

Planning Proposal to Amend Waverley Local Environmental Plan 2012 – Amendment No. 8 (Overshadowing Clause and Height of Buildings)

1. Objectives or Intended Outcomes of the Proposed Local Environmental Plan

The main objective of this proposal is to amend Clause 6.7 – Solar access to public places in Bondi Junction (the clause) of Waverley Local Environmental Plan 2012 (WLEP) which imposes onerous development constraints for properties along the northern side of Oxford Street Mall in Bondi Junction and the northern side of Spring St opposite Norman Lee Place.

Secondly, the proposal seeks to amend the Height of Buildings (HOB) map of WLEP to be consistent with the amendment to Clause 6.7 and its objectives. This will change the height permitted for buildings on Rowe Street on the north side of the mall, as well as properties north of Norman Lee Place, to allow for some development on these sites while maintaining solar access to the public places south of these sites (Oxford Street Mall and Norman Lee Place).

The original intent of the clause was to maximise solar access to public spaces in the middle of the winter solstice. The final wording of the clause defines additional shadow impact to be “any overshadowing caused by the proposed development that is additional to the amount of shadow cast by existing buildings as at the date of commencement of this provision”. This results in certain sites being unable to realize any additional height.

This Planning Proposal has been prepared to correct an anomaly arising out of the drafting process of WLEP (Amendment 2) 2012 which was gazetted on 13 June 2014. The Planning Proposal seeks to correct this anomaly by amending the clause and changing the HOB map to facilitate reasonable development on sites which are considered strategically critical to the role of Bondi Junction as a major centre.

2. Explanation of the Provisions to be Included in the Proposed Local Environmental Plan

The proposed outcome will be achieved by amending the WLEP to remove three sites from subclause (2) of clause 6.7 – Solar access to public spaces in Bondi Junction, listed below:

- e) Oxford Street Mall (between Bronte Road and Newland Street);
- f) Rowe Street (between Oxford Street Mall and Grosvenor Lane); and
- g) Norman Lee Place (Boot Factory)

The following new subclause will also be inserted into the clause:

(4) In addition, despite any other provision of this Plan, development on land specified below is prohibited if the development results in any part of a building on that land projecting above the height specified on the height of buildings map:

(a) The area bounded by Oxford Street Mall, Grosvenor Street, Grosvenor Lane and Newland Street (including Rowe Street);

(b) The following properties north of Norman Lee Place (Boot Factory):

- 16 Spring Street, Bondi Junction (lot 3, DP 975587);
- 18 Spring Street, Bondi Junction (lot 4, DP 975587);

- 20 Spring Street, Bondi Junction (SP 31260);
- 87 Oxford Street, Bondi Junction (lot 1, DP 975587); and
- 89 Oxford Street, Bondi Junction (lot 9, DP 656476).

Explanation

Clause 6.7 was introduced to the WLEP on 13 June 2014 in response to the *Bondi Junction Urban Design Review Report* (BJUDRR) conducted by City Plan Pty Ltd in 2012 (see Attachment A). The BJUDRR investigated how additional development could be achieved to meet State Government employment and housing targets whilst producing a high quality built environment throughout Bondi Junction.

One of the recommendations of the BJUDRR included the introduction of a Local Provision within Part 6 of the LEP to protect solar access in public parks and plazas. However, the report did not intend for the clause to place such a significant constraint on land surrounding these public places. Sites to the north of Oxford Street Mall have been constrained to the point that any development over what currently exists on the sites is unachievable. Sites to the north of Norman Lee Place are constrained to less than half the height shown in the HOB map.

The clause unreasonably inhibits the growth of Bondi Junction and will result in parts of the Centre left undeveloped in locations where Council envisages critical improvements to public amenity and accessibility. The ability to develop new access to the Bondi Junction Transport Interchange is a key strategic direction which is now hindered by the provisions of this clause which is counterintuitive to the main aims of the BJUDRR. In addition, the subsequent improvements to the access into the Bondi Junction Transport Interchange are a significant public benefit which is now unachievable under Clause 6.7.

Oxford Street Mall

The inclusion of Oxford Street Mall (the Mall) in the clause as it currently stands unreasonably restricts land to the north. This was not the intention of the BJUDRR which aimed to investigate areas where development could increase, especially within the Commercial Core. Solar access to the Mall has already been addressed by the LEP building heights that step back on its northern side to create a height plane (see Attachments B and C). As an east-west running street, any development on the north side of Oxford Street Mall will overshadow the Mall to some extent.

It is unreasonable to completely restrict development along Oxford Street Mall, especially considering the public benefits associated with the envisaged improvements to access for the Bondi Junction Transport Interchange. The WLEP includes a form of building envelopes, expressed through specific height and floor space ratio variations which aim to maintain solar access to the Mall. These heights are designed to retain direct solar access to the southern shop-fronts of the Mall in midwinter.

The clause should therefore be amended to permit development to the carefully considered LEP height standards to ensure sites are not unduly restricted but solar access is maintained to the Mall. The clause will remain as a prohibitive clause to ensure no variations from the LEP height standards are permitted.

Rowe Street

The section of Rowe Street between Oxford Street Mall and Grosvenor Lane is currently a pedestrian ramp that provides access to the Bondi Junction Transport Interchange. Under WLEP the land is zoned B3 Commercial Core and has a height limit of 32m, but as a result of Clause 6.7, no additional height can be achieved as any development proposed would

overshadow the area (see Attachment B). This is an unintended sterilization of development potential and was not the objective of the BJUDRR.

The clause should therefore be amended here to enable development in line with the LEP HOB map. However, the height standards on Rowe Street do not include a height plane that retains solar access to Oxford Street Mall. Therefore, the HOB map should be amended so that development is stepped back to maintain solar access for the Mall. The heights should be amended to range from 12.5m at the front of the Mall up to the current 32m at the rear northern boundary (see Attachments D and E). This will generally align with the current DCP controls for the site, but the current setback from the Mall is considered unnecessary and should be removed.

Norman Lee Place

The sites to the north of Norman Lee Place have also been significantly constrained. While the height limit is 38m and the Floor Space Ratio is 5:1, these sites can currently only achieve roughly 3 storeys at their southern frontage to Spring St and some additional height closer to the sites' northern boundaries. This is particularly restrictive as the lots are very small.

The WLEP should therefore be amended to development to occur on these sites while maintaining significant solar access. This is to be done by amending Clause 6.7 to allow buildings up to LEP height standards and prohibiting any variation beyond that to protect solar access, similar to what is proposed for Oxford Street Mall and Rowe Street.

The HOB map should also be amended for these sites concurrent to an amendment to Clause 6.7 as these height standards have not been planned with regard to maintaining solar access to Norman Lee Place. The height will be reduced to 20m for the front 12m of the sites and then increase to 28m for another 15m (see Attachments D and E). This will allow development up to six storeys at the front of the site, in keeping with DCP controls for street frontage, before being set back according to the angle of solar access at midday in midwinter (32 degrees). This will result in roughly 70% direct solar access being maintained for Norman Lee Place at midday in midwinter while allowing the sites to achieve development in line with the rest of Spring Street (see Attachment F).

3. Justification for those objectives, outcomes and provisions and the process for their implementation

A. Need for the Planning Proposal

1. Is the Planning Proposal the result of any strategic study or report?

The Planning Proposal is the result of previous amendments to the WLEP recommended by the *Bondi Junction Urban Design Review Report*. City Plan Pty Ltd was commissioned jointly by Council and the then Department of Planning and Infrastructure (DoPI) under funding received from the DoPI to address concerns about the built form and urban design outcomes for Bondi Junction. The review identified issues in relation to the development of Bondi Junction and suggested remedies for its growth. One recommendation was the implementation of a solar access clause. The sterilization of land in Bondi Junction was not intended by the report. A copy of the consultant's report is appended as Attachment A.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes? Or is there a better way?

Clause 6.7 in the LEP is significantly restraining growth in Bondi Junction around the sites mentioned. The only way to achieve the objectives and intended outcomes is through an LEP amendment of which this Planning Proposal is the first step. It is noted that Clause 6.7 (2) currently overrides any applicable development standard to the site and there is also no scope for any variation under Clause 4.6. Therefore an amendment to the LEP is necessary.

A number of options were considered in relation to amending the clause in order to rectify the problem. This Planning Proposal reflects the option which is most effective in allowing crucial development in Bondi Junction while maintaining solar access to key public places in the major centre.

