



Request to Prepare a Planning Proposal

105 Wellington Street, Bondi

June 2013

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TABLE OF CONTENTS

Executive Summary	i
Overview.....	i
Proposed Concept Masterplan	i
Proposed LEP Amendment	i
Planning Outcomes.....	ii
1 Introduction.....	1
2 Land to which the Planning Proposal applies	3
2.1 Site Location.....	3
2.1.1 Land Ownership	3
2.1.2 Site Description	3
2.2 Surrounding Area	7
2.3 Local Facilities and Services.....	8
2.4 Development Context	9
2.5 Demographics	10
2.6 Planning Context	12
3 The Case for Change	15
3.1 Overview	15
3.2 Analysis of Tennis Facilities within the Locality.....	15
3.3 Suitability of the site for residential use	18
4 Request to Prepare a Planning Proposal	19
5 Part 1 – Objectives or Intended Outcomes	21
5.1.1 Objectives.....	21
5.1.2 Intended Outcomes	21
5.1.3 Voluntary Planning Agreement.....	22
6 Part 2 – Explanation of the provisions that are to be included in the proposed instrument .	23
6.1.1 Overview	23
6.1.2 Proposed Outcome.....	23
6.1.3 Relationship to Existing Local Planning Instrument.....	26
7 Part 3 – Justification for the Objectives, Outcomes and the Process for their Implementation	27
7.1.1 Section A – Need for the Planning Proposal.....	27
7.2 Section B – Relationship to Strategic Planning Framework.....	27
7.2.1 Section C – Environmental, Social and Economic Impact.....	33
7.2.2 Section D – State and Commonwealth Interests.....	34
8 Part 4 - Community Consultation	35
8.1.1 Applicant Led Consultation	35
8.1.2 Statutory Consultation.....	35
9 Conclusion	37
Appendix A Site Survey	39
Appendix B Concept Masterplan	41
Appendix C Traffic Report	43

Appendix D	Community Needs Assessment	45
Appendix E	Community Consultation Strategy	47

FIGURES:

Figure 1 – Site Plan.....	4
Figure 2 – Site Description	5
Figure 3 – Local Facilities and Services	9
Figure 4 – Local Context.....	10
Figure 5 – Existing Bus services	11
Figure 6 – Local Bus Stops.....	12
Figure 7 – Existing Land Use Zone	13
Figure 8 – Location of Local Tennis Facilities	16
Figure 9 – Concept Plan.....	21
Figure 10 – Proposed Land Use Zoning.....	24
Figure 11 – Development Controls.....	26
Figure 12 – Regional Context	28

PICTURES:

Picture 1 – View of site looking east from Wellington Street	7
Picture 2 – View from rear of site looking west towards Wellington Street.....	7
Picture 3 – Existing club building within the site	7
Picture 4 – Terrace area attached to club building	7
Picture 5 – Residential apartments to the north	8
Picture 6 – Residential apartments to the east.....	8
Picture 7 – Landscaped setback adjacent to Wellington Street.....	8
Picture 8 – Single storey dwelling to the south of site's pedestrian access	8
Picture 9 – FSR Control.....	26
Picture 10 – Height Control.....	26

TABLES:

TABLE 1 – Site Description	3
TABLE 2 – Site Features	6
TABLE 3 – Surrounding Area	7
TABLE 4 – Sydney Metro Plan	29
TABLE 5 – State Environmental Planning Policy	31
TABLE 6 – Section 117 Directions	31

TABLE OF CONTENTS

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Executive Summary

OVERVIEW

The Maccabi Tennis Centre site (“the site”) is located approximately 1.5 kilometres to the east of Bondi Junction and approximately 800 metres to the west of Bondi Beach. The 0.4 hectare site is currently occupied by tennis courts which are operated by a private club and former site owner (Maccabi Tennis Club) whose main premises are located in Paddington (White City). The site was sold to Sports Properties Pty Ltd by the Maccabi Tennis Club in 2007 to fund improvements and expansion to its facilities at White City. These improvements have been completed. Maccabi has continued to operate from the site. Its continued operation is considered to be unsustainable in the medium to long term.

This Planning Proposal has been triggered as a response to the permanent relocation of the Maccabi Tennis Club to White City. The owner of the site and applicant for this Planning Proposal (Sports Properties Pty Ltd) has investigated alternative land uses for the site and is now seeking to rezone it for residential use.

This Planning Proposal report has been prepared by Urbis on behalf of Sports Properties Pty Ltd. The purpose of the report is as follows:

- It seeks to initiate an amendment to the Waverley Local Environmental Plan 2012 (“WLEP 2012”) to allow for the future redevelopment of 105 Wellington Street, Bondi (Lots 15 and 16 Section 4 in DP411)(“the site”) for medium density residential development.
- It presents a Concept Masterplan for the site.
- It defines the key principles relating to land use, massing and built form, public domain and sustainability that will guide the future development of the site.

PROPOSED CONCEPT MASTERPLAN

The subject site is currently zoned RE2 Private Recreation. Residential use is prohibited within the RE2 zone. This Planning Proposal has been prepared to enable the development of residential apartments on the subject site through the preparation of a site specific amendment to WLEP 2012.

A Concept Masterplan for the site has been developed which responds to the site’s surrounding context, including the prevailing zoning, and site constraints. The Concept Masterplan for the site comprises the following:

- Residential accommodation: Approximately 40 – 45 residential apartments (“vertical villas”).
- Vehicle access and car parking: Single vehicle entrance off Wellington Street providing access to a basement car park. Parking in accordance with Council’s development control standards will be achieved.
- Landscaping and open space: consisting of private garden areas for use by residents.

Consistent with the existing planning controls that apply to development within the R3 medium density residential zone (and which apply to the site under the current LEP controls) the concept envisages a floor space ratio of 0.9:1 and building heights of up to three storeys.

PROPOSED LEP AMENDMENT

To facilitate the redevelopment of the site in accordance as described in the Concept Masterplan, amendments to WLEP 2012 are required. An amendment to the land use zoning applicable to the site to allow for residential use is sought. Two options are proposed for consideration to achieve this as follows:

- Amend the land use zoning applicable to the site to allow for residential development; or

- Alternatively, include the subject site in Schedule 1 to permit residential development on the site.

