

(56)

**Ben Lusher - Online Submission from [REDACTED] (object)**

**From:** [REDACTED]  
**To:** Ben Lusher <Ben.Lusher@planning.nsw.gov.au>  
**Date:** 26/11/2010 2:11 PM  
**Subject:** Online Submission from [REDACTED]  
**CC:** <assessments@planning.nsw.gov.au>  
**Attachments:** Photo image 1 \_ King Street.pdf

RE: Expansion of the existing Aged Care Facility at Sir Moses Montefiore Jewish Home,  
100-120 King Street and 30-36 Dangar Street, Randwick  
(MP09\_0188 and MP 10\_0044)

\*We wish for our names to be withheld and not be made available to the Proponent, other interested authorities, or on the Department's website. Thank you.\*

Before we list our concerns regarding the two proposals MP09\_0188 and MP 10\_0044, we would like to underline that so far the Sir Moses Montefiore Jewish Home has been a good neighbour and in principle we are not opposed to a reasonable expansion of the existing facility, that we understand the growing need for aged care facilities and are supportive of a sensible expansion of the currently under utilized site.

This, however, should be done in harmony with the surrounding buildings and without significant adverse impact on the community that share the neighbourhood. Regrettably, the applicant has put forward a proposal that in its current form calls for a new character within the site, and for the locality to change to a mid to higher density residential neighbourhood. This is, according to the applicant, consistent with the 'desired future character' of the area, all apparently without creating any adverse impact on the surrounding environment.

It must be taken into consideration that Randwick North currently consists of low to medium density housing. Plus the bus depot, the UNSW precinct and TAFE located to the west towards Darley Road. The applicant wants to take away the delicate balance that has existed for many years by proposing a change to high-density (EAR page 56, second paragraph), apparently to create a transition from the institutional precinct to the low/medium density residential neighbourhood.

It is in this context that we write to express our objection to the proposed development and concept plan of the Sir Moses Montefiore site. We believe that the new proposal massively exceeds in bulk, height and FSR and will have a detrimental effect on the neighbourhood. The proposal has very little in common with the Master plan 2002 that was adopted after careful Council and Community consultations and even with the supposed change in need, it doesn't warrants the breaches. The applicant took ownership of the site knowing its potential and limitations, and seems to now ignore their initial good intention by trying to maximise the return on the site to the expense of the community of Randwick North.

These are our concerns:

1. Covenant: Given that the northwestern area is used for stormwater detention and has been landscaped, it is requested that a covenant be placed upon this part of the site to avoid future development expansion. This would prevent any further development in proximity to the Govett Lane properties and the broader heritage conservation area, especially in light of the mention of a possible future increase in density on the subject site.

2. Density- the FSR is substantially above that permitted, even allowing for the 0.5:1 bonus for this type of development.

The Sir Moses Montefiore site is zoned 2B and 2C, (EAR, Figure 20, page 40)

FSR allowed in zoning 2B is 0.65:1 plus bonus FSR 0.5:1 equals total FSR of 1.15:1

FSR allowed in zoning 2C is 0.9:1 plus bonus FSR 0.5:1 equals total FSR of 1.4:1

Proposed FSR in zoning 2B is 1.53:1, exceeding allowed FSR by 0.38:1 or 7276sqm

Proposed FSR in zoning 2C is 1.4:1, exceeding allowed FSR by 0.09:1 or 947sqm

In total this adds up to 8223sqm over which is equivalent to 164 x 1-bedroom apartments (assuming 50sqm apartments or 85 x 2-bedroom apartments

3. Height: The proposed height violates both the RLEP 1998 and the Master plan and is not consistent with the surrounding residences.

Height allowed in zone 2B is 9.5m and in zone 2C is 12m

Proposed height in zoning 2B is 20.2m, exceeds of 10.7m

Proposed height in zoning 2C is 20.5m, exceeds of 8.5 m

Height allowed on Dangar Street front is 9.5m, RL proposed 58.53, exceeds of 4.03m equivalent to 1 full story.

The proposed buildings will have a height that is far greater than the adjoining residences and is further exacerbated by the buildings consisting of one continuous mass with no segmentation.

#### 4. Light spill:

It cannot be ignored that a partially commercial operation such as the Sir Moses Montefiore aged care facility has additional lighting requirements a solely residential facility would not have.

In this instance, the spill arises from common areas, nurses' quarters, and external security lights that are running 24 hours a day.

Currently from Govett Lane, the issues are the nurses' quarters and common areas in the north-western corner of the existing facility that are well lit every night, 7 days a week. In addition, on some nights one of the two balcony lights is left burning. The light arising from the aged care rooms are not an issue as they are similar to residential lights.

A plan to contain light spill should be a condition of approval, for example night shutters/blinds in common areas and nurses quarters

#### 5. Acoustic Factor:

As previously mentioned, it cannot be ignored that an operation such as the Sir Moses Montefiore aged care facility is partially commercial and has requirements a solely residential facility would not have.

The applicant states that 'the proposed aged care is residential in nature', that 'it is not anticipated that it will result in adverse noise impact' and that in 'the general absence of the site of back yards adjacent to adjoining dwellings' 'it is anticipated that the development will result in a lesser external acoustic impact than an alternative residential development that could be located on the site.' (EAR, page 59, External Acoustic Impacts).

We would like to correct the part where it claims 'the general absence of the site of back yards adjacent to adjoining dwellings' as #4, 6, 8, 10, 12, 14 and 16 Govett Street residences all have backyards oriented to the south toward the Montefiore site, thus being affected by arising noise issues. Also, residential noise is not comparable with commercial noise. People laughing and talking, kids playing, the occasional lawn mower, the weekly garbage service etc is very different to the lengthy daily garbage/waste collections, delivery and servicing truck leaving the engine running up to 20 minutes at the time. To give an example, last Saturday at 6.15am, a truck drove to the loading dock, was stationary for a lengthy period of time with his engine running before banging the doors shut and leaving.

a. Whilst we agree that the existing facility is residential in nature, it contains commercial components such as a kitchen and laundry that not only service the Sir Moses Montefiore home at Randwick but also the Woollahra and Hunters Hill facilities externally.

The existing loading dock located on the western side towards Govett Lane is busy with delivery and servicing trucks that leave engines running and some banging their garbage bins during collection. The flurry of activity occurs mainly in, but not contained to, the morning. An extension of the existing facility will exacerbate the

problem if not addressed adequately. This could be in form of a special awning.

b. Another concern is the type and location of air-conditioning units. The DA does not seem to mention where air-conditioning units are located and what is done to muffle them. Not so long ago, a rather noisy laundry vent was installed by Montefiore and it took substantial time and Council involvement to rectify the issue. Not to repeat this situation, specifications of the air-conditioning unit location and appropriate noise insulation of the units must be considered as part of the consent.

#### 8 . Precedence:

Throughout the EAR it is mentioned that the DA and the Concept plan lodged is consistent with the desired future character of the area and at the same time seeks approval for higher density.

The density to the north of the site is exclusively low, to the south and east low to medium and to the west medium density (Centennial apartments). The western boundary also adjoins the NSW Warehouse that has been built in the late 18700.

The master plan 2002 was approved with substantial Council and community consultation, seeking to preserve its charm for many future generations to enjoy.

Montefiore now seeks a change from medium to higher density to maximise its commercial viability (EAR, page 16), and maintains that the proposal is not only in keep with, but is the desired future character for the area. The community of Randwick North does not share this vision and even Randwick City Council has expressed concerns about the desired future Character of Randwick North in their submission. This high-density proposal is out of character for the area.

If the DA and Concept plans were approved in its current form or with minor modifications, the applicant will have achieved its objective to develop the site with very little restrictions, breaching all guidelines in terms of bulk, height and FSR and more importantly, paving the way for other sites close by to be developed in a similar manner. The sky is the limit.

The community will feel the full impact high density developments would bring to the area be it by loss of amenity, loss of parking, increased traffic. The residents, many with young kids and retired residents, will live in uncertainty not knowing what will happen to the building or green space next to their homes.

#### 9. Comparison with Previous Masterplan:

It must be noted that Sir Moses Montefiore purchased the site with full knowledge that the site is located in a quiet residential area, and the zoning and limitations that come with it. The Master plan 2002 was adopted for the site after extensive Council and Community consultation. Almost 10 years on, the applicant seeks approval for a DA and Concept Plan that is far removed from the original Master Plan 2002.

According to the DA 816/2008 lodged to Council on page 6, under the Master plan 2001 that included both lot 201 and 202, the following were approved: 480 high and low care beds, 100 self-care units, 340 seat Synagogue, hydrotherapy pool and aged day care centre, FSR 1.08:1, Dangar Street max building height RL51.8 to pitch roof ridge), King Street max building height: RL 54.8 to pitch roof ridge (EAR table 6, page 51)

Montefiore decided that lot 201 did not fit their ideal and proceeded with purchasing lot 202 only.

