

Sydney East Joint Regional Planning Panel Pre-Gateway Review – Recommendation Report

The Sydney East Joint Regional Planning Panel (JRPP) has considered the request for a review of the proposed instrument as detailed below.

The Pre-Gateway Review:

Dept. Ref. No:	PGR_2014_CANAD_001_00
LGA:	Canada Bay
LEP to be Amended:	Canada Bay Local Environmental Plan 2013
Address / Location:	Former Drummoyne Sports Club, 2 Hythe Street, Drummoyne
Summary of Proposal:	Amend Canada Bay Local Environmental Plan 2013 ("the LEP") as they apply to 2 Hythe St, Drummoyne (known as former Drummoyne Sports Club) as follows: -rezone the site from RE2 Private Recreation to R3 Medium Density Residential -introduce a maximum building height control of 18 metres -introduce a Floor Space Ratio (FSR) control of 1:1
Reason for review:	☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported ☐ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal

In considering the request, the JRPP has reviewed all relevant information provided by the proponent as well as the views and position of the department and the relevant local government authority. Based on this review the JRPP recommends the following:

JRPP RECOMMENDATION:	☒	The proposed instrument should be submitted for a Gateway determination
	☐	The proposed instrument should not be submitted for a Gateway determination
Composition of Recommendation:	☒ Unanimous ☐ Not unanimous	Comments:

JRPP Advice and Justification for Recommendation:

The Panel unanimously supported rezoning of the site to R3 Medium Density Residential, noting the surrounding zoning, the site location and site characteristics. It was also noted Canada Bay City Council did not oppose this zoning.

The Panel noted that the surrounding R3 zoned land is subject to an 8.5m height control under the LEP. The Panel was unanimously of the view that parts of the site could accommodate additional height beyond 8.5m applying to surrounding land in the LEP, provided that additional height was concentrated in the south-eastern corner of the site (generally near the corner of Westbourne Street and Hythe Street). The consensus of the Panel was that this portion of the site could accommodate a building or buildings up to 5 storeys in height (RL 19.9 AHD), with appropriate modulation and transition in scale. However, the Panel considered that the northern part of the site that adjoins existing

dwelling houses or townhouses should be restricted to an 8.5m height, matching the surrounding height limit and to ensure an appropriate interface with adjoining development. This is generally depicted in the attached diagram (see **Appendix A**). This view was formed having regard to the nature of development on the opposite side of Hythe Street, the topography of land, the proximity of adjoining townhouses to the boundary, the width of Westbourne Street and the nature of surrounding development in the wider precinct.

The Panel supported a DCP being prepared in parallel with the planning proposal. Whilst it is a matter for provisions in a future DCP for the site, the Panel supports the following aspects of either the planning proposal submitted or the analysis undertaken by the Council:

- (a) A minimum setback from the south-western property boundary (to No. 14 Westbourne Street) of 6m;
- (b) A continual setback of at least 6m from the western boundary and providing a publicly accessible pedestrian and cycle link to Hendricks Avenue and Hinkler Court (which should also incorporate Water Sensitive Urban Design and best-practice measures to improve water quality from the site given the proximity to Five Dock Bay);
- (c) A minimum setback from the north-western boundary of 8m;
- (d) Maintaining a 6m front setback from Westbourne Street (although some flexibility near the corner of Hythe Street and Westbourne Street may be appropriate);
- (e) Deep soil planting between buildings and limitation of car parking generally under buildings (with some allowance for driveway linkages).

In terms of the FSR for the site, the Panel supports this being established and regulated in the LEP. However, the Panel was not in a position to definitively set this control, given the changes to height (and preferred setbacks) did not equate to either the scheme put forward by the applicant or the Council. There was also some difference in view regarding this matter, with some members of the Panel being of the view a FSR of 0.8:1 was appropriate and others 1:1. The consensus of the Panel was that the likely effect of the changes to height (and preferred setbacks) would reduce the FSR sought by the applicant and anticipated that the combination of these controls would enable a future development to achieve an FSR in the range of 0.8:1 to 0.9:1.

While a Voluntary Planning Agreement is a matter between the Council and proponent, the JRPP supports the provision of affordable housing on the site and public through site links.

Accordingly, the Panel recommends that the proposal, amended as generally outlined above, should be submitted for a Gateway determination because that would be a reasonable planning response in circumstances where the current zoning is no longer appropriate. The Panel believes that rezoning of the site is generally consistent with the current metropolitan, regional and local planning framework and would result in the delivery of new housing stock and increased housing choice on a site that has good access to public transport services, services and recreation options. The R3 zoning is appropriate and consistent with zoning of adjoining land, however the size and shape of the site is sufficient to enable a built form that accommodates higher building(s) transitioning down to be comparable with surrounding development to the north-west and south-west of the site.

