

Waverley (Bondi Junction Centre) LEP 2010 - Rezone land at 241-245 Oxford Street and 4-12 Waverley Street, Bondi Junction

Proposal Title :	Waverley (Bondi Junction Centre) LEP 2010 - Rezone land at 241-245 Oxford Street and 4-12 Waverley Street, Bondi Junction		
Proposal Summary :	The amendment proposes to rezone 241-245 Oxford Street and 4-12 Waverley Street, Bondi Junction from B3 Commercial Core to B4 Mixed Use in the Waverley (Bondi Junction Centre) LEP 2010. No change to other LEP controls such as Floor Space Ratio or height controls are being sought.		
PP Number :	PP_2011_WAVER_002_00	Dop File No :	11/18264

Proposal Details

Date Planning Proposal Received :	05-Oct-2011	LGA covered :	Waverley
Region :	Sydney Region East	RPA :	Waverley Council
State Electorate :	COOGEE	Section of the Act :	55 - Planning Proposal
LEP Type :	Spot Rezoning		

Location Details

Street :	241-245 Oxford Street		
Suburb :	Bondi Junction	City :	Sydney
Land Parcel :	Lots A and B in DP 328963, Lot 1 in DP 786484, Lot 2 in DP 829369 and Lot 72 in DP 211181		
Street :	4-12 Waverley Street		
Suburb :	Bondi Junction	City :	Sydney
Land Parcel :	SP 38414		
Street :	0		
Suburb :	0	City :	0
Land Parcel :	0		

DoP Planning Officer Contact Details

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RPA Contact Details

Contact Name : **Alex Sarno**
 Contact Number : **0293698000**
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DoP Project Manager Contact Details

Contact Name :
 Contact Number :
 Contact Email :

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro East subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	
No. of Lots :	5	No. of Dwellings (where relevant) :	0
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment : **The Department of Planning's Code of Practice in relation to communications and meetings with Lobbyists has been complied with. Sydney Region East has not met any lobbyist in relation to this proposal, nor has the Regional Director been advised of any meetings between other departmental officers and lobbyists concerning this proposal.**

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes : **This Planning Proposal has been prepared following Council's consideration of a request by the property owner of 241-245 Oxford Street, Bondi Junction, to rezone the site in order to allow residential development. Council resolved to support the proposal and also rezone the adjoining site at 4-12 Waverley Street as this site contains a non-conforming residential use in the current zone.**

The Oxford Street site is an irregularly shaped group of 5 lots with an area of 2,755m2, which is currently occupied by small scale retail use. The Waverley Street site is Strata

Plan 38414.

The land is currently zoned B3 Commercial Core under Waverley LEP (Bondi Junction Centre) 2010 (BJC LEP) and is located on the periphery of the Commercial Core zone adjacent to land zoned B4 Mixed Use and R4 High Density Residential.

The proposal does not seek an increase to the current LEP height of 60m and FSR of 7:1. Land adjacent to the subject land at 251-257 Oxford St is currently zoned B4 Mixed Use and carries a height of 60m and FSR of 6:1.

During the preparation of the draft Bondi Junction Centre LEP (gazetted in May 2010), Council proposed the subject land be zoned B4 Mixed Use. The land was originally intended to form a transitional zone between the intense commercial development to the West and high density residential development to the East.

Studies by Leyshon Consulting (2004) and Connell Wagner (2006) commissioned by Council identified that Council may not be able to meet Metropolitan Strategy employment targets through providing positive incentives for high grade commercial development in Bondi Junction.

At this time, the Department conducted an analysis of the FSR controls required to deliver the Metropolitan Strategy employment targets. This analysis concluded that it would be appropriate to deliver higher FSRs for office development, expand the area zoned B3 Commercial Core, and delete Council's clause requiring at least 50% of GFA for office or retail purposes in the B4 zone.

Further analysis of FSR controls in the Bondi Junction Centre was conducted by AJC consulting (2009). This study concluded that there is a lack of large sites needed to accommodate the large floor plates required for high grade commercial development.

Accordingly, the subject land was included in the expansion of the Commercial Core and is zoned B3 in the BJC LEP.

External Supporting
Notes :

Adequacy Assessment

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

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

Comment : The objective is firstly to enable residential uses in addition to the already permissible commercial/retail uses on the portion of the land being 241-245 Oxford Street, and secondly, to accommodate an existing non conforming residential use of the land being 4-12 Waverley St.

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

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

Comment : Amendment seeks to rezone the subject land from B3 Commercial Core to B4 Mixed Use under Waverley LEP (Bondi Junction Centre) 2010.

