

12 September 2024

DEPARTMENT OF PLANNING
RE: PATHWAYS CREMORNE SENIORS HOUSING
Application Number SSD-49472213

In theory, the Pathways Cremorne Senior Housing facility will aid housing diversity in the North Sydney area by providing residential space and care for those in a higher income bracket (based on Pathways existing business model). However I am writing to strongly object to the amended proposal, as my original objections still stand given the revised plans have not materially changed from the initial proposal. My name is Fiona Gracie and I am both a resident of North Sydney and founder of the Cremorne Conservation Group which counts over 1,000 members on its database.

The key objections are detailed below:

1. LOSS OF HERITAGE

The Hayden Orpheum Theatre was gazetted on 31 May as a significant item of heritage on the State Heritage Register, stating that the heritage listing will *"promote and encourage the conservation and understanding of this State significant heritage as a rare surviving suburban Art Deco style cinema still in operation"*.

On 17 May 2024, six cottages from 78-88 Parraween Street, sited opposite the Orpheum Theatre, were also heritage listed on the North Sydney local heritage register under North Sydney Local Environmental Plan 2013 (Amendment no 39).

The eastern end of Parraween Street now has 7 significant heritage listed buildings which are sited on or opposite the development site.

It is brought to the attention of the Consent Authority that in the original proposal (dated 2023) that nine (9) federation style buildings would be constructed either side of the through-site link to ensure that the local character of the street was retained and enjoyed by all who use the Pathways pedestrian walkway.

However, the amended report now states that *"The proposal has placed emphasis on the value of the existing streetscape with the retention and adaptive reuse of the 6 x single storey heritage cottages known as 78-88 Parraween Street."* This 'emphasis' significantly reduces the value of the local character of the street which was initially recognised by the applicant.

The State Government's Seniors Housing Design Guide – Part 2(5) Heritage states – *"Items, sites and localities listed or noted as having heritage significance are important and may cover heritage values beyond the built environment that include natural heritage values,... It is important to identify and conserve these heritage values through a well considered design response that takes into account the heritage significance, character, texture, grain, massing, story and nature of a particular site to ensure the conservation of these values into the future."*

Objectives of the Seniors Housing Design Guide

5.3 determine ... extent of curtilage ... essential to retain ... its heritage significance

5.4 develop new buildings...on a heritage site...to **complement existing character and add value**

5.5 **preserve integrity, character and fine detail of heritage significant buildings....** *The new use needs to be compatible with the heritage values, retain its heritage character and conserve significant fabric*

The plan to demolish all internal fabric plus $\frac{1}{3}$ to $\frac{1}{2}$ of the built form at the back of the six heritage listed cottages shows scant regard for the significant heritage value of these items.

As noted above, the original Pathways development application acknowledged the importance of the local character of Parraween Street. The plan was to dismantle, store and rebuild nine of the cottages attempted to mitigate the loss of this local character.

The amended proposal now states *"The amended design (2 x modern 4 storey high buildings) will provide for the continuity of the streetscape character of Parraween Street, with the use of compatible materials and colours for the rest of the scheme."* This statement shows a poor understanding of what signifies local character. It suggests it can be achieved with the use of materials and colour, while demolishing items that are

heritage listed. The adjoining 4 storey building 1 (aged care residence) will loom above what remains of the frontages of the heritage cottages. There will be no curtilage at the back of the cottages.

The demolition of the structures at the back of the six heritage listed cottages and their inside fabric – while only retaining their front façades – is a direct contravention of the NSW Seniors Housing Design Guide

Not recognising the value of the local character inherent in the street frontages of the nine cottages originally identified for rebuilding using the dismantled materials clearly indicates an intention to maximise floor space at the expense of retaining that local character.

2. EXCESSIVE HEIGHT

The entire Parraween and Gerard Streets site is zoned R4, which the current North Sydney Local Environmental Plan (LEP) 2013 states has a maximum height of **12 meters**.

All four Pathways buildings are excessive in height, with massive uplifts over the LEP controls.

| Building | Residential Use | Height in metres | Height breach of North Sydney LEP 2013 |
|----------|--------------------|------------------|--|
| 1 | Aged Care Facility | 15.274 | + 127% |
| 2 | Independent Living | 15.006 | +125% |
| 3 | Independent Living | 15.480 | +129% |
| 4 | Independent Living | 23.446 | +195% |

Buildings 1,2 and 3 are up to 29% higher than what is permitted by the current LEP 2013. While Building 4 is 195% higher than the permitted height under the planning control.

