

**TABLE OF SUBMISSIONS RECEIVED DURING PUBLIC EXHIBITION OF DRAFT LOCAL ENVIRONMENT PLAN (AMENDMENT NO. 60) AND DRAFT NEIGHBOURHOOD CENTRES DEVELOPMENT CONTROL PLAN (11.05.07- 22.06.07)**

	submitter	date	Issue	Response
1	Gilda Baracchi 51 Gipps Street Paddington	21.06.07	<p>1. Objects to the definition of mixed use to allow serviced apartments, noise Issues associated with allowing serviced apartments in 3(c) zones and short term tenants acting irresponsibly and with little empathy for the area.</p> <p>2. Objects to the deletion of café as a separate permissible use and the inclusion of restaurant as a permissible use in the 3(c) zone. She is particularly concerned with noise and odour Issues associated with allowing restaurants in 3(c) zones, increasing the potential number of cases of non-compliance with the existing controls.</p>	<p>The draft LEP allows, with consent, serviced apartments which are part of a mixed development in 3(c) zones. There is no clear data to indicate that the occupants of serviced apartments in mixed developments are more likely to act irresponsibly than occupants of traditional licensed hotels or of other residential dwellings. The fact that these apartments are serviced may reduce the potential impacts on the amenity of neighbours with regular servicing and control. Indeed the provision of such accommodation in proximity to compact residential areas is potentially beneficial to residents as it allows their visitors to be accommodated at close hand.</p> <p>The concerns outlined with restaurants relate to potential amenity impacts on residential neighbours. While there is the potential for impacts, applications will need to be considered on a case by case basis having regard to the performance criteria contained in C5.8.5, C5.8.6 and C5.8.7 of the draft DCP. The definition of restaurant is in line with the new LEP template and will allow cafes, with consent, to become licensed restaurants. Allowing restaurants in neighbourhood centres is consistent with the Councils objectives for such locations and will add much to the life and vitality of local centres.</p>
2	Katina Vasiliou 1 Bourke Lane	18.06.07	<p>1. Objects to the proposed increase to FSRs on corner sites, particularly regarding the development of the corner of Oxford Street and Shadforth Streets.</p> <p>2. Objects to restaurants and bottle shops, being allowed without consent.</p>	<p>A development application on the corner of Oxford Street and Shadforth Street has recently been approved.</p> <p>The corner sites which attract additional FSR are identified in Schedule 1 of the draft DCP. These controls have been included to emphasise the importance of strong corner buildings that are built to the street boundary on both frontages. Performance criteria are included in the schedule to make it clear what must be achieved to qualify for the FSR bonus.</p>

				Bottle shops and restaurants will only be permissible with consent.
3	Alan Johnson Margaret Place Paddington	19.06.07	<p>Objects to allowing serviced apartments in 3(c) zones believing it will attract a back packer element and increased crime rates.</p> <p>Comments on the amount of all day parking, the retail mix, the regulations on outdoor seating for cafes and the potential of more market days.</p> <p>He also argues that Oxford Street needs a face lift.</p>	Refer to the response to Submitter 1
4	Chris Taylor 14 Brodie Street Paddington	17.06.07	<p>Objects to the rezoning permitting a disproportionate amount of fashion shopping, impacting on Oxford Streets neighbourhood shopping role-core services, i.e. grocer, chemist, butcher, etc. have been pushed out of the Oxford Street 3(c) zone by fashion shops. Objects to serviced apartments in 3(c) zones as this will attract undesirable elements.</p> <p>Objects to permitting restaurants until there is more parking.</p>	<p>The retail mix on Oxford Street is largely determined by market forces. It is not an issue which is directly addressed in the amendments.</p> <p>Of the properties noted by the objector only 2-4 Brodie St is in the 3(c) zone and potentially affected by additional retail uses in William Street.</p> <p>Restaurants will require development consent. Issues such as parking will be assessed at the time of application.</p>
5	Stephen & Susie Klien 7/186 Victoria Road Bellevue Hill	19.06.07	<p>Object to the rezoning of the properties 186-194 Victoria Road from 3(c) to 2(b). They consider this to be a down zoning with potential to reduce the value of their property.</p>	<p>The properties affected by this rezoning are not appropriately located for active retail frontage. There is no decrease in the FSR or the height limit proposed in the amendments. The development potential may be increased since there will no longer be a requirement that development on these sites include an active retail frontage. The sites retain good potential for residential development.</p>
6	David Summers 49 Gipps Street Paddidngton	21.06.07	<p>Objects to the LEP changes believing that serviced apartments will attract short term rentals and the trailer trash element.</p> <p>Comments on the amount of all day parking in the immediate proximity of Gipps Street.</p>	Refer to the response to submitter 1.
7	Petra O'Neill No address	22.06.07	<p>Objects to the rezoning of William Street due to concern regarding the retention of Heritage and services such as garbage and deliveries to</p>	<p>The heritage controls in the Paddington DCP still apply to William Street. Making the retail uses permissible will enable council to control and direct the street's future direction and</p>

