

A M E N D E D

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Waverley Council

Application No: DA-155/2018

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RESPONSE TO DEFERRAL AND AMENDED DEVELOPMENT APPLICATION

**47-55 GRAFTON STREET,
BONDI JUNCTION**

DA-155/2018

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A M E N D E D

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1. INTRODUCTION AND SUMMARY

A development application (DA-155/2018) for the redevelopment of 55 Grafton Street, Bondi Junction was lodged with Waverley Council on 8 May 2018 by the applicant, Coonara Developments Pty Ltd. The application proposed the following development on the site:

- 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.

The development application (DA) was placed on public exhibition with a total of 10 submissions received. The DA was also reviewed by the Waverley Design Excellence Panel (DEP) on several occasions and referred internally within Council and to external agencies.

The applicant has sought to engage with Council Officer's throughout the course of the assessment and prior to the lodgement of the DA to ensure an ongoing dialogue between the parties.

An amended submission seeking to respond to Council's concerns was lodged on 26 April 2019, however, was not formally placed on notification. It is noted however that this submission was placed on Council's website.

Council have requested a number of design changes over the course of the assessment period. The most recent correspondence, dated 27 July 2019, formally deferred the DA subject to a number of matters being resolved. A number of meetings have occurred with Council officers re-iterating our willingness to work alongside Council to ensure the items raised are addressed to the satisfaction of Council.

This Deferral Response identifies the matters raised by Council and details the proposed amendments and additional information provided to resolve these concerns.

1.1. SUMMARY OF AMENDMENTS

The below summarises the key amendments that have been proposed since the original DA submission. The amendments seek to address the matters raised by Council and the DEP throughout the assessment as well as those resulting from the recent deferral notice.

- **Provide a new, high quality, 3 level, commercial office addition along Hegarty Lane** that will provide a range of new local job opportunities, improve street activation, and create a stronger built form and street presentation. In addition, there will be enhanced retail floor space along this frontage, and more resolved relationship with building entries for residents and landscaping at this interface. This potential amendment will now provide 687m² of non-residential floor space which is more than **double the amount of non-residential floor space of the original proposal**.
- **Respond positively and resolve the key concerns relating to the building height by Council** by ensuring that the majority of built form above the maximum height standard relates principally to being communal open space, lift cores, plant and servicing (in particular the extent and rear width of the plant has been reduced). This will reduce the quantum of highly valuable habitable space at the roof level in the current plans (which has been relocated to the commercial addition in Hegarty Lane). In our view, this is aligned with the Council's advice to strengthen the height variation proposed, but equally about the communal open space offering, residential amenity, and also improving the overall built form outcome at the ground plane.

- **Provide a much greater quantum of, and more enhanced landscape and communal open space treatment and strategy for the proposed development** with communal open space and landscape areas being re-designed and in part relocated to both the podium and roof spaces to ensure a high level of compliance with solar access requirements of the Apartment Design Guidelines, but also to 'green' the podiums, roofs but also importantly the rear of the building and frontage to Hegarty Lane. Opportunities for public art are also being explored and will be provided as part of any formal amendment to the application.
- **Remove 'wintergarden' balconies and replacement with traditional 'open' balconies** to ensure that the proposal has a more articulated façade and also ensure that the proposed FSR is compliant with WLEP 2012 following feedback from Council Officers.
- **Refinement of the façade and building design** to respond positively to the feedback from Council's Design Review Panel and which will provide an iconic building with a point of difference in Bondi Junction.
- **Provision of a singular vehicular access from Grafton Street** removing the second vehicular access from Hegarty Lane.
- **Provision of on-site waste collection is now proposed** as opposed to pick-up from the street (in the current application). Given the constraints of the rail tunnels, significant grading/slope and the need for spatial flexibility to provide ramping within the car park, two vehicular entries are still retained albeit that the proposed on-site waste collection will provide the opportunity for a more resolved waste and access solution for the site.
- **Commitment to reductions in greenhouse gas emissions and sustainability** by endorsing the recommendations of an Environment Assessment Report, in addition to the current sustainability initiatives. PV Solar cells are now provided on the Level 19 rooftop as well as on the Level 5 podium rooftop.

The amendments made in response to Council's deferral letter have been highlighted in red on the plans and are cross-referenced with responses in this report as well as within the Amended Architectural Plan set at **Appendix A**.

1.1.1. Amended Description of Proposed Development

The application proposes the following development on the site:

- 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 69.05m, comprising a total of 106 dwellings and three retail tenancies and three storeys of commercial office space in a rear podium;
- Construction of three levels of basement parking, including 111 car parking spaces, motorcycle parking, bicycle parking, end-of-trip facilities, waste and storage areas;
- Construction of associated landscaping including communal terrace on the Level 19 rooftop and on the Level 5 podium level; and
- Construction of a relocated access driveway from Grafton Street.

1.2. ADDITIONAL AND AMENDED INFORMATION

This report provides an updated description of the amended proposal and an explanation of the proposed amendments aligning with the items raised by Council. This report should be read in conjunction with the original SEE and DCP Compliance Assessment prepared by Urbis, and the following additional and amended information:

Table 1 – Additional and Amended Information

Document Title	Consultant	Appendix
Amended Architectural Plans incl. GFA schedules, compliance plans, shadow diagrams and photomontages	Koichi Takada Architects (KTA)	Appendix A
Amended SEPP 65 Response and Design Verification Statement	KTA	Appendix B
Amended Clause 4.6 Variation – Height	Urbis	Appendix C
Amended Landscape Plans	Black Beetle	Appendix D
Addendum Acoustic Report	Renzo Tonin	Appendix E
Amended Traffic and Parking Impact Assessment	McLaren	Appendix F
Addendum Accessibility Design Review	ABE Consulting	Appendix G
Addendum Solar Access, Reflectivity, Natural Ventilation and Wind Statement	Windtech	Appendix H
Amended BASIX and NatHERS Letter	EMF Griffiths	Appendix I
Addendum Waste Management Plan (incl. Council form)	Elephants Foot	Appendix J
Visual Impact Assessment	Jacobs	Appendix K
Public Art Plan	Artscape	Appendix L

2. AMENDED OVERVIEW OF DEVELOPMENT

The table below provides a comparison of key numerical details of the original and amended proposals. Changes are identified in **red**.

Table 2 – Key numerical information – Original DA and Amended DA

	Original DA	Amended DA
Site Area	2,070m ²	2,070m ²
Apartments		
Studio	8 (8%)	8 (8%)
One Bedroom	28 (26%)	28 (26%)
Two Bedroom	48 (45%)	48 (45%)
Three Bedroom	22 (21%)	22 (21%)
Total	106	106
Gross Floor Area (GFA) (m²)		
Retail	311 m ²	314 m ²
Commercial	0	373 m ²
Residential	12,109m ²	11,733 m ²
Total	12,420 m ²	12,420 m ²
Floor space Ratio (FSR)	6:1	6:1
Height		
Building Height – WLEP 2012 (metres) to the top of plant	67.75m	69.05m
Storeys (including Upper & Lower Ground)	19	19
Communal Open Space (m²)		
Level 01	752 m ²	130 m ²
Level 02	78 m ²	70 m ²
Level 05	0	123 m ²
Rooftop	0	195 m ²
Total	830 m ²	518 m ²
% site area	40%	25%
Parking		
Resident cars	68	85
Accessible	10	11

	Original DA	Amended DA
Non-residential cars (visitors)	21	15
Car parking total	99	111
Car Share	0	1
Loading	1 (on-street)	3
Motorcycle Parking	23	23
Bicycle Parking Spaces	56	124

3. RESPONSE TO DEFERRAL AND REQUEST FOR ADDITIONAL INFORMATION

3.1. BUILT FORM

3.1.1. Height

The bulk and scale of top of the proposed building have been significantly reduced to ensure that any variation to the height control relates only to non-habitable space. This accords with Council's most recent correspondence which noted that '*no habitable space is permitted to exceed the height development standard*'.

The amendments to the overall design and rooftop have seen a slight increase in the overall height from 67.75m to 69.05m noting that this relates to the top of the plant which is located at the centre of the building. The original DA submission included two storey penthouses with the last floor being served by the lifts being Level 18 and the lift overrun at Level 19 with plant above this. In the amended proposal, the location of the Communal Open Space on Level 19 requires lifts to serve this level with the overrun extending to Level 20. Plant is still required over the lift overrun due to the reduced plant space on Level 19.

An amended Clause 4.6 Variation with regard to Building Height has been prepared and is submitted at **Appendix C**. The additional height ensures that equitable access is provided to the rooftop communal open space on Level 19.

The structures that exceed the 60m height standard are setback from the sides of the building and are limited to communal open space, lift cores (providing equitable access to the communal open space), plant and servicing.

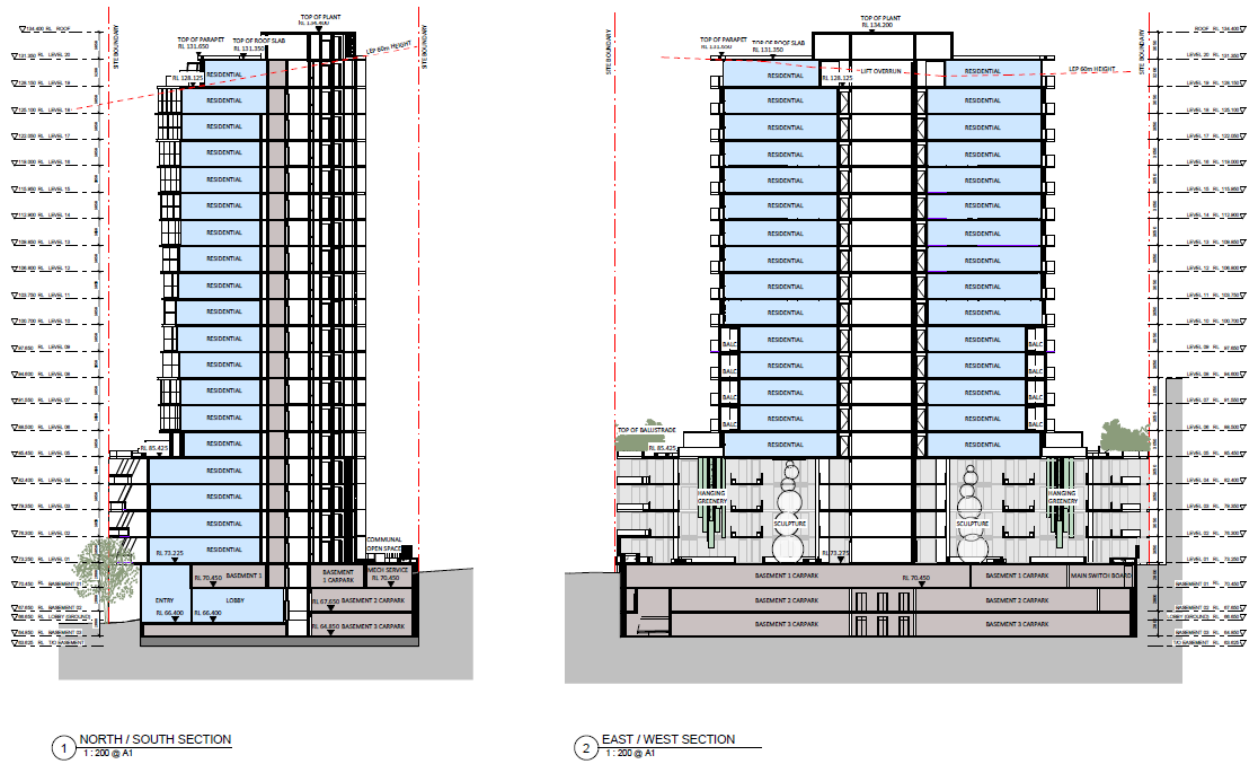
A comparison of the original and amended DA height non-compliance and built form, illustrating the significant reduction in bulk at the top of the building is provided at **Figure 1** and **Figure 2**.

Figure 3 also provides a comparison of the original and amended façade when viewed from Grafton Street.

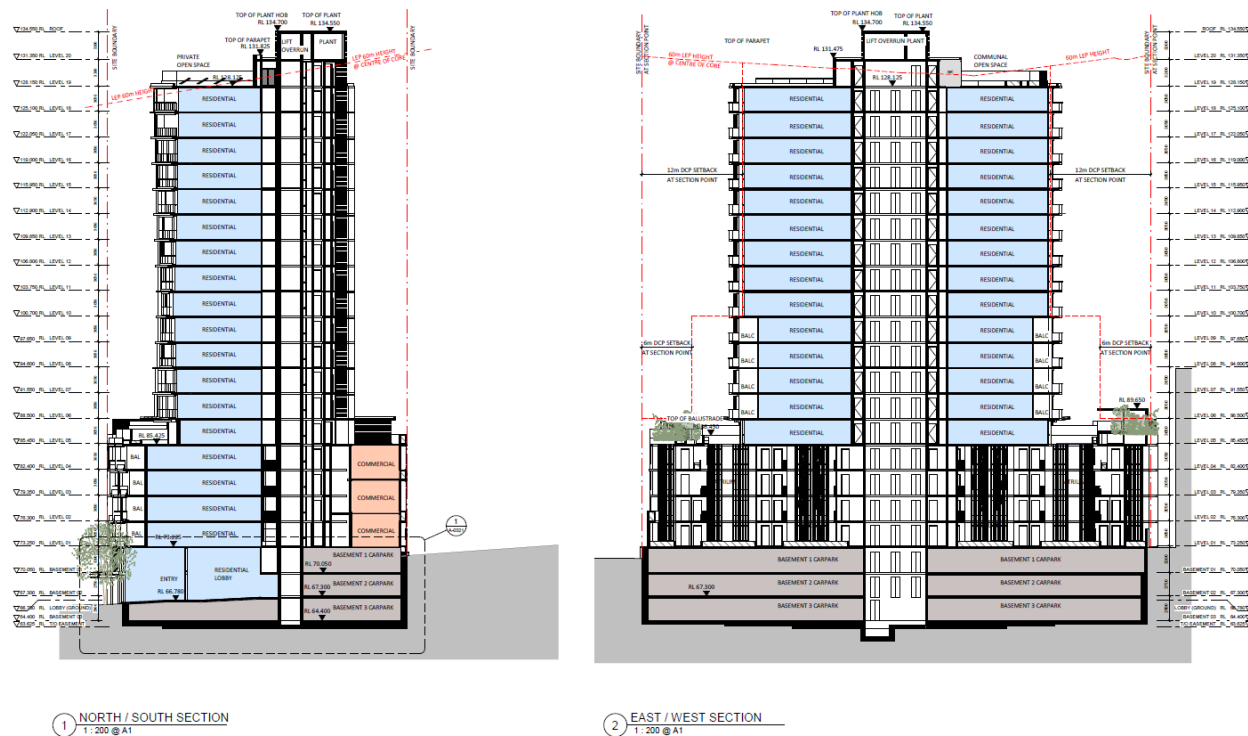
Source: KTA Architects

Figures 2 and 3 provide additional comparisons are provided including sections and photomontages

Figure 2 – Comparison Section showing 60m height plane



Picture 3 – Original DA Submission



Picture 4 – Amended DA Submission

Source: KTA Architects

Figure 3 – Comparison of original & amended Grafton Street Photomontages



Picture 5 – Original DA Submission

Source: KTA Architects



Picture 6 – Amended DA Submission

3.1.2. Setbacks

There have been considerable efforts by the applicant to provide a tower form that provides very generous setbacks and separation to surrounding properties.

The proposal predominantly satisfies (and exceeds) the Council's DCP setback requirements and provides a skilful design response to minimise amenity impacts, and in particular views enjoyed by properties to the south of the site.

Council's deferral letter identifies that there is a negligible encroachment to part of the side and rear setbacks of the proposed development at the tower (or upper levels) – specifically a small splayed balcony and slab edge on the south-east and south-west corners. While this is a technical non-compliance to an isolated part of the side setback, our view is that the proposed setbacks are appropriate and a positive outcome holistically as:

- The majority of the tower form provides a setback of generally 12m from the side and rear boundaries, which is the maximum setback distance required under the ADG.
- The DCP setbacks allow for 6m setbacks
- The tower form has sought to generally provide principal living areas and balconies towards the north, where they receive high levels of solar access and views, rather than to the east and south where there are sensitivities with privacy and view sharing.
- The small area of negligible variation relates to splayed balconies which do not minimise any views shared from south, as the angle of the splay is specifically designed to open the aperture of views from this direction. This is shown in the view sharing report separately attached to this submission.
- Given that the majority of the side and rear setbacks generally do not contain balconies and living spaces, and function more as secondary spaces, the proposed 12m setback is appropriate and more akin to a situation where balconies and living spaces directly face one another. An alternative approach could have been to provide a tower form that provides a blank wall to the side setbacks which would

technically require a 6m setback from the boundary. This is an approach that was taken by the applicant on the 59 Grafton Street approval.

- However, providing a substantially reduced side setback (i.e. almost half) by providing a blank wall would create a much more severe impact on views enjoyed by properties to the rear of the site, who enjoy iconic views towards Sydney Harbour. As shown in the view sharing analysis, a predominantly 12m setback and skilful design approach to this interface creates a much more improved impact on views, in addition to solar access to the apartments to the south of the site.

Accordingly, the proposed setback distances adopted in the proposed design are close to double those adopted by 59 Grafton Street, and comparatively will create a large proportion of the separation between these two towers which is a more skilful design response to mitigate impacts on neighbouring properties. In our view this is a positive response which we trust provides a more reasonable approach to managing sensitive interfaces with neighbouring properties.

3.1.3. Streetscape Presentation and Built Form on Hegarty Lane

A principal concern identified in Council's previous correspondence relates to the streetscape and built form presentation to Hegarty Lane, with respect to the existing and proposed built form along this interface. Previous correspondence notes a specific reference to Waverley DCP 2012 being the "focal point" in the design and assessment of a development application.

From a contextual perspective, during the preparation of the application the project team was sensitive to the north facing residential properties located directly adjacent to the rear property boundary of the site. Therefore, there was a deliberate attempt to increase the building separation on the southern boundary to manage privacy impacts, and to provide for a high quality, curated landscape buffer to create a better outcome for these residents.

As previously discussed with Council Officers, our review of Waverley DCP 2012 confirms the following:

- The provides an overview of the street hierarchy for Bondi Junction. Hegarty Lane is identified as a 'Laneway' and not a 'street'.
- Control 1.2(a) of WDCP 2012 encourages a 2/3 storey shop front façade on Oxford St and Bronte Rd as shown in Figure 13 of the DCP, "and a 6-storey street wall is required on all other **streets**".
- Therefore, as Figure 2 of the DCP classifies Hegarty Lane as a "laneway" and not a street, and Figure 13 of the DCP only indicates a 6-storey podium on Grafton Street. There is no requirement for a podium as per Control 1.2(a), and this control doesn't apply to the Hegarty Lane frontage.
- In addition, Control 1.3(a) of Part E1 also uses non-mandatory language which supports this position by stating the following in relation to laneways: "retail and commercial frontages are **encouraged where possible**". Clause 1.7(f) states that "first level active frontages are encouraged" and Figure 11 of the DCP states that there is "potential for active frontages to laneways" on Hegarty Lane. Again, this language is about encouragement of activation, albeit not a control similar to Control 1.2(a) or 1.3(a). The first storey on Hegarty Lane has a built form along the entire length of Hegarty Lane and provides activation to 77% of this frontage.

Therefore, in summary, the DCP does not place any requirement on the applicant to provide a street wall or podium on Hegarty Lane, and strictly applies to nominated streets within Bondi Junction. However, we acknowledge the encouragement of street activation where this may be possible. The proposal now provides increased retail and commercial activation, with an innovatively designed commercial office addition set over 3 levels and interspersed with a more refined landscape concept adjacent to Hegarty Lane.

In response to comments from the Council's DEP there are also more enhanced building entries and lobbies which are coordinated and more functional to the retail spaces at street level. Removal of the vehicular access on Hegarty Lane also allows for a much more activated pedestrian friendly public domain supporting the role of Hegarty Lane. This will be further enhanced by a generous Public Art Strategy for this part of the development as documented in **Appendix K**.

Figures 4, 5 and 6 below provides images depicting the amended built form and public domain outcome for Hegarty Lane. The original submission did not include any commercial floor space, and also included a vehicular access point from Hegarty Lane.

Figure 4 – View North showing Hegarty Lane and the amended built form



Source: KTA Architects

Figure 5 – Amended Submission Photomontages – Hegarty Lane view South-West (A-0004)



Source: KTA Architects

Figure 6 – Hegarty Lane comparison Photomontages – view North-East



Picture 7 – Original DA Submission



Picture 8 – Amended DA Submission (A-0003)

Source: KTA Architects

Table 3 provides a summary response to the Built Form items raised in Council's deferral letter.

Table 3 – Response to Built Form Items

Ref.	Council Issue	Response
1	No habitable space is permitted to exceed the height development standard. The roof shall be genuine communal open space only (with W/C acceptable) and plant/services. This will ensure that the development provides a consolidated area of communal open space with adequate solar access which will not be in conflict with any adjoining private open spaces. The provision of private open space adjacent or adjoining communal open space will lead to visual and acoustic privacy issues for the associated residential unit.	<p>Amendments are proposed to remove all private enclosed and open space from L19 (Approx. 110m² GFA relocated to Hegarty Lane).</p> <p>Of the proposed 518m² of communal open space, 318m² (61%) receives two hours or greater solar access.</p> <p>Photovoltaic cells are now proposed on the Level 19 rooftop and Level 5.</p>
2	The amended form continues to raise concern for an undefined and poor streetscape presentation along Hegarty Lane that lacks a consistent height and alignment with the existing and proposed built form along the lane and is contrary to the urban form controls and objectives for Bondi Junction Centre as stipulated in the DCP (Part E 1.2 Urban Form Controls). This was specifically requested in Council's Pre-DA advice and previous deferral letter. The DCP must be the focal point in the design and assessment of a Development Application. As such, the podium and street wall needs to be a more meaningfully activated façade to Hegarty Lane. This could be achieved by an increase in commercial space that addresses the lane within the DCP podium envelope and presents as a 4 storey street wall extending much wider than presently shown. The landscaped areas could be consolidated and framed on the east and west and more commercial space provided in the undercroft areas/podium to Hegarty Lane with the inclusion of public art.	<p>Further to the discussion in Section 3.1.4 the following design changes have been made in response to Council's feedback:</p> <ul style="list-style-type: none"> Proposed increase of Retail activation at the SE end due to the removal of the Hegarty Lane vehicle entrance. The commercial floors have been lengthened to utilise GFA removed from L19 now a total of 373m² adjacent to Hegarty Lane. <p>The south western end of Hegarty Lane remains open and landscaped to provide a valued reduced height transition to the neighbouring landscaped TSL and to afford a solar penetration opportunity for Hegarty Lane.</p> <p>Refer Suns eye view for 12pm on 21st June, Amended DA drawing A-0430/D. Refer also new Suns eye view 21st Jan.</p> <p>The south eastern end of Hegarty Lane has similarly been kept open to provide valued reduced height transition to the neighbouring 59 Grafton Street landscaped and Retail TSL.</p>
3	The concentration of the bulk of the building (including both the podium and the tower) towards the north of the site results in a wide tower form, rather than a slimmer form which is at odds with the intent of the controls.	<p>The intent of the controls is largely to do with view sharing which the proposed (and amended) form seeks to maintain. Whilst there are some intrusions into the setbacks these are not outside of a reasonable outcome and are much better than if the site were to be developed as a commercial office tower. In addition, treatment of the eastern and western facades could be modified to introduced blank walls similar to 59 Grafton Street and could therefore result in a significantly lesser setback required under both the ADG and the DCP. It is considered that the proposal results in a positive and superior design outcome.</p>

Ref.	Council Issue	Response
		<p>In addition:</p> <ul style="list-style-type: none"> The Council controls specifically require a Grafton St Podium the full length of the site and aligned with the street frontage boundary as previously required by the DEP. The degree of slimness is determined by the side to side setbacks more than the front to back position of the Tower. The front to back position of the Tower is similarly controlled by setbacks from the centreline of Hegarty Lane. <p>Hegarty Lane is narrow and fronted by a lot of residential apartments on the opposite side of the lane. Grafton Street however does not have any such opposing residential neighbour frontage it is therefore considered more appropriate to provide a lesser urban form of the Tower and Podium on Hegarty Lane.</p>
4	<p>The tower should be more slender by complying with the 12m required side setbacks with no encroachments (including balconies). Some variation to the front setback may be considered in order to provide the articulation to the front façade as proposed, however please demonstrate the relationship with the recent approved scheme at 59-75 Grafton Street.</p>	<p>Following receipt of the deferral letter, further discussion with Council Planning officers has occurred.</p> <p>As has been identified above, the proposal (as amended) maintains substantial setbacks to the east and west that are compliant with the DCP. The tower form has moved 600mm west to equalise the rear setback intrusion on Levels 6 -9 for the east and west facing apartments.</p> <p>The approach taken to the side setbacks aligns with that of 59 Grafton Street, and in many instances provides an improved outcome.</p> <p>As noted above, treatment of the eastern and western facades could be modified to introduced blank walls similar to 59 Grafton Street and could therefore result in a significantly lesser setback required under both the ADG and the DCP. This approach would result in scheme not displaying a high degree of design excellence and articulation.</p>
5	<p>Views from adjoining properties must be considered and demonstrated.</p>	<p>The near adherence to a 12m setback for the sides of the Tower, reducing the Podium mass to the south and not extending the Hegarty Lane commercial for the full length of the Lane demonstrates consideration of the northward views of the properties on the south side of Hegarty Lane.</p>

3.2. PARKING AND TRAFFIC

It is noted that while the provision of car parking has increased from the original submission, the proposed is still under the maximum parking rates identified in Councils DCP. The amended Traffic and Parking Assessment provided at **Appendix F** provides an assessment of the proposal against the Council DCP and

RMS rates. It is noted that the proposal exceeds the BCA and DCP requirements for adaptable, disabled and motorcycle parking requirements. The amended proposal also includes a significant increase in bicycle parking in accordance with Council's feedback.

In addition, the provision of loading and servicing spaces has increased in the amended proposal and will be fully supported within the development.

Table 4 – Response to Parking and Traffic Items

Ref.	Council Issue	Response
6	There shall be only one vehicular access point to the site. The preferred vehicular entry is from Hegarty Lane however Grafton Street will be considered as the alternative, if necessary. There is an opportunity for reducing the number of parking spaces to accommodate this requirement as the RMS guideline requires only 88 residential spaces and 120 spaces have been provided.	The proposed vehicular access to the site has been amended to provide a singular vehicular access point from Grafton Street. As a result of these changes, a re-design of the basement layouts has occurred including the introduction of a turning circle and car lifts.
7	The basement and vehicle entry must accommodate a medium rigid vehicle for waste collection, not a small rigid vehicle.	The vehicular access are capable of accommodating an MRV for waste collection on site.

3.3. SUSTAINABILITY

Table 5 – Response to Sustainability Items

Ref.	Council Issue	Response
8	The removal of the wintergardens has helped with floor space compliance however the acoustic report indicates that the podium balconies will have excessive road noise and up to 12 floors will also be adversely affected. All north facing rooms will need acoustic treatment to openings. This issue needs to be resolved particularly in regards to cross ventilation compliance.	The Podium apartments are double sided and are not dependant on fresh air intake solely from Grafton St.
9	BASIX and JV3 compliance does not ensure good passive solar design. Windows conduct approximately 5 times more heat than walls which in turn leads to greater need for air-conditioning. Double glazing will retain the heat which is helpful in winter but not so in summer. The SHGC and U-Values of the glass are not evident in the design documentation. Nevertheless, reduced areas of solar heat gain and increased external sun shading are the best solution. Sun shading is needed on the north, west and south-west glass in particular and should be designed to respond to the requirements of each specific orientation. Interior shades have a relatively small impact, but have the important role of controlling glare and providing privacy.	North Façade - Over 77% of the north façade is formed by recessed balconies that are protected by direct solar access by the facade indentation. The slab edges on the North Façade have variable angled projections that further protect the remaining 23% of forward glazing. Refer Sun's Eye View drawings A-0430/D, A0431/D and new drawings A-0432/A and A-0433/A. Refer also new drawing A-0460/A. West Façade - 45% of the north façade is formed by recessed balconies that are protected by direct solar access by the facade indentation. Full height angled vertical louvers have been included

Ref.	Council Issue	Response
		<p>to protect the forward glazing while preserving harbour and city views.</p> <p>Refer Suns Eye View drawings A-0430/D, A0431/D and new drawings A-0432/A and A-0433/A.</p> <p>Also refer Tower drawings A-0106/F to A-0118/F and new drawing A-0461/A.</p>
10	Please show on the plans p/v solar cells for power generation to common areas.	As a result of design amendments, a large area of PV solar cells is now located on the Level 19 rooftop with a small number of additional PV cells located on Level 5.
11	There are concerns regarding Level 1 to 4 units with bedrooms facing the internal communal open spaces with potential noise issues in conflict with openable windows. Please address.	The times of use of the communal open space will be restricted so as to limit noise impact on usual night-time bedroom use as would be the case for all communal spaces.
12	The mechanical plant areas indicate that the building is intended to be air-conditioned, contrary to the understanding from the previous proposal that natural ventilation only was to be part of the development's sustainability credentials.	The building has always intended to have air conditioning available for residents should they so wish. The use of floor by floor plant allows the A/C to be specific to the operating times of each floor there by conserving energy compared to a whole of building central system.

3.4. LANDSCAPING

Table 6 – Response to Landscaping Items

Ref.	Council Issue	Response
13	The Design Excellence Panel (DEP) continues to have concerns about the quality of the internal courtyards that will be shaded for much of the day. More detailed solar access diagrams should be part of any further submission to clarify just what is achievable.	Suns eyes diagrams have been prepared by KTA, refer to drawings A-0430/E and A-4031/E.
14	An updated detailed landscaping plan should be provided for all landscaped areas indicating shade tolerant plants for any landscaped areas on the southern elevation or in shaded undercroft areas.	A revised Landscape Plan has been prepared to reflect the amended design and to provide the requested information.
15	External common circulation spaces, bridges close to the east and west boundaries and pool areas have the potential to create privacy and noise issues for neighbours, and light spill at night that need to be improved.	The times of use of the communal open space will be restricted so as to limit noise impact on usual night time bedroom use as would be the case for all communal spaces.
16	The balcony landscaped areas that are beyond handrails need to be considered for maintenance and safety. To be effective, planter boxes would need to	The Level 5 plan shows a 1m wide maintenance access zone along the whole of the Grafton St frontage to allow for Davit Arm maintenance access to the

Ref.	Council Issue	Response
	have suitable dimensions (width, soil depth, drainage and irrigation spatials etc).	façade planters below. Refer drawing KTA – A-0105/F submitted.
17	The paved terrace areas for the private apartments on the podium seem excessive and more planted areas should be considered to reduce heat and contain the number of people that could use the space in consideration of apartments above that would be affected by noise.	There is a 2m wide wind awning around the perimeter of the L6 slab over the L5 terraces which will assist in controlling upward acoustic impacts.

3.5. AMENITY

Table 7 – Response to Amenity Items

Ref.	Council Issue	Response
18	The lap pool area should be provided with change rooms and amenities.	An accessible bathroom/change room has been added to L5 Pool area next to the dedicated pool lift.
19	Consider the inclusion of an internal community room for resident meetings or functions as previously suggested by the Design Excellence Panel.	<p>An internal community room was considered, however due to the low usage of such a room, and the availability of function and conference spaces elsewhere within Bondi Junction one has not been provided.</p> <p>The proposal provides a number of informal spaces in the communal areas as well as retail uses which provide opportunities for private utilisation if needed.</p> <p>It is further noted that this is not a DCP requirement. Based on these reasons, an internal community was deemed unnecessary.</p>
20	Communal open space in the south east portion of the site should have universal access.	The east side Level 1 Courtyard has been simplified by the removal of the raised slab over the former Basement 1 Loading area there by providing level access to all paved and seating areas. Refer drawing A-0101/F
21	Apartment 1.11 may not comply to Access to Premises requirements – a very small adjustment is required.	Necessary adjustments have been made to allow for wheelchair turning at the end of the accessway to Apt 1.11, refer KTA-A0101.
22	Level 5 plans do not indicate how occupants access the private terraces as no doors are indicated on the plans.	Arrow symbols have been added to the Level 5 façade window wall to indicate sliding glazed doors consistent with the symbols on the other drawings. Refer drawing A-0105/F

3.6. AESTHETICS

Table 8 – Response to Aesthetic items

Ref.	Council Issue	Response
23	Large 1:20 wall sections would assist understanding of how the various material finishes and details will be allocated to the facades, and cross referenced to the indicative external finishes with a colour palette.	<p>The proposal has a limited material palette. Indicative external finishes with a colour palette have been identified on the amended plans however 1:20 wall sections have not been provided. This approach is similar to the information submitted for the adjacent development at 59 Grafton Street.</p> <p>A new drawing has been created with a series of notated colour façade close up 3D views taken from the Deferral Response Model.</p> <p>The views have been tagged with the exterior finishes material code shown in previous applications, drawing A-0500/E, with additional notation added to describe the content of the 3D views to assist with a more complete understanding of the exterior form and finishes. Refer drawing A-0500/E and A-0510/A.</p>

3.7. ADDITIONAL MATTERS

Table 9 – Response to Additional Matters

Ref.	Council Issue	Response
24	Show the ceiling heights of the commercial/retail premises. More sections are required that demonstrate that the floor-to-floor heights work within the height limit.	<p>New sections have been provided indication the commercial and retail ceiling heights.</p> <p>Refer new drawings A-0310/A and A-0312/A</p> <p>3050mm floor to floor height were an industry standard for many years and successfully used on many multi-residential developments of note, i.e. Regent Place/Lumiere, Once Central Park, which achieved 2700mm/2400mm ceiling heights. Refer new drawing A-0311/A.</p>
25	Further to the point raised above, the acoustic report should address noise mitigation between the different uses on site and these should be shown on the plans. The section should demonstrate how any acoustic treatment of the ground floor retail tenancies is provided within the floor-to-floor height.	<p>An updated Acoustic Report has been prepared to indicate separation compliance between different usage zones.</p> <p>Refer to Appendix E.</p> <p>Discontinuous construction and acoustic treatment wall and ceiling zones have been indicated in the new retail section drawing A-310/A.</p>

Ref.	Council Issue	Response
26	NatHERS and BASIX stamped plans are required with all requirements shown on the plans. Updated BASIX/NatHERS certificate are also required.	Updated BASIX/NatHERS certificates are currently being prepared and will be submitted shortly. Refer to Appendix I .
27	Commercial tenancies should provide a toilet which is accessed from the commercial tenancies, not from the common residential area. There should be no access to the common residential areas from the commercial uses to ensure security for residents.	<p>Separate amenities for the commercial tenancies have been provided on Level 1 accessed from the commercial lobby.</p> <p>It is noted that the commercial tenancies will also have their own internal amenities.</p>
28	Exhaust/ducting, internal ventilation shaft for the retail shops at ground level needs to be provided/demonstrated on the plans.	<p>Dual Kitchen Exhaust risers from the Retail levels through the Podium and Tower to the roof top have been shown on the drawings.</p> <p>Refer amended drawings A-0099/F to A-0120/F.</p>
29	The parking basement level 01 is behind the retail frontage on Grafton Street. Please provide detail of the treatment of this area including sections.	<p>The basement layout has changed as a result of design development.</p> <p>Notwithstanding – sections showing the basement heights have been provided.</p>
30	An updated Waste Management Plan and Public Art Strategy are referenced in the documentation and have not been submitted.	<p>An amended Waste Management Plan has been provided at Appendix J.</p> <p>A Public Art Plan has been prepared by Artscape and is provided at Appendix K.</p>

4. CONCLUSION

The information provided within this report and in the submitted appendices seeks to address the issues raised by Council and the Design Excellence Panel over the course of the assessment.

We are strongly committed to working very closely, collaboratively and reasonably with Waverley Council to ensure that the proposed development provides a very high quality, built form outcome that exhibits design excellence and is a positive and iconic addition to Bondi Junction. We also recognise the importance of ensuring that Bondi Junction acts as a true mixed-use centre and appreciate the Council's desire to encourage an appropriate balance of residential and non-residential uses in this locality.

As detailed in this report, the proposed amendments address issues raised by Council in removing habitable floor space above the 60m height plane, improve residential amenity, and reduce the impacts of the development for adjoining users.

It is understood that Council will be re-notifying the proposed amendments, accordingly, it is noted that the development and its impacts have been reduced.

Considering the merits of the amended proposal and the absence of any significantly adverse environmental effects, the DA is considered worthy of consent.

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