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10 September 2018

Amanda Harvey  
Director - Sydney Region East  
Department of Planning and Environment  
Sydney Region East  
GPO Box 39  
Sydney NSW 2001

Dear Amanda,

## **REQUEST FOR REZONING REVIEW FOR PLANNING PROPOSAL - 122 BRONTE ROAD, BONDI JUNCTION**

### **1. INTRODUCTION**

On behalf of Rimon Field Pty Ltd (the Proponent), we hereby request a Rezoning Review of a Planning Proposal submitted to Waverley Council (the Council) on 12<sup>th</sup> January 2018. The Planning Proposal seeks to amend the zoning, maximum building height and floor space ratio controls under the *Waverley Local Environmental Plan 2012* (WLEP) as it applies to 122 Bronte Road, Bondi Junction (the Site).

The intent of the Planning Proposal is to:

- Rezone the site from SP2 Infrastructure to B4 Mixed Use;
- Increase the maximum floor space ratio from 2:1 to 5:1; and
- Increase the maximum building height from 15m to 28m.

The Planning Proposal is sought to facilitate the redevelopment of the site to accommodate a new mixed use serviced apartment scheme with retail/café use at the ground floor.

The design concept is to progress an adaptive reuse and extension to the existing heritage building on site, to accommodate a 7-storey building, comprising approximately 62 serviced apartments, ground floor reception uses, ancillary café/retail use and associated car parking for staff.

The Rezoning Review request has been initiated by the Proponent as a result of the decision by Council at the Strategic Planning and Development Committee (SPDC) on 7<sup>th</sup> August 2018, to not support the increase of the maximum floor space ratio (FSR) and building height controls as sought in the Planning Proposal.

This was on the grounds that:

*“The proposed increase in height and FSR development standards would permit a built form that would:*

- a) Be inconsistent with the current and desired future character of the area.*
- b) Have a detrimental impact on the character of the heritage item.*
- c) Have an adverse impact upon the character of the Botany Heritage Conservation Area.*
- d) Have adverse amenity impacts upon the streetscape and nearby residential developments.*

At the SPDC meeting, Council resolved to support an alternative Council Initiated Planning Proposal.

This alternative Planning Proposal was prepared by Council Officers, which did not seek to amend the FSR or height of building controls at the site, but which sought to the following amendments to the WLEP:

- Rezone the site from SP2 to B4 Mixed Use; and
- Amend the Active Street Frontages Map to apply to the Bronte Road frontage of the site.

As part of this resolution Council identified that they would accept the role of Planning Proposal Authority for the alternative Planning Proposal if offered by the Minister, and would undertake the public exhibition should Gateway Determination be granted by the NSW Department of Planning and Environment (DPE).

Council also anticipated that a minimum non-residential floor space ratio would be applied to the site as part of a separate Planning Proposal process.

The Proponent does not support the Council Initiated Planning Proposal and considers that the Proponent initiated Planning Proposal should process to Gateway Determination. This is because the proposed amendments to the FSR and height of building controls for the site are fully justified and would facilitate the ongoing relevance of the building with a contemporary adaptive reuse, which can provide high quality serviced apartments and new uses at ground level to promote an active street frontage.

Accordingly, this request for a Rezoning Review is prepared in accordance with Section 5.1 of ‘A guide to preparing local environmental plans’ and includes an overview of the site and its context, strategic and site-specific merit of the proposal and a summary of the engagement with Council.

This letter is accompanied by the following documentation:

- A copy of the Planning Proposal and supporting documentation as lodged;
- A copy of the relevant correspondence with Council;
- A copy of the Council Report to SPDC and Council Minutes from SPDC; and
- A completed Rezoning Review Application Form.

## 2. SITE CONTEXT

The site comprises a single storey brick building on the corner of Bronte Road and Birrell Street in Bondi Junction (see Figure 1 below – site outlines in blue). The building is the former Waverley Post Office Building, built in c1887, which was converted to Waverley's first Telephone Exchange around 1893. The building constitutes the listing for the locally significant heritage item I246 under the WLEP. The legal description of the site is Lots 5-7, Section 2, DP185 and the site area extends to 657.9sqm.

A more modern brick building adjoins the site to rear, which has an approximate 5/6 storey street wall presence. This also forms part of the Waverley Telephone Exchange operated by Telstra, which continues that function and does not form part of the site for this Planning Proposal. The existing fire stairs which serve that building fall within the Proposal site, but are not affected by this proposal.

There are a variety of land uses surrounding the site, including the Edina Nursing Home and Uniting War Memorial Hospital to the south, whilst detached 2/3 storey residential properties and residential flat buildings lie to the east of the site. A modern 4 storey shop-top housing development is situated to the west of the site on the opposite side of Bronte Road, and adjoining the site to the north is the existing brick built Waverley Telephone Exchange Offices.

