



New South Wales

PARLIAMENTARY COUNSEL

Opinion

Environmental Planning and Assessment Act 1979
Proposed Waverley Local Environmental Plan 2012 (Amendment No 13)

Your ref: PP_2016_WAVER_003_00
Our ref: e2017-276.d08

In my opinion the attached draft environmental planning instrument may legally be made.

When the environmental planning instrument is made, a map cover sheet that lists the final form of the maps adopted by the instrument should be signed by the person making the instrument.

A handwritten signature in dark ink, appearing to read 'A. O'Callaghan'.

(A O'CALLAGHAN)
Parliamentary Counsel
4 July 2018



New South Wales

Waverley Local Environmental Plan 2012 (Amendment No 13)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

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Waverley Local Environmental Plan 2012 (Amendment No 13)

under the

Environmental Planning and Assessment Act 1979

1 Name of Plan

This Plan is *Waverley Local Environmental Plan 2012 (Amendment No 13)*.

2 Commencement

This Plan commences on the day on which it is published on the NSW legislation website.

3 Land to which Plan applies

This Plan applies to the following land at Bondi Junction:

- (a) 194–200 Oxford Street, being Lots 10, 11, 12 and 13, DP 260116,
- (b) 202–210 Oxford Street, being Lot 1, DP 79947 and Lot 16, DP 68010,
- (c) 214 Oxford Street, being Lot 1, DP 708295,
- (d) 2 Nelson Street, being SP 34942.

4 Maps

The maps adopted by *Waverley Local Environmental Plan 2012* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this Plan.

Schedule 1 Amendment of Waverley Local Environmental Plan 2012

[1] **Clauses 6.10 and 6.11**

Insert after clause 6.9:

6.10 Design excellence on certain land in Bondi Junction

- (1) The objective of this clause is to deliver the highest standard of architectural, urban and landscape design.
- (2) This clause applies to the following land in Bondi Junction:
 - (a) 194–200 Oxford Street, being Lots 10, 11, 12 and 13, DP 260116,
 - (b) 202–210 Oxford Street, being Lot 1, DP 79947 and Lot 16, DP 68010,
 - (c) 214 Oxford Street, being Lot 1, DP 708295,
 - (d) 2 Nelson Street, being SP 34942.
- (3) Development consent must not be granted to development to which this clause applies unless:
 - (a) an architectural design competition that is consistent with the Design Excellence Guidelines has been held in relation to the development, and
 - (b) the design of the development is the winner of the architectural design competition, and
 - (c) the consent authority considers that the development exhibits design excellence.
- (4) In considering whether the development exhibits design excellence, the consent authority must have regard to the following matters:
 - (a) how the development addresses overshadowing of the surrounding area, including Centennial Park, and
 - (b) the impact of the development on heritage items in the vicinity of the site, and
 - (c) the visual appearance of the development when viewed from Centennial Park and the public domain.
- (5) In deciding whether to grant development consent to development to which this clause applies, the consent authority must take into consideration the results of the architectural design competition.
- (6) An architectural design competition is not required under subclause (3) in relation to a modification of a development consent granted under this clause.
- (7) In this clause:

architectural design competition means a competitive process conducted in accordance with the Design Excellence Guidelines.

Design Excellence Guidelines means the *Draft Government Architect NSW Design Excellence Competition Guidelines, 2018* published by the NSW Government Architect, as placed on exhibition in May 2018.

6.11 Development requiring the preparation of a development control plan

- (1) The objective of this clause is to ensure that development on certain land occurs in accordance with a site-specific development control plan.

- (2) This clause applies to the following land in Bondi Junction:
 - (a) 194–200 Oxford Street, being Lots 10, 11, 12 and 13, DP 260116,
 - (b) 202–210 Oxford Street, being Lot 1, DP 79947 and Lot 16, DP 68010,
 - (c) 214 Oxford Street, being Lot 1, DP 708295,
 - (d) 2 Nelson Street, being SP 34942.
- (3) Development consent must not be granted for development on land to which this clause applies unless a development control plan that provides for the matters specified in subclause (4) has been prepared for the land.
- (4) The development control plan must provide for all of the following:
 - (a) pedestrian and cycle connections between Oxford Street and Osmund Lane, including the layout of those connections,
 - (b) public open space, such as public plazas at street level,
 - (c) improvements to the public domain, including street paving, street lighting, street furniture and public art,
 - (d) landscaping,
 - (e) stormwater drainage.

[2] Schedule 5 Environmental heritage

Omit the matter relating to I212 from Part 1.