

SUBMISSION REQUESTING GATEWAY DETERMINATION

241-245 OXFORD STREET & 4-12 WAVERLEY STREET **BONDI JUNCTION**

INTRODUCTION

This Planning Proposal (PP) 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 in a similar manner as this site is a non conforming use in the current zone.

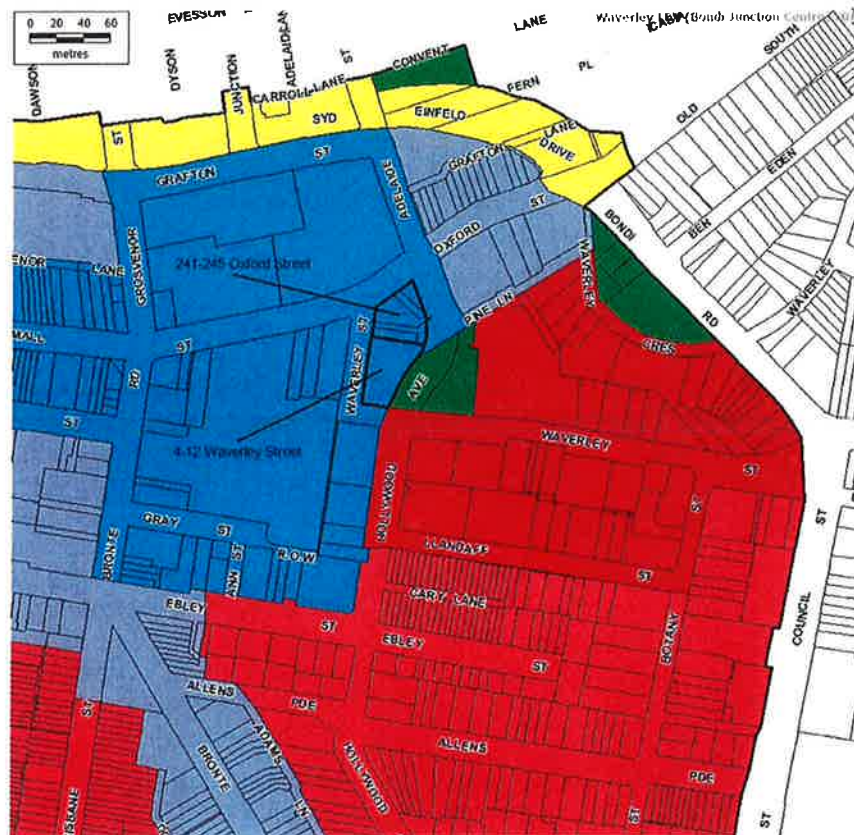
The PP has been prepared in accordance with Section 55 of the EP&A Act, 1979 as well as the NSW Department of Planning publications "*A Guide to Preparing Planning Proposals*" and "*A Guide to Preparing Local Environmental Plans*". The PP explains the intent of and justification for the proposed amendment of Waverley Local Environmental Plan (LEP) (Bondi Junction Centre) (BJC) 2010 as it applies to the subject site. The proposal requests a Gateway Determination under the provisions of Section 56 of the Environmental Planning & Assessment (EP&A) Act 1979.

THE SITE

The land is located at 241-245 Oxford Street and 4-12 Waverley Street Bondi Junction. The site is irregularly shaped with an area of 2,755m² and consists of six lots being Lots A and B in DP 328963, Lot 1 in DP 786484, Lot 2 in DP 829369 and Lot 72 in DP 211181 and land in Strata Plan 38414 and is identified on the map below.

The land is bounded by Oxford Street to the north, Hollywood Avenue to the east, Waverley Street to the South and Waverley Street Mall to the west. The land is currently zoned B3 Commercial Core under Waverley LEP (Bondi Junction Centre) 2010 and is located on the periphery of the Commercial Core zone adjacent to land zoned B4 Mixed Use and R4 High Density Residential.

