

194-214 Oxford Street and 2 Nelson Street Bondi Junction

Proposal Title : **194-214 Oxford Street and 2 Nelson Street Bondi Junction**

Proposal Summary : **The proposal seeks to amend Waverley Local Environmental Plan 2012 (Waverley LEP 2012), for 194-214 Oxford Street (Site 1) and 2 Nelson Street (Site 2), Bondi Junction, by:**

- increasing the maximum building height from 15m to 36m;
- increasing the maximum floor space ratio from 1.5:1 to 3.5:1;
- removing the local heritage status in relation to Item 1212 (the four terrace houses) at No. 194-200 Oxford Street, Bondi Junction; and
- introducing a new design excellence clause.

PP Number : **PP_2016_WAVER_003_00**

Dop File No : **16/01614**

Proposal Details

Date Planning : **13-Oct-2016**

LGA covered : **Waverley**

Proposal Received :

Region : **Metro(CBD)**

RPA : **Waverley Council**

State Electorate : **COOGEE**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **194 Oxford Street**

Suburb : **Bondi Junction**

City : **Sydney**

Postcode : **2022**

Land Parcel : **Lot 10 DP260116**

Street : **196 Oxford Street**

Suburb : **Bondi Junction**

City : **Sydney**

Postcode : **2022**

Land Parcel : **Lot 11 DP260116**

Street : **198 Oxford Street**

Suburb : **Bondi Junction**

City : **Sydney**

Postcode : **2022**

Land Parcel : **Lot 12 DP260116**

Street : **200 Oxford Street**

Suburb : **Bondi Junction**

City : **Sydney**

Postcode : **2022**

Land Parcel : **Lot 13 DP260116**

Street : **202 Oxford Street**

Suburb : **Bondi Junction**

City : **Sydney**

Postcode : **2022**

Land Parcel : **Lot 16 DP68010**

Street : **204 Oxford Street**

Suburb : **Bondi Junction**

City : **Sydney**

Postcode : **2022**

Land Parcel : **Lot 1 DP 79947**

194-214 Oxford Street and 2 Nelson Street Bondi JunctionStreet : **214 Oxford Street**Suburb : **Bondi Junction**City : **Sydney**Postcode : **2022**Land Parcel : **Lot 1 DP708295**Street : **2 Nelson Street**Suburb : **Bondi Junction**City : **Sydney**Postcode : **2022**Land Parcel : **SP34942****DoP Planning Officer Contact Details**Contact Name : **Charlene Nelson**Contact Number : **0292746570**Contact Email : **Charlene.Nelson@planning.nsw.gov.au****RPA Contact Details**Contact Name : **Daniel Starreveld**Contact Number : **0290838053**Contact Email : **Daniel.starreveld@waverley.nsw.gov.au****DoP Project Manager Contact Details**Contact Name : **Martin Cooper**Contact Number : **0227465822**Contact Email : **Martin.cooper@planning.nsw.gov.au****Land Release Data**Growth Centre : **N/A**Release Area Name : **N/A**Regional / Sub
Regional Strategy : **Metro Sydney City subregion**Consistent with Strategy : **Yes**

MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg **Both**

:

Residential /

Employment land) :

No. of Lots : **0**No. of Dwellings **94**

(where relevant) :

Gross Floor Area : **0**No of Jobs Created : **0**The NSW Government **Yes**Lobbyists Code of
Conduct has been
complied with :

If No, comment :

Have there been **No**
meetings or
communications with
registered lobbyists? :If Yes, comment : **The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with. Sydney Region East has not met any lobbyists in relation to this proposal, nor has the Director been advised of any meetings between other Department officers and lobbyists concerning this proposal.**

Supporting notes

Internal Supporting
Notes :

Proposal

The planning proposal aims to amend Waverley Local Environmental Plan 2012 (LEP 2012) to enable the redevelopment of land at 194-214 Oxford Street (Site 1) and 2 Nelson Street (Site 2) to provide a mixed use development.

The subject site is located at the western end of the Bondi Junction Centre and is bounded by Oxford Street, Syd Einfeld Drive, York Road and Nelson Street. The site is within the Waverley Local Government Area (LGA), bordering the Woollahra LGA to the north of the site and is diagonally opposite Centennial Park.

