

Attn: Shivesh Singh, Department of Planning
23 Bridge St, Sydney 2000

RE: Scottish Hospital Proposal, Paddington NSW
Ref # MP09_0016

Whilst I support the redevelopment of the site, I do not believe that The proposal for the Scottish Hospital will have significant detrimental outcomes for neighbouring residents. The proposal is both out of character with the context and also particularly unsympathetic to much of its context.

The impact of the proposal upon the character of the local neighbourhood (particularly Stephen St) is unacceptable and the application should be refused.

Community Consultation

The proponent held a series of meetings, some of which were claimed to be voluntary, which were conducted as information session to inform those present of the scheme. Although in the first meeting 2 schemes were presented, these schemes were overwhelmingly versions of the same scheme, these proposals were presented as the only solution.

The process was not intended to be consultative of the local community, instead all concerns were dismissed as erroneous irrespective of the validity of the enquiry. Only selective community concerns were recorded or published in the minutes of these meetings.

A specific example is the proposed increase in size to the Dillon St Reserve; during a presentation of the concept masterplan, an audience member questioned the audience regarding the desirability of increasing the size of the park, the audience resoundingly answered, 'that there was no perceived benefit and that they did not support increasing the size of the park, certainly not as a trade for additional building bulk'. Despite this response, there was no recording of this concern and it was subsequently ignored in the design development.

Across the three 'community consultation sessions', the Architect, Mr Dennis Rabinowitz, repeatedly referred to the trees along Stephen St as "weed species that are recommended by the Arbourist for removal". This statement is incorrect and has been repeatedly identified to Mr Rabinowitz as such. The trees in question are mature examples that are protected under Woollahra Council's Tree Preservation Order. During the most recent 'community consultation session' when I questioned Mr Rabinowitz regarding his statement, he referred to the Arbourist who stated that the removal of the trees from Stephen St is necessitated only because of the location of the proposed buildings and excavation works. Surely this cannot be a valid rationale for removing protected trees.

Concept Masterplan

The Concept Masterplan asserts that due to topography the site is able to carry more building bulk at its southern most end and that, additionally, the heritage trees and gardens located to the west and centre of the site require preservation. This rationale was used to generate the locations of proposed buildings, however there are significant flaws with this rationale:

1. The proposed building bulk relies upon existing buildings on site to generate a maximum height, these existing buildings (the heritage buildings along Cooper St) are 2 levels above Cooper Street which is the highest and steepest point of the site. Using these heritage buildings as a height datum is deceptive as the site falls quickly from this point resulting in 6 levels above Stephen St. By the time the site reaches the corner of Stephen and Glen Sts, the surrounding context is two-storeys terraces and walk-ups.
2. The location of 'heritage' trees to the centre and west of the site are used as justification to locate buildings to the southern and eastern edges of the site. No evidence has been presented to identify why those specific trees have been listed as 'heritage' trees on the site, nor to identify the origins of other significant trees such as those to Stephen St. Proposed buildings are thus pushed to the southern and eastern boundaries. The continuous green canopy along Stephen St is highly valued by local residents and provides a green corridor enroute to Rushcutters Bay, this has been identified as 'low retention value'. That the quiet cul de sac of Stephen St provides amenity to more locals than just those who are resident on Stephen St has been entirely overlooked.
3. The concept masterplan also identifies 'principles' such as using setbacks and landscape to mediate the impact of new buildings, whilst this principle has been utilized to Brown St, it has been entirely ignored on Stephen St. To Stephen St the small setbacks, wholesale removal of significant trees and the introduction of service zones and loading docks is in sharp contrast to this 'concept masterplan principle'. Stephen St is treated particularly badly by the proposal.

The treatment of Stephen St in particular generates some suspicion in the motives of the architect and design team; The location of building services, insufficient setbacks and removal of significant trees occurs directly adjacent the surrounding dwellings with the lowest average value and highest concentration of tenants rather than owner occupiers. It is also the most densely populated segment adjacent the sites boundary further compounding the impact. It is my belief that the design team have deliberately located 'difficult' buildings and facilities on Stephen St with the expectation that surrounding residents are unlikely to comment.

