

Planning and Assessment

Gateway determination report

LGA	Waverley
PPA	Waverley Council
NAME	Bondi Junction Strategic Centre Planning Proposal for protecting and promoting commercial floor space
NUMBER	PP 2019 WAVER 002 00
LEP TO BE AMENDED	Waverley Local Environmental Plan 2012
ADDRESS	Bondi Junction Strategic Centre
DESCRIPTION	Lot and DP – N/A
RECEIVED	9 August 2019
FILE NO.	IRF19/7239
POLITICAL DONATIONS	There are no donations or gifts to disclose and a political donation disclosure is not required.
LOBBYIST CODE OF CONDUCT	There have been no meetings or communications with registered lobbyists with respect to this proposal.

1. INTRODUCTION

1.1 Description of planning proposal

The planning proposal seeks to introduce provisions in the Waverley Local Environmental Plan (LEP) 2012 to protect and promote commercial floor space in Bondi Junction Strategic Centre.

The proposal intends to achieve this objective through the following LEP amendments:

- prohibiting **serviced apartments** and **hotel and motel accommodation** in the B3 Commercial Core zoned land in Bondi Junction; and
- introducing a new local provision applying to the B4 Mixed Use zoned land in Bondi Junction, which requires development to achieve no net loss of the existing amount of non-residential floor space on site.

The 'non-residential' floor space is proposed to cover a broad range of employment generating uses permissible in the B4 Mixed Use zone, but would exclude any form of **residential accommodation, tourist and visitor accommodation, self-storage units** and **car parking**.

The focus of the planning proposal is to achieve a greater employment outcome in Bondi Junction Strategic Centre, particularly focussing on knowledge intensive jobs relating to office floor space, as well as health related uses.

1.2 Site description

The planning proposal applies to land within the area referred to as Bondi Junction Strategic Centre, primarily zoned B4 Mixed Use and B3 Commercial Core (Figure 1).

The land affected by this planning proposal also includes 122 Bronte Road Bondi Junction, which is currently zoned SP2 Infrastructure. Part of the land at 122 Bronte Road was the subject of a rezoning review request¹ (RR_2019_WAVER_002_00) for a proposal that seeks rezoning of the land to B4 Mixed Use.

The Bondi Junction Strategic Centre forms part of the Waverley Local Government Area and plays an important role in the Eastern City District providing retail and local services to Greater Sydney's Eastern Suburbs. Commercial and retail activities are concentrated around the Train Station and Westfield Bondi Junction. The Strategic Centre is well connected to the Harbour CBD, the eastern beaches and other amenities such as Queens Park and Centennial Park.



Figure 1 - Map showing the area subject to this planning proposal in light green colour (Source: The planning proposal - Waverley City Council)

¹ On 15 October 2019, the Sydney Eastern City Planning Panel determined that the proposal should be submitted for a Gateway determination as it has demonstrated strategic and site-specific merit. Council has since accepted the role as Planning Proposal Authority and submitted the planning proposal (PP_2020_WAVER_001_00) to the Department for Gateway determination.

There are discrepancies identified in the planning proposal document (e.g. page 8, 10, 22 and 37) regarding the affected land and whether the proposal applies to land at 122 Bronte Road Bondi Junction. As such, a Gateway determination condition is recommended which requires updates to accurately describe the land to which the planning proposal applies.

1.3 Existing planning controls

The following provisions in the Waverley LEP 2012 apply to the site:

- Zoning: B3 Commercial Core, B4 Mixed Use and SP2 Infrastructure (**Figure 2**);
- Building heights: range from 9.5m to 60m (**Figure 3**);
- FSRs: range from 1.5:1 to 8:1 (**Figure 4**);
- Clause 6.5 Active Street Frontage: the site is subject to the Active Street Frontage Clause, the objective of which is *'to promote uses that attract pedestrian traffic along certain ground floor street frontages in Zone B3 Commercial Core and Zone B4 Mixed Use in the Bondi Junction Centre'* (**Figure 5**);
- Clause 6.9 Design Excellence: majority part of the site (i.e. except 122 Bronte Road) is subject to the design excellence clause, the objective of which is *'to deliver the highest standard of sustainable architectural and urban design'* (**Figure 6**).

The relevant land use table and maps extracted from the Waverley LEP 2012 are provided below:

Zone B3 Commercial Core

1 Objectives of zone

- *To provide a wide range of retail, business, office, entertainment, community and other suitable land uses that serve the needs of the local and wider community.*
- *To encourage appropriate employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To strengthen the role of the Bondi Junction Centre as a major commercial centre and ensure that commercial uses dominate.*
- *To provide direct, convenient and safe pedestrian links between the Bondi Junction bus concourse, rail station and Oxford Street Mall and reinforce the bus and rail interchange as a major passenger transport facility.*

2 Permitted without consent

Nil

3 Permitted with consent

*Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; **Hotel or motel accommodation**; Information*

*and education facilities; Medical centres; Oyster aquaculture; Passenger transport facilities; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Self-storage units; Tank-based aquaculture; **Any other development not specified in item 2 or 4***

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home-based child care; Home businesses; Home occupations; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sewage treatment plants; Signage; Storage premises; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities

Zone B4 Mixed Use

1 Objectives of zone

- *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.*

2 Permitted without consent

Home occupations

3 Permitted with consent

*Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; **Hotel or motel accommodation**; Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Oyster aquaculture; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; Shop top housing; Tank-based aquaculture; **Any other development not specified in item 2 or 4***

4 Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage

establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems; Wharf or boating facilities