Part of the subject land is developed with a number of 1 and 2 storey shops, a café and other commercial uses and is substantially underdeveloped in terms of its current planning regime allowing a commercial development of 60m in height with an FSR of 7:1. The remainder of the site is developed with a "non conforming" use being the 13 storey "Stanford" mixed use development. The residential tower is set back from the boundary and sits on an equivalent 3 storey podium housing a number of shops and commercial uses.



SURROUNDING DEVELOPMENT

To the north/west on the opposite side of Oxford Street there is the equivalent 4-5 storey Westfield Plaza (Oxford Street is restricted to bus and taxis only in this location). The land in this location is zoned B3 Commercial Core.

To the north/east, on the northern side of Oxford Street (Oxford Street has unrestricted traffic in this location) there are a series of underdeveloped 2 storey retail/commercial buildings which are earmarked for high rise mixed use development in the near future. On the southern side of Oxford Street, there is a high rise mixed use development. The land in both these locations is zoned B4 Mixed Use.

To the east and south/east on the opposite side of Hollywood Avenue, exist several residential towers up to 20 stories in height, two of which have ground floor commercial and retail uses. The land in these locations is zoned R4 High Density Residential. In front of the residential towers fronting onto Hollywood Ave, there is a small reserve (Eora Reserve) zoned RE1 Public Recreation.

To the south on the opposite side of Waverley Street there are high rise commercial office developments. The land in this location is zoned B3 Commercial Core.

To the south/west and west on the opposite side of Waverley Street on the corner with Oxford Street, there are several underdeveloped 2 storey retail/commercial developments (Waverley Street is closed to vehicular traffic in this location and is developed as a landscaped pedestrian mall). Beyond these buildings is the southern portion of the Westfield Plaza.

ZONING HISTORY OF THE SITE

The subject land is currently zoned B3 Commercial Core under Waverley LEP (Bondi Junction Centre) 2010. The zoning permits a variety of commercial and retail uses but prohibits residential development. However this was not Council's original intention for the site. The land was originally zoned 3(a2) under Waverley/Woollahra Joint LEP 1991, a zoning which permitted mixed commercial/residential developments. Similarly, land to the south (Stanford apartment block) was also zoned 3(a2).

During the preparation of the Bondi Junction draft LEP, Council proposed the site, along with land directly to the south and north-east be zoned B4 Mixed Use. These sites were originally intended to form a transitional zone between the intense commercial development to the west and high density residential development to the east. The B3 Commercial Core zone was essentially limited to the Westfield site and land along Oxford St Mall. The draft LEP was exhibited on the first occasion in November 2007 in this manner.

Following the decision to re-exhibit the draft LEP Council requested the Department of Planning (DoP) to issue a new Section 65 Certificate. In December 2008, a new certificate was issued conditional upon a number of amendments, one being the expansion of the B3 Commercial Core zone.

As Bondi Junction is a Sub Regional Centre and a potential major employment hub, the DoP's strategy was to protect lands capable of generating employment opportunities from being developed with other uses. The strategy also focused on the encouragement of "A" grade office space being office developments with a floor plate of over 1,000m². The expansion of the B3 Commercial Core zone occurred along Hollywood Street, Ebley Street and to the west of the original B3 Commercial Core zone. It should be noted that the expansion included the subject land along with the "Stanford" apartment block site.

As Bondi Junction was always intended to be a mixed use centre and Council was also interested in creating employment opportunities, no objection was raised to this condition and the draft Bondi Junction LEP was re-exhibited accordingly in April 2009. The plan ultimately took effect in May 2010.

PLANNING PROPOSAL

Part 1 – Objectives or Intended Outcomes

This submission seeks the support of the Department of Planning and Infrastructure to rezone the subject land from B3 Commercial Core to B4 Mixed Use under Waverley LEP (Bondi Junction Centre) 2010.