PLANNING OUTCOMES

The site is considered to be suitable for residential development and as such represents a strategic opportunity to:

- Contribute to the delivery of additional housing and importantly wider housing choice in the Waverley Local Government Area (LGA) by developing a range of housing typologies at varying price points that will meet the existing and likely future needs of the local community.
- Provide new housing within walking distance of existing centres and with access to the wide range of facilities, services and amenities in and around these centres.
- Result in positive flow on effects to neighbouring communities and businesses.

The site has limited environmental constraints that would restrict its future development in accordance with this Planning Proposal and there is a strong case for the proposed rezoning of the subject site to support new housing given its proximity to existing centres, existing public transport infrastructure and the nature of development on adjoining lands (the site is entirely surrounded by residential development largely consisting of residential apartment style buildings).

In summary:

- Contribution to local housing supply: The site comprises one of the few remaining consolidated landholdings within the LGA that can deliver new housing in the short term. The proposal will contribute to the available local supply of good quality housing.
- The proposal is consistent with State government policy which supports growth within existing centres: It provides additional housing opportunities in close proximity to existing facilities and services.
- Development can occur without adverse traffic impacts: Existing traffic congestion within the local area has also been considered and addressed. A traffic report has been prepared by Traffix which identifies that the traffic impacts associated with the proposal can be suitably managed and that the road network will be able to cater for the additional traffic from the proposed development. The proposal will result in improvements to the existing traffic situation when compared to the existing use of the site.

The future parking requirements of the proposal (assessed against Council's parking standards) can be fully met on-site within basement parking areas.

- Impact on availability of recreational facilities: The loss of the existing tennis courts is considered to be the most significant issue which this Planning Proposal has considered and addressed. A community facilities needs assessment has been undertaken to assess the availability of community and recreational facilities within the LGA, particularly tennis courts. This investigation has identified that:
 - There is a good supply of community and recreational facilities within the Waverley LGA with the exception of indoor swimming pools and libraries. Notwithstanding the numerical shortage of such facilities the site is not considered to be ideal for such uses given its location.
 - In purely quantitative terms, there is a recognised shortage of tennis facilities within the LGA. The rezoning of the site will result in a further reduction in the availability of tennis facilities within Waverley. Tennis facilities are however available within the neighbouring LGAs of Randwick and Woollahra.
 - The need to provide new public tennis facilities within the Waverley LGA is recognised by Council and sites have been identified for the future provision of these facilities as follows:

- Hugh Bamford Reserve and Rodney Reserve have been identified as potential sites for future tennis facilities.
- Opportunities to upgrade the existing multipurpose court at Waverley Park are currently being investigated.
- While the general shortage of tennis facilities within the LGA is acknowledged, the site is considered to be neither appropriately located, nor of a suitable quality to assist in meeting the LGA requirement for such facilities.
- Consideration has been given to addressing the resultant loss of the tennis courts from the site should it be redeveloped for housing purposes. In this regard, the applicant offers to enter into a voluntary planning agreement with Council. This could involve a contribution to the development of the facilities identified above.
- Residential amenity of existing properties immediately surrounding the site will be maintained. The design and siting of new buildings has been informed by a comprehensive site analysis to ensure that development will not result in adverse impacts on existing residential properties.
- The concept has been design to ensure that future development can achieve compliance with State Environmental Planning Policy 65.

Following our analysis of the site and its surrounding context, and the applicable State and local planning policies, we are firmly of the view that there is planning merit to the Planning Proposal. It is therefore recommended that this Planning Proposal be favourably considered by Council and that Council resolve to forward it to the Department of Planning and Infrastructure (DP&I) for LEP Gateway determination in accordance with the *Environmental Planning and Assessment Act, 1979*.

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1 Introduction

This Planning Proposal request has been prepared by Urbis, and on behalf of Sports Properties Pty Ltd, to initiate the preparation of a Local Environmental Plan (LEP) by Waverley Council as the responsible planning authority to rezone land at the former Maccabi Tennis Centre at 105 Wellington Street (“the site”).

The site is located approximately 1.5 kilometres to the east of Bondi Junction and approximately 800 metres to the west of Bondi Beach. The 0.4 hectare site is currently occupied by tennis courts and ancillary club house building. While occasionally available for use by the public on a pay per use basis the site is within private ownership. The existing facilities are operated by a private club and former owner of the site (Maccabi Tennis Club) whose main premises are located in Paddington (White City). This Planning Proposal has been triggered as a response to the relocation of the Maccabi Tennis Centre to White City and the opportunity this presents to redevelop the site for an alternative land use.

The site is currently zoned RE2 Private Recreation under Waverley Local Environmental Plan 2012 (WLEP 2012). The applicable development controls that currently apply to the site include:

- Height of buildings: 12.5 metres
- Floor space ratio: 0.9:1

The Planning Proposal seeks to rezone the site to R3 Medium Density Residential to facilitate its redevelopment for apartment style residential dwellings (“vertical villas”).

The Planning Proposal has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning and Infrastructure including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*. It includes the following:

- Description of the subject site and its context.
- Indicative site plan showing sufficient detail to indicate the effect of the proposal (Concept Masterplan).
- Statement of the objectives and intended outcomes of the proposal.
- Explanation of the provisions of the proposal.
- Summary of the justification of the proposal.
- Description of the community consultation process that would be undertaken by the applicant.

The Planning Proposal is accompanied by a range of plans and reports prepared by specialist consultants to provide a comprehensive analysis of the site opportunities and constraints. These include:

- Urban Design.
- Traffic and Parking.
- Community Facility Needs Assessment.

Each of the above plans and reports has informed the proposed rezoning of the site to allow for medium density residential development under the provisions of a site specific LEP.

The applicant attended a pre-lodgement meeting with Council officers on 16 May 2013. The key issue associated with the proposal were confirmed to be the loss of the existing tennis courts from the site.

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2 Land to which the Planning Proposal applies

2.1 SITE LOCATION

The subject site comprises the existing Maccabi Tennis Centre at 105 Wellington Street, Bondi. It is within the suburb of Bondi Beach.

