



## **Planning Proposal**

### **Amendment to Waverley Local Environmental Plan 2012 to increase the Building Height and FSR to facilitate a mixed-use development**

45, 47-49 & 53-57 Oxford Street, Bondi Junction

Lot 9 DP 741932, Lot 1 in DP 626974 & Lot 1 in DP  
818949

**Prepared by Willowtree Planning Pty Ltd on  
behalf of Evolve Project Consulting**

**November 2020**

## PLANNING PROPOSAL

Amendment to Waverley Local Environmental Plan 2012

Additional Height and FSR

47-49 & 53-57 Oxford Street, Bondi Junction (Lot 9 DP 741932, Lot 1 DP 626974 and Lot 1 DP 818949)

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## PLANNING PROPOSAL

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Additional Height and FSR

45-49 & 53-57 Oxford Street, Bondi Junction (Lot 9 DP 741932, Lot 1 DP 626974 and Lot 1 DP 818949)

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Amendment to Waverley Local Environmental Plan 2012

Additional Height and FSR

45-49 & 53-57 Oxford Street, Bondi Junction (Lot 9 DP 741932, Lot 1 DP 626974 and Lot 1 DP 818949)

## EXECUTIVE SUMMARY

This Planning Proposal has been prepared by Willowtree Planning Pty Ltd on behalf of Evolve Project Consulting and seeks to amend the *Waverley Local Environmental Plan 2012* (WLEP 2012) to obtain additional height and FSR across the Site. The land subject to this Planning Proposal is described as 45-49 & 53-57 Oxford Street, Bondi Junction (the Site) and legally referred to as Lot 9 DP 741932, Lot 1 DP 626974 and Lot 1 DP 818949.

The proposed additional height and FSR intends to facilitate the future development of the Site for a mixed-use development that proposes to exceed the maximum permitted under the current WLEP 2012, being the primary Environmental Planning Instrument (EPI) applicable to the Site.

The proposed redevelopments will retain the current B4 mixed-use zoning, however the proposed height and FSR, whilst more modest than recent developments in the immediate vicinity of the Site, will provide built form which will result in a suitable transition between high density development and the surrounding heritage conservation area.

To demonstrate the potential for the Site to be developed for a mixed-use development, a Concept Plan has been prepared by Team2 Architects (**Appendix 2**). A summary of the key planning metrics for the concept scheme is provided below:

<i>Urban Design Report</i>	
<i>Planning Metric</i>	<i>Concept Proposal</i>
Site Area	2,096m <sup>2</sup>
Gross Floor Area (GFA)	4,781.63m <sup>2</sup>
Floor Space Ratio (FSR)	2.5:1
Building Height	26m

The proposed amendments to WLEP 2012 are considered appropriate for the following reasons:

- The proposed WLEP 2012 amendment to height and FSR would enable the future development of the Site to not only retain the existing employment gross floor area (GFA) currently existing on the Site but also increase this figure to further contribute to employment generation for this Strategic Centre.
- Additionally, residential accommodation would be provided in the upper levels to provide in-situ population to utilise the proposed retail, business uses and live-work creative/innovative spaces.
- To ensure that an increase in terms of the existing employment is created on the Site, a variation to the FSR and height is proposed to ensure that a mixed-use development can be facilitated on the Site. As envisaged by the Waverley Local Strategic Planning Statement (LSPS), a net loss in employment GFA is not supported and an increase in employment generating uses must be created. As a result, to ensure that additional employment to the existing situation is provided, whilst also delivering residential accommodation to provide more housing diversity a variation to the development standards is proposed.
- The provision of a mixed-use development which provides forms of business, retail live-work creative office spaces in addition to residential accommodation responds directly to the objectives of the B4 Mixed Use zone.

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- Additionally, the proposal will respond to the objectives of the relevant zone as it will provide development in an accessible location so as to maximise existing public transport, such as the Bondi Junction Train and Bus interchange, which is located less than 300m east of the Site. Additional bus stops are located less than 50m from the Site.
- The proposal will further align with the objectives of the zone as it proposes commercial/business uses within existing heritage buildings. The existing timber hardware store shell and façade is proposed to be retained and repurposed, whilst the dwelling house ("The Rectory") located at the corner house (45 Oxford Street) is proposed to be retained and the rear curtilage of the Site utilised as a potential through-site pedestrian link.
- The proposal is also located along the anticipated cycleway, which has recently commenced construction and is proposed to traverse along Dennison Road and Oxford Street, further encouraging cycling and meeting the objectives of the B4 zone and demonstrating the suitability of the Site for the proposed development.
- In particular, the proposal would be compatible with surrounding land uses, provide services to support the day-to-day needs of workers and residents in the area, would provide additional and affordable accommodation and would integrate with the mixed-use function of this part of Oxford Street.
- Precedence for increased height and FSR already exists in the immediate vicinity of the Site, and importantly precedence has already been established for permitting height and an FSR which exceeds the maximum controls. Notwithstanding this, the proposal does not seek to vary the development standards to the extent of the surrounding properties and seeks a more modest increase which can provide the necessary employment and residential accommodation to result in a cohesive built form which is considerate of the adjoining R3 medium density residential zone.
- The proposed height which will be approximately 26m will be concentrated in the northern portion of the Site located along Oxford Street. This built form will taper down to approximately three (3) storeys to ensure a suitable transition is provided between the existing terrace dwellings located to the rear, which front both Mill Hill Road and Dennison Street.
- The proposed FSR of 2.5:1, whilst above the current control of 1.5:1 will not be inconsistent with the surrounding densities especially considering the adjoining Sites, located immediately to the north and east are provided with FSR's of 2.5:1 being permitted. Whilst it is acknowledged the proposed scheme reflects an FSR of 2.4:1, this design would be further refined and as a result an FSR of 2.5:1 is sought across the Site.
- The proposal is compatible with other land uses and existing built form whilst a more modest approach to the bulk and scale is proposed, than that recently approved in the B4 zone and adjoining sites.
- Given the existing terrace dwellings and the adjoining Mill Hill Conservation Area (C12) which are located to the south of the Site, a sympathetic and softening transition in built form has been designed to ensure a mediation between the typical podium and tower built form to the terrace built form is provided, along Oxford Street.

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- On this basis, the flexibility in heights and FSR has previously been upheld by Council, as demonstrated through the existing surrounding built form located in the surrounding sites of the B4 zone.
- The proposed development will ensure the ongoing and increased use of the Site for employment-generating activities, would contribute to place making along Oxford Street, would deliver jobs and services to support the growth anticipated for the identified Strategic Centre of Bondi Junction.
- The proposal will reinforce the growth identified for Bondi Junction Centre, as the additional building height and floor space will support the delivery of a viable mixed-use development comprising both commercial and residential components, which is already permitted within the current zone.
- Overall, the proposal is consistent with state, regional and local strategic planning framework. As described through this report, the proposal is specifically consistent with the NSW State Priorities, *Direction for a Greater Sydney, Greater Sydney Region Plan – A Metropolis of Three Cities*, *Eastern City District Plan*, the *Waverley Community Strategic Plan 2018-2029* and the *Draft Waverley Local Strategic Planning Statement (LSPS)*.
- The future provision of this mixed-use building on the Site would achieve a number of the *NSW State Priorities*, including supporting economic investment and job creation, making efficient use of established road and public transport infrastructure, and providing jobs and services in close proximity to existing and new housing to support the area's growing population and strategic centre status.
- As well as adhering to the designation of Bondi Junction as a strategic centre, the proposal would contribute to the creation of the 30-minute city owing to the immediate proximity of the site to jobs, services and transport infrastructure, in accordance with the *Greater Sydney Region Plan – A Metropolis of Three Cities*.
- In accordance with the *Eastern City District Plan*, the proposal will accord with the vision outlined for Bondi Junction as it will attract a greater diversity of commercial activities and creative spaces to increase economic development and provide an improved and diversified night time economy.
- The *Waverley Community Strategic Plan 2018-2029* outlines the long-term community strategic plan for the future of Waverley LGA. The proposed mixed-use development will generally align with the 11 identified themes provided within this plan.
- In accordance with the Waverley LSPS document which plans for Waverley's economic, social and environmental needs until 2036 and outlines the intentions for and vision of Waverley Council. The Waverley LSPS outlines the vision for Waverley is to maintain Bondi Junction's role as a key Strategic Centre and to ensure that the protection and growing of floor space for employment is provided.
- Additionally, as envisaged by the Waverley LSPS, the proposal presents a significant opportunity to promote and support entertainment and culture and ultimately place making.

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- The proposal will offer opportunities for entertainment and culture, night-time activity, increased access to high-quality open spaces and community spaces, aspiring to improve environmental performance of the built environment to try and meet and achieve Council's environmental targets, contribute to innovation economy and support for start-ups and also grow the economy whilst also enhancing landscaping and tree canopy to reduce the impact of urban heat islands effect.
- The proposed LEP amendment aligns with the relevant Section 9.1 Ministerial Directions including as they relate to business and residential zones and the integration of land use and transport.
- Detailed assessments addressing the heritage items and potential contamination on the Site, have been considered to ensure that future development on the Site may be suitably designed with respect to these constraints. The suitability of a mixed-use development has previously been confirmed by virtue of a previous Development Application (DA) approved on the Site (**DA/127/2013**).
- The proposal would generate positive benefits for the local and regional community through the provision of retail/business and residential services in walking distance of growing population catchments and a local workforce base, enhanced retail choice and range, new local job opportunities and work-live innovation hubs. The proposal is therefore in the public interest.

The Site is therefore considered suitable for mixed-use development which the proposed amendment to WLEP 2012 would enable. Accordingly, it is requested that the Planning Proposal is supported.

The Planning Proposal is structured in accordance with the following:

- Part A Land to Which the Planning Proposal Applies
- Part B Objectives or Intended Outcomes
- Part C Explanation of Provisions
- Part D Justification for Proposed LEP
- Part E Community Consultation
- Part F Conclusion
  
- **Appendix 1 Site Survey**
- **Appendix 2 Concept Plan**
- **Appendix 3 Urban Design Report**
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## PART A LAND TO WHICH THIS PLANNING PROPOSAL APPLIES

### 1.1 SITE DESCRIPTION AND EXISTING DEVELOPMENT

The Site is identified as 45, 47-49 and 53-57 Oxford Street, Bondi Junction, being legally described as Lot 9 DP 741932, Lot 1 DP 626974 and Lot 1 DP 818949.

The Site exhibits an area of approximately 2,060m<sup>2</sup> which is awarded three (3) frontages to Oxford Street, Mill Hill Road and Denison Street. The frontage awarded to Oxford Street is 61.9m, 32.2m wide frontage to Dennison Street and a frontage of 35.2m to Mill Hill Road.

Existing uses on the Site predominately comprise a vehicle repair station and a timber and hardware store and light industrial sheds which is identified as a heritage item of local significance (I210). This Site is also identified as an archaeological Site and it is identified as being "early industrial archaeological potential" and is also identified to be of local significance. The existing development located on 45 Oxford Street (corner of Mill Hill Road and Oxford Street) comprises a single storey dwelling house known as "the Rectory" which is also identified as an item of local significance (I209) and is proposed to be retained as part of the development. The adjoining land to the south of the Site is located within the Mill Hill (General) Heritage Conservation Area (C12), which is identified to be of local significance.

To the south of the Site, adjoins terrace housing, with a shop top terrace immediately adjoining the Site to the south-east and two-storey dwelling houses adjoining the Site to the south-west. The north, east and west of the Site front the above-mentioned street frontages, with B4 mixed use zones adjoining located at the alternative side of the fronting streets.

Access to 45 Oxford Street, Bondi Junction is obtained from Mill Hill Road which provides for only one-way traffic, travelling in a northerly direction. Vehicular access to the timber and hardware store and adjoining vehicle repair station is facilitated from two separate vehicular crossovers from Oxford Street. Two existing access points from Dennison Street to the vehicle repair station are currently provided on the Site.

A pedestrian crossing is located at the intersection of Dennison Street and Oxford Street. Established vegetation on the Site comprises some mature trees and shrubs, generally located on 45 Oxford Street. With the exception of 45 Oxford Street, where a small front garden and hedge perimeter is located, it would appear that no other planting or vegetation exists on the Site.

The location of the Site and existing site development are depicted in **Figures 1 and 2** below.

The Certificate of Title and Deposited Plan (DP) for the Site have also been reviewed and confirm the Site is affected by a number of reservations and conditions and leases. Nothing that would hinder the future development of the Site is identified within the title documents however confirmation of this is subject to a legal review.

The Section 10.7(2) Certificate relating to 47-49 Oxford Street, (Ref: 39865, dated 5 July 2018) and confirms the following in relation to the Site:

- The land does not comprise critical habitat, is not biodiversity certified, is not subject of a biodiversity stewardship agreement or subject of a property vegetation plan;

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- The land is not within a heritage conservation area however, it does contain a general identified heritage item and an archaeological identified item;
- The land is not affected by a policy relating to mine subsidence, landslip, bushfire, tidal inundation, acid sulphate soils;
- The land is not affected by bushfire;
- The land is not affected by subsidence;
- The land is not affected by any proposed road widening or realignment;
- The land is not reserved for acquisition;
- The land is not subject to flood related development controls;
- The land is not subject to an order under the Trees Act 2006; and
- This part of the land is not identified as being significantly contaminated land within the meaning of the Contaminated Land Management Act 1997, subject to any management/maintenance orders under the Contaminated Land Management Act or the subject of a site audit statement\*.

\*As previously outlined, a previous approval (DA/127/2013) issued in relation to the Site has requested that a Site Audit Statement (SAS) is required to be carried out in relation to the land, based on the findings provided as part of the Site Contamination Assessment, which identified contaminants located on the Site from previous land uses.

The Section 10.7(2) and (5) Certificate relating to 53-57 Oxford Street (Ref: 43010, dated 13 December 2019) and confirms the following in relation to the Site:

- This part of the Site does not comprise critical habitat, is not biodiversity certified, is not the subject of any biodiversity stewardship agreements, does not contain any native vegetation clearing set asides, and is not affected by any Property Vegetation Plans or Tree Orders;
- This part of the Site is not located within a Heritage Conservation Area (HCA);
- The land is not identified as an item of environmental heritage;
- Complying Development may be carried out on the Site under all Codes with the exception of the Rural Housing Code and Greenfield Housing Code, as there are no lands located within Waverley Council affected by these codes;
- The land is not affected by any road widening or road realignment under Division 2 of Part 3 of the Roads Act 1993;
- With respect to land slip, bushfire, tidal inundation, subsidence, acid sulphate soils or any other risk (other than flooding);
- The land is not subject to flood related development controls for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) or any other purpose;
- The land is not affected by any environmental planning instrument or proposed environmental planning instrument referred to in clause 1 that provides for the acquisition of the land by a public authority, as referred to in section 27 of the Act.
- The Waverley Council Development Contribution Plan 2006 applies to the land;
- Council has not been notified of the existence of any set aside area by Local Land Services for native vegetation clearing;
- The land is not bushfire prone land (as defined in the Act);
- Council has not been notified of any property vegetation plans under the Native Vegetation Act 2003 applying to the land; and
- Pursuant to Section 59(2) of the Contaminated Land Management Act 1997, the land is not identified as being significantly contaminated nor subject to a Site Audit Statement within the meaning of the Act.

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Site constraints have been considered in the preparation of the Urban Design report for the Site, and more detailed environmental assessments will be carried out in conjunction with a future Development Application (DA) for built form.