The proposal seeks an increase to the height of buildings and floor space ratio controls on the site. The planning proposal does not seek to change the current B4 Mixed Use zone under LEP 2012.

'Site 1' has a combined site area of 1,490 square metres and is proposed to accommodate a residential tower above a 2-3 storey podium to a maximum height of 36 metres and floor space ratio of 3.5:1. 'Site 2' has an approximate site area of 991 square metres and is proposed to accommodate a residential tower, above ground level retail uses, with a height of 36 metres and FSR of 3.5:1.

An indicative concept plan demonstrates 2 x 11 storey towers (with rooftop plant), that will yield approximately 94 dwellings comprising 61 apartments on site 1 and 33 apartments on site 2. The concept plan provides approximately 11,504 square metres of residential floor space and 854 square metres of retail/commercial floor space, with the indicative plans demonstrating ground floor retail/commercial spaces on site 1 and ground floor retail on Site 2. The proposal seeks the deletion of local heritage item status of 4 terrace houses at 194-200 Oxford Street.

The concept plan also provides for a public plaza at 2 Nelson St, public domain areas and through site links to improve connectivity and pedestrian access to the site, which will be provided by the proponent as part of the draft public benefit offer. A fifty (50) space basement car park on site is also proposed as part of the indicative concept scheme.

The site is located approximately 650 metres west of Bondi Junction railway station and bus interchange and is opposite the Waverley bus depot. It is surrounded by main roads on 3 sides, and adjacent to existing retail and commercial uses. It sits at the far north western edge of the B4 Mixed Use zone which extends west from the Bondi Junction B3 Commercial Core zone. The site has good access to public transport and is in close proximity to the town centre and associated amenities.

Background

The planning proposal has been the subject of the Pre-Gateway review process.

Prior to lodgement of the pre-Gateway review application, ongoing consultation between the proponent and Council staff during the preparation of the initial planning proposal resulted in a revised concept design as submitted to Council by City Plan Services on 13 October 2015. The revised plan differed from the original submitted proposal as follows:

- reduction in the height of buildings from 38 metres to 36 metres and floor space ratio from 5:1 to 3.5:1;
- reconfiguration of the proposed public plaza on Nelson Street to allow for increased solar access and curtilage from the neighbouring heritage items (Norfolk Island Pine and Nelson Hotel);
- reconfiguration of a through site link and proposed vehicular access; and
- creation of a 2 to 3 storey podium level to continue the existing built form pattern along Oxford Street.

Council determined to refuse the planning proposal for the following reasons:

- 1.Overdevelopment of the site and an unacceptable built form scale, particularly to Oxford Street, in an area that borders the Mill Hill Conservation area;
- 2.Unacceptable overshadowing of the public domain and Centennial Park;

- 3.It may set a precedent for adjoining sites seeking additional height and floor space;
- 4.It is not in the public interest of the West Oxford Street Precinct; and
- 5.It is in excess of the current LEP height limit of 15m and the FSR of 1.5:1.

Council recommended the following amendments should be made:

- reduction in the height of buildings to 25m for 'Site 2' to provide a suitable transition in height between the proposed buildings on the site and the adjacent sites and to respect the presence of the heritage listed Norfolk Island Pine tree;
- reduction in the FSR from the proposed 3.5:1 to 2.4:1 for site 'Site 2' to align with the recommended amended height;
- amendments to the design and footprint of the buildings, developed in consultation with Council;
- revision of the Heritage Impact Statement (HIS) prepared by Urbis to assess the impact upon the visual curtilage & vistas along surrounding streets and Centennial Park;
- revision of the Traffic Study prepared by GTA Consultants to include an assessment of current on street parking demand and capacity in the vicinity of the site as well as the proposal's likely impact on parking demand; and
- a site specific development control plan for the subject site.

On 21 December 2015, City Plan Services lodged the original planning proposal with the Department for a Pre-Gateway Review. On 9 February 2016, Council responded to the Department's request for comments on the original proposal. These comments reiterated Council's earlier reasons for refusing the proposal.