			commercial property.	retain very popular niche retail activities.
	Paul Horsky 62-64 Grosvenor St. Woollahra	22.05.07	Objects to the proposed increase in FSR and height on the site on the corner of Edgecliff Road and Grosvenor Street.	This is a key redevelopment site with a current FSR of 1:1. It is proposed that the FSR be permitted to increase to 1.5:1 subject to satisfying the built form criteria set out in the draft LEP. Our retail consultant Peter Leyshon noted the proximity of the site to Bondi Junction and its potential redevelopment for mixed retail/office/residential in a high amenity location. A well designed building with a density to 1.5:1 on this prominent corner site will be a great asset for the Edgecliff neighbourhood centre.
9	Eric Borecki 95 Bellevue Road Bellevue Hill	28.05.07	Objects to increasing the development potential of properties in Bellevue Road.	The amendments to the LEP which affect the Bellevue Hill Neighbourhood Centre will remove the distinction between residential and non-residential FSR and make relatively minor adjustments to the height controls. These changes are unlikely to significantly affect the development potential of the Bellevue Road properties.

10	JA Fester 61 Hopetoun Avenue Vaucluse	05.06.07	Objects to the increase in the height limit proposed in the Vaucluse Neighbourhood Centre on the basis that it is unnecessary and the present height limit allowing 3 storey development is satisfactory.	The intention is to enable 3 storey shop-top development with appropriate floor to floor heights to accommodate retail and residential uses. The current height controls are related to residential and not mixed use development.
11	Gordon Robinson Mitchell Road Darling Point	05.06.07	Objects to the proposed planting of a tree on the corner of Mitchell Road and Darling Point Road.	No tree in this location is proposed in the advertised documents. Any future Public Domain Improvements Plan would be the subject of public consultation.
12	Robinson Urban Planning	22.06.07	<p>Comments that the floor to floor heights for larger retail and residential developments is too little. The submission suggests a 14.8m height limit be used (instead of 13.5m) with an additional 800mm for retail footprints over 2000sqm.</p> <p>It is argued that larger sites require underground car parking and hence compromise the potential for deep soil planting.</p> <p>Short Lane in Rose Bay south should be included in the section titled Access and Circulation (page 40).</p> <p>This submission is generally supportive.</p>	<p>The new height limits for the 3(c) zone are based on the floor to ceiling heights that are required to accommodate high quality mixed retail and residential development. The heights assume a ground level floor to ceiling height of 4m and residential floor to ceiling heights of 3m with 0.5m for parapet/roof articulation. The suggested 14.8m height control does not fit this model.</p> <p>The DCP requirement at C5.14.1 for 10% deep soil is not onerous and should be retained.</p> <p>A reference to Short Lane should be added in section 4.5</p>

