

Our Ref: F2004/07963

15 December 2016

Department of Planning and Infrastructure

GPO Box 39
Sydney NSW 2001

Attn: Mr Martin Cooper

Dear Sir,

Subject Land: 2 Kensington Road, Kensington
(Our Lady of the Sacred Heart site)
Your Reference: 16/14271
Proposal: 46 Room Aged Care Facility
Application for a Site Compatibility Certificate under State
Environmental Planning Policy (Housing for Seniors or People
with a Disability) 2004

Thank you for your letter dated 3 November 2016 notifying Council about the receipt of a Site Compatibility Certificate (SCC) application for the above-mentioned property which has been forwarded to Council for comments.

Site History

On 12 June 2012, Council granted Development Consent No. DA/955/2011 for a Stage 1 master plan on the subject site setting out the demolition of the existing nursing home, and construction of a new 6-storey aged care facility with 128 beds, car parking for 44 vehicles, administration offices, staff training areas, a wellness centre, ancillary services and landscaped gardens.

In early 2013, a Pre-Lodgement (Pre-DA) application for Stage 2 of the aged care development was submitted to Council for preliminary assessment and comments. The Pre-DA proposal contained a higher level of design details and was generally based on the approved envelopes outlined in the Stage 1 documentation. Accordingly, Council issued its comments and in principle support of the pre-lodgement Stage 2 proposal.

On 16 May 2014, a Site Compatibility Certificate was previously issued which has since lapsed in May 2016.

The current SCC proposal is significantly different from the 2012 approved Stage 1 master plan DA and the 2013 Stage 2 Pre-DA scheme in terms of building layout, height, bulk and scale, form and capacity. In particular, concern is raised in relation to the extension of the existing St Joseph's aged care building on Tunstall Avenue and the associated increase in visual bulk, intensification of scale, service and plant activity and traffic along this street and its potential impacts on the character and amenity of the surrounding areas. As a consequence also, the retention of the St Joseph aged care building results in a lost opportunity to provide the large open space curtilage on the western side of the existing heritage listed convent and chapel as previously approved in the Stage 1 masterplan DA.

Site Compatibility Certificate Requirement

Clause 24(1)(a)(ii) of the SEPP (Housing for Seniors or People with a Disability) 2004 provides that a Site Compatibility Certificate is required where the land is *within a zone that is identified as "special uses" under another environmental planning instrument (other than land on which development for the purposes of hospitals is permitted)*. The zoning table under Randwick LEP 2012 for SP2 (Educational Establishment) and SP2 (Place for Public Worship) does not permit hospital developments or residential care facility. Accordingly, a Site Compatibility Certificate is required as a prerequisite for the proposed redevelopment of the existing RACF.

While an aged care facility already occupies the western part of the property, and the granting of the Stage 1 DA approval previously could be seen as an in-principle support for such a use, this should not be read as providing similar support for the current SCC application. As will become apparent in Council's assessment of the matters for consideration under Clause 25(5)(b) of the SEPP below, a number of compatibility issues arise for a Site Compatibility Certificate to be issued for the current proposal.

Compatibility with the Surrounding Land Uses

The following paragraphs provide succinct comments against the matters of consideration under Clause 25(5)(b) of the SEPP.

(i) Natural environment and existing and approved uses in the vicinity

The subject site and the surrounding environment are existing urbanised areas and do not contain any prominent natural features. The surrounding local area is suburban in character with low density housing and a golf course on the western side of Tunstall Avenue.

The development site is elevated on a ridge top location and hence highly visible from the surrounding area to the west and from Tunstall Avenue. In particular, the addition of a new building immediately abutting the existing St Joseph aged care building creates a visually intrusive building mass for almost the entire length of the Tunstall Avenue frontage. The current proposal indicates minimal, if no, provision of landscape areas on this western front to soften the proposed building mass and to integrate with the local streetscape.