The overall outcomes of this submission are firstly to enable residential uses in addition to the already permissible commercial/retail uses on the underdeveloped portion of the land being 241-245 Oxford Street, in order to provide greater flexibility to developing this site. Secondly, to regularise an existing non conforming use on part of the land being 4-12 Waverley St.

Being zoned B3 Commercial Core with a 60m height and a FSR of 7:1 under the Waverley (Bondi Junction) LEP 2010, 241-245 Oxford St is underutilised in terms of its zoning and development potential under the LEP.

Part 2 – Explanation of Provisions

The provisions that are sought to be amended through this Planning Proposal relate to a change in land use zone from B3 Commercial Centre to B4 Mixed Use under Waverley LEP (Bondi Junction Centre) 2010. The rezoning if successful, would allow the site to be developed for residential purposes along with retail and commercial uses on the lower levels.

This submission seeks no change to other LEP controls such as Floor Space Ratio or height controls.

It is noted that Council is currently awaiting receipt of a Section 65 Certificate from the Department of Planning and Infrastructure (DoPI) to enable the draft Waverley Comprehensive LEP to be placed on public exhibition. It is intended that, should this Planning Proposal be supported, that the exhibition of this spot rezoning will occur concurrently, but separate to, the draft Waverley Comprehensive LEP.

Part 3 – Justification

Section A – Need for the Planning Proposal

1 – Is the PP a result of any strategic study or report?

Bondi Junction has been identified as a major centre within the Metropolitan Plan and as a result is an area where higher development is encouraged as reflected in the Waverley LEP (BJC) 2010. Preparation of the Bondi Junction LEP was undertaken to address the varied land use related actions that are noted in the Council's Strategic Plan and Management Plan as well as satisfying the DoPI's requirements as set out in the Metropolitan Plan and East Sub-Region Draft Sub-Regional Strategy.

As explained above, Council's original intention in the preparation of the Bondi Junction LEP, was to zone the subject land B4 Mixed Use and the draft plan was originally exhibited in this manner. The zoning was changed as a result of a condition on the amended Section 65 Certificate and the draft plan was re-exhibited and ultimately made with the new zone of B3 Commercial Core.

While this Planning Proposal did not result from any specific strategic study or report, it simply seeks to reinstate Council's original intent to zone the subject site B4 Mixed Use.

In addition, the applicant states in his application that "there is no current and future market need to develop the site for commercial office space. There is however a feasible mixed use residential/retail project that through the new zone could be built immediately. This would have obvious benefits that would flow through to existing businesses in the centre, patronage levels to public transport investment and the overall amenity and appearance of the centre from this key eastern gateway".

2 – Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

In early discussions between Council, the applicant and the DoPI, the applicant sought that the amendment be made prior to the exhibition of the Draft Waverley Comprehensive LEP 2011 due to the relatively minor nature of the amendment. However, due to the advanced state of the Comprehensive LEP, the DoPI suggested that a Planning Proposal be prepared and exhibited separately to the Comprehensive LEP process.

Council has prepared the draft Comprehensive Waverley Local Environmental Plan 2011 (WLEP 2011) in line with the Department of Planning's Standard Instrument template and is

awaiting the Section 65 Certificate the DoPI to place it on exhibition. It is understood the issue of this certificate is imminent. Given the advanced status of the draft Comprehensive LEP, consideration of the Planning Proposal as part of the Comprehensive LEP would invariably delay the issue of the certificate and prevent the draft plans' exhibition this year.

Given the Planning Proposal request is consistent with the Council's original intent for this land, it is not considered appropriate to await gazettal of the Comprehensive LEP to commence the rezoning process. As such, a planning proposal can be undertaken concurrently with the Draft Comprehensive Waverley LEP 2011.

In addition, the Planning Proposal will allow a viable development to proceed immediately rather than be delayed awaiting completion of the Comprehensive LEP.

3 – Is there a net community benefit?

The Planning Proposal has been prepared in accordance with the Department of Planning and Infrastructure's 'A guide to preparing a planning proposal' (July 2009) which provides the basis for the net community benefit test.

