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25 November 2010

PLANNING NSW

23-33 Bridge Street
Sydney NSW 2000

Attention: Mr Ben Lusher

Dear Mr Lusher

RE: PART 3A DEVELOPMENT

Sir Moses Montefiore Jewish Home - Randwick – MP10-0044 + MP09-0188

100-120 KING ST + 30-36 DANGAR ST RANDWICK

OBJECTION ON BEHALF OF NORTH RANDWICK RESIDENTS

1. Introduction

Reference is made to the notification of the proposed alterations and additions for extensions to the existing nursing home at the above address.

ABC Planning P/L have been engaged by the Randwick North Resident Action Group to prepare a submission in relation to the proposed concept and projection applications at the above address.

Given that the applicant has combined their Statement of Effects in their Environmental Assessment to address both the concept and project applications, this submission will also address both proposals.

The Randwick North Resident Action Group includes residents from 90-98 King Street (Centennial Apartments- immediate neighbours to the west), Dangar Street (neighbours to the east), Govett Street (neighbours to the north) as well as residents from Burton, Wentworth, Earl and Frances Street and Darley Road. Residents across King Street to the south are also represented by this submission.

Overall, the proposal is considered to be a gross overdevelopment of the site that has no valid justification for the extent of FSR and height breaches sought.

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According to the calculations provided by the applicant, the proposed FSR is over 8000sqm in excess of that permitted by the zoning controls (even allowing for the 0.5:1 bonus for this type of development). Such excess is considered to be excessive and unjustifiable. It is acknowledged that under a Part 3A development, that the LEP's FSR standards do not strictly apply, however, the degree of excess against these standards demonstrates that the proposal is incompatible with the character of the surrounding neighbourhood and will have direct and severe amenity impacts to surrounding neighbours. The applicant has also conducted an assessment against these controls.

The extent of the additions will dramatically alter the presentation of the complex to Dangar and King Streets whilst also having overwhelming visual and amenity impacts to Centennial Apartments to the west.

Despite these concerns being raised at the public meeting held by the applicant in August 2010, none of these concerns have been considered by the applicant.

It should be noted that there is general acknowledgement that a degree of extension to the facility can be tolerated, however, not to the extent as proposed where it has such broad ranging impacts. The scale of the proposal in terms of density, height, building footprint and interface with surrounding areas should be significantly reduced. This would also assist in addressing one of the other main impacts, being on-street parking demand.

The following is a summary of the impacts followed by a more detailed objection:

1. FSR excess of 8000sqm (equivalent to 160 x 1 –bedroom units)

Under the provisions of Randwick LEP, the proposed variations on a site of this size are massive as the excess FSR is over 8000sqm beyond that permitted, even allowing for the 0.5:1 bonus. In the Environmental Assessment Report, the applicant claims this variation to be *minor* (page 55) and concludes that the proposal will have *no* adverse environmental impacts (page vi). This assessment cannot be supported. The excess is equivalent to 160 x 1-bedroom (50sqm) apartments or 80 x 2-bedroom (100sqm) apartments which reflects the enormity of the departure.

The excess has severe implications for Centennial Apartments at 90-98 King Street (which are located to the west of proposed Building F) whereby their sole vegetated outlook will be replaced by a 60-metre long building 3-storeys above the top of Centennial Apartments (90-98 King St).

The applicant's Statement of Effects even admits the impact to Centennial Apartments on page 61- *"It is acknowledged that the visibility of the existing landscaped areas contribute towards the amenity of the 90-98 King Street residences. These landscaped areas will generally no longer be visible from apartments at 90-98 King Street, once a building filling Envelope F has been constructed."*

Such impact is also confirmed by the section showing the height of Building F being 3-storeys above Centennial Apartments while the landscape plan shows that there is no opportunity for effective screen planting due to the proximity of the child play area to the western boundary with Centennial Apartments.

A proposal with a substantially reduced FSR would have far less parking implications whilst also assisting in maintaining the suitable interface which the proposal has along the existing Dangar St frontage. The proposed FSR results in building footprints and heights which are overwhelming to the surrounding character of town house and semi-detached style housing along Dangar and King Streets whilst also having detrimental amenity impacts to the Centennial Apartments.

We have reviewed the applicant's assessment under *Compatibility with Desired Future Character* (page 55) whereby consideration of the proposal under the Planning Principle for Height, Bulk and Scale was undertaken.

It is noted that the assessment only analyses 2 of the 6 questions contained in the Principle. These questions are:

1. *Are the impacts consistent with impacts that may be reasonably expected under the controls? (For complying proposals this question relates to whether the massing has been distributed so as to reduce impacts rather than to increase them. For non-complying proposals the question can not be answered unless the difference between the impacts of a complying and a non-complying development is quantified).*

Response: The applicant has not conducted such an analysis in terms of demonstrating the impacts between a compliant development and that proposed. The difference in visual bulk and loss of outlook/sunlight to Centennial Apartments has not been demonstrated while the extent of view loss associated with the non-compliant height has also not been conducted. The impact to the streetscape along King and Dangar Street also has not been demonstrated.

2. *How does the proposal's height and bulk relate to the height and bulk desired under the relevant controls?*

Response: The proposal involves massive breaches to both the FSR and height under the controls.

3. *Does the area have a predominate existing character and are the planning controls likely to maintain it?*

Response: A masterplan was specifically prepared for this site which included recommended heights and FSR as well as a public corner feature. The proposal has departed from each of these aspects (as shown in the table of page 51) whilst also been well beyond the form of development that would be associated with the Residential 2b and 2c zones being over 8000sqm over the permitted FSR and being double the allowable height limit.

4. *Does the proposal fit into the existing character of the area?*

Response: It is considered that the presentation along Dangar Street fits into the character of the area which is characterised by 2 and 3 storey scale dwellings and town houses. The proposed 4-6 storey structures over the extent of building footprint sought result in a development which is completely uncharacteristic.

