F and their presentation and relationship from the King Street frontage.

In relation to Building F we note that the height of this building is no higher than the previously approved western portion of the former building that was proposed on King Street. In fact, Building F is now set further away from the western property boundary than was previously approved, provides a 10m landscaped setback to the King Street frontage, and a further 11.5m setback to its top-most level (ie providing an overall setback of 21.5m from King Street). These characteristics, together with the scale relationship of King Street and the ability to provide landscaping within the significant front setback area, provide an acceptable building form within the street.

In order to re-distribute the building mass allowing a more open and landscaped streetscape, 2 additional levels have been provided on Building E which is a more centralised building with reduced exposure to the public domain and private neighbours. Furthermore, these levels are further setback from the street-front façade of the building, a setback of some 21.5m from the King Street property line.

This degree of upper-level setback means that these levels are not visible from pedestrians standing in front of this building on King Street as shown on Cross-section 1 within **Section 3** of the documentation package. This upper-level setback and the installation of landscaping within the significant 10m building line also means these 2 upper levels will not be a prominent element in the streetscape as shown in within the King Street perspectives within **Section 4** of the documentation package.

On this basis, the Building E envelope as represented in the October 2015 Section 75W package, are considered acceptable in terms of its impact on the character of the area. Nevertheless, further reductions have been made to the Building E envelope- specifically in relation to these upper two levels. The upper two levels have been setback a further 1.5m from King Street than previously proposed. In addition, 2.5m setbacks on either side of this envelope (ie the western and eastern sides) have been made for the entire length of these facades. In effect, this reduces the street-front building mass by 5m from this building which further reduces the ability to read these upper levels from the street, thereby further reducing visual impact.

In addition, Oculus Landscape Architects have provided further detail in respect of the ability to provide established landscaping between buildings along the King Street frontage (refer to the Landscape Drawing package attached to this letter). This ability also serves to soften the building mass from the adjoining streets.

Overall, the circumstances outlined above, inclusive of the proposed reductions to the envelope of Building E, provide an acceptable situation in relation to visual impact, and the foundation for approval.

In addition to the reductions of the Building E envelope, the Building D envelope has also been reviewed and its upper level also reduced. These reductions have occurred along the Dangar Street frontage as well as a more substantial component to the north-western corner. Building D is a residential care facility, and as a consequence has a highly functional internal layout- put simply; excising a more substantial section of the top-most level would render the remainder of this level unfeasible from an operational view-point.

Nevertheless, the minor reductions to the Building D envelope provide a greater opportunity to treat this top-most level with different recessive materials. Perspective View 2 within **Section 4** of the documentation package demonstrates this effect. Importantly, this view also shows that the top-most level of Building D (roof ridge of RL 61.63) still remains 1.3m lower than the building at 113-123 King Street. This was used as somewhat of a reference point in the assessment of the original Concept Plan.

Given the higher forms on the southern side of King Street in the vicinity of Building D and also the urban design principles of providing a strong corner element, it was considered appropriate not to make any further reductions to this building envelope. The view impact analysis (discussed in Section 3 of this letter below) also justified this position.

3.2 VIEW IMPACTS

3.2.1 INTRODUCTION

The DPE letter specifically requires an assessment of the proposal addressing the view sharing principles contained within Tenacity v Warringah Council LEC case. The DPE letter further states that *'should the view impact analysis demonstrate that the proposal will have significant impact, consideration should be given to reduce impacts consistent with the view sharing principles.'*

This 'Tenacity View Impact Assessment' accompanies and supports the analysis undertaken by Jackson Teece in **Section 5** of the documentation package.

The Land and Environment Court judgement in the matter of *Tenacity Consulting v Warringah* [2004] NSWLEC 140 has been adopted as a 'Planning Principle' for 'View Sharing' by the Court. In his judgement, Commissioner Roseth SC states that:

"The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all away cannot be called view sharing, although it may, in some circumstances, be quite reasonable.) To decide whether or not view sharing is reasonable, I have adopted a four-step assessment".

The view sharing of the proposed development is assessed in terms of the four steps adopted as a Planning Principle, as further described below.