Panel Assessment of the pre-Gateway Review

On 31 May 2016, the Panel considered the planning proposal and unanimously recommended that the proposal should be submitted for a Gateway determination.

The Panel recommended that the maximum building height across the site should be 36 metres with a FSR of 3.5:1 (as per amended planning proposal submitted by the proponent to Council in October 2015). In making this decision, the Panel noted that it did not support Council staff's recommendation for a reduced maximum building height of 25 metres and a reduced floor space ratio of 2.4:1 for Site 2. The reason given was that it would reduce potential public benefit outcomes from the site.

The Panel recommended a number of requirements be met before the planning proposal is exhibited, including that:

- the applicant enter into negotiations for a Voluntary Planning Agreement (VPA) with Waverley Council;
- the applicant prepare a site-specific Development Control Plan (DCP), to be exhibited together with the planning proposal; and
- a clause be included in the draft LEP requiring a design competition be held before a development application is lodged. The design competition should be run according to the Department's design competition guidelines.

The Panel noted that the planning proposal also provides an opportunity to consider the linkage between Bondi Junction and Centennial Park and traffic and public domain improvements at the intersection of Oxford Street and York Road and requested the Department to be the lead coordinating authority for this area.

On the 9 August 2016, Waverley Council accepted the role of the Relevant Planning Authority for this matter to exercise the delegations issued by the Minister under Section 59 of the EP&A Act 1979.

The planning proposal was lodged with the Department by Council as the RPA requesting a Gateway Determination. The documentation excluded the amended LEP maps that were later received by the Department on 13 October 2016.

The proposal is consistent with the Panel's advice with regard to reducing the height to 36m and reducing FSR to 3.5:1 for both sites.

The planning proposal has been revised to include an additional provision to introduce a new Design Excellence Clause for key sites within the LGA including the subject site, in accordance with the Panel's recommendations.

Council has recently submitted the Waverley Housekeeping Amendment 10 (PP_2016_WAVER_001_00) to the Department for finalisation, which includes the introduction of a design excellence clause in the Waverley LEP 2012. As the draft design excellence clause (as proposed under Amendment 10) will apply to the site (as recommended by the Panel) it is recommended that the planning proposal should be updated to remove the proposed design excellence clause and provide for a statement of intent that a design competition process will be undertaken for the site.

Roads and Maritime (RMS) comments on adjoining land

RMS has provided preliminary advice and has been in consultation with Council regarding the subject planning proposal. RMS has identified that part of the planning proposal documentation is unclear, and considers that a portion of Syd Einfield Drive has erroneously been identified in the Waverley LEP 2012 zoning maps as B4 Mixed use, rather than as SP2 Infrastructure, as this land forms part of the road. The subject site borders Syd Einfield Drive which is declared a freeway for which access over the boundaries is denied.

RMS requires the identified mapping anomaly to be corrected with the freeway boundaries and extent of SP2 Infrastructure (Classified Road) clearly reflected in all proposed LEP mapping/planning proposal exhibition materials. Council has noted this mapping anomaly could be captured in the next Waverley housekeeping planning proposal. However, it is considered that for the purposes of the assessment of the proposal, the documentation should reflect the correct SP2 zoning.

Prior to exhibition, it is recommended that the planning proposal including maps should be updated to reflect the correct SP2 zoning identified on the corner of Syd Einfield Drive and York Street.

External Supporting
Notes :

The proposal has been the subject of a pre-Gateway review. The Sydney East Joint Regional Planning Panel (JRPP) recommended that the proposal be submitted for a Gateway determination subject to conditions.

Waverley Council has accepted the role of the Relevant Planning Authority for this matter and has submitted the planning proposal to the Department for a Gateway determination.

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment :

The planning proposal states the following objectives and intended outcomes:

- to enhance the future character of Bondi Junction as a strategic centre as envisaged in 'A Plan for Growing Sydney' that contributes to the achievement of employment and housing targets;
- to provide for enhanced built form outcomes to enable improved public domain areas at street level within close proximity to Centennial Park;
- to provide better access and permeability to and within the site through improvement to traffic, pedestrian and cycling connectivity;
- to update the planning controls (height and FSR) in the West Precinct to reflect the rest of Bondi Junction, incentivising investment and revitalisation to create an alternate shopping and living experience at the gateway to Bondi Junction;
- to delete the heritage status of terrace houses on the site, to allow the development and associated public benefits to be realised; and
- to introduce design excellence provisions to ensure 'key sites' within the LGA including the subject site, exhibit design and architectural standards.

