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Bondi Junction Urban Design Review Update 2020



ACKNOWLEDGEMENT

We acknowledge the Bidjigal and Gadigal people who
traditionally occupied the Sydney coast.

We also acknowledge Aboriginal Elders both past, present
and emerging.

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Executive Summary



A number of strategies have been completed for Bondi Junction in the past decade or so, outlining a series of recommendations and principles for future development in Bondi Junction that informed the current policy settings. Since around 2012 there has been significant redevelopment in Bondi Junction and there is continual pressure on redevelopment on this centre.

Given this context of change, the purpose of the *Bondi Junction Urban Design Review Update 2020* (the Review) is to evaluate the current principles and policy framework applying to development in Bondi Junction to ensure that they are valid and up to date.

The Review examines three studies – the original Bondi Junction Urban Design Review (BJUDR), the West Oxford Street Design Charette and the Bondi Junction Town Square Review – looking at their recommendations and principles and asking the following key questions:

- How these have been implemented?
- If they weren't implemented, are they still valid?

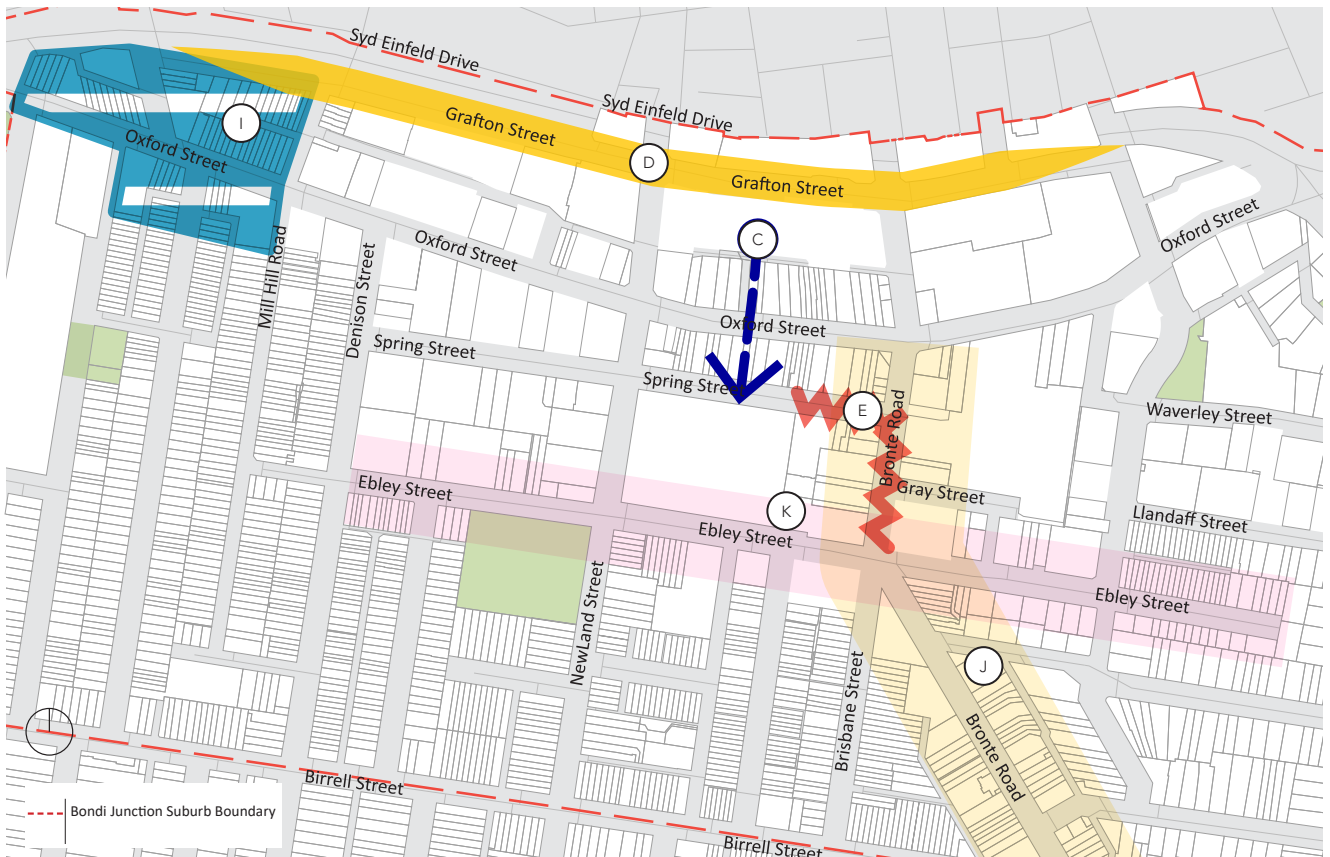
- What has happened since their implementation?
- What have the community said in response to new development?
- Do the original recommendations still stand in the context of change?

Recommendations from these studies have been considered as: public domain amenity, development potential and policy and design recommendations. Most of the recommendations from these studies have been actioned and no further work is required for these.

Where recommendations have not been fulfilled, the Review makes recommends further work or in some instances no further work. One of the most significant recommendations from the original BJUDR was for a transition in building height towards the edges of Bondi Junction.

This principle is enshrined in one of the aims of the WLEP 2012. This Review recommends that this principle and associated planning controls be upheld.

Summary of Recommendations



Public Domain Amenity Recommendations

Recommendation A	Continue to ensure any future developments or upgrades to public domain areas are done in accordance with the BJ Complete Streets Project.
Recommendation B	Continue to ensure any future developments or upgrades to public domain areas are done in accordance with the Complete Streets project and Waverley's People, Movement and Places Strategy.
Recommendation C	Continue to investigate using Rowe Street to link Oxford Street and Spring Street to the Bondi Junction rail interchange.
Recommendation D	Improve public domain of Grafton Street towards and underneath Syd Enfield Drive in connection with the relevant recommendations of the Open Space and Recreation Strategy & Bondi Junction Night Activation Strategy.
Recommendation E	Investigate further mechanisms to reduce pedestrian and vehicle conflicts in Spring Street and Bronte Road.

Development Potential Recommendations

Recommendation F	Continue to work with the DPIE to update planning controls so that commercial floorspace is retained and grows in Bondi Junction Strategic Centre.
Recommendation G	Investigate LEP height and DCP storey control inconsistencies further with assistance from the Development Assessment Team with an aim to resolving this conflict within either the comprehensive LEP review or DCP review.

Planning Policy and Design Recommendations

Recommendation H	Continue to apply the Waverley VPA policy for developments and planning proposals that are seeking uplift above their current development standards.

Edge Area Controls - West Oxford Street

Recommendation I	Maintain the current LEP controls for the West Oxford Street area and do not allow for increased development standards in order to respect the existing low scale built form and amenity of the area.

Edge Area Controls - Bronte Road Corridor

Recommendation J	Maintain the existing LEP controls along the Bronte Road corridor.

Edge Area Controls - Ebley Street

Recommendation K	Maintain the LEP controls on Ebley Street to ensure that development in these edge areas remains transitional to reduce the impact on surrounding areas.

Bondi Junction Town Square Peer Review 2007

Recommendation L	Ensure that the FSRs for sites are compatible with the height of buildings in any changes to the LEP.

Report Structure

Introduction

Outlines the purpose and context for the review.

Sections 2, 3 and 4

Review public domain amenity, development potential and planning policy and design recommendations from previous completed studies and outlines recommendations for future work.

Section 5

Investigates inconsistencies with the Waverley DCP 2012 podium controls and approved development.

Section 6

Reviews the findings from the West Oxford Street Design Charette.

Section 7

Explores the issue of development on the edges of the Bondi Junction Strategic Centre, with specific reference to West Oxford Street, Ebley Street and Bronte Road.

Section 8

Reviews the findings from the Bondi Junction Town Square Review.



1.0 Introduction

The Bondi Junction Urban Design Review (the BJUDR) was completed in 2013 (CityPlan) with a view to identifying planning issues, accommodating development pressures and providing solutions to them within the Bondi Junction Strategic Centre. The BJUDR made recommendations primarily on built-form controls, the public domain and other planning policy and design. The recommendations and findings of the BJUDR were implemented in the Planning Proposal for the new Standard Instrument LEP of 2012, the DCP as well as applied to Planning Proposals and Development Applications for land within the Bondi Junction Strategic Centre.

Since that time there has been considerable development activity and continued development pressure in Bondi Junction (Figure 1.1 & 1.2). The purpose of this update is to analyse how planning within the Bondi Junction Strategic Centre has been implemented, including other studies completed for Bondi Junction such as the West Oxford Street Design Charette and the Bondi Junction Town Square Review. In particular, this analysis will examine Development Applications (DAs) and Planning Proposals (PPs) in the centre from 2013 to understand how the vision, aims and recommendations – in the form of LEP and DCP controls – of the BJUDR have stood the test of time. In undertaking this analysis this update makes recommendations for planning within the centre, with particular focus on whether the original aims and implemented controls are still relevant and suitable, and hence should continue to be applied, or if new controls should be considered.

