

THE PADDINGTON SOCIETY Inc.
For Community and Heritage
Est 1964

16th December, 2010

Director
Strategic Assessment
Department of Planning
GPO Box 39
Sydney NSW

Dear Sir,

Scottish Hospital Redevelopment - MP10_0016 Part 3A 2 Cooper Street Paddington

1 Introduction

Paddington is a Victorian terrace house suburb of great national and international significance. It is protected as a Conservation Area and by detailed LEP and DCP controls.

The Paddington Society was formed in the 1960's as one of the first heritage preservation action groups. The Society was particularly formed in response to concerns about a freeway through Paddington and new high rise apartment buildings in Paddington. Action by The Paddington Society and others stopped the freeway and stopped high rise development in Paddington

It is beyond our comprehension that some 50 years later high rise buildings could again be proposed In Paddington.

The Society supports the provision of Aged Care on the site of the Scottish Hospital, but opposes and objects to the current Part 3A proposal before the department. It is too big, too deep, too high and too intrusive.



BUILDINGS OVERWHELM HERITAGE & ALL STREETS

The proposal destroys the heritage significance of the last intact Gentry Estate in Paddington.

In 2002 after some 5 years of debate and protest Woollahra Council approved a 13,600 sqm (FSR 0.9:1) development on the site. The Society objected to the approved application on the grounds that it was too big and too intrusive. The new application being 19,500 sqm (FSR 1.32:10) appears to be some 45% bigger than the 2002 approved design. Note the surrounding lands in the Conservation Area have an FSR of 0.75:1.

The only public benefits appear to be the provision of 12 new aged care beds and a 0.136 ha addition to Dillon Reserve.

The impact on the grounds and house of The Scottish Hospital is unacceptable and the application should be refused.

2 Background

Major Project Declaration

The Paddington Society recognizes that the project was declared a major project on 9 March 2010, under Clause 6 of SEPP (Major Projects) 2005. Whilst we appreciate that at the end of the day any application is assessed on its merits we remain concerned that the Department may have been misled in concluding the declaration.

Advice from the applicant stated (and still states) that the previous consent for Aged Care on the site in 2002 was based on a project of 17,500 sqm. In fact Council approved a project

considerably smaller, a project of 13,600 sqm GFA (FSR 0.9:1). Consequently the department would not have been aware that the previous consent was a very different floor area, and consequent bulk, scale and height.

Community Consultation

In summary, notwithstanding the stated objectives and a lot of meetings and recording of meetings the applicant did not actually engage with surrounding residents to develop a design solution, engage with Council or ensure surrounding residents and integral stakeholders were provided with the opportunity to express their view through the process.

The applicant essentially only took questions and at the end of the day took no notice of critical issues to the community and to Council.

Almost without exception questions and issues were referred back to the applicant's brief. The scale of the project never changed.

If this is considered appropriate consultation under Part 3A the process is seriously flawed.

3 Strategic Justification for the Project

The Paddington Society appreciates the service provided by Presbyterian Aged Care NSW & ACT with 88 beds existing on the Scottish Hospital site.

We do note that The Scottish Hospital has challenges for the aged. It has heritage and access issues and the gardens present amenity and solar access challenges for residents.

We question the view that The Scottish Hospital is a REDEVELOPMENT SITE. It is a sensitive heritage listed place of high local significance and possibly parts of the "terraces" are high state significant.

It would appear that the need for 82 apartments is more driven by financial motives to support the provision of a new aged care facility. We note that the end result will be only 12 additional aged care beds.

We note that the average area per apartment is some 160 sqm GFA. The scale and bulk would be very different if the average ILU was 100 sqm GFA.

We also note that the scale of the RACF would be reduced if the heritage building became part of the nursing home, rather than being 9 apartments an average of 220 sqm GFA

We submit that the proposal does not achieve the right balance between development, affordability, impact on surrounding streets and heritage preservation and should be refused.

4 Site and Context

Addressed elsewhere.

5 The Proposal

Demolition

We object to the removal of 71 healthy trees from the site. These trees should be retained.



Note the diagram indicates extent of tree removal and tree pruning for construction

We do not support the justification that these trees are of “low conservation value” or are intrusive.

Car Parking

The car parking stated in the application for approval is confusing. It states 132 cars spaces on site.

In fact there appear to be spaces for 176 cars in the basement (not 124). This means the basement is 30% larger in volume than a basement required for 124 cars. Note that the approved DA 2002 had 73 car spaces approved.

Staging

We note that the proposed construction of a new RACF and the transfer of existing residents to the new facility is a primary driver of the design.

There are alternatives. New aged care accommodation could be provide in the heritage building, reducing the consequent scale of the RACF. Or residents could be moved and a new RACF constructed on the site of the existing nursing home. The existing nursing home is a more appropriate location for a large RACF building, avoiding a large building on a public street frontage.

Both these alternatives would improve the impact of the proposal.

6 DGRs

The Paddington Society supports all the Planning Principles adopted by Woollahra Council and seeks assessment as if these were a requirement of the Director General. The Council Planning Principles interlock and must be read together.

7 Policy Assessment

Draft East Subregional Strategy

We support the continuing use of the place for aged care and its consequent employment benefits.

In our submission to Council regarding the achievement of new dwelling targets in Woollahra we made two important points.

Paddington, with some 38 dwellings per hectare is more than carrying its density load and any new dwellings should be small and affordable.

SEPP (Major Development) 2005

The proposal falls below the non-discretionary threshold of \$100 million.

As noted before the declaration assumed that the previous approved DA was some 17,500 sqm GFA (FSR 1.18:1). Council actually approved a DA for 13,600 sqm GFA (FSR 0.9:1), some 30% smaller than claimed by the applicant. This is a very confusing situation for the local community. Faith gets lost.

SEPP (Housing for Seniors and People with a Disability) 2004

In particular we submit that the proposal does not comply with **Clause 33 Neighbourhood Amenity and Streetscape** and should be refused.

The proposal does not “*retain, complement and sensitively harmonise*” with its Conservation Area. Six storey buildings are very close to the public street frontage. Nine storey building is proposed. The surrounding controls permit FSR 0.75 and heights of 9.5 metres. The controls would “harmonise” with the Conservation Area. The proposal does not comply with these controls.

The proposal does not provide appropriate setbacks.