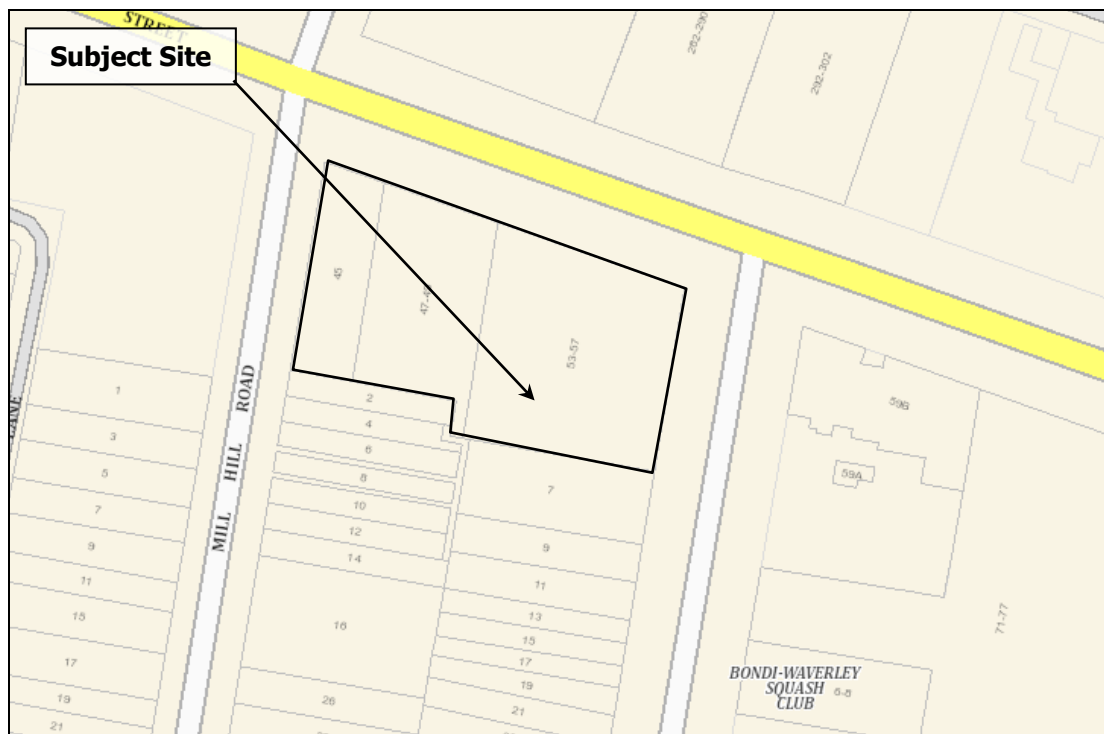


Figure 1: Cadastral Map (Source: SIXMaps 2020)



Figure 2: Aerial View (Source: Near Maps 2020)

### 1.2 LOCAL AND REGIONAL CONTEXT

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The Site is located within the suburb of Bondi Junction and is located approximately 3.5km east of the Sydney Central Business District (CBD).

The Site context exhibits a mixed-use character, and includes residential flat buildings, dwelling houses, commercial office buildings and business premises, cafes, shops and major transport infrastructure.

Existing development ranges in age of construction, style and density providing predominantly high rise and low rise commercial and residential development, with some mid-rise components sparsely located. Part of the Site located at both 45 Oxford Street and 47-49 Oxford Street are identified as heritage items of local significance (I209 & I210). The part of the Site located at 47-49 Oxford Street is also identified as an archaeological site of early industrial archaeological potential of local significance. A heritage conservation area (HCA), known as Mill Hill Conservation Area (C12).

Additionally, 47-49 Oxford Street is identified as an archaeological site (A527) which is also identified as being of local significance. Another heritage item immediately adjoins the Site to the west, located at 45 Oxford Street (I210) and which provides a dwelling house known as "the Rectory" and is identified to be of local significance pursuant to the WLEP 2012.

Key elements of the surrounding context include:

- Bondi Junction Interchange 300m;
- Centennial Park 400m;
- Queens Park 850m;
- Moore Park 1.7km;
- Randwick Health and Education Precinct 2.8km;
- University of New South Wales (UNSW) 2.8km; and

The Site is located approximately 300m walking distance from Bondi Junction Railway Station and 1.4km south of the existing Edgecliff transport interchange.

Bus stops are located along Oxford Street which service buses from Bondi Junction to Marrickville Metro shopping centre *via* Moore Park (Bus 352), Bondi Junction to Pyrmont (389) and Bondi Junction to Rozelle (440) in addition to the proximate location of the Site to the Bondi Junction Bus Interchange.

Resulting from the proximity of the site to public transport, active transport networks and services, in addition to the anticipated cycleway proposed along both Dennison Street and Oxford Street, the Site offers a high walkability rating with numerous services to meet the day to day needs of residents and workers are in proximity of the site and do not require a car to carry out such daily errands.

The local context is shown in **Figure 3**.

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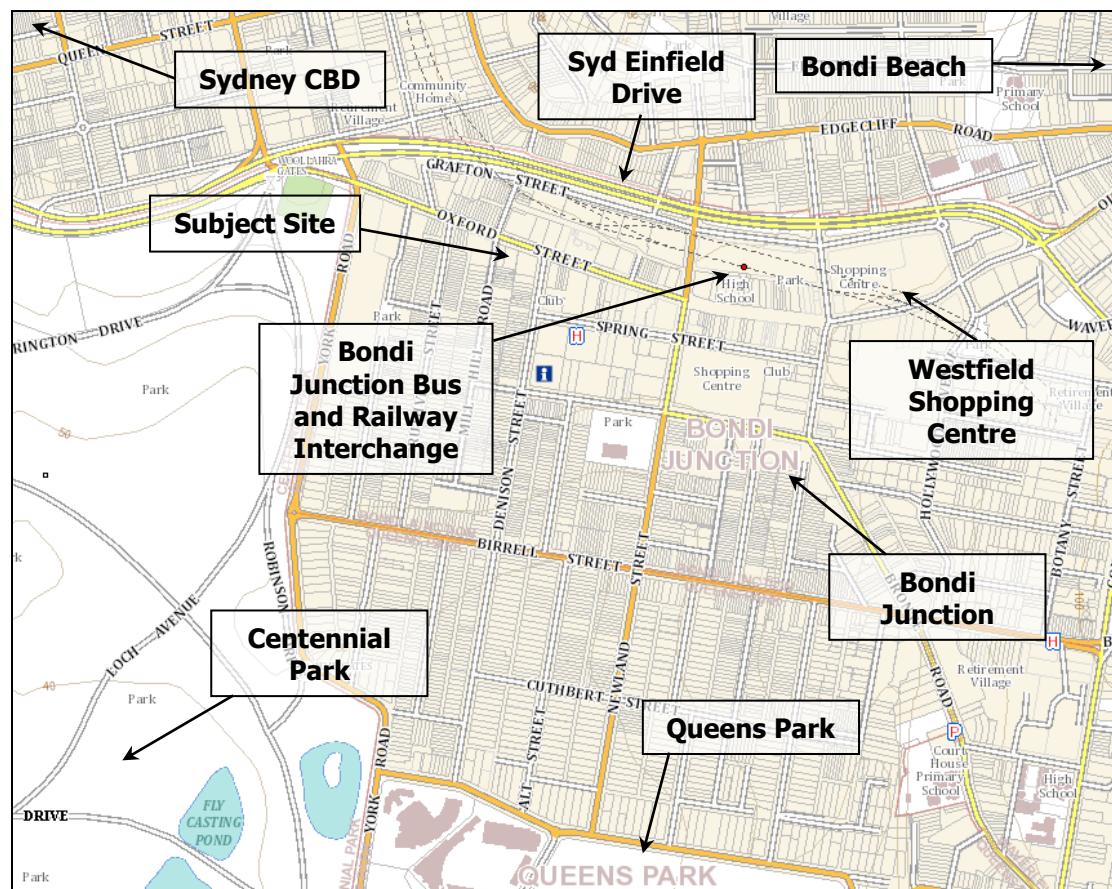


Figure 3: Site Context Map (Source: SIX Maps 2020)

### 1.3 PLANNING CONTEXT

#### 1.3.1 ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979

An application must have consideration to the objects of the *Environmental Planning and Assessment Act 1979* (EP&A Act). The objectives are as follows:

- (a) to promote the social and economic welfare of the community and a better environment by the proper management, development and conservation of the State's natural and other resources,
- (b) to facilitate ecologically sustainable development by integrating relevant economic, environmental and social considerations in decision-making about environmental planning and assessment,
- (c) to promote the orderly and economic use and development of land,
- (d) to promote the delivery and maintenance of affordable housing,
- (e) to protect the environment, including the conservation of threatened and other species of native animals and plants, ecological communities and their habitats,
- (f) to promote the sustainable management of built and cultural heritage (including Aboriginal cultural heritage),
- (g) to promote good design and amenity of the built environment,
- (h) to promote the proper construction and maintenance of buildings, including the protection of the health and safety of their occupants,
- (i) to promote the sharing of the responsibility for environmental planning and assessment between the different levels of government in the State,

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*(j) to provide increased opportunity for community participation in environmental planning and assessment.*

This submission has considered, and is consistent with, the objects of the EP&A Act, as addressed in the various sections of this report and summarised as follows:

- The Site is not identified within an area of biodiversity and accordingly the proposal would not exhibit any adverse impact on the natural environment or other resources. Rather the proposal relates to a Site that has been historically developed and forms part of an established urban area and the proposal will increase the supply of vegetation across the Site.
- The proposal would create opportunities for ecologically sustainable development that achieves economic, environmental and social objectives whilst retaining existing environmental heritage.
- The proposal would facilitate the orderly and economic use and development of land by enabling an array of commercial and business uses and residential accommodation in direct proximity of transport infrastructure (buses and trains), established business and residential development and land designated to provide active street frontages in Bondi Junction.
- The proposal would support surrounding communities by providing new jobs and services and additional housing choice to support the growth anticipated for the Bondi Junction Strategic Centre.
- By supporting the future development of the Site, the proposal generates an opportunity for the delivery of a high-quality built form, the creation of amenable urban environment which provides enhanced public domain space whilst increasing employment opportunities.
- The Site does not form part of a heritage conservation area (HCA) however, it does contain two (2) heritage items and an archaeological item, all identified to be of local significance by the primary EPI. The built form located at 45 Oxford Street, which contains "the Rectory" dwelling house is proposed to be retained generally to its full extent, with the exception of the rear curtilage (hardstand area) which may facilitate a pedestrian through Site link to provide permeability through the Site from Dennison Street to Mill Hill Road.
- The existing timber and hardware buildings located at 47-49 Oxford Street comprise of a heritage and archaeological item of local significance. The retention of the façade is proposed as part of the redevelopment and the repurposing and reuse of this building for active café/restaurants uses is proposed to retain the existing heritage significance associated with this corner whilst also presenting a significant opportunity for renewal.
- By supporting the future development of the Site, the proposal generates opportunity for the delivery of a high-quality built form, whilst retaining and repurposing existing heritage. The proposal will present an amenable urban environment, whilst delivering a sympathetic mid-rise development not typically seen in this part of Bondi Junction.

Other relevant provisions of the EP&A Act are considered through this report.

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### 1.3.2 WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012

The Site is subject to the provisions of WLEP 2012. The aims of WLEP 2012 are:

- (1) *This Plan aims to make local environmental planning provisions for land in Waverley in accordance with the relevant standard environmental planning instrument under section 33A of the Act.*
- (2) *The particular aims of this Plan are as follows:*
  - (a) *to promote and co-ordinate a range of commercial, retail, residential, tourism, entertainment, cultural and community uses to service the local and wider community,*
  - (b) *to maintain and reinforce Bondi Junction as the primary commercial and cultural centre in Sydney's eastern suburbs,*
  - (c) *to provide for a range of residential densities and range of housing types to meet the changing housing needs of the community,*
  - (d) *to provide an appropriate transition in building scale around the edge of the commercial centres to protect the amenity of surrounding residential areas,*
  - (e) *to protect, maintain and accommodate a range of open space uses, recreational opportunities, community facilities and services available to the community,*
  - (f) *to enhance and preserve the natural environment through appropriate planning, protecting the integrity of natural systems and by protecting existing trees,*
  - (g) *to identify and conserve the cultural, environmental, natural, aesthetic, social and built heritage of Waverley.*

The proposal is consistent with the aims of WLEP 2012 as it seeks to facilitate the sustainable development and use of land for commercial and residential activities to meet the needs of local and regional populations whilst protecting and incorporating the environmental and heritage significance assets of Waverley.

Relevant zoning and development standards are summarised in the subsequent sections.

### 1.3.3 ZONING AND PERMISSIBILITY

The majority of the site is zoned *B4 Mixed-Use zone* pursuant to WLEP 2012 and are demonstrated below in **Figure 4**. Zone objectives and permissibility are outlined below.

#### B4 Mixed Use Zone

The objectives of the B4 zone are:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage commercial uses within existing heritage buildings and within other existing buildings surrounding the land zoned B3 Commercial Core.

Within the B4 zone the following are permitted without consent:

*Home occupations.*

Within the B4 zone the following are permitted with consent:

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*Boarding houses; Building identification signs; Business identification signs; Centre-based child care facilities; **Commercial premises**; Community facilities; Educational establishments; Entertainment facilities; Function centres; Hostels; Hotel or motel accommodation; **Information and education facilities**; **Light industries**; Medical centres; Passenger transport facilities; Oyster aquaculture; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Roads; Self-storage units; Seniors housing; **Shop top housing**; Tank-based aquaculture; Any other development not specified in item 2 or 4.*

Within the B4 zone the following are prohibited:

*Agriculture; Air transport facilities; Airstrips; Amusement centres; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Caravan parks; Cemeteries; Charter and tourism boating facilities; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Exhibition homes; Exhibition villages; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Open cut mining; Pond-based aquaculture; Recreation facilities (major); Research stations; Residential accommodation; Resource recovery facilities; Rural industries; Sex services premises; Signage; Storage premises; Transport depots; Truck depots; Warehouse or distribution centres; Waste disposal facilities; Water recreation structures; Water supply systems; Wharf or boating facilities.*

A wide range of land uses are permissible with consent on the Site, to facilitate the proposed mixed-use development. As previously outlined in this report, no change to the existing zone or permissible uses is proposed as part of this Planning Proposal.

Accordingly, all types of **Commercial Premises**<sup>1</sup> and **Shop top housing**<sup>2</sup> are **permitted** with consent on the Site.

The proposed uses, corresponding with the WLEP 2012 land use definitions and current permissibility, are outlined in **Table 1** below.

<b>Table 1: Proposed Land Uses</b>		
<b>Proposed Use</b>	<b>WLEP2012 Land Use Definition</b>	<b>Current Permissibility</b>
Flexible industrial space	Light Industry	Permitted with consent
	Artisan Food and Drink Industry (being a type of Light Industry)	Permitted with consent
Associated commercial/office space, collaborative spaces and break-out spaces	Office Premises	Permitted with consent
Food and drink premises/restaurants	Commercial – retail premises	Permitted with consent

<sup>1</sup> **commercial premises** means any of the following—

- (a) business premises,
- (b) office premises,
- (c) retail premises.

<sup>2</sup> **shop top housing** means one or more dwellings located above ground floor retail premises or business premises.

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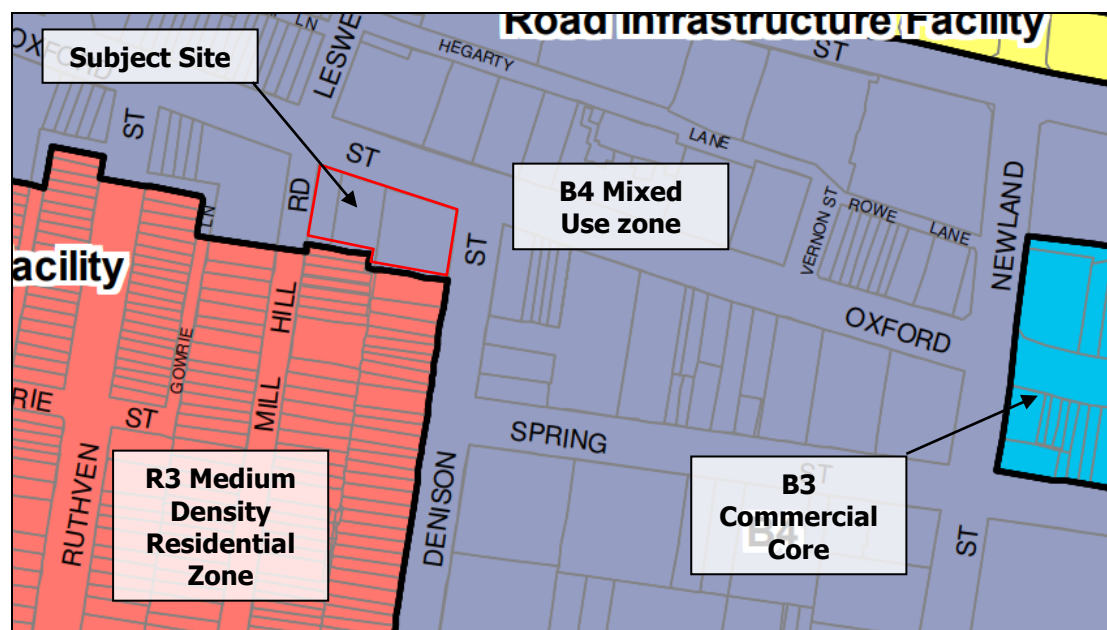
**Table 1: Proposed Land Uses**

<i>Proposed Use</i>	<i>WLEP2012 Land Use Definition</i>	<i>Current Permissibility</i>
Creative business space	Business Premises	Permitted with consent
Art gallery/exhibition and display of items/library	Information and education facilities	Permitted with consent
Live-work dwellings	Residential Accommodation	Prohibited
	Home Occupations	Permitted without consent
	Home Industry (being a type of Light Industry)	Permitted with consent (Clause 5.4 limits the home industry to 30m <sup>2</sup> of floor area)
	Shoptop housing	Permitted with consent

### Surrounding Land

Land surrounding the Site is zoned as follows:

- North – B4 Mixed-Use;
- East – B4 Mixed-Use;
- South – R3 Medium Density Residential; and
- West – B4 Mixed Use.