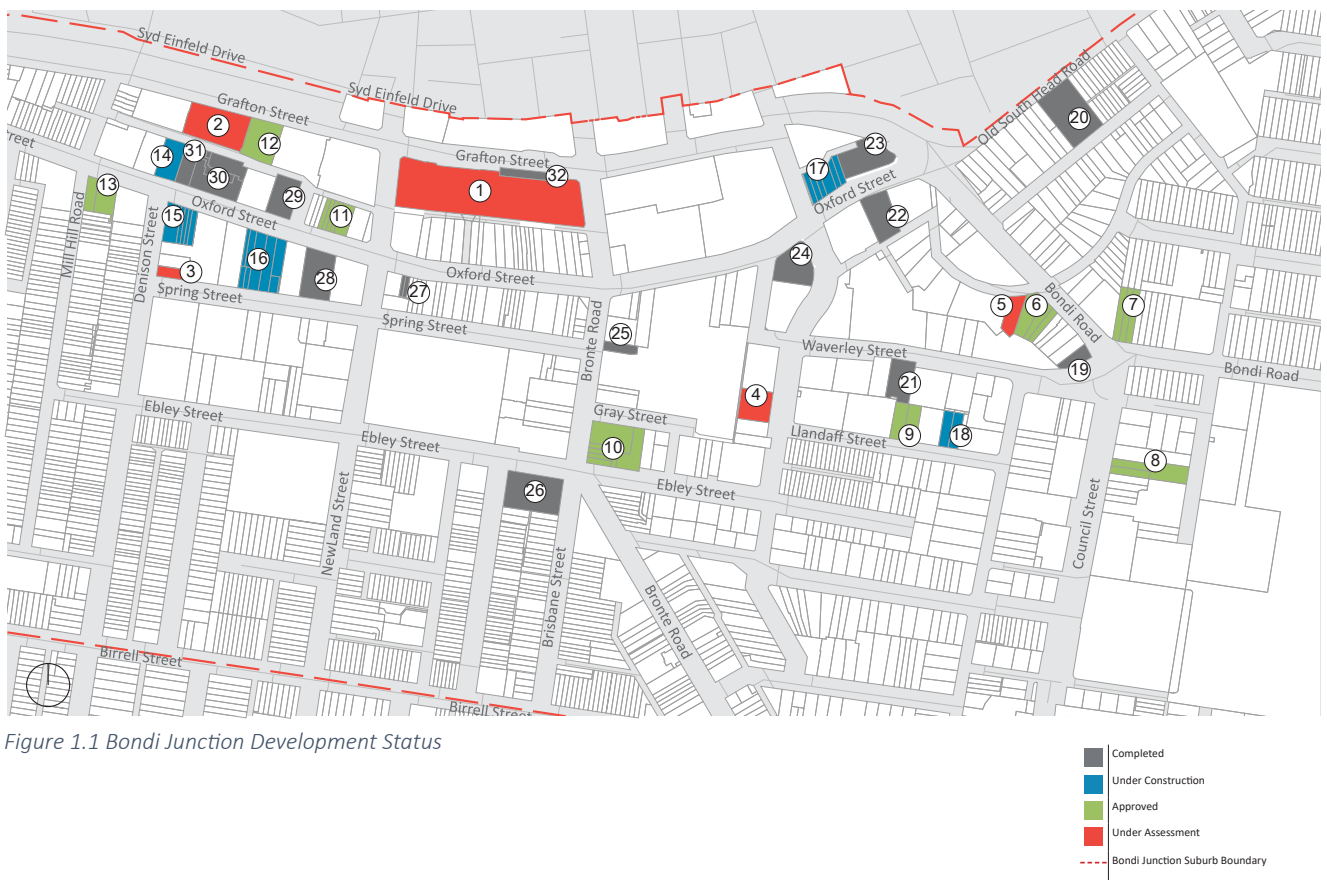


Figure 1.2 Bondi Junction Development Status Table

	Development Site	Status	FSR exceed- ance (%)	VPA contribu- tion amount
1	95-97 Grafton Street & 422 Oxford Street, (Meriton Tower)	Under Assessment	Complied	N/A
2	55 Grafton Street, Demolition & construction of 20 storey mixed use tower	Under Assessment	Complied	N/A
4	5-11 Hollywood Avenue, Demolition & construction of a new 11 storey hotel	Under Assessment	Complied	N/A
5	21 Waverley Crescent, Demolition & construction of a 9 storey RFB	Under Assessment	Complied	N/A
3	10 Denison Street, Demolition & construction of mixed use tower	Refused	N/A	N/A
6	7-11 Bondi Road, Demolition & construction of a 9 storey RFB (inc. affordable housing)	Approved	Complied	N/A
7	34-38 Bondi Road, Demolition & construction of a 3 storey RFB	Approved	18%	N/A
8	Demolition of the building fronting Council Street (8-10 Council Street) and partial demolition of the building fronting Paul Street (27 Paul Street), and construction of a two and three storey affordable housing development with a total of 18 units and basement car parking	Approved	Complied	N/A
9	16A + 16B Llandaff Street, Demolition & construction of a 9 storey RFB	Approved	16%	\$1,035,538
10	Bondi Junction RSL, 1-9 Gray Street, Demolition & construction of a 10 storey mixed use building	Approved	Complied	N/A
11	362-374 Oxford Street, Demolition & construction of a 14 storey mixed use building	Approved	15%	\$2,026,313
12	59-75 Grafton Street, Demolition & construction of a mixed use tower	Approved	Complied	N/A
13	45-57 Oxford Street, Demolition & construction of mixed use building & alts & adds to existing heritage buildings	Approved	15%	Affordable housing provided
14	292 Oxford Street, Demolition & construction of 12 storey mixed use development	Under Construction	14%	\$1,687,239.08
15	59-69 Oxford Street, Mixed use development including existing pub on ground floor	Under Construction	19%	\$4,713,956
16	87-99 Oxford Street, and 16-22 Spring Street, Demolition & construction of 14 storey mixed use building	Under Construction	15%	\$5,164,236.85
17	552-568 Oxford Street, Demolition & construction of a mixed use building	Under Construction	1.5%	N/A
18	20 + 22 Llandaff Street, Demolition & construction of RFB building	Under Construction	15%	\$633,077
19	50 Waverley Street, Alts & Adds to existing RFB	Under Construction	15%	\$130,033

	Development Site	Status	FSR exceed- ance (%)	VPA contribu- tion amount
20	91-95 Old South Head Road, Demolition & construction of RFB	Completed	125%	N/A
21	33 Waverley Street, Demolition & construction of RFB	Completed	2%	\$200,000.33
22	253-255 Oxford Street, Demolition & construction of a 20 storey mixed use building (inc. affordable housing)	Completed	15%	Affordable housing provided
23	570-588 Oxford Street, Demolition & construction of a 22 storey RFB with ground floor retail	Completed	1.8%	\$338,440
24	241 Oxford Street, Demolition & construction of mixed use building	Completed	15%	\$3,000,000
25	6 Bronte Road, Demolition & construction of 8 storey commercial building	Completed	Complied	N/A
26	73-89 Ebley Street, Demolition & construction of a 4 storey mixed use development	Completed	5%	\$316,200
27	139 Oxford Street, Demolition & construction of a 9 storey commercial building with hotel uses	Completed	Complied	N/A
28	109 Oxford Street, Demolition & construction of a new 12 storey mixed use building	Completed	15%	\$2,844,438
29	350-354 Oxford Street, Demolition & construction of a mixed use building	Completed	5%	\$985,711.55
30	310 Oxford Street, Demolition & construction of a 10 storey mixed development	Completed	2%	\$3,000,000
31	304 Oxford Street, Demolition & construction of a 12 storey mixed use development	Completed	15%	\$1,451,812
32	95-97 Grafton Street, Construction of new serviced apartments over 4 levels	Completed	26%	Pre-VPA Policy

2.0 Public Domain Amenity Recommendations

2.1 Develop a Public Domain masterplan to identify key Public Domain projects.

2.1.1 Findings/Analysis

One of the key recommendations of the BJUDR relating to public domain was for a masterplan to be developed identifying key public domain projects and spaces in Bondi Junction. This recommendation has been actioned through the creation of the Complete Streets project. The Complete Streets project directly responds to various recommendations made in the BJUDR relating to public domain principles. The Complete Streets project addresses this recommendation as it considers the various needs of all users of public space by having provisions to ensure the streets are pedestrian-friendly, provide good access to public transport, accommodate cyclists, are safe and benefit the local economy.

2.1.2 Recommendation

Continue to ensure any future developments or upgrades to public domain areas are done in accordance with the Complete Streets project.

2.2 Develop a movement strategy that integrates pedestrian and vehicular movements and has a clear focus on the quality of the public domain.

2.2.1 Findings/Analysis

This recommendation has been actioned through the creation of the Complete Streets project and Waverley's *People, Movement and Places Strategy*. Waverley's *People, Movement and Places Strategy* was developed to address the issues associated with pedestrian and vehicular movements within Waverley more broadly. This was created to address current transport issues and to best meet the changing demands of the future. The *People, Movement and Places Strategy* also outlines provisions for improving the public domain through upgrading cycleways, footpaths, roads and shared pedestrian and vehicle spaces. The Complete Streets project also considers the needs of pedestrians and vehicles equally in direct response to this recommendation of the BJUDR.

2.2.2 Recommendation

Continue to ensure any future developments or upgrades to public domain areas are done in accordance with the Complete Streets project and Waverley's *People, Movement and Places Strategy*.

2.3 Improve the connection from the rail interchange to Oxford Street and further on to Spring Street

2.3.1 Findings/Analysis

Council has been actively pursuing a means of improving the connection from the rail interchange to Oxford Street and Spring Street. Council has identified Rowe Street as a possibility to create a direct connection to the railway station as the street has been closed and made available for redevelopment. Rowe Street was official closed as a road in 2016 to facilitate the development of this link. A feasibility study was completed in 2019 and was reported to Council who adopted the recommendation to sell the Rowe St property.

2.3.2 Recommendation

To prepare for the sale of the Rowe St incorporating a satisfactory legal framework to ensure that the public benefits including design outcomes and the connection to the Transport Interchange are safeguarded.

