

15 January 2018

Sydney Eastern City Planning Panel
GPO Box 39
SYDNEY NSW 2001

Attn: Kim Holt, Project Officer

APPLICANT RESPONSE LETTER TO REVIEW OF COUNCIL ASSESSMENT REPORT

PANEL REFERENCE: 2017SCL013

DA NUMBER: DA-2017/0023

**PROPOSED DEVELOPMENT: CONSTRUCTION OF A SENIORS LIVING DEVELOPMENT CONTAINING 79
SELF-CONTAINED DWELLINGS WITHIN 2 X 4 STOREY BUILDINGS OVER BASEMENT CAR PARKING**

STREET ADDRESS: 8 – 12 KINGS ROAD, FIVE DOCK

Dear Kim,

This letter serves as the applicant's (Creative Planning Solutions) and land owner's (BaptistCare NSW & ACT) response based on the review of the Council Assessment Report for the proposed Seniors Living development at 8-12 Kings Road, Five Dock – DA-2017/0023.

The proposed development includes the construction of a new Seniors Housing development in the form of two x four storey residential flat style buildings that will provide additional residents within a modern development of high amenity that will appropriately expand the Five Dock Town Centre in accordance with the recent rezoning of the site to B4 Mixed Use Zone.

The applicant and land owner generally concur with the Council Assessment Report given its clear support for the proposal and favourable recommendation of approval subject to conditions of consent.

As outlined on pages 3 & 4 of the Council Assessment Report, an amended development application package was lodged to Council in October 2017 that undertook multiple and significant design amendments to the proposal.

The proposal as originally lodged included the removal of all existing trees on the site including the stand of significant trees located along the front boundary.

The amended proposal now retains four of these significant trees (labelled Tree 10, 11, 12, and 13) within the front setback. This has been achieved by pushing Building B back 4.5m such that it is setback 9m from the front boundary. Furthermore, the basement has been redesigned to allow the driveway and entrance to be shifted from the eastern side of the site to the western side, well away from these trees.

A specific Arboricultural Report including root mapping of these trees has been submitted with the amended proposal. This report has confirmed that the amended design will allow for the retention and protection of these trees which will provide the development with instant screening and provide a high-quality streetscape appearance.

Other key design amendments include the rear of the site being 'opened up' by deleting 4 x 2 bedrooms dwellings located at the north west of Building B (i.e. the return portion) to provide much larger common open space; the proposed community room being relocated from Building A to Building B with a revised interior layout to enhance north and west aspects; and, Building A's third level footprint reduced from the western and part of the rear boundary to achieve compliance with Council's DCP.

The extent of the design amendments is reflected by the number of submissions that has vastly reduced from the initial notification period in February – March 2017 to the notification period for the amended application held in October – November 2017. Twenty-five (25) submissions were received by Council during the initial notification period in February – March 2017. During the notification period for the amended application in October – November 2017, only four (4) submissions were received by Council.

Of the four (4) submissions received in response to the notification of the revised proposal, one (1) of the submissions was received from a current tenant of the existing accommodation located at 8 Kings Road, Five Dock. As demonstrated on Pages 37 – 39 of the Report, BaptistCare NSW & Act has appropriately addressed the tenant's concern via the Kitty Doyle Resident Relocation Strategy.

The three (3) remaining submissions raised a number of concerns including loss of privacy, loss of natural light, structural impact, height and bulk of the development, traffic impact, and, bin storage location.

In terms of loss of privacy, as demonstrated by Pages 40 - 41 of the Council Assessment Report, the proposal is considered to achieve excellent levels of privacy between the proposed development and the adjoining residential development located to the west. A 6m wide deep soil landscaped setback has been provided along western side boundary of the site enabling continuous tree planting along the side boundary to a height of 8m. As stated, Building A's third level footprint has been reduced from the western and part of the rear boundary to achieve compliance with the upper level 10m setback requirement.

Given the proposal complies with side setbacks to the western boundary and provides a compliant building height, as well as the site's favourable north-south orientation, the overshadowing impact on the western neighbouring allotment will be minimal. The Solar Access diagram (Drawing DA-600 Issue G) demonstrates that shadows cast from the proposed development onto the adjoining property will cease at approximately 10.00am at the winter solstice.