Consequently, the original Master plan 2001 was amended to reflect the new site area (lot 202 only) and approved 277 aged care beds, 60 self-care units, a 825sqm aged day care centre, a 244 seat synagogue and 350 sqm retail space, FSR 1.2:1, Dangar Street max building height RL50.5 to pitch roof ridge), King Street max building height: RL 53.7 to pitch roof ridge (EAR table 6, page 51)

The applicant states that while objectives for the provision of aged care and trends towards increasing demand for such care have remained consistent since 2001/2002, evolution necessitates greater spatial and service requirements of both the Montefiore Jewish Home aged care facilities as they were almost a decade ago. (EAR,

section 5.3 page 50).

Although the applicant knew the trend back in 2001, it didn't proceed with the purchase of lot 201, due to lack of availability of that lot for development? (EAR page 51, third paragraph under table 6). It must be noted that owning both lot 201 and 202 would have given the applicant greater flexibility with increasing the number of beds/units be built on the site without the substantial breaches.

The statements are fundamentally flawed in A; the applicant does not only propose to cater for greater special needs and service requirements, but at the same time seeks to double its capacity and B: the Centennial Apartments have since been built on lot 201 giving testimony that the site was indeed suitable for development.

Comparison of proposed DA/Concept plan to Master plan 2002:

Masterplan 2002: 277 aged care beds, proposed: 276 additional beds, totalling 553 beds, a doubling in number  
Master plan 2002: 60 self-care units, proposed: 35, a reduction of 25. It must be noted that the bulk and height of proposed building F in comparison to the building containing self care units on the old master plan 2002 is of greater proportions (pls refer to Appendix I, Masterplan 2002, section 1.2, Revised Masterplan). This would suggest that whilst the concept plan proposes less actual number of units, the size and number of bedrooms within each unit may be far greater than the self care units approved under Master plan 2002.

Master plan 2002: Dangar Street: max building height: RL 50.5 (pitch to roof ridge), proposed: 58.53, difference of 8.03 meters, King Street: RL 53.7, proposed: RL 58.53, difference 4.83 meters.

Comparing the numbers and figures, it is clear that the current Concept plan and DA has very little in common with the Masterplan that was approved in 2002.

#### 10. Utilisation of the site:

Throughout the EAR, it is mentioned that the Sir Moses Montefiore site is currently under utilized. It is within the applicant's right to further expand their facility on the site. However, justification for the over utilization of the site sought by stating on page 39 that there is a lack of alternative sites within the same ring around Randwick Shops and medical hub that would enable the achievement of key strategy outcomes.

Looking through the SMH business section on one weekend only, it is clear that from time to time suitable sites do become available making the argument flawed.

For example, SMH 30 October 2010, a prime 12,550sqm site on 57-63 St Pauls Street Randwick is advertised, DA for 152 Retirement Living Apartments, potential use for Residential and Retail, EOI: Close Wednesday 10th November at 4pm.

In the SMH Commercial Real Estate Section on 30 - 31 October 2010, Oxford Street, Bondi Junction, a 11,900 sqm Building Envelope - Mixed Use, is advertised with DA for a 14 storey building + parking for 65 cars, City and Harbour views, EOI: Close Friday 12 November 2010.

Given that suitable sites become available, it appears that the main purpose of this massive proposal is to increase commercial viability of the current site (EAR, page 16), without much consideration of the surrounding residents that will feel the full impact of the proposal. Reducing the FSR closer to 1.15:1 in zone 2B and 1.4:1 in zone 2C would allowed Sir Moses Montefiore to significantly expand their aged care facility at the same time reducing both bulk and height, thus minimizing the impact on the community.

#### 11. Car parking:

We would like to raise some questions over the proposed car parking spaces.

EAR page 49: DCP requirements for 0.5 spaces per bedroom in self-contained dwellings \* 35 units = 18 spaces?. This is a bare minimum calculation given that building F is a Concept only. Self-contained units can consist of 1 up to 3 bedrooms; an average of 2 bedrooms per self-contained dwelling would be more appropriate. 75 bedrooms \* 0.5 car spaces = 35, 17 short

Childcare centre DCP requirements for 1 space per every 2 staff members. As the number of staff cannot be known at this stage, a rate of 1 space per 4 children is adopted in accordance with RTA guidelines. Proposed 50

children onsite = 13 spaces?

Corrected numbers of approved numbers: 80 children = 20 spaces, 7 short

### 13. Car parking and traffic:

The bare minimum of proposed internal car parks will have a negative impact to the community. Staff prefers to park on street rather than having to wait for the gates to open then search for a vacant space. An additional proposed 57 car park spaces looks inadequate considering the doubling of aged care beds numbers from 276 to 552 plus 35 new self care dwellings (1-3 bedrooms). The shortage of on street car parking spaces will be further exacerbated.

Additional medical and other professional staff, visitors, volunteers plus extra delivery and servicing trucks will increase traffic, thus impacting on safety.

### 14. Errors and Omissions:

#### i. FSR calculation:

It appears that the FSR calculation in zone 2C is conflicting. FSR allowed (including bonus 0.5:1) is 1.4:1; FSR proposed is 1.49:1, an exceedens of 0.09:1.

On three occasions, the FSR variance is listed as being 0.9:1, allowing for a total FSR of 2.3:1 if approved (EAR, page 53, Table 8, and on page 55 in 1st and 2nd last paragraphs). To quote some of the applicant's wording: "The Concept Plan seeks minor variations to the applicable standards by 0.38:1 and 0.9:1 respectively for the 2B and 2C zones".

First we thought that this must be a typing error accidentally leaving out a 0 by stating a variance 0.9:1 instead of 0.09:1. However, the variance of 0.9:1 is outlined in three different sections. Therefore one can only conclude that this cannot be an oversight and that the applicant seeks leeway for a possible future FSR of 2.3:1 on that site.

It is paramount that the documents are corrected to reflect the accurate exceedens of 0.09:1, eliminating the chance of an FSR of 2.3:1 once the DA/Concept plan have been approved.

#### ii. Error in Statement of Heritage Impact

The Statement of Heritage Impact states that "The Montefiore site is located to the south of the North Randwick Heritage Conservation Area, as Govett Lane forms part of the southern boundary of the conservation area." (page 4, Heritage Status). On page 6, it states: "North Randwick Heritage Conservation Area: The proposed buildings are located on the southern boundary of the Montefiore site. The northern part of the Montefiore site is adjacent to the North Randwick Heritage Conservation Area, as Govett Lane forms part of the southern boundary of the identified conservation area. The new buildings will be further away from the conservation area and significantly concealed by the existing four storey building and associated planting located between the new buildings and Govett Lane. As such, the new buildings will have a minimal visual impact on the heritage conservation area located to the north of the proposal (see Figures 9 and 10 below)."

It fails to list that the Randwick North Heritage Conservation Area in fact covers the eastern side of Dangar Street up to Tramway lane, thus the Montefiore site is also partially located to the west of the Conservation Area. Given this substantial omission, the integrity of the entire report is flawed as the assessment is based on the belief that the eastern side of the Montefiore boundary does not adjoin the Heritage Conservation area.

The Heritage Statement should be reviewed taking into consideration that the Randwick North Heritage Conservation Area extends up to Tramway lane and reconsiders the full impact of building D as the new buildings are in fact close to the conservation area and will not be concealed by the existing four storey building.

#### iii. Incorrect number of Childcare places

The proposed and existing number of childcare spaces listed in the EAR is misleading. On page 25, section 3.8, the capacity of the proposed childcare centre is stated as being 50, up from 20 children.

In fact, on the 22 September 2010, a Council DA notification was sent out to residents in regards to Moriah College seeking approval to increase the number of children from existing 60 to 80. Council approved the DA on the 22 October 2010.

Thus, relevant sections regarding the Childcare facilities are therefore inaccurate (e.g. section 3.8 on page 25, car parking p. 49).

## iv. Flawed photomontages:

1. Appendix\_G\_Photomontages: Comparing the ?existing photo 1, View from corner of Dangar Street & King Street looking West along King Street? (Building C, Burger Centre) with ?photomontage 1, View from corner of Dangar Street & King Street looking West along King Street?: On both images, the orientation (south) and the scale of the car in front, roundabout and king street are identical. Copy and paste the proposed building over the existing building, it becomes clear that the photomontage is misleading. There is an additional story proposed on top of the Burger Centre (Building C), however, the photomontage shows the proposed building being considerably smaller than the existing Building C. . (Pls see PDF file Photo image 1\_ King Street)

2. Appendix\_G\_Photomontages: Comparing ?Existing Photo 4 - View at main entrance on Dangar Street looking South? and ?Photomontage 4 - View at main entrance on Dangar Street looking South? In the photomontage, the section with the parked cars has been entirely deleted and the bicycle lane ends well short of King Street. Furthermore, the main entrance on Dangar Street into the Montefiore site has actually been omitted for the montage.

