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DARLING PARK, 201 SUSSEX ST
SYDNEY NSW 2000**

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Department of Planning and Environment
GPO 39
SYDNEY NSW 2000

Dear Emma,

MP10_0044_MOD 2

SECTION 75W MODIFICATION TO BUILDING D, MONTEFIORE SITE RANDWICK

1. INTRODUCTION

This letter provides additional information as part of a 'response to submissions' in relation to the above modification. It further addresses Randwick Council's letter dated 22 March 2017 as well as various resident submissions received as a result of the public notification process. It also provides additional clarification as requested by the Department of Planning and Environment (DPE).

The body of this letter responds to the matters raised by Council. We also note that both the RMS and TfNSW have provided submissions on this matter, however those submissions have no further comment on the proposed modification and are otherwise satisfied with the proposal.

We note a separate letter was been prepared by Urbis and submitted to DPE responding to matters relevant to the Concept Plan modification (MP09_0188_Mod 3), which has subsequently been approved. This modification (not to be confused with Concept Plan modification No 2) involved the removal of the reference to a child care centre within Building F. For context purposes Mod 2, approved on 9 August 2016, involved modification to the building forms to accommodate a greater proportion of independent living units.

Upon reviewing Council's submission it seems there is a degree of confusion regarding the current modification proposed against what has previously been approved. It appears this confusion has been borne through a number of factors, including the timing of the Concept Plan amendment (Mod 2) which was approved on 9 August 2016, i.e. between the original approval of Building D (on 19 July 2011) and the currently proposed modification, as well as the 're-labelling' of level terminology (i.e. the way levels/storeys are described on the plans) between that shown on the approved Mod 2 Concept Plan to which are now shown in the current Section 75W for Building D.

The purpose of the current modification is to bring Building D in line with the Mod 2 of the Concept Plan, and as requested by the DPE we have provided information that shows these changes.

Appendix 1 to this letter provided a level-by-level comparison between the originally approved Building D plans with that now proposed as part of the current modification. Importantly (and for the sake of clarity) the currently proposed plans identify a 'red-line' outline to the Mod 2 envelope, showing the proposal fits within this envelope. These plans should be read in conjunction with the level-by-level description of modifications identified in Section 4.2.7 of Urbis' Planning Report that accompanied the application (dated 9 December, 2016). We hope this method assists in relieving the confusion.

Appendix 2 to this letter has tabularised the issues raised by residents in their submissions and provides a response to those issues. It is noted that of the significant number of surrounding residents that were notified of matter, only 10 written submissions were received.

Appendix 3 to this letter provides a detailed response to the specific parking and traffic matters raised in Council's submission, and as a consequence deals with the nature of parking and traffic issues also raised by residents.

From the outset, we note that Council 'raises concern' about the various issues in its letter, rather than 'objecting' to this matter. We further note that the nature of the objections raised by adjoining residents does not have implications to the key matters in the approval of Concept Plan Modification No. 2. Accordingly, we understand this matter can be assessed and determined by the DPE, rather than having to be referred to the Planning and Assessment Commission (PAC).

2. RESPONSE TO ISSUES

2.1. ADDITIONAL LEVEL 7

As identified earlier, Council's assessment in relation to the 'additional level' is mistaken- there is no additional level proposed. The top-most level of Building D (Level 7) was approved as part of Modification No. 2 of the Concept Plan (MP_0188 Mod 2). We note there has been a 're-labelling' of level terminology (ie the way levels are described on the plans) between that shown on the approved Concept Plan (as modified by Mod 2) and that to which are now shown on the detailed plans for approval in the current Section 75W for Building D. Whilst there is an additional level to Building D compared to the very originally approved version of Building D, that original version has effectively been 'overtaken' by the approval of Concept Plan Mod 2 on 9 August 2016.

In the approval of (what is now termed) Level 7, the PAC imposed a condition on Mod 2 (ie FEAR No. 8) which sought to reduce the apparent bulk and scale of the building when viewed at street level (ie from Dangar Street). The effect of this condition does not remove the level, but rather shifts the building mass associated with the top-most floor away from the street-front elevation.

The reduction of the available building area caused by this condition meant that it was not operationally feasible to provide dementia care rooms and the necessary support services at this top level. However, the resultant building area was sufficient to allow plant being located within the building envelope created by the condition. The plant level is wholly contained within the approved Concept Plan (as modified by Mod 2).

The nature of FEAR No. 8 is such that the plant level will not be readily seen from the eyeline of a pedestrian using Dangar Street. Further, the solid mass associated with the plant room is recessed within the building envelope. These characteristics, together with landscaping within the Dangar Street setback and road verge, all combine in relieving the impacts associated with building mass when viewed from higher vantage points.

