

From: [Charlene Nelson](#)
To: [Dimitri Gotsis](#)
Subject: FW: HPE CM: FW: Drafted Plan for 194-214 Oxford St and 2 Nelson St, Bondi Junction - for comment/consideration
Date: Thursday, 28 June 2018 10:23:00 AM
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image003.jpg](#)
[image004.jpg](#)

Hi Dimitri

FYI – Council’s comments on the 1st draft.

Regards
Charlene

From: Tim Sneesby [mailto:Tim.Sneesby@waverley.nsw.gov.au]
Sent: Thursday, 3 May 2018 10:05 AM
To: Charlene Nelson <Charlene.Nelson@planning.nsw.gov.au>
Cc: George Bramis <George.Bramis@waverley.nsw.gov.au>
Subject: HPE CM: FW: Drafted Plan for 194-214 Oxford St and 2 Nelson St, Bondi Junction - for comment/consideration

Hi Charlene,

Please find below our comments on the draft instrument.

I have reviewed the drafted plan and raise a few items for your consideration that you may wish to comment on:

- *The spelling of Waverley needs to be reviewed throughout the draft Plan **Agreed***
- *The clause numbers need to be reviewed – given the new design excellence provisions, which have now been included in Council’s LEP I presume that this clause will now become Cl ‘6.10 Design Excellence on certain land in West Oxford Street’ (or something like that), inserted after ‘6.9 Design Excellence’*
- *The objective is duplicated in the draft plan, as the design excellence provision includes this objective. **We’re happy with this as the clause is site specific.***
- *Does Council have a preference:*
 - *identifying where a design competition is required on a map, or leave as drafted (ie. just listing a site description); **Leave as drafted.***
 - *defining when a design competition process would be required (ie. any limits in height/development to trigger the design competition requirement); **We do not want a threshold as the site will likely develop to its maximum FSR / height. We believe a design competition should be completed for this site regardless of the development specifics.***
 - *confirming how a competition requirement could be waived and what requirements would need to be satisfied; **We don’t believe a design competition should be waived for a DA however we need to ensure that “consideration” as outlined in the drafting note :***

Note. In determining an application for a modification of a development consent granted under this clause, the consent authority must again take the requirements of this clause into consideration (see section 96 (3) of the Act).

for a modification would not require a design competition. If you can confirm that a Design Competition is not required for a modification it is our preference that clause 6 be deleted. It's an escape clause that they will immediately go to and we'll have to convince a commissioner.

- *what should be considered by the consent authority before granting consent (eg. the design of the development is the winner of the architectural design competition – strictness of the application of this). We're happy with Clause 3(b) or 5. Does Clause 5 duplicate Clause 3(b) though? We are happy to delete clause 5 as we see this as duplicating 3(b).*

Further suggestions for your consideration:

4) In considering whether the development consent exhibits design excellence, the consent authority must have regard to how the development addresses:

(a) overshadowing of the surrounding area, including Centennial Park, and

(b) impact on heritage items in the vicinity of the site **and**

(c) ESD principles, and

(d) visual appearance when viewed from the public domain

(8) Clause 4.6 of Waverley LEP 2012 does not apply to this clause

Cheers,

Tim

From: Charlene Nelson [<mailto:Charlene.Nelson@planning.nsw.gov.au>]

Sent: Thursday, 12 April 2018 3:29 PM

To: Tim Sneesby <Tim.Sneesby@waverley.nsw.gov.au>

Subject: RE: Drafted Plan for 194-214 Oxford St and 2 Nelson St, Bondi Junction - for comment/consideration

Hi Tim

I received George's message and have been following up on the design excellence guidelines.

Could you give me a call today if you get a chance to discuss. I will be on leave next week and I'm in the office today.

Regards

Charlene

From: Tim Sneesby [<mailto:Tim.Sneesby@waverley.nsw.gov.au>]

Sent: Tuesday, 10 April 2018 3:24 PM

To: Charlene Nelson <Charlene.Nelson@planning.nsw.gov.au>

Subject: RE: Drafted Plan for 194-214 Oxford St and 2 Nelson St, Bondi Junction - for comment/consideration

Hi Charlene,

I believe George left you a message about getting a copy of the Design Excellence Guidelines. This is referred to in the draft LEP for 194 Oxford Street.