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposal seeks to amend the applicable development standards to increase the maximum building height and FSR, delete the heritage status and introduce a design excellence clause to apply to the development of the site.**

This will be achieved by making the following amendments to Waverley LEP 2012:

- **Amendment to Height of Buildings map (HOB_001) and Floor Space Ratio (FSR_001) to introduce a new '36 metre' building height category and '3.5:1' FSR category in the map legends that will apply to the site;**
- **Removing local heritage item I212 from 194-200 Oxford Street from Schedule 5;I and**
- **A local provision under Part 6 of the LEP to introduce a Design Excellence Clause including design competition requirements for key development sites in the LGA, including the subject site.**

A new '36 metre' building height category and '3.5:1' FSR category will need to be introduced on the legend of the maps.

An amendment to Schedule 5 of the Waverley LEP 2012 proposes to delete the heritage status of 194-200 Oxford Street, Bondi Junction (Item I212).

An additional local provision under Part 6 of the LEP seeks to introduce a Design Excellence Clause including design competition requirements for key development sites in the LGA, including the subject site.

The proposed local provision specifies that design excellence will apply to new major buildings and substantial external alterations on sites that exceed 1000 square metres in area. The provision also proposes that a design excellence competition process will be triggered where a proposed building is higher than 30m, or has a capital investment of \$100,000,000 or development for which the applicant has chosen to have such a competition. It is further proposed that a bonus of 10% of the maximum height or 10% of maximum FSR for building, may be granted by the consent authority if the building demonstrates design excellence.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

* May need the Director General's agreement

- 1.1 Business and Industrial Zones**
- 2.3 Heritage Conservation**
- 3.1 Residential Zones**
- 3.4 Integrating Land Use and Transport**
- 5.1 Implementation of Regional Strategies**
- 5.2 Sydney Drinking Water Catchments**
- 6.1 Approval and Referral Requirements**
- 6.2 Reserving Land for Public Purposes**
- 6.3 Site Specific Provisions**
- 7.1 Implementation of A Plan for Growing Sydney**

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

- SEPP No 55—Remediation of Land**
- SEPP No 65—Design Quality of Residential Flat Development**
- SEPP No 70—Affordable Housing (Revised Schemes)**
- SEPP (Building Sustainability Index: BASIX) 2004**
- SEPP (Exempt and Complying Development Codes) 2008**
- SEPP (Housing for Seniors or People with a Disability) 2004**
- SEPP (Infrastructure) 2007**
- SEPP (Affordable Rental Housing) 2009**

e) List any other matters that need to be considered :

The planning proposal's consistency with the relevant SEPPS and s117 directions are considered below.

STATE ENVIRONMENTAL PLANNING POLICIES

The planning proposal is generally consistent with the relevant SEPPs, or will need to be addressed to demonstrate consistency at the development application stage.

State Environmental Planning Policy 55 – Remediation of Land

This SEPP provides a State-wide approach to the remediation of contaminated lands (where appropriate). The SEPP provides direction and controls for rezoning proposals and development applications. Consent authorities must consider whether land is contaminated and if suitable for redevelopment.

The planning proposal states the site's historical use is residential, retail and motor showroom purposes and the proposed use will continue for commercial, retail and residential purposes. The Department recommends contamination studies be conducted at the development application stage and remediation plans be prepared where required.

The planning proposal is considered consistent with the relevant S117 Directions. A discussion of the key S117 Directions is provided below.

Direction 1.1 Business and Industrial Zones

The planning proposal is generally consistent with the Direction in that it aims to promote population growth and employment opportunities for retail, commercial and community purposes on site which will, in turn, support the viability of the Bondi Junction Town Centre. No change to the existing B4 Mixed Use zone is proposed.