Justification - s55 (2)(c)

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

b) S.117 directions identified by RPA :

1.1 Business and Industrial Zones

3.1 Residential Zones

* May need the Director General's agreement

3.4 Integrating Land Use and Transport

7.1 Implementation of the Metropolitan Plan for Sydney 2036

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

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

d) Which SEPPs have the RPA identified? **N/A**

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

Have inconsistencies with items a), b) and d) being adequately justified? **N/A**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment :

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Community consultation will be in accordance with the Gateway determination and Council envisages that the proposal will be exhibited while the draft Comprehensive Waverley LEP 2011 (Waverley DLEP) is on exhibition during October and November 2011.**

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 provides adequate information.**

Proposal Assessment

Principal LEP:

Due Date : **June 2012**

Comments in relation to Principal LEP : **Section 65 Certificate issued on 27 September 2011 for Waverley LEP 2011 (Waverley DLEP). Public exhibition of the Waverley DLEP between 19 October and 30 November 2011. Section 68 submission scheduled for 25 February 2012.**

Assessment Criteria

Need for planning proposal : **The applicant originally sought that the amendment be made prior to the exhibition of the Waverley DLEP. However, due to the advanced state of the draft Comprehensive LEP, Sydney Region East suggested that a planning proposal be prepared and exhibited separately to the draft comprehensive LEP.**

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Consistency with strategic planning framework :

Draft East Sub-Regional Strategy:

The proposed LEP will contribute to meeting residential dwelling targets as established by the Draft East Sub-Regional Strategy (DESRs). Council analysis of dwelling provision in the LGA indicates that a total of 2,728 dwellings can be provided in response to a target of 2,200 dwellings.

Conversely, this proposal will reduce Council's ability to reach the DESRS employment targets. However, council advised that the impact of the rezoning will be negligible and further advises that the Bondi Junction Centre LEP currently provides adequate planning controls for the 2,000 jobs set in the DESRS.

Council has also been encouraged to proceed with a built form study of the Bondi Junction centre as advised in the section 70 notification letter for Waverley (Bondi Junction Centre) LEP 2010. This study will be used to further investigate height and FSR controls to best deliver additional employment capacity, respond to the topography of the area, achieve good urban design that reflects existing built form and reduce impacts on nearby residential development.

Metropolitan Plan for Sydney 2036:

The proposal is consistent with directions in the draft plan calling for additional residential development located in areas with good access to strategic centres and transport.

Waverley Together 2 (Community Strategic Plan for 2010 – 2022):

The Planning Proposal will allow a mixed use development on the site. This will increase the quantity of high density apartment stock in the municipality for people who choose to live in close proximity to the services and public transport available in the Bondi Junction Centre.

Environmental social economic impacts :

Environmental Impact

The Bondi Junction Centre does not include any areas of critical habitat or threatened species, populations or ecological communities to which this proposal will effect.

Social and Economic Impacts

Consultants for the land owner of 241-245 Oxford Street advise that during design development of potential commercial schemes for the site it was identified that a viable commercial tower would result in a negative impact on the adjacent residential tower at 4-12 Waverley Street.

Viable commercial use requires a large floor plate, however the irregular shape of this site does not provide for design options that would achieve a minimal impact, including sufficient separation from the adjacent residential tower or have any flexibility to address view loss.

A residential use can be accommodated within a smaller floor plate, therefore a mixed use design could locate a residential tower further from adjacent residential towers and provide a building form to reduce environmental impact.

In terms of broader environmental effects of the proposed rezoning, the site sits at an interface between the Bondi Junction commercial core and high density residential areas to the East. A mixed use interface between these two zones is a sensible land use for the site to act as a transitional zone.

The proposal does not seek an amendment to the current LEP height of 60m and FSR of 7:1. Land adjacent the subject land at 251-257 Oxford St is currently zoned B4 Mixed Use and carries a height of 60m and FSR of 6:1. Therefore, the proposed zoning, height and FSR controls are comparable to adjacent land.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **14 Days**

Timeframe to make LEP : **9 Month** Delegation : **DDG**

Public Authority Consultation - 56(2)(d)

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
ProposalCoverLetter.pdf	Proposal Covering Letter	Yes
PlanningProposal.pdf	Proposal	Yes
DraftProposalMap.pdf	Map	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**
3.1 Residential Zones
3.4 Integrating Land Use and Transport
7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information : **It is recommended that:**

- 1. The planning proposal be supported;**
- 2. Adjust draft LEP map to include length of Hollywood Ave rezoned B4 Mixed Use as a result of spot rezoning;**
- 3. That the Planning Proposal be considered as routine and exhibited for a period of 14 days;**

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- 4. No Consultation is required with State or Commonwealth public authorities;
- 5. A public hearing is not required;
- 6. The timeframe for completing the LEP is to be 9 months from the week following the date of the Gateway determination.

Supporting Reasons :

The proposal is consistent with the directions in the Metropolitan Plan 2036 which recommends additional residential development in areas with good access to transport and strategic centres.

Signature:



Printed Name:

ROSALIND LOUIS Date: 20-10-2011