## v. Omission of RL?s

Some of the RL?s are omitted resulting in the colour coding to be inaccurate (EAR, figure 10)

For example, RL given for Building B is 53.26, which would be the top pitch of the roof. In fact, the roof is sloping down towards Dangar Street with a drop to a lower roofline, thus reducing the RL to below 53 at Dangar Street level. This changes the colour code of the section at Dangar Street to RL 50-53

The same applies to the only RL given for Building A, which is listed at 56.45 (top height). It must be noted that the roofline slopes towards Govett Lane reducing the RL at street level, and that there is a substantial inset (balcony) at the north western corner (EAR page 11, Figure 8). The colour coding in EAR, Figure 10 suggests that the balcony has an RL of 56 ?59 which is clearly not the case.

Please refer to Attachment A-Plans, Section 3.6/34, Level 6 Floor plan for the sloping of the roof in existing building A and B

Once more we would like to emphasise that we are in support of a moderate extension of the Sir Moses Montefiore facility. At the same time, we urge the NSW Department of Planning to seriously consider the substantial breaches in bulk, height and FSR, the impact the proposal will have upon the community and that the high-density proposal is well out of character for the low to medium density area of Randwick North. The current proposal is of massive scale and should not be allowed to proceed in its current form or with minimal changes only.

Reducing the FSR closer to 1.15:1 and 1.4:1 in zone 2 B and 2C respectively, and the height closer to 9.5m and 12m in zone 2B and 2C respectively, would still allow Sir Moses Montefiore to significantly expand their aged care facility and achieve its goal to provide additional beds in a more spatial environment being able to provide better care.

Thank you for your consideration.

Name: [REDACTED]

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Randwick North NSW 2031

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Submission for Job: #3884 MP10\_0044 Project Application for Stage 1 of Seniors Housing and Care Facility  
[https://majorprojects.onhiive.com/index.pl?action=view\\_job&id=3884](https://majorprojects.onhiive.com/index.pl?action=view_job&id=3884)

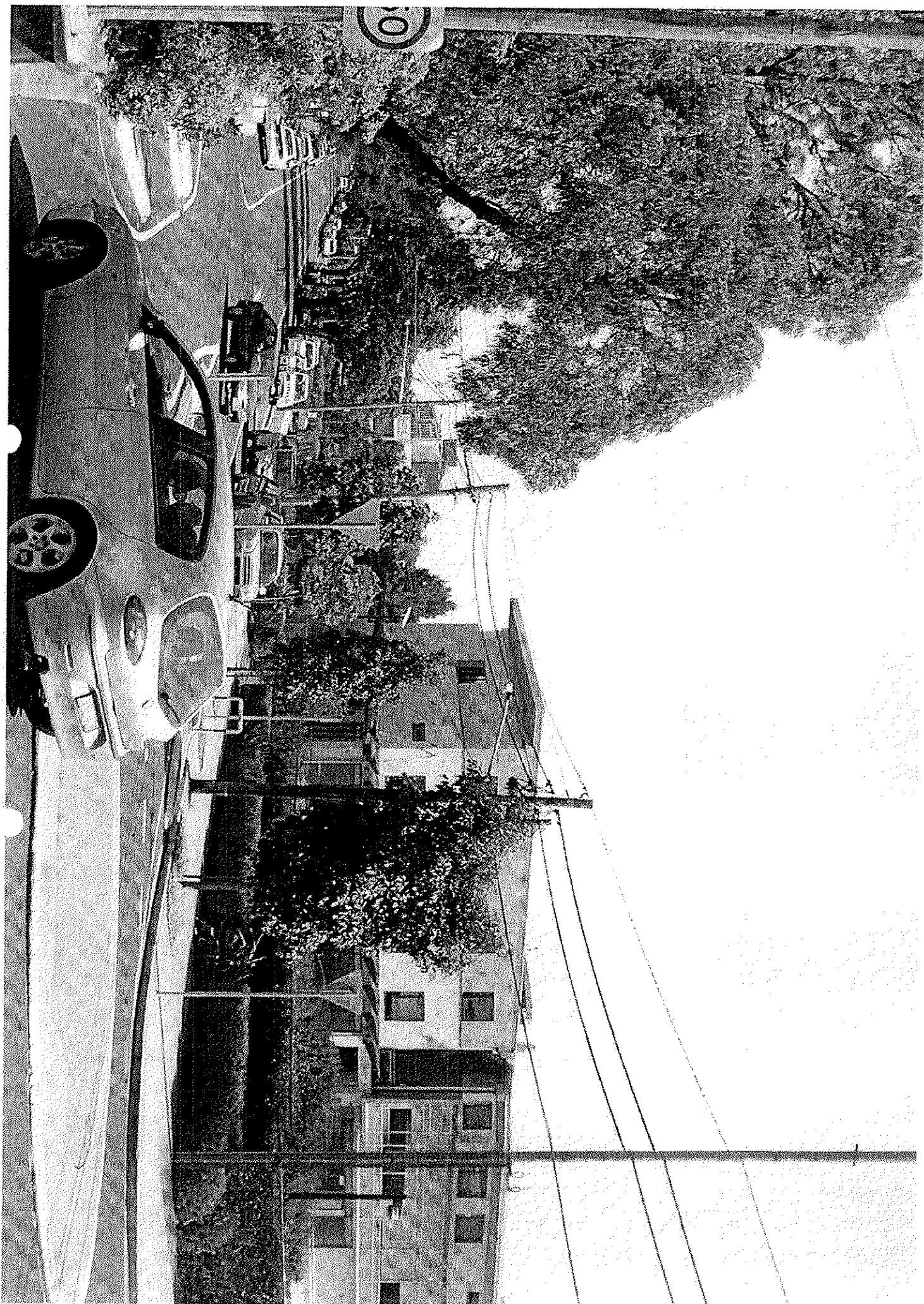
Site: #2147 Sir Moses Montefiore Jewish Home  
[https://majorprojects.onhiive.com/index.pl?action=view\\_site&id=2147](https://majorprojects.onhiive.com/index.pl?action=view_site&id=2147)