Pathways amended proposal also argues that the height of Building 4 is '*compatible in bulk and scale with adjoining buildings*'. The 'adjoining buildings' on Gerard St, which are 7-15 storeys high, were constructed during 1960-70s. The LEP planning control in force at that time was repealed in 1989, as a result of major concerns by the Council and the community with massive overdevelopment in the suburban landscape.

Approval of the Pathways proposal cannot not be based on 45-year out-of-date LEP controls.

3. EXCESSIVE BULK AND SCALE

All four structures are excessive in bulk /scale.

The North Sydney Development Control Plan (DCP) states, "*In response to their local context, buildings need to be designed to respect the existing topography and relate to the rhythm and pattern of characteristic buildings in the prevailing streetscape. A comfortable and memorable street will be one **where no one building or feature dominates.***"

The amended proposal shows

- Building 1, proposed to adjoin the back of the heritage listed cottages, at a height of 15.274 metres, will be clearly visible from the street, looming over these heritage cottages.
- Buildings 2 and 3 rise to 4 storeys (15.006 metres and 15.48 metres respectively) and Building 4 to 7 storeys (23.446 metres), comprising 58 independent living units each with their own bathroom. They are proposed to be sited with minimal building frontages, with no/little height setback.

Originally Building 2 and 3 (Independent living units) comprised residential and facility space in the 9 x 2-storey pitched roof 'rebuilt' federation cottages which would adjoin to a 2 x 4-storey modern structures at the rear. This helped to significantly reduce the bulk and scale of the structures.

However, the amended plans no longer include any gradual setback for any the independent living units.

A. Montage of the proposed independent living units (Buildings 2 and 3) on Parraween Street

The original plan shows street frontage stepped back from single storey pitched roof dwellings to 4-storeys structures behind



The amended plan now shows buildings 2 and 3 reach a height 4 storeys (+125-129% above the North Sydney LEP) with minimal setback



B. Montage of proposed Independent living unit (Building 4) on Gerard Street

The amended plan shows that Building 4 is significantly higher (+195% above the height permitted in the North Sydney LEP) and consequently clearly dominates the site and surrounding area



The proposed amended structures will result in excessive bulk and scale, will be a dominating presence on both Parraween and Gerard Street which contravenes Council's DCP and LEP

4. TRAFFIC AND PARKING ISSUES

Transport for NSW refused Pathways refused to permit resident and facility access via Gerard St as the street

is nominated as a classified road. This resulted in Parraween Street being the access point for all Pathways vehicles, raising multiple issues.

Parraween Street currently:

- provides access for over 500 on-site resident cars, including 18 for the 20 Parraween Street cottages
- acts as a very busy service road for multiple retail / service outlets
- is often parked out by patrons attending the Orpheum Theatre, cafes, restaurants, gym etc (surrounding streets, which aren't metered, are usually parked out all day by commuters / school students)
- is a state-designated high pedestrian activity area with a 40km/h speed limit and multiple traffic calming measures
- is a narrow street approximately 12 metres wide with 90° rear-to-curb parking opposite the proposed development's on-street parallel carparking spaces
- Pathways traffic survey, conducted in July 2022, cited minimal traffic – the survey was conducted within months of the last Covid lockdown – traffic flows were at a minimum as people were still working from home
- Given the number of planned car spaces on site has been reduced from 134 to 88, this will lead to a huge increase in on-street parking demand as the area already is burdened by high demand for on-street parking from visitors, commuters and students at nearby Redlands School
- the 58 independent living units will contain a total of 157 bedrooms and 157 bathrooms (Pathways Appendix P). This will potentially allow between 157 and 314 people to live in the ILUs. Therefore, there is a high probability that between 69 and 226 additional car spaces will be required by residents/ carers/ visitors.
- the proposal indicates that over 10 years, it is forecast that the percentage of staff driving to work will fall from 61% to 41%. Both figures (which is considered highly conservative) are significant, further exacerbating local parking demand.

