



Response to Submissions Summary, prepared by Urbis

NO.	ISSUE	NO. OF SUBMISSIONS	RESPONSE
1	The development is out of keeping with character of Paddington	26	<p>The existing site is one of the few remaining examples of single large subdivisions in Paddington. The size and scale of the landholding as well as the traditional use of the site have always been in contrast with its immediate surroundings, which consist of smaller residential subdivisions. While the proposal requires a unique response to the unique characteristics of the site, the proposal relates to its surrounding context by retaining the existing heritage items on site, proposing a large land dedication adjacent to Dillon Reserve, which maintains the existing relationship to the surrounding context to the north and the strategic placement of buildings which builds on the placement and location of the existing hospital and health care facilities on site, the traditional use on the site. It responds in scale to buildings across Cooper Street and Brown Street, maintains and expands the existing public open space and draws inspiration from the surrounding context with regards to colour, textures and materials. Nevertheless, further amendments have been made with regards to the application and distribution of materials to relate better to the surrounding context.</p>
2	Object to scale	19	<p>The scale of the proposal responds to the demands of the program and the many unique site opportunities and constraints. While one of the urban design principles for the site was to avoid disturbing the mature vegetation present throughout the site, this prevents the even distribution of the built form across the site contributing therefore to the perception of increased scale. The effort to maintain the height of the buildings below the tree canopy ensures no view impacts to the surrounding residences, and the location of</p>

			<p>buildings ensures the appropriate scale transition to the surrounding built form. The development scale is appropriate for the size of the site; however, the planned reduction of the upper levels for the Brown Street building and northern part of the RACF building will provide an overall reduction in height, bulk and scale. Refer to the architectural plans.</p>
3	Overlooking into Cooper St	2	<p>One submission is from No 4 Cooper Street and one from 8 Cooper Street.</p> <p>4 Cooper Street was surveyed and added into the site plan. The distance between No 4 Cooper Street and the proposed RACF building Level 6 south-east window is approximately 22.5m.</p> <p>Whilst the setback to the RACF building is not required to comply with the SEPP 65 building separating distances, the minimum building separation requirement under this policy for a three storey building is 12m, and for a 5 storey building, 18m. The proposed RACF building is approximately 17.3m from No 40 Stephen St, measured from the external face of the proposed balcony.</p> <p>The windows and balconies fronting Stephen Street will have an external fixed louvre screen. Vegetation planting along the Stephen Street frontage will also provide some privacy screening.</p> <p>Level 7 of RACF building will have an additional planter along the south-east corner parapet edge to minimise overlooking and maximise privacy between RACF and No 4 and 8 Cooper St.</p> <p>Refer to attached drawing DA 213 revision A and DA 516 revision</p>

			A (privacy screen detail)
4	Plans inaccurate	1	<p>This submission is from No 4 Cooper Street. The property was surveyed and incorporated in the plans and elevation.</p> <p>Refer to drawings DA 104 revision B (Site Plan), DA 232 revision B (South Elevation and DA 213 revision A.</p>
5	Overshadowing into Cooper St	1	<p>This submission is from no 4 Cooper St. The revised shadow diagram with the corrected survey information shows that there is no additional shadow to no 4 Cooper Street at Mid-winter.</p> <p>Refer to drawings DA 512 revision B (shadow analysis) and DA 515 revision A (3d shadow analysis).</p>
6	Overshadowing of Stephen St	4	<p>This submission refers to Flat building at no 40 Stephen St.</p> <p>A 3D shadow analysis was provided (refer to drawing no. DA515 revision A).</p> <p>The shadow analysis confirms that from 9:00AM till 1:30PM mid winter, there will be no additional shadow to the ground floor level of No 38 Stephen Street.</p> <p>From 9:00Am till 1:00PM, there will be no additional shadow to No 40 Stephen Street.</p>
7	Service access to Stephen st will create noise. Inappropriately located	32	<p>Whilst it is still the preferred option to provide service access from Stephen Street, an option has been developed demonstrating that service access can be provided from within the site via the Brown Street site entry. The proponent will not object if a condition is placed on any consent issued, requiring that servicing be</p>

