

**Northbridge Progress Association Inc  
PO Box 357 Northbridge 2063**

October 9, 2006

Mr John Owen  
General Manager  
Willoughby City Council  
PO Box 57 CHATSWOOD 2057

Dear Mr Owen,

**Re: DA-2006/640  
154-156 Sailors Bay Rd, Northbridge**

Thank you for approving the Association's request for an extension of time until October 9 to submit comments in relation to the above Development Application for a new mixed development in Northbridge.

**General comments**

There are many aspects of this proposed development that the Association supports. In principle, we have no objection to a mixed development on the site, which is zoned Business 3(a). Generally, we agree with the new 6 metre access lane way proposed by the developer, which the Association also supported in the draft Northbridge Town Centre Masterplan (draft Masterplan). We support the proposed rear setbacks, which we believe are within the draft consolidated Willoughby DCP (DCP) requirements and we accept the landscaping planned. We also appreciate the provision of disabled parking, adaptable units and bicycle parking.

We believe that the developer has made a genuine attempt to improve the aesthetics of the building, in spite of the constraint of the draft Masterplan's zero street set back control. These include a set back of the central front section of the building, open ends on front balconies, a glass awning, the 0.5 metre street set back for the restaurant and a glass facade on the northwestern ground floor corner.

We understand that the building is intended to conform to the DCP and the amended Willoughby LEP 1995 (WLEP). However, we note that the developer has submitted a SEPP 1 objection in regard to the height, FSR and other aspects of the proposed building which would otherwise be in breach of the DCP and WLEP.

It is the Association's perception that the developer is borrowing several of the favourable provisions of the draft Masterplan controls (which as yet have no status) such as four storeys, zero street set back, fourth storey set back, maximum FSR, lane way access, etc. However, the proposed building would also be in breach of a key draft Masterplan control, namely maximum site depth of 20 metres.

**The proposed building therefore breaches both existing DCP/WLEP controls and draft Masterplan controls.**

The developer is attempting to incorporate the most favourable aspects of both the current and draft controls and to exclude the least favourable aspects. As one Sailors Bay Ward councillor said of DA-2004/225, which was proposed for the same site in mid-2004: "It's a simple case of double dipping."

**The Association believes that a SEPP 1 deviation should be approved by Council only in cases of exceptional design, social benefit or economic benefit to the community** which would be greater than could have been achieved by compliance.

We believe that by applying clear controls and enforcing compliance of them, Council will give the community a sense of certainty and security and will avoid setting unfortunate precedents for future developments. **We urge Council to ensure that its existing DCP and WLEP controls are met in this case.**

Our more detailed comments on the DA follow.

**Height and bulk**

Consistent with our detailed submission about the draft Masterplan in 2003, the Association strongly objects to four storey buildings in Northbridge Town Centre. The Association feels that four storey buildings are out of scale and inappropriate for Northbridge. Combined with zero street setbacks, they will create a canyon effect, result in overshadowing and produce unnecessarily high density, traffic and parking issues in this family-oriented suburb with its "village" heritage.

The proposed development is four storeys and **15 metres** high to the level of the roof structures. Relative to its immediate neighbours, it will be almost **4 metres higher than the roof of 160 Sailors Bay Rd and about 6.5 metres higher than the parapet on 150 Sailors Bay Rd.** It may well be the tallest building in Northbridge except for the (anomalously) five storey Castle Gardens building.

In addition, under existing LEP controls, if the building exceeds 9 metres in height, then all FSR is counted in the maximum permitted 1:1. This application is for a building with **FSR of 2:1.**

The Association understands from discussions with the architect in 2004 that these clear breaches of DCP height and LEP FSR controls are to “compensate” the developer for the provision of a lane way for access to the building’s parking spaces. The developer stated then that the provision of the lane way restricted the available land area for development and necessitated the need for a fourth storey.

The Association believes that no “compensation” should be due to the developer. We argue that this lane is not optional for the developer. It is essential for access to the building because the existing adjacent lane is private property and not available to the developer. Moreover, in 2004 the building architect stated that the developer’s preference was to have the lane way as access and not to have a second footpath crossing.

The Association continues to urge that buildings in Northbridge Town Centre be restricted to three storeys and 9 metres high. The recent proposed development at 163 and completed building at 173 Sailors Bay Rd were approved by Council with three storeys and we urge Council to maintain this scale for 154-156 Sailors Bay Rd.

### **Building depth**

It appears to be the developer’s intent that the new building should broadly conform to the major controls of the draft Masterplan. However, the draft clearly states that the maximum overall depth of a building on a site in the Town Centre **should not exceed 20 metres**, which represents 47% of this site’s 42.5 metres depth. The proposed development at the first floor covers 33 metres of the site, or 78%. Even at its 3<sup>rd</sup> floor, the building covers 27 metres, or 63% of the site. This is a clear breach of a key draft Masterplan control.

The rear of the building is only 9 metres from the rear boundary and 6 metres of this space are taken up with concrete driveway ramps. Thus, except for a tiny so-called “community open space”, the proposed building and its means of access effectively occupy the entire site. This conforms to the DCP and would be acceptable to the Association if the building also complied with the 9 metres, three storey height controls of the DCP.

### **Street set back and vertical facade**

The draft Masterplan controls call for zero set back from street frontage and a vertical facade for the first three storeys. The proposed building generally conforms to these requirements. However, the adjacent building at 160 Sailors Bay Rd has a significant setback (about 3.5 metres) from the street. The Association asks that the proposed building also be set back by about 3.5 metres to minimise the effect of its height and bulk and to generally improve its aesthetics. Furthermore, such a set back would provide better lines of vision into the lane way for pedestrians on the footpath and into the street for vehicles exiting the lane way. It seems unnecessary and even dangerous to follow slavishly the zero set back provision of the draft Masterplan in this case.

### **Traffic**

A traffic study carried out by Arup in 2004 estimated that **additional** traffic generated by the proposed building would be **49** vehicle trips in and out per peak hour. Significantly, this single building would increase traffic on Sailors Bay Rd west of Euroka St by **7%**, according to the study.

[In May 2004, traffic flow data collected for Council by CFE Information Technologies showed that traffic in Sailors Bay Rd between Strathallen Ave and Euroka St peaked at 416 vehicle movements between 8am and 9am. On the basis of this new data, the proposed building would increase traffic in this section by 12% during peak hours.]

It is difficult to imagine how vehicles exiting the new lane way will be able to turn west (or worse, east) into the existing traffic in Sailors Bay Rd which is often queued back past Gunyah St at busy times. The situation will be even worse for eastbound vehicles trying to turn right into the lane way against a stream of Sailors Bay Rd traffic going west.

The traffic generated by the proposed building will greatly exacerbate the already critical traffic congestion problem at Northbridge Junction during peak hours.

Because of traffic issues, the Association believes that the planned building will be not viable until the proposed roundabout at Euroka St is constructed and urges Council, as a minimum, to defer its approval of the development until the roundabout is completed (in 2007/08 at the earliest.).

### **Pedestrian safety**

The 2004 Arup traffic study also measured pedestrian traffic. Alarming, 54 pedestrians used the footpath outside the proposed development in a peak 30 minutes. According to the study, the pedestrians were “mostly associated with the nearby school to the east of the site”.

The Association is seriously concerned that a major pedestrian safety problem – especially for children - will result from creating a three lane footpath (including the adjacent existing lane) crossing and by substantially increasing the number of vehicle movements across the footpath. The problem will be greater if the new building is approved with zero street set back, thereby severely restricting a pedestrian’s view into the lane way and a motorist’s view of the footpath. To improve lines of vision, the Association urges Council to approve a set back from the street for the building, in line with the approximately 3.5 metres set back of 160 Sailors Bay Rd.

In addition, Council should require that the developers install speed humps in the lane way, a stop sign and a pedestrian crossing at the lane way exit, and a suitable warning system to let pedestrians know when vehicles are exiting the lane way.

### **Parking**

The Association notes that the building will be provided with 49 car parking spaces, 30 of which will be for commercial and retail purposes, leaving 19 for residential (14 for residents and 5 for visitors). We recognise that this proposal meets the requirements of the draft Masterplan. However, we believe that 14 spaces for 14 units are far too low, especially as 11 of the units have three bedrooms. We suspect that most residents will have two cars and will either park one car on the street or occupy one of the commercial/retail spaces.

The *original* requirements of DCP 2 were for two car parking spaces for a three-bedroom unit. The Association continues to believe strongly that the original DCP 2 guidelines are more appropriate for Northbridge Town Centre, where there is very limited street parking and no public parking. In this case, the number of residential car spaces should be 26.

Yours sincerely,

John Becroft  
President

Copy: Councillors