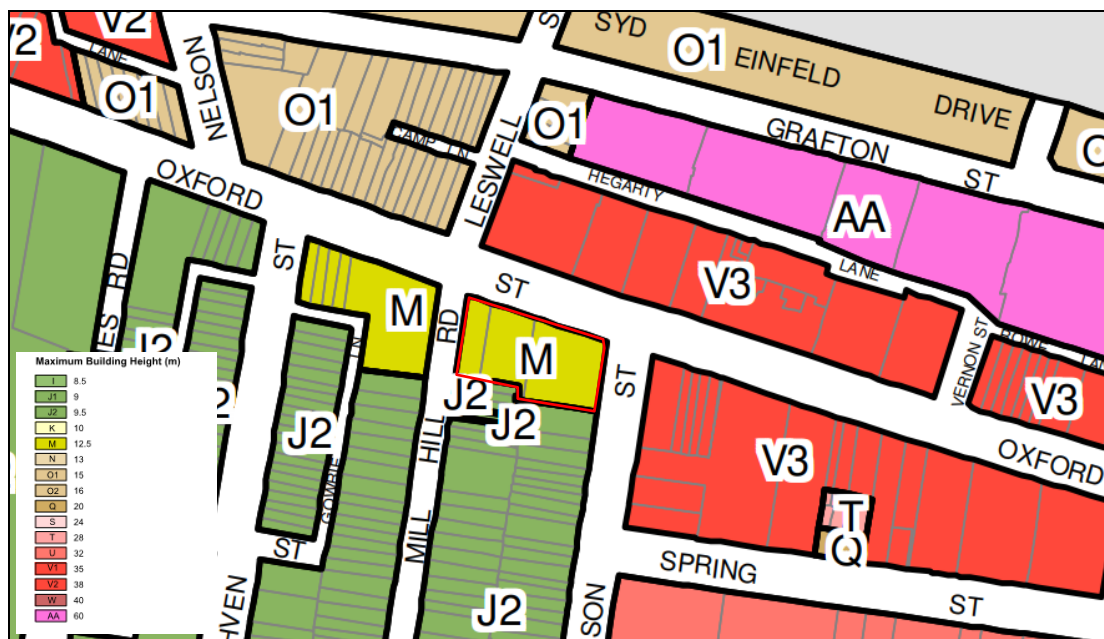
**Figure 4: Zoning Map (Source: NSW Legislation 2020)**

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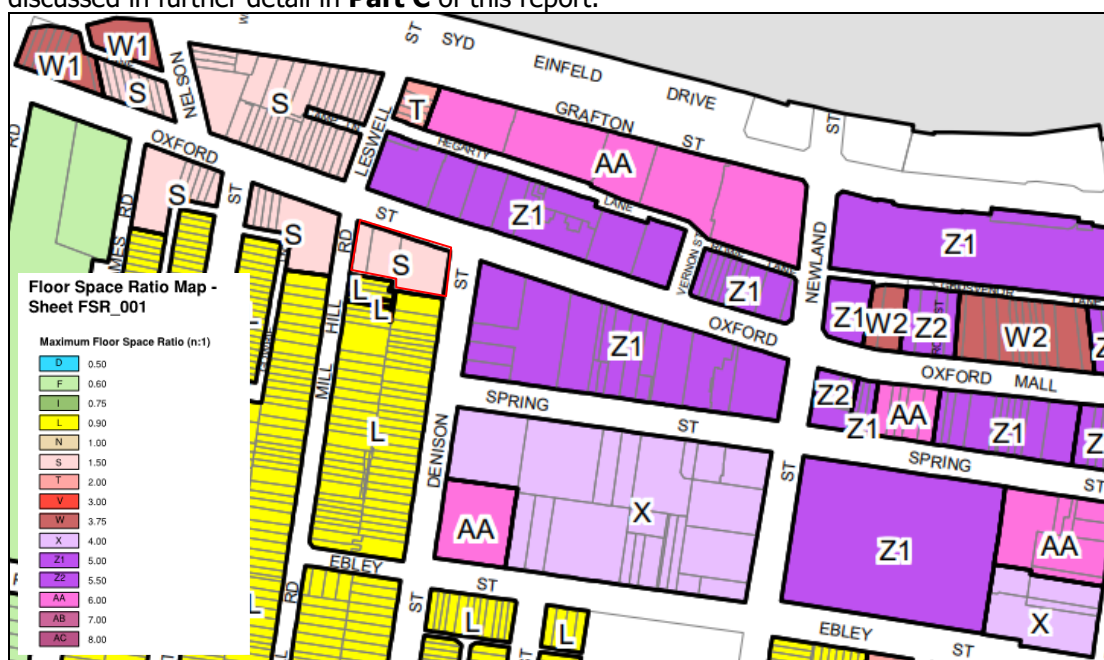
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**Figure 5: Height of buildings Map (Source: NSW Legislation 2020)**

The maximum height of buildings prescribed across the Site is 12.5m. The maximum height proposed to be increased to 25m support a more orderly and economic development. This is discussed in further detail in **Part C** of this report.



**Figure 6: FSR Map (Source: NSW Legislation 2020)**

The Site is subject to a maximum FSR of 1.5:1 pursuant to WLEP 2012 (**Figure 6**).

To support the orderly and economic development of land it is also proposed to amend the FSR development standard, as described in **Part C**.

### Development Standards

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The development standards applicable to the site and its surrounds are summarised in **Table 2**.

<b>Table 2: LMLEP2014 Development Standards</b>		
<b>WLEP 2012 Clause</b>	<b>Standard Applicable to Site</b>	<b>Standard Applicable to Surrounds</b>
Minimum Lot Size	NA	Land located to the south and south-west is restricted by a minimum lot size of 232m <sup>2</sup> .
Maximum Building Height	12.5m	Land to the north and east are prescribed a maximum building height of 38m. Land to the south is restricted by a maximum 9.5m height limit. Land to the west of the Site is also provided with a 12.5m maximum height.
Maximum FSR	1.5:1	Land located on the opposite side of Oxford Street, to the north, are restricted by a 5:1 FSR. Sites to the east are provided with a 5:1 FSR. Land immediately adjoining the Site to the south are prescribed with a 0.9:1 FSR. Sites to the west are provided with a 1.5:1 (WLEP 2012).
Key Sites Map	Identified on the Key Sites Map - Clause 6.9 of the WLEP 2012 is applicable and the proposal if a height in excess of 15m is provided will be required to exhibit development to exhibit design excellence.	Identified as land located within the Bondi Junction Centre also.
Active Street frontages	Yes - required along Oxford Street frontage.	Required along surrounding Oxford Street frontages (with the exception of the Bus Depot site) and also along the Dennison and Spring Street frontages located to the east of the Site.
Heritage	Yes, contains a Heritage Item of local significance and an archaeological site of local significance. The Site is not identified as being located within a Heritage Conservation Area (HCA).	The Mill Hill Conservation Area C12 (WLEP 2012) adjoins the Site to the south. The Heritage Item I198 – Church and hall building (WLEP 2012) is located to the south of the Site. Heritage Item I197 – Cottage

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**Table 2: LMLEP2014 Development Standards**

WLEP 2012 Clause	Standard Applicable to Site	Standard Applicable to Surrounds
		(WLEP 2012) is located south-west of the Site.
Acid Sulfate Soils	NA	The Site is not identified as possessing acid sulfate soils.
Terrestrial Biodiversity	NA	NA
Flood Planning Area	NA	NA
Land Reservation Map	NA	NA
Design Excellence	Yes	As the Site is land identified in light green on the Key Sites Map (Clause 6.9) and will propose development with building height greater than 15m, the proposal will be required to exhibit design excellence.

Further consideration to development standards and environmental site constraints is provided in **Part C** and **Part D** of this report.

### 1.3.4 STATE ENVIRONMENTAL PLANNING POLICY No. 55 (REMEDIATION OF LAND)

*State Environmental Planning Policy No. 55 Remediation of Land* (SEPP 55) is applicable to the Site. A 10.7 (2) and (5) Certificate dated 13 December 2019 (which relates to 53-57 Oxford Street), Bondi Junction has been reviewed and confirms that the Site is not subject to an SAS. Based on a review of the 10.7 (2) Certificate as it relates to 47-49 Oxford Street does not clarify if this portion of the Site is subject to an SAS.

Based on the deferred commencement consent issued under DA/127/2013, a condition was applied to the Site which outlined that a SAS was required to be undertaken as a result of findings provided as part of the Site Contamination Assessment.

The Site Contamination Assessment submitted as part of DA/127/2013 outlined there is a low to high likelihood of contamination present on the Site based on the current and historical land uses. Additionally, a Remedial Action Plan (RAP) was submitted as a result of the oils and petroleum, contamination associated with the fuel lines and oil associated with mechanical tyre and repair workshops which were identified to be present on the Site.

Under the provisions of *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55), where a DA is made concerning land that is contaminated, the consent authority must not grant consent unless:

- (a) it has considered whether the land is contaminated, and
- (b) if the land is contaminated, it is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for the purpose for which the development is proposed to be carried out, and
- (c) if the land requires remediation to be made suitable for the purpose for which the development is proposed to be carried out, it is satisfied that the land will be remediated before the land is used for that purpose.

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As part of any future DA, appropriate Environmental Site Investigations would be further investigated in accordance with SEPP 55.

### **1.3.5 STATE ENVIRONMENTAL PLANNING POLICY No. 65 DESIGN QUALITY OF RESIDENTIAL APARTMENT BUILDINGS**

*State Environmental Planning Policy 65 – Design Quality of Residential Apartments Buildings* (SEPP 65) contains nine (9) design principles aimed to ensure a high quality of residential apartment development. More detailed design criteria is provided within the Apartment Design Guide (ADG).

Future redevelopment of the Site for mixed use development incorporating residential accommodation is required to consider SEPP 65 and the ADG.

As detailed in the Urban Design Report prepared by Roberts Day at **Appendix 3**, the Concept Design is capable of compliance with the key requirements of the ADG, including with respect to building setbacks (particularly to the south of the Site), building depth, visual privacy, open space, solar access, parking, apartment size and mix, and apartment design.

Whilst detailed assessment of a proposed development for the Site would be undertaken at the DA stage, the concept design demonstrates that future mixed use development on the Site can be designed to provide a high level of amenity for residents of both the Site and adjoining sites.

### **1.3.6 DRAFT ENVIRONMENTAL PLANNING INSTRUMENTS**

A Planning Proposal to amend the Waverley LEP 2012 which applies to land zoned B4 Mixed Use and B3 Commercial Core within the Bondi Junction Strategic Centre, which obtained Gateway Determination on 11 March 2020, relates to the Site which proposes to protect and promote employment floor space in Bondi Junction.

### **1.3.7 WAVERLEY DEVELOPMENT CONTROL PLAN 2012**

*Waverley Development Control Plan 2012* (WDCP 2012) applies to land within the Waverley LGA and complements WLEP 2012 by providing more detailed controls to guide development.

The aims of WDCP 2012 is provide strategies, objectives and development guidelines for the assessment of Development Applications (DA) and complements the provisions of the Waverley Local Environmental Plan 2012 (WLEP 2012).

As a result, any future development application lodged in relation to the Site would consider the objectives and provisions of WDCP 2012, where relevant.

## **1.4 PRE-LODGEEMENT MEETING**

A Pre-Lodgement Meeting has not been held with Waverley Council. However, as a submission was lodged to the draft Waverley LSPS exhibition period, regarding the proposed intentions for the Site, Waverley Council would have been aware of the proposed intentions.

Additionally, to ensure that our intentions of the proposed redevelopment were clear to stakeholders in the community and as recommended by Waverley Council, community consultation were undertaken to seek feedback from the community and various stakeholders. As such, it was recommended that a member of Waverley Council attended

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these stakeholder meetings to note the deliberations of the meeting with various members of the community.

As a result, a member of Council's strategic team attended the Community Consultation meeting organised to record the conversation and act as an independent observer.

As a result, based on conversations with Patrick Connor and Tim Sneesby, Waverley Council were aware of the imminent lodgement of the planning proposal. Albeit given the COVID-19 pandemic, the lodgement of the application was pushed out to a much later date than originally anticipated.

### 1.5 COMMUNITY ENGAGEMENT

As outlined above, Community Stakeholder engagement meetings were held on two (2) occasions where relevant members of the community such as surrounding residents were notified regarding the proposal. This allowed the opportunity to discuss and obtain their feedback in response to the proposed mixed-use development. The feedback obtained was generally favourable and many of the comments and suggestions have been incorporated into the design of the proposal.

As outlined above, a representative of Waverley Council (Patrick Connor) attended the community consultation as an observer to gain an understanding of the discussions and feedback received from the community. Two meetings were undertaken with the Bondi & Districts Chamber of Commerce and the Mill Hill Precinct Committee on 11 December 2019. A copy of the minutes taken from the two (2) meetings held on 11 December 2019 are provided at **Appendix 4** of this report.

Correspondence was issued to Waverley Council's representative on 23 January 2020 seeking commentary or additional advice which should be considered as part of the future Planning Proposal submission.

A response was received on 4 February 2020 which outlined the following:

*It is recommended that any proposal that is submitted wait until the LSPS is finalised as the proposal can use the document for strategic justification and as it would only be recently adopted, it would be difficult to argue with any of its findings.*

As per the above, the Planning Proposal has considered the Waverley LSPS which has been discussed in further detail in Part D of this report. The advice was sought from both Council and the community to ensure that a collaborative process had been undertaken prior to commencement of the process to ensure the proposal was reflective of, not only Council's vision and strategic plan for this area of the Waverley LGA, but to obtain insight and general feedback from the community on the proposal.

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## **PART B OBJECTIVES OR INTENDED OUTCOMES**

### **2.1 OBJECTIVES AND INTENDED OUTCOMES**

The key objective of the proposed LEP amendment is to enable an appropriate density of mixed-use development on the site. This intended outcome will be achieved with respect to the following secondary objectives:

- Provide mixed use development on the site incorporating ground floor and possibly upper level commercial premises and upper level residential accommodation.
- Achieve a unique mid-rise development that achieve the same GFA as a high-rise development that achieves the same GFA however, aligns with Council's visions for Bondi Junction whilst providing a sympathetic response to existing heritage and the expressed views of the community.
- Introduce a transitional development that complements the range of surrounding land uses and particularly the surrounding heritage items and heritage conservation area, integrates with the variety of built form densities in the general area, responds to the strategic location of the Site and leverages the various forms of both public transport (rail and bus) and road infrastructure.
- Promote the sustainable use of land through appropriate development typologies and scales.
- Augment the amenity of the Site whilst preserving the amenity of adjoining sites, including solar access, natural ventilation, visual impacts and privacy.
- Provide new housing in a highly accessible, established urban area to improve housing choice and affordability in the area and ultimately meet the housing needs of the growing population.
- Preserve and increase employment generating activities on the Site so as to provide jobs and services to support the local population, whilst also ensuring active street frontages are provided along Oxford Street to contribute to and promote pedestrian traffic within Bondi Junction Centre.
- Activate the Site and public domain at street level through the provision of active ground floor uses and high-quality architectural design whilst capitalising on the cycleway proposed along the Site frontage of Dennison and Oxford Street.

It is acknowledged that the future development of the Site for the proposed mixed-use development will be subject to separate approval under a Development Application

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## PART C EXPLANATION OF PROVISIONS

### 3.1 OVERVIEW

It is proposed to include additional building height and FSR on the Site.

It is noted that given residential accommodation, commercial premises and a wide range of other uses are already permitted on the Site in accordance with the current B4 Mixed Use zone, no change of zone or additional permitted use will be required to facilitate the intended future mixed-use development.

### 3.2 CONCEPTUAL BUILT FORM

To demonstrate the potential for the Site to be developed, an Urban Design Report and Concept Architectural Plans have been prepared and are provided at **Appendix 2** and **Appendix 3**. A summary of the key planning metrics for the concept scheme is provided below:

<b>Table 3: Concept Design</b>	
<b>Planning Metric</b>	<b>Concept Proposal</b>
Site Area	2,060m <sup>2</sup>
Floor Space Ratio (FSR)	2.5:1
Building Height	26m

An extract from the Oxford Street public Domain area is provided below in **Figure 7**.

The concept design has been informed by detailed site analysis and consideration of the surrounding context in order to provide an optimal development outcome that capitalises on the strategic potential of the land, uplifts the surrounding public domain and provides a high level of amenity.

Building envelope studies have been carried out by Roberts Day to test the suitability of the Site for future mid-rise development.

