



STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING

A meeting of the STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE will be held by video conference/ at Waverley Council Chambers, Cnr Paul Street and Bondi Road, Bondi Junction at:

7.30 PM, TUESDAY 2 MARCH 2021

A handwritten signature in grey ink, appearing to read 'R. McLeod'.

Ross McLeod
General Manager

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Delegations of the Waverley Strategic Planning and Development Committee

On 10 October 2017, Waverley Council delegated to the Waverley Strategic Planning and Development Committee the authority to determine any matter **other than**:

1. Those activities designated under s 377(1) of the *Local Government Act* which are as follows:
 - (a) The appointment of a general manager.
 - (b) The making of a rate.
 - (c) A determination under section 549 as to the levying of a rate.
 - (d) The making of a charge.
 - (e) The fixing of a fee
 - (f) The borrowing of money.
 - (g) The voting of money for expenditure on its works, services or operations.
 - (h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
 - (i) The acceptance of tenders to provide services currently provided by members of staff of the council.
 - (j) The adoption of an operational plan under section 405.
 - (k) The adoption of a financial statement included in an annual financial report.
 - (l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
 - (m) The fixing of an amount or rate for the carrying out by the council of work on private land.
 - (n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.
 - (o) The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*.
 - (p) The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
 - (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons,
 - (r) A decision under section 234 to grant leave of absence to the holder of a civic office.
 - (s) The making of an application, or the giving of a notice, to the Governor or Minister.
 - (t) This power of delegation.
 - (u) Any function under this or any other Act that is expressly required to be exercised by resolution of the council.
2. Despite clause 1(i) above, the Waverley Strategic Planning and Development Committee does not have delegated authority to accept any tenders.
3. The adoption of a Community Strategic Plan, Resourcing Strategy and Delivery Program as defined under sections 402, 403, and 404 of the *Local Government Act*.

Live Streaming of Meetings

This meeting is streamed live via the internet and an audio-visual recording of the meeting will be publicly available on Council's website.

By attending this meeting, you consent to your image and/or voice being live streamed and publicly available.

AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair will read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.

1. Apologies/Leaves of Absence

2. Declarations of Pecuniary and Non-Pecuniary Interests

3. Addresses by Members of the Public

4. Confirmation of Minutes

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5. Reports

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6. Urgent Business

7. Meeting Closure

CONFIRMATION OF MINUTES PD/4.1/21.03



Subject: Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 1 December 2020

TRIM No: SF21/281

Author: Natalie Kirkup, Governance Officer

RECOMMENDATION:

That the minutes of the Strategic Planning and Development Committee Meeting held on 1 December 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Introduction/Background

The minutes of the Strategic Planning and Development Committee meeting must be submitted to Strategic Planning and Development Committee for confirmation, in accordance with clause 20.23 of the Waverley Code of Meeting Practice.

The Strategic Planning and Development Committee did not meet in February 2021. Accordingly, the minutes of the December 2020 meeting are submitted to this meeting for confirmation.

Attachments

1. Strategic Planning and Development Committee Meeting Minutes - 1 December 2020 .



**MINUTES OF THE STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING
HELD BY VIDEO CONFERENCE/AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD,
BONDI JUNCTION ON TUESDAY, 1 DECEMBER 2020**

Present:

Councillor Steven Lewis (Chair)	Hunter Ward
Councillor Paula Masselos (Mayor)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson Ward
Councillor Sally Betts	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor George Copeland	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Will Nemesh	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward
Councillor John Wakefield	Bondi Ward
Councillor Dominic Wy Kanak	Bondi Ward

Staff in attendance:

Ross McLeod	General Manager
John Clark	Director, Customer Service and Organisation Improvement
Peter Monks	Director, Planning, Environment and Regulatory
Emily Scott	Director, Community, Assets and Operations
Darren Smith	Chief Financial Officer
Karen Mobbs	General Counsel
Evan Hutchings	Executive Manager, Governance and Projects

At the commencement of proceedings at 7.54 pm, those present were as listed above, with the exception of Cr Burrill who arrived at 7.55 pm.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.

1. Apologies/Leaves of Absence

There were no apologies.

2. Declarations of Pecuniary and Non-Pecuniary Interests

The Chair called for declarations of interest and none were received.

3. Addresses by Members of the Public

- 3.1 A Koch – PD/5.6/20.12 – Mackenzies Bay Dogs Off-leash Trial – Consultation Outcomes.
- 3.2 K von Muenster – PD/5.6/20.12 – Mackenzies Bay Dogs Off-leash Trial – Consultation Outcomes.
- 3.3 T Nordstrom (on behalf of Pupsy) – PD/5.6/20.12 – Mackenzies Bay Dogs Off-leash Trial – Consultation Outcomes.

4. Confirmation of Minutes

PD/4.1/20.12 **Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 3 November 2020 (SF20/44)**

MOTION / DECISION

Mover: Cr Lewis
Seconder: Cr Masselos

That the minutes of the Strategic Planning and Development Committee Meeting held on 3 November 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports

PD/5.1/20.12 Planning Agreement Policy (Amendment No. 3) and Affordable Housing Contribution Scheme - Adoption (SF20/4416)

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes the matters raised in the submissions made on the draft Planning Agreement Policy (Amendment No. 3) and the draft Affordable Housing Contributions Scheme during the exhibition period.
2. Adopts the Planning Agreement Policy (Amendment 3) attached to the report (Attachment 1).
3. Adopts the Affordable Housing Contributions Scheme attached to the report (Attachment 3).
4. Notifies those people who made a submission of Council's decision.
5. Submits a planning proposal to the Department of Planning, Industry and Environment seeking a Gateway Determination to incorporate the Affordable Housing Contributions Scheme into the Waverley Local Environment Plan 2012.

THE MOVER OF THE MOTION THEN ACCEPTED AMENDMENTS TO CLAUSE 2.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Notes the matters raised in the submissions made on the draft Planning Agreement Policy (Amendment No. 3) and the draft Affordable Housing Contributions Scheme during the exhibition period.
2. Adopts the Planning Agreement Policy (Amendment 3) attached to the report (Attachment 1) subject to the following changes:
 - (a) Page 13, after clause 8, insert a new clause 9: 'That as part of any VPA report, Councillors be provided with an overview of meetings between applicants and staff, and the rationale for the decision.'
 - (b) Page 7, second paragraph, after the sentence ending 'as amended from time to time', insert: 'Council has resolved and committed to implementing and progressing the LSPS in ways that operate to involve and acknowledge that Aboriginal First Nation Peoples have a custodial ongoing spiritual, social, cultural, economic and traditional relationship to looking after country and people.'
3. Adopts the Affordable Housing Contributions Scheme attached to the report (Attachment 3).
4. Notifies those people who made a submission of Council's decision.
5. Submits a planning proposal to the Department of Planning, Industry and Environment seeking a

Gateway Determination to incorporate the Affordable Housing Contributions Scheme into the Waverley Local Environment Plan 2012.

Division

For the Motion: Crs Copeland, Keenan, Lewis, Masselos, O'Neill, Wakefield and Wy Kanak.

Against the Motion: Crs Betts, Burrill, Goltsman, Kay and Nemesh.

PD/5.2/20.12 Emission Reduction and Water Conservation Targets (A20/0266)

MOTION / DECISION

Mover: Cr Wakefield

Second: Cr Keenan

That Council notes the achievement of emission reduction and water management targets for Council operations and assets for 2019–2020 financial year.

PD/5.3/20.12 100% Renewable Energy Target (A02/0131)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Second: Cr Wy Kanak

That Council:

1. Adopts a 100% renewable energy target for Council by 2030 for Council's utility energy purchases.
2. Does not install any new gas appliances or fittings on Council assets beyond those already designed and approved and that, where possible, current gas appliances and fittings be phased out when requiring replacement in favour of efficient electrical appliances leading up to 2030.
3. Amends the current Waverley Environmental Action Plan (EAP) to include this target, with relevant actions detailed in the 2022 EAP revision.

PD/5.4/20.12 Draft Waverley Heritage Assessment - Independent Expert Panel (A18/0646)

MOTION

Mover: Cr Lewis

Second: Cr O'Neill

That Council appoints the following panel members to the Independent Expert Panel that will assist with assessing the public feedback on the draft Waverley Heritage Assessment:

1. Heritage specialist members:
 - (a) Dr Roy Lumby (Tanner Kibble Denton).
 - (b) Kate Denny (Lucas Stapleton Johnson and Partners Pty Ltd).
 - (c) Anita Panov and Andrew Scott (Panovscott Architects).
 - (d) Sharon Veale (CEO – Godden Mackay Logan).

2. Community representative members:

- (a) Steven Thomson.
- (b) Sylvia Hrovatin.
- (c) Louise Mitchell.
- (d) Patrick Flanagan.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 3.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council appoints the following panel members to the Independent Expert Panel that will assist with assessing the public feedback on the draft Waverley Heritage Assessment:

1. Heritage specialist members:

- (a) Dr Roy Lumby (Tanner Kibble Denton).
- (b) Kate Denny (Lucas Stapleton Johnson and Partners Pty Ltd).
- (c) Anita Panov and Andrew Scott (Panovscott Architects).
- (d) Sharon Veale (CEO – Godden Mackay Logan).

2. Community representative members:

- (a) Steven Thomson.
- (b) Sylvia Hrovatin.
- (c) Louise Mitchell.
- (d) Patrick Flanagan.

3. A representative of a First Nations community group.

PD/5.5/20.12 Tourism Advisory Panel (A18/0767)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council defers this item to a workshop prior to it coming back to Council.

PD/5.6/20.12 Mackenzies Bay Dogs Off-leash Trial - Consultation Outcomes (A20/0275)

At 8.55 pm, the chair adjourned the meeting due to disorder.

At 9.01 pm, the meeting resumed.

At 9.02 pm, the chair adjourned the meeting due to disorder.

At 9.07 pm, the meeting resumed.

MOTION

Mover: Cr O'Neill
Seconder: Cr Copeland

That Council:

1. Notes the outcomes of the community consultation as mainly supporting an off-leash dog area at Mackenzies Bay.
2. Endorses Option 3 outlined in the report, including:
 - (a) Maintaining the dog prohibition at Mackenzies Bay.
 - (b) Installing new signage.
 - (c) Increasing ranger surveillance of the area, while monitoring work health and safety processes.
 - (d) Launching an education campaign to inform the community about the dog prohibition.
3. Officers investigate the opportunity to provide an off-leash dog area with water play at a suitable location to address the shortage of off-leash areas in the Bondi Basin.

FORESHADOWED MOTION

Mover: Cr Kay

That Council:

1. Conducts a timed off-leash dog trial (Option 1 in the report) for six months at Mackenzies Bay, with dogs permitted 4.30 pm–8.30 am for consistency with the times for off-leash dogs at Marks Park, including:
 - (a) Installing new signage and appropriately located dog tidy stations.
 - (b) Launching an education campaign to inform the community and visitors to Mackenzies Bay about the trial and responsible dog ownership.
 - (c) Increasing ranger and ambassador presence as part of the education campaign during the trial.
2. Notes that operating budgets in 2020–21 exist for education materials and temporary trial measures, including signage and dog tidy stations.
3. Officers prepare a report at the end of the trial for Council's consideration.

THE MOTION WAS PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Notes the outcomes of the community consultation as mainly supporting an off-leash dog area at Mackenzies Bay.
2. Endorses Option 3 outlined in the report, including:
 - (a) Maintaining the dog prohibition at Mackenzies Bay.
 - (b) Installing new signage.
 - (c) Increasing ranger surveillance of the area, while monitoring work health and safety processes.
 - (d) Launching an education campaign to inform the community about the dog prohibition.
3. Officers investigate the opportunity to provide an off-leash dog area with water play at a suitable location to address the shortage of off-leash areas in the Bondi Basin.

Division

For the Motion: Crs Copeland, Keenan, Lewis, Masselos, O'Neill, Wakefield and Wy Kanak.

Against the Motion: Crs Betts, Burrill, Goltsman, Kay and Nemesh.

A Koch, K von Muenster and T Nordstrom (on behalf of Pupsy) addressed the meeting.

**PD/5.7/20.12 Bondi Pavilion Restoration and Conservation Project - Quarterly Update
(A15/0272)**

MOTION / DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Receives and notes the report on the Bondi Pavilion Restoration and Conservation Project.
2. Notes the progress of the development of the Bondi Story Room concept.

6 Urgent Business

There were no items of urgent business.

7. Meeting Closure

THE MEETING CLOSED AT 9.27 PM.

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SIGNED AND CONFIRMED
CHAIR
2 FEBRUARY 2021

REPORT
PD/5.1/21.03

Subject: War Memorial Hospital - Draft Development Control Plan
- Exhibition

TRIM No: SF21/655

Author: Jaime Hogan, Senior Strategic Planner

Director: Tony Pavlovic, Director, Planning, Environment and Regulatory Services

RECOMMENDATION:

That Council public exhibits the draft Site Specific Development Control Plan for the War Memorial Hospital attached to the report for a minimum period of 28 days, in accordance with section 3.43 and clause 5 of schedule 1 of the *Environmental Planning and Assessment Act 1979*, subject to any minor amendment required in the case of an amended Gateway Determination for the relevant planning proposals.

1. Executive Summary

Council has received two planning proposals that relate to the site known as the Waverley War Memorial Hospital. The proposals aim to continue the provision of the hospital and health related uses and increase the capacity for existing aged care services and seniors housing, provide facilities to support the hospital related uses, and provide for limited residential development and 10% affordable housing. These proposals are known as the Waverley War Memorial Hospital Campus Site and Waverley War Memorial Hospital Birrell Street Site, and both have been supported by Council to proceed to Gateway determination. A brief update on each is provided in the Background section of this report.

The purpose of this report is to:

1. Outline the purpose of the draft Site Specific Development Control Plan (DCP) for the War Memorial Hospital.
2. Obtain Council resolution to publicly exhibit the draft Site-Specific DCP.
3. Outline the consultation strategy proposed for the public exhibition of the draft Site Specific DCP.

2. Introduction/Background**History of the planning proposals**

Council has received two planning proposals that relate to the site known as the Waverley War Memorial Hospital. The planning proposals were prepared by Ethos Urban on behalf of Uniting Care (the Proponent), and affect the entire block bound by Birrell Street, Carrington Road, Church Street and Bronte Road. The site is known as the Edina Estate, and is a significant heritage item for the locality, as identified in Figure 1.

The proposals seek to enable the holistic redevelopment of the Edina Estate. The overall redevelopment aims to continue to provide essential social infrastructure through the provision of health related uses and seniors housing, retain and enhance the unique heritage and environmental significance of the site, and

open the site up to the public to encourage a greater level of public engagement with the heritage fabric and open space on the site.

The evolution of the two planning proposals has occurred over three years. The Birrell Street sites were not included in the initial proposal lodged in 2017 (WMH Campus Proposal, Figure 1); however, through discussions with staff, it became evident that there would be benefits to the inclusion of the Birrell Street sites in the WMH Campus Proposal to better address some key issues such as vehicle access to the site and the improved retention of the heritage fabric and spatial qualities of overall Edina Estate.

The remaining Birrell Street sites were then proposed to be included, however at the time, no further justification or supporting information was provided relating to the inclusion of the sites. Accordingly, Council did not support the inclusion of the sites into the WMH Campus Proposal without additional supporting studies such as traffic and urban design modelling. The subsequent proposal lodged in 2020, (WMH Birrell Street Proposal, Figure1), sought to include the remaining sites along Birrell Street and to apply the same development standards consistently across the urban block.



Figure 1. Map identifying sites and planning proposals.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Strategic Planning and Development Committee 7 May 2019	PD/5.3/19.05	<p>That Council:</p> <ol style="list-style-type: none"> Notes the submission of a planning proposal to amend the Waverley Local Environmental Plan 2012 lodged by Ethos Urban on behalf of Uniting, as amended on 5 November 2018. Notes the advice given by the Waverley Local Planning Panel on 24 January 2019.

		<p>3. Forwards the Planning Proposal to the Department of Planning and Environment for a Gateway Determination to proceed to formal public exhibition, subject to the following amendments:</p> <p>(a) That the Planning Proposal only apply to the lots as identified in the original Planning Proposal submitted July 2017.</p> <p>(b) No alteration to the Land Zoning Map.</p> <p>(c) No site-specific zone boundary flexibility clause</p> <p>(d) The following Additional Permitted Uses only to apply across the site as follows:</p> <p>(i) Seniors housing.</p> <p>(ii) Community facilities.</p> <p>(iii) Centre-based child care facility.</p> <p>(e) The following Additional Permitted Uses to apply in the R3 zone:</p> <p>(i) Health service facility and any development which is ordinarily incidental or ancillary to health service facility.</p> <p>(f) Increase the maximum permissible height from 9.5 m and 12.5 m, to 15 m and 21 m only.</p> <p>(g) Increase the maximum permissible floor space ratio (FSR) from 0.6:1 and 0.9:1, to 1.2:1.</p> <p>(h) New site-specific provisions to include:</p> <p>(i) Maximum site coverage to ensure open space provision.</p> <p>(ii) Minimum deep soil and landscaped area to ensure significant trees, biodiversity corridors and heritage landscaped areas are protected.</p> <p>(iii) Include the site on the Key Sites Map and apply clause 6.9 Design Excellence.</p> <p>4. Places the Planning Proposal on public exhibition in accordance with any conditions of the Gateway Determination, should that be approved by the Department of Planning and Environment.</p> <p>5. Accepts the role as the Plan-Making Authority from the Department of Planning and Environment, if offered, to exercise the delegations issued by the Minister under section 3.36 of the Environmental Planning and Assessment Act 1979 in relation to the making of the amendment.</p>
Strategic Planning and Development Committee 3 November 2020	PD/5.5/20.11	<p>That Council:</p> <p>1. Notes the submission of a planning proposal prepared by Ethos Urban on behalf of Uniting Care on 18 August 2020 to increase the maximum height of buildings and the maximum floor space ratio of the sites 99–117 Birrell Street, Waverley, under the Waverley Local Environmental Plan 2012.</p> <p>2. Notes that the proposed increase in height and FSR is consistent with the Gateway Determination received for</p>

		<p>the adjacent War Memorial Hospital Campus site, and will enable improved conservation of the significant heritage fabric of the site and increase the amount of usable, public open space available on the site.</p> <p>3. Authorises officers to forward the planning proposal to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.</p> <p>4. Places the planning proposal on public exhibition in accordance with any conditions of the Gateway Determination that may be issued by the DPIE.</p> <p>5. Notes that a Site Specific DCP will be exhibited concurrently with the planning proposal and will include provisions for scale and interface with the surrounding land uses, heritage buildings and gardens within the site, pedestrian access and through-site links and provision of landscaped open space.</p> <p>6. Requests the role of local plan-making authority from the DPIE to exercise the delegations issued by the Minister under section 3.36 of the Environmental Planning and Assessment Act 1979 in relation to the making of the amendment.</p>
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4. Discussion

Draft Development Control Plan

A Development Control Plan (DCP) contains detailed planning and design guidelines, for specific uses or areas, which complement the development standards contained in Local Environmental Plans (LEPs). DCPs cannot contradict objectives or the development standards set out in LEPs.

The subject Draft Site Specific DCP has been prepared by Council staff in consultation with the Proponents for the site and aims to provide detailed provisions that guide development on the site to ensure balanced social and environmental outcomes. The Draft Site Specific DCP was required by the conditional Gateway determination received from the Department of Planning, Industry and Environment on 8 July 2020, and addresses: the scale of development and interface with the surrounding land uses as well as the heritage buildings and gardens within the site; pedestrian access and through-site links; and provision of landscaped open space.

5. Financial impact statement/Time frame/Consultation

Financial impact statement

There are no financial impacts as a result of the proposed amendment.

Consultation

The proposed draft documents as provided in Attachment 1 are recommended to be publicly exhibited for a minimum of 28 days as required by Schedule 1 of the EP&A Act. Relevant Precinct Committees will be advised of the exhibition and an advertisement will be placed in the Wentworth Courier. Copies of the draft documents will be made available at the Customer Service Office and on Council's 'Have Your Say' website.

Time frame

Following the endorsement of the draft documents for exhibition, it is envisaged that public exhibition of the documents will be conducted concurrently with the exhibition period of the draft Local Environmental Plan (planning proposals) relating to the same sites. This is likely to occur between April/May 2021 for a minimum of four weeks.

6. Conclusion

The Draft Site Specific DCP has been prepared by Council staff to respond to the Conditional Gateway Determination received as part of the War Memorial Hospital Campus Planning Proposal. The Draft DCP seeks to provide provisions to enable the sensitive redevelopment of the site to ensure the retention of the significant heritage fabric on the site.

It is anticipated that the Draft Site Specific DCP will be placed on public exhibition concurrently with the draft Local Environmental Plan for completeness.

7. Attachments

1. Site Specific DCP - Draft [↓](#) .

Site Specific Development **E**

PART E **SITE SPECIFIC DEVELOPMENT**

Part E5 Edina Estate**E6 WAR MEMORIAL HOSPITAL**

Where there are discrepancies between this Part and other Parts of this DCP, the controls in this Part take precedence.

The following objectives and provisions apply to the site known as the Edina Estate, identified in Figure 1. For clarity, the Edina Estate is the entirety of the urban block bound by Birrell Street, Carrington Road, Church Street, and Bronte Road, Waverley.



Figure 1 Edina Estate

Part E5 Edina Estate

6.1 GENERAL

The vision for the site is to maintain and grow a health and seniors housing precinct that celebrates the outstanding heritage significance of the site and supports healthy living. This precinct will support, renew and expand community services and residential living within Waverley, which is at the heart of the vision for the site.