As this is a rezoning to permit a use otherwise prohibited within the zone, the Net Community Benefit Test is considered appropriate and was undertaken by the applicant as indicated by the first two columns in Table 1 below. Council officers have provided comment as indicated in the third column.

KEY CRITERIA	ASSESSMENT	COUNCIL OFFICER'S COMMENTS
<i>Will the LEP be compatible with agreed State and regional strategic direction for development in the area (e.g. land release, strategic corridors, development within 800 metres of a transit node)?</i>	The proposed LEP will contribute to meeting residential dwelling targets as established by the Metropolitan Plan for Sydney 2036. 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. This is 24% over the target. In terms of the loss of potential employment generation in the Centre, reporting undertaken for the Bondi Junction Centre LEP 2010 indicates projected Bondi Junction job generation at 9,551 jobs to 2031, representing some 430% over the 2,000 jobs set in the Metropolitan Plan 2036. This proposal will possibly reduce the target by approximately 2.8% (269 jobs). In the context of the significant existing capacity within the centre to easily exceed its employment target, the impact of the rezoning will be negligible	Agreed. Council officer's analysis indicates that the Comprehensive LEP has the capacity to deliver both the residential and employment targets. The rezoning of this site will have negligible impact on the employment numbers and will slightly improve the residential numbers. Rezoning the "Stanford" residential apartment block site, should it also be included, will have no impact on employment or residential generation numbers as this is a substantial, strata titled development and unlikely to redevelop in the foreseeable future.

KEY CRITERIA	ASSESSMENT	COUNCIL OFFICER'S COMMENTS
	in terms of employment targets.	
<i>Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?</i>	The LEP is located in the Major Centre of Bondi Junction, identified for an employment capacity target of an additional 2,000 jobs to 2036 in the Metropolitan Plan for Sydney 2036. The residential target for the Centre according to the Draft LEP report to Council (7 December 2010) is 2,200 new dwellings. As stated above the proposal will positively contribute to the housing target and not hinder the achievement of the employment targets.	Agreed. As above.
<i>Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?</i>	The site had previously been adopted by Council for a B4 Mixed Use zone in Council's preparation of the Waverley LEP (Bondi Junction Centre) 2010 process, however the B3 Commercial Core zone boundary was revised by DoPI in the revised draft for public exhibition. This demonstrates that the Council officers and Council accept that the site is well suited for residential uses as it performs a transitional role from the residential area to the east to the commercial core to the west. As shown in Figures 4 and 5 [of the planning proposal], the site is surrounded by mixed use residential tower developments and therefore a B4 zoning would permit land uses that are compatible with the surrounding urban context.	The rezoning of this site may instigate other property owners to request a similar zoning change. However, this site is unique in that it is isolated from other development sites and was originally intended to provide a transition between the intense commercial activity to the west and high density residential development to the east. If this Planning Proposal is supported, the zoning of the "Stanford" apartment block site should also be considered as this substantially residential development is incongruous with its zoning and logically should also be zoned B4 Mixed Use. The "Stanford" is located at 4-12 Waverley Street, being Strata Plan 38414 and occupies the remainder of the street block bounded by Waverley St, Hollywood Avenue and the subject

KEY CRITERIA	ASSESSMENT	COUNCIL OFFICER'S COMMENTS
<i>Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?</i>	Other spot rezonings being considered in the LGA include a request to permit Dual Occupancy in R3 – Medium Density Residential Zone in the Bondi Junction Centre. Being applicable to the R3 zone, it is not considered that this proposal will have any effect on that Planning Proposal.	site. Agreed. In addition, Council has recently prepared a Comprehensive LEP and the zoning of all land in the municipality has been considered. Council is confident that it will meet its responsibilities under the Metropolitan Plan and East Subregion Draft Subregional Strategy and the Planning Proposal will not alter this position.
<i>Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?</i>	This proposal will result in a negligible loss of potential employment lands given the LEP zoning will facilitate four times the employment envisaged in the Metropolitan Plan target. This is addressed in Section 5.2 [of the Planning Proposal].	Agreed.
<i>Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?</i>	This proposal will result in the increase of potential residential land in the LGA and therefore increase supply and affordability in the area. This is addressed in Section 5.2 [of the Planning Proposal].	Agreed.
<i>Is the existing public infrastructure (roads, rail, utilities) capable of servicing the proposed site? Is there good pedestrian and cycling access? Is public transport currently available or is there infrastructure capacity to support future public transport?</i>	The FSR or height controls of the proposal are not intended to change through this proposal. Considering the site's location at the interface of a higher density residential area, the existing public infrastructure is considered to be capable of servicing the needs of the proposal. The site is within walking distance of the Bondi Junction rail / bus interchange station, being approximately 500m to the east of Bondi Junction station. It is connected by a strong pedestrian and cycle network to adjoining areas and destination locations.	Agreed.

KEY CRITERIA	ASSESSMENT	COUNCIL OFFICER'S COMMENTS
<i>Will the proposal result in changes to the car distances travelled by customers, employees and suppliers? If so, what are the likely impacts in terms of greenhouse gas emissions, operating costs and road safety?</i>	Considering the expected high supply of commercial floor space in the Bondi Junction Centre, the provision of residential uses adjoining these future employment lands provides the opportunity to locate housing in close proximity to potential new jobs. This creates the opportunity to reduce car travel in the area.	Agreed.
<i>Are there significant Government investments in infrastructure or services in the area whose patronage will be affected by the proposal? If so, what is the expected impact?</i>	There are no significant Government investments in infrastructure or services that are expected to be negatively affected by the increased residential density in the centre.	Agreed.
<i>Will the proposal impact on land that the Government has identified a need to protect (e.g. land with high biodiversity values) or have other environmental impacts? Is the land constrained by environmental factors such as flooding?</i>	It is not considered that there are any significant environmental constraints to the already developed site.	Agreed.
<i>Will the LEP be compatible / complementary with surrounding land uses? What is the impact on amenity in the location and wider community? Will the public domain improve?</i>	As identified, the site is at the interface of the Commercial Core, Mixed Use and High Density Residential Zone of Bondi Junction Centre. The proposed Mixed Use zone is therefore complimentary to the site's context. In terms of amenity and public domain, it is not expected that the proposal will be incompatible with its surrounds as the ground floor uses are not envisaged to change.	Agreed. As stated above, this site was originally intended to provide a transition between the intense commercial activity to the west and high density residential development to the east. A mixed use development on this site would be compatible/complementary with all surrounding land uses. Impacts of a residential development as opposed to a commercial development upon existing neighbouring buildings are discussed later in this report.
<i>Will the proposal increase choice and competition by increasing the number of</i>	The proposal seeks to include residential uses as being permissible at the site and will	Agreed.

KEY CRITERIA	ASSESSMENT	COUNCIL OFFICER'S COMMENTS
<i>retail and commercial premises operating in the area?</i>	therefore not affect choice and competition on retail and commercial premises.	
<i>If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?</i>	The proposal is part of the Bondi Junction town centre.	Agreed.
<i>What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?</i>	The proposal is in the public interest as it adds to potential residential stock and therefore addresses affordability and housing choice issues. The reduction in possible commercial floor space is negligible in terms of the overall provision of proposed commercial floor area in the centre. The Planning Proposal should proceed in order to be publicly exhibited in line with the Comprehensive LEP 2011.	Agreed. The applicant has advised that there is interest in developing the site as a mixed use development. The Planning Proposal will allow redevelopment to occur sooner rather than later.

Section B – Relationship to Strategic Planning Framework

1 – Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub regional strategy?