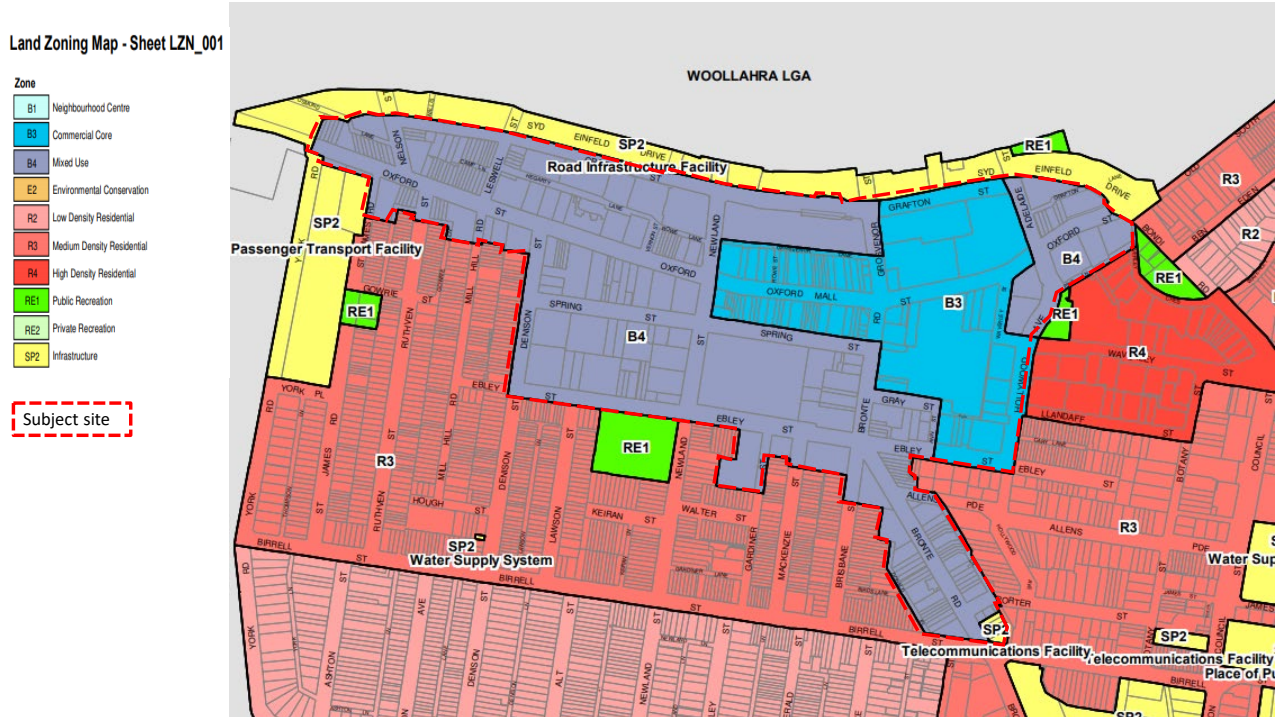


Figure 2 – Land Zoning Map (Source: Waverley LEP 2012)

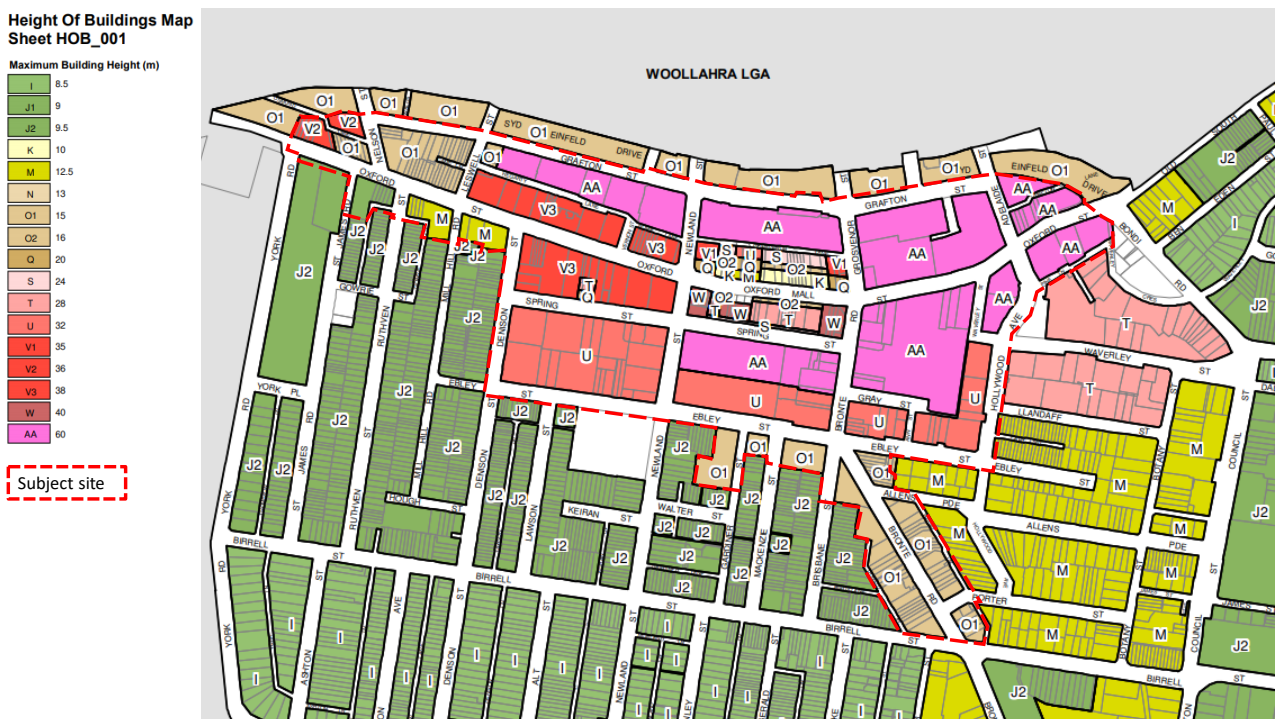


Figure 3 – Height of Buildings map (Source: Waverley LEP 2012)