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**Ben Lusher**

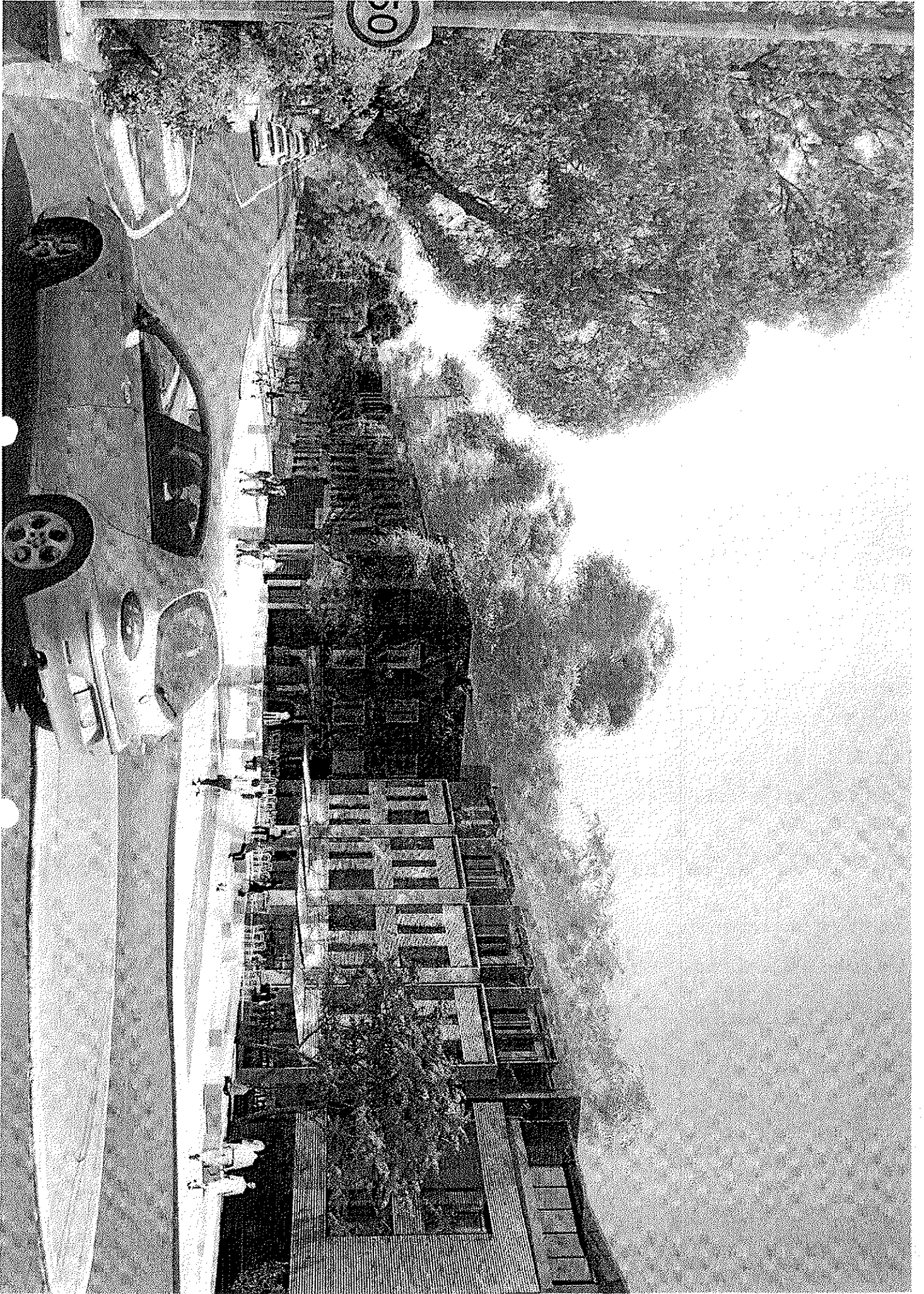
E: [Ben.Lusher@planning.nsw.gov.au](mailto:Ben.Lusher@planning.nsw.gov.au)  
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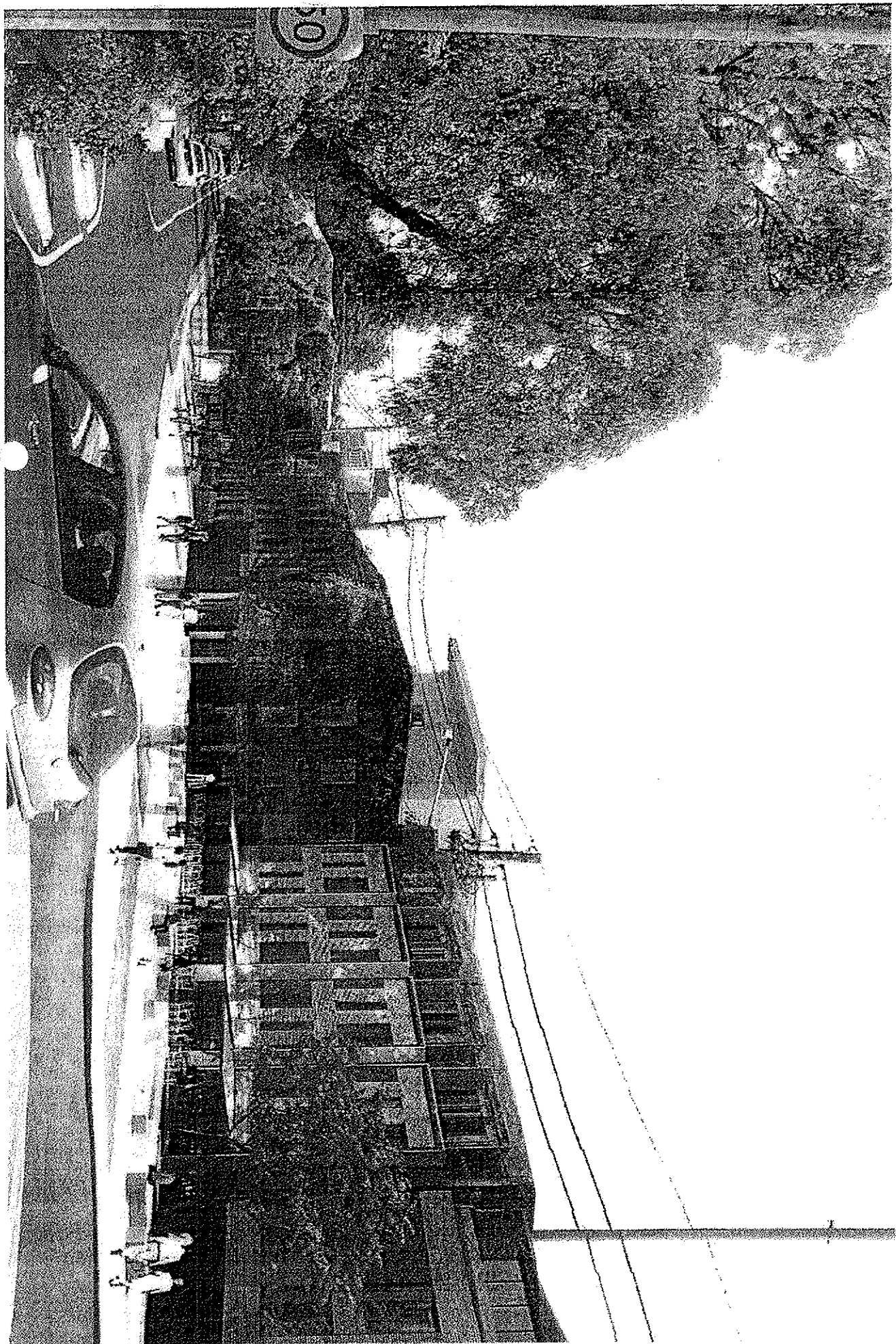
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26 November 2010

The Director, Metropolitan Projects  
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[amy.watson@planning.nsw.gov.au](mailto:amy.watson@planning.nsw.gov.au)

**Copy to**

Mr Sam Haddad  
Director General  
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Sydney NSW 2000

The Minister for Planning  
The Honourable Mr Tony Kelly  
Department of Planning  
22-33 Bridge Street  
Sydney NSW 2000

Counsellor M Matson  
[mayor@randwick.nsw.gov.au](mailto:mayor@randwick.nsw.gov.au)

Dear Sir

**Aged Care Facility  
King Street and Dangar Street, Randwick**

As the owner of 18 Dangar Street, North Randwick, I lodge an objection to this application.

**Part 3A process**

Regrettably, this application demonstrates the key vulnerabilities of the Part 3A planning process, namely fundamental non-compliance with all relevant planning controls/resident expectations for a site turning the process into an inelegant grab for floor space through a de facto re-zoning process.

**Planning merits**

The **existing** facility is a wonderful resource and provides much needed accommodation for the elderly in quality surroundings.

In stark contrast the proposed application is manifestly ridiculous for the site. It pays no regard to the relevant planning controls, its bulk and scale are excessive in the extreme, it cannot provide for



its own parking needs, it destroys residential amenity and represents an unfortunate and arrogant claim.

### **Planning history**

The application also seeks to ignore the planning history of the site.

The history of the site is fundamentally relevant and is being ignored by the applicant.

The local community has twice been informed that the site would be sympathetically developed and with public open space to be provided.

This first occurred when the bus depot site was to be sold by the State Government to private interests.

At that time Randwick City Council introduced DCP18 on 14 July 1993 with Clause 3.7 of that DCP providing -

*"Large, conveniently located, useable areas must be provided...the effect of the build environment on these park areas should also be minimised..."*

Thereafter the current owner, presumably in good faith, negotiated the approval of a Master Plan in 2002/2003 which incorporated an area where a local pocket park would be provided.

There is little need for me to remind you of the decision of the Land and Environment Court in **Stockland v Manly Council** which remains an important statement of principle of the weight to be given to planning documents like this and the importance of maintaining faith and confidence in the town planning system.

Local people (including me) have purchased real estate in the locality on the assumption that both the owner of the land and the planning authorities would conscientiously apply the 2002/2003 Master Plan and the earlier promises of open space on the site and sympathetic development would both occur.

The scheme incorporates no quality public open space and the scheme is manifestly unsympathetic.

### **Conclusion**

The application is manifestly inappropriate and represents a fundamentally flawed process.



It is difficult to conceive that a properly instructed planning authority could recommend approval or approve this application.

Yours faithfully

A handwritten signature in black ink, appearing to read 'D O'Donnell', with a long, sweeping horizontal stroke extending to the right.

David O'Donnell  
LLB (Syd) LLM (Lon)



Major Project Assessment  
Department of Planning  
GPO Box 39  
Sydney NSW 2001

25<sup>th</sup> November 2010

**Re: Application MP09\_0188 and MP10\_0044 - Expansion of the existing Aged Care Facility at Sir Moses Montefiore Jewish Home, 100-120 King Street and 30-36 Dangar Street, Randwick**

Dear Sirs,

I am writing to formally object to this proposed project as a resident of the Centennial Apartments at 90-98 King Street, Randwick.

When the Montefiore have consulted with the local residents it has purely been a PR exercise. They have not addressed the concerns of the local residents and have not amended their plans adequately to remedy our issues with the development. I am hoping that you will understand our concerns and help us keep our local area safe and free from over development.

As detailed in the Environmental Assessment Report that you will have received, this development grossly affects the quality of life for all local residents in the area. The size and scale of the development will turn our quiet residential area into an industrial scale building site for the next five to ten years resulting in a building that wouldn't be out of place on Anzac Parade.

