

## Planning Services

### Gateway Determination Report

<b>LGA</b>	Woollahra
<b>RPA</b>	Woollahra Municipal Council
<b>NAME</b>	Planning proposal to amend Woollahra LEP 2014 to rezone 42-58 Old South Head Road, Vaucluse from R2 Low Density Residential to R3 Medium Density Residential and amend the development standards (67 dwellings)
<b>NUMBER</b>	PP_2017_WOOLL_006_00
<b>LEP TO BE AMENDED</b>	Woollahra LEP 2014
<b>ADDRESS</b>	42-58 Old South Head Road, Vaucluse
<b>DESCRIPTION</b>	Lot 13 DP 13528, SP 16395, Lot 11 DP 13528, SP 50433, SP 13423, Lot 4 DP 109409, Lot 3 DP 109409, Lot 2 DP 109409, Lot 1 DP 109409
<b>RECEIVED</b>	6 September 2017
<b>FILE NO.</b>	17/12647
<b>QA NUMBER</b>	qA418531
<b>POLITICAL DONATIONS</b>	There are no donations or gifts to disclose and a political donation disclosure is not required
<b>LOBBYIST CODE OF CONDUCT</b>	There have been no meetings or communications with registered lobbyists with respect to this proposal

## INTRODUCTION

### Description of Planning Proposal

The proposal seeks to enable the redevelopment of the site for residential flat buildings. This will be achieved by amending the zoning from R2 Low Density Residential to R3 Medium density residential, amending the maximum permissible building height from 9.5m to 10.5 m (3 storeys) and applying a maximum permissible FSR of 1:1.

### Site Description

The site consists of 9 separate lots containing 14 dwellings contained in six detached dwellings, two duplexes and one residential flat building with four units (Figure 1). The buildings range from 1 to 3 storeys in height. The site has a total area of approximately 5,617 sqm.

The site is currently zoned R2 Low Density Residential, with a maximum permissible building height of 9.5m (Figure 2). Under the Woollahra LEP 2014, the site has no FSR controls applied to it.

### Surrounding Area

The area generally consists of residential dwellings, a mix of detached dwelling houses, semidetached dwellings, duplexes and residential flat buildings, which are predominantly 2 to 3 storeys in height.

The Rose Bay North centre is located approximately 80m to the south, which includes a mix of shops and services. The Diamond Head Bowling Club is located approximately 60m to the north. Kimberley Reserve is located approximately 75m to the east, and the ocean coastline is located approximately 250m to the east

Old South Head Road is an arterial road connecting Bondi Junction to Watsons Bay and, at the site's location, forms the boundary between the Woollahra and Waverley Local Government Areas.

### Summary of Recommendation

The rezoning will facilitate an additional 67 new dwellings (for a total of 81 dwellings on site), which is consistent with the Government's objectives to improve housing variety and supply within locations that are close to existing services and public transport.

The planning proposal is supported as it will provide housing in close proximity to employment, local services and public transport.