2.2. MINOR PARAPET PROTRUSIONS

Council also raise two other matters in relation to minor protrusions above the approved envelope heights at the Dangar Street and High Street building elevations. We deal with each of these matters in Sections 2.2.1 and 2.2.2 below.

Before providing detailed commentary on each of these minor breaches it is relevant to note that the terms of the Concept Plan Consent (specifically Part A, Condition 2). This condition states that 'the approval shall be generally in accordance' with the approved drawings. Hence, before a more detailed account of the merits of these protrusions, it is noted that the design development process can result in these sorts of minor changes which are acceptable in the context of the concept approval.

2.2.1. The 770mm 'parapet protrusion' along King Street:

The following describes and properly justifies this matter:

- As we have identified above, the top-most level (Level 7) of Building D was intended to accommodate dementia care rooms. This was clearly articulated in the Concept Plan Mod 2 application by detailed supporting drawings which also showed a roof-top terrace area servicing these rooms at Level 7.
- Although this version of Mod 2 was supported by the DPE, the PAC imposed FEAR No. 8 on the Concept Plan approval which effectively eliminated the opportunity of having any dementia care rooms on Level 7 due to the reduced building area.
- As a consequence of the removal of these dementia care rooms, the roof-top terrace for these residents became redundant, and hence needed to be replaced with a metal roof structure with appropriate fall for drainage and street-front parapet. Therefore, in order to meet the new function of this redundant roof-top space (caused by the condition) a small increase to the building envelope on this part of the roof needs to be accommodated.
- We note the protrusion is 770mm at the King Street and return parapets (ie worse case) with the metal roof raking down to the north, to a much lesser degree (refer to the King Street elevation and Section 1 extract in Figures 1 and 2 below).
- It is noted that this height does not exceed the total approved building height established by the roof plant of Level 7 and is contained below the approved height of Building C, and well below the overall approved height of Building E. Consequently, this minor protrusion of this part of the roof of Building D has no consequence in relation to view loss from those properties on the eastern side of Dangar Street looking west or north-west, nor buildings on the southern side of King Street (given the results of the visual impact assessment previously conducted as part of the Mod 2 process, and endorsed by the DPE and PAC).

- We further note that when viewed from the King Street frontage in context with Buildings E and F (ie in streetscape terms), the minor protrusion associated with the King Street parapet remains in keeping with these buildings.
- From an historical viewpoint, the height of this parapet has previously been contemplated and approved by the DPE in the original Concept Plan approval which showed a height to RL 58.53 at this location.