Homes directly adjacent the site: Brown St, (inc cnrs Glenview St and Dillon St) – 7 terrace houses and 8 apartments, Cooper St 10 terrace houses and 18 apartments (additional overlooking from apartments at 176 Glenmore Rd), Stephen St (inc cnr Glen St) 2 terrace houses and 60 apartments (20 apartments at 38 Stephen St and 40 apartments at 40 Stephen St).

Of 105 residences on surrounding streets directly fronting the site, Stephen St carries 59% of the dwellings and is by far the most heavily impacted by the proposal. The treatment of Stephen St needs to be consistent with that applied to other streets. The high number of residents on Stephen St is not justification for reduced amenity on Stephen St, but should rather be cause to provide greater consideration and respect in the design process to protect and improve the amenity of these residents.

The Advertised Documents

Independent Living Units

It is shocking that the additional scale of the proposal delivers only an additional 12 aged care beds, whilst the bulk of the proposal is the additional provision of 82 apartments. The apartments are large, with an average size of 160sqm. I do not believe that the loss of local amenity can be justified when such large residences are to be provided for the frail. Reducing the average apartment size would significantly reduce the bulk of the proposal allowing for a reduction in height and an increase of setbacks allowing significant trees to be retained.

Carparking

It appears that over 170 carparking spaces are to be provided on the site, the basement carpark extends beyond the building footprints and is as little as 2m from the Stephen St boundary. The requirement of 124 bays has been exceeded by one-third generating a second basement level.

The depth and insufficient setback of the basement carpark to Stephen St ensure that no significant re-vegetation is possible along this boundary. Note that this is the current location of the row of 'significant' established trees that are approximately 19m in height and within 1m of the boundary.

Reducing the number of bays provided will remove the need for a second basement level and allow for greater setbacks in addition to keeping the basements beneath building footprints allowing for critical vegetation along boundaries.

Site Context and Setbacks

The design team have stated that the proposal responds to context to generate building heights and setbacks. The only context that has been acknowledged on Stephen St is the 1964 Harry Seidler Apartment tower at number 40. This building is significantly out of context and would not be achievable under the Woollahara LEP, as a resident of this building I acknowledge that it is a dominant and inappropriate component of the local landscape due to height and setbacks alone.

The comparisons of proposed building heights to neighbouring buildings are deceptive in this regard as the height of the lift overrun at 40 Stephen St is given as a building height and the parapet height of the proposal is given as a building height. The parapet height of the tower at 40 Stephen St is RL 42.6 (not RL 47.5 of the lift overrun).

However it is this building not its immediate neighbours of 2 and 3 level buildings to the north and south along Stephen St, that has been used to define the surrounding context. By misrepresenting the context, the design team justify simply mirroring and copying the setbacks and height of the tower building along Stephen St. This gross misinterpretation of context will result in a 'pinch point' of tall buildings on Stephen St that is dramatically out of context with the overwhelming character of the neighbourhood (both terrace houses and apartment buildings alike) that is 2-3 storeys in height.

The proposed RCAF building will dominate and overshadow the 3 storey apartment building at 38 Stephen St and the 2 storey apartment building on the corner of Stephen and Glen Sts whilst creating a building gulley with the tower building at 40 Stephen St.

The boundary setback for the RACF varies from as little as 3.2 metres up to 6.2 metres. Vegetation will be further reduced when egress for fire stairs is included, and if footpath widening is approved subject to a Voluntary Planning Agreement (VPA) proposal with Woollahra Council.

The measured distance from 40 Stephen St living room and kitchen windows to the RACF balconies is as little as 16 metres. These setbacks:

- a) do not allow for significant trees to be retained or replaced
- b) do not meet the required SEPP 65 separation distance of 18 metres for buildings of this size.

Urbis p114: 'In the case of the current outlook enjoyed from residents at 40 Stephen Street in particular (and other Stephen Street residents in general)... the altered outlook onto the RACF building is not significantly different from the majority of outlooks experienced by residential dwellings in Paddington. This dense urban area is characterised by buildings constructed along the street edge, which is consistent with the approach to the street interface of this RACF building.'