In terms of height and bulk, the proposal is fully compliant with FSR and building height. The proposed FSR of 1.27:1 is well below the maximum permitted FSR of 2.5:1. As stated within the Report, the proposal will intensify the use of the land however it is consistent with the desired future density, height, bulk and scale.

The few remaining concerns raised by residents of the adjoining western property have all been adequately addressed by Council's Assessment Report.

The only objection issue where concern is raised by CPS and BaptistCare, in terms of how it has been addressed by Council, is the ground floor bin storage location. CPS and BaptistCare also have concerns with some of the proposed conditions of consent as outlined below:

Condition 22 – Waste bin enclosure

Council has considered the proposed location of the ground floor temporary bin storage enclosure located adjacent to Building A to not be desirable and unnecessary, and, is conditioned to be deleted (refer to part of Condition 22).

The size of the external bin enclosure is modest and will be screened by front landscaping, and the fire hydrant booster. There are also key operational benefits from as a result of the ground floor temporary bin storage enclosure.

As the development will be owned and operated by BaptistCare, BaptistCare will be responsible for the management of all aspects of the site, including waste management. The site manager will transfer bins from the basement garbage room to the ground floor temporary bin storage enclosure in the evening prior to collection. The manager will then return the bins to the basement garbage room immediately following collection. Bins will therefore be housed in the basement garbage room at all times except for the evening prior to collection, alleviating any concerns in regards to odours or visual amenity.

This arrangement avoids unsightly garbage bins being placed on the street kerb for collection and will make collection for Council safer and more efficient. BaptistCare consider this to be a considerable benefit for neighbours and would ensure no street car parking is impeded by bins.

It is noted that there will be up to 9 x 1100 L general waste bins every week and in addition to these every second week, 15 x 660 L bins for recycling. This results in an excessive number of large bins spread along a significant length of the Kings Street kerb that can be avoided with the ground floor temporary bin storage enclosure.

Condition 8 – Street numbering

CPS and BaptistCare have concerns with Condition 8 in relation to street numbering. The schedule provided in the proposed conditions of consent is not in accordance with the street numbering schedule submitted to Council. The submitted street numbering schedule (refer to Appendix 1) is the preferred option as we believe it is more logical having the sequencing within each building rather than, for example, having Unit 7 in Building A & then having Unit 8 in Building B. As such, CPS and BaptistCare request that the condition be amended to reflect the street numbering schedule as submitted.

Condition 28 – Bicycle parking

BaptistCare do not accept Condition 28. BaptistCare provides a minimal amount of bicycle parking, if any, at its Seniors Housing sites due to the average age of residents being between 70 and 80 years with associated mobility issues. Condition 28 results in the requirement of seventy-nine (79) bicycle storage facilities and seven (7) bicycle parking facilities. Whilst three (3) bicycle parking spaces are proposed in the basement for the proposed development, BaptistCare have confirmed that any further bicycle storage and parking facilities would not be used. Furthermore, it will likely require the basement size to increase, leading to reduced deep soil area & landscaping, and, additional & unnecessary costs. Furthermore, it is noted that Council's DCP controls for bicycle parking is applicable to all residential developments. The occupants of a residential flat building would clearly have different needs to BaptistCare's residents. As such, it is requested that Condition 28 be deleted.

Conditions 14, 15, 56, 76 - Demolition

Lastly, it is noted that conditions relating to demolition have been included that are not relevant as demolition of existing structures has been removed from proposal. Accordingly, deletion of condition 14, 15, 56, 76 is requested.

CPS and BaptistCare wish to sincerely thank City of Canada Bay Council for Council's time that comprised of a series of meetings between the project team and Council staff held to discuss and resolve the assessment issues, and, the Panel for their time.

The design philosophy for the proposed Seniors Housing development has been to maximise the amenity for future residents while at the same time minimising external impacts on the surrounding built and natural environment. As a result the proposed development is considered compliant with the considerations under Section 79C of the Environmental Planning and Assessment Act 1979 and is therefore suitable for the subject site.

