

24 October 2014

Our Ref: P-12118

The General Manager
Waverley Council

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Dear Mr Kyron,

RE: SUBMISSION TO THE WEST OXFORD STREET PRECINCT PLAN

We refer to the West Oxford Street Precinct Plan/design charrette report which was recently considered at the Council meeting held on 19 August 2014 and resolved to be placed on public exhibition.

This submission is prepared on behalf of the Stargate Property Group, being a stakeholder in a number of key sites within the study area. Namely Nos. 194-214 Oxford Street, Bondi Junction (identified as Site 2 on the plan) and No. 2 Nelson Street, Bondi Junction (identified as part of Site 3 on the plan).

1. BACKGROUND

As Council will be aware, in late 2012, our clients had brought to the attention of Council that there was an apparent oversight from their 2012 LEP strategic review process, which omitted to consider the importance of the western gateway to Bondi Junction, in particular the potential of the precinct in its capacity to deliver housing and employment targets along with much needed upgrade and rejuvenation to that area.

After a number of meetings with Council's strategic planning staff, our client undertook (at their own cost) an extensive Urban Design Study and a detailed analysis of the constraints, challenges and potential opportunities together with suggested future development control upgrades for the study area which was compiled as an Architectural Design Report and presented to Council for discussion.

This Urban Design Study, together with the Architectural Design Report investigated opportunities for public domain improvements, tested the Bondi Junction skyline, examined built forms, conducted extensive analysis of impacts on views and overshadowing, conducted traffic studies, examined the cycle/pedestrian interface and presented a number of possible urban design and public domain outcomes for the precinct.

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Based on this extensive analysis, our client prepared a Planning Proposal for their site together with a number of suggested public domain improvements in and around their site for Council's consideration.

Following this, Council advised our client that they agreed that there was merit in reviewing the West Oxford Street area further, but had decided to establish an independent design charrette, together with the Government Architect's Office, to conduct their own analysis of the study area which would have to be expanded to include the Bus Depot in consultation with the State Government, as they were a significant stakeholder in the area, along with other relevant public/government authorities.

Council then informed our client that they would not be able to consider their Planning Proposal until their study of the broader area would be completed. Our clients refrained from lodging their Planning Proposal as suggested.

It is therefore of considerable disappointment that our client was not invited to present the many findings and outcomes detailed in their original analysis/study and that these were also not presented to, or made part of, the design charrette process.

We understand that in undertaking this design charette process, Council acknowledges that the West Oxford precinct is in need of rejuvenation and is suitable for a strategic planning review and for a higher density built form, aligned with public domain improvements, and for this we commend Council, the state agencies and design professionals who have thus far been involved in formulating a vision for the future of west Oxford Street to bring it in line with other major centres in NSW, as has already occurred at the eastern edge of Bondi Junction.

We also acknowledge Council's approach/desire to review West Oxford Street as a component of the greater area encompassed by Bondi Junction, being a Major Centre in accordance with the Metropolitan Strategy located within the Draft East Subregion, with a subsequent view to revise the Waverley Local Environmental Plan (WLEP) 2012 as part of Council's ongoing annual LEP review/update process, also with the view to meeting certain State Government targets by 2031.

However, at this stage, the outcome of this process is only a collection of ideas and suggested opportunities for the area, which is yet to be tested in terms of feasibility and its capability to deliver the desired State planning objectives and desired public domain improvements.

Four of the seven key directions in the Metropolitan Strategy for the Draft East Subregion include:

- a) Support and strengthen the nation's economic gateways
- b) Achieve a balance of activities to promote Bondi Junction as a Major Centre.
- c) Improve housing choice.
- d) Improve East/West public transport access.

We do not believe the charrette recommendations sufficiently address these key state government directives (or whether the charrette were even briefed to consider these), which we expect may be due to the limited timing, information and resources available to the design professionals during the charrette process.