Direction 2.3 Heritage Conservation

The planning proposal is inconsistent with this direction in that it proposes to delete the local heritage item on the site, which consists of four adjoining two storey late Victorian filigree terrace houses. This inconsistency could be justified if the Secretary agrees it is of minor significance and agrees the items should be removed from the heritage listing under the LEP, as proposed by the planning proposal.

To justify this inconsistency a revised Heritage Impact Statement (September 2016) has been provided to support the planning proposal. The Statement acknowledges the historic and aesthetic significance of the heritage item, and considers the contribution as not a rare but representative of housing in the period. The Statement concludes that the amenity of the existing terraces in terms of access, pollution and noise is considered to be very poor and the structures are showing the physical effects of significant subsidence.

The Panel's advice did not raise any issues with the proposed removal of heritage items. The Council's officer report supports the removal of the local heritage listing of the four terrace houses on Oxford Street and does not raise any concerns about its removal.

It is recommended that consultation with the Office of Environment and Heritage should be undertaken with regard to the proposed removal of the local heritage item.

Direction 3.4 Integrating Land Use and Transport

The objective is consistent with this Direction as it enables commercial and residential development in close proximity to jobs services, encourages walking, cycling and use of public transport utilising the nearby Bondi Junction rail system and bus interchange.

It is recommended consultation with Roads and Maritime Services is required to ensure the most appropriate integration and upgrade with existing transport infrastructure.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : The Planning Proposal contains maps which adequately show the subject land, the current and proposed zone. These maps are satisfactory for exhibition purposes. The planning proposal also provides a number of maps and images which show the site in context.

The proposed height of 36m is not reflected in the legend of the existing maps for Waverley LEP 2012. Council has submitted a new map to insert the new height of 36m specific to the site. However as the existing maps show 35 as V1 and 38 as V2. Mapping comments provided require the maps be updated to show 36 as V2 and 38 as V3. As such this will require the series of 'height of buildings' maps to be updated to reflect the change. The FSR maps will also introduce an FSR of 3.5:1 and will require the map series to be updated.

All Height of Building and Floor Space Ratio Map series need to be amended to include the new proposed development control height of 36m.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : The proposal has been subject of a pre-Gateway review and proposes a significant increase to height and FSR on the site as well as deletion of heritage items.

An exhibition of 28 days is considered appropriate for this proposal.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment : The proposal and supporting studies provide design and strategic information to support the site's future residential development.

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : The Waverley LEP was gazetted in December 2012.

Assessment Criteria

Need for planning proposal : The proposal is the result of a pre-gateway review that recommended the planning proposal progress to the Gateway determination stage as it has demonstrated strategic merit.

Ten key reasons for the planning proposal have been provided:

1. Expedite delivery of housing and employment targets by A Plan for Growing Sydney and the draft Central District Plan;
2. No apparent planning reason for the low regime in this area compared to the rest of Bondi Junction;

194-214 Oxford Street and 2 Nelson Street Bondi Junction

- 3. The western portion of Oxford Street needs urban renewal to take place;**
- 4. The location of the sites provides limited benefits to the community and redevelopment can address this;**
- 5. The existing traffic network in the vicinity of Oxford Street and York Road provide a poor urban form and conflicts with pedestrian and cyclist use;**
- 6. The existing site within the western precinct does not provide any publicly accessible space, outdoor seating, landscaping, pedestrian refuge from weather elements and redevelopment can address this;**
- 7. The development of the site, in conjunction with future development of neighbouring sites along Oxford Street will create a unified built form which connects to the tower buildings at the Bondi Junction Town Centre;**
- 8. Consolidation of the site will improve the presentation of the development when viewed from surrounding areas, that connects with Bondi Junction Town Centre to the east;**
- 9. Locality in terms of road network and its proximity to available active and public transport services, walking distance to Bondi Junction Town Centre, Bondi Junction train station and bus services, and cyclist pathways; and**
- 10. Result in an urban form of a height and scale which punctuate the western gateway entrance to Bondi Junction.**

As the proposal requests amendments to height and FSR controls to the site, amendments to the LEP cannot be progressed without a planning proposal.

Consistency with strategic planning framework :

The planning proposal demonstrates consistency with the strategic planning framework.