			<p>undertaken from within the site.</p> <p>Refer to drawing No. DA 214 revision A and DA 215 revision A.</p>
8	Why is garbage room located here if not collected from here	17	<p>Garbage room has been relocated. Whilst it is still the Church's preference to have the site serviced from Stephen Street, a design option has been presented as part of the PPR showing service entry from Brown Street.</p> <p>Refer to drawing No. DA 200 revision C and DA 201 revision C.</p>
9	No justification for previous use of loading bay	9	<p>The location of the proposed loading Bay off Stephen Street is based on an historical subdivision pattern of the site dated 1880, showing a laneway access from Stephen Street to the rear of terrace-style blocks oriented to Cooper Street. This was considered to be a logical location for a loading bay to service the RACF building, whilst maintaining the primary vehicular access point from Brown Street.</p> <p>Whilst it is still the preferred option to provide service access from Stephen Street, an option has been developed demonstrating that service access can be provided from within the site via the Brown Street site entry. The proponent will not object if a condition is placed on any consent issued, requiring that servicing be undertaken from within the site.</p>
10	Height justification has incorrect basis	7	<p>The guiding principle for the proposed heights is to maintain the maximum building height within the existing tree canopy. The objective behind this principle is twofold: avoid any visual impacts to the existing views available across the site and concentrate as much of the footprint vertically under the height of the tree canopy</p>

			<p>to avoid scattering the built form throughout the site and disturbing the existing vegetation. These objectives are the correct basis for the height datum for the overall site where large mature trees are available. The guiding principle is less applicable to the Cooper Street boundary where there is an absence of vegetation and the heritage item provides a more significant reference point and scale relationship along that street and it is also less applicable to Stephen Street where the existing building (Operating Theatre) also provides a more relevant height datum as a guide. Nevertheless, a height reduction by one story has been implemented to the overall height of the Brown Street building and to the northern part of the Stephen Street building (RACF). Refer to the modified architectural drawings.</p>
11	Siting of development is poorly thought out	5	<p>The siting of the buildings on site responds to the desire to preserve the majority of the mature heritage trees on site as well as using the siting of the existing structures as a guide for the placement of the proposed built form. The location and siting of buildings is appropriately concentrated in the southern portion of the site in order to take advantage of the drop in topography. The location of any structures on the northern part of the site where the topography is more levelled will disturb the park setting. The placing of any structures on the top of the ridge will interfere with the setting and curtilage of the heritage item.</p>
12	Loss of trees along Stephen St	46	<p>The 30 trees adjacent (within 8m of) Stephen St are Trees 20-44 and 94-98. The P11 drawings propose removal of 26 trees (all except four trees: T20, 22, 23, and 28).</p> <p>Of the 26 proposed to be removed there are:</p>

		<p>Retention Index: Nil "A", 11 "B", 14 "C and 1 "D".</p> <p>Condition: 4 Poor, 20 Fair and 2 Good.</p> <p>TPO exempt (ignoring site Heritage listing): 5.</p> <p>TPO exempt (if ignoring 10m height threshold (6.1 (g) Group[p B] and site Heritage listing): 17 (Many trees are 10-12m in height and so marginally protected)</p> <p>TPO protected: 4 (T30, 34, 35 and 38)</p> <p>Deciduous: 15</p> <p>Submissions were from the follow Stephen St properties: Nos. 3, 9, 12, 26a, 30-34, 38 (Units 6,7 and 10) and 40 (Units G, 7, 103, 203, 301, 304, 401, 403, 404, 502, 503, 504, 601, 602, 603, 702, 801, 803, 804, 830 and Executive Committee.)</p> <p>The Stephen St trees which are predominantly of poor quality, deciduous, weed species will become more hazardous, extremely difficult and expensive to manage and generally would be removed and replaced as part of site development. The 10m height threshold under the TPO for weed species Coral Trees, Chinese Hackberry and Camphor laurels is to allow Council to assess the merits of larger individual specimens. Similarly exemptions 6.1(g) do not apply to Heritage Listed site which allows Council or consent authority to assess the merits of retaining these trees. The subject trees have been "self-seeded" with many in inappropriate locations and spacings. Horticulturally it is unreasonable to retain stands of weed species when more suitable species can be planted.</p>
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13	Loss of trees throughout the site	19	<p>Raw tree removal numbers. As indicated in the Tree Schedule (246B-2010TAB_revC) of the 144 assessed trees 51 trees are to be retained in situ, 5 are to be transplanted on site and 88 removed.</p> <p>As per Table 1 of the AIA, Sept 2010, 88% of the "A" trees are to be retained, 47% of the "B" trees are retained and 11% of the "C" trees are retained. This is a good outcome for a dense, unmanaged, weed affected urban site. All 7 LEP Heritage Listed or Significant Tree Register listed trees are to be retained. Some require minor crown pruning.</p>
14	Loss of privacy to Stephen St	3	<p>The proposed RACF building is approximately 17.3m from No 40 Stephen St, measured from the external face of the proposed balcony.</p> <p>The proposed balconies facing Stephen Street will have fixed obscured glass louvers to restrict over viewing to No 40 Stephen St.</p>