Bondi is located in Sydney's eastern suburbs within the Waverley LGA. Bondi Beach town centre is approximately 800 metres to the east. Bondi Junction and Sydney CBD are 1.5km and 8km to the west respectively. Both are accessible from the site via public transport (public buses).

A site survey is provided at Appendix A.

2.1.1 LAND OWNERSHIP

The site is privately owned being within the ownership and control of the applicant. It consists of four land parcels as described below and shown in Figure 2.

The site was sold to Sports Properties Pty Ltd by the Maccabi Tennis Club in 2007. Its sale funded improvements and expansion to the Club's facilities at White City. It is understood that these improvements have been completed. Rather than leaving the site vacant / disused, the landowner has permitted the Club to continue to use the site in the short term until an alternative use is secured.

While the Maccabi Tennis Club does continue to operate from the site we understand that it does so at a financial loss. The continued use of the site by the Club is considered to be unsustainable in the medium to long term.

As noted in Section 1, the site is occasionally available to the general public on a pay per use basis when not required by the Club for training / event purposes.

2.1.2 SITE DESCRIPTION

TABLE 1 – SITE DESCRIPTION

	DETAILS
Property Address	105 Wellington Street, Bondi
Legal Description	Lots 15 and 16 Section 4 DP441 Lot 1 DP34144 Lot 2 DP34144
Site Area	0.4ha
Land Ownership	Sports Properties Pty Ltd (Lots 1 and 2 DP34144 are within Sydney Waters' ownership)

FIGURE 1 – SITE PLAN



105 Wellington St, Bondi
SITE PLAN 

FIGURE 2 – SITE DESCRIPTION



The key existing features of the land to which the Planning Proposal applies can be seen in the aerial photograph at Figure 1 and are described below:

TABLE 2 – SITE FEATURES

FEATURE	DETAILS
Topography	The site topography has been modified to accommodate the existing use as tennis courts which comprise three level platforms that step down from north west to south east. Levels vary by approximately 10 metres across the site from a high point of 38.05m adjacent to Wellington Street in the north west to a low point of 28.28m at the rear of the site (south east).
Site Layout and Built Form	The site is primarily occupied by hard surface tennis courts covered with synthetic grass which are netted and lit by high level spotlights. Built development includes the existing clubhouse which extends along the south western edge of the site. The clubhouse consists of a two-three storey brick building and accommodates a function room, kitchenette, gym and a large viewing area at first floor level.
Landscape	The site is sparsely vegetated with the exception of trees and shrubs to the northern and western boundaries.
Vehicle Access	Not available
Pedestrian Access	A single pedestrian access is available from Wellington Street which extends along the western edge of the site providing access to the courts and clubhouse.
Easements and Encumbrances	An existing Sydney Water stormwater and sewer line extends under the rear portion of the site, occupying a separate lot within the ownership of Sydney Water (Lots 1 and 2 DP3414).
Flood Risk	Not flood affected
Utility Services	All services are currently available to the site.



PICTURE 1 – VIEW OF SITE LOOKING EAST FROM WELLINGTON STREET



PICTURE 2 – VIEW FROM REAR OF SITE LOOKING WEST TOWARDS WELLINGTON STREET



PICTURE 3 – EXISTING CLUB BUILDING WITHIN THE SITE



PICTURE 4 – TERRACE AREA ATTACHED TO CLUB BUILDING

2.2 SURROUNDING AREA

Surrounding land uses consist of medium density housing including primarily residential flat buildings as well as some detached dwellings on Wellington Street. The immediate surrounds are described below.

TABLE 3 – SURROUNDING AREA

	DETAILS
North	Three storey residential flat building with frontage to Wellington Street.
East	Residential flat buildings ranging in height from three to four storeys with frontage to Hall Street and O'Brien Street.
South	No. 103 Wellington Street, a single storey detached dwelling, is located immediately adjacent. Further north development consists of two storey residential walk up flat buildings.
West	The site is bounded by Wellington Street to the west which separates the site from single and two storey detached dwellings opposite.



PICTURE 5 – RESIDENTIAL APARTMENTS TO THE NORTH



PICTURE 6 – RESIDENTIAL APARTMENTS TO THE EAST



PICTURE 7 – LANDSCAPED SETBACK ADJACENT TO WELLINGTON STREET



PICTURE 8 – SINGLE STOREY DWELLING TO THE SOUTH OF SITE'S PEDESTRIAN ACCESS

2.3 LOCAL FACILITIES AND SERVICES

The site is conveniently located within easy access to a wide range of transport, retail, leisure, medical, education, cultural, recreation and other services and amenities. Bondi Junction accommodates a regional shopping centre (Westfield). Local convenience based retail facilities are located at O'Brien Street, Seven Ways and Glenayr Avenue.

There are several primary and secondary schools in the local area including Bondi Public School.

It is also within walking distance of the North Bondi Bowling Club at Warner Avenue. Consent was granted in 2012 for the development of three tennis courts at that site. The development of which has since been completed.

The availability of community and recreational facilities within the locality is illustrated in Figure 3 and discussed in further detail in the community facility needs assessment at Appendix D.

FIGURE 3 – LOCAL FACILITIES AND SERVICES



2.4 DEVELOPMENT CONTEXT

The primary centre in Sydney's eastern subregion, as identified by the *Metropolitan Plan for Sydney 2036* (the "Metro Plan") is Bondi Junction. Bondi Beach is identified as a town centre and performs a major tourism function. Bondi Road (800m to the south) is identified as a village centre. The site is also surrounded by neighbourhood centres which include:

- Hall Street (400m to the south east).
- Sevenways (400m to the north).
- O'Brien Street (150m to the east).

The hierarchy of centres provides a context and strategic planning framework within which to focus new development.

FIGURE 4 – LOCAL CONTEXT



2.5 DEMOGRAPHICS

There are 10,748 residents in the suburb of Bondi Beach based on data derived from the 2011 ABS Census statistics. The following provides a brief discussion of the demographic characteristics of the area in comparison to the Waverley LGA and the Greater Sydney Greater Capital City Statistical Area.

AGE

The suburb has a young population with a below average median age of 33 and a significantly higher proportion of residents aged 25-39 years than Greater Sydney (48.4% compared to 23.1%). In addition, the suburb represents a lower than average percentage of persons that fall into the 65 years and over age group (7.9%) compared to Greater Sydney (17.8%).

