URBIS

47-55 GRAFTON STREET BONDI JUNCTION

STATEMENT OF ENVIRONMENTAL EFFECTS

PREPARED FOR

COONARA DEVELOPMENTS PTY LTD

MAY 2018

URBIS STAFF RESPONSIBLE FOR THIS REPORT WERE:

Director	Andrew Harvey
Senior Consultant	Simon Gunasekara
Job Code	SA7052
Version	FINAL

TABLE OF CONTENTS

FIGURES:

TABLES:

EXECUTIVE SUMMARY

- 47-55 Grafton Street, Bondi Junction is a strategically significant site located at the gateway of Bondi Junction.
- The site is strategically important due to its large site area, proximity to Bondi Junction transport hub, dual street frontages, excellent harbour, city and district views, and is surrounded by a diversity of complementary uses such as major retail, office, residential and civic uses within the Bondi Junction Centre. Few sites in Bondi Junction offer the unique opportunity to revitalise such a significant site with these strategic credentials.
- The Greater Sydney Region Plan and the Eastern City District Plan provide a strong policy emphasis on urban renewal opportunities in strategic centres. Specifically, Bondi Junction is identified as a 'Strategic Centre' within the recently adopted Eastern City District Plan, in recognition of its strategic qualities as a major centre.
- Notwithstanding these unique qualities, the existing built form on the site fails to respond positively to the opportunities provided by such a prominent, strategically located site. In particular, the current building is unsightly, limited in its commercial functionality, creates large inactive frontages, and is significantly under the permitted height and floor space controls applicable to the site.
- In response to the significance of this site to Bondi Junction, and the importance of providing a very high-quality design outcome which exhibits 'design excellence', the applicant undertook an architectural design competition in 2017 to select an architect that could respond the most positively to the strategic opportunities provided by the site. Five top-tier architectural practices were selected by the applicant to compete in the competition, and were encouraged to explore innovative responses to the site, but also provide creative ways to manage any potential impacts to surrounding properties.
- Koichi Takada Architects (KTA) were selected by the applicant, as they provided the most exciting vision for the site, and presented some very innovative and responsive design solutions for the site that ultimately delivered the objectives of 'design excellence'. KTA are an award winning architectural firm experienced with the design and development of iconic buildings both in Sydney and internationally. Their design provides a response to matters such as privacy, view sharing and residential amenity of surrounding properties (particularly to the south of the site) which was seen as a very important contextual matter to respond to.
- The proposed development seeks approval for an iconic, high quality, ecologically sustainable, slender mixed use tower that includes 106 residential units of varying sizes, four retail premises, and a diverse landscape proposition. The proposal will create expansive 'breathing space' between the surrounding built form to minimise impacts on surrounding properties, and includes a high quality façade treatment that catches and reflects the subtle changes of the sky from sunrise to sunset. This will provide a truly iconic built form outcome for Bondi Junction.
- The applicant has engaged with senior Council officers as well as the Design Excellence Panel at Waverley Council over the past six months. The feedback provided by the Council has been useful and has assisted the applicant with the progression the design. In particular, this feedback has sought to refine the podium layout and arrangements of the proposed development, with more careful attention to retail activation along Hegarty Lane, and changes to the composition of the landscaped communal open space.
- The proposed development has been designed to be generally in accordance with the State, Regional and Local planning controls applicable to the site. In circumstances where there is inconsistency with these, appropriate justification is provided within this report and in the supporting documentation accompanying the application.
- In summary, the proposal will provide a range of substantial local and regional benefits which warrant support, including:
    - Redevelopment of a prominent, strategic site within the Bondi Junction Centre which seeks to create an iconic, metropolitan scale mixed-use development.
    - The proposed development has been designed in a manner which reduces where possible, impacts on the surrounding developments, and on the surrounding public domain.

- Provision of 106 residential units which will support the delivery of dwelling targets the Waverley LGA and Eastern City District. The Bondi Junction Centre has a strong range of supporting infrastructure which makes this an ideal location for the proposed development.
- The creation of four new retail tenancies will not only provide activation to Grafton Street and Hegarty Lane but also contribute to the local economy and available local services and amenities for new and existing residents and workers.
- The supporting technical studies which accompany the DA establish that the environmental impacts of the proposed concept are generally positive and where appropriate, make recommendations for the detailed design phase of the project which will provide certainty and clarity to guide the development.

1. INTRODUCTION

1.1. OVERVIEW

This Statement of Environmental Effects (SEE) has been prepared by Urbis Pty Ltd on behalf of Coonara Developments (the applicant) and accompanies the Development Application submitted to Waverley Council for demolition of the existing commercial building and construction of a 20 storey mixed use development and basement parking, located at 47-55 Grafton Street, Bondi Junction.

The 'cost of works' for the purpose of determining the DA fee for the proposed development is calculated in accordance with Clause 2.55(1) of the EP&A Regulation. The proposal will be assessed by Waverley Council and determined by the Sydney Eastern City Planning Panel.

1.2. REPORT STRUCTURE

This Statement of Environmental Effect identifies the subject site and surrounding locality, describes the proposed development and provides an assessment against the relevant matters for consideration, pursuant to Section 4.15 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

This report is structured, as outlined below:

- **Section 1:** Introduction
- **Section 2:** Site and surrounding context
- **Section 3:** Background
- **Section 4:** Proposed Development
- **Section 5:** Strategic Planning Framework
- **Section 6:** Statutory Planning Framework
- **Section 7:** Section 4.15 Assessment
- **Section 8:** Conclusion

1.3. PROJECT TEAM

This Statement of Environmental Effects should be read in conjunction with the following architectural plans and specialist reports:

Table 1 – Supporting Documentation

Document title	Consultant	Appendix
Survey Plan	LTS Lockley	**Appendix A**
Cost Summary Report	MitchellBrandtman	**Appendix B**
Pre-DA Minutes	Waverley Council	**Appendix C**
Design Excellence Panel Minutes	Waverley Council	**Appendix D**
Architectural Plans	Koichi Takada Architects (KTA)	**Appendix E**
Supporting Architectural Documentation	Koichi Takada Architects (KTA)	**Appendix F**
Design Statement and SEPP 65	Koichi Takada Architects (KTA)	**Appendix G**
DCP Compliance Assessment	Urbis	**Appendix H**
Clause 4.6 Variation	Urbis	**Appendix I**
Landscape Plans	Black Beetle	**Appendix J**

Document title	Consultant	Appendix
Acoustic Report	Renzo Tonin	**Appendix K**
Traffic and Parking Impact Assessment	McLaren Traffic	**Appendix L**
Arboricultural Impact Assessment	Seasoned Tree Consultants	**Appendix M**
Accesibility Design Review	ABE Consulting	**Appendix N**
Wind Assessment	Windtech	**Appendix O**
Reflectivity Assessment	Windtech	**Appendix P**
Direct Solar Access Report	Windtech	**Appendix Q**
Natural Ventilation Assessment	Windtech	**Appendix R**
Fire Engineering Report	Scientific Fire Services	**Appendix S**
Stormwater Management Report	Van der Meer	**Appendix T**
BASIX	EMF Griffiths	**Appendix U**
NatHERS	EMF Griffiths	**Appendix V**
Preliminary Site Investigation Report	JBS&G	**Appendix W**
Geotechnical Report	Douglas and Partners	**Appendix X**
Waste Management Plan	Elephants Foot	**Appendix Y**
Preliminary Construction Management Plan	Coonara Developments Pty Ltd	**Appendix Z**

2. SITE AND SURROUNDING LOCALITY

2.1. SUBJECT SITE

2.1.1. Site Description

The is known as 47-55 Grafton Street, Bondi Junction and legally described as Lot 2 in DP 1073908. The site has an area of approximately 2,070m^2 with a primary northern frontage to Grafton Street of approximately 61.05m and a secondary southern frontage to Hegarty Lane of approximately 59.65m. The topography of the site slopes west to east, meaning the east portion of the site fronting Grafton Street is elevated above street level. A Survey Plan has been submitted at **Appendix A**.

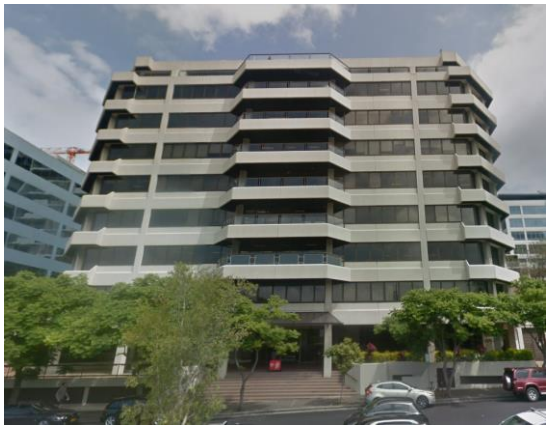
Figure 1 – The Subject Site

Source: Nearmaps

2.1.2. Existing Development

The site currently comprises of a 9-storey building, with mixed uses including a café at ground level and 8-storey of office building above. We understand the building has 3 levels of underground car parking comprising approximately 128 car spaces. Vehicle access to the site is currently via both Grafton Street and Hegarty Lane.

Figure 2 – Photographs of the Site



Picture 1 – Existing building as seen from Grafton Street

Source: Google Earth

Picture 2 – Existing building as seen from Grafton Street

Source: Urbis

Picture 3 – Existing building as seen from Grafton Street

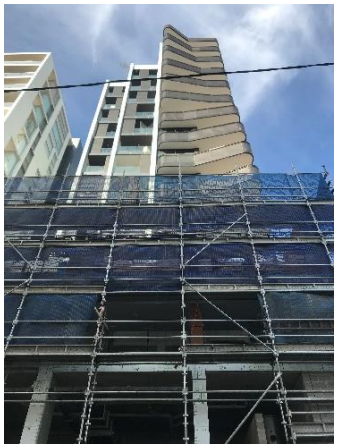
Source: Urbis

Picture 4 – Existing building as seen from Hegarty Lane

Source: Urbis

Picture 5 – Existing Building as seen south on Hegarty Lane

Source: *Urbis*



Picture 6 – Existing Building under construction on Hegarty Lane (Directly behind Site)

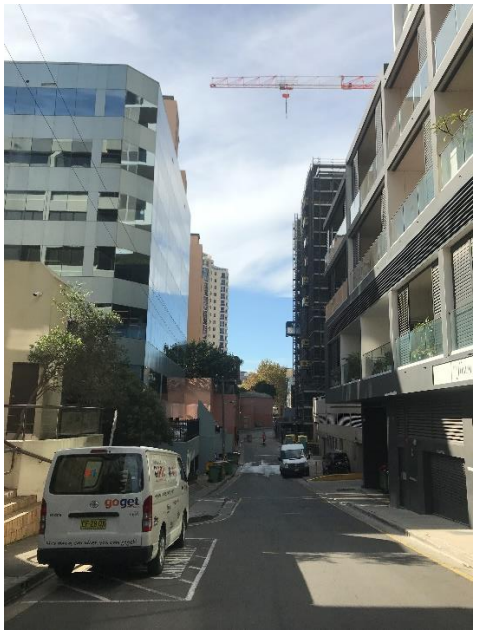
Source: *Urbis*

Picture 7 – Grafton Street view towards east (Directly adjacent to Site)

Source: Urbis

Picture 8 – Grafton Street view towards west (Directly adjeacent to Site)

Source: Urbis



Picture 9 – Hegarty Lane view towards east (Directly adjacent to Site)

Source: *Urbis*

Picture 10 – Existing Building under construction directly behind 47-55 Grafton (Directly adjacent to Site)

Source: *Urbis*

2.2. SURROUNDING CONTEXT

The site is located in the Bondi Junction Commercial Precinct, which is an area characterised by high density, mixed-use development. In a regional context, the site is positioned within close proximity to the following landmarks:

- 5.3km east of the Sydney CBD.
- 2.5km west of Bondi Beach
- 500m west of the Westfield shopping centre.
- 240m west of the Bondi Junction train station.
- 60m north of Oxford Street.

North: to the north of the site on the opposite side of Grafton Street is Syd Einfeld Drive, which is a 6-lane classified road. Further to the north is a mixture of single and two-storey residential dwellings and small scale residential flats.

East: directly adjoining the site to the east is an existing commercial office building at 59-75 Grafton Street. The building contains offices and car parking on the lower levels and residential dwellings on the upper levels. A development application to redevelop the site for a shop top housing development is currently under assessment, but not as yet determined.

South: to the south of the site on the adjacent opposite side of Hegarty Lane is a mixed-use residential building (310-330 Oxford Street) with commercial space at ground floor.

West: directly adjoining to the west is an 8-storey office building.

2.3. TRANSPORT NETWORK

The site is located in a close proximity to Bondi Junction train station and bus interchange, both within a short 300m walking distance. Bondi Junction train station and bus interchanges provide public transport links to the Sydney CBD and Eastern Suburbs.

The site is also located in a close proximity to the key roads of Syd Enfield Drive and Oxford Street which provide key links to the Eastern Suburbs, Paddington, Woollahra and the Sydney CBD.

The site is considered to be well connected both with regard to public and private transport networks.

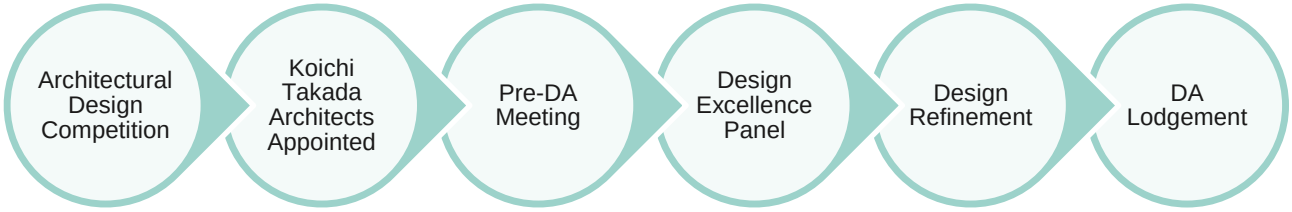
3. BACKGROUND

Prior to the lodgement of the application, the applicant has undertaken extensive pre-DA lodgement work to ensure a very high quality, and well considered project.

As discussed below, the applicant voluntarily invested the time and expense of undertaking an architectural design excellence process to select an architectural practice whose design aligned with their aspirations for a very high quality and iconic response to the site.

Following the competition, the applicant worked closely with the winning architect (Koichi Takada Architects) and the rest of the project team to progress the design to have pre-DA discussions and allow for feedback from Council's Design Excellence Panel. Following these meeting, the design has been refined to a level which responds positively to this feedback. This is discussed in further detail below.

Figure 3 – Background to the Project



3.1. ARCHITECTURAL DESIGN COMPETITION

In recognition of the significance of this site to Bondi Junction, and the importance of providing a very high-quality design outcome which exhibits 'design excellence', an informal design competition process was undertaken by the applicant last year to select an architect that could respond positively to the surrounding context and the importance of this site.

Five top-tier architects were selected by the applicant to take part in the competition, and were encouraged to explore innovative responses to the site, but also provide creative ways to manage any potential impacts to surrounding properties.

The applicant selected Koichi Takada Architects (KTA) on the basis that their preliminary design, ideas and approach to the site was the most innovative, responsive and ultimately the most capable of achieving the highest level of design excellence. KTA are award winning architects experienced with the design and development of iconic buildings both in Sydney and internationally. Their design, unlike a range of the other competitors, provided very innovative ways to respond to privacy, view sharing and residential amenity of surrounding properties. The original design was particularly responsive to development to the south of the site which was seen as a very important contextual matter to respond to.

The pre-DA application included two schemes, a scheme which complied with the required maximum height of 60m and a second scheme which exceeded the height by 3-4 storeys but included a sky park and communal open space at level 60 of the building which acted as a large void space and allowed for increased view sharing through the site.

However, Council provided the following comment in relation to the proposal;

> *'Whilst the initial design concept for a sky park is innovative and impressive, Council would only be willing to support such a scheme provided that is within the 60m height limit. It is not agreed that the site is located in a 'gateway' location and will book-end the Westfield development. The West Oxford Street precinct is envisaged by Waverley Council as the gateway precinct to the council area and the increase in height along Grafton Street would be counter to the current strategic vision for this area.'*

At the meeting, the Council acknowledged that a complying building height would be likely to have some view impacts, but these would be deemed as 'reasonable' on the basis that there is an expectation of this outcome from parties affected by these views (as per the NSW Land and Environment Court principles in relation to 'view sharing').

Following the pre-da meeting with Council, the proposal was amended to address comments and feedback from Council staff. This is further discussed in detail below.

3.2. PRE-DA LODGEMENT MEETINGS

A pre-lodgement meeting to discuss the proposed development was held with Waverley Council on 31st January 2018. Formal advice and minutes were provided by Council summarising the matters discussed during this meeting and are attached at (**Appendix C** and **Appendix D**). These matters are summarised in the table below along with a response as to how the matters have been addressed and assessed in the proposal.

Table 2 – Summary of Pre-DA Matters

Issue	Summary Council Comments	Comment
SEPP 55	The provisions of SEPP 55 apply to the proposal given the proposed change from commercial to residential.	See **Appendix W** and discussion under **Section 5.5.2** below
SEPP 65	SEPP 65 applies to the proposal	An ADG Design Statement has been provided by KTA at **Appendix G** and discussion is included under **Section 5.5.4** below.
SEPP Infrastructure	The site is located within and adjacent to a rail corridor and therefore SEPP Infrastructure applies.	A Survey Plan is included at **Appendix A.** clearly defining the boundaries of the site and the relationship to the train line. A Geotechnical Report is also included at **Appendix X** demonstrating that there will be no impact on the train line during construction.
Height and 'sky-park'	See comments above under **Section 3.1.**	See above
Building footprint and setbacks	The 3m setback from the Grafton Street wall does not achieve the desired clear delineation between the podium and tower forms nor align with the proposed tower of the building at 59 Grafton Street,	The proposal has been amended to provide a generally compliant 6m setback from Grafton Street in line with the adjoining buildings at 59 Grafton St and 75 Grafton St.
Active frontages and common open space	The proposed common open space to the lane does not provide an active frontage to achieve Council's desired outcome for the Lane.	The proposed interface to Hegarty Lane has been amended to include two retail units fronting the lane. Additional planting has also been included and detailed

Issue	Summary Council Comments	Comment
		in the Landscape Plan at **Appendix J.**
Commercial Space	The proposal lacks commercial floor space. In accordance with the DCP Council will require commercial and retail uses at ground and first floor level, including active uses to Hegarty Lane.	In response to this feedback, two new retail tenancies are provided on Hegarty Lane to provide increased retail activation along this laneway. See discussion under **Section 5.6.3** below.
Through-site link	The location of the through site link does not appear logical in relation to the through site links approved on the opposite side of the lane and proposed on the adjoining site.	KTA have reviewed the proposed through site link. We have determined that the existing through site link adjacent to the site at 43 Grafton Street and the proposed through site link at 75 Grafton St is sufficient to meet the DCP requirements and provide pedestrian connectivity to Hegarty Lane.
Carparking and Vehicular Access	The dual cross overs proposed for the site both from Grafton Street and Hegarty Lane cannot be supported. Given the excavation constraints of the site, a singular cross over from Grafton Street can be considered as oppose to Hegarty Lane, and there lies an opportunity to provide a consolidated vehicular access from the adjoining development at 59 Oxford Street.	See detailed discussion under **Section 6.3** below.
Environmental and Sustainability	At minimum, Part B2 -Clause 2.6 of the DCP requires the submission of an Energy Assessment Report (as the development will have 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 (ie. BCA compliant only). New residential development should exceed the BASIX minimum requirements so that a low carbon precinct can be achieved.	The proposal provides 'above' compliance in relation to a range of sustainability initiatives in the ADG, and satisfies the requirements of SEPP (BASIX). A BASIX report prepared by EMF Griffiths has been provided at **Appendix U.**
Waste Storage and Collection	Waste collection is to be accommodated on site, and the building must be designed to allow Council's collection vehicles to enter and	This is addressed at **Section 6.12** below. With regards to waste collection, the Waverley Council DCP does not require

Issue	Summary Council Comments	Comment
	exit the property in a forward direction with adequate vehicle clearance.	that waste collection be completed on site and makes the assumption that waste collection will occur on-street unless arranged prior with Council.
Materials and Finishes	The side and rear elevations need further detailing outcomes. The east, west and south facades will be highly visible from properties to the sides and from the south, and consideration is needed for modelling or graphic treatment as relief, along with the material palette.	A materials and finishes palette has been included at **Appendix F**.

3.3. DESIGN EXCELLENCE PANEL FEEDBACK

The design team attended a pre-Design Excellence Panel (DEP) meeting on 4th of December 2017 to discuss the proposal. The panel provided formal written feedback (attached at **Appendix D**). **Table 3** below includes a summary of the issues raised and how they have been addressed through the final architectural plans.

Table 3 – Summary of Pre-DEP Matters

Issue	Details	Comment
Through Site link	The Panel noted the proximity of the through site link to the adjoining through site link at 75 Grafton Street.	The proposed through site link has been removed from the proposal.
Interface with Hegarty Lane adjoining the communal open space	The panel requested more detail on the interface between the common open space and Hegarty Lane.	A concept landscape plan is included at **Appendix J** and details the interface to Hegarty Lane. Since meeting with the DEP, the landscape treatment and interface along Hegarty Lane has been refined and enhanced. This has been coupled with increased retail activation along the lane.
Cross Ventilation	The panel questioned how cross ventilation might be achieved on L1-4 fronting Grafton Street.	The units are accessed via a breezeway which facilitates cross – ventilation. Details are included in the architectural plan set at **Appendix E** and the Natural Ventilation Statement attached at **Appendix R**.
Safety	The panel requests that the proposed design incorporates CPTED principles.	This SEE includes a CPTED assessment at **Section 6.7** of this report. CPTED principles have also been incorporated into the final design package.

Issue	Details	Comment
Social Interaction	The panel suggested that the orientation of the lift lobbies be amended to overlook that communal open space.	The ADG requires natural light be provided to internal common corridors and the proposal complies with this. The windows to the internal corridors on the southern elevation provide opportunity for natural surveillance of the common open space area below and provide natural light to the corridors. Re-orientating the lift core would not result in an improved amenity outcome. The current proposal meets the requirements of the ADG.

4. PROPOSED DEVELOPMENT

4.1. OVERVIEW

The proposal is for the construction of a 'shop top housing' development including 106 dwellings and four retail tenancies located at 47-55 Grafton Street, Bondi Junction. With an overall site area of 2,070m², the site is a moderate redevelopment site on the periphery of the Bondi Junction Centre.

The development application seeks consent for the following works:

- Demolition of all existing structures including basement levels;
- Excavation to RL 63.625 for one basement level (9.625m depth);
- Removal of existing vehicular crossover Grafton Street;
- Construction of a 20 storey shop top housing building with a total height of 67.75m, comprising a total of 106 dwellings and four commercial tenancies;
- Construction of three levels of basement parking, including 99 car parking spaces, motorcycle parking, bicycle parking, end-of-trip facilities, waste and storage areas;
- Construction of associated landscaping including communal terrace level and private terrace open space including plunge pools; and
- Construction of a relocated access driveway from Grafton Street and new vehicle access driveway from Hegarty Lane.

Architectural Plans prepared by Koichi Takada Architects are included at **Appendix E**. Key numeric aspects of the proposal are provided at **Section 4.3**.

The various components of the proposed development are described in the following sections.

4.2. DESIGN VISION

The project seeks to achieve a design that reflects local planning and design controls, and responds to best practice design principles of SEPP 65 and the Apartment Design Guide. Koichi Takada Architects (KTA) have prepared a Design Statement and SEPP 65 Statement which is submitted at Appendix G that outlines the proposed design in detail.

KTA consider the primary design philosophy to include:

> *"A design that focuses on providing a building that both relates to and enhances the new streetscape. An iconic and recognizable additional to the Bondi Junction Urban Centre*
>
> *A highly articulated facade defines the horizontality of the building, creating a dynamic transition along the entire building's length both at the podium level and across the tower. The articulation assists to break down the mass of the building facade while the podium and create a continuous streetscape along Grafton Street. The design brings a high quality and architecturally responsive aesthetic.*
>
> *Koichi Takada Architects focuses on a design that enhances both public and residential amenity. The building form sets back from Grafton Street allowing for a green landscaped transition to the building in order to soften the interface between the two. The active retail frontages to Grafton Street and Hegarty Lane invigorate the streetscape and public domain, while a defined residential entry creates an identifiable central access point for the residents.*
>
> *The units have been designed to provide the residents with a tranquil and private escape from city life. The primary active frontage faces north while maximising the city and harbour views and enhancing available amenity for SEPP 65 compliance. The apartment facades maximise glazing and recessed balconies to enhance views and solar access."*

Figure 4 – Grafton Street Perspective

Source: Koichi Takada Architects

Figure 5 – Hegarty Lane Perspective

Source: Koichi Takada Architects

4.3. NUMERIC OVERVIEW

The key built form details are outlined below:

Table 4 – Numeric Overview of Proposal

Parameter	Proposed
Height	65m - 67.75m (Top of Parapet to Top of Plant)
Floor Space Ratio	6:1
Residential GFA	12,109m^2
Commercial GFA	311m^2 – 4 tenancies
Total GFA	12,420m^2
Number of apartments	106
Dwelling mix	Proposed unit mix Studio: 8 (8%) 1 Bed: 28 (26%) 2 Bed: 48 (45%) 3 Bed: 22 (21%)
Communal open space	830m^2
Car Parking	99 Car spaces

4.4. DEMOLITION AND EXCAVATION

Demolition of all existing structures including the existing basement is proposed. Additional excavation to a depth approximately 0.8m deeper than the existing basement is required as part of the proposed development.

4.5. USE

Development consent is being sought for the use of the site for ‘shop top housing’ with residential apartments located above ground floor retail uses.

4.6. BUILDING DESIGN

The proposed building is of a high architectural merit and is contemporary in design, the building comprises of a number of key building design components.

The development is composed of a six storey podium and 15 storey tower form. The podium is 6 stories in height (5 stories with a double height retail and residential lobby) which complies with the DCP objective of a 6 storey podium and the future desired character of the area. The overall height of the proposal is consistent with the existing character of development in the surrounding area.

The podium form fronting Hegarty Lane proposes a greater than required setback to enable greater building separation. The additional setback offers a better outcome for both the streetscape and public domain in order to reduce the bulk and scale imposed to the already narrow laneway.

The design of the proposed tower is set back appropriately and is tapered on the Eastern and Western facades to provide view corridors from the rear of the building towards the North. This tapering breaks down the form and allows for further articulation of the side facades, to provide appropriate visual breaks in between towers.

4.6.1. Façade

The main design feature of the building facade is the dynamic and changing facade that defines the horizontal flow of the building and podium geometry. The facade creates a highly articulated expression worthy of a landmark building but also functional, capturing views and hybrid balcony spaces. Extrusions and tapering forms to the rear assist in breaking down the visual bulk and scale of the facade.

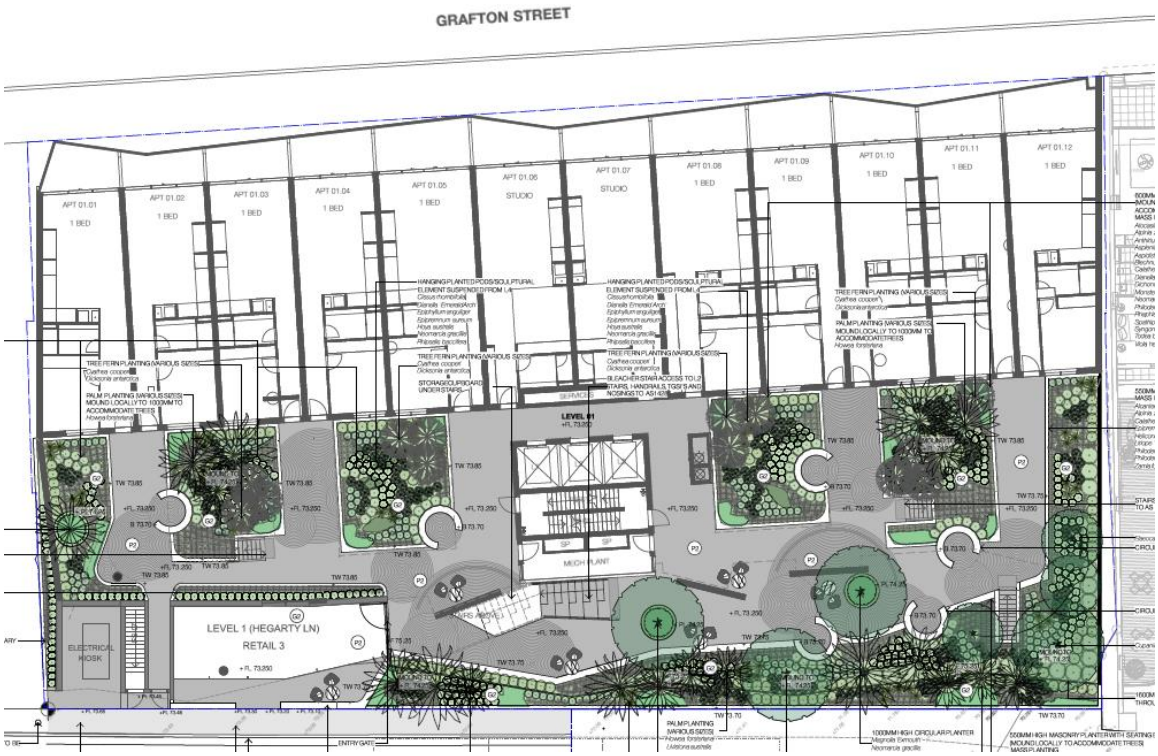
Materiality and form has been designed to play upon light and transparency across the northern façade, wrapping around to the sides in order to create a holistic design aesthetic. This changing articulation of the façade results in a dynamic exterior that catches and reflects the subtle changes of the sky from sunrise to sunset.

The podium grounds the building by utilising a heavier and more solid materiality that compliments and accentuates the 'floating' nature of the mid and high-rise apartments. The tower's material pallete comprises of white hardwearing concrete surfaces and a layering of different tones of glass which help define the architectural language of the building.

4.7. LANDSCAPE DESIGN

Landscaping and communal open space forms an area approximately 40% of the site area and the architectural design of the site. A Landscape Plan has been prepared by Black Beetle Landscape Architecture and is included at **Appendix J**. The following objectives have guided the landscape design of the site.

Figure 6 – General Landscape Arrangement – Communal Open Space – Level 1



Source: Black Beetle

The design proposes a 2 level multi-tiered communal open space between levels 1 and 2. The position of the communal space fronts Hegarty Lane in order to reduce the acoustic impacts from the adjacent Syd Enfield Drive. This not only creates a more tranquil break out space but also creates a better outlook for the adjacent onlooking residential developments. The proposed perimeter planting will create a green fringe to the podium in order to soften the character of the streetscape.

The proposed landscape and treatment of the communal open space tailors the design towards a more passive use to address both the surrounding multistorey units as well as the adjacent apartments within the proposal. Increased mounding and soil depth increases the size of landscaping outside units in order to mitigate privacy. A ground floor landscape zone is proposed fronting Grafton Street in order to soften the interface between the development and the streetscape.

4.7.1. Tree Removal

There are currently no trees located within the subject site. A number of street trees are located across the Grafton Street frontage, within the nature strip. In order to relocate the Grafton Street vehicular crossover, it is proposed to remove one larger tree and one small tree at the western end of the frontage. It is however proposed to replace these trees with two comparable street tree plantings at the western and eastern ends of the site.

It is noted that no other trees are impacted by the proposed development.

An Arboricultural Impact Assessment prepared by Seasoned Tree Consulting has been submitted to support the proposed tree removal (Refer **Appendix M**).

4.8. RETAIL TENANCIES

Four retail tenancies are proposed as part of the development. One either side of the residential lobby fronting Grafton Street (99m² and 132m² respectively). One retail tenancy at the eastern end of the building fronting Hegarty Lane (39m²) and one retail tenancy at the western end of the building fronting Hegarty Lane (41m²).

Each of these tenancies provide activation and human scale to the development contributing to the buildings integration with the public domain.

Figure 7 – Retail tenancies located on Hegarty Lane

Source: Koichi Takada Architects

4.9. PARKING AND ACCESS

4.9.1. Vehicle Access

It is proposed to remove the existing vehicular crossover on Grafton Street. The proposal seeks access to the site via two new driveways from both Grafton Street and Hegarty Lane.

The proposed development includes driveway access from both Grafton Street and Hegarty Lane. Specifically:

- A two-way access to Hegarty Lane to serve basement level 1.
- A two-way access to Grafton Street including a signalised ramp arrangement to serve basement levels 2 and 3.

4.9.2. Parking

As the site is located within 800m of a train station and in accordance with the RMS Guide to Traffic Generating Development the following parking is provided within three basement levels.

Table 5 – Parking Provision

Parking Type	Number Provided	Parking Type	Number Provided
Residential	68	Motorbike	23
Visitor	21	Bicycle	56 – *56 dedicated bike spaces with 64 sapces within the storage cages*
Accessible	10		
Total	**99**		

4.10. WASTE MANAGEMENT

Loading and servicing operations, including waste collection, are proposed to be maintained in Hegarty Lane as per the existing operation of the site. A large waste storage areas is proposed on Basement Level 1 with direct access to the proposed truck parking area. Refer to Section 6.12 for further detail on Waste Management.

5. PLANNING ASSESSMENT

This part of the SEE contains an assessment of the environmental effects of the proposed development under Section 4.15 (1) of the EP&A Act. In determining a development application, the consent authority must consider a range of matters relevant to the development including the provisions of environmental planning instruments as discussed below.

5.1. OVERVIEW

Consistent with Section 4.15 of the EP&A Act, the proposal has been assessed against the following applicable environmental planning instruments and policies:

Strageic Planning Policy

- *Greater Sydney Region Plan*
- *Eastern City District Plan*

Relevant Acts

- *Water Management Act 2000*

State Environmental Planning Policies

- *State Environmental Planning Policy (Infrastructure) 2007 (SEPP Infrastructure)*
- *State Environmental Planning Policy No 55 – Remediation of Land (SEPP 55)*
- *State Environmental Planning Policy (Building Sustainability Index) 2004 (SEPP BASIX)*
- *State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development (SEPP 65)*

Local Environmental Plans

- *Waverley Local Environmental Plan 2012 (WLEP 2012)*

Development Control Plans

- Waverley Development Control Plan 2012 (WDCP 2012)

5.2. GREATER SYDNEY REGION PLAN

The Greater Sydney Region Plan (the Plan) was released by the Greater Sydney Commission in March 2018 and replaces *A Plan for Growing Sydney.* The Plan aligns with the vision established in the suite of Districts Plans released at the same time.

This Plan reconceptualises Greater Sydney as a metropolis of three ‘30-minute’ cities, and is presented with the District Plans to reflect the most contemporary thinking about Greater Sydney’s future. The Plan is underpinned by four kep pillars being infrastructure and collaboration, liveability, producitivity and sustainability. The proposed contributes directly to the liveability pillar through its contribution to the housing supply targets for the Eastern City District as well as the provision of a diverse and accessible range of housing types located in close proximity to the identified strategic centre of Bondi Junction.

The proposal also directly delivers on a key productivity objective of the Plan that sees the integration of land use and transport in creating walkable, 30-minute cities. The proposal will contribute to the creation of more liveable neighbourhoods and well connected and resilient communities.

5.3. EASTERN CITY DISTRICT PLAN

The Eastern City District Plan was released in March 2018 and replaces the draft Eastern District Plan released in October 2017. The Draft Plan maps out the 20-year vision for the Eastern City District of Greater Sydney. The District Plans have been prepared to draw a link between the strategic directions set out in the

new *A Metropolis of Three Cities - the Greater Sydney Region Plan* and the detailed planning controls for local areas.

The subject site is identified within the Eastern City District. The Eastern City District Plan maps out the 20-year vision for the Eastern City District of Greater Sydney. The Plan indicates that an estimated 325,000 additional people will be living in the Eastern City District by 2036. A trend of over half the population living in apartments is set to continue.

The Easter City District will remain an attractive place to live, with an increased diversity of housing choices that cater for all groups including people who live on their own, older residents and families. As outlined above in **Section 5.2**, the proposed development will deliver housing supply and choice with access to jobs, services and public transport that directly supports the objective of achieving a 30-minute city.

5.4. WATER MANAGEMENT ACT 2000 (NSW)

It is not anticipated that the proposed development will alter the water table which is expected to be below the depth of excavation, and as such the proposed development is not integrated development pursuant to Section 91 of the *Water Management Act 2000*.

5.5. STATE ENVIRONMENTAL PLANNING POLICIES

The following assessment has been structured in accordance with Section 4.15(1)(a) of the *Environmental Planning & Assessment Act 1979* (**EP&A Act**).

5.5.1. State Environmental Planning Policy (Infrastructure) 2007 (ISEPP)

Clause 86 of ISEPP requires the consent authority to notify the Rail Authority of any development proposing excavation in, above or adjacent to a rail corridor. It is noted that the site is located above the Eastern Suburbs Railway Line and therefore consultation with Sydney Trains would be required to ensure any redevelopment does not affect their operations. A Geotechnical Report accompanies the application, prepared by Douglas Partners (**Appendix X**). The report demonstrates that the proposed excavation to facilitate basement parking and construction of the 20 storey building will not impact on the existing rail infrastructure.

Clause 101 of the ISEPP aims to reduce the impacts of busy roads on residential development. The site indirectly fronts Syd Einfeld Drive (separated by Grafton Street) and accordingly a Acoustic Report prepared by Renzo Tonin is included at **Appendix K**.

The noise criteria nominated in the ISEPP applies to internal noise levels with windows and doors closed. However, as the preliminary noise assessment is based on measurements/predictions at external locations, equivalent external noise criteria has been established. These external noise criteria have then been used to determine which areas of the development may require acoustic treatment in order to meet the internal noise requirements of the ISEPP.

The Acoustic Report identifies a number of in-principle treatments including window glazing and wall treatments for the control of traffic noise intrusions to satisfy the requirements of the ISEPP. Refer to **Section 6.5** and also **Appendix K**.

5.5.2. State Environmental Planning Policy 55 – Remediation of land

State Environmental Planning Policy No. 55 requires that the consent authority to consider whether the land is suitable for the proposed use prior to issuing consent. The site is currently occupied by a commercial building. The proposal is accompanied by a Preliminary Site Investigation Report prepared by JBS&G (**Appendix W**).

The report assessed the previous uses of the site, and included consideration of the effects of its use as a commercial development and basement carpark on the proposed development. The existing development has a footprint that is almost entirely occupied by a multi-level basement and the lowest levels were built directly into residual sandstone bedrock. The report recognises that it is considered likely that the majority if not all soils were removed from the site to enable the currently basement construction. The report outlines that there had been no significant and a low likelihood of potential contamination issues at the site to the degree which present a risk to the redevelopment of the site for the proposed intended land uses. The report concludes the following:

- No indicators of widespread contamination were observed during the site inspection.
- Historical land uses are considered unlikely to have resulted in widespread contamination of the site.
- Advancement of the multi-level basement associated with the current site structure has likely resulted in removal of the bulk of soils at the site, and therefore contamination of residual soils is unlikely.

It is concluded that no further contamination investigation activities are considered warranted prior to redevelopment of the site.

5.5.3. State Environmental Planning Policy (Building Sustainability Index Basix) 2004

A BASIX Report and certificate are provided at **Appendix U** which confirms compliance with the standards provided in the Building Sustainability Index, including energy and water efficiency and thermal comfort. The targets and project scores are summarised in **Table 6**. The proposed development meets or exceeds the BASIX requirements.

Table 6 – BASIX Performance Summary

Sustainability Indicator	BASIX Target	Proposed
Water	40	Target 40
Thermal Comfort	Pass	Target Pass
Energy	25	Target 25

5.5.4. State Environmental Planning Policy 65 and Apartment Design Guide (ADG)

A detailed assessment of the performance of the residential apartments against the requirements of the Apartment Design Guide (ADG) has been undertaken by KTA and is provided within the architectural package at **Appendix G.** The Design Verification Statement issued by KTA confirms the proposal's consistency with the 9 principles. Where the proposal does not strictly comply with the ADG guidelines, justification is provided demonstrating alternative options to maintain a high level of amenity for residents.

As an overall comment regarding ADG Compliance, the proposal provides a extremely compliant scheme with regard to the key parameters for amenity outcomes. The scheme achieves greater levls of compliance with solar access, cross ventilation and building setbacks which support an development that provides high amenity to occupants.

The key provisions of the ADG with regarding to the proposal are summarised below:

2F – Building Separation

In accordance with the ADG, the setback for buildings above 9 storeys is 12m (between habitable rooms and balconies to adjoining properties).

Above the podium level, the proposed development has sought to provide generally a setback of 12 metres to the south, east and western property boundaries which reduces view loss, overshadowing and privacy impacts on adjoining properties.

In comparison to surrounding developments, the proposal provides very generous breathing space around the built form.

3D – Communal Open Space

The ADG Design Criteria requires communal open space with a minimum area equal to 25% of the site area. The proposal exceeds (or 'over-complies') significantly, by providing 40%.

The location of the proposed communal open space fronting Hegarty Lane has been selected to provide a green edge to the rear of the built form, and also provide a number of large void spaces which allow for both high quality trees and landscaping, but also allowing for natural cross ventilation to residential apartments within the podium spaces.

The communal open space is also located on the quieter part of the site, and shielded by the tower form. This takes advantage of the building providng a physical noise barrier creating a more tranquil break out space and also improves the visual outlook for adjoining residential development stop the south.

Notwithstanding overcompliance with the quantum of landscaped area, compliance with the requirement for a minimum 50% direct sunlight to the principal usable area of the communal open space is not achieved. However, outside of the winter solstice, the solar access to this part of the site is improved.

The proposed development is located in close proximity to surrounding quality open space such as Cooper Park, Waverley Park and Centennial Park. The site is well connected to the nearby Bondi Beach precinct.

3E – Deep Soil Zones

As discussed above, the proposal provides a very large area of communal open space, exceeding the ADG guidance. In addition, the ADG requires a minimum deep soil area of 7% of the site area.

As is the case with the existing scenario, no deep soil zone is proposed on the site. This is a direct result of the existing basement and proposed basement levels associated with the development. The design guidance of the ADG acknowledges that achieving this design criteria may not be possible on certain sites particularly regarding high density areas with limited or no space for deep soil at ground level. The Pre-DA minutes acknowledge the challenges with providing deep soil on the site under the circumstances.

Significant landscaped areas have been provided within the development, making up approximately 830m² (40% of site area). This landscape area is located throughout the development, particularly attributed to the communal open space areas.

4A – Solar and Daylight Access

The development application is supported by a Direct Solar Access Report prepared by Windtech submitted at **Appendix Q**. The report provides a detailed assessment of theamount of direct solar access to the living areas and associated private open spaces of each residential apartment. Suns Eye diagrams have been prepared by KTA Architects and are submitted within **Appendix F**.

The report has been prepared with regard to the ADG requirement of at least 70% of apartments in a buidlign achieving a minimum of 2 hours direct sunlight between 9am and 3pm at mid winter. The report makes the following conclusions:

- 96.2% of apartments (102 out of 106) achieve at least 2 hours direct solar access to the windows of the living areas.
- 100% of apartments achieve at least 2 hours of direct solar access to the floor slab of the private open spaces.
- 3.8% of apatments (4 our of 106) do not achieve the full 2 hours direct solar access to the windows of the living areas.

This demonstates that the proposals exceeds the required minimum of 70% achievement of 2 hours direct solar sunlight to living areas and private open space.

4B – Natural Ventilation

The ADG requires at least 60% of apartments to be naturally cross ventilated in the first nine storeys of the building. A Natural Ventilation Statement has been prepared by Windtech in support of the proposal and is submitted at **Appendix R**. The report identifies that natural cross ventilation characteristics of the proposed development achieve a total of 75% compliance (54 out of 72 residential apartment, being those in the first nine storeys). This total exceeds the required minimum by 15%. Cross Ventilation diagrams have been prepared by KTA Architects and are submitted within **Appendix F**.

4D – Apartment Size and Layouts

The proposal complies with the minimum internal area requirements of the ADG and in most cases generously exceed the required floor areas. All habitable rooms have windows in external walls as required.

The proposal is also consistent with the requirements of Section 4K – Apartment Mix, providing a mix of apartment types to cater to people are differenet life stages and needs. This is also consistent with Waverley DCP.

4E – Private Open Space and Balconies

Private open space in the form of balconies and private terraces are provided for each apartment. The proposal generally complies with the minimum area and depth controls pursuant to Section 4E of the ADG. A number of apartments exceed the minimum requirements for each area of private open space. The proposed balconies are predominantly located to face north, east or west to ensure adequate direct solar access. Balconies and terraces are also intergrated into the overall design of the development to deliver a consistent architectural form through the building.

The design of the building has been developed with the amenity of the future building occupants in mind. This has resulted in an extremely compliant scheme with regard to key environmental amenity factors including solar access, natural cross ventilation and acoustic/noise impacts. In accordance with Section 4J of the ADG, an innovative solution to restricting the level of noise and dust impacts from Syd Einfeld Drive have been applied. Balconies and private open space are provided with 1.4m impermeable solid balustrades as well as providing a level of weather and noise protection and amenity.

Similar developments in Bondi Junction, providing balconies with appropriate weather protection in harsh environments have been accepted as innovative solutions. The proposed balcony solution will provide a significant improvement to the amenity of the occupants, without impacting negatively on any neighbours or the public.

4G – Storage

Each apartment is provided with storage in accordance with the minimum requirements of the ADG. Storage is provided within each apartment as well as secure storage cages within the basement.

5.6. WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

5.6.1. Zoning, Permissibility and Objectives

The site is within the B4 mixed use zone. Shop top housing is permitted with consent in the zone. The relevant objectives of the B4 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.*

The proposal is consistent with the objectives of the zone as it seeks to provide a mix of compatible uses on a site that can comfortable integrate with the existing and future context of the area. The site is located in a highly accessible location, and is in extremely close walking proximity to the Bondi Junction transport interchange. The provision of retail tenancies will also serve to support the continue development of the periphery of the commercial core.

5.6.2. LEP Provisions

The following table provides an assessment of the proposed development against the relevant clauses contained within the Waverley LEP 2012.

Table 7 – Waverley LEP Compliance Table

Relevant Clause	Provision	Complies
Clause 4.3 – **Building Height**	60m	The proposed development has a maximum height of 67.75m and exceeds the permissible height by 7.75m. A Clause 4.6 variation is included at **Appendix I.**
Clause 4.4 –	6:1	Yes

Relevant Clause	Provision	Complies
Floor Space Ratio (FSR)		
Clause 4.6 – **Exceptions to Development Standards**		Development consent may, subject to Clause 4.6 of WLEP 2012 be granted for development even though the development would exceed a development standard imposed under the WLEP 2012. As discussed, the proposal seeks a variation to the Height of Building standard applying to the site. The proposal meets the intent of Council's Height of Building standard and in accordance with Clause 4.6, demonstrates that strict compliance with the Height of Building standard is unreasonable and unnecessary in this case. A Clause 4.6 variation is included at **Appendix I.**
Clause 5.10 – **Heritage Conservation**	This clause aims to conserve the environmental, archaeological and built heritage of Waverley.	The site is not a heritage listed item under Clause 5.10 of the Waverley LEP 2012. However, the southern adjacent site is identified as having heritage significance. 304 – 330 Oxford Street is located to the rear of the subject site and is identified as a heritage item under the provisions of Waverley LEP. Schedule 5 of Waverley LEP states that the listing related to the 'façade group' only. The subject site is to the rear of 310 – 330 Oxford Street and therefore will have no impact on the heritage characteristics of the façade.
Clause 6.5 Active Frontages	This clause aims to promote pedestrian traffic along nominated streets.	Grafton St is not nominated on the active frontages map. Notwithstanding, retail uses are proposed on both frontages as per WDCP requirements.
Clause 6.7 Solar Access to public places in Bondi Junction	Development consent must not be granted to development that results in an additional shadow impact at 12 noon on 21 June on the following; (a) Clemenston Park (b) Waverley Street Mall (c) Eora Park (d) Norman Lee Place	The proposal will not have any impact on any of the identified locations.

Relevant Clause	Provision	Complies
	(e) Oxford Street Mall (between Bronte Road and Newland Street)	

5.6.3. Height of Buildings

Clause 4.3 prescribes a building height standard for the site of 60m. As the proposal seeks to vary the height of building standard by 7.75m a Clause 4.6 has been prepared and is submitted at **Appendix I**.

Justification to support the proposed variation to the building height control is provided in accordance with Clause 4.6 of *WLEP 2012*. In summary, the proposal is considered appropriate and consistent with the objectives and intent of Clause 4.3 of the LEP. Strict compliance with the LEP in this case is considered to be unreasonable and unnecessary because:

- Unlike other sites, the subject site is constrained by Sydney Rail Tunnels which significantly limit the extent of excavation to accommodate multiple levels of car parking below ground. Therefore, the proposed development has had to carefully manage the extent of excavation, and as a result this has limited the quantum of car parking on the site (below the maximum parking requirements of WDCP).
- In addition, the site has a significant slope of approximately 4.3m from north to south, and provides for a generous 6.6m floor to ceiling height at the Grafton Street frontage to create very vibrant retail spaces.
- The Council's DCP then requires a podium treatment up to the 6th storey (of approximately another 12.9m above the ground floor level), with the 'tower' then only beginning above this (or approximately 19.5m above ground level at Grafton Street). Coupled with the generous tower setbacks of 12m, limited depth of tower floorplate, and typical floor to ceiling heights, this creates another 13 levels above the podium, which aligns with the parapet edge on the northern edge of the building (i.e. approx. 60m) which is consistent with the height standard for the site.
- However, given that the site slopes up towards the south, to ensure that another finished floor level is consistent with the 60m height standard on the southern side (i.e. on Hegarty Lane), this creates a negligible variation to the height standard on the northern side of the site.
- In addition, in order to centralise lift overruns, mechanical plant and services, these are proposed to sit slightly above the 60m height standard. As there is no view, shadow or other amenity impacts as a result of this, we believe that this negligible variation is reasonable under the circumstances.

The proposed variation demonstrates sufficient environmental planning grounds to justify the contravention of the development standard as follows:

- There are no unreasonable shadow impacts to public domain and shadows associated with the additional height are compliant with Clause 6.7 of the *Waverley Local Environmental Plan 2012*
- The visual impacts associated with the height are minor and are in line with those anticipated by a fully compliant scheme.
- The variation does not result in unreasonable adverse sunlight or privacy amenity impacts on neighbouring properties.

Strict compliance with the development standard is therefore considered to be unnecessary and unreasonable in this case. It is noted that the slope of the site extenuates the height non-compliance in some areas however across the development the non-compliance generally relates to lift cores and plant areas.

5.7. WAVERLEY DEVELOPMENT CONTROL PLAN 2012

The relevant matters to be considered under Waverley Development Control Plan 2012 (WDCP) are outlined in the DCP summary compliance table at **Appendix H**. The proposed development is generally consistent with the key development controls.

Where there are inconsistencies, these are addressed in **Section 6** of this report, or in the compliance table.

6. KEY ASSESSMENT MATTERS

6.1. SUSTAINABILITY

The proposed development has been designed to use a number of passive design initiatives to maximise amenity and minimise energy use.

The proposed development has been assessed against and found to be compliant with BASIX (**Appendix U)** and the BCA. Ecologically Sustainable Development (ESD) measures from these assessments will be incorporated into the building services design. Some of these initiatives include:

- **Solar access:** A very high level of passive solar design (96%) which is well in excess of the 70% guidance in the ADG.
- **Natural ventilation**: A very high level of natural cross ventilation (76%) which is well in excess of the 60% guidance in the ADG.
- **Water Management**: Minimisation of potable water in accordance with the BASIX requirements
- **Recyclable Waste Management:** A range of waste management measures to reduce the amount of waste and recyclables to landfill are proposed including segregation of materials that can be recycled, displaying signage to remind.
- **Sustainable Fixtures and Fittings**: In accordance with the BASIX requirements, the project will be required to provide energy efficient fixtures and fittings to minimise energy and water consumption.
- **Minimised Car Parking:** The Council's car parking requirements are maximums to encourage public transport patronage. The proposal provides less than the maximum parking rate, which will reduce car dependency.
- **Bicycle Parking:** The proposal provides for a range of secure bicycle parking spaces to provide an alternative to car-based trips.
- **Landscaping:** The proposal provides landscaping and communal open space in excess of the ADG requirements.

In summary, the proposal will facilitate a residential development with sustainable measures to reduce energy consumption and the amount of waste produced on site.

6.2. USE AND GROUND PLANE ACTIVATION

The proposal is seeking consent for 'shop top housing' with retail uses at the ground floor on Grafton Street and Hegarty Lane, with residential apartments located above this.

Grafton Street is nominated as a 'secondary street' in WDCP with a preference for retail uses at the ground floor. The proposal provides for retail tenancies predominantly along this street frontage.

Hegarty Lane is nominated as a 'laneway' in WDCP where retail and commercial frontages are "encouraged where possible". The pre-DA minutes from the Council identified concern with the lack of commercial floor space as well as the lack of activation along Hegarty Lane. In response, the proposed design has been amended, and has provided two additional retail tenancies along Hegarty Lane, bringing the total retail floor space to 311sqm.

The applicant was initially concerned that retail space along Hegarty Lane would be difficult to make attractive for retailers given that it is effectively a service lane, with less pedestrian movement than Oxford Street and other more major pedestrian spines in Bondi Junction. However, the willingness to provide this space acknowledges a willingness to work with the Council to revitalise this laneway, and to 're-brand' it in a manner that has a positive impact on the streetscape. As shown in the figure below, Hegarty Lane is now enlivened by the activation that the proposed retail tenancies provide, while also providing a safer and more comfortable place for residents and workers to pass through and be in.

Figure 8 – Retail activation along Hegarty Lane

While the pre-DA minutes also encourage commercial floor space above ground, the applicants preference is not to provide this. The proposal seeks consent for 'shop top housing' with provision of residential apartments above the retail uses at both Grafton Street and Hegarty Lane, which is permissible consent in the B4 Mixed Use zone.

The objectives of the zone encourage a mixture of compatible uses in the B4 zone, including retail uses which are being proposed as part of the proposed development. Further, there are no minimum requirements for the provision of commercial floorspace on this site pursuant to Waverley LEP (which occurs in other Council areas).

The proposed retail tenancies will support a range of new local job opportunities which should be acknowledged, and indeed supported within this context.

6.3. TRAFFIC AND PARKING IMPACTS

The application is accompanied by a Traffic and Parking Impact Assessment prepared by McLaren Traffic (**Appendix L**).

The development has been designed in response to the constraints of the site, with regard to traffic and parking, this relates specifically to the limitations created by the rail tunnels. The number of basement levels available by excavation are directly impacted by the rail tunnels. As a result, two vehicle entries are proposed to maximise parking within the limited number of basement levels.

The proposed includes a two-way access to Hegarty Lane which serves basement level 1. A separate two-way access to Grafton Street is also provided, a signalised ramp arrangement will serve basement levels 2 and 3. The provision of two vehicle entries assists in sharing the traffic impacts across the road network immediately surrounding the site, whilst also enabling the adequate provision of car parking below ground level. In accordance with Waverley DCP 2012, vehicle access from Laneways and secondary streets is considered appropriate. The Traffic Report has identified that the proposed development will result in a low scale of traffic generation and will have no noticeable impacts on the function of the road network in this location.

Parking

Parking has been provided in accordance with the RMS Guide to Traffic Generating Development which requires a total of 99 car parking spaces. It is noted that the Waverley DCP requires a total of 116 parking

spaces however a variation to this requirement is sought due to the close proximity of the site to the Bondi Junction transport interchange.

Bicycle Parking and EOT

Due to the constrained nature of the site, a reduced number of bicycle parking racks are proposed. No dedicated bicycle parking racks are proposed. 56 dedicated bicycle parking racks are proposed, 50 within Basement level 3 and 6 located at Level 1 mezzanine a further 64 bicycle racks are provided within storage cages. An end of trip facilities is located adjacent to the main bicycle racks on B3.

Each apartment is provided with adequate storage space within the basement with adequate storage space for a bicycle.

6.4. WASTE COLLECTION AND SERVICING

Loading and servicing operations, including waste collection, are proposed to be maintained in Hegarty Lane as per the existing operation of the site. With regards to waste collection, the Waverley Council DCP does not require that waste collection be completed on site and makes the assumption that waste collection will occur on-street unless arranged prior with Council.

As a result of the site constraints and the limitations to excavation imposed by the rail tunnels, waste collection is not proposed onsite. Section 2.4 of Waverley DCP discusses the maximum protrusion of basements not being greater than 1.2m above ground level. The area required to provide onsite waste collection, including turning circles to enable vehicles to enter and exit the site in a forward direction and adequate clearance heights, would significantly increase the required basement area resulting in a podium above ground level which is not supported by Councils DCP. The flow on effect of this would be the need to further increase the overall building height.

The resultant amenity impacts on the streetscape from podium level car parking would significantly reduce street activation and be detrimental to the outcomes of the development as a whole.

The traffic report identifies a range of points in support of the continued use of Hegarty Lane for waste collection and servicing.

- *Hegarty Lane is a one-way, 7m wide road, providing sufficient width for both a traffic and parking lane;*
- *Stopping is not permitted on the south side of Hegarty Lane;*
- *The parking of a 2.5m width waste collection or servicing vehicle would allow for at least 4m width for traffic assuming the truck stops within 0.5m of the kerb, where only 3.3m is needed for the passage of vehicles;*
- *Loading and waste collection operations are undertaken within Hegarty Lane for the existing site and the proposal will not change the existing operations.*
- *The site is directly on top of Sydney Trains tunnels and is unable to provide additional levels of car parking, which would be required should loading be provided on-site*

In summary, the use of Hegarty Lane for waste collections and deliveries will have no detrimental impact on the function of the Laneway and is consistent with the existing operations of the site. It is noted that waste collection is not a frequent activity with collections occurring at limited times each week.

The Traffic Report confirms that the proposed Mixed Use Development is fully supported with regard to traffic and parking impacts.

6.5. AMENITY OF SURROUNDING PROPERTIES

6.5.1. Privacy

The proposed development includes generous setbacks that are in accordance with the ADG and Waverley DCP, in some areas these setbacks are greater than what is required. The proposed setbacks ensure the future residents will benefit from appropriate privacy in a high density environment further quantifying the high level of amenity the development delivers.

The generous setbacks proposed also benefit sites adjoining the site and ensures future redevelopments can meet the required setback controls.

6.5.2. Overshadowing

A shadow analysis of the proposed development has been undertaken by KTA Architects and can be found within the Supporting Architectural Documentation at **Appendix F.**

The proposal is consistent in scale to the existing and future built form surrounding the subject site, particularly in its high density form. The design has taken into account the existing site conditions and its context, particularly the slope of the land. Given the current building envelope controls it is inevitable that any redevelopment of the site will have a degree of impact on adjoining sites, and vice-versa.

The Design Excellence Panel provided the following comment. "*The Panel does not have major concerns with over-shadowing effects from either design concept, as these will largely fall within existing shadow patterns."*

The proposed development has been designed in accordance with the building separation requirements of the ADG and DCP as well as LEP controls for FSR. A variation to the height of buildings control is being sought however it is not considered that the height exceedance is creating additional overshadowing than what would be considered by a compliant scheme. Any additional shadow created by the additional height falls on rooftops and a small area of ground to the south-west in the morning. Some overshadowing is caused to the roadway of Oxford Street to the south-east in the afternoon. These shadow impacts still enable direct solar access to these hours for the minimum requirement of 2 hours at mid-winter.

As a result of the proposed development, some overshadowing impacts will be created on surrounding sites. However, as demonstrated within the Shadow Diagrams, the majority of this shadow falls towards the road (Hegarty Lane) and are in line with the shadow impacts created by the existing building on site as well as the adjoining buildings to the east and west. Some additional shadow impacts will fall onto the rooftop areas of surrounding developments.

The shadow diagrams demonstrate that the shadow impacts reduce across the southern areas beyond the site ensuring that the required 2 hour sunlight access is continued to be provided pending the time of day at mid-winter. The shadows that are created by the development are consistent with those of a compliant development under the current planning controls.

6.5.3. Acoustic impacts

The application is accompanied by a Acoustic Impact Assessment prepared by Renzo Tonin & Associates (**Appendix K**). The Acoustic Report provides an assessment of the noise and vibrations impacts on the site from the road and rail infrastructure that directly impact the site. The report also provides an assessment of the potential noise impacts from mechanical plant and equipment serving the site.

Road Noise

In order to achieve compliance with the required noise criteria as a result of external road noise factors, a number of recommended glazing treatments have been proposed for the building façade. These recommended glazing treatments are proposed in order that the building façade can achieve compliance with the maximum noise levels. The recommended glazing ratings are different pending the level of the building and the position on the façade. This is presented in Table 6 of the Acoustic Report.

Further, façade and roof insulation is also recommended to ensure that the overall façade system maintains acoustic integrity in line with the window and door treatments.

These measures will assist mitigating the traffic noise intrusion attributed to road traffic from Syd Einfield Drive and surrounds. These measures allow compliance with the relevant noise criteria identified in the ISEPP and the Department of Planning and Environment's Interim Guideline 2008.

Vibration Impacts

Rail noise associated with vibration that arises from the underground rail carriageway has been assessed as part of this proposal. In accordance with the Department of Planning and Environments' '*Development near Rail Corridors & Busy Roads – Interim Guideline 2008'* the proposal has assessed with regard to the criteria for ground-borne or regenerated rail noise. The train vibration survey measurements demonstrated that the floor induced vibration within the proposed building from each of the measured train pass-bys were

compliant with the British Standard BS6472:1997 for human comfort in a residential environment during the day and night.

Similarly, in accordance with the Department of Environment and Conservation document “Assessing Vibration: A technical guideline” the calculated Vibration Dosage Values (VDV) complied with the day and night VDV criterion.

Mechanical Plant

In accordance with the NSW EPA’s Noise Policy for Industry (NPfI), where necessary noise amelioration measures will be incorporated into the design to ensure that noise levels comply with the recommended NPfL noise emission criteria. Details of the mechanical plant will be finalised during detail design, as such the following recommendations have been nominated by the Acoustic Report.

- *Acoustic assessment of mechanical services equipment will need to be undertaken during the detail design phase of the development to ensure that they shall not either singularly or in total emit noise levels which exceed the noise limits in EPA’s NPfI or Council’s requirements;*
- *As noise control treatment can affect the performance of the mechanical services system, it is recommended that consultation with an acoustic consultant be made during the initial phase of mechanical services system design in order to reduce the need for revision of mechanical plant and noise control treatment;*
- *Mechanical plant noise emission can be controllable by appropriate mechanical system design and implementation of common engineering methods that may include any of the following:*
    - *procurement of 'quiet' plant,*
    - *strategic positioning of plant away from sensitive neighbouring premises, maximising the intervening shielding between the plant and sensitive neighbouring premises,*
    - *commercially available silencers or acoustic attenuators for air discharge and air intakes of plant;*
    - *acoustically lined and lagged ductwork;*
    - *acoustic screens and barriers between plant and sensitive neighbouring premises; and/or*
    - *Partially-enclosed or fully-enclosed acoustic enclosures over plant.*
- *Mechanical plant shall have their noise specifications and their proposed locations checked prior to their installation on site; and*
- *Fans shall be mounted on vibration isolators and balanced in accordance with Australian Standard 2625 “Rotating and Reciprocating Machinery – Mechanical Vibration”.*

The Acoustic Report concluded the following:

- Ground-borne rail noise inside the proposed residential dwellings will comply with the Department of Planning and Environments “Development Near Rail Corridors & Busy Roads - Interim Guideline 2008”.
- Floor induced vibration within the proposed development due to train pass-bys will comply with the British Standard BS6472:1992 “Evaluation of Human Exposure to Vibration in Buildings (1Hz to 80Hz)”and day and night VDV values set by the DEC guideline and a requirement by DPE.
- Noise impacts from road traffic (particular on Syd Enfield Drive) and in principal treatments for the control of traffic noise intrusion are in compliance with SEPP (Infrastructure) 2007 and DoP Guideline 2008.

6.5.4. View Sharing

The proposed development is largely compliant with the built form controls applicable to the site. Therefore, any redevelopment of the site consistent with the anticipated controls in Waverley LEP 2012 is likely to create some view impacts to the property directly adjacent to the south of the site (310-330 Oxford Street, Bondi Junction).

We provide below a high level assessment of view sharing in accordance with the Land and Environment Court judgement in the matters of *Tenacity Consulting v Warringah* [2004] NSWLEC 140, which has been adopted as a ‘Planning Principle’ for ‘View Sharing’ by the Court. In this judgement, Commissioner Roseth SC states that:

> *“The notion of view sharing is invoked when a property enjoys existing views and a proposed development would share that view by taking some of it away for its own enjoyment. (Taking it all*

away cannot be called view sharing, although it may, in some circumstances, be quite reasonable.) To decide whether or not view sharing is reasonable, I have adopted a four-step assessment".

The proposed development and its visual and view impacts are assessed in terms of the four steps of the Planning Principle below.

Steps 1 – Assessment of views to be affected

The judgement states that:

> *"Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured".*

As discussed above, some residential apartments directly adjacent to the south of the site at 310-330 Oxford Street, Bondi Junction are affected by the proposed development (and indeed any redevelopment of the subject site) as the current building at 47-55 Grafton Street is lower than some of the upper level apartments, and well under the maximum permitted height limit on the site.

Some nearby iconic features and views enjoyed from these apartments include Sydney Harbour, Sydney Harbour Bridge, and Sydney City skyline.

Step 2 - From what part of the property the views are obtained

The Judgement states that:

> *"For example the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from a standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic".*

310-330 Oxford Street, Bondi Junction is a 11 storey building with north facing balconies. At present there are views obtained from the balconies 'above' the existing 8 storey built form at 47-55 Grafton Street. These balconies appear to be directly adjacent to the living spaces, which may enjoy both standing and sitting views within these living spaces.

Step 3 - Extent of the impact

The judgement states that:

> *The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.*

As discussed above, there are currently views enjoyed from the levels in 310-330 Oxford Street that sit above the existing building at 47-55 Grafton Street. The current built form at 47-55 Grafton Street is significantly under the 60m height standard applicable to the site.

The north-facing balconies on this property currently have views towards Sydney Harbour and the Sydney City Skyline. Views towards Sydney Harbour Bridge will vary depending on the specific standing or sitting position, but a number of these are glimpses and not 'whole' views.

The views currently enjoyed from these levels above 47-55 Grafton Street will be impacted by any 'compliant' built form outcome on the site. Notably there would be loss of some views from these apartments of Sydney Harbour, Sydney Harbour Bridge and the Sydney CBD skyline. However, the proposal will still otherwise allow for views both to the north-west and north-east towards these iconic elements in most apartments.

Indeed, while some expansive views currently experienced will be affected, in our opinion any view loss is inevitable as a result of a generally compliant height, FSR and building separation. As discussed below, we believe this is a reasonable outcome and consistent with the view sharing principles outlined in 'Tenacity'.

Step 4 - Reasonableness of the proposal

The judgement states that:

> *A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.*

It is inevitable that any compliant development on the site and adjacent land with a 60-metre height limit will impact on views from nearby buildings, particularly those from the south. Based on this, it is reasonable to conclude that impact to these views is already contemplated by the existing planning controls.

The proposed development seeks a negligible exceedance to the maximum permissible height. However, from a view loss perspective, there will no additional view impact as a result of this, primarily as the site to the south is 11 storeys and there are no views experienced at that level. Similarly, there is no additional impact from distant views from this perspective.

The proposed design provides for expansive setbacks and building separation to surrounding properties, which results in a design which opens up view apertures towards iconic views enjoyed from affected properties. In addition, during pre-DA discussions there was 'alternative' design options which provided for large void spaces for 3-4 levels to minimise views experienced from the properties to the south of the site. However, the Council's strong view at the time was that this degree of height variation would not be supported, notwithstanding that it may have had a better outcome on the surrounding properties from a view sharing perspective. Indeed, the Council's pre-DA advice was that a generally compliant built form outcome would be deemed reasonable from a view loss perspective.

Therefore, while there will be inevitably some view impacts from proposal, we consider this is reasonable as:

- The proposal is generally consistent with the height, FSR and setback controls applicable to the site. A compliant built form outcome should be anticipated by affected properties.

- While there is a negligible height variation (for lift cores and services mainly), this does not bear any additional impact on surrounding properties as there are no properties affected by this increase.

- The proposed design has adopted a range of skilful design solutions, namely expansive setbacks and tower separation, which minimise view impacts from surrounding properties. Comparative to surrounding developments, the tower design is very slender, and allows for a large view aperture to the north-east and north-west.

- There has been a willingness by the applicant to explore innovative design responses to further reduce view impacts, although a reluctance from the Council to increase the building height to allow for this outcome.

6.5.5. Reflectivity

A Solar Light Reflectivity Analysis has been prepared by Windtech and identifies any adverse impacts that a significantly glazed façade, such as the proposed development may create. The analysis also assesses the proposal against the relevant controls of SEPP 65 and the ADG as well as Waverley DCP 2012.

In particularly the report identifies any possible adverse solar glare conditions affecting motorists, pedestrians and occupants of neighbouring buildings.

The report identifies a number of recommendations relating to the specular reflectance of the glazing. There are different recommendations proposed for each façade of the building and these are outlined in the report provided at **Appendix P**.

Through the incorporation of the recommendations the proposed development will not cause adverse solar glare to pedestrians or motorists in the surrounding area, or to occupants of neighbouring buildings. The proposal will therefore comply with the relevant planning controls

6.6. WIND IMPACT ASSESSMENT

The application is accompanied by a Pedestraian Wind Environment Statement prepared by Windtech included at **Appendix O.** The report provides an analysis of the proposed design on the local wind environment to the critical outfoor areas within and around the subject development. The analaysis was undertaken having regard to the local wind climate, building morphology and land topography.

The wind assessment indicates that the subject development may be subject to potentially adverse wind conditions. It is expected that suitable wind conditions can be achieved for all trafficable outdoor areas within and around the site with the proposed treatments as rtecommended in the report.

The report identifies wind impacts to the private balconies and terraces of the residential apartments. The balconies have been designed with regard to the amenity of the building occupants. Impermeable balustrades that are 1.4m in height are proposed. Balconies are also designed to provide a level of weather protection and amenity for residents in accordance with the ADG guidance. All balconies meet the required size requirements of the ADG. The proposed balconies are similar to other developments in Bondi Junction and the surrounding area, which provide balconies with appropriate weather protection in harsh environments. These balconies have have been accepted as an innovated design solution.

6.7. CRIME PREVENTION THROUGH ENVIRONMENTAL DESIGN (CPTED)

The proposal has been designed having regard to Crime Prevention Through Environmental Design (CPTED) principles. These principles are discussed below.

Surveillance

The proposal supports both formal and informal surveillance methods, including:

- The development has been designed to ensure that the development adheres to the principles of maximising ‘eyes on the street’.
- Residential balconies and primary living areas have been designed to front the street frontages and the communal open space at ground level.
- The proposed commercial tenancies fronting Grafton Street and Hegarty Lane, in addition to the private balconies above will activate the street and provide for good ‘eyes on the street’ to encourage passive surveillance and crime deterrence. This is particularly important on Hegarty Lane as it is currently predominately used for vehicular access and is hidden from places of activity.
- The proposal provides for pedestrian access to lobbies from both Grafton Street and Hegarty Lane. These access points assist in providing activity on both street frontages. The proposed through site link also provides opportunities for visual surveillance along the western side of the site, particularly relevant given the slope of the land.
- All street entries have been designed to reduce pedestrian blind spots, providing clear sightlines from the street and into the development and vice versa. Further, all street entries to residential buildings will have appropriate levels of lighting to avoid poorly lit dark spaces.
- he proposal will have adequate lighting of the communal open space to ensure a safe environment for future occupants.
- The basement car parking levels will be adequately lit and signed to ensure safe access.
- CCTV will be employed around the development and within the public areas to ensure adequate safety monitoring.
- Effective lighting of the surrounding public domain to increase visibility within the area at night.
- As the lift core is central to the development, there are clear sightlines within the car park.

Access Control

- All pedestrian entrances to the development will be appropriately lit and clearly defined from the street to the lobbies and access lifts. Access into the site will be controlled by electronic pass security devices.
- Access to the rooftop terraces and sky garden will be restricted to residents of the development only.
- Access to the basement will be controlled by electronic pass security devices and intercom systems linked to apartments and retail tenancies.

Territorial Reinforcement

- The proposal clearly delineates between public and private spaces. In particular, the retail tenancies along Grafton Street are built to the street where they are accessed by pedestrians directly from the public footpath. The residential lobby is situated between these tenancies and set back from the street as to clearly indicate that this is separate to the public domain and is a private part of the site.
- The significant landscaping proposed as part of the development will be predominantly managed by the strata body (including landscaped setbacks and common open space) to ensure the landscape design maintains its integrity and vandalism is discouraged.

Space Management

The proposal is of a quality design, having gone through an informal design meeting, and will be comprised of high quality materials. This ensures that the site and its surrounds are attractive to and respected by the public.

- The proposed development and communal areas will be managed by a strata body.
- The proposed development will include vandalism management to ensure the prompt removal of graffiti.

6.8. ACCESSIBILITY AND DDA COMPLIANCE

An Accessibility Design Review has been prepared by ABE Consulting and is attached at **Appendix N.** The report has been prepared to ensure the proposals compliance with the Disability Discrimination Act (DDA), Building Code of Australia (BCA) and relevant Australian Standards.

Of the proposed 106 units, the proposal includes 21 nominated liveable units of varying sizes and unit mixes. Further, 10 accessible car spaces are located in the basement parking areas.

It is noted that further assessment must be undertaken at Construction Certificate stage to ensure intended compliance with BCA Part D3 and AS 4299 Adaptable Housing of the nominated adaptable units.

The Accessibility Design Review confirms that the proposed development can readily achieve compliance with the BCA and Council DCP Adaptable and Universal Housing Design provisions.

6.9. STORMWATER MANAGEMENT

A Stormwater Management Report has been prepared by Van der Meer and can be found at **Appendix T.** The proposal includes measures to address the stormwater management of the site during the construction and ongoing operational phases. It is noted that the subject site is not effected by overland flow and as such is not constrained by planning requirement requirement regarding overland flow. The report acknowledges that should a water sensitive urban design (WSUD) approach is not adopted as apart of the development strategy there could be significant changes in water quantity and quality. As a result, the report makes the following recoemmdations:

- A pit and pipe network to collect minor storm runoff from areas which will minimise nuisance flooding.
- An on-site detention (OSD) tank to maintain existing peak flows will be constructed.
- StormFilters fitted in the OSD tank to treat the stormwater run-off prior to discharging to Council's stormwater system.

The report concludes that should the above measures be put in place, the proposed development will manage the stormwater discharge from the site in an effective manner.

A Sediment and Erosion Control Plan has been provided and includes measures to mitigate erosion during construction.

6.10. FIRE ENGINEERING

A preliminary Fire Safety Risk Engineering Review has been undertaken by Scientific Fire Services and is submitted at **Appendix S**. The review was undertaken to determine 'in-principle' support for the achievement of compliance with performance requirements of the NCC and BCA.

The report confirms that the proposed development will achieve fire safety design compliance to the relevant performance requirements of the National Construciton Code Series – Volume 1, Building Code of Australia.

6.11. GEOTECHNICAL ENGINEERING

A Geotechnical Desktop Study has been prepared by Douglas Partners for the proposed development to provide preliminary information on the subsurface stratification, and comment on excavation, foundations, and groundwater levels. The Geotechnical Report prepared is attached at **Appendix X**.

The site subsurface conditions identified for the site and the immediate vicinity varied and included the following:

Table 8 – Likely Geological Conditions

From	To	Ground Conditions
0	2.3m	Filling and sand
2.3m	2.8m	Variably weathered sandstone
2.8m	3.0m	Fresh, high strength, medium grained sandstone with an iron stained bedding plane
3.0m	38.1m	Fresh, high strength, massive, medium grained sandstone interbedded sandstone, sheared, clayey bedding planes at 5.2, 7.3, 9.15, 9.65, 27.4, 28.35 and 28.65 metres depth.

It is noted that the existing development has a multi-level basement that covers a large extent of the site. Excavation to depths up to 0.8m below the existing basement levels is proposed for the raft slab. This excavation will at its lowest level be at the top of the rail easement being RL 63.625. As this area is characterised by bedrock and rock hammers will be required to remove this material monitoring and limitations to ground borne vibrations will be required to ensure the protection of the below rail tunnels.

6.11.1. Groundwater

The regional groundwater table is likely to be below the proposed excavation depth, although "perched" groundwater may be present at the soil and rock interface, especially after heavy rainfall. The groundwater table is also likely to be locally depressed due to drainage into the rail tunnels beneath.

6.12. WASTE MANAGEMENT

The application is accompanied by a Waste Management Report (WMP) prepared by Elephants Foot included at **Appendix Y**. The WMP notes that all waste facilities and equipment are to be designed in accordance with the following:

- Waverley Councils – *Policy for Waste Minimisation in New Developments*;
- Australian Standards; and
- Relevant Statutory requirements.

Demolition and Construction

Waste associated with Demolition and Construction will be managed by the head contractor, once engaged, and will be managed in accordance with a Construction Management Plan. The head contractor will be responsible for the removal of all construction-related waste offsite in a manner that satisfies all relevant authority requirements.

Residential Waste

A residential waste room of 32m² is proposed to be provided with an additional 8m² provided for bulky goods. Residential waste quantities have been estimated to require the following:

- Dual waste chute – one garbage and one recycling
    - Garbage discharged into 660L MGB compactor
    - Recycling comingle into 660L MGB – not compacted.
- Waste Bins
    - 19 standard 240L garbage bins and 19 standard 240L waste bins located in the designated waste room.
    - Waste will be collected once per week for general waste and once per fortnight for recycling.

Retail Waste

The allocated retail waste room will be 12m². Tenants will be responsible for their own storage of waste and recycling refuse in a back of house location. This will be transferred each day by the tenants to the allocated retail waste area. The following are required:

- Waste Bins
    - 7 standard 240L garbage bins and 2 standard 240L waste bins located in the designated waste room.
    - Waste will be collected 5 times per week for general waste and 4 times per week for recycling

Waste Collection

Due to the constraints of the site, particularly the rail tunnels that restrict the depth of excavation, onsite waste collection is not proposed.

The bin hold areas are proposed to be located adjacent to Hegarty Lane which allows Council and private waste collection to occur from Hegarty Lane. Residentail waste will be collected by Council via kerbside collections off Hegarty Lane. Retail waste will be collected by a private contractor via kerbside collections off Hegarty Lane.

6.13. CONSTRUCTION MANAGEMENT

A preliminary Construction Management Plan (CMP) has been prepared by Coonara Developments Pty Ltd and is included at **Appendix Z**. The CMP provides an indicative outline of management strategies and required facilities to be engaged during the construction process. The CMP details the following:

- Site operations, including hours of work: Construction of the proposed development will be carried out in accordance with EPA Guidelines for construction work hours.
- Access to the site will remain closed at all times unless supervised by traffic controllers. Traffic controllers will operate in accordance with the approved traffic control plan.
- Detailed pedestrian control plan will be prepared by the Contractor prior to commencement. Pedestrian activity around the site will be maintained at all times.

- Mitigation of noise and vibration, dust, odour control, and sedimentation and erosion: Appropriate vibration monitoring will be installed if required and neighbouring buildings will be reviewed by the project acoustic consultant during works.
- Construction waste management.

A detailed Environmental Construction Management Plan will be prepared on engagement of the development contractor. Works onsite will be carried out in accordance with EPA Guidelines and the ECMP. Subject to compliance with the measures outlined in the plan and implementation of all mitigation measures required, it is anticipated that the development of the site will not have a significant impact on the surrounding area.

7. SECTION 4.15 ASSESSMENT

7.1. STATUTORY POLICY AND COMPLIANCE

The following assessment has been structured in accordance with Section 4.15(1)(a) of the *Environmental Planning & Assessment Act 1979* (**EP&A Act**).

The proposed development has been assessed in accordance with the relevant state, regional and local planning policies, as follows:

- *SEPP Infrastructure 2007*
- *SEPP 55 – Remediation of Land*
- *SEPP BASIX (Building Sustainability Index) 2004*
- *SEPP 65 – Apartment Design Guide*
- *Waverley LEP 2012*
- *Waverley DCP 2012*

This SEE demonstrates that the proposed development is consistent with the relevant statutory planning policies and achieves the objectives of the relevant provisions. A non-compliance is proposed with regard to the overall height of the development and a Clause 4.6 variation has been submitted at **Appendix I**.

7.2. IMPACTS ON THE BUILT AND NATURAL ENVIRONMENT

As discussed throughout this report, the proposed development does not create any unreasonable environmental impacts.

7.3. SOCIAL AND ECONOMIC IMPACTS

The proposed development provides for increased social and economic outcomes through the provision of 106 additional dwellings assisting in the achievement of dwelling targets nominated in the Draft Eastern City District Plan. A number of jobs will also be provided during the construction phase of the development, through employment in the proposed retail uses onsite and during the ongoing maintenance and upkeep of the completed building.

7.4. SUITABILITY OF THE SITE FOR DEVELOPMENT

The subject site is highly suitable for the proposed development because it is on land zoned for residential and retail purposes and is located adjacent to compatible land uses.

- The site is zoned B4 Mixed Use and shop top housing is permissible in the zone. The key objectives of the zone are to;

    - *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 provide a mixture of compatible land use*

    The proposed development satisfies the objectives of the zone through the provision of a high quality mixed-use development located in Bondi Junction. The building will be within 250m of Bondi Junction train station and bus interchange. The development will provide high quality residential accommodation and aid in the revitalisation of the centre.

- The proposed development has been part of an informal design excellence process which has ensured the resolution and development of a building that will contribute to streetscape and urban character of Bondi Junction. The site will integrate with the public domain to provide pedestrian access and encourage activation of the public domain.

- The site is situated within an established area such that access to services and stormwater infrastructure are readily available.

- The site is not within an area recognised as being subject to landslip, bushfires, acid sulphate soils, or any other particular hazards. The proposal will not increase the likelihood of hazards occurring on site or within the surrounding vicinity.
- The accompanying preliminary site investigation report confirms that the site is suitable for the intended use as a mixed use development including residential units.

The subject site is considered well suited to accommodate the proposed level and density of commercial development.

7.5. THE PUBLIC INTEREST

The site is zoned B4 Mixed Use Zone which supports the provision of commercial and retail land uses on the site.

- The proposed development positively responds to the current and future character of the area, and will provide employment opportunities in and within close proximity of excellent public transport connections.
- The proposal complies with the requirements of the relevant planning controls including Waverley LEP and DCP. Where the proposal includes a departure from the Waverley LEP, this has been supported in the context of achieving an improved site wide design outcome in the context of the urban design and built form of the adjoining developments.
- The proposed development will contribute to the provision of employment opportunity during the construction phase and small number of ongoing employment roles associated with the upkeep and maintenance of the building.
- The proposal represents a significant contribution to Bondi Junction and supports the long held aspiration to attract excellent architecture and unique built form to this well-established and renowned centre.
- The proposal will offer excellent amenity for the occupants and does not adversely impact the amenity of surrounding properties.

8. CONCLUSION

The proposed development has been assessed against Councils existing planning policies. The compelling reasons why a positive assessment and determination of the project should prevail are summarised below:

- **Consistency with state and local strategic planning policies –** The proposal positively contributes to state strategic planning requirement s to facilitate new dwelling approvals in targeted urban areas. The proposal also contributes to the provision of a diverse mix of uses in the immediate periphery of the Bondi Junction town centre.
- **The proposal satisfies the applicable local and state planning policies –** The proposal has been determined to achieve a high level of compliance with the applicable planning controls. Where the proposal does not fully comply with a numeric provision, the report has demonstrated the objectives and intent of the numeric provision has been met and therefore achieving compliance. Additionally, it fully satisfies the desired quality outcomes sought from the SEPP 65 and the Apartment Design Guide.
- **Design positively responds to the site conditions and future urban typology –** The design has been formulated having close regard to the existing site conditions, as well as the continued urban morphology of Bondi Junction.
- **The proposal will offer a high standard of amenity –** The apartments and the development will offer residents a high standard of internal and external amenity. The generous internal floor to ceiling heights within the proposed building, the functional and attractive communal open spaceand high quality architectural design. Amenity for residents and surrounding residents is further enhanced by a substantial commercial offering at ground level through the provision of three retail tenancies.
- **The proposal is in the public interest** – The proposal achieves a high quality architectural design that will positively contribute to Bondi Junction and the broader Waverley area. The proposal provides for an active frontage to both Grafton Street and Hegarty Lane and provides for a monetary contribution for community infrastructure.

Having considered all the relevant matters, we conclude that the proposal represents a sound development outcome that upholds Council's vision for a high quality and diverse mix of uses in the Bondi Junction. The proposal is therefore considered well-worthy of Council support and ultimately approval from Waverley Council.

DISCLAIMER

This report is dated 8 May 2018 and incorporates information and events up to that date only and excludes any information arising, or event occurring, after that date which may affect the validity of Urbis Pty Ltd's (**Urbis**) opinion in this report. Urbis prepared this report on the instructions, and for the benefit only, of Coonara Developments Pty Ltd (**the client**) for the purpose of Statement of Environmental Effects (**Purpose**) and not for any other purpose or use. To the extent permitted by applicable law, Urbis expressly disclaims all liability, whether direct or indirect, to the Instructing Party which relies or purports to rely on this report for any purpose other than the Purpose, and to any other person which relies or purports to rely on this report for any purpose whatsoever (including the Purpose).

In preparing this report, Urbis was required to make judgements which may be affected by unforeseen future events, the likelihood and effects of which are not capable of precise assessment.

All surveys, forecasts, projections and recommendations contained in or associated with this report are made in good faith and on the basis of information supplied to Urbis at the date of this report, and upon which Urbis relied. Achievement of the projections and budgets set out in this report will depend, among other things, on the actions of others over which Urbis has no control.

In preparing this report, Urbis may rely on or refer to documents in a language other than English, which Urbis may arrange to be translated. Urbis is not responsible for the accuracy or completeness of such translations and disclaims any liability for any statement or opinion made in this report being inaccurate or incomplete arising from such translations.

Whilst Urbis has made all reasonable inquiries it believes necessary in preparing this report, it is not responsible for determining the completeness or accuracy of information provided to it. Urbis (including its officers and personnel) is not liable for any errors or omissions, including in information provided by the Instructing Party or another person or upon which Urbis relies, provided that such errors or omissions are not made by Urbis recklessly or in bad faith.

This report has been prepared with due care and diligence by Urbis and the statements and opinions given by Urbis in this report are given in good faith and in the reasonable belief that they are correct and not misleading, subject to the limitations above.

URBIS

BRISBANE
GOLD COAST
MELBOURNE
PERTH
SYDNEY
CISTRI — SINGAPORE
An Urbis Australia company
cistri.com

URBIS.COM.AU