**Floor Space Ratio Map
Sheet FSR_001**

Maximum Floor Space Ratio (n:1)

D	0.50
F	0.50
I	0.75
L	0.90
N	1.00
S	1.50
T	2.00
V	3.00
W1	3.50
W2	3.75
X	4.00
Z1	5.00
Z2	5.50
AA	6.00
AB	7.00
AC	8.00

Subject site

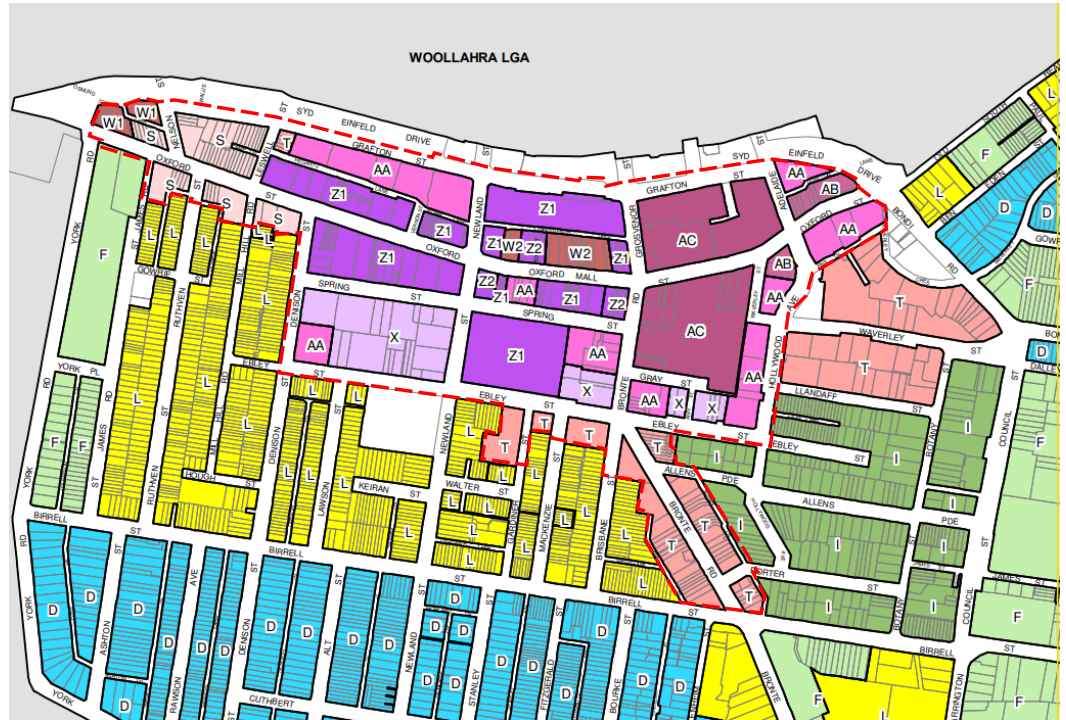


Figure 4 – Floor Space Ratio Map (Source: Waverley LEP 2012)

**Active Street Frontages Map
Sheet ASF_001**

Active Street Frontage
Refer to clause 6.5

Subject site

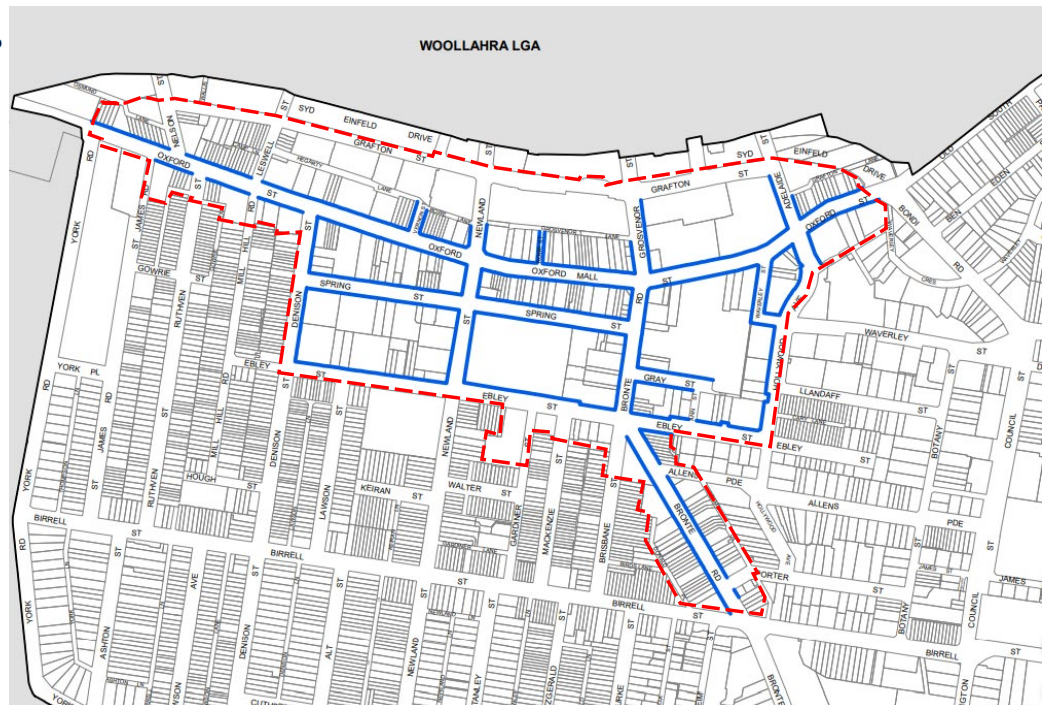


Figure 5 – Active Street Frontage Map (Source: Waverley LEP 2012)