INCOME AND AFFLUENCE

The median household weekly income of Bondi Beach is \$1,856 per week which is higher than the average for Greater Sydney (\$1,447).

HOUSING AND HOUSING TENURE

The majority of dwellings in Bondi Beach are flats, units or apartments which make up 81.1% of the housing stock. This proportion is higher than the rest of the Waverley LGA (60.5%) and is significantly higher than Greater Sydney (25.8%). The proportion of separate houses (5.5%) is low when compared to Greater Sydney (60.9%).

Rates of home ownership are low in Bondi Beach with 36.2% of households either owning their homes or being in the process of purchasing their home compared to 49.9% across Waverley LGA and 65.2% across Greater Sydney.

The average household size in Bondi Beach is slightly lower than the national average at 2 persons per household compared to 2.6 persons nationwide. The proportion of smaller households within the suburb is considerably higher than in Greater Sydney, 77.1% of dwellings within Bondi Beach comprise 2 or fewer bedrooms compared to 32.4% across Sydney.

The majority of families in Bondi Beach are couples without children (54.7%), higher than Greater Sydney at 33.5%, while 30.9% of families in Bondi Beach and 48.9% across Greater Sydney are couple families with children.

EMPLOYMENT

Unemployment in Bondi Beach is low at 4.4% compared to 5.7% in Greater Sydney. 39.2% of Bondi Beach residents are employed as professionals. The top two industries for these employment types are cafes, restaurants and takeaway food services and advertising services.

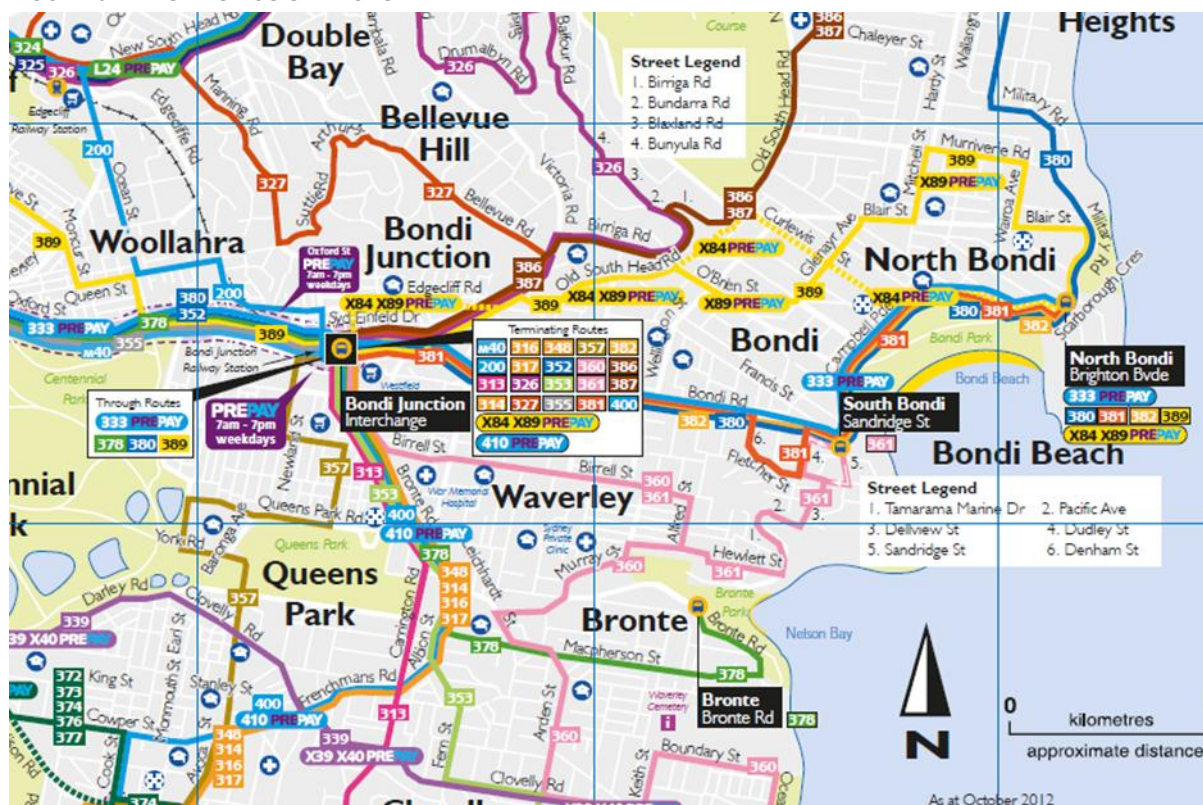
There is a considerably lower than average number of persons employed in blue collar industries who reside in the suburb, possibly related to housing affordability in the area.

PUBLIC TRANSPORT

Public transport plays an important role in the East Subregion. The Subregion has the highest proportion of bus use of any subregion (11.4%). 3.2% of trips are made by rail. The Eastern Suburbs Rail Line operates between Bondi Junction and Sutherland providing frequent train services to the city centre (10 minute intervals).

Bondi Road to the south is a strategic bus corridor. Regular bus services providing access to Bondi Junction and Sydney CBD are available (refer to Figure 5). Direct limited stop services to Bondi Junction and Sydney CBD are available from Bondi Road (a strategic bus corridor). The closest bus stops on Bondi Road are approximately 800 metres site (9 minute walk). Bus stops are also located on O'Brien Street approximately 200 metres from the main frontage of the site (3 minute walk)(refer to Figure 6).

FIGURE 5 – EXISTING BUS SERVICES



Source: Extract from www.sydneybuses.info

FIGURE 6 – LOCAL BUS STOPS



In summary, the site is well suited to centre supporting residential development in accordance with the provisions of the Metro Plan and the draft East Subregional Strategy. It is within walking and cycling distance of well-established retail and recreational uses and public transport infrastructure, making it ideally suited to accommodate residential development:

- Bondi Junction is designated as a Major Centre serving the East Subregion. This Strategic Centre is located approximately 1.5km to the west of the site and is accessible via the Bondi Road strategic bus corridor which accommodates frequent bus services (approximate 8 minute journey). Bus services to Bondi Junction also operate from O'Brien Street (12 minute journey).
- Additional retail facilities are available at Bondi Beach town centre (800 metres to the east) and neighbourhood centres within walking distance of the site.