- The RACF building is up to 6 storeys high (18.3 metres to roof parapet height) which is much higher than most other buildings in the local area. The local characteristic is a mix of terrace houses and two-storey walk-ups. Its height, bulk and usage are significantly different to the surrounding residential precinct.

Public Domain

Currently a significant neighborhood view exists down Glen Street to the mature trees on Stephen Street. The placement of the ILU building at the base of Glen St does not allow for retention of the Woollahra TPO protected trees, additionally the placement of ILU Building appears part way across the intersection of Stephen and Glen Sts thereby providing a poor built form termination to Glen St.

Page 18 of the Urbis EA Report states that the trees "to Stephen St are of low quality but do provide some screening to the existing operating theater building". The trees are in fact significant and TPO protected, to describe these trees as 'low quality' is both disingenuous and entirely inaccurate. The arborists report lists 9 of these trees as Retention Value B, as they are significant and healthy specimens.

Page 19 of the Urbis EA Report states that "Green, heavily vegetated edges characterize the view looking down Stephen St", this apparently contradicts the above statement and also the Concept Masterplan that states the vegetation along Stephen St is of low retention value. The trees form a continuous 'green canopy' along the eastern boundary of the site that provides a very significant local landscape element.

The proposed fracturing and stepping of building form designed to "minimise" the impact of height creates an inappropriate architectural response. This is particularly apparent when nearly 90 trees are removed, exposing all this large development to public view. Proposed new plantings are actually large shrubs (proposed Blueberry Ash).

Urbis p65 and 66: 'The design responds to the streetscapes surrounding the site and minimises negative impact... There will be no adverse impacts on neighbours privacy, amenity, solar access or views.'

- There will be significant adverse impacts on neighbours from the proposal: noise from regular service vehicles and air conditioning units, loss of privacy, and the destruction of the canopy of trees that provide greenery and a diversity of birdlife.

Overshadowing

The proposed bulk RCAF and ILU buildings to Stephen St will begin to shade ground level apartments at 38 Stephen St by midday in mid winter and shade almost the entire building at 38 Stephen St by 2pm. Additionally the first floor apartments at 40 Stephen St are shaded by 12.30pm in midwinter increasing to nearly 50% of the building in shadow by 4pm. This is absolutely unacceptable; setbacks must be increased to allow adequate daylight to dwellings at 38 and 40 Stephen St that do not achieve any other solar access.

Urbis p114: 'It is not considered that any dwelling for which view analysis modelling was undertaken will be affected by view loss as a result of the proposal'

- View analysis modelling was undertaken for any residents that requested it. Three units within 40 Stephen St were analysed, as well as the entry foyer. All views were negatively impacted, with the lower levels looking directly out at balconies and windows of the RCAF building just 16 metres away with no tree screening
- The higher building forms are proposed to be located opposite 38 and 40 Stephen Street. There are ninety people living in these units – ranging from the elderly ageing in place to families with young children. To say that there will not be any impacts on neighbouring buildings is disingenuous.

Trees

All trees along Stephen St are slated to be removed, with the exception of two trees at the far north-east corner. The Abourist report classified nine trees along the boundary of Stephen Street as Retention Value B 'Could be retained'. Most are Chinese Hackberry, Camphor Laurel and Coral Trees over 10 metres tall, which are protected under Woollahra Council Tree Preservation Order (TPO). Elsewhere on the site these same species have been retained. There is no justification for the removal of the trees along Stephen St. T37 (19 metre tall Camphor Laurel), T35 (mature Brushbox) and T31 are of particular value to 40 Stephen St.

Mature trees along Stephen St, particularly the Retention Value B trees, must be retained and protected. Removal of these trees for the sole reason of allowing built form is vandalism.

The consultants' reports state that they will 'Replace any trees assessed as Category A or B... that are proposed for removal with the same species... or with similar species to maintain landscape character.' (Urbis p 130) However, the landscape plans show shrubs such as *Elaeocarpus reticulatus* (Blueberry Ash). These shrubs will grow, at best, to 8-9 metres tall and will do little to screen the 18.3 metre high wall opposite 40 Stephen St.

As stated above these trees constitute a significant local landscape component, labelling them as of 'low value' or 'weed species' disingenuous and inaccurate. These trees should be protected as required by Woollahra Council's Tree Preservation Order.