Objectives

- (a) To conserve and interpret the significant European heritage of the site.
- (b) To understand and interpret the Aboriginal cultural heritage of the site.
- (c) To ensure the precinct can adapt to the projected localised impacts of climate change.
- (d) To ensure the developed precinct is designed to facilitate healthy and active living and encourage social connectivity within the precinct and within the community.
- (e) To ensure that publicly accessible high-quality open spaces are provided that interpret, reinstate or conserve the heritage features of the Edina Estate.
- (f) To minimise vehicle movements within and to the site, and to manage service vehicle movements effectively.
- (g) To provide for clear wayfinding and integrated public artworks that interpret the heritage significance of the site.
- (h) To allow for the continuation, renewal and expansion of community services and residential living.
- (i) To acknowledge and respond to the urban context in terms of form and scale.

Principles

This Site Specific DCP has been developed based on the following principles, which are to be addressed in any masterplan or development on the site:

1. Unify the Estate and enhance its ongoing legacy of care as a community service and health care precinct.
2. Develop a clear masterplan based on the historic evolution of site, its evolving context and community requirements.
3. Retain and restore existing heritage fabric, enhance public access to the heritage garden and reinterpret the former carriageway to heritage gates.
4. Allow for the continuity and expansion of existing hospital uses on the site.
5. Establish a new centrally located residential aged care and community hub as an active “heart” for residents, patients and the broader community.
6. Provide new seniors living; optimise direct street address, residential amenity, streetscape character and landscape.
7. Consolidate new built form to create large continuous gardens for a range of public, private and community uses.
8. Optimise site ecology by maximising deep soil zones and implementing a long-term tree plan (ie. a plan to retain and protect existing healthy trees, replace old or damaged trees and increase the number of large trees on the site).
9. Implement a clear vehicular strategy to prioritise pedestrian comfort and safety while recognising the operational needs and diversity of uses of the estate.
10. Achieve all required operational requirements while achieving compliance with all urban design, environmental and amenity design standards.

Part E5 Edina Estate

11. Provide architectural modulation and articulation that reflects the cadastre and built form of the adjacent heritage conservation areas.

Part E5 Edina Estate

6.2 SITE LAYOUT

Objectives

- (a) To provide public access to and enjoyment of the heritage buildings and heritage landscape.
- (b) To identify developable portions of the site.
- (c) To reinstate the experience for the public of exceptional Victorian buildings set in a Victorian-style landscape.

Controls

- (a) The site layout is to interpret the original arrival experience via the historic pathway from the gates at Bronte Road and Birrell Street as a key entrance point to the site predominately for residents.
- (b) Maintain the buildings identified in Figure 2 as Significant.
- (c) There is to be a series of open spaces and layouts out within the site.
- (d) The eastern portion of the site is to be retained as publicly accessible, as identified in Figure 4.
- (e) The scale of new buildings must not challenge or overwhelm the heritage buildings, Victorian streetscape, or landscape.
- (f) Where possible, provide vistas throughout the site to the western façade of the Vickery (Edina) Building and tower.



Figure 2: Site Plan identifying significant fabric and spaces to be retained

Part E5 Edina Estate

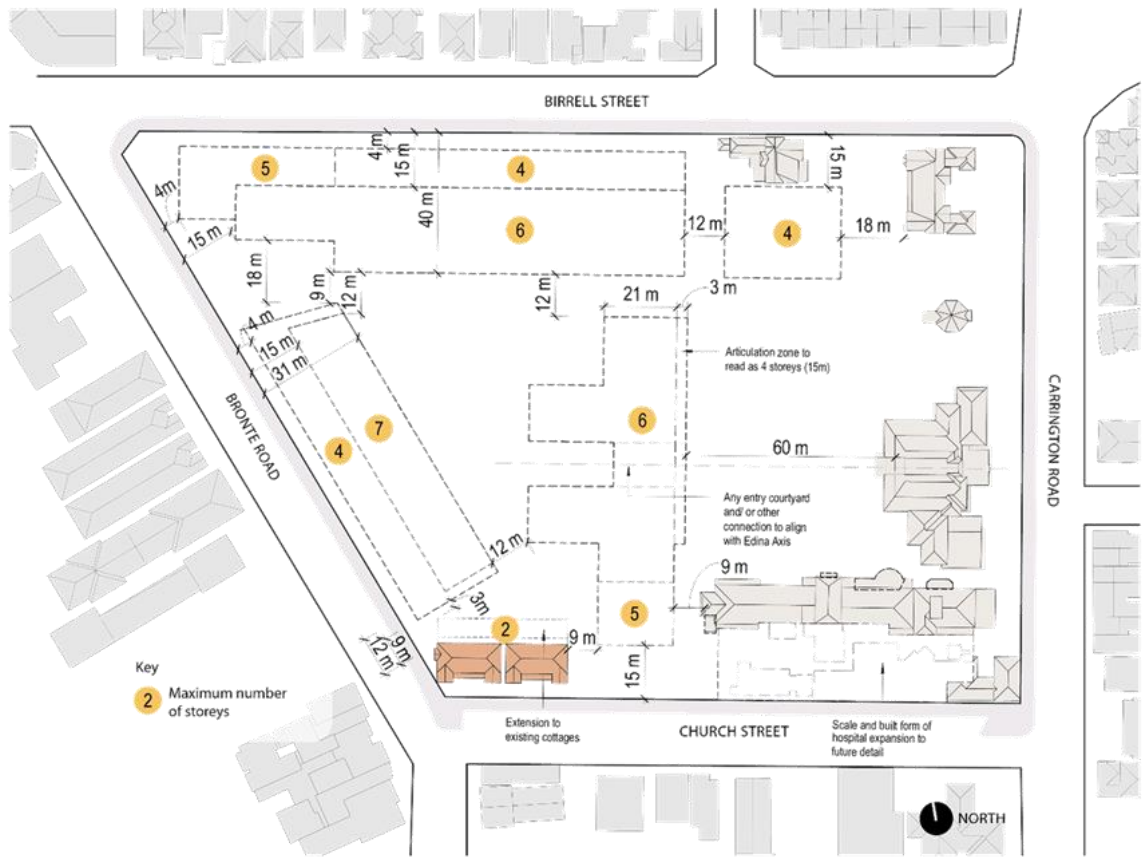


Figure 3: Site Layout and New Building Zones

Part E5 Edina Estate**6.3 BUILT FORM****Objectives**

- (a) To ensure an appropriate scale of new development on the site.
- (b) To provide guidance for the location of buildings.
- (c) To ensure new development responds to the heritage characteristics of the site.
- (d) To generate a campus-style arrangement of development.
- (e) To support sufficient landscaping to enhance visual quality, streetscape character and provide privacy.
- (f) To integrate building form with the sloping topography of site.

Controls

- (a) The location of buildings is to comply with the Principles in 6.1 General and the layout shown in Figure 3.
- (b) The number of storeys is to comply with Figure 3.
- (c) The redevelopment of the site is to read as a campus-style development, having consistent style and architectural qualities across the site.
- (d) Despite the maximum building height permitted in the WLEP, any building located adjacent to the Ellerslie building:
 - i. is to have a maximum height that does not exceed the parapet height of the Edina building, and
 - ii. is not to overwhelm the Ellerslie building, and is to provide sufficient distance between the buildings to maintain the curtilage of the Ellerslie building.
- (e) New buildings fronting Bronte Road and Birrell Street are to be modulated and articulated to break up long facades to the streetscape.
- (f) Buildings are to be setback from the street frontage to provide privacy and opportunities for landscaping, including where appropriate, mature tree planting.
- (g) New buildings are to provide appropriate architectural modulation and articulation that reflects the cadastre and built form of the adjacent heritage conservation areas.
- (h) Any new building to the corner of Bronte Road and Birrell Street is to provide a bulk and scale that relates to the development on the remaining corners of the intersection.
- (i) Due to the sloping nature of the site, it may be necessary to exceed the maximum height of building specified in the WLEP, for minimal areas of a roof envelope to enable optimised building layout. Refer to Appendix 2 for illustrations.
- (j) No habitable room is to be more than 1.2m underground at finished floor level.

Part E5 Edina Estate

6.4 HERITAGE

The curtilage of the Edina Estate is bounded by Bronte Road, Birrell Street, Church Street, and Carrington Road.

Objectives

- (d) To conserve and interpret the cultural significance of the site.
- (e) To provide public access to and enjoyment of the heritage buildings and heritage landscape.
- (f) To celebrate the heritage significance of the site by interpreting, retaining and conserving key historical features of the site.
- (g) To share the history of the site through informative, accessible and well-designed interpretation, artworks and wayfinding.
- (h) To reinstate the experience for the public of exceptional Victorian buildings set in a Victorian-style landscape.

Controls

- (a) A Conservation Management Plan is to be provided for the site that responds to the Statement of Significance of the heritage item.
- (b) The existing hospital use is a historic use that should be continued, and should be broadly defined to include uses related to health, aged care, and health related training.
- (c) The following historic spatial uses relating to the Victorian period are to continue or be re-instated / interpreted:
 - i. early entrances and driveway as identified in Figure 2;
 - ii. Victorian garden areas as garden/passive recreation as identified in Figure 2.

6.4.1 Significant Fabric, Views, Spaces and Spatial Relationships

- (a) The significant fabric and spatial relationships as identified in Figure 2 are to be conserved and enhanced. They are:
 - i. Victorian buildings and estate planning, including: topography, plantings, fences, statuary and spatial order (including the private street, and distinction of service areas such as original stable and kitchen buildings from formal areas);
 - ii. War Memorial Hospital buildings of aesthetic importance: main building, chapel;
 - iii. 1920s landscape items including: palm trees, cast iron bollards, reconfigured gates to Birrell Street / Bronte Road and new gates to Carrington Road;
 - iv. The Victorian landscape and landscape elements both existing and reinstated based on documentary evidence.
 - v. External views from Centennial Park of the Norfolk Island Pines;
 - vi. Existing views of the Ellerslie, Banksia and Wychazel houses along Birrell Street, and Vickery tower from Carrington Road. The Carrington Road wrought iron gates from c1920.

Part E5 Edina Estate

- (b) The Victorian garden space adjacent to the Edina building identified is to be treated to reflect its significance and historical appearance.
- (c) A lower garden space is to be created that interprets the pond featured in the original central garden space through landscaping layout, inclusion of a water feature, or signage interpretation. The original height difference between the upper lawn and carriageway is to be maintained and linked by existing stone stairs.
- (d) The original estate gates at the corner of Bronte Road and Birrell Street are to be retained and maintained and celebrated as the traditional formal entry point to the site. This may include the use of the gates as a pedestrian access to the site.
- (e) The eastern Birrell Street entrance is to be preserved, through the retention of the avenue of Canary Palms and the experience of a late Victorian streetscape.
- (f) Ensure that the appropriate standard of professional and craft expertise corresponds to the grade of significance through involvement of a qualified heritage consultant.

6.4.2 New buildings and landscape

- (a) New buildings adjacent to the Victorian private road or a building of significant fabric as identified in Figure 2 are to read as contributing or harmonising to the heritage buildings.
- (b) The scale of new buildings should be of a scale consistent with the controls outlined in the LEP. New buildings should respect the landmark qualities of the Edina tower or the Norfolk Island pines.
- (c) Site lines that link open spaces are to be created and framed through the site.
- (d) Should demolition or excavation works involve areas of potential archaeological deposits, plan for proper investigation and interpretation of those deposits.
- (e) Fabric of new buildings must be sympathetic to the palette and colour of historic materials used in the original estate.

6.4.3 Heritage Interpretation and Reconstruction

- (a) The place is to be interpreted as the whole estate developed by the Vickery Family as a residence, and then as the War Memorial Hospital.
- (b) The original carriageway on the corner of Bronte/Birrell St is to be interpreted via the site layout and wayfinding throughout the site.
- (c) Any additions to heritage buildings are to present as distinguishable, at least on close inspection, in accordance with Burra Charter principles. Their design should also be sympathetic and not detract from the appreciation of the heritage buildings and their significance.
- (d) Creatively interpreting aspects of the history of the place should be considered as opportunities arise, including:
 - i. Develop the site with an appreciation of its identity as a single planned estate;
 - ii. Develop the site with an appreciation of the spatial order of the estate, which is contiguous over the course of its history as an estate and hospital.

Part E5 Edina Estate

- iii. Develop and creatively interpret Aboriginal connection to place in combination with European heritage, through an understanding of native landscapes and planting of Sydney's Eastern Beaches.
- (e) The reconstructions, removals and plantings should be considered in accordance with the policies set out in the *Conservation Management Plan 2017* provided in Appendix 1.

6.4.4 Landscaping

- (a) A minimum of 40% of the site is to be provided as landscaped area.
- (b) Retain, replace or reinstate trees and other species to support the habitat corridor through the centre of the site.
- (c) Provide a Landscaping Plan that identifies the trees and plants that contribute to the habitat corridor, including a Succession Plan that identifies how these plants will be managed over time.
- (d) Provide indigenous species throughout the site with sensitivity to European landscaping.

6.4.5 Public Art Heritage Interpretation Plan

- (a) A public art and heritage interpretation plan is required to be submitted with any Development Application to demonstrate how the heritage of the site has been interpreted through landscape design, species choice, wayfinding and digital interpretation on the site.
- (b) The public art and heritage interpretation plan is to provide clear and engaging interpretation that acknowledges the periods of ownership: indigenous custodianship, 50 years with the Vickery family, and 100 years as a hospital.
- (c) Public artwork is to be provided in accordance with Part B11 Public Art of this DCP.

Part E5 Edina Estate

6.5 PUBLIC DOMAIN AND OPEN SPACE

Objectives

- (a) To encourage a cool microclimate within the precinct.
- (b) To encourage public access and engagement with the heritage of the site.
- (c) To cultivate spaces that encourage mental and physical wellbeing.
- (d) To promote social cohesion and connectedness.
- (e) To contribute to the key environmental targets in Council's strategic plans.

Controls

- (a) Publicly accessible open space is to be provided as identified in Figure 4.
- (b) Where open space is to be publicly accessible, these spaces should be open to the public from 7am – 5pm. Where fences or gates are to be included, these are to be arranged in an 'open' fashion between these hours to encourage movement through the site.
- (c) Provide primary and secondary through site links for pedestrians to increase permeability across the site, as identified in Figure 5.
- (d) The public domain is to be accessible and designed with a mix of shade and direct sun throughout the year.
- (e) Consider the provision of accessible vegetable garden beds and facilities (e.g. tools, composting) for collective activities.

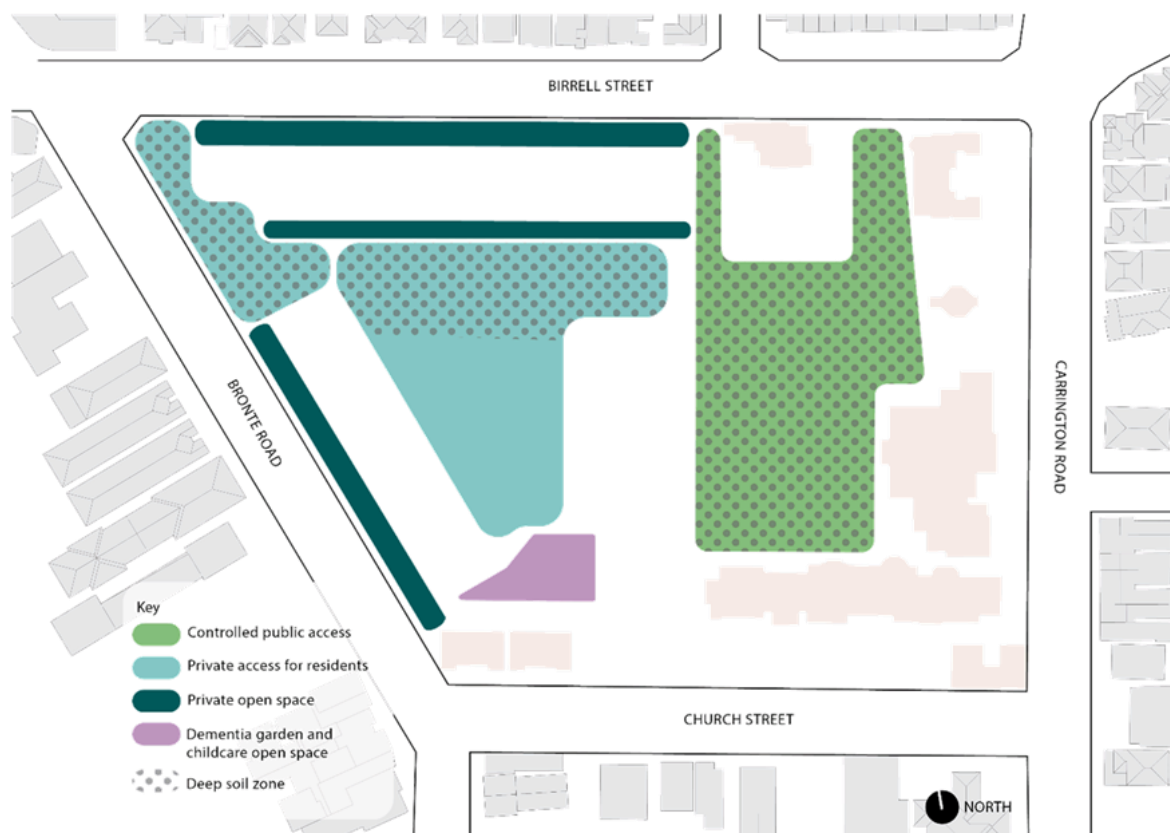
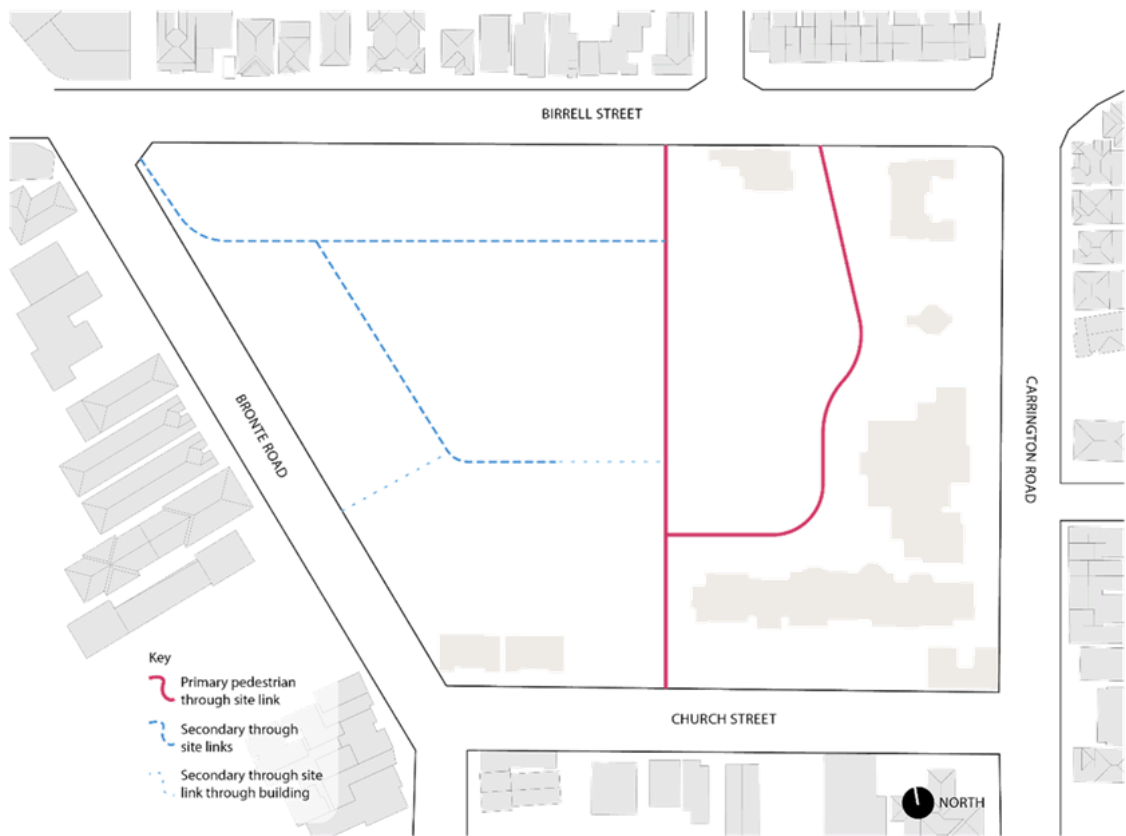


Figure 4: Site plan identifying general hierarchy of open spaces

Part E5 Edina Estate



Part E5 Edina Estate

6.6 URBAN ECOLOGY

Objectives

- (a) To protect and enhance the natural habitat for a range of species as part of the heritage values of the site.
- (b) To encourage the creation of a cool micro-climate on the site.
- (c) To provide a resilient and biodiverse outdoor space.
- (d) To maintain and enhance the biodiversity corridor connectivity from Waverley Park to Queens Park.
- (e) To contribute to key environmental targets in Council's strategic plans.