2.6 PLANNING CONTEXT

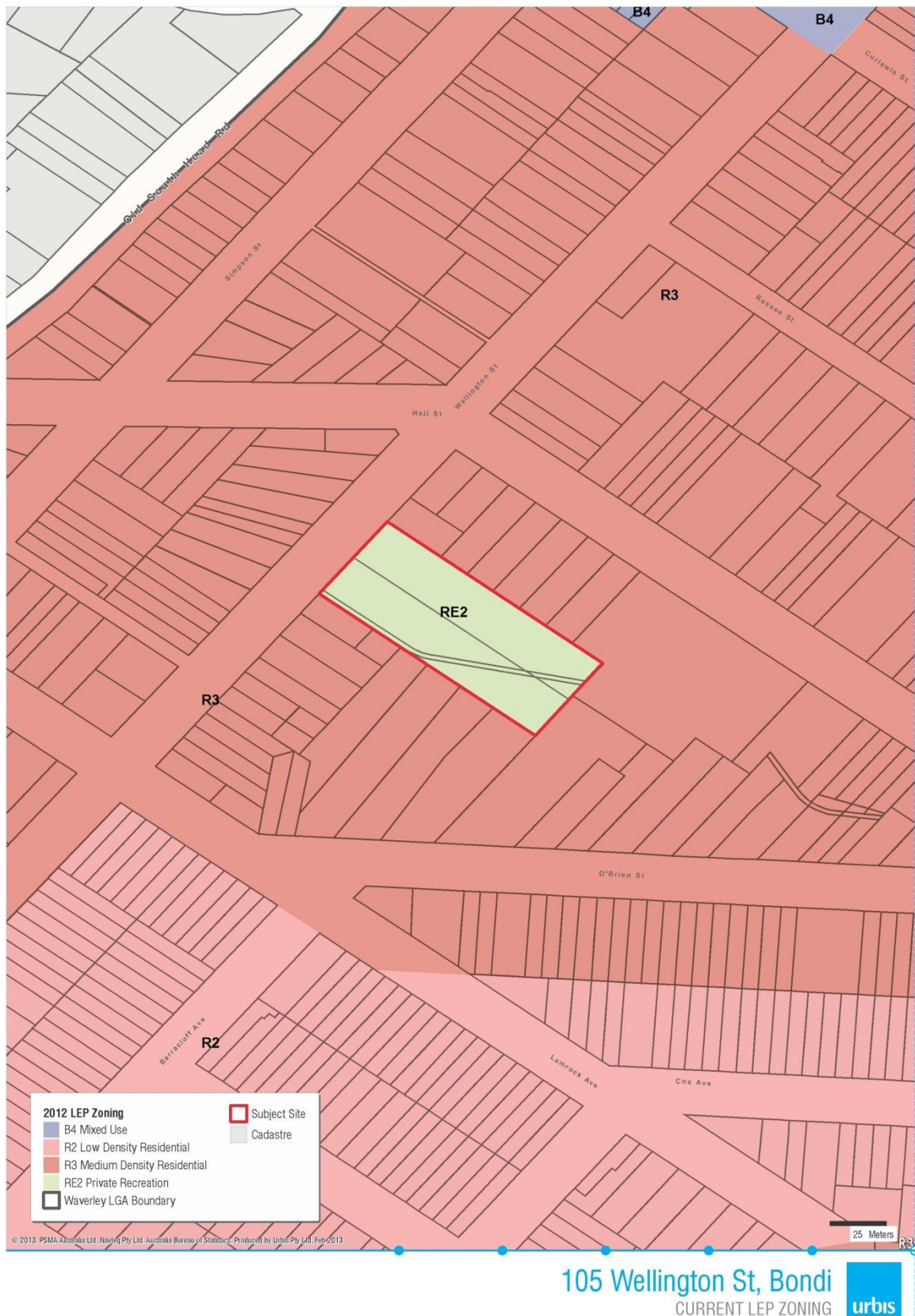
Waverley Local Environmental Plan (WLEP 2012) is the relevant planning instrument for the site.

Under WLEP 2012, the site is zoned RE2 Private Recreation. A plan showing the existing zone is provided at Figure 7. Surrounding land is zoned R3 Medium Density Residential.

The objectives of the RE2 zone are as follows:

- *To enable land to be used for private open space or recreational purposes.*
- *To provide a range of recreational settings and activities and compatible land uses.*
- *To protect and enhance the natural environment for recreational purposes.*

FIGURE 7 – EXISTING LAND USE ZONE



Development for the following purposes is permitted with consent in the RE2 zone:

Building identification signs, business identification signs, child care centres, community facilities, environmental facilities, environmental protection works, flood mitigation works, information and education facilities, kiosks, recreation areas, recreation facilities (indoor), recreation facilities (outdoor), registered clubs, respite day care centres, roads.

All other development is prohibited. All forms of residential development are currently prohibited within the zone.

The development standards under WLEP 2012 that are applicable to the site include:

- Floor space ratio – Maximum 0.9:1
- Building Height – Maximum 12.5 metres

3 The Case for Change

3.1 OVERVIEW

In considering the proposed rezoning of the site from RE2 Private Recreation to R3 Medium Density Residential there are two fundamental issues that need be addressed:

1. The resultant loss of the recreational facilities currently permissible on the site: this includes consideration of the loss of the existing tennis courts but also the lost opportunity to locate other recreational uses on the site which would otherwise be permissible under its current zoning; and
2. The suitability of the site for residential use.

These matters are discussed below.

