

# FOR ACTION

## STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE

03/12/2019

TO: Strategic Planner (Connor, Patrick)

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**Subject:** 194-214 Oxford Street and 2 Nelson Street, Bondi Junction - Voluntary Planning Agreement and Site Specific DCP  
**Item Number:** PD/5.7/19.12  
**Target Date:** 17/12/2019  
**File Reference:** PP-1/2015 D19/109907  
**Notes:**

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**MOTION / UNANIMOUS DECISION:**

Mover: Cr Masselos  
Seconded: Cr Keenan

That Council:

1. Notes that:
  - (a) Council consistently has not supported the planning proposal at 194–214 Oxford Street and 2 Nelson Street, Bondi Junction (Planning Proposal).
  - (b) Council has written to the Minister for Planning and Open Spaces requesting that he take back his delegation in respect of the Planning Proposal and refuse the Planning Proposal.
  - (c) Council objects to the proposed height and bulk of the Planning Proposal and that it will present an unacceptable built form scale, particularly to Oxford Street.
  - (d) The majority of community feedback opposes the Planning Proposal.
  - (e) The Planning Proposal is inconsistent with the recommendations of the Government Architect's Office on the West Oxford Street Precinct Plan.
2. Further notes that, despite Council's and the community's opposition, the Planning Proposal was approved by the Department of Planning and Environment and gazetted on 20 September 2019, and that the approved Planning Proposal increased the height of the buildings on the site from 15 m to 36 m, the FSR from 1.5:1 to 3.5:1 and removed the heritage listing from four terrace houses.
3. Notes that negotiations have occurred for a Voluntary Planning Agreement (VPA) generated by the Planning Proposal, with the proposed agreement to provide for contributions totalling \$7.45 million, with \$4.7 million as a cash contribution.
4. Publicly exhibits the proposed VPA for a minimum period of 28 days from December 2019 to all of February 2020.
5. Publicly exhibits the Site-Specific DCP for 194–214 Oxford Street for a minimum period of 28 days from December 2019 to all of February 2020, in accordance with section 3.43 of the *Environmental Planning and Assessment Act 1979* and clause 18 of the *Environmental Planning and Assessment Regulation 2000*, subject to:
  - (a) The draft DCP being amended to require that Council has representation in the Design Excellence Jury.

- (b) The draft DCP being amended to require a landscape plan to be prepared and submitted with any future DA that outlines landscaping for the proposed public plaza and public realm surrounding the development. The landscape plan should include areas of deep soil planting to ensure a mature tree canopy is provided in the future.
  - (c) The draft DCP being amended to require a public art plan to be prepared and submitted with any future DA that outlines public art for the proposed public plaza and public realm surrounding the development.
- 6. Notes that Council's policy is that VPA contributions are spent in the immediate vicinity of the development to which they relate.
  - 7. Officers prepare a report on public works options to utilise the VPA contributions generated by the Planning Proposal.
  - 8. Notifies all those who made submissions to the Planning Proposal of the Site-Specific DCP and VPA exhibition and be invited to make a submission.
  - 9. In its notification letters to the community, seeks suggestions from the community on how the VPA contributions generated by the Planning Proposal may be spent.
  - 10. Writes to the Minister to convey Council's views that the approval process of the planning proposal has not complied with the relevant planning legislation.
  - 11. Investigates allocating 15–25% of the VPA contributions generated by the Planning Proposal to affordable housing and the precedent created by this potential allocation, and a report come back to Council.

**Division:**

**For the Motion:** Crs Betts, Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemesh, Wakefield and Wy Kanak.

**Against the Motion:** Nil.