

19 July 2011

Project Application and Concept Plan Expansion of the existing Montefiore Residential Aged Care Facility Dangar and King St Randwick

1.0 The Proposal

The proposal seeks concept plan approval for:

- A building envelope of 5 levels toward the south eastern corner of the site providing residential aged care accommodation and support services, a retail unit, parking facilities and a public square; and
- A building envelope of between 4-6 levels toward the south western corner of the site providing residential aged care accommodation and ancillary space, a new child care centre to replace the existing and associated car parking.

The proposal also seeks **project approval** for Stage 1 of the proposal which is the development toward the south eastern corner of the site. Stage 1 consists of a 5 storey building toward the south east corner of the site providing residential aged care accommodation and support services, a retail unit, parking facilities and a public square at the corner of King and Dangar Streets;

2.0 Delegation to the Commission

On 28 May 2011 the Minister for Planning and Infrastructure, the Hon Brad Hazzard MP, delegated his power to determine the application to the Planning Assessment Commission.

The Commission members nominated to determine the application were Ms Gabrielle Kibble (chair), Emeritus Professor Kevin Sproats and Mr Lindsay Kelly. Mr Kelly and Ms Kibble visited the site, Mr Sproats did not visit the site but is familiar with the area.

3.0 The Assessment Report

The Director General's report identified the following key issues:

- Built form;
- Amenity impacts;
- Car parking and traffic; and
- Residential amenity.

4.0 Submissions to the Department of Planning

A total of 70 submissions from the public and government agencies were received by the Department during the public exhibition period. The main issues raised in submissions related to:

- Provision of on-site parking;
- Density/ FSR;
- Height;
- Traffic Impacts;
- Child care centre expansion;
- Visual bulk;

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- Landscaping;
- Solar access;
- Privacy;
- Light spill;
- Loss of views; and
- Inadequate setbacks

The Department considered that the issues raised in submissions can be addressed through appropriate conditions of consent and is satisfied that potential impacts have been adequately addressed by the proponent via the Environmental Assessment, Preferred Project Report, Statement of Commitments and the Department's recommended conditions of approval.

5.0 Submissions to the Planning Assessment Commission

The Planning Assessment Commission did not call for submissions, however 28 submissions were sent by the public for its consideration. A summary of the submissions is at Attachment A to this report.

Of the 28 submissions received by the Commission, 19 provided addresses and their approximate location in relation to the subject site is shown below.

The main issues raised in these submissions were:

- Density;
- Height;
- Parking/traffic;
- Amenity issues;
- The adopted masterplan for the site (now lapsed); and
- Non-compliance with Council controls.



Figure 1: Approximate location of submitters

As illustrated in Figure 1, all of the submissions that were able to be mapped are located within the local area, the majority of which are located on the northern side of the site where potential impacts are considered to be minimal given the majority of the northern part of the site is already developed.

6.0 Meeting with the Department of Planning and Infrastructure

The Commission met with senior Departmental staff on 8 July 2011 for a briefing. The discussion focused on the following issues:

- The previous Masterplan adopted for the site;
- Built form including height and bulk;
- Amenity impacts;
- Parking/traffic; and
- Demand for aged care of this type.

7.0 Meeting with Council

On 12 July 2011, the Commission met with Council staff. The discussion focused on the following issues:

- The previous masterplan adopted for the site;
- Height;
- Density;
- Traffic/car parking; and
- Demand for aged care of this type.

8.0 Meeting with the Proponent

On 12 July 2011, the Commission met with the proponent and its consultants. The discussion focussed on:

- The previous masterplan adopted for the site (now lapsed);
- Height;
- Density;
- Design;
- Materials;
- Staging;
- Demand for the proposal; and
- Traffic and carparking.

9.0 Commission's Comment

The Commission has examined the documents and plans provided by the Department including the Director General's assessment report, public and agencies' submissions to the Department and the Commission and the preferred project report.

The Commission focused on the following 8 key issues:

9.1 Density

The Seniors Living SEPP provides a 0.5:1 floor space bonus above that permitted in the Randwick LEP 1998. The floor space for the proposed facility exceeds that permitted in the Seniors Living SEPP by 4.6%.

The Commission considers that given the large nature of the site, such an exceedence in floor space can be accommodated without adversely impacting on the adjoining area particularly given the setbacks and central massing proposed.

9.2 Height

The site is surrounded by a detached and semi detached dwellings and residential flat buildings ranging in height from 1-4 storeys.

The proposal presents a façade of between 2-4 storeys in height to King and Dangar Streets with setbacks of 10m. There is also a five storey form visible to King Street and from the Centennial Apartments adjoining the western boundary of the proposal. The proposal is setback 18m from the side boundary of the Centennial Apartments and of 19.5m from King Street.

The PAC considers that the proposed setbacks which allow for central massing of the proposal and the proposed articulation will sufficiently reduce the perceived visual bulk of the buildings and ensure it achieves an acceptable built form in relation to the immediate locality.