3.2 ANALYSIS OF TENNIS FACILITIES WITHIN THE LOCALITY

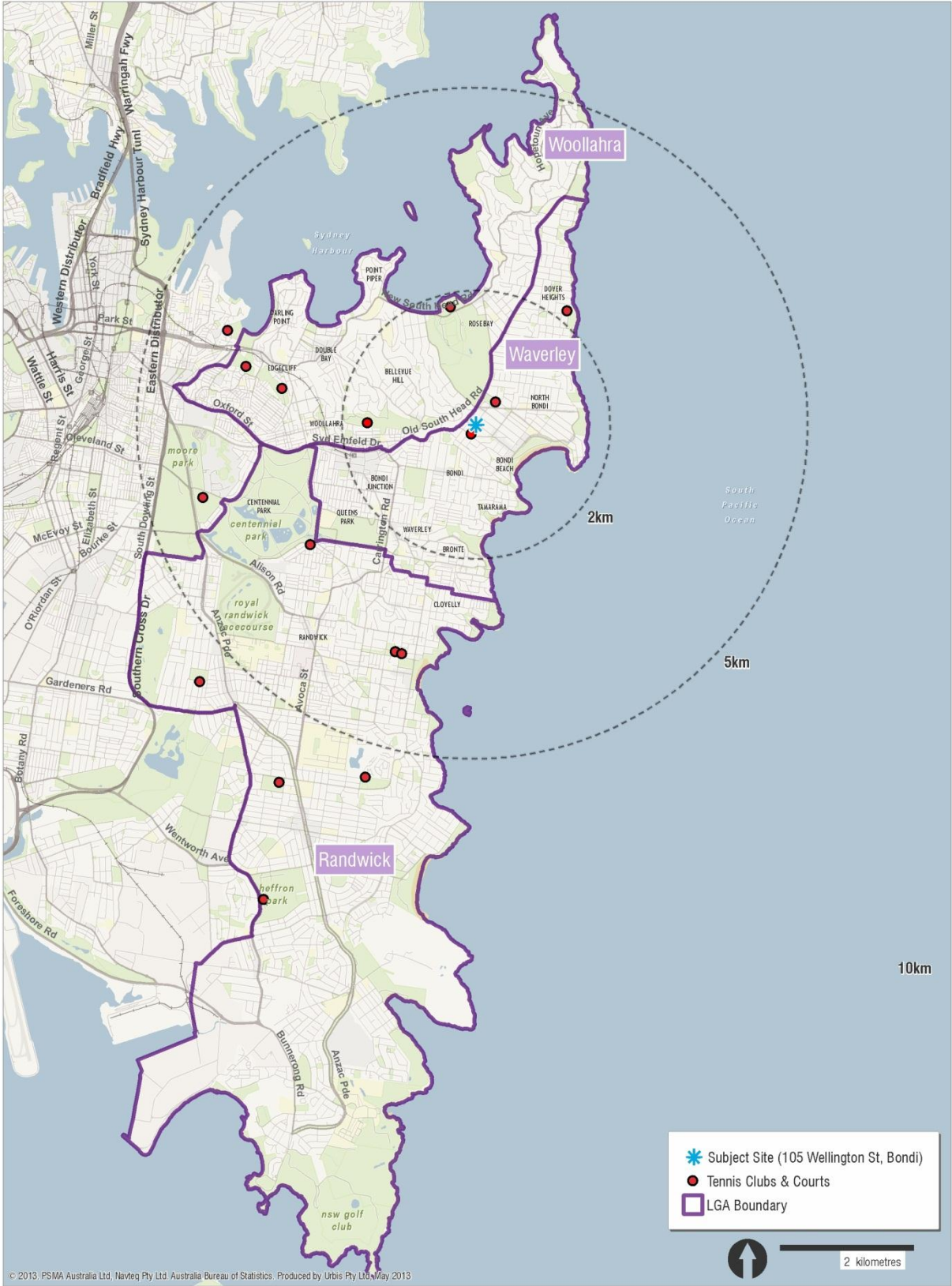
AVAILABILITY OF TENNIS FACILITIES WITHIN THE LOCALITY

An analysis of the provision of, and need for tennis facilities within the Waverley LGA has been explored (refer to Appendix D). There are a total of 76 courts within the locality (8 of which are located within the Waverley LGA with the remainder being located in the neighbouring Randwick and Woollahra LGAs). Alternative tennis court facilities available within the immediate area include recently constructed courts at Warner Avenue, Bondi (400 metres to the north). The location of the existing tennis facilities within the area is illustrated in Figure 8 below.

Waverley Council has identified a need for new tennis facilities within the LGA and is investigating opportunities to upgrade the existing multi-purpose court at Waverley Park. Additionally, Hugh Bamford Reserve and Rodney Reserve have been identified as potential sites for future tennis facilities (Waverley Council Recreation Study 2008).

Numerical standards for the provision of sporting facilities are often used as the basis of calculating whether a certain population size is or will be adequately catered for if a certain number of facilities are provided. Assessed on this basis the existing ratio of provision of tennis courts to population in Waverley LGA is lower than that of the Sydney Metropolitan area and industry standards.

FIGURE 8 – LOCATION OF LOCAL TENNIS FACILITIES



ADDRESSING THE LOSS OF TENNIS FACILITIES FROM THE SITE

The subject site is not considered to be suited to the long term provision of tennis courts for the following reasons:

- Its proximity to residential properties and the potential for amenity impacts associated with light spill (the courts are flood lit) and noise particularly during evenings and weekends.
- Being bounded by residential properties on three sides there is little or no opportunity to expand the site's existing facilities.
- The site does not provide on-site parking, relying entirely on on-street parking which further restricts the potential to intensify the existing use.

While acknowledging that this site is not ideally suited to meeting the LGAs need for tennis facilities, it is nonetheless recognised that the proposed rezoning will result in a further reduction in the number of tennis courts available within the LGA and that there is a need for such facilities.

Council, in its 2008 Recreation Study, has identified measures to increase / improve the provision of public tennis facilities across the LGA. The following sites have been identified for the future provision of tennis facilities:

- Hugh Bamford Reserve and Rodney Reserve have been identified as potential sites for future tennis facilities.
- Opportunities to upgrade the existing multi-purpose court at Waverley Park are currently being investigated as identified in Council's Development Contributions Plan 2006 (Amendment No. 4).

To address the resulting loss of tennis courts arising from the proposed rezoning of the site and its redevelopment for residential use the applicant offers to enter into a Voluntary Planning Agreement with Council. The purpose of this agreement would be to provide the mechanism for the redevelopment of the land to directly contribute to the provision of public tennis facilities elsewhere within the LGA.