3. Is there a net community benefit?

The continued development of Bondi Junction Centre will result in a significant net community benefit not only for Bondi Junction, but also the broader Eastern Suburbs region. Bondi Junction is identified as a Major Centre within the Sydney Metropolitan Strategy and plays a key commercial and transport role for the East Subregion. Facilitating the growth of the centre, and allowing the planned Bondi Junction Interchange access improvements to occur, will strengthen its role as a key centre for commercial and retail activity and a destination for tourists.

Additional jobs and dwellings will be created by amending Clause 6.7 as proposed. This will benefit the local community and the wider Sydney population and contribute to the achievement of employment and dwelling targets set by the Sydney Metropolitan Strategy.

The sites in the clause affected by this proposal will retain significant solar access. There will be minor additional overshadowing of Norman Lee Place and Oxford Street Mall however solar access will still be retained through the LEP building height development standards and any assessment conducted for future development applications. The proposed amendment to the HOB map north of Norman Lee Place has been designed to ensure roughly 70% of the Place will retain direct solar access at midday in midwinter. The clause will retain solar access to the other public places listed in the clause.

B. Relationship to Strategic Planning Framework

1. Is the Planning Proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The aim of this Planning Proposal is to remove a constraint to development in Bondi Junction to allow the centre to continue to grow and reinforce its role as a Major Centre. This is crucial to achieving the dwelling and employment targets for Waverley and the broader East Subregion contained in the East Subregion Draft Subregional Strategy and the Sydney Metropolitan Strategy.

2. Is the Planning Proposal consistent with the local Council's Community Strategic Plan or other local strategic plan?

Waverley Council's current Community Strategic Plan, "Waverley Together 3" covers the period 2013-2025. The main direction that relates to this Planning Proposal is "*L1 Waverley's economy is vibrant and robust and supports the creation of a variety of jobs and business opportunities.*"

The amendment to Clause 6.7 and the WLEP HOB map will help to achieve this map. Land near these sites will be able to develop as intended and contribute to the employment targets for Waverley. Removing this constraint to development will also increase the amount of pedestrian traffic for businesses in Bondi Junction.

3. Is the Planning Proposal consistent with applicable state environmental planning policies?

As a minor change to the WLEP, State Environmental Planning Policies do not affect this Planning Proposal to a great extent. An assessment of the consistency and relevance to SEPPs has been conducted (see Attachment G).

4. Is the Planning Proposal consistent with applicable Ministerial Directions (s. 117 directions)?

This Planning Proposal is consistent with all Ministerial Section 117 Directions. An assessment indicating compliance with Section 117 Directions has been conducted (see Attachment G).

5. Is the Planning Proposal consistent with *A Plan for Growing Sydney*, released by the Department of Planning and Environment on 14 December 2014?

The proposal will result in additional jobs and dwellings being created in a major centre of Sydney. This will help reach the goals of *A Plan for Growing Sydney*, specifically goal one, “A competitive economy with world-class services and transport,” and goal two, “A city of housing choice, with homes that meet our needs and lifestyles.” The proposal will also meet goal three, “A great place to live with communities that are strong, healthy and well connected,” by protecting solar access in key places in Bondi Junction which will help create a healthy built environment. Therefore the Planning Proposal is consistent with *A Plan for Growing Sydney*.

C. Environmental, Social and Economic Impact

1. Is there any likelihood that critical habitat or threatened species, populations or ecological communities or their habitats will be adversely affected as a result of the proposal?

No. The land which is subject to this Planning Proposal does not include any land which contains critical habitat or threatened species populations or ecological communities or their habitats.

2. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

Apart from a possible minor reduction in solar access to Norman Lee Place and Oxford St Mall at the specified time in the clause, there are no other likely environmental effects as a result of this Planning Proposal. Overshadowing will be strictly limited through the LEP height standards which have been stepped back as a height plane along the northern side of Oxford Street Mall to allow solar access to the Mall, and will be stepped back north of Norman Lee Place as a result of this proposal. These height standards will also be unable to be varied in these areas as a result of the amendment to Clause 6.7

3. How has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal may result in a minor reduction in solar access to Norman Lee Place and Oxford Street Mall. However, solar access may only be reduced to the levels carefully determined and prescribed by the LEP height standards.

The positive social and economic impacts related to the removal of a significant constraint to development on land in Bondi Junction will exceed the possible minor negative impacts of the proposal. A vibrant and growing Major Centre is important to residents and visitors of Bondi Junction. The centre is the logical place to accommodate additional housing and jobs in order to meet future demand.

Furthermore, the amendments to the WLEP will encourage the Bondi Junction Transport Interchange access improvements which will provide significant social and economic benefits by providing better access to the Mall, improved amenity for the public, and new retail premises and commercial premises on Rowe Street.

D. State and Commonwealth Interests

1. Is there adequate public infrastructure for the Planning Proposal?

There will be adequate public infrastructure for the Planning Proposal. The proposed amendment will permit reasonable development that achieves a height and floor space ratio in line with the relevant LEP development standards. This is particularly important for sites along Rowe Street and Oxford Street Mall which are within close proximity to the Bondi Junction Interchange. Development of this scale was reasonably expected and planned for before the implementation of Clause 6.7.

2. What are the views of State and Commonwealth Public Authorities consulted in accordance with the gateway determination and have they resulted in any variations to the Planning Proposal?

As the proposed amendment to the LEP is relatively minor, no consultation with State or Commonwealth Public Authorities has occurred at this stage. The DoPE was a party to the Bondi Junction Urban Design Review and understands the background to the proposal. State authorities will be consulted in accordance with the Gateway Determination if required.

4. Details of the Community Consultation that is to be Undertaken on the Planning Proposal

Future community consultation will occur in accordance with the Gateway Determination. Notwithstanding this, Council considers that an exhibition period of 14 days would be appropriate given the relatively minor nature of the amendment and the limited number of properties affected. Council also suggests that:

- Notice be given in the Wentworth Courier being the local paper that services the Waverley municipal area;
- The Planning Proposal be advertised on Council's website;
- The Planning Proposal be exhibited in Council's Customer Service Centre and Library;
- Letters be sent to all affected property owners and adjoining property owners at Council's discretion.

5. List of Attachments

- A. Bondi Junction Urban Design Review report prepared by City Plan Pty Ltd.
- B. Shadow Analysis of Rowe Street and Oxford Street Mall
- C. WLEP – Oxford Street Mall Height of Buildings Map extract
- D. Changes to Height of Buildings Map
- E. Draft Height of Buildings Map
- F. Norman Lee Place Shadow Analysis
- G. Section 117 Directions and State Environmental Planning Policy Compliance Table
- H. Draft Amendment to Clause 6.7
- I. Part 6 – Project Timeline
- J. Information Checklist

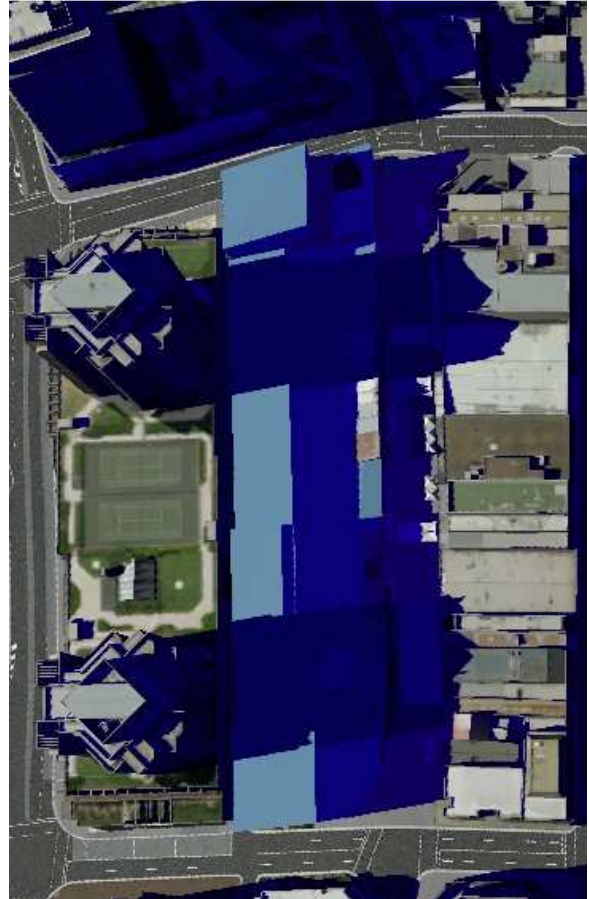
Attachment B – Shadow Analysis of Rowe Street and Oxford Street Mall

Note: All shadows are at 12 noon on 21 June (winter solstice)

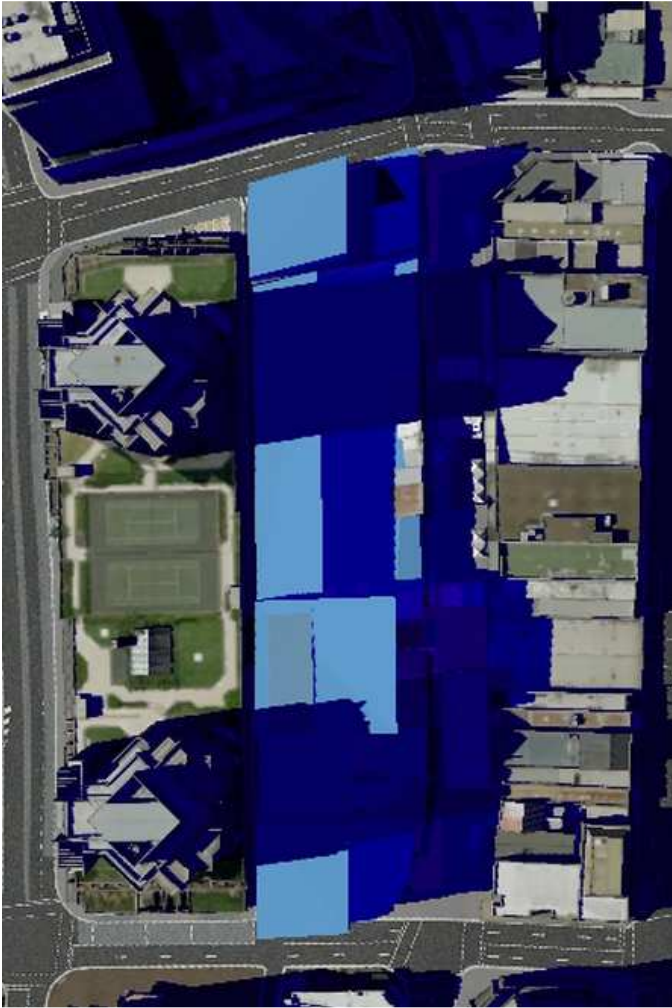
Existing shadows from overhead:



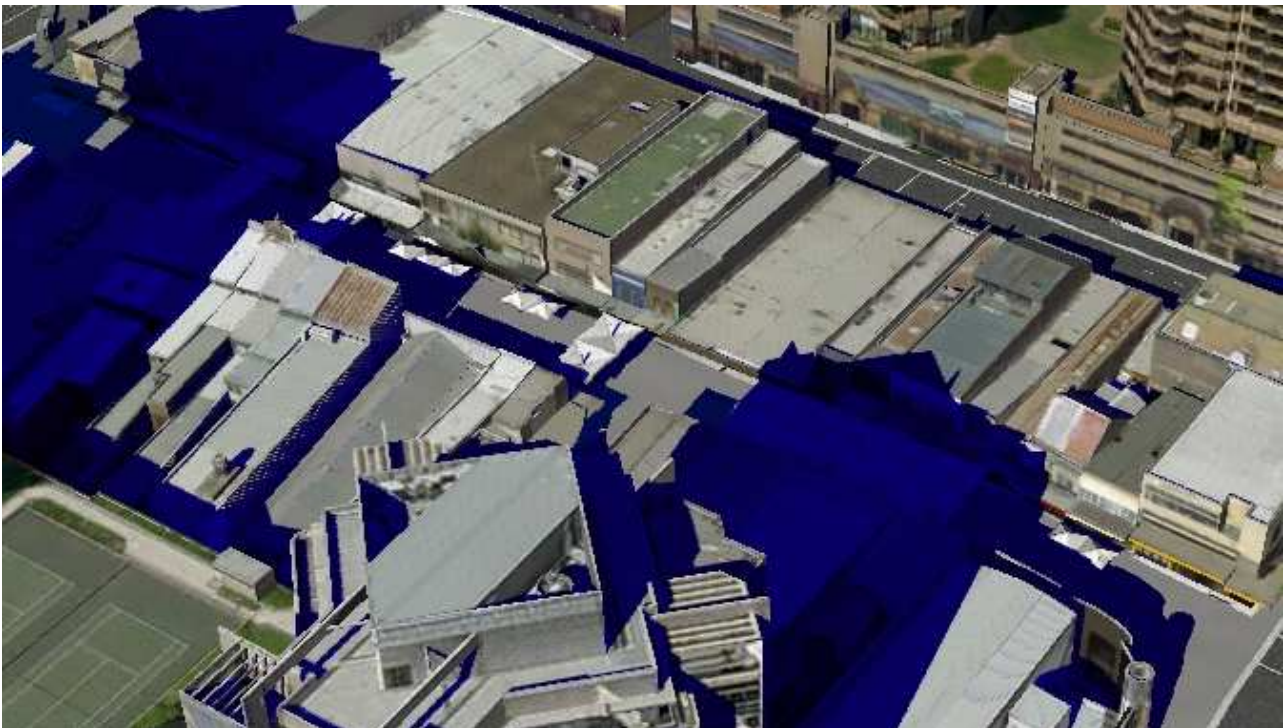
Potential shadow impact of proposed amendments to WLEP 2012 (if developed to maximum heights):



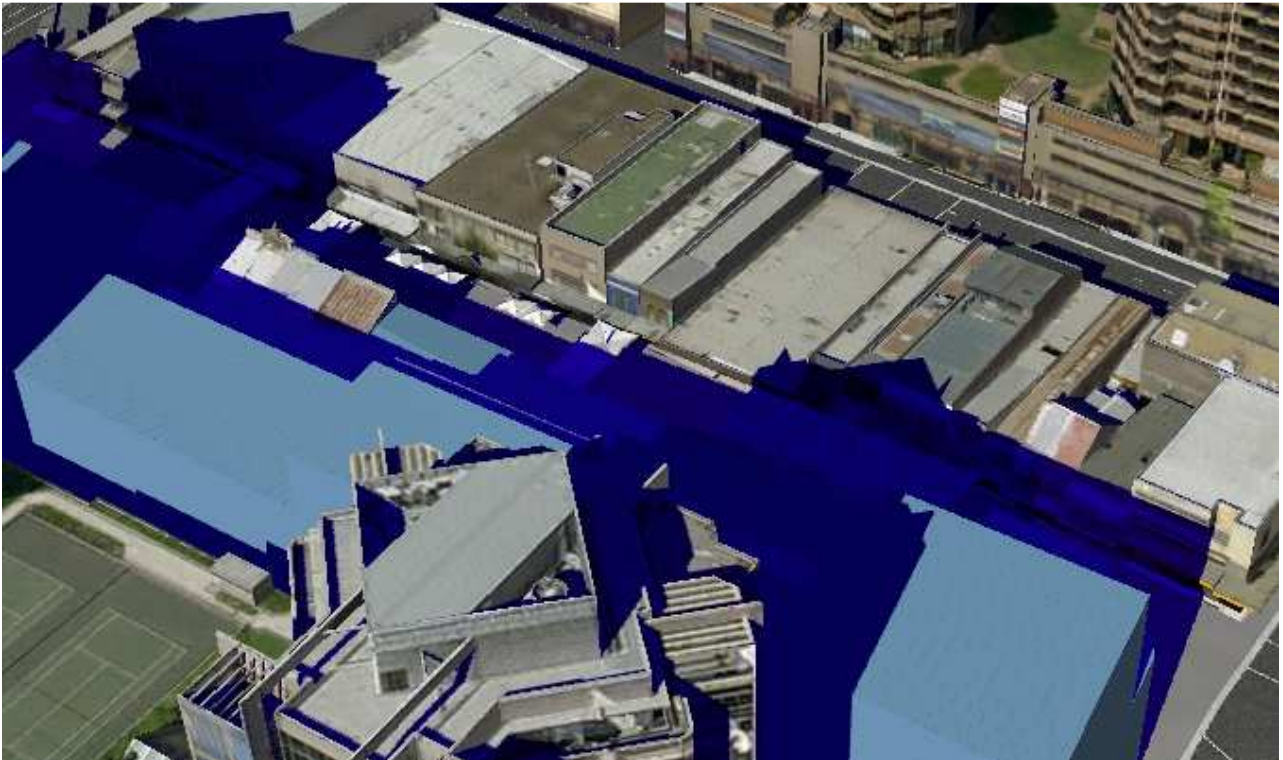
Potential shadows cast by LEP compliant buildings prior to Clause 6.7 being introduced:



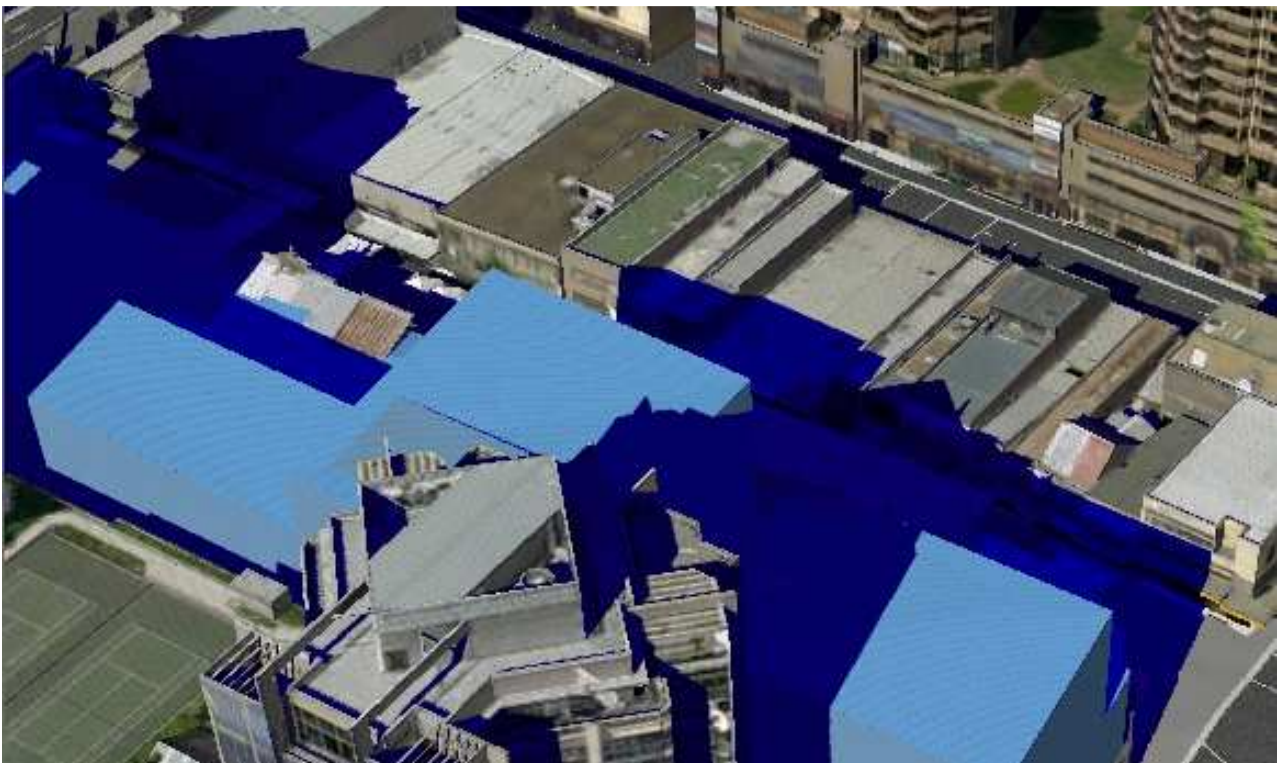
Existing shadows on southern facade:



Potential shadow impact of proposed amendments to WLEP 2012 to the southern facade (if developed to maximum heights):



Potential shadows cast by LEP compliant buildings prior to Clause 6.7 being introduced:



Attachment C

WLEP Height of Buildings Extract – Oxford Street Mall and Rowe Street



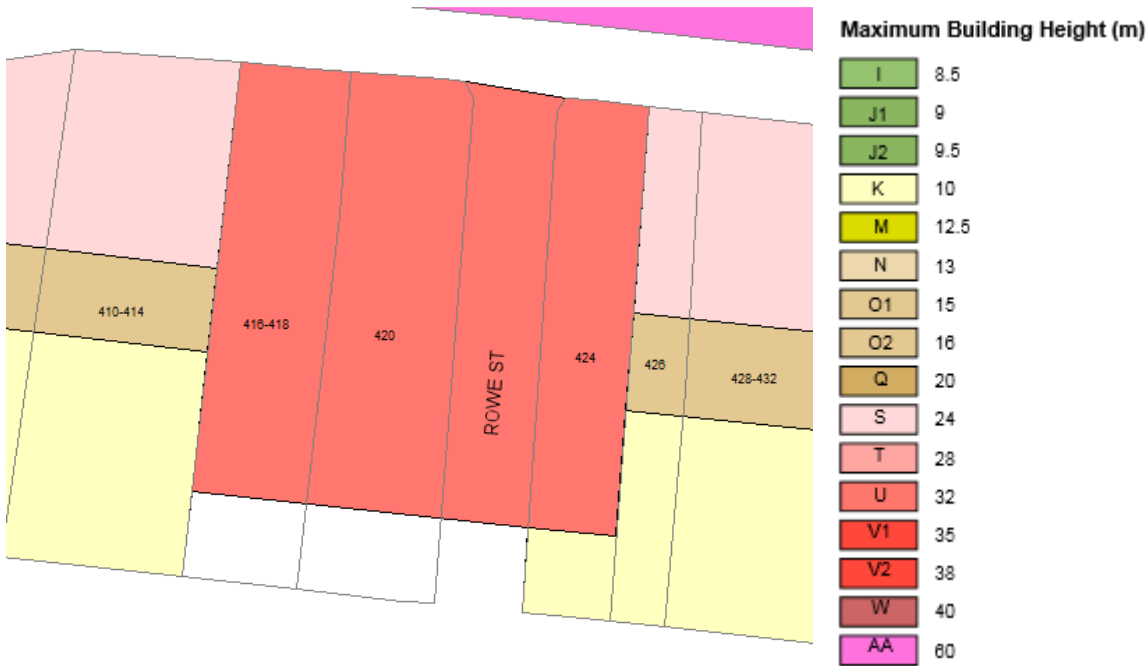
Maximum Building Height (m)

I	8.5	Q	20
J1	9	S	24
J2	9.5	T	28
K	10	U	32
M	12.5	V1	35
N	13	V2	38
O1	15	W	40
O2	16	AA	60

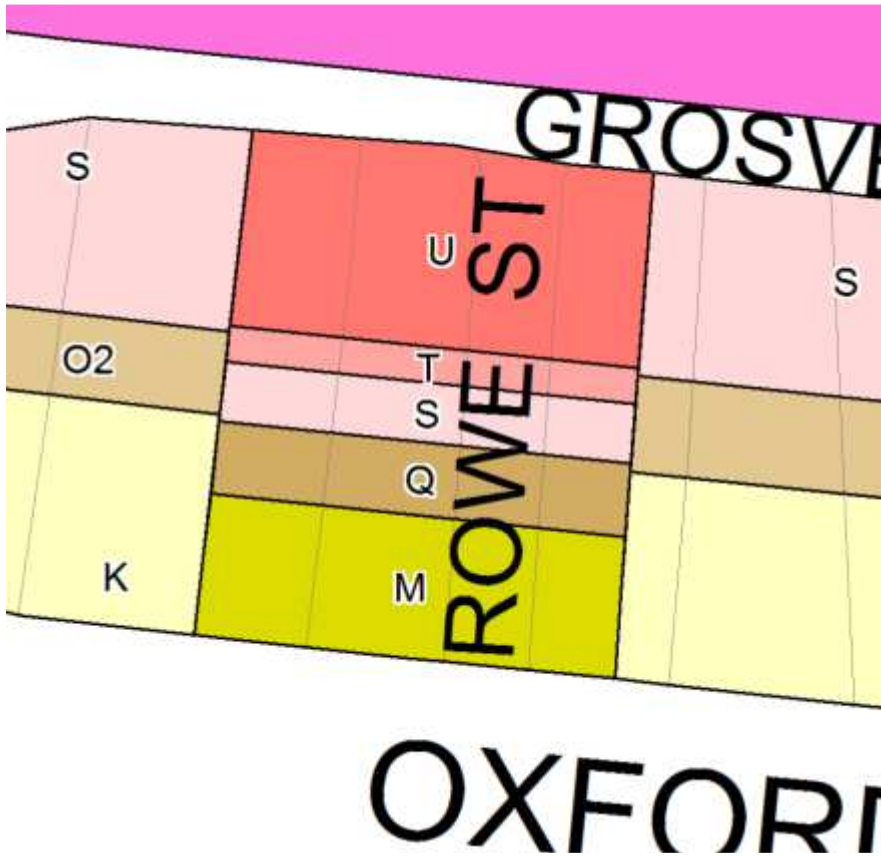
Attachment D – Changes to Height of Buildings Map

Rowe Street

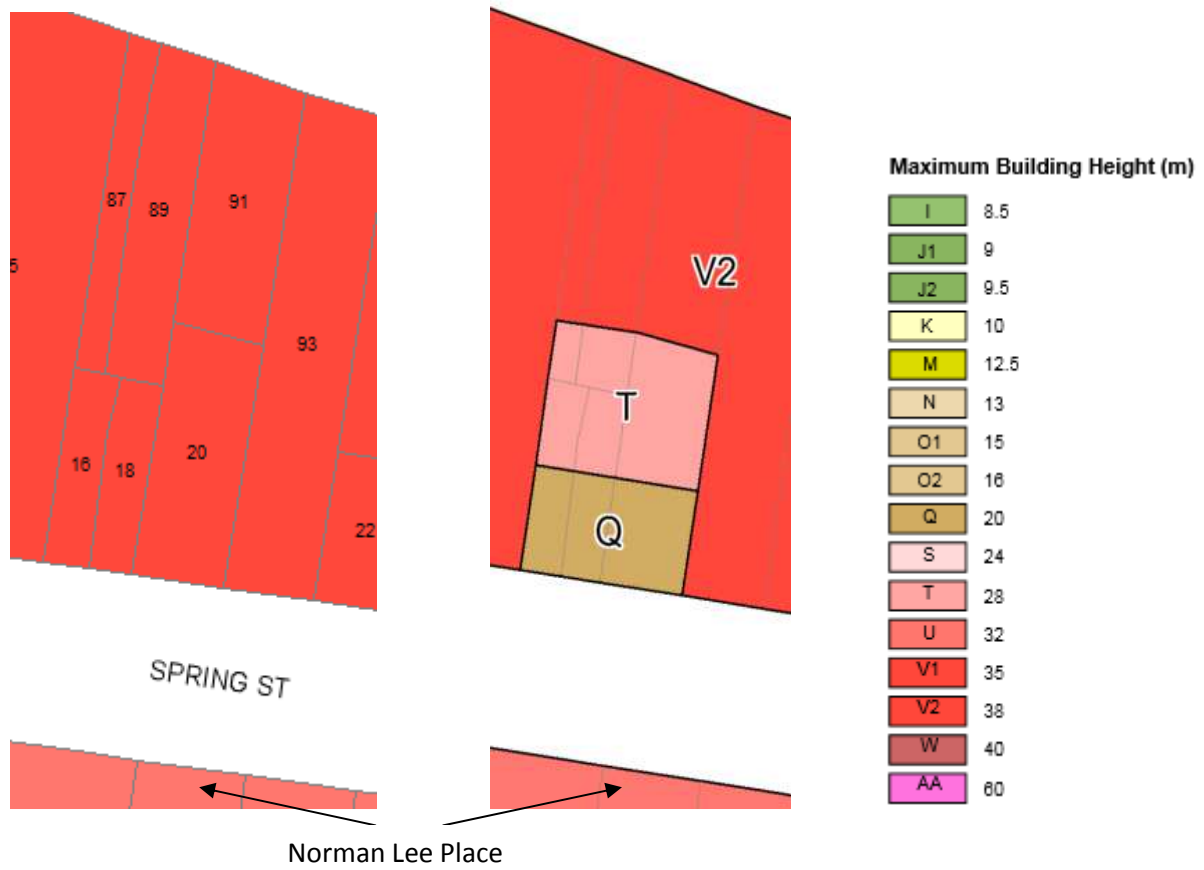
Extract of current HOB map for Rowe Street:



Proposed change to HOB map for Rowe Street:



Norman Lee Place





Waverley Local Environmental Plan 2012 Amendment 8

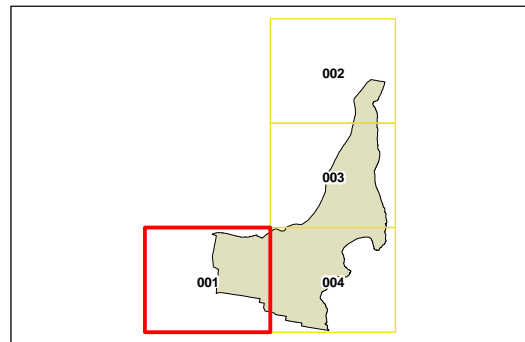
Height Of Buildings Map - Sheet HOB_001

Maximum Building Height (m)

I	8.5
J1	9
J2	9.5
K	10
M	12.5
N	13
O1	15
O2	16
Q	20
S	24
T	28
U	32
V1	35
V2	38
W	40
AA	60

Cadastre

Cadastre 09/11/2014 © Waverley Council

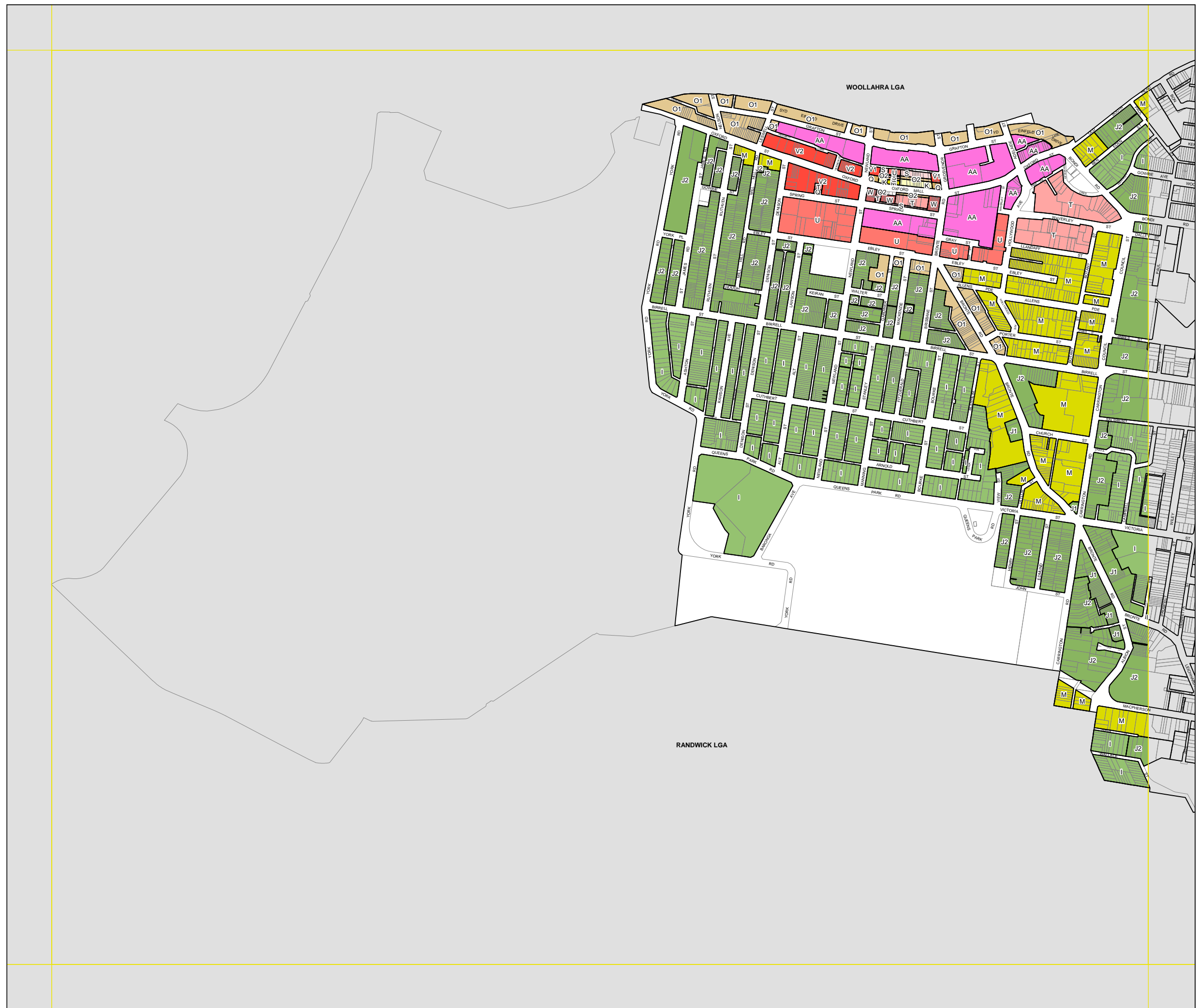


Scale: 1:10,000 @ A3

Projection: GDA 1994
MGA Zone 56

Map Identification Number:

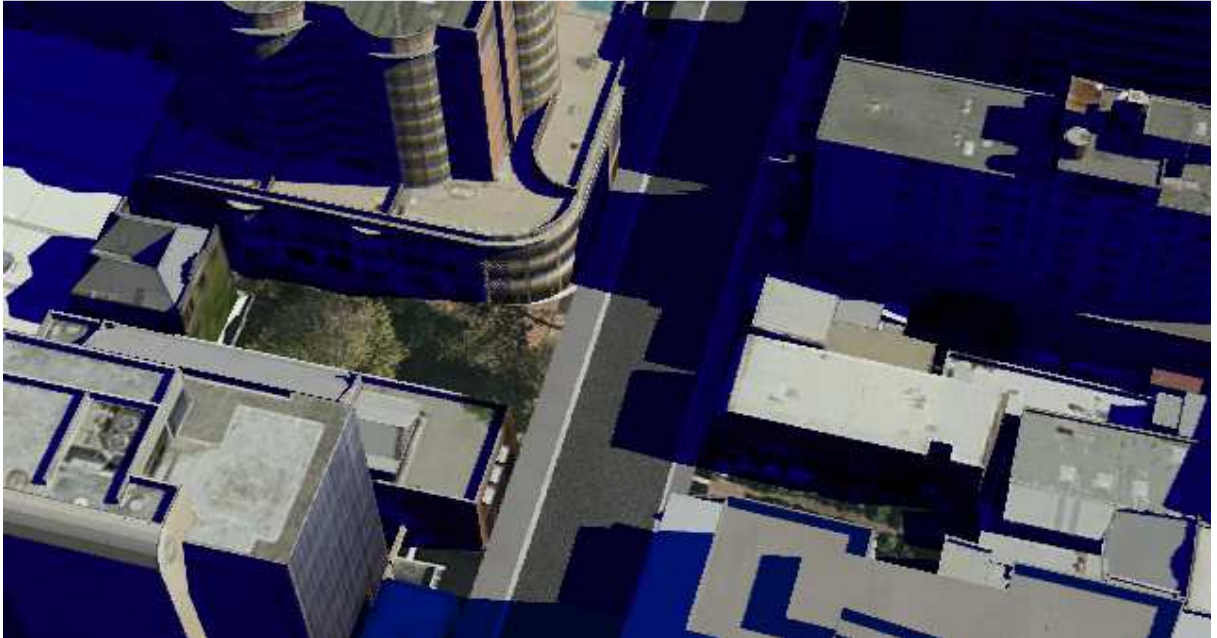
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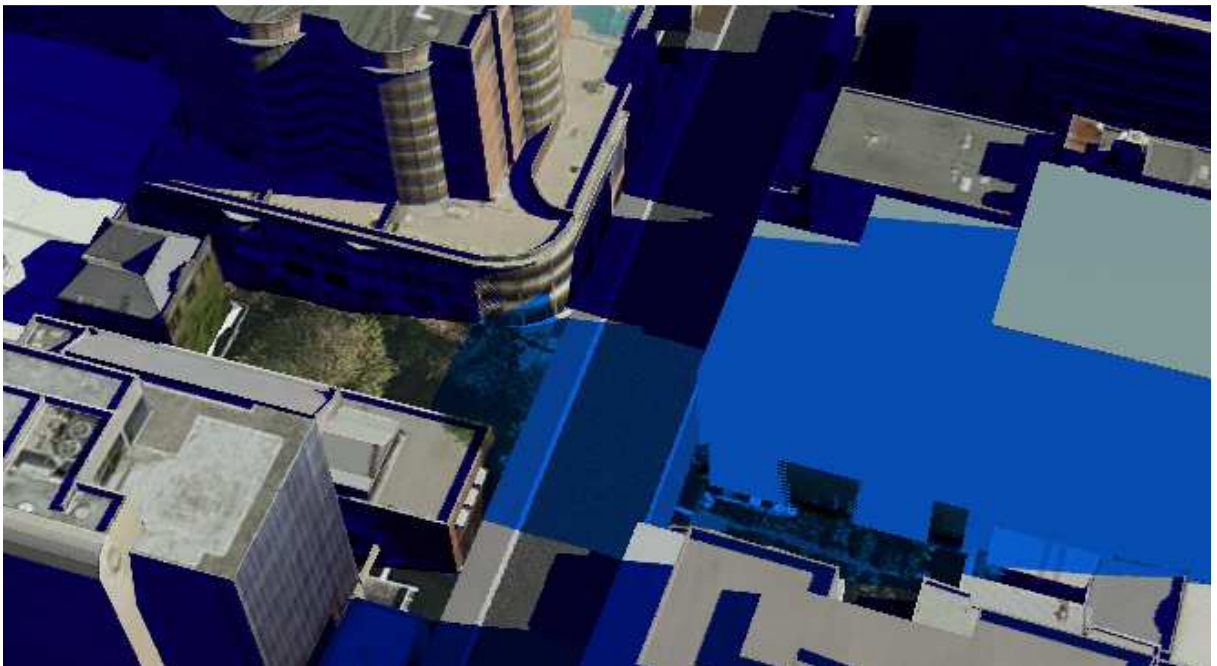
Attachment F – Norman Lee Place (Boot Factory) Shadow Analysis

Note: All shadows are at 12 noon on 21 June (winter solstice)

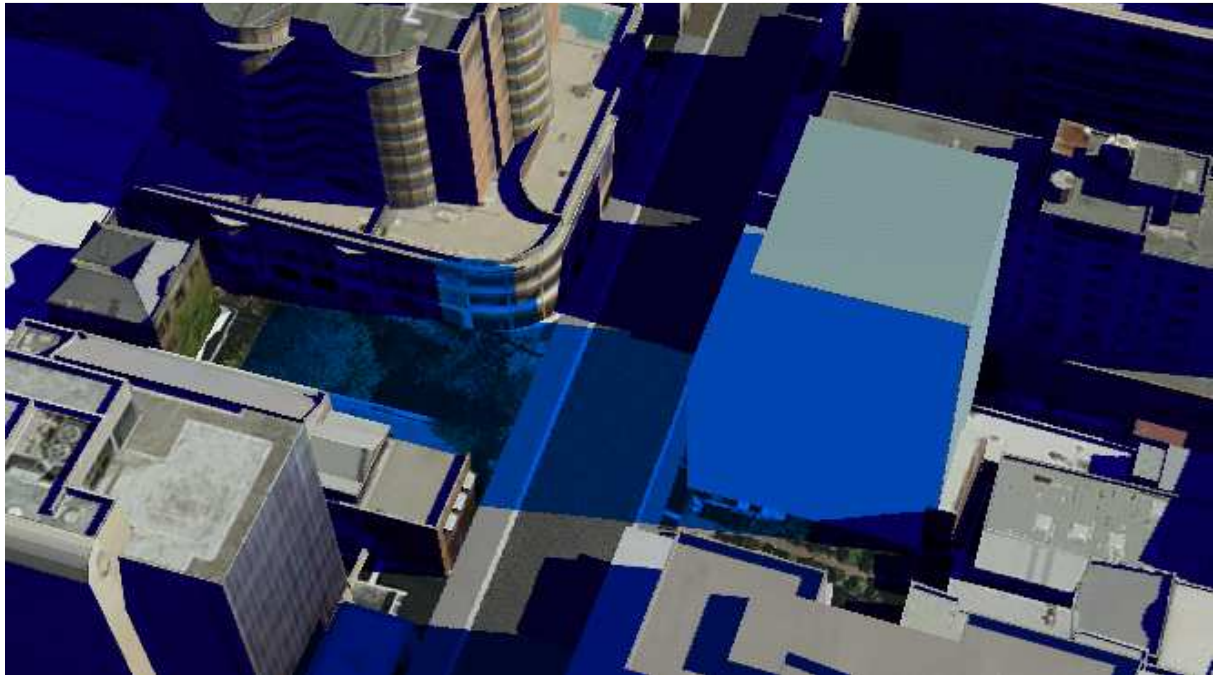
Existing shadow:



Potential shadow impact of proposed amendments to WLEP 2012:



Potential shadow cast by a LEP and DCP compliant building prior to clause 6.7 being introduced:



ASSESSMENT OF WAVERLEY LEP 2012 (AMENDMENT 8) **WITH SECTION 117 DIRECTIONS, SEPPS AND FORMER REPS**

Consistency with:

PART A: Ministerial Directions under Section 117

PART B: State Environmental Planning Policies

PART C: Former Sydney Regional Environmental Plans (Deemed SEPPs)

Part A: Ministerial Directions under Section 117 of <i>EP&A Act 1979</i>	(Tick one only)		
	Not relevant	Consistent	Justifiably inconsistent
1. Employment and Resources			
1.1 Business and Industrial Zones		✓	
1.2 Rural Zones	✓		
1.3 Mining, Petroleum Production and Extractive Industries	✓		
1.4 Oyster Aquaculture	✓		
1.5 Rural Lands	✓		
2. Environment and Heritage			
2.1 Environmental Protection Zones	✓		
2.2 Coastal Protection	✓		
2.3 Heritage Conservation		✓	
2.4 Recreation Vehicle Area	✓		
3. Housing, Infrastructure and Urban Development			
3.1 Residential Zones		✓	
3.2 Caravan Parks and Manufactured Home Estates	✓		
3.3 Home Occupations	✓		
3.4 Integrating Land Use and Transport		✓	
3.5 Development Near Licensed Aerodromes	✓		
3.6 Shooting Ranges	✓		
4. Hazard and Risk			
4.1 Acid Sulphate Soils	✓		
4.2 Mine Subsidence and Unstable Land	✓		
4.3 Flood Prone Land	✓		
4.4 Planning for Bushfire Protection	✓		
5. Regional Planning			
5.1 Implementation of Regional Strategies	✓		
5.2 Sydney Drinking Water Catchments	✓		
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	✓		
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	✓		
5.5 Development in the vicinity of Ellalong, Paxton, Millfield (Cessnock LGA) (Revoked)	-	-	-
5.6 Sydney to Canberra Corridor (Revoked)	-	-	-
5.7 Central Coast (Revoked)	-	-	-
5.8 Second Sydney Airport: Badgerys Creek	✓		
5.9 North West Rail Link Corridor Strategy	✓		
6. Local Plan Making			
6.1 Approval and Referral Requirements		✓	
6.2 Reserving Land for Public Purposes		✓	
6.3 Site Specific Provisions		✓	
7. Metropolitan Planning			
Implementation of Metropolitan Plan for Sydney 2036		✓	

Part B: State Environmental Planning Policies (SEPPs)	(Tick one only)		
	Not Relevant	Consistent	Justifiably inconsistent
SEPP 1 – Development Standards	✓		
SEPP 2 – Minimum Standards for Residential Flat Development (repealed)	-	-	-
SEPP 3 – Castlereagh Liquid Waste Disposal Depot (repealed)	-	-	-
SEPP 4 – Development Without Consent & Miscellaneous complying Development	✓		
SEPP 5 – Housing for Older people or People with Disabilities (Repealed)	-	-	-
SEPP 6 – Number of Storeys in a Building	✓		
SEPP 7 – Port Kembla Coal Loader (repealed)	-	-	-
SEPP 8 – Surplus Public Land (repealed)	-	-	-
SEPP 9 – Group Homes (repealed)	-	-	-
SEPP 10 – Retention of Low Cost Rental Accommodation (repealed)	-	-	-
SEPP 11 – Traffic Generating Developments (repealed)	-	-	-
SEPP 12 – Public Housing (Dwelling Houses) (Repealed)	-	-	-
SEPP 13 – Sydney Heliport (Repealed)	-	-	-
SEPP 14 – Coastal Wetlands	✓		
SEPP 15 – Multiple Occupancy of Rural Land (repealed)	-	-	-
SEPP 16 – Tertiary Institutions (Repealed)	-	-	-
SEPP 19 – Bushland in Urban Areas	✓		
SEPP 20 – Minimum Standards for Residential Flat Development (Repealed)	-	-	-
SEPP 21 – Movable Dwellings	✓		
SEPP 22 – Shops and Commercial Premises		✓	
SEPP 25 – Residential Allotment Sizes (Repealed)	-	-	-
SEPP 26 – Littoral Rainforests	✓		
SEPP 27 – Prison Sites (repealed)	-	-	-
SEPP 28 – Town House and Villa Houses (Repealed)	-	-	-
SEPP 29 – Western Sydney Recreation Area	✓		
SEPP 30 – Intensive Agriculture	✓		
SEPP 31 – Sydney (Kingsford Smith) Airport (repealed)	-	-	-
SEPP 32 – Urban Consolidation (Redevelopment of Urban Land)	✓		
SEPP 33 – Hazardous and Offensive Development	✓		
SEPP 34 – Major Employment Generating Industrial Development (Repealed)	-	-	-
SEPP 35 – Maintenance Dredging of Tidal Waterways (repealed)	-	-	-
SEPP 36 – Manufactured Home Estates	✓		
SEPP 37 – Continued Mines & Extractive Industries (Repealed)	-	-	-
SEPP 38 – Olympic Games and Related Projects (Repealed)	-	-	-
SEPP 39 – Spit Island Bird Habitat	✓		
SEPP 41 – Casino Entertainment Complex (repealed)	-	-	-
SEPP 42 – Multiple Occupancy of Rural Land (repealed)	-	-	-
SEPP 43 – New Southern Railway (repealed)	-	-	-
SEPP 44 – Koala Habitat Protection	✓		
SEPP 45 – Permissibility of Mining (repealed)	-	-	-
SEPP 46 – Protection and Management of Native Vegetation (Repealed)	-	-	-
SEPP 47 – Moore Park Showground	✓		
SEPP 48 – Major Putrescible Landfill Sites (repealed)	-	-	-
SEPP 50 – Canal Estates	✓		

Part B: State Environmental Planning Policies (SEPPs)	(Tick one only)		
	Not Relevant	Consistent	Justifiably inconsistent
SEPP 51 – Eastern Distributor (repealed)	-	-	-
SEPP 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	✓		
SEPP 53 – Metropolitan Residential Development (repealed)	-	-	-
SEPP 54 – Northside Storage Tunnel (repealed)	-	-	-
SEPP 55 – Remediation of Land	✓		
SEPP 56 – Sydney Harbour Foreshores and Tributaries (Repealed)	-	-	-
SEPP 58 – Protecting Sydney's Water Supply (Repealed)	-	-	-
SEPP 59 – Central Western Sydney Regional Open Space and Residential	✓		
SEPP 60 – Exempt & Complying Development		✓	
SEPP 61 – Exempt & Complying Development White Bay & Glebe Island Ports (repealed)	-	-	-
SEPP 62 – Sustainable Aquaculture 2000	✓		
SEPP 63 – Major Transport Projects (repealed)	-	-	-
SEPP 64 – Advertising and Signage	✓		
SEPP 65 – Design Quality of Residential Flat Development		✓	
SEPP 67 – Macquarie Generation Industrial Development Strategy (repealed)	-	-	-
SEPP 69 – Major Electricity Supply Projects (repealed)	-	-	-
SEPP 70 – Affordable Housing (Revised Schemes)	✓		
SEPP 71 – Coastal Protection	✓		
SEPP 72 – Linear Telecommunications Development – Broadband (repealed)	-	-	-
SEPP 73 – Kosciuszko Ski Resorts (repealed)	-	-	-
SEPP 74 – Newcastle Port and Employment Lands (repealed)	-	-	-
SEPP - (Housing for Seniors or People with a Disability) 2004	✓		
SEPP - (Building Sustainability Index: BASIX) 2004		✓	
SEPP - (ARTC Rail Infrastructure) 2004 (repealed)	-	-	-
SEPP - (Sydney Metropolitan Water Supply) 2004 (repealed)	-	-	-
SEPP - (Development on Kurnell Peninsula) 2005	✓		
SEPP - (Major Developments) 2005	✓		
SEPP - (Sydney Region Growth Centres) 2006	✓		
SEPP - (Mining, Petroleum Production and Extractive Industries) 2007	✓		
SEPP (Temporary Structures) 2007	✓		
SEPP (Infrastructure) 2007		✓	
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	✓		
SEPP (Rural Lands) 2008	✓		
SEPP (Exempt and Complying Development Codes) 2008		✓	
SEPP (Western Sydney Parklands) 2009	✓		
SEPP (Affordable Rental Housing) 2009		✓	
SEPP (Western Sydney Employment Area) 2009	✓		
SEPP (Urban Renewal) 2010	✓		
SEPP (Sydney Drinking Water Catchment) 2011	✓		
SEPP (State and Regional Development) 2011	✓		
SEPP (Penrith Lakes Scheme) 1989	✓		

