

Exhibition of Site Specific Development Control Plan for 194–214 Oxford Street and 2 Nelson Street, Bondi Junction



FACT SHEET

In 2019, the Department of Planning, Industry and Environment, upon the recommendation from the Independent Planning Commission (IPC), approved a Planning Proposal to upzone 194–214 Oxford Street and 2 Nelson Street, Bondi Junction.

As strong opponents to this proposal, Council sought legal advice to appeal this approval, which found there is no avenue available to review the merits of this decision and that a challenge would have to be based on a legal or process error which would not be easy to demonstrate especially considering the wide discretion conferred on the Minister. As such, Council determined not to proceed with legal action.

What was the Planning Proposal?

The Planning Proposal was to increase the maximum height of buildings on the sites from 15 to 36 metres, increase the floor space ratio from 1.5:1 to 3.5:1 and to remove the heritage listing from four terrace houses. The proposed height and FSR would allow for development of two 11-storey residential towers with 94 apartments. Council twice refused the proposal on the basis that the development is excessively large, will result in overdevelopment of the site, may set a precedent for adjoining sites seeking additional height and floor space and that it is not in the public interest.

Despite Council's continued requests to DPIE and the NSW Minister of Planning for refusal, the proposal was approved and gazetted on 20 September 2019.

The gazettal of the proposal increased the height of buildings on the sites from 15 to 36 metres, the floor space ratio from 1.5:1 to 3.5:1, removed the heritage listing from four terrace houses and requires both a design excellence competition and this site specific DCP.

What is Council consulting the community on?

With the Planning Proposal now out of Council's hands, Council is required to exhibit the Site Specific Development Control Plan (DCP) in order to ensure that any development occurring on site is done so within the constraints of the specified development controls. This includes controls pertaining to built form, design excellence, public domain and waste.

We are working hard on behalf of residents to secure a Voluntary Planning Agreement (VPA) amount, proposed to be \$7.4m, \$4.7m of which is a monetary contribution.

At this stage, we want to get your feedback on the DCP and hear your ideas on what the \$4.7m VPA monetary contribution can be used on, which will be used to inform the VPA once finalised.

This consultation period will run for two months – from 5 February to 10 April 2020.

Exhibition of Site Specific Development Control Plan for 194–214 Oxford Street and 2 Nelson Street, Bondi Junction



What can the VPA be spent on?

The VPA contribution is spent on public benefits, generally within the immediate vicinity of the development. This ensures that any public benefit that is created as a result of the development will benefit the community that is immediately impacted by the development.

An allocation of this money will be spent on a public plazetta on the site, road/footpath works, and our affordable housing program.

Please share any ideas or recommendations on how the contribution could be used for the immediate vicinity of West Oxford Street or Bondi Junction.

Does this mean that this proposal is definitely going ahead?

Now that the Planning Proposal has been approved, the next steps are this exhibition of the Site Specific DCP. The developers then need to lodge a Development Application for the actual development to occur. The DA will go on public exhibition where you can provide your feedback and submissions. The DA will then be assessed against Council's LEP and DCP including the Site Specific DCP for this site. We would like to stress that Council will not enter a planning agreement unless we are satisfied that the proposed development is acceptable on planning grounds in consideration of what is set out in Section 4.15 of the Environmental Planning and Assessment Act 1979. Development that is unacceptable on planning grounds will not be given consent just because the developer has offered to enter into a voluntary planning agreement.

What is Council doing to stop over development continuing?

Although Council was not able to stop the Planning Proposal from being approved and gazetted, Council is still very much committed to protecting Bondi Junction and ensuring this does not become the precedent for future Planning Proposals in this area. Council resolved in October 2019 to seek the support of the Minister for Planning and Public Spaces to investigate the preparation of a State Environmental Planning Policy (SEPP) to protect Centennial Park from the potential of future development adversely affecting its aesthetic and heritage significance. The Waverley Local Strategic Planning Statement (LSPS) also outlines how this area will be managed in the future, the LSPS is available on Council's website.

Where is more information available?

Head to our community engagement website haveyoursay.waverley.nsw.gov.au where you can view all the information relating to the Planning Proposal and read the Site Specific DCP. Hard copies are also available to view at our Customer Service Centre and Waverley Library

Any questions?

Call our Strategic Planner, Patrick Connor on 9083 8085 or patrick.connor@waverley.nsw.gov.au

Exhibition of Site Specific Development Control Plan for 194–214 Oxford Street and 2 Nelson Street, Bondi Junction

FACT SHEET



How to make a submission

Our community engagement website: haveyoursay.waverley.nsw.gov.au

Post: Ross McLeod, General Manager
Waverley Council
PO Box 9, Bondi Junction, NSW 1355

Email: waver@waverley.nsw.gov.au

Please reference 'PP-1/2015 in any correspondence.

Please note that the comments submitted will form part of Council's public record and as such can be made available for public viewing on request.