			Refer to drawing No DA 516 revision A.
15	Impact on heritage	15	<p>A full response to heritage issues has been prepared by NBRS, the Heritage Consultant for the project, and is submitted under separate cover. With specific regard to this issue, NBRS have advised:</p> <p><i>“The site is zoned as Special Hospital Uses, reflecting its use as a private hospital since 1901 and later as aged care facilities for the Presbyterian Church in Australia. The scheme has been developed with consideration of the existing view corridors and vistas in the streets immediately surrounding the site of The Scottish Hospital. New buildings have been designed to minimise the foot print of the buildings and to provide open areas within the site. They would be set back from the street boundaries and takes advantage of the natural slope of the site to minimise the impact of the scale of the new development on the Paddington Heritage conservation Area generally. The scheme would not adversely impact on the significant views and vistas identified in the Paddington Heritage Conservation Area Development Control Plan 2008 (Section 3.6)”</i></p>
16	Overlooked significance of garden / terraces	10	<p>A full response to heritage issues has been prepared by NBRS, the Heritage Consultant for the project, and is submitted under separate cover. With specific regard to this issue, NBRS have advised:</p> <p><i>“The surviving section of terraced garden is generally in a deteriorated condition, and cannot be used by residents in</i></p>

			<p><i>its current configuration as it is too steep to provide pedestrian access. Documentary evidence indicates the terraces have been progressively compromised by the replacement of garden areas with grass and new shrubs. The remnant steps have been dislodged by tree roots. The surviving section of terraced garden has been assessed as having heritage significance at the local level. A plan dating from 1889 indicates they were created as a 'terraced garden' for Henry Burton Bradley. No evidence to date suggests the terraces were specifically designed for growing grapes, and historical evidence suggests the site was unused until the 1850s.</i></p> <p><i>The partial removal and adaptation of the remnant terraced garden has previously been approved by Woollahra Municipal Council (DA No.931/2001)".</i></p>
17	Form and use of materials is out of character with the original hospital	2	<p>A full response to heritage issues has been prepared by NBRIS, the Heritage Consultant for the project, and is submitted under separate cover. With specific regard to this issue, NBRIS have advised:</p> <p><i>"The proposed changes to the former hospital building have been developed with consideration of the Conservation Management Plan (CMP) prepared by NBRIS+Partners (2010). The structure of the CMP is in keeping with the recommendations of the NSW Heritage Branch, the Burra Charter and The Conservation Management Plan by JS Kerr. The Scottish Hospital building has been adapted with regard to the relative significance of spaces and components identified in the CMP, to minimise adverse impacts on the</i></p>

			<p><i>heritage significance of the place.</i></p> <p><i>The original residence, The Terraces, was irreversibly altered in c1900 and 1926 when the building was adapted as a hospital. Those changes included the replacement of the roof and stucco finish to the external walls to change the architectural character of the building to an Arts and Craft style. Further changes were undertaken from the 1970s through to the mid 1990s.</i></p> <p><i>The proposed adaptation of The Scottish Hospital building is acceptable in heritage terms as they would:</i></p> <ul style="list-style-type: none"> <i>a) Assist in the recovery of significant spaces at ground floor and first floor levels;</i> <i>b) Involve the retention of surviving sections/components of the original nineteenth century house including remnant joinery;</i> <i>c) Not involve the removal of original heritage fabric, and are designed to have minimal visual impact on views to the site;</i> <i>d) Assist Presbyterian Aged Care to continue its long association with the site, and to provide relevant aged care facilities for the projected needs of the Municipality”.</i>
18	Loss of views from Stephen St	4	<p>These objections are from apartments 401, 603, 803/ 40 Stephen St and 4/1 Bates Ave.</p> <p>The amendments to the proposal include the reduction in height by one storey of the Brown Street ILU and the articulation of the facade of the RACF building facing Stephen Street. The view from the balcony of apartment 803/40 has improved due to the lowering</p>