2.4 Create through site links

2.4.1 Findings/Analysis

The BJUDR outlined that through-site links should be negotiated as a public benefit from new development, particularly where they provide a demonstrable time saving through long, impassable blocks. Planning Proposals in recent years have often included tokenistic through-site links that do little in the way of reducing walk times and hence are not considered to provide public benefit and as such should not be considered as a redeeming feature of a development.

2.4.2 Recommendation

Continue to support and request provision of through-site links in DAs and PPs if they provide a demonstrable public benefit.

2.5.0 Improve public domain of Grafton Street and towards and underneath Syd Einfeld Drive

2.5.1 Findings/Analysis

One of the actions of the Complete Streets project is to consider adaptive reuse of space under Syd Einfeld Drive with a long-term goal to create more street level activity. It also recommends improving lighting and access of carparks under Syd Einfeld Drive with a vision to properly activating this space past the point of being carparking. This is also being investigated as part of Council's Open Space and Recreation Strategy. This strategy will provide recommendations as to how the space under Syd Einfeld Drive can be used for public urban recreation space. This strategy is intended to be finished in 2020.

Therefore, this recommendation should remain as a recommendation and should also reference the Open Space and Recreation Strategy.

2.5.2 Recommendation

This recommendation is being investigated as part of the Open Space and Recreation Strategy.

2.6.0 Create share zones in parts of Spring Street and Bronte Road

2.6.1 Findings/Analysis

The BJUDR found that there were no shared zones in Spring Street or Bronte Road. The four-way pedestrian crossing point at the corner of Oxford Street and Bronte Road and the crossing at Oxford Street and Ebley Street were considered appropriate crossing points for pedestrian foot traffic within this area. The BJUDR recommended further investigations to determine whether it would be appropriate to have this section closed to general traffic and only allow for buses, taxis and deliveries.

2.6.2 Recommendation

Investigate further mechanisms to reduce pedestrian and vehicle conflicts in Spring Street and Bronte Road.

2.7.0 Create solar access planes for important public open spaces within the Bondi Junction Centre

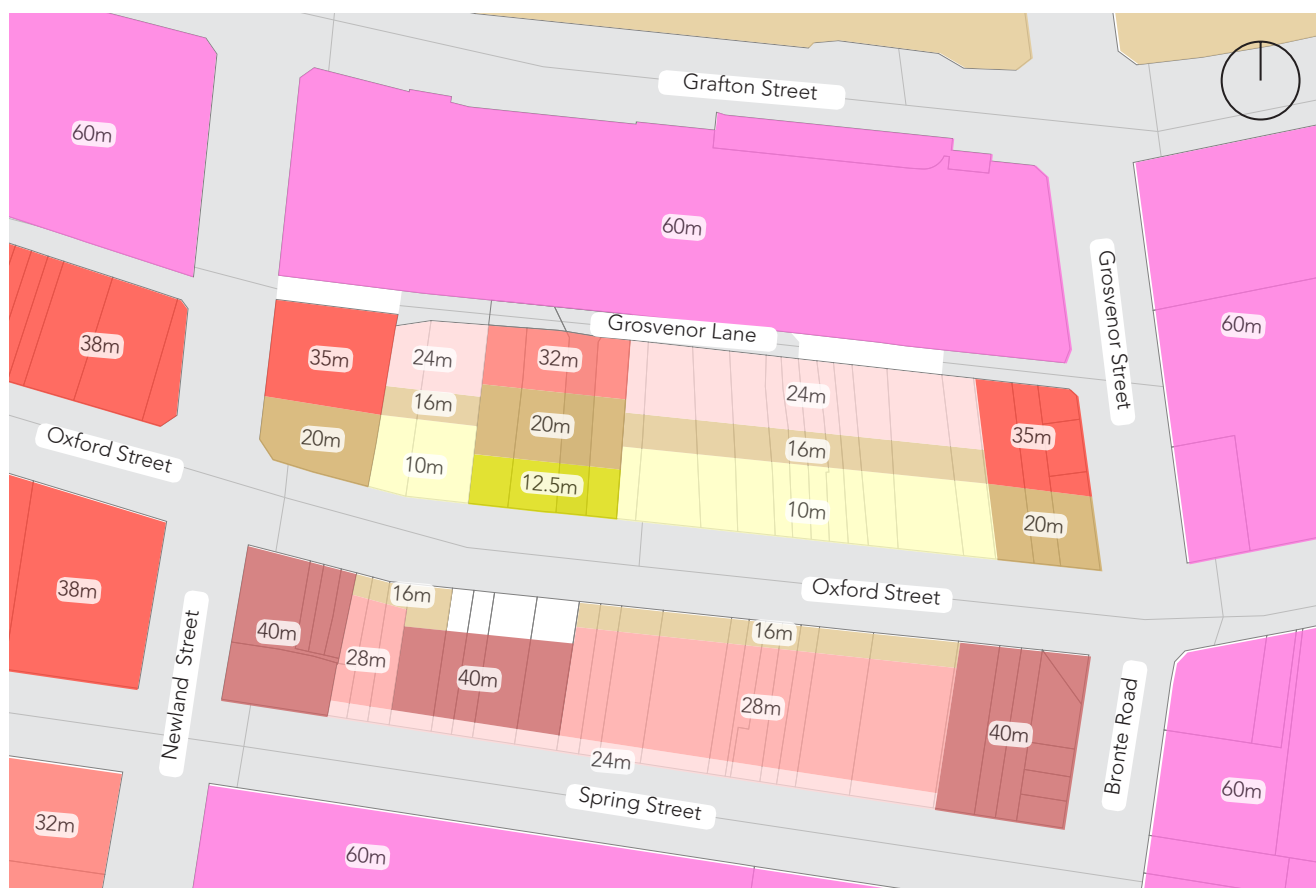


Figure 3 Stepped maximum height of building controls surrounding Oxford Street Mall

2.7.1 Findings/Analysis

As a result of this recommendation an Additional Local Provision was added into the Waverley LEP 2012. Clause 6.7 *Solar access to public spaces in Bondi Junction* in the Waverley LEP was added into the LEP to ensure buildings were designed to maximise sunlight access to important public places in Bondi Junction. The clause outlines the provision that development consent must not be granted to development that results in any part of a building causing an additional shadow impact at 12 noon on 21 June (winter solstice) at the following places: *Clemenston Park, Waverley Street Mall, Eora Park, Norman Lee Place & Oxford Street Mall*.

This clause also aligns with recommendations from the Bondi Junction Town Square Peer Review Submission

that suggested stepped height controls based on the angle of the winter sun, so that Oxford Street Mall could continue to receive sunlight regardless of new development. The stepped heights can be seen in Figure 3.

2.7.2 Recommendation

This recommendation has been actioned. No further action required with this recommendation.

2.8.0 Prevent midwinter lunchtime overshadowing of Clemenston Park by amending the WLEP 2012 height and FSR along the northern side of Ebley Street

2.8.1 Findings/Analysis

The original findings of the BJUDR outlined that the height of buildings on the Ebley Street sites should be reduced from 32m to 28m. This height limit was decided to allow for sunlight to reach Clemenston at 12 noon on 21st June (Winter Solstice).

Clause 6.7 *Solar access to public spaces in Bondi Junction* was applied incorrectly and as it is currently written does not allow any increase on those sites above the height of the existing building. This was not the intention of the original recommendation of the Urban Design Review; the intention was to allow redevelopment of those sites up to a proposed reduced maximum height limit of 28m.

2.8.2 Recommendation

This clause should be reviewed to ensure an appropriate balance between daylight access to the park and the ability of the sites on Ebley Street to achieve their LEP height restrictions.



3.0 Development Potential Recommendations

3.1.0 Improve flexibility in land use by amending the WLEP 2012 to change the zone of the commercial core that lies to the West of Newland Street from B3 Commercial Core to B4 Mixed Use