The preferred option will locate a mid-rise building where it can support activity along Oxford Street, consistent with the objectives of the WLEP 2012. This concept also proposes to reduce the height of development towards the terrace housing located to the south of the Site.

Through site links, permeability and walkability and strong environmental design are imbedded throughout the proposed redevelopment. The retention of the existing heritage and archaeological items are proposed to be used as a refurbished active space whilst also providing built form to accentuate the proposed northerly located public realm.

The proposed laneway between Mill Hill Road and Dennison Street will create an active through site link across the block which is approximately 60m wide, enhancing permeability and connectivity. Whilst the plans are conceptual at this stage, options can be explored in terms of providing an array of community services such as public open spaces, flexible community spaces and business opportunities to contribute to night-time activity of Bondi Junction.

The proposed mid-rise concept, as depicted below, creates an overall volumetric envelope that establishes a finer-grain, human scale-built form. The concept includes the opportunity

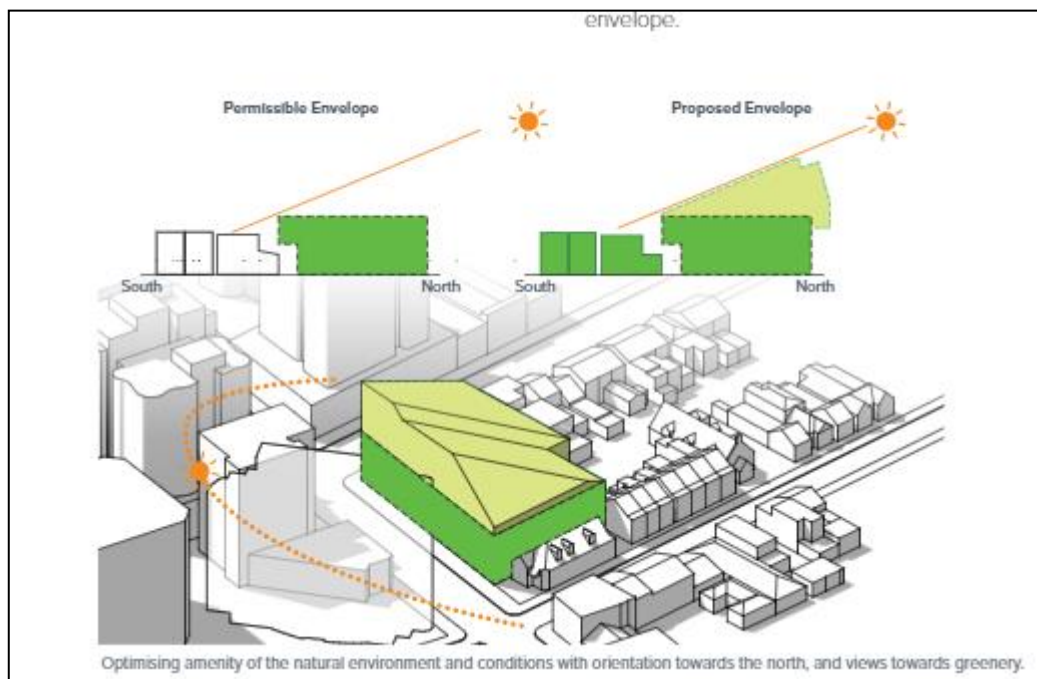
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to celebrate the heritage façade and establish a widened north facing footpath to Oxford Street, whilst also introducing the opportunity for active lanes and arcades.



**Figure 7: Proposed transitional built form (Source: Roberts Day 2020)**



**Figure 8: Proposed Public Domain (Source: Roberts Day, 2020)**

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**Figure 9: The Vision (Source: Roberts Day, 2020)**

### 3.3 AMENDMENT TO WAVERLEY LEP 2012 HEIGHT OF BUILDINGS

Amendment is sought to Clause 4.3 Height of Buildings mapping provided within the WLEP 2012 in order to achieve the objectives of the proposal, being the future development of the Site for a mixed-use development.

Pursuant to Clause 4.3 of WLEP 2012 the Site is currently subject to a 12.5m maximum building height, which is considered insufficient to support mixed-use development on the Site, especially considering its prominent location within Bondi Junction Centre and its proximity to existing bus and rail infrastructure.

It is requested to amend the provisions of Clause 4.3 to provide a 26m maximum building height for the Site. This would enable the future development of the Site and such density is considered conducive to the creation of a mixed-use precinct in accordance with the objectives of this Planning Proposal.

Considering the recent approvals and variations to development standards in the immediate vicinity of the Site, the proposal suggests a more modest and sympathetic approach which forms a transition from the high rise podium and tower built form along Oxford Street to the surrounding terrace dwellings.

The objectives of Clause 4.3 are as follows:

- (a) to establish limits on the overall height of development to preserve the environmental amenity of neighbouring properties and public spaces and, if appropriate, the sharing of views,*
- (b) to increase development capacity within the Bondi Junction Centre to accommodate future retail and commercial floor space growth,*

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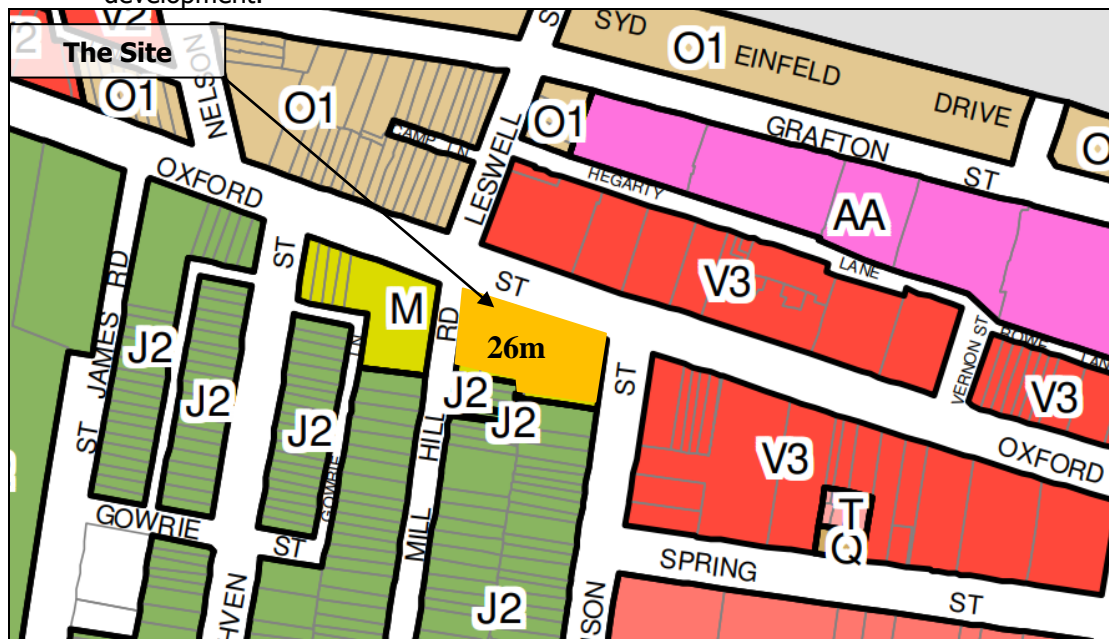
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*(c) to accommodate taller buildings on land in Zone B3 Commercial Core of the Bondi Junction Centre and provide an appropriate transition in building heights surrounding that land,*

*(d) to ensure that buildings are compatible with the height, bulk and scale of the desired future character of the locality and positively complement and contribute to the physical definition of the street network and public space.*

The existing objectives of Clause 4.3 would not be altered by this proposal but rather would be achieved by the amendment, in the following ways:

- The height of the development has been informed by site and context analysis, as outlined in the Urban Design Report located at **Appendix 3**. In particular, the site suitability is further heightened as a result of its proximate location to major transport infrastructure (Bondi Junction Interchange).
- The proposal will provide a development which is sympathetic to the surrounding heritage and archaeological items contained within the Site and the adjoining conservation area located to the rear of the Site.
- Increased development capacity is proposed on the Site above that currently allowed to ensure development would protect and enhance the amenity of the public domain through providing active commercial frontages at street level (including studios, galleries and workspaces), new public open spaces, as envisaged by the active street frontages required for the Bondi Junction Centre.
- The proposal also aligns with Waverley Communities visions which acknowledges high-rise development as a challenge. As a result, the proposal provides a development that would integrate with the density of development and range of land uses in the Site's vicinity.
- The Site context is not defined by any significant view corridors. The proposed development is therefore not considered to compromise view-sharing.
- The location of the Site, in conjunction with existing infrastructure and planned sustainable modes of infrastructure upgrades, serves as being ideal for the proposed development.



**Figure 10: Proposed amendment to Building Height Map (Source: NSW Legislation 2020)**

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As outlined above, built form massing and modelling has been undertaken as part of the Urban Design Report (**Appendix 3**) and demonstrates that 26m would be appropriate for the Site having regard to the visual outcome, streetscape, surrounding development and neighbouring amenity.

The required extent of the LEP amendment for additional building height is shown in **Figure 6** which provides an extract from Sheet HOB\_001 of the WLEP2012 Height of Buildings Map.

### 3.4 AMENDMENT TO WAVERLEY LEP 2012 FSR

To achieve the objectives of the proposal, it is also required to amend Clause 4.4 Floor Space Ratio of WLEP 2012 to allow increased density to correspond with the proposed increase in height.

To facilitate the redevelopment of the Site for mixed use development, it is requested to amend the provisions of Clause 4.4 of the WLEP 2012 to allow increased density.

The objectives of Clause 4.4 are as follows:

- (a) to ensure sufficient floor space can be accommodated within the Bondi Junction Centre to meet foreseeable future needs,*
- (b) to provide an appropriate correlation between maximum building heights and density controls,*
- (c) to ensure that buildings are compatible with the bulk, scale, streetscape and desired future character of the locality,*
- (d) to establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and minimise the adverse impacts on the amenity of the locality.*

The existing objectives of Clause 4.4 would not be altered by this proposal but rather would be achieved by the amendment:

- Additional GFA and FSR are required to make the redevelopment of the Site viable. This redevelopment is required such that new commercial space and residential accommodation are delivered to support jobs, economic growth and the housing needs of Sydney's growing population. The Site's redevelopment also presents significant opportunity to contribute to the provision of increased employment opportunities within the Bondi Junction Strategic Centre.
- Additional FSR awarded across the Site will not only allow for the existing employment floor space to be retained but will also allow for an increase in employment GFA whilst allowing for additional residential accommodation to be facilitated also. This will accommodate in-situ accommodation to ensure the proposed retail and commercial spaces are utilised and create a new sense of place within this part of Oxford Street.
- The proposed density of development, built form and land use, integrate with the site context which, as described in the former section, incorporates recently constructed high-rise mixed-use buildings, existed heritage items and surrounding heritage conservation areas.
- New mid-rise mixed-use development will catalyse the desired transformation of the West Bondi area which encapsulates the community's visions which will not result in high rise development.
- The proposal will not only retain and increase the amount of commercial/employment generating uses on the Site, but it will also facilitate additional residential accommodation to assist in the provision of affordable and diverse accommodation

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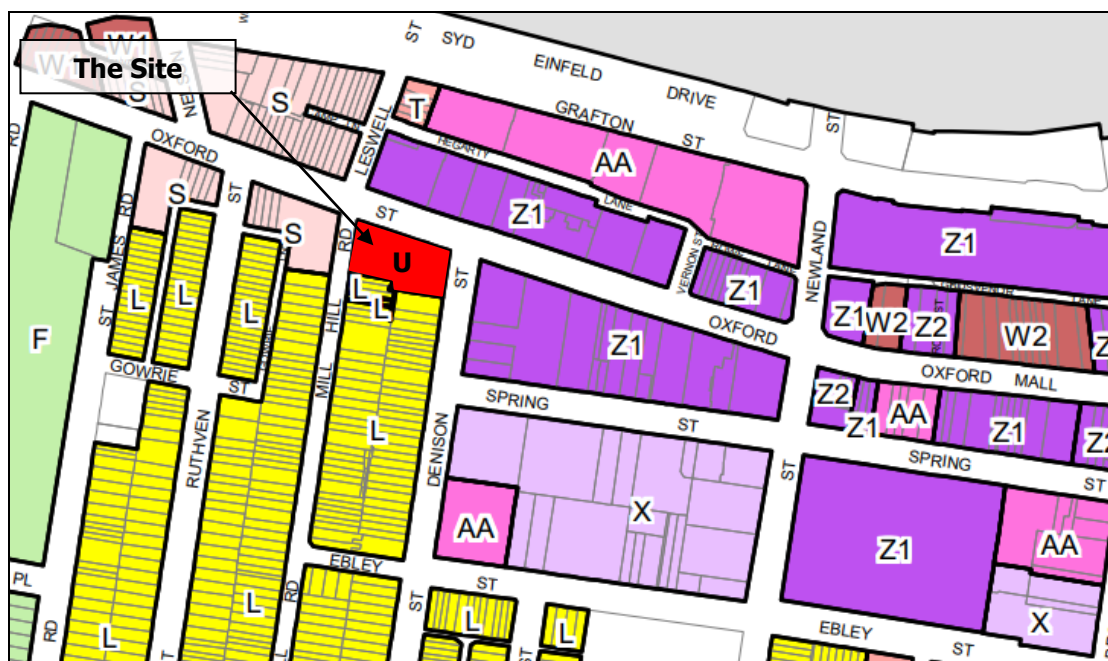
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catering for live work spaces that features start-up hub to facilitate local innovative business opportunities.

- The sympathetic transitional form of the development has been designed to protect neighbouring residential amenity, environmental heritage and provide a suitable transition between the neighbouring high-rise developments.
- The amenity of the public domain will be enhanced by the development through the provision of an area where lingering is encouraged, the activation of streets, provision of through-site links, lanes and arcades and thus improving the visual amenity *via* an improved and aesthetically pleasing design.



**Figure 11: Proposed amendment to FSR Map (Source: NSW Legislation 2020)**

As outlined above, built form massing and modelling has been undertaken as part of the Urban Design Report (**Appendix 3**) and demonstrates the suitability of the proposed density of 2.5:1 for the Site.

The required extent of the LEP amendment for additional FSR is shown in **Figure 10** which provides an extract from Sheet fsr\_001 of the WLEP2012 FSR Map. A "U" has been annotated on the proposed map to illustrate an FSR of 2.5:1 for the Site.

### 3.5 PUBLIC DOMAIN AND LANDSCAPE

The mixed-use concept sought to be delivered through the proposed LEP amendments, would significantly improve the quality of the public domain adjacent to the Site and along Oxford Street, particularly given the extent of the width of the block. The proposal would open up the front portion of the Site and encourage pedestrian activity, as opposed to the current situation along Oxford Street which provides built form hard along the boundary and does not allow space for public domain area experiences.

The activated public domain will be created by:

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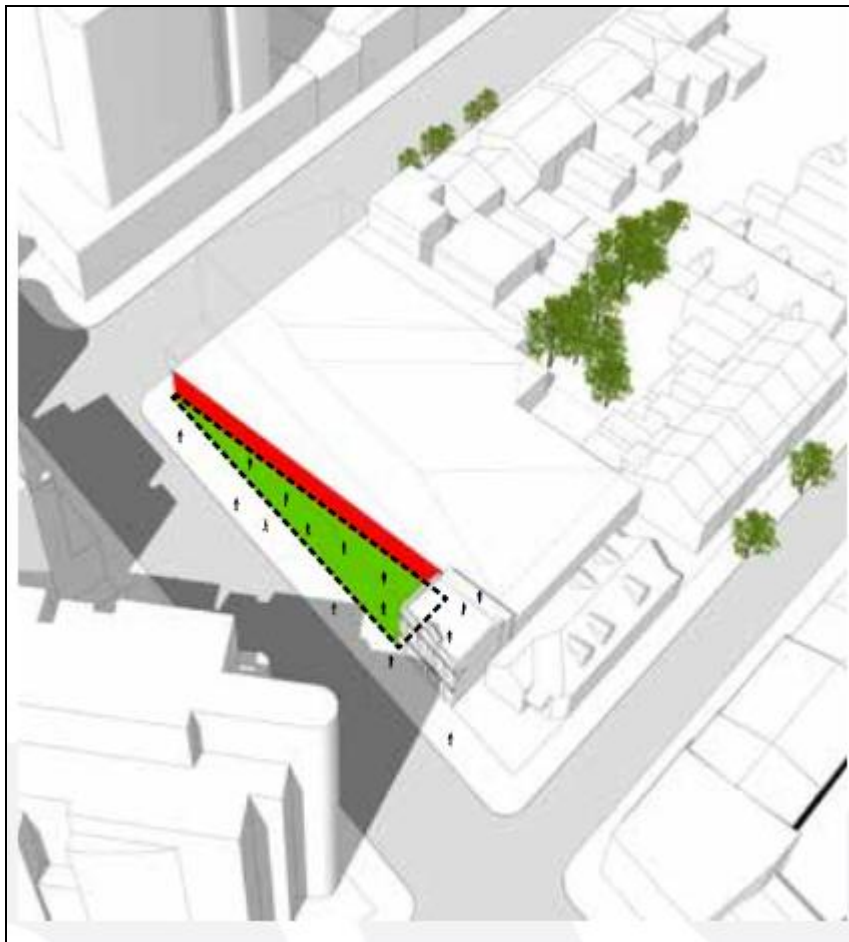
Additional Height and FSR

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- The reuse of the existing heritage item to provide active uses such as cafes/restaurants which address the street and provide an active public domain area;
- A new pedestrian through-site link connecting Dennison Street, Mill Hill Road and Oxford Street;
- The proposal would facilitate through-site links and create new public spaces to expand the scale of the public domain to the benefit of the local community;
- Creating and enlivening public domain, street amenities and active street frontages on Oxford Street is a practical way to reinforce this active street;
- Orientation of buildings to address the street, lanes and public open spaces;
- Improved pedestrian infrastructure including widened footpaths and awnings;
- This Site presents a unique situation for Oxford Street, where a public domain space with depth has evolved naturally as a result of the retention of the heritage items. The proposal will foster an environment which allows people to congregate off the immediate street frontage whilst allowing for direct frontage to Oxford Street, as depicted in **Figure 9** below;
- Public art; and
- Enhanced landscaping.