This approach is considered to be justified for the following reasons:

- Available sites have been identified within the LGA by Council for new public tennis facilities and with dedicated funding could be delivered in the short term.
- As privately owned land the ongoing operation of the existing tennis facilities cannot be guaranteed.

AVAILABILITY OF OTHER RECREATIONAL USES, AND SUITABILITY OF THE SITE FOR THESE PURPOSES

Our investigation has also included consideration of the availability of other recreational and community facilities within the Waverley LGA and which could technically be provided on the site under the RE2 zoning. The Waverley LGA is generally well served by community facilities with the exception of indoor swimming pools and libraries. Notwithstanding, the site is not considered to be appropriate for these facilities given the quiet residential context which it is located, such uses are more appropriately located within existing centres where there is a concentration of facilities and services. The introduction of these community uses would also be likely to generate amenity impacts, particularly in relation to demand for parking.

REZONING OF LAND ZONED RE2 PRIVATE RECREATION ACROSS METROPOLITAN SYDNEY

There are numerous examples of proposals involving the rezoning and / or redevelopment of land zoned for private recreation to urban purposes. The following examples have been identified:

- Evergreen Tennis Centre (Warringah LGA): The Evergreen Tennis Centre in Cromer was rezoned from RE2 Private Recreation to R2 Low Density Residential in March 2012. The substantial site (1.4ha) was in private ownership and includes 14 tennis courts, 8 squash courts, 3 volley ball courts and small mini-golf facility. The concept plan for the site involved its redevelopment for 34 dwelling houses.
- Ashlar Golf Course (Blacktown LGA): The site is zoned 6(b) Private Recreation and comprises a private golf course. It is in the process of being rezoned by Blacktown City Council to facilitate its development for a residential-led mixed use scheme including the construction of over 700 new dwellings. The site is on the fringe of Blacktown CBD and is surrounded by residential properties. The Planning Proposal has progressed through the Gateway.
- Cronulla Sharks (Sutherland LGA): The site is primarily zoned Private Recreation (6(b) Private Recreation under Sutherland Shire Local Environmental Plan 2000 and 15 Private Recreation under Sutherland Shire Local Environmental Plan 2006. Concept plan approval has been granted for the redevelopment of the site for a mix of uses including a new retail, entertainment and leisure centre and the introduction of residential apartment buildings. This will result in the redevelopment of playing fields currently zoned for private recreation.

These precedent cases illustrate that rezoning to support the development of recreational land zoned RE2 Private Recreation has been supported on a number of sites across Metropolitan Sydney.

3.3 SUITABILITY OF THE SITE FOR RESIDENTIAL USE

The land is capable of accommodating residential development, it is appropriately located for this use and residential development is compatible with the surrounding area:

- The proposal is entirely consistent with strategic planning objectives which support the development of new housing in existing urban locations with good access to existing facilities and services.
- The proposal has the potential to provide a compatible land use zone that will create additional medium density and housing opportunities to meet the existing and likely future needs of the local community.
- Unacceptable impacts on the character and amenity of the adjoining and surrounding residential development can be avoided through appropriate design (as demonstrated in the Concept Masterplan which accompanies this application at Appendix B).
- Adequate public infrastructure exists within the area to support the Planning Proposal. The surrounding road network can accommodate the additional traffic generated by the proposed development sought through this Planning Proposal.
- The provision of medium density development on the site is consistent with broader sub-regional State planning policy including the Metro Plan and the draft East Subregional Strategy (this is discussed in more detailed in Section 7.1.1).

4 Request to Prepare a Planning Proposal

This section of the report has been prepared to follow the structure and format of the Department of Planning and Infrastructure's "*A Guide to Preparing Planning Proposals*" (October 2012).

Accordingly, the proposal is discussed in the following four parts:

- Part 1: A statement of the objectives or intended outcomes
- Part 2: An explanation of the provisions that are to be included in the proposed LEP
- Part 3: The justification for the planning proposal and the process for the implementation
- Part 4: Details of community consultation that is to be undertaken for the planning proposal

Discussion for each of the above parts is outlined in the following chapters.

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5 Part 1 – Objectives or Intended Outcomes

5.1.1 OBJECTIVES

The primary objective of the proposed rezoning is the creation of a high quality residential development that will make a meaningful contribution to the subregional housing targets.

5.1.2 INTENDED OUTCOMES

The intent of the Planning Proposal is:

“To allow medium density residential development on Lots 15 and 16 Section 4 in DP411.”

To achieve this, an amendment to the land use zoning applicable to the site is required.

The intended outcome of the Planning Proposal is to facilitate the delivery of the redevelopment of the site to accommodate a high quality medium density residential scheme that successfully integrates with the surrounding locality.

CONCEPT PLAN

A concept plan has been prepared by MPR that describes the potential opportunities associated with the redevelopment of the site. The concept plan has been prepared based on the findings of an urban design analysis of the site and its surroundings.

FIGURE 9 – CONCEPT PLAN



Source: MPR

It is proposed that the site will be rezoned to accommodate residential accommodation consisting of a variety of apartment types (“vertical villas”) at varying price points that will assist in helping to meet existing and likely future housing demand within the subregion.

The indicative dwelling mix is as follows:

- 1 bed unit: 14%
- 2 bed unit: 70%
- 3 bed unit: 16%

The balance of the site would accommodate private recreation and landscaped spaces.

The key transport and traffic measures proposed to accommodate the proposed rezoning and future development of the site are described below:

- Vehicle access: Introduction of a single vehicle access point from Wellington Street.
- Car parking: Parking will be provided on site (basement parking) at a rate consistent with Council’s existing development control standards.

Reduced sized copies of the drawings that outline the proposal are provided on the following pages. A copy of the concept plan and accompanying urban design analysis are attached at Appendix B.

5.1.3 VOLUNTARY PLANNING AGREEMENT

The applicant proposes to enter into a Voluntary Planning Agreement (VPA) with Council in accordance with Council’s Voluntary Planning Agreements policy 2007 to contribute for Council to use for planned capital works spending. These contributions could be used by Council for a range of public purposes one of which may include the development of tennis facilities as identified in the Waverley Council Recreation Study 2008.