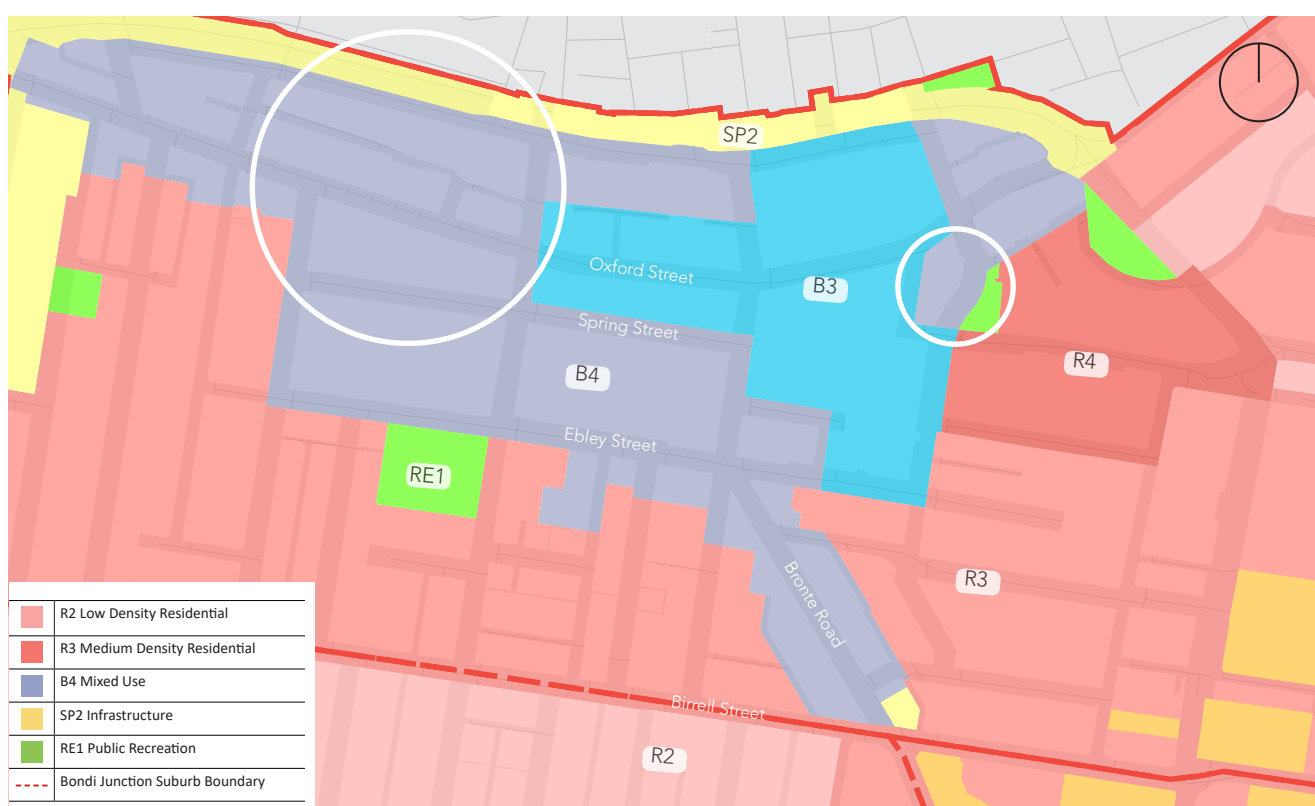


Figure 4 Areas rezoned from B3 Commercial Core to B4 Mixed Use as part of the WLEP 2012

3.1.1 Findings/Analysis

This recommendation was actioned as part of the Waverley Local Environment Plan 2012, the areas in Figure 4 were rezoned from B3 Commercial Core to B4 Mixed Use.

The intention of this was to allow for more residential space within Bondi Junction so that there could be an equal distribution of commercial and residential floorspace with the intention that residents could live and work in Bondi Junction. Council originally sought controls to ensure that new development had a

50/50 mix of commercial and residential. This was not supported by the DPIE. Instead of creating an equal distribution of commercial and residential uses, the rezonings led to an outcome which saw residential uses dominate commercial uses as residential development was much more profitable to developers. As a result, BJ has experienced a loss of 9,000m² in commercial floorspace since 2014 with a further loss of 19,000m² projected in the pipeline.

The *Bondi Junction Strategic Centre: Protecting and Promoting Commercial Floorspace PP* was lodged with the DPIE in mid-2019 in order to stem the loss of commercial floorspace and ensuring that quasi-residential uses such as serviced apartments could not be used in the commercial floorspace areas. This can be achieved through retaining all the remaining B3 Commercial Core zoned land in Bondi Junction and prohibiting quasi-residential uses such as serviced apartments in this zone (which the PP is attempting to do).

3.1.2 Recommendation

This recommendation has been implemented, with the unanticipated perverse outcome of not delivering a truly mixed-use outcome. Continue to work with the DPIE to update planning controls so that commercial floorspace is retained and grows in Bondi Junction Strategic Centre.

3.2.0 Consider tall office buildings on the block between Oxford Street, Bronte Road and Gray Street (facilitating the opportunity for A-grade office space in Bondi Junction).

3.2.1 Findings/Analysis

It was decided to not implement this recommendation as part of the comprehensive LEP 2012 as there was no mechanism in place to capture any contribution from the windfall gain that these office towers would be getting as a result of this recommendation. It was considered that, as the community could not share in this uplift, and that increasing the development controls would only serve to benefit individual landowners through increased land values, that this recommendation would not be actioned.

3.2.2 Recommendation

No further action required.

3.3.0 Use potential for additional storeys within LEP height limit at selected locations (at present the number of storeys is limited by the DCP which at some locations does not correspond with the full LEP height potential).

3.3.1 Findings/Analysis

There has been an issue arising from development applications within Bondi Junction that has highlighted an inconsistency between the LEP maximum height limit and the DCP floor to ceiling height controls. This has meant that many developments have seemingly not been able to achieve a maximum amount of storeys due to floor to ceiling heights not matching with LEP height controls. This has meant many development applications have used Clause 4.6 Variation applications to gain heights exceeding the LEP height limit.

3.3.2 Recommendation

Investigate this further with assistance from the Development Assessment team with an aim to resolving this conflict within either the Comprehensive LEP review or DCP review.

3.4.0 Acknowledge that certain sites may be the subject of acceptable Development Applications which exceed development controls, if they do not create unacceptable impacts and they meet obligation to improve infrastructure and facilities.

3.4.1 Findings/Analysis

This recommendation was actioned through the creation of Council's Voluntary Planning Agreement (VPA) policy in 2014 (discussed further below). The VPA policy has been used to positive effect in numerous DAs where it could be demonstrated that exceedances of the development controls would not have adverse impacts on the surrounds and could provide a positive public benefit for the surrounding area.

3.4.2 Recommendation

Continue to negotiate VPAs for sites where it is deemed appropriate to exceed development controls.



4.0 Planning Policy and Design Recommendations

4.1.0 Develop a framework for VPA and (now) S7.11 contributions particularly for sites that might be the subject of Development Applications significantly over the existing controls.

4.1.1 Findings/Analysis

Waverley’s VPA policy was created in 2014 in order to secure a public benefit from developments and PPs that were receiving a value uplift. The policy provides developers the opportunity to voluntarily provide public benefits to the community in the form of monetary contributions, land dedications and public domain and infrastructure upgrades.

The Planning Proposal at 194-214 Oxford Street and 2 Nelson Street, Bondi Junction (194 Oxford St PP) is an example of how the VPA policy could be implemented to achieve positive outcomes for the community. Council had attempted on various occasions to refuse the Planning Proposal stating issues with the controls being out of context with surrounds, however the NSW Department of Planning, Industry and Environment used its delegation to approve the development. The VPA policy was used to great effect, as although the Planning Proposal was approved, Council was able to gain a \$7.45million contribution from the developers that would be used to help improve community facilities.

Since its creation in 2014 the VPA policy has been used to secure \$16.75million for the purposes of community benefits, approximately \$2.3million of which has been secured for the purposes of affordable housing.

4.1.2 Recommendations

This recommendation has been actioned and as such the resulting VPA policy should continue to be used to secure public benefits. Continue to use the Waverley VPA policy for developments and planning proposals that are seeking uplift above their current development standards.

4.2.0 Require development applications to consider impact on surrounding sites. This may include three dimensional testing of overshadowing.

4.2.1 Findings/Analysis

All DAs and PPs are required to assess the impact on surrounding sites, this is one of the key factors in merit assessment. Shadow diagrams form a pivotal part of assessing the impact of a development on surrounding lots and as such are a requirement for applications for dwelling houses, dual occupancies, multi-residential development, mixed use development and commercial development over one storey high.

4.2.2 Recommendations

This recommendation has been actioned. No further recommendation required.

4.3.0 Require development applications to illustrate how neighbouring sites can be renewed or redeveloped adjacent to the proposal.

4.3.1 Findings/Analysis

This has been a key factor in assessing both DAs and PPs. This assessment is undertaken to ensure that the development opportunities of surrounding sites are not sterilised due to restraints enforced on them by the proposal being assessed. This assessment ensures that development occurring on one site does not adversely impact on another site or jeopardise another site's development potential.

4.3.2 Recommendations

This recommendation has been actioned. No further recommendation required.

4.4.0 Introduce environmental design into the DCP including passive solar design and natural ventilation.

4.4.1 Findings/Analysis

Environmental design has been added into the DCP in Chapter B2 Ecologically Sustainable Development. This chapter includes provisions pertaining to passive design, water conservation, renewable energy, natural ventilation and general sustainable building practices.

4.4.2 Recommendations

This recommendation has been actioned. No further recommendation required.

4.5.0 Permit commercial uses on sites on the south side of Ebley Street between Hollywood Avenue and Denison Street where they face potential overshadowing from development to the north.

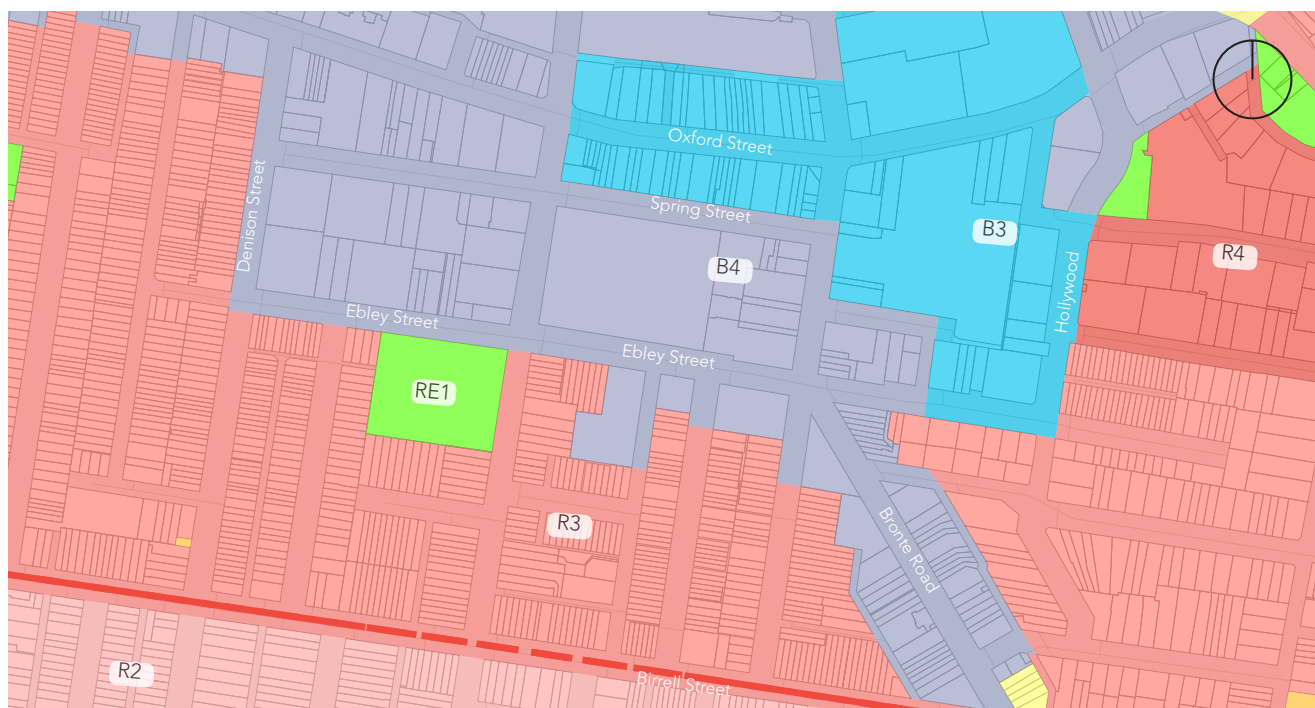


Figure 4 Sites originally identified for additional permitted uses

4.5.1 Findings/Analysis

The sites outlined in Figure 4 have remained without additional permitted commercial uses. The uses within this area are largely residential and the inclusion of any commercial uses within this area would likely require redevelopment, which would be difficult in this area due to their inclusion within a Heritage Conservation Area and the fine grain, fragmented lot pattern.

4.5.2 Recommendations

No further action required.

4.6.0 Conduct a block by block analysis to assess building massing options for redevelopment sites. This may determine appropriate setbacks in the context of existing building massing, block depth, lot size and access consideration.

4.6.1 Findings/Analysis

This exercise was completed and informed the comprehensive LEP 2012.

4.6.2 Recommendations

No further action required.

4.7.0 Develop a strategic plan for the renewal of the area between Ebley Street and Birrell Street to consider the possible expansion of Bondi Junction southward.

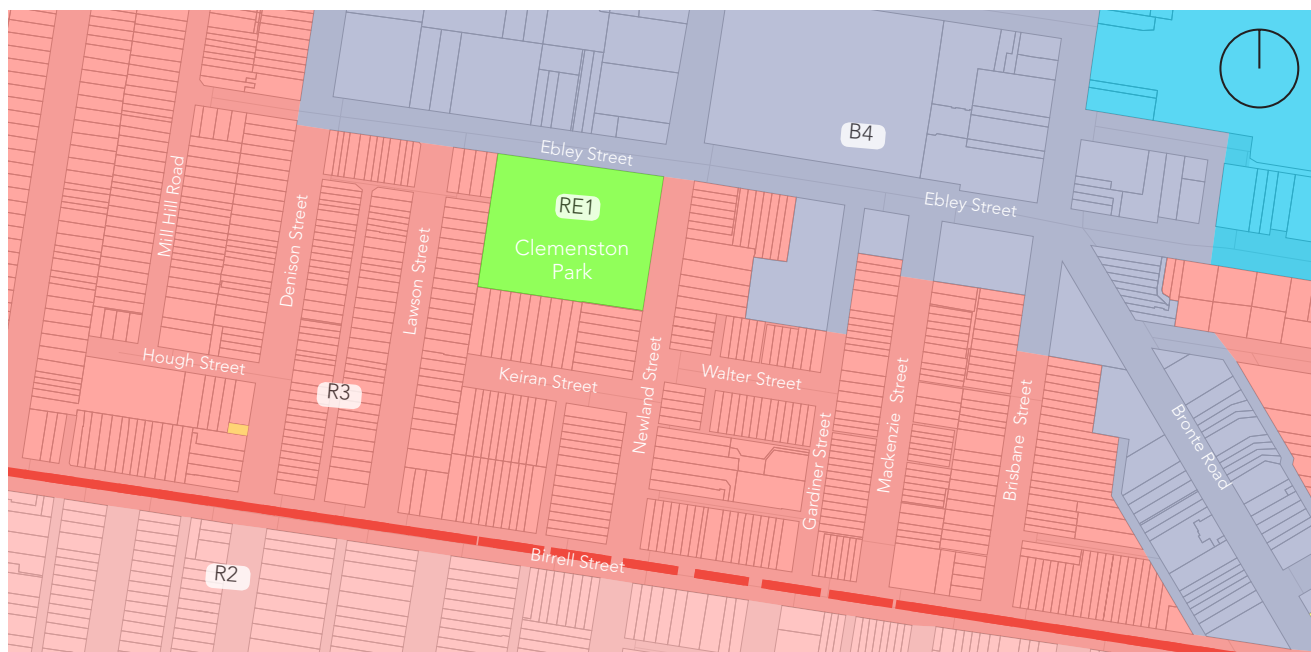


Figure 5 Fine grain lot size between Ebley Street & Birrell Street

4.7.1 Findings/Analysis

The expansion southward of Bondi Junction Strategic Centre did not occur as the area between Ebley Street and Birrell Street remains zoned as R3 Medium Density Residential. This area likely remains zoned as such due to the fine grain nature of the lot sizes in this area and the existence of Heritage Conservation Areas (Figure 5). For mixed use development to occur here various adjoining lots would have to be bought and consolidated to create viable floorspace for commercial use.

4.7.2 Recommendations

Do not pursue the possibility of expanding the Bondi Junction Strategic Centre southwards to include the area between Ebley Street and Birrell Street, given the existing HCAs and fragmented lot pattern.

5.0 Waverley DCP Podium Controls Review

5.1.0 Findings/Analysis

The current Waverley DCP podium controls apply to development in the Bondi Junction commercial centre. The controls list that areas without heritage on the street must build a podium to the street alignment up to six storeys, areas with heritage on the street must build a podium to the street alignment up to two/three storeys. There has been an inconsistency of compliance and non-compliance with these controls with developments in Bondi Junction as seen in the examples below in Table 3.

Table 3 Examples of podium heights and setbacks for tower developments in Bondi Junction

Address	Podium Height	Compliance	Setback
292-302 Oxford Street	5 storey podium	Yes	No
306 Oxford Street	3 storey podium	Yes	Yes
310 Oxford Street	3 storey podium	Yes	Yes
59-75 Grafton Street	6 storey podium	Yes	Yes
241 Oxford Street	2 storey podium	No	No
253-255 Oxford Street	2 storey podium	No	Yes
570-588 Oxford Street	7 storey podium	Yes	No

The issue that is arising from many developments within Bondi Junction is that the storeys above the top podium level are not setting back the required 6m, so the top podium level and the continuation of the tower above are almost non-distinguishable. Many of the sites developed have smaller setbacks meaning the tower is not pronounced, which has set a precedent that many other tower developments are following; potentially resulting in greater overshadowing and impacts on amenity. The inconsistencies in compliance with these controls brings the viability of the DCP controls into question, which is important when considering how to apply the controls to the remaining developable sites.

There are currently four sites in Bondi Junction that have yet to redevelop in recent years and are likely to redevelop in the future. They are listed below:

- 47-53 Spring Street
- 376-382 Oxford Street
- 6-8 Denison Street
- 10 Denison Street (DA lodged in December 2019)

The developments that have occurred on streets marked with heritage (306 and 310 Oxford Street) have built to compliance with the controls and therefore helped to create and maintain a consistent tower built form in this area. Therefore, it is important that the 376-382 Oxford Street site also complies with the development controls to maintain the consistent built form of the towers in this area. Being also identified in the heritage streets in the DCP, 6-8 and 10 Denison Street also need to comply with the 2/3 storey podium and setback controls to ensure the consistency of tower forms in this area.

The towers on Spring Street have not complied with the podium height or setback requirements, as has been a somewhat common theme in the non-heritage listed streets. Therefore, it could be considered unreasonable to expect development occurring on 47-53 Spring Street to follow the controls of the DCP as the development would look out of place with the rest of the towers in this area. In this instance any tower development should be designed to be consistent in scale and form with the towers surrounding the site.

5.1.1 Recommendations

The podium height and setback controls listed for 376-382 Oxford Street, 6-8 Denison Street and 10 Denison Street should be maintained and enforced. The podium height and setback controls for any development on 47-53 Spring Street should be assessed on their merit for the consistency with the built form of surrounding towers.

6.0 West Oxford Street Design Charette

The West Oxford Street Design Charette was developed in 2015 with the intention of generating ideas for the long-term redevelopment of the area into a precinct that provides a fitting threshold to Bondi Junction, with better connections to adjacent areas, and a better place for the community to live, work, shop and enjoy. The West Oxford Street precinct area is identified in Figure 6.



Figure 6 West Oxford Street Precinct Area outlined in red

Arising out of the charette were recommendations pertaining to built-form, public domain and road re-configurations for the short, medium and long-term.

Much of the public domain works recommendations consisted of upgrades to the footbridge adjoining West Oxford Street and Woollahra, upgrades to footpaths and cycleways in the immediate vicinity, formulating incentives for developers to offset provisions for cultural assets and street tree planting.

The built-form recommendations outlined in the charette included increases to maximum heights and floorspace ratios, development of the bus depot, creation of through-site links, key sites being identified, and design excellence provisions being required for these key sites. The recommendations for changing the development controls included:

- A continuous 6 storey edge along Oxford St with small footprint development up to 9 stories along the Syd Einfeld frontage to a maximum depth of 30m
- 4 storeys on the southern side of Oxford St east of St James Rd to the south side of Mill Hill Road
- Development up to 4 stories over the bus depot, with bus access beneath, for a maximum depth of 20m along Oxford Street frontage (subject to discussions with TfNSW and Sydney Buses)
- Varied FSR's to modulate built form along Oxford St

A recent PP at 194-214 Oxford Street, showcased a resounding community sentiment to maintain the current development controls listed in the LEP and that developments exceeding the controls were not supported. Notwithstanding this sentiment, the NSW Government approved a new maximum height limit of 36m, allowing a tower form at the low rise edge of Bondi Junction, surrounded by 15m and 9.5m height limited and isolated from the cluster of towers to the east. Given the overwhelming community feedback on the 194 Oxford Street PP to maintain the existing height and FSR controls, it is unlikely that the community would support any development above the bus depot or any other changes to height in the West Oxford Street area. To reflect community sentiment, it is envisioned that the current LEP controls in West Oxford Street will remain unchanged.

The sites outlined in the West Oxford Street Design Charette also act as transitional sites from the large-scale towers of the commercial centre to the much smaller scale residential properties in the surrounds. Therefore, it is important to keep these areas as transitional so that the scale of building heights gradually steps down to the residential areas so that the amenity of these areas is not adversely impacted. An important point to note is that the Design Charette was inconsistent with one of the aims of the LEP to provide a transition from taller commercial centres to residential surrounds. The next section will explore this transitional principle in more detail, focussing on controls and recent development in edge areas.

7.0 Treatment of controls in edge areas

As alluded to above, Clause 1.2(d) of the Waverley LEP outlines the control “to provide an appropriate transition in building scale around the edge of the commercial centres to protect the amenity of surrounding residential areas”. This control reflects the principles outlined in the BJUDR (Figure below), which argues that there should be a transition in heights on the edges of Bondi Junction. In particular, the control is most pertinent for West Oxford Street, Bronte Road and Ebley Street. Each of these areas are facing development pressure in the form of DAs and PPs. In this context, there areas are analysed to determine whether the transition principle has been upheld and is still appropriate for the future.

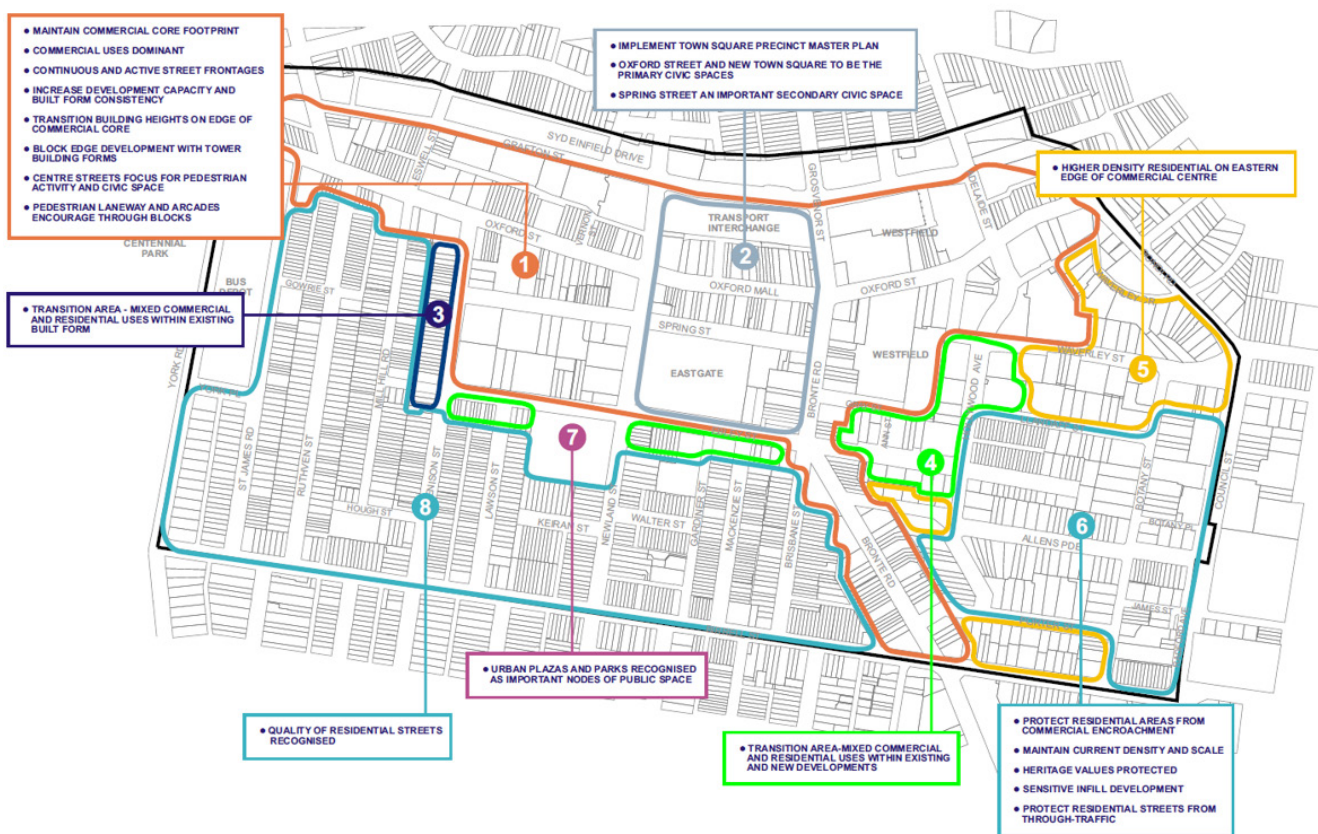


Figure 7 Area specific recommendations of the original Bondi Junction Urban Design Review

7.1.0 West Oxford Street

7.1.1 Findings/Analysis

The current LEP height controls for the West Oxford Street area show a transition from 38m to 12.5m to 9.5m in order to minimise impacts of the commercial centre on the surrounding residential area, as seen in Figure 8.



Figure 8 LEP height controls West Oxford Street Area

Many of the West Oxford Street buildings are two storeys in height and maintain a consistent streetscape and built form. West Oxford Street is one of the few remaining areas in Bondi Junction that has maintained this low-scale form. Much of the transitional nature of the West Oxford Street area is retained in the low-density residential character of the residential streets and two-three storey shop top housing buildings on Oxford Street as seen in Figure 9.



Figure 9 Consistent two storey shop top housing along Oxford Street

There is consistent height of buildings west of Denison Street with many retaining the 9.5m height in the form of terrace housing as seen in Figure 9. This built form is maintained with each street heading West and even exhibits greater levels of one storey buildings. Given that this area comprises rows of terraces, is covered by a Heritage Conservation Area and with numerous listed items, this area will remain largely unchanged. This underscores the need for transitional development so that towers do not adversely impact this residential area, especially its heritage status with issues such as overshadowing.



Figure 10 Terrace housing on Denison Street, Bondi Junction

As discussed in the previous section, West Oxford Street has been the subject of a controversial Planning Proposal that could set a poor precedent for development within the area. The 194 Oxford Street Planning Proposal increased the permissible height on the sites from 15m to 36m and increased the FSR from 1.5:1 to 3.5:1. Both

this height and bulk are exceedingly out of scale with the surrounding areas and betray the both the transitional objectives and low scale residential nature of the area. These increased controls allow for development that would significantly tower above the surrounding buildings and would resemble developments that occur in the heart of the commercial centre, not the edge residential areas. Any development to such a large size on the 194 Oxford Street sites would be considered an outlier development. The community echoed this sentiment during the exhibition of the PP as there was over 400 submissions opposing the development and only 10 submissions supporting it. As such, this PP and subsequent development should not be used as precedence to inform an increase in controls in the West Oxford Street area as it would be out of scale with the surrounding area and would be met with great community backlash. The recently adopted LSPS for Waverley contains a key action, based on overwhelming community feedback, to “enhance public domain throughout Bondi Junction, and curate a ‘village feel’ along West Oxford Street and Bronte Road”. Figure A below shows the renderings of the 194 Oxford Street PP building height that would be allowed under the new controls. It can clearly be seen that the building is significantly out of scale with the surrounding West Oxford Street area and substantially impacts on the amenity of the area as an anomaly on the two-storey view along West Oxford Street.

The transitional 12.5m heights from the centre’s 38m height is also currently being maintained as the Continental tyres site remains as a single storey building and the neighbouring hardware store stands only at two storeys. Both developments immediately adjacent to the 38m height limit of the centre maintain a modest height and as a result have minimal impact on the low-scale heritage residential area to the south. The compound of units at 39-43 Oxford Street on the corner of Mill Hill Rd and Oxford Street, is the only development in this 12.5m height transitional zone that is above two storeys and yet it remains within the limit at a total height of 11.7m.

The current LEP height limit of 12.5m that is set for the northern most lots between Denison St and Ruthven St is intended to be used as a transitional height to minimise development impacts on the surrounding residential dwellings. Given that the current buildings in this area are consistent with the controls, it is considered that these heights are fulfilling this objective. The sites within the 9.5m area are complying with these height limits as well as most dwellings in this area maintain a consistent two storey height with some even standing at single storey. Given the prevailing character of one and two storey residential dwellings in the West Oxford Street area, and the weight of community feedback received for this area to maintain the existing character, it is important that the LEP controls only allow for development that will respect the existing character and residential amenity of this area.