Further details of the public domain and landscaping are provided in the Urban Design Report.



**Figure 12: Enhanced Public Domain (Source: Roberts Day)**

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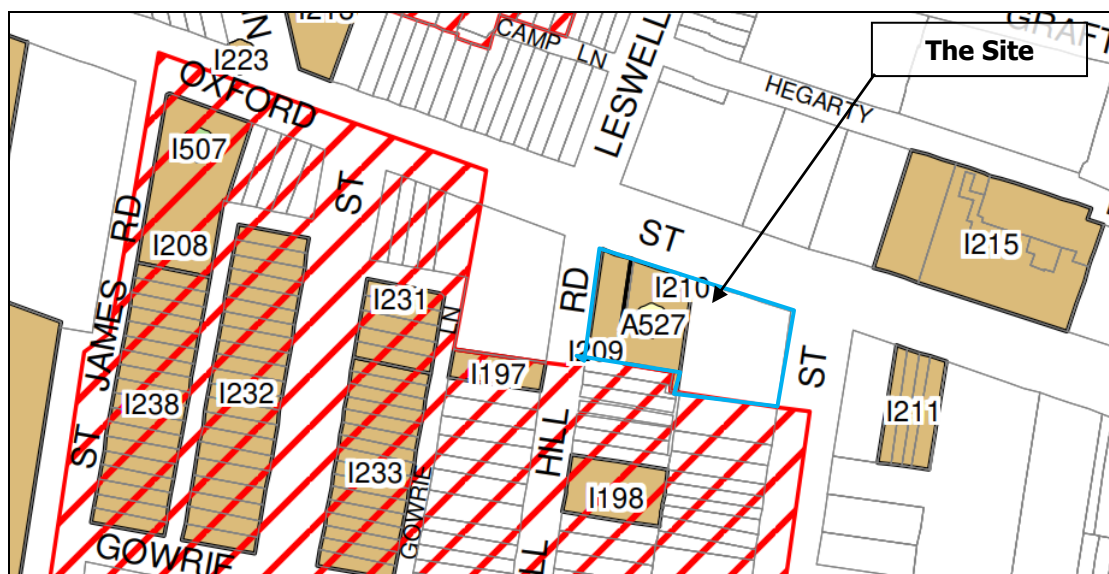
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### 3.6 RETENTION OF HERITAGE

The existing dwelling located at 45 Oxford Street, Bondi Junction is identified as an item of environmental heritage as per Schedule 5 of the WLEP2012. This item (I209) is known as "The Rectory" Medical Centre and is nominated as a good example of a federation house. The item (I210) located at 47-49 Oxford Street, Bondi Junction is known as the Bondi Junction Timber & Hardware Co. and the significance of this building generally relates to the façade which retains some architectural interest in addition to the site's historical and archaeological significance (A527).

As depicted in **Figure 10** below, the Site adjoins a heritage conservation area to the south and is known as the Mill Hill Conservation Area (C12) pursuant to the WLEP 2012.

Both Heritage items are proposed to be retained as part of the Planning Proposal and the rear curtilage, which is currently used for car parking of "the Rectory" is proposed to be utilised as the through site link which will connect Dennison Street and Mill Hill Road.



**Figure 13: WLEP2012 Heritage Map (Source: NSW Legislation 2020)**

Given the heritage significance of the Site, a detailed Heritage Impact Statement (HIS) has been prepared to support the proposal and is attached at **Appendix 5**.

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## PART D JUSTIFICATION FOR PROPOSED LEP AMENDMENT

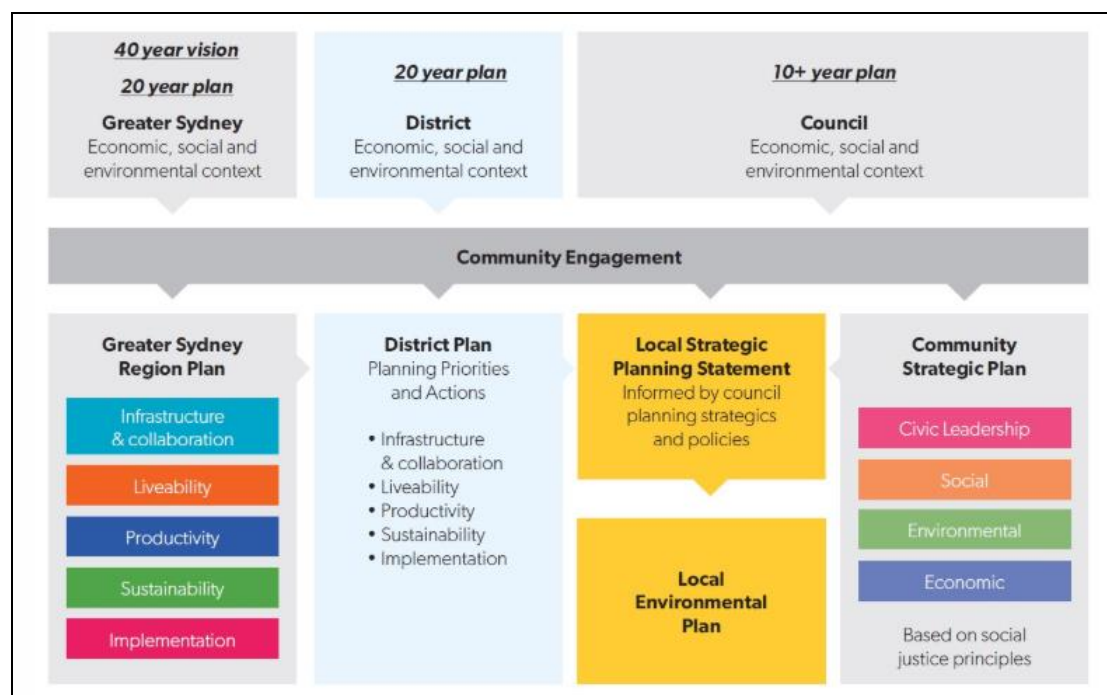
### 4.1 NEED FOR THE PLANNING PROPOSAL

The DPE document *A Guide to Preparing Planning Proposals* includes the following questions in describing the need for the Planning Proposal.

#### 4.1.1 IS THE PLANNING PROPOSAL A RESULT OF ANY STRATEGIC STUDY OR REPORT?

The proposed amendment to WLEP 2012 to facilitate additional height and FSR on the Site, aligns with a number of state, regional and local strategic studies and reports.

The NSW Strategic Planning Framework is provided below and the ensuing sections will demonstrate how the proposal is consistent with the relevant strategic Planning Framework.



**Figure 14: NSW Strategic Planning Framework (Source: Department of Industry Planning and Environment (DPIE))**

#### 4.1.1.1 NSW STATE PRIORITIES

Eighteen (18) state priorities are being actioned by the NSW Government to *make this state of ours even better*. The priorities have been categorised under the following headings:

- Strong budget and economy
- Building infrastructure
- Protecting the vulnerable
- Better services
- Safer communities

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The proposed future provision of a mixed-use development on the Site would achieve a number of priorities, as outlined below.

### ***Encouraging Business Investment***

The NSW Government seeks to attract and grow business, create jobs and enhance economic prosperity.

The proposed shop top housing development would maintain and increase employment uses on the Site through ground floor retail, business uses, community uses and affordable start up spaces and pilot a live/work model. This would support economic investment and job creation, in accordance with the NSW Government's economic priorities.

Simultaneously, developing the Site, for the purposes of the shop top housing development would provide vital residential accommodation to complement the jobs growth forecast, for the Bondi Junction Strategic Centre and the closely located Randwick Health and Education Precinct.

### ***Improving Road Travel Reliability***

As part of improving the overall efficiency and reliability of the state's transport network, the government has prioritised encouraging commuters to use public transport and to undertake off-peak travel more often. Combined with building extra road capacity, this would enable business and the community to move around the city with greater ease, reducing travel times, boosting productivity and reducing business costs.

Additionally, the provision of industrial workspaces, creative business spaces and live-work dwellings within the Site, will encourage an overall efficient form of living which reduces reliability on existing infrastructure, to ensure that the decision to use more sustainable forms of transport is made easy.

The Site is located in immediate proximity of key public transport nodes such as the Bondi Junction Interchange. The Site is also highly walkable, owing to the proximity of transit hubs, employment-generating commercial precincts, and anticipated cycleways. New commercial and residential development on the Site would therefore promote the use of active transport modes for future workers, residents and other site-users, and further complement the creative industry precinct and the anticipated innovation hub proposed in close proximity (to the south of the Site).

### ***Increasing Housing Supply***

By increasing housing supply, the government seeks for downward pressure to be placed on prices.

The delivery of additional housing, which would be enabled through this Planning Proposal, would contribute to increased housing supply in a strategic location with immediate access to transport infrastructure, employment, education establishments, community facilities and the other services required to meet the day-to-day needs of the future community. The proposal would therefore assist in meeting the housing needs of Sydney's existing and growing population. Further, the delivery of more diverse forms of accommodation such as live/work dwellings provides opportunities for student worker housing to support the Randwick Health and Education Precinct.

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The proposal would also provide opportunities for potential affordable housing to be integrated in the precinct, thereby responding to the diverse needs of the community.

### 4.1.2 GREATER SYDNEY REGION PLAN

The Greater Sydney Region Plan (the Region Plan) outlines a vision for Sydney to 2056, defined by three (3) cities; the Western Parkland City, the Central River City, and the Eastern Harbour City. The Plan seeks to foster productivity, liveability and sustainability, to be achieved through the '30-minute city' model by which more than 60% of people live within 30 minutes of jobs, education, health facilities and services. The creation of the 30-minute city is to be promoted through infrastructure investment and coordinated transport and land use planning.

The ten (10) directions underpinning this Plan emphasise infrastructure delivery, increasing housing choice, creating walkable neighbourhoods and 'great places to live', supporting economic growth, and promoting environmental sustainability. Overall, the Plan aims to accommodate an additional 725,000 dwellings and 817,000 new jobs.

### 4.1.3 EASTERN CITY DISTRICT PLAN

Greater Sydney's three cities discussed above reaches across five (5) districts. *The Greater Sydney Region Plan* identifies the Site as being located in the Eastern City District Plan (the District Plan). The District Plan is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. The District Plan informs local strategic planning statements and local environmental plans, the assessment of planning proposals, as well as community strategic plans and policies.

The Greater Sydney Commission reinforces the Plan's potential for achievement by outlining the following strategies, including:

- Strengthening the international competitiveness of the Harbour CBD, supported by the Innovation Corridor, health and education precincts and the District's strategic centres;
- Boosting innovation and creative industries alongside knowledge-intensive jobs growth;
- Stimulating the night-time economy within a responsive regulatory environment;
- Protecting international trade and freight routes;
- Retaining industrial and urban services land;
- Nurturing quality lifestyles through well-designed housing in neighbourhoods close to transport and other infrastructure;
- Sustaining communities through vibrant public places, walking and cycling, and cultural, artistic and tourism assets;
- Aligning growth with infrastructure, including transport, social and green infrastructure, and delivering sustainable, smart and adaptable solutions;
- Being innovative in providing recreational and open space areas, and increasing urban tree canopy;
- Transitioning to a low-carbon, high-efficiency District through precinct-scale initiatives;
- Building effective responses to climate change and natural and urban hazards.

The Site has previously and continues to be used for commercial and residential purposes, which the proposal will continue to facilitate. In addition, the existing items of environmental heritage and archaeological significance are proposed to be retained. To ensure a viable development which can retain the existing heritage items whilst capitalising on the creation of

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a north facing public plaza which will deliver significant public benefit in the form of placemaking, additional height and FSR is sought to provide a built form which capitalises on its proximate location to Bondi Junction Strategic Centre and Bus and train interchange. Such additional height will allow for the existing heritage to be retained and provide a north facing public plaza which benefits from a northern aspect along The Avenue.

The Waverley local government area (LGA) is located within the Eastern City District and is identified as a 'Strategic Centre'.

The Plan establishes a number of priorities and actions to guide growth, development and change, relating to infrastructure & collaboration, liveability, productivity and sustainability. The priorities and actions relevant to the Site and proposed development are discussed under the followings headings.

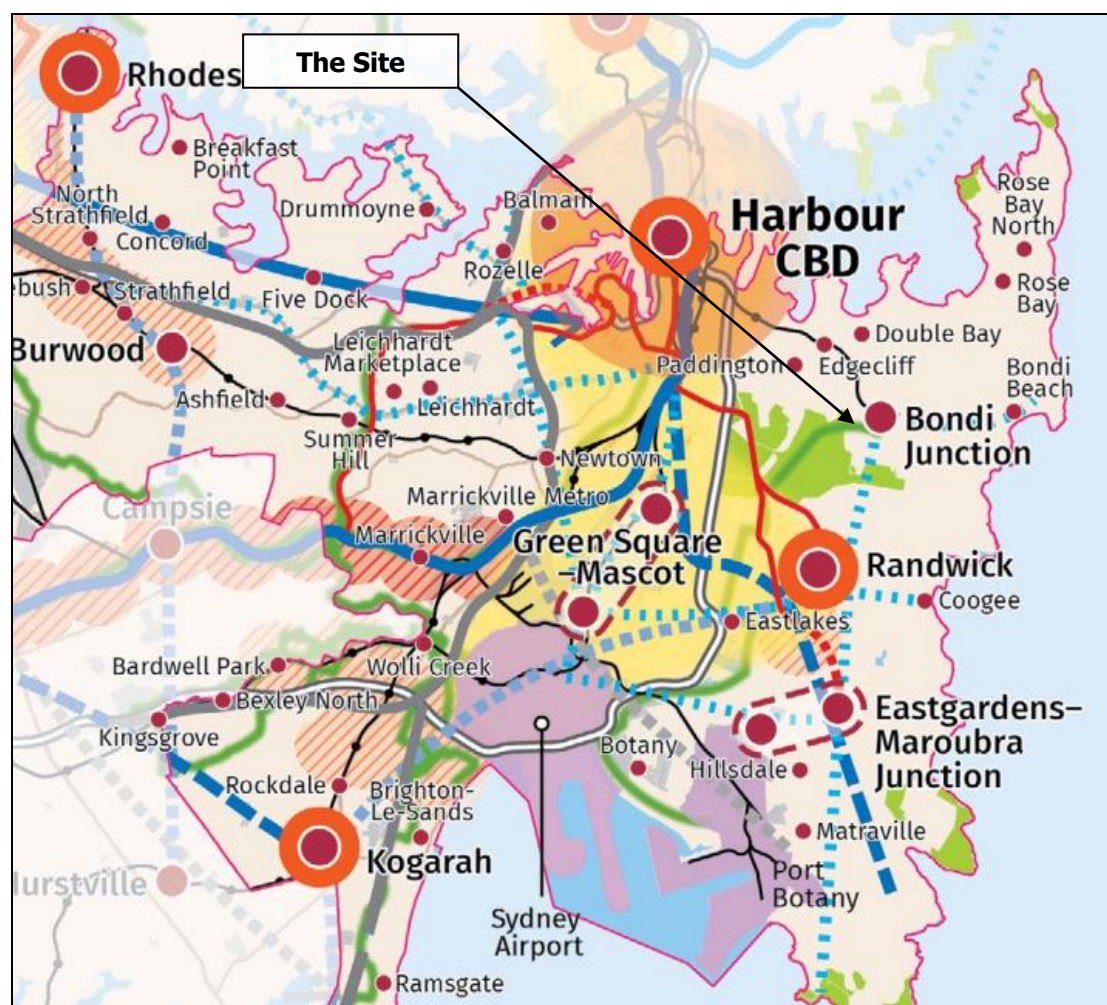


Figure 15: Eastern City District (Source: Eastern City District Plan, GSC)