The proposed development is non-compliant with the relevant amenity and privacy standards. The proposed development breaches the density and height limits for the zoning of the site.

I live on the ground floor in Centennial Building 2, the building that will face Building F of the development. The only window that the apartments in this building have will face directly onto the windows of Building F. This means that we will have absolutely no privacy from the residents in Building F. Residents in Building F will see straight into the bedroom and living space of our apartment in Centennial Building 2.

There is currently a single level child care center on this site. Even with a small building like this, there is a lot of noise pollution from the site during the day and light pollution in the evening. Can you imagine what it will be like with a 6 storey building in its place?

The Montefiore also wishes to majorly increase the size of the current childcare center as part of the development plan. This includes putting the playing area right in front of Centennial Building 2. This will greatly increase the noise that already comes from the center, often 6 days per week. The proposed drop off area for the child care center is unrealistic and obviously designed by someone who has never dropped children off to a childcare center on their way to work. Their unpractical plan to have parents drive through a boom gate into and below the complex to drop off children will simply not work. Parents will instead double park and drop their children off on the side of the road as they do now causing congestion on the road and a greatly increased risk of traffic accidents.

Another concern is the light that Building F will transmit. The problems that our fellow residents in Centennial Building's 3 and 4 currently have with the existing Montefiore development will be amplified for our building. This will affect quality of life for people in our building as they will have light steaming into their bedrooms all night, every night.

In addition to these concerns, residents in Centennial Building 2 will also be affected by the shadow that the 6 story Building F will cast on their apartment and their only outside space. Montefiore did address this by doing a shadow report and they seemed to be impressed with themselves when they changed their plans so that we don't get a shadow until 9.30am in the morning. When challenged we

were told to get up early to enjoy the sunshine. This shows what little regard they have for local residents and that this is just a cash grab project.

What Montefiore fail to realize is that the issues that we have with Building F will be the same issues that their patients will have with our building.

We have raised these concerns with Montefiore through their Project Management team, but they are not interested in our concerns and have not done anything to address them. The latest proposal and model shows a greater density of trees planted between the two sites but the area of ground between the sites has not increased so I don't know where they are going to put them.

In relation to the proposed Buildings C, D and E, their size, scale and placement are also grossly out of keeping with the local area. The proposed public square on the corner of Dangar Street and King Street with café/retail shops are realistically for the increased numbers of staff and visitors to complex and not for the local residents. We are happy with our local café and being so close to Centennial Park would rather use that open space.

There is already a problem with staff and visitors of the Montefiore parking on the roads in the area and restricting local residents from being about to park close to their own homes. When the Montefiore showed us around the existing complex, they showed us a large empty car park. I understand that local residents have complained to Montefiore about this several times and with the proposed increase to the size of the facility this problem will only get worse.

The demographic of the local residents in this area is made up of a mixture of those who have lived here for most of their lives, to newer residents like myself who moved to the area to bring up their families. The reason why we live here is that it is a safe, tidy and quiet residential area. This proposal will demolish that and will affect the re-selling ability and price of our properties.

I attended the recent council meeting where Dan Murphy from the Randwick North Action Group presented the findings of the findings of the Environmental Assessment Report to local council. The one fact from the report that really stood out for me was that the proposed development beached the requirements for the land by 108 one bedroom apartments. That is larger than the whole of the Centennial complex.

The residents of Randwick North really hope that you will listen to our concerns and help us keep our quality of life.

Yours Faithfully

Dan Carter and Katie Briance

CC:

Hon. Kristina Keneally, Premier: [premier@nsw.gov.au](mailto:premier@nsw.gov.au)

Hon. Tony Kelly, NSW Minister for Planning: [sharon.armstrong@lpma.nsw.gov.au](mailto:sharon.armstrong@lpma.nsw.gov.au)

Hon Paul Pearce, local MP for Coogee: [coogee@parliament.nsw.gov.au](mailto:coogee@parliament.nsw.gov.au)

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Hon. John Kaye, Greens MLC: [john.kaye@parliament.nsw.gov.au](mailto:john.kaye@parliament.nsw.gov.au)

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Hon. Brad Hazzard, MLA, Shadow Planning Minister: [brad.hazzard@parliament.nsw.gov.au](mailto:brad.hazzard@parliament.nsw.gov.au)

Hon. Barry O'Farrell, Opposition Leader: [LOP@parliament.nsw.gov.au](mailto:LOP@parliament.nsw.gov.au)

Randwick Council: [general.manager@randwick.nsw.gov.au](mailto:general.manager@randwick.nsw.gov.au)

Murray Matson, Mayor: [murray.matson@randwick.nsw.gov.au](mailto:murray.matson@randwick.nsw.gov.au)

Kiel Smith, Deputy Mayor and North Ward Cr: [kiel.smith@randwick.nsw.gov.au](mailto:kiel.smith@randwick.nsw.gov.au)

Margaret Woodsmith, North Ward Cr: [margaret.woodsmith@randwick.nsw.gov.au](mailto:margaret.woodsmith@randwick.nsw.gov.au)

Paul Tracey, North Ward Cr: [paul.tracey@randwick.nsw.gov.au](mailto:paul.tracey@randwick.nsw.gov.au)



(59)

**Amy Watson - Re: APPLICATION NO. MP09\_0188 and MP10\_0044 \_  
EXPANSION OF THE EXISTING AGED CARE FACILITY AT SIR MOSES  
MONTEFIORE JEWISH HOME**

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**From:** Amy Watson  
**To:** Lara Mulligan  
**Date:** 29/11/2010 9:31 AM  
**Subject:** Re: APPLICATION NO. MP09\_0188 and MP10\_0044 \_ EXPANSION OF THE EXISTING AGED CARE FACILITY AT SIR MOSES MONTEFIORE JEWISH HOME

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Hi Lara,

I have received your submission and have forwarded it on to the assessing officer, Ben Lusher.

Ben's contact details are: ph 9228 6552 and e-mail: [ben.lusher@planning.nsw.gov.au](mailto:ben.lusher@planning.nsw.gov.au)

Kind Regards,  
Amy

Amy Watson | Senior Planner | Metropolitan Projects | Major Projects Assessment | NSW Department of Planning  
[www.planning.nsw.gov.au](http://www.planning.nsw.gov.au)  
23 - 33 Bridge Street, NSW SYDNEY 2000 | GPO Box 39 SYDNEY NSW 2001 | Phone: (02) 9228 6379 | Fax: (02) 9228 6488 | Email:  
[Amy.Watson@planning.nsw.gov.au](mailto:Amy.Watson@planning.nsw.gov.au)



Please consider the environment before printing this e-mail

>>>

**From:** Lara Mulligan <laramulligan@gmail.com>  
**To:** <amy.watson@planning.nsw.gov.au>, <sam.haddad@planning.nsw.gov.au>, <plan\_comment@planning.nsw.gov.au>  
**Date:** 26/11/2010 9:41 pm  
**Subject:** APPLICATION NO. MP09\_0188 and MP10\_0044 \_ EXPANSION OF THE EXISTING AGED CARE FACILITY AT SIR MOSES MONTEFIORE JEWISH HOME

Please find attached my objection.

Given the size of the file, could you please confirm receipt.

Kind Regards  
0407 744 642

**From:** Lara Mulligan <laramulligan@gmail.com>  
**To:** <amy.watson@planning.nsw.gov.au>, <sam.haddad@planning.nsw.gov.au>, <pla...>  
**Date:** 26/11/2010 9:41 pm  
**Subject:** APPLICATION NO. MP09\_0188 and MP10\_0044 \_ EXPANSION OF THE EXISTING AGED CARE FACILITY AT SIR MOSES MONTEFIORE JEWISH HOME  
**Attachments:** Montefiore Objection Nov 10.docx; Part.002; pastedGraphic.pdf; Part.004

Please find attached my objection.

Given the size of the file, could you please confirm receipt.

Kind Regards  
0407 744 642

NSW Department of Planning

Att: Amy Watson

Email: [amy.watson@planning.nsw.gov.au](mailto:amy.watson@planning.nsw.gov.au)

CC: [sam.haddad@planning.nsw.gov.au](mailto:sam.haddad@planning.nsw.gov.au)  
[plan\\_comment@planning.nsw.gov.au](mailto:plan_comment@planning.nsw.gov.au)

Dear Ms Watson,

## **OBJECTION TO THE PROPOSED DEVELOPMENT**

**APPLICATION NO. MP09\_0188 and MP10\_0044 \_ EXPANSION OF THE EXISTING AGED CARE FACILITY AT SIR MOSES MONTEFIORE JEWISH HOME, 100-120 KING STREET AND 30-36 DANGAR STREET, RANDWICK.**

I am the owner of units 2105 and 2401 at Centennial Apartments, 88-98 King St, Randwick ("Centennial").