Controls

- (a) Canopy coverage is to be provided at a minimum of 30% of the site area. This is to be demonstrated on the Landscape Plan and inclusive of landscape on slab.
- (b) Canopy coverage is to provide an appropriate cover that respects the heritage values of the place while providing a recognised habitat corridor through the site. Details of how the canopy, particularly the habitat corridor, will be maintained and managed over time is to be provided (via a Canopy Succession Plan).
- (c) Preserve and maintain the existing mature trees on the site. Where a tree cannot be maintained due to the location of a new building, this tree is to be relocated or replaced with a comparable size and species in a more suitable location on the site to support the habitat corridor.
- (d) Buildings are to be located to support the Habitat Corridor which runs NE to SW through the site. The Habitat Corridor is to be clearly marked on the Landscape Plan with details of the proposed species and the arrangement and structure of the habitat.
- (e) In addition to the Habitat Corridor through the site, habitat species are to be planted along the periphery of the site, in the setbacks from the street frontage. This habitat is also to be clearly marked on the Landscape Plan.
- (f) At-grade car parking and roads are to be minimised within the habitat corridor to encourage a safe environment for fauna within the limitations of the site and heritage values.
- (g) A diversity of plant species is to be provided across the site.
- (h) Landscaping is to be designed and completed in a way that provides adequate fauna habitat, i.e. taking vertical space into consideration as well as horizontal space, and providing several layers of plantings. It is expected that a shrub layer 0.5 to 2.0 m will be included in at least some sections of the habitat corridor, and that some shrubs and grasses are planted in thickets to provide safe habitat for smaller fauna species. In addition, new trees are to be provided at 200L to provide for increased habitat to the periphery of the site.
- (i) Refer to the species outlined in Table 1 that are encouraged or discouraged for this site. The planting palette should include a range of species. Additional or alternate species to this list can be discussed with Council's Urban Ecology Team. Proposed species are to be detailed in the Landscaping Plan.
- (j) Where appropriate, deciduous trees such as *Melia azedarach* var. *austrasica* are to be planted near windows, particularly on the north and west aspects, to provide shading in summer and filtered sunlight in winter.

Part E5 Edina Estate

- (k) Wildlife-friendly lighting is to be provided across the site to enable fauna movements, particularly at nighttime. Design responses that include soft (lower wattage), low-placed lights facing downwards with a warm colour temperature (less than 2500K), are preferable to up-lighting, lighting from high on poles (even if facing downwards), bright lighting (higher wattage) or lighting with a cool or blue cast.
- (l) Pollinator-friendly species are to be provided on-site with details in the Landscaping Plan. Pollinator species typically have small, white cream, yellow, blue, or purple flowers.

Table 1 – Preferred and discouraged species			
Preferred Species			Discouraged Species
Shrub Layer	Trees	Ferns	
<i>Goodenia ovata</i>	<i>Eucalyptus haemastoma</i>	<i>Asplenium</i>	Liorpe
<i>Cordyline stricta</i>	<i>Pittosporum revolutum</i>	<i>australasicum</i>	Purple Corydiline
<i>Doryanthes excelsa</i>	<i>Leptospermum laeveigatum</i>		<i>Rapheolepis</i>
<i>Baeckea linifolia</i>	<i>Leptospermum</i>		
<i>Banksia spinulosa</i>	<i>squarrosus</i>		
<i>Austromyrtus dulcis</i>	<i>Backhousia citriodora</i>		
<i>Ozothamnus</i>	<i>Elaeocarpus reticulatus</i>		
<i>diosmifolius</i>	<i>Podocarpus elatus</i>		
<i>Conospermum</i>	<i>Macadamia integrifolia</i>		
<i>taxifolium</i>	<i>Backhousia citriodora</i>		
<i>Eristoemon australasius</i>	<i>Melia azedarach</i>		
<i>Isopogon anemonifolius</i>	<i>Brachychiton acerifolius</i>		
<i>Boronia parvifolia</i>	<i>Brachychiton populneus</i>		
	<i>Grevillea robusta</i>		
	<i>Casuarina equisetifolium</i>		
	<i>Tristaniopsis laurina</i>		
	<i>Davidsonia jerseyana</i>		
	<i>Tristaniposis laurina</i>		
	Citrus trees such as lemons and limes		

Part E5 Edina Estate

6.7 HIGH-PERFORMANCE BUILDINGS AND SITE RESILIENCE**Objectives**

- (a) To ensure a high level of sustainability across all elements of the estate.
- (b) To optimize opportunities for environmentally sustainable design to minimise carbon emissions, energy use, potable water use and waste.
- (c) To encourage a low-carbon, high-performance precinct to help Waverley work towards its target of net-zero emissions.
- (d) To ensure buildings are well-designed to minimize energy consumption as well as maximise the thermal comfort for the occupants.
- (e) To promote the use of on-site energy generation and storage.
- (f) To ensure the site and buildings are designed to reduce potable water consumption.
- (g) To protect water quality and promote appropriate water harvesting and on-site storage and use of harvested/recycled water.
- (h) To minimise the impacts of the urban heat island effect.
- (i) To minimise the impacts of drought or water shortages.
- (j) To minimise impacts from severe storms or flooding events.
- (k) To support key environmental targets in Council's strategic plans.

Controls**6.7.1 Energy use and production**

- (a) Building location and façade design is to maximise access to direct sunlight to reduce reliance on mechanical heating.
- (b) Adequate external shading or performance glass is to be provided on the western and north-western building facades to minimise the cooling load required in mid-summer.
- (c) Any on-site renewable energy sources are to be coupled with battery storage.
- (d) The residential component of a building is expected to exceed BASIX Energy, Water and Thermal Comfort targets.
- (e) Commercial buildings shall achieve a Green Star Certified Rating of six (6) stars; and/or a NABERS 5-star energy rating and 4.5-star water rating.

6.7.2 Urban Heat Island

- (a) To mitigate the accumulation of urban heat, buildings are to utilise light coloured and reflective materials, and where possible provide vegetative surfaces such as green roofs.
- (b) Buildings and roof materials are to be a light coloured material to reduce solar absorption.
- (c) Pavements are to mitigate heat accumulation where possible through materials which consider end users and that maximize permeability and/or reflectivity.
- (d) Provide one building in the precinct able to function as an accessible refuge for on-site residents from the heat in the case of emergency, with access to a back-up power supply available on the site.

Part E5 Edina Estate**6.7.3 Water**

- (a) Principles of Water Sensitive Urban Design (WSUD) are to be applied across all aspects of the development to minimise stormwater discharged from the site and ensure any stormwater has minimal impact on local waterways and drainage infrastructure.
- (b) Provide fit for purpose water harvesting, re-use, and on-site storage.
- (c) Maximise indoor and outdoor water efficiency in order to reduce potable water consumption.
- (d) Design to increase resilience to flooding and drought and integrate with stormwater quality, quantity and urban canopy/greening requirements.
- (e) Maximise permeable areas and materials across the site to reduce runoff and better manage stormwater capacity.
- (f) Minimise infrastructure and utility conflicts to prevent damage in storms.

Part E5 Edina Estate**6.8 TRANSPORT AND SITE ACCESS****Objectives**

- (a) To reduce the reliance on private vehicle usage.
- (b) To minimise conflicts between pedestrians and vehicles.
- (c) To ensure the provision of an appropriate number of vehicular spaces having regard to the proposed operating activities on the land. The intensity of these uses should aim to minimise traffic congestion and waiting time at intersections.
- (d) To promote bicycle usage to and from the site.

Controls**6.8.1 Loading Facilities**

- (a) Loading for RAC, commercial and hospital facilities should be accessed from Church Street
- (b) Loading for residential facilities should be located to ensure easy access for residents, removalists and waste collection services while ensuring adequate amenity and safety for surrounding uses.
- (c) Loading facilities should be visually concealed where possible within building envelopes.

6.8.2 Driveways and Vehicle Access

- (a) Vehicle access to the site is to be provided in accordance with Figure 6.
- (b) Vehicle access through the site is to be designed to ensure the safety of visitors and residents, whilst encouraging pedestrian movements across the site.
- (c) Any vehicle access that may be provided via Bronte Road, must be designed to minimise vehicle, cyclist and pedestrian conflicts, and must not create unreasonable service disruption to the intersections surrounding the site.
- (d) Traffic modelling is to take into account busy traffic periods during school zone times.
- (e) Service vehicle movements across the site should be managed to minimise vehicle and pedestrian conflicts, and to maximise pedestrian amenity.

Part E5 Edina Estate

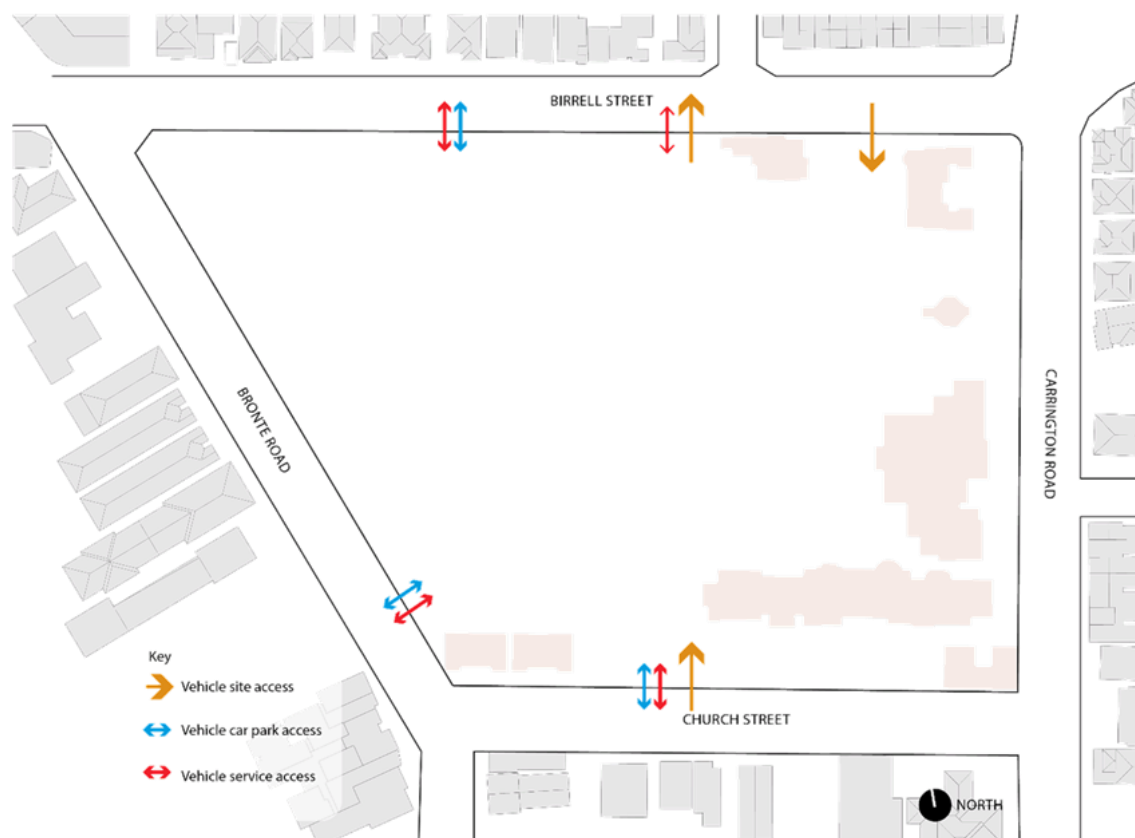


Figure 6: Vehicle access

6.8.3 Parking

- (a) On-site staff car parking is to be minimised to the extent that it does not affect the operation of the site and its facilities.
- (b) Car parking must not be sub-leased out to external users.
- (c) Car parking is predominantly to be provided in basements underneath the buildings on site.
- (d) Consolidated basements between buildings are to be designed to maximise deep soil across the site.
- (e) The maximum car parking rate for independent living units and residential aged care is to be in accordance with the provisions of any relevant Environmental Planning Instrument that governs the provision of Seniors Housing.
- (f) Bicycle parking, lockers and changerooms are to be provided at the rates specified in Part B General Provisions of this DCP. These facilities should be accessible and attractive. Where provided in a basement the facilities are not to contribute to the calculation of gross floor area.

Part E5 Edina Estate

6.8.4 Electric Vehicles

- (a) Provision for electric vehicle charging stations is to be provided in accordance with Part B8.8 Electric Vehicle Charging Points of the WDCP.
- (b) A dedicated space and charging point for electric bicycles and mobility scooters to be charged must be provided.
- (c) Car share is to be provided at the rates specified in Part B8.7 Car Share of the WDCP.

Part E5 Edina Estate**6.9 WASTE****Objectives**

- (a) To minimise conflicts between pedestrians, traffic and waste collection.
- (b) To ensure a pleasant campus environment.
- (c) To minimize impacts of large vehicles on new and proposed open spaces.
- (d) To provide for the efficient and safe collection of waste across the site.
- (e) To ensure buildings are designed to enable the safe and concealed storage of waste on-site.
- (f) To provide for adequate waste storage for the proposed use of each building.

Controls

- (a) Development is to comply with the requirements of B1 Waste of this DCP.
- (b) Bins are not to be presented on street for collection.
- (c) On-site collection is to be provided for, and where possible to be collected from within a building footprint.
- (d) Residential waste and recycling are to be clearly separated from RAC, hospital and commercial waste and recycling.

Part E5 Edina Estate

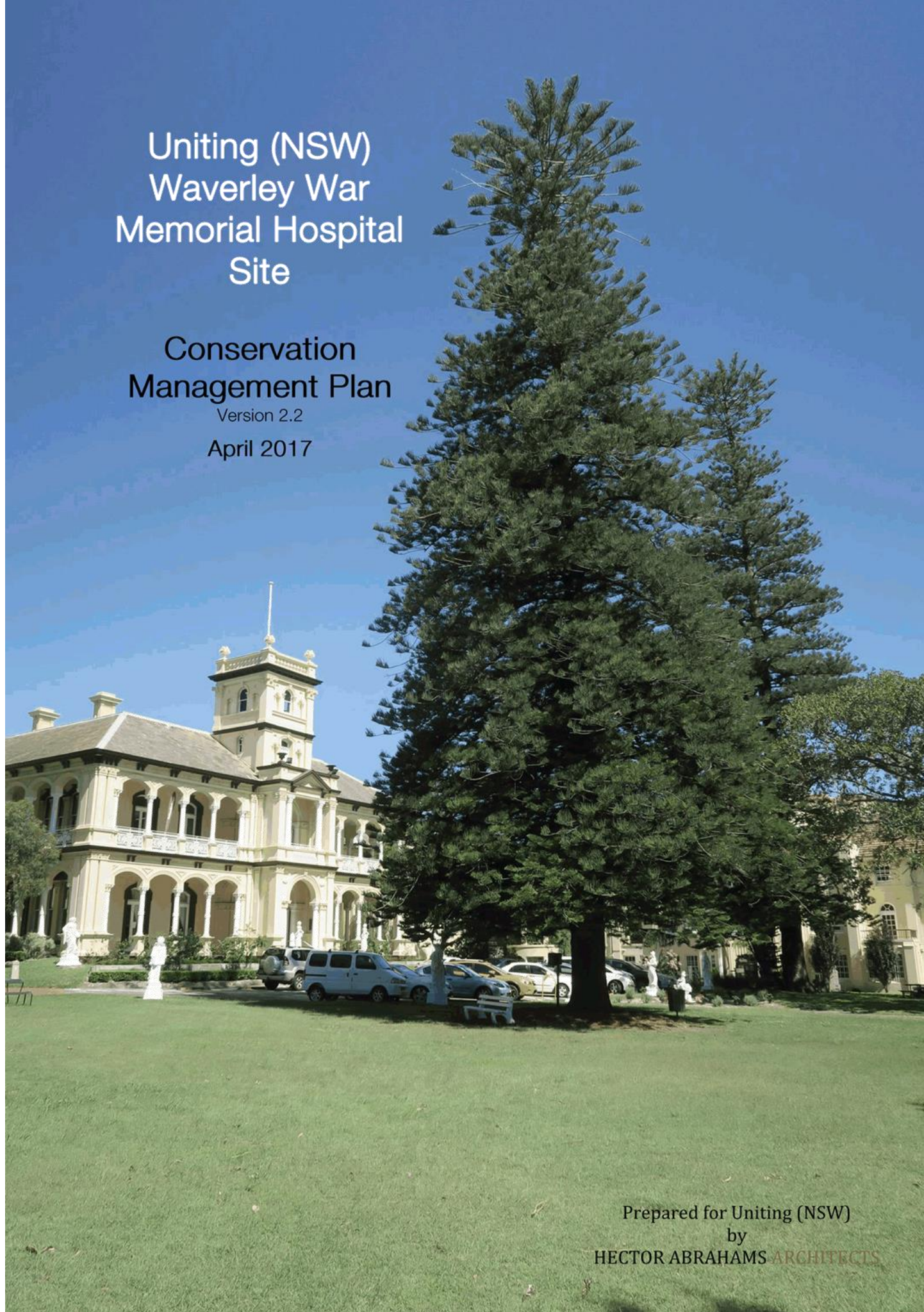
APPENDIX 1 – CONSERVATION MANAGEMENT PLAN

Uniting (NSW) Waverley War Memorial Hospital Site

Conservation Management Plan

Version 2.2

April 2017



Prepared for Uniting (NSW)
by
HECTOR ABRAHAMS ARCHITECTS

*Conservation Management Plan
Uniting Waverley War Memorial Hospital Site, 2017*

Version Control

Version	Authors	Date
Version 2.2	Hector Abrahams Architects	April 2017
Version 2.1	Hector Abrahams Architects	February 2017
Version 2 (DRAFT)	Hector Abrahams Architects	May 2016
Version 1	John Oultram Heritage & Design	March 2005

Uniting (NSW) Waverley War Memorial Hospital Site
Conservation Management Plan (April 2017)
Prepared for Uniting (NSW)
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1. Executive Summary

This report is about the heritage significance of the War Memorial Hospital site in Waverley.

In Sections Three, Four and Five, a detailed examination of the site and its history is presented, and conclusions drawn to define the heritage significance of the site in this way-

Donated to the Methodists by the Vickery family as a memorial to Ebenezer Vickery Jr, the place is an outstanding representative example of private philanthropy and the 20th century conversion of Victorian estates to institutional uses.

The War Memorial Hospital, established in 1922 by the Methodist Church as a memorial to the First World War, occupies the buildings and grounds of the former Edina estate, which is aesthetically and historically significant as a suburban Victorian estate that retains its spatial order, scale and planning, as well as four very good Victorian houses, three of which form a significant streetscape along a rare private streetscape. The Victorian landscape planning is overlaid by a 1920s landscape of significance in its own right, as are the 1930s hospital chapel and main wing.

The site's mansion tower and Norfolk Island pines have landscape urban significance as landmarks within the broader surrounding area.

After an examination in Section Six of the opportunities and constraints that arise from this significance, and the needs of the owners, policies for conserving that significance are presented in Section seven. The policies address

- Conserving the single estate character and its main landscape spaces and landmark trees;
- Preserving the Victorian Buildings, Main Hospital Building and Chapel and the important garden spaces;
- Reconstruction of the main driveway sequence, or approximation thereof;
- Developing parts of the site to extend its historic use as a unified place of care.

*Conservation Management Plan
Uniting Waverley War Memorial Hospital Site 2017*

1. Executive Summary



2. Introduction

2.1. Outline of tasks

This plan provides a detailed analysis of the place and an assessment of the sites as a whole and its major significant elements. It also identifies the built elements, site features and landscape features on the site.

The history of the site is investigated from documentary sources. Then the cultural significance of the site is assessed and a statement of significance defined.

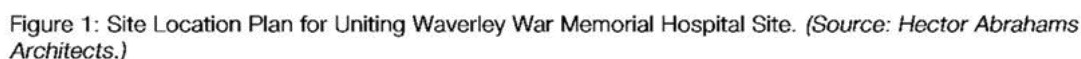
The implications of its significance, its statutory listings, and the owners' requirements are analysed, and in light of this, policies are developed for the conservation of that significance.

This report is a revision of the Conservation Management Plan and Development Strategy for the Waverley War Memorial Hospital prepared by John Oultram Heritage & Design in March 2005 (2005 CMP). For this revision

- The detailed historical account prepared for the 2005 CMP is reproduced in the Appendix. Additional photographic research has been undertaken for this revision, and four additional photographs are reproduced in the report;
- A new survey of the site has been done, to present current configurations, along with new diagrams to demonstrate site development that includes spaces between the buildings on the estate;
- A new Assessment and Statement of Significance has been prepared;
- Diagrams have been prepared to indicate in detail levels of Significance across the whole site;
- Formal policies have been formed based partly on a new statement of owner's needs.

2.2. Definition of the study area

The site is that of the Uniting Waverley War Memorial Hospital Site in Bronte Street Waverley, as shown in Figure 1. The real property descriptions are also shown on the plan.



The form and methodology of this report follows the general guidelines for conservation management plans outlined in J S Kerr, *The Conservation Plan*, The National Trust of Australia (NSW), sixth edition, 2004, the guidelines to the Australia ICOMOS Charter for Places of Cultural Significance (The Burra Charter), and the NSW Heritage Branch and Planning NSW's publication *Heritage Manual* (November 1996, as amended July 2002).

2.4. Limitations

This report addresses only the European cultural significance of the place.

This report does not address indigenous heritage significance, which can take the following forms:

- archaeology of indigenous pre-history
- post-contact history
- Present-day associations or spiritual attachments.

The report does not include analysis of the interiors of buildings, or their individual developmental history.

2.5. Identification of authors

The 2005 report was prepared by John Oultram and Susan O'Neill. The historic research was undertaken by Nicholas Jackson. Colleen Morris assessed the landscape, and Dominic Steel the archaeology of the site.