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RESPONSE TO THE EASTERN CITY DISTRICT PLAN		
1. INFRASTRUCTURE AND COLLABORATION		
<b>E1</b>	A city supported by infrastructure	This significant site fronts onto Oxford Street and is located inside Bondi Junction's Strategic Centre, and will support the increasing intensity of activity in the centre.
2. LIVEABILITY		
<b>E3</b>	Services and social infrastructure to meet people's changing needs	There is an opportunity for community uses on site. Existing light industrial uses on-site do not contribute to Bondi Junction's role as a strategic centre.
<b>E4</b>	Fostering healthy, creative, culturally rich and socially connected communities	A subsidised creative start-up hub, new public space, laneway, and public art will reinforce local social activity.
<b>E5</b>	Providing housing supply, choice and affordability with access to jobs, services, and public transport.	Diverse new build-to-rent housing will be created in Bondi Junction's Strategic Centre only 350m walking distance along Oxford Street from Bondi Junction Station.
<b>E6</b>	Creating and renewing great places and local centres, and respecting the District's heritage	The redevelopment of existing light industrial uses and the retention of heritage features will strengthen the place value of this part of Bondi Junction.
3. PRODUCTIVITY		
<b>E10</b>	Delivering integrated land use and transport planning and a 30-minute city	This highly walkable location in Bondi Junction supports a 30-minute city strategy for Bondi and for the Harbour CBD.
<b>E11</b>	Growing investment, business opportunities and jobs in strategic centres	A seven-fold increase in jobs and a new subsidised start-up space on this site will create new business opportunities and support Bondi Junction's 2036 jobs target.
<b>E13</b>	Supporting growth of targeted industry sectors	New day and night time activation of this site will support visitation to Bondi Junction.
4. SUSTAINABILITY		
<b>E17</b>	Increasing urban tree canopy cover and delivering Green Grid connections	This redevelopment will increase tree canopy cover on site and contribute to active travel and landscape on Oxford Street to reinforce its role in the Green Grid.
<b>E18</b>	Delivering high quality open space	New public space will be created on site, supporting local social activity and helping connect people to nature.
<b>E19</b>	Reducing carbon emissions and managing energy, water and waste efficiently	This development targets a 6-Star Green Star Design and As-Built certification in recognition for its environmentally sustainable design features.
<b>E20</b>	Adapting to the impacts of urban and natural hazards and climate change	Green roof, green wall, tree canopy coverage, and water sensitive urban design elements will locally reduce vulnerability to natural hazards.

Figure 16: Response to the Eastern District Plan (Source: Roberts Day)

### 4.1.3 IS THERE A NET COMMUNITY BENEFIT?

The net community benefit has been assessed in accordance with relevant guidelines and as outlined in the following table.

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**Table 4: Net Community Benefit**

<i>Criteria</i>	<i>Y/N</i>	<i>Proposal</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 800m of a transit node)?	Y	<p>The proposal is consistent with key elements of NSW State Priorities, A Plan for Growing Sydney, Directions for a Greater Sydney, the Greater Sydney Region Plan and the Eastern City District Plan, as discussed above.</p> <p>Similarly, the proposal responds to the objectives of the Waverley LSPS and Waverley Community Strategic Plan 2018-2029.</p>
Is the LEP located in a global/regional city, strategic centre or corridor nominated within the Metropolitan Strategy or other regional/subregional strategy?	Y	<p>The WLEP 2012 contains Bondi Junction, which is an identified Strategic Centre within the Greater Sydney Region Plan and the Site is located within the Bondi Junction Strategic Centre. The Site is also located within walking distance to the Bondi Junction Train and Bus interchange.</p> <p>Consistent with the strategic policies, the proposal would create opportunities for new jobs, additional housing and an activated public plaza and through site link, whilst retaining existing environmental heritage.</p>
Is the LEP likely to create a precedent or create or change the expectations of the landowner or other landholders?	N	<p>Land surrounding the Site to the north, east and west is zoned B4 mixed use and land located to the south is zoned R3 medium density residential development. Existing development located at 194-214 Oxford Street and 2 Nelson Street, Bondi Junction sought to increase the height from 15m to 36m and the FSR from 1.5:1 to 3.5:1. This proposal sought to increase both the FSR and height by more than double that prescribed by the WLEP 2012. Additionally, this Site was also located within a B4 mixed use zone and also proposed to remove the local heritage status in relation to four (4) terrace houses at 194-200 Oxford Street.</p> <p>No changing land use expectations would therefore be prompted by the proposal, as the precedence and impetus for changing expectations has already been established, prior to the preparation of this Planning Proposal.</p>
Have the cumulative effects of other spot rezoning proposals in the locality been considered? What was the outcome of these considerations?	Y	<p>Yes, as the surrounding developments have been, for the most part, development for residential development, employment targets have not been met and as a result, a Council led Planning Proposal has been prepared (Gateway Determination has been received) to ensure that no net loss of employment GFA results. As a result, and as envisaged by the Waverley LSPS, the proposal will provide a significant increase in employment GFA than that currently existing on the Site with 120 jobs to be created.</p>

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Will the LEP facilitate a permanent employment generating activity or result in a loss of employment lands?	Y	The proposed LEP amendments would preserve the B4 mixed use zoning of the Site whilst enabling a greater density of development to be provided. As demonstrated through the modelling in the Urban Design Report ( <b>Appendix 3</b> ), the mixed-use concept for the Site incorporates approximately 1,800m <sup>2</sup> of shop/retail/creative start up. Flexible floor space would accommodate employment generating uses and community facilities consistent with the District Plan's vision. The proposal would therefore facilitate permanent job creation on a Site which is currently underutilized and underdeveloped.
Will the LEP impact upon the supply of residential land and therefore housing supply and affordability?	Y	The rezoning would enable mid-rise medium density residential development as a component of shoptop housing development and therefore would improve housing supply, choice and affordability through the provision of new housing in an accessible and walkable location.
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 transport?	Y	The Site is serviced by existing infrastructure that is capable of servicing higher density than currently existing. Additionally, basement car parking will be provided to provide for off-street car parking.  Therefore, no net loss of on-street car parking would result and additional in-situ population would be serviced by existing public bus services, located immediately adjacent the Site. Resulting from the proximity of the Site to public transport, active transport networks and services, the Site is considered to have a high walkability and transit rating.
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?	Y	By co-locating places of employment and living, the mixed-use proposal would reduce the need to travel resulting in reduced road congestion, reduced pollution, reduced expenditure related to car travel and a higher standard of living for residents and workers.
Are there significant Government investments in infrastructure or services in the area where patronage will be affected by the proposal? If so, what is the expected impact?	N	No major government investment in infrastructure is proposed for Bondi Junction. However, the Waverley LSPS proposes to upgrade the Bondi Junction interchange will result in an enhanced outcome for the surrounding community.

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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?	N	<p>The proposal would not impact on land that the government has identified a need to protect or that is environmentally constrained. Rather the proposal would facilitate development for additional density, whilst retaining environmental heritage on land that has been historically developed and forms part of an established urban area.</p> <p>The Site is not identified as a flood planning area as per the WLEP 2012 Flood Planning map or to contain terrestrial biodiversity as per the WLEP 2012 Terrestrial Biodiversity map.</p> <p>The Site is not identified as containing acid sulfate soils.</p>
Will the LEP be compatible/ complementary with surrounding adjoining land uses? What is the impact on the amenity in the location and wider community? Will the public domain improve?	Y	<p>The envisaged mid-rise mixed-use development would be complementary to and supportive of surrounding land uses. As demonstrated in the Urban Design Report provided at <b>Appendix 3</b>, the design of the concept development significantly improves the amenity and appearance of the Site, whilst protecting the amenity of surrounding sites including, in relation to, solar access, natural ventilation and privacy.</p> <p>The proposal also provides the opportunity to relate to the public domain more effectively, through active frontages at street level, new public open space and plaza, the preservation of the existing archaeological and environmental heritage.</p>
Will the proposal increase choice and competition by increasing the number of retail and commercial premises operating in the area?	Y	<p>The proposal would deliver a potential 120 jobs on the Site, thereby providing opportunities for innovation and sustained economic activity, as well as providing amenity and convenience for future residents through the integration of retail on the Site.</p>
If a stand-alone proposal and not a centre, does the proposal have the potential to develop into a centre in the future?	N	<p>Whilst a stand-alone proposal, in that it is proposed to increase height and FSR for a spot, the proposal would support the important role and function of the existing Bondi Junction Strategic Centre. The proposal will continue to meet the B4 zone objectives and increase opportunities for enhanced walkability and more sustainable way of life.</p>
What are the public interest reasons for preparing the draft plan? What are the implications of not proceeding at that time?	Y	<p>The development would provide new opportunities for business investment and new housing to support the local, regional and national economies and populations. Given the benefits arising from the proposal for the local workforce and resident population, it is considered to be completely in the public interest with no adverse impacts anticipated.</p> <p>Were the proposal not to proceed at this time a lower level of business activity would be attracted, the</p>

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		housing market would be characterised by less supply, less choice and lower affordability and the Site would remain visually unappealing and not act as a catalyst for the upgrading of this portion of Oxford Street. The Site would forgo its opportunity to contribute to the desired revitalisation of the prominent Site and build upon the vision of the Green Grid and proposed bicycle link.
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## 4.2 RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

### 4.2.1 IS THE PLANNING PROPOSAL CONSISTENT WITH THE OBJECTIVES AND ACTIONS CONTAINED WITHIN THE APPLICABLE REGIONAL OR SUBREGIONAL STRATEGY (INCLUDING THE SYDNEY METROPOLITAN PLAN AND EXHIBITED DRAFT STRATEGIES)?

As previously discussed in **Section 4.1**, the Planning Proposal is consistent with *NSW State Priorities, Direction for a Greater Sydney, Greater Sydney Region Plan – A Metropolis of Three Cities, Eastern City District Plan*, the *Waverley Community Strategic Plan 2018-2029* and the *Waverley LSPS*.

### 4.2.2 IS THE PLANNING PROPOSAL CONSISTENT WITH THE LOCAL COUNCIL'S COMMUNITY STRATEGIC PLAN OF OTHER LOCAL STRATEGIC PLAN?

#### 4.2.2.1 WAVERLEY LOCAL STRATEGIC PLANNING STATEMENT

The Waverley Local Strategic Planning Statement 2020-2036 (Waverley LSPS) was introduced to bridge the gap between state government policy and local Government.

The Waverley LSPS was prepared in accordance with Clause 3.9 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the LSPS will be used as a guide to updating LEP, DCP and development contributions plans.

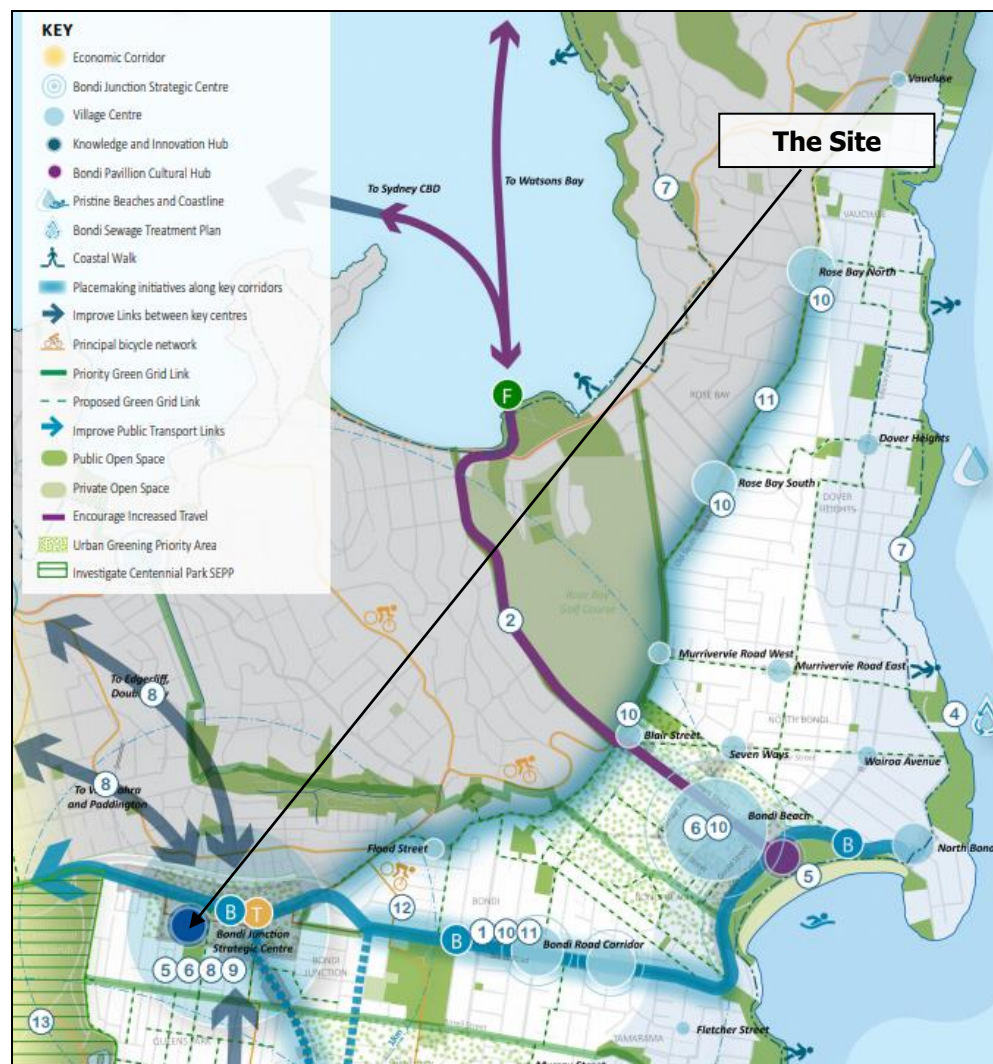
The Waverley LSPS sets a 20-year vision providing a strategic plan up to 2036. As depicted below, the Site is located within the Bondi Junction Strategic Centre, as outlined in **Figure 17** below.

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**Figure 17: Waverley LSPS vision (Source: Waverley LSPS)**

The LSPS document provides planning priorities for each of the four (4) themes and each planning priority outlines actions to specify how the Planning Priorities are implemented. This Planning Proposal responds to each of these e above-mentioned themes and how the proposal accords with these.

### 1. Infrastructure and Collaboration

- Deliver mixed use development at an appropriate scale which will be located within 300m of the Bondi Junction Train and Bus interchange.
- Provide increased permeability by offering through site links *via* laneways, open public spaces and enhanced pedestrian accessibility.

### 2. Liveability

- An extensive array of proposed landscaping and increased tree canopy are proposed for the Site.

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- Sustainable modes of transport will be facilitated through the proposed through site links and the anticipated cycle way which is proposed along both the Denison and Oxford Street frontages.
- The Site is located within 300m of the Bondi Junction Interchange which will further discourage private car ownership and enhance more sustainable modes of transport.
- The Site will also provide green roof elements, an enhanced active public domain, whilst also benefitting from its proximate location to Centennial Parklands (400m).

### 3. Productivity

- The proposal will enhance and facilitate the local economy by providing creative spaces which will offer flexible workspaces that would support a variety of creative office and creative business functions, including art, technology, production and design sectors.
- The redevelopment will provide a direct response to the visions for the Strategic centre by providing a mix of employment opportunities, affordable and differing housing options *via* a new innovation mid-rise model which will present more sympathetically to surrounding heritage whilst achieving similar yields to that of a high rise development to assist in achieving housing targets. This not only supports a diverse community but creates a lively and engaging centre.

### 4. Sustainability

- The proposal will provide an engaging public domain, which directly correlates with the identified green grid connections and anticipated cycle route.
- The location of development in close proximity to the existing asset that is Centennial Parklands will encourage healthy lifestyles, increase opportunities for people to experience nature and improve amenity whilst being located at the fore front of increased sustainable connections.
- Assist in reducing the urban heat island by increasing the amount of tree canopy provided to that currently existing.