Other uses in the area include a single storey electronic component retailer 'Jaycar' on the south west corner of the Bronte/Birrell intersection. There are a range of building heights and mix of residential and commercial uses further north on Bronte Road, with the heights of building increasing towards the centre of Bondi Junction.

Figure 1 – Aerial Photograph of Site (January 2018)



Source: Urbis

### **3. SUMMARY OF PLANNING PROPOSAL**

#### **3.1. INTENDED OUTCOME**

The existing use at the site for Telstra offices will not continue as the building is now surplus to requirements. As such, an opportunity is presented to redevelop the site which is located on a major route at the entrance to Bondi Junction. The proposal will assist in meeting the needs of the visiting and tourist population staying in the locality through providing new serviced accommodation apartments. Furthermore, the proposed ground floor retail/café use will serve to activate the street frontage and benefit from the increased footfall stemming from the proposed development.

The rezoning and amending of the controls would also ensure the ongoing relevance of the building, as the concept design seeks to adaptively reuse the building and retain the heritage façade, to create a strong podium that contributes a richness in materiality, juxtaposing the retention of the heritage with a contemporary proposal. This will ensure the heritage character of the existing building is maintained for future generations.

The intended outcome is to amend the Waverley Local Environmental Plan 2012 to enable the redevelopment of part of the former Waverley Telephone Exchange at No.122 Bronte Road, for a mix of uses including ground level retail/café and serviced accommodation on the upper floors.

To achieve the desired outcome, the zoning, FSR and height of building controls within the WLEP will need to be amended, such that the future development can address the strategic qualities of the site and provide a suitable built form response.

The Planning Proposal seeks the following amendments to WLEP:

- To rezone the site from Zone SP2 Infrastructure to Zone B4 Mixed Use
- To introduce a new maximum FSR of 5:1
- To introduce a new maximum height of building control of 28m

#### **3.2. CONCEPT PROPOSAL**

MHND Union Architects have prepared an indicative concept for the site, which has had considerable input from heritage specialist Stephen Davies, of Urbis. The design was refined following the lodgement of a previous Planning Proposal at the site by the Proponent in August 2017. The previous proposal sought a more significant potential built form outcome, with a proposed FSR of 7.1:1 and a maximum height of building of 43m.

Following lodgement of the previous Planning Proposal, Council Officers advised that although the proposed rezoning was supported, the height and FSR controls were not contextually appropriate to the surrounding built form and would allow a built form that is larger than other recently approved DAs in the area. Consequently, the Planning Proposal was withdrawn in December 2017 to allow an amended proposal to be worked up and lodged.

The Proponent considers that the current built form on the site fails to respond positively to the opportunities provided by such a strategic location at this entrance to Bondi Junction. The design concept for the site includes the following key principles:

- To create a new identity for the site with a new modern building as an entry point into Bondi Junction;
- Achieving the future redevelopment of the site to provide a high quality, serviced apartment development, which provides a critical mass and assists in meeting the current and future market requirements;
- Promoting an adaptive re-use of the existing heritage building, whilst retaining the heritage facade to create a strong base and podium that contributes a richness in materiality, juxtaposing the retention of the heritage with a contemporary proposal. The scale of the new addition to the heritage item is considered appropriate by Urbis, consultant heritage experts.
- The body of the tower addresses the alignment to the street frontages at Birrell Street, Bronte Road and Adams Lane;
- Creating active frontages at the ground plane, including the main pedestrian entry on Bronte Road / Birrell Street;
- Ensuring solar access is maintained at surrounding properties, whilst limiting shadow impacts;
- Potential to achieve vehicular access to small car park via Adams Lane, using existing roller door location; and
- Retaining existing external stair within the proposal, to facilitate its continued use for adjoining Telstra Exchange building.

### **3.3. BUILT FORM**

The indicative concept design which was included within the Planning Proposal consisting of the following:

- A building of approximately 7 storeys comprising:
  - Adaptive re-use of the heritage building at ground floor to contain retail/café, serviced apartment lobby, common room and staff parking;
  - A recessed level above the heritage facade to signify a break in the built form;
  - 6 levels of serviced apartments with the upper level setback from the frontages;
  - Provision of approximately 62 studios and one bed accommodation rooms, with the potential to link rooms.



Figure 2 – Photomontage Image from Junction of Bronte Road and Birrell Street



Figure 3 – Photomontage Image View Westward along Birrell Street



A numeric overview of the preferred design concept is provided below in Table 1.

Table 1 – Summary of Indicative Development Concept

| Metric             | Concept Design   |
|--------------------|------------------|
| Site Area          | 657.9sqm         |
| Building Height    | Approx. 27.85m   |
| No. of Storeys     | 7                |
| FSR                | 5:1              |
| Potential GFA      | Approx. 3,288sqm |
| Car Parking Spaces | 7                |
| No. of Apartments  | Approx. 62       |

### 3.4. ENVIRONMENTAL IMPACTS

The Concept Design demonstrates that a viable building envelope can be achieved on the site to accommodate the proposed uses without significant adverse amenity or heritage impacts.