6 Part 2 – Explanation of the provisions that are to be included in the proposed instrument

6.1.1 OVERVIEW

The purpose of the Planning Proposal is to amend WLEP 2012 to allow the following development to occur as part of the comprehensive redevelopment of the site as illustrated in the concept masterplan to enable residential development to occur within the site.

The proposed LEP amendment would facilitate the subsequent lodgement of a development application for the redevelopment of the subject site for residential use.

6.1.2 PROPOSED OUTCOME

The proposed outcome will be achieved by amending WLEP 2012 as follows:

- Amending the WLEP 2012 Land Zoning Map applicable to 105 Wellington Street, Bondi in accordance with the proposed zoning map at Appendix B.

This is the preferred approach.

Alternatively,

- Amending Schedule 1 of WLEP 2012 through the inclusion of the following provision:

2 Use of certain land at 105 Wellington Street, Bondi

- (1) This clause applies to land at 105 Wellington Street, Bondi being Lots 15 and 16 Section 4 in DP411.
- (2) Development for the purposes of apartment buildings is permitted with consent.

LAND USE ZONING

A Land Use Zone Map has been prepared which seeks to rezone 105 Wellington Street to comprise the R3 Medium Density Residential zone under the provisions of the Standard Instrument (Local Environmental Plans) Order 2006. No changes to the height and floor space ratio controls applicable to the site are proposed.

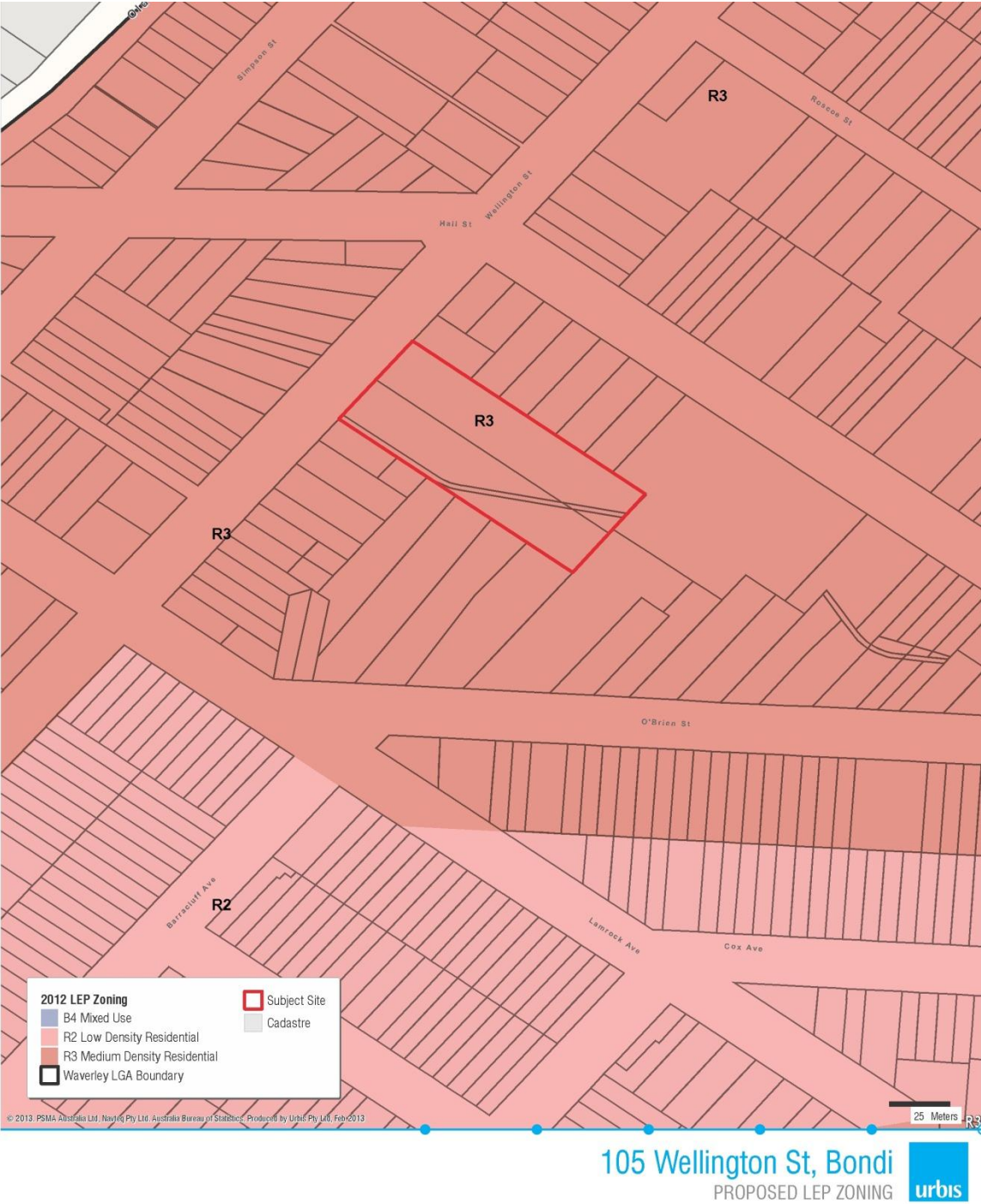
The R3 zone allows for the development of residential flat buildings as proposed.

The objectives of the R3 zone are as follows:

- *To provide for the housing needs of the community within a medium density residential environment.*
- *To provide a variety of housing types within a medium density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*

The proposed zone and its associated objectives are entirely suitable for the land and its intended future uses.

FIGURE 10 – PROPOSED LAND USE ZONING



PERMITTED USES

The range of permitted and prohibited uses within the R3 zone is listed below:

Permitted without consent

Home occupations

Permitted with consent

Attached dwellings; bed and breakfast accommodation; boarding houses; building identification signs; business identification signs; child care centres; community facilities; group homes; home industries; kiosks; markets; multi dwelling housing; neighbourhood shops; place of public worship; respite day care centres; roads, seniors housing, any other development not specified as permissible without consent or prohibited.

Prohibited

Agriculture; Air transport facilities; Airstrips; Amusement centres; Animal boarding or training establishments; Biosolids treatment facilities; Boat building and repair facilities; Boat launching ramps; Boat sheds; Camping grounds; