

Waverley LEP 2012 - Rezone land at 96-122 Ebley St, Bondi Junction, and the adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use and amend the floor space ratio controls (0 jobs and 39 dwellings)

Proposal Title : **Waverley LEP 2012 - Rezone land at 96-122 Ebley St, Bondi Junction, and the adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use and amend the floor space ratio controls (0 jobs and 39 dwellings)**

Proposal Summary : **The Planning Proposal seeks to amend the Waverley Local Environmental Plan (LEP) 2012 for 96-122 Ebley Street, Bondi Junction, and the adjoining road reserves by:**
 - rezoning the site and adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use;
 - increasing the floor space ratio (FSR) from 4:1 to 5:1 for land at 96-108 Ebley Street; and
 - introducing a minimum non-residential FSR of 3.5:1 for the land (excluding serviced apartments).

PP Number : **PP_2017_WAVER_002_00** Dop File No : **17/08035**

Proposal Details

Date Planning Proposal Received : **20-Jun-2017** LGA covered : **Waverley**

Region : **Metro(CBD)** RPA : **Waverley Council**

State Electorate : **COOGEE** Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **96-104 Ebley Street**

Suburb : **Bondi Junction** City : **NSW** Postcode : **2022**

Land Parcel :

Street : **106-108 Ebley Street**

Suburb : **Bondi Junction** City : **NSW** Postcode : **2022**

Land Parcel :

Street : **110-122 Ebley Street**

Suburb : **Bondi Junction** City : **NSW** Postcode : **2022**

Land Parcel :

Street :

Suburb : City : Postcode :

Land Parcel : **Adjoining Ebley Street and Hollywood Avenue road reserves**

Waverley LEP 2012 - Rezone land at 96-122 Ebley St, Bondi Junction, and the adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use and amend the floor space ratio controls (0 jobs and 39 dwellings)

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 : **George Bramis**
Contact Number : **0290838000**
Contact Email : **george.bramis@waverley.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name : **Martin Cooper**
Contact Number : **0292746582**
Contact Email : **martin.cooper@planning.nsw.gov.au**

Land Release Data

Growth Centre :	Release Area Name :
Regional / Sub Regional Strategy :	Consistent with Strategy :
MDP Number :	Date of Release :
Area of Release (Ha) :	Type of Release (eg Residential / Employment land) :
No. of Lots : 0	No. of Dwellings 39 (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 with 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 seeks to amend the Waverley Local Environmental Plan (LEP) 2012 for 96-122 Ebley Street, Bondi Junction, and the adjoining road reserves by:
- rezoning the site and adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use;

Waverley LEP 2012 - Rezone land at 96-122 Ebley St, Bondi Junction, and the adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use and amend the floor space ratio controls (0 jobs and 39 dwellings)

- increasing the floor space ratio (FSR) from 4:1 to 5:1 for land at 96-108 Ebley Street; and
- introducing a minimum non-residential FSR of 3.5:1 for the land (excluding serviced apartments).

The site is currently zoned B3 Commercial Core with a maximum building height of 32m, a FSR of 4:1 on 96-108 Ebley Street and a FSR of 6:1 on 110-122 Ebley Street, Bondi Junction.

Indicative development concept plans have been provided with the Planning Proposal, demonstrating a proposal across the amalgamated site, with active ground floor uses, modern commercial floor space, and residential apartments on upper levels.

The proposal will provide an increase in jobs provided compared to existing uses. It estimates a redeveloped site would support 1634 jobs comprising 647 direct and 987 indirect jobs and 248 construction jobs (compared to the existing 755 jobs supported by the existing development or the 2,135 jobs if the site was fully developed for commercial purposes under the current planning controls). The proposal will provide approximately 39 new dwellings.

The subject site is located within the Bondi Junction Centre and comprises five (5) allotments with a total site area of approximately 3,300 sq m. The site is located directly adjacent and to the south of the Bondi Junction Westfield shopping complex.

Three of the lots are in private ownership and two lots are owned by separate individual owners and are strata titled. Existing development on the site includes a mix of two and three storey commercial developments and a four storey mixed use building (with shop top housing) at 108 Ebley Street.

The proposal considers the existing buildings are approaching the end of their economic life and residential development is necessary to cross subsidise the redevelopment of the subject site and generate any increase in the existing 755 jobs supported by the existing development. An Economic Impact Assessment and Feasibility Analysis has been provided to support the proposal.

BACKGROUND

The initial Planning Proposal submitted to Council on 31 March 2016 sought to amend the Waverley LEP 2012 in relation to the subject site to:

- rezone the site from B3 Commercial Core to B4 Mixed Use;
- increase the maximum building height from 32m to 35m;
- increase the FSR on part of the site (96-108 Ebley Street) from 4:1 to 5:1;
- introduce a non-residential FSR of 2:1 on the site.

The initial proposal with a non-residential FSR of 2:1 sought to provide approx. 143 dwellings. However, it would reduce the commercial floor space from 6749 sqm to 6452.4 sqm. Therefore, it was recommended by Council staff that the non-residential FSR be increased to above 2:1 to ensure both residential and commercial forecasts were addressed.

The proponent amended the proposal following Council's initial review, to include a 4.5m land dedication for footpath widening of Ann Street from ground to third floor in the concept plans and increased the maximum building height sought from 35m to 39m to allow for an extra storey.

On 6 December 2016, Waverley Council considered the proposal and supported amendments to Waverley LEP 2012 in respect of 96-122 Ebley Street, Bondi Junction being submitted to the Department for Gateway determination, subject to the following conditions:

Waverley LEP 2012 - Rezone land at 96-122 Ebley St, Bondi Junction, and the adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use and amend the floor space ratio controls (0 jobs and 39 dwellings)

- (a) the proposed change in height from 32m to 39m is not supported;
- (b) the proposed increase in FSR from 4:1 to 5:1 is supported;
- (c) the Planning Proposal is amended to provide an increased non-residential FSR from 2:1 to 3.5:1 to replace the current commercial floor space that would be lost as a result of this Planning Proposal and provide additional capacity for future growth in line with strategic planning objectives;
- (d) restrictions be placed on the non-residential FSR to prohibit certain uses such as serviced apartments which would be inconsistent with employment generating uses;
- (e) the proposed land dedication to Council - a 4.5 setback from the western boundary on Ann Street, is expanded so as to apply across all floors;
- (f) the Planning Proposal and supporting documentation be updated to reflect the amendments as agreed with Council and required by the resolution; and
- (g) the proponent's offer and intent to enter into Planning Agreement negotiations is noted and that Council and the proponent will engage in the planning agreement negotiation process.

The Planning Proposal has been updated to reflect the modifications as outlined in Council's resolution.

ZONING OF THE COMMERCIAL CORE IN BONDI JUNCTION CENTRE

The land zoned for B3 Commercial Core in the Bondi Junction Centre has gradually been reduced over recent years since the commencement of LEP 2012.

In 2013, Council undertook an urban design review of the Bondi Junction Centre which resulted in the amendment of the planning controls applying to Bondi Junction (Amendment No. 2).

In this amendment, sites to the west of Newland Street, the block east of Bronte Road, west of Ann Street, north of Ebley Street and south of Gray Street, Bondi Junction were rezoned from B3 Commercial Core to B4 Mixed Use to permit residential development, which has led to a reduced the area of the B3 Commercial Core in Bondi Junction.

The draft East Sub-Regional Strategy (2008) identified Bondi Junction as a Major Centre and regarded this location as an area for major job growth. However, the new draft Central District Plan (2016) has changed the classification of Bondi Junction centre from Strategic Centre, as identified in A Plan for Growing Sydney(2014), to District Centre.

On 6 December 2016, Council resolved to support the Planning Proposal subject to amendments. The Planning Proposal has been updated to reflect the modifications as outlined in Council's resolution.

Council is seeking delegation to carry out the Minister's plan-making functions under section 59 of the Environmental Planning and Assessment Act 1979 (the EP&A Act). Delegation is considered appropriate as the matter is of local significance.

External Supporting
Notes :

Adequacy Assessment

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

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

Comment :

The objective of the Planning Proposal is to rezone land and amend / introduce associated development standards to encourage urban renewal that will deliver employment and housing outcomes consistent with Bondi Junction's role as a District Centre.

The Planning Proposal aims to locate additional housing and jobs in close proximity to public transport services and community facilities; enhance the public domain/streetscape amenity; introduce development controls that result in economically feasible development and minimise impacts on existing development.

Waverley LEP 2012 - Rezone land at 96-122 Ebley St, Bondi Junction, and the adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use and amend the floor space ratio controls (0 jobs and 39 dwellings)

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

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

Comment : The Planning Proposal seeks the following amendments to land at 96-122 Ebley Street, Bondi Junction under the Waverley LEP 2012:

- rezone land from B3 Commercial Core to B4 Mixed Use;
- increase floor space ratio controls from 4:1 to 5:1 for 96-108 Ebley Street, Bondi Junction (part of the site);
- introduce a minimum non-residential floor space ratio of 3.5:1 (and exclude serviced apartments).

It is proposed to amend Clause 4.4A Exceptions to Floor Space Ratio, to add a new subclause as follows:

(2) Despite clause 4.4, for land 96-122 Ebley Street, being Lot 1 DP 733362, Lot 1 DP 568524; SP 32529; SP 22095 and Lot 6 DP 749904.

(a) The non-residential floor space ratio for all buildings must not be less than 3.5:1.

(b) The non-residential floor space must not include 'Serviced Apartments'.

It is noted that the clause will also need to be amended to apply to the B4 Zone. Prior to exhibition it is recommended that the proposal be amended to include a plain english explanation of the proposed amended clause to help address this matter.

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

4.1 Acid Sulfate Soils

4.3 Flood Prone Land

4.4 Planning for Bushfire Protection

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? **Yes**

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

d) Which SEPPs have the RPA identified?

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

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 (Affordable Rental Housing) 2009

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

SECTION 117 DIRECTION 1.1 BUSINESS AND INDUSTRIAL ZONES

The objectives of this Direction are to encourage employment growth in suitable locations, protect employment land in business and industrial zones and support the viability of identified centres. This Direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone.

The Planning Proposal is considered to be inconsistent with s.117 Direction 1.1 as it potentially reduces the floor space area for employment uses by rezoning the sites from B3 Commercial Core to B4 Mixed Use and retains only a minimum 3.5:1 floor space ratio

Waverley LEP 2012 - Rezone land at 96-122 Ebley St, Bondi Junction, and the adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use and amend the floor space ratio controls (0 jobs and 39 dwellings)

for commercial development. The direction requires areas and locations of existing business and industrial zones to be retained and not reduce the total potential floor space areas for employment uses in business zones.

Although the proposal will result in a minor loss of potential commercial floorspace under the current controls, the proposed non-residential FSR of 3.5:1 in the B4 Mixed Use zone will retain the majority of the existing potential floor space capacity for commercial use. As noted in the supporting Economic Impact Assessment and Feasibility study, it is unlikely that the site would be redeveloped for commercial uses alone as it is seen as being not feasible and not valuable enough to displace the existing uses.

Given the above, the inconsistency with this direction is considered justified as:

- the proposal will facilitate the redevelopment of the site for a mixed use development, including commercial development, which will help generate additional jobs that would otherwise not be created under the current controls;
- the planning proposal does not reduce the overall amount of land zoned for business purposes; and
- meets the objectives of the direction with regard to retaining capacity to provide for employment uses and floor space for commercial development, and will not impact on Council's ability to meet its employment targets.

It is recommended the Secretary's delegate agrees that the inconsistency is justified for the reasons outlined above.

The proposal is considered to be generally consistent with all other s.117 directions the relevant State Environmental Planning Policies.

GREATER SYDNEY COMMISSION

The Greater Sydney Commission (GSC) was briefed about this proposal. The Commission did not object the to proposal given the retention of significant employment potential on the land and having regard to the location of this land to the south of the Westfield retail centre which adjoins residential uses to the south, subject to the retention of the minimum 3.5:1 non-residential component (excluding serviced apartments).

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 mapping provided is considered adequate for the purposes of the planning proposal.

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : Community consultation for a minimum period of 28 days is recommended.

Additional Director General's requirements

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

If Yes, reasons :

Waverley LEP 2012 - Rezone land at 96-122 Ebley St, Bondi Junction, and the adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use and amend the floor space ratio controls (0 jobs and 39 dwellings)

Overall adequacy of the proposal

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

If No, comment : **Yes, the proposal is considered adequate and sufficient detail has been provided.**

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Waverley LEP 2012 was notified in October 2012.**

Assessment Criteria

Need for planning proposal :

The planning proposal site is located within the Bondi Junction Centre, which was the subject of the following recent strategic studies and reports commissioned by Council:

- Bondi Junction Floor Space Study (2015) by SGS Economics and Planning; and
- Bondi Junction Urban Design Review (2013) by City Plan Services.

BONDI JUNCTION FLOOR SPACE STUDY

The Bondi Junction Floor Space Study (the Study) completed in 2015 by SGS Economics and Planning, provides data on floor space demand to 2036 for Bondi Junction. Key findings of the Study were:

- there is a growing demand in Bondi Junction for both employment floor space and residential floor space;
- an additional 97,332m² of employment floor space will be needed in Bondi Junction by 2036 to accommodate increased demand, representing a 19% increase from what exists; and
- an additional 116,127m² of residential floor space, or 1,054 additional dwellings will be required in Bondi Junction by 2036 to accommodate increased demand.