The proposal is consistent with the key strategic, state and local strategic studies and policies identified below:

- A Plan for Growing Sydney;
- Draft Central District Plan;
- Bondi Junction Urban Design Review;
- West Oxford Street Precinct Plan & Design Charrette Process;

A PLAN FOR GROWING SYDNEY

In December 2014, the State Government released A Plan For Growing Sydney, the strategic plan for Sydney over the next 20 years.

The proposal provides an analysis of its consistency with A Plan for Growing Sydney. The proposal is consistent with the following relevant goals, directions and actions of the Plan.

- Goal 1: A Competitive with world-class services and transport
- Direction 1.7: Growing Strategic Centres - providing more jobs closer to homes
- Action 1.7.1: Invest in Strategic Centres across Sydney to grow jobs and housing and create vibrant hubs of activity
- Goal 2: A city of housing choice, with homes that meet our needs and lifestyles
- Direction 2.1: Accelerate housing supply across Sydney
- Action 2.1.1: Accelerate housing supply and local housing choices
- Direction 2.2: Accelerate urban renewal across Sydney - providing homes closer to jobs
- Action 2.2.2: Undertake urban renewal in transport corridors which are being transformed by investment, and around strategic centres
- Direction 2.3: Improve housing choice to suit different needs and lifestyles
- Action 2.3.3: Deliver more opportunities for affordable housing
- Goal 3: A great place to live with communities that are strong, healthy and well connected
- Direction 3.1: Revitalise Existing Suburbs
- Action 3.1.1: Support urban renewal by directing local infrastructure to centres where there is growth
- Direction 3.3: Create healthy built environments
- Action 3.3.1: Deliver guidelines for a healthy built environment
- Priorities for Central District

The Plan identifies Bondi Junction as a strategic centre envisaged with the direction to grow strategic centres to provide more jobs closer to home.

DRAFT CENTRAL DISTRICT PLAN

The Draft Central District Plan (2016) was released on 21 November 2016 and is now a relevant consideration. The draft District Plan identifies the site to be located within the Bondi Junction 'district centre'. The proposal is consistent with the priorities of the district centre, as follows:

- enhances economic, social and environmental outcomes for the District;
- expand the function and type of land uses in the centre; and
- improve access from the centre of Bondi Junction to nearby open space and recreation facilities such as Centennial Park.

The district centres accommodate retail and local services for communities. The plan provides for retail floor space and demand in the Central District for higher concentrations of retail, housing and jobs co-located on the major transport corridors. The draft plan breaks down job targets for each district centre. Bondi Junction has a current estimated employment figure of 13,800 (2016 estimate). Future employment calculated on projected population growth and age profiles, broad economic conditions and trends, sector and industry outlooks and Greater Sydney's planned investments forecasts a 2036 baseline job target of 17,000 and a 2036 higher job target of 20,500. The proposal provides for intensified retail/commercial development fronting Oxford Street, providing an increase of jobs on the existing underutilised subject parcels of land.

The draft Central District Plan forecasts five year housing targets by local government area

(2016-2021). Waverley housing target is estimated to provide 1,250 additional dwellings. The Central District minimum 20 year housing targets (2016-2036) is estimated at 157,500 additional dwellings. The proposal demonstrates a yield of approximately 94 residential apartments, providing residential development that align with the estimated residential housing targets for the LGA and broader Central district.

BONDI JUNCTION URBAN DESIGN REVIEW

The Bondi Junction Urban Design Review (2012) was a review of the LEP and DCP controls of the Bondi Junction Centre, to assess the best approach for new development. The review highlights the need for the holistic management of development of the centre, and specifically addresses the western portion of the precinct, focusing on the area between Oxford Street and Syd Einfeld Drive to the west of Leswell Street.

The subject site is located within the identified western portion of the Bondi Junction strategic centre. The key recommendations of the review relate to permitting flexibility in land use, creating a framework to consider greater height, consistent with the proposed height amendment.

Council deferred any decision on the findings and recommendations of this study in order to prepare its own study for this precinct.

WEST OXFORD STREET PRECINCT PLAN & DESIGN CHARRETTE PROCESS

Council has undertaken its own study, by way of a design charrette, in consultation with State and Local Government agencies, including the NSW Department of Planning and Environment, Transport for NSW, NSW Roads and Maritime Services, State Transit Authority, Sydney Water, Randwick City Council and Woollahra Council. The outcomes of the design charrette were publically exhibited in 2014.