The proposal does not retain 71 healthy trees.

The analysis of the design response presented in Section 8 of the EA does not describe the real impact. The real impact is actually described in Appendix Q, The Solar Access Report.

The proposal compromises **Clause 35 Solar Access and Design for Climate** as the dwellings will be substantially shaded by existing trees. The applicant may argue that the trees are not a consideration. If so they are not a consideration in any visual analysis.

Seniors Living Policy – Urban Design Guidelines for Infill Development 2004

The Paddington Society does not agree with the presented assessment.

The proposed building forms do not respond to the context of the site.

Heritage and landscape elements are not retained and respected.

The built edge to Cooper Street and Stephen Street is not improved.

The bulk and scale will negatively impact neighbours who currently enjoy a garden relationship with the Scottish Hospital. To suggest otherwise is insulting.

SEPP 65 – Design Quality of Residential Flat Development and the Residential Flat Design Code (RFDC)

Context - The proposal does not comply with the heritage and Conservation Area context and the new buildings will not contribute to the quality and identity of the area.

Scale – The scale is inappropriate. The bulk and scale does not suit the scale of and will dominate the Scottish Hospital, the street and surrounding buildings. The scale of surrounding buildings is best understood by the surrounding LEP controls.

Built Form – The built form is inappropriate and will dominate the Conservation Area and the Scottish Hospital

Density – The density is inappropriate, exceeding the surrounding density controls by over 75%.

Landscape – The landscape is inappropriate, with some 72 healthy trees being removed from the heritage listed grounds and garden.

Amenity – The amenity of the residents will be impacted by those trees that will be retained, particularly by the fig trees.

Social dimensions and housing affordability – Affordability is questionable given the size of the proposed apartments.

Aesthetics – The proposal does not exhibit design excellence and is not compatible with the Scottish Hospital or the Conservation Area. The buildings are fractured and confused, attempting to “conceal” their inappropriate bulk and scale.

The proposal does not comply with SEPP 65.

Woollahra LEP 1995

Matters of height, density and heritage are dealt with elsewhere. The Paddington Society gives much more weight to the LEP provisions than does the applicant.

Woollahra Council DCPs

Matters relevant to non compliance with the DCP are addressed elsewhere. The Paddington Society, having reviewed many applications for compliance in the past, gives much more weight to the DCPs than does the applicant. The proposal is not consistent with the Paddington Heritage Conservation Area DCP 2009.

Woollahra Council Planning Principles for the Scottish Hospital Site

The Paddington Society considers all the Planning Principles appropriate to the site.

The previous DA is a benchmark for density and bulk in the view of the Council and in the view of The Paddington Society. The Paddington Society does not accept the principles created by GMU for the site. The GMU principles have delivered the wrong outcome.

We agree with Council that excavation should not extend beyond the footprint of proposed buildings.

We agree with Council that landscaping is not to be used to justify additional bulk. The only true material provided by the applicant to explain the impact of the built form is found in Appendix Q, Solar Access Assessment.

8 Environmental Assessment

Built Form and Urban Design Impacts

The Paddington Society does not agree with the “Preferred Option Diagram” for the site layout. The diagram “encloses” the terraces, develops in the Glen Street view corridor, does not setback sufficiently to Brown and Stephen Street, proposes development on the Brown Street gully, does not retain trees on Stephen Street, proposes development on the axis of Cooper Lane, proposes street widening to Stephen Street and assumes trees as some sort of height datum.

We support none of these principles.

Comparable height studies confuse and mislead. For example the parapet of 40 Stephen Street is RL 42.6.

Proposed heights dominate the Scottish Hospital and surrounding streets.

Brown Street ILU should not exceed the 15m approved in 2002 so as not to dominate the heritage significance of the Scottish Hospital and to not permit 6 floors to dominate Brown Street.

RACF should not exceed the 12m approved in 2002 so as not to dominate the heritage significance of The Scottish Hospital or Stephen Street.

Stephen Street ILU should not be built at all to retain uninterrupted views into the site down Glen Street.



Woollahra Council have in their Planning Principles identified consequent FSR of 0.9:1 as appropriate for the site.

Existing inappropriate height as exhibited at 40 Stephen Street should not be used as justification for height on the site. The new rules were specifically created to prevent such things again in Paddington.

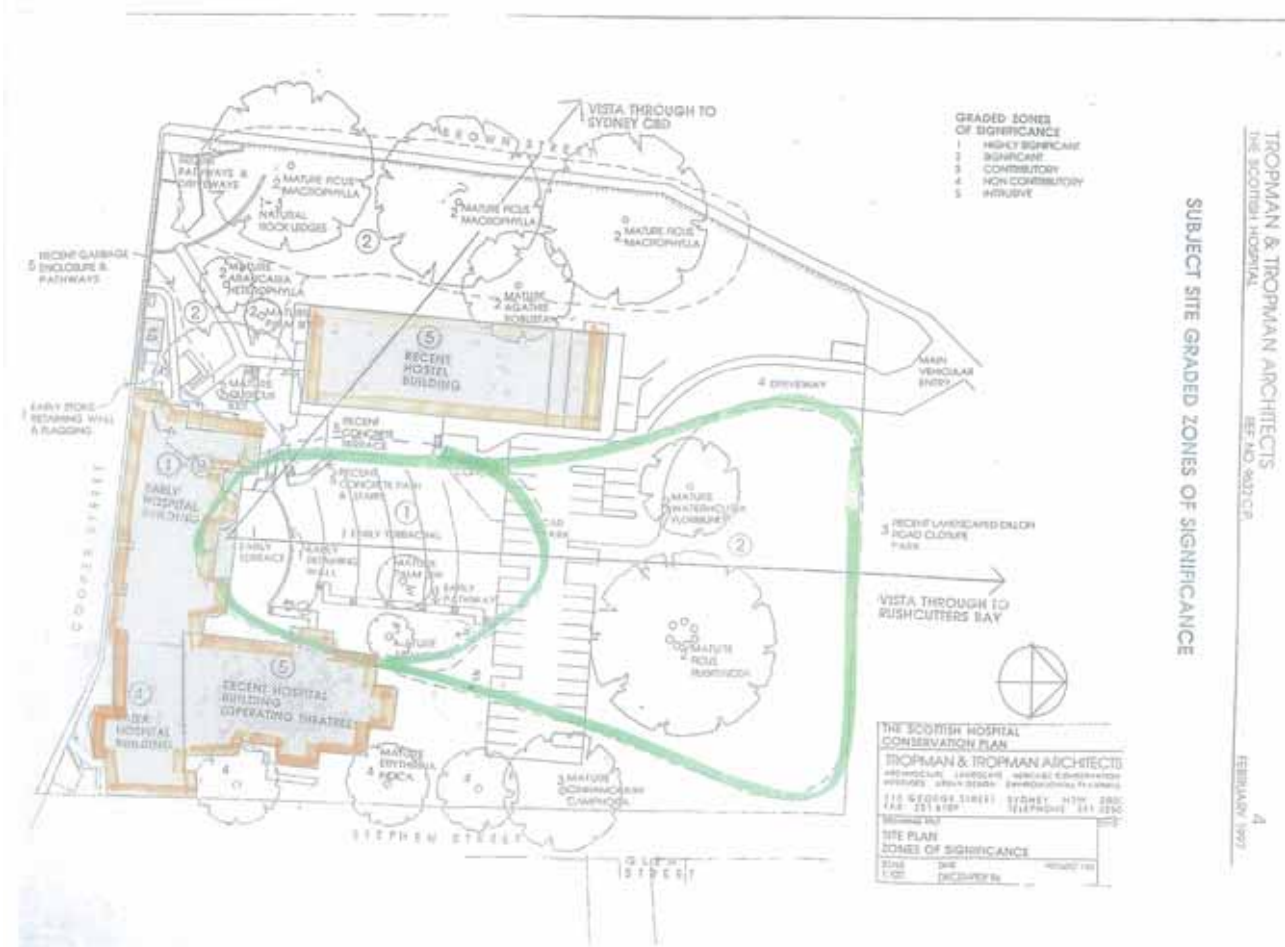
The proposed fracturing and stepping of form designed to “minimise” the impact of height creates an inappropriate architectural response. This is particularly apparent when nearly 90 trees are removed, exposing all this large development to public view.