Key Sites Map - Sheet KYS_001

- Key Sites**
- Key site - refer to clause 6.8
 - Key site - refer to clause 6.9

Subject site

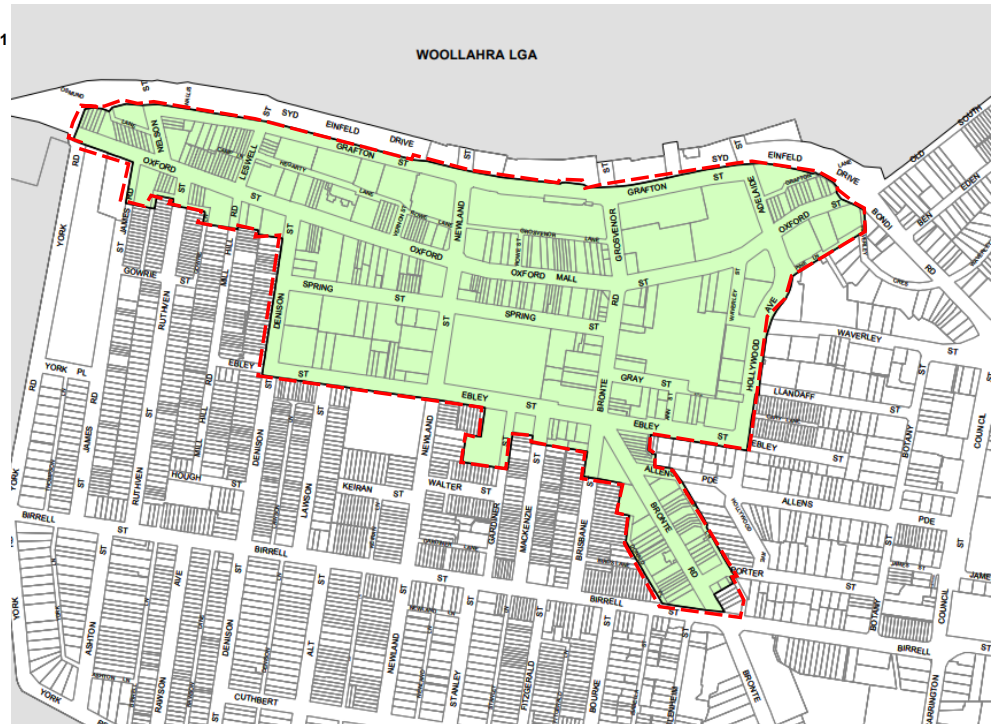


Figure 6 – Key Sites Map (Source: Waverley LEP 2012)

1.4 Surrounding area

The area surrounding Bondi Junction Strategic Centre (**Figure 7**) is primarily zoned:

- R3 Medium Density Residential to the south (characterised predominately by one and two storey terraces),
- R4 High Density Residential to the East (characterised predominately by apartment buildings of various heights),
- SP2 Road Infrastructure Facility to the North (Sydney Enfield Drive); and
- SP2 Passenger Transport Facility and the west (State Transit Waverley Depot).

Located further to the west is Centennial Park which is zoned RE1 Public Recreation under Randwick LEP 2012 and falls within Randwick Local Government Area (LGA). Woollahra LGA is located north of the site, across Sydney Enfield Drive.



Figure 7 – Aerial photo of the site and surrounding area (Source: Nearmap)

1.5 Summary of recommendation

It is recommended that the planning proposal proceed subject to conditions, as it:

- is consistent with the Eastern City District Plan and relevant section 9.1 Ministerial Directions and state environmental planning policies;
- will protect the capacity for employment, particularly knowledge-intensive jobs, and support a greater diversity of uses in Bondi Junction Strategic Centre; and
- will strengthen and reinforce the economic role of the centre.

The conditions recommended include update of the planning proposal as follows:

- remove the proposed provision relating to prohibiting **hotel and motel accommodation** in B3 Commercial Core zone;
- update any references and maps relating to the affected land to ensure accurate, clear and consistent descriptions of the land to which the planning proposal applies;
- rationalise the terms used in the planning proposal to clearly specify the types of uses intended to be protected and promoted, and ensure these terms are used coherently in the document;
- remove the proposed local provision and replace it with a plain English explanation of the proposed provision. The explanation of provisions is to:
 - make clear the types of non-residential uses to be subject to the proposed provision;
 - be consistent with the planning proposal's objectives, ensuring it addresses intended outcomes for both knowledge intensive and health related uses; and
 - adopt the Standard Instrument definitions, including group terms, wherever possible. If there are other special terms which are deemed necessary to be included in the planning proposal, such terms should be defined, explained and justified in the proposal; and
 - provide more details in relation to the operation of the proposed local provision.
- update the proposed mapping changes and include a legible map to clearly identify the area to which the proposed local provision will apply; and
- update the project timeline.

2. PROPOSAL

2.1 Objectives or intended outcomes

The planning proposal seeks to amend Waverley LEP 2012 for land within Bondi Junction Strategic Centre to implement a minimum non-residential floor space requirement to apply to the B4 Mixed Use zone and to exclude **serviced apartments** and **hotel and motel accommodation** from the B3 Commercial Core zone.