5. *Is the proposal consistent with the bulk and character intended by the planning controls?*

Response: It is acknowledged that the subject site is a large parcel of land that can accommodate greater FSR and height than that permitted by the controls. However, the extent of the breaches to FSR and height are excessive and inappropriately sited. The FSR and height, particularly Building F and the upper storeys along King and Dangar Street maximise visual and amenity impacts, rather than seeking to minimise such impacts. Overall, it is considered that the breaches of the controls to the extent proposed will result in a bulk which overwhelms the character intended by the controls.

6. *Does the proposal look appropriate in its context?*

Response: As stated above, the 4-6 storey building heights are inappropriate in the context surrounded by 2-3 storey developments. The extent of the built form along the street frontages exacerbates the degree of visual impact and the unsuitability of the contextual relationship.

The above assessment clearly demonstrates that the proposal fails the test under the Planning Principle.



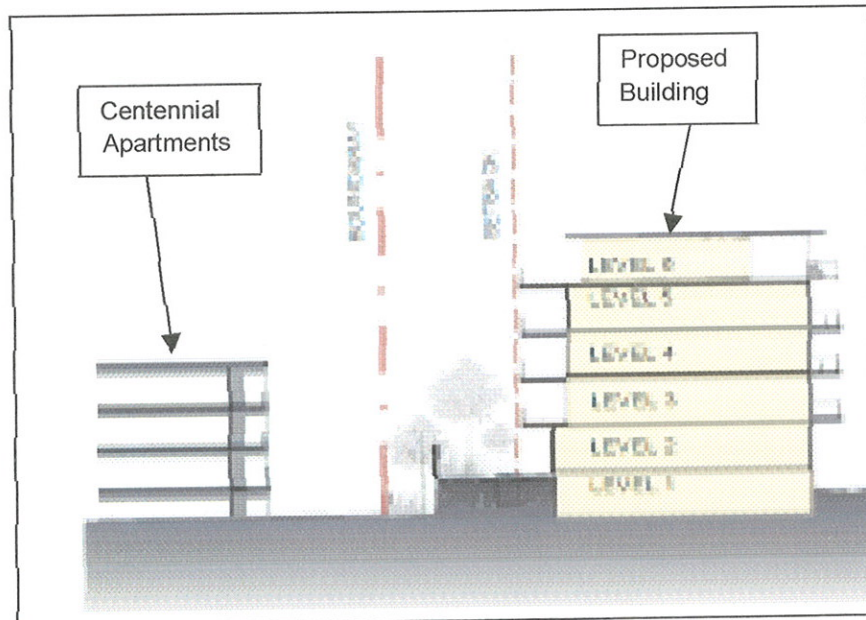
Eastern façade of Centennial Apartments



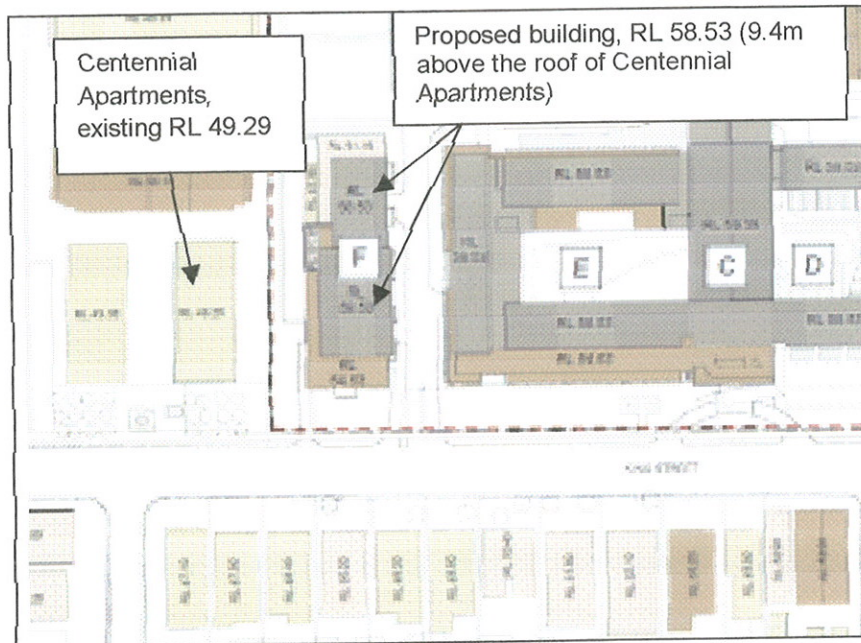
The proposed building F will completely obscure this aspect and will be 2-metres above the height of the building in the photo which is 70-metres away while the proposed building will be within 20-metres.



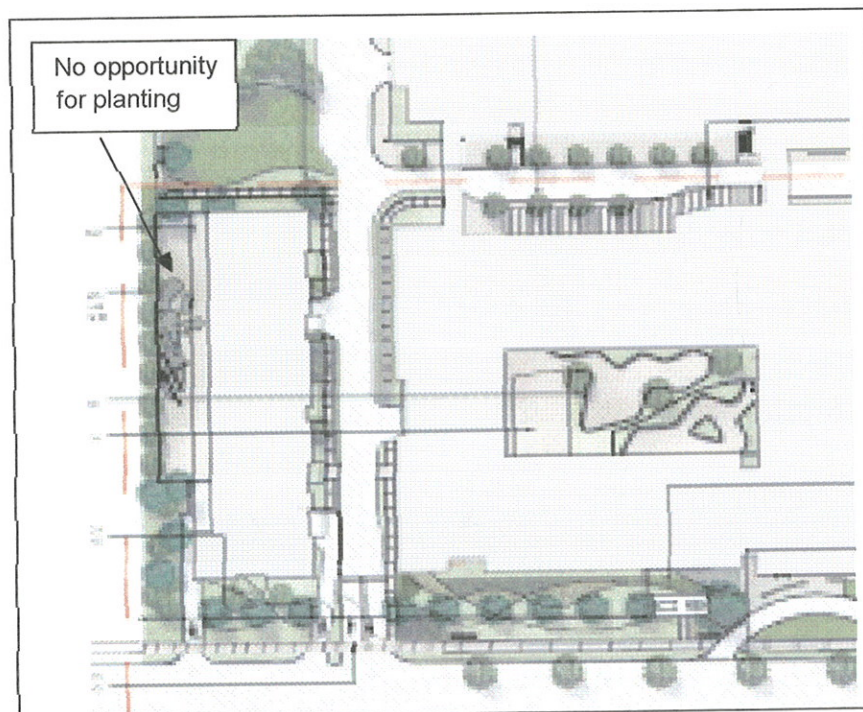
This expansive and green vegetated outlook will be replaced by a building 3-storeys above the uppermost storey of the Centennial Apartments.



Section plan demonstrating the existing building height of Centennial Apartments and the proposed building height.



Height map demonstrating the existing building height of Centennial Apartments and the proposed building height.



Landscape concept plan demonstrating that there is no opportunity for planting along the western side setback of the proposed building adjoining Centennial Apartments.

2. Height excess of up to 10.7m / 3-storeys

The proposed height associated with new Building F under the Concept Plan is in breach of the height limit by up to 10.7m which is equivalent to 3 storeys. Such excess is associated with a Building F which has a length of over 60-metres. This has severe visual impacts to Centennial Apartments (the immediately adjoining western neighbour – as shown in the photos above). Furthermore the eastern side setback which includes private open space areas would also be overshadowed.

The other height increases along King and Dangar Streets are also out of character with the surrounding area and are proposed at the perimeter of the site where they will be most evident.

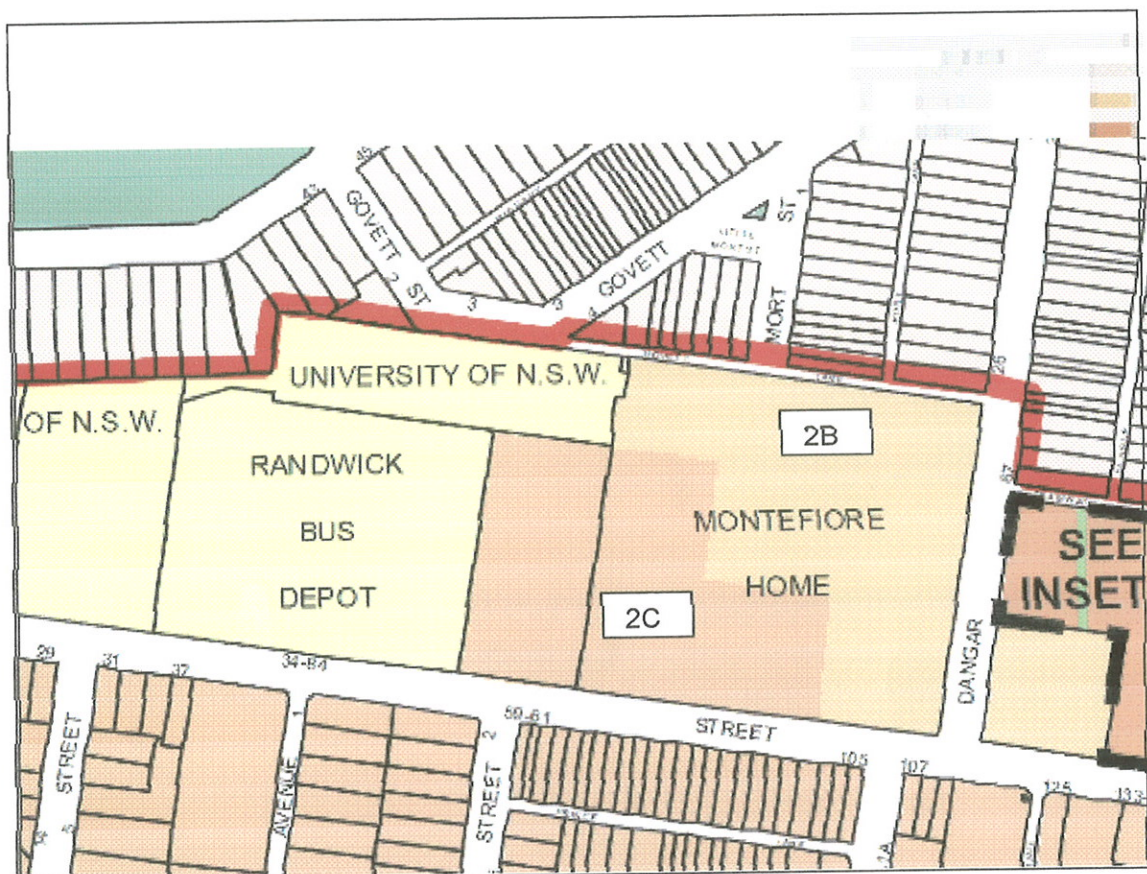
It is considered that the existing height of buildings along Dangar Street establish a suitable relationship with the surrounding area which includes semi-detached housing to the east along Dangar Street and single dwellings to the north along Govett Lane.

The applicant states that the proposed heights are compatible with the height of surrounding development, despite being 2-5 metres higher than the buildings along Dangar Street. Given that the buildings to the east are sited upslope from the subject site, such assessment is considered to have no merit.

3. Visual Impact / Inappropriate relationship to surrounding context

The proposed 6-storey flat building opposite the Centennial Apartments is considered to be visually obtrusive and unsympathetic in its height, length, proximity to neighbours and lack of landscape screening. The presence of the hard surfaced child play area along the western side setback adjoining Centennial Apartments removes any opportunity for effective screen planting. The Centennial Apartments have their sole outlook to the east towards the subject site and presently enjoy an expansive and landscaped outlook. Given that the proposal is 8000sqm in excess of that permitted, such visual impacts cannot be justified.

The proposed new addition to the existing complex substantially alter the relationship of the existing complex with surrounding areas. Presently, built forms to the King and Dangar Street frontages are limited in terms of height and breadth. The suitable relationship along Dangar Street (see photo below), should be maintained along Dangar and King Streets. Such height would offset the breadth of the proposals, and would be far more in keeping with the surrounding scale of development which is limited to 1 and 2 storey semi detached and detached dwellings along King Street and 2 to 3 storey townhouses along Dangar Street.