Recommendations in the draft charrette Report relevant to the current proposal include:

- a continuous six storey edge along Oxford Street with small footprint development up to nine storeys along the Syd Einfeld Drive frontage;
- varied floor space ratios to modulate built form along Oxford Street; and
- public domain improvements in and around the sites.

The revised design reduced the proposed building height and floor space ratio from 38m to 36m and 5:1 to 3.5:1 respectively. This revised plan appears to be arbitrarily based on one of the three design concepts submitted as part of Council's design charrette process.

Council has deferred adopting a final precinct plan until a decision on this planning proposal has been made.

Environmental social
economic impacts :

ENVIRONMENTAL

There are no known critical habitats, threatened species or ecological communities within the site or its surrounds which will be affected by the proposal.

SOCIAL

The proposal seeks to provide housing and retail uses within the Bondi Junction Strategic centre in close proximity to public transport, community facilities and the Sydney CBD. This will therefore improve housing choice to meet demand and lifestyle requirements of existing and future residents of this area.

The proposal will provide intensified development that will initiate the intended future movement to revitalise the western portion of the Bondi Junction, with support to the function and role of the strategic centre. The proposal will provide additional community infrastructure such as community space, improved parking, parks, and pedestrian and cycling links in accordance with the related urban design and precinct plan.

ECONOMIC

The proposed intensification of height and FSR controls will provide additional capacity for residential and retail development. The proposal will assist to retain the commercial core of Bondi Junction, providing retail floor space on the periphery of the centre.

Public Transport

The site is well serviced by public transport. The site is within the walking catchment of the Bondi Junction rail and bus interchange (approx. 650m), Edgecliff rail and bus interchange (approx. 1.2km), and frequent bus services along Oxford Street.

The proposal aims to improve connectivity with surrounding areas via proposed pedestrian links through the site, upgrading the pedestrian bridge over Syd Einfeld Drive, bicycle lane / traffic improvements and road widening along Oxford Street.

Traffic and Car Parking

The revised Traffic Study provides an assessment of current on street parking demand as well as the impact of the proposal on parking in the vicinity of the site. The traffic study concludes that the road network has capacity to accommodate the additional traffic generated by the proposal.

The proposal justifies that the impact of the traffic associated with the development could be further reduced with the provision of various measures such as safe cycle routes, efficient public transport, adequate bus accessibility, better pedestrian routes and crossing and restricting car parking provision.

It is noted the proposed car parking arrangement inclusive of proposed car parking spaces will need to be addressed at the development application stage in accordance with the Waverley DCP 2012 car parking controls.

Open Space and Community Facilities

Centennial Park is located directly adjacent to the subject sites which provide diverse opportunities for active and passive recreational activities. The proposal aims to provide a public plaza and pedestrian links within the site.

Overshadowing

The revised design reduced the proposed building height and floor space ratio from 38m to 36m and 5:1 to 3.5:1 respectively. The revised architectural drawings and associated shadow diagrams provide sufficient analysis that there is no additional impact created by the proposed tower forms onto residential properties at any time during the year. The shadow diagrams conclude the shadow impacts to be an 'acceptable' impact with mitigation measures provided through potential deliverable public benefit (VPA) via the following:

- Site A: Through site links, road widening, public domain upgrades; and
- Site B: Plazette, Osmund Lane upgrade into shared zone.

The proposed height and FSR is considered acceptable for the subject site, taking into consideration potential overshadowing impacts on surrounding land uses.

Design Excellence & Design Competition Controls

Draft draft Waverley Housekeeping Amendment 10 is currently with the Department for finalisation, which includes the introduction of a design excellence clause in the Waverley LEP 2012. This clause will apply to the subject site.