			of Brown Street building. Refer to SimUrban screenshots.
19	Loss of Views Brown/Glenview St	2	<p>This objection is from 2 Glenview St.</p> <p>The amendment to the proposal is the reduction in height to Brown Street ILU by one floor. The proposed building viewed from Glenview St is screened by existing matured street trees. Refer to photomontage drawing No DA610 revision B.</p>
20	Disillusioned with public consultation process	16	<p>A full response to these issues has been prepared by Urban Concepts, the facilitator of the consultation process, and is submitted under separate cover.</p> <p>In summary, the consultation process has been implemented in accordance with the Communication Plan that was submitted to DoPI in accordance with the Director General's requirements. The Communication Plan was considered by DoPI and was determined to satisfy the Major Project Guidelines for Community Consultation.</p> <p>Paul Sadler, the CEO of Presbyterian Aged Care, or his representative attended all stakeholder focus groups and community consultation events.</p> <p>The findings arising from all consultation events have been relayed to the NSW Department of Planning in the report titled Community Consultation Report Scottish Hospital Site Paddington, Proposed Presbyterian Aged Care Development Volumes 1-3, October 2010.</p> <p>The consultation process for this project generated a broad range of public opinion. Some of the concerns expressed during the process by some participants still remain and we fully acknowledged that for these participants there may be as sense of</p>

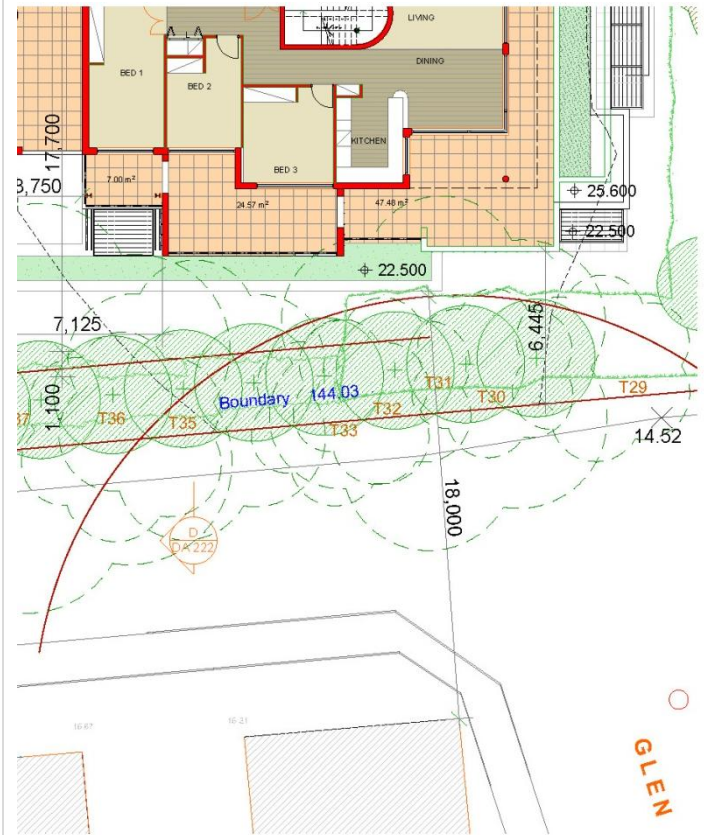
			frustration and disappointment.
21	Increase in traffic into Cooper St	3	The proposal will have no vehicular access off Cooper Street. Because of the street width and limited parking, Cooper Street it would not be an attractive place for residents or their visitors to park. Rather these are likely to use the resident or visitor parking provided on site, accessible via the main site entry from Brown Street.
22	Increase in traffic in Stephen St / not enough capacity	9	<p>The preferred option is to provide site deliveries from Stephen Street. The traffic report confirms that the anticipated frequency of service deliveries will not impact traffic movements in Stephen Street.</p> <p>Should any consent issued be conditioned to require service access from Brown Street, there will also be no impact to vehicular movements in Stephen Street.</p>
23	Traffic report is incorrect / incomplete	4	The traffic report has been reviewed by the RTA and Council and these authorities have no concerns about the traffic report or about traffic implications in general.
24	General increase in traffic	5	See 21 & 23 above and 27 below.
25	View loss from Cooper St	3	<p>These objections are from 2/19, 4/19 and 8 Cooper Street.</p> <p>The general roof level of the proposed RACF building is lower than the existing ridge by 0.3m. The setback along Stephen St increased from nil to 2.5-8.5m which will provide additional landscape area along street boundary. The proposal also creates a separation between the existing heritage building and the new RACF building by 7m. This provides a view slot from Cooper Street</p>