Randwick Zoning Map

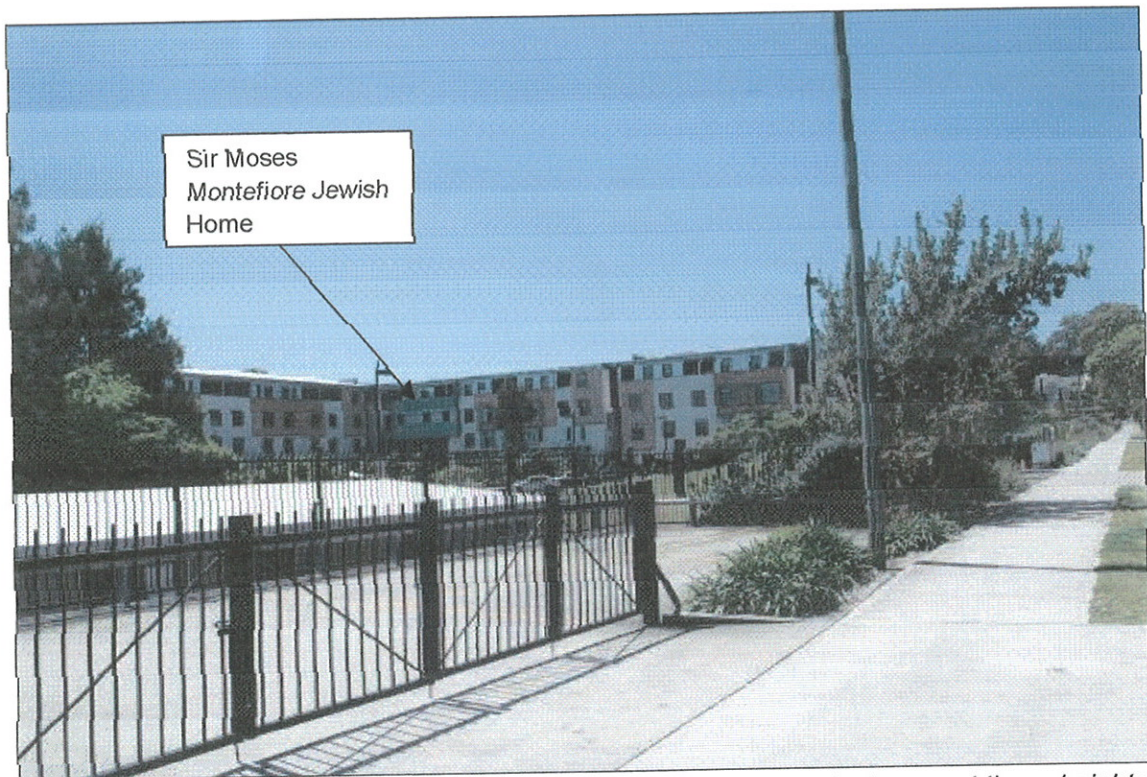
	FSR Allowed	FSR Proposed	Excess
Residential 2B	1.15:1 (including 0.5:1 bonus)	1.53:1	0.38:1 7,276sqm
Residential 2C	1.4:1 (including 0.5:1 bonus)	1.49:1	0.09:1 947sqm
			TOTAL 8,223sqm
	Height Allowed	Height Proposed	Excess
Residential 2B	9.5m	20.2m	10.7m
Residential 2C	12m	20.5m	8.5m



Adverse visual impacts of the existing components of Sir Moses Montefiore Jewish Home which were permitted to be higher than the controls as viewed from Govett Lane.



King Street consists of 1 and 2 storey dwellings. The scale of a 4 storey structure will be inappropriate opposite the 1 and 2 storey dwellings.



Existing 4 storey building heights within the site. The proposal seeks to repeat these heights along the street frontages.



The existing Sir Moses Montefiore Jewish Home is of an appropriate scale to the existing surrounds.