The proposed buildings are not compatible with the height of buildings around the site or with the Scottish Hospital itself.

Heritage

Conservation Management Plan

The Conservation Management Plan fails to properly consider the heritage significance of the grounds and gardens. Previous work by Tropman and Tropman included a site plan showing zones of significance (attached). Such a diagram would have been very helpful here.



Little light is thrown here on the history of the grounds and gardens. The CMP simply restates what fabric is in the LEP listing, and of exceptional significance, being the evidence of horticultural terraces and associated steps, paths and stone edging paths dating from 1889 or earlier and trees nominated on the Register of Significant trees held by Woollahra Council. There does not appear to be a landscape conservation management plan provided.

Note that the existing curtilage of the site as its current grounds is recommended for retention.

We recommend that the removal of Tree 116 should be reviewed.

Justification for the removal of fabric of exceptional significance in the terrace gardens is not provided.

Note also that no justification is provided for the removal of 88 healthy trees not appearing to be *“based on their safety, relative significance, amenity value, and contribution to the landscape as a whole.”*

Recommendation Priority 1 of The Conservation Management Plan for the Setting is to;

- *“Carry out conservation works to the remaining sandstone retaining wall and coping stone”*
- *“Retain and conserve the original stone stair located in the garden to the north of The Scottish Hospital”*

The Conservation Management Plan offers no further guidance on the policy for the grounds and gardens of the last of the Gentry Estates. We recommend that a proper study is undertaken into the cultural significance of the grounds and gardens of The Scottish Hospital before any approvals are granted for this project. There is no conservation analysis of the cultural landscape of The Scottish Hospital.

Archaeological Statement and Impact

With regard to the terraces the archaeologist identifies that the *“remains of the 19th century garden are likely to be unique within the local area and part of a rare resource generally”*.

The archaeologist identifies that the *“proposed development will impact on the whole area once occupied by the terrace garden.”* Most of the remains will be removed. Why?

The Paddington Society opposes the demolition of the terraces. If the terraces are important enough to be archaeologically excavated they are important enough to retain. As far as we can ascertain the terraces are not even “interpreted” where they remain and a new dementia garden area is proposed in this location.

We need to be clear about the cultural significance of the terraces, the location of the fabric and why it may be removed. It may require substantial modification of the design.

Landscape Heritage Impact

With regard to the terraces the Landscape Heritage Impact assessment identifies that *“The terraces at the Scottish Hospital are rare if not unique in the eastern part of Sydney”* and the *“site has exceptional and high landscape heritage significance”*.

The assessment also states *“The proposal provides for the retention and interpretation of the terraced slope to the north of the historic building”*. The conclusion of the report does not appear to be backed by any evidence. *“The proposed development will result in considerable changes to the landscape but these are considered to be within the limits of acceptable change”* Why?

This is not justified by another statement in the assessment. The Paddington Society agrees that *“the surviving section of terraced garden and the mature trees ...have exceptional/high historic, aesthetic and social significance for the area”*. This significance is not retained if the terraces were removed and changed.

We need to understand evidence about the terraces as vineyards. The assessment refers to 3 other vineyards. Is the Scottish Hospital on this level? It may be more significant that we think if it is a colonial vineyard in a suburban area.

As noted above whilst an arboricultural study of the trees has been undertaken no heritage assessment of the trees appears to have been done. What trees relate to what phase of ownership and use in the site’s historical chronology. No thorough landscape conservation analysis has been reported. Although it has been suggested that some of the tree identifications may not be correct. Tree T105 may not be a Moreton Bay Fig and T81 may not be a Holm Oak. We recommend the species be reviewed.

Excavation is proposed very close to many trees. Excavation and changes to the water levels could have a serious impact. For example the T119, the large Kauri and T81, the large Holm Oak could die in the process.

The Paddington Society opposes the removal of the terraces and any existing trees without a thorough understanding of the landscape significance of this place. We believe the proposals are contrary to the Burra Charter. No justification for removal of 72 healthy trees is provided.

Given the large basement it is impractical to *“replace any trees assessed as Category A, B, C or D”* as recommended by the landscape heritage consultant.

Without thorough understanding of the cultural significance of the landscape all the urban design analysis etc is worthless.

Heritage Impact Statement

We disagree that the impact on the Scottish Hospital Building is negligible and oppose any new construction in the roof.