The proposal is consistent with the key findings of the study as it will facilitate the development of additional commercial floor space, jobs and residential dwellings.

BONDI JUNCTION URBAN DESIGN REVIEW

The Bondi Junction Urban Design Review (Review) completed by City Plan Services in 2013 reviewed sites in the Bondi Junction Centre, tested the sites for rezoning and reviewed the height limits and floor space ratios, including the subject site. The Review specifically recommended the planning proposal site not be rezoned to mixed use and raised the issue of future land use conflict should the site be rezoned from B3 Commercial Core to B4 Mixed Use.

The urban design review had recommended that there be no change to heights, FSR or zoning of sites between Hollywood Ave and Bronte St that front Ebley St and that front Hollywood Ave between Waverley Street and Ebley St as these sites are contiguous with the commercial core and add considerable critical mass to the core. It was considered that a change to zoning from B3 Commercial Core to B4 Mixed Use would set up a conflict with the sites to the north (for residential solar access). Council considered the original Planning Proposal as prepared by the proponent to be consistent with some of the recommendations of the review. Therefore, it was resolved that no change in height be supported and that the non-residential FSR be increased to 3.5:1 in order to address the inconsistencies with the studies.

Waverley LEP 2012 - Rezone land at 96-122 Ebley St, Bondi Junction, and the adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use and amend the floor space ratio controls (0 jobs and 39 dwellings)

Consistency with strategic planning framework :

Whilst the proposal is inconsistent with the direction of the review to protect the commercial core zoned areas, this inconsistency is considered justified because:

- there is no reduction in the overall amount of land zoned for business purposes;
- the proposal will help facilitate the redevelopment of the site and increase commercial floor space and jobs;
- the rezoning will not compromise the operational viability of remaining adjacent employment lands; and
- the rezoning to mixed use is required to cross subsidize and facilitate the redevelopment of the site.

Environmental social economic impacts :

A planning proposal is necessary to change the zoning from B3 Commercial Core to B4 Mixed Use and amend the development standards. The planning proposal aims to facilitate urban renewal on the site and is supported by a feasibility analysis.

A Plan for Growing Sydney (2014)

A Plan for Growing Sydney sets out the priorities for the Bondi Junction Centre as:

- to work with Council to retain a commercial core in Bondi Junction as required, for long term employment growth; and
- work with council to provided capacity for additional mixed-use development in Bondi Junction including offices, retail, services and housing.

The planning proposal is consistent with the goals and objectives of A Plan for Growing Sydney that encourage residential development and provide additional mixed use development, however it will reduce the commercial core zoning in the Bondi Junction Centre.

Council has supported the Planning Proposal on the basis of a non-residential FSR of 3.5:1 on the site, which will retain the majority of the existing potential commercial floor space on the site and ensure that there is sufficient capacity to provide for increased employment opportunities.

Draft Central District Plan:

The draft Central District Plan identifies the Bondi Junction Centre as a District Centre. The plan states that District Centres generally have a scale of retail activity over 50,000 sqm of floor space; the presence of health and education facilities and a level of transport services. District Centres generally have between 5,000-10,000 jobs.

The draft Plan sets a jobs target of between 17,000 and 20,500 to 2036 for Bondi Junction.

The main priorities for Bondi Junction under the draft plan include:

- consider potential options for future public transport connections to the south east of the District;
- expand the function and type of land uses in the centre including attracting A-Grade office tenants and knowledge intensive jobs;
- improve access from the centre of Bondi Junction to nearby recreation facilities; and
- recognise the centre's health attributes to support the Randwick Health and Education Precinct.

The draft Central District Plan has changed the classification of Bondi Junction centre from Strategic Centre, as identified in A Plan for Growing Sydney, to District Centre. The previous East subregional strategy had identified Bondi Junction as a Major Centre and regarded this location as an area for major job growth.

The proposal is supported by a feasibility study, that assesses the redevelopment of the site under the current planning controls it is not feasible for commercial uses alone.

The development concept indicates that it can accommodate 12,543 sq m of non-residential floor space for commercial and retail uses and provide for a net increase in employment when compared to the existing land uses. The resulting development will

Waverley LEP 2012 - Rezone land at 96-122 Ebley St, Bondi Junction, and the adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use and amend the floor space ratio controls (0 jobs and 39 dwellings)

contribute towards Waverley's housing and jobs targets and will deliver housing and jobs in a location that is well serviced and has good access to public transport.