Yes. Bondi Junction is identified as a major centre within the Metropolitan Plan with a target of 2,000 additional new jobs by 2036. In terms of 2006 base employment, Bondi Junction provided 12,000 jobs. A floor space analysis of underdeveloped sites in Bondi Junction indicates that there is potential for an additional 238,778sqm of commercial floor space in the centre.

Assuming a split of 20% retail and 80% commercial and adopting employment generation rates of 50sqm/person for retail and 19sqm/person for commercial, produces a potential total future employment capacity of 9,551 jobs to 2036. This figure indicates that the current planning regime would fully satisfy the employment target set by the strategy.

In terms of dwelling provision, according to the Metropolitan Plan for Sydney 2036, Waverley LGA is required to provide an extra 2,200 dwellings by 2031. A review of residential zones undertaken as part of preparation of the Waverley Comprehensive LEP along with an analysis of potential capacity in the Bondi Junction Centre indicates that there is potential for an additional 2,728 dwellings in the LGA meeting the target set by the strategy.

The applicant has provided an analysis of the impact on the objectives and actions of the subregional strategy for a site of 1,297sqm and a possible maximum gross floor area of 9,079sqm. This indicates that possible jobs under the existing B3 zoning are:

- GF retail: 1,297sqm @ 70% efficiency = 907.9sqm @ 50sqm / job = 18 jobs
- Commercial Tower: 7,782 sqm @ 85% efficiency = 6225.6sqm @ 19sqm / job = 327 jobs
- Total jobs: 345

In terms of the 9,079sqm gross floor area under a B4 zoning, possible job generation might be in the order of:

- GF retail: 1,297sqm @ 70% efficiency = 907.9sqm @ 50sqm / job = 18 jobs
- L1 commercial: 1,297sqm @ 85% efficiency = 1102.5sqm @ 19sqm / job = 58 jobs
- Total jobs: 76 (reduction in 269 jobs)

This rezoning proposal will reduce the employment capacity by 2.8% and result in the potential total future employment capacity being 9,282 jobs – still well above the Metropolitan Plan target. This scale of reduction will not undermine the role and function of Bondi Junction Centre.

Conversely, assuming an approximate dwelling size of 80sqm with a building efficiency of 85%, the remaining 6,485sqm of residential floor space could provide over 69 new dwellings. This would increase the number of dwellings by around 2.5%. This rezoning therefore has the potential to reinforce the role of Bondi Junction as a major centre by providing additional housing opportunities and hence the opportunity for “*Growing and Renewing Centres*” and “*locating at least 80 per cent of all new housing within the walking catchments of existing and planned centres of all sizes with good public transport*”¹.

2 – Is the planning proposal consistent with the local council's Community Strategic Plan or other Local Strategic Plan?

Council has been working on the Waverley Planning Review which entails the preparation of the comprehensive LEP and associated DCP. The comprehensive LEP was prepared in accordance with Council's overarching strategic documents, including Waverley Together 2 (WT2) (Council's community Strategic Plan for 2010 – 2022). Considering Council's original position as to the planning framework over this site as a B4 Mixed Use zone, it is considered that this amendment is consistent with the aims and objectives of the draft plan and therefore Council's Community Strategic Plan.

In addition, there are two specific actions in WT2 that are relevant to this proposal. They are:

Sustainable Communities – action C3a: Promote a mix of housing types in new developments, including housing that is affordable and accessible.

Response: The Planning Proposal if successful 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.

Sustainable Living – action L1a: Reinforce Bondi Junction's role as a regional centre and a focus for retail, hospitality, business, commercial and professional services and entertainment activities.

¹ Metropolitan Plan for Sydney 2036 – Strategic Direction B: Growing and Renewing Centres

Response: The applicant advises that “there is no current or future need to develop the site for commercial office space. There is however a feasible mixed use residential/retail project that through the new zone could be built immediately.” Allowing a mixed use development to proceed now would contribute to the vitality of the centre particularly through the introduction of additional residents and retail customers who would use the services available in the centre.

3 – Is the planning proposal consistent with applicable state environmental planning policies?