9.3 Overshadowing

Residents of the Centennial Apartments on the western boundary of the proposal raised concerns regarding the potential for overshadowing of their apartments. The proposal will overshadow the living rooms of the adjoining apartment building on the western side of the proposal for a maximum of 15 minutes between 9am – 3pm at mid-winter.

This would reduce the amount of sunlight to the Centennial Apartments and their courtyards to less than 3 hours in mid-winter and thus prevent them from complying with SEPP 65. However, as identified by the Department, solar access to the Centennial Apartments is maintained only due to the underdeveloped nature of the western portion of the Montefiore site. In this context some reduction of solar access will occur as a result from any building being constructed in this location that complies with the relevant Council height controls.

9.4 Views

Impacts of the proposal on views to the CBD was also raised in several submissions. Whilst it is recognised that the proposal would impact on the views of some dwellings on the southern side of King Street and northern side of Burton Street, it is considered that that the impact of the proposal on these views is negligible and acceptable.

9.5 Privacy

Privacy impacts on the adjoining Centennial Apartments were also raised as a concern in several submissions. In the Preferred Project, the setback of the proposed Building Envelope E from its western boundary was increased to 14m, together with the set back of the Centennial Apartment block from its eastern boundary a separation distance of 22.5m between the existing and proposed buildings is created.

Together with the proposed privacy measures, it is considered that the setbacks proposed will maintain adequate privacy to the Centennial Apartments.

9.6 Car Parking and Traffic

A major issue raised in submissions was the potential for increased demand for on-street parking as a result of the expansion of the existing facility. In this regard several submissions suggested that additional on-site parking be provided to ease pressure on on-street parking. Transport NSW recommended that on-site parking for the proposal be limited through the implementation of a Workplace Travel Plan.

The proposal includes 217 on-site parking spaces for the aged care facility which is in excess of that required by the DCP and the Seniors Living SEPP and the RTA guidelines for traffic generating development. However the proposal does not include any set parking for the retail/café space.

Given the café is located within the Montefiore development it is likely a large proportion of the patrons will be visitors/residents of the facility which will already be provided with parking.

The PAC is satisfied that the proposed parking measures are sufficient and that any staff parking issues can be managed by Montefiore management during its future operation.

9.7 Traffic Generation

Several submissions raised concerns regarding the potential traffic impacts of the expanded facility on the local road network.

The Proponent's traffic impact study indicated that there would be an additional 56 trips in the morning peak and 62 trips in the afternoon peak which was considered acceptable in relation to road capacity. This study also indicated that the surveyed intersections would continue to operate at good level of service at the post development stage.

The Commission considers that the impact of the proposal on the local and regional road network is acceptable.

10.0 Commission's Determination

The Commission accepts that there is a growing demand for aged care including specific dementia accommodation and the proposal will assist in satisfying demand for aged care in this area.

The Commission considers the subject site to be a suitable location for such a facility, particularly given the location of the existing facility and the underdeveloped nature of the subject site. The Commission believes that any adverse impacts on the surrounding area can be effectively mitigated through building design and management measures during the operation of the proposal.

The Commission is satisfied that the Department has appropriately considered all relevant aspects of the project in their assessment and has determined the project and the Concept Plan should be approved, subject to the recommended conditions by the Department.

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abrielle Kibble

Gabrielle Kibble PAC Member

Lindsay Kelly PAC member

Kevin Sproats PAC Member

Attachment One

Submissions to the Commission

No	Support Object	Comment
(1)	Objection	Height Proposal is two storeys too high Out of character with the local area Local area is low to medium density
		Density Over the allowable density for the area Out of scale with the surrounding area
		Traffic Expansion of the facility and child care centre would increase traffic generation.
		Parking Insufficient parking for visitors and staff Increased pressure on on-street parking
		Inconsistency with zone Use of kitchens in the facility to make food for its facilities off-site, delivery trucks operating day and night.
		Lack of clarity Proposal plans are difficult to read.
		Difficult to see any beneficial change.
(2)	Objection	Height Out of character with the surrounding area
		Amenity Impacts
		Light pollution
		Noise from the
		childcare centre
		Parking
		Insufficient parking for visitors and staff
		Increased pressure on on-street parking
		Traffic
		Increase in traffic on surrounding streets due to expanded facility and childcare centre. Adverse impact on the safety of children. Noise of delivery trucks and childcare facility.
		Inconsistency with zone Use of kitchens in the facility to make food for its facilities off-site, delivery trucks operating day and night.
		Lack of clarity Proposal plans are difficult to read. Difficult to see any beneficial change.
		Character of the area
		Out of scale with the surrounding neighbourhood.