Urbis p26: 'The mature plantings and significant drop within the site provides the opportunity to achieve taller buildings within the site if they are located to sit within the tree canopy and contained by trees away from the street edges. This will follow the existing approach to development on the site.'

- This principle has been adhered to on other parts of the site, but has been disregarded for Stephen St. The proposal will place 5 to 6 storey buildings along the street edge with minimal setbacks, and in doing so remove every existing tree along the streetscape and replace them with shrubs

Urbis p80: 'Locating the built form between the trees to enable the maximum retention of vegetation is a positive outcome as it maintains the current landscape character around the site, mitigates the visual impact of any development and continues the visual and heritage contribution of the site to the surrounding area.'

- This statement is incorrect on all aspects. The built form along Stephen St will not be located between trees, it will not retain any existing vegetation, it does not maintain the current landscape character, will

not mitigate the visual impact of the development, and will not continue the visual and heritage contribution of the site to the surrounding area.

Stephen St Service Dock

A long-disused entry point to the Hospital has been used to justify a new service vehicle entry. The consultants' reports refer to a so-called 'existing' service entry from Stephen St. During the public consultation, consultants were unable to say what the entry was used for, when it was closed, nor where it was located. In addition, there is a large cluster of mature trees in the supposed location of the service entry. Looking at the existing hospital building and pavement, it is extremely unlikely that any service entry existed at this point.

The only documentation to justify the entry is an 1882 subdivision plan showing rear access to terrace houses in the location, as there is no evidence of the lane or the terrace houses, it is disingenuous to suggest that a lane that may have existed is reason for a service dock to a single large building.

The Traffic Report states the traffic generated by the loading bay 'would not be numerically inconsistent with that of prevailing other uses in the area'. However, prevailing uses in the area are not loading bays for service and delivery vehicles. In addition, the narrow cul-de-sac can not handle service delivery vehicles or additional traffic. The Traffic Report does not say how trucks will turn around on the narrow Stephen Street. Additionally as there is no turning circle at the end of the cul de sac, vehicles currently use our private car park at 40 Stephen St to turn around.

Due to the narrow street, and the surrounding tall buildings and cliffs, the noise generated by 4 to 6 commercial vehicles per hour turning into and backing out of the loading bay (as stated in the Traffic Report) will have a significant detrimental effect on the residents of 40 Stephen St. They will no longer have quiet enjoyment of their properties.

Furthermore, the Development Application shows two parallel parking bays on the street will be removed for the service vehicle entry. The VPA with Woollahra Council seeks to remove several parallel parking bays, with compensation in the form of eight 90 degree parking bays outside Dillon Reserve. We question why these parking spaces would need to be removed if Stephen St were suitable for this type of traffic.

Building Facilities to Stephen St

Residents have been told that the loading bay would only be used for laundry service and kitchen / food supplies for the RACF. All other laundry, food and garbage services for other uses (Nursing home and ILU) would be from Brown St. However, there is a large garbage room directly adjacent to the loading bay on Stephen St. We question why a large garbage room is located adjacent to the loading dock if no garbage will be picked up from this location. We also question why all services can't be located from Brown St as are currently.

There is a commercial kitchen and large laundry room opposite 40 Stephen St. Residents are concerned about the noise and exhaust air from these uses.

Plans also show a large bank of air conditioning condenser units to be located opposite 40 Stephen St. These will be noisy and running 24 hours a day. Half burying these units will not mitigate the noise impact on 38 and 40 Stephen St, which have living rooms and kitchens facing these air conditioner units.

Additionally it has been stated that there will be no pedestrian or visitor access from Stephen St, the placement of a large lobby at existing ground level between the RCAF and ILU Buildings suggests that access to and from Stephen St is both simple and probable. Public presentations of the scheme strongly deny that resident access via Stephen St will be provided, and that visitors will not gain access to the site from Stephen St, this appears untrue. The probable Stephen St pedestrian entry will have a significant effect upon local carping as visitors will undoubtedly use this access.

As stated above I believe that the proposal presents unacceptable urban form outcomes that generate conflict of use, poor amenity (for existing and proposed residents) and a significant degradation of the neighbourhood character.

