

7 February 2018

Our Ref: 16-188

Beth Matlawski

Waverley Council

PO Box 9,

Bondi Junction, NSW, 2022.

Dear Beth,

RE: DA245/2017 - 522 TO 568 OXFORD STREET, BONDI JUNCTION - AMENDED PROPOSAL - RESPONSE TO SUBMISSIONS RECEIVED

On behalf of the applicants for the abovementioned Development Application (DA), City Plan Strategy & Development P/L (CPSD) responds to the matters raised in submissions received by Council during the amended DA's recent public exhibition period. As Council would be aware, the Sydney Eastern City Planning Panel (SECPP) deferred determination of the abovementioned Development Application (DA) on 30 November 2017. The amended proposal comprehensively addressed the items listed in the Panel's record of deferral.

The following headings summarise the issues raised in the submissions. Subsequently, a response is provided to each of the issues. Overall, our review of the matter concludes that the public notification period does not raise any issues which would inhibit the issuing of Development Consent for the DA.

1. Height, bulk and scale

Concerns were raised over the increased height of the building as a result of amendments to the floor to ceiling height of the first floor. As requested by the SECPP, the first floor has been amended to provide a 3.5m floor to ceiling height to allow for commercial use in this space, as per Part E1 of the Waverley DCP. As a result of this, the height of the building increased by 200mm which is considered minor and will not adversely impact on the height, bulk and scale of the development, as compared to the originally proposed scheme. An amended Clause 4.6 Variation was submitted to Council to address this. Any overshadowing or view loss as a result of the 200mm increase in height will be negligible, and we note the proposal remains compliant in terms of overshadowing.

Concerns were raised over the presentation of the building to Adelaide Street where the podium level has not been designed in accordance with the DCP controls for a 6-storey podium. However, as per the SECPP's recommendation, the amended proposal was based on 'Option C' which was presented to and endorsed by the Panel. This amended design includes changes

to materials on the levels 1-5 façade to match that of the northern and southern elevations. This creates a 6-storey expression from Adelaide Street in order to mediate Council's expectation for a typical 6 storey street wall. This is shown in **Figure 1** below.



Figure 1: Extract of the Photomontage, view from corner of Oxford St and Adelaide St (Source: Urban Possible)

2. Privacy

Some submissions raised concerns about the impact of the development on the privacy of adjoining buildings. Specifically, the use of floor to ceiling glass across the proposed building. Given the site is located in the high-density Bondi Junction Centre, it is difficult to ensure privacy of all surrounding buildings. However, the proposal has been carefully designed to avoid overlooking and privacy screens are proposed where the building separation is less than 24m between habitable rooms. Further, the proposal has not been modified since the original submission with regard to window placements and building bulk. Given the SECPP did not raise privacy as an area of concern in their deferral notice, we do not expect this to be an ongoing concern.

3. View Loss

Concerns were raised over the view loss from adjoining buildings as a result of the amended proposal. A View Analysis Report was prepared by Richard Lamb & Associates and submitted as part of the original proposal. The proposed amendments to the development, including the 200mm increase in height, will not materially change the outcomes of the initially submitted the Visual Analysis Report as the height increase is negligible. In addition to this, an amended Clause 4.6 Variation was submitted which addressed the additional height of the proposed building in relation to view loss. As such, the amended proposal is considered to result in negligible additional view loss from adjoining buildings.

4. Traffic and Parking

A number of submissions raised concerns about the impact of the proposal on Grafton Lane and Adelaide Street in terms of increased traffic generation and the narrow width of Grafton Lane. However, in the SECPP's Assessment Report, it was concluded that "*the traffic report states that the proposal would have no material impact on the operation or performance of the surrounding road network and accordingly no external road/intersection improvements are required to facilitate this development*". It is also noted that Council has not raised any traffic related concerns previously. As such, the original and amended proposal will not result in any unreasonable traffic and parking impacts on the surrounding road network.

In response to concerns of the use of the lane way during construction, appropriate measures will be put in place to ensure access to Grafton Lane is maintained.

5. Contamination

Concerns were raised in the submissions in relation to the suitability of the site given the previous use of the site by a dry-cleaning business. However, Douglas Partners reviewed and amended their original Site Investigation Report in response to the Panel's deferral item. It was confirmed that the site can be made suitable for the proposed development provided the recommendations in the report are implemented prior to and during the excavation of the site.

6. Footpath

One submission raised concerns over the current condition of the footpath on the corner of Oxford Street and Adelaide Street. The Waverley Council Development Contributions Plan 2006 includes a Footpath Construction Program which will provide footpath construction and upgrades within the Waverley LGA. It is assumed this program will address this matter, if Council concludes that it requires attention.

Should you have any queries with regard to this response or wish to discuss any other matter related to the subject DA, please do not hesitate to contact the undersigned.

Yours Sincerely,



Susan E Francis
Executive Director