The history component (Section 3.1: History) of this revised report has been summarised from the 2005 report by the historian Meg Quinlisk. She also contributed to the assessment of significance and policy development. Hector Abrahams and Tonia Reed Abrahams prepared this report (Revised Version 2017), indicating where relevant text from the 2005 report has been used.

2.6. Acknowledgements

The authors acknowledge with thanks the assistance provided by

- Trent Wiggins and Fiona Logge at Uniting (NSW)
- Dr Alex Byrne, NSW State Librarian
- Michael Grave, architect, Cox Richardson Architects and Planners

3. Documentary Evidence/History

3.1. History

This history was written by Meg Quinlisk. The 2005 CMP contains a detailed account of the development of the estate, which can be found at Appendix 1

The Waverley War Memorial Hospital is the result of the philanthropic benefaction of the Edina estate, made by the descendants of Ebenezer Vickery (1827-1906), who was a successful and influential Sydney merchant during the second half of the 19th century.

Vickery purchased the majority of the estate at Waverley in 1859. The property already contained a house known as Rockhampton, built about 1853. In 1874 and 1875, Vickery purchased two additional allotments of land contiguous with the Edina estate, thus returning the property to its originally-granted form of 1840: an 8-acre portion bounded by Birrell Street, Church Street, Carrington Road and Bronte Road. The mansion at the heart of the estate was constructed in 1884 by the builder William Leggoe of Paddington¹, probably to the design of Thomas Rowe. Rowe (1829-1899) was one of the most prominent architects in New South Wales in the later 19th century. He was a Methodist, and his offices were in Vickery's Chambers on Pitt Street. Rowe had previously designed business premises for Vickery, as well as a number of Methodist churches which were financed by Vickery.

Other buildings on the estate completed by 1888 include the stables and coach house and a gate lodge. A private drive extended off Birrell Street and passed between a semi-detached pair of villas known as Wytchazel and Banksia (built c.1882 to accommodate Vickery's sons²), and the house known as Ellerslie (housing a Vickery son-in-law; built c.1882; possibly contains remnants of the 1853 house Rockhampton). Photographs from this period show that the estate was planned along the lines of the picturesque aesthetic: the principle houses sat on grassed terraces raised above a formal lawn and pleasure garden laid out with paths and decorated with statuary and a pond. Thick plantings of trees and bushes created a backdrop 'wilderness' setting in views of the house obtained as a visitor approached via the formal driveway from the northwestern corner of the estate (at the intersection of Birrell Street and Bronte Road).

¹ 'Advertising', *Sydney Morning Herald*, 17 January 1884, p. 13.

² Thomas Rowe called for tenders for the erection of two semi-detached villas at Waverley in November 1881; 'Advertising', *Sydney Morning Herald* 24 November 1881, p. 11.



Figure 2: View towards Edina showing formalised pathway and pond surrounded by camellias and roses, c.1894. The integrated landscape can be clearly seen, with the pond being the vehicular "drop-off" point for the house. (Source: Vickery Album, SLNSW, PXA 1742)



Figure 3: The open character of the landscape close to the house with tennis lawn in front of Edina, c.1894. (Source: Vickery Album, SLNSW, PXA 1742)



Figure 4: View towards Edina from the service paddocks, now the site of the current War Memorial Hospital building. Note the already mature Norfolk Island Pines. (Source: Vickery Album, SLNSW, PXA 1742)



Figure 5: Banksia and Wytchazel behind an original iron palisade fence, reinforcing the “private street” nature of this entry to the site. (Source: Vickery Album, SLNSW, PXA 1742)

Following Ebenezer Vickery's death in 1906, his son Ebenezer Vickery Junior inherited the estate. He subdivided it between various family members, but retained the bulk of the estate himself. He lived at Edina until his death in 1915. He was survived by his wife, Ella Jane Vickery, who remained at Edina. A diagram showing the features of the estate at the end of this period is shown at Figure 6.

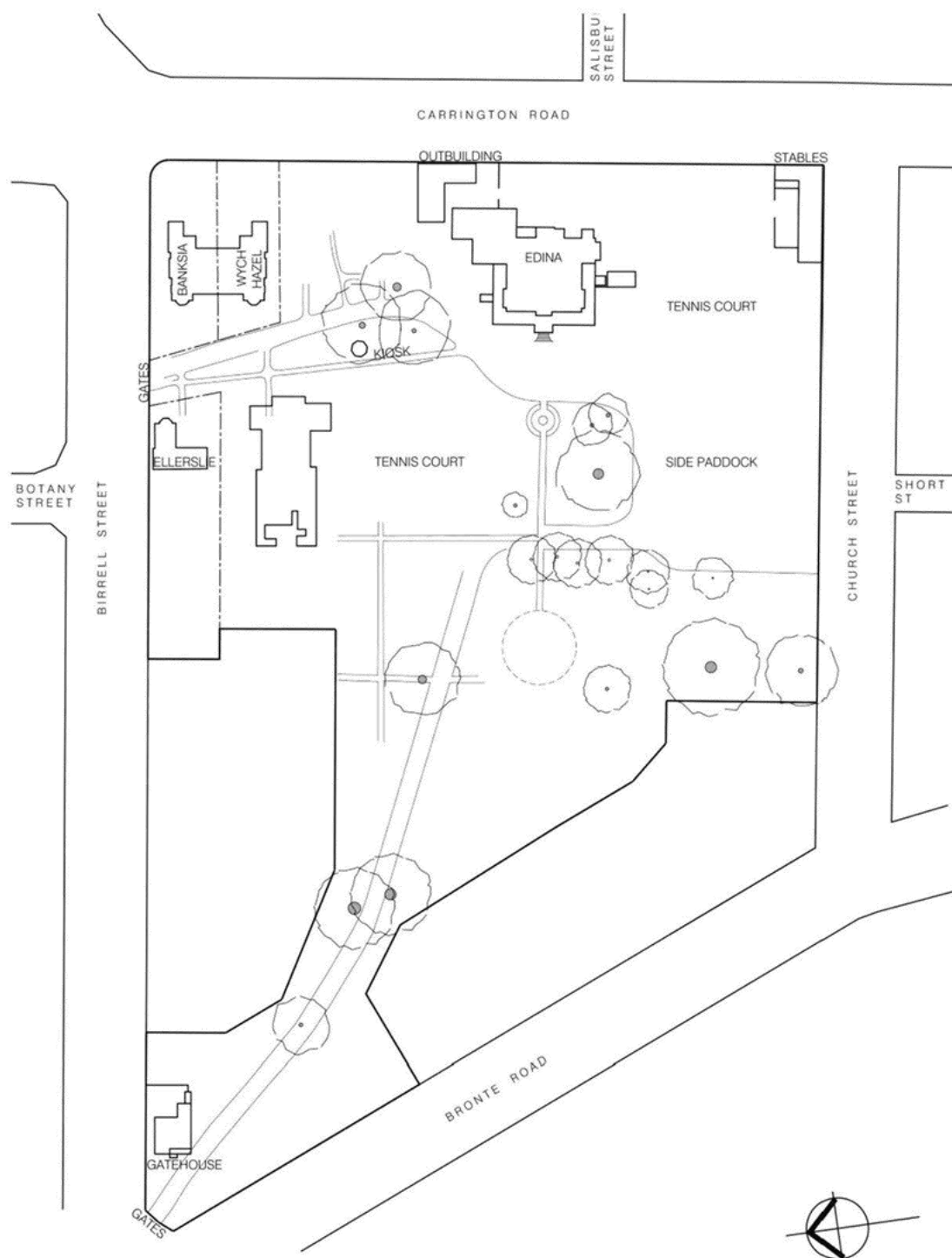


Figure 6: Features of the Edina estate. (Source: Hector Abrahams Architects)

At the end of the First World War, the Methodist Conference for NSW agreed to found a hospital as a war memorial. On Anzac Day 1919, Ellen Jane Vickery offered Edina – including the main house, front lawn, top tennis court, glass house, stables and men's quarters – to the Methodist Church for use as a hospital, in memory of her late husband Ebenezer Vickery, Jr. The terms of her gift required the Methodists to purchase the adjoining 3 acres of land containing the houses Wytchazel, Banksia and Ellerslie, and six cottages.

The Church accepted the terms of the offer in June 1919. Ellerslie was converted for use as an isolation ward for 19 patients, and became the first part of the hospital to be opened, in February 1921. The formal handover of the title deeds took place at the official opening of the War Memorial Hospital by the Governor Sir W. Davidson on Remembrance Day, 1922. The hospital operated under the *Private Hospitals Act* 1908 and was overseen by a board which included representatives of the Vickery family.

Upon opening, the hospital contained 92 beds in Edina and Ellerslie. Banksia and Wytchazel provided accommodation for nurses. From its opening, the hospital was accredited as a training hospital for general nurses. Over the ensuing years, developments in medical practice saw the following changes and additions to the former Edina estate:

- 1923 New wing added to Edina for operating theatre
- 1933 Vickery Memorial Chapel was built with a bequest by the Vickery family as a memorial to Ellen Jane Vickery, who died in 1932.
- 1933 Coach house and stables converted to laundry.
- 1935 New hospital block, designed by Noel W. McPherson was opened by the NSW Premier. It functioned as a maternity block.
- 1952 Elizabeth Hunter Nurses Home was purpose-built for nurses' accommodation.
- 1963 Construction of Eastern Suburbs Senior Citizens Welfare Centre on Bronte Road.

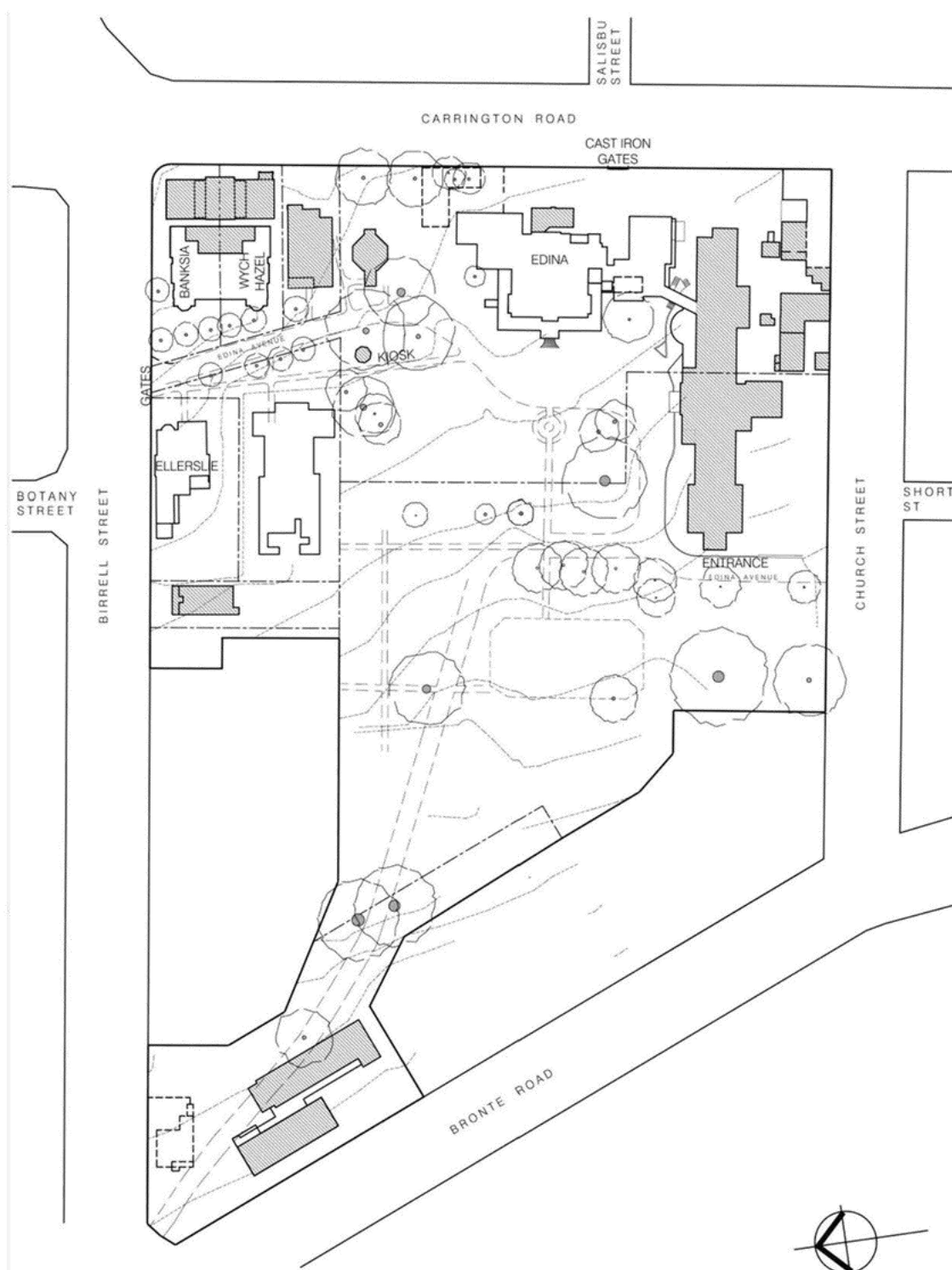


Figure 7: Major features of the hospital period, 1919-1963. (Source: Hector Abrahams Architects)

From 1969, the hospital became part of the public hospital system. This brought in public funding, but over time it changed the nature of services provided. The nurses' training ceased. Maternity services at the hospital closed in 1979. Since 1982, the hospital's focus has been geriatric rehabilitation and assessment services. Between 1988 and 1991, additional land was

purchased and the aged self-care complex was completed. Aged care continues to be the War Memorial Hospital's primary area of practice, as well as a range of outpatient services.

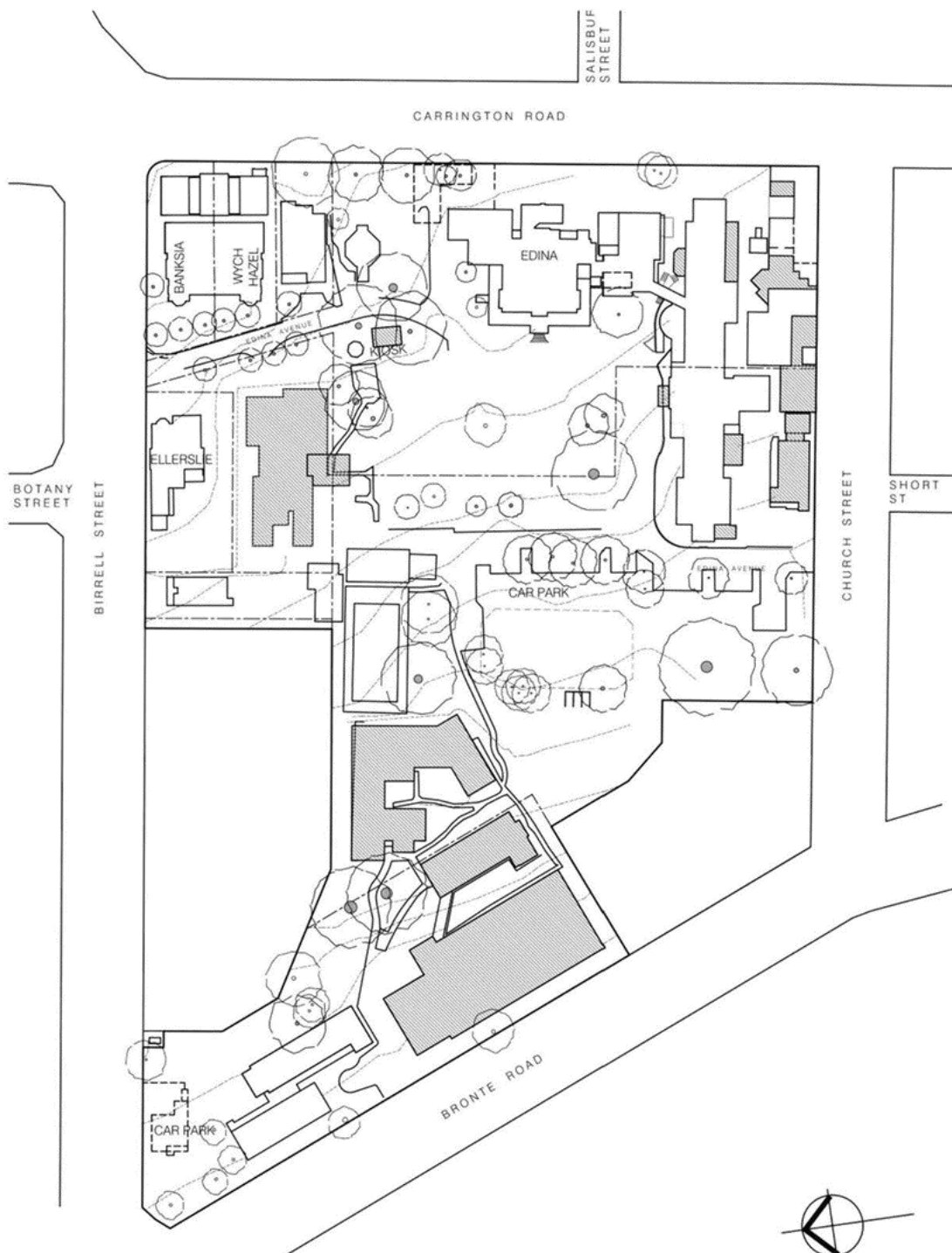


Figure 8: Major features of the hospital 1969 to present. (Source: Hector Abrahams Architects)

4. Physical Evidence

4.1. Description of the site.

This description is from the 2005 CMP. References to figures have been brought up to date.

The War Memorial Hospital is situated on a ridge of the highest point in the eastern suburbs. The site is bounded by Birrell Street, Carrington Road, Church Street and Bronte Road. Portions of this block, including a strip along Birrell Street and the corner site on Bronte Road and Church Street are privately owned. A number of the semi-detached houses along Birrell Street have been purchased by the hospital over the years.

The site contains a very fine group of high Victorian buildings, of which the most elaborate house in the area is Edina (Vickery Building), a large two storey Victorian house with a tower. The house has an extant stable block to the south west corner of the site that has now been converted to workshops. The site contains extensive remains of the former Victorian garden and trees, particularly in the terraced lawns near Edina. It also retains pathways, steps and drives from that time.

There is also a group of three, two storey, boom period, Italianate/Gothic houses towards Birrell Street that flank an entry drive, Edina Avenue, leading from the street to the main house.

There are two smaller houses in the Federation/Inter war style along Edina Drive that have been converted for hospital use.

The grounds have been developed for hospital use, and latterly aged care and rehabilitation services and contain a large number of buildings built for these services. Most prominent is the Morgan Wing, a long, three storey Mediterranean style building to the east of Edina with a four storey tower flanked by a decorative terracotta tile roof.

The site slopes east to west. The lower portion of the site has been heavily redeveloped for aged care accommodation. There are a number of temporary modern sheds and portacabins around the site and a network of drive and parking areas.

Two sections of ornate, original gates and fence sections survive on Carrington Road behind the Vickery Building and on the corner of Birrell Street and Bronte Road. There is a small section of low sandstone fence to Bronte Road and a higher section along church road that is in part a retaining wall and is incorporated into some of the buildings along this boundary. The site contains extensive landscaping and planting. This has been identified in Figure 9 below.

The site has much of its earlier Victoria garden layout and plantings, though this has been overlaid with plantings from each era of development. The upper portion of the site at Edina is laid out with terraced lawns to the front of the house with a turning circle and paths on the central axis of the house. The lawns are planted with mature Figs, two very tall Norfolk Island Pines and later Phoenix Palms. The Norfolk Island Pines are visible from many aspects around the site and beyond.

There are some interesting specimen trees indigenous to Queensland that may have been selected plantings in the lower garden (Queensland Firewheel tree, *Podocarpus* sp.)(no.14 in figure 9).

To the north is a drive and pathway that form the main entrance from Birrell Street that are lined with Phoenix palms and later, low planting.

There are boundary tree plantings to the rear of Edina along Carrington Street but this area is largely hardstanding.

The lower portion of the site has been redeveloped for buildings and pathways though there are remnant Victorian plantings along the lower terrace bank and in the section of the site toward the ornate entry gates to Bronte Road. There is a large area of lawn towards the rear of the houses along Bronte Road.

4.1.1. Site Features

The site contains extensive remains of the original development of the site and many later site features.

The upper portion of the site contains many elements from the Victorian garden including a set of statues on pedestals that appear to represent the arts and industry. The form of the original turning circle is in place, though resurfaced, and the original paths and planters have rolled and roped edges in places.

4.2. Analysis of Existing Fabric

The physical fabric of the estate, its principle views and spaces have been surveyed and recorded on the plan Figure 9.

Conservation Management Plan
Uniting Waverley War Memorial Hospital Site 2017

4. Physical Evidence

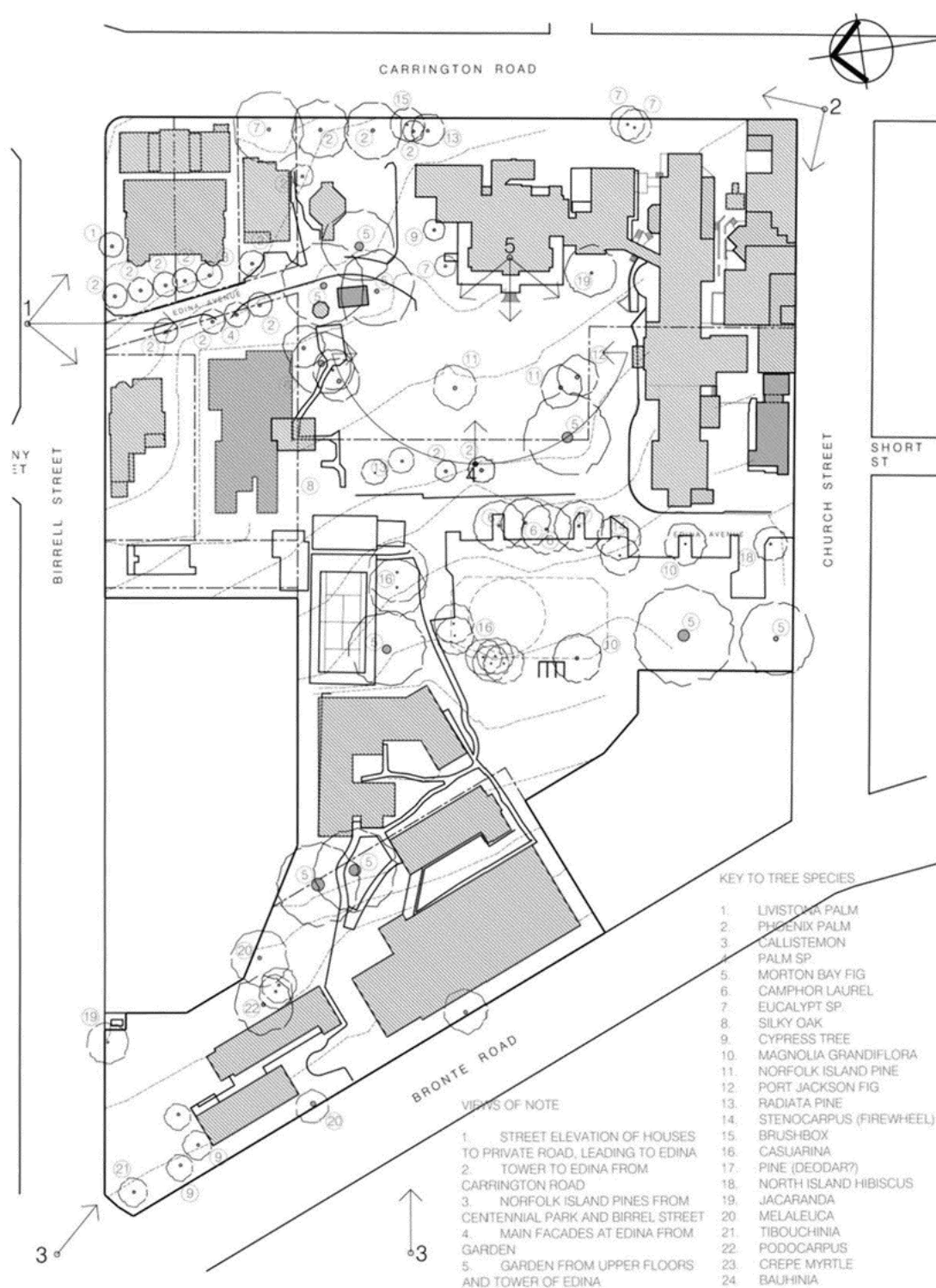


Figure 9: Principle views and spaces of the site. (Source: Hector Abrahams Architects)

5. Assessment of Cultural Significance

5.1. Comparative Analysis

The War Memorial Hospital is one of a set of Victorian suburban estates in Sydney that survive to the present day with their Victorian-period spatial integrity intact. Several of these have become institutions through philanthropic donations which, in some cases, ensured their survival. While some continue to be occupied as private residences (e.g., Swifts, Fairwater, Bronte House), many others have become schools, and several have become hospitals.

This group of surviving Victorian suburban estates includes the following major examples:

- Cardinal's Palace, Manly (now part of St Paul' Catholic College)
- Gorton, Ashfield (now The Infants Home)
- Yasmar, Haberfield (now a juvenile justice centre)
- Mount Royal, Strathfield (now a campus of the Australian Catholic University)
- Aston Lodge, Randwick (now the Emanuel School)
- Aeolia, Randwick (now Brigidine College)
- Graythwaite ,North Sydney (now part of Shore School)
- Greenoakes, Darling Point (recently ceased use as Residence of the Archbishop of Sydney)



5.2. Assessment of Significance

Having arrived at an understanding of the place through analysis of the relevant documentary records as well as the physical fabric of the place, the following assessment of the cultural significance of the site is made in accordance with the New South Wales State Heritage Criteria.

Criterion (a): An item is important in the course or pattern of NSW's (or the local area's) cultural or natural history.

The Waverley Memorial Hospital is historically significant as an example of planned benefaction, a form of philanthropy that saw 19th century suburban villas, mansions and estates donated in the early 20th century for use by social institutions for the public good.

The Methodist Church's establishment of a hospital as a memorial to the First World War is a prominent example of the expressions of commemoration which prevailed in Australian public and community building projects in the 1920s.

The site and 19th century residential buildings at the War Memorial Hospital reflect the history of subdivision and residential development of the area, in particular the construction of mansions within landscaped grounds by the wealthy merchant classes, buoyed by the stable economic conditions of the 1870s and 1880s.

The ongoing use since 1922 as a fully-equipped medical hospital offering nurses' training is of historical significance in the evolution of health care and services in suburban Sydney.

Criterion (b): An item has strong or special association with the life or works of a person, or a group of persons, of importance in NSW's (or the local area's) cultural or natural history.

The Edina estate is closely associated with the Vickery family, the prominent 19th century Sydney merchants and philanthropists who supported many works by the Methodist Church. The family's donation of the estate to the Methodist Church was made as a memorial to Ebenezer Vickery Jr.

As one of the most ambitious and substantial works ever carried out by the Methodist Church in NSW, the War Memorial Hospital has a strong and significant historical association with the Methodist and later with the Uniting Church.

Criterion (c): An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

The War Memorial Hospital site is one of the largest remaining suburban Victorian spaces in eastern Sydney; its overall spatial order is still discernible through the site's topography, trees, scale and arrangement of buildings. It contains Edina, which is a very good and highly intact example of a Victorian mansion, which is a showpiece of Victorian architectural technology (vaulted and concreted verandah construction, cast ironwork, internal stairs). The three large Victorian houses (Ellerslie, Banksia, Wytchazel) built for family members, designed as a group and distinctively located along a private street, form a rare and very good example of a Victorian streetscape to two streets: the private street and Birrell Street.

The landscape design is significant as a highly representative example of Victorian estate planning, including the remnant statuary, tree species, fences and gates. The picturesque character of this Victorian landscape is overlaid by 1920s hospital-period landscaping which is of aesthetic and stylistic significance in its own right. The Norfolk Island pines within the lawn are aesthetically significant as landmark trees visible from as far away as Centennial Park. The tower of Edina, visible from the surrounding streets and along the length of Birrell Street, is of similar landmark value.

Some of the 20th century hospital buildings are of aesthetic significance in their own right. The 1935 wing is stylistically rare example of European expressionism, and is sensitive to Edina in its siting and scale. The chapel is a fine and original work of chapel architecture and rare for its time.

Criterion (d): An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

The War Memorial Hospital is of some social significance for the high esteem the local community have held for it over the 20th century. People who have had some contact with the hospital, including people who were born there during its time as a maternity hospital, and nurses who trained there, hold it in high regard. There are several expressions of gratitude to the hospital by local community groups located within the hospital, and it continues to be a place of memorial, with buildings, wings and rooms given names in honour of individuals.

Criterion (e): An item has potential to yield information that will contribute to an understanding of NSW's (or the local area's) cultural or natural history.

The site has low archaeological potential; but within the buildings there is some research potential to discover the earlier forms of the Victorian houses.

Criterion (f): An item possesses uncommon, rare or endangered aspects of NSW's (or the local area's) cultural or natural history.

As discussed above, the War Memorial Hospital contains a rare example of European expressionism (1935 main wing) and a 1930s chapel which is rare for its time. As well, the Victorian streetscape of the private street addressed by three Victorian houses built as a set is significant for its rarity. The estate is one of a very small number of Victorian Sydney suburban estates to survive with its spatial order and 19th century planning intact.

Criterion (g): An item is important in demonstrating the principal characteristics of a class of NSW's (or the local area's) cultural or natural places; or cultural or natural environments.

As discussed above, the War Memorial Hospital is an excellent representative example of the philanthropic conversion of a 19th century mansion estate to a community use. The mansion itself is a very good and highly intact example of its type. The establishment of the hospital as a memorial to the First World War is a very good and substantial example of commemorative projects undertaken by private and public organisations in the 1920s.

5.3. Statement of Significance

Donated to the Methodists by the Vickery family as a memorial to Ebenezer Vickery Jr, the place is an outstanding representative example of private philanthropy and the 20th century conversion of Victorian estates to institutional uses.

The War Memorial Hospital, established in 1922 by the Methodist Church as a memorial to the First World War, occupies the buildings and grounds of the former Edina estate, which is aesthetically and historically significant as a suburban Victorian estate that retains its spatial order, scale and planning, as well as four very good Victorian houses, three of which form a significant streetscape along a rare private streetscape. The Victorian landscape planning is overlaid by a 1920s landscape of significance in its own right, as are the 1930s hospital chapel and main wing.

The site's mansion tower and Norfolk Island pines have landscape urban significance as landmarks within the broader surrounding area.





Figure 10: Ranking of fabric, spaces and views. (Source: Hector Abrahams Architects)

6. Opportunities and Constraints

This section presents information and discussion of issues that bear on the development of policies to conserve the cultural significance of the site.

The section begins with the implications of cultural significance itself, then follows the requirements of Uniting (NSW) and, finally, external statutory requirements.

6.1. Cultural Significance should be preserved

- The form, spaces and uses of the site that demonstrate its historical significance as an outstanding example of private philanthropy and its conversion by the Methodist Church to a war memorial hospital should be preserved and not obscured.
- The aspects of the site that are of aesthetic significance should be preserved. These are its intact spatial order, scale and planning of the estate, its four very good Victorian houses and stables, private streetscape, Victorian and 1920s landscape planting and features, 1930s hospital and chapel.
- The mansion tower and Norfolk Island Pines should be preserved as landmarks in the surrounding areas.

6.2. Opportunities for further revealing of significance

Where the significance of the site is obscured it should be revealed should the opportunity arise. Not all opportunities will necessarily be achievable or desirable. The major opportunities are as follows

- Removal of glass portico to reveal front entrance of 1935 Hospital
- Replacement of concrete driveways with more sympathetic material
- Reconstruction of grass bank to western side of Edina

Further opportunities exist in regard to details of the exterior and interior of the four Victorian houses, stables, summerhouse, and War Memorial Hospital and Chapel. These structures should be studied in more detail.

6.3. Opportunities for demonstrating significance

Opportunities exist to demonstrate or interpret the cultural significance of the site.

- Recreation of the original driveway path, in a manner similar to the original path (this would require the removal of buildings);
- Reconstruction of lower garden area (currently a carpark) to a garden area;
- Planting of trees which are missing from north west corner of the upper garden;
- Construction of a built form to close north end of service space behind Edina (where a Victorian outbuilding formerly stood);

- Construction of some built or garden form on site of original gatehouse (to mark entrance);

and more generally, and perhaps importantly

- Develop the site with an appreciation of its identity as a single planned estate;
- Develop the site with an appreciation of the spatial order of the estate, which is contiguous over all of its history to date.

Again, further opportunities exist in regard to details of the exterior and interior of the four Victorian houses, stables, summerhouse, and War Memorial Hospital and Chapel. These structures should be studied in more detail.

6.4. Dissemination of knowledge

Opportunities exist to foster an appreciation of the significance of the site,

- Through composing written histories;
- By collecting historic information and material formally in an archive;
- By promoting more research into the site and its history.

6.5. The Requirements of Uniting (NSW)

Uniting (NSW) wishes to provide a long term planned framework for the site in line with its broader mission and vision. The vision for the campus is “to be a restorative place; a village that is accessible to the broader community”.

The intention is that the campus will be planned to include a residential aged care facility (RAC), a Third Schedule Hospital under the Health Services Act 1997, a range of community services, independent living accommodation, childcare and upgraded and augmented existing services.

6.6. Statutory Heritage Listings

6.6.1. Local Environment Plan (LEP)

The site is entered on the Waverley Local Environmental Plan 2012 - Schedule 5 Environmental heritage as follows:

Locality	Item name	Address	Property description	Significance	Item no
Waverley	War Memorial Hospital—landscape	Birrell and Church Street and Carrington Road	Lot 2, DP 1061588; Lot 1, DP 567694; Lot 7, DP 948185; Lot B, DP 317831; Lot 1, DP 172133; Lot 3, DP 667555; Lots 1 and 2, DP 1061548; Lot 1, DP 948186	State	1519
Waverley	War Memorial Hospital, Late Victorian buildings and former stables	125 Birrell Street	Lot 2, DP 1061588; Lot 1, DP 567694; Lot 7, DP 948185; Lot B, DP 317831; Lot 1, DP 172133; Lot 3, DP 667555; Lots 1 and 2, DP 1061548; Lot 1, DP 948186	Local	1449
Waverley	Federation style detached residences	2–8 Church Street	Lots 1 and 2, DP 630460; Lot 1, DP 167332; Lots 1, 2 and 3, DP 1098550	Local	1473

6.6.2. State Heritage Register, NSW Heritage Council

Neither the site nor any of its buildings are currently listed on the State Heritage Register. It is worth noting however that the LEP listing for the War Memorial Hospital Grounds notes the site is of State Significance.

6.6.3. Implications of Statutory Heritage Listings for the site

The listings provide recognition of the cultural significance of site in the planning system of New South Wales. The recognition means that retention of cultural significance is one of the criteria for assessment of any application for consent for works within the site and adjacent to the site. The planning system employs standard methodologies for assessing impact of developments on cultural significance.

6.7. Non-Statutory Heritage Listings

6.7.1. Australian Heritage Commission

The subject property is listed on the Register of the National Estate (002469) both as a group and the individual buildings including the main building Edina (Vickery Building) and the two houses, Banksia and Wytchazel.

6.7.2. National Trust of Australia (New South Wales)

The site is entered on the National Trust Register in the following way:

Locality	Item name	Address	Listing ID
Waverley	Two sets of gates	Birrell Street & Carrington Street (Part Of War Memorial Hospital Group)	S10594
Waverley	War Memorial Hospital Group:	Birrell Street Corner Carrington Street (War Memorial Hospital Group)	S10733
Waverley	Banksia and Wych Hazel	Birrell Street (Part Of War Memorial Hospital Group)	S6714
Waverley	Edina & Stables	Birrell Street (Part Of War Memorial Hospital Group)	S7379

6.7.3. Implications of non-statutory listing

The inclusion of the site on these prominent non- statutory lists provides recognition of the cultural significance of the site in a broad State and Commonwealth community level.

6.7.4. Building Regulations and Access Legislation

The National Construction code (NCC), incorporating the Building Code of Australia (BCA) and the Commonwealth Disability Discrimination Act (DDA) 1992 establish mandatory standards for new work, and some obligatory requirements for compliance of existing buildings and landscape. Works undertaken must also comply with the current NSW Work Health and Safety Act and the current NSW Work Safety Regulation.

The obligatory requirements for upgrading to these standards generally apply to fire safety, essential services, equitable access and work safety and occupational health standards.

For new work and obligatory upgrade works, the compliance with the NCC is framed in terms of performance standards, in compliance of which 'deemed to satisfy' requirements are defined. It is common practice in buildings of complexity such as St John's, for specific solutions to be engineered to meet fire egress requirements.

Compliance with the BCA does not signify compliance with the DDA. The provisions of the DDA are entirely qualitative. In 2010 the Commonwealth published the Disability (Access to Premises – Buildings) Standards. These are intended to ensure that the requirements of the Act are met.

7. Conservation Policies

7.1. Conservation Approach

Conservation includes all of the processes of looking after a place so that its cultural significance is retained. It is one aspect of the overall management of a place. The Burra Charter is the key document setting out the principles behind conservation in Australia, and the policies below have been formulated in accordance with the Burra Charter.

Conservation policies outline the ideal outcome in heritage terms. It is acknowledged that other factors must come into play in the management of any complex site. In such cases, management decisions which allow the greatest number of conservation policies to be met are to be strived for.

The main tangible aspects of the significance of the Waverley War Memorial Hospital are its aesthetic and historical qualities as a substantially intact Victorian estate. Therefore the conservation approach adopted for these policies relies on the spatial integrity of the place and its aesthetic qualities.

The following policies apply to the site as a whole. Further detailed policies should be developed for the four Victorian houses, stables, summerhouse, and War Memorial Hospital and Chapel.



Figure 11: Site plan illustrating conservation policies. (Source: Hector Abrahams Architects)

7.2. Policies

7.2.1. Definition of Place, Curtilage and Setting

For planning purposes, it is useful to clearly define a place and its setting. In conservation terms, the setting of a place is the “*environment of a place that is part of or contributes to its significance and distinctive character.*” (Burra Charter Article 1.12)

Policy 1: The place and curtilage should be defined as that part of the Edina estate which became the War Memorial Hospital in 1922 (see Figure 11). The setting should be defined as the original Edina estate boundaries and the streets which surround those boundaries: Bronte Road, Birrell Street, Church Street, and Carrington Street.

Policy 2: The name of the place “*Waverley War Memorial Hospital*” should continue to refer to the nature of the original hospital’s establishment as a memorial to the First World War.

7.2.2. Significant Fabric, Views, Spaces and Spatial Relationships

Much of the significance of a place is derived from its fabric. The term fabric is intended to include broadly the landform, landscape, plantings and vegetation, buildings and other site features, as well as views and spatial relationships. Defining the significant fabric helps in making decisions about the conservation of a place and in making sensitive changes to the place.

Policy 3: The fabric, views and spatial relationships ranked Exceptional and High should be conserved. They are:

- Victorian buildings and estate planning: topography, plantings, fences, statuary and spatial order (including the private street, original drive and distinction of service areas (stables and kitchen) from formal areas;
- War Memorial Hospital buildings of aesthetic importance: main building, chapel;
- 1920s landscape items: palm trees, cast iron bollards, reconfigured gates to Birrell Street / Bronte Road and new gates to Carrington Road;
- External views from Centennial Park of the Norfolk Island Pines;
- Existing views of the houses along Birrell Street and tower from Carrington Street (views 1, 2, 3 in Figure 11).

7.2.3. Uses and Governance

Use can form part of the significance of a place, especially when it is a historic use which is continuing. Conservation is aided by selecting a use for each space which is able to be accommodated with only minimal change to the significant fabric.

The medical / health care use which took over the private residential use in 1922 is of such long standing and significance in its own right that the medical use may by now be considered a historic use.

Policy 4: The existing institutional governance and hospital use is a historic use that should be continued.

Policy 5: The historic use should be broadly defined to include uses related to health, aged care and training.

Policy 6: The following historic spatial uses relating to the Victorian period should continue or be re-instated:

- early entrances and driveway;
- upper garden areas as garden / passive recreation.

7.2.4. Interpretation and Reconstruction

The Burra Charter defines interpretation as “*all the ways of presenting the cultural significance of a place.*” (Article 1.17) Interpretation can include restoration and reconstruction (ways of returning a place to a known earlier configuration), signs, publications, artworks, lighting and access.

Policy 7: The place should be interpreted as the whole estate developed by the Vickery Family as a residence, and then as a result of a major gift, developed as a War Memorial Hospital.

Policy 8: Creatively interpreting aspects of the history of the place should be considered as opportunities arise, including

- Develop the site with an appreciation of its identity as a single planned estate;
- Develop the site with an appreciation of the spatial order of the estate, which is contiguous over all of its history to date.

Policy 9: The following reconstructions, removals and plantings should be considered:

- Removal of glass portico to reveal front entrance of 1935 Hospital;
- Replacement of concrete driveways with more sympathetic material;
- Reconstruction of grass bank to western side of Edina;
- Recreation of the original driveway path, in a manner similar to the original path (this would require the removal of buildings);
- Reconstruction of lower garden area (currently a carpark) to a garden area;
- Planting of trees which are missing from north west corner of the upper garden;
- Construction of a built form to close north end of service space behind Edina (where a Victorian outbuilding formerly stood);
- Construction of some built or garden form on site of original gatehouse (to mark entrance).

7.2.5. Alterations to the Site (new buildings and landscape)

In many instances, changes will need to be made to significant fabric for good reasons. For example, the removal of some fabric of lower significance may be necessary in order to maintain fabric of higher significance. Generally, fabric of higher significance should be treated more cautiously than fabric of lower significance.

In this case, the site has the potential to be developed further in order to accommodate the continuing historic health care use. However, it would be less preferable to develop the site for different new uses.

The estate design is fundamentally orthogonal, but the arrangement of the carriage drive and the 1920s drive were carried out in the picturesque mode.

Alterations to the site must be careful of the significant fabric of the place and its potential underground archaeological deposits, predominantly the site of the demolished wing to the east of Vickery and the central pond as shown in Figure 11.

Policy 10: The siting of new buildings must respect the integrity of estate, its orthogonal and picturesque layouts, and the historic sequence of spaces. New buildings may be placed in the historic lower garden and service court spaces provided those spaces remain discernible. They may replace buildings assessed as being of moderate or low significance. New buildings should not be placed in the upper garden space.

Policy 11: the scale of new buildings should be of a scale consistent with the estate. This allows for large buildings; however, new buildings should not challenge the landmark qualities of the Edina tower or the Norfolk Island pines.

Policy 12: the character of new buildings and new landscape features should appear to be a development of the estate as a whole, in a similar way that the 1935 War Memorial Hospital appears in relation to Edina.

Policy 12: Should works involve areas of potential archaeological deposits, plan for proper investigation and interpretation of those deposits.

7.2.6. Technical Oversight and Review of plan

Policy 13: Involve the standard of professional and craft expertise appropriate to each grade of significance in each area of the site.

Policy 14: Review this plan in step with the timing of review of the strategic plan of the Hospital and its masterplan, or when works are proposed to fabric or spaces of Exceptional or High Significance.



8. Appendix

Detailed Account of the Development of the Estate

The following pages have a reproduction of Section 2 – Historical Analysis written for the 2005 Conservation Management Plan by John Oultram Heritage and Design. The history covers

- 2.1 Suburban Context
- 2.2 The Edina Estate
- 2.2 (sic) The War Memorial Hospital
- 2.3 Site Development

Part E5 Edina Estate

APPENDIX 2 – ILLUSTRATIVE CONCEPT DESIGN



architectus

Prepared for: Client
Date: February 19, 2021

Appendix - DCP Supplementary Info

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Project and report	Uniting Waverley	
Date	February 19, 2021	
Client	Uniting	
Document no.	Insert filepath	
	Issue A - 16/02/21 Issue B - 19/02/21	Approved by: Farhad Haidiri
Report contact	Farhad Haidiri Principal	
This report is considered a draft unless signed by a Director or Principal	Approved by: Farhad Haidiri 	

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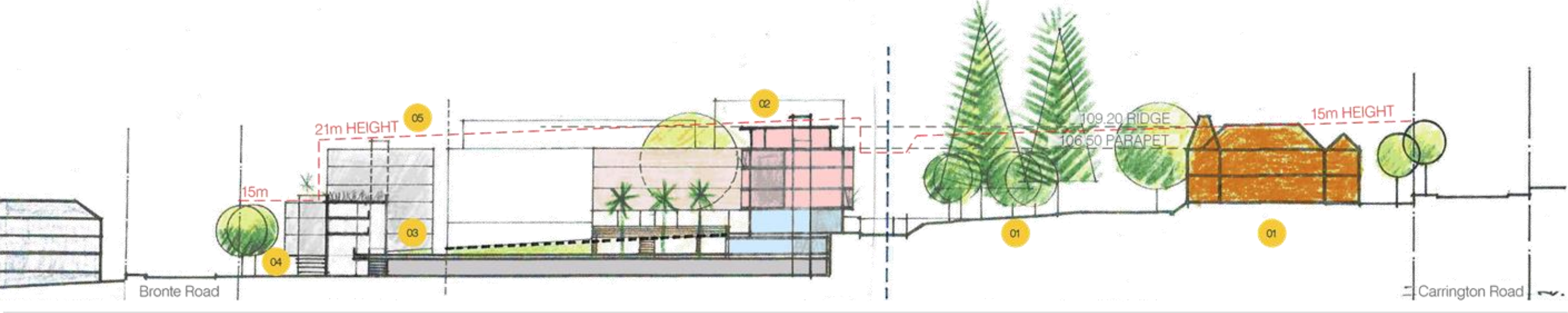
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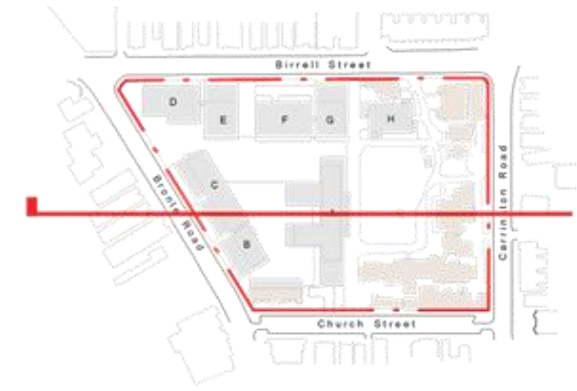
1 Sections and Elevations

Sections and Elevations

1.1 East West Section Through Edina



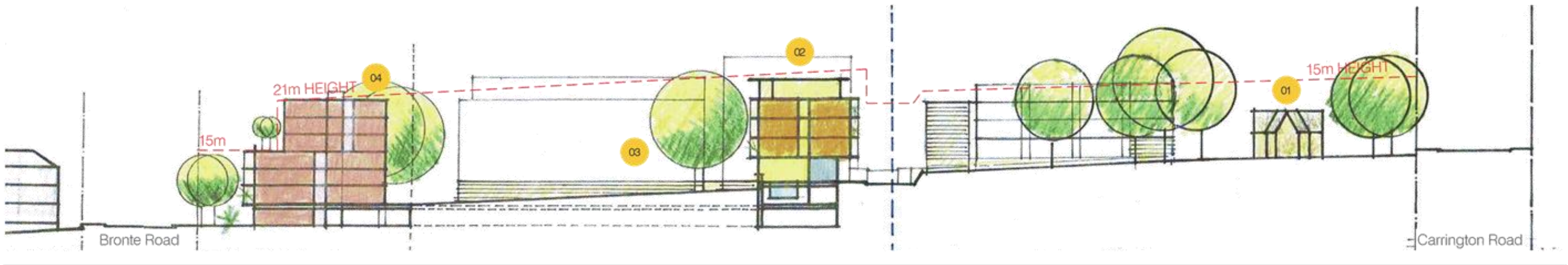
- Section**
- 01 Existing mansion Edina and Victorian garden to be restored
 - 02 New built form to not exceed height of Edina
 - 03 Entry lobby to maximise physical and visual links to lower garden
 - 04 Entry lobby to maximise physical and visual links to Bronte Road
 - 05 Stepped built form to comply with LEP height requirements
- Images**
- 01 Channel 9 Site Masterplan, by CHROFI
 - 02 Landscaped layers, by Miguel Urquijo
 - 03 Existing heritage garden showing Edina and War Memorial Hospital



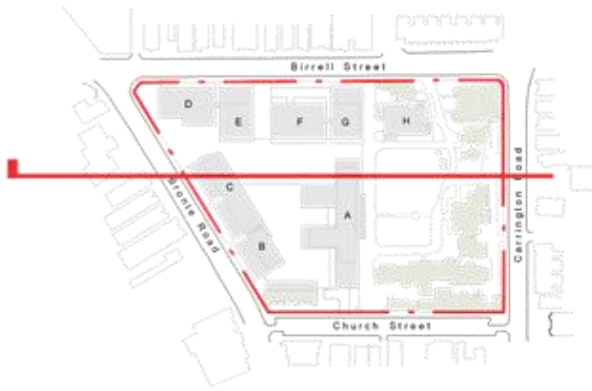
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Sections and Elevations

1.2 East West Section Through Chapel



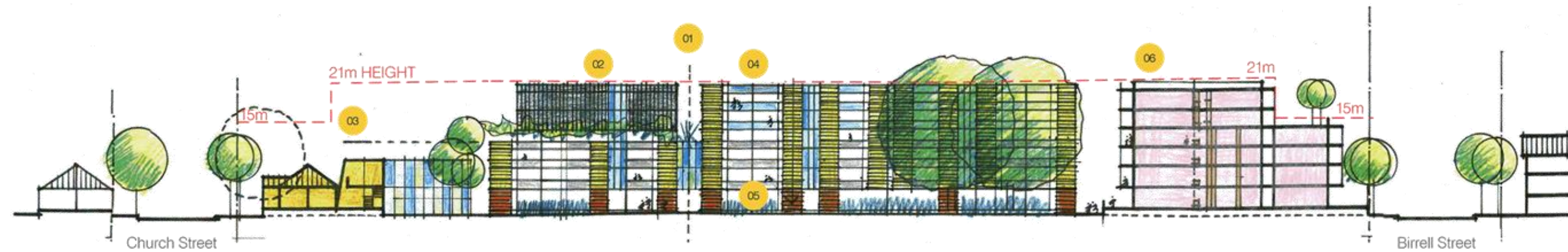
- Section**
- 01 Existing chapel to be restored
 - 02 New built form to not exceed height of Edina
 - 03 Lower garden to incorporate large trees and clearly defined passive and active spaces
 - 04 Stepped built form to maintain 4 storey street scale and comply with LEP height requirements
- Images**
- 01 Channel 9 Site Masterplan, by CHROFI
 - 02 Stepped Landscape
 - 03 Existing chapel



Indicative Only

Sections and Elevations

1.3 North South Section Through Seniors Garden



Indicative Only



Reference Only



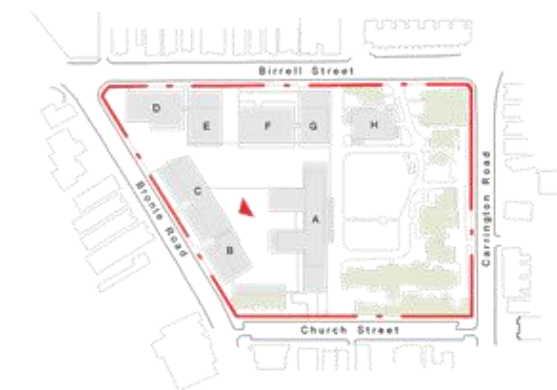
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Section

- 01 Relocated entry better aligns with RAC courtyard
- 02 Upper levels south of entry to incorporate a change in material to reinforce lower height of Bronte Road facing built form
- 03 Four storey datum to Bronte Road becomes three storeys to courtyard
- 04 Six level massing articulated vertically by glazed lobbies (could be full height brick)
- 05 Courtyard level units to incorporate terraces, landscaped to align expansive glazing
- 06 Stepped built form to comply with LEP height requirements

Images

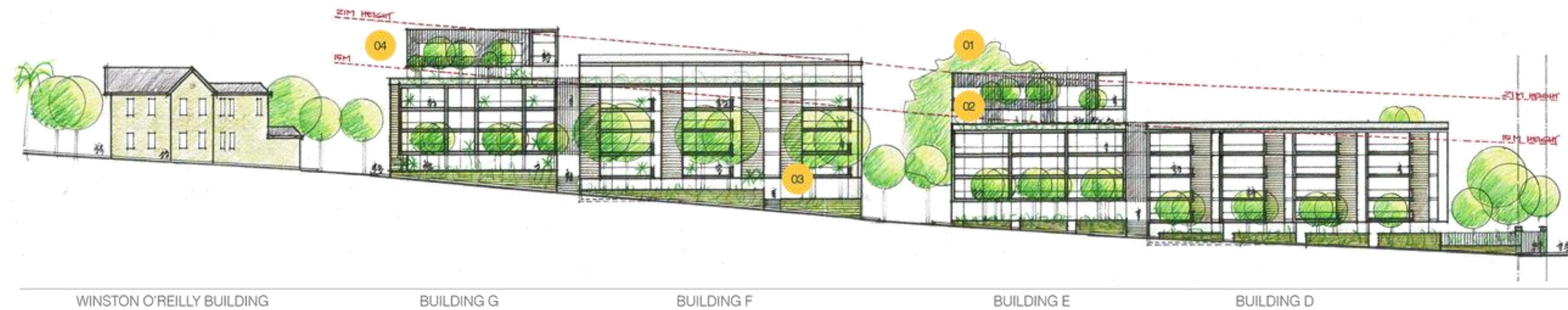
- 01 Existing cottages, corner of Bronte Road and Church Street
- 02 Landscaped paths, Heide Museum, by Openwork
- 03 Apartment gardens, Eve, by 360 Degrees





Sections and Elevations

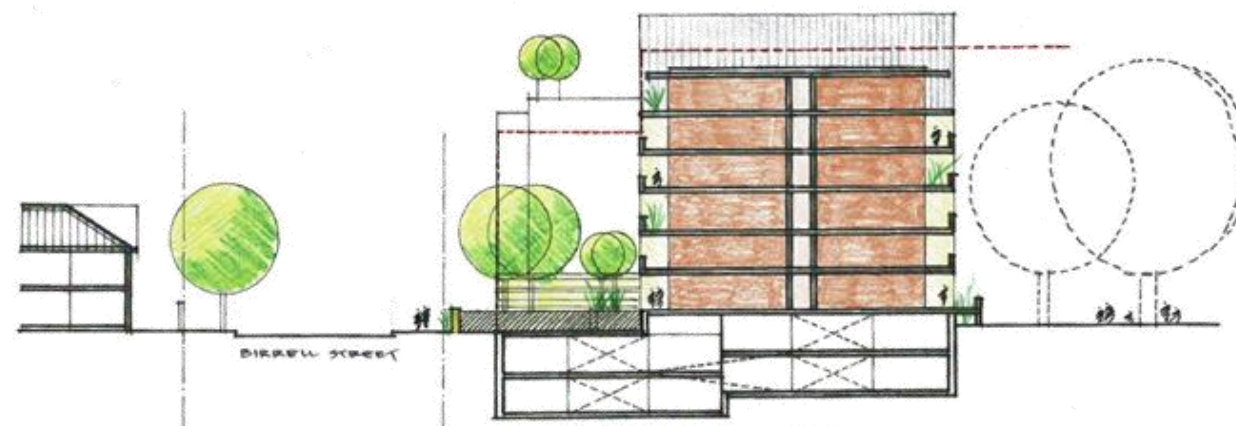
1.4 Birrell St Indicative Elevation and Section



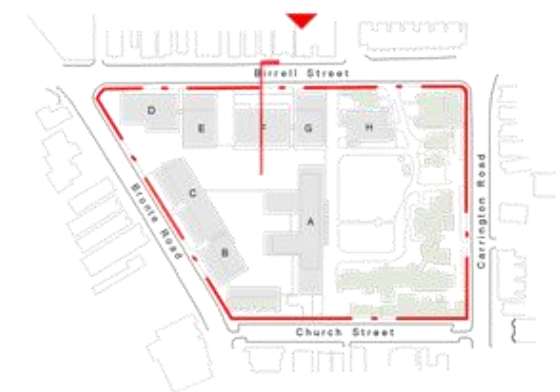
Indicative sketch elevations illustrate indicative scale and character of the Birrell Street frontage and the likely interface between existing heritage buildings and new built form. To address its dramatic topography, stepping sandstone walls and landscaped gardens complement the articulated seniors living buildings, which descend towards the original gates.

- 01 As per LEP requirements, stepped built form maintains 4 storey street scale with upper levels setback 15m
- 02 4 storey street height responds to existing scale and character of existing heritage buildings
- 03 Stepped gardens provide activated streetscape and enhance its landscape character
- 04 Articulation of built form reduces apparent scale and responds to discrete built form opposite

Indicative Only



BUILDING F SECTION



Sections and Elevations

1.5 Bronte Rd Indicative Elevation and Section



Indicative sketch elevations illustrate indicative scale and character of the Bronte Road frontage and the likely interface between existing cottages and new built form. With setback higher levels, an articulated four storey built form addresses the street. To respond to new built form opposite and to recognise the significance of the original gates, the Bronte Road corner is increased to five levels.

- 01 As per LEP requirements, stepped built form maintains 4 storey street scale with upper levels setback 15m
- 02 Setback upper levels respond to existing scale and character of adapted existing cottages
- 03 Continuous private gardens provide activation and enhanced landscape character
- 04 Articulation of built form reduces apparent scale and responds to discrete built form opposite
- 05 Corner built form matches height opposite, allows for new landscape and adaption of original gates



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2 3D perspectives

3D perspectives

2.1 Aerial Views

**Aerial View from South West -
Bronte Road & Church Street**

- Built form to perimeter of the estate creates large lower garden
- Perimeter built form stepped to maintain 4 storey streetscape scale



**Aerial View from South East Corner -
Carrington Road and Church Street**

- Heritage buildings and Victorian garden to be restored
- Existing cottages retained to maintain Church Street scale and character

Disclaimer: The 3D massing depicted in these images are composed of 2 different 3d models. The context outside of the subject site is on a flat topography, while the subject site has been modelled with 3d contours as per the survey. Bringing together the two geometries introduces some misalignment's which may be visible but do not impact the subject site.

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14

3D perspectives



**Aerial View from North East Corner -
Birrell Street and Carrington Road**

- Higher built form setback 15m from boundary to maintain 4 storey streetscape scale
- Articulated built form responds to existing heritage buildings



**Aerial View from North West Corner -
Birrell Street and Bronte Road**

- Continuous stepped landscaped gardens enhance Birrell Street interface
- Landscaped gardens and large open spaces enhance Bronte Road's street interface

Disclaimer: The 3D massing depicted in these images are composed of 2 different 3d models. The context outside of the subject site is on a flat topography, while the subject site has been modelled with 3d contours as per the survey. Bringing together the two geometries introduces some misalignment's which may be visible but do not impact the subject site.

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3D perspectives

2.2 Street Views



View from Birrell Street / Bronte Road Corner

With the original gates re-engaged with the unified estate and new built form setback from the corner, its landscape and heritage character are reinforced.



View from Birrell Street & Bronte Road

In response to the proposed built form height directly opposite, the corner built form is reduced in width and presented as five stories. This strategy allows for a more civic expression to the urban corner and enhances its relationship with the original gates.



Disclaimer: The 3D massing depicted in these images are composed of 2 different 3d models. The context outside of the subject site is on a flat topography, while the subject site has been modelled with 3d contours as per the survey. Bringing together the two geometries introduces some misalignment's which may be visible but do not impact the subject site.

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REPORT
PD/5.2/21.03

Subject: Waverley Local Planning Panel - Reappointment of Members

TRIM No: A13/0229

Author: Mitchell Reid, Executive Manager, Development Assessment

Director: Tony Pavlovic, Director, Planning, Environment and Regulatory Services

RECOMMENDATION:

That Council:

1. Reappoints the Hon. Paul Stein as the Chair and the Hon. Angus Talbot and Ms Annelise Tuor as alternate Chairs of the Waverley Local Planning Panel (WLPP) up to 30 June 2021.
2. Reappoints the following expert members to the WLPP up to 30 June 2021:
 - (a) Peter Brennan (town planner, building surveyor).
 - (b) Michael Harrison (architect).
 - (c) Gabrielle Morrish (architect/ urban designer).
 - (d) Jan Murrell (town planner, former Commissioner of the Land and Environment Court of NSW).
 - (e) Annelise Tuor (town planner, heritage architect, former Commissioner of the Land and Environment Court of NSW).
 - (f) Allyson Small (architect/community representative).
 - (g) Sandra Robinson (town planner/community representative).
3. Undertakes an expression of interest process for community members to nominate for membership of the WLPP for a term of three years commencing from 1 July 2021, with an officer report to come back to Council prior to 30 June 2021 recommending the appointment of preferred community members.

1. Executive Summary

The three-year appointment term for the chair and alternate chairs for all Sydney Local Planning Panels will end on 1 March 2021.

Chairs and alternate chairs were selected for each council by the Minister for Planning and Public Spaces in 2018 when local panels for all Sydney councils were mandated under legislation.

The Minister has requested that the current chair and expert pools from which panel members for each local panel are appointed, be refreshed and updated. The NSW Department of Planning, Industry and Environment are currently advertising for nominations for these pools.

Because of this, the NSW Department of Planning, Industry and Environment have requested that all Sydney Councils reappoint current panel chairs and alternate chairs for a short period up to 30 June 2021 to allow for this process to be undertaken.

2. Introduction/Background

Local Planning Panels have been in operation for all Sydney Councils since 1 March 2018. Prior to this, Waverley Council had its own independent planning panel in operation – the Waverley Development Assessment Panel.

Legislation requires that the chair and alternate chair for each local planning panel be selected from an approved pool by the Minister for Planning and Public Spaces and that the local expert members and local community members be selected by the relevant local council.

The Minister appointed The Hon. Paul Stein as the Chair and The Hon. Angus Talbot and Ms Annelise Tour as alternate Chairs for the Waverley Local Planning Panel (WLPP).

Council has appointed eight experts and three community members to a pool from which panellists are drawn for each meeting. The WLPP generally meet once/month to determine certain types of development applications as specified under the legislation. Expert and community members are chosen for each meeting on a rotational and availability basis.

Council has received correspondence from the NSW Department of Planning, Industry and Environment advising that the Minister for Planning and Public Spaces has requested that the Department refresh/update the current chair and expert pools from which panel members for each local panel are appointed.

To facilitate this process, councils have been requested to reappoint the current chair and alternate chairs for their respective local planning panels for an extended period (i.e. beyond the three-year term) to 30 June 2021.

As this request also coincides with the conclusion of the term for some of Council's current panel expert and community members, it would be operationally beneficial to also reappoint these members for the same extended term (to 30 June 2021) to align with the chair and alternate chairs.

3. Relevant Council Resolutions

Nil.

4. Discussion

The current members of the WLPP who would require reappointment up to 30 June 2021 are:

- Peter Brennan (town planner, building surveyor).
- Michael Harrison (architect).
- Gabrielle Morrish (architect/ urban designer).
- Jan Murrell (town planner, former Commissioner of the Land and Environment Court of NSW).
- Annelise Tuor (town planner, heritage architect, former Commissioner of the Land and Environment Court of NSW).
- Allyson Small (architect/community representative).

- Sandra Robinson (town planner/community representative).

There are a number of other existing expert and community members of the WLPP who do not require reappointment as they were appointed more recently by Council.

Prior to the conclusion of this extended term (30 June 2021), an expression of interest process will also be undertaken to refresh the community membership of the WLPP for a period of three years commencing 1 July 2021. A separate report will be presented to Council prior to this time in relation to this selection process.

5. Financial impact statement/Time frame/Consultation

Nil.

6. Conclusion

The reappointment of the existing chair and alternate chairs along with relevant existing expert and community representatives of the WLPP to 30 June 2021 will ensure the efficient and ongoing operation of the panel.

Prior to 30 June 2021, a review of the existing Council appointed panel members will be undertaken and reported to Council.

7. Attachments

Nil.

REPORT
PD/5.3/21.03

Subject: Planning Proposal - 439-445 Old South Head Road and 1 The Avenue, Rose Bay - Pre-Gateway Determination Assessment

TRIM No: PP-3/2020

Author: Patrick Connor, Strategic Planner

Director: Tony Pavlovic, Director, Planning, Environment and Regulatory Services

RECOMMENDATION:

That Council:

1. Not support the planning proposal for 439–445 Old South Head Road and 1 The Avenue, Rose Bay, to proceed to Gateway Determination, as the proposal lacks strategic and site-specific merit, and the proposed 25 m height and 2.5:1 floor space ratio (FSR) would:
 - (a) Be out of scale with the surrounding streetscape of Old South Head Road and the prevailing medium-density scale of surrounding development set by the existing 12.5 m height and 0.9:1 FSR development standards in the Waverley Local Environment Plan.
 - (b) Adversely impact the significance of the heritage item located on 443–445 Old South Head Road as it would grossly outsize it, thereby disrupting its setting and character.
 - (c) Reduce residential amenity for dwellings to the south with additional overshadowing from the excessive building bulk possible under the proposed amendments.
2. Notes that the Waverley Local Planning Panel unanimously recommended that the planning proposal not proceed to Gateway Determination, as the proposal lacks site-specific merit for the reasons outlined in the attachment to the report.

1. Executive Summary

Council has received a proponent-led planning proposal for 439-445 Old South Head Road and 1 The Avenue, Rose Bay (the Proposal). The Proposal is to increase the FSR on the subject site from 0.9:1 to 2.5:1 and the maximum permissible height from 12.5 m to 25 m. These proposed development standards more than double the existing controls and are considered to set a poor precedent for the area. The proposed controls are similar to those in Bondi Junction and should not be considered for this medium density residential area.

The Proposal seeks to maintain and restore the existing heritage item at 443–445 Old South Head Road as part of any redevelopment. The Proponent has outlined that they will provide 10% of the residential component of any development of the site for affordable housing through a voluntary planning proposal. The proposal does not implement any Planning Priorities or Actions of the Waverley Local Strategic Planning Statement, or any actions or recommendations of any other strategy adopted by Council. Accordingly, the proposal does not have strategic merit.

The Proposal is accompanied by a concept scheme that seeks to provide a mixed-use development with retail and neighbourhood shops, residential apartments above and a public space equating to 15% of the site area. Under the Standard Instrument LEP definitions, this typology of development would constitute shop-top housing, which is a prohibited use in the R3 Zone. The R3 Zone also does not permit commercial premises, which are also proposed. Effectively what would be permissible on the site is a residential development, with a separate neighbourhood shop in the heritage building. Regardless of these inconsistencies, an assessment of a planning proposal must assess the changes to the development standards and not the proposed concept scheme.

The proposed scheme is grossly out of context with the surrounding area as both the proposed height and FSR are more than double the current development standards. The development would adversely impact the surrounding residential amenity, as the residential flat buildings to the south of the site would be overshadowed, decreasing the residents' quality of life and decreasing the value of the buildings. Without the retail/residential mixed-use component, the public space will only service the residents of the building.

The proposed height and FSR of the development will adversely impact the visual amenity of the heritage item as a compliant development would exceed the height of the building by 17m. Having such a vast difference in size in the heritage building's curtilage will detract from the visual amenity of the heritage item adversely impacting its significance. This erosion of the significance of the item may jeopardise the future of the heritage building by increasing the development pressure on the item. Accordingly, the proposal does not have site-specific merit.

A redevelopment under the existing controls would result in a development that is in keeping with the built form context of the surrounding area and would not adversely impact on the amenity of the surrounding residential buildings.

Table 1. Proposed changes to Waverley LEP.

WLEP2012 Provision	Existing Control	Proposal
Zone	R3 Medium Density Residential	R3 Medium Density Residential
FSR	0.9:1	2.5:1
Height	12.5m	25m
Heritage	443-445 Old South Head Road	Maintain
	Existing Control	Proposal
Public space	NIL	15%

2. Introduction/Background

Affected land

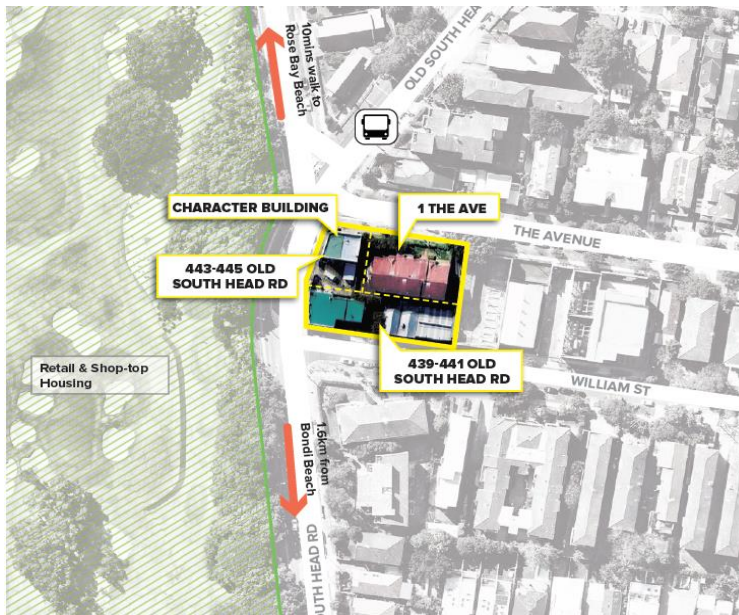


Figure 1. Site of the planning proposal: 439–445 Old South Head Road and 1 The Avenue, Rose Bay.
The Planning Proposal is located on the following lots:

- 439 – 441 Old South Head Road (Martial Arts Studio and Mechanic) – Lot 6 DP 4346 – 553 m.
- 443 – 445 Old South Head Road (Heritage Bakery) – Lot 1 DP 857668 – 294 m2
- 1 The Avenue (Residential Flat Building) – SP55776 – 836 m2

Figure 1 identifies the lots involved in the PP.

Existing development on the site

Each of the lots have separate existing uses.

439-441 Old South Head Road is currently used as a beauty therapy retail store and adjoining this to the east is a mechanic. The south-west corner of the site at the intersection of Old South Head Road and William Street is occupied by a single storey Inter-war corner shop which has undergone extensive alterations. It is a compact rectangular building with a rear extension which also includes a basement garage from William Street. There is a small self-contained flat above the garage, accessible from the rear yard. The building consisted of three separate shops originally, which are now consolidated into a single commercial enterprise.



Figure 2. Existing building on 439-441 Old South Head Road, Rose Bay (beauty therapy store).

The single storey mechanic's workshop facing William Street consists of two roughly square and equal sized buildings, which have been consolidated into a single workshop over time. The building was associated with the motor trades; first as a car mechanic repair shop, then as a panel beater and a spray painter.



Figure 3. Existing building at 439-441 Old South Head Road, Rose Bay (mechanic).

443-445 Old South Head Road is currently used as a bakery which is heritage listed. The building is a two-storey inter-war shop-top terrace and sits on the north-west corner of the site. The shop-top terrace originally operated as the Soos Bakery from 1958 until recently. During this time it operated on an industrial scale as it serviced bread to all of Greater Sydney. Currently, the Soos Bakery has ceased operating and in its place Jesse's Bakery operates, this does not bake on a large scale but instead operates as a café/takeaway use.



Figure 4. Existing retail use and shop top housing located at 443-445 Old South Head Road.



Figure 5. Existing retail use and shop top housing located at 443-445 Old South Head Road.

1 The Avenue, Rose Bay currently operates as a three-storey residential flat building. This residential flat building (RFB) was constructed in the 1990s and is a contemporary face brick building with a tile covered gable roof. The RFB comprises nine residential units. Although the RFB is strata-subdivided, all units are owned in single ownership. This is pictured in Figure 6.



Figure 6. Existing residential flat building at 1 The Avenue, Rose Bay.

3. Relevant Council Resolutions

Nil.

4. Discussion

A planning proposal is the only means of achieving the proposed changes sought to the development standards of the Waverley LEP. The proposed variations to the development standards would result in a 100% increase in height and a 177% increase in FSR. It is considered that these variations are too large to be considered as part of a Clause 4.6 variation as part of a DA under the existing LEP standards. As a Clause 4.6 variation to development standards would not be considered, the only means of changing the LEP controls on the site would be through a planning proposal.

The sites are currently zoned R3 Medium Density Residential in which shop-top housing is listed as a prohibited use. It is currently unclear how the proponent intends to provide the proposed concept scheme as there is no additional permitted use proposed or rezoning to a zone in which shop-top housing is permissible. A planning proposal is the only means by which either of these options could be achieved, however neither are currently proposed as part of the PP.

In the Waverley LEP 2012, shop-top housing is defined as: 'one or more dwellings located above ground floor retail premises or business premises.'

As illustrated in Figure 8, the concept scheme clearly illustrates one or more dwellings located above ground floor retail premises or business premises. It should also be reiterated that retail is a commercial premises use, and commercial premises are not permissible in the R3 Medium Density Residential Zone.

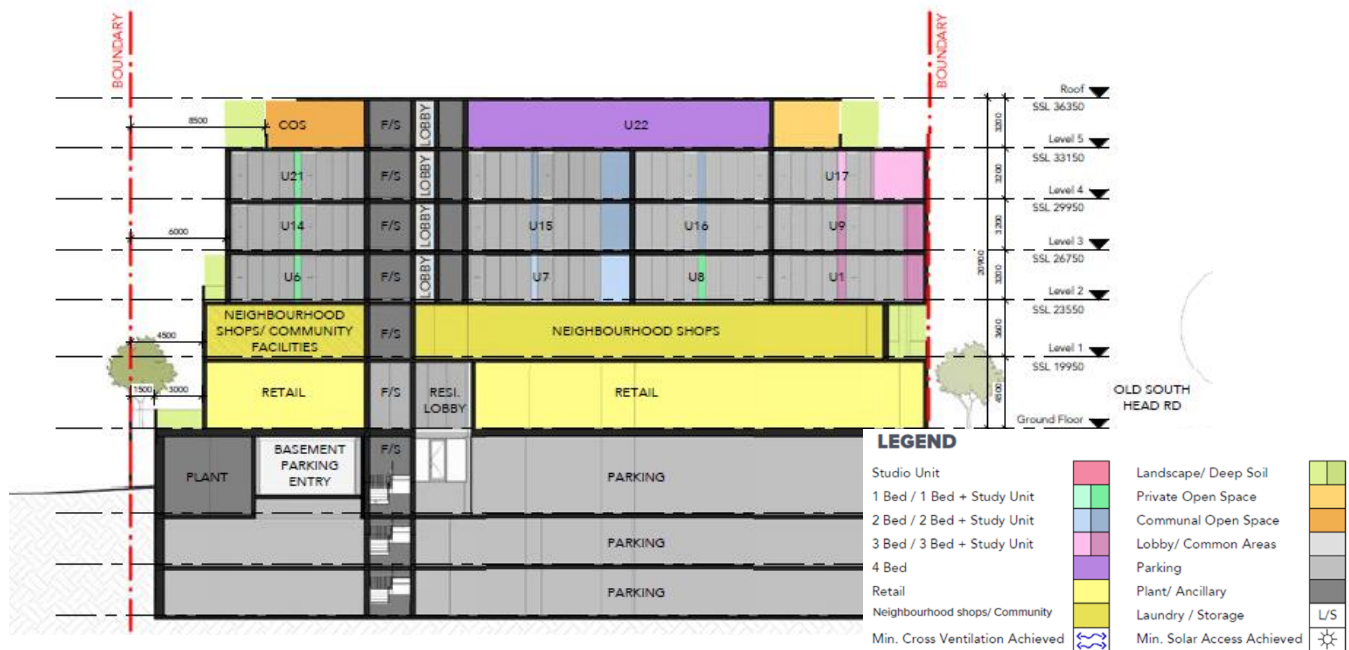


Figure 7. Planning proposal concept scheme.

In a formal request for further information, further clarification was sought as to how the concept scheme would be delivered, noting that shop-top housing is a prohibited use in the R3 Medium Density Residential Zone. This issue has not been resolved by the Proponent. The Proposal provides no proposed mechanism to ensure the delivery of any retail or non-residential uses, and therefore provides no certainty for Council that a future development application would provide any uses that are not residential. Accordingly, a site with a R3 Medium Density Residential Zone would be expected to deliver a development that is predominantly residential.

Under the current controls it is considered that a maximum height of 12.5m will preserve the environmental amenity of neighbouring properties and public spaces. The idea of the activated space is supported. The lower scale building wall height proposed creates a more inviting space with greater access to sunlight, daylight and sky-exposure. The proposed height of 25 m is twice the size of the current controls and will be an anomalous development largely out of context with the surrounding area. The surrounding residential flat buildings are four storeys in height; the proposed 25 m will allow for a six-seven storey development. A justification is provided in the Proposal that the nine-storey development at 355 Old South Head Road is precedence for developments that exceed the 9.5 m HOB limit. This development is out of context with the surrounding development in the area. This building was constructed more than 30 years ago and pre-dates Council's strategic studies such as the LSPS, Community Strategic Plan and importantly Waverley LEP 2012, making it a legacy building that should not be utilised as justification for contemporary development. This development is anomalous along Old South Head Road and should not be seen as a precedent by which to try and shape the future of Old South Head Road.

The proposed bulk permissible under the proposed 2.5:1 FSR will be significantly larger than any building within the surrounding area. The proposed FSR is nearly three times the size of the existing 0.9:1 FSR and with the consolidation of the three sites, will create a bulk that is only seen in the towers in Bondi Junction. Council has reviewed the controls of the LEP in the LSPS and LHS and it has identified that the existing controls on these sites remain suitable as the site has not been identified for uplift. The bulk and scale of the development will be incongruous with all surrounding development and will have a considerable visual impact on Old South Head Road, Williams Street and The Avenue. In addition, recent changes to the development standards on the Woollahra side of the Rose Bay Old South Head Road to the north of the subject site, have demonstrated that a four storey shop-top housing development is feasible and more in keeping with the character of the area.



Figure 8. 355 Old South Head Road.

Whilst the proposal includes the intention to retain the heritage listed site and undertake repairs to the building, it also includes the intention to develop a building to a bulk and scale that far exceeds that of the heritage item. This will in turn diminish the significance of the building and the curtilage.

Repairing the fabric of the item is supported as this will help to preserve the item. Redevelopment under existing controls would be most beneficial for protecting this heritage item as it would ensure repairs and retention of the fabric whilst not compromising the curtilage of the item thereby protecting its significance.

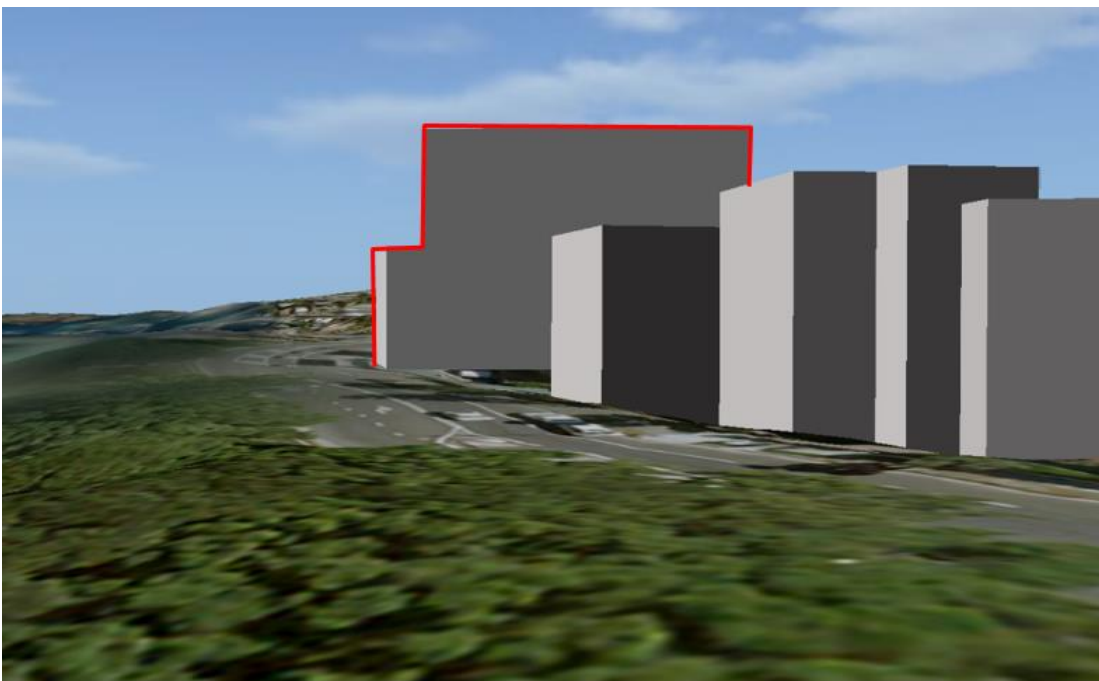


Figure 9. View of a compliant envelope (under the proposal) achieving 25m in height and 2.5:1 FSR looking north along Old South Head Road.



Figure 10. View of a compliant envelope (under the proposal) achieving 25m in height and 2.5:1 FSR looking east from the Royal Sydney Golf Course.

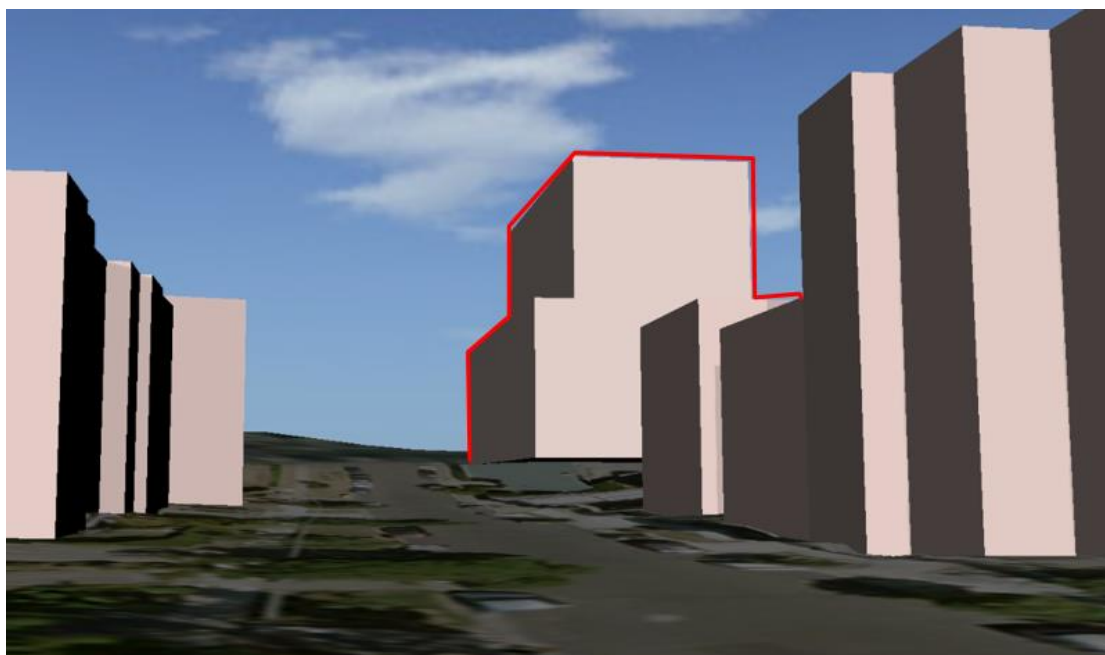


Figure 11. View of a compliant envelope achieving 25m in height and 2.5:1 FSR looking west along Williams Street.

In summary, the Proposal lacks strategic and site-specific merit, and the proposed 25 m height and 2.5:1 FSR would:

- Be out of scale with the surrounding streetscape of Old South Head Road and the prevailing medium density scale of surrounding development set by the 12.5 m height and 0.9:1 FSR.

- Adversely impact the significance of the heritage item located on 443-445 Old South Head Road as it would grossly outsize it and disrupt its setting and character.
- Reduce residential amenity for dwellings to the south with additional overshadowing.

Waverley Local Planning Panel

The Proposal was presented to the Waverley Local Planning Panel on 16 February 2021, and the Panel advised that the Proposal not be supported by Council for the reason that it does not demonstrate strategic or site-specific merit, and provided the following advice:

In particular, the Panel is concerned that the Planning Proposal does not include a change to the existing R3 Zoning (or an additional permitted use listing). However, the Concept includes two floors of non-residential uses to activate a public open space. The Proponent proposes to achieve these non-residential uses through existing use rights and the limited range of permissible uses in the R3 Zone. The Panel does not agree that the Concept would be effectively achieved through the retention of the existing zoning (without additional permitted uses).

The proposed increase in floor space ratio and height standards is based on the achievement of this mixed-use Concept. Even if this were able to be achieved, the Panel finds that the resultant bulk and scale of the Planning Proposal is excessive and is not justified within its existing context. Furthermore, the proposed increase in floor space ratio and height would adversely impact upon the heritage item and residential amenity of surrounding development.