The proposal will replace ageing low density bed sitter and dwelling house accommodation with a new high quality tailored Seniors Housing Development that will have a positive impact on the surrounding community, providing a significant boost to the Seniors Housing stock in the area.

The development appropriately responds to desired future character of the Five Dock Town Centre and will provide an appropriate transition from this B4 zone to the adjoining R3 zone in Kings Road. Furthermore, it is considered that the redevelopment of the site will not adversely affect neighbouring amenity.

For these key reasons, we request that the Panel approve the subject proposal as recommended by Council's Assessment Report.

Should you have any queries regarding the information above please do not hesitate to contact me on the above listed details.

Yours sincerely,



Daniel Govers

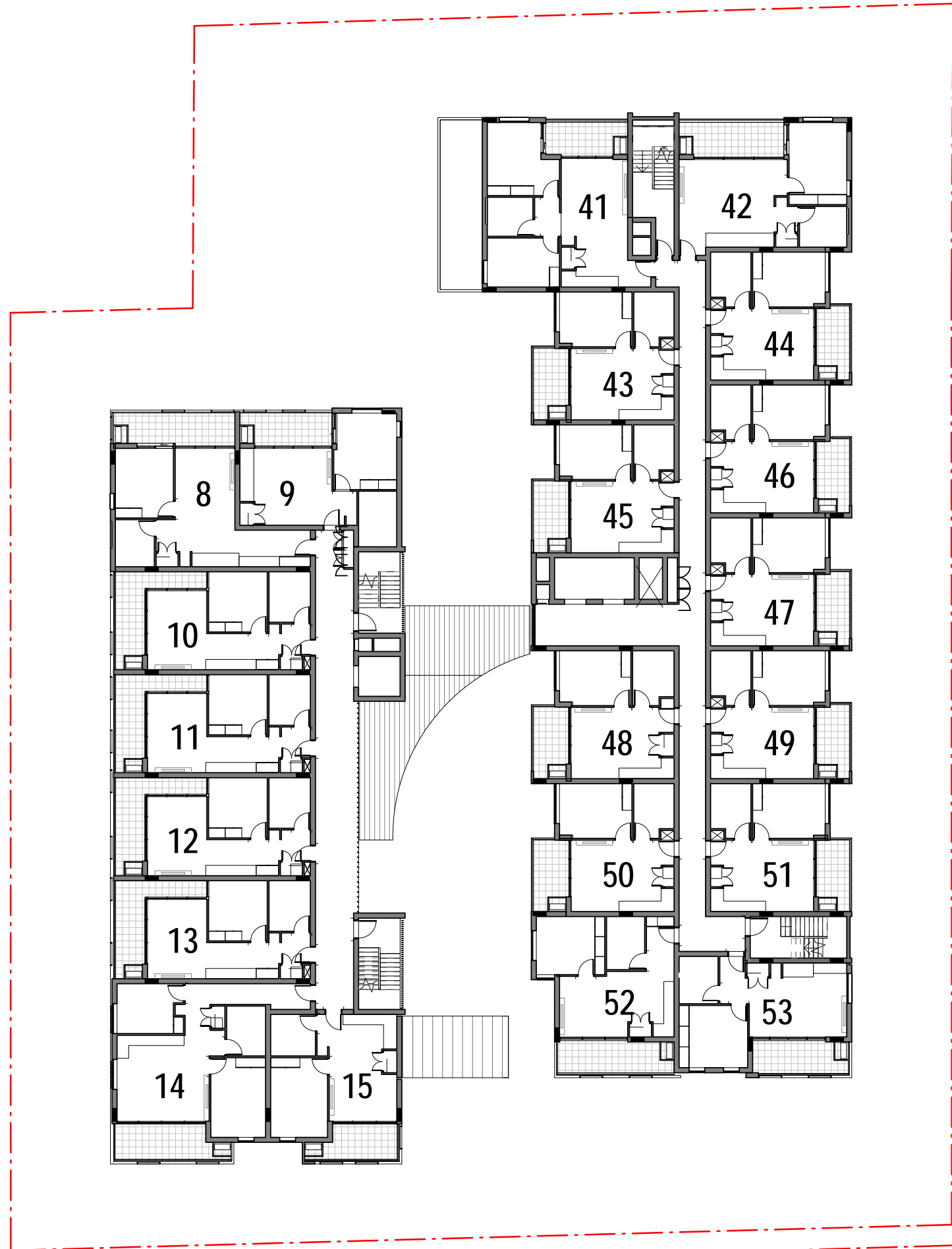
Director – Creative Planning Solutions Pty Limited

Appendix 1 - Street Numbering Schedule

BLOCK A
UNITS 1 TO 28



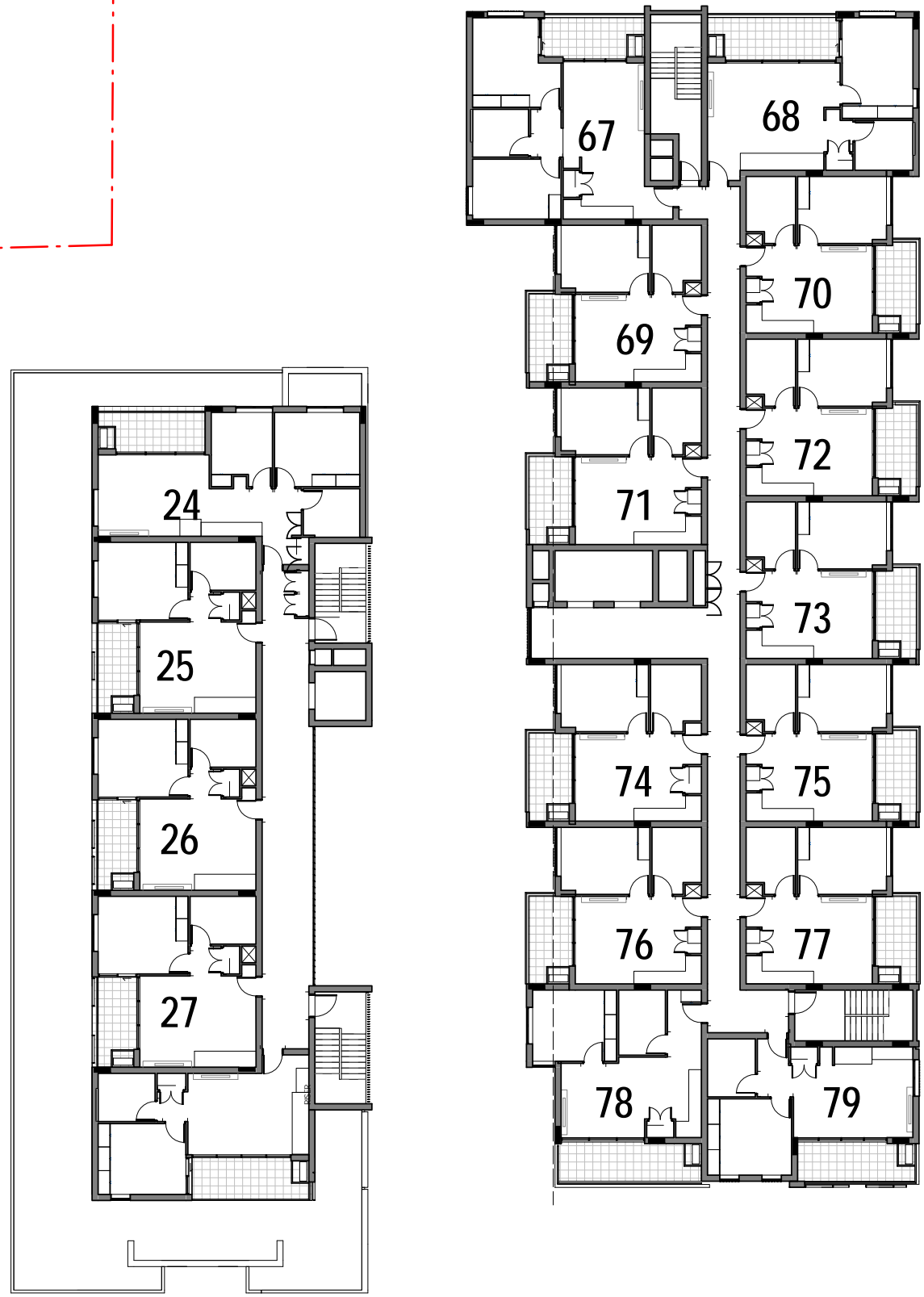