Before going through these steps, it is important to note that physical access to within all properties along both King and Dangar Street was not gained as part of this assessment (nor would this be expected or practical in this situation). As part of the public exhibition process some people raised 'view impact' as an issue yet did not disclose their specific name or address. Upon review of the submissions, there seemed to be a trend of greater concern of this impact emanating from properties along Dangar Street and the street behind Dangar Street to the east- being Wentworth Street (rather than from along King Street). Those people who did provide their name and address and cited view impact as an issue were contacted and access was gained to their property as part of this view impact analysis. These properties were as follows:

- 18/68-74 Wentworth Street, Randwick
- 21/68-74 Wentworth Street, Randwick
- 5/125 King Street, Randwick
- 1/89 Dangar Street, Randwick
- 13/69-87 Dangar Street, Randwick
- 2/89 Dangar Street, Randwick

The position of these properties relevant to the impacts arising from the additional height to Buildings D and E meant that it represents a fair and reasonable assessment of view impact. The fact that access could not be gained to further properties downhill (ie to the west) of No 125 King Street or uphill of this property (ie to the east) was not considered to be a limiting factor of the assessment given:

- the buildings on the downhill side were primarily lower buildings that did not enjoy views over the property, and hence the additional height was inconsequential to view impacts; and
- the buildings on the uphill side were higher and hence their view was unaffected by the additional proposed building height.

3.3 THE 4-STEP ASSESSMENT PROCESS

The four-step assessment process involves the following (relevant extracts of the judgment are provided) that have informed our assessment:

Step 1- Assessment of views to be affected

The judgement states that:

“Water views are valued more highly than land views. Iconic views (eg of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured”.

Step 2- From what part of the property the views are obtained ?

The Judgement states that:

“For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic”.

Step 3- What is the extent of the impact ?

The judgement states that:

The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

Step 4 - Reasonableness of the proposal ?

The judgement states that:

A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

Taking all these matters into consideration, each of the properties that were accessed were analysed. The result of this assessment is summarised in **Table 2** on the next page:

TABLE 2: VIEW IMPACT ASSESSMENT

ADDRESS	COMMENT	FROM WHAT PART OF THE PROPERTY IS THE VIEW OBTAINED?	EXTENT OF IMPACT	REASONABLENESS
18/68-74 Wentworth St	No water views or iconic elements, a partial landscape view of the city exists and a very distant view of the blue mountains (not decipherable within the photos)	From outdoor deck, lounge room and bedroom, looking over the property's rear boundary.	From outdoor deck and lounge room- given the extent of the view spectrum and the elements that contribute within this view, it is considered the proposed additional massing of the amended design will have a minor impact from this property.	There is an existing non-compliance associated with buildings on the subject site. The further increase of Buildings D and E allow for the re-distribution of height and mass from other parts of the site. The additional height of the proposal (compared to that already approved) contributes to the minor view impact, however in the context of the other urban design, amenity and streetscape impacts the proposed design solution offers, together with the results of Steps 1, 2 and 3 of this assessment, it is considered that this view impact is reasonable as a result of the non-compliance with the planning controls.
21/68-74 Wentworth St	No water views or iconic elements, a partial landscape view of the city exists and a very distant view of the blue mountains (not decipherable within the photos)	From balcony and lounge room and looking over the property's rear boundary.	From balcony and lounge room- given the extent of the view spectrum and the elements that contribute within this view, it is considered the proposed additional massing of the amended design will have a negligible impact from this property.	There is an existing non-compliance associated with buildings on the subject site. The further increase of Buildings D and E allow for the re-distribution of height and mass from other parts of the site. The additional height of the proposal (compared to that already approved) contributes to the negligible view impact, however in the context of the other urban design, amenity and streetscape impacts the proposed design solution offers, together with the results of Steps 1, 2 and 3 of this assessment, it is considered that this view impact is reasonable as a result of the non-compliance with the planning controls.
5/125 King St	No water views or iconic elements, a partial landscape view of the city exists.	From the living room balcony partially over the front and side boundaries.	From the living room balcony- given the extent of the view spectrum and the elements that contribute within this view, it is	There is an existing non-compliance associated with buildings on the subject site. The further increase of Buildings D and E allow for the re-distribution of height and mass from other parts of the site. The additional height of the proposal (compared to that already approved)