Rather than duplicating an additional Design Excellence Clause it is recommended that the draft clause is removed from the planning proposal prior to exhibition. A Design Competition Statement of Intent should replace the proposed clause in the planning proposal to require a design competition for the site. The 10% height and FSR bonuses, as identified in the draft provision in the planning proposal, are not supported and are considered to be contrary to the Panel's recommendation.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **12 months** Delegation : **RPA**

Public Authority : **Department of Education and Communities**
Consultation - 56(2)(d) : **Office of Environment and Heritage**
Energy Australia
Transport for NSW
Transport for NSW
Transport for NSW - Roads and Maritime Services
Sydney Water
Other

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

Other - provide details below

If Other, provide reasons :

No further studies are required.

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Planning Proposal.pdf	Proposal	Yes
Appendix 1 - Urban Design Report.pdf	Proposal	Yes
Appendix 2 - Architectural Report - 1 of 2.pdf	Proposal	Yes
Appendix 2 - Architectural Report - 2 of 2.pdf	Proposal	Yes
Appendix 3 - Traffic Report.pdf	Proposal	Yes
Appendix 4 - Proposed bicycle and pedestrian access letter.pdf	Proposal	Yes
Appendix 4 - Proposed bicycle and pedestrian access map.pdf	Proposal	Yes
Appendix 5 - Heritage Report.pdf	Proposal	Yes
Appendix 6 - Survey.pdf	Proposal	Yes
Appendix 7 - Public Benefit Order.pdf	Proposal	Yes
WLEP 2012 - Floor Space Ratio Map.pdf	Proposal	Yes
WLEP 2012 - Height of Building Map.pdf	Proposal	Yes
WLEP 2012 - Heritage Map.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **1.1 Business and Industrial Zones**
 2.3 Heritage Conservation
 3.1 Residential Zones
 3.4 Integrating Land Use and Transport
 5.1 Implementation of Regional Strategies
 5.2 Sydney Drinking Water Catchments
 6.1 Approval and Referral Requirements
 6.2 Reserving Land for Public Purposes
 6.3 Site Specific Provisions
 7.1 Implementation of A Plan for Growing Sydney

Additional Information : **It is recommended the planning proposal proceeds subject to the following conditions:**

1. Prior to exhibition, the planning proposal is to be updated as follows:
(a) the planning proposal is to be revised to demonstrate consistency with the Draft Central District Plan, released on 21 November 2016;
(b) the proposed LEP mapping and planning proposal be updated to reflect the correct SP2 Infrastructure zoning identified on the corner of Syd Einfield Drive and York Street;
(c) remove the proposed design excellence local provision including bonus provision scheme for undertaking a design competition;
(d) provide a statement of intent regarding a provision for an architectural design competition to apply to this site only; and
(e) a site specific draft DCP is to be exhibited with the planning proposal.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:
(a) the planning proposal must be made publicly available for a minimum of 28 days; and
(b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (NSW Department of Planning and Environment 2016).

3. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant section 117 Directions:
• **Woollahra Council;**
• **Randwick Council;**
• **Office of Environment and Heritage;**
• **Transport for NSW;**
• **Roads and Maritime Services;**
• **Energy Australia;**
• **Sydney Water;**
• **Department of Education and Communities,**
• **Centennial Park and Moore Park Trust;**
• **NSW Ministry of Health; and**
• **Centennial Park and Moore Park Trust**

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

4. The Design Competition Process should address:
• **the mix of commercial and residential appropriate for proposed commercial/retail podiums;**
• **overshadowing of surrounding area including Centennial Park;**
• **the impact on heritage items in the vicinity of the site; and**
• **the building envelope.**

The architectural design competition should be conducted in accordance with the Design

194-214 Oxford Street and 2 Nelson Street Bondi Junction

Excellence Guidelines as issued by the Secretary and amended from time to time.

5. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

6. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Supporting Reasons :

The Panel recommended that the proposal be submitted for a Gateway determination.

The proposal demonstrates strategic and site-specific merit. It is generally consistent with objectives and directions under A Plan for Growing Sydney, relevant State Environmental Planning Policies, section 117 Directions and local policies. It is also generally consistent with the recently released draft Central District Plan.

The subject site is situated within a highly urbanised environment, with convenient access to public transport and retail services, in a location that has been earmarked for high density residential and mixed use development for some time. The proposal encourages development that will support housing growth and job opportunities within Bondi Junction strategic centre.

Signature:



Printed Name:

MARTIN COOPER

Date:

7/12/2016