I am concerned about the proposed development. The application as it stands has many unacceptable environmental impacts and the bulk and scale is unsustainable. I have justified these comments in detail below.

Before commencing, however I would like to point out that the community is unhappy with the consultation process. In particular, the applicant's flexibility to address known concerns and amend plan to mitigate these concerns. As a result, I understand that resident's objections are more extensive than would otherwise be necessary.

Numerous applications have been made in relation to this site over the years and the consultation process has continued throughout this time. Consultation implies negotiation and compromise however, each application has sought an increase in the bulk and scale of the proposal and a corresponding increase in the detrimental impacts to adjoining neighbors and the wider community. The only compromises the applicant has made are those of design where they don't impact on the financial viability of the project.

The current application sees the most substantial increase in floor space to date and is a far cry from the Masterplan under which the existing development was constructed. It does not even closely adhere to Council's planning codes. A 40% increase in floor space over and above a 0.5:1 bonus for aged care can not be justified in planning terms.

The application seeks to take advantage of the ministerial discretion afforded Part 3a, yet fails to justify or substantiate the departures. What's more, the application ignores the loss of amenity to residents (particularly those in Building 2 of the Centennial apartments) stating that there are no impacts despite the concerns raised during the consultation process. Clearly the process has not worked.

In closing, we are prepared to accept construction of bonus floor space on the site if the impacts are minimized, the buildings redesigned to respect the amenity of neighbors and the applicant demonstrates that the development is sustainable.

An acceptable compromise would be deletion of Building F (including the child care facility which is not of state significance and is incompatible with aged care) and an increase in the landscaped setbacks to buildings fronting King and Dangar Street. This would afford the developer bonus floor space (over and above the 0.5:1) while allowing residents to continue to enjoy their homes and surrounding streets.

We simply seek a compromise that we can all live with in the long term.

Sincerely,

Lara Mulligan & Jonathan Christie

Unit 2105/ 88-98 King St,

Randwick NSW 2031

The following responds to the DGR's on a point by point basis.

## DIRECTOR GENERALS REQUIREMENTS – MONTEFIORE APPLICATION

### **1. Relevant EPI's and Guidelines to be addressed**

*The EA must address the planning provisions and permissibility of the development. Planning provisions to be addressed include the existing LEP, existing DCP's, the previously approved Masterplan and SEPP 65 amongst other things and include the nature and extent of non compliance with the relevant planning instruments and plans and guidelines and a justification for any non compliance.*

### **RESPONSE:**

#### **a) Non compliance with Council codes: LEP & DCP**

The Montefiore Application includes a range of **LEP** and **DCP** non compliances.

These include:

- a) Height – the proposed buildings have height breaches above code of up to 10.7 m in some location. This is equivalent to more than 3 storeys in the 2 C zone (Building F). The heights of Buildings D (Dangar St) and E (King St) are excessive in terms of the streetscape predominated by one and two storey residential buildings.
- b) FSR – 44,547m<sup>2</sup> (or 38,394 m<sup>2</sup> depending on the definition) of total floor space is unsupportable on a site this size in this location.

This represents an additional gross floor area of some 19,370m<sup>2</sup> representing a breach of over 8,194 m<sup>2</sup> above code (47%) even after allowing for the bonus of 0.5:1 for aged care under the SEPP.

Council codes specify acceptable and sustainable densities on sites respecting their context in the local area. A bonus of 0.5:1 for aged care may be acceptable given the shortage of such facilities in the state (noting that the SEPP relates only to aged care but not child care). A further 8,194 m<sup>2</sup> of floor space is therefore unjustifiable and unsustainable.

This breach is equivalent to 164 x 1 bed apartments or the entire complex of 94 units at Centennial. The total proposed floor space of 44,547 m<sup>2</sup> (or 38,394m<sup>2</sup>) is equivalent to a Regional Shopping Centre with none of the infrastructure or parking and in a quite residential community. Infrastructure is already at capacity and the infrastructure proposal laughable.

In short, the overall FSR is incompatible with the location.

- c) Landscape ratio – minimum code requirements are not met and hard surfaces and active (as apposed to passive) landscaped areas are proposed within the landscape setbacks. For example, the child care outdoor play area is proposed within the landscaped setback between Building F and the Centennial apartments. This is an active use yet is included in the landscape ratio (see diagram under heading setbacks on the next page).

Paved areas, walkways and entryways are included in Applicant's calculation of LSR which over estimates the level of landscape amenity.

A significant proportion of landscaping (20%) is not deep root planting and a large

proportion is located within the building quadrangles with limited access to light and ventilation.

Landscaping in the setbacks on the western, eastern and southern boundaries is not sufficient for the bulk and scale of proposed buildings.

- d) Setbacks, privacy & views – performance requirements of existing setbacks are not met as a result of the increase in height and scale propose adjacent to the boundaries. The setbacks therefore do not adequately protect against overshadowing, loss of privacy, loss of amenity and/or noise. Further the setback between Building F and the Centennial apartments is compromised by use of this area by the child care facility (as pictured below).

*Extract from Concept Plan –*

*note the building footprint is hatched in red and true landscaped area hatched in green*

As can be seen above, the child care facility compromises the set back between Building F and the Centennial apartments and does not provide appropriate separation to existing residents.

- e) Solar access – the minimum requirement to provide ‘*not less than 3hrs of natural sunlight to adjoining properties or, if less exists, no net reduction in the hours of natural sunlight*’. This has not been met or adequately addressed in the application.

Solar access to ground and first floor units in Buildings 2 and 3 at Centennial currently stands at: ½ an hour on winter solstice, and 2 to 3 hours on summer solstice, depending on location within the buildings. I have personally recorded these levels noting that all sunlight to ground and first floor units on the eastern side of the Centennial complex is achieved between the hours of 7 and 9 am.

Shadow diagrams provided in the EA do not consider summer and winter solstice and only include one morning drawing at 9am on the 21<sup>st</sup> March (see below).

*Extract from shadow diagrams*

By 9am on 21<sup>st</sup> March, the sun has passed the ground floor units in Building 2 of Centennial (being located some 3m below natural ground level). The only direct sunlight to ground floor units at this time of year is before 9am and it can be seen from this diagram that Building F will overshadow the building in its entirety before 9am. The result is a 100% loss of sunlight to all ground floor units all year round.

**I have a young baby and can not survive at home all day with my child with**

**absolutely not sunlight. Please, please, please do not do this too me. I couldn't bear it. I could not survive in the apartment. As it is so dark as it is that I have to turn lights on all day from 10.00am.**

To reiterate, current plans would see a complete elimination of sunlight to units on the ground floor of Building 2 at Centennial. At least 9 other apartments in the complex will be in the same or similar position.

Higher units will be impacted substantially as well, albeit to a lesser degree, but is estimated that there would be a net reduction of at least 50% in sunlight for at least another 15 units in the complex again resulting in substantially less than 3 hours of sunlight per day.

**ACTION:**

**WE CALL FOR A FULL AND PROPER REVIEW OF THE SHADOW DIAGRAMS INCLUDING SUMMER AND WINTER SOLTICE ASSESSMENTS SO AS TO PROPERLY DEMONSTRATE THE IMPACT OF THE PROPOSED DEVELOPMENT ON SUNLIGHT, PARTICULARLY IMPACTING CENTENNIAL.**

(Note: Building 2 units at Centennial do not have solar access from the west in the afternoon as a circulation corridor flanks the building on this side. Further, ground floor units in this building are 3 m below ground level on the western side. I made the applicant aware of this fact at the last public consultation where they confirmed they assumed all the units ran east west. They also confirmed that the calculations were based on this error of fact and the impact would therefore be greater than expected. Despite this admission, plans were lodged without change. Sunlight impact is not adequately addressed in the application and the shadow diagrams are wholly inadequate).

**b) Non Compliance with Masterplan**

The proposal seeks substantially more bulk, scale and floor space than was envisaged and permissible under the approved Masterplan, when removing the Centennial land from the Masterplan area, and is therefore a substantial departure from the development previously assessed and approved.

The non compliances with the previous **Masterplan** include:

a) Height –

The height in some areas is over 10m greater than the Masterplan

b) FSR –

The applicant is seeking an increase of over 50% above what was approved in the Masterplan and considered appropriate by the Local Council at the time.

The original Masterplan allowed for 480 high and low care beds and 100 self care apartments. This equates to 580 beds on one single efficient site. Existing is a 276 bed facility on a portion of the former site.

The previous site area was 3.65 ha including the Centennial apartments site. The subdivided Montefiore site is currently 2.9335 ha. The existing site area is therefore 80.37% of the Masterplan approved site area.

It should follow that at an absolute maximum no more than 80.37% of the floor space should be permissible on the remaining Montefiore site (and possibly less due to setbacks and the reduced efficiency of a smaller site and the fact that there is more lower zoned land on the remaining site). This assumes the conclusions reached in determining the former Masterplan were well considered and reasonable, which we believe they were.