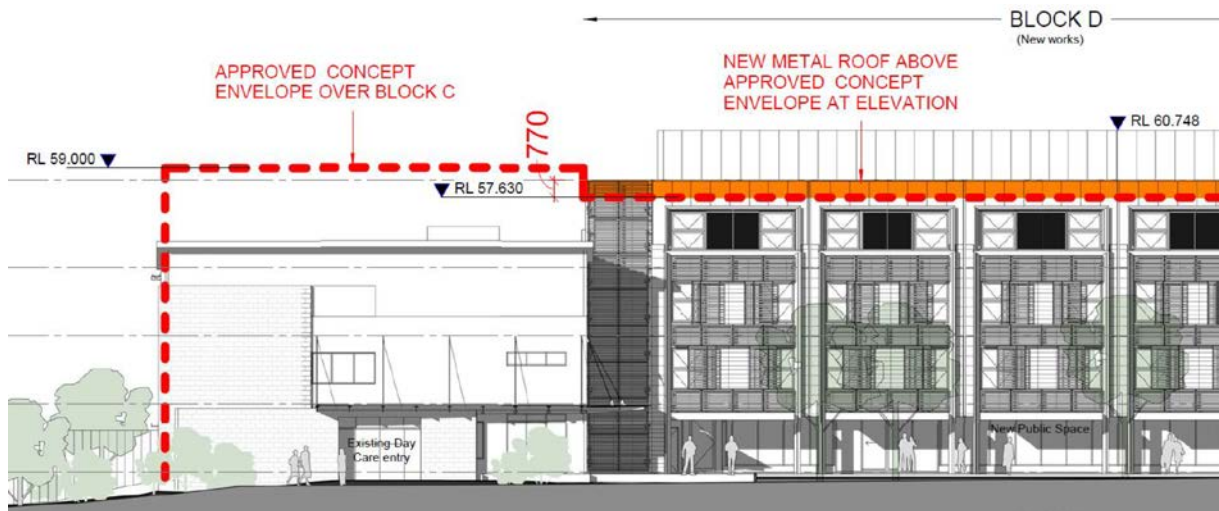


Figure 1 – King Street Elevation

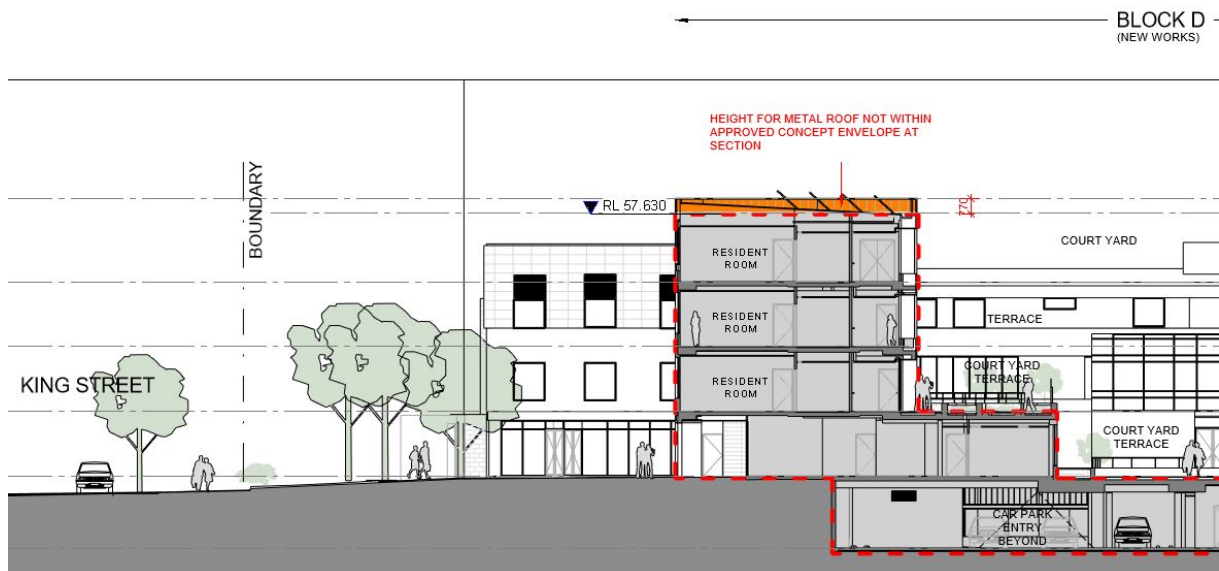


Figure 2 – Section 1 Extract

2.2.2. The 515mm 'façade screen protrusion' along Dangar Street:

The following describes and properly justifies this matter:

- This minor protrusion is located at the south-east corner of Building D. As identified in our Planning Report accompanying the subject modification, this element is a light-weight, transparent batten structure that is attached, but that sits proud of the building elevation. It seeks to provide visual interest to an important corner of the building marking the proposed public open space and street corner (refer to the King Street elevation and King/Dangar Street corner perspective in Figures 3 and 4 below).
- The minor degree of intrusion above the building envelope at this corner of the building is well below the overall envelope height of Building D, below the overall envelope height of Building C, and well below the overall envelope height of Building E. Furthermore, it extends for less than 1/3rd of the building's frontage to Dangar Street.
- The combination of the facts above, means this minor façade edge protrusion to the building's south-eastern corner has no impact on views compared to that previously assessed and approved as part of the Concept Plan Mod 2, granted by the PAC. Nor does it have any material visual impact when viewed from pedestrians walking along Dangar Street.
- The key issue raised by residents of the nearby residential area (and in particular those residents along Dangar Street and to the east of the site) related to overall height of Building D and the perception there was an additional level to this building (and view impacts associated with this perception). The proposal, inclusive of the batten feature element does not affect this concern and cannot be regarded as 'development creep', in that it specifically seeks to improve and reinforce the architecture of the corner of this building. This batten feature does not contribute to the solid mass of the building, or represent additional floor area, or impact upon views.



Figure 3 – King Street Elevation



Figure 4 – King/Dangar Street corner perspective

2.3. TERRACE CONVERSIONS

As outlined in Section 2.1 above, the impact of FEAR No. 8 resulted in the redundancy of the roof-top terrace servicing the dementia care rooms at Level 5 (now labelled Level 7). As there are now no rooms at this level, there is no need to provide the associated terrace area.

Other levels throughout Building D have appropriate common and outdoor/terrace space for the residents, having regard to the very specific needs and circumstances of residents of this building.

2.4. RETAIL LAYOUT

The concern that Council raises in relation to the broadening out of potential uses of the non-residential space within the south-eastern corner of the site is a matter that has already been considered and approved as part of Mod 2 of the Concept Plan (MP_0188 Mod 2).