Figure A Renderings of 194 Oxford Street PP building height

7.1.2 Recommendations

Remain consistent with the LSPS direction of maintaining the character and neighbourhood feel of West Oxford Street by maintaining the current LEP controls and do not allow for increased development standards in order to respect the existing low-scale built-form and amenity of area.

7.2.0 Bronte Road

7.2.1 Findings/Analysis

Similar to the West Oxford Street area, the Bronte Road corridor acts as a transitional zone between the heights of the Bondi Junction commercial centre and the surrounding residential area. Similarly, the Bronte Road corridor is flanked by conservation areas immediately to the east and west of the corridor and the corridor itself contains clusters of heritage listed items. However, unlike the West Oxford Street area, there is less consistency in built form and heights as the centre is characterised by a variety of different building heights and typologies.

The building typologies along Bronte Road range from two storey shop top housing, single storey light industrial uses, four storey mixed use shop-top housing, terraces and residential flat buildings. At either end of the Bronte Road corridor are developments that are considered outliers as they both tower over surrounding development, standing at 8 storeys on the northern end and 6 storeys on the southern end respectively. Like the 194 Oxford Street development, these outlier developments are in contravention to the transition aim of the LEP and are not considered a precedence for the rest of the Bronte Road corridor to follow. The Bronte Road corridor built form can be viewed in Figure 11 below.

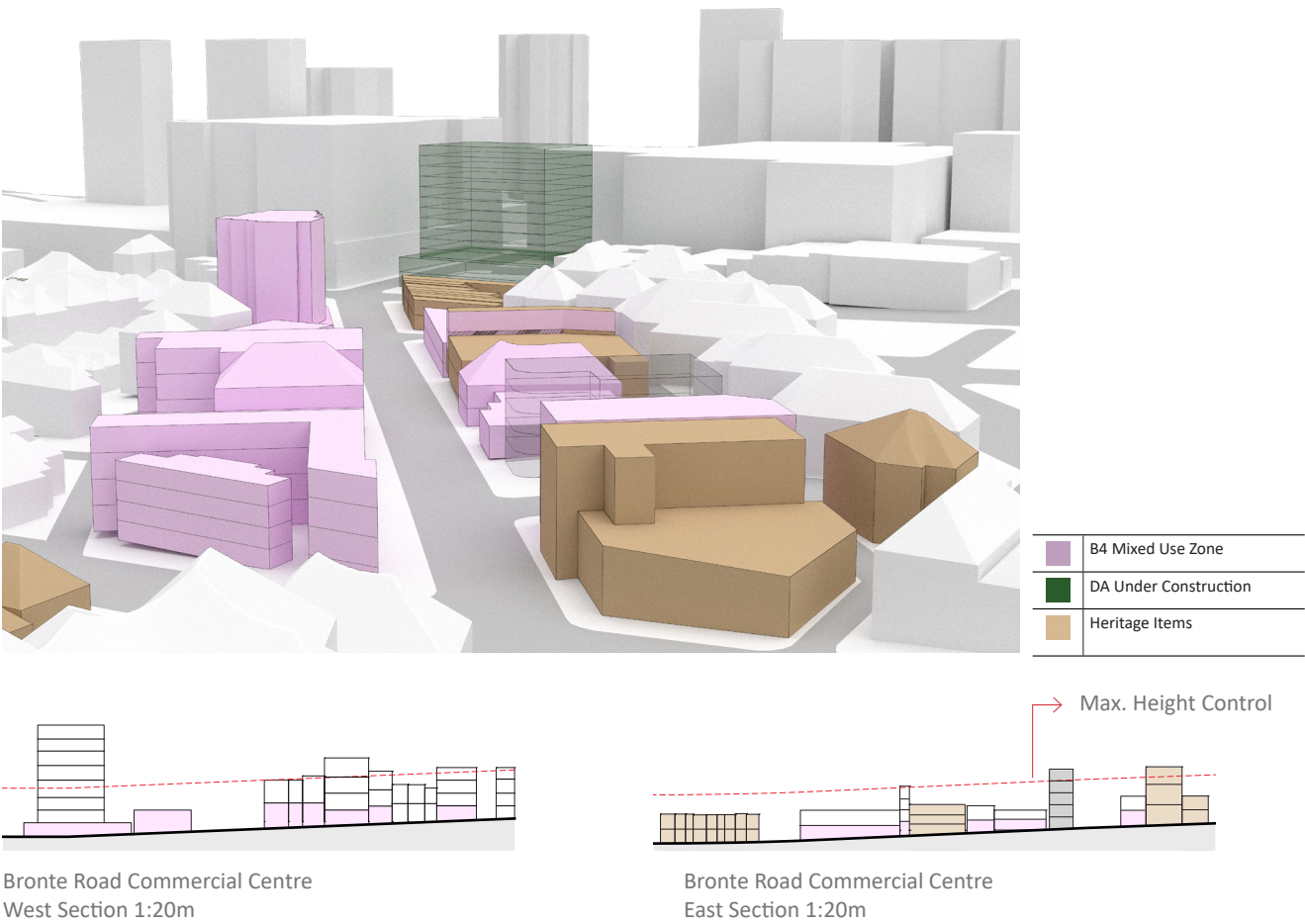


Figure 11 Bronte Road corridor built form

Much of the residential area to the west of Bronte Road consists of single storey housing and two storey terrace housing on fine grain lots; most of this area is also listed as a Heritage Conservation Area. It is therefore considered very important to minimise the impacts of development along Bronte Road on this area to not diminish the setting of the Heritage Conservation Area. Council's current height and heritage controls are shown on Figure 12 below.



Figure 12 Bronte Road corridor LEP height and heritage mapping

To the east of the Bronte Road corridor is much larger lot and building sizes ranging from two-three storeys in height. Many of the developments on these lots consist of three storey residential flat buildings and two storey single dwelling houses. As seen above in Figure 12 this area is also listed as a heritage conservation area and so therefore any potential impacts from development on Bronte Road would have to be considered in this area. The larger lot sizes and taller heights of the buildings in this area does mean that development on the eastern side of Bronte Road would have less impact on the neighbouring HCA.

In order to protect the significance of the two heritage conservation areas on either side of the Bronte Road corridor it is important that any new development be in line with the existing controls listed along this centre.

7.2.2 Recommendations

Maintain the existing LEP controls along the Bronte Road corridor.

7.3.0 Ebley Street

7.3.1 Findings/Analysis

Ebley Street acts as an edge area that transitions from the towers of the commercial centre to the residential areas to the south. In order to determine if the development controls applying to this fringe area are still appropriate, recent PPs and DAs along Ebley Street will be analysed to see how they did or didn't comply with the LEP development standards. The 96-122 Ebley Street Planning Proposal will be analysed, as will the Bondi Junction RSL development application and the Grand Hotel redevelopment. The locations of these are shown below in Figure 13.



Figure 13 Ebley Street recent Planning Proposals and Development Applications

The most recent Planning Proposal on Ebley Street was located at 96-122 Ebley Street, Bondi Junction. This PP initially proposed a change from 32m in height to 35m in height but the increased height was not supported citing issues of impacts on the amenity of the surrounding residential area. The finalised version that Council has supported has maintained the existing LEP height controls and has received an increase in FSR from 4:1 to 6:1 to incentivise redevelopment of the sites. As this site is on the fringe of the Bondi Junction commercial centre it is more difficult to attract commercial tenants as it is further away from amenities and services such as access to the Bondi Junction rail interchange. Given this difficulty to find a willing developer, the FSR was increased from 4:1 to 6:1 with a residential FSR of 1:1, this was done to help incentivise redevelopment of the site as residential development is a much easier and secure development for developers to undertake. This instance has shown

that the existing controls in the area are suitable and that any change to FSR has simply been done to incentivise redevelopment which will help the sites to reach their commercial floor space potential. This PP suggests that the LEP heights are still appropriate and perhaps a minor increase in FSR could be considered, where any additional impacts are acceptable.

The Bondi Junction RSL redevelopment was approved in November 2019 for a 10 storey mixed use building containing a registered club, retail and 80 residential units. The development was approved with a FSR far below the maximum FSR, the maximum being a ratio of 6:1 and the development being approved for 4.52:1. Due to discussions with Council and a likely refusal, the height was reduced from 13 storeys to 10 storeys. This 10 storey height represented only a 3m height exceedance at its highest point which was a result of lift/overrun heights and as such was considered acceptable by the Land and Environment Court. Given that this was such a significant development over various sites, it is considered that this minor exceedance in height does not suggest that the controls were necessarily inappropriate for the area, especially as the FSR was considerably under the maximum ratio allowed on the site.

The Grand Hotel redevelopment finished construction in late 2019. The original DA proposed a height of up to 22m in a 15m height limit and a FSR of 2.34:1 in a max FSR limit of 2:1. Council refused these controls on the grounds of negative impacts on the surrounding area with specific issues of bulk and scale being referenced. The DA was later approved with a FSR exceedance of only 5% which was 2.05:1 and a height totalling 17m lift/overrun which was only 2m higher than the height limit. Given that both are only relatively small exceedances from the LEP development standards it is reasonable to suggest that the controls on this site are applicable, especially given that they were used to bring the original proposed height and FSR down to something more reasonable.

From analysing the recent developments and Planning Proposal it is reasonable to suggest that the current LEP height and FSR controls are still applicable and have in fact been used to achieve a more acceptable development with minimal impacts on the surrounding area. Whilst there was a need for an increase in FSR in the Ebley Street PP there was ample FSR left unused as part of the Bondi Junction RSL development and the Grand Hotel development was only minimally above the FSR. Similarly, whilst the Grand Hotel had a 13% exceedance in height and the RSL 9%, this exceedance was a result of lift overruns and the bulk of the building is relatively consistent with the development standards. The Planning Proposal maintaining the height also shows that this control was suitable.