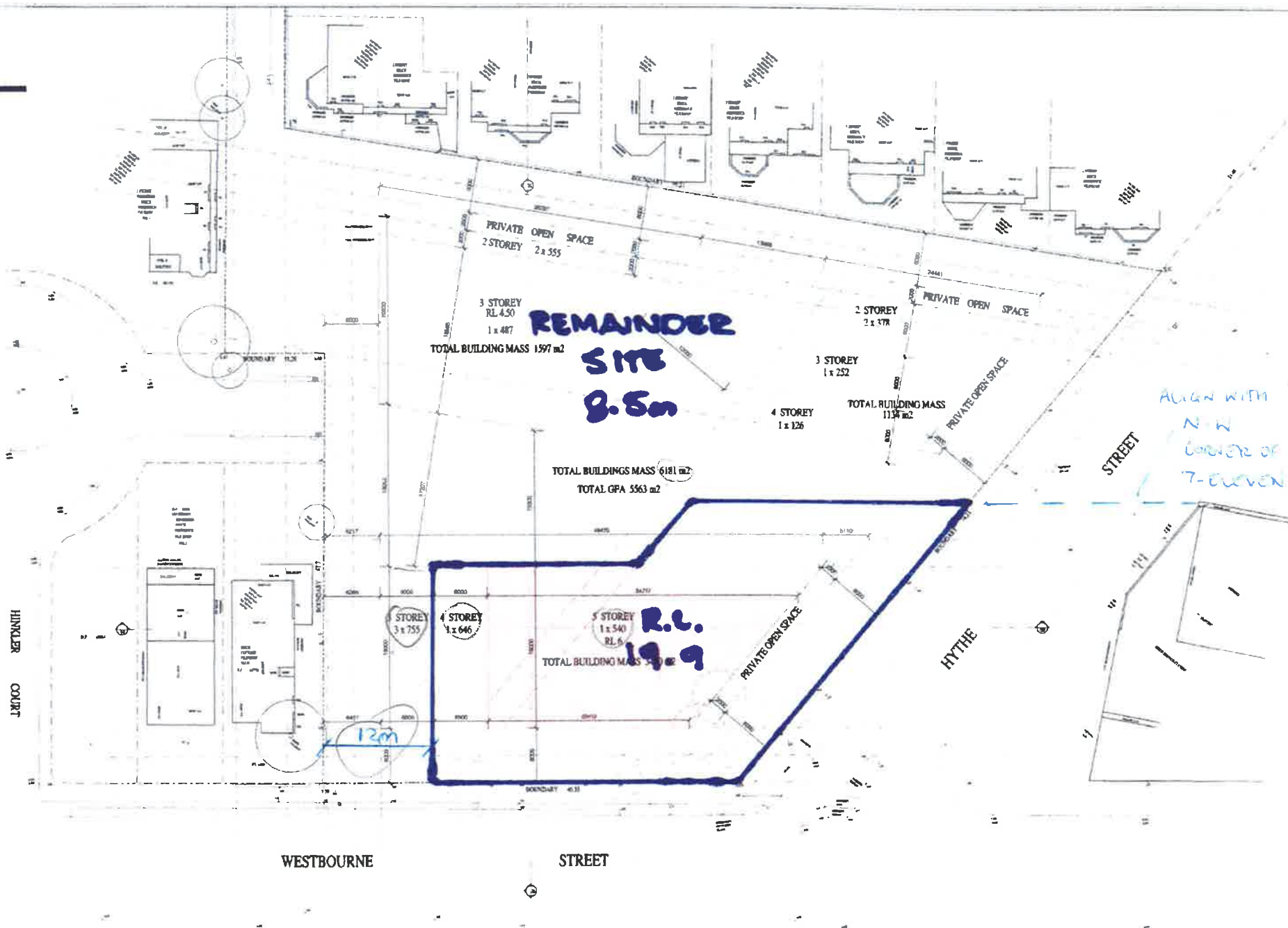
Date of Recommendation:

Signed by:



Jason Perica
Acting Chair, Sydney East Joint Regional Planning Panel

6/6/15



MASTER PLAN
2 HYTHE STREET, DRUMMOYNE

Drawing Name: A-14
Drawing No: 05-Addy-14
Drawing Date: BUILDING MASS - OPTION 5
Drawing Scale: 1:200
Drawing No: PS-0011