As detailed in the Waverley LSPS, Planning Proposals must demonstrate strategic merit and site-specific merit. A table outlining principles for change is provided within the Waverley LSPS to guide decisions in relation to Planning Proposals in the local area. **Table 7** below provides a response to each of the principles:

Table 5: Principles for Change	
The local strategic principles for change are:	Response
Proposals should be consistent with the Greater Sydney Region Plan and Eastern City District Plan.	As previously discussed in Section <b>4.1.2</b> and <b>4.1.3</b> , the proposal provides a direct response to both the Region Plan and Eastern City District Plan.
Proposals for sites in Bondi Junction Strategic Centre should be consistent with the objectives for the centre in the Eastern City	The Site is located within the Bondi Junction Strategic Centre and will remain consistent with the objectives of the Eastern District

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District Plan and in this Local Strategic Planning Statement.	<p>Plan and Waverley LSPS. The proposal will continue to provide employment space whilst also increasing the employment floor area currently available on the Site.</p> <p>As detailed in the Planning Proposal lodged in relation to B4 and B3 zones in the Bondi Junction Strategic Centre, the following is outlined:</p> <p>"There has been a loss of approximately 9,000sqm of existing commercial floor space in Bondi Junction as a result of recent residential developments since 2014. 1 There is forecast to be a further loss of 19,000sqm of existing commercial floor space with current and recently approved DAs in the pipeline at the time of writing. This cumulative floor space loss represents between 580 and 1,300 jobs".</p> <p>As a result, the Proposal will also provide a direct response to this, as it will increase the employment floor area currently made available across the Site whilst also facilitating additional residential development.</p>
Proposals should be consistent with the relevant directions, objectives and actions of the Waverley Community Strategic Plan.	Yes, the proposal is consistent with the Waverley Community Strategic Plan, as discussed in <b>Section 4.2.2.2</b> below.
Aims of the Waverley Local Environmental Plan.	<p>The proposal meets the aims of the WLEP 2012 as it will provide a range of commercial, retail, innovative and residential uses to service the surrounds of the Site.</p> <p>The proposal provides a mid-rise medium density development which is in keeping with the B4 mixed use zoning awarded to the Site and results in a more modest design than that of recent surrounding development. The proposal will facilitate a higher density than currently permitted to provide for a diverse range of residential types to meet the needs of the community.</p> <p>This prominent Site which offers 150m frontage to Oxford Street and concentrates the bulk of the built form along Oxford Street and tapers down towards the rear of the Site to remain sympathetic to the adjoining R3 medium density zone and HCA.</p> <p>The Site presents strategic merit based on the three (3) street frontages it benefits from, facilitates height transitions to not only</p>

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	<p>remain considerate to the existing environmental heritage and archaeological heritage components of the Site but also for the amenity of adjoining sites.</p> <p>As high-rise developments will not align with the vision outlined for Waverley, a suitable medium rise mixed-use development which seeks to retain and repurpose the existing item of heritage significance is proposed. The proposal will continue to conserve the social and built heritage of Waverley in accordance with the aims of the WLEP2012.</p>
Proposals should be consistent with the relevant liveability, productivity, infrastructure and sustainability, priorities, objectives and actions in this Local Strategic Planning Statement.	<p>As previously mentioned above and as demonstrated in the Urban Design Report located at <b>Appendix 3</b>, the proposal will provide a direct response to each of the planning priorities outlined in the Waverley LSPS.</p> <p>The Site is located 300m from the Bondi Junction Train and Bus Interchange and is outlined to be part of the Bondi Junction Strategic Centre, will deliver additional jobs across the Site by virtue of the proposed development and for the on-going operation. The proposal has been developed with sustainability principles at the forefront and will provide development along the proposed Green Grid, located along Old South Head Road. The development will facilitate tree canopy coverage, a green roof, water reuse mechanisms and increased vegetation across the Site, whilst the built form will strive to achieve a 5-star green star design through the provision of environmentally sustainable design features.</p>
Proposals should be consistent with the relevant priorities, objectives and actions of any relevant strategies.	<p>As demonstrated above, the proposal will provide a direct response to the planning priorities of the Waverley LSPS. The proposal is consistent with the objectives for Bondi Junction Strategic Centre as it will provide greater employment opportunities across the Site, create a vibrant public domain, ensure people have access to employment within 30 minutes from their home.</p> <p>As outlined within the LSPS, Waverley has a job target for Bondi Junction, which will require changes to the planning controls to achieve. Increased job capacity throughout the LGA can be achieved through the application of a minimum non-residential FSR throughout Bondi Junction, which is currently proposed as part of a Council led Planning</p>

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	<p>Proposal. Notwithstanding the Council led Planning Proposal, the subject Planning Proposal seeks to meet the intentions of the Council Planning Proposal as no net loss of existing commercial floor space will result. As part of the Planning Proposal it is envisaged that an additional 130 jobs will be created than that currently existing.</p> <p>This Planning Proposal recognises the importance of retaining the status of the Bondi Junction Strategic Centre, within the metropolitan centres hierarchy.</p>
Proposals should support the strategic objectives in Council's adopted strategies and action plans.	As demonstrated above, the Site will provide mid-rise development, which is consistent with its existing zoning, whilst also meeting the relevant local actions envisaged by the Waverley LSPS. Additionally, as demonstrated in <b>Section 4.2.2.2</b> below, the proposal will remain consistent with the Waverley Community Strategic Plan also.
Proposals should not compromise non-residential development to meet employment targets for Bondi Junction Strategic Centre.	As outlined above, no net loss of employment space will result and an increase in employment space, which fosters the creative industry and innovative uses.
Proposals which seek to respond to a significant investment in infrastructure should be considered in a wider strategic context with other sites. This may include, but is not limited to, consideration of other infrastructure demand and provision, appropriate distribution of development potential across an area, value capture for public benefit and infrastructure delivery, and the orderly sequencing of development.	<p>The proposal does not seek to respond to infrastructure investment and seeks to rely upon existing public infrastructure. Based on the modest size of the proposal which will seek to provide 24 units and an increase in additional employment floor space, the existing Bondi Junction train and bus interchange can adequately facilitate the increased density which will remain modest in the B4 zone, particularly considering its context.</p> <p>Notwithstanding this, Council have outlined in their LSPS vision that they will upgrade the Bondi Junction Transport Interchange and improve transport accessibility to and from key destinations.</p>
Proposals should give consideration to strategically valuable land uses that are under-provided by the market, such as but not limited to hotels, cultural space (including performance and production space), medical and health-related uses, education uses and childcare centres, and urban services such as mechanics and bulky goods retailers, and have regard to the	An array of uses can be provided at the Site based on the current B4 zoning. Whilst the final uses will be further refined as part of a future Development Application, supporting the creative industry and innovative knowledge-intensive jobs will be fostered through the proposal. Based on the mixed-use zoning awarded to the Site and as outlined in <b>Section 1.3.3</b> above, an array of uses reflective of the objectives of the B4

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appropriateness of the use for the context.	zone are proposed.
<b>The local site-specific principles for change are:</b>	<b>Response</b>
Proposals should locate development within reasonable walking distance of public transport that has capacity (assuming development capacity will be delivered) and is frequent and reliable.	As demonstrated below in <b>Figure 18</b> below, the Site is located in walking distance to the Bondi Junction train and bus interchange.
Proposals should meet high sustainability standards, improve urban resilience, and mitigate negative externalities. Proposals can satisfy these high standards by committing all development on the subject site to achieve a 5+ Green Star rating with the Green Building Council of Australia, or a Core Green Building Certification or Zero Carbon Certification with the Living Futures Institute of Australia, or equivalent.	<p>The Rose Bay South development adopts high sustainability standards which aims to achieve targets set out in the 5-Star Green Star Design and sets out to achieve an As-Built certification. This is proposed to be achieved <i>via</i> the introduction of mechanisms such as Water Sensitive Urban Design and the provision of solar panels. Harvesting of rainwater from the rooftop may also be proposed to reduce the demand for water across the Site. Green walls, green roofs, increased tree canopy coverage will also be proposed to reduce the heat island effect and improve streetscapes to</p> <p>Significant landscaping is proposed for the Site including increased tree canopy and a green roof.</p> <p>Additionally, the proposed redevelopment is built upon the principle of walkability and providing everyday amenities within walkable locations. The proposal has naturally evolved to create an urban environment and destination, which is currently not available on Oxford Street.</p> <p>The proposal will retain existing character elements to enhance this new social hub. The retention of this built form will not only retain the character and heritage of Oxford Street but will also reduce the amount of materials required to facilitate redevelopment.</p> <p>The proposal can contribute to Oxford Streets upgrade as a major green grid connection, with significant trees, a bicycle path which is under construction and increased walking amenity between parklands and Strategic Centres.</p>
Proposals should include an amount and type of non-residential floor space appropriate to the site's strategic location and proximity to, or location within, a centre or activity street.	As previously outlined, the proposed non-residential GFA would deliver close to approximately 3,000m <sup>2</sup> of retail and employment opportunities on the Site,

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	<p>thereby providing opportunities for innovation, creative start up hubs and sustained economic activity, as well as providing amenity and convenience for future residents through the integration of retail on the Site.</p> <p>The proposal will facilitate employment above what is currently existing on the Site which will cater for the day to day needs of the proposed in-situ and surrounding residents.</p>
Proposals should create demonstrable public benefit.	<p>Numerous public benefit attributes are proposed for the Site.</p> <p>A north facing public plaza is proposed for the Site. Additionally, a pedestrian through site link is proposed along the southern boundary of the Site which will provide enhanced connectivity whilst also acting as a buffer between the proposal and existing development within the R3 zone and HCA.</p> <p>The existing heritage and archaeological sites of local significance are proposed to be retained and repurposed to ensure the existing character of the area is retained whilst providing a medium-rise development built upon the principles of the "missing middle".</p> <p>The Site will support a significant increase in jobs through the delivery of up to 130 new jobs which will contribute to the provision of local jobs for local people.</p> <p>The Site will also provide accommodation within walking distance to Bondi Junction train and bus interchange. Opportunities to discover the Built To Rent (BTR) model and deliver affordable housing may also be explored as part of the application and thus further contributing to housing diversity and affordability.</p> <p>The proposal presents numerous public benefit outcomes as a result.</p>
Proposals should be supported by an infrastructure assessment and demonstrate any demand for infrastructure generated can be satisfied, assuming existing development capacity in the area will be delivered.	<p>Off-street car parking in the form of basement car parks will be proposed to facilitate off street car parking and incur no impacts to existing on-street parking availability.</p> <p>As Mill Hill Road provides a one way system and the road width is restricted, early</p>

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	<p>discussions with traffic consultants have explored access to and from Denison Street to be the preferred access and egress point. As part of a future Development Application, a traffic study, access and traffic generation report can be prepared to ensure minimal impacts to existing traffic generation occurs.</p> <p>Considering the immediately adjacent bus stops which service the Site and the considerably high walkability rate (which the Site benefits from, it may be assumed that considering that walking for the residents will be the preferred mode of transport considering proximate location to existing schools, public transport, Centennial Park and the nature of uses which will be proposed at the Site.</p> <p>Notwithstanding this, as only 24 residential units are proposed, it is not considered that the proposal will incur significant impacts upon existing infrastructure located adjacent and within walking distance of the Site.</p>
Proposals should make a positive contribution to the built environment and result in an overall better urban design outcome than existing planning controls.	<p>As outlined in the accompanying Urban Design Report located at <b>Appendix 2</b>, the built environment and the creation of place making remains at the forefront of this proposal.</p> <p>The provision of a public plaza which is surrounded by existing environmental heritage (to the west) and modest scale built form provides a combination of physical elements to contribute to a culturally rich and inviting built environment that combines physical elements and energy in forms for living, working, and leisure spaces.</p> <p>To capitalise on this Sites prominent location which is awarded three (3) street frontages and sweeping views, a significantly enhanced built form and place making outcome would result than that if compliance with existing planning controls was proposed. The built form tapers down to the rear to be sympathetic to the adjoining development located to the south. Whilst the FSR and height will exceed the maximum permitted under the current WLEP 2012, to allow for public plazas, lanes, arcades, enhanced connectivity and permeability, whilst also retaining existing heritage and increasing the existing employment floor area across the Site, additional height and FSR above the</p>

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	permitted controls is required to ensure that the above mentioned public benefits are provided, employment floor area is increased and the natural heritage is retained.
Proposals should result in high amenity for occupants or users.	<p>The addition of the public plaza, enhanced connections and the creation of a place will result in high amenity for occupants of the proposal. Additionally, views to the nearby Centennial Parklands may be obtained which will further enhanced amenity allowing views to lush green landscapes. As comfort is maximised through the creation of enjoyable microclimates, the high amenity location will support a high quality of life for residents, workers and visitors.</p> <p>The proposal presents an opportunity for the height character of the proposal to optimise the urbanity of this high amenity location.</p>
Proposals should optimise the provision and improvement of public space and public connections.	<p>Enhanced connectivity is proposed which will facilitate a through site link along the southern boundary of the Site. This will enhance casual surveillance through the Site and enhance connectivity between Mill Hill Road and Denison Street.</p> <p>This proposal acknowledges the Site is extremely underutilised in its current form which ranges from single to two storey developments, not only in terms of the uses but also the aesthetic appearance of the Site. A revitalisation of the Site, which will bring with it an activated public realm, will contribute to vibrancy of Oxford Street. This will be achieved through a newly developed public plaza, arcade and lane with active street frontages and through-site connections.</p> <p>Redevelopment will not only enhance the future residents within the Site and provide an upgraded appearance, but the public domain and contemporary built form will also enhance the facilities and amenities for surrounding residents.</p>

As demonstrated above, the Planning Proposal exhibits significant merit to warrant support of the increased density and height for the Site.

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**Figure 18: Mobility network of Site (Source: Roberts Day 2020)**

### 4.2.2.2 WAVERLEY COMMUNITY STRATEGIC PLAN 2018-2029

The Waverley Community Strategic Plan 2018-2029 (the Waverley Plan) articulates the vision, values, aspirations and priorities of the Waverley community with reference to other local government plans, information and resourcing capabilities. It provides a direction for the future of Waverley for the next 9 years.

Waverley community's aspirations for housing are to ensure that sustainable growth and development is proposed which protects heritage and avoids high-rise development. The Proposal provides a direct response to this as it provides proportionate mid-rise development considerate of its B4 zoning and adjoining R3 zoning, whilst also retaining existing heritage.

The Waverley Plan provides eleven (11) themes which demonstrate the most significant areas that should be focused on in the next 11 years. Each theme is broken down into goals and their corresponding strategies.

Overall, Goal 4.2 of the Waverley Plan is to ensure Bondi Junction continues to have a diverse range of businesses, local jobs and services. The planning proposal will directly respond to this as it will provide adequate and suitable employment related floor space is available.

### 4.2.3 IS THE PLANNING PROPOSAL CONSISTENT WITH APPLICABLE STATE ENVIRONMENTAL PLANNING POLICIES?

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs), as outlined in **Table 5**.

**Table 6: State Environmental Planning Policies**

Policy	Details
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SEPP 1 – Development Standards	The Planning Proposal will not contain provisions that contradict or hinder the application of the SEPP.
SEPP 55 – Remediation of Land	Appropriate environmental site investigations would be carried out in accordance with SEPP 55 at the DA phase.
SEPP 64 – Advertising and Signage	Any signage associated with the future development would be assessed and approved in accordance with SEPP 64.
SEPP 65 – Design quality of Residential Apartment Development	This will be considered further as part of the DA stage.
SEPP (Coastal Management) 2018	<p>The Coastal Management SEPP aims to promote an integrated and coordinated approach to land use planning in the coastal zone.</p> <p>The Site is not identified as being wetlands or adjacent to coastal wetlands for the purpose of the Coastal Management SEPP.</p> <p>Future development would therefore have no adverse impact.</p>
(Building Sustainability Index: BASIX) 2004	This will be considered further as part of the DA stage.
SEPP (Exempt and Complying Development Codes) 2008	The relevant approvals pathway for future development would be determined in light of the relevant LEP and Exempt and Complying Development Codes.
SEPP (Infrastructure) 2007	<p><i>State Environmental Planning Policy (Infrastructure) 2007</i> (SEPP Infrastructure) provides for certain proposals, known as Traffic Generating Development, to be referred to NSW Roads and Maritime Services (RMS) for concurrence.</p> <p>Details of the development of the Site would be confirmed at the DA stage ensuing the rezoning of the land. Any requirement for the referral of the application to RMS would be confirmed at this stage.</p>

### 4.2.4 IS THE PLANNING PROPOSAL CONSISTENT WITH THE APPLICABLE MINISTERIAL DIRECTIONS (SECTION 9.1 DIRECTIONS)?

The Planning Proposal has been assessed against the Section 9.1 Ministerial Directions and is consistent with each of the relevant matters, as outlined in **Table 6**.