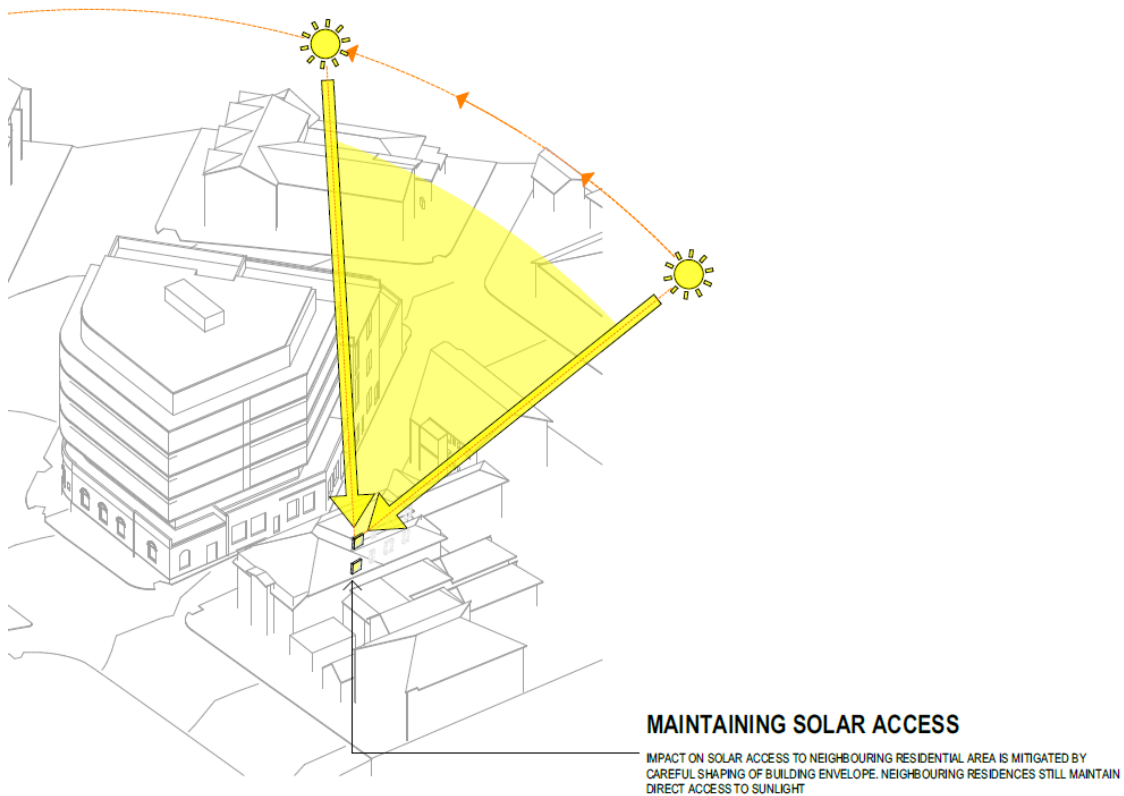
However, given the proposed uplift in height and density, the potential environment effects that are relevant to the Planning Proposal are addressed below.

#### 3.4.1. Solar Access and Overshadowing

Ultimately the final design of the proposal will be brought forward through the DA process, and will carefully manage and provide a response to the existing built form context. However, the indicative building envelope would serve to maintain solar access to neighbouring properties, as follows:

- Unobstructed solar access to the two-storey residential units at No. 127 Bronte Road;
- Significant solar access to the Uniting site to the south;
- Significant solar access maintained to the one-storey cottage at No. 99 Birrell Street; and
- Two hours' solar access maintained to the windows in the western façade of 184 Birrell Street, as illustrated in Figure 4 below.

Figure 4 – Solar Access to Neighbouring Properties



As part of the Urban Design Report a set of 'Views from the Sun' diagrams were provided to support the Planning Proposal. These further serve to demonstrate that the closest residential properties on the opposite side of Adams Lane will receive suitable level of solar access.

### 3.4.2. Heritage Conservation and Adaption

The site contains the former Waverley Telephone Exchange building which is a locally listed heritage item (No. I246) under the WLEP. The site is also adjacent to a heritage listed two-storey residential flat building at 1 Porter Street (No. I225) and the Botany Street Conservation Area.

A Heritage Impact Assessment was lodged with the Planning Proposal, which identifies that the historic significance of the site is vested specifically in its previous function as a telephone exchange. This historic use has already terminated at the site. The site is also void of any fabric which indicates the previous use and there is not likely to be a need for it to be reinstated.