ADDRESS	COMMENT	FROM WHAT PART OF THE PROPETRTY IS THE VIEW OBTAINED?	EXTENT OF IMPACT	REASONABLENESS
			considered the proposed additional massing of the amended design will have a minor impact from this property.	contributes to the minor view impact, however in the context of the other urban design, amenity and streetscape impacts the proposed design solution offers, together with the results of Steps 1, 2 and 3 of this assessment, it is considered that this view impact is reasonable as a result of the non-compliance with the planning controls.
1/89 Dangar St	No water views or iconic elements. The view from the unit is restricted to the subject's site's existing development through landscaping.	From the bedroom balcony and study balcony looking over the front boundary.	From the bedroom balcony and study balcony- given there is only a short-distance view of the development and nothing beyond, it is considered the proposed additional massing of the amended design will have no/negligible impact from this property.	There is an existing non-compliance associated with buildings on the subject site. The further increase of Buildings D and E allow for the re-distribution of height and mass from other parts of the site. The additional height of the proposal (compared to that already approved) contributes to the negligible view impact, however in the context of the other urban design, amenity and streetscape impacts the proposed design solution offers, together with the results of Steps 1, 2 and 3 of this assessment, it is considered that this view impact is reasonable as a result of the non-compliance with the planning controls.
13/69-87 Dangar St	No water views or iconic elements. The view from the unit is restricted to the subject site's development and distant buildings and roof-tops over Building C	From the bedroom balcony looking over the front boundary.	From the bedroom balcony- given there is only a short-distance view of the development and distant buildings and roof-tops beyond, and that the approved development would obscure a small component of this distant/rooftop view, it is	There is an existing non-compliance associated with buildings on the subject site. The further increase of Buildings D and E allow for the re-distribution of height and mass from other parts of the site. The additional height of the proposal (compared to that already approved) contributes to the negligible view impact, however in the context of the other urban design, amenity and streetscape impacts the proposed design solution offers, together with the results of Steps 1, 2 and 3 of this assessment, it is considered that this view impact is reasonable as a result of the non-compliance with the planning

ADDRESS	COMMENT	FROM WHAT PART OF THE PROPETRTY IS THE VIEW OBTAINED?	EXTENT OF IMPACT	REASONABLENESS
			considered the proposed additional massing of the amended design will have a negligible impact from this property.	controls.
2/89 Dangar St	No water views or iconic elements. The view from the unit is restricted to the subject's site's existing development through landscaping.	From the bedroom window looking over the front boundary.	From the bedroom window- given there is only a short-distance and restricted view of the development and nothing beyond, it is considered the proposed additional massing of the amended design will have no/negligible impact from this property.	There is an existing non-compliance associated with buildings on the subject site. The further increase of Buildings D and E allow for the re-distribution of height and mass from other parts of the site. The additional height of the proposal (compared to that already approved) contributes to the negligible view impact, however in the context of the other urban design, amenity and streetscape impacts the proposed design solution offers, together with the results of Steps 1, 2 and 3 of this assessment, it is considered that this view impact is reasonable as a result of the non-compliance with the planning controls.

3.3.1 SUMMARY

The summary of our findings is as follows:

- There were three properties that were assessed (being 1/89, 13/69-87 and 2/89 Dangar Street) that currently did not enjoy any views (or very limited views) over the existing buildings on the subject property. This means that rather than the proposed additional height 'blocking' further views, it is more relevant and important to provide a building mass that provided a positive contribution to the street (rather than reducing the additional building mass). This has been done through the proposed amendments to Buildings D and E as part of this 'Response to Submissions'. Detailed design development in the preparation of the future Project/development application(s) will need to address materiality and other forms of building modulation and detailing, as well as street-front landscaping.
- The three other properties assessed had wide-ranging and distant views of the City skyline and foreground district views (being 18/68-74 and 21/68-74 Wentworth Street, and 5/125 King Street). Having regard to what these views were of; where these views were enjoyed from; and also the limited extent of these views within the context of the view spectrum available within each of these apartments- these views (at worst) were only considered to have a minor impact.
- It is acknowledged that the existing approved (but yet to be constructed) development does not comply with the height control specified under the Randwick LEP 2012, and that the extent of the additional height to Buildings D and E as part of this modification have contributed to the view impacts from these properties. However, it also must be acknowledged that this additional height has been the result of a re-distribution of the approved building mass from other parts of the approved scheme, and that such a distribution has had positive impacts to both the character and streetscape of the area, particularly along King Street. Overall, it is considered a reasonable outcome (from a view impact perspective), when considering the various 'step considerations' required within the Tenacity Case, and that such re-distribution has resulted in a better overall development outcome. Additionally, the further revisions as part of this 'Response to Submissions' further reduces impacts associated with building bulk and streetscape.
- Overall, the 2 properties that were identified as having a minor impact (being the properties at 18/68-74 Wentworth Street and 5/125 King Street) enjoyed wide-sweeping district views and will continue to enjoy such views as a result of the proposal (albeit with a component of this view partially obscured). That is, further amendments to the proposal are not required to accommodate reasonable view sharing between properties. It is also considered that such a minor impact, in the context of the other advantages of the building bulk re-distributions discussed above, together with the ability to deliver much needed additional residential care and seniors housing services on an existing asset, is a reasonable planning outcome.
- We note that the DPE letter stated that *'should the view impact analysis demonstrate that the proposal will have significant impact, consideration should be given to reduce impacts consistent with the view sharing principles.'* As a result of the view impact assessment outlined above, no further amendments are considered necessary