The reduced master plan area would relate to a development of not more than 466 beds on the entire site (original master plan (480+100 beds) x 80.37%).

The total number of beds is currently 276 with an additional 311 beds proposed. This result in a total of 587 (a proportion of which are larger being self care units). With retail and child care areas, the proposal is therefore seeking a 50% increase in built form from the approved Masterplan.

- c) Setbacks – the performance of setbacks in the Masterplan approval no longer function due to the excessive increase in height, bulk and scale of the proposed buildings. Increasing the bulk and scale while maintaining existing setbacks results in severe overshadowing and loss of privacy, amenity and views.
- d) Solar access – the Masterplan formally protected solar access to adjoining Centennial apartments, i.e. no net reduction to existing levels that is now severely compromised.
- e) Design – the previous Masterplan had a better design comprising more smaller buildings. The child care centre adjacent to the Centennial apartments was proposed to remain as a single storey building and units at the Centennial apartments were purchased on the understanding that the Masterplan would be built in accordance with the plans.

#### **c) Non Compliance with SEPP 65**

**[Note: As you will be aware, SEPP 65 provisions must be considered in assessing all high rise buildings irrespective of any special 'considerations' the Minister may give to State Significant developments under Part 3a and the need for aged care facilities]**



The non compliances under **SEPP 65** include:

The **minimum** design requirements for new high-rise building under SEPP 65 have not been met and the breaches are as follows:

a) Scale:

According to SEPP 65, new high rise buildings must provide "**appropriate scale in terms of bulk and height that suits the scale of the street and surrounding buildings**". This is **IN NO WAY** achieved.

The Centennial building adjoining Building F is twice the length of the adjoining Centennial building 2 - being some 60m long and 10 m (3 storeys) higher than the adjoining building. The scale of Building F is in no way justifiable in terms of the surrounding development, existing codes or the former Masterplan approval. In fact, the proposed Building F is monolithic.

The buildings fronting King and Dangar streets are in no way suitable for the streetscape where buildings on King and Dangar streets are between 1 and 2 storeys in height and residential in nature where the proposed new buildings are between 4 and 6 storeys. Increased height should be stepped back or given an increased setback in order to properly integrate with the streetscapes and neighbors.

Given the excessive scale of the development, the proposed child care facility is not considered compatible or appropriate for integration with the aged care facility. There is a juxtaposition of use and access and operating arrangements between the child care facility and the aged care facility. The child care is not state significant and should not attract the bonus floor space under SEPP HSPD.

b) Density:

According to SEPP 65, new high rise buildings must have good design were "**good design has a density appropriate for a site and its context, in terms of floor space yields (or number of units or residents). Densities must be sustainable and consistent with the existing density in an area**". This is **IN NO WAY** achieved.

Floor space of over 44,000 m<sup>2</sup> in this location is not appropriate given the size of the site, its location and the surrounding infrastructure. The 8,194 m<sup>2</sup> of extra floor space (over and above the 0.5:1 bonus for aged care) in particular is not sustainable.

The proposed density is in no way consistent with the existing densities in the area.

Infrastructure is already at capacity with a lack of on street parking. This will substantially worsen irrespective of the number of parking spaces provided on site if staff continue to choose to park on the street. This will be even more untenable with only 57 new car spaces for over 19,000 m<sup>2</sup> of floor space.

Roads are at capacity and do not function well at childcare drop off times, during staff changeovers and when volunteer attend site (these figures have not been considered in the parking studies yet cause a large proportion of the congestion). Busses returning to the terminal and punters from the racetrack seeking parking on race days worsen this.

The result is already unsuccessful in what are local roads suited for domestic traffic.

It is clear that the proposed density is not sustainable and inconsistent with the area.

c) Landscaping:

According to SEPP 65, new high rise buildings must have landscape design that **"optimises usability, privacy and respect for neighbors' amenity"**. This is **IN NO WAY** achieved.

Due to the excessive floor space proposed on the site, the landscaped areas have been predominantly provided within building quadrangles where there is limited opportunity for useable and pleasant landscaping with good solar access. This design has subsequently pushed buildings to the perimeter of the site where there is limited opportunity for appropriate landscaped buffers around the exterior of the site.

The only substantial area of landscaping is on the north western corner of the site where drainage requirements prohibit development. This area adds little to buffet adjoining residents or to soften the bulk and scale of the development for adjoining neighbors generally.

Concept Plan – building footprint in red

Landscape Plan – over stating landscaping in orange hatched

As can be seen from the plans above, there is an inconsistency in the landscaping calculations undertaken by the Applicant. The Concept Plan shows the play area in the set back on the western boundary yet the Landscape Plan shows this area as landscaping that contributes to the LSR. This is clearly an error.

More so, the setback adjacent to the Centennial apartments does not respect the privacy of neighbors and will create undue noise and nuisance where landscape protection is desperately needed.

If the buildings are to be higher than code, the landscape buffers need to be increased to accommodate the increased bulk and scale.

d) Amenity:

According to SEPP 65, new high rise buildings must "***optimise access to sunlight and natural ventilation***". This is **IN NO WAY** achieved.

The Application may optimise access to sunlight and natural ventilation within the Montefiore development itself however this is to the detriment of adjoining residents. As already mentioned, 100% of all sunlight to units on the ground level of Building 2 in the Centennial apartments will be lost and all other units east facing east will see a reduction in sunlight of over 50%. This is not an acceptable outcome and is exacerbated by the proximity of the proposed buildings to the boundary and the overall height and bulk of Building F.

The size and location of Building F compromise the ESD principal established as minimum criteria for development of the Centennial apartments.

e) Built Form:

According to SEPP 65, "***appropriate built form should contribute to the character of streetscapes and parks, including their views and vistas***". This is **IN NO WAY** achieved.

The built form is excessive and without satisfactory articulation to respect the surrounding soft residential architecture. The bulk result in façades that are harsh, heavy and overly commercial when they should be sensitive to the residential streetscape.

Views and vistas from the top of the hill, from upper units in Centennial and from all units and houses facing the proposed new Building F will lose all their view and vistas given the monolithic length and height of the proposed buildings.

Buildings on King and Dangar Streets will lose views and vistas to an extent that is unfair and inappropriate, as will Centennial apartments facing Building F.

**ACTION:**

**IN LIGHT OF THE INADEQUACIES OF THE APPLICATION IN DEALING WITH THE MINIMUM SEPP 65 REQUIREMENTS, WE CALL UPON A REVIEW OF THE APPLICATION BY A DESIGN REVIEW PANEL.**

**AS THE MINISTER HAS APPOINTED SUCH A PANEL IN RANDWICK, WE REQUEST THAT THE RANDWICK PANEL REVIEW THE APPLICATION BEFORE FURTHER CONSIDERATION IS GIVEN TO IT.**

## **2. Built form and Urban Design Impact**

*The EA must address the height, bulk and scale of the development in the context of the locality. In particular detailed envelope/ height and contextual studies should be undertaken to ensure the development integrates with the local environment.*

*Should include comparable height studies to show how the development relates to the height of existing buildings surrounding the site.*

### **RESPONSE:**

The Montefiore application does not adequately provide height studies that show how the development relates to the existing buildings surrounding the site, particularly in terms of Building F and its impact on the adjoining Centennial apartments. This also applies to Buildings on King and Dangar Street in terms of how they relate to the residences across the road.

There is inadequate view analysis to and from the site and there are no satisfactory options for siting and layout of the building envelopes.

In respect the photomontages provided in the EA, I note that they are inaccurate and inadequate as follows:

#### **No. 1:**

The first photomontage does not accurately show the height of the proposed new buildings. It shows that the new buildings fronting King Street will be lower than the building currently there (as demonstrated by a simple overlay of the first photograph and photomontage no.1), yet according to the plans an additional story is proposed.

Below is a diagram of how the montage should look based on the actual height and bulk of the existing building.

#### **No.2**

The second photomontage also does not accurately show the height of the proposed new buildings (again a simple overlay of the second photograph and photomontage no.2 shows the inaccuracies below).

## No.5

The photo used in montage no.5 is taken from an elevated position on Church Street where the proposed 4 story buildings on King Street appear to look the same height as the two storey building on the corner of Church and King St. Clearly, a photomontage taken down King Street showing the residential houses (as opposed to the only 2 retail terrace in the area) would be more appropriate to demonstrate the scale of the proposed new buildings in comparison to the existing residential buildings. Montages with residential houses in the picture have no doubt been omitted as they would demonstrate all too clearly that the proposed new buildings are monolithic being more than double the height and therefore not in keeping with the area. The same applies to the Dangar St frontage.

What the photomontages do however show is the lack of articulation and set back to both King and Dangar Streets. The effect is again a monolithic wall of buildings that does not relate to the gentle articulation of individual residential homes in surrounding streets.

