

Statement of Environmental Effects

Proposed Shop-Top-Housing Development 552 to 568 Oxford Street, Bondi Junction

Submitted to Waverley Municipal Council
On Behalf of Denscen Pty Ltd

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This document is preliminary unless approved by a Director of City Plan Strategy & Development

CERTIFICATION

This report has been authorised by City Plan Strategy & Development, with input from a number of other expert consultants, on behalf of the Client. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based upon information and facts that were correct at the time of writing this report.

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Appendices

Appendix	Document	Prepared by
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2	Formal Pre-DA Advice	Waverley Municipal Council
3	DCP Table of Compliance	CPSD
4	Clause 4.6 Variation Request (Height)	CPSD
5	Clause 4.6 Variation Request (FSR)	CPSD
6	Architectural Plans SEPP 65 Design Verification Statement ADG Compliance Table Architectural Design Report	UP Architects Kann Finch
7	SEPP 65/ ADG Compliance Peer Review	Architectus
8	Landscape Plans	Kann Finch
9	BASIX Stamped Plans BASIX Certificate/ ABSA Certificates Sustainability Design Report Thermal Performance Specification	Inhabit Group
10	BCA Compliance Report	Steve Watson & Partners
11	Fire Engineering Report	Defire
12	Acoustic Assessment Report	Acoustic Logic
13	Access Report	Accessible Building Solutions
14	Traffic Impact Assessment Report	Traffix
15	Pedestrian Wind Environment Study	Windtech
16	Solar Light Reflectivity Analysis	Windtech
17	Desktop Geotechnical Study	Douglas Partners
18	Preliminary Site Investigation	Douglas Partners
19	CPTED Report	CPSD
20	Operational Waste Management Plan	Elephants Foot
21	Stormwater Concept Design	Enstruct Group
22	Public Art Strategy	Public Art Works
23	Quantity Surveyor Report	MBM
24	SEPP 65/ADG Solar Access and Ventilation Assessment	Steve King Consultant
25	Photomontage & Perspective Images	UP Architects/Kann Finch

1. Executive Summary

City Plan Strategy & Development Pty Ltd (CPSD) has prepared this Statement of Environmental Effects (SEE) to accompany a Development Application (DA) to Waverley Municipal Council. The DA relates to land at 552 - 568 Oxford Street, Bondi Junction (the subject site). The proponent for the DA is Denscen Pty Ltd (the proponent).

A detailed description of the proposal is provided in **Section 3** of this report. However, in summary, the proposal includes:

- demolition of all existing structures on the subject site;
- construction of a nineteen (19) level shop-top-housing development comprising of, in summary;
 - ninety (90) dwellings;
 - three (3) commercial premises comprising a total gross floor area (GFA) of 375m²;
 - four (4) basement levels, with access from Grafton lane, providing a total of eighty-eight (88) onsite parking spaces for vehicles and motor cycles; and,
 - ancillary items such as storage space, garbage rooms, plant rooms, and loading bays;
- A 3m land dedication for road reserve widening purposes, and specifically for a wider pedestrian footpath along Oxford Street, as part of an offset of Developer Contributions.

The proposed development's Capital Investment Value (CIV) is approximately \$37.5m. Therefore, in accordance with Clause 20 of *State Environmental Planning Policy (State and Regional Development) 2011* (SRD SEPP), as well as Schedule 4A of *Environmental Planning & Assessment Act, 1979* (EP&A Act), the DA will be assessed by Council, but determined by the Sydney Central Planning Panel (SCPP).

This Statement of Environmental Effects (SEE) has been prepared pursuant to Section 78A of the EP&A Act and Clause 50 of the *Environmental Planning and Assessment Regulation, 2000* (EP&A Regulations). As sought by the relevant legislation, this SEE:

- describes the proposed development and its context;
- assesses the proposal against the relevant environmental planning framework; and
- assesses the potential environmental impacts and mitigation measures.

In particular, the proposed development has been assessed with respect to the objectives and relevant clauses of the EP&A Act, as well as the objectives, merit based outcomes and development standards of the relevant metropolitan strategy, draft district plans, State Environmental Planning Policies, the *Waverley Local Environmental Plan 2012* (WLEP 2012), the *Draft Waverley LEP Amendment 2016* (Draft WLEP 2016), and the *Waverley Development Control Plan 2012* (WDCP 2012). Other plans and policies were also considered such as the *Waverley Council Development Contributions Plan 2006* (Amendment No. 7).

The proposal has already been subject to extensive independent analysis including discussions with senior Council staff at two (2) Pre-DA meetings, as well as consideration by the Randwick - Waverley Design Review Panel (DRP). The proposal's project team has considered any feedback from such meetings, and incorporated relevant advice.

Similarly, Architectus was engaged to provide independent advice during the scheme's design development phase. They were specifically requested to provide advice on SEPP 65, ADG and urban design matters. Architectus has provided a report outlining the proposal's suitability in relation to these matters, as provided at **Appendix 7**. Other specialist input has been provided to inform the proposal in relation to items such as traffic impacts, parking

provisions, urban design, solar access, energy efficiency, building regulations, fire safety, public art, and the like.

The assessment undertaken as part of this SEE determines that the proposal is consistent with the relevant environmental planning framework. Specifically, the proposal is consistent with the broad objectives applicable to the site according to the EP&A Act and relevant strategic planning policies. The proposal was also found to be substantially consistent with the relevant objectives, development standards or other prescriptive controls prescribed by applicable SEPPs, the WLEP 2012 and the WDCP 2012.

It is noted that the proposal seeks an exception to the strict application of the height and floor space ratio (FSR) development standard prescribed by Clause 4.3 and 4.4 of the WLEP 2012. That is, the proposed overall height ranges from 57.8m - 61.1m, whilst the maximum permitted height is 60m. Similarly, the proposed FSR is 7.1:1, whilst the maximum permitted is 7:1.

This SEE provides that there are sufficient environmental planning grounds to support the exception request, with the primary grounds being that the exceptions are numerically minor, and largely unavoidable due to the site's existing south to north gradient of up to 4.5 metres. Specifically, complying with the maximum permitted height is difficult on a site with such gradient and limited depth. Similarly, some parts of any basement will inevitably be above ground on sites with such gradient, rendering it consistent with the definition of Gross Floor Area and thereby contributing to FSR. Further, to ensure any above ground basement presents adequately to any adjoining public, it is partially 'sleeved' by a small commercial tenancy with a glazed frontage. This is a further contribution to GFA and FSR. It should be noted that if the GFA associated with this small commercial tenancy as well as the above ground basement was deleted from the proposal's GFA, its FSR would be compliant.

The SEE also acknowledges that the proposal's tower does not adopt the minimum 6m podium setback prescribed by control 1.2(a), Part E of the WDCP 2012. Specifically, the proposed setbacks range from 1.0m to 3.25m (Oxford Street frontage), whilst the DCP requires a minimum of 6m. A detailed rationale for the non-compliance is provided in **Section 7.1** of this SEE, the Apartment Design Guide (ADG) report prepared by UP Architects/Kann Finch, and the urban design review prepared by Architectus.



Figure 1: Proposal perspective image (Source: UP Architects/Kann Finch)

In summary, however, the position of the proposed tower, and the resultant setback non-compliance, arises because of the intent to minimise view loss from surrounding shop-top-housing developments. Such developments currently have access to broad district views inclusive of water views as well as views of the Sydney CBD skyline. As part of the proposal's design development phase, it was identified that the proposed non-compliant podium setback provides for greater access to views for existing shop-top-housing developments to the south of Oxford Street, compared to a compliant setback.

The assessment concludes that the proposal would be generally consistent with the outcomes sought by the relevant environmental planning framework and would avoid unreasonable environmental impacts. Just as importantly, the proposal will continue the existing building renewal currently taking place in Bondi Junction. The remainder of the block has, in fact, been recently redeveloped, and this proposal would complete the block's renewal. In this regard, it is worth noting that the proponent has implemented significant resources in amalgamating the development site, including No. 568 Oxford Street which was, until recently, an isolated site. In doing so, the proposal replaces arguably outdated building stock with a building that exhibits high quality design which makes a positive contribution to the public domain, and increases the supply of dwellings with high amenity.

In light of the above, this SEE provides that the proposal warrants Development Consent from the Sydney Central Planning Panel.



Figure 2: Proposal perspective image (Source: UP Architects/Kann Finch)

2. Introduction

2.1 General Introduction

This SEE relates to a DA proposing a shop-top-housing development at 552 - 568 Oxford Street, Bondi Junction. The proponent for the DA is Denscen Pty Ltd.

In summary, the development includes ninety (90) dwellings and three (3) commercial tenancies within a nineteen (19) storey above ground building envelope, four (4) basement levels with a total of eighty-eight (88) parking spaces, as well as ancillary items such as utility rooms and the like. Also, included as part of the DA will be the demolition of all existing structures on the subject site and the dedication of land along the site's Oxford Street boundary to Waverley Council for road reserve widening purposes. The dedication should offset some Developer Contributions.

2.2 Supporting Information

This SEE has been prepared with information from the following specialist services:

- Site Survey by Linker Surveying;
- Clause 4.6 Variation Requests & CPTED Report by CPSD;
- Architectural plans, SEPP 65 Design Verification Statement and ADG Compliance Table by UP Architects/Kann Finch;
- Landscape Plans by Kann Finch;
- Independent solar access and ventilation assessment by Steve King;
- Independent urban design assessment by Architectus;
- BASIX Documentation by Inhabit Group, including Sustainability and Thermal Performance Assessment;
- BCA Compliance Report by Steve Watson & Partners;
- Fire Engineering Report by Defire;
- Acoustic Assessment Report by Acoustic Logic;
- Access Report by Accessible Building Solutions;
- Traffic Impact & Parking Assessment by Traffix;
- Wind Study & Solar Reflectivity Analysis by Windtech;
- Desktop Geotechnical Study & Preliminary Site Investigation by Douglas Partners;
- Operational Waste Management Plan by Elephants Foot;
- Stormwater Concept Design by Enstruct Group;
- Public Art Strategy by Public Art Works; and,
- Quantity Surveyor Report by MBM.

2.3 Pre - DA meetings

Two (2) formal Pre-DA meetings, being on the 18th October 2016 and 18 November 2016, as well as one informal Pre-DA meeting on 12 January 2016, were held with senior staff from Waverley Council. Council provided formal written advice following the meeting of 18 November 2016 (refer to **Appendix 2**), dated 8 December 2016. The table below itemises each of the matters raised by Council in the formal advice, as well as the manner each has been responded to as part of this DA.

It is important to note the proposal has been amended significantly since these Pre-DA meetings with Council. In particular, concerns relating to the site isolation of 568 Oxford

Street are not relevant to the proposed scheme, as the proponent has since acquired this property and incorporated it into the proposal, as suggested by Council.

Table 2: Response to Pre-DA advice

Item raised in Pre-DA advice	DA Response
<p>1. Principle 3: Density</p> <p>The proposed density is 8.05:1 which is intensive in a non-CBD context.</p>	<ul style="list-style-type: none"> ▪ The proposal's FSR is 7.1:1, which is only marginally non-compliant with the maximum permitted FSR of 7:1. ▪ Given some surrounding developments achieve an FSR of 8.05:1, this is not a significant non-compliance in relative terms.
<p>2. Principle 4: Sustainability</p> <p>The applicant's summary indicates that:</p> <ul style="list-style-type: none"> ▪ 76% of apartments receive 2 hours' mid-winter solar access. ▪ 90% of apartments achieve adequate cross-ventilation - to be confirmed. <p>The Panel questions if the proposed privacy screens have been taken into account with the above calculations as they could shade the building at the wrong times. The manner in which the "ventilation shaft" on the south-eastern corner of the lower floor-plate would work or comply with fire regulations and restaurant exhausts is unclear.</p> <p>Sun control measures are yet to be fully described. The Panel looks forward to the development of the winter garden idea to achieve some wind control.</p> <p>The common lobbies are naturally lit and ventilated which is commendable (Level 01 plan needs to be adjusted to show an opening). The natural ventilation methods will need to work in high wind speeds. Downwash to the footpath appears to be ameliorated by a continuous awning. A rooftop garden could be considered.</p>	<ul style="list-style-type: none"> ▪ The fins to the east and west facades have been allowed for in the calculation of solar compliance to apartments. ▪ The ventilation shaft in question, as well as the proposal in general, has been assessed for compliance with the Building Code of Australia. ▪ The roof top has been amended such that it is only accessible for repairs, servicing and the like. ▪ Windtech has assessed and confirmed the adequacy of the proposal with respect to wind and sun reflectivity. ▪ The proposal includes a ground level awning, as well as additional trees along the Adelaide Street footpath to assist with wind downwash.
<p>3. Principle 6: Amenity</p> <p>The preliminary floor plans are well resolved. However, as the plans provided are not to scale, dimensions and areas have not been reviewed. Some of the living/ dining/ kitchen rooms appear to be excessively deep and all dimensions need to be checked against ADG requirements.</p> <p>The Level 01 foyer may be able to enjoy more of an outlook through the common residential facilities, and the amount of sunlight this area will be achieve should also be nominated.</p>	<ul style="list-style-type: none"> ▪ Apartments depths are consistent with ADG. All apartments will receive generous natural day light. ▪ Level 01 foyer will outlook through the ground floor lobby area. The lobbies throughout the building are south facing, and as such they will receive abundant day lighting but no direct sunlight. This will reduce the overall heat loading of the building.
<p>4. Principle 8: Housing diversity and social interaction</p> <p>It is the Panel's view that considerations should be given to including three-bedroom apartments, and accessible apartments to</p>	<ul style="list-style-type: none"> ▪ The proposed apartment yield is 90 apartments. The proposed apartment mix is 1 x studio apartment (1.1%), 31 x 1 bed apartments (34.4%), 51 x 2 bed apartments (56.6) and 7 x 3 bedroom apartments (7.7%).

<p>provide some housing choice. As the proposal exceeds the DCP height, some affordable apartments should be included in the proposal.</p>	<ul style="list-style-type: none"> It should be noted that the scheme has been amended from that which was presented to the DRP. The scheme is now largely compliant in terms of height, except for some minor variation due to the substantial gradient from Oxford Street down to Grafton Lane which results in a minor height non-compliance for some of the top floor dwellings and the lift over runs.
<p>5. Principle 9: Aesthetics</p> <p>The applicant should be requested to provide well-resolved façade details in the DA. If these are not provided, Council's recent practice of requiring them as a separate submission, subsequent to a provisional approval being granted, should be applied.</p>	<ul style="list-style-type: none"> The architectural report accompanying the DA, by UP Architects/Kann Finch, includes a detailed list of building finishes, as well as detailed façade designs.
<p>6. SEPP (Infrastructure) 2007</p> <p>The development may constitute traffic generating development pursuant to Clause 104 of the SEPP. The site is just outside of the rail corridor zone of influence, however it is suggested that the applicant contact Sydney Trains prior to lodgement of any further requirements.</p>	<ul style="list-style-type: none"> The subject site does not have direct access to a classified road, nor is the proposal 'traffic generating development'. Separate discussions have been held with Sydney Trains and they have confirmed that the subject site is beyond the rail corridor zone of influence.
<p>7. Clause 4.3</p> <p>Height - 60m.</p> <p>Proposed height - 69m. Does not comply 15% variation.</p>	<ul style="list-style-type: none"> The proposal has been refined such that it now includes a maximum height of 61.5m when measured from Grafton Lane, and 60m when measured from Oxford Street (reference can be made to drawing number DA1010 for an accurate depiction of the height, as well as section plans). The non-compliance is inevitable given the 4.5m south - north gradient traversing the site and the site's limited depth. This aside, the non-compliance is minor, and limited to the northern, eastern and western boundaries only. As the proposal's southern elevation is compliant in terms of height, the proposal does not generate any unexpected height related shadow or view related impacts.
<p>8. Clause 4.4</p> <p>Floor Space Ratio - 7:1. Does not comply 15% variation.</p> <p>(NB: Please refer to Clause 4.5 of the WLEP 2012 to determine how to calculate the floor space ratio and site area and Schedule 5 - Dictionary for the definition of Gross Floor Area).</p>	<ul style="list-style-type: none"> For clarity, the proposal includes a GFA of 8,010sqm, which equates to a non-compliant FSR of 7.1:1.
<p>9. Part 5 - Miscellaneous Provisions</p> <p>Clause 5.1A Development on land intended to be acquired for public purposes</p> <p>The Oxford Street frontage of the site is affected by a road reservation, 3m wide. The proposal is to be setback to accommodate a land dedication to Council. 570-588 Oxford Street has detailed</p>	<ul style="list-style-type: none"> The Oxford Street road reservation has already been accounted for in the proposed scheme. The proposed Oxford Street boundary aligns with that at 570 – 588 Oxford Street.

<p>plans (including a width of more than 3m at the boundary to this site) which should be relied upon. These can be provided upon request.</p>	<ul style="list-style-type: none"> Any Section 94 Developer Contributions should be offset relative to the value of the proposed dedication.
<p>10. Site Isolation</p> <p>Site isolation of 568 Oxford Street is to be carefully considered. The first key aspect of the assessment of the proposal is that the remaining site at 568 Oxford Street will not be unreasonably isolated. It is understood that you are aware of the documentation required to demonstrate that reasonable efforts have been made to incorporate the site, however it is important that the built form of that infill is adequately considered to demonstrate that the site will have reasonable development potential, despite being excluded from the development site. Documentation is to take into consideration the road reservation to Oxford Street with irregular boundary to Grafton Lane at the rear when providing a building envelope analysis with any future DA to Council.</p>	<ul style="list-style-type: none"> CPSD can confirm that extensive negotiations, as suggested by Council, were held with the owners of 568 Oxford Street for the site to be acquired or form part of the development site. The owners of 568 Oxford Street accepted an offer from Denscen Pty Ltd to acquire their property in February 2017. As such, the site has been incorporated into the proposal and will not be developed in isolation.
<p>11. Built form (relationship between the podium and tower)</p> <p>It is acknowledged that the 6-storey podium and footpath widening to Adelaide Street has been proposed in accordance with Council's feedback and these aspects are supported, however a footpath widening to Grafton Lane is not considered necessary.</p>	<ul style="list-style-type: none"> The proposal has been amended such that the Grafton Lane footpath widening has been deleted. The Oxford Street widening remains.
<p>12. Built form (relationship between the podium and tower).</p> <p>The presentation of the building to the street presented in option D remains a concern of Council. The Urban Form Controls in Part E1 of the DCP require the street wall/ podium to be 6 storeys with a tower form setback from the street edge of 6m. It is recognised that a 6m setback between the tower and podium may be difficult given the constraints of the site, however Council has not been convinced that the option D proposal with the tower form rising from the ground is appropriate for the site.</p> <p>The justification provided is that this scheme is similar to the approach taken by the Vue Apartments at 570-588 Oxford Street, and that the proposal would 'bookend' the urban block. Council disagrees and differentiates the two sites identifies that 570-588 Oxford Street is a 'Gateway' to the Bondi Junction Centre and doesn't believe that this site has the same urban status to support a tower expressed from the ground providing no setback on this corner.</p> <p>The DCP controls require the separation between the two forms to show a distinct separation between the tower and podium form</p>	<ul style="list-style-type: none"> Substantial analysis has been undertaken to inform the proposed built form and building envelope at the subject site. The scheme presented to Council on 12 January 2017 considered concerns expressed by Council in relation to the proposed podium – tower relationship, and its impact on the public domain, as stated in Council's Pre-DA advice of 8 December 2016. It should be noted that this site provides numerous constraints which necessitate an inevitable site-specific response. They include the substantial gradient extending down from the subject site's Oxford Street front to Grafton Lane and Adelaide Street. Adopting a 6 storey podium along the Adelaide Street and Grafton Lane frontages is not an appropriate outcome. Specifically, the Adelaide Street gradient would exacerbate the podium's scale such that it is overbearing to the adjoining public domain. It will also be visually incongruous due to the two (2) storey only podium at the 'Eclipse' development immediately to the north of the subject site.

so as to reduce the visual impacts of the tower for pedestrians on the street. In addition, the podium form acts as an important wind mitigation method, rather than relying on awnings to address wind 'downwash'. A wind tunnel study is required to be submitted addressing Part E1, Clause 1.22 with any future DA to Council.

There are two main issues left to address with the built envelope for this site. Firstly the location of the tower form atop of the 6-storey podium. The objective of the DCP control is to provide a podium base which provides a human scale to pedestrians at street level with the tower setback, so the building is not read as one large monolithic form on the corner. This can be successfully be achieved with a thinner tower, setbacks, materials and architectural resolution.

As noted in Council's previous correspondence last year, it may be acceptable to consider the tower form being located closer to the corner of where Hollywood, Adelaide and Oxford Street meet, but clear separation in the form of a setback, materials or architectural resolution should be provided (the building at 241-247 Oxford Street is successful utilising architectural expression in the form of a small setback and materials) to achieve the intent of the DCP. The resolution, shape and relationship between the podium and tower needs further attention to achieve the objectives of the development controls.

- UP Architects/Kann Finch have nevertheless acknowledged Council's advice that a "distinct" podium and tower envelope is expressed from all of the site's publicly visible frontage, despite the site's constraints. The scheme has subsequently been revised where it provides what is considered to be a distinct podium and tower presentation, as sought by the E1 of the WDCP.



- Suitable podium – tower distinction is achieved due to:
 - The two (2) storey podium presented primarily to Adelaide Street adopts setbacks of between 1m – 6m from the main tower component, as well as clearly different architectural and material finishes from the main tower component.
 - Setbacks of approximately 1m - 4m for the tower from the podium along the Oxford Street frontage.
 - Setbacks of approximately 1m - 5m for the tower from the podium along the Grafton Lane Frontage.
 - It should also be noted that Architectus was engaged to provide an independent review of the proposal, in particular the tower - podium relationship. They have endorsed the scheme, as provided in the report at **Appendix 7**.

13. Built form (relationship between the podium and tower)

Putting the location of the tower aside, the proportion of the tower to the podium remains an issue in both schemes presented in Option C and D. It is very clear in the meeting thus far, that you are aware of the implications that this tower will have on surrounding buildings in relation to views and overshadowing. A slender tower can help address these matters, and will deal with the aesthetics issue of the disproportionate podium and tower relationship.

- Analysis presented to Council to date by UP Architect's/Kann Finch demonstrates that view and over shadowing impacts have been considered. The analysis and the resultant scheme demonstrates less impact in relation to these matters (views and overshadowing) compared to a WDCP compliant scheme. As such, the tower envelope would not have to reduce in scale for the purpose of amenity impact.

14. Active Street frontages and Design Resolution

- All frontages to Adelaide and Oxford Street are designed to accommodate active uses

<p>Oxford Street is a busy pedestrian shopping street and defined by the Waverley DCP as a primary street frontage in Bondi Junction.</p> <p>All frontages to Adelaide and Oxford Street should be active uses and the ground floor should continue the rhythm of 6m terraces on the existing building, providing shop frontages, or at least architectural detailing representing the historical pattern on this side of Oxford Street to maintain diversity along this important shopping street. To improve pedestrian amenity, a continuous awning should wrap around the entire street frontage in line with the development at 570 Oxford Street and should step down with the topography of the street (see Waverley DCP E1 1.17 Controls). As per the DCP, at a minimum, the ground and first floor must be commercial with residential above.</p>	<p>and are dominated by glazing. The ground floor has a modulated rhythm that is expressive of the fine grain expression of existing buildings on site.</p> <ul style="list-style-type: none"> ▪ The preferred proposal is to run the awning the Oxford Street frontage only. This will provide protection to both the retail and residential entrances, and assist in the definition of Oxford street as the primary retail / civic address. A stepped awning along Adelaide street is difficult to achieve due to the steep fall across the site. The 2/3 storey podium will provide effective wind mitigation for down winds off the tower above. It is worth noting that neither the Eclipse nor Harley Place (the two effective adjoining buildings either side) provide awnings along Adelaide Street.
<p>15. Vehicular Access & Waste Collection</p> <p>The vehicle entry on Grafton Lane is to be located furthest from the corner for both safety and urban design grounds. The basement is to be designed to cater for all loading and unloading vehicles within the building (for commercial deliveries, removal vehicles and waste collection).</p> <p>The building should be designed at DA stage to accommodate Council's Waste Collection vehicles, the specifications of which are in annexure B1-3 of the DCP. All other waste collection controls can be found in that part of the DCP which are to be incorporated at DA stage, including the requirement for a garbage chute system within the building, and space for storage of bulky waste prior to collection. Garbage storage areas are to be located close to the loading dock where on site collection will occur.</p> <p>With regards the basement car parking layout, visitor car spaces and bicycle spaces are to be located on the upper most basement level and bulk storage areas located close to the respective car space of those units.</p>	<ul style="list-style-type: none"> ▪ The vehicle entrance to the site is located furthest from the corner, as recommended. ▪ Due to the limited basement size, the basement cannot accommodate the full-size Council vehicle and as such a private on site waste management is proposed. This has been detailed and supported in the traffic assessment as part of the DA submission. ▪ Garbage chutes lead to, and storage areas are provided in the basement, as recommended by Council. ▪ Bicycle parking is largely provided at Lower Ground floor level, with some additional spaces provided at Basement level 04. ▪ Visitor car parking is provided at the uppermost basement level as recommended.
<p>16. Communal Open Space</p> <p>The provision of communal open space for residents within the development on top of the podium level, designed with a terrace garden or the like similar to 570-588 Oxford Street, or alternatively on the roof is also encouraged. There may also be potential for the provision of communal 'open space' in appropriate locations of the tower to provide a visually interesting building (e.g. 8 Chifley Plaza, 1 Bligh Street). A private open space roof top terrace for a single unit (or smaller number of units) will not be accepted.</p>	<ul style="list-style-type: none"> ▪ Shared residential amenities are proposed at the top of podium level, with outlook to the north. ▪ The communal terrace will bring positive impacts, as discussed in Section 8.4.2 of this SEE. ▪ No private roof terraces are proposed, as recommended.

17. Environmental Matters

The significant redevelopment proposed for the site presents an opportunity for ESD principles to be utilised beyond the requirements of BASIX and Green Star Environmental Rating Scheme. Such initiatives should be investigated. At minimum, Part B2-Clause 5.2 of the DCP requires the submission of an Energy Assessment Report (as the development has a cost of works of more than \$3 million) to model the predicated operational energy demand and greenhouse gas emissions of the proposed development and proposals to reduce this energy use by 30% less than those of a reference building (i.e. BCA compliant only).

Alternatively, Council encourages applicant build a 'Green Star' development in an effort to reduce greenhouse gas emissions in Bondi Junction. Development should be designed to obtain a minimum of a 4 star Green Star Certified Rating in accordance with the Green Star Design tools or equivalent certification.

- An energy assessment report by Inhabit forms part of the DA submission (**Appendix 9**).
- BASIX documentation and a Sustainability Design Report has been prepared by Inhabitat Group, attached at **Appendix 9**.
- The proposal will seek to adopt reasonable energy usage minimization methods.

2.4 Design Review Panel Meeting

In addition to Pre-DA meetings, the proposal was presented to the Joint Waverley & Randwick Design Review Panel (DRP). A summary of the panel's feedback from the meeting was included as part of Council's formal Pre-DA advice of 8 December 2016 (refer to **Appendix 3**). It is worth noting that the panel endorsed the scheme's urban design principles, including the non-compliant tower setback, as demonstrated by the following extract of the DRP's summary.

	It is the Panel's opinion that the urban design analyses presented are sound and that the resultant scale and built form proposed appears be the "best fit" that could be achieved for the development of this site and would be preferable to strict adherence to the DCP envelope for the site.
Table 2:	The proposed density is 8.05:1 which is intensive in a poor CBD context.

Figure 3: Extract of DRP meeting summary (Source: Waverley Council)

3. Site and Context Description

3.1 Site Identification

The subject site is formally recognised as follows:

- Lot 2 in DP 543255;
- Lot 1 & 2 in DP 450071;
- Lot 1 in DP 75269; and.
- Lot 1 & 2 in DP 500217.

It is more commonly referred to as 552, 554 - 556, 558 - 560, 562 - 564, 566 and 568 Oxford Street, Bondi Junction (or 552 to 568 Oxford Street, Bondi Junction). An aerial view of the subject site is provided in **Figure 3** below.

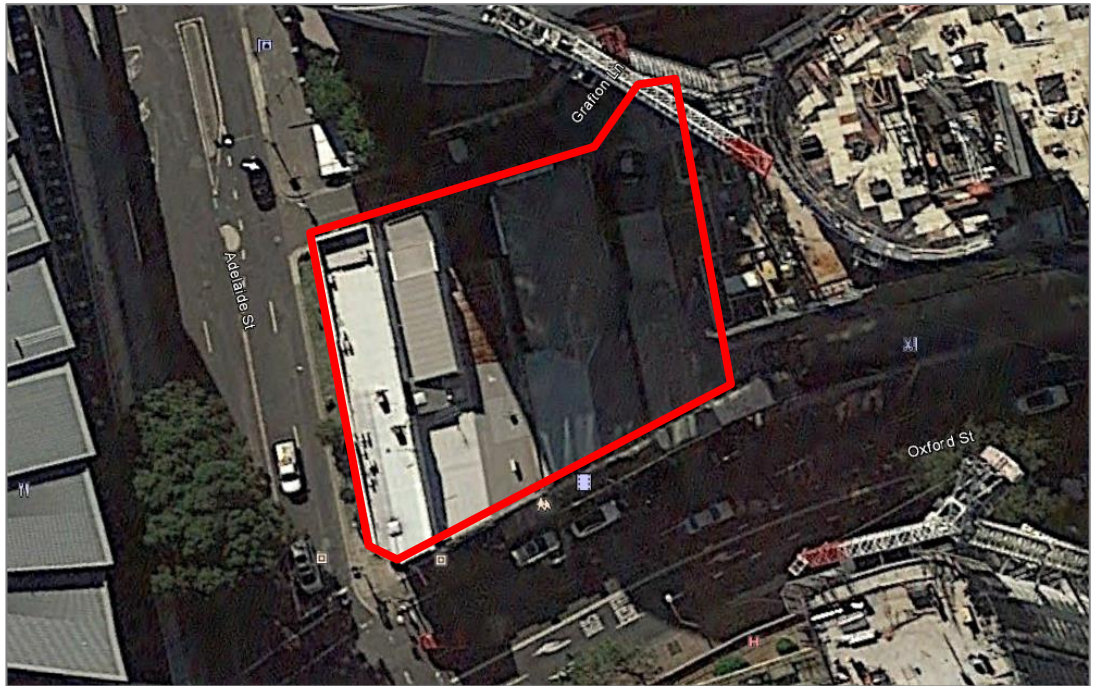


Figure 4: Aerial view with subject site's approximate boundaries outlined in red (Source: Google Earth)

3.2 Site Shape, Boundaries, Area & Gradient

The subject site is irregular in shape. Its combined Oxford Street (southern) boundary is 40m in length, whilst the Adelaide Street (western) boundary is 32.5m, the combined Grafton Lane (northern) boundary is 41m, and the eastern side boundary is 29m in length.

The combined site area is 1127m².

As is demonstrated by the survey plan prepared by Linker Surveying, a considerable gradient traverses the site. A maximum gradient of approximately 4.5m extends from the site's Oxford Street boundary down to the Grafton Lane boundary (i.e. south - north gradient). A more moderate gradient of approximately 1.5m extends from the site's eastern boundary to its western boundary (i.e. Adelaide Street).

3.3 Existing Development

Existing development at the subject site comprises one (1) three storey, and five (5) two storey terraces. Each are occupied by commercial or retail premises, with residential accommodation provided in some first floors. The existing envelopes occupy most of the site's area, and therefore, minimal landscaping is provided on site. Each of the terraces benefit from vehicular access from Grafton Lane.

Photos of the subject site are provided below.



Figure 5: Existing Adelaide Street and Oxford Street streetscape images with subject buildings outlined in red. Existing developments, in the background, which form part of the subject context are also shown, including 'Eclipse' and 'The Vue' (Source: CPSD).



Figure 6: Oxford Street frontage of subject site (Source: CPSD)

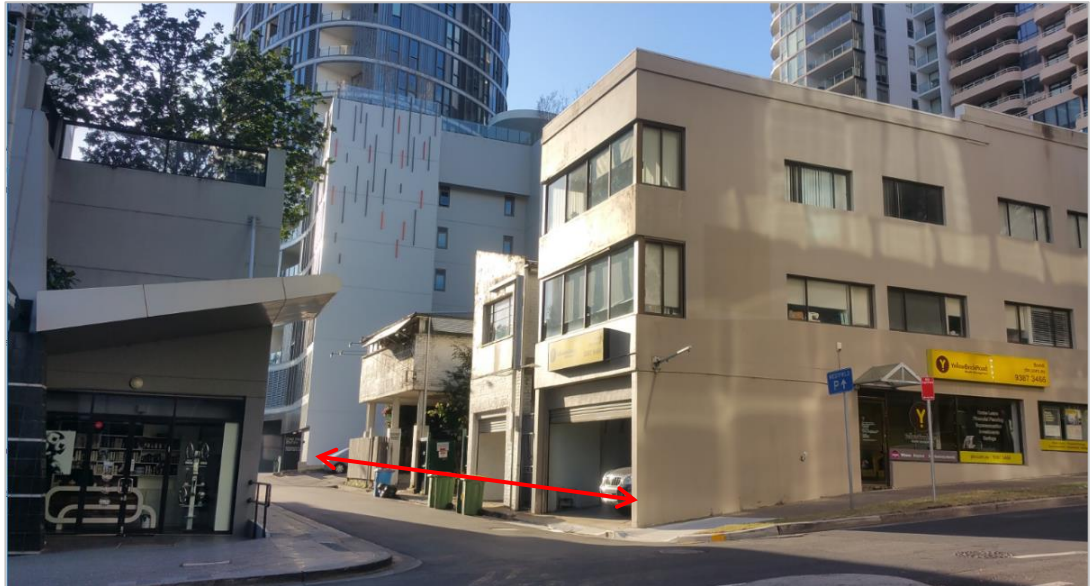


Figure 7: Grafton Lane with subject site's approximate boundary identified in red (Source: CPSD)

3.4 Immediately Surrounding Development

Adjoining the site immediately to the east is No. 570 - 588 Oxford Street, Bondi Junction. Development Consent 501/2012 was issued on 4 December 2013 for a nineteen (19) storey shop-top-housing development inclusive of 133 dwellings, ground floor commercial premises, as well as basement parking. The site's redevelopment has recently been completed, with the site commonly referred to as 'The Vue'. The survey plan included as part of this DA nominates a maximum RL of 144.27 for 'The Vue's' tower component, and a maximum RL of 104.67 for its podium component (or six storeys).

Immediately to the north of the subject site is Grafton Lane, which is effectively a service lane. On the opposite side of Grafton Lane is No. 1 Adelaide Street. It comprises of a sixteen (16) storey shop-top-housing development occupying the entire block bounded by Grafton Lane, Syd Einfeld Drive, and Adelaide Street. The development is generally referred to as 'The Eclipse'.

Immediately adjoining the site's western boundary is Adelaide Street, after which is the Westfield Shopping Centre (No. 474-548 Oxford Street, Bondi Junction). It's built form of relevance to the subject site is a four (4) storey envelope (equivalent to 6 typical storeys), built-to-boundary.

Immediately to the south of the subject site is Oxford Street. The width of the carriageway is between 21 - 25m, with all the carriage way expected to be widened to 25m as part of any development of remaining land between Adelaide Street and Syd Einfeld Drive. On the southern side of Oxford Street is a combination of established and recently completed shop-top-housing developments ranging in height from fifteen (15) to nineteen (19) storeys (or RL 131.15 to 145.75). Such developments are generally referred to as 'Hartley Place', 'Capitol Apartments', and 'Harbourview'.

It is also worth noting existing development diagonally opposite the subject site (No. 241 Oxford Street, Bondi Junction). It comprises of a recently constructed shop-top-housing development up to nineteen (19) storeys. The building footprint occupies the entire site. It is commonly referred to as 'Aqua Apartments'.



The Vue



The Eclipse



Capitol Apartments



Harley Place



Harbourview



Aqua Apartments



Looking west along Oxford Street showing subject site's south western corner and existing Westfield Shopping Centre on the western side of Adelaide Street.



Existing streetscape image showing 'Harbourview', 'Capitol Apartments', 'Harley Place' and 'Aqua Apartments' on the southern side of Oxford Street. In the foreground is the recent completed 'The Vue', located on the northern side of Oxford Street.

3.5 Context Description

3.5.1 Locality aerial view

The subject site is located towards the northern end of the Bondi Junction centre, as indicated in the aerial view below.

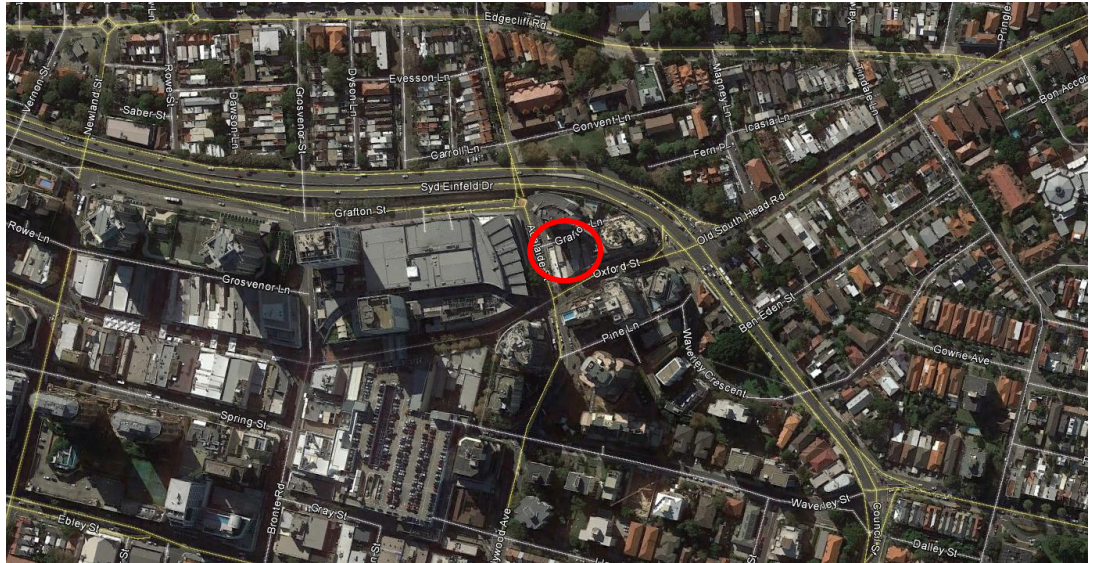


Figure 8: Contextual aerial view with subject's approximate location circled red (Source: Google Earth)

3.5.2 Strategic planning policies

'A Plan for Growing Sydney' (2014) nominates Bondi Junction as a Strategic Centre, as indicated in the following image.

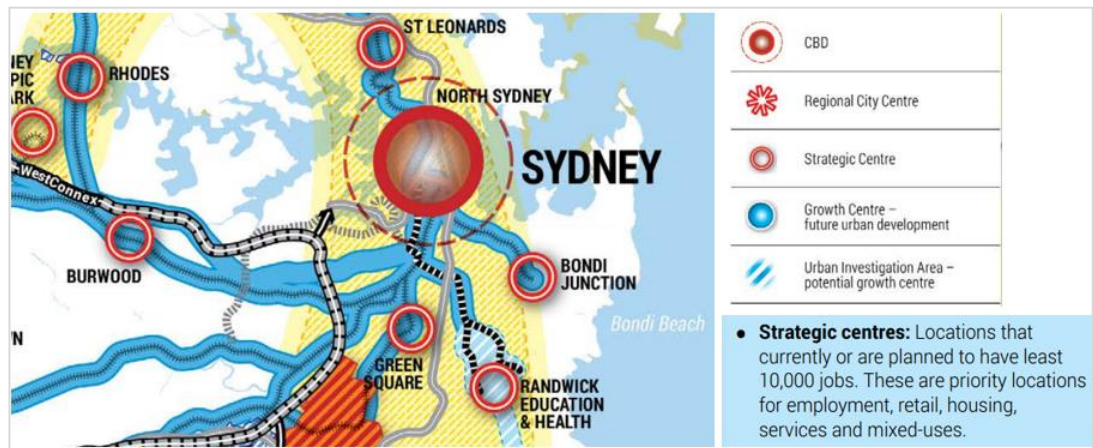


Figure 9: Extract from 'A Plan for growing Sydney' (2014).

Strategic Centres are expected to accommodate most of metropolitan Sydney's office and/or serviced related employment opportunities. They are also expected to allow for a mix of land uses, as well as a sizeable increase in housing opportunities in close proximity to major employment nodes. The proposal would be consistent with these objectives given it provides three (3) commercial tenancies on the ground and lower ground floors (resulting in an additional 354m² of commercial floor space). The proposal would also provide additional housing opportunities in close proximity to core employment locations. Specifically, the subject site is within a B4 - Mixed Use land use zone according to the *Waverley Local*

Environmental Plan 2012 (WLEP), and adjacent to Bondi Junction's core employment area zoned B3 - Commercial Core.

Consistent with 'A Plan for Growing Sydney', a combination of commercial and residential land uses (in a mixed-use format) dominate Bondi Junction. The commercial development, inclusive of small individual retail tenancies, the Westfield Shopping Centre, as well as several medium rise office towers are concentrated along Oxford Street (south of Adelaide Street), as well as along Grafton Street, Spring Street and Ebley Street (between Hollywood Avenue and Denison Street).

3.5.3 Description of built form

There is substantial variation in the built form and scale of existing or proposed residential development in Bondi Junction. It includes a notable proportion of single dwellings, multi-dwelling housing developments, single storey and multi-storey seniors living developments, as well as low, medium and high rise RFBs. It is noted in the examples below, the non-compliance and resulting precedent set for variable podium heights and their setbacks, for high rise RFBs and shop-top-housing developments in Bondi Junction:

- Consent No. DA-501/2012, approved 4 December 2013. 'The Vue' 570-588 Oxford Street, Bondi Junction. Demolition of existing buildings and construction of a 19-storey residential tower, ground level retail and basement car parking.
- Approved with zero setback to northern and eastern elevations facing Syd Enfield Drive. The non-compliance with the urban form controls in Part E 1.2 of the DCP was justified through provision of a clear architectural character providing a 'gateway' to Bondi Junction as a landmark building.
- Consent No. DA-539/2013, approved by the LEC on 29 July 2014. 'Capitol Apartments' 253-255 Oxford Street, Bondi Junction.
- Approved with two/three storey podium to Oxford Street and non-compliant (minimum 1.1m to maximum 3m) setback to eastern elevation. This was justified on the basis that the block edge, awning and tower setback was consistent with the existing adjoining development, and consistent setbacks of a surrendered DA (DA-386/2012).
- Consent No. DA-81/2013, approved on 4 December 2013. 'Aqua Apartments' 241 Oxford Street, Bondi Junction.
- The scheme was revised during the assessment process as requested by Council. However, the podium setback of approximately 5.3m was unchanged and subsequently approved. The non-compliance was justified through the strong built form to the street corner and prominent siting to the public domain.
- Consent No. DA-600/2015, lodged 24 December 2015 (amended plans 30 August 2016) and recommended for approval by Waverley DRP at the meeting on 22 March 2017.
- The proposed tower was non-compliant with minimum building separation under the ADG above Level 06. The WDRP report states the reasoning behind this non-compliance was due to the modest site width of 21 metres, the existing commercial building built to the boundary on the west, the proposed non-complying nil setback of the recently approved "Encore" mixed use development on the eastern boundary, and the needs to provide adequate solar access, natural lighting and cross ventilation in accordance with the Apartment Design Guide.
- 251 Oxford Street, Bondi Junction. Hartley Place. It is estimated that this high-rise development was constructed in 1990's. It includes fifteen (15) storeys, the first six (6) of which are for commercial purposes and the remainder for residential purposes. A generous portion of both its eastern and western elevations encroach the 6 metre podium setback zone.

- 1 Adelaide Street, Bondi Junction. 'The Eclipse'. This sixteen (16) storey shop-top-housing development was constructed in the 2000's. Except for its ground floor, the development incorporates dwellings. All of its western elevation, as well as a portion of its northern and southern elevation breach the 6-metre podium setback zone.

UP Architects/Kann Finch have diagrammatically depicted most of the developments listed above, and their relationship with the proposed development (see below). It is evident that there is no strictly consistent podium setbacks in the vicinity of the subject site and numerous precedents for the exercise of discretion in the application of the podium setback control. This statement provides that such an outcome is not undesirable, and that the proposal would be consistent with this outcome.



Figure 10: Areas nominated red represent built form within the 6-metre podium setback zone in the vicinity of the subject site (Source: UP Architects/Kann Finch)

3.5.4 Community land uses and open space

Community and open space type land uses are also provided for in Bondi Junction. They include:

- Clementson Park;
- Fingleton Reserve;
- Eora Reserve;
- Oxford Street mall;
- Waverley Place;
- Waverley Early Childhood Centre;
- Mill Hill Childcare Centre; and,
- Waverley Library

Several other sizeable open space facilities are provided just beyond Bondi Junction's boundary's, including Centennial Park, Waverley Park, Cooper Park, and Bondi beach. In addition to such publicly operated facilities, various privately operated facilities are also provided including cinemas, several major shopping centres, as well as privately operated child care centres.



3.5.5 Public transport

Bondi Junction is recognised as providing a high level of public transport facilities, including the Bondi Junction heavy rail and bus interchange. The interchange provides linkages to a range of local and regional destinations.

4. Description of the Development

4.1 Overview

This SEE relates to a DA proposing a shop-top-housing development at 552 - 568 Oxford Street, Bondi Junction. The proponent for the DA is Denscen Pty Ltd.

In summary, the development is the demolition of existing structures, site clearing, excavation for four (4) basement levels and construction of a mixed-use building.

The building includes ninety (90) dwellings and three (3) commercial tenancies within a nineteen (19) storey above ground building envelope, four (4) basement levels with a total of eighty-eight (88) parking spaces, as well as ancillary items such as utility rooms and the like. Also, included as part of the DA will be the demolition of all existing structures on the subject site and the dedication of land along the site's Oxford Street boundary to Waverley Council for road reserve widening purposes.

4.2 Detailed Proposal Description

Each level of the proposed shop-top-housing development is described in detail below:

Basement Level 04

- A total of twenty-one (21) car parking spaces for residents, including four (4) accessible spaces;
- A total of three (3) motorcycle spaces;
- A total of nineteen (19) storage/ bike spaces;
- One (1) traffic signal and one (1) convex mirror;
- Two (2) lifts and one (1) emergency stair providing access to the upper basement levels, ground level or the entire building envelope;
- Sewer pumping station & subsoil pumping station; and
- Vertical areas for ventilation and stair pressurisation.

Basement Level 03

- A total of twenty-two (22) car parking spaces for residents, including two (2) accessible spaces;
- A total of two (2) motorcycle spaces;
- A total of sixteen (16) storage/ bike spaces;
- Two (2) traffic signals and one (1) convex mirror;
- "H6" Water pump room in north-western corner;
- Two (2) lifts and one (1) emergency stair providing access to the upper basement levels, ground floor or the entire building envelope; and
- Vertical areas for ventilation and stair pressurisation.

Basement Level 02

- A total of twenty-three (23) car parking spaces for residents, including two (2) accessible spaces;
- A total of two (2) motorcycle spaces;
- A total of twelve (12) storage/ bike spaces;
- Two (2) traffic signals and one (1) convex mirror;
- "H18" Grease Arrestor located in north-western corner;

- Two (2) lifts and one (1) emergency stair providing access to the upper basement levels, ground level or the entire building envelope; and
- Vertical areas for ventilation and stair pressurisation.

Basement Level 01

- A total of twenty-two (22) car parking spaces, including thirteen (13) visitor spaces, two (2) disabled spaces and two (2) accessible spaces;
- A total of two (2) motorcycle spaces;
- A total of twelve (12) storage/ bike spaces;
- Two (2) traffic signals and one (1) convex mirror;
- Void for "H18" Grease Arrestor on Basement Level 02 below;
- Two (2) lifts and one (1) emergency stair providing access to the upper basement levels, ground level or the entire building envelope; and
- Vertical areas for ventilation and stair pressurisation.

Lower Ground

- One (1) 7.5m wide vehicular access driveway to Grafton Lane;
- One (1) retail tenancy identified as "Retail 03" measuring approximately 95sqm, located along the Adelaide Street frontage;
- A total of four (4) motorcycle spaces internally and a total of five (5) motorcycle spaces located externally perpendicular to Grafton Lane;
- 1:20 gradient ramp;
- Twenty-seven (27) storage/ bike spaces;
- A total of seven (7) storage/ bike facilities and three (3) retail bicycle spaces. A total of two (2) additional bicycle parks are located externally parallel to Grafton Lane;
- Garbage room inclusive of garbage bin wash area, compost and bulky goods storage;
- Retail garbage room located within the larger Garbage room (above);
- A total of two (2) loading docks;
- One (1) garbage chute;
- Building service rooms, such as switch room, substation, and master water heater/ gas meter room/ gas regular located along the Grafton Lane frontage;
- Retail hot water plant;
- Two (2) lifts and one (1) emergency stair providing access to the basement levels, ground level or the entire building envelope; and
- Vertical areas for ventilation and stair pressurisation.

Ground Floor

- A total of two (2) retail tenancies, identified as "Retail 01" (approximate area of 110sqm) and "Retail 02" (approximate area of 170sqm) located along the Oxford Street and Adelaide Street frontages respectively;
- Residential lobby, mailbox and access to lift lobby provided from Oxford Street;
- Building service rooms such as two (2) 80,000L hydrant and sprinkler rooms, one (1) hydrant pump/ sprinkler valve room, stormwater detention, rainwater room and condenser air intake rooms;
- Fire control room located off Oxford Street;
- Access to mechanical building service equipment meters;

- Retail hot water plant located adjoining to "Retail 01";
- One (1) accessible WC located adjoining to "Retail 02";
- Goods lift;
- Two (2) lifts and one (1) emergency stair providing access to the basement levels, ground level or the entire building envelope;
- One (1) stair providing access to main communications and security room located on Level 1; and
- Vertical areas for ventilation and stair pressurisation.

Level 01

- A total of seven (7) residential dwellings with Private Open Space (POS), comprising:
 - One (1) x studio dwelling;
 - Five (5) x 1-bedroom dwellings;
 - One (1) x 2-bedroom dwellings;
- A central corridor providing access to each of the proposed dwellings;
- Lift lobby and access to (2) lifts and one (1) emergency staircase;
- Three (3) voids over "Retail 02", residential lobby and to the western boundary;
- "E3" Main Communication and Security room;
- Various plant and service rooms for garbage chutes, service ducts, emergency equipment and the like.

Levels 02-05

- A total of eight (8) residential dwellings per level, with Private Open Space (POS), comprising:
 - Five (5) x 1-bedroom dwellings;
 - Three (3) x 2-bedroom dwellings;
- A central corridor providing access to each of the proposed dwellings;
- Lift lobby and access to (2) lifts and one (1) emergency staircase;
- Two (2) voids over residential lobby and to the western boundary;
- Various plant and service rooms for garbage chutes, service ducts, emergency equipment and the like.

Level 06

- A total of four (4) residential dwellings with Private Open Space (POS), comprising:
 - One (1) x 1-bedroom dwelling;
 - Three (3) x 2-bedroom dwellings;
- External communal open space area approximately 282m²;
- One (1) accessible WC and Mid-Level pump room;
- "H21 Mid-Level Pump Room";
- Lift lobby and access to (2) lifts and one (1) emergency staircase;
- Various plant and service rooms for garbage chutes, service ducts, emergency equipment and the like;
- Reservation of some external areas for condensor units.

Levels 07-11

- A total of five (5) residential dwellings per level, with Private Open Space (POS), comprising:
 - One (1) x 1-bedroom dwelling;
 - Four (4) x 2-bedroom dwelling;
- Void over residential lobby;
- Lift lobby and access to (2) lifts and one (1) emergency staircase; and
- Various plant and service rooms for garbage chutes, service ducts, emergency equipment and the like.

Levels 12-14

- A total of four (4) residential dwellings per level, with Private Open Space (POS), comprising:
 - Three (3) x 2-bedroom dwellings;
 - One (1) x 3-bedroom dwelling.
- Void over residential lobby;
- Lift lobby and access to (2) lifts and one (1) emergency staircase; and
- Various plant and service rooms for garbage chutes, service ducts, emergency equipment and the like.

Level 15-16

- A total of four (4) residential dwellings with Private Open Space (POS), comprising:
 - Three (3) x 2-bedroom dwellings;
 - One (1) x 3-bedroom dwelling;
- Void over residential lobby;
- Lift lobby and access to (2) lifts and one (1) emergency staircase; and
- Various plant and service rooms for garbage chutes, service ducts, emergency equipment and the like.

Level 17

- A total of two (2) 3-bedroom dwellings with Private Open Space (POS);
- Lift lobby and access to (2) lifts and one (1) emergency staircase; and
- Various plant and service rooms for garbage chutes, service ducts, emergency equipment and the like.

Roof

- Fixed louvres shading POS for residential dwellings located on Level 17;
- Area reserved for rooftop condensers and services;
- Residential hot water plant; and
- Lift overrun, at a maximum RL of 143.80.

4.3 Development Statistics

The key statistics of the proposal are summarised in **Table 2** below:

Table 4: Development Statistics

Element	Proposal
Site Area	1,127m ²
Gross Floor Area (GFA) and Floor Space Ratio (FSR) as defined by WLEP 2012	8,010m ² comprising: <ul style="list-style-type: none"> 7,439m² Residential 375m² Retail 228m² (Garbage rooms, storage cages, loading dock access and residential lobby) Proposed FSR = 7.1:1
Maximum Height	<ul style="list-style-type: none"> 61.5m to the top of the roof feature, or RL 143.80 AHD. This height takes into account any lift over run or rooftop building service equipment.
Total Dwellings	Ninety (90) dwellings over sixteen (16) levels comprising: <ul style="list-style-type: none"> 1 x Studio (1%) 31 x 1 Bedroom (34.4%) 51 x 2 Bedroom (56.6%) 7 x 3 Bedroom (7.7%)
Total Car Parking	Eighty-eight (88) spaces comprising: <ul style="list-style-type: none"> Seventy-five (75) spaces for residents 13 (13) spaces for residents' visitors Nine (9) accessible spaces Two (2) disabled spaces Eighteen (18) motorcycle spaces including five (5) motorcycle spaces located externally perpendicular along Grafton lane

4.4 Cost of Construction

The proposal's CIV is \$37,525,149 as provided in the Quantity Surveyor's assessment provided at **Appendix 10** of this SEE.

5. Environmental Planning Framework

This section of the SEE identifies the applicable environmental planning framework. This includes legislation, environmental planning instruments such as SEPPs and LEPs, as well as non-statutory instruments such as DCPs, developer contribution plans, policies and the like. **Section 6** of this SEE provides an assessment of the proposal against the identified framework.

- Statutory considerations
 - Environmental Planning and Assessment Act, 1979 (EP&A Act);
 - Environmental Planning and Assessment Regulation 2000 (EP&A Regulations);
 - State Environmental Planning Policy No. 55 - Remediation of Land (SEPP 55);
 - State Environmental Planning Policy No. 65 - Design Quality of Residential Apartment Development (SEPP 65);
 - State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004 (BASIX SEPP);
 - State Environmental Planning Policy (Infrastructure) 2007 (Infrastructure SEPP);
 - State Environmental Planning Policy (State and Regional Development) 2011 (SRD SEPP);
 - Sydney Regional Environmental Planning Policy (Sydney Harbour Catchment) 2005 (Sydney Harbour Catchment SREP);
 - The Apartment Design Guide (ADG);
 - Waverley Local Environmental Plan 2012 (WLEP 2012);
 - Draft Waverley Housekeeping Amendments Local Environmental Plan 2016 (Draft Housekeeping LEP 2016);
 - Waverley Development Control Plan 2012, Amendment No 5 (WDCP 2012); and,
 - Waverley Council Development Contribution Plan 2006 (Development Contribution Plan).
- Non-statutory considerations
 - A Plan for Growing Sydney, 2014; and
 - Draft Central District Plan.

6. Environmental Planning Assessment

This section of the SEE provides an assessment of the proposal against the framework identified in **Section 5** above. The assessment identifies the proposal's consistency, or otherwise, with the objectives, merit based expectations, development standards and non-statutory controls of the relevant framework.

6.1 Environmental Planning & Assessment Act 1979

6.1.1 Section 5 - Objects

The EP&A Act is the principle planning and development legislation guiding development in New South Wales (NSW). As prescribed by Section 5, the objectives of the EP&A Act are to encourage:

- i. the proper management, development and conservation of natural and artificial resources, including agricultural land, natural areas, forests, minerals, water, cities, towns and villages for the purpose of promoting the social and economic welfare of the community and a better environment,*
- ii. the promotion and co-ordination of the orderly and economic use and development of land,*
- iii. the protection, provision and co-ordination of communication and utility services,*
- iv. the provision of land for public purposes,*
- v. the provision and co-ordination of community services and facilities, and*
- vi. the protection of the environment, including the protection and conservation of native animals and plants, including threatened species, populations and ecological communities, and their habitats, and*
- vii. ecologically sustainable development, and*
- viii. the provision and maintenance of affordable housing, and..."*

The proposal is principally for a high density mixed-use development. As will be demonstrated later in this SEE, the proposal is a permissible land use, and substantially compliant with the relevant objectives, development standards and/or numerical controls prescribed by the relevant environmental planning framework.

The proposal has been designed to increase housing opportunities for a range of household types. It also adopts contemporary design principles, as well as materials and finishes. Typical measures intended to minimise natural environmental impacts are also included, such as stormwater control, passive solar design, as well as BASIX measures. Three (3) retail tenancies are included to provide an active frontage for the building and support the commercial viability of the Bondi Junction Commercial centre.

In light of the above, this SEE provides that the proposal is consistent with the objects of the EP&A Act.

6.1.2 Section 79C - Evaluation

Section 79C of the EP&A Act specifies the matters which a consent authority must consider when determining a DA. Those matters in Section 79C of the EP&A Act of relevance to this DA are addressed in **Table 3** below, and elsewhere in this SEE.

Table 3: Section 79C(1)(a) Considerations

Section	Comment
Section 79(1)(a)(i) Any environmental planning instrument	Consideration of relevant instruments is discussed in Section 6.3 to 6.10 .
Section 79C(1)(a)(ii) Any draft environmental planning instrument	Consideration of relevant draft instruments is discussed in Section 6.9 .
Section 79C(1)(a)(iii) Any development control plan	Consideration of relevant development control plan/s is discussed in Section 7.1 .
Section 79C(1)(a)(iia) Any planning agreement	Planning agreements do not apply to the subject site or subject development site.
Section 79C(1)(a)(iv) Matters prescribed by the regulations	Any relevant matters prescribed by the regulations are addressed in Section 6.2 .
Section 79C(1)(a)(v) Any coastal zone management plan	Coastal zone management plans do not apply to the subject site.
Section 79C(1)(b) The proposal's likely impacts	The proposal's likely impacts are evaluated in Section 6.8 .
Section 79C(1)(c) Site suitability	The subject development site's suitability for the proposal is considered in Section 8.8 .
Section 79C(1)(d) Any submissions	Public submissions are addressed at Section 6.15 , or can be addressed as requested.
Section 79C(1)(e) The public interest	The proposal is considered with respect to the public interest in Section 6.16 .

6.2 Environmental Planning & Assessment Regulation 2000

6.2.1 Clause 50(1-1AB) - How must a development application be made

This clause of the EP&A Regulations states that a DA for a residential apartment development must be accompanied by a design verification statement from a qualified designer, which confirms:

- a) *that he or she designed, or directed the design, of the development, and*
- b) *provide an explanation that verifies how the development:*
 - i. *addresses how the design quality principles are achieved, and*
 - ii. *demonstrates, in terms of the Apartment Design Guide, how the objectives in parts 3 and 4 of the guide have been achieved.*

Clause 50(1A) required that a development application for residential apartment development be accompanied by a design verification statement from a qualified designer which confirms:

- *"(a) verify that he or she designed, or directed the design, of the development, and*
- *(b) provide an explanation that verifies how the development:*
 - (i) addresses how the design quality principles are achieved, and*

(ii) demonstrates, in terms of the Apartment Design Guide, how the objectives in Parts 3 and 4 of that guide have been achieved".

This Verification Statement has been prepared by UP Architects, and accompanies this application, appended at **Appendix 5**.

In addition, Clause 50 refers to Schedule 1 of the EP&A Regulations, which provides that any DA for residential apartment development to which SEPP 65 applies, must also be accompanied by certain information. Architectural plans, landscape plans and the like are provided at **Appendix 5** and **6** of this SEE, in accordance with Schedule 1.

6.3 State Environmental Planning Policy No 55 - Remediation of Land

6.3.1 Clause 2 - Object of this Policy

SEPP 55 establishes State-wide provisions to promote the remediation of contaminated land. In particular, the policy aims to promote the remediation of contaminated land for the purpose of reducing the risk of harm to human health or any other aspect of the environment:

- by specifying when consent is required, and when it is not required, for a remediation work, and
- by specifying certain considerations that are relevant in rezoning land and in determining development applications in general and development applications for consent to carry out a remediation work in particular, and
- by requiring that a remediation work meet certain standards and notification requirements.

6.3.2 Clause 7 - Contamination and remediation to be considered in determining development application

This clause requires that a consent authority must not grant consent to a development unless it has considered whether a site is contaminated, and if it is, that it is satisfied that the land is suitable (or will be after undergoing remediation) for the proposed use.

A Phase 1 contamination assessment has been prepared by Douglas Partners, attached at **Appendix 17**. Douglas Partners has undertaken a desktop review of the site and any potential contamination. The report concludes that the site *"can be made suitable for the proposed development subject to the following recommendations:*

- *Hazardous Building Material Assessment: It is recommended that a hazardous building materials assessment of the existing buildings should be undertaken prior to demolition; and*
- *Detailed Site Investigation (DSI) incorporating waste classification: A detailed contamination investigation to target the filling and groundwater should be undertaken following demolition of the current site buildings due to site access issues. The DSI will provide information on the contamination status of soils and groundwater, as well as a waste classification required for disposal of surplus soils during basement excavation."*

In light of the above, this SEE provides that the proposal satisfies the relevant objectives and clauses of SEPP 55.

6.4 State Environmental Planning Policy No 65 - Design Quality of Residential Apartment Development

6.4.1 Clause 2 - Aims, objectives etc.

SEPP 65 aims to improve the design quality of residential apartment development in NSW by:

- Ensuring such buildings contribute to sustainable development;
- Provide sustainable housing in social and environmental terms;
- Achieve better built form and aesthetics of buildings, streetscapes and the public spaces they define;
- Better satisfy the increasing demand, changing social and demographic profile of the community;
- Maximise amenity, safety and security for the benefit of occupants and the wider community
- Minimise the consumption of energy from non-renewable resources

To assist with meeting these objectives, the SEPP prescribes nine (9) design quality principles which must be met by any respective DA. As referenced earlier, SEPP 65 also prescribes the ADG which provides further detailed measures to assist with satisfying the objectives and design principles.

As stated earlier, this SEE is accompanied by a Design Verification Statement as well as an ADG compliance table at **Appendix 5**, by UP Architects/Kann Finch. In addition, the proposal was independently reviewed by Architectus for the purpose of consistency with SEPP 65 and the ADG (refer to **Appendix 7**). The proposal's solar access and ventilation provisions were also independently assessed by Steve King (**Appendix 24**).

Each of these documents conclude that the proposal is substantially consistent with the principles of SEPP 65 and the design criteria of the ADG. They do, however, acknowledge that strict compliance is not achieved with the design criteria for building to building separation, as well as solar access. These non-compliances are described in detail, and subsequently justified in the respective reports. A summary of the discussion is provided in the following table:

Control	Compliance
2F Building Separation	<p>From an ADG perspective, the proposal does not strictly meet the minimum requirements for building separation.</p> <p>The building separation to the north (between habitable rooms) from Levels 01-05 is 14.5m (minimum requirement is 18m) and 18m from Levels 06-14 (minimum requirement is 24m). It should be noted, however, that the proposal faces mainly bathrooms, and the like, in buildings to the north (i.e. 'Eclipse'). Privacy impacts, therefore, will not be significant.</p> <p>The building separation to the east (between habitable rooms) from Levels 06-17 is 20.50m (minimum requirement is 24m).</p> <p>As illustrated on the architectural plans, the site is constrained by high-density buildings to the north and east. Achieving compliance would</p>

	severely impact on the tower's floor plate. This aside, the non-compliance is minor. Potential privacy impacts are offset with the use of privacy panels and the like. Further, the proposal is substantially compliant in terms of solar access to its proposed dwellings, whilst dwellings on adjoining properties are strictly compliant.
4A Solar and daylight access	70% of proposed dwellings achieve 2 hours solar access between 9am - 3pm at June 21. This has been unrepentantly verified by Steve King Consultant (see Appendix 24).

Whilst the previously referenced specialist reports assess the proposal in detail with regard to SEPP 65 and the ADG, this SEE nevertheless describes the proposal's compliances with some of their other key controls:

- A total of 282m² of communal open space is provided, which equates to 25% of the site area (ADG recommended minimum is 20%).
- 62% of the abovementioned communal open space receives a minimum of 2 hours sunlight between 9am and 3pm at June 21 (ADG recommended minimum is at least 50%).
- The proposal includes:
 - A studio dwelling with a minimum area of 37.7m² (ADG recommended minimum is 35m²).
 - 1 bedroom dwellings with a minimum area of 50.2m² (ADG recommended minimum is 50m²).
 - 2 bedroom dwellings with a minimum area of 75.9m² (ADG recommended minimum is 70m²).
 - 3 bedroom dwellings with a minimum area of 130.1m² (ADG recommended minimum is 90m²).
- The proposal includes:
 - studio dwellings with a minimum additional storage area of 7m³ (including basement) (ADG recommended minimum is 4m³).
 - 1 bedroom dwellings with a minimum additional storage area of 7m³ (including basement) (ADG recommended minimum is 6m³).
 - 2 bedroom dwellings with a minimum additional storage area of 8m³ (including basement) (ADG recommended minimum is 8m³).
 - 3 bedroom dwellings with a minimum additional storage area of 10m³ (including basement) (ADG recommended minimum is 10m³).
- A variety of dwellings types are provided catering for a variety of household sizes.

6.5 State Environmental Planning Policy: Building Sustainability Index (BASIX) 2004

The aim of this Policy is to establish a scheme to encourage sustainable residential development (the BASIX scheme). The BASIX SEPP, together Schedule 1 of the EP&A Regulations 2000, require the submission of a BASIX certificate for any BASIX affected building/s, which is defined in the EP&A Regulations 2000 as any building that contains one or more dwellings, but does not include a hotel or motel.

The proposal is regarded as a BASIX affected building. The DA includes BASIX certification as provided in **Appendix 9** of this SEE. The certificate confirms that the proposal achieves

the minimum efficiency targets. As such, the proposal satisfies BASIX requirements as prescribed by the BASIX SEPP and the EP&A Regulation 2000.

6.6 State Environmental Planning Policy (Infrastructure) 2007

6.6.1 Clause 101 - Development with frontage to classified road

This clause applies to proposed development with frontage to a classified road. It seeks to ensure development with a frontage to a classified road would not compromise its effective and ongoing operation. The proposal has no frontage to Syd Enfield Drive, which is a classified road, or Bronte Road, which is a regional road as demonstrated in **Figure 9** below.



Figure 11 - Extract of RMS classified roads map, approximate location of site marked with square (Source: NSW Roads & Maritime Services)

Whilst the proposal does not have a frontage to a classified road, the DA nevertheless includes a traffic impact assessment (at **Appendix 14**) which considers the proposal's impact on the surrounding road network, including the nearby classified roads. The assessment concludes that the proposal would not result in any significant impact to its operation and/or function.

6.6.2 Clause 102 - Impact of road noise or vibration on non-road development

Clause 102 seeks to ensure that any proposed development for the purpose of a residential, place of worship, hospital or education establishment land use, on land which is on or adjacent to any road corridor with an annual average daily traffic volume of more than 40,000 vehicles, will achieve suitable internal amenity.

The NSW Roads & Maritime Service's (RMS) Traffic Volume Maps, an extract of which is provided below, provides that this section of Oxford Street does not accommodate an annual average daily traffic volume of more than 40,000 vehicles. As such, clause 102 of the Infrastructure SEPP does not technically apply to this DA.

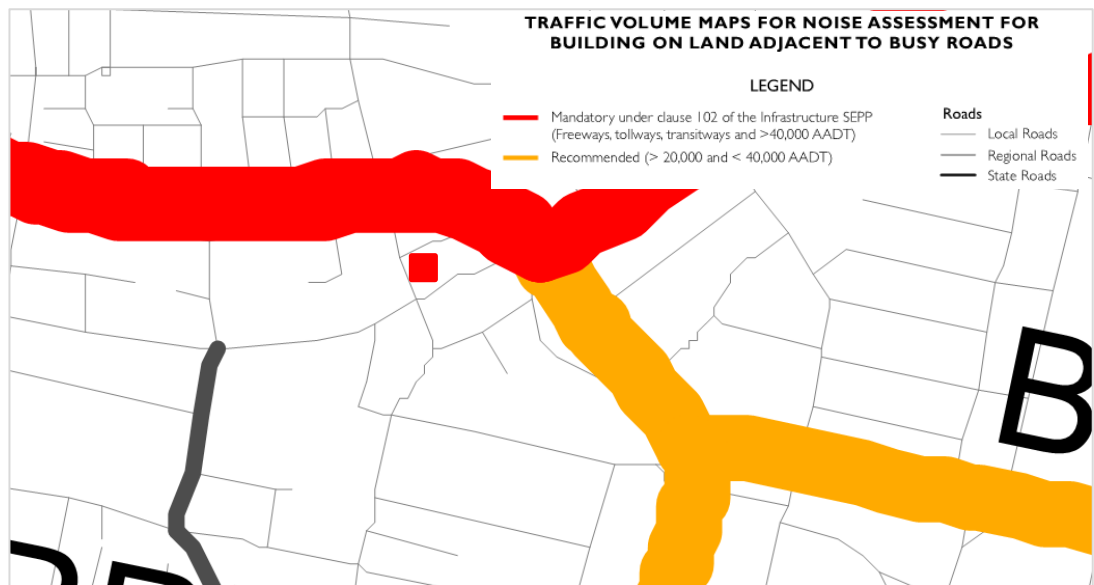


Figure 12 - Extract of RMS Traffic Volume Maps, approximate location of site marked with square (Source: RMS)

Whilst the clause may not strictly apply, an assessment was nevertheless undertaken against the noise criteria of clause 102. The results are provided at **Appendix 12**, and, in summary, they provide that the proposal can meet the criteria, subject to specific design measures such as minimum glazing thickness and the like. These could be required as a condition of any Development Consent.

6.6.3 Clause 104 - Traffic generating development

Clause 104 requires that before granting consent to development of a type nominated in Schedule 3 of the Infrastructure SEPP, the consent authority must refer the application to the RMS for comment on various matters including:

- the efficiency of movement of people to and from the site and the extent of multi-purpose trips, and
- the potential to minimise the need for travel by car, and
- any potential traffic safety, road congestion or parking implications of the development.

This provision is relevant as the proposal is of a type listed in column 3 of Schedule 3, being an apartment or residential flat building with 75 or more dwellings on a site that has a connection of less than 90m to a classified road, which in this case is Syd Enfield Drive.

As stated earlier, the DA is accompanied by a traffic and parking assessment by Traffix at **Appendix 14**. In summary, the assessment provides that the site's accessibility is satisfactory, the site's accessibility to public bus transport is reasonable, and that the proposal would not generate adverse impact on the safety or efficiency on the surrounding road network, and in particular Syd Enfield Drive. It should also be noted that the proposal includes dedicating land along the subject site's Oxford Street frontage for the purpose of a wide pedestrian footpath.

In this regard, the RMS is not expected to provide any feedback which will fundamentally alter the proposal.

6.7 State Environmental Planning Policy (State and Regional Development) 2011

6.7.1 Clause 20 - Development to which Part Applies

Of relevance to this DA is Clause 20 of the SRD SEPP which, by referencing Schedule 4A of the EPA Act, identifies certain development as Regional Development.

Clause 3 of Schedule 4A of the EP&A Act lists any development with a CIV of more than \$20 million as Regional Development. The proposal would therefore be regarded as Regional Development given its CIV equates to \$37,525,149 (refer to QS report at **Appendix 22**).

6.7.2 Clause 21 - Council consent functions to be exercised by regional panels

This clause provides that any development to which clause 20 applies, may be determined by a regional planning panel. Based on the CIV, the DA will be assessed by Waverley Municipal Council as the consent authority but determined by the Sydney Central Planning Panel as the determining authority.

6.8 Waverley Local Environmental Plan 2012

The *Waverley Local Environmental Plan 2012* (WLEP) is the primary local environmental planning instrument that applies to the site.

6.8.1 Clause 1.4 Definitions

This clause, and the corresponding dictionary, defines "shop top housing" as "... one or more dwellings located above ground floor retail premises or business premises".

A "dwelling" is subsequently defined as "...a room or a suite of rooms occupied or used or so constructed or adapted as to be capable of being occupied or used as a separate domicile".

"Retail premises" are defined as " a building or place used for the purpose of selling items by retail, or hiring or displaying items for the purpose of selling them or hiring them out, whether the items are goods or materials (or whether also sold by wholesale), and includes any of the following:

... (l) shops..."

A "shop" is defined as "premises that sell merchandise such as groceries, personal care products, clothing, music, homewares, stationery, electrical goods or the like or that hire any such merchandise, and includes a neighbourhood shop, but does not include food and drink premises or restricted premises".

The proposal provides dwellings, all of which are above shops located on the ground floor of the proposed building, and is therefore consistent with the definition of shop top housing.

6.8.2 Clause 2.2 Zoning of land to which Plan applies

Pursuant to Clause 2.2, the site is zoned B4 - Mixed Use, as identified in the extract of the relevant land use zoning map on the following page.

The objectives of the B4 Mixed Use zone are:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage commercial uses within existing heritage buildings and within other existing buildings surrounding the land zoned B3 Commercial Core.

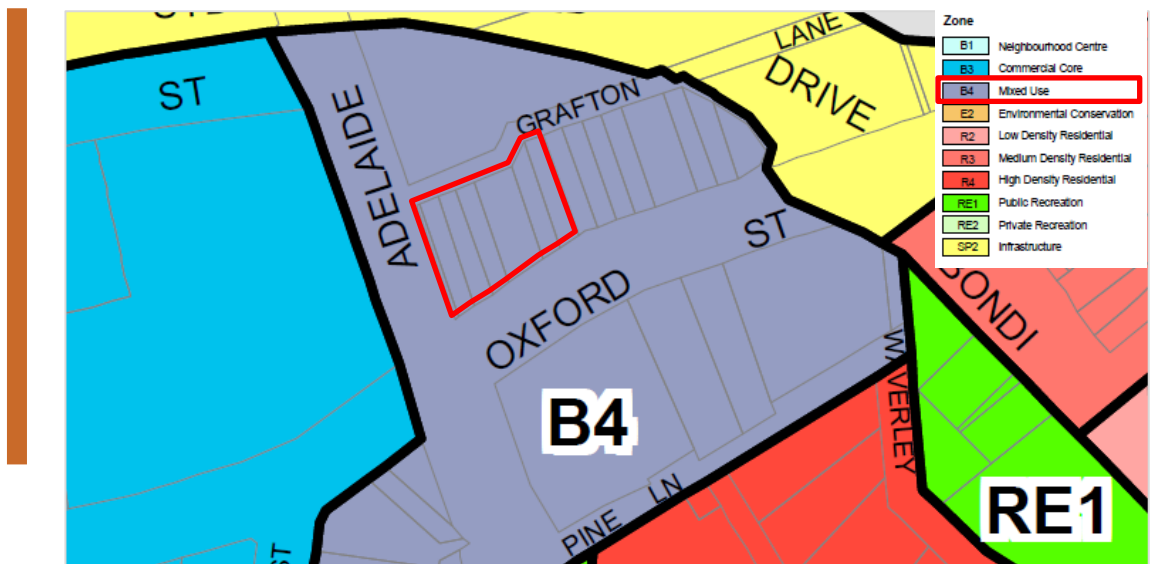


Figure 13 - Extract of the Land Zoning Map with subject site outlined in red (Source: LZN_001)

The proposal would be regarded as a higher density residential development, with a commercial component on the ground floor. Both these land uses would be compatible with existing surrounding shop-top-housing developments, as well as Bondi Junction's substantial public transport capacity. In this case, the proposal is consistent with the relevant objectives of the subject land use zone.

6.8.3 Clause 4.3 Height of Buildings

Pursuant to Clause 4.3, the site is subject to a maximum building height limit of 60m. Refer to **Figure 12** below.

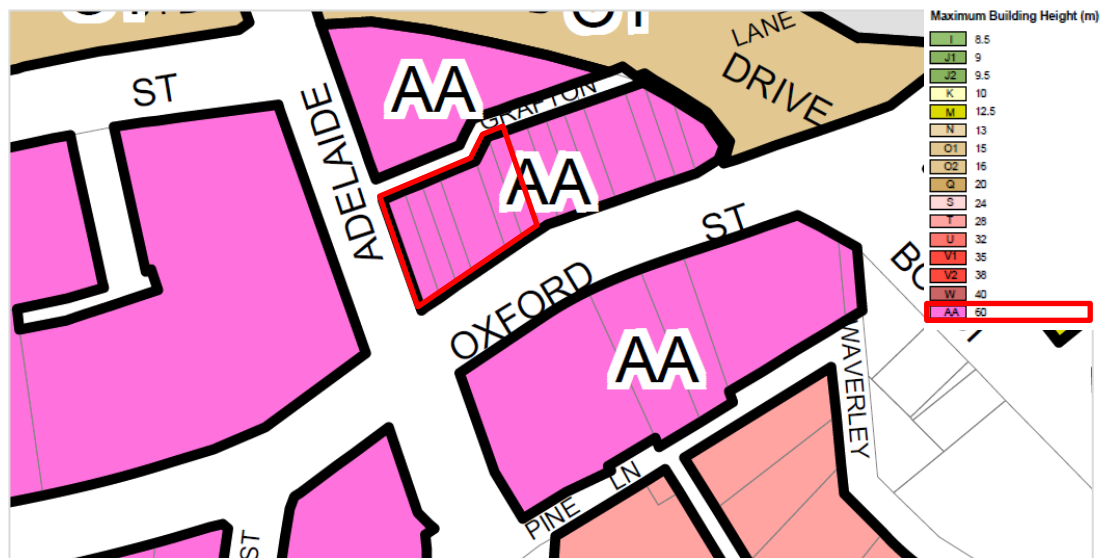


Figure 14 - Extract of the Height of Buildings Map, site outlined in red (Source: HOB_001)

The proposal adopts a maximum RL of 143.80 AHD. This equates to a maximum, non-compliant proposed building height of 61.5m, measured from lower ground along Grafton Lane.

The non-compliance is limited to a limited portion of the rooftop area only, as indicated in the images below. It encapsulates space allocated primarily for rooftop services such as lift over runs, plant, and the like.

An exception is sought to the strict application of the height standard pursuant to Clause 4.6 of the WLEP 2012 (refer to **Appendix 4**). In summary, the exception is sought because of the site's south to north 4.5m gradient.

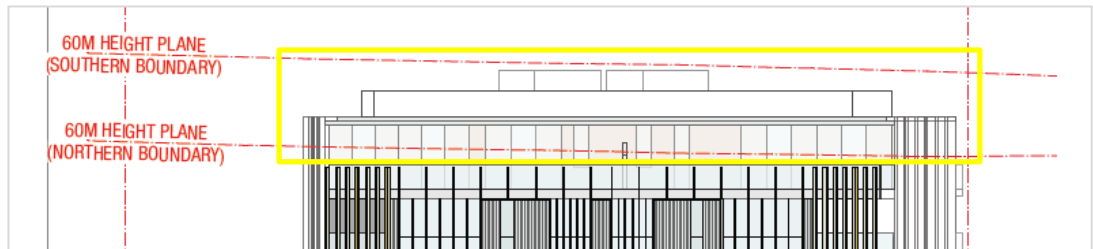


Figure 15 - Extract of the Northern Elevation, contravention highlighted in yellow (Source: UP Architects/Kann Finch)

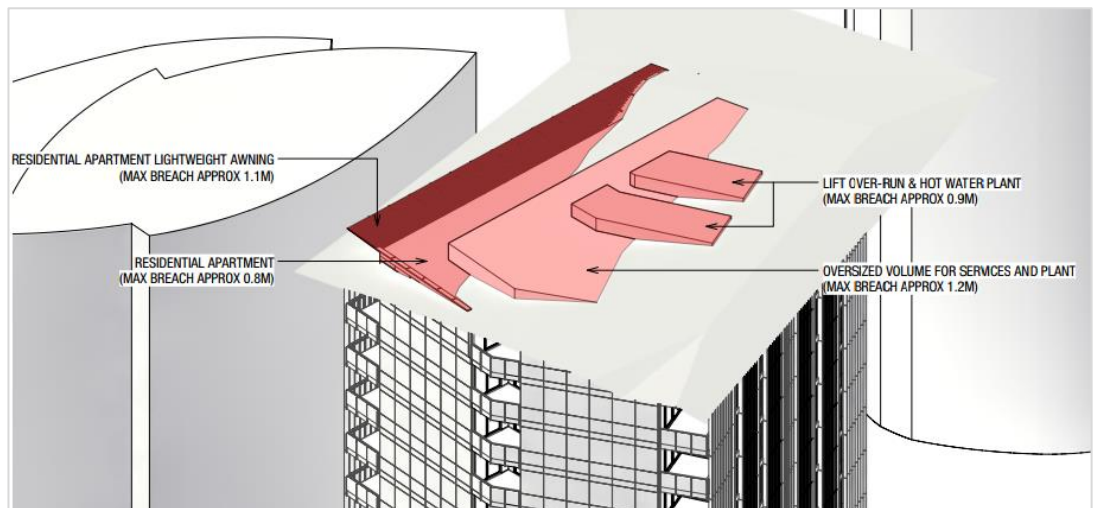


Figure 16: Roof height plane image with non-compliant height shown red (Source: UP Architects/Kann Finch)

6.8.4 Clause 4.4 Floor space ratio

Pursuant to Clause 4.4, the site has a maximum FSR of 6.00:1. Refer to **Figure 13** below.

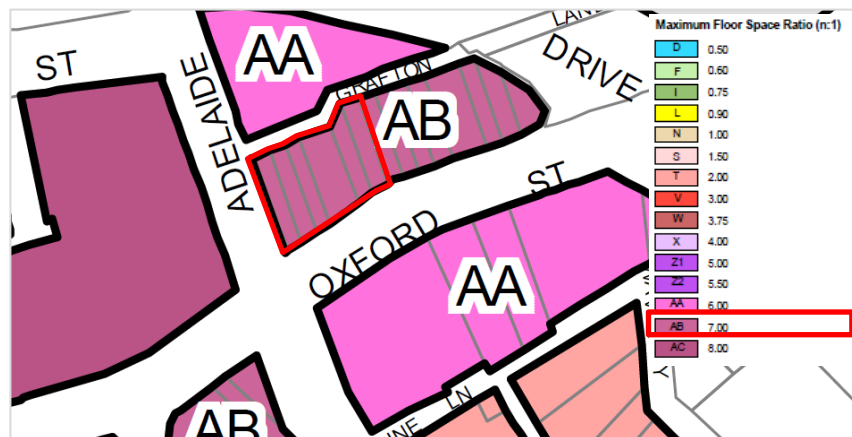


Figure 17 - Extract of the Floor Space Ratio Map, site outlined in red (Source: FSR_001)

The relevant site area is 1,127m². The DA includes a proposed GFA of 8,010m². As such, the maximum proposed FSR is 7.1:1.

The GFA resulting in the breach can be mostly attributed to a portion of the proposed basement, which is aboveground as a result of the site's gradient. Being above ground, this portion of the basement is technically GFA. Further, to avoid the undesirable outcome of a basement presenting to a public space, in this case Adelaide Street, it is partially sleeved by a small commercial tenancy with street front glazing, further adding to GFA.

A request to vary this development standard under Clause 4.6 has been prepared by CPSD, attached at **Appendix 4**.

6.8.5 Clause 6.2 Earthworks

This clause states that development consent is required for most earthworks. The clause generally seeks to ensure earthworks are undertaken such that they would not damage adjoining properties, or sensitive natural environments.

The DA includes four (4) basement levels and therefore seeks consent for their excavation. It is expected that the nominated building contractor will undertake excavation works in accordance with relevant standards, technical requirements, and the like. Therefore, it is expected that the proposal can satisfy the clauses objectives, and that consent can be issued for the proposal's related earthworks. Further technical information is provided in the geotechnical report prepared by Douglas Partners, at **Appendix 17**.

6.8.6 Clause 6.5 Active street frontages in the Bondi Junction Centre

The objective of Clause 6.5 is to promote land uses that attract pedestrian traffic along ground floor street frontages identified as an "active street frontage" on the Active Street Frontages Map. Refer to **Figure 15** below.

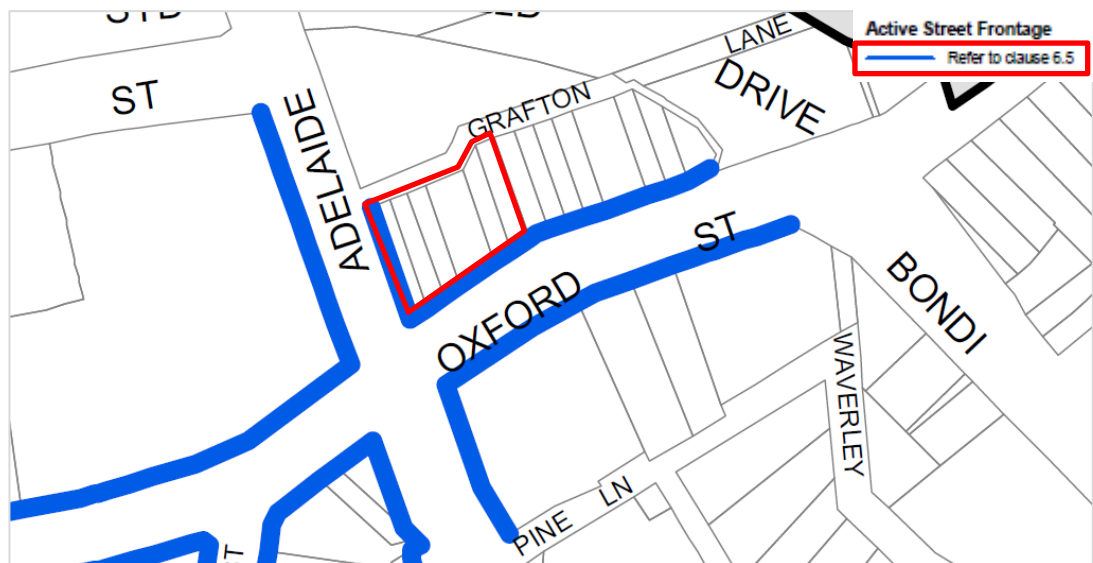
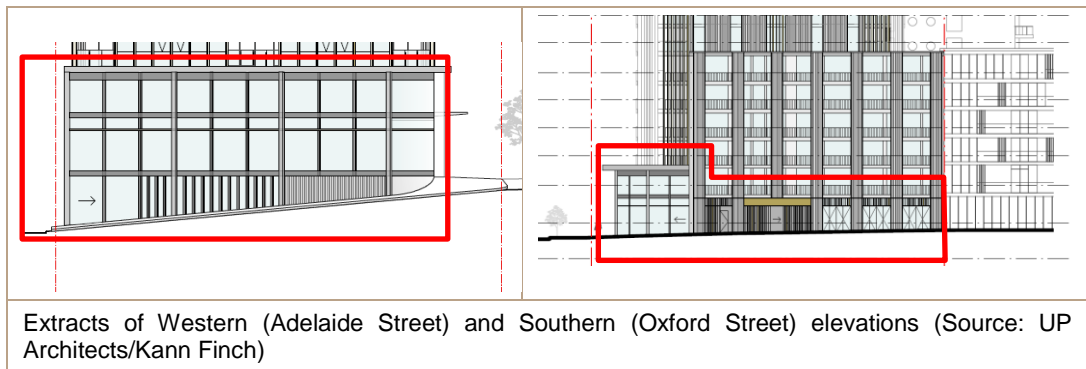


Figure 18 - Extract of the Active Street Frontages Map, site outlined in red (Source: ASF_001)

Clause 6.5(3) states that development consent must not be granted to the erection of a building on land to which this Clause applies unless the consent authority is satisfied that the building will have an active street frontage after its erection.

Three (3) retail tenancies are provided in total; two (2) located along Adelaide Street and one (1) along Oxford Street. Refer to the extracts below, showing illustrations of the proposed ground floor.



We consider the proposed retail tenancies will satisfy the objective of Clause 6.5 in that the frontages will have suitably sized shops that support the commercial function of the Bondi Junction Centre while also providing passive surveillance into the public domain.

6.9 Draft Waverley Housekeeping Amendments Local Environmental Plan 2016 (Draft Housekeeping LEP 2016)

An environmental planning instrument, the Draft Waverley Housekeeping Amendments Local Environmental Plan 2016, has been the subject of public consultation under the Act, and is now with the NSW DP&E for finalisation. Therefore, the draft environmental planning instrument requires consideration for the purposes of the proposed development.

Of relevance to this proposal is the draft LEP's proposed amendments to objectives for the architectural roof features, height of buildings and floor space ratio clauses. The draft LEP also seeks to introduce a design excellence requirement for developments within Bondi Junction.

Of particular relevance to this proposal is draft *Clause 6.9 Design Excellence*, which states as follows:

- (1) *The objective is to deliver the highest standard of sustainable, architectural, landscape and urban design.*
- (2) *Development consent must not be granted to development involving the construction of a new building or to external alterations to an existing building on land to which this clause applies unless the consent authority considers that the development exhibits design excellence.*
- (3) *In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:*
 - (a) *whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved, and*
 - (b) *whether the building promotes sustainable design principles in terms of Management of the design and building operation processes; Indoor environmental quality; Energy use, Water use and Emission minimisation; Contribution towards sustainable transport; Material selection; Improvement of ecological values; and Innovation., and*
 - (c) *the bulk, massing and modulation of buildings, and*
 - (d) *whether the form and external appearance of the development will improve the quality and amenity of the public domain and achieve appropriate interfaces at ground level between the proposed building and the public domain, and*
 - (e) *the contribution of the proposed development towards the maintenance of a consistent street rhythm particularly in terms of street frontage heights, street walls and the proportions of the street, and*

- (f) the manner in which pedestrians have been catered for particularly in regards to the developments' contribution towards the permeability of the locality and provision of direct access to key locations, and*
- (g) the ease of movement and circulation of pedestrian, cycle, vehicular and service access, and*
- (h) whether the development encourages passive surveillance and social activity in public places, streets, laneways and plazas, and*
- (i) the extent to which the development promotes the sharing of views where existing view corridors will be interrupted, and*
- (j) whether the development detrimentally impacts on any land protected by solar access controls established in Clause 6.7 and the Waverley Development Control Plan, and*
- (k) the requirements of the Waverley Development Control Plan, and*
- (l) the suitability of the land for the proposed development and whether any streetscape constraints have been adequately addressed, and*
- (m) whether any heritage matters relating to the development site or in the vicinity of the development site have been adequately addressed, and*
- (n) the relationship of the development with other development (existing or proposed) on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form, and*
- (o) the manner in which landscaping has been integrated into the overall design."*

The proposal seeks to deliver a high-quality development that responds to the characteristics of the site.

Design excellence has been achieved through the following elements:

- The tower incorporates a distinct profile that is designed to maximise internal amenity of the residential dwellings through adequate access to sunlight and privacy. The presentation of the tower to Oxford Street includes a strong, solid vertical lines;
- The materials palette and colours are comprised of natural tonal colours which integrate with the existing buildings;
- The building is articulated by the use of external glazing with vertical fins, vitrified cladding, metal screen balconies which reflect a high-quality aesthetic character, as well as strong vertical lines;
- The aesthetic when viewed from Bondi Junction Centre is strengthened through the modular podium façade; and
- The Level 6 communal open space equates to 282sqm of highly useable area that visually breaks up the façade when viewed from Grafton Lane and Oxford Street.

The development provides ground level shops to encourage pedestrian activity and an active frontage along this section of Oxford Street. The podium height is consistent with the rhythm of existing podium heights along this section of Oxford Street, particularly preserving the consistency in podium heights from Westfield to "The Vue" development, and is aesthetically pleasing generally.

The proposal is of a suitable bulk and scale to the surrounding high-density environment. For discussion regarding bulk and scale impacts, refer to **Section 8.3** of this SEE.

The proposed communal open space located on Level 06 will provide a suitable open space that will increase opportunities for social interaction in a high-quality landscaped setting and will break up the vertical bulk of the proposal when viewed from the public domain. The terrace will include a range of landscaped areas, furniture and outdoor kitchen facilities. It utilises high quality materials and finishes and will exhibit design excellence in this regard.

It should be noted that Architectus were engaged to specifically assess the proposal with regard to its urban design outcomes. Their assessment is provided at **Appendix 7**, and concludes that the proposal meets industry expectation for high quality urban design outcomes.

Further, Clause 4.3 and Clause 4.4 are proposed to be amended to ensure buildings are compatible with the *desired future character* of the area in terms of building height and floor space ratio.

The site is located within the Bondi Junction Centre, approximately 300m from Bondi Junction Railway Station. It is within an established high-density environment with buildings up to 22 storeys, and in some cases with a FSR of 8.05:1, located in close proximity.

The proposal is largely consistent with the desired future character of the area, that is, to provide housing in accessible locations and provision of active frontages encouraging pedestrian traffic and safety along local roads. The proposal will also support the draft Central District Plan by contributing to meeting housing targets for the Central District by 2036.

We consider the proposal, despite marginal non-compliances with the height and FSR development standards, will satisfy the underlying objective of the proposed clauses.

6.10 Waverley Council Developer Contributions Plan 2006

The DA will be subject to Developer Contributions as provided by the Waverley Council Development Contributions Plan 2006 (S94 Plan). The S94 Plan applies a levy of 1% to a proposal's cost of development to determine relevant contributions. It is anticipated that the relevant contributions will be required as part of any Development Consent.

It is also noted that the application includes dedicating a 3-metre wide portion of land extending along the subject site's Oxford Street boundary to Council for pedestrian path widening purposes. It is expected that the value of this land would be offset against any typical developer contributions, as provided for by Section 17 of the S94 Plan.

7. Non-statutory considerations

7.1 Waverley Development Control Plan 2012

Consideration of compliance and/or consistency with the relevant provisions of the Waverley Development Control Plan 2012 (WDCP 2012) is provided in the Table of Compliance prepared by CPSD at **Appendix 17** of this SEE. The Table of Compliance demonstrates that the proposal is substantially compliant with the prescriptive controls of the DCP, but more importantly, consistent with all relevant objectives and/or performance based controls.

The most notable non-compliance the proposal results in is with Control 1.2 - Urban Form Controls of part E1 of the WDCP 2012. This control provides as follows:

- A lower 2/3 storey shop front façade is required along Oxford Street and Bronte Road, as identified in Figure 13, and a 6-storey street wall is required on all over streets.
- Above the block edge form a tower building is required. This form is to be set back from the street edge and from the front, side and rear boundaries (refer to Figures 14 and 15).

For reference purposes, Figures 14 and 15 of the WDCP 2012 require a 6-metre podium/tower setback, whereas the proposal adopts setbacks as itemised below and as depicted on the site plan below:

- Grafton Lane (northern) podium/tower setback: 1m - 5m.
- Eastern (shared) boundary podium/tower setback: 7m - 8.5m.
- Oxford Street (Southern) podium/tower setback: 1m - 4m.
- Adelaide Street (North-east) podium/tower setback: 1m - 4m.
- Adelaide Street (South-east) podium/tower setback: 1m - 6m.

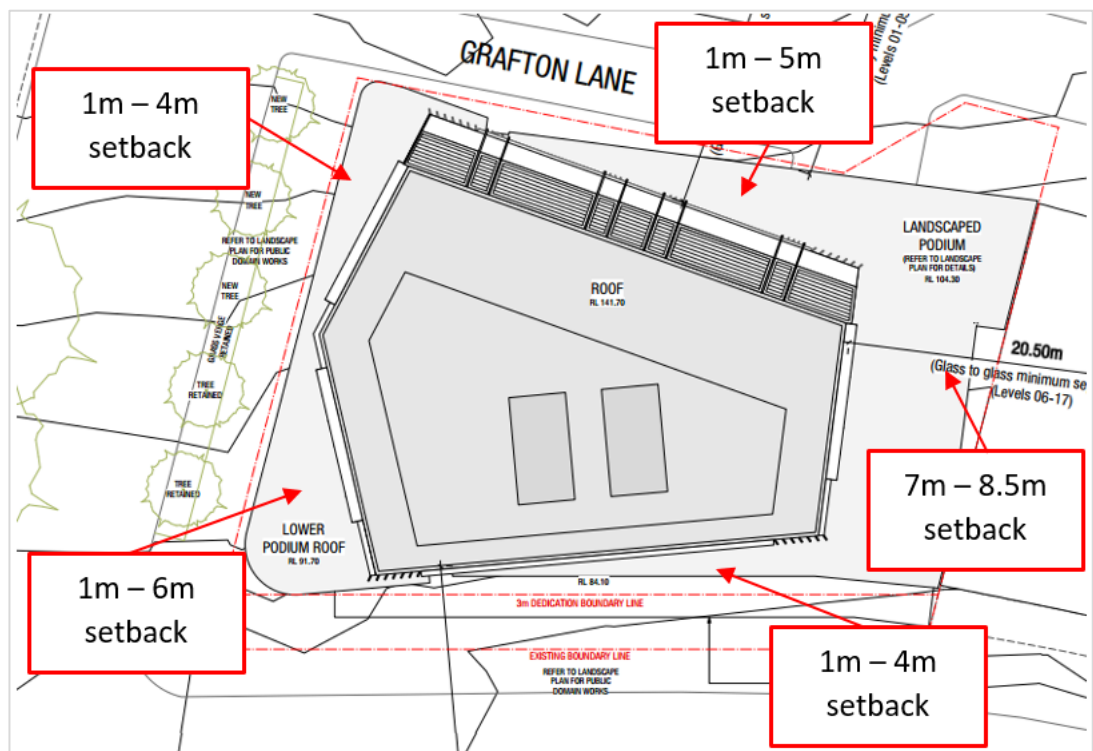


Figure 19: Proposed podium/tower setbacks (Source: UP Architects/Kann Finch & CPSD)

The non-compliance is largely a result of balancing the amenity requirements of existing surrounding development, particularly existing tower developments, and the amenity requirements of the proposal's residents. Specifically, requiring compliance would necessitate 'shifting' the tower further east. This, however, would reduce the already minimal separation between the subject site and 'The Vue', resulting in undesirable privacy and potentially ventilation outcomes between the two developments.

Further, the separation of the proposal's tower from 'The Vue' was maximised, as much as possible, in order to maximise the view corridor 'through' both developments. This consolidates district views, including views of the harbour, from existing towers on the southern side of Oxford Street (i.e. 'Capitol Apartments' and 'Harley Pace'). Reference should be made to the Design Report prepared by UP Architects/Kann Finch (**Appendix 6**) which provides further analysis and explanation of the proposal's tower, its impacts and amenity outcomes.

The tower and podium is, as expected, also designed to meet typical urban design expectations. That is, and regardless of its non-compliant setbacks, the podium continues to define the adjoining public space and activate the street.

7.2 A Plan for Growing Sydney (APfGS)

A Plan for Growing Sydney (APfGS) provides key directions and actions to guide Sydney's productivity, environmental management, and liveability – including the delivery of housing, employment, infrastructure and open space over the next 20 years.

APfGS aims to increase Sydney's liveability, employment capacity and quality of housing through the following goals:

- A competitive economy with world-class services and transport;
- A city of housing choice with homes that meet our needs and lifestyles;
- A great place to live with communities that are strong, healthy and well connected; and
- A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources.

APfGS aims to provide an overall frame to achieve the objectives stipulated in the District Plans, discussed below.

7.3 Draft Central District Plan

The District Plans were released for exhibition in November 2016 and aim to provide further detail and short-term goals to achieve the objectives and directions within APfGS. The site is identified within the Draft Central District Plan. The vision for the Central District to 2036 is for:

- A Productive City;
- A Liveable City; and
- A Sustainable City.

The proposal has capacity to provide housing which can assist in achieving the housing targets set in the District Plan for the Central District, as illustrated in **Figure 16** below:

Table 4-2 Central District's five year housing targets by local government area (2016 – 2021)

Local Government Area	2016-2021 housing target
Bayside	10,150
Burwood	2,600
Canada Bay	2,150
Inner West	5,900
Randwick	2,250
Strathfield	3,650
Sydney	18,300
Waverley	1,250
Woollahra	300
Central District total	46,550

Source: Greater Sydney Commission 2016

Figure 20 - Extract of the Draft Central District Plan (Source: NSW DP&E)

As illustrated above, Waverley LGA has a 5-year housing target of 1,250 dwellings. The proposal provides for 90 dwellings, and therefore contributes to achieving this target within a highly accessible and appropriate location. It should be noted that there are a limited number of development sites within Bondi Junction, which is arguably the most probable location within the Waverley LGA that can accommodate the nominated dwellings target.

The proposal will also support Bondi Junction as a commercial centre by providing three (3) retail tenancies which will accommodate a range of businesses over the lifecycle of the development. It also provides opportunities for employees to live in close proximity to employment nodes, whether that is Bondi Junction, the Sydney CBD, or similar nodes.

It is considered the proposal is consistent, and will assist with achieving the targets and objectives of the Draft Central District Plan.

8. Environmental Impact Assessment

8.1 Overview

This section identifies and assesses the impacts of the development with specific reference to the heads of consideration under Section 79C of the Act.

8.2 Context and Setting

Consideration of the compatibility of the proposal and its surroundings can be undertaken with regard to the Land Environment Court Planning Principle on “compatibility with context” in *Project Venture Developments v Pittwater Council [2005] NSWLEC 191*. In order to test whether a proposal is compatible with its context, the following two questions can be asked:

- **Are the proposal’s physical impacts on surrounding development acceptable? The physical impacts include constraints on the development potential of surrounding sites.**

The building has been designed to minimise physical impacts on surrounding properties, whilst resulting in a good urban design outcome and high levels of residential amenity for its occupants and neighbouring dwellings. The proposed tower has been profiled to retain residential amenity with respect to access to iconic views from properties to the south and south-east (such as the “Capitol” development at 253-255 Oxford Street). This has been achieved by the adoption of non-compliant tower setbacks of approximately and a tripartite building composition to increase the separation between the proposed tower and existing buildings to the east.

The resulting built form has effectively ‘opened up’ two view corridors, as illustrated in **Figure 17** below.

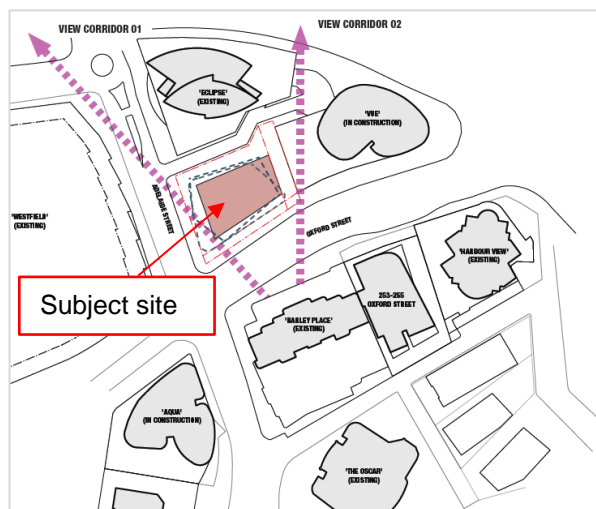


Figure 21 - Extract of the Architectural Design Report illustrating view corridor design response (Source: UP Architects/Kann Finch)

The non-compliant tower setback has resulted in the tower shifting towards the western boundary. This is not considered to result in an imposing form when viewed from the public domain, as it effectively addresses the street through a consistent street wall and recessed platform above Level 1 along the western elevation. The two-storey podium facing Adelaide Street results in a modular, strong streetscape façade.

The proposal has been designed to maximise building separation, however, given the site is surrounded by high-density residential development to the north ('The Eclipse'), west ('The Vue') and south ('Harley Place'), strict compliance with relevant design criteria within the ADG is difficult to achieve. The proposal adopts an 18m setback to

the northern boundary and 20.5m setback to the eastern boundary. Whilst marginally non-compliant, any physical impact such as loss of privacy has been mitigated by offsetting habitable windows, and orientating balconies to the north and south, minimising any opportunity for direct overlooking. Thereby, the proposal utilises smart design to achieve a good planning outcome.

The development has been designed with consideration of the development potential of surrounding sites. The surrounding sites are all currently at full development, as they are occupied by high-density buildings. There will be no impact.

■ **Is the proposal's appearance in harmony with the buildings around it and the character of the street?**

The character of the western end of Oxford Street bordering Syd Enfield Drive is characterised by multi-storey, high rise buildings comprising a mix of land uses in a tower-on-podium design, most often encompassing ground level commercial and residential above ground floor. The ground floor retail land uses provide street activation, passive surveillance of the public domain and provide a transition from the Bondi Junction Commercial Core to the periphery, while a consistent street wall of six-storeys completes the streetscape.

The proposal is wholly consistent with the street character established by existing buildings in the area. The proposal comprises a six-storey podium and street wall consistent with the adjoining 'The Vue' development, with a multi-storey podium situated above the podium providing residential land uses. The proposal incorporates a modulated tower form and is of a height consistent with adjoining buildings despite a minor non-compliance with Clause 4.4(2) of the WLEP 2012.

Overall, the proposal is considered to contribute to the character of the street in a built form consistent with existing development, and is acceptable in this regard.

8.3 Built Environment

8.3.1 Height, Bulk and Scale

The proposal is of a height, bulk and scale consistent with existing podium and tower developments towards the subject eastern end of Oxford Street, as well as other similar developments throughout Bond Junction. Further, the proposal is substantially compliant with the WLEP's key indicators of acceptable bulk and scale, being its height and FSR development standard.

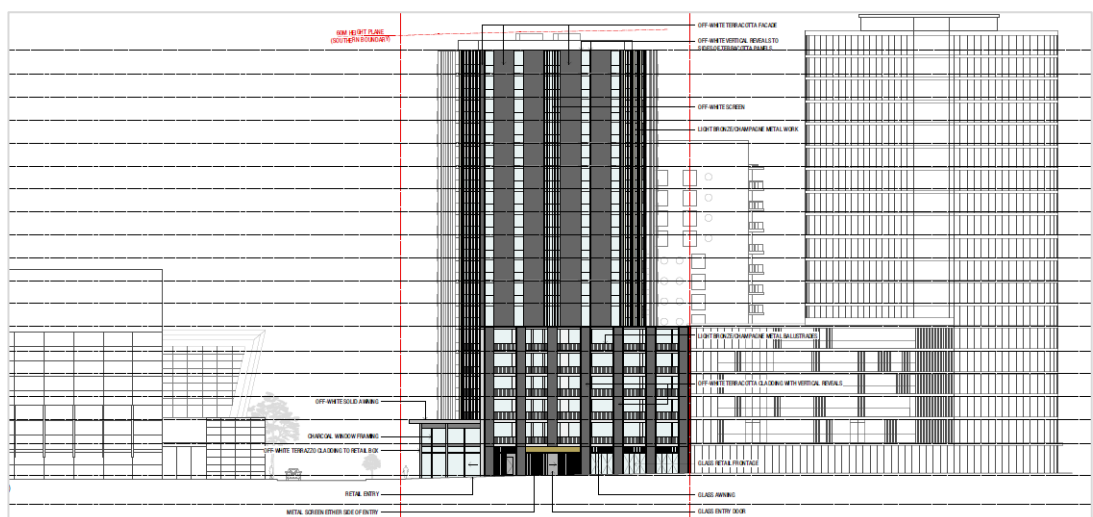


Figure 22 - Extract of architectural plans showing proposed in context with other existing tower developments towards the southern end of Oxford Street (Source: UP Architects/Kann Finch).



Figure 23: Proposal would be consistent with existing podium and tower developments on the southern side of Oxford Street (Source: CPSP)

Design measures have been incorporated into the proposal to modulate the building and mitigate any potential impacts with respect to excessive bulk and scale.

As discussed previously, the tower adopts a distinctive geometry to retain existing residential amenity with respect to views towards Sydney Harbour from development to the south and south-east. This has resulted in the tower adopting a position further towards the western boundary, increasing the building separation towards 'The Vue' and mitigating potential for overlooking or privacy loss.

With respect to scale, we submit that the site is capable of supporting a high-density development, and is of a consistent built form with existing buildings in the area.

The building therefore results in an appropriate height, bulk and scale when compared to the surrounds and will not result in any unreasonable impact in this regard.

8.3.2 Overshadowing

The proposal will result in additional shadows cast generally in a southerly direction given the site's northerly orientation. As **Figure 19** illustrates below, the greatest extent of overshadowing impact is onto 'Harley Place' directly to the south, where between 2-3pm a portion of the building will be in shadow.



Figure 24 - Extract of the Shadow Diagram, greatest extent of additional overshadowing shown in red (Source: UP Architects/Kann Finch)

Further, the shadow diagrams prepared by UP Architects illustrate that all buildings located in the locality are subject to some form of shadowing impact, resulting from the high-density character and northern orientation of buildings. Therefore, any overshadowing impact must be assessed with due consideration of the surrounding context.

The proposal has a compliant building envelope when viewed from Oxford Street. Therefore, the shadows cast are not the result of a building envelope of a scale over and above that allowable by the applicable planning controls.

Consideration has been given to the existing shadows cast, and proposed shadows cast by the proposal. We note that the proposal will not cast any shadows on 'Harley Place' development before 12pm on 21 June, and that the existing building is already in shadow as a result of 'The Eclipse' development throughout the day. It should also be noted that the first six (6) storeys at 'Harley Place' are occupied by commercial premises, and only the upper six storeys include dwellings.

Due to the location of the site, a majority of high-density buildings, such as 'The Eclipse' and 'The Vue' development will not be affected by any overshadowing created by the proposal.

In this instance, this SEE concludes that the proposal's overshadowing impacts are acceptable considering the zoning and planning controls applicable to the site.

8.3.3 Solar Access

The proposal has been carefully designed to achieve a high level of amenity with due consideration of each apartment to benefit from receiving adequate sunlight access, cross ventilation, and privacy.

As demonstrated on the ADG Compliance Table prepared by UP Architects, 63 of 90 apartments (70%) achieve a minimum of 2 hours sunlight between 9am-3pm on 21 June. This complies with a minimum 70% requirement.

It is acknowledged that the proposal's solar access compliance relies on the western 'stack' of dwellings, which technically receive 2 hours solar access just beyond 3pm at June 21pm, as opposed to before 3pm. As has been discussed earlier, the windows for these dwellings form part of the south-western elevation which has been specifically positioned to maximise views and solar access to dwellings at 'Harley Place'. The angle of the elevation can easily be reduced, resulting in technical compliance, but would have resulted in undesirable amenity impacts to the development at 'Harley Place'. Given the non-compliance is minor, and the dwellings in question will still achieve a high degree of solar access, as confirmed by Steve King (see **Appendix 24**), this outcome is considered acceptable.

The proposal includes a communal open space on level 6, which will receive 4 hours of direct sunlight throughout the day. This is considered a good outcome and will greatly improve the useability of this space.

8.3.4 Setbacks

The proposal adopts a minimal setback for the podium component. Specifically, the setbacks to the north and south align with recently developed high rise developments, whilst to the west, a setback of 1.35m is adopted to allow for any future footpath widening. The setbacks are successful in defining the public domain, activating the critical Oxford Street and Adelaide Street frontages, as well as integrating with other adjoining or nearby podiums.

The tower component has been carefully designed to result in a positive contribution to the streetscape whilst preserving current amenity enjoyed by existing residents such as privacy, sunlight and access to views.

The tower does not adopt compliant setbacks as per Council's DCP controls for the Bondi Junction Centre. This is for the purpose of preserving existing residential amenity, as much as is reasonable. Despite the non-compliance, the environmental impacts are considered acceptable for the following reasons:

- The proposal has a clear demarcation between podium and tower components; and,

- The proposal achieves an adequate setback to ensure sufficient building separation to 'The Eclipse' and 'The Vue' and will not result in any unreasonable impact to residential amenity with respect to privacy, ventilation and views. This has been achieved by offsetting habitable windows and the orientation of the adjoining building to the north-west.

8.3.5 Design & Aesthetics

The proposal represents an opportunity to revitalise the site with a contemporary building design which can improve the streetscape and enhance the safety and vibrancy of the public domain through new ground floor retail uses.

As discussed in the SEPP 65 Design Verification Statement prepared by UP Architects, the proposal is of a height bulk and scale consistent with the adjoining mixed-use developments in the area and incorporates design features which further improve the external appearance of the building.

The proposal is designed to improve the site by a highly aesthetic design, which has been achieved by the following elements:

- The tower incorporates a distinct profile that is designed to maximise internal amenity of the residential dwellings through adequate access to sunlight and privacy. The presentation of the tower to Oxford Street includes strong, solid vertical lines;
- The materials palette and colours are comprised of natural tonal colours which integrate into the existing buildings;
- The aesthetic when viewed from Bondi Junction Centre is strengthened through the modular podium façade; and
- The Level 6 communal open space equates to 282sqm of highly useable area that visually breaks up the façade when viewed from Grafton Lane.

The proposal is accompanied by a Public Art Strategy, prepared by Public Art Works at **Appendix 2**. The Strategy aims to incite creativity through the use of unique contemporary art on the building facades.

8.3.6 Internal Amenity

The proposal has been designed with particular attention to the amenity of its future occupants, existing neighbours and the public domain. As discussed in the SEPP 65 Design Verification Statement prepared by UP Architects, the proposal is responsive to its opportunities such as improving the site capacity for providing housing and enhancing the public domain. The internal amenity of the proposal has been achieved through the following:

- Appropriately located windows on the facades which are offset with windows of adjoining developments to retain a high level of privacy for existing residents;
- Short paths of travel between common circulation spaces, communal facilities such as garbage chutes and lifts and entries into private dwellings;
- Balconies which articulate the external appearance of the building, passive surveillance of the public domain and provide adequate private open space to its occupants;
- Legible and well surveillanced pedestrian entry points, as well as a practical vehicle access point to Grafton Lane;
- Practical and accessible garbage collection points;
- Ceiling heights of 2.7m for residential floors;
- 70% of apartments receiving minimum solar access;
- 67.9% of apartments in the first 9 storeys receiving natural cross-ventilation; and
- 93.3% of apartments receiving minimum balcony depth.

It is noted that six (6) apartments being Unit 1.01, Unit 2.01, Unit 2.08, Unit 3.08, Unit 4.08 and Unit 5.08 do not receive the minimum private open space requirements under the ADG. These balconies could be increased, however at the expense of the internal space and hence would compromise the internal amenity of the unit. Given these are predominantly south facing units fronting to Oxford Street, it is considered a better planning outcome would be to enhance the internal spaces of the apartments and provide minimal opportunity for ongoing adverse noise impact such as noise from vehicles along Oxford Street.

The proposal results in an overall high level of residential amenity.

8.3.7 Privacy

The proposal has been designed to maintain privacy enjoyed by adjoining developments, particularly to the north and west and internally within the building.

While the proposal is marginally non-compliant with ADG requirements in terms of building separation, the location of balconies and habitable rooms has been configured to minimise any potential for overlooking to and from adjoining properties. The proposal also incorporates louver screens on the northern and southern facades to provide privacy for its occupants.

Overall, the proposal is considered to provide a high level of privacy for future occupants and retain a high level of existing privacy enjoyed by the adjoining neighbours.

8.3.8 Public Domain

The proposed development represents an opportunity to improve the public domain and increase the safety and vibrancy of the local area. This has been achieved by:

- Providing three (3) commercial tenancies which will activate the Lower Ground and Ground Floor of the development and provide a positive interface with the public domain. The commercial tenancies are in varying locations along Oxford Street and Adelaide Street in a range of sizes and will be able to accommodate a range of tenants throughout the lifecycle of the development;
- Vehicle access is provided from Grafton Lane which is effectively a service lane. The dominant street frontages will not be encumbered by a vehicle access point; and,
- The dwellings are oriented towards the street which provides further passive surveillance of the public domain and encourage a sense of safety.

8.3.9 Materials and Colour

The building incorporates a variety of materials and colours which contribute positively to the aesthetic qualities of the proposal. The proposal incorporates a range of textures which will differentiate the built form and enhance the presentation of the building. Refer to the Materials and Colours palette prepared by UP Architects and attached at **Appendix 6** for further detail.

8.3.10 Building and Construction

The proposal is accompanied by a BCA Compliance Statement prepared by Steve Watson & Partners, which demonstrates that the proposal is largely compliant with the relevant Deemed to Satisfy Provisions of the BCA, attached at **Appendix 10**. However, the proposal includes a small number of non-compliances, particularly in relation to fire safety. These have been addressed in the Fire Engineering Statement, prepared by Defire at **Appendix 11**.

BCA compliance will be demonstrated at the Construction Certificate Stage.

8.3.11 Access and Accessibility

The proposal is accompanied by an Access Report prepared by Accessible Design Solutions, attached at **Appendix 13**. The report assesses the proposal against all relevant BCA & DDA legislation, guidelines and controls as well as Australian Standards.

The report concludes that *"the proposal can achieve compliance with the access provisions of the BCA, SEPP 65 and the essential requirements of AS4299 – Adaptable Housing"*.

8.4 Natural Environment

8.4.1 Tree Removal

There are no trees or other significant vegetation on the subject site. Only shrubs exist, which be removed as part of the development. The shrubs are of no significance and their removal does not raise any adverse impacts to the natural environment.

8.4.2 Landscaping

The proposal includes landscaped areas primarily on the Level 6 communal open space as well as public domain treatments at Lower Ground and Ground levels.

Ground level

The proposal aims to retain two (2) existing street trees along the Adelaide Street footpath, and provide supplementary plantings along the Adelaide Street frontage. The plantings will help facilitate an aesthetic public domain. In response to outcomes of a wind assessment (see 8.4.5 below), the proposal will also include additional street trees along Adelaide Street, as well as strategically located landscaping around the proposed communal area, to further mitigate wind impacts.

Level 6 Communal Space

Landscaping and an open communal area is proposed on Level 6. The terrace area is designed to be simple, low risk and multifunctional to accommodate a range of uses by residents and visitors. The space accommodates a range of furniture, nooks and grassed areas which are suitable for a range of people including families and is complete with outdoor kitchen equipment and a communal dining table.

The Level 6 terrace garden will facilitate a highly functional and enjoyable outdoor area, where occupants can undertake a range of outdoor activities whilst enjoying vistas offered by the surrounds.

Due to the location of the site in an urban environment, it is not practical to provide deep soil landscaping.

For further information, refer to the Landscape Plans prepared by Kann Finch and attached at **Appendix 8**.

8.4.3 Water Management

Existing drainage conditions, proposed stormwater concept design and other related provisions are within the Stormwater Concept Plans prepared by Enstruct Group, attached at **Appendix 21**. The report notes that:

- The existing development's stormwater discharge is delivered to the kerb and gutter along the surrounding roadways via kerb outlet pipes, contributed to the moderate fall in topography from the south-eastern corner to north western corner;
- The site is not subject to any flood risk;
- Proposed stormwater measures include:
 - A 21m³ OSD system to be located on site which will attenuate the 20 year ARI post-development peak flows to the 5-year ARI pre-development flows;
 - Gutters and downpipes designed to the hydraulic engineers' specifications;
 - New in-ground systems comprising new pipes and junction pits required to service the OSD tank.

Enstruct Group provide additional details in their documentation, attached at **Appendix 21**.

8.4.4 Air & Microclimate

Some dust is anticipated through the demolition and construction period, particularly given demolition and excavation is proposed. Measures to mitigate any adverse impact of dust on the local microclimate and air quality can include wetting down stockpiles of cut material and trucks as they leave the site, covering loads on all departing trucks and working to weather conditions. The proposal is not otherwise expected to result in any adverse long-term impact on the local air quality or microclimate.

A Construction Management Plan will be prepared by the head contractor and submitted with the Construction Certificate documentation.

8.4.5 Wind and Reflectivity

The proposal has been designed with due consideration of additional wind impacts created by the development, including potential exacerbated wind tunnels along Oxford Street as well as adverse reflectivity into the public domain created by the external materials.

A Wind Impact Study has been prepared by Windtech to assess the impact the proposal will have on local wind conditions and the public domain, attached at **Appendix 15**. A 1:300 model of the proposal and immediate surrounds was placed in a wind tunnel to record impacts on the immediate trafficable environment.

The results of the Study conclude that the wind conditions for the majority of the development satisfy the relevant design criteria. The majority of balconies will benefit from effective design involving recession and inclusion of louvred screens to mitigate any adverse wind impacts. The Study concludes with recommendations to further offset any wind impacts on the proposal and surrounding locality, including:

- *Retention of existing trees on the Ground Level along Adelaide Street.*
- *Inclusion of densely foliating evergreen trees capable of growing to 3-4m high with a 3-4m wide canopy, on Ground Level along Adelaide and Oxford Street.*
- *Inclusion of 1.8-2m high screens around trafficable areas of the Level 6 communal area.*
- *Implementation of strategic landscaping on Level 6, including densely foliating shrubs capable of growing to 1-1.5m high above a 1m planter box along the eastern edge of the communal area.*
- *Retention of full-height louvred screens on the various private balcony areas of the development from Level 2 to 16. The orientation of the louvred blades should remain as shown in the architectural package.*
- *Inclusion of a roof over the private balcony areas on the southern aspect of Level 17.*
- *Retention of full-height louvred screens on the private balcony areas located on the southern aspect of Level 17.*
- *Inclusion of a canopy over the penthouse balcony areas along the northern aspect of Level 17.*
- *Inclusion of impermeable (i.e.: glass) balustrades along the northern, eastern and western perimeter of the Level 17 penthouse balcony area.*

A Solar Light Reflectivity Analysis was undertaken by Windtech to assess the impacts of potential solar glare created by the external materials of the development, attached at **Appendix 16**. Excessive solar glare created by light reflecting off the building material may have adverse impacts for pedestrians, motorists and occupants of neighbouring buildings.

The report concludes that the following measures, including choice and intensity of glazing, are recommended:

- *The maximum normal specular reflectance of visible light of the glazing used on the main building façade of Levels 13 and above for the 267o aspect should be 11%.*

- *The maximum normal specular reflectance of visible light of all other glazing (i.e.: balustrades) of Levels 13 and above for the 267o aspect should be 8%.*
- *All other glazing used on the external façade of the development should have a maximum normal specular reflectance of visible light of 20%.*

If the above measures are implemented, the proposal will not cause adverse solar glare to pedestrians or motorists in the surrounding area, or to occupants of neighbouring buildings, and will comply with the planning controls regarding reflectivity from Waverly Council DCP 2012 and SEPP 65.

8.4.6 Noise and Vibration

The construction site will adhere to the noise control and regulation measures in accordance with AS 2436:2010 "Guide to noise control on construction, maintenance and demolition sites." Furthermore, the works will adhere to the EPA Construction Noise Guidelines which require the proponent to take into consideration and employ all reasonable and feasible measures to ensure that the impact on noise receivers is minimised. In addition, the works will not exceed the relevant vibration criteria to ensure that no architectural or structural damage to surrounding buildings occurs. It is anticipated appropriate conditions would be placed on the consent to ensure these measures are implemented.

Some noise and vibration impact is anticipated throughout the demolition and construction period, particularly since demolition and excavation are proposed. Such impacts may result from the use of breakers and rock saws. The Desktop Geotechnical Study prepared by Douglas Partners, attached at **Appendix 17** includes recommendations on excavation methods, including equipment to verify vibration levels prior to excavation.

An Acoustic Assessment has been prepared by Acoustic Logic, attached at **Appendix 12**. The report provides an assessment of predicted noise levels against relevant legislation and guidelines, including the Australian Standards.

Potential noise sources resulting from the operational development include rooftop plant equipment. Appropriate selection of rooftop mechanical equipment will form part of the construction documentation and will ensure compliance with project noise emission requirements.

The site is located with a frontage to Oxford Street, therefore there may be acoustic impacts to the site with regard to noise arising from local traffic levels. Acoustic testing was undertaken at two locations in proximity to the site, being towards Syd Enfield Drive and Oxford Street to determine minimum background noise levels, and provide recommendation onto the proposal to ensure residential amenity is not affected by adverse noise intrusion. The report concludes that:

- *"Traffic noise intrusion into the development can comply with the noise intrusion criteria detailed in Section 4.1.*
- *Noise emissions from the operation of mechanical plant can comply with the recommendations of the EPA Industrial Noise Policy.*
- *Mechanical plant will be assessed during the detailed design phase to ensure compliance with the nominated noise emission objectives".*

On this basis, it is determined that any noise and vibration created throughout the demolition, construction and operational phases can be appropriately mitigated.

8.5 Movement and Access

8.5.1 Transport

The site is located approximately 350m away from Bondi Junction Railway Station. The site is therefore well connected to public transport. In this regard, the site can accommodate additional residential capacity and encourage an active lifecycle such as incidental walking.

8.5.2 Roads and Traffic

The design proposes to utilise Grafton Lane as a vehicle access point, with vehicles entering the development through a private driveway. This driveway will also be utilised to service the development with regard to garbage removal. Currently, Grafton Lane is effectively a service lane running between the site and the adjoining "Eclipse" development.

A Traffic and Parking Statement has been prepared by Traffix, attached at **Appendix 14**. The report provides an assessment considering current and proposed vehicles on the local road network. The report states the proposal will result in combined (residential and retail) 21 vehicle trips per hour during the AM peak period (6 in, 15 out) and 32 vehicle trips during the PM peak period (18 in, 14 out). The report concludes that *"generally net traffic decreases and increases of such a small scale will be able to be accommodated within the existing transport network with negligible impacts"*.

The Traffic and Parking Statement also includes a Green Travel Plan, as well as a Loading Dock Plan of Management. Each assist with managing traffic impacts, and encouraging alternative forms of transport.

8.5.3 Car Parking

The Traffic and Parking Assessment details car parking requirements against relevant controls under relevant provision within the Waverley DCP, the ADG availability of public transport. The development provides eight-eight (88) off-street car parking spaces organised in four basement levels, inclusive of thirteen (13) visitor spaces and nine (2) accessible spaces. The car parking requirements under the Waverley Council DCP requires one-hundred and one (101) car parking spaces. The minimum car parking spaces required under the ADG is seventy (70). It is noted that the DCP car parking rate is a maximum. In this regard, the development provides below the maximum car parking required and is acceptable.

The development will incorporate measures to ensure vehicle safety with regard to off-street vehicle circulation. The proposed driveway, at 7.5m wide, will ensure adequate space for two vehicles entering and leaving, and will allow clear line of sight towards traffic on Grafton Lane by virtue of the angle of approach. Traffic signals and convex mirrors will be installed on all ramps and blind corners respectively to ensure that vehicle circulation can be undertaken in a safe and organised manner.

8.6 Social Impacts

8.6.1 Social

The proposal includes ninety dwellings of a range of housing sizes and types to increase housing supply for a wide range of households. The residential mix has been based on current market demands and reflects a desirable contribution to housing in a highly accessible location. The residential mix is as follows:

- 1 x Studio (1%)
- 31 x 1 Bedroom (34.4%)
- 51 x 2 Bedroom (56.6%)
- 7 x 3 Bedroom (7.7%)
- It is considered the proposed dwelling mix will provide a positive contribution to housing supply, presented within a highly aesthetic building in a desirable location.

8.6.2 Crime and Safety

The proposal has been designed to maximise the safety of its occupants and provide surveillance of the public domain. The proposal will assist in revitalising the site, through

adequate lighting and security measures to protect the safety of occupants and the local community.

The proposal has been assessed against the model of Crime Prevention Through Environmental Design (CPTED), which was introduced by the NSW Police in 2001 and provides that the development is appropriately designed to reduce the likelihood of crimes in the area.

A CPTED Report has been prepared by CPSD, attached at **Appendix 19**. The Report assesses relevant aspects of the proposal against the CPTED principles and concludes that *"the mixed-use development at 552 - 568 Oxford Street, Bondi Junction, will have a high level of amenity, casual surveillance and ultimately public safety within the building and surrounding area. The proposed development will assist in revitalising and activating the site and will provide appropriate lighting and security measures to protect the safety of neighbouring premises, residents and the local community"*.

8.6.3 Economic and Employment

Short term employment will be generated throughout the construction of the development. The commercial tenancies will be able to employ a range of businesses throughout the lifecycle of the development.

8.7 Site Suitability

8.7.1 Geotechnical/ Contamination

A Geotechnical Study has been undertaken by Douglas Partners, attached at **Appendix 17**.

The report provides desktop geotechnical recommendations to assist in providing preliminary advice and recommendations for DA stage. Such recommendations include commentary on excavation methodology, removal of cut material and support relief as well as salinity potential.

A Preliminary Site Investigation has been prepared by Douglas Partners, attached at **Appendix 18**. The purpose of the report is to investigate the site history with regard to any potential contamination and prepare recommendations to be implemented during excavation based on findings.

The report concludes that *"...the site can be made suitable for the proposed development subject to the following recommendations:*

- *Hazardous Building Material Assessment: It is recommended that a hazardous building materials assessment of the existing buildings should be undertaken prior to demolition; and*
- *Detailed Site Investigation (DSI) incorporating waste classification: A detailed contamination investigation to target the filling and groundwater should be undertaken following demolition of the current site buildings due to site access issues. The DSI will provide information on the contamination status of soils and groundwater, as well as a waste classification required for disposal of surplus soils during basement excavation."*

In summary, subject to further analysis post demolition, specialist advice indicates that the site can be made suitable for the proposed development and its land uses.

8.7.2 Services/ Utilities

The site is currently occupied by commercial land uses and located in a mixed-use area. It is considered that essential services such as sewer, water and gas can be augmented to adequately service the development.

8.7.3 Waste

Demolition/ Construction Waste

Following any Development Consent, and prior to any Construction Certificate, a waste management plan for the demolition and construction phase can be developed. It will be developed in conjunction with a construction contractor.

Operational Waste

An Operational Waste Management Plan has been prepared by Elephants Foot, attached at **Appendix 20**. The proposal incorporates a common garbage chute, able to be accessed on every residential level of the building, with waste transported to a dedicated garbage room on Lower Ground floor. Retail tenants will be responsible for the ongoing management and disposal of waste into the Retail Garbage room, also located on Lower Ground floor. The OWMP states management plans for retail tenants, including recommendations on managing amount of waste to be disposed and best practice.

8.8 Public Submissions

Any public submissions received in relation to the proposal as part of the DA assessment process will be considered by Council officers and associated staff. The proponent is also willing to consider any matters raised in public submissions.

8.9 Public Interest

We consider that the proposal will be in the public interest for the following reasons:

- The proposal is consistent with the Waverley LEP 2012. In particular, it represents permissible development, is consistent with the relevant zone objectives, and substantially compliant with relevant development standards. The proposal's minor height and FSR breach are accounted for in the relevant exception requests, and have no adverse environmental effects.
- The proposal is consistent with other key environmental planning instruments, including SEPP 65 and the related ADG.
- The proposal is consistent with the draft district plan and increases housing opportunities in an accessible location that will promote the increased use of public transport.
- The proposal's likely environmental impacts are acceptable, or can be adequately mitigated.
- The subject development site has been found to be suitable for the proposal.
- The proposal delivers design excellence, as required by the Draft Housekeeping LEP 2016.
- The proposal will replace outdated building stock, and complete the remaining phase of urban renewal in the subject block.

9. Conclusion

The proposed development of the site, being Nos. 552-568 Oxford Street, Bondi Junction is considered to be an appropriate response to the physical characteristics of the site, its immediate surrounding area and locality. The proposal is a suitable development outcome for this site.

This SEE has undertaken an environmental assessment of the proposal and has concluded that the proposal provides a built form which is integrated with the surrounding locality to provide a high quality residential environment.

In summary, the proposal is considered to:

- provide a built form that is consistent with the future anticipated character of the area;
- provide high quality residential units which provide a high level of amenity and privacy to the future occupants;
- Achieve design excellence and be aesthetically pleasing.
- be an appropriate response to the context, setting, planning instruments and preliminary assessment as required under the heads of consideration under Section 79C(1) of the Environmental Planning and Assessment Act, 1979; and
- have no unreasonable environmental impacts on adjoining properties and is an innovative and appropriate response to the desired future character of the locality statement.

The benefits provided by the proposed development outweigh any potential impacts and is therefore in the public interest. The proposal will deliver a suitable and appropriate development and is worthy of approval.