13	Micheal Rolfe Vaucluse Progress Association	05.06.07	<p>Objects to the rezoning of the car repair station to 3(c) on the grounds that it will enable increased numbers of people in the centre, so increasing the potential for accidents and reducing pedestrian safety.</p> <p>This submission also notes that the Draft DCP refers to Public Domain Improvement Plans which are not available.</p> <p>The DCP refers to the Vaucluse High School which no longer exists.</p> <p>A number of amendments are suggested to the specific clauses of the DCP: Clause 5.1.3 is ambiguous in that it does not state the ground level is the retail frontage level.</p> <p>C5.5.5 states the criteria regarding contributory buildings. It only relates to 3(c) zones.</p> <p>Acoustic and visual privacy is a concern.</p> <p>Retail viability may be affected by resident parking removing opportunities for customer car parking in close proximity to centres.</p> <p>In regard to Site Facilities, comments that mail boxes do not adequately cope with larger items and junk mail.</p>	<p>Appropriate development on the outside of the road curve in the Vaucluse shopping centre is unlikely to create any direct safety issues. Neighbourhood Centres are places of concentrated pedestrian activity.</p> <p>The Public Domain Improvements Plans are not presently developed and reference to them in the Neighbourhood Centres DCP is confusing. It is recommended that the references to the Public Domain Improvement Plans be deleted from the DCP. Refer <b>Annexure 3</b>.</p> <p>The reference to the Vaucluse High School should be amended to the <i>former</i> Vaucluse High School. Refer <b>Annexure 3</b></p> <p>Clause 5.1.2 clearly indicates that buildings are to be designed for commercial or retail uses only at ground level.</p> <p>The submission suggests that the Watsons Bay Heritage Conservation Area Development Control Plan be amended with regard to 'contributory buildings' so that the document is aligned with the Neighbourhood Centres DCP. The suggestion will be considered when the Watsons Bay HCA DCP is next reviewed or when our area based DCPs are collapsed into a single document as will be required by the Department of Planning.</p> <p>The draft DCP contains adequate controls for acoustic and visual privacy. See C5.8.1 to C5.8.9. It also contains restrictions on roof terraces. See C5.3.29 and C5.3.30.</p> <p>Resident parking schemes are regularly reviewed.</p> <p>Planning controls should not plan to accommodate junk mail.</p>
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			Advertising should not be permitted on public footways.	Clause 5.11.11 controls advertising <i>signs</i> on footpaths but does not apply to moveable objects such as umbrellas.
14	Waverley Council Ines Schmitz	18.06.07	<p>Comments on the structure of the DCP and questions a number of issues in the document, these include:</p> <ul style="list-style-type: none"> <li>The description of the built form in Rose Bay north should include 4 storey buildings.</li> <li>The term <i>personal services</i> in O4.4.1 is not defined and is imprecise.</li> <li>Referenes to public domain improvement plans should be omitted since they do not presently exist.</li> <li>A concern that we have an objective to achieve a consistent built form on both sides of Old South Head Road.</li> <li>A concern about the use of the term ‘contributory buildings’ which should be “buildings of historical character”</li> </ul>	<p>The description of built form in 4.4.1 of the DCP is amended to include 4 storey buildings.</p> <p>The term <i>personal services</i> should be removed.</p> <p>Reference to this document should be removed from the NC DCP</p> <p>Agreed</p> <p>This remains a valid objective.</p> <p>Not all contributory buildings are of historic character. Contributory buildings are defined in the DCP to mean, “a building of some architectural <i>or</i> historical merit that contributes to the overall character of the area. There is no need to change this definition or the use of this term.</p>
15	Chris Skiladellis 5 William Street		Support noted	
16	Colleen Maclean 38 William Street		Support noted	
17	Bill Granger Bills Restaurant		Support noted	
18	Design Collaborative	20.06.07	The comments in this submission relate to the effect of the DCP and LEP amendments on 156 Edgecliff Road, Woollahra. The submission suggests a greater FSR and height limit for this site.	<p>This site has been discussed in the Leyshon Consulting report.</p> <p>The submission makes much of the general observation in the Leyshon report that: “<i>FSR controls of greater than 1.5:1 are required if redevelopment of centres is the desired outcome.</i>” The section of the same report discussing FSR states: “<i>In our</i></p>