1 and 2 storey dwellings along King Street

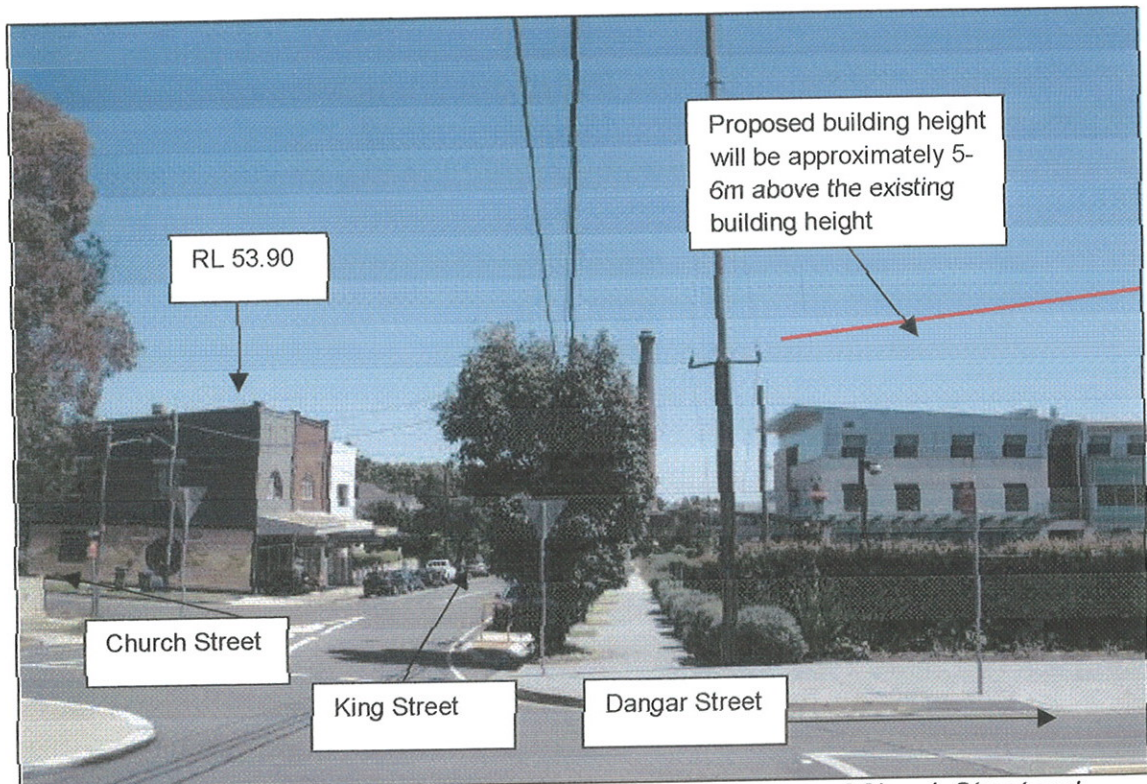
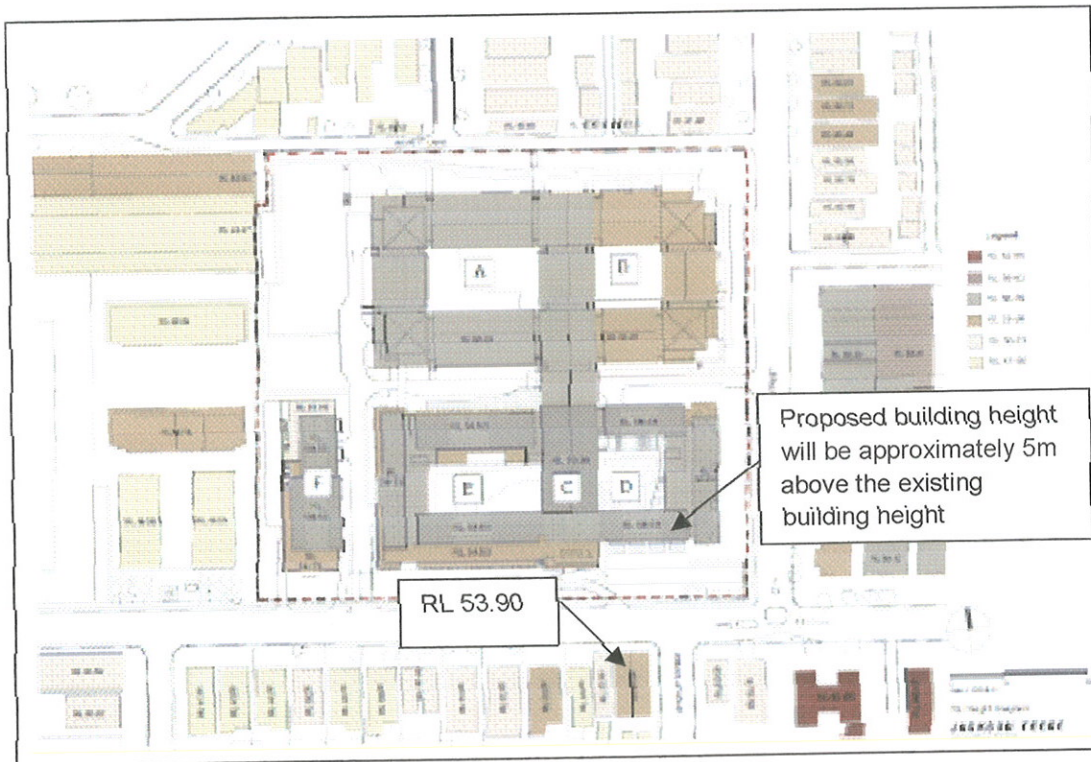


Photo demonstrating the existing RL of buildings on the corner of Church Street and King Street and the proposed height of the Sir Moses Montefiore Jewish Home.



Height plan demonstrating existing surrounding buildings and the proposed RLs of the Sir Moses Montefiore Jewish Home.

4. Parking

Experience of parking shortfall on the site and surrounding parking shortfall due to demands of the existing centre are one of the primary concerns to the broader community. The existing supply of parking cannot deal with shift changes while the centre has no power to enforce staff to park on-site. Additional parking can be easily catered for on site and should be provided as part of the overall redevelopment. Parking for the child care centre and self care units is also inadequate (although these are within Building F which should not, in our opinion, be permitted).



The use of landscaped areas within the complex for parking demonstrates the lack of parking on the site and the need for additional on-site parking beyond the rate anticipated by the traffic consultants.



Street parking is at its capacity along King Street



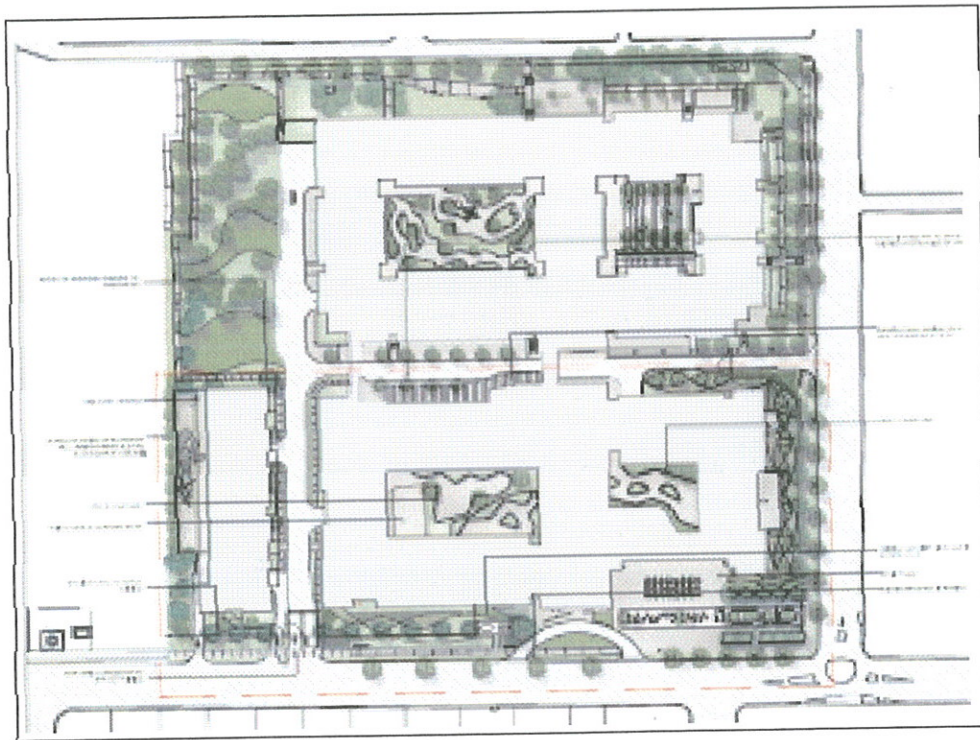
Street parking is at its capacity along Dangar Street