The site has been left underutilised and the Heritage Assessment indicates that the best opportunity for the conservation of the heritage item is its incorporation into a new development and meaningful adaptive reuse. The new land use zoning facilitates the concept proposal which includes the retention of the building to the streetscape and its reuse as retail/ cafe tenancy and serviced apartments.



There is no requirement to retain the existing 'Infrastructure' land use zoning associated with the site. The proposed rezoning to mixed use, allowing serviced accommodation and retail uses would not have a detrimental heritage impact on the significant fabric. It would facilitate the ongoing relevance of the heritage building, allow public access to the building and encourage appreciation of its values.

The design to alter the heritage building and to provide for its adaptive reuse under the future development application would be developed in consultation with the heritage architects/consultant to ensure that physical impacts on significant fabric are mitigated and appropriate uses sought.

Whilst it is appreciated the proposed alterations to the existing site controls facilitate development which is larger than that within the conservation area adjacent. It should be recognised that the subject site was consciously not included within the boundaries of the conservation area. This is likely due to it being of a notably different typology and style, and because it relates to a different context of the Bronte Road streetscape which flanks a main arterial road and comprises multi storey developments.

It is considered that there was never real potential for the development on the subject site to be referential to the proximate low density residential areas in terms of typology. There is recognised scope for a different type of development on the subject site, with any future scheme being read in the context of Bronte Road rather than the conservation area.

The conservation area is dominated by lower density forms which are complimentary to each other in their range of early residential architecture styles. Future development facilitated by the Planning Proposal would have no impact on the consistent streetscape character as the subject site is located outside the western boundary and would not truncate any existing cohesive rows of development.

It is also the case that much of the land which surrounds Bondi Junction Centre comprises existing conservation areas, which are situated opposite larger scale development within the centre. It is commonplace for two different forms and scales of development to be separated by a single road.

The two extracts from the LEP mapping for the centre in Figure 5 and 6 overleaf demonstrate this point, as the Heritage Map illustrates the red 'hatched' areas as the conservation areas, which surround the principally 'white' areas of the centre located between Syd Enfield Drive to the north and extending southward from Ebley Street down Bronte Road.

When this is viewed opposite the Height of Buildings LEP Map, it is clear that the conservation areas are generally the low scale green ('J2' on the Map) with building heights of circa 9.5m; whereas the centre contains much taller building heights of often 32m ('U' on the Map) directly opposite the conservation area, and up to 60m ('AA' on the Map) often one block further back.

It is therefore evident that there are many circumstances in Bondi Junction where taller buildings sit comfortably opposite lower scale buildings which are located within conservation areas, as would be the case at this site following development of the concept scheme.

Figure 5 – WLEP Bondi Junction Heritage Map Extract

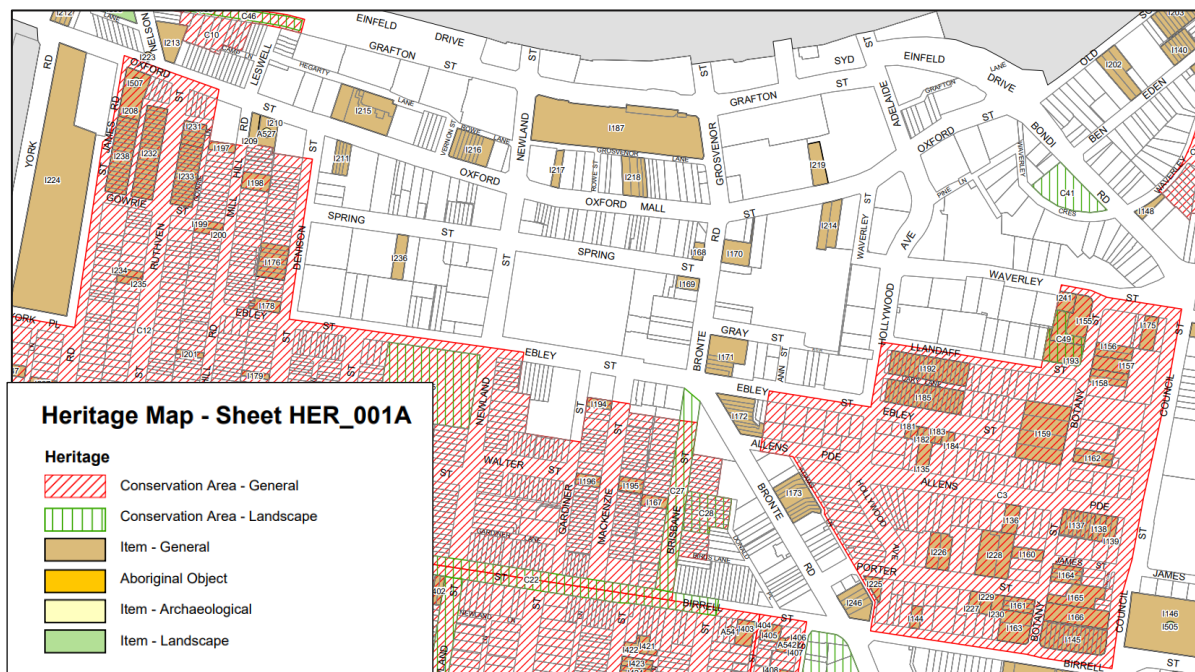


Figure 6 – WLEP Bondi Junction Height of Building Map Extract



The Heritage Assessment also includes examples of a number of successful developments which have sympathetically incorporated heritage items as podium while increasing density above to achieve contemporary mixed-use developments. These are illustrated below in Figure 7 and Figure 8, with further details of these developments provided in the Heritage Impact Statement lodged with the Planning Proposal.

Figure 7 – 59 Oxford Street, Bondi Junction



Source: Waverley LEP 2012



Source: Domain

Figure 8 – The Iconic – 830 Elizabeth Street, Waterloo

Figure 16 – Precedent images – 830 Elizabeth Street, Waterloo. Project site outlined in blue.



Source: Sydney LEP 2012



Source: Domain



The roofline of the heritage item on the subject site presents as a flat parapet to the street. It is considered that this form would lend itself well to creating an integrated site with a podium and a higher density component surmounting. As shown in the concept plan analysis, a higher density contemporary development can be introduced sympathetically with a separation between old and new created by a shadow line.

The retention of the heritage item would ensure that there remains some connection in terms of scale between the subject site and the heritage item adjacent. It would also ensure that a human scale is retained in the streetscape. It is considered that subject to rigorous and sympathetic design development, future proposed development facilitated by the planning proposal could have a similar, successfully integrated outcome.

It should also be noted that there are three other key entry points to the Bondi Junction Centre. All three of these points comprise development which is higher than the residential development outside of the centre. It is inevitable that a contemporary overlay of higher development will be concentrated around strategic/district centres in the highly populated eastern suburbs and that the scale of the outlook from these residential areas is likely to change. Even so, it is considered that the conservation area is of such a substantial size, that it will retain its character as a low-density pocket and its significance would not be compromised by surrounding higher density developments.

Further, the proposed maximum heights are appropriate in ensuring that the scale of development is consistent with the existing building stock along Bronte Road. Specifically, development would be minimally higher than the Telstra building adjacent to the north, creating a stepping up towards the corner. It would also retain some relationship with the existing scale of the development on the west side of Bronte Road.

Due to the position of the site in at one of four identified entrances to the centre, it is considered that the increased density on the subject site is appropriate in its context and would not detrimentally impact on identified heritage items subject to sympathetic design development.

Finally, with reference to the WLEP, the above demonstrates that the proposal does not conflict with the requirements of the 'Aims of Plan' Clauses 1.2 (2) (d) and 1.2 (2) (g) which respectively seek to:

- Provide for an appropriate transition in building scale around the edge of commercial centres to protect the amenity of surrounding residential areas; and
- Conserve the cultural, environmental, natural, aesthetic, social and built heritage of Waverley.

### **3.4.3. Traffic and Parking**

The proposed use at the site is situated within 800m distance of Bondi Junction Railway Station, where the rate of parking provision required is 'low' as identified within the Waverley Development Control Plan 2012 (DCP). Within the DCP, serviced accommodation is not identified as a use which would need to provide car parking. There will however be the potential for small commercial uses at ground floor to further activate the street frontages.

Given this, there is potential to provide up to seven car parking spaces at the ground floor level within the present concept design. These will be located at the ground floor level and potentially accessed through the existing roller shutter access off Adams Lane. It is likely that these spaces would be used by staff working at the building, or possibly provision for disabled visitors at the serviced accommodation.

## 4. MERIT ASSESSMENT CRITERIA

### 4.1. STRATEGIC MERIT

The Planning Proposal has strategic merit for the reasons outlined in the table below.

Table 2 – Strategic Merit Test

| Criteria   | Planning Proposal Response   |   |
|--|--|---|
| <i>Consistent with the relevant district plan, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment.</i> | <p>The intended outcome of the Planning Proposal is to facilitate the redevelopment of the site to accommodate new serviced accommodation with complementary ground floor activation uses such as a retail or café use, in a location designated as a Strategic Centre.</p> <p>In doing so, the proposal will respond to the key priorities, directions and objectives which underpin the <i>Greater Sydney Region Plan – A Metropolis of Three Cities</i> (Region Plan) and the <i>Eastern City District Plan</i> (District Plan). The key priorities directions and objectives of relevance to the Planning Proposal are outlined below.</p> |   |
|  | Priorities and Directions  | Planning Proposal   |
|  | <p>Region Plan: <i>Objective 24 – Economic Sectors are Targeted for Success</i></p>  | <p>The Region Plan seeks to drive key industry and economic development activities that will create a future where Greater Sydney has a highly skilled workforce that is able to access high-quality jobs in their local area. This includes planning for an increasing number of jobs and services that area accessible to companies which locate in Greater Sydney.</p> <p>The proposal seeks to provide additional short term accommodation facilities in Bondi Junction, which will help to support visitors wishing to utilise accommodation in the local area for business trips or tourism purposes. The visitor economy is recognised as a key economic sector in the Eastern Harbour City.</p> <p>The proposal will also help to secure additional jobs at the site in both the operation of the serviced apartments and the ground floor retail or café uses.</p> |



| Criteria | Planning Proposal Response   |  |
|----------|--|--|
|          | Region Plan:<br><i>Strategy 24.2 - Tourism</i>   | <p>The Region Plan recognises the importance of the tourism industry to the economy, with visitor experiences shaped by the places they visit and the facilities available. The Strategy encourages the development of well-designed and located facilities.</p> <p>This proposal will help to achieve this strategy given that it will facilitate the development of a well-located and designed short term accommodation scheme to assist in meeting the needs of visitors to this part of the Eastern City.</p>   |
|          | Region Plan:<br><i>Objective 13 – Environmental Heritage is Conserved and Enhanced</i>                                     | <p>The Region Plan promotes the sympathetic adaptive re-use of heritage items as an important way to conserve significance. Respectfully combining history and heritage with modern design achieves an urban environment that demonstrates history, whilst also contributing to a sense of place and identity. The illustrative concept identified in the proposal indicates how the existing heritage item can be adaptively re-used in an appropriate manner.</p>  |
|          | District Plan:<br><i>Planning Priority E11 – Growing Investment, Business Opportunities and Jobs in Strategic Centres.</i> | <p>The District Plan identifies Bondi Junction as a Strategic Centre within the Eastern City centre hierarchy. The Plan indicates that there will be a need to grow existing centres, particularly strategic centres.</p> <p>In order to strengthen Bondi Junction, Action 46 states, <i>inter alia</i>, that future growth will need to ensure the provision of a diverse mix of uses to strengthen the economic role of the centre. It is clear that this Priority seeks to enhance commercial activity in the centre as well as promoting development to support the nearby Randwick Health and Education Precinct.</p> <p>The Planning Proposal would promote the redevelopment of a site which is surplus to the requirements of Telstra, and in turn would provide additional facilities within Bondi Junction which can support tourism, commercial and health activities in and nearby the centre.</p> |

| Criteria | Planning Proposal Response  |  |
|----------|---|--|
|          |   | <p>The development would also create additional new jobs at the site, including both part time and full time staff. The proposed development on the subject site will therefore result in an increase in both direct and indirect employment and economic activity.</p>  |
|          | <p>District Plan:<br/><i>Planning Priority E13 – Supporting the Growth of Targeted Industry Sectors</i></p>                       | <p>The District Plan identifies that tourism needs to be a sector of focus for the Eastern City District, given its potential to be globally competitive and create additional, resilient jobs.</p> <p>It states that Sydney is Australia’s prime international gateway, with strong growth in the visitor economy across all facets including business, leisure and visiting friends and family.</p> <p>The Eastern City District is noted as one of the world’s premier tourism and major events destinations. Domestic and overseas visitors are attracted by the District’s harbour and beaches, shopping, food, arts and culture. These same elements also attract global talent and encourage businesses to invest.</p> <p>The Planning proposal responds to the growing tourism and visitation to the District and seeks to provide new serviced accommodation provision for the short stay market. This would address the demand for accommodation and serve to grow this sector, thereby also creating jobs. It will therefore serve to address this Planning Priority and Action 54 which <i>inter alia</i> seeks the provision of well-designed and located facilities.</p> |
|          | <p>District Plan:<br/><i>Planning Priority E6 – Creating and Renewing Great Places and Respecting the District’s Heritage</i></p> | <p>The District Plan promotes the sympathetic adaptive re-use of heritage items as an important way to conserve heritage significance.</p> <p>The proposal will retain and adaptively reuse the heritage item which was formerly a 1920’s Post Office. The</p>   |

| Criteria  | Planning Proposal Response  |
|---|---|
|   | <p>concept design incorporates local heritage listed item and its associated significant fabric into a new base/podium.</p> <p>The indicative building form will have a setback above at the level of the existing parapet height to provide a distinct shadow line which emphasises the clear separation between old and new fabric. It will also maintain the visual prominence of the heritage item in the streetscape.</p> <p>This approach to the adaptive reuse of the building will therefore meet this priority identified in the District Plan.</p>  |
| <p><i>Consistent with a relevant local council strategy that has been endorsed by the Department.</i></p>   | <p>Waverley's 12-year community strategic plan, 'Waverley Together 3', reflects the Waverley community's long-term priorities and aspirations for the future. These are captured in the community's Vision, found at the beginning of the plan, which sets the strategic direction that all council operations work towards.</p> <p>The sustainable living strategy refers to initiatives which support the liveability and economic viability of the Waverley area. This includes strategies to implement tourism initiatives to benefit the local economy and communities working with NSW Tourism.</p> <p>The planning proposal clearly supports this tourism initiative through facilitating the development of a modern serviced accommodation development to meet market demands.</p> |
| <p><i>Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.</i></p> | <p>The site is presently zoned as SP2 infrastructure due to its historic use as a Telstra Telephone Exchange and Offices.</p> <p>This proposal responds to the change in circumstances at the site, as the building is no longer needed for Telstra's operation requirements and can be redeveloped. The site represents a significant opportunity to provide a new marker building at this entrance to Bondi Junction, whilst also addressing the demand for serviced accommodation as part of the increasing tourist attraction of Sydney.</p> <p>It is noted that Council support the rezoning of the site from SP2 Infrastructure to B4 Mixed Use.</p>  |

## 4.2. SITE SPECIFIC MERIT

The Planning Proposal has site-specific merit for the reasons outlined below:

Table 3 – Site Specific Merit Test

| Criteria  | Planning Proposal Response   |
|---|--|
| Does the planning proposal have site specific merit with regard to:   |  |
| <i>The natural environment (including known significant environmental values, resources or hazards)?</i>                                      | <p>The site is fully developed, situated within an urban context and comprises no vegetation.</p> <p>There is no environmentally sensitive land, or land with significant biodiversity value on or surrounding the subject site, that will be affected by the proposed rezoning. Furthermore, there are no environmental constraints or hazards of such significance that would preclude the redevelopment of the site for serviced apartments and ancillary purposes.</p>   |
| <i>The existing uses, approved uses and likely future uses of land in the vicinity of the land subject to a proposal?</i>                     | <p>The existing use at the site for Telstra offices will not continue as the building is now surplus to requirements. As such, an opportunity is presented to redevelop the site which will provide site specific merits as follows:</p> <ul style="list-style-type: none"> <li>• The proposal will promote the adaptive reuse of the building.</li> <li>• The proposed amendment to the LEP controls will facilitate the provision of new serviced accommodation to support the local tourism industry.</li> <li>• The indicative built form layout will provide a new marker building on this entrance to Bondi Junction and will help to grow the Strategic centre and respond increase in economic activity in the area.</li> <li>• It will provide additional active frontage at ground level, further strengthening the centre.</li> </ul> |
| <i>The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial</i> | <p>It is anticipated that there would be sufficient future infrastructure to support the proposed development given its location within a strategic centre.</p>  |

| Criteria  | Planning Proposal Response   |
|---|--|
| Does the planning proposal have site specific merit with regard to: |  |
| <i>arrangements for infrastructure provision?</i>                   | Due to the proximity of the site to public transport connections and the limited car parking provided on site, it is not expected that the development would have an adverse impact on the local road network. |

## 5. OTHER CONSIDERATIONS

### 5.1.1. Urban Design Review Report

In the Council officer's report to SPDC, it is stated that the proposal is inconsistent with the Bondi Junction Urban Design Review 2013 (BJUDR Report), which is identified in the report as a "*strategic study commission and endorsed by Council for the Bondi Junction area*".

Figure 1.1 of the BJUDR Report identifies the study area, but the area highlighted does not include the proposal site, nor does it include any of the properties on Bronte Road to the south of Ebley Street. The Report therefore does not set specific parameters for the proposal site, meaning that any inconsistency with this Report in terms of the current proposal cannot be emphatically established.

Furthermore, it is noted that the final bullet point of the Report (p65) indicates as a 'next step' that Council will identify a plan for renewal of the area between Ebley Street and Birrell Street. The Proponent is not aware that this work has been undertaken by Council. However, it is considered that the current proposal and concept design has the potential to contribute to the renewal of this locality and therefore assist in meeting this stated aim of Council.

### 5.1.2. Recently Approved Development in Proximity to Site

The Proponent is also aware that Council have referred to two decisions by the Land and Environment Court (LEC) on development applications (DA) in proximity to the proposal site, at 125 Bronte Road and 110-116 Bronte Road. It is suggested by Council that these cases provide evidence that the current controls are appropriate for the area.

However, it is clear that neither of the two other sites have the prominence of the proposal site, given the shape and frontage of No. 122 Bronte Road, which is clearly capable of accommodating a greater level of development. Furthermore, the current proposal seeks a meaningful adaptive reuse of a heritage building. It will retain the façade and create a strong base and podium for the development, which is considered appropriate in heritage conservation terms.