The amended proposal significantly increases current traffic and parking congestion issues in and around Parraween Street

5. CONSTRUCTION TRAFFIC AND WORK SITE STAFF VOLUMES

The original proposal outlined that the entire project from demolition to lock-up would take approximately 16 months. By industry standards, given the size and scope of this development, this timeline will not be achievable. A more realistic timeline is between 3-4 years. This will have a serious negative impact on local businesses and the health and wellbeing of residents.

As the amended proposal does not include any information on construction traffic and work site staff volumes, the information originally provided by Pathways to highlight the issues is shown in the tables below.

TABLE 2: EXPECTED CONSTRUCTION STAFF VOLUMES

| Activity | Average Number of Staff on site | Maximum expected Staff on-site at any one time |
|------------|---------------------------------|--|
| Demolition | 20 | 30 |
| Excavation | 15 | 25 |
| Structure | 60 | 150 |
| Fitout | 60 | 150 |

TABLE 3: EXPECTED CONSTRUCTION TRAFFIC

| Stage | Number of Trucks | Largest Truck |
|----------------|--|---|
| Demolition | 6 x waste collection vehicles per day | 19m length Truck and Dog |
| Excavation | 15 x construction vehicle per day 1 x waste collection vehicles per day | 19m length Truck and Dog & 19m-20m length Articulated Vehicle |
| Structure | 5 x construction vehicles per day 2 x waste collection vehicle per day | |
| Fitout | 10 x construction vehicles per day 2 x waste collection vehicle per day | |
| Concrete Pours | Peak of 30 x concrete trucks per pour (typically maximum 6 concrete trucks per hour); A total of 20 major concrete pours | |

Key issues are:

- staff will inevitably drive to work as, in all likelihood, they will not be local residents given that Machine Operators/Drivers and Labourers account for less than 1.6% of the North Sydney's population (Source: Australian Bureau of Statistics, Census of Population and Housing 2016 and 2021). Therefore, over a period of 3-4 years, given there will be between 15 to 150 workers on site on any given day, they will take advantage of any on-street parking which is at a premium in and around Cremorne
- in addition to demolition, excavation, structure and fitout vehicles accessing the site over a period of years, table 3 shows there will be a minimum of 600 concrete trucks accessing the site during the concrete pour stage (30 x concrete trucks per pour with 20 major concrete pours). The number of concrete trucks is higher as this figure does not include the need for non-major concrete pours.
- local residents and businesses will suffer, due to excessive noise, pollution, congestion etc as concrete trucks, truck-and-dog and heavy vehicles access Parraween Street over 3-4 years
- Parraween Street is a relatively narrow (approx. 12 metre wide, 40km/hr high pedestrian activity area) residential street which originally was a dirt horse and cart track (a horse water trough is still sited on the street). It has not been finished with a surface to bear the weight of hundreds of heavy-laden vehicles

The number of work staff plus the type and weight of vehicles required on a daily basis over many years while Pathways is under development will have a serious detrimental effect on infrastructure, businesses, and the wellbeing and amenity of residents and visitors

6. EXCESSIVE OVERSHADOWING

A large section of the through site link is in shadow, particularly during daylight hours of the colder months. This will limit '*moments to pause and play under the canopy*', as suggested in the proposal, and potentially be susceptible to wind chill factor temperatures due to wind drafts, given it is a south-to-north facing walkway.

The area outlined for 'play' is insufficient for any meaningful activity by children, and is potentially unsafe for children playing, given it is wedged between 2 very busy roads (Gerard and Parraween Streets).

There is significant overshadowing of the through site link between Gerard Street and Parraween Street during the colder months of Autumn and Winter (shown as March and June on the architectural plans) which will deter public and residential use of the space. Additionally, the through site link is too small, and possibly dangerous, to be of any use for 'play'.

7. ACOUSTICS

The amended proposal does not include an assessment of acoustics, relying on the report submitted with the original proposal (2023). That original acoustic report stated that aggregate predicted sound power levels (dBA re 1pW) would be between 109 -117dBA per task.

The report attached to the amended proposal states that a dB rating of 100dB is like the sound of a rock band; 115 dB the limit of sound permitted in industry; and 120 dB is deafening.