The proposal is significantly inconstant with Woollahara Council's DCP's and does not present an outcome that is in the public interest.

I believe that the proposal should be refused.

Yours sincerely,

Clint Yabuka

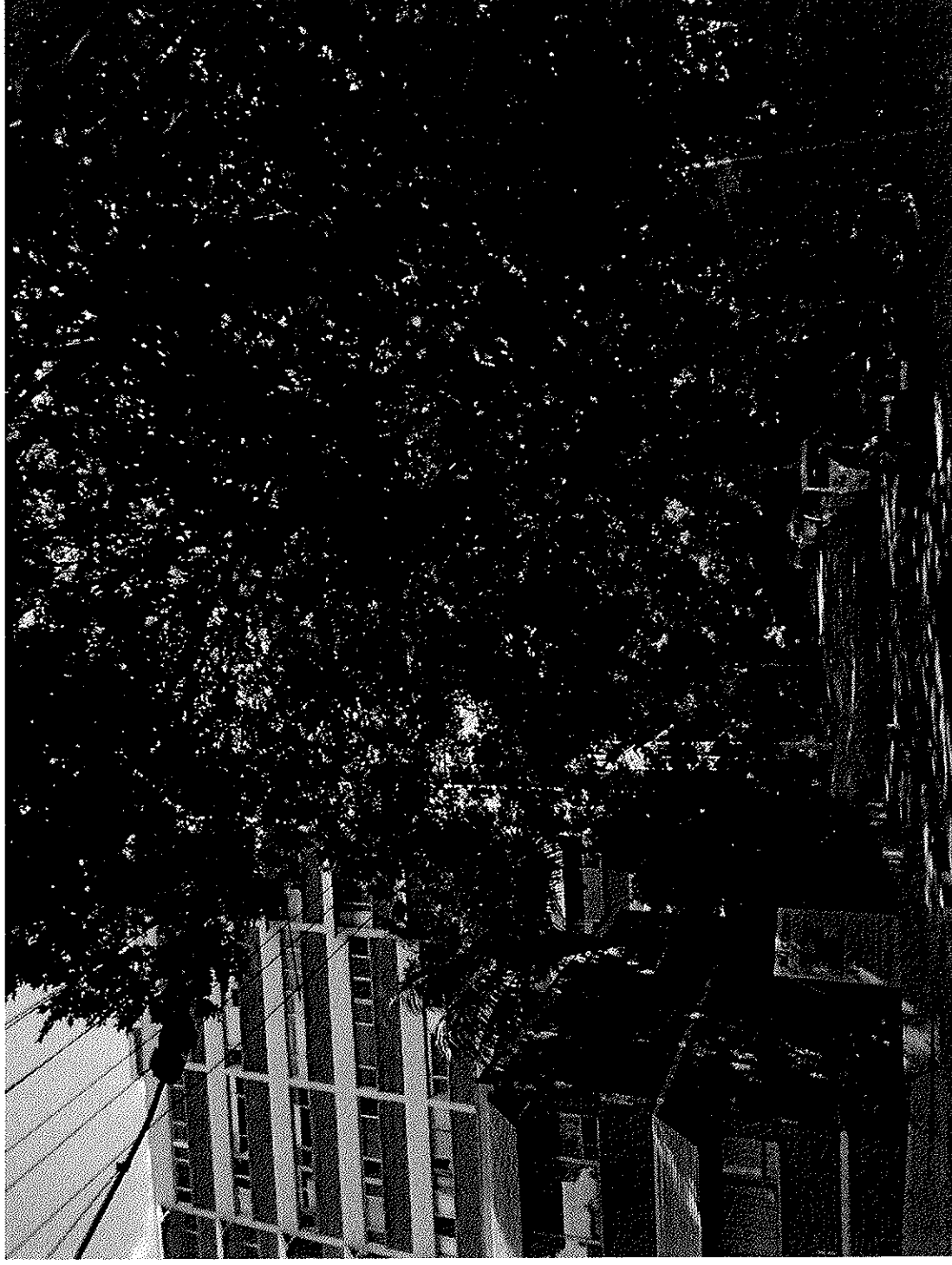
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EXISTING STEPHEN STREET SOUTH



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