No State Environmental Planning Policies are applicable.

4 – Is the planning proposal consistent with the applicable Ministerial directions (s. 117 directions)

Section 117 considerations are considered in Table 2, below.

TABLE 1 – RELEVANT S117 CONSIDERATIONS

DIRECTION	ASSESSMENT
1.1 Business and Industrial Zones Objectives (1) The objectives of this direction are to: (a) encourage employment growth in suitable locations, (b) protect employment land in business and industrial zones, and (c) support the viability of identified strategic centres. What a relevant planning authority must do if this direction applies (4) A planning proposal must: (a) give effect to the objectives of this direction, (b) retain the areas and locations of existing business and industrial zones, (c) not reduce the total potential floor space area for employment uses and related public services in business zones, (d) not reduce the total potential floor space area for industrial uses in industrial zones, and (e) ensure that proposed new employment areas are in accordance with a strategy that is approved by the Director-General of the Department of Planning.	Whilst mindful that the proposal reduces the total floor space for commercial uses in a business zone, the overall Bondi Junction Town Centre is projected to well exceed the Metropolitan Plan employment targets. In that context the modest reduction in the employment floorspace will have a negligible impact on Council in achieving its targets. It is also noted that the B4 Zone requires a mix of uses and the intention is for the first two levels of the site to be used for retailing in order to continue the street level activity and vibrancy for this key corner site. This therefore will result in the future development contributing to real growth in employment over the current level within the existing buildings.
3.1 Residential Zones Objectives (1) The objectives of this direction are: (a) to encourage a variety and choice of housing types to provide for existing and future housing needs,	The proposal is consistent with the objectives to: ▪ broaden the choice of housing types; ▪ make more efficient use of infrastructure;

DIRECTION

- (b) to make efficient use of existing infrastructure and services and ensure that new housing has appropriate access to infrastructure and services, and
- (c) to minimise the impact of residential development on the environment and resource lands.

What a relevant planning authority must do if this direction applies

- (4) A planning proposal must include provisions that encourage the provision of housing that will:
 - (a) broaden the choice of building types and locations available in the housing market, and
 - (b) make more efficient use of existing infrastructure and services, and
 - (c) reduce the consumption of land for housing and associated urban development on the urban fringe, and
 - (d) be of good design.
- (5) A planning proposal must, in relation to land to which this direction applies:
 - (a) contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and
 - (b) not contain provisions which will reduce the permissible residential density of land.

3.4 Integrating Land Use and Transport Objectives

- (1) The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:
 - (a) improving access to housing, jobs and services by walking, cycling and public transport, and
 - (b) increasing the choice of available transport and reducing dependence on cars, and
 - (c) reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and
 - (d) supporting the efficient and viable

ASSESSMENT

- be of good design and
- not reduce the permissible residential density of any land

This proposal will increase housing near existing and future employment areas thus reducing dependence on cars. The proposal will also provide additional residential development in close walking distance to the railway station increasing the patronage levels to this public infrastructure.

DIRECTION	ASSESSMENT
operation of public transport services, and (e) providing for the efficient movement of freight. What a relevant planning authority must do if this direction applies (4) A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of: (a) <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and (b) <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).	
6.3 Site Specific Provisions Objective (1) The objective of this direction is to discourage unnecessarily restrictive site specific planning controls. What a relevant planning authority must do if this direction applies (4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either: (a) allow that land use to be carried out in the zone the land is situated on, or (b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or (c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended. (5) A planning proposal must not contain or refer to drawings that show details of the development proposal.	This proposal does not include any site-specific planning provisions.
7.1 Implementation of the Metropolitan Plan for Sydney 2036 Objective (1) The objective of this direction is to give legal effect to the vision, transport and land use strategy, policies, outcomes and actions contained in the Metropolitan Plan for Sydney 2036.	Metropolitan Planning – Planning proposals is consistent with the NSW Government's Metropolitan Strategy Regional Planning – The Centres and Corridors chapter of the East Subregion Draft

DIRECTION

What a Relevant Planning Authority must do if this direction applies

(1) Planning proposals shall be consistent with:

(a) the NSW Government's Metropolitan Plan for Sydney 2036 published in December 2010 ("the Metropolitan Plan").