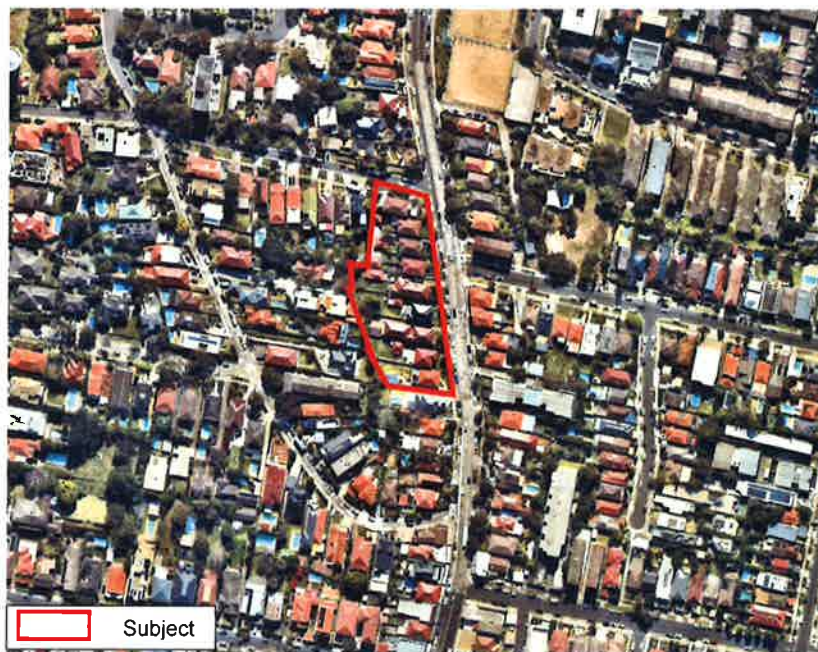


Figure 1 – Site Location

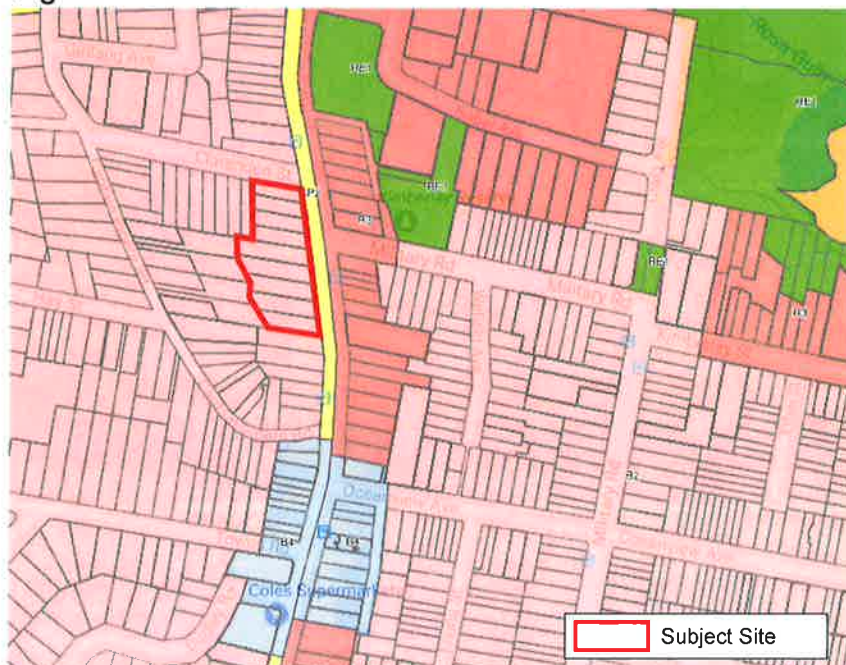


Figure 2 – Site Zoning

## **PROPOSAL**

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### **Objectives or Intended Outcomes**

The objective of the planning proposal is to facilitate the redevelopment of the site for residential flat buildings. The intended outcome of the proposal is to provide additional housing supply and choice, in a location which is highly accessible to the Rose Bay North centre, public transport and open space facilities.

The objective of the proposal is considered clear and does not require amendment prior to community consultation.

### **Explanation of Provisions**

The following amendments are proposed to Woollahra LEP 2014:

- rezone the site from R2 Low Density Residential to R3 Medium Density Residential;
- amend the maximum building height from 9.5m to 10.5m; and
- introduce a maximum FSR of 1:1.

The explanation of provisions is considered clear and does not require amendment prior to community consultation.

### **Mapping**

The planning proposal contains maps which adequately show the current and proposed controls. These maps are considered adequate for public exhibition purposes.

## **NEED FOR THE PLANNING PROPOSAL**

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On 14 December 2009, Council identified 22 sites as part of investigations aimed at meeting the housing targets set out by the NSW Government in the Draft East Subregional Strategy. The site forms part of a larger site, 30-58 Old South Head Road, which was one of those opportunity sites.

The planning proposal is the best means of providing the opportunity to redevelop the site with additional housing. Amending the planning controls will facilitate the delivery of residential flat buildings in a location close to services and public transport.

It is considered that the proposal is justified and the best way to achieve the intended outcomes.

## **STRATEGIC ASSESSMENT**

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### **State**

The planning proposal will provide additional flexibility in housing development options for a site with good public transport links to other centres, such as Sydney CBD and Bondi Junction. The site is located near the Rose Bay North centre, which has a variety of shops and services. The site is also located close to several recreational spaces, such as Kimberley Reserve and Diamond Bay Reserve.

It is considered that the proposal is consistent with the goals and actions of A Plan for Growing Sydney.

### **Regional / District**

It is considered that the proposal is consistent with the goals and actions of the draft Central District Plan. The proposal will provide additional flexibility in housing development options

for the site, permitting the opportunity for additional housing delivery. The site is well serviced by public transport and has good access to surrounding centres that provide jobs.

## **Local**

### Woollahra 2025

The planning proposal provides housing in a location which is highly accessible by public transport and well located to access facilities within an established business centre. The rezoning responds to the housing targets set by the State Government, by providing the opportunity to develop an additional 67 new dwellings.

The proposed controls will allow for medium density development and are consistent with the controls for other R3 Medium Density Residential zones throughout the local government area. The planning proposal will allow for redevelopment of the site in a manner that is consistent with its mostly low to medium rise residential area and mixed urban form surrounding.

The planning proposal is considered consistent with the Woollahra Council's Community Strategic Plan, *Woollahra 2025*.