3.4 RESIDENTIAL AMENITY

The DPE's letter raises two specific issues, being:

- Justification of the building depths associated with Buildings E and F, including options to review these in light of the requirements within the Apartment Design Guide (ADG)
- Further assessment of the proposed ILUs within Buildings E and F relating to their capability of meeting solar access and cross ventilation requirements of the ADG

In relation to the first point, the proposed building envelopes are not intended to be filled with building mass. They are intended to accommodate projecting balconies and articulation elements of the building. This is illustrated within the drawing set where an indicative building is shown that complies with the depth requirements of the ADG. There are other possible acceptable design options and this process would be the subject of further detailed assessment against the provisions of SEPP 65 and the ADG at the Project/development application stage.

It is considered the proposed envelopes provide flexibility for suitable compliant design options at detailed DA stage, and further limiting the extent of these envelopes at this stage would only constrain design innovation and flexibility.

In relation to the first point, Jackson Teece has carried out further detailed analysis of the indicative buildings within the proposed envelopes against the solar access and natural ventilation provisions of the ADG. This analysis is summarised within **Section 6** of the documentation package and demonstrates that the proposed building envelopes are sufficient in accommodating a complying building option in respect to both these issues. In fact, the summary tables show that the indicative building options more than comply with the acceptable solutions within the ADG.

3.5 CAR PARKING

The availability of on-street parking has been a concern raised by local residents in the past and again in the recent public exhibition of the project. This is a concern not directly attributable to the Montefiore facility. The extensive level of residential units within the area, the adjoining Bus Depot and UNSW satellite campus on King Street all contribute to the level of on-street parking.

It is therefore a matter that Montefiore has sought to proactively address. Aside from an 'awareness and encouragement campaign' for its staff to use on-site parking and to shift their cars from the street to the site if an on-site space is not immediately available, Montefiore is also looking to provide an arrangement that specifically caters for this change-over period, or at least reduces this impact to on-street parking availability.

The peak activity time occurs in the mid-afternoon period when staff change-over occurs. The Traffic and Parking Report submitted with the Section 75W package in October identified a surplus of 32 car spaces over the relevant requirements. As identified earlier in this submission a further reduction in GFA has been provided as part of this submission, meaning that less independent living units can be provided as part future applications. Based on current dwelling mix estimates as part of the design development process, it is estimated that a surplus over parking (ie over the minimum requirement) will still be provided- being approximately 20 spaces. In effect, these 20 surplus car spaces are provided to address the peak period and to provide a safe and secure space for staff.

We further note that the proposal is not for a conventional residential development. Whilst some reliance can be placed on public transport, staff of the residential aged care component of the site and also residents of the independent living units, are more likely to use private transport (or from an ILU resident perspective, will want to have access to a dedicated car space on site). There exists a shortage (and hence demand) for residential aged care staff and assisted living staff in NSW. As such, the catchment of site's workforce exists far beyond the local public transport network. The further restriction of parking availability on site may restrict viable and convenient access options for staff, who would otherwise have to travel for long periods of time and engage in multiple modal changes before arriving at their destination. Such a parking restriction could also have the unintended consequence of placing an additional burden on resourcing the facility.

The predominant times of usage of such private transport is not representative of a conventional residential development- that is, staff change-overs do not align with the normal AM and PM peak periods, and ILU residents do not necessarily share the same peak travel times associated with residents of conventional apartment development. This different pattern in car use means that

providing the level of parking over the minimum does not translate creating a 'traffic problem'. The Traffic Report provided with the October 2015 Section 75W application (at Appendix F) clearly substantiates this.

Whilst the principle of reducing reliance on private cars has clear advantages, the degree of additional parking proposed, together with the circumstances and acceptable impacts described above, is sufficient justification for the proposal.

3.6 GROSS FLOOR AREA CLARIFICATION

The calculation of gross floor area (GFA) was as per SEPP Seniors Living definition is;

Gross floor area means the sum of the areas of each floor of a building, where the area of each floor is taken to be the area within the outer face of the external enclosing walls (as measured at a height of 1,400 millimetres above each floor level):

- a) excluding columns, fin walls, sun control devices and any elements, projections or works outside the general lines of the outer face of the external wall, and*
- b) excluding cooling towers, machinery and plant rooms, ancillary storage space and vertical air conditioning ducts, and*
- c) excluding car parking needed to meet any requirements of this Policy or the council of the local government area concerned and any internal access to such parking, and*
- d) including in the case of in-fill self-care housing any car parking (other than for visitors) in excess of 1 per dwelling that is provided at ground level, and*
- e) excluding space for the loading and unloading of goods, and*
- f) in the case of a residential care facility—excluding any floor space below ground level that is used for service activities provided by the facility.*

The Concept Plan approved on 19 July 2011 included an Area Schedule and associated drawings showing the areas included and excluded in the GFA calculation. It excluded stairs, lifts, food preparation and service activity areas (above ground) that all should have been included according to the definition above. The GFA was calculated incorrectly to be 37,968sqm.