			into the internal courtyard and through Dillon reserve.
26	View loss from Stephen St	1	<p>These objections are from 1 Bates Avenue and 203/40 Stephen St.</p> <p>Refer to response No 18.</p>
27	Negative cumulative impact with other developments in the area	4	<p>The proposal will generate only 7 to 10 additional vehicle movements per hour on Brown Street in the morning peak and 15 to 17 vehicle movements per hour in the evening peak. This traffic generation is extremely low for a site as large as the Scottish Hospital site and would have negligible impact on the operation of the surrounding road network, even in conjunction with additional traffic from other development in the area.</p>
28	Significantly larger than 2002 DA	16	<p>The current application details the extent of works for which consent is being sought. No reference or comparison is being drawn to the previous application, which was approved in 2002, has since lapsed and which can no longer be acted upon.</p> <p>No past consent can dictate the future development potential of a parcel of land. Each application is to be assessed on its merits having regard to the planning controls in force at the time.</p> <p>The current proposal addresses the relevant planning controls applicable to the site, the Director General's Environmental Assessment Requirements issued under s75F of the Act, and the market conditions surrounding aged care housing provision in the region.</p> <p>Some amendments have been made to the scheme in response to issues raised with the original proposal and are detailed in the</p>

			PPR.
29	Scale model/photomontages misleading	11	Refer to drawing DA 604 Revision B dated 06/06/2011 for revised photomontage prepared by Aspect studios
30	Sizes of units are not appropriate	6	The independent living units have been designed to achieve a mix of one and a half, two and three bedroom units, responding to consumer demand patterns. The unit designs reflect PAC's experience as a retirement village and aged care operator. They also respond to the detailed needs analysis of accommodation and services for seniors in the Inner City Eastern Suburbs undertaken by Wallace Mackinnon & Associates (Appendix D to the Project Application Environmental Assessment, November 2010).
31	Question the required unit breakdown to provide financial viability	1	The Federal Government has largely withdrawn from capital funding for residential aged care facilities. PAC is aiming to achieve 45% of the 100 beds in the new aged care building for government supported or high care residents who do not pay accommodation bonds. The mix of independent living units and residential aged care places reflects a balance to achieve this outcome in a financially sustainable manner
32	Not enough RACF beds when compared to ILUs	9	The detailed needs analysis of accommodation and services for seniors in the Inner City and Eastern Suburbs undertaken by Wallace Mackinnon & Associates (Appendix D to the Project Application Environmental Assessment) showed there is a strong demand for both residential aged care and independent living units. There is no purpose designed retirement housing in Paddington itself. PAC's experience is that older people prefer to receive services in their own homes for as long as possible. The planned redevelopment of the Scottish Hospital site will increase the

			number of residential aged care places (including a new secure area for people with dementia), while at the same time substantially boosting availability of independent living units with provision for associated community care services.
33	Dillon reserve extension unacceptable	8	<p>A potential extension of Dillon Reserve is subject to negotiation with Woollahra Council as part of a Voluntary Planning Agreement. The public benefit of any extension and land dedication by the Church will be reviewed by Woollahra Council in its decision whether or not to enter into a Voluntary Planning Agreement. Any community consultation regarding the dedication would be at the discretion of Council.</p> <p>There is mixed reaction to the possible land dedication and expansion of the Reserve. Some submissions have been received in support of the expansion.</p> <p>Any Voluntary Planning Agreement will need to be publicly exhibited and submissions received by the community prior to the Agreement being entered into.</p>
34	Increase setback to Stephen St	26	<p>The proposed setbacks to Stephen Street allow for the various part of the RACF building to step back gradually from the street edge to provide the adequate space for medium to tall vegetation to be planted along the boundary.</p> <p>An increased setback is not necessary in order to augment the separation distance between the proposed RACF and 40 Stephen Street. The required 18m separation distance as per the Residential Flat Design Code is not applicable in this instance as the proposal is not a residential building; it is a commercial facility</p>

and the rule of thumb was envisioned as a guide for buildings on adjoining lots on the same side of the street and not across the road. In any case and as the following diagram shows, the separation between parts of the buildings is already greater than



18m.