7.3.2 Recommendations

Maintain the LEP controls on Ebley Street to ensure that development in these edge areas remains transitional to reduce the impact on surrounding areas.

8.0 Bondi Junction Town Square Review 2007 Recommendations

8.1.0 Land Use; Land use proposed for the commercial centre - B3 Commercial Core.

8.1.1 Findings/Analysis

This recommendation was supported and Oxford Street Mall was zoned B3 Commercial Core.

8.1.2 Recommendations

No further action required.

8.2.0 Floor Space Ratio; Rowe Street Development Sites 5:1, Bronka Arcade Development Sites FSR 7:1.

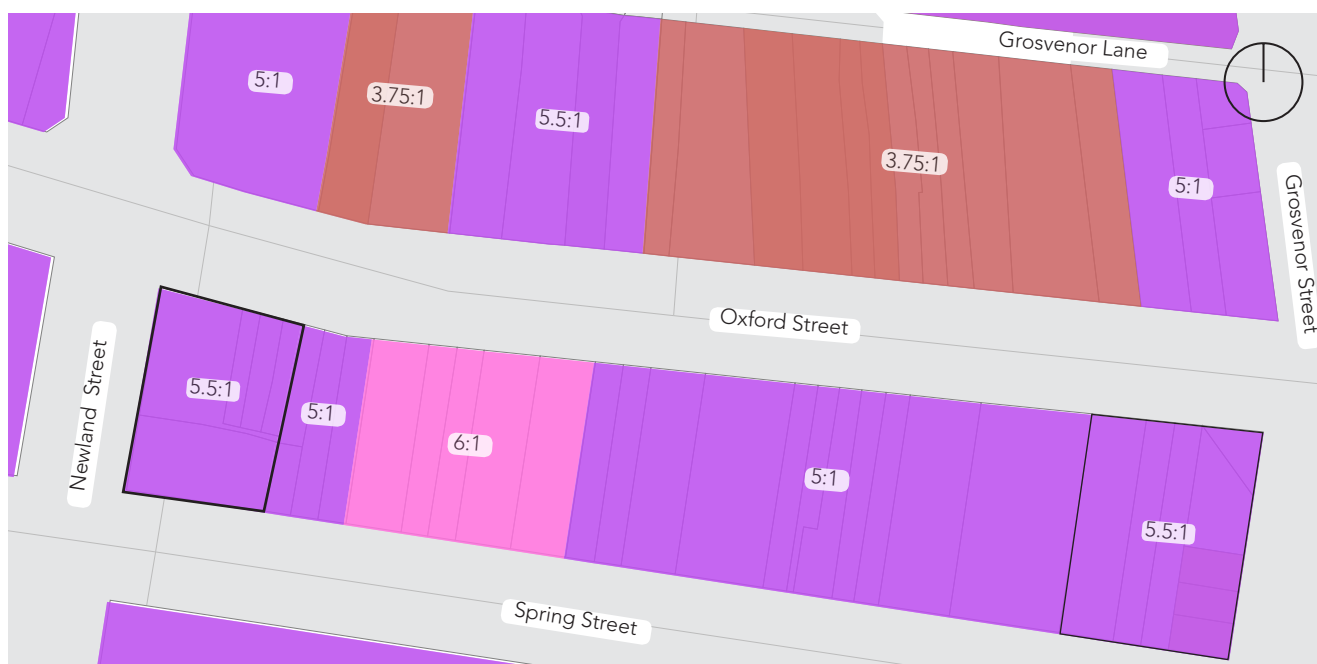


Figure 14 LEP Floor Space Ratio Map - Oxford Street Mall

8.2.1 Findings/Analysis

This recommendation was not implemented in the Waverley LEP but FSRs of similar sizes were added. Figure 14 shows the current LEP FSRs of Oxford Street Mall, these are not too far removed from the recommended FSRs.

8.2.2 Recommendations

Ensure that the FSRs for sites are compatible with the height of buildings in any changes to the LEP.

8.2.0 Proposed Building Heights

Rowe Street Sites: A range of heights stepping from 10m on Oxford Street Mall, a mid height of 20m rising up to a maximum of 24m along Grosvenor Lane (see Figure 15 below).

Bronka Arcade Sites (see Figure 15 below):

- 20m maximum height on the proposed public Square
- 15m over Spring Street
- 28m to the West of the proposed Square
- 24m to the East of the proposed Square up to a maximum of 45m on the corner of Bronte Road



Figure 15 2004 Bondi Junction Town Square Masterplan Proposed building heights, from The Bondi Junction Town Square Peer Review Subission, 2008.

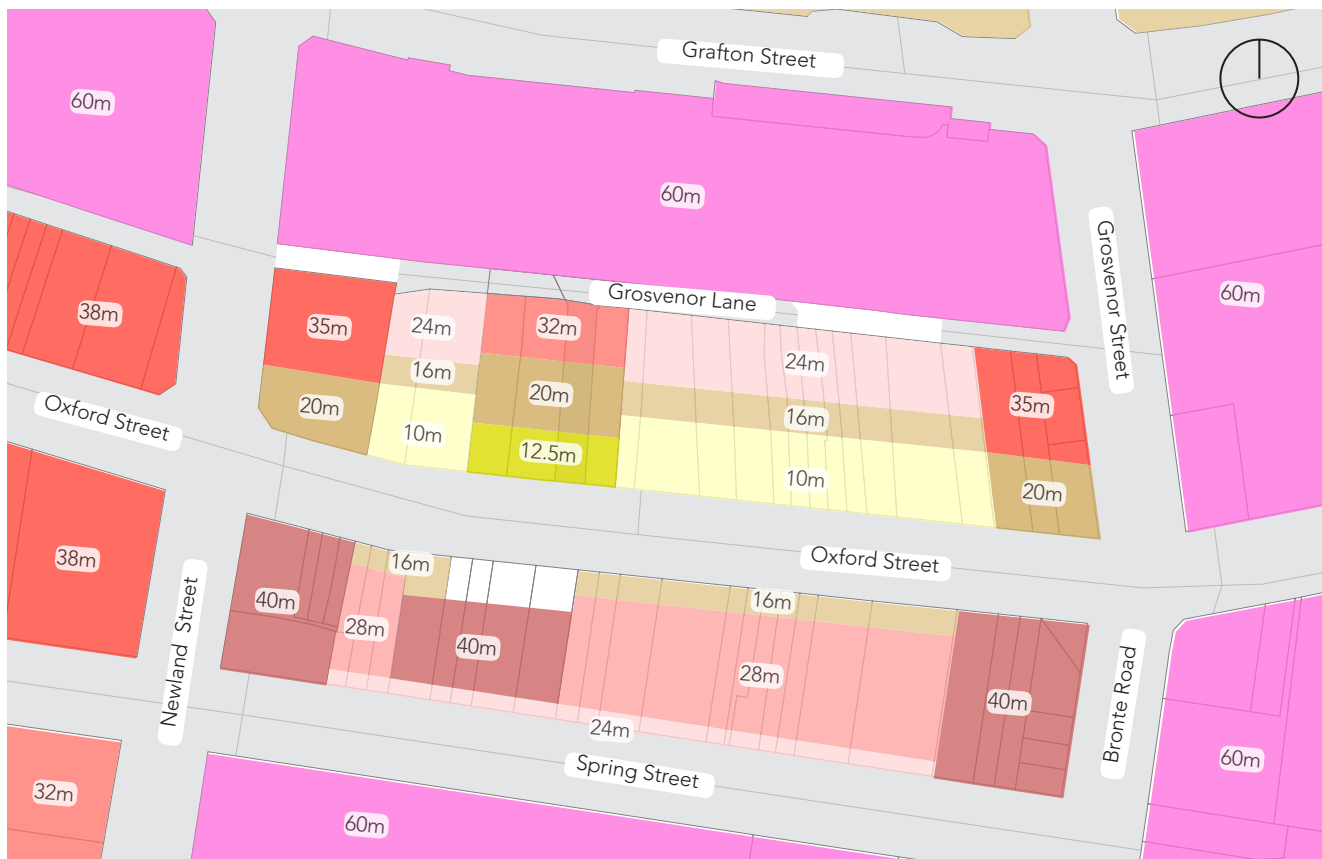


Figure 16 Current LEP heights of Oxford Street Mall

8.3.1 Findings/Analysis

The recommendations shown in Figure 16 were not carried through to the Waverley LEP, however the stepped building heights concept was carried through. Figure 16 shows the current building heights of Oxford Street Mall.

Whilst there are different heights to what was proposed the stepped height concept remains. The stepped height is derived from the winter sun angle and ensuring that the mall receives adequate sunlight year-round.

Little development has occurred around Oxford Street mall, since the WLEP 2012 compared to other parts of Bondi Junction. This likely reflects the price differential for residential vs commercial development and the highly fragmented nature of lot ownership. The challenge that these lot sizes represent is that individual redevelopment of each lot could create sub-optimal built form outcomes as each lot would have a single, narrow development. Ways to incentives new development in and around the mall should be explored to ensure that Bondi Junction maintains its employment status as a Strategic Centre. There could

be development incentives for lot amalgamation, creating a preferable built form outcome. Similarly, an residential incentive may be another way of encouraging commercial development, like the Ebley Street PP. Such changes would have to be considered carefully as introducing residential uses into the B3 zone could compromise the commercial integrity of that zone.

8.3.2 Recommendations

Investigate ways to facilitate office floor space development in this area.