As identified in the Planning Report that accompanied that modification, the intention was to provide flexibility of possible uses to accommodate possible future needs and to avoid any un-let 'dead space' within these tenancies caused by a potential lack of retail demand for all of these tenancies.

For the avoidance of doubt any non-residential space would be available to the wider Randwick Community, not just the 'Montefiore community'. This non-residential space is designed in a way that

'faces outwards' onto the public domain, and accordingly fears that this area will be re-designed in a manner that provides an internal function, are unwarranted. Accordingly, the greater flexibility of potential use (including community uses) and specific design of this space provides opportunities for public benefits and activity in line with Council's intentions.

Council also raises concern about what they claim is 'an awkward liner configuration' of the outdoor space fronting these tenancies and question the usability of this space for public open space.

The proposal provides approximately 1200 sqm of publicly-accessible open space within the Dangar Street and King Street corner, connected to the tenancy space described above, and directly accessible to the street frontage. This comprises both paved and soft landscape area. We also note that the landscape solution identified within the proposed plans provides a more resolved and superior design outcome than originally approved in the Concept Plan in that greater physical connection opportunities are provided from the street's edge and, importantly, the public space returns around the south-eastern corner of the building, extending down the Dangar Street frontage. This provides more improved amenity (especially sunlight in the morning period).

Collectively these internal and external spaces have been sensitively designed to provide easy and direct access, visual exposure, and integration with the public realm, together with usable shaded and sunny areas for the benefit of the broader Community. They provide the ideal environment for a café, food shop or the like to establish on the site and provides the connectedness and integration the Council seeks.

2.5. PARKING AND TRAFFIC

Council's letter seeks clarification on a number of questions in relation to:

- the ability to comply with the provisions of the Seniors SEPP throughout the construction phasing of the project;
- the practicalities of public transport usage by some construction staff; and
- the impact of the proposal on on-street parking

In response to each of these questions (as well as various comments on the Concept Plan Modification No.3 relating to the removal of the child care centre from Building F), the project's Traffic Consultant, Traffix, has prepared a detailed review and response within their letter dated 16 May 2017 (attached as **Appendix 3** to this submission).

This review has concluded (in relation to the matters that relate to Building D) that:

- Sufficient on-site parking is provided to Building D in accordance with the Seniors SEPP. Furthermore, sufficient on-street parking is provided for the development of the overall site (ie Buildings D, E and F) irrespective of the staging regime.
- It is common practice for construction workers to have tools and equipment to be delivered to the site while they arrive by public transport. Notwithstanding, there are temporary parking areas available on the site.
- The perceived impacts on on-street parking arising from the subject proposal are acceptable.

Further to the last point, these impacts have already been considered and approved as part of the Concept Plan application.

Ultimately, the Traffic Review concluded that:

The proposed Concept Plan Mod 3 and Block D Mod 2 proposals will have no detrimental change on the previously approved traffic and parking arrangements, instead providing an improvement over the current approvals in both traffic generation and parking provisions for the site.

3. CONCLUSION

The submissions received by Randwick Council and nearby residents raise various concerns and pose various questions. These concerns and questions have been addressed in the sections above and do not necessitate the further amendment of this Section 75W Modification.

In particular:

- Council's concern regarding an 'additional level' is mistaken- there is no additional level proposed, nor any impacts arising from this.
- The minor parapet and façade screen protrusions to the envelope at the very edge of the building are confined to isolated positions, and are a consequence of the conditions of the Concept Plan Mod 2. They do not impact views from adjoining properties; do not impact upon the visual mass of the building or its appearance in the streetscape; and both provide practical improvements to the building's architecture and detailed design.
- The matter in relation to the terrace conversion has arisen through necessary design changes that have occurred due to FEAR No. 8, imposed by Mod 2 of the Concept Plan. It does not affect the amenity of residents.
- The retail layout, and the layout of the adjoining public space area at the south-eastern corner of the site, have been sensitively designed to provide easy and direct access, visual exposure, and integration with the public realm, together with usable shaded and sunny areas for the benefit of the broader Community.
- The proposal will have no detrimental change on the previously approved traffic and parking arrangements, instead providing an improvement over the current approvals in both traffic generation and parking provision for the site.

Accordingly, we request the DPE consider this submission as part of its final assessment and determination of the matter.

If you have any questions, or require any further clarifications regarding the above, please contact me on 8233-9949.

Yours sincerely,

A handwritten signature in black ink, appearing to read "P. Strudwick".

Peter Strudwick
Director



- Appendix 1** Plan comparisons (original Building D approval with current Building D modification)
- Appendix 2** Summary and response to Resident Submissions
- Appendix 3** Traffic and parking review (by Traffix)