While an increase in the set back is not necessary, amendments to

			the basement plan have been made to preserve more of the existing trees. Refer to the architectural plans.
35	Relocate air-conditioning units from Stephen st	26	<p>Refer to drawing DA 520 revision A.</p> <p>The air-conditioning condensers to the RACF building have been relocated and are below the level of Stephen Street. The condensers are screened with louvres and landscaping.</p>
36	Retain on street parking in Stephen st	10	<p>The preferred option is to provide site deliveries from Stephen Street. A VPA is currently before Council seeking to re-organise car parking arrangements in Stephen Street to ensure car parking numbers are retained and better located to facilitate ease of traffic movement around the Glen St intersection.</p> <p>Any VPA entered into between Council and the Church will have been reviewed by Council in respect to public benefit and cost. Any widening of Stephen Street to accommodate 90 degree car parking will have been assessed by Council to determine the public benefit of this proposal.</p> <p>Should any consent issued be conditioned to require service access from Brown Street, no change will be made to the on street car parking in Stephen Street.</p>
37	Inconsistent application of Urban Design principles	5	The application of urban design principles from the master plan stage have been consistently interpreted and applied in the architectural solution for the site allowing for flexibility to incorporate community concerns raised throughout the consultation process.
38	Too much car parking provided / excessive excavation	11	There appears to be a misconception that more than the proposed 132 parking spaces will be provided. This has most likely arisen

			<p>because, per AS1428, accessible parking spaces to be used by the disabled require the equivalent of an additional car space next to them to allow a person with a wheelchair to get into and out of their car. In effect this means that typically the equivalent of three 'normal' car spaces are needed to provide two accessible spaces. The independent living units will need to have access to accessible parking. When this is taken into account it will be seen that the nominated parking provision is all that has been provided.</p> <p>The extent of excavation is proposed to accommodate the required number of car parking spaces.</p>
39	Not enough car parking provided	1	<p>The proposed parking slightly exceeds the minimum required under SEPP (HSPD) to ensure that a sufficient supply of resident, employee and visitor parking would be provided on the site. The convenience of parking on the site will mean that there would be little incentive for residents, visitors and staff to park on roads surrounding the site.</p>
40	Basement will interrupt groundwater flows	3	<p>The <i>Report on Geotechnical and Hydrogeological Assessment</i> prepared by Douglas partners (September 2010) concludes:</p> <p><i>"It is anticipated that the permanent groundwater table is within the Hawkesbury Sandstone or in the clay or filling below the site excavation levels. Groundwater flow is expected to be relatively low in the clay and will be fracture controlled in the rock. It is anticipated that the proposed development on the site will have no significant influence on the existing groundwater flow system, both on the site and surrounding area".</i></p>

41	Staging should be reconsidered to remove the RACF from Stephen St	2	<p>An essential criterion for PAC is that the existing aged care facility, home to 88 older people and workplace for 70 staff, remains open while a new residential aged care building is constructed. The proposed staging plan achieves this. The new aged care building has been located on the site of the former theatre wing of the old hospital, minimising impact on neighbours.</p>
42	Sewerage /stormwater system not able to cope	3	<p><u>Sewer</u></p> <p>Sydney Water has advised that the existing wastewater system has the capacity to service the proposed development.</p> <p><u>Stormwater</u></p> <p>Sydney Water request that an asset protection report be completed to confirm that the building is more than 1m away from the stormwater main and will not be affected by the construction of the building. The location of the 90mm trunk main should be pegged out and plotted on the site plan to determine its exact location in relation to the Stephen Street building.</p> <p>The discharge from the site is to the system in Brown Street as per the existing conditions. The runoff from the additional hard surface (impervious) areas has been mitigated by the provision of an on-site detention system and the discharge flows from the site are reduced below existing conditions. This indicates that the proposed development will not exacerbate the flooding of the in-ground drainage system in Brown Street.</p> <p>It should also be noted that the proposed development retains the existing “rainforest” gully along Brown Street and most of the</p>

			landscaped buffer and tree system at the lower east boundary of the site.
43	Acoustic impact not addressed in EA	1	<p>Any new development will be required to meet relevant noise generation criteria required by the Protection of the Environment Operations Act. Generally, conditions of consent require that noise generation from a site not exceed 5dBa above the background noise level, at the site boundary.</p> <p>The residential nature of the site and the demographic of likely future residents indicate that the level of noise generated from the site will be low.</p> <p>Any plant or equipment will be acoustically screened so as not to cause disturbance to neighbouring residences, as detailed on the updated architectural plans.</p> <p>Acoustic management measures for the construction stage will be detailed in the construction management plan.</p> <p>The Statement of Commitments has been updated to reflect this.</p>
44	Falls below \$100million threshold	2	<p><i>State Environmental Planning Policy (Major Development) 2005</i> outlines thresholds for certain types of development that, if met, require assessment by the NSW Department of Planning. The subject development has been declared a Major Project under Clause 6 of this SEPP, as its estimated Capital Investment Value (CIV) at the time of declaration fell above the non-discretionary threshold of \$100 million for 'Group 5 – Residential, Commercial or Retail Projects' under Schedule 1 of the SEPP.</p> <p>On 9 March 2010, the Deputy Director-General, under delegation</p>