(ii) Impact on the future uses of the land

The development proposal involves the expansion of the existing St Josephs Aged Care Facility through the construction of a new four storey addition to the existing Residential Aged Care Facility (RACF) providing 46 new bedrooms. While the proposal maintains the nature of the existing use, it will result in a greater building bulk and more intensified scale compared with the previous approved Stage 1 Masterplan proposal. In this regard, the proposal essentially retains the existing St Joseph RACF which historically has been added upon at different times resulting in an intrusive and unsightly built form overtime (a point acknowledge in the previous Heritage Assessment for the approved Stage 1 DA and undertaken by the same heritage consultant).

Additionally, the broader Sacred Heart site also contains a convent and a school. Insufficient information has been provided as to how the proposed facility relates to the other existing uses within the same property. In particular, the impact of pedestrian and vehicular circulation of the new aged care facility on the existing network throughout the Sacred Heart site is unclear. In this regard, the proposed age care facility will form part of a wider institutional complex within the Sacred Heart property and its impacts on circulation, access and open space distribution within that property will be significant.

(iii) Services and infrastructure to meet the demands of the proposed development

While the site is within an urban area and already accommodates a nursing home, the submitted information does not demonstrate any concrete consideration of future utility and service connection. Similarly, the proposal does not include any detailed information on stormwater management and any augmented utility services, (e.g., new substations) that should be factored into any detailed development scheme.

The proposal will intensify services, plant rooms and utilities at the back-of-house areas to the new development along Tunstall Avenue. No detail of the increased impact of this intensification on existing Tunstall Street residences and associated mitigation measures has been provided.

(iv) Impact on the provision of special uses in the vicinity of the development

The Sacred Heart property presently contains a school; a convent with ancillary chapel and religious uses; and a nursing home. The development involves the extension of the existing aged care building through an additional new building abutting the existing building. The new building will be located on an existing open area that contains the basketball court. While the submitted Heritage Assessment describes the basketball courts as a "nondescript area" separated from the school site by a high retaining wall, it, nonetheless, forms an open area of visual relief and separation between the northern school hall (built in recent years as a complying development) and the existing St Joseph aged care building. The current submission does not address in detail whether the replacement of this open area with a larger-scale aged care establishment occupying an expanded footprint is capable of functioning in conjunction with other special uses on the Sacred Heart site.

(v) Impact of the bulk, scale, built form and character of the proposed development

Built form and façade articulation:

- The proposed new four storey building essentially results in a heavy unrelieved extension to the existing St Joseph aged care building along the whole length of the Tunstall Street frontage with only a comparatively minor setback of approximately 1.5m from the northern boundary and a small separation of approximately 3m to the large adjoining school hall to the north. The addition to the existing St Joseph building will be built over an existing open area containing basketball courts effectively filling in this entire area with a building such that little or no relief in the proposed built form to Tunstall Avenue will occur.
- The Sacred Heart site has a predominance of red brick architecture. The proposal will use precast panels with applied texture, projecting windows, coloured clay tiles and painted blockwork. There are concerns that the proposal would not appropriately relate to the façade of the heritage items in the vicinity and may result in adverse impacts on their curtilage. Colours and materials should be carefully selected having regard to the aesthetic quality of the heritage buildings and their surroundings.
- The design scheme appears to include various glazed and screen elements characterised by a haphazard composition of vertical and horizontal aluminium members. There are concerns that these openings and screens would not be compatible with the configuration of the brick tracery, and the stained glass window frames on the northern elevation of the convent.
- There is scope to refine the façade composition to reduce the visual bulk of the building. Vertical visual reliefs with suitable glazing should be incorporated to divide the building mass into distinctive segments mainly between the existing and the proposed new building. There is poor legibility relating to the proposed main entrance foyer and side lounges.