Part C: Former Sydney Regional Environmental Plans (Deemed SEPPs)	(Tick one only)		
	Not Relevant	Consistent	Justifiably inconsistent
SYDNEY REP 1 - Dual Occupancy (repealed)	-	-	-
SYDNEY REP 2 – Dual Occupancy (repealed)	-	-	-
SYDNEY REP 3 – Kurnell Peninsula (replaced)	-	-	-
SYDNEY REP 4 – Homebush Bay (repealed)	-	-	-
SYDNEY REP 5 – Chatswood Town Centre (repealed)	-	-	-
SYDNEY REP 6 – Gosford Coastal Areas (repealed)	-	-	-
SYDNEY REP 7 – Multi-Unit Housing – Surplus Govt Sites (repealed)	-	-	-
SYDNEY REP 8 – Central Coastal Plateau Areas	✓		
SYDNEY REP 9 – Extractive Industry	✓		
SYDNEY REP 10 – Blue Mountains Regional Open Space (repealed)	-	-	-
SYDNEY REP 11 – Penrith Lakes Scheme (repealed)	-	-	-
SYDNEY REP 12 – Dual Occupancy (repealed)	-	-	-
SYDNEY REP 13 – Mulgoa Valley (repealed)	-	-	-
SYDNEY REP 14 – Eastern Beaches (repealed)	-	-	-
SYDNEY REP 15 – Terry Hills (repealed)	-	-	-
SYDNEY REP 16 – Walsh Bay	✓		
SYDNEY REP 17 – Kurnell Peninsula (repealed)	-	-	-
SYDNEY REP 18 – Public Transport Corridor	✓		
SYDNEY REP 19 – Rouse Hill Development Area	✓		
SYDNEY REP 20 – Hawkesbury-Nepean River	✓		
SYDNEY REP 21 – Warringah Urban Release Areas (repealed)	-	-	-
SYDNEY REP 22 – Parramatta River (repealed)	-	-	-
SYDNEY REP 23 – Sydney and Middle Harbours (repealed)	-	-	-
SYDNEY REP 24 – Homebush Bay Area	✓		
SYDNEY REP 25 – Orchard Hills	✓		
SYDNEY REP 26 – City West	✓		
SYDNEY REP 27 – Wollondilly Regional Open Space (repealed)	-	-	-
SYDNEY REP 28 - Parramatta	✓		
SYDNEY REP 29 – Rhodes Peninsula (repealed)	-	-	-
SYDNEY REP 30 – St Marys	✓		
SYDNEY REP 31 – Regional Parklands (repealed)	-	-	-
SYDNEY REP 33 – Cooks Cove	✓		
SYDNEY REP (Sydney Harbour Catchment) 2005	✓		

Attachment H - Draft Amendment to Clause 6.7

Clause 6.7 Solar access to public spaces in Bondi Junction

(1) The objective of this clause is to ensure that buildings are designed to maximise sunlight access to the public places set out in this clause.

(2) Despite any other provisions of this Plan, development consent must not be granted unless the consent authority is satisfied that there is no additional shadow impact at 12 noon on 21 June on the following:

(a) Clemenston Park,

(b) Waverley Street Mall,

(c) Eora Park,

~~(d) Norman Lee Place (Boot Factory),~~

~~(e) Oxford Street Mall (between Bronte Road and Newland Street),~~

~~(f) Rowe Street (between Oxford Street Mall and Grosvenor Lane).~~

(3) In this clause **additional shadow impact** means any overshadowing caused by the proposed development that is additional to the amount of shadow cast by existing buildings as at the date of commencement of this provision.

~~(4) In addition, despite any other provision of this Plan, development on land specified below is prohibited if the development results in any part of a building on that land projecting above the height specified on the height of buildings map:~~

~~(a) The area bounded by Oxford Street Mall, Grosvenor Street, Grosvenor Lane and Newland Street (including Rowe Street);~~

~~(b) The following properties north of Norman Lee Place (Boot Factory):~~

- ~~• 16 Spring Street, Bondi Junction (lot 3, DP 975587);~~
- ~~• 18 Spring Street, Bondi Junction (lot 4, DP 975587);~~
- ~~• 20 Spring Street, Bondi Junction (SP 31260);~~
- ~~• 87 Oxford Street, Bondi Junction (lot 1, DP 975587); and~~
- ~~• 89 Oxford Street, Bondi Junction (lot 9, DP 656476).~~

Attachment I - PART 6 - Project Timeline - Clause 6.7 Amendment No 8 Waverley LEP 2012

STEPS	Jan-15	Feb-15	Mar-15	Apr-15	May-15	Jun-15	Jul-15
1 Anticipated commencement date (date of Gateway determination)	30th January						
2 Anticipated timeframe for the completion of required studies	N/A						
3 Timeframe for government agency consultation (pre and post exhibition as required by Gateway determination)		16th February - 2nd March					
4 Commencement and completion dates for public exhibition period		16th February - 2nd March					
5 Dates for public hearing (if required)	N/A						
6 Timeframe for consideration of submissions			3rd March - 20th March				
7 Report to Council re: public exhibitions and submissions				7th April Ops Committee			
8 Timeframe for the consideration of a proposal post exhibition	N/A						
9 Finalise plan (drafting, editing, mapping)				13th April - 1st May			
10 Anticipated date RPA will make the plan (if delegated)					7th May		
11 Anticipated date RPA will forward to the department for notification (if delegated).					8th May		

INFORMATION CHECKLIST

Attachment J

> STEP 1: REQUIRED FOR ALL PROPOSALS

(under s55(a) – (e) of the EP&A Act)

- Objectives and intended outcome
- Mapping (including current and proposed zones)
- Community consultation (agencies to be consulted)
- Explanation of provisions
- Justification and process for implementation (including compliance assessment against relevant section 117 direction/s)

> STEP 2: MATTERS - CONSIDERED ON A CASE BY CASE BASIS

(Depending on complexity of planning proposal and nature of issues)

PLANNING MATTERS OR ISSUES	To be considered	N/A	PLANNING MATTERS OR ISSUES	To be considered	N/A
Strategic Planning Context			Urban Design Considerations		
• Demonstrated consistency with relevant Regional Strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Existing site plan (buildings vegetation, roads, etc)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Demonstrated consistency with relevant sub-regional strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Building mass/block diagram study (changes in building height and FSR)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Demonstrated consistency with or support for the outcomes and actions of relevant DG endorsed local strategy	<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Lighting impact	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Demonstrated consistency with Threshold Sustainability Criteria	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Development yield analysis (potential yield of lots, houses, employment generation)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Site Description/Context			Economic Considerations		
• Aerial photographs	<input checked="" type="checkbox"/>	<input type="checkbox"/>	• Economic impact assessment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Site photos/photomontage	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Retail centres hierarchy	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Traffic and Transport Considerations			• Employment land	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Local traffic and transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Social and Cultural Considerations		
• TMAP	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Heritage impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Public transport	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Aboriginal archaeology	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Cycle and pedestrian movement	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Open space management	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Environmental Considerations			• European archaeology	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Bushfire hazard	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Social and cultural impacts	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Acid Sulphate Soil	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Stakeholder engagement	<input checked="" type="checkbox"/>	<input type="checkbox"/>
• Noise impact	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Infrastructure Considerations		
• Flora and/or fauna	<input type="checkbox"/>	<input checked="" type="checkbox"/>	• Infrastructure servicing and potential funding arrangements	<input type="checkbox"/>	<input checked="" type="checkbox"/>
• Soil stability, erosion, sediment, landslip assessment, and subsidence	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Miscellaneous/Additional Considerations		
• Water quality	<input type="checkbox"/>	<input checked="" type="checkbox"/>	List any additional studies : Bondi Junction Urban Design Review		
• Stormwater management	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
• Flooding	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
• Land/site contamination (SEPP55)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
• Resources (including drinking water, minerals, oysters, agricultural lands, fisheries, mining)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
• Sea level rise	<input type="checkbox"/>	<input checked="" type="checkbox"/>			