**Table 6: Section 9.1 Ministerial Directions**

<i>Direction</i>	<i>Comment</i>
<b>1. Employment and Resources</b>	
1.1 Business and Industrial	The proposal will retain the B4 Mixed Use zoning of the

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Zones	Site, and in accordance with the objectives and permissibility provisions of the B4 zone would support the co-location of retail, creative start up hubs and residential accommodation in the form of a shoptop development. Consistent with the objectives of this Direction, the proposal would encourage employment generation through the delivery of 1,800m <sup>2</sup> of employment generating uses comprising flexible floor space. New jobs would be situated on a highly accessible Site in proximity of existing Bondi Junction train and bus interchange.
1.2 Rural Zones	Not applicable.
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable.
1.4 Oyster Aquaculture	Not applicable.
1.5 Rural Lands	Not applicable.
<b>2. Environment and Heritage</b>	
2.1 Environment Protection Zones	Not applicable.
2.2 Coastal Protection	Not applicable.
2.3 Heritage Conservation	The existing heritage developments as identified within Part 3 of Schedule 5 of the WLEP 2012 are proposed to be retained (45 Oxford Street) and repurposed (47-49 Oxford Street).
2.4 Recreation Vehicle Areas	Not applicable.
<b>3. Housing, Infrastructure and Urban Development</b>	
3.1 Residential Zones	Not applicable.

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3.2 Caravan Park and Manufactured Home Estates	Not applicable.
3.3 Home Occupations	Not applicable.
3.4 Integrating Land Use and Transport	The Site is located in immediate proximity of the Bondi Junction train and bus interchange. The proposal seeks to take advantage of the Site's favourable location by providing capacity for a broader range of retail uses available on the Site that can be accessed by public transport, walking and cycling. The proposal will promote transport choice and reduce car dependency as it will provide additional services to meet the day to day needs of surrounding residents. New retail and residential development on the Site would therefore promote the use of active transport modes.
3.5 Development Near Licenced Aerodromes	Not applicable.
3.6 Shooting Ranges	Not applicable.
<b>4. Hazard and Risk</b>	
4.1 Acid Sulfate Soils	Not applicable.
4.2 Mine Subsidence/Unstable Land	The Site is not identified by the Section 10.7 Certificate as being proclaimed by mine subsidence.
4.3 Flood Prone Land	The Site is not identified by the Section 10.7 Certificate as being affected by flooding.
4.4 Planning for Bushfire Protection	The Site is not identified by the Section 10.7 Certificate as being affected by bushfire.
<b>2. Regional Planning</b>	
5.1 Implementation of Regional	Not applicable.

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Strategies.	
5.2 Drinking Water Catchments	Not applicable.
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	Not applicable.
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	Not applicable.
5.5 Development in the vicinity of Ellalong, Paxton and Millfield (Cessnock LGA) (Revoked 18 June 2010)	Not applicable.
5.6 Sydney to Canberra Corridor (Revoked 10 July 2008. See amended Direction 5.1)	Not applicable.
5.7 Central Coast (Revoked 10 July 2008. See amended Direction 5.1)	Not applicable.
5.8 Second Sydney Airport: Badgerys Creek (Revoked 20 August 2018)	Not applicable.
5.9 North West Rail Link Corridor Strategy	Not applicable.
5.10 Implementation of Regional Plans	Applicable. The planning proposal is consistent with the objectives of the Greater Sydney Region Plan: A Metropolis of Three Cities.
5.11 Development of Aboriginal Land Council Land	Not Applicable.
<b>1. Local Plan Making</b>	
6.1 Approval and Referral Requirements	Not applicable.
6.2 Reserving Land for Public	Not applicable.

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Purposes	
6.3 Site Specific Provisions	No site-specific change of zoning or additional permitted uses are required to support the future development of the site. The proposed LEP amendments relate to development standards already applicable to the Site and would not introduce any additional development standards.
<b>2. Metropolitan Planning</b>	
7.1 Implementation of A Plan for Growing Sydney	The proposal's alignment with A Plan for Growing Sydney and other relevant strategic plans is demonstrated in <b>Section 4.1</b> of this Planning Proposal report.
7.2 Implementation of Great Macarthur Land Release Investigation	Not applicable.

### 4.3 ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

#### 4.3.1 IS THERE ANY LIKELIHOOD THAT CRITICAL HABITAT OF THREATENED SPECIES, POPULATIONS OR ECOLOGICAL COMMUNITIES, OR THEIR HABITATS, WILL BE ADVERSELY AFFECTED AS A RESULT OF THE PROPOSAL?

The Site has been historically developed and is situated in an established urban area forming part of Bondi Junction Strategic Centre.

Additionally, based on the 10.7 (2) and (5) Certificates relating to each lot confirms the Site does not comprise critical habitat, is not biodiversity certified, is not the subject of any biodiversity stewardship agreements, does not contain any native vegetation clearing set asides, and is not affected by any Property Vegetation Plans or Tree Orders.

The proposal would therefore *not* affect any critical habitats, populations or ecological communities.

#### 4.3.2 ARE THERE ANY OTHER LIKELY ENVIRONMENTAL EFFECTS AS A RESULT OF THE PLANNING PROPOSAL AND HOW ARE THEY PROPOSED TO BE MANAGED?

##### ***Design and Appearance***

- A Concept Plan (**Appendix 2**) has been prepared to demonstrate the intended mixed-use development for the Site.

##### ***Landscaping***

- Further details of landscaping will be provided as part of a future Development Application. State and local government policies, as well as local and international precedent in laneway activation, laneway greening, street tree planting, and vertical and

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rooftop gardens, have guided the urban design concepts and will guide the landscape scheme for the future development of the Site.

- The proposed terrace and rooftop gardens would contribute to the urban tree canopy, providing positive outcomes for microclimate, biodiversity and habitat, whilst optimising opportunities for social interaction between residents and providing direct connections to the large green expanse awarded to the Centennial Park.

### ***Traffic and Parking***

- A Traffic Impact Assessment Report has not been prepared for the purposes of the Planning Proposal but will form part of any future Development Application for the Site.
- The Site immediately adjoins two bus services located on Old South Head Road which service Bondi Junction. Enhanced walkability will be encouraged by virtue of the proposal, as additional services and amenities will be provided for, which will cater for the needs of not only the proposed residents by the existing surrounding residents also.
- It is proposed to provide for off-street parking in the form of basement levels. The proposed parking for vehicles, motorcycles and bicycles would be further assessed at the DA stage.

### ***Contamination, Civil Engineering and Geotech***

- Appropriate environmental site investigations would be carried out in accordance with SEPP 55 at the DA phase.
- Detailed civil engineering and geotechnical assessment would be prepared at the DA stage.

### ***Heritage***

As outlined previously in this report, the existing dwelling located at 45 Oxford Street, Bondi Junction is identified as an item of environmental heritage as per Schedule 5 of the WLEP2012. This item (I209) is known as "The Rectory" Medical Centre and is nominated as a good example of a federation house.

The item (I210) located at 47-49 Oxford Street, Bondi Junction is known as the Bondi Junction Timber & Hardware Co. and the significance of this building generally relates to the façade which retains some architectural interest in addition to the site's historical and archaeological significance (A527).

As depicted in **Figure 10** previously, the Site adjoins a heritage conservation area to the south and is known as the Mill Hill Conservation Area (C12) pursuant to the WLEP 2012.

A Heritage Impact Assessment (**Appendix 5**) has been prepared by NBRs Architecture to assess the impacts of the proposed amendments to WLEP2012.

The design response to the context with the heritage item and conservation area is the addition of a new laneway and arcade to the rear of the site. This will act as a two-storey corridor for pedestrian access, creating a through site link between Mill Hill Road to the west, and Denison Street to the east.

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The new laneway has been designed in relation to the human scale, creating circulation and pedestrian activity through the site. Additionally, the setback of the tower to the rear as well as the pedestrian pathway, will create a transition between the mid-rise tower and the small-scale, residential allotments directly to the south.

The following recommendations in regards to the proposal have been provided as part of the Heritage Impact Statement:

- The advice of a Heritage Consultant should be sought during the detailed design stage of any future proposals for the site, to ensure that the design successfully mitigates adverse impacts on the heritage items identified in this report.*
- That the building at 45 Oxford Street, Bondi Junction, should be retained and conserved as part of any future development on the site.*
- That a Schedule of Conservation Works should be prepared for 45 Oxford Street, Bondi Junction.*
- That the main façade of the building at 47-49 Oxford Street, Bondi Junction, be retained, protected and conserved as part of any future development on the site.*
- That a Schedule of Conservation Works should be prepared for the heritage item at 47-49 Oxford Street, Bondi Junction.*
- That the advice of an archaeologist be sought during the detailed design stage of any future proposals for the site, to ensure that the design successfully mitigates adverse impacts on any, potentially significant, archaeological deposits on the subject site.*

### **Construction Management**

- To ensure the carrying out of future development protects the quality of the environment and amenity of adjoining properties, a Construction Environmental Management Plan would be developed prior to the commencement of works.

### **Waste Management**

- A comprehensive Waste Management Plan would be prepared as part of a future DA, including measures to minimise waste generation and manage waste/recyclables through all phases of the development.

#### **4.4.3 How has the planning proposal adequately addressed social and economic effects?**

The social and economic effects of the proposal have been considered and the planning proposal seeks to increase the range of uses offered on the Site within a mixed-use development and would not result in adverse social or economic impacts. The proposal will provide enhanced amenity and increased public domain space for residents within the proposed development and the surrounding residential neighbourhood. Additional ground floor activity and permeability will result which will provide increased causal surveillance and provide for a safer environment, whilst creating a space for people to interact and linger.

The proposal seeks to deliver an integrated development with uses that contribute to creating a medium rise development which is considerate to its surroundings. In accordance with Waverley Council's LSPS recommendations, no net loss of employment lands will result and

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increased employment opportunities will result. The planning proposal would increase the types of employment activity on the Site, creating a space where you can live and work whilst ultimately increasing the availability of local employment opportunities and the supply of additional diverse housing to complement the strategic centre.

Accordingly, the Planning Proposal has adequately considered social and economic factors.

### **4.4.2 WHAT ARE THE VIEWS OF STATE AND COMMONWEALTH PUBLIC AUTHORITIES CONSULTED IN ACCORDANCE WITH GATEWAY DETERMINATION?**

No consultation with State or Commonwealth authorities has been carried out to date.

It is acknowledged that Waverley Council would consult with relevant public authorities following the Gateway determination.

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## **PART E COMMUNITY CONSULTATION**

Schedule 1 of the EP&A Act requires the relevant planning authority to consult with the community in accordance with the Gateway Determination.

In addition, as outlined in Section 1.5 of this report, the Applicant has undertaken initial community consultation with relevant stakeholders and members of the community to obtain their initial feedback prior to the lodgement of this Planning Proposal application.

Notwithstanding this, it is anticipated that the Planning Proposal would be required to be publicly exhibited for 28 days in accordance with the requirements of DPIE guidelines '*A Guide to Preparing Local Environmental Plans*'.

It is anticipated that the public exhibition would be notified by way of:

- A public notice in local newspaper(s).
- A notice on the Waverley Council website.
- A notice on the DPIE LEP online system website.
- Written correspondence to adjoining and surrounding landowners.
- Website outlining the project, concept, goals, design principles, with a public comments section for feedback

The Gateway determination, Planning Proposal and specialist studies would be publicly exhibited at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

## PLANNING PROPOSAL

Amendment to Waverley Local Environmental Plan 2012

Additional Height and FSR

45-49 & 53-57 Oxford Street, Bondi Junction (Lot 9 DP 741932, Lot 1 DP 626974 and Lot 1 DP 818949)

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## PART F CONCLUSION

The proposed amendment to WLEP2012 to include additional building height and FSR would support the future development of the Site for mixed-use development. The provision of mixed-use development is consistent with the current B4 Mixed Use zoning of the Site, and the increased density of development sought to be provided reflects the zone objectives as well as key strategic policies.

In summary, the proposed WLEP2012 amendment for additional building height and FSR is appropriate for the following reasons:

- The proposed WLEP2012 amendment would enable the future development of the Site for mid-rise medium density mixed-use development including shops, community facilities and residential accommodation. Whilst the envisaged range of uses are already permitted with consent in the B4 zone, additional building height and FSR are required to support the viability of creating a place making development.
- It is acknowledged that the existing planning controls allow for medium density residential development, however the existing controls do little to encourage the local role of the Site to be maintained and the introduction of place making initiatives.
- Given the Site's location immediately adjacent existing bus services which service Bondi Junction, the scale of development is ideally located in accordance with the principles of TOD. Therefore, the Site provides valuable opportunity to contribute to a sustainable, transit-oriented community providing a high standard of living for residents and workers of the area.
- The proposal is consistent with state, regional and local strategic plans. Specifically, the proposal is consistent with the NSW State Priorities, A Plan for Growing Sydney, Directions for a Greater Sydney, the Greater Sydney Region Plan, the Eastern City District Plan, Waverley LSPS and Waverley Community Strategic Plan 2018-2029, particularly as they relate to providing additional housing in a medium density development form, located in accessible locations, growing the economy, creating and renewing great places whilst retaining existing environmental heritage, coordinating land uses with transport and other forms of infrastructure, encouraging place making initiatives, increasing the urban tree canopy and this clearly delivering a development which demonstrates significant public benefit.
- New housing on the Site would support the need for additional and more diverse housing supply in Sydney in accessible locations. The delivery of 24 new units would place downward pressure on prices to improve affordability and diversify housing choice, whilst retaining the mid-rise character of the area. A range of unit sizes from studios to 4 bedrooms, would assist in accommodating a variety of price-points and meeting the needs of Sydney's diverse and growing population.
- The proposal would support sustained job creation and economic activity through the provision of shops, retail and community facilities. Specifically, economic benefits include:
  - The proposal would continue to accommodate 120 jobs on the Site, through the provision of ground active uses premises capable of supporting a higher employment density than the current facilities.

## PLANNING PROPOSAL

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- The concept development would provide suitable floor space to accommodate art galleries/exhibition, library and collaborative spaces and break-out spaces to foster the creative industries and knowledge intensive jobs to support the nearby health and education services.
- The proposed LEP amendment aligns with the relevant Section 9.1 Ministerial Directions including as they relate to residential zones and the integration of land use and transport.
- The proposal is consistent with the aims of WLEP2012 as it seeks to facilitate the sustainable development and use of land for housing and services to meet the needs of local populations, promote appropriate growth, retaining and enhancing local heritage and respecting the local identity of the area.
- The future provision of mixed-use development is wholly consistent with the B4 Mixed Use zone objectives as it provides a mixture of compatible land uses in an accessible location immediately adjacent the train station and bus stops. It is noteworthy that the envisaged mixed-use development is already permissible pursuant to the WLEP2012, with no change of zone or additional permitted use required.
- The proposed amendment of the WLEP2012 height of buildings and FSR standards to allow built form up to 26m with a 2.5:1 FSR, would continue to achieve the objectives of the standards, as follows:
  - Additional height and FSR are required to make the redevelopment of the Site viable, whilst also retaining existing additional shops and residential accommodation are delivered to support jobs, economic growth and the housing needs of Sydney's growing population.
  - The location of the Site in immediate proximity of existing public transport, established mid-rise residential flat buildings, throughout Bondi Junction the proposal means that the proposed mid-rise development on the Site would integrate with the density of development and range of land uses in the Site's vicinity.
  - The contemporary design would concentrate the built form in proximity of land designated for mid-rise buildings. The nearby Mill Hill Urban Conservation Area has been considered by creating a careful height transition and ensuring an attractive fine-grained frontage in key to the proposal.
- As detailed in the Urban Design Report (**Appendix 4**), the concept design is capable of compliance with the key requirements of the ADG. Whilst further detailed assessment of a proposed development would be finalised at the DA stage, the concept design demonstrates that future mixed-use development on the Site can be designed to provide a high level of amenity for the proposed and existing surrounding residents.
- The proposal would provide the opportunity to more effectively relate to the public domain through revitalised active frontages at street level, providing enhanced place making whilst also enhancing connectivity and through site links.

## **PLANNING PROPOSAL**

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- A high level of amenity for all residents, workers and visitors would be ensured by designing built form with respect to existing heritage, solar access, views and visual privacy.

The proposal would not exhibit any adverse environmental impact, given that the Site is located within an established built up area, has been historically developed and contains limited vegetation and dated built form. The Site's redevelopment would create opportunities for development designed in accordance with the principles of ESD, new public open spaces and place making plaza, increased tree canopy, co-location of housing and jobs and the promotion of active transport use through TOD

It is therefore recommended that the Planning Proposal is approved by Waverley Council and that the necessary steps are pursued to enable it to proceed to Gateway Determination under Section 3.34 of the EP&A Act.

## **Appendix 1   Site Survey**

## **Appendix 2   Concept Plans**

## **Appendix 3    Urban Design Report**

## **Appendix 4   Community Consultation Minutes**

## **Appendix 5 Strategic Merit Test**

## **Appendix 6 Heritage Impact Assessment**