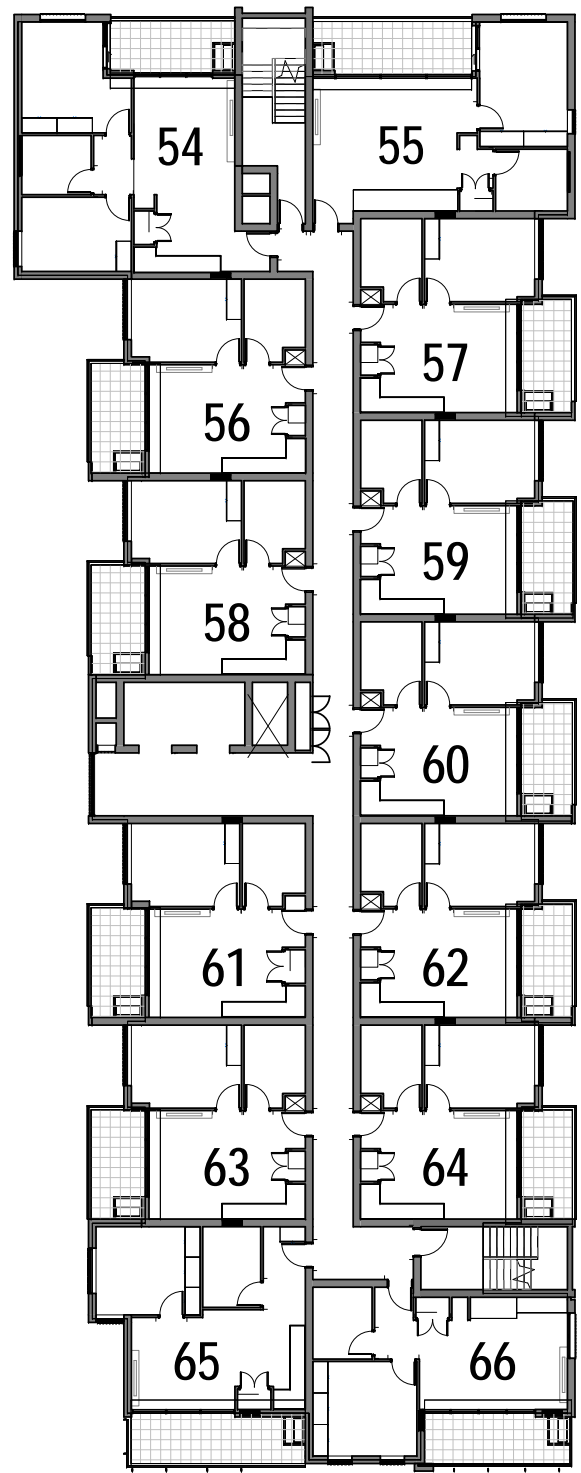
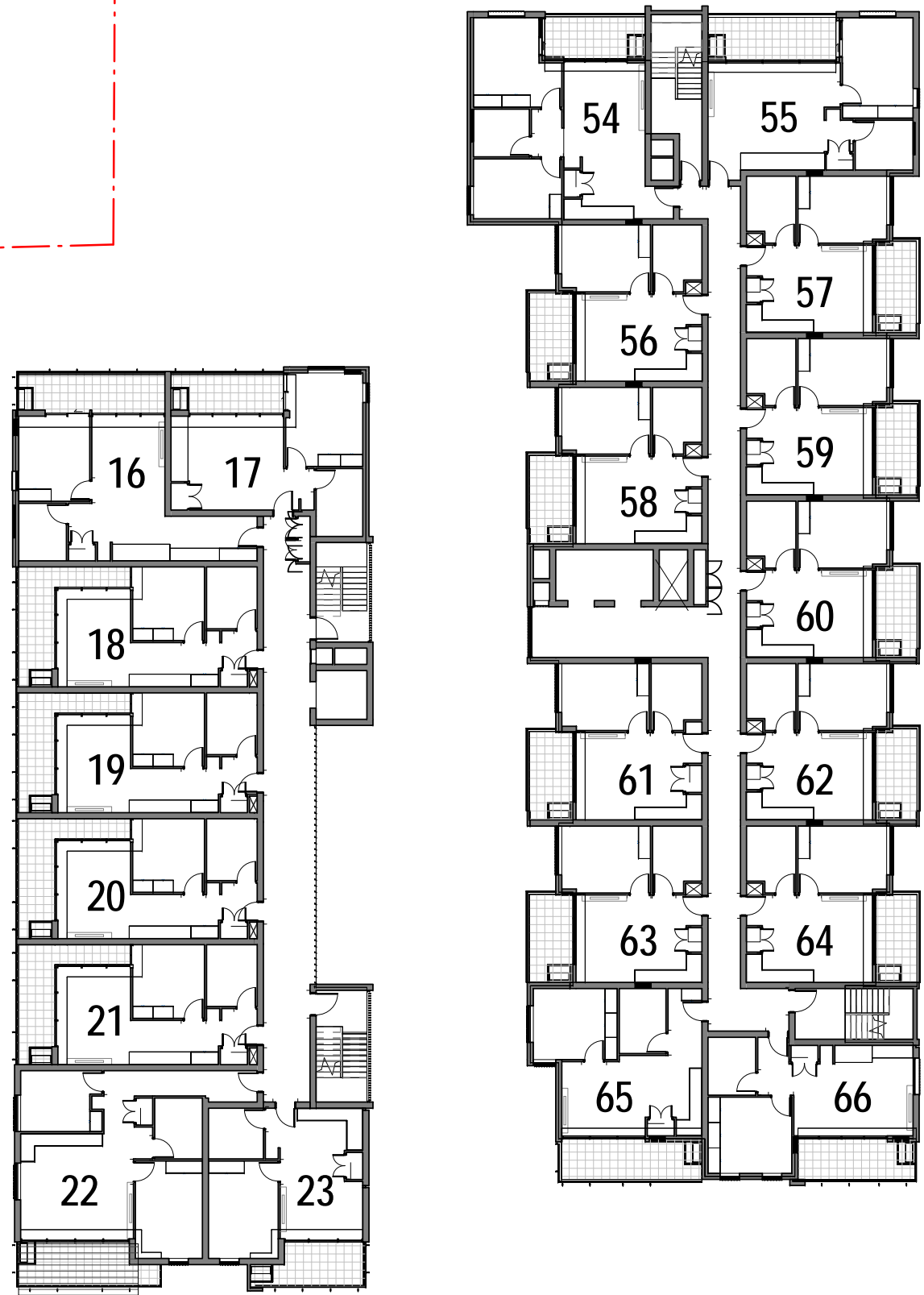
BLOCK B
UNITS 29 TO 79