Are you able to provide us with a copy of these? This will assist us in finalising our feedback on the LEP.

Regards,
Tim

From: Tim Sneesby
Sent: Thursday, 22 March 2018 9:27 AM
To: 'Charlene Nelson' <Charlene.Nelson@planning.nsw.gov.au>
Subject: RE: Drafted Plan for 194-214 Oxford St and 2 Nelson St, Bondi Junction - for comment/consideration

Hi Charlene,

I've spoken to George about this and he wants to get feedback from our DA team before we provide comments.

Unfortunately I'm away for the next week, but have set up a meeting for the 4th April to get feedback from them. I will have our feedback to you shortly after.

I have spoken to the applicant for 194 Oxford and they are going to send the valuation report back to us by the end of next week or the week after. We will then have a meeting to discuss the planning agreement shortly after this and will hopefully resolve a position at this time.

Regards,
Tim

From: Charlene Nelson [<mailto:Charlene.Nelson@planning.nsw.gov.au>]
Sent: Wednesday, 21 February 2018 3:04 PM
To: Tim Sneesby <Tim.Sneesby@waverley.nsw.gov.au>
Cc: Luke Blandford <Luke.Blandford@planning.nsw.gov.au>; George Bramis <George.Bramis@waverley.nsw.gov.au>
Subject: Drafted Plan for 194-214 Oxford St and 2 Nelson St, Bondi Junction - for comment/consideration

Hi Tim,

Please find attached a drafted plan of Waverley LEP 2012 (Amendment No 13) (Oxford Street, Bondi Junction Proposal) from Parliamentary Counsel for Council Officer consideration.

Please note: The LEP is provided to you on a confidential basis for the purpose of consultation under section 59 of the EP&A Act. Legal professional privilege applies to this draft and it is not the intention of the Minister or Greater Sydney Commission to waive legal professional privilege in providing you with this draft. Disclosure of the matters contained within this draft

by you to third parties may result in legal professional privilege being lost.

While I understand Council is still working with the proponent to address public benefit / VPA matters, providing a copy to Council now means that we can progress with the drafting of the LEP amendment concurrently and ensure no loss of time if the matter is to proceed.

You will note the date on the drafted plan is Oct 2017. Our internal practices require us to seek an draft from PC once we receive a request from Council to either finalise or not finalise the Plan. We have held off seeking Council's comments pending the finalisation of the Housekeeping Amendment with the design excellence provisions in Dec 2017, our ongoing review of the proposal and Council's request relating to our meeting last week.

I have reviewed the drafted plan and raise a few items for your consideration that you may wish to comment on:

- The spelling of Waverley needs to be reviewed throughout the draft Plan
- The clause numbers need to be reviewed – given the new design excellence provisions, which have now been included in Council's LEP
- The objective is duplicated in the draft plan, as the design excellence provision includes this objective.
- Does Council have a preference:
 - identifying where a design competition is required on a map, or leave as drafted (ie. just listing a site description);
 - defining when a design competition process would be required (ie. any limits in height/development to trigger the design competition requirement);
 - confirming how a competition requirement could be waived and what requirements would need to be satisfied;
 - what should be considered by the consent authority before granting consent (eg. the design of the development is the winner of the architectural design competition – strictness of the application of this).

Any comments/feedback/agreement with the LEP as drafted would be appreciated. I will follow up in a couple of weeks regarding this if I have not heard from you.

If you have any questions regarding the drafted LEP, please contact me to discuss on 9274 6570.

Regards,
Charlene

Charlene Nelson

Senior Planner, Sydney Region East
Planning Services
Department of Planning and Environment
320 Pitt Street | GPO Box 39 | Sydney NSW 2001
T 02 9274 6570 E charlene.nelson@planning.nsw.gov.au



Subscribe to our [newsletter](#)