The Commissioner's reasons for the decision on the LEC case at 110-116 Bronte Road are cited by Council in the Officer Report. Within this reasoning, the Commissioner indicates that greater building height along Bronte Road should be achieved through a strategic planning exercise which amends the development standards. This is entirely the approach that the Proponent is seeking to advance, in amending the development standards in the WLEP through a Planning Proposal rather than a DA. This is ultimately seeking to achieve the adaptive re-use of a building which is no longer fit for its current purpose.



It is therefore evident that there are significant distinctions between the current Planning Proposal scheme and the DA schemes which are cited by Council. This is a clear instance where each scheme should be considered on its own merits, and the current Planning Proposal has considerable strategic and site-specific merit.

## **6. CONSULTATION WITH COUNCIL**

The Proponent undertook significant consultation with Council prior to lodging this Planning Proposal. This is documented within the Planning Justification Report and the Officer's Report to SPDC. However, in summary this process constituted the meetings set out below.

### **11<sup>th</sup> April 2017**

The proponent has sought early engagement with Waverley Council having met on 11th April 2017 with the Executive Manager of Strategic Planning, along with Strategic Planning, Design and Heritage Officers.

During the meeting the benefits of the adaptive re-use of the heritage item and provision of an activated street frontage were discussed, along with the rezoning to B4 which was considered appropriate to achieve the proposed use.

Some of the Officers expressed a concern regarding the height of the building. As a result of this initial dialogue, the overall extent of the proposed building envelope was reduced, along with the height of the indicative design concept building.

### **5<sup>th</sup> June 2017**

The proponent also undertook consultation with the Department of Planning and Environment on 5<sup>th</sup> June 2017, with the Team Leader for Strategic Planning in the Sydney East Region, along with a Senior Planner in the same division.

The feedback from this meeting confirmed that the District Plans were seeking additional provision in centres, and there was some support for a slenderer building over a shorter and more bulky building on site.

Following this meeting the Proponent worked up a Planning Proposal scheme (the previous Planning Proposal) and lodged this with Council on 8<sup>th</sup> August 2017.

### **11<sup>th</sup> October 2017**

The Proponent met with Council Officers to discuss the preliminary assessment of the proposal. The advice was that Officers could not support the proposal given their view was that the height and FSR were not contextually appropriate with the surrounding built form.

### **8<sup>th</sup> November 2017**

The Proponent's architect met with Council Officers to discuss a revised proposal, which sought to address the recent advice. Officers suggested that an amended proposal with a reduced height of 7 storeys and consequential reduction in FSR may be a more appropriate proposal.

It was also advised that any amended proposal would require the withdrawal of the Planning Proposal and lodgement of a new Planning Proposal, which would be assessed accordingly. On 22<sup>nd</sup> December 2017, the original Planning Proposal was formally withdrawn.

On 12<sup>th</sup> January 2018, the current Planning Proposal was lodged with Council. The revised (current) scheme responded to these further recommendations from Council Officers following the meetings identified above.

On 10<sup>th</sup> August, Council wrote to the Proponent confirming that SPDC resolved to not support the Planning Proposal for the increase in height and FSR within the WLEP for the site.

## 7. CONCLUSION

This letter has been prepared in support of a Rezoning Review request to DPE in relation to the Proponent initiated Planning Proposal at 122 Bronte Road, Bondi Junction.

The Planning Proposal will enable the site and heritage building to be adaptively re-used for a serviced apartment use with ground floor retail/café uses to activate the street frontage. The proposal will create a new identity for the site with a new modern building as an entry point to Bondi Junction, whilst retaining the heritage façade to create a strong base and podium to the new building.

The current zoning, height of building and FSR controls would not permit this use, nor the ability to provide sufficient accommodation to provide a critical mass to make this form of development achievable.

Accordingly, the proposed amendments to the WLEP zoning, height of building and FSR controls identified within the Planning Proposal would facilitate the redevelopment of the site which is now surplus to Telstra's requirements. The site is a logical and appropriate place to concentrate future growth, given it forms an entrance to the centre of Bondi Junction. This site also adjoins the mixed-use area of the strategic centre, which comprises local services, shopping and benefits from well-established public transport links.

The Proponent has worked closely with Council Officers to promote this Planning Proposal, which is evidenced by the various meeting identified in Section 5 of this letter and two redesigns of the earlier concept schemes for the site. The current Planning Proposal was therefore prepared in light of the earlier advice from Officers.

For the reasons outlined in this letter and accompanying documentation, we submit that the Planning Proposal has considerable strategic and site-specific merit, and thus warrants support from the Panel to proceed to Gateway determination.

Should have any queries regarding the above, please do not hesitate to contact the undersigned on 8233 9900.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Nik Wheeler", with a long, sweeping horizontal line extending to the right.

Nik Wheeler  
Associate Director