2. REVIEW OF THE DESIGN CHARETTE REPORT

Upon a review of the 'Design Charette Summary Report and Recommendations' we have identified the following key findings:

1. An impressive collection of public domain ideas was suggested (in the short, medium and long terms) including:
 - a) Creation of an iconic western threshold to Bondi Junction.
 - b) Upgrades and street planting to the Oxford Street footpaths.
 - c) Creation of a Nelson Street shared zone.
 - d) Creation of a series of new through-site links and laneways for better pedestrian/cycle movement and permeability through west Bondi Junction.
 - e) Creation of a road widening along the northern part of Oxford Street in conjunction with re-development of sites along there to allow for future cycle lanes, pedestrian footpath extensions and light rail connections.
 - f) Tree planting programmes for Syd Einfeld Drive median and fringes.
 - g) Upgrade the pedestrian and cycle approaches to the footbridge at both ends.
 - h) Creation of a new roundabout on Grafton Street to link it to Syd Einfeld Drive (RMS owned asset).
 - i) Changes to bus depot, vehicle access to York Street, and relocation of some buses (Sydney Buses owned asset).
 - j) Centennial Park reservoir adaptive re-use and conversion to usable public space (Centennial Parklands owned asset).
 - k) Closure of part of York Road and annexing the traffic island to adjacent sites on Oxford Street (RMS owned asset).
 - l) Re-position, widen and rebuild pedestrian footbridge over Syd Einfeld Drive (RMS and Woollahra Council).
 - m) Creation of a new entry to Centennial Park on the corner of York and Oxford Streets (Centennial Parklands owned asset).
2. Some of the ideas appear ambitious and unlikely to be achieved in the short-medium term (if ever), in particular when relating to assets owned outside the control of Waverley Council, in particular RMS land, Sydney Buses, Woollahra Council and Centennial Parklands. These are summarised in points h) to m) above.
3. The more achievable ideas, which can possibly be delivered in the short term, were not comprehensively analysed for their cost, feasibility or how they would be funded. These are summarised in points a) to g) above.
4. Some increases to heights and densities to a number of sites were proposed without the benefit of detailed shadow analysis, view studies, traffic investigation, economic

report, etc. and hence it was not demonstrated why certain sites could be increased in height while others could not.

5. We note that the main focus of the charrette was the creation of public domain improvements and did not touch upon the commercial viability of the western end of Bondi Junction as a major centre in its role to providing economic growth, employment and business opportunities, provision of housing in a high demand-low supply area and the possible social benefits of the area being closely located to a major train line and the wonderful resource of Centennial Park.
6. Those sites identified for potential up-lift (of building heights/FSRs) essentially consist of the following:

Site 1: A possible consolidation of RMS traffic island and part of York Road for the purpose of re-development. This site is outside of Council's control and would require re-zoning from SP2 (Infrastructure) / RE1 (Public Recreation) to B4 (Mixed Use). This endeavour is likely to be a long term outcome, if ever agreed by the relevant government controlling bodies. It is a remote consideration that RMS would consider disposing of this asset for residential/mixed development in such a strategically important traffic intersection which may require future expansion of the road system in this location. Further, its desirability of a development site in terms of vehicular and pedestrian accessibility is also dubious.

Site 2: (Nos. 194-214 Oxford Street) This is a consolidated site controlled by our client, which is capable of redevelopment in the short term. The site currently comprises land uses which are ad hoc and not-conforming with the desired future character of the locality. The site is zoned mixed use, therefore the desirable outcome is for an expansion of height and FSR to further accommodate already permissible uses.

Site 3: (2 Nelson Street) This is a consolidated site controlled by our clients which is capable of redevelopment in the short term. The site is already zoned mixed use, but contains a strata apartment building consisting of 6 residential units. Therefore the desirable outcome is for an expansion of height and FSR to accommodate already permissible uses.

Site 4: (Bus Depot) This site is unlikely (at the present time) to be re-developed as per a recent press release from the State Government. The site is outside of the scope of Waverley Council and would require re-zoning from currently SP2 (Infrastructure) to B4 (Mixed Use) to allow for redevelopment comprising residential and non-residential uses.

Based on the charrette recommendations above, it is evident that Sites 2 and 3 are the most capable of delivering increased potential, in particular for housing stock, new employment and business opportunities, and much needed public domain improvements and economic growth in West Oxford Street in the short term to medium term, simply by the intensification of existing permitted uses.

Notwithstanding this, it is estimated that the proposed uplift by the respective charrettes of FSR to 3.0:1 to 3.5:1 (currently 1.5:1) and to a height of 9/10 levels (currently 5 levels) on Sites 2 and 3 is considered insufficient and disproportionate to the level of desired public domain improvements. That is, the charrette's suggested comprehensive public domain works program could not be delivered with such conservative uplift.

Further, it is unclear why the particular FSRs/heights were suggested by the charrette as they do not fit/match any of the model FSRs/heights that exist in Bondi Junction or model zoning provisions produced by the State Government. That is, model zonings in Bondi Junction

generally exhibit 32m/4:1 (e.g. Ebley Street opposite Clementson Park), 38m/5:1 (e.g. Oxford Street, between Newland and Leswell Streets), 60m/6:1 (e.g. Grafton Street).

Our clients study went further to these aspects.

3. OUR CLIENT'S STUDY AND FINDINGS

A co-ordinated effort between the architect and urban planner, along with numerous other consultants' produced the following reports:

- Urban Design Study by City Plan Urban Design
- Architectural Design Report by MHN Design Union including:
 - Context and massing study
 - Detailed Shadow Diagrams
 - Public Domain proposed works
 - Landscape and Public Domain concept design by Tract Pty Ltd
- Traffic Study by GTA Consultants
- Heritage Report by City Plan Heritage
- Pedestrian and Cycling Analysis by Sustainable Transport Consultants

The Architectural report tested all ends of the spectrum of urban design ranging from low scale development to higher scale development for the purpose of analysing what level of development can be achieved with minimal environmental impacts. These were presented to Council for discussion. None of the above information was provided to the charette teams to assist with a more detailed analysis of the study area and public consultation, nor was my client provided with the opportunity of any input into this process.

The findings/conclusions of our client's team of consultants can be summarised as follows:

1. It was not clear why no consideration was given to the West Oxford St area during the LEP review process which resulted in the drafting of the WLEP 2012. Heights and FSRs appeared to be simply transcribed from the former Woollahra/Waverley LEP 1996 without any amendments or consideration. This was an apparent omission which had strategic planning significance/implications for the area and for Bondi Junction as a whole in its capacity as a leading town Centre.
2. The western end of Oxford Street had had no new development, public domain upgrade or improvement in decades due to the low development incentives (FSR of 1.5:1, height 15m) compared to other parts of Bondi Junction (FSR of 4:1, 5:1, 6:1, and heights of 32m, 38m, 44m, 60m) which exhibited far greater incentive and hence West Oxford Street had stagnated into poor retail/commercial viability and disrepair.
3. Local businesses and residents would benefit from a revitalisation of this area if incentives by way of increased development uplift would be accompanied by substantial public domain works, improved pedestrian and cycling access, improved access to Centennial Park, and an improved traffic network.

4. Sensitivity testing was performed and found that the greatest height and FSR uplift should be focused/located at the western most edge of key Sites 2 and 3 (facing Syd Einfeld Drive and York Road), being the furthest away from any residential properties in the Mill Hill conservation area with the view to minimise potential shadow impacts (and any other) environmental impacts.
5. Shadow testing revealed that buildings could reach a variable (stepping) height of up to 60m (for Site 2) and 44m (for part Site 3 - north) without any additional shadow impact on any surrounding residential properties all day until 3pm in winter, whilst minor shadowing occurred at 3pm for short intervals, mainly onto retail/commercial properties facing Oxford Street.
6. More significantly, these sites are an opportunity for a gateway or marker development when viewed on approach to Bondi Junction from the west. The western approach to Bondi Junction is deserving of a unique treatment to announce the arrival into the Waverley LGA and a welcome to Bondi Junction as a Major Centre.
7. Currently, similar heights in the eastern part of Bondi Junction (along Syd Einfeld Drive) are able to accommodate an FSR ranging from approximately 6:1 to 7:1 with no requirement for public domain improvements or any community benefits. Whereas, this level of uplift at the western end of Oxford Street would permit our client sufficient incentive to propose (as has already been offered) substantial public domain works and local economic benefits in the western part of Bondi Junction.
8. A Traffic Analysis Report showed that the study area had a capacity of 1,090 additional dwellings without the need for any improvements to the traffic network. The traffic improvements proposed by the charette by way of road widening would, again, increase future/further capacity to accommodate light rail and traffic and alleviate congestion.
9. Such uplift would provide much needed housing stock and increased population in the area which is needed to re-spark businesses and provide local retail and employment opportunities in line with other Major Centres in NSW and in line with State Government's targets and vision for Bondi Junction. It would also provide an alternative retail/shopping experience which is distinctly different to the current Westfield Shopping Centre at the eastern end of Bondi Junction.
10. A far greater level and quality of public domain works, building quality and public art design is able to be delivered with the higher FSR (in the form of a VPA), including a Public Piazza, community centre, through site links, improved pedestrian access to Centennial Park and across Syd Einfeld Drive, expansion of cycling lanes, etc, which would create a lifestyle experience which is distinctly different in character than the way east Bondi Junction has developed.

In summary, West Bondi Junction deserves to benefit from a rejuvenation provided by sensible uplift in development standards for a pocket of private land holdings, which also mitigates potential environmental impacts on the surrounding environment and provides incentives for quality public domain works and economic growth in the area, and which creates a built environment distinctly different from that experienced at the eastern end of Bondi Junction.

It was intended that a Planning Proposal be submitted, accompanied by an Architectural Design Report which investigates opportunities for enhanced urban design at the public domain level, improvements to pedestrian, cyclist and vehicular paths of travel. The proposal

provides a detailed consideration of the actual built form and improvements to the Bondi Junction skyline, which can sensibly result on key sites, as well as material public benefits which can and will be offered in conjunction with the uplift which would result.

Moreover, the Architectural Design Report demonstrates that higher density or uplift in intensity can readily be achieved on these sites in a form which is capable of mitigating potential impacts on the conservation zone and the character of the Mill Hill heritage neighbourhood. Indeed Sites 2 and 3, being the land bound by Oxford Street, Nelson Street and Syd Einfield Drive, are ideal for greater intensification because they are located furthest from the Mill Hill precinct, such that taller buildings on these sites will not result in significant shadow or other impacts on the area. Quite the contrary, the urban improvements such as traffic measures, landscaping, public plazas and the like capable of being generated by the development of these sites can only be of benefit to the area. Ultimately, the pocket of quaint Victorian development to the south-east of the West Oxford study area will in fact benefit from a well-considered urban design and planning programme that brings public domain benefits, resolves traffic, pedestrian and cycling conflicts, and that invigorates the precinct.

4. CONCLUSION

1. The design charrette findings are a collection of ideas based on a relatively modest, time and budget constrained investigation. Although some interesting ideas were provided, the recommendations and opinions differ amongst the three design professionals leading to uncertainty of future outcomes and delivery.
2. Our clients, who are substantial land holders in the study area (Sites 2 and Site 3 north as marked on the plans) have conducted a more extensive, independent urban design, architectural and planning investigation of the strategic importance of West Oxford Street precinct and have concluded very specific and deliverable improvements to the area, which were presented to Council for discussion.

The orderly redevelopment of these sites would provide a real, significant and present opportunity to deliver housing and employment targets, as well as deliver many of the charrette's public domain improvement ideas that are within the Waverley Council area and do it within a meaningful timeframe.

3. After being advised that Council were conducting their own study of West Bondi Junction and would not be able to consider a Planning Proposal by our client, our clients were not invited to participate in the charrette process, nor were their comprehensive research and reports utilised or considered by the charrette professionals. This is particularly disappointing given that many of the charrette's ideas and recommendations relate to the sites controlled by our clients and their surroundings areas.
4. Given that it has now been over a year since our clients were ready to lodge their Planning Proposal (nearly 2 years since commencement of discussions with Council), and the design charrette process has now been concluded, there does not appear to be an opportunity for our client to progress as an outcome of the charrette. Therefore, it is evident that the only appropriate planning pathway for the client moving forward is to submit the Planning Proposal.

The Planning Proposal would seek to amend the WLEP 2012 in relation to these sites for more appropriate building heights and floor space ratios commensurate with our client's study and with the broader Bondi Junction vision. The resulting uplift would

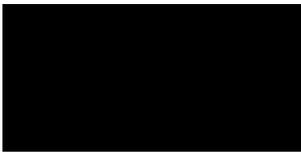
enable the applicant to offer a Voluntary Planning Agreement (VPA) to Council for direct public benefits including the creation of a new Public Plaza and new through site links, a new multipurpose community space at ground level, land dedication for road widening and various other improvements such as street planting and footpath upgrades all towards the rationalisation and beautification of the western gateway to Bondi Junction.

The Planning Proposal will also assist in increasing the availability of local jobs as set out in the Sydney Metropolitan Strategy, which is targeted to be 2,200 additional jobs by 2036 for the Waverley LGA (and also the revised employment target of 2,000 additional jobs by 2031 as per the prepared Draft Metropolitan Strategy for Sydney 2031). This can be achieved by providing employment opportunities in the retail, commercial and community spaces proposed on the sites, as well as a strong increase to the provision of residential dwellings, which will in turn support the growth of the local economy, the retail strip along Oxford Street and Bondi Junction generally, which is identified as a 'Major Centre.'

5. We urge council to consider our client's comprehensive study and findings of the West Oxford Street precinct before making any decisions in relation to the future of the area simply based on the charrette process.

We would like to keep the lines of communication open with Council. If you require any further clarification of details with regard to the above items, please do not hesitate to contact me on 8270 3500. All our relevant studies and reports are readily available at Council's request.

Regards,



Susan E Francis
Executive Director