We disagree that the impact on the Scottish Hospital site generally is acceptable for the reasons outlined above. The terraces should be retained and all healthy trees should be retained. The buildings are too high and dominant. The terrace view to the north should be “opened” not closed as proposed.

We disagree that the impact on the Paddington Conservation Area is acceptable. The buildings along Stephen Street are not set back 7 metres as recommended by the applicant’s heritage consultant. The setbacks are as little as 2.5 metres, with any a excavation consequently right on the Stephen Street boundary. Given the Brown Street gully buildings on Brown Street should be set back at least some 25 metres from Brown Street. All existing healthy trees should be retained.

The impact on the heritage significance is at worst unacceptable and at best unknown. The application should be refused on heritage grounds.

Public Domain

Paddington enjoys green views of the gardens and grounds of the Scottish Hospital from Brown Street, Glenview Street, Neild Avenue, Dillon Reserve, Stephen Street and Glen Street. The proposed design has a negative impact on every one of those views, with a nine storey building highly visible to Brown and Glenview Streets, the same building visible to Dillon Reserve and down Glen Street. In addition buildings up to six floors high align Stephen Street and impact views down Glen Street.



Existing aerial view SHNA

The Paddington Society is very concerned about the impact on the surrounding public domain of the Paddington Conservation Area and seeks refusal of this proposal. We have not found any support for the proposal's impact on the public domain from the local community.

We do support expanding Dillon Reserve as public domain. We would expect proper community consultation about the changes in design to Dillon Reserve.

Environmental and Residential Amenity.

One of the great features of The Scottish Hospital is its garden and grounds. Those gardens and grounds represent an amenity challenge, limiting solar access to buildings in the grounds. The amenity of residents will be reduced on this site.

We note that the aged care building has a number of rooms that literally face south into a retaining wall at the southern end of the building. The amenity for these rooms is very poor.

It would appear that the buildings along Stephen Street will take all winter sun from 42 Stephen Street by 1.30pm and parts of 38 Stephen Street.

This is surely unacceptable and grounds for refusal.

Whilst the EA identifies how access is achieved at the Scottish Hospital access to Fiveways and the amenities of Paddington itself are not simple. It would appear that access to these places would actually require a bus trip? The Scottish Hospital is steep land, not particularly accessible.

Landscaping and Open Space

The landscape design should be founded on a proper heritage assessment of the grounds and gardens. The work to date simply relies on the LEP listing by Woollahra Council. There has been no:

- proper detailed analysis of the heritage significance of the existing gardens,
- no assessment of when the 150 trees were placed in the gardens,
- no assessment of the significance of the Brown Street Gully, and
- poor knowledge about the remnant fabric of the terraces.

There is no conservation analysis of the cultural landscape of The Scottish Hospital.

The arboricultural assessment does not assess the heritage significance of the trees.

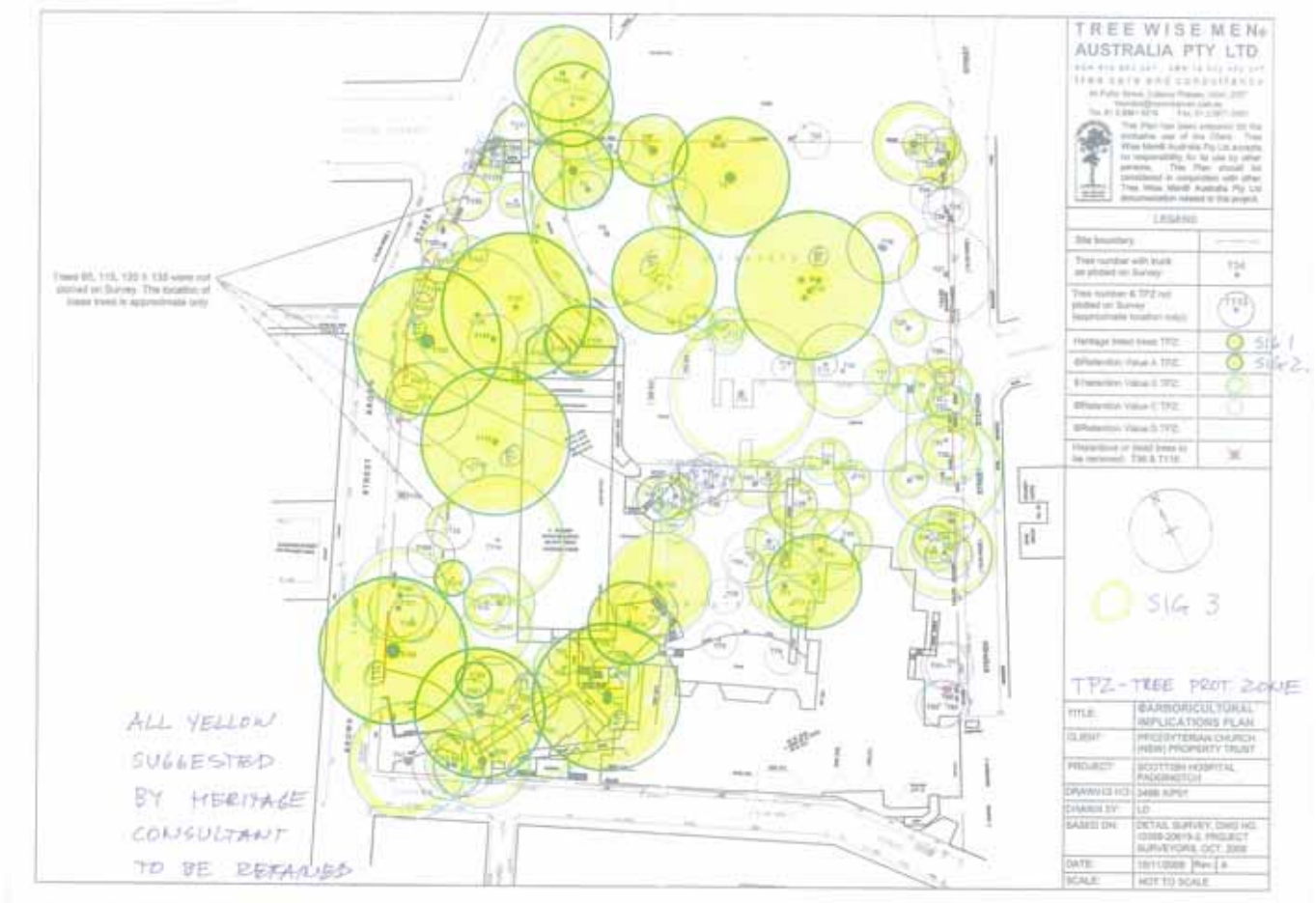
The arboricultural assessment "recommends" the removal of over 70 trees simply because they are within "construction zones". This is no reason for removal. The trees should be retained. Most would be normally protected by Council tree protection controls. For example:

- T13 is 18m high, some 24m in diameter and in good condition (Retention Value B). It should be retained.
- T72 is a Hoop Pine, 20m high and in good condition (Retention Value A). It should be retained.
- T35 is 17m high, some 15m in diameter and in fair condition with good vigour (Retention

Value B). It should be retained.