			<p>from the Minister for Planning, issued confirmation under clause 6 of the SEPP that the subject proposal was a Major Development and is to be assessed under Part 3A of the Environmental Planning and Assessment Act. Director General's Environmental Assessment Requirements were issued by the Director of Metropolitan Projects on 6 May 2010, in response to the Preliminary Environmental Assessment of the project. This Environmental Assessment has been prepared in response to the Director General's Requirements, issued under s75F of the Act.</p> <p>The Department of Planning Circular reference PS 10-008 details that projects, once declared a Major Project, are to be assessed under Part 3A of the Act, regardless of any subsequent variations to CIV (or other relevant factor).</p> <p>A Quantity Surveyor's Certificate of Cost accompanied the Project Application EA report, detailing the CIV of the proposal. It is noted that since declaration of this project as a Major Project, the definition of Capital Investment Value has been altered.</p> <p>For the sake of clarity a calculation has been provided detailing the current cost of the project based on the methodology used for CIV in February 2010 to inform the clause 6 declaration, and also in accordance with the revised CIV definition which came into force on 7 May 2010. The February 2010 calculation totalled \$109,750,000. The May 2010 calculation totalled \$93,800,000.</p>
45	Does not meet relevant planning controls	11	<p>Submissions raise concern that the proposal does not meet the relevant planning controls, including the following:</p> <p>The proposal does not meet clause 33 of SEEP HSPD –</p>