ENVIRONMENTAL

The subject site is located in an urbanised area and does not contain any known critical habitat or threatened species, populations, ecological communities or their habitats.

HERITAGE

The site is not a heritage item or located within a heritage conservation area. The site is located in close proximity to several heritage items and conservation areas. Any development application lodged for the site will need to address impacts upon nearby heritage items and conservation areas to ensure any development will not detract from the significance of the area. It is also recommended that the Office of Environment and Heritage be consulted as part of the Planning Proposal process in regard to this issue.

TRAFFIC & TRANSPORT

The site is located in an area well serviced by public transport. The Bondi Junction train and bus interchange are located within walking distance of the site. The proposal is accompanied by a traffic assessment which notes that the Planning Proposal will generate more traffic than the existing development on the site. However, it is considered that the additional traffic generated on the site will be of a minor nature and will not impact on the operational performance of the intersections in the vicinity of the site.

SOCIAL & ECONOMIC

The Planning Proposal will increase housing choice and supply in an area with access to jobs, services and good public transport, while ensuring the operational viability of remaining adjacent employment lands is not compromised.

An economic impact assessment and feasibility study undertaken to support the proposal concludes that there is growing pressure on the existing commercial, retail and residential floorspace in the centre due to Bondi Junction being a high demand area to live. In order to support the increase in population, there is a high demand for commercial and retail land uses. The subject site is considered to be approaching the end of their economic life cycle. In order for the site to be redeveloped to provide contemporary retail and commercial floorspace, residential uses are necessary for the renewal to occur.

Given there is no height increase proposed, there will be no additional shadowing impact associated with the proposed development. However, it is noted that Westfield Bondi Junction is a key site with development potential to increase to 60m in height and an FSR of 8:1. Westfield is located directly to the north of the site. There may be potential overshadowing and servicing from development on the Westfield site, that could impact the amenity of the subject site in the future. This is an important consideration for the subject site if it is developed for residential accommodation. The report considers that all proposed residential units on the site will receive at least 2 hours of sunlight from the northern direction and a SEPP 65 consideration will form part of any future development application. The non-residential FSR of 3.5:1 was also recommended by Council to address the issue of the amenity of future residential apartments on the site, to ensure the residential component is provided on the upper levels to provide for improved solar access.

Waverley LEP 2012 - Rezone land at 96-122 Ebley St, Bondi Junction, and the adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use and amend the floor space ratio controls (0 jobs and 39 dwellings)

Assessment Process

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

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) **Office of Environment and Heritage**

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. :

If Other, provide reasons :

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
Request for GD Letter.pdf	Proposal Covering Letter	No
PP 2017.pdf	Proposal	No
Appendix 3 - Traffic Impact Assessment April 2017.pdf	Study	No
Appendix 4 - Economic Impact Assessment May 2017.pdf	Study	No
Appendix 5 - Council Resolution dated 6 December 2017.pdf	Proposal	No
Ebley St PP Info Checklist.pdf	Proposal	No
Appendix 1 - Survey Plan.pdf	Proposal	No

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

Waverley LEP 2012 - Rezone land at 96-122 Ebley St, Bondi Junction, and the adjoining Ebley Street and Hollywood Avenue road reserves from B3 Commercial Core to B4 Mixed Use and amend the floor space ratio controls (0 jobs and 39 dwellings)

- 4.1 Acid Sulfate Soils
- 4.3 Flood Prone Land
- 4.4 Planning for Bushfire Protection
- 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 that the Planning Proposal proceeds subject to the following conditions:

1. Prior to exhibition, amend the proposed subclause 4.4A Exceptions to Floor Space to provide an explanation of intent rather than a specifically worded clause and include reference to the rezoning of the Ebley Street and Hollywood Avenue road reserves.
2. The planning proposal must be made publicly available for a minimum of 28 days.
3. Consultation is required with the Office of Environment and Heritage.
4. A public hearing is not required under 56(2)(e).
5. The timeframe for completing the LEP is to be 9 months from the week following the Gateway determination.
5. The Secretary's delegate determine that the inconsistency with the s.117 direction 1.1 Business and Industrial zones is justifiably inconsistent.

Supporting Reasons : The proposal is supported, as it will:

- deliver additional housing and jobs in close proximity to public transport services and community facilities;
- enhance the public domain and streetscape amenity;
- protect the commercial floor space across the site; and
- not reduce the overall amount of land zoned for business purposes.

Signature: _____

Printed Name: _____

Craig Dugg

Date: _____

20/7/17