5. Landscaping

The proposed new buildings are generally around the perimeter of the site which shields the appearance and effect of the internal landscaped areas. The current site has substantial landscaped setbacks and area which are appreciated from within and external to the site. Landscaping which is visible externally is limited to the perimeter setback planting along King and Dangar Streets while such landscaping is undermined by vehicle entries and the forecourt in the south-eastern corner. The inadequacy of the landscaping setback adjacent to Centennial Apartments has been addressed above.

A review of the applicant's landscape plan is considered to reveal that the stated amount of overall and deep soil planting may be overstated and that the proposal is numerically deficient against the LEP controls.

A calculation of landscaping (overall and deep soil) should be provided to clarify this important issue.



Landscape concept plan

6. Light spill

Surrounding residents have already experienced significant light spill impacts. It is considered that the proposed further encroachment of buildings towards residential neighbours and additional building heights will only add to this impact.

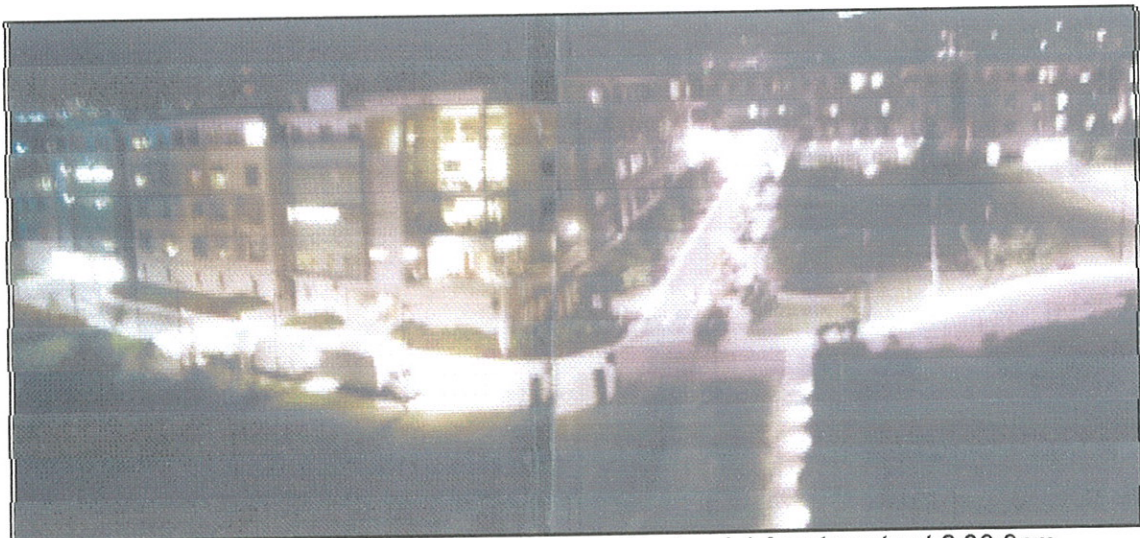


Photo of existing light spillage taken from Centennial Apartments at 8.30-9pm

7. View Loss

Apartment buildings located to the south east of the site enjoy city views across the site to the north west. The proposed building above the existing Building C and building proposed higher than the existing buildings e.g. Building F will affect these views. Such view loss is considered to be unreasonable given the height is non compliant by a significant degree (up to 10.7m) and is uncharacteristic in the area.



City views from these apartments across the site would be affected (to varying degrees) by the excessive and unreasonable height of the proposal.

8. SEPP 65

Given that concept plan approval is sought for proposed residential apartments in Building F which lies adjacent to the Centennial Apartments, an assessment against SEPP 65's 10 design principles should have been provided while the SEPP is also considered to be relevant in relation to the project application buildings in terms of the principles as well.

The Residential Flat Design Code specifically states that:

"many of its recommendations may be relevant to other types of residential development".

The following is our assessment against the 10 design principles:

8.1 Context

The proposed buildings will overwhelm its surrounds being substantially higher and bulkier than all buildings whilst also dramatically changing the character and extent of development on the subject site itself. The predominant form of development surrounding the site are 1 and 2 storey semi-detached and detached dwellings to the north (across Govett Lane) and south (across King Street) while 2 and 3 storey dwellings and town houses are located to the east across Dangar Street. It is acknowledged that there are some older style 3-storey residential flat buildings to the south-east along King Street however these forms are in the minority. There are also 4 and 5 storey flat buildings immediately to the west of the site (Centennial Apartments), however it should be noted that these were developed by the applicant and were erected on land which was once part of the subject site. Each of the built forms surrounding the subject site are limited in building length and footprint. The proposed form of development is contrary to this character as the length and height of buildings totally dominate and change the character of the locality. The physical model which was submitted with the proposal is considered to best demonstrate this issue.

8.2 Scale

The scale of the development (as assessed above) is totally foreign to the locality and alters the relationship of the subject site with its surrounds. The large expanses of open space and landscaping are proposed to be replaced with buildings which are higher, thicker and longer than any surrounding development. The continuous form of the development highlights the inappropriate scale of development. A more respectful development would mimic that which has been erected along the Dangar Street frontage as shown below:



The scale of this component does not dominate its surrounds and provides effective screen planting.

8.3 Built form

As stated above, the proposed built form which seeks to erect another level above the existing Building C and extension of existing buildings and erection of new buildings results in a built form which dominates its surrounds. The building proportions are foreign to the locality and detrimentally affect the character of the locality.

8.4 Density

As demonstrated earlier in this report, the proposed FSR is far beyond that would be anticipated for the site as the proposed FSR is 8000sqm over that which would be allowed under the Residential 2B and 2C zonings. Such excess is equivalent to 150 x 1 bedroom units or 80 x 2-bedroom units which displays the enormity of the excessive density. The related height, visual bulk, shadowing and parking impacts confirm the unsuitability of the proposed density which cannot be justified. It is reiterated that the applicant considers such excess to be 'minor'.

8.5 Resource, water and energy efficiency

The proposed Building F concept plan shows a building 60-metres in length with predominantly single aspect east or west oriented units. Such units would not achieve any cross ventilation and are inappropriately oriented to achieve 3 hours internal solar access.

8.6 Landscape

The existing degree and contribution of landscaping to the subject and surrounds will be detrimentally affected by the degree of built form. A high proportion of landscaped areas are courtyards within enclosed quadrangle areas which are not appreciated externally. Deep soil plantings are limited to perimeter strips with minimal landscaping on the prominent corner of Dangar and King Streets. There is a substantial numerical deficiency of deep soil planting (no greater than 50% of the required landscaping is to be over basements/podiums). Given that 14 739sqm of landscaping is required, the amount of deep soil planting is 7369sqm. The proposed 2958sqm of deep soil planting is therefore deficient by 4411sqm. This confirms the inadequacy of landscaping and overdevelopment of the site.

8.7 Amenity

It is considered that the proposed bulk, height and scale of development will be directly detrimental to the amenity of numerous residents surrounding the site. The Centennial Apartments are considered to be most affected while all other surrounding residents will be subjected to visual bulk impacts. Internally, it is considered that the proposal also offers poor amenity due to the lack of spatial separation, particularly compared with the existing layout and outlooks from buildings. The largely single aspect apartments within proposed Building F also confirms their lack of internal amenity in terms of solar access and ventilation.

8.8 Safety and Security

The lack of on-site parking for the future staff members is likely to exacerbate the existing scenario whereby staff are forced to park in surrounding streets. Given the 24-hour nature of the nursing home, this highlights a lack of safety for staff outside daylight hours. This reiterates the necessity for increased on-site parking.

8.9 Social dimensions

It is acknowledged that the proposal will provide for additional accommodation for the elderly, however, this should not be at the expense of amenity for surrounding residents.

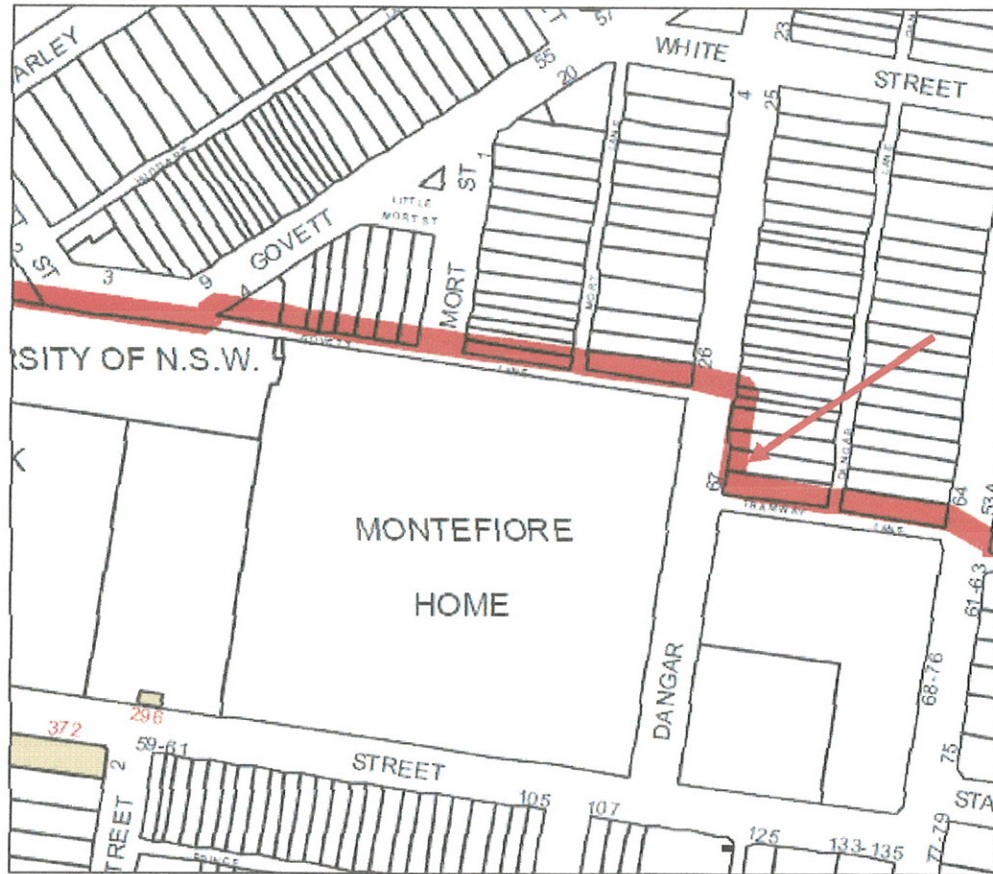
8.10 Aesthetics

The bulk and scale of the development cannot be alleviated by the choice of materials, finishes or articulation. Further, the montages which are dominated by trees cannot hide the excessive form of the proposal.

9. HERITAGE

Both the Statement of Heritage Impact and the Environmental Assessment Report state that the Montefiore site lies to the south of the conservation area yet make no reference to the fact that the conservation area also lies immediately to the east of the subject site. This is considered to be a major issue as it appears that the bulk and scale of the new buildings along Dangar Street and their impact upon the setting of the conservation area have not been taken into account. When looking north and south along Dangar Street to and from the heritage conservation area, the proposed buildings and the dwellings in the conservation

area will be in the same visual catchment, as shown below. This highlights the deficiency in the heritage and planning assessment.



The red arrow indicates the eastern side of the conservation area along Dangar Street which has not been taken into account in the consideration of the impact of the bulk and scale on the setting of the conservation area



View looking north along Dangar Street showing the subject site on the left and the conservation area on the right. New buildings in the foreground on the left would be in the same visual catchment.

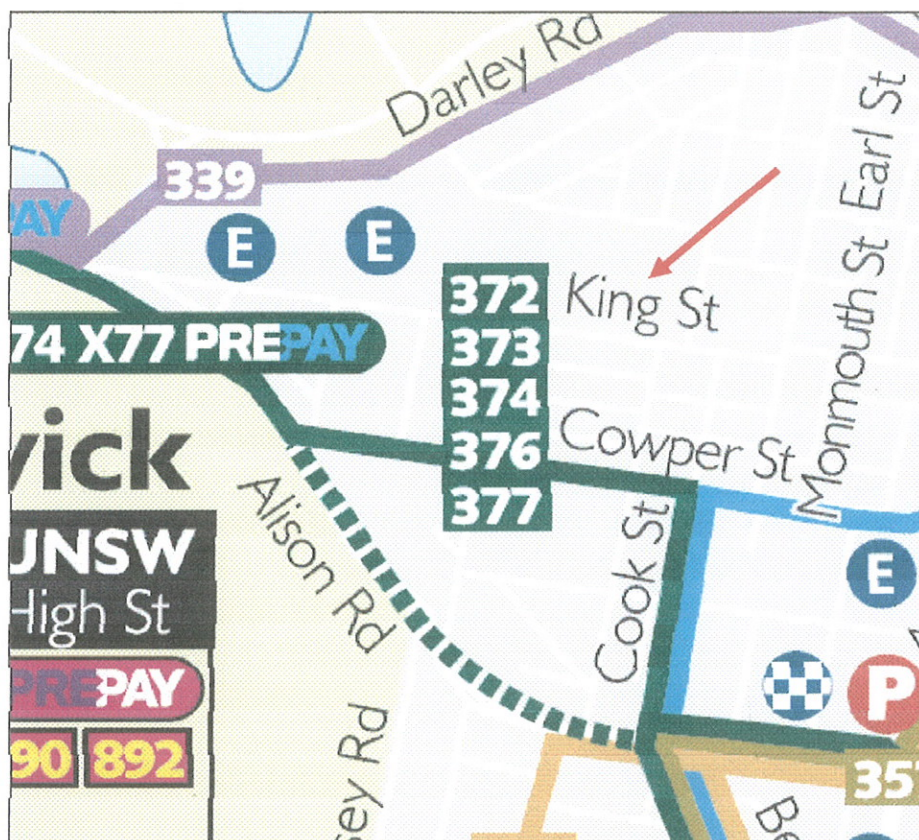


View looking south from the conservation (on the left) to the subject site (on the right) which demonstrates that the new buildings along the Dangar Street frontage will be inappropriately 5-metres higher than the existing buildings in the foreground on the subject site (which are considered to be of an appropriate scale).

10. ERRORS AND INCONSISTENCIES

A review of the applicant's Environmental Assessment Report and Statement of Heritage Impact identified the following errors and or inconsistencies:

- Page 12- Figure 10- states plan of existing building heights across the site and environs yet shows proposed building heights which could intimate to residents or landowners who reside elsewhere that the proposed buildings are existing.
- Page 16 states that there are bus services along King Street, however, as shown on the following public transport map, no bus services operate along King Street.



Bus services map which indicates that no buses run along King Street (red arrow denotes the subject site)

- Page 25- child care facilities- the report states that there is to be an increase from 20 to 50 places whereas a development application before Randwick Council was approved for an increase from 60 to 80 children. This has significant implications for parking which is considered to be inadequate.
- Landscaping contradiction- under part 3.11, page 26, it is stated that 2958sqm will comprise deep soil planting whereas the compliance table on page 45 states that the proposed landscaping over podiums/basements is 2958sqm. This is an important

issue which requires clarification by a detailed landscape calculation. Our calculation of the overall landscaped area indicates that the proposal is well under the stated 14,739sqm which is equivalent to the 50% requirement under Randwick LEP.

- FSR excess incorrectly stated- there are three instances (pages 53 and 55) that it is stated that the proposed variation of 0.09:1 is stated as 0.9:1. This has the implication that the applicant could consider that they have the right to achieve an FSR of 2.3:1. Such an important figure requires clarification.
- Heritage-the Statement of Heritage Impact and EAR do not make reference to the conservation area which also lies to the east of the site. This is a major deficiency.

11. CONCLUSION

This submission has demonstrated that the proposed concept and project application constitute an overdevelopment of the site.

The FSR and height variations to the standards within the LEP clearly demonstrate that the proposal is excessive and has severe streetscape and amenity impacts for neighbouring dwellings.

It is also considered that the quantity and quality of landscaping is deficient. It is considered that the proposal should be substantially scaled down, particularly in relation to Building F which sits adjacent to Centennial Apartments while the presentation to Dangar and King Street should also be reduced. The reduction of bulk, scale and height would result in a better streetscape relationship whilst also reducing parking demands generated by the proposal, which is another major concern of surrounding residents.

The social benefit of the proposal is not in question, however, the means in which the proposal is presented has unreasonable and unjustifiable streetscape and amenity impacts.

In the consideration of the subject applications, it is requested that management issues relating to noise, lighting, deliveries and vehicular traffic visiting the site be dealt with in a formal plan of management. This should address existing noise and lighting impacts associated with the use of the existing premises which are likely to be exacerbated by any proposed increase.

It would also give the residents to the north of the site greater comfort if a covenant were placed upon the only meaningful area of landscaping that would remain, in the north-west corner. It is understood that this area is utilised for stormwater detention and would be unlikely to ever be built upon, however, it is considered that a covenant would provide some certainty that this space would remain vegetated.

In light of the errors and inconsistencies in the EAR and Statement of Heritage Impact, it is requested that the proposal be amended and or clarified to address these issues and that the proposal be re-notified. The issues as highlighted in Section 10 of this submission are significant factors in the assessment of the proposal. These issues relate to FSR, landscaping and heritage, which, in our opinion, are critical in the determination of the proposal.

Please contact the undersigned for clarification of any of the above issues.

Yours sincerely

Anthony Betros

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Graduate Diploma in Urban Estate Management, UTS