(3)	Objection	Adverse impacts on residential amenity Overshadowing Out of scale with surrounding neighbourhood North Randwick is low to medium density residential area Heritage listed area Over the allowable density in a residential area.Height Two storeys too highTraffic Increase in traffic generation from expanded facility and child care centre. Potential adverse impact on the safety of childrenParking On-street parking pressure from staff and visitors Insufficient on-site parkingCouncil's controls Part 3A planning laws now defunct, proposal bypassed council controls.
(4)	Objection	 Height Two storeys too high, out of character with the surrounding area. Density Over the allowable density Dominates the surrounding area. Traffic Traffic generation from the expanded facility and childcare centre Parking Insufficient on-site parking provision. Inconsistency with zone Use of kitchens in the facility to make food for its facilities off-site, delivery trucks operating day and night.
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		Council's controls
		Part 3A planning laws now defunct, proposal bypassed council controls.
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		Parking
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		Inconsistency with zone
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		trucks operating day and night.
		Council's controls
		Part 3A planning laws now defunct, proposal bypassed council controls.
(7)	Objection	
	5	Traffic
		Service vehicle operation and noise generation
		Parking
(8)	Objection	Pressure on on-street parking Height
(8)	Objection	Proposal is two storeys too high
		Out of character with the local area
		Local area is low to medium density
		Density
		Over the allowable density for the area
		Out of scale with the surrounding area
		Traffic
		Expansion of the facility and child care centre would increase traffic generation.
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		trucks operating day and night.
		Lack of clarity
		Proposal plans are difficult to read.
		Difficult to see any beneficial change.

	Objection	 Height Height of proposed Building F/E is 10.7m above that permitted in the 2C Zone. Bulk Bulk of proposed Building D and E is excessive and out of character. Density The proposed FSR is substantially above that permitted even when allowing for the 0.5:1 bonus in the Seniors Living SEPP. Visual Impact Eastern outlook of Centennial Apartments will be replaced with a building. The proposal would remove solar access to the ground floor units in the Centennial Apartment building and reduce sunlight to others in the building. Reduction in privacy for the Centennial Apartment Building face east, the proposal would reduce any current views. Parking Inadequate on-site parking, pressure on on-street parking. Proposed increase in size of child care centre from 60-80 children will require more than the parking spaces proposed. Stormwater detention The north-west area is currently used for stormwater detention. A covenant should be placed on this part of the site to prevent development upon it. Light Spill A large proportion of the existing building remains lit at night, this will reduce amenity for residents. Noise pollution Amenity impacts on Centennial Apartments Loss of habitat Loss of habitat Loss of habitat I consult approved the proposal will set a precedent for high density developments in the low to medium density areas.
		 Loss of habitat for native animals and visual amenity for adjoining residents and passersby. Precedent If approved the proposal will set a precedent for high density developments in the low to medium density areas. Services
		Additional load on sewer and stormwater services Environmental degradation Environmental damage from siltation, waste products from the facility and construction, air pollution.
(10)	Objection	Height Proposal is two storeys too high Out of character with the local area Local area is low to medium density

		Density
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		Council's controls
		Part 3A planning laws now defunct, proposal bypassed council controls.
(11)	Objection	Height
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		Local area is low to medium density
		Density
		Over the allowable density for the area
		Out of scale with the surrounding area
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		Council's controls
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(12)	Objection	Height
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(12)	Objection	Council's controls Part 3A planning laws now defunct, proposal bypassed council controls.
(13)	Objection	Concept Plan No need for Building E
		Scale Building D is too high in relation to the surrounding area.
(14)	Objection	Height Proposal is two storeys too high Out of character with the local area Local area is low to medium density
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(10)	Objection	Council's controls Part 3A planning laws now defunct, proposal bypassed council controls.
(19)	Objection	Loss of greenspace
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		Lack of clarity
		Proposal plans are difficult to read. Difficult to see any beneficial change.
		Council's controls Part 3A planning laws now defunct, proposal bypassed council controls.
(20)	Objection	Scale Proposal is excessive in regards to height and bulk.
		Parking Insufficient parking provided
(21)	Objection	Loss of greenspace
		Height Proposal is two storeys too high Out of character with the local area Local area is low to medium density
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(22)	Objection	Height Proposal is two storeys too high Out of character with the local area Local area is low to medium density
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(24)	Objection	Height Proposal is two storeys too high Out of character with the local area Local area is low to medium density
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(25)	Objection	Inconsistency with zoneUse of kitchens in the facility to make food for its facilities off-site, delivery trucks operating day and night.Lack of clarityProposal plans are difficult to read.Difficult to see any beneficial change.Council's controlsPart 3A planning laws now defunct, proposal bypassed council controls.Height Proposal is two storeys too high
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		Council's controls Part 3A planning laws now defunct, proposal bypassed council controls.
(26)	Objection	Scale Out of scale with the surrounding area
		Original Masterplan Out of keeping with the adopted masterplan for the site
		Property Values Reduction in property values
		Noise Ambulances, noise from loud speakers
		Overshadowing of neighbours
		Part 3A Proposal should not be reviewed under Part 3A.
(27)	Objection	Zoning

	1	
		Dimensions of the proposal are above that permitted in the zoning laws. Scale
		Scale of the new buildings are large
		Increase in commercial traffic
		Increase in non-residential traffic – Safety concerns for children.
		Expansion of the proposed facility
		The existing facility was built recently, why was the expanded facility not
		requested at this time.
		Retail Commercial development
		The retail and commercial development are not needed in the subject area and
		would be out of character with the local area.
		Light spill
		Increased commercial and security lighting
(28)	Objection	
		Height
		Proposal is two storeys too high
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