## **Section 117(2) Ministerial Directions**

The planning proposal is consistent with all applicable S117 Directions as the proposal does not contain any provisions that are inconsistent with the Directions.

### 3.1 Residential Zones

The planning proposal is considered consistent with this Direction as it will create an opportunity to increasing housing supply and choice within an appropriate location. The site is well placed to use existing infrastructure and services as it is near public transport facilities that will support connections to employment and services, both within the Rose Bay North centre and further afield. As the planning proposal applies to land in an established urban area, it will not consume land at the urban fringe.

## **State Environmental Planning Policies**

Council has identified a number of State Environmental Planning Policies (SEPPs) that they consider to be applicable to the planning proposal. It is considered that the proposed rezoning is consistent with the identified SEPPs, as the rezoning will create an opportunity to broaden the range of housing available in Vaucluse in a location that has good access to public transport, facilities and services.

It is considered that the planning proposal does not contain any provisions that would contravene the operation of relevant SEPPs.

## **SITE SPECIFIC ASSESSMENT**

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### **Social**

The rezoning will contribute to the continued social growth of the area by encouraging development which will diversify housing supply and increase housing choice in the area. It is considered that the proposal has addressed the social impacts of the rezoning.

### **Environmental**

It is agreed that there are no known critical habitats or threatened species, populations or ecological communities or their habitats which will be affected by the proposal.

## **Economic**

The rezoning will increase the residential population in the Vaocluse area, which in turn will support the ongoing viability of smaller local centres such as Rose Bay North. A broad benefit will also be provided throughout construction phases with additional output and direct/indirect jobs.

## **Floor Space Ratio**

During the preparation of Woollahra LEP 2014, Council staff reviewed maximum building heights and FSR controls which apply to residential and business zones. For the R3 Medium Density Residential Zone, height controls and FSR were reviewed to account for:

- current building practices regarding floor to ceiling heights;
- state regulations;
- Building Code of Australia standards; and
- urban design modelling based on the Council's setback controls.

The outcome of this work created a suite of 'baseline' heights and FSRs, which for a height of 10.5m a baseline FSR of 1:1 was recommended for 3 storey development. Council considers these baseline controls should form the basis for all requests seeking amendments to height and FSR planning controls. Where a request is not consistent with the baseline controls, a strategic justification must be demonstrated.

In June 2017, a request for a planning proposal was submitted with Woollahra Council to:

- amend the zoning of the site from Zone R2 Low Density Residential to Zone R3 Medium Density Residential;
- increase the maximum building height control of the site from 9.5m to 10.5m; and
- apply a floor space ratio (FSR) control of 1.1:1 to the site (no FSR control currently applies).

Overall, Council supported the request because it has strategic merit in providing housing supply and diversity. However, the requested FSR of 1.1:1 is inconsistent with Council's baseline FSR of 1:1. Council resolved that the baseline FSR of 1:1 be applied to the planning proposal given the applicant had not provided a strategic merit justification for the change in FSR.

The Department notes Council's assessment appears reasonable and it is noted that the baseline controls were based on an assessment of suitable density controls for residential development. It is considered that the planning proposal has not demonstrated any justification for the FSR controls to be amended above the baseline controls requested by Council.

## **CONSULTATION**

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### **Community**

Council has proposed a minimum exhibition period of 28 days. A community consultation period of at least 28 days is considered appropriate.

### **Agencies**

Given the minor nature of the proposal, no consultation with Government Agencies is recommended.

## **TIMEFRAME**

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Council has recommended a project timeline of 21 weeks for completion. Given the nature of the planning proposal, a project timeline of 9 months is considered appropriate.

## **DELEGATION**

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Council is seeking delegation to carry out the Minister's plan-making functions under section 59 of the Environmental Planning and Assessment Act 1979 (the EP&A Act). Delegation is considered appropriate as the matter is of local significance.

## **CONCLUSION**

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The planning proposal is supported to proceed, as it:

- will facilitate residential development to accelerate housing supply and choice;
- will facilitate development close to existing facilities, such as the Diamond Head Bowling Club, Kimberley Reserve and Rose Bay North centre;
- is in close proximity to existing transportation infrastructure, services and recreation spaces; and
- does not apply to land with any significant conservation value.

## **RECOMMENDATION**

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It is recommended that the delegate of the Greater Sydney Commission, determine that the planning proposal should proceed subject to the following conditions:

1. The planning proposal should be made available for community consultation for a minimum of 28 days.
2. No consultation is required with public authorities.
3. The timeframe for completing the LEP is to be 9 months from the date of the Gateway determination.
4. Given the nature of the planning proposal, Council should be authorised to exercise delegation to make this plan.

  
21/09/2017

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