		<p>Neighbourhood and Streetscape</p> <p>The proposal does not meet all requirements of the Seniors Living Policy – Urban Design Guidelines for Infill Development 2004</p> <p>The proposal does not meet the criteria for SEPP 65 compliance</p> <p>The proposal compromises Clause 35 Solar Access and Design for Climate as the dwelling will be substantially shaded by existing trees</p> <p>The Minister cannot be satisfied that the proposal has adequate regard to SEPP (HSPD) 2004, clause 33</p> <p>The extent by which the proposal fails to meet the “can’t refuse” standards within SEPP (HSPD) 2004 demonstrates that the height of buildings and the density of the proposal are excessive.</p> <p>All of these planning controls are addressed in detail within the Environmental Assessment Report. It is considered that the proposal does in fact appropriately address the relevant standards.</p> <p><u>With respect to SEPP HSPD Clause 33 Neighbourhood Amenity and Streetscape</u></p> <p>The design of the proposal has been informed by a thorough site and context analysis which identifies a high quality design approach for the site redevelopment. The proposal is considered to be complementary to the site’s surroundings through the location and massing of building forms. Significant vegetation is retained on the site, and the proposal responds appropriately to the heritage</p>
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		<p>significance of the site and locality.</p> <p>The buildings' location and scale were guided by the Urban Design analysis prepared by GMU. That analysis addresses the height and scale relationships between potential buildings on the subject site and those in the wider locality. The proposed building designs are consistent with the results of the context analysis and are considered to look appropriate in the urban context of the site.</p> <p><u>With respect to the Seniors Infill Design Guidelines</u></p> <p>This policy is thoroughly addressed in section 7.3.4 of the Environmental Assessment Report. The proposal meets the rules of thumb contained within the guidelines, as follows:</p> <p>The proposal has optimised the provision of landscaped areas and deep soil zones.</p> <p>The Council controls have been considered in the design of the proposal.</p> <p>Side setbacks provided are greater than 1.2m</p> <p>Living rooms to neighbouring dwellings will still receive 3 hours sunlight between 9am and 3pm in mid-winter.</p> <p>Solar access to private open space of neighbouring dwellings will not be unreasonably reduced.</p> <p>A separation of greater than 1.2m is provided between habitable rooms and car parks/ driveways.</p> <p>Un updated assessment against the rules of thumb is provided in</p>
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		<p>the PPR (Appendix F).</p> <p><u>With respect to SEPP 65 compliance</u></p> <p>The issue raised regarding SEPP 65 compliance is related to the separation distances achieved between the RACF building and the apartment buildings across Stephen Street.</p> <p>The required 18m separation distance as per the Residential Flat Design Code is not applicable in this instance as the proposed RACF is not a residential building; it is a commercial facility. The rule of thumb was envisioned as a guide for buildings on adjoining lots on the same side of the street and not across the road. In any case, the separation between parts of the buildings is already greater than 18m.</p> <p><u>With respect to SEPP HSPD Clause 35 Solar Access and Design for Climate</u></p> <p>SEPP HSPD requires that 70% of dwellings achieve 3 hours solar access to the living areas and private open space between 9am and 3pm at midwinter. The solar analysis prepared by Stephen King and accompanying the Environmental Assessment report confirms that 73% of the dwellings achieve an effective 3 hours of solar access to living areas and private open space at midwinter.</p> <p>Solar access modelling demonstrates that solar access to the living areas and private open space of neighbouring dwellings will still achieve a minimum of 3 hours at midwinter between 9am and 3pm.</p> <p>The buildings have been designed to maximise cross ventilation and reduce reliance on mechanical cooling in summer. Where</p>
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		<p>possible, dwellings have been oriented towards a northerly aspect.</p> <p>This meets the requirements of the SEPP and the intent of clause 35.</p> <p><u>With respect to the 'cannot refuse' standards under SEPP HSPD</u></p> <p>These standards provide minimum requirements which, if met, cannot be used as grounds for refusal of development consent to proposals made in accordance with SEPP Housing for Seniors and People with a Disability. Any exceedence of these 'cannot refuse' standards are to be assessed on its merits. The proposal is seeking to achieve an FSR and height greater than the 'cannot refuse' standards contained within SEPP HSPD. It will still achieve the landscaping and car parking requirements. A merits assessment of the proposed height and FSR is therefore to be undertaken.</p> <p>The 'cannot refuse' standards are based on what a seniors housing development might reasonably achieve if it was to fit within the context of a standard suburban subdivision of single detached residential dwellings. That pattern of development is inconsistent with the character of Paddington and as such, the context of the site and the surrounding development character must be considered in determining what is an appropriate height and density for this site. A thorough site and context analysis was undertaken by GMU which informed the architectural design and placement of buildings. It is considered that the proposal appropriately responds to the site's context, topography, and the scale and character of residential buildings surrounding the site.</p>
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46	Concerns re construction management	13	<p>The project will be completed in 2 stages, with each stage taking approximately 2 years</p> <p>All works will be completed in accordance with the approved construction hours.</p> <p>All works will be completed in accordance with the approved construction management plan, which will address completion of works adjacent to public property, including Dillon Reserve. At all stages of construction, management plans will be put in place to ensure the safety of both the public and residents of the facility.</p> <p>All demolition and excavation activities will be completed in accordance with an approved noise and vibration plan, which will be annexed to the Construction Management Plan.</p> <p>Sedimentation control measures will be established and detailed in the construction management plan.</p> <p>Adequate site amenities will be accommodated on site for all site personnel.</p> <p>Cranes will be operated in accordance with OH&S regulations</p> <p>Dilapidation surveys will be completed for all private and public property adjacent to the development site.</p> <p>All construction access will be via the Brown Street entry for both Stages 1 and 2.</p> <p>All noise, vibration and dust minimisation measures will be addressed in the Construction Management Plan. Contractors will</p>
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			<p>be encouraged to utilise public transport when accessing the site as limited on-site parking will be available.</p> <p>A traffic management plan will be established and included in the Construction Management Plan.</p>
47	Site Facilities Provision	3	<p>Resident facilities provided on site will be reserved for residents of the development. A café is proposed in the foyer of the RACF building, which will be publically accessible.</p> <p>There are a diverse range of break out and landscaped areas which will be accessible for residents of both the RACF and ILU's.</p>
48	ESD	2	<p>Various sustainability initiatives have been identified in both the EA report and ESD report. At a minimum, the required Basix standards will be met.</p>
49	Site Access	5	<p>The proposed pedestrian access walkways on Brown Street do not impact on street parking numbers</p> <p>On-street parking permits for residents are an initiative of Woollahra Council and not administered by the applicant.</p> <p>Access to and from the site complies with the objectives of SEPP (Housing for Seniors and People with a Disability) as outlined in the EA report.</p> <p>Bike racks will be accommodated within the development, along with change room and showering facilities within common property accessible to all residents and staff. A Workplace Travel Plan will be prepared following receipt of development approval.</p>

			The landscape plan shows all required site and building egress points to achieve compliance with the BCA.
50	Fauna impact	1	Whilst 88 trees are proposed for removal, the net loss of trees following completion of the landscaping works is insignificant. The impact on fauna will be minimal.
51	View Analysis Request	1	View analysis diagrams have been completed for 3 Glenview Street. The analysis has been further updated for the revised Brown Street building and is included in the PPR.
52	Loss of property value	1	There is no evidence that there will be a reduction in the value of surrounding properties as a result of the proposal.