

27 November 2017

Our Ref: P-16188

General Manager

Waverley Council
PO Box 9,
BONDI JUNCTION 1355

Dear Ms Henderson

RE: 2017SCL055 DA - 552 TO 568 OXFORD STREET, BONDI JUNCTION

We are writing on behalf of the applicants for the abovementioned Development Application, which will be considered by the Sydney Eastern City Planning Panel on 30 November 2017.

The purpose of this letter is to respond to the key matters referenced in Council's assessment report. As part of any presentation to the Planning Panel, the project team would be pleased to address in detail all matters raised in the assessment report. In the interim, we wish to draw your attention to the key issue in contention, being the podium height to Adelaide Street and whether the proposed tower is sufficiently slender.

- The site has 3 street frontages which are each different in character.
- The design of the proposal is a carefully considered response to the context that has been prepared by highly reputable architects and peer reviewed by experts in solar access, view sharing, and urban design.
- The proposal's podium adopts the 6 storey podium treatment along the northern side of Oxford Street matching and integrating with the adjacent podium of the 'Vue' building. The podium proposed along Adelaide Street is 2 to 3 storeys and responds to the prevailing character of this street and adjacent building podium treatment.
- The tower has a floorplate of only 560m². It would be the smallest tower floorplate and most slender tower in the locality. The adjoining towers 'Vue' and 'Eclipse' have floorplates of 790m² and 650m² respectively.
- The orientation and geometry of the tower maximises view sharing by neighbouring towers and environmental performance (solar access and cross ventilation).

These matters are discussed in further detail as follows.

Adelaide Street Podium Height

The locality is characterised by a variety of podium heights, including as part of recently approved buildings such as 'Aqua' and 'Capitol'. This is summarised in the following image by UP and Kann Finch Architects:



Figure 1 - Analysis of existing podium heights in vicinity (Source: UP Architects)

Further, a significant cross-fall of 3.45m extends across the site's Adelaide Street frontage which increases to 4m in the centre of the site. Adopting the DCP's 6 storey podium treatment would be the equivalent to 7 storeys, as a result of the gradient. This is not considered to result in desirable scale at street level. In response, the proposal creates a 2-3 storey podium on the Adelaide Street frontage. This achieves desirable human scale, but also ensures integration with the 2-level podium on the adjoining 'Eclipse' building as well as the 2-3 storey podiums of the surrounding 'Harley Place', 'Capitol', and 'Aqua'. Additionally, the Westfield building located opposite the site steps back at the same 2-3 storey height to form a podium for the sails above. These outcomes are demonstrated in Figure 2 below.

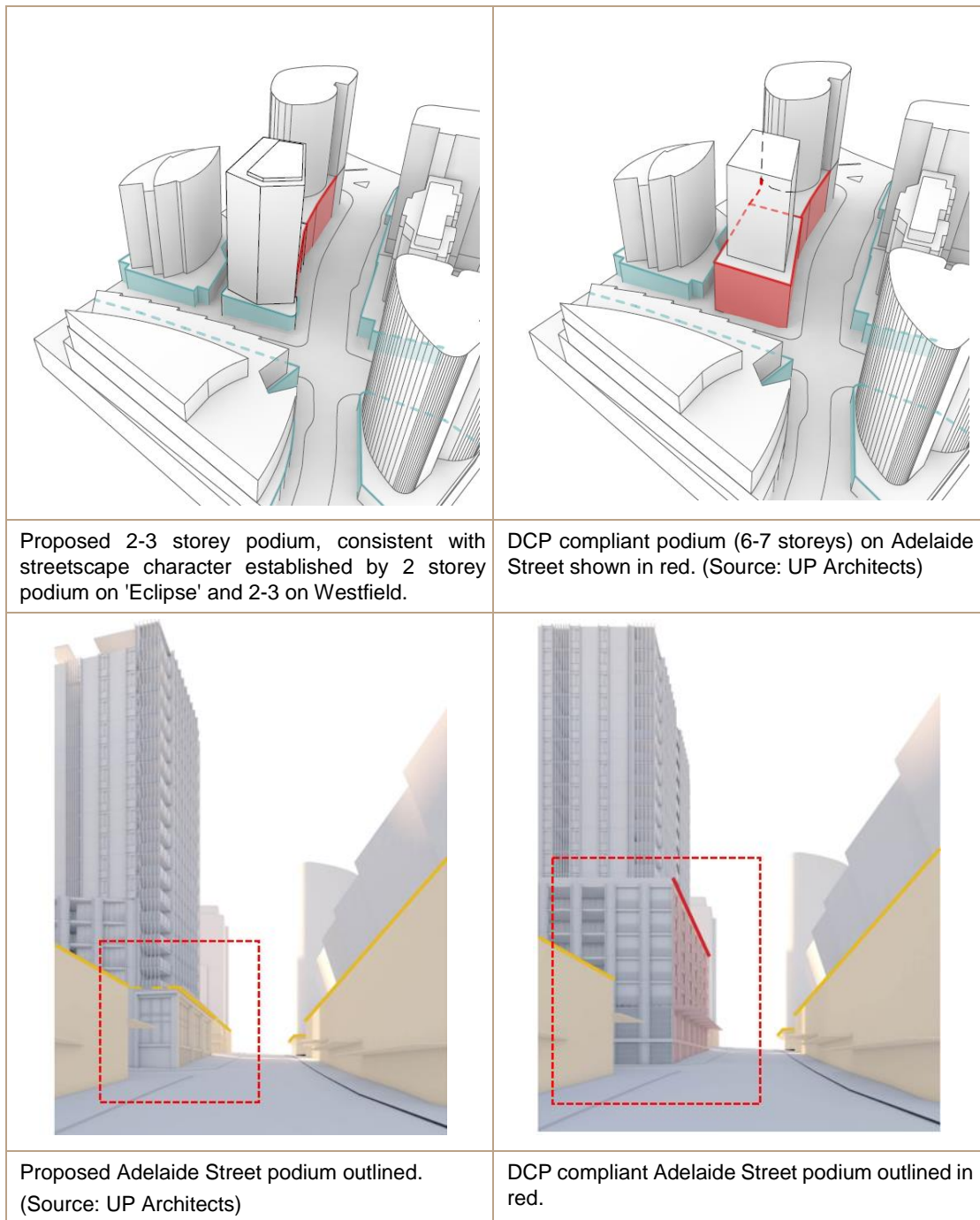


Figure 2 - Comparison of Adelaide St streetscape outcomes with proposed and DCP compliant podiums.

