

RECOMMENDATION:

That Council:

1. Notes the submission of a planning proposal to amend the Waverley Local Environmental Plan 2012 in respect of 203–209 Bronte Road and 94 Carrington Road, Waverley, lodged by Knight Frank, as amended on 5 February 2019.
2. Notes the advice given by the Waverley Local Planning Panel on 16 April 2019.
3. Notes that a Rezoning Review for this Planning Proposal was lodged by the proponent on 22 March 2019, which is to be considered by the Sydney Eastern City Planning Panel in May/June 2019.
4. Forwards the Planning Proposal to the Department of Planning and Environment for a Gateway Determination to proceed to formal public exhibition, subject to the following amendments:
 - (a) The proposed change in maximum permissible height from 9 m to 18 m is not supported.
 - (b) The proposed change in maximum permissible FSR from 1:1 to 2.65:1 is not supported.
 - (c) Increase the maximum permissible height of buildings of Lot B DP 332733 from 9 m to 10.5 m.
 - (d) Increase the maximum permissible height of buildings of Lot A DP 332733 & Lot A DP 105665 from 9 m to 13 m.
 - (e) Increase the maximum permissible FSR across all lots to 1.5:1.
 - (f) New site-specific provisions to further guide the built form of these sites, including setback upper levels and a defined public square.
 - (g) A minimum non-residential FSR of 0.6:1 to replace the current commercial floorspace and provide additional capacity to accommodate the retail and commercial objectives of the proposal and support the commercial role of Charing Cross centre.
 - (h) Restrictions be placed on the non-residential FSR to prohibit certain uses such as serviced apartments, which would be inconsistent with employment generating uses.
5. Places the Planning Proposal on public exhibition in accordance with any conditions of the Gateway Determination, should that be approved by the Department of Planning and Environment.
6. Notes that specific mechanisms to lock-in the public square and any other public benefits, such as a site-specific DCP and Additional Local Provision, in the LEP will be drafted following exhibition and prior to reporting back to the Strategic Planning and Development Committee.

Accepts the role of the Planning Proposal Authority from the Department of Planning and Environment, if offered, to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979* in relation to the making of the amendment.