



**TOWER 2, LEVEL 23
DARLING PARK, 201 SUSSEX ST
SYDNEY NSW 2000**

URBIS.COM.AU
Urbis Pty Ltd
ABN 50 105 256 228

3 July 2018

The General Manager
Waverley Council
PO Box 9
Bondi Junction NSW 1355

Attention: Jo Zancanaro

Dear Jo,

BONDI JUNCTION RSL CLUB REDEVELOPMENT (DA 533-2017) 1-9 GRAY STREET, BONDI JUNCTION - RESPONSE TO PUBLIC SUBMISSIONS

We write on behalf of our client, Capital Bluestone and Bondi Junction RSL, in respect of the above-mentioned application for development consent lodged with Council on 12 December 2017. This submission seeks to respond to key issues identified in public submissions during the notification formal period earlier this year, to assist Council's on-going assessment of the application.

A subsequent submission shall be made shortly under separate cover in respect to key design matters following initial consideration by Council's Design Review Panel.

BACKGROUND

A total of 797 properties were notified during the public exhibition period in January 2018. A total of 50 submissions were understood to be received by Council, including 19 objections (including 7 from the Genoa complex) and 31 letters of support. The matters raised will be responded to in this submission.

As you would be aware, the project team also sought to progress additional stakeholder engagement in parallel with the statutory advertising of Council. A summary report from StraightTalk is **attached** for your information and for completeness, it is respectfully requested that this is similarly provided to the Sydney Central Planning Panel for its information as part of the upcoming assessment reporting.

From a review of the formal submissions received during the notification period, **both letters of support and objection were identified**. Following a review;

- Of the 50 submissions received, there were 31 submissions in support of the development. Support was received not only from the community but local businesses and community groups. Letters identified the importance of the RSL to the local community and generally acknowledge and endorse the apartment tower above the RSL, necessary to ensure the financial viability of the Club for many years to come.
- Of the remaining 19 submissions, the primary matters identified as being of potential concern were in respect of building height and form, with associated considerations of shadow impacts, overlooking and view loss. Of note, residents impacted by shadowing did not lodge an objection letter; and
- A number of other potential impacts were identified in submissions, including traffic, noise, light, privacy and safety matters.

More broadly, the applicant acknowledges the importance of this site to the Bondi Junction community, and we want to be able to respond positively to any early feedback the Council have on the project. Should any additional items arise which require addressing, we are comfortable to provide a further response as required.

IMPORTANCE OF THE PROJECT TO THE CLUB

The redevelopment will deliver a modern new club space, an active retail frontage and high quality residential apartments above. Capital Bluestone has structured the redevelopment with Bondi Junction RSL such that the Club will continue to own its premises, offering diverse income streams through the lease of retail and function space and residential apartments on level 1.

The apartment component of the project is critical for the redevelopment to proceed. Capital Bluestone has entered into a profit sharing arrangement, such that sale of apartments finances the new Club and provides sufficient working capital for the Club to reopen and be financially sustainable for many years to come. Without utilising the permissible floor space ratio under the LEP, the redevelopment is significantly compromised.

The entire project will deliver significant employment opportunities in the various fields of hospitality, retail, maintenance and management, during construction and operationally for many years to come

MATTERS IDENTIFIED

Matter identified	Response
General support for the club and site redevelopment	<p>A total of 31 submissions were received in support of the proposed development. Within the submissions there were letters of support from important community organisations such as the Woman's Auxiliary and the Waverley Historical Society. The club's existence and support ensures these organisations can continue to function, with associated friendships and community service.</p> <p>The submissions also highlight the importance of the Club to its members, as a key element of their social and health well-being. The proposed redevelopment is viewed as an effective way to facilitate an otherwise tired/ dated existing building and supporting the long-term future operations of the club. More generally, the proposed redevelopment is also seen as positively contributing to the attractiveness of this part of Bondi Junction – of benefit to both visitors and the local community alike. Submissions also included letters of support from local business, including for example the Tea Gardens Hotel.</p>
Building height - general	<p>Some submissions raised concern in respect of the proposed building height.</p> <p>Having reviewed the submissions, we maintain that the proposed building height of 45.5m represents an appropriate design outcome for the site on the basis that;</p>

	<ul style="list-style-type: none"> • The design specifically responds to the opportunities and constraints associated with the subject site and its surrounds and when considered in the context of the future potential context (assuming neighbouring buildings are built to allowable scale) the height will sit comfortably in the varied height context of the centre. • Despite the height variation, the built form effectively achieves the permissible FSR for the site, contributing to the economic and strategic strength of the Bondi Junction centre – consistent with the zone objectives. • The sculptured building design deliberately seeks to maximise the pedestrian and residential amenity of the surrounding area, while providing visual interest. • The resulting technical impacts stemming from the building height (eg overlooking, over-shadowing address in further detail) have been comprehensively addressed in the DA and are considered minimal and reasonable in nature. • The submitted 'clause 4.6' specifically outlines the merits of the proposed redevelopment and the merits of the variation to the applicable development standard, including associated public benefits. <p>On the basis of the above, the proposed built height is considered to be appropriate in its context.</p>
Building bulk	<p>Within the submissions, comments were made in respect of the potential 'building bulk'. The design includes two distinct massing forms, including a tower and podium element to diversify the two land uses and respond to the environmental site characteristics. The lower podium consists of a 2-storey form which retains the heritage façade along Bronte Road and responds to the existing street wall height datum. As the building height increases, the form is set back from the street frontage and a consistent tower form is established which gradually steps up to the communal rooftop open space. This further mitigates the building bulk along the Bronte Road and Ebley Street frontages. In addition, the tower elements massing is broken up by the vertical modulation treatment to create two distinct forms when viewed from the public domain. This avoids the creation of a long homogenous building mass presenting to the street.</p> <p>Visual interest is maintained through the integration of landscaping at the Level 1 podium and communal rooftop, contributing to the greenery of the centre. The proposed building represents a considered built form for the highly visible site and</p>

locality which maximises pedestrian scale at the ground form whilst contributing to the high-density business district.

At a more finer grain consideration, the proposal specifically aims to enhance and unify the streetscape to the corner of Bronte Road and Gray Street, bringing activity and functionality to an underutilised area of Bondi Junction – refer figure 1 below. The introduction of cafe/ restaurant dining areas with openable facades to enable spill out on to street seating areas, will encourage active use and pedestrian movement throughout the day.

In response to the Design Excellence Panel meeting, held after the public notification period, the applicant revised the floor plate to provide greater articulation and reduce the perceived bulkiness.

Figure 1 – Proposed development in its local context



Privacy/ overlooking	<p>Within the submissions, matters associated with privacy and overlooking impacts were identified for consideration in the assessment of the application. From a review of the submissions received, the comments would appear to be of a general nature rather than in respect of specific properties.</p> <p>To the north, west and south the proposed development abuts public roads. In addition, there are minimum separation distances recommended in Section 3F – Visual Privacy, as set out in the table below.</p> <table><tr><th>Building height</th><th>Habitable rooms and balconies</th><th>Non-habitable rooms</th></tr><tr><td>up to 12m (4 storeys)</td><td>6m</td><td>3m</td></tr><tr><td>up to 25m (5-8 storeys)</td><td>9m</td><td>4.5m</td></tr><tr><td>over 25m (9+ storeys)</td><td>12m</td><td>6m</td></tr></table> <p>All of the recommended separation distances have been achieved.</p>	Building height	Habitable rooms and balconies	Non-habitable rooms	up to 12m (4 storeys)	6m	3m	up to 25m (5-8 storeys)	9m	4.5m	over 25m (9+ storeys)	12m	6m
Building height	Habitable rooms and balconies	Non-habitable rooms											
up to 12m (4 storeys)	6m	3m											
up to 25m (5-8 storeys)	9m	4.5m											
over 25m (9+ storeys)	12m	6m											
Over-shadowing	<p>Concerns of a general nature were raised in submissions in respect of potential shadow impacts from the proposed development on the local area.</p> <p>It is important to note that the built form has been sculpted to minimise overshadowing of neighbouring properties predominately to the south of the site. Extensive analysis has been completed reviewing the impacts of the proposed development and provided with the DA submission – summarised in Section 7.1.4 of the Statement of Environmental Effects.</p> <p>Submission concerns identified potential impacts on the adjoining Genoa building and associated roof-top swimming pool – suggesting that the development would effectively remove all of the sunlight from an already windy area.</p> <p>It should be noted that any shadow impacts on the pool would only occur prior to 9am at June 21 – refer image overleaf. It is further noted that there is an existing plant and shade structure at Eastern end of the roof-top area (refer figure below) – which would deliver shade in the early in the morning to the pool area. The shadow impacts of the proposed development on the existing outdoor area at the Genoa development are considered to be very limited.</p>												



21 June - 0900 hours

	<p>When considering the existing built environment and desired future character of the area established by Council's planning controls, the proposed shadowing is considered reasonable. ADG compliance is achieved for all properties except 2, both of which have further development potential for uses other than residential and with existing courtyards located to the South of the existing buildings and therefore being already largely self-shadowed.</p>
View loss	<p>From a review of the public submissions, potential view loss was identified as a general consideration – the submissions have not identified any view corridors or individual properties that are particularly impacted.</p> <p>Important views in the local area were specifically addressed in sections 2.11 and 2.12 of the architectural design report, with the Westfield site largely blocking views to/from the North – particularly with an LEP height of 60m AHD into the future.</p> <p>In our opinion, the additional building height will not have a demonstrable view impact on existing residential apartments nearby because (a) they have expansive vistas and the building only contributes to small aspect of a wider perspective, (b) the development does not obstruct scenic, water and CBD skyline views, and (c) there is significant separation between buildings.</p>
General development in Bondi Junction	<p>Within the submissions there were general concerns about a perceived 'over-development' of Bondi Junction as a centre and associated potential amenity impacts. As an overall premise, the proposed development is considered to:</p> <ul style="list-style-type: none"> • Be consistent with the existing zone and zone objectives. • Not exceed the permissible FSR assigned to the site. • Deliver significant public benefits. <p>Acknowledging the specific potential amenity impacts identified in the submissions, such matters addressed in further detail in the latter sections of this correspondence.</p>
Wind flow	<p>A Wind Environment Statement was prepared by WindTech and submitted with the application. The report provides an assessment of the general wind effects and localised effects of the pedestrian environment as a result of the proposed development. The report concludes that the wind conditions generated from the proposed development for the majority of the surrounding pedestrian environment are acceptable.</p>

	<p>In various locations where the conditions exceed the target wind comfort criteria and on the south-western corner where conditions exceed the safety criteria, the report recommends the following mitigation:</p> <ul style="list-style-type: none"> • the retention of the existing and proposed tree planting along Ebley Street and Gray Street; and • retention of tree planting throughout the communal outdoor space area on Level 12. <p>It has been intended that these recommendations would be incorporated into a final landscaping plan for construction.</p>
Traffic – general	<p>Traffic movements were identified as a potential concern in the local area, both as a result of the proposed development but also more generally.</p> <p>The traffic impact assessment report prepared for the project found that the proposed development would have a traffic generation of 24 and 19 additional vehicle trips during the morning and evening peak periods respectively, relative to the existing operation of the site.</p> <p>Traffic modelling has been undertaken on the Bronte Road and Ebley Street intersection using the SIDRA modelling software. Assessment of traffic modelling concludes that with the addition of the new traffic generation, the surrounding intersections will continue to operate at a Level of Service of 'B', resulting in an only slight increase of 0.2 seconds and 0.5 seconds in the morning and evening peak periods, respectively. The critical movements on each intersection will continue to perform satisfactorily with no demonstrable need for upgrades as a result of the proposal.</p> <p>Acknowledging that existing traffic movements in the local area may be of general interest/concern to some, the proposed development will have minimal impacts, well within acceptable levels.</p>
Parking	<p>Submissions received concern about the proposed level of parking provision. It is important to note that the development proposal was informed through a traffic impact assessment, with specific consideration to this in Section 7.4.2 of the Statement of Environmental Effects. An appropriate level of parking provision has been proposed, that (a) has been informed by the DCP requirements (b) recognises the operational requirements of the club and retail tenancy (c) makes provision for car sharing spaces and includes suitable alternative spaces in respect of motorcycles and bicycles.</p>

	<p>The provision of parking in excess of the minimum parking requirements set out in the DCP will potentially address resident concerns, providing some relief with the potential competition for on-street parking.</p>
Noise – operational	<p>A Noise Impact Assessment was prepared by Acoustic Logic for the project, having informed technical assessment, building design and identifying specific design and operational matters to be implemented.</p> <p>The assessment found that that if relevant recommendations were implemented, appropriate noise levels and amenity protection for sensitive uses in the local area would be achieved. A final operational management plan is intended to be prepared, approved and thereafter implemented – which is expected to be reflected in applicable conditions of consent.</p>
Noise – construction	<p>A preliminary construction management plan was prepared and submitted with the application. It is intended that a final Construction Management Plan would be prepared, approved and thereafter implemented following the granting of development consent. A suitable framework will accordingly be established to ensure acoustic impacts during the construction phase are appropriately managed and within reasonable levels to protect residential amenity.</p>
Suitability of club activities on the site	<p>Submissions raised concern about the potential introduction of bar/club activities on the site. The proposed development does not seek to introduce club activities, they are existing – albeit in an updated configuration. A draft plan of management has been prepared, providing a framework for future operations on the site.</p>

We acknowledge that Council's staff are still reviewing the application, and we would be happy to provide any additional information or meet to discuss any further matters are required.



CONCLUSION

Thank you for the opportunity to provide a preliminary response to the submissions received on the project. Our client remains incredibly passionate about creating a strong, positive response to this unique site and we welcome the opportunity to work closely with the Council to respond to any further queries that you may have on the application, ahead of the matter being presented to the Panel for determination.

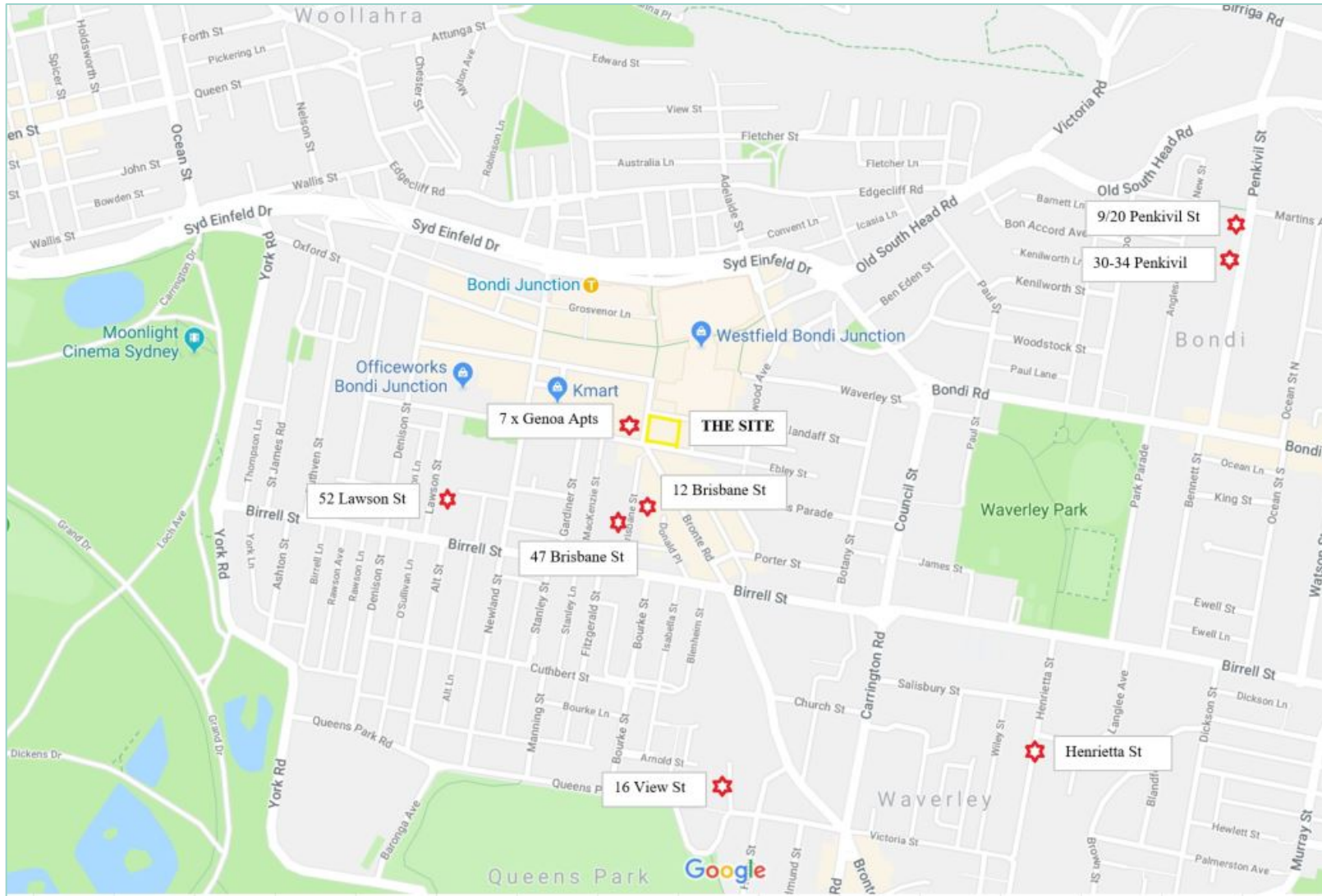
Should you have any questions, or would like to discuss the above in any further detail please do not hesitate to contact Thomas Zdun of Capital Bluestone on 8072 4707.

Yours sincerely,

A handwritten signature in blue ink, appearing to read "S. Wilkes".

Simon Wilkes
Associate Director

Enc. Location plan for submissions.



Approximate locations of submitters.