The objectives and intended outcomes as stated in the planning proposal document are:

- *to ensure that Bondi Junction Strategic Centre can continue to perform a key role in the Eastern Suburbs through a diverse offering of retail, knowledge-economy office space, and health-focussed businesses.*
- *to retain the existing amount of commercial floor space in all developments in the Bondi Junction Strategic Centre.*

2.2 Explanation of provisions

To achieve the objectives of the planning proposal, the following amendments to the Waverley LEP 2012 are being proposed for land within Bondi Junction Strategic Centre:

- prohibit **serviced apartments** and **hotel and motel accommodation** in the B3 Commercial Core zone (i.e. limit such uses to B4 Mixed Use zone only); and.
- introduce a new local provision to apply to the B4 Mixed Use zone, which requires development to achieve no net loss of the existing non-residential floor space on site.

Regarding the proposed new local provision, the planning proposal includes a draft clause which requires that:

“development consent must not be granted for development for the purpose of a mixed use development on land in Bondi Junction zoned B4 Mixed Use, unless the consent authority is satisfied that the development results in no loss of the existing commercial floor space on site. The existing commercial floor space refers to what is currently on site or the amount of commercial floor space that was in place before the site changed use or the building was demolished.”

The following issues require amendments to the planning proposal prior to commencement of community consultation.

Prohibiting ‘**hotel and motel accommodation**’ in B3 Commercial Core

Under the Standard Instrument, ‘**hotel and motel accommodation**’ is a mandatory ‘permitted with consent’ use in the B3 Commercial Core zone. As such, Council’s proposal to prohibit this land use in the B3 zone is not in accordance with Direction 2 on page 6 of the LEP Practice Note PN 11-001. The direction states:

“Specified uses may be added to (but not removed from) the list of development that is permitted or prohibited in a zone.”

Having regard to the LEP Practice Note advice, the proposed prohibition of **hotel and motel accommodation** is not supported. Accordingly, a Gateway determination condition is recommended to require update of the planning proposal to remove the proposed prohibition of **hotel and motel accommodation** in B3 zone.

This recommendation has been discussed with Council. Council has since raised the prospect of revising the proposal to limit **hotel and motel accommodation** via a local provision (e.g. limiting it to max. 20% of permitted floor space). It is noted that a comparable approach has been used in other LEPs in the Greater Sydney Metropolitan Region to require a minimum amount of floor space for uses other than **residential accommodation** or **tourist and visitor accommodation**. However, to provide the evidence base, any nominated threshold would require additional supporting studies / analysis, which have not been provided by Council. For this reason, such approach has not been considered further by the Department in the Gateway assessment.

Clarity about the types of uses to be protected and promoted

Whilst the title of the planning proposal document has indicated that the proposal's intent to protect and promote commercial floor space, multiple terms have been used to describe the related land use throughout the document and supporting study. The terms used include non-residential floor space (ratio), commercial office development, commercial floor area and commercial floor space, retail, knowledge-economy office space and health-focussed businesses.

Furthermore, the planning proposal document states that the calculation of commercial floor space would exclude serviced apartments, hotels and car parking, but include circulation and storage space that directly services the commercial floor space. However, this intention is not discussed in the Explanation of Provisions.

The proposed clause refers to 'non-residential floor space' and 'commercial floor space', neither of which are currently defined in the LEP. It is also unclear how the proposed local provision clause will promote health related uses, which was discussed in the planning proposal's objectives.

In response to the above issues, Council provided further clarification and advised that the 'non-residential' uses refers to a broad range of employment generating uses permissible in the B4 Mixed Use zone, but would exclude any form of **residential accommodation, tourist and visitor accommodation, self-storage units** and **car parking**.

To ensure the community understands what amendments are being proposed and the related intended outcomes, the following conditions are recommended:

- rationalise the terms used in the planning proposal to clearly specify the types of uses intended to be protected and promoted, and ensure these terms are used coherently in the document;
- remove the proposed local provision and replace it with a plain English explanation of the proposed provision. The explanation of provisions is to:
 - make clear the types of non-residential uses to be subject to the proposed provision;
 - be consistent with the planning proposal's objectives, ensuring it addresses the intended outcomes for both knowledge intensive and health related uses;
 - adopt the Standard Instrument definitions, including group terms, wherever possible. If there are other special terms which are deemed necessary to be included in the planning proposal, such terms should be defined, explained and justified in the proposal; and
 - provide more details in relation to the operation of the proposed local provision.

2.3 Mapping

The planning proposal states that it seeks to use the existing Key Sites Map (Clause 6.9 of the Waverley LEP) and expand its application to the proposed non-residential provision for land zoned B4 Mixed Use within Bondi Junction Strategic Centre.

The planning proposal document contains an indicative map (titled 'Figure 13: Key sites map to be amended in PP' on page 37 and shown below) to illustrate the proposed map amendments (**Figure 8**).

Figure 13: Key sites map to be amended in PP



Figure 8 – Proposed amendments to the LEP Key Sites Map (Source: the planning proposal document, Waverley Council)

However, the indicative map in its current form is not considered suitable for community consultation as it does not clearly identify the affected property due to the legibility of the boundary location. Further to this, it is also unclear whether the land at 122 Bronte Road Bondi Junction, which is identified in the planning proposal's affected land map titled '*Figure 1. Bondi Junction Strategic Centre*', will be affected by the proposed local provision. Should the existing Key Sites Map be used as proposed and outlined above, the proposed local provision would not apply to land at 122 Bronte Road Bondi Junction.