Landscape:

- No significant landscape treatment is proposed along Tunstall Avenue such as new landscape areas, systematic plantings of large canopy trees, public domain works and entry paths and ramps from Tunstall Avenue. Rather, the removal of a number of existing high to moderate established trees along the Tunstall Street boundary and their replacement with hard surface driveways and back-of-house utility/service areas is considered incompatible with the existing streetscape and locality.
- There is no systematic design of landscape areas and planting of trees to complement the existing heritage buildings on-site and/or to soften the overall proposed expansion of the existing aged care facility relative to the surrounding locality. The new garden proposed on Level 2 of the new building will be enclosed within the building envelope with Levels
- The provision/retention of a small hemmed-in courtyard on the northern side of the existing chapel appears tokenistic and insignificant as it does not make-up for adequate curtilage for the building.

Heritage:

- In the assessment of the previous approved Stage 1 Master Plan DA, Council raised no heritage objections to the demolition of the existing St Joseph aged care building to the west of the convent and chapel, which due to their intrusive built form, informal layout and unrelated materials and finishes, were not sympathetic to the earlier convent buildings. Council supported the demolition noting that the proponent's then Heritage Assessment (undertaken by the same heritage consultant) considered the removal of the current aged care buildings to have *"a positive impact on the setting of the convent and chapel (and) open up important views to it from the west"*. It was also largely on this basis that Council supported the previous site compatibility certificate for the approved staged master plan development. In contrast, under the current proposal, the retention of the existing intrusive St Joseph aged care building and, more importantly, its extension northwards to abut the equally large adjoining school hall is considered a significant departure that renders the proposed development incompatible with the existing buildings on-site, the streetscape and general development in the locality.
- Council raises concerns that the relationship between the proposed treatment to the new addition and the refurbished existing St Joseph aged care building will be incompatible with the northern façade of the existing convent with its brick tracery (which is attributed to architects, Agabiti and Millan, who designed a similar element to the rear of Our Lady of the Sacred Heart Church in Avoca Street, Randwick in 1937). In the previous SCC proposal, the south-eastern elevation of the then proposed new building was articulated and shifted westwards to improve views towards the northern facade of the convent building. The current proposal impedes any opportunity for open views and proper curtilage to the convent and chapel.

Overshadowing:

- The proposal has not demonstrated the extent of overshadowing on residences on the western side of Tunstall Avenue that would be affected by the development.

(vi) Conservation and management of native vegetation

- The proposal does not involve clearing of native vegetation.

Overall, Council objects to the granting of a Site Compatibility Certificate for the proposed redevelopment of the existing St Joseph aged care residential facility by the Department as it would be incompatible with surrounding built environment and locality in that:

- the retention of the existing intrusive nursing home building adversely impacts upon the setting and curtilage of the heritage significant convent and chapel buildings and fails to open up important views to these heritage buildings from Tunstall Avenue and beyond.
- the extension of the existing intrusive nursing home building northwards along the entire Tunstall Street frontage creates a visually bulky and intrusive built form when viewed from Tunstall Avenue and beyond. Additionally, the façade material, articulation and style of the new building accentuates the bulk and scale of the proposed building and would be incompatible with the existing heritage items in the vicinity
- the proposed extension to, and refurbishment/retrofitting of, the existing St Josephs aged care building results in building facades, materials and styles that would be incompatible with the heritage items in the vicinity and may result in adverse impacts on their curtilage.
- the proposed redevelopment results in the removal of a significant number of existing high to moderate trees to accommodate the increase in building areas while providing for minimal landscaped areas that have poor relationship to heritage buildings and an overall inferior landscape plan
- the proposed redevelopment intensifies back-of-house utilities and services (including garbage collection and deliveries along Tunstall Avenue which will have a detrimental effect on the amenity of existing residential properties on Tunstall Avenue.
- the proposed age care facility will form part of a wider institutional complex within the Sacred Heart property and its impacts on circulation, access and open space distribution within that property will be significant.

If you wish to discuss this matter further, please do not hesitate to contact David Ongkili, Council's Strategic Planning Co-ordinator, on 9093 6793.

Yours faithfully,



Alan Bright

Manager Strategic Planning