- T37 is 19m high, some 20m in diameter and in fair condition with good vigour (Retention Value B). It should be retained.
- T43 is some 17 m high, some 15m in diameter and in fair condition with good vigour (Retention Value B). It should be retained.
- T112 is some 16m high, some 9m in diameter and in fair condition with fair vigour (Retention Value B). It should be retained.
- T114 is some 20m high, some 20m in diameter and in fair condition with good vigour (Retention Value B). It should be retained.

A large number of trees in good and fair condition are proposed for removal. A total of 35 trees with Retention Value B are to be removed. They should all be retained.



As noted we also recommend that the removal of T116 be reviewed. This tree could be saved and is probably holding up a significant section of Brown Street.

Excavation is perilously close to many trees proposed to be retained. Notwithstanding the “pruning analysis” for two of the trees T18 and T81 identified in the arborist report the basement excavation will require additional branch and root pruning for these and many other trees.

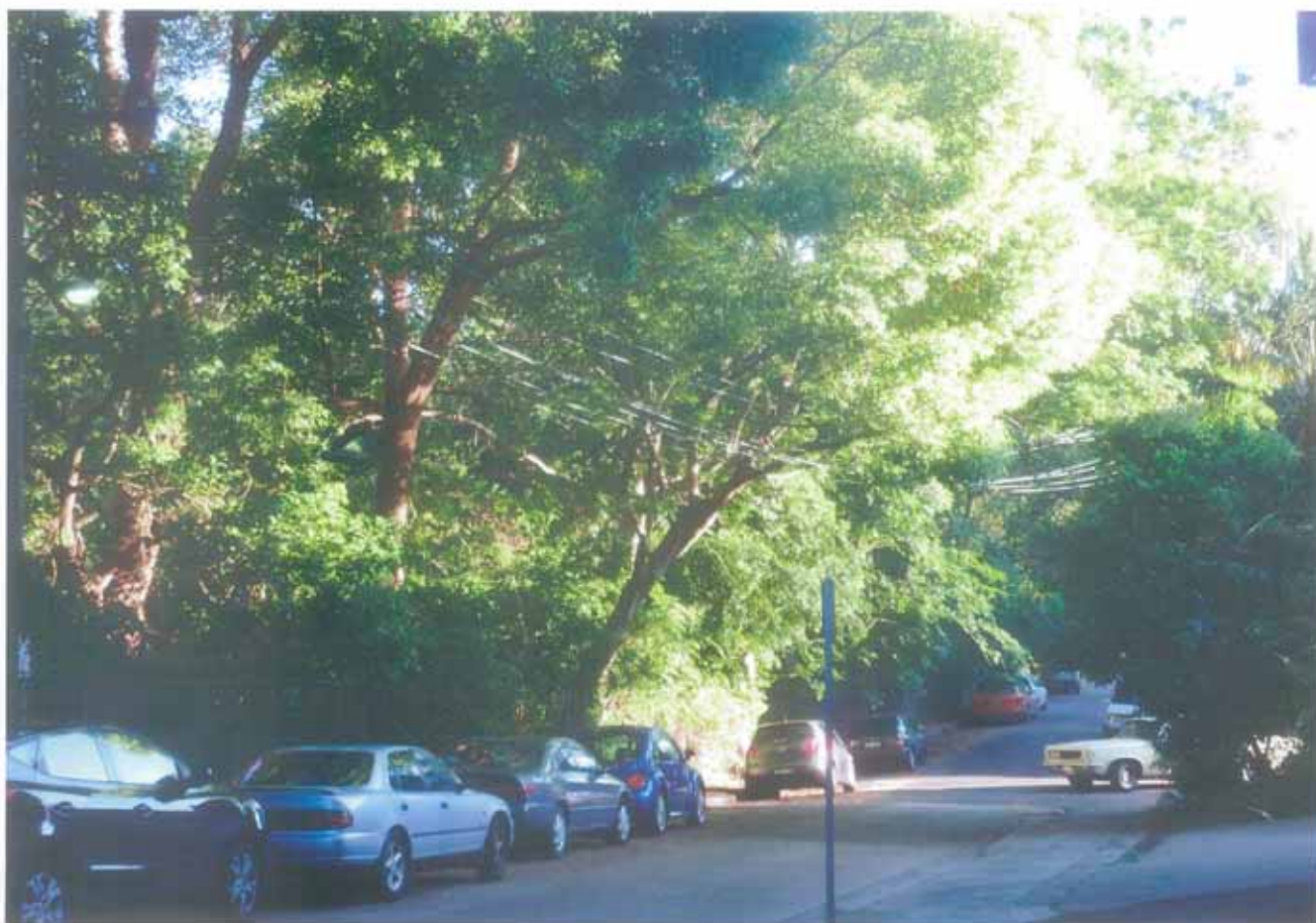
We also note that the dementia garden appears to be in the most important part of the original terraces and the upper terraces are “privatised” as private courtyards.

The vineyard terraces (if indeed so) should be retained.

Consequently we object strongly to the landscape plan proposed as it neither understands nor respects the cultural heritage of the place.

View Loss

All the applicant studies and models assume vegetation. None of this vegetation is guaranteed and in many instances the material presented is misleading or simply wrong. The trees shown on the model are not correct. The best way to appreciate the impact on views into and around the site is to examine the 3D perspectives presented in Appendix Q, the Solar Access Assessment.



Stephen Street tree cover

The views prepared do not respect the aperture of the human eye. All perspectives for the LEC are required to be 50mm views for accuracy. The views presented are wide angle, designed to mislead about the impact of the large buildings in Paddington.

To suggest as does the EA that there is no loss of view is an insult.

The impact on Brown Street, Dillon Reserve and on Stephen Street is unacceptable.

The impact on Views from Glenview and Glen Streets is unacceptable.

To then argue for “Mitigation Measures” proves the deceit.

Transport and Accessibility

We understand that in fact the car park is designed to accommodate 176 cars, not 124 as stated. This is a huge consequent basement excavation.

Stephen Street is a narrow Paddington Street, some 10 metres wide. It is inappropriate for service trucks to use this narrow street, particularly if service vehicles are required to reverse into the building. Reversing trucks are dangerous and noisy. The Transport Assessment incorrectly assumes that Stephen Street narrows at Glen Street. It does not. It narrows at Dillon Reserve.

Note that both access to Stephen Street and to Glen Street from Goodhope Street is very narrow. In fact Council identify Stephen Street as a no through road, presumably to discourage traffic in this typically narrow street Paddington Conservation Area.

We are not aware of any existing “disused” vehicle entry from Stephen Street.

Stage 1 anticipates that all access to the site would be from Stephen Street until Stage 2 is complete. Stephen Street is not suitable for this traffic, even on a temporary basis.

We oppose any entry to the site from Stephen Street.

We also note that access for the disabled requires a 290 metre journey along Glenview Street (in part 1:12), Liverpool Street and MacDonald Street to access the bus stop. It is very poor access for such a significant development.

ESD

The Paddington Society supports the achievement of high ESD standards.

The scale of the development, the size of the apartments, the size of the excavation of the basement and the quantity of excavated material that will leave the site are contrary to sustainable principles.

The removal of nearly 90 trees from the site is contrary to sustainable principles.

The removal of the Terraces is contrary to sustainable principles.

Threatened Species

The removal of nearly 90 trees from the site will impact on the foraging of the Grey-Headed Flying-Fox.

The removal of nearly 90 trees will impact on the environment of any microbats on the site.

More importantly the threatened Grey- Headed Flying-Foxes will impact the amenity of future residents. Residents and flying foxes are not compatible. As a consequence future residents will move to have the flying fox habitat removed.

Drainage and Stormwater Management

The Rushcutters Bay flood plain is developing serious issues as Paddington continues to lose deep soil for hard surface. Where will water diverted from the site actually go?

The Scottish Hospital is an important part of the drainage system with its “rainforest” gully

along the edge of Brown Street. Changes to the drainage system could change the existing garden environment. This could lead to tree damage.



The proposal dramatically increases the extent of hard surface on the site. The Paddington Society is opposed to the extent of hard surface.

Contamination and Geotechnical issues

The Paddington Society supports the appropriate removal of contaminants from the site as long as the heritage fabric and remnants are respected and retained.

Geotechnical and Hydrogeological Analysis

No assessment of the impact of the proposal on the hydrogeological environment of the grounds and gardens, in particular on trees on the site has been undertaken.

No consent should be given for any proposal on this site without a thorough understanding of the impacts of hard surfaces and basements on the water environment of the existing trees.

Utilities

Residents have advised that the stormwater/sewer system in Stephen Street has serious problems. At certain times it smells strongly in the public domain.

Staging

The bulk and scale of the development is in part generated by the staging strategy which puts a very large and bulky nursing home on Stephen Street.

There are two alternative strategies that would both reduce the bulk and scale of the development. One is to use the Scottish Hospital as part of the nursing home, reducing the bulk of the Stephen Street building. The second is to relocate residents and build, as previously proposed, a new nursing home on the site of the existing nursing home.

It is also important to avoid the use of Stephen Street for access at any stage.

Housing Choice

Whilst there may be a demand for large 2 and 3 bedroom ILU apartments the Scottish Hospital site is inappropriate for large dwellings (up to 210 sqm GFA average in one building). Dwelling sizes should be as small as possible to minimize the impact on the site, the grounds, the gardens, the house and on Paddington.

The Scottish Hospital as a significant heritage item should not be considered a commercial development opportunity.

Residential Facilities

The Paddington Society supports the provision of appropriate facilities for residents.

However, we object to any building in the Brown Street gully, including the pool and spa.

Contributions/Voluntary Planning Agreement

The Paddington Society supports the dedication of 1366.1 sqm of land as an addition to Dillon Reserve.

The Paddington Society does not support:

- Widening of Stephen Street
- 90 degree parking to Stephen Street

We also question the appropriateness of this site for a community garden.

BCA

It is not clear as to whether the landscape plan accommodates all egress points and the consequence of this on the gardens and the public domain.

Consultation

The community consultation was cleverly managed by a very skilled public relations company. The notification brochures were clear and detailed as was the follow-up. The briefing sessions, also called information sessions, were handled professionally.

“In formulating the communication methodology we had regard to the consultation requirements specified for this project by the Director General of the NSW Department of Planning in accordance with the Part 3A statutory planning approval process.... The need to manage community and stakeholder expectations.... will be achieved by ensuring that participants clearly understand the information that is being presented to them, accurately recording the comments and concerns expressed at information events, circulating records of comments to participants and to regulatory authorities.”

It was a process carried out efficiently because it was required. It was not consultation.

Overwhelmingly, the feedback from the first briefing session expressed major concerns over the height, bulk and scale of the buildings and their subsequent impact on loss of trees and views.

At the second briefing session participants again stated that *“the preferred master plan was still advancing a building form that was out of scale, too bulky and too high for the site and that it continued to represent an overdevelopment particularly given its location in a heritage area”*. And that *“one of the key and simplest ways to reduce bulk and scale is to reduce floor area... There’s quite a significant leap in the amount of floor area on the site which contributes to the bulk and scale, which is everyone’s concern.”*

Response: *“At the end of the day, quite honestly, the FSR is irrelevant.... what we’re trying to do is get an economic solution....”*

By the third and final session it was clear little had changed – buildings articulated increasing bulk elsewhere and height lowered by a mere 40cm.

The refusal of the proponent to reduce the FSR, a massive 19,500 sqm in the initial application remains (13,600 sqm previously approved by Council), questions the validity of community consultation.

We have been kept informed, but our concerns have been ignored.

9 Draft Statement of Commitments

Addressed elsewhere.

10 Conclusion

The Paddington Society does not support the assessment submitted to the Department of Planning. It is too big, too deep and too intrusive.

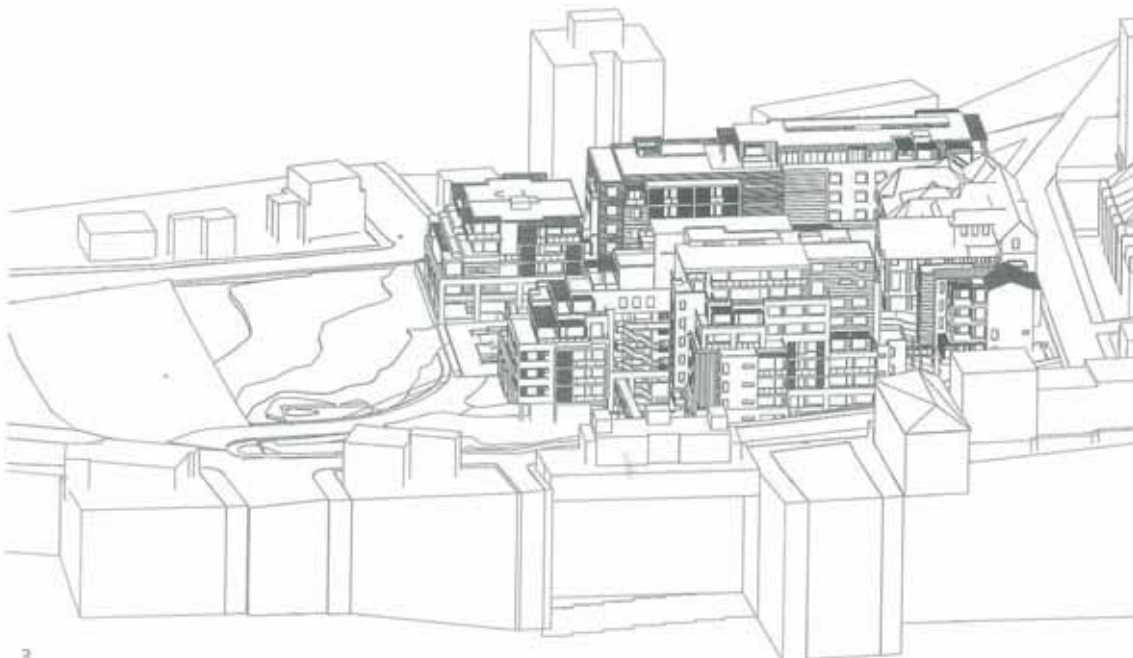
- No high rise buildings should be permitted in Paddington.
- The proposal destroys the heritage significance of the last intact Gentry Estate in Paddington.
- The previous approval was for 13,600 sqm GFA, an FSR of 0.9:1. The new proposal exceeds this area by 6,000 sqm, an increase to FSR 1.32:1. The surrounding FSR is 0.75:1.
- The Major Project Declaration was based on incorrect information provided by the applicant
- There has been no proper responsive community consultation. Endless briefings but no engagement. Compliance with the brief overrides all other considerations.
- The site is a significant heritage site, not a “redevelopment” site.
- Only 12 additional aged care nursing home beds result.

- ILU apartments are too many and too large. Any new dwellings should be small and affordable.
- 71 healthy trees should not be removed.



- A basement car park for 124/176 cars is too big and impacts on existing trees. Note 73 car spaces were approved in 2002.
- Paddington is carrying its density load with 38 dwellings per hectare.
- The project is not valued at \$100 million.
- The proposal does not comply with SEPP for Seniors 2004 Clause 33 as it does not “retain, complement and harmonise” with its Conservation Area.
- The proposal does not comply with SEPP for Seniors Clause 35 as dwellings are substantially shaded by existing trees,

- The proposal does not comply with Seniors Living Policy-Urban Design Guidelines for infill development 2004 with regard to context, respect for heritage, built edges and impact on neighbours.
- The proposal does not comply with SEPP 65 or the RFDC with regard to scale, built form, density, landscape, amenity, affordability or aesthetics.
- The proposal does not comply in fact or spirit with the Woollahra LEP 1995.
- The proposal does not comply with the Paddington Heritage DCP.
- The proposal does not comply with Woollahra Council's Planning Principles for the site.
- The Paddington Society does not support the applicant's urban design study.
- The Brown Street ILU is too high at 9 floors near Brown Street and too close to Brown Street.



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BUILDINGS OVERWHELM BROWN ST

- The Stephen Street ILU is too high and too close to Stephen Street.

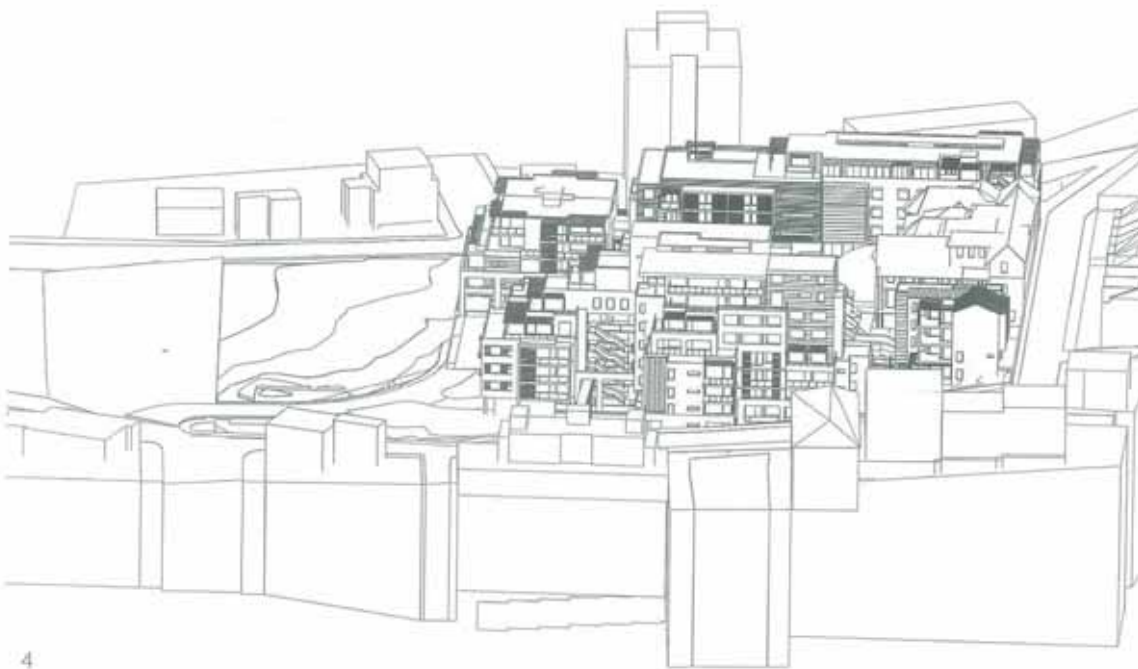


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BUILDINGS OVERWHELM · STEPHEN ST.
· HERITAGE

- The Stephen Street ILU intrudes into the Glen Street view corridor and should be deleted.
- The new buildings dominate the terraces.
- The architectural response is too fractured and too stepped in form, trying to mitigate unsuccessfully against its height and bulk.
- No construction should be permitted in the Brown Street gully
- The Conservation Management Plan fails to properly consider the heritage significance of the gardens and grounds. No landscape conservation management plan is provided.
- The Paddington Society opposes the demolition of the terraces.
- No heritage assessment of the trees has been provided.
- Consequently the urban design analysis carries no weight.

- The heritage impact on the house and grounds is unacceptable.
- There is no support from the local community for the proposal's impact on the public domain.
- The proposal will deprive 38 Stephen Street of solar access from 1.30pm.
- No trees should be removed simply because they are within "construction zones"
- No Retention Value A or B trees should be removed
- The view impact on Brown Street, Glenview Street, Dillon Reserve, Stephen Street and Glen Street is unacceptable.



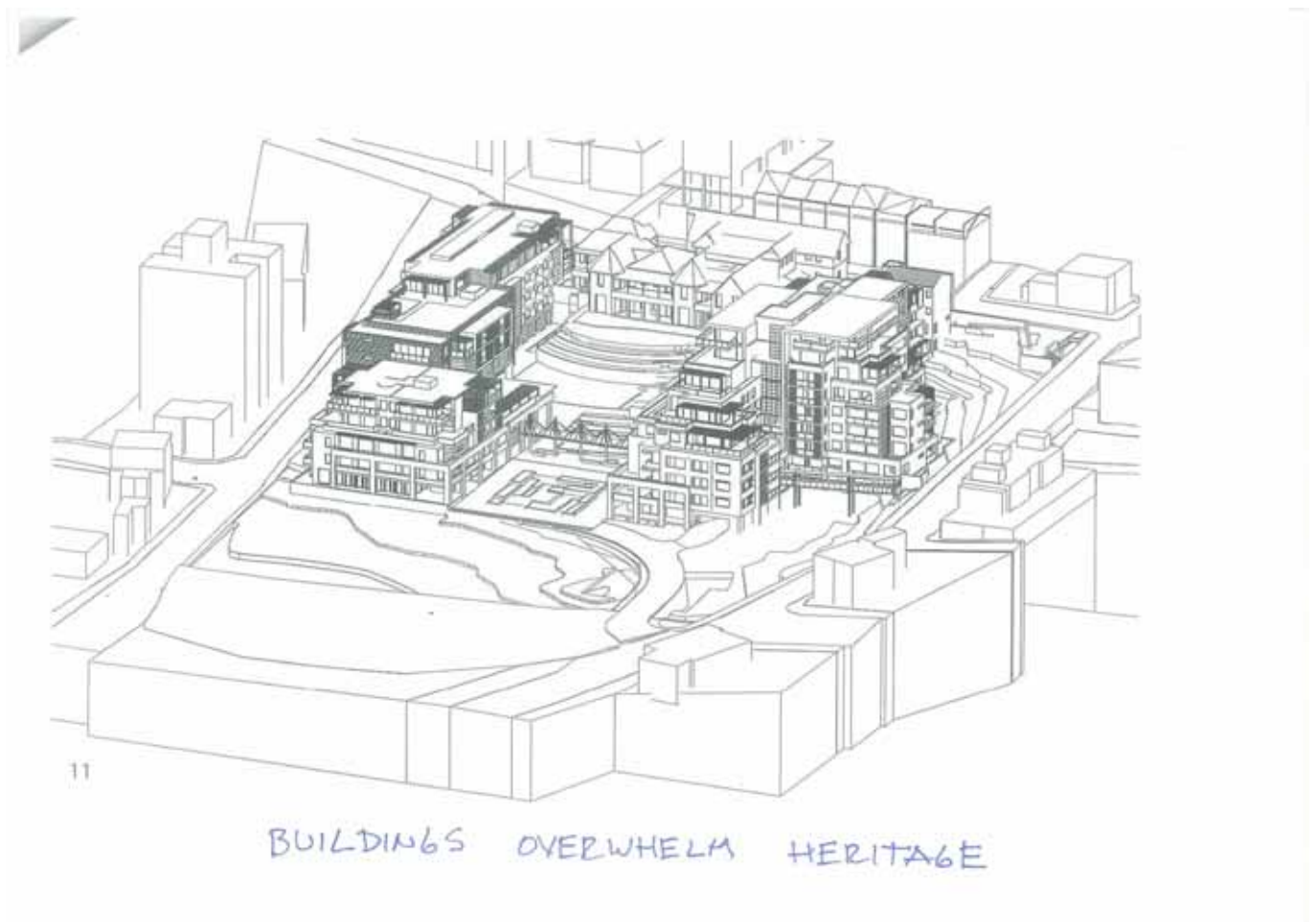
4

BUILDINGS OVERWHELM · GLEN VIEW ST.
· GLEN ST.

- No vehicular access should be permitted from Stephen Street.

- The nearest accessible bus stop is 290 metres from the site.
- The scale of development, the size of apartments, the number of cars, the size of excavation, the quantity of excavated material and the removal of approx 90 trees is not in accordance with sustainability principles.
- No assessment of the impact of hydrogeological on trees has been provided

For all of these reasons the application should be refused.



Yours sincerely

Robyn Attuell
President
The Paddington Society

16 December 2010