

DATE OF DECISION	5 August 2021
PANEL MEMBERS	Carl Scully (Chair), Jan Murrell, Roberta Ryan, Jeremy Swan, Lee Kosnetter
APOLOGIES	None
DECLARATIONS OF INTEREST	None

REZONING REVIEW

RR-2021-72 – Waverley – 45-57 Oxford St, Bondi Junction (AS DESCRIBED IN SCHEDULE 1)

Reason for Review:

- The council has notified the proponent that the request to prepare a planning proposal has not been supported
- The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

PANEL CONSIDERATION AND DECISION

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the Panel determined that the proposed instrument:

- should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site specific merit
- should not** be submitted for a Gateway determination because the proposal has
 - not demonstrated strategic merit
 - has demonstrated strategic merit but not site specific merit

The decision was unanimous.

REASONS FOR THE DECISION

- The Panel does not consider a blanket height of 26 metres and a floor space ratio of 2.5:1 across the whole site would provide an appropriate built form outcome in the context of the heritage conservation area to the south.
- The Panel has not been satisfied that the proposed height will provide the appropriate transition between the taller forms to the east and the village characteristics to the south and west.
- The Panel is of the opinion that there is opportunity for an increase in height and density confined to specific portions of the site. However, this would need to be carefully considered and special provisions or clauses inserted into the Local Environmental Plan and supported by a Development Control Plan. This would allow the site to provide a transition from the Mill Hill Hotel to the Rectory and the conservation area to the south in a considered way. Similarly the public benefits of an open space meeting place and affordable housing must be demonstrated.

By way of comment the Panel notes there is a current DA approval for the site and the applicant may wish to pursue a modification or submit a new DA with the benefit of the heritage provisions.

PANEL MEMBERS	
 Carl Scully (Chair)	 Jan Murrell
 Roberta Ryan	 Jeremy Swan
 Lee Kosnetter	

SCHEDULE 1		
1	PANEL REF – LGA – DEPARTMENT REF - ADDRESS	RR-2021-72 – Waverley – 45-57 Oxford St, Bondi Junction
2	LEP TO BE AMENDED	Waverley Local Environmental Plan 2012
3	PROPOSED INSTRUMENT	<p>The Rezoning Review request relates to the planning proposal for 45-57 Oxford Street, Bondi Junction to amend the Waverley Local Environmental Plan 2012 (Waverley LEP 2012) by:</p> <ul style="list-style-type: none"> - increasing the maximum building height control from 12.5m to 26m across the site; and - increasing the maximum floor space ratio (FSR) control from 1.5:1 to 2.5:1. <p>The existing B4 Mixed Use zoning will remain unchanged.</p>
4	MATERIAL CONSIDERED BY THE PANEL	<ul style="list-style-type: none"> • Rezoning review request documentation • Briefing report from Department of Planning, Industry and Environment
5	BRIEFINGS AND SITE INSPECTIONS BY THE PANEL	<ul style="list-style-type: none"> • Site inspection: panel members visited the site independently prior to 5 August 2021 • Briefing with Department of Planning, Industry and Environment (DPIE): 5 August 2021 <ul style="list-style-type: none"> ○ Panel members in attendance: Carl Scully (Chair), Jan Murrell, Roberta Ryan, Jeremy Swan, Lee Kosnetter ○ DPIE staff in attendance: Louise McMahon, Rachel Hughes, Lawren Drummond • Briefing with Council, Proponent and DPIE: 5 August 2021 <ul style="list-style-type: none"> ○ Panel members in attendance: Carl Scully (Chair), Jan Murrell, Roberta Ryan, Jeremy Swan, Lee Kosnetter ○ DPIE staff in attendance: Louise McMahon, Rachel Hughes, Lawren Drummond ○ Council representatives in attendance: Emma Rogerson, Jaime Hogan, George Bramis, Timothy Williams, Francisco Mota ○ Proponent representatives in attendance: Antonio Pozzi, Isha Sharma Negi, Zack Ashby, Sophie Litherland, Chris Wilson, Stephen Moore, Gregory Gilyou, Samantha Polkinhorne, Sara Wilson, Michael Lee