BAPTIST CARE FIVE DOCK STREET NUMBERING SCHEME		
STREET ADDRESS : 8 KINGS RD FIVE DOCK		
LEVEL	BLOCK A	BLOCK B
GROUND FLOOR	1 TO 7	29 TO 40
LEVEL 01	8 TO 15	41 TO 53
LEVEL 02	16 TO 23	54 TO 66
LEVEL 03	24 TO 28	67 TO 79

1 FLOOR PLAN GROUND FLOOR

2 FLOOR PLAN LEVEL 01



3 FLOOR PLAN LEVEL 02

4 FLOOR PLAN LEVEL 03

AMENDMENTS

ISSUE	DESCRIPTION	APPROVED	DATE
A	DA	PH	13/02/17
B	DA	PH	14/02/17
C	DA	PH	15/02/17
D	DA	PH	16/02/17
E	FOR REVIEW	PH	13/10/17
F	REVISED DA	PH	24/10/17

50mm on original

THIS DRAWING ISSUE HAS BEEN REVIEWED FOR

DEVELOPMENT APPLICATION

APPROVED BY:
GA

CHECKED BY:
PH

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CLIENT
BaptistCare

PROJECT
BaptistCare Five Dock

STREET NUMBERING SCHEME

DATE 24/10/17	SCALE @ A1 1 : 300	DRAWN GS/YH
PROJECT No. 2016075 A	DISC. DA-707	ISSUE F

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