In response to the mapping issues identified, Council advised that the proposed local provision would apply to 122 Bronte Road Bondi Junction and that a new map will be prepared. The new map is proposed to be the same as the Key Sites Map but will include 122 Bronte Road.

To ensure the planning proposal is suitable for community consultation, a Gateway determination condition is recommended to require mapping update to clearly identify the area to which the proposed local provision will apply.

3. NEED FOR THE PLANNING PROPOSAL

Council at its Strategic Planning and Development Committee meeting of 6 August 2019 resolved to endorse the planning proposal being forwarded to the Department to seek Gateway determination to proceed to formal public exhibition.

The planning proposal was prepared by Council in response to recent developments in Bondi Junction that favour residential development and other uses (such as serviced apartments) that do not provide significant employment floor space, over commercial development.

The planning proposal states that there has been a loss of approximately 9,000sqm of existing commercial floor space in Bondi Junction, as a result of approved residential developments since 2014, and that there is forecast to be a further loss of 19,000sqm of existing commercial floor space with current and recently approved development applications in the pipeline.

The planning proposal states that the development trend results in the significant loss of existing commercial floor space and substantial capacity to provide future employment opportunities, and as a likely consequence, undermining the role of Bondi Junction as a Strategic Centre. This also presents a significant challenge for Council to meet the job targets and deliver the objectives to increase 'knowledge intensive' employment as required by the Eastern City District Plan.

Council intends to address this issue through two separate planning proposals:

- **Planning proposal 1 (the current proposal)** – to maintain the existing quantum of floor space in B4 Mixed Use zone and to protect the potential sites in B3 Commercial Core zone from redevelopment to low employment generating uses, such as serviced apartments.
- **Planning proposal 2** – grow floor space capacity for additional commercial floor space in B4 Mixed Use zone.

The second planning proposal to grow commercial floor space capacity requires in-depth investigations / planning work to provide the evidence base. The adopted two-stage approach recognises the complexities of this work and intends to provide an interim and urgently needed solution to prevent further loss of employment floorspace in Bondi Junction. Council indicates that the second planning proposal to increase the commercial floor space capacity in B4 zone will be initiated following finalisation of the current proposal.

The preparation of the planning proposal has been informed by a number of existing Council strategies and technical studies, including the recently updated *the Bondi Junction Commercial Centre Review (2019 update)*. The review, which provides detailed analysis of the commercial office development, finds that erosion of commercial floor space within Bondi Junction has occurred due to:

- *the rezoning of a large proportion of B3 Commercial Core zoned land to B4 Mixed Use in Amendment 2 to the Waverley LEP 2012.*

- *The rapid and recent increase in the value of residential development compared to commercial development.*

The planning proposal aims to address (in part) two key recommendations of the review, which are:

- *Implement a minimum non-residential FSR in the B4 zone.*
- *prohibit serviced apartments and hotels in the B3 and as part of any minimum non-residential FSR.*

As detailed in the planning proposal and the supporting analysis, there are a limited number of potential redevelopment sites within the commercial core of Bondi Junction (i.e. B3 zoned land). Council's proposal to prohibit serviced apartments and hotels / motels uses in the B3 zone intends to protect the potential of these remaining sites to provide knowledge intensive jobs and health related uses.

The prohibition of **hotel and motel accommodation** in B3 Commercial zone is not supported as discussed earlier in this report. **Hotel and motel accommodation** remains permissible within both B3 and B4 zones.

The proposal to prohibit **serviced apartments** in the B3 Commercial Core zone is considered justified and supported, having regard to the economic role of the Strategic Centre, the need to provide knowledge-intensive jobs as required by the District Plan and the limited number of redevelopment sites within the commercial core as outlined in the planning proposal. **Serviced apartments** remain permissible and can be provided in the B4 Mixed Use zoned land within the Strategic Centre.

Further to the above, the proposal which seeks to encourage commercial development and protect commercial floor space capacity aligns with and reinforces the objective of the B3 Commercial Core zone under the Waverley LEP 2012: '*to strengthen the role of the Bondi Junction Centre as a major commercial centre and ensure that commercial uses dominate.*'

The planning proposal is considered the most effective means of achieving the intended outcome.

The Waverley Development Control Plan currently requires the first floor of any development in Bondi Junction to be used as commercial floor space. The planning proposal states that the existing controls encourage, but do not effectively require or deliver, commercial development of substantial size, and that the DCP control has proven difficult to implement due to market preference for residential development.

4. STRATEGIC ASSESSMENT

4.1 Eastern City District Plan

The Waverley local government area is located within the Eastern District of Greater Sydney. The Eastern City District Plan, released in March 2018, identifies planning priorities and actions that are important to achieving a liveable, productive and sustainable future for the district. The District Plan is a link between regional and local planning and operates to give effect to the Greater Sydney Region Plan.

The District Plan identifies Bondi Junction as a Strategic Centre and sets out specific job targets (i.e. a baseline target of 17,000 jobs and a higher target of 20,500 jobs by 2036) and actions (Figure 9).

Bondi Junction	Jobs
2016 estimate	13,800
2036 baseline target	17,000
2036 higher target	20,500


 Actions	Responsibility
<p>46. Strengthen Bondi Junction through approaches that:</p> <ul style="list-style-type: none"> a. protect capacity for job targets and a diverse mix of uses to strengthen and reinforce the economic role of the centre b. consider potential options for future public transport connections to the south east of the District to accommodate forecast population and employment growth, and better connect the District c. expand the centre's function and type of land uses, and knowledge-intensive jobs d. improve access from the centre of Bondi Junction to nearby open space and recreation facilities such as Queens Park, Centennial Park, Moore Park and Bondi Beach e. recognise the centre's health attributes to support the Randwick health and education precinct and mechanisms for increasing floor space for health uses, including a health-focused business incubator f. investigate opportunities to improve and diversify night-time economy offerings g. promote place making initiatives to improve the quality of public spaces. 	Waverley Council, other planning authorities and State agencies

Figure 9 – Specific job targets and actions for Bondi Junction (Source: *The Eastern City District Plan*, Greater Sydney Commission)

The District Plan acknowledges that “*pressure for residential development is increasing across the centre*” and further states that “*future growth will need to ensure the capacity for jobs growth, provision of a diverse mix of uses across the centre and creation of a high-quality, vibrant public realm*” (page 82).

The planning proposal is consistent with relevant planning priorities of the District Plan as outlined in the following table:

Planning priorities	Response
<p>Planning Priority E6 – <i>Creating and renewing great places and local centres, and respecting the District’s heritage.</i></p>	<p>The planning proposal is consistent with this planning priority, as it will:</p> <ul style="list-style-type: none"> • support a diversity of uses and services which will foster active places and promote a vibrant Strategic Centre.
<p>Planning Priority E10 - <i>Delivering integrated land use and transport planning and a 30-minute city.</i></p>	<p>The planning proposal is consistent with this planning priority as it will:</p> <ul style="list-style-type: none"> • ensure crucial land uses and employment opportunities are strategically located and supported by existing infrastructure and accessible by active and public transport.
<p>Planning Priority E11 – <i>Growing investment, business and jobs in Strategic Centres.</i></p> <p>Action 38. <i>Provide access to jobs, goods and services in centres by:</i></p> <ul style="list-style-type: none"> <i>a. attracting significant investment and business activity in strategic centres to provide jobs growth</i> <i>b. diversifying the range of activities in all centres</i> <i>i. creating the conditions for residential development within strategic centres and within walking distance (10 minutes), but not at the expense of the attraction and growth of jobs, retailing and services; where appropriate, strategic centres should define commercial cores informed by an assessment of their need.</i> <p>Action 43. <i>Review the current planning controls and create capacity to achieve the job targets for each of the District’s strategic centres.</i></p> <p>Action 44. <i>Prioritise strategic land use and infrastructure plans for growing centres, particularly those with capacity for additional retail floor space.</i></p> <p>Action 46 <i>Strengthen Bondi Junction through approaches that</i></p>	<p>The proposal is consistent with this planning priority as it will:</p> <ul style="list-style-type: none"> • ensure adequate and suitable employment related floor space is available and protected in the Strategic Centre to attract significant investment and business activity and to support jobs growth; • maintain a healthier balance of land uses and reinforce the economic role of the Strategic Centre; • ensure a broad range of commercial uses and services can be provided in the Strategic Centre to meet the needs of the local and wider community; • strengthen the role of the Strategic Centre by ensuring employment generating uses dominant its B3 Commercial Core; • address the specific actions under the planning priority (e.g. Action 43 and 44) to ensure job targets can be achieved for the Centre and strategic land uses are prioritised through review and update of the current planning controls; and • address Action 46 that is specifically related to Bondi Junction, by protecting its capacity for achieving the required job targets and future opportunities to further expand the Strategic Centre’s function and ability to support

<p><i>a. protect capacity for job targets and a diverse mix of uses to strengthen and reinforce the economic role of the centre</i></p> <p><i>c. expand the centre's function and type of land uses, and knowledge-intensive jobs</i></p> <p><i>e. recognise the centre's health attributes to support the Randwick health and education precinct and mechanisms for increasing floor space for health uses, including a health-focused business incubator.</i></p>	<p>knowledge intensive and health related land uses.</p>
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As discussed earlier, Council intends to develop a second phase Planning Proposal to give further effect to the above planning priorities and actions. The planning proposal states that the second proposal *'will work toward increasing capacity where practical to achieve the employment targets in the District Plan, as well as encouraging knowledge intensive (office) and health related uses'*.

4.2 Local

Waverley Community Strategic Plan 2018-2029

Waverley Community Strategic Plan 2018-2029 articulates the vision, values, aspirations and priorities of the Waverley community with reference to other local government plans, information and resourcing capabilities. It provides a direction for the future of Waverley in the next 11 years.

The planning proposal contributes to the relevant goals of the Strategic Plan as outlined in the following table:

Planning priorities	Response
<i>Goal 4.1 Promote Waverley as a significant sustainable economy and innovation precinct.</i>	<p>The planning proposal contribute to this goal, as it will:</p> <ul style="list-style-type: none"> • ensure the key Strategic Centre in Waverley remains via viable and has adequate and appropriate capacity to support employment growth, particularly for knowledge intensive and health related uses.
<p><i>Goal 4.2 Ensure Bondi Junction and Waverley's villages continue to have a diverse range of businesses, local jobs and services.</i></p> <p><i>Goal 4.2.1 Enhance the commercial core of Bondi Junction to increase employment.</i></p>	<p>The planning proposal contribute to this goal, as it will:</p> <ul style="list-style-type: none"> • ensure a broad range of commercial uses and services can be provided in the Strategic Centre to meet the needs of the local and wider community; • maintain a healthier balance of land uses and reinforce the economic role of the Strategic Centre; and • strengthen the role of the Strategic Centre by ensuring employment generating uses dominant its B3 Commercial Core and ensure adequate and suitable employment related floor space is available and protected.

Draft Waverley Local Strategic Planning Statement

Waverley Council has prepared a draft Waverley Local Strategic Planning Statement (LSPS) which intends to give effect to the Eastern City District Plan and outlines Council's vision for land use planning over the next 20 years. The draft LSPS was publicly exhibited from 28 June to 28 July 2019 but has not been assured by the Greater Sydney Commission.

The draft LSPS as exhibited identifies Bondi Junction as a Strategy Centre consistent with the District Plan. The planning proposal responds to a key challenge identified in the draft LSPS about competing market pressures for residential development that have led to loss of commercial floor space in centres, particularly Bondi Junction Strategic Centre.

The planning proposal addresses the following planning priorities and actions in the draft LSPS (as exhibited):

Planning priority 9 Support and grow Waverley's local economy with a focus on wellbeing knowledge and innovation

1 Retain shops and services in Bondi Junction and Village Centres.

Planning priority 11 *Facilitate Bondi Junction as a lively and engaging strategic centre with a mix of employment, entertainment and housing options*

5 Maintain the existing employment floor space in Bondi Junction;

6 Grow employment floor space in Bondi Junction;

7 Investigate mechanisms to maintain and encourage health related uses in Bondi Junction;

9 Encourage a diversity of land uses in Bondi Junction; and

13 Promote Bondi Junction as a knowledge and innovation hub, with opportunities for business-to-business interactions.

4.4 Section 9.1 Ministerial Directions

The planning proposal is consistent with the applicable Section 9.1 Ministerial Directions.

Of particular relevance is Direction 1.1 Business and Industrial Zones, which has the following objectives:

- (a) encourage employment growth in suitable locations,*
- (b) protect employment land in business and industrial zones, and*
- (c) support the viability of identified centres*

The planning proposal is consistent with this direction and gives effect to the objectives by

- encouraging employment generating uses in a Strategic Centre identified by the Eastern City District Plan.
- protecting the commercial floor space and capacity which will help to maintain a healthier balance of diverse land uses in the Strategic Centre and is vital to its long-term economic viability.

4.5 State environmental planning policies (SEPPs)

The planning proposal does not contradict or hinder the application of any SEPPs.

5. SITE-SPECIFIC ASSESSMENT

5.1 Social and Economic

The planning proposal will have positive social and economic impacts, as it will:

- protect the employment generating land uses within Bondi Junction Strategic Centre and its ability to provide jobs, services and local businesses that meets the needs of the community.
- protect capacity for job targets and future opportunities for expanding the function and type of land uses and knowledge intensive jobs that are important to the economic role of the Strategic Centre.
- Support a diversity of uses which will foster a vibrant, active place and maintain the Strategic Centre's long-term economic viability.

5.2 Environmental

The planning proposal is unlikely to adversely affect any critical habitat or threatened species, populations or ecological communities or their habitats.

5.4 Infrastructure

Bondi Junction is well supported by public transport infrastructure and the proposal is not expected to generate a significant increase of demand on infrastructure.

6. CONSULTATION

6.1 Community

Council has recommended the planning proposal be placed on public exhibition for a minimum of **28 days**. This timeframe is adequate having regard to the nature of the planning proposal and has been reflected in the recommended Gateway conditions.

Council, as the planning proposal authority, will be responsible for public consultation. Council has advised that this will include newspaper notification, written notification to landowners and displays at Council customer service centre, library and on Council's webpage.

6.2 Agencies

The planning proposal does not specify any agencies that are to be consulted. No conditions regarding agency consultation have been recommended.

7. TIME FRAME

The planning proposal includes a project timeline which envisages the LEP to be completed within **12 months** of the Gateway determination.

The proposed timeframe is considered appropriate and recommended in the Gateway determination conditions.

8. LOCAL PLAN-MAKING AUTHORITY

Council has requested to be the local plan-making authority for this planning proposal. Given the nature of Council's planning proposal, it is recommended that Council to be authorised as the local plan-making authority.

9. CONCLUSION

It is recommended that the planning proposal proceed subject to conditions, as it:

- is consistent with the Eastern City District Plan and relevant section 9.1 Ministerial Directions and state environmental planning policies;
- will protect the capacity for employment, particularly knowledge-intensive jobs, and a greater diversity of uses in Bondi Junction Strategic Centre; and
- will strengthen and reinforce the economic role of the centre.

10. RECOMMENDATION

It is recommended that the delegate of the Minister determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 28 days.
2. No consultation is required with public authorities.
3. The time frame for completing the LEP is to be 12 months from the date of the Gateway determination.
4. Given the nature of the planning proposal, Council should be the local plan-making authority.
5. Prior to community consultation, the planning proposal is to be revised to:
 - (a) remove the proposed provision relating to prohibiting **hotel and motel accommodation** in B3 Commercial Core zone.
 - (b) update any references and maps relating to the affected land to ensure accurate, clear and consistent descriptions of the land to which the planning proposal applies.
 - (c) rationalise the terms used in the planning proposal to clearly specify the types of uses intended to be protected and promoted, and ensure these terms are used coherently in the document.
 - (d) remove the proposed local provision and replace it with a plain English explanation of the proposed provision. The explanation of provisions is to:
 - I. make clear the types of non-residential uses to be subject to the proposed provision;
 - II. be consistent with the planning proposal's objectives, ensuring it addresses intended outcomes for both knowledge intensive and health related uses; and
 - III. adopt the Standard Instrument definitions, including group terms, wherever possible. If there are other special terms which are deemed necessary to be included in the planning proposal, such terms should be defined, explained and justified in the proposal; and
 - IV. provide more details in relation to the operation of the proposed local provision.
 - (e) update the proposed mapping changes and include a legible map to clearly identify the area to which the proposed local provision will apply.

- (f) update the project timeline.
6. Prior to community consultation the revised planning proposal is to be submitted to the Department of Planning, Industry and Environment for endorsement.

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