In the current Section 75W Concept Plan Modification submitted in October 2015, the Project Architect re-calculated the approved scheme according to the definition above and hence the GFA was 47,270 sqm. This figure was shown correctly in the Section 75W proposal and calculations were provided within the original documentation package.

Nothing has increased in built form- in fact there has been reductions in actual GFA. We note that the proposed floor space in the October 2015 Section 75W submission was 46,023 sqm and represented a reduction in the approved GFA by 2.6%. This figure has now been further reduced (down to 43,472 sqm) arising from the various amendments described in Section 1 of this letter. This figure represents an overall decrease in floor space of 8% to that originally approved by the DPE, but importantly the building mass has been arranged in a way that significantly reduces the apparent building height, bulk and scale of the overall project from the public domain. This is demonstrated in the various perspectives and cross sections shown in the document package.

In summary, the GFA discrepancy is a result of a previous error in the assessment, and has no impact on the outcome of the proposed modification. The GFA calculations are included within **Section 7** of the attached package.

3.7 AMENDED PHOTO MONTAGES

The amended photo montages as requested within the DPE letter are included within **Section 4** of the documentation package. These montages assist in demonstrating the acceptability of the proposal, including the further revisions made to the building envelope of Buildings D and E and F.

3.8 AMENDED OVERSHADOWING DIAGRAMS

Amended and more detailed overshadowing diagrams have been provided within **Section 4** of the accompanying documentation package. This information further supports the assessment of acceptability in relation to the overshadowing of adjoining properties as outlined in Section 5.6.1 of the Section 75W Planning Report (October 2015).

3.9 LIGHT POLLUTION

The proposal seeks to modify the approved building envelope- no approval is sought for building works. Relevant details addressing the potential for light spill and/or impact can be provided as part of detailed Project or development applications.

Notwithstanding, the separation distance between the proposed buildings and adjoining buildings, together with the ability (through lighting design and landscape means) to reduce any impacts to an acceptable level is available.

3.10 COMMUNITY CONSULTATION

During July-September 2015, the applicant, with the coordination and assistance of Urbis, carried out its own consultation with the surrounding community through a series of events and mediums. This was not required through legislation, however Montefiore were keen to re-engage with the community following the original Concept Plan approval. The process and results of that consultation have been previously provided to the DPE in the 'Community Consultation- Summary of Outcomes' Report (Appendix H) of the Section 75W submission.

The two 'drop-in' Community Information and Feedback Sessions were promoted through:

- A community newsletter – to a catchment of 2000 local homes and businesses within the immediate site catchment.
- The Montefiore website.
- Advertisement in the Southern Courier – circulation 66,000 homes
- A letter invitation to Randwick North Ward Councillors, Kathy Neilson (ALP), Lindsay Shurey (GRN) and Kiel Smith (LNP).

In addition, Montefiore and its consultants briefed the Randwick Precinct Committee on Wednesday 2nd September 2015.

In the context of this consultation, it is considered that more than sufficient advertising and opportunity was provided to potentially affected property owners to attend the community drop-in sessions, or otherwise contact Montefiore to enquire about the project.

4 Conclusion

The proposed Section 75W Concept Plan modification as detailed to the DPE in October 2015 was considered acceptable in terms of its impact on the surrounding area and Community.

The comments provided through the public exhibition period, including those specific matters raised by the DPE in their letter of 14 December 2015, have been considered by Montefiore and their consultant team. As a result, further information has been prepared demonstrating the acceptability of the proposal.

Particular reductions to the building envelopes have been proposed arising from the feedback from adjoining residents and the DPE. These amendments now form part of the proposal for which approval is sought. It is considered these reductions further improve the level of acceptability of the proposal.

If you have any questions in relation to the above, please do not hesitate to contact me on 02 8233 9949.

Yours sincerely,



Peter Strudwick
Director

Encl. 'Preferred Project Report' documentation package (Jackson Teece April 2016)
 Landscape Drawings (Oculus, Revision date 1 April 2016)

APPENDIX 1 – LOCATION OF RECORDED SUBMISSIONS