ASSESSMENT

Subregional Strategy (ESDSS) contains two actions that are relevant to this Planning Proposal. They are:

B2.1.1: East Councils to investigate appropriate locations for residential development within centres for their Principal LEPs – Waverley and Woollahra Council to continue to investigate opportunities for mixed use development within walking catchment of Bondi Junction Station (however, priority should be given to establishment a commercial core area within immediate vicinity of the station to accommodate future office development).

Response: The Planning Proposal satisfies this action as it will facilitate a mixed use development within walking distance of the bus/rail interchange. While reducing the extent of the Commercial Core zone, there is still sufficient capacity within the zone to accommodate future office development particularly of grade "A" standard.

B3.4.1: Waverley Council to implement a structure plan to achieve a mix of activities within Bondi Junction, including retention of a designated commercial core area surrounding the Transport Interchange.

Response: A commercial core zone has been established in the centre surrounding the bus/rail interchange. While the Planning Proposal will reduce the extent of the zone, there will still remain 160,000m² of office floor space capacity within the zone.

Section C – Environmental, Social and Economic Impacts

1 – Is there any likelihood that critical habitat or threatened species, will be adversely affected as a result of the proposal?

The WLEP (BJC) 2010 does not include any areas of critical habitat or threatened species, populations or ecological communities to which this proposal will effect.

2 – Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The applicant advised that during design development of potential commercial schemes on the site it was identified that a viable commercial tower would result in negative environmental impact on the adjacent multi-unit residential tower immediately south of the subject site. As a

viable commercial use requires a large floor plate, there is therefore little opportunity on this site to provide a well resolved design of low environmental impact that would enable sufficient separation from the Stamford residential tower or have any flexibility to address view loss.

A residential use can be accommodated within a smaller floorplate therefore any future scheme can locate the tower element further from adjacent residential and provide a building form to reduce environmental impact.

In terms of broader environmental effects of the proposed rezoning, the site sits at an important interface between the Bondi Junction commercial core and high density residential areas to the east. A mixed use interface between these two zones is therefore a sensible land use response for the site to resolve these interface issues.

3 – How has the planning proposal adequately addressed any social and economic effects?

In terms of potential social and economic impacts, the proposal will result in a reduction in capacity of commercial floor space of less than 2.8%. However, total capacity still remains high.

Conversely, in terms of dwelling targets, Council's projected surplus of 24% would be increased by 2.5% (approximately 69 dwellings).

In addition, there is no current and future market need to develop the site for commercial office space. The applicant advises that there is however a feasible mixed use residential/retail project that through the new zone could be built immediately. This would have obvious benefits that would flow through to existing businesses in the centre, patronage levels to public transport investment and the overall amenity and appearance of the centre from this key eastern gateway.

The requested changes are not contentious as the proposal does not seek an increase to the current LEP height and FSR controls, thus there already is an expectation that a large floorplate multi-level office tower could be built on the site.

Section – D State and Commonwealth Interests

1 – Is there adequate public infrastructure for the planning proposal?

No additional infrastructure is considered necessary for the proposal.

Part 4 – Community Consultation

The proposal is considered low impact given residential uses in a Mixed Use zone were envisaged by Council in the earlier version of the Bondi Junction LEP. The proposal is consistent with existing uses in the area and the strategic framework, presents no issues with regard to infrastructure servicing, is not a principal LEP and does not reclassify public land.

Community consultation will be in accordance with the Gateway determination and it is envisaged that the proposal will be exhibited concurrently with the Comprehensive Waverley LEP 2011.

Annexure

Council Report

Submission from Applicant

Maps