				<p><i>experience, where buildings are well maintained and consistently tenanted, there is unlikely to be sufficient incentive for their redevelopment with an FSR of &lt;1.5:1.</i>"</p> <p>It would appear from these comments that 1.5:1 is the point at which redevelopment becomes viable, although this is likely to vary in this case because the site is vacant. Given the objectives to retain the ongoing viability of the centre and an appropriate built scale which allows new buildings to fit in with existing buildings an FSR of 1.5:1 on this site is appropriate.</p> <p>The proposed height of 10.5m provides potential for an appropriately scaled 3 storey building. The proposed height and FSR controls should remain.</p>
19	Ubago Spicer Street		Claudette Ubago at the telephone number on the letter knows nothing about this submission?	
20	Peter Kingsley 39 Fairfax Rd		Support noted	
21	Deanne Kennedy 5/163 Queen Street		Support noted	
22	P Peel 25 Rush St		Support noted	
23	T McKeown 23 Sutherland Street		Support noted	
24	George Raftopoulos 88 Jersey Rd		Support noted	
25	Dr Hugh Joffe and Dr Charmaine Joffe 30 Village High Rd		Support noted	
26	Clare McGrath 7/ 295A Edgecliff Rd		Support noted	
27	David Cook 118 Queen Street Woollahra		Support noted	
28	Helen Malinowski 382 Edgecliff Rd		Support noted	
29	Richard Kaplan 3 Janu Street		Support noted	
30	Janet Tremlett 11a Parsley Rd		Support noted	

31	Linda Bowen 42 William Street		Support noted	
32	Melinda Wright 157 Queen St		Support noted	
33	Laura Tramontina 29 John St.		Support noted	
34	Neil Grigg 40 William St		This supporting letter of support for the proposed LEP amendments was accompanied by 75 Signatures	
35	P.W.Dunne 179 Hopetoun Av		This submission is a time line for the Hopetoun Ave neighbourhood centre. There is no particular comment, support or objection.	
36	Adam Dixon 15 William St.		Support noted	
37	Helen English 52 William St		Support noted	
38	Tatjana Vaure 34 William St		Support noted	
39	Sarah Green 70 William St		Support noted	
40	Anna & Contessa Nicolaou 64 William St		Support noted	
41	Colin Massey & Ms Chantal Manning- Knight 63 William Street		Support noted	
42	Claudia Dotch 84 William St		Support noted	
43	Scott Cunningham		Support noted	
44	Aaron Maher 66 Juliett St Enmore		Support noted	
45	Darain Faraz 77 Leinster St		Support noted	
46	Sebastian Cohen 77 Leinster St		Support noted	
47	Skye Sadler 96 Denison St		Support noted	
48	Anne Marie Clarke 71 Underwood St		Support noted	
49	Steve Lynch		Support noted	

	8/24 Royston St		
50	Nick England & Sonya Hopkins 17 William St		Support noted
51	Fleur Mahony 31 Rush St		Support noted
52	Daniel Mahoney 24/22 New Beach Rd		Support noted
53	Ben Henderson 78 William St		Support noted
54	Berenice Grebe 78 William St		Support noted
55	Jan Rieche 6/48 Coogee Bay Rd		Support noted
56	Koenraad Van Landeghem 15/8 Jersey Road		Support noted
57	David Buckland 41/32 Dutruc St Randwick		Support noted
58	Corbin 1 Grove St		Support noted
59	George Mackenzie 268 The Mall Leura		Support noted
60	Name & Address Suppressed		Support noted
61	Name & Address Suppressed		Support noted
62	Jean-Marc Kutschukian 92 Silver Street		Support noted
63	Andrew Young 0439 474 433		Support noted
64	Luisa Sanzone PO Box 381, Paddington		Support noted
65	Adam Khoury no address		Support noted
66	Dawn Bosco no address		Support noted
67	Cameron Pine no address		Support noted
68	Alex Kinross no address		Support noted
69	Tim McCormick no address		Support noted