Resolution

The Panel advises Council that:

1. *It does not support the Planning Proposal for 439-445 Old South Head Road and 1 The Avenue, Rose Bay proceeding to Gateway determination, as the Proposal lacks strategic and site-specific merit for the reasons outlined in the Report. The proposed 25m height and 2.5:1 FSR standards would:*
 - *Be out of scale with the surrounding streetscape of Old South Head Road, and the prevailing medium density scale of surrounding development set by the 12.5m height and 0.9:1 FSR,*
 - *Adversely impact the significance of the heritage item located on 443-445 Old South Head Road, and*
 - *Reduce residential amenity for dwellings to the south with additional overshadowing.*

Furthermore, the Planning Proposal in its current form does not adequately address land use issues to facilitate the Proponent's vision for a mixed-use development. The appropriateness of a neighbourhood centre would need to be considered in the broader context of centres across Waverley.

2. *Any amended/future planning proposal for the site should also be supported by a site-specific DCP and/or Additional Local Provisions to ensure that the positive aspects of the proposal such as the public open space and affordable housing would be delivered.*

The minutes of the WLPP are attached to this report.

5. Financial impact statement/Time frame/Consultation**Financial impact statement**

There have been no upfront or recurrent costs associated with this planning proposal other than staff costs associated with the administration, assessment and exhibition of the proposal and these have been provided for within the budget.

Consultation

This Proposal is not recommended to proceed to public exhibition.

6. Conclusion

It is recommended that Council does not support the Planning Proposal lodged at 439–445 Old South Head Road and 1 The Avenue, as the Proposal lacks strategic and site-specific merit, and the proposed 25 m height and 2.5:1 FSR would:

- Be out of scale with the surrounding streetscape of Old South Head Road and the prevailing medium density scale of surrounding development set by the 12.5 m height and 0.9:1 FSR.
- Adversely impact the significance of the heritage item located on 443–445 Old South Head Road as it would grossly outsize it and disrupt its setting and character.
- Reduce residential amenity for dwellings to the south with additional overshadowing.

7. Attachments

1. WLPP - 16 February 2021 - Minutes [↗](#) .

**MINUTES OF THE WAVERLEY LOCAL
PLANNING PANEL MEETING HELD BY
VIDEO CONFERENCE ON WEDNESDAY, 16 FEBRUARY 2021**

UNDER SCHEDULE 2, PART 5, ITEM 26 OF THE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (NSW)

PLANNING PROPOSAL: 439-445 Old South Head Road, Rose Bay

Panel members present:

Annelise Tuor (Chair)

Peter Brennan

Jocelyn Jackson

Sandra Robinson (Community Rep)

Declarations of interest:

Nil.

Site visit and briefing

The Waverley Local Planning Panel (Panel) has independently viewed the site and surrounding area from the public domain and/or electronically and was briefed by the following representatives of Council and representatives of the proponent on the Planning Proposal:

Jaime Hogan	Waverley Council
Emma Rogerson	Waverley Council
Patrick Hay	Waverley Council
Francisco Motta	Waverley Council
Sophie Litherland	Willow Tree Planning
Greg Gilyou	Evolve Project Management
Antonio Pozzi	Hatch (Roberts Day)
Stephen Moore	Hatch (Roberts Day)
Isha Negi	Team2 Architects

Following the briefing the Panel considered the Planning Proposal under Schedule 2, Part 5, Item 26 of the Environmental Planning and Assessment Act 1979.

Resolution

The resolution provided by the Panel as follows was unanimous.

Annelise Tuor

Chair

PP-3/2021 - 439-445 Old South Head Road, Rose Bay

Reasons

The Panel has considered an assessment report of the Planning Proposal prepared by Council Officers (the Report), the documentation provided by the Proponent, including a concept design (the Concept), the site view and briefings. For the reasons in the Report, the Panel considers that Council should not support the Planning Proposal in its current form.

In particular, the Panel is concerned that the Planning Proposal does not include a change to the existing R3 Zoning (or an additional permitted use listing). However, the Concept includes two floors of non-residential uses to activate a public open space. The Proponent proposes to achieve these non-residential uses through existing use rights and the limited range of permissible uses in the R3 Zone. The Panel does not agree that the Concept would be effectively achieved through the retention of the existing zoning (without additional permitted uses).

The proposed increase in floor space ratio and height standards is based on the achievement of this mixed-use Concept. Even if this were able to be achieved, the Panel finds that the resultant bulk and scale of the Planning Proposal is excessive and is not justified within its existing context.

Furthermore, the proposed increase in floor space ratio and height would adversely impact upon the heritage item and residential amenity of surrounding development.

Resolution

The Panel advises Council that:

1. It does not support the Planning Proposal for 439-445 Old South Head Road and 1 The Avenue, Rose Bay proceeding to Gateway determination, as the Proposal lacks strategic and site-specific merit for the reasons outlined in the Report. The proposed 25m height and 2.5:1 FSR standards would:
 - (a) Be out of scale with the surrounding streetscape of Old South Head Road, and the prevailing medium density scale of surrounding development set by the 12.5m height and 0.9:1 FSR,
 - (b) Adversely impact the significance of the heritage item located on 443-445 Old South Head Road, and
 - (c) Reduce residential amenity for dwellings to the south with additional overshadowing.

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Furthermore, the Planning Proposal, in its current form, does not adequately address land use issues to facilitate the Proponent's vision for a mixed-use development. The appropriateness of a neighbourhood centre would need to be considered in the broader context of centres across Waverley.

2. Any amended/future planning proposal for the site should also be supported by a site-specific DCP and/or Additional Local Provisions to ensure that the positive aspects of the proposal such as the public open space and affordable housing would be delivered.

REPORT
PD/5.4/21.03

Subject: Planning Proposal - 45-57 Oxford Street, Bondi Junction - Pre-Gateway Determination Assessment

TRIM No: PP-4/2020

Author: Emma Rogerson, Strategic Planner

Director: Tony Pavlovic, Director, Planning, Environment and Regulatory Services

RECOMMENDATION:

That Council:

1. Does not support the planning proposal for 45–57 Oxford Street, Bondi Junction, to proceed to Gateway Determination, as the proposal lacks site-specific merit, and the proposed 26 m height and 2.5:1 floor space ratio (FSR) development standards would:
 - (a) Be in conflict with the objectives of the recently adopted Waverley Local Strategic Planning Statement and Bondi Junction Urban Design Review, which identify this portion of West Oxford Street as required to retain a ‘village character’.
 - (b) Overshadow and produce visual bulk/a sense of enclosure and unwarranted noise for southerly neighbours.
 - (c) Be out of scale and character with the surrounding low-density streetscape to the south and west of the site, particularly along Mill Hill Road and West Oxford Street.
 - (d) Diminish the character and amenity of the heritage items on the site, the directly adjoining Mill Hill Heritage Conservation Area and the contributory items within the Area by imposing such an increased scale of development where Denison Street and Mill Hill Road meet Oxford Street.
 - (e) Be unnecessary given the strong merits of DA-127/2013 to achieve the intended outcome of a mixed-use transitional building under current controls.
 - (f) Detrimentially reduce the availability of on-street parking.
2. Notes that the Waverley Local Planning Panel unanimously recommended that the planning proposal not proceed to Gateway Determination, as the proposal lacks site-specific merit for the reasons outlined in the attachment to the report.

1. Executive Summary

This report informs Council of the receipt of a planning proposal from Evolve Consulting Pty Ltd (the Proponent) for 45–57 Oxford Street, Bondi Junction. The proponent-led planning proposal (the Proposal) and associated documentation was submitted to Council on 3 December 2020. The planning proposal seeks to amend the Waverley Local Environmental Plan 2012 (WLEP2012) in relation to the subject site by increasing the maximum permissible Floor Space Ratio (FSR) and Height of Building (HOB) as follows:

Table 1. Proposed legislative changes to WLEP 2012.

WLEP2012 Provision	Existing	Proposed
Zone	B4 Mixed Use	B4 Mixed Use
FSR	1.5:1	2.5:1
Height	12.5 metres	26 metres
Heritage	2 x Heritage Items	2 x Heritage Items
Key Sites Map (Design Excellence Provisions applied)	Applicable	Applicable
Additional Local Provisions	<i>Active Street Frontages</i>	<i>Active Street Frontages and Minimum commercial floor space of 0.9:1</i>

This report also provides an assessment of the Proposal against the criteria in the NSW Department of Planning and Environment's (DPE) *A Guide to preparing Planning Proposals* and *A Guide to preparing Local Environment Plans* and details the assessment of the Proposal by Council's strategic planning, urban design, and traffic officers.

The Proposal intends to facilitate a mixed-use precinct to act as a transition between high density existing development to the east of the site, and the low-density development to the west and south of the site. The proposed height of 26 m would be more than twice the size of the existing maximum permissible height, and almost three times the height of the 9.5 m maximum permitted to the south and west of the development. The maximum floor space ratio proposed is also substantially greater than the existing development and that exhibited on directly adjoining sites. Both of these proposed increases would also introduce additional loss of amenity for neighbours, including but not limited to, overshadowing, sense of enclosure/visual bulk, loss of parking, increase in traffic and more noise.

A previous development application for the subject sites of this Proposal, DA-127/2013, was granted a deferred commencement determination by the Waverley Development Assessment Panel on 5 August 2014 for the 'demolition of existing buildings, alterations and additions to existing heritage items, and construction of a mixed use building.' This DA illustrates how the site can accommodate a suitable mixed-use development within the permissible existing 12.5 m height controls and with a compliant FSR, using the now-repealed clause 4.4B of the WLEP 2012 which granted additional FSR in the event that affordable housing was provided by the proposal. The success of this DA demonstrates that an increase in height and FSR is unnecessary in meeting the goal of a mixed-use transitional site.

As such, the Proposal is deemed unsuitable for Council to support. The Proposal lacks site-specific merit, and the proposed 26 m height and 2.5:1 FSR development standards would:

- Be in conflict with the objectives of the recently completed Waverley Local Strategic Planning Statement and Bondi Junction Urban Design Review which identify this portion of West Oxford Street as required to retain a 'village character'.
- Overshadow and produce visual bulk/a sense of enclosure and unwarranted noise for southerly neighbours.
- Be out of scale and character with the surrounding low-density streetscape to the south and west of the site, particularly along Mill Hill Road and West Oxford Street.
- Diminish the character and amenity of the heritage items on site, the directly adjoining Mill Hill Heritage Conservation Area and the contributory items within the area by imposing such an increased scale of development where Denison Street and Mill Hill Road meet Oxford Street;
- Be unnecessary given the strong merits of DA-127/2013 in achieving the intended outcome of a mixed-use transitional building under current controls.
- Detrimentially reduce the availability of on-street parking.

2. Introduction/Background

Affected land

The subject site of this Proposal is located at 45–57 Oxford Street, Bondi Junction, known as Lot 9 & DP 741932, Lot 1 & DP 626974 and Lot 1 & DP 818949. The three lots combined measure 1,996 sqm by architectural drawing.

Figure 1 below identifies the lots involved in the PP.



Figure 1. Site of the Planning Proposal, 45-57 Oxford Street, Bondi Junction.

Existing development on the site

Existing development on the site comprises a single-story rendered vehicle repair station at 53–57 Oxford Street, a two-storey double brick building and a single-storey weatherboard and concrete building for use as a timber and hardware store at 47–49 Oxford Street, and a two-storey brick dwelling house with current commercial use at 45 Oxford Street.



Figure 2. Subject site (Google Maps, 2019).



Figure 3. Subject site (Google Maps, 2019).



Figure 4. Subject site (Google Maps, 2019).

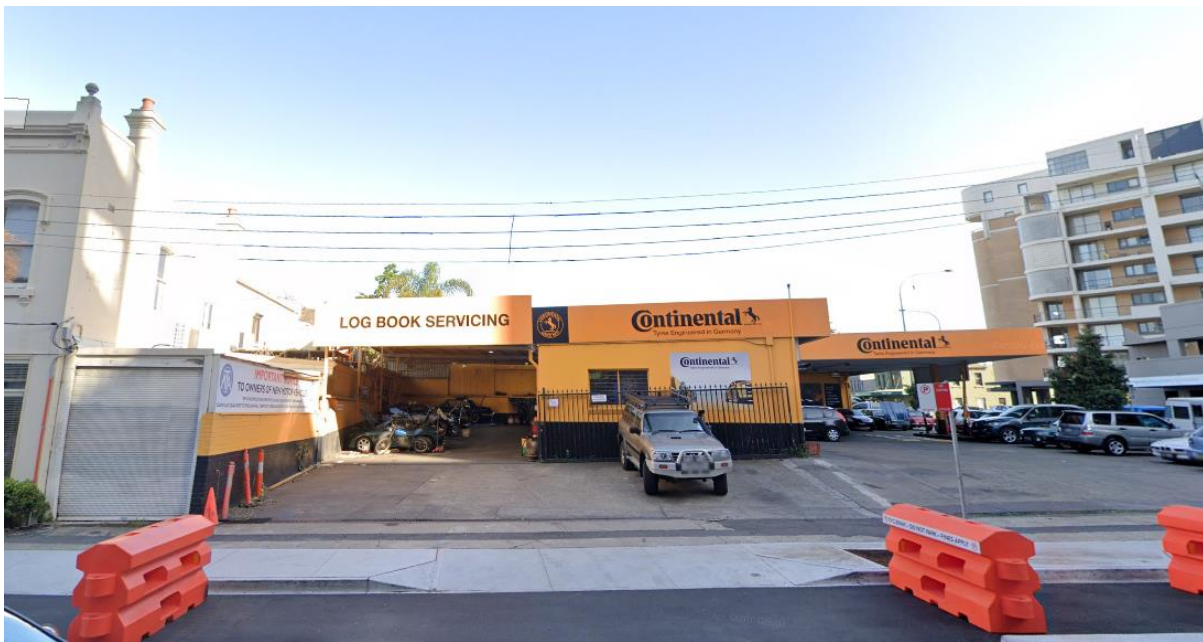


Figure 5. Subject site (Google Maps, 2019).

3. Relevant Council Resolutions

Nil.

4. Discussion

A planning proposal is the only means of achieving the proposed amendments to the Waverley LEP. The proposed variations to the development standards would result in a 208% increase in height and a 166% increase in FSR. The sizes of these variations are too large to be considered as part of a clause 4.6 variation. As a clause 4.6 variation to development standards would not be considered, the only means of changing the LEP controls on the site would be through a planning proposal.

The intention of creating a mixed-use transitional site can best be achieved on the site under the current controls demonstrated by DA-127/2013. The B4 Mixed Use zoning already allows for a mix of commercial and residential uses that could be developed on the site, whilst the current FSR and maximum height of building controls can reasonably provide for a three–four–storey structure, with basement level(s) that protect the low-density character of West Oxford Street, the Heritage buildings on site and the Mill Hill Heritage Conservation Area (HCA) nearby.

DA-127/2013 provides a mixed-use development that aligns with the findings of the Bondi Junction Urban Design Review 2020 (BJUDR 2020) and the Waverley Local Strategic Planning Statement 2020-2036 (LSPS), which were developed in consultation with the community, and identify the retention of the existing controls to encourage a low-density 'village feel' for West Oxford Street. As such, any increase in development standards for this site is against the strategic vision for the locality and the desire of the community.

Furthermore, the increase in scale proposed will result in additional adverse amenity, heritage and streetscape concerns.

Heritage

The overall development Proposal engenders substantially greater impact on the heritage significance of the adjoining Conservation Area and the amenity of adjoining residences than the existing development and DA-127/2013.

The proposed architectural treatment of the development does not serve to mitigate the impacts of additional height and floor space, and the treatment of the Oxford Street frontage fails to provide or enhance the streetscape character of the setting. As such, the Proposal diminishes, rather than conserves, the environmental heritage of Waverley.

Overshadowing

The Proposal will overshadow the buildings to the south as it will stand more than double in height of these neighbouring sites. It is acknowledged that the two sites directly to the south, 2 Mill Hill Road 7 Denison Street, are under common ownership as the development sites; however, this not considered adequate justification for reducing the quality of amenity on these sites for the benefit of 45–57 Oxford Street, given the ability for ownership to change in the future. The Proposal does not provide any mechanisms to manage the potential impact on adjacent sites.

Visual bulk

The proposed increase in height and bulk will produce adverse visual bulk from all three street frontages and a sense of enclosure for the southern neighbours in particular. The amalgam of architectural elements proposed above the podium level generates a complexity of form that does little to reduce the visual bulk of the Proposal or to achieve a high standard of internal amenity. This raises further concerns that subsequent extensive modification of the Proposal would follow any consent to a height and floor space ratio exceeding current controls.

The ground floor of the demonstration scheme does not incorporate a nil-setback or awnings characteristic of the Bondi Junction retail/commercial streetscape. This results in a lack of unity with the established Oxford Street façade pattern as well as a lack of articulation from a human scale on the ground and first floors. In addition, a similar lack of articulation is present along the rear façade, imposing visual bulk when viewed from the residential dwellings to the south and from Denison Street. The Proposal does not provide any mechanisms to manage the potential impacts.

Acoustic privacy

The through site pedestrian link shown under the demonstration scheme is expected to encourage pedestrian activity and given its location along the shared boundary, it is expected to produce substantial noise for the residents located directly to the south. The Proposal does not demonstrate any noise management techniques, nor has an acoustic report been prepared to examine and justify the impact of the through site link on the southern adjoining neighbours.

Parking and traffic

The proposed development is expected to increase vehicle and pedestrian traffic as a rise of full-time staff on site from the current 22 persons to potentially 120 is indicated. The additional residents, visitors to commercial/retail sites and general pedestrians drawn to the site will also trigger an increase in both car and foot traffic for the area.

Waverley Local Planning Panel

A Waverley Local Planning Panel meeting was held on 16 February 2021 where the Panel unanimously advised Council that it does not support the Proposal proceeding to Gateway determination, as the Proposal lacks site-specific merit. The minutes of the meeting are attached to this report.

5. Financial impact statement/Time frame/Consultation

Financial impact statement

There have been no upfront or recurrent costs associated with this planning proposal other than staff costs associated with the administration, assessment and exhibition of the Proposal and these have been provided for within the budget.

Consultation

This Proposal is not recommended to proceed to public exhibition. If the Proposal was to proceed to public exhibition it would be done so in accordance with any Gateway Conditions.

6. Conclusion

The notion of a mixed-use space in West Oxford Street and the creation of a public space for local residents to enjoy is supported, given the site's excellent transport connections in Bondi Junction and proximity to high amenity surrounds of Centennial Park. However, these positive outcomes can be achieved and improved under the current more appropriate and sensitive built form controls that respect and celebrate the existing character and built form of West Oxford Street. The existing DA-127/2013 exhibits a reasonable solution to providing mixed-uses on this subject site, subject to the satisfaction of the conditions of the deferred commencement determination.

It is recommended that the proposal **not** proceed to Gateway determination.

7. Attachments

1. WLPP - 16 February 2021 - Minutes [↓](#) .

**MINUTES OF THE WAVERLEY LOCAL
PLANNING PANEL MEETING HELD BY
VIDEO CONFERENCE ON WEDNESDAY, 16 FEBRUARY 2021**

UNDER SCHEDULE 2, PART 5, ITEM 26 OF THE
ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 (NSW)

PLANNING PROPOSAL: 45-57 Oxford Street, Bondi Junction

Panel members present:

Annelise Tuor (Chair)

Peter Brennan

Jocelyn Jackson

Sandra Robinson (Community Rep)

Declarations of interest:

Nil.

Site visit and briefing

The Waverley Local Planning Panel (Panel) has independently viewed the site and surrounding area from the public domain and/or electronically and was briefed by the following representatives of Council and representatives of the proponent on the Planning Proposal:

Jaime Hogan	Waverley Council
Emma Rogerson	Waverley Council
Patrick Hay	Waverley Council
Francisco Motta	Waverley Council
Greg Gilyou	Evolve Project Management
Sophie Litherland	Willow Tree Planning
Antonio Pozzi	Hatch (Roberts Day)
Stephen Moore	Hatch (Roberts Day)
Isha Negi	Team2 Architects

Following the briefing the Panel considered the Planning Proposal under Schedule 2, Part 5, Item 26 of the Environmental Planning and Assessment Act 1979.

Resolution

The resolution provided by the Panel as follows was unanimous.

Annelise Tuor

Chair

PP-4/2021 – 45-57 Oxford Street, Bondi Junction

Reasons

The Panel has considered an assessment report of the Planning Proposal prepared by Council Officers (the Report), the documentation provided by the Proponent, including a concept design (the Concept), the site view and briefings. For the reasons in the Report, the Panel considers that Council should not support the Planning Proposal in its current form.

Resolution:

The Panel advises Council that:

1. it does not support the Planning Proposal to proceed to Gateway determination, as the Proposal lacks site-specific merit for the reasons outlined in the Report. In particular, the proposed 26m height and 2.5:1 FSR standards would:
 - a) Overshadow and produce visual bulk/a sense of enclosure and unwarranted noise for southerly neighbours (the Planning Proposal does not propose any Additional Local Provisions or site-specific DCP to require a building envelope that minimises these adverse impacts);
 - b) Be out of scale and character with the surrounding low-density streetscape to the south and west of the site, particularly along Mill Hill Road and West Oxford Street; and
 - c) Adversely impact on the significance of the Heritage Items on the site and their setting, the directly adjoining Mill Hill Heritage Conservation Area and the contributory items.

Furthermore, the approval of DA-127/2013 demonstrates that the intended outcome of a mixed-use transitional building can be achieved under the current controls. The Concept does not provide a better planning outcome than this previous approval that would warrant the increase in the floor space ratio and height standards. In addition, the proposed through-site link does not appear to be necessary given that the site is on the end of a block with three frontages. The Concept's built form, to address overshadowing, is also uncharacteristic in the context of the site.