There is no photomontage that shows the relationship of the proposed new 6 story building (Building F) with the adjoining Centennial apartments either. This has no doubt been omitted as it would show how a building of this scale so close to the boundary will swamp the adjoining development and eliminate any sunlight, privacy and aspect to these residents.

The following is an assessment of what Building F might look like.

Note: the above depicts only 5 of the proposed 6 stories with level 1 being proposed below street level yet clearly demonstrates how inappropriate the scale of this building is.

In short, the montages appear to attempt to understate the true bulk and scale of proposed development and the most relevant context comparisons have been omitted.

*View analysis to and from the site.*

At present, a substantial number of apartments in Centennial have their primary and, in the majority of cases, their sole outlook to the east over open space and landscaping. This is proposed to be replaced with a 60 m long 6 storey building, which extends high above the roof of these apartments. This is unacceptable and out of keeping with the area.

Views from the top of the hill at King Street and adjoining streets will be severely mitigated.

*Options for siting and layout of the building envelopes*

Adequate options for siting and layout of building envelopes are not provided.

**ACTION:**

NEW PHOTOMONTAGES SHOULD BE PROVIDED THAT ACCURATELY REFLECT THE HEIGHT OF THE PROPOSED NEW BUILDINGS IN RELATION TO ADJOINING RESIDENTIAL DWELLING, IN PARTICULAR ALONG KING AND DANGAR STREETS AT STREET LEVEL (NOT FROM ELEVATED POSITIONS OR INCLUDING ONLY TWO RETAIL PREMISES WHICH ARE THE ONLY ONES IN THE AREA).

PHOTO MONTAGES SHOULD BE PROVIDED THAT SHOWS THE RELATIONSHIP OF THE PROPOSED BUILDING F AND THE CENTENNIAL APARTMENTS.

FROM THE LIMITED MONTAGES PROVIDED, IT CAN BE SEEN THAT THE BUILDINGS ARE MONOLITHIC AND SHOULD BE SET BACK AND BROKEN UP TO PROVIDE ARTICULATION, ALLOW LIGHT TO THE STREET FRONT AND NEIGHBOURS BETWEEN BUILDINGS AND GENERALLY DESIGNED BETTER TO INTEGRATE WITH THE SURROUNDING RESIDENTIAL DWELLINGS.

OPTIONS SHOULD BE PROVIDED FOR BETTER SITING AND LAYOUT OF BUILDING ENVELOPES INCLUDING A COMPLETE ELIMINATION OF BUILDING F AND GREATER SETBACK OF ALL BUILDINGS FRONTING KING AND DANGAR STREEETS.

#### 4. Environmental and Residential Amenity

The EA should address solar access, acoustic privacy, visual privacy and view loss and demonstrate that the proposal will achieve a high level of environmental and residential amenity.

##### **RESPONSE:**

The Montefiore application does not accurately address the impact of solar access on adjoining neighbors not does it adequately address privacy (visual and acoustic). The proposed buildings eliminate solar access, visual privacy and unfairly impact on the outlook of adjoining neighbors.

The proposed location of the child care centre impinges enormously on the acoustic privacy. At present I have to shut the doors during play times to talk on the phone due to the noise from the child care facility and that is with the play area currently buffeted by the demountable building. With the play area located in the setback, it will be beyond unbearable.

The application does not demonstrate that it can maintain the residential amenity of the area.

Although not clear, it appears that self care units will be orientated to the west in Building F creating severe loss of privacy to all units facing east within Centennial and there is no understanding of how visual privacy will be protected.

##### **ACTION:**

WE CALL FOR A COMPLETE ELIMINATION OF BUILDING F AND GREATER SETBACK OF BUILDINGS ON KING AND DANGAR STREEETS IN ORDER TO ACHIEVE ACCEPTIBLE LEVELS OF RESIDENTIAL AMENITY AND PRIVACY TO EXISTING RESIDENTS.

WE CALL FOR ELIMINATION OF THE CHILD CAR FACILITY AS IT IS INCOMPATIBLE WITH THE APPLICATION, SITED INAPPROPRIATELY AND IS NOT OF STATE SIGNIFICANCE. IT GREATLY IMPINGES ON THE RESIDENTIAL AMENITY OF THE AREA.

#### 5. Car parking

The EA must demonstrate sufficient on site car parking.

##### **RESPONSE:**

The Montefiore Application proposes only 57 additional cars for 19,370 m2 of space. This is a car park ratio of approximately 1/380m2. Commercial uses generally require 1/50 m2. By all development standards and with all reasonableness, this is a **gross** under provision of parking.

The car parking calculations undertaken in the EA are contradictory, inaccurate and should be recast before the application progresses.

The current assessment of car parking in the EA does not consider the number of volunteers working on site at any given time (which I understand is a substantial number), the doubling of staff during shift changeovers (which have not been allowed for in the calculations and already leads to the on street parking congestion), the reticence of workers to park on site and visitors.

On street parking is full 24 hours a day, 7 days a week, as it stands in King and Dangar Streets let alone with an additional 19,000 m2 of floor space.

If the child care facility remains, 100% of all drops off should be made within the site for the streets to function properly. The child care drop off is extremely dangerous and ineffective as it stands.

**ACTION:**

WE CALL FOR A COMPLETE REVIEW OF CAR MOVEMENTMENT AND MORE ACCURATE STUDIES UNDERTAKEN TO APPROPRIATELY QUANTIFY THE ABOVE ISSUES.

NEW FLOOR SPACE SHOULD REQUIRE APPROPRIATE NUMBERS OF ONSITE CARPARKING IN THE ORDER OF THOSE TRADITIONALLY REQUIRED FOR COMMERCIAL USES, I.E. 1/50 m2.

WE CALL FOR A COMPLETE ELIMINATION OF BUILDING F AND ELIMINATION OF THE CHILD CAR FACILITY TO REDUCE DENSITY AND NUMBERS OF ON STREET PARKING SPACES REQUIRED.

## 6. Drainage and storm water

The EA should address drainage/ groundwater/ flooding issues associated with the development/ site.

### **RESPONSE:**

The building previously proposed on Govett Lane and the western boundary with Centennial has been eliminated as this area is required for on site detention and, more particularly because a substantial storm water culvert runs across the site in this location (see below).

The density previously proposed for this area has been 'cut and paste' onto Building F so that Building F is now a monolithic building. Cost or construction and drainage issues are not an acceptable reason to increase the density and bulk and scale of a building to an unreasonable level in another location.

As there is already a ground water surge issue in the basement of the Centennial apartments, we are concerned that construction of extensive basements will increase ground water levels and exacerbate the water leak. Any approval should closely monitor ground water levels and water detention issues at Centennial to ensure the position for adjoining neighbors is maintained or improved (not worsened).

### **ACTION:**

WE CALL FOR AN COMPLETE ELIMINATION OF BUILDING F AND ELIMINATION OF THE CHILD CAR FACILITY TO REDUCE DENSITY AND BASEMENT PARKING SPACES TO ENSURE GROUND WATER LEVELS ARE NOT INCREASED.

### **Other**

Following are comments in addition to the DGR's:

### **DRIVEWAY FROM BUILDING F -**

It is noted that the primary driveway for Building F is proposed to be located in the setback to the Centennial apartments. This will create undue noise and car pollution particularly given the number of car movements to and from the day care centre during morning and afternoon pick ups.

Although it is essential that all day care drop offs be contained within the development, it is unfair and unreasonable for the driveway to be located this close to adjoining neighbors when it can be easily accommodated elsewhere on the site.

The location of this driveway and the other major vehicular entry adjacent on the western side of the site on King Street will vastly reduce the number of on street parking spaces in proximity to Centennial apartments where there is already a lack of capacity. Given the number of units in Centennial and the number of visitor movements generated, on site parking in this location should be protected. The main entry should therefore be moved further up the street to a more appropriate location where there is less drain on street parking from residents.



Presumably, this driveway will also be used by service commercial vehicles delivering to and from the child care centre and the development generally. This is unacceptable and supports the view that the child care centre should be eliminated.

**ACTION:**

RELOCATE THE WESTERN DRIVEWAY TO ELSEWHERE IN THE DEVELOPMENT.

RELOCATE THE WESTERN ENTRY ON KING STREET FURTHER EAST.

**COVENANT –**

Given that the north-western area is proposed to be used for stormwater detention and landscaped, it is requested that a covenant be placed upon this part of the site to avoid future development expansion (which has already been mooted by the applicant). This would prevent any further development in proximity to the Govett Lane properties and the broader heritage conservation area and ensure that all issues of bulk and scale are holistically considered in this application.

The residents require certainty there will be no further development.

**ACTION:**

IMPLEMENT A COVENANT ENSURING THERE IS NO FURTHER DEVELOPMENT ON THE SITE.