Given the length of time expected to undertake and complete construction, the predicted sound power levels on the site will be highly detrimental to the health and wellbeing of residents and will also particularly affect local businesses on Parraween Street, many of which have outdoor dining areas.

8. SIGNIFICANT RISK TO PATHWAYS RESIDENTS' PEDESTRIAN SAFETY

NSW Legislation Pt 5, Div 4 Site-related requirements

S93 Location and access to facilities and services — independent living units, states:

(1) Development consent must not be granted for independent living units unless ... residents will have adequate access to facilities and services — ie shops and other retail and commercial services, community services and recreation facilities, and a medical practice

Military Road is a pedestrian Nightmare

Military Road is the NSW's 7th busiest road, with over **50,000** cars, heavy vehicles, buses and B-line buses using the road **every day of the week**. (TfNSW Traffic Volume Viewer dated 2024).

The number of cars and heavy vehicles is expected to significantly increase as low-mid rise housing reforms become a reality from the lower north shore to the northern beaches.

The proposal's *Traffic and Parking Impact Assessment Report* states, "...**there can be greater difficulty for elderly to cross busy roads unassisted**" (page 20/143)

The merits of the site cited in the Pathways proposal are based on residents being able to access retail shops, medical appointments, pharmacy goods, etc as well as accessing public transport **by crossing Military Road**.

The major issue for pedestrians crossing Military Road, in particular those with a disability, is the timing allowed to cross 6 lanes of traffic. With the green 'Walk' sign there is approximately eight (8) seconds and approximately another 18 seconds to complete the crossing against the 'red' blinking walk sign, ie 26 seconds.

Based on empirical evidence, 26 seconds is insufficient time to permit a non-accompanied person with a disability to cross Military Road which therefore poses a major unacceptable safety risk to pedestrians

9. INCREASED RISK FOR ALL PEDESTRIANS

Clause 2.119 of the State Environmental Planning Policy (transport and Infrastructure) 2021 states: "*The consent authority must not grant consent to development that has a frontage to a classified road unless it is satisfied that – where practicable and safe, vehicular access to the land is provided by a road other than the classified road.*"

While it is not a classified road, siting the ingress/egress vehicle access at 50 Parraween Street is a potential safety risk for all pedestrians. This driveway access will be used daily by residents and their carers, visitors, staff, ancillary staff, medical personnel, ambulances, and heavy vehicle services such as waste, linen, catering, etc.

There risk of vehicle-to-pedestrian collisions given Parraween Street is a high pedestrian activity area,

Additionally, the through site walkway between Gerard Street (a classified road) and Parraween Street has been provided as a 'requirement' for residents with a disability living in Building 4, allowing them to access retail shops and services in Cremorne Junction on a day-to-day basis by the shortest route possible.

It is proposed pedestrians will detour west from the through site link to the Cremorne Plaza pedestrian crossing, then backtrack east to cross at the Military Road pedestrian lights. While good on paper, in practice it is highly unlikely to happen. Pathways residents and locals will favour crossing Parraween Street at the through site link to the Cremorne Arcade taking them to directly the pedestrian lights.

Parraween Street has a high level of pedestrian traffic daily. There is also no guarantee that pedestrians will take the proposed 'detour' to the Cremorne Plaza crossing. There is significant risk of vehicle-to-pedestrian collisions, for Pathways residents, as well as local residents and visitors who walk in front of the driveway and/or use the through link walkway.

10. IN SUMMARY

The Pathways Cremorne Senior Housing amended proposal lacks site-specific merit because it is excessive in height, bulk and scale, and has negative flow-on impact in multiple areas including construction vehicle/worker issues, traffic congestion, on-street parking, noise pollution and overshadowing.

The Pathways Cremorne Senior Housing amended proposal also lacks strategic merit because it seriously undermines the heritage significance of the six locally listed cottages, and will be a major pedestrian hazard for Pathways residents who need to cross Military Rd to access goods and services as well as public transport. It is also a potential pedestrian hazard for locals, including school children who cross in front of the driveway or may risk taking a short cut from the through site link to Cremorne Arcade which connects Parraween Street with Military Road.

I therefore strongly object to the Pathways amended proposal being approved as currently planned due to the significant issues and risks I've outlined.

Yours sincerely,

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