A Slender Tower

The proposed tower has a floorplate of only 560m² which would make it the smallest tower floorplate in the locality and a slender tower (see Figure 1 below). In our view, 560m² is a small tower footprint. Generally, 750m² is regarded as the desirable floorplate size which balances internal amenity and environmental performance with economic efficiency.



Figure 3 - Comparison of tower footprints in immediate vicinity (Source: UP Architects)

Notwithstanding, UP and *Kann Finch Architects* have tested a smaller tower footprint by relocating floor space into a DCP compliant podium, as suggested by Council. It necessitates the relocation of 55m² of GFA from each tower floor plate, resulting in a further 110m² for each typical podium level. In our opinion, there is little discernible difference between Council's preferred tower, and the proposed tower and results in what we believe to be a disproportionate relationship between tower and podium, as illustrated in the images in Figure 4 below. We also note that relocating apartments into the podium reduces the environmental performance of the building by compromising solar access and cross ventilation.



Figure 4 - Comparison between proposed and Council's preferred tower + podium configuration.

Podium Setbacks

The DCP prescribes minimum 6m podium to tower setbacks from any street frontage, whereas the proposal ranges from 1m to 6m. Adopting the DCP setbacks allows for a tower footprint of approximately 280m², which is not feasible. As the subject site forms the last developable lots within the block, it is not possible to amalgamate in order to increase GFA.

The proposal's podium to tower setbacks are consistent with most other tower developments in the immediate vicinity, including recently approved developments such as 'Aqua' and 'The Vue'. This is demonstrated in Figure 5 below, with the area in red referring to tower footprints within the DCP 6m podium setback zone.

The proposed podium to tower setbacks also provide a better amenity outcome for prospective occupants of the proposal as well as occupants in adjoining developments, compared to a compliant scheme (i.e. both solar access and view sharing is improved for the majority of occupants of the buildings to the south).



Figure 5 - Existing towers relative to DCP 6m tower setback control (Source: UP Architects)

Other Items

- It is worth noting that the proposal is effectively compliant with the 7:1 FSR and 60m height development standards (7.1:1 and 61.5m proposed). The non-compliant GFA is attributed to a small amount of space in the basement which, due to the Adelaide Street gradient, is marginally higher than 1.2m from NGL and must therefore be considered as GFA. The height breach occurs only at the north elevation and is a result the site's gradient. Importantly, it does not cause any reduction of views from the south.

- The site is zoned B4 - Mixed Use and is located outside of the B3 - Commercial Core land use zone which exists in the centre of Bondi Junction. Within the B3 Zone there is substantial capacity to provide dedicated commercial floor space, which is the primary objective of the zone. The extent of commercial floor space within the proposal is comparable to other mixed-use developments in the immediate vicinity, including recent developments such as 'The Vue' and 'Aqua'. In each of these cases, it was acknowledged that commercial floorspace above the ground floor is not feasible. The focus instead was on ensuring that the ground floor is activated, as this proposal also does, to create a vibrant mixed use precinct.
- The quantity of floor area allocated for plant or mechanical services is not considered excessive. Most of the proposal's plant must have direct access to open air, and therefore, cannot be relocated to the basement. Much of the plant room is located on the north face of the podium only 6m distant from the sheer concrete wall of the 'Eclipse' building's two storey podium. Additionally, the position of the proposed plant aligns with and abuts the plant of the adjacent 'Vue' building. It would be inappropriate to create residential floor area in this location.
- The proposal has been peer reviewed by Steve King for the purposes of solar access and natural ventilation, Richard Lamb in relation to view sharing, and Architectus in relation to urban design. Each supports the proposal.
- The proposal has been presented at three Design Review Panel meetings. The pre-DA meeting minutes dated 8 December 2016 record the following comments from the Design Review Panel in relation to bulk and scale:

"It is the Panel's opinion that the urban design analysis are sound and that the resultant scale and built form proposed appears to be the "best fit" that could be achieved for the development of this site and would be preferable to strict adherence to the DCP envelope for the site."

Naturally, the design development proceeded on this basis although it is also worth noting that the height and floor space ratio of the development application as subsequently submitted were reduced by 15% each.

- The third and final meeting of the Design Review Panel was comprised of different members to the earlier Design Review Panel meeting and was held after lodgement of the development application. The corner integration of the Adelaide Street and Oxford Street podiums was raised as an issue at this meeting. In response, an alternate design solution was put forward for consideration as shown in Figure 6 below. Whilst this solution was not taken up by Council, it remains available as an alternate.



Figure 6 - Alternate Adelaide Street podium design.

The project team looks forward to expanding on these issues at the Planning Panel meeting on 30 November.

Finally, we ask that Council prepare without prejudice conditions of consent for consideration by the Planning Panel if it so decides on 30 November 2017.

Yours Sincerely

Stephen Kerr
Executive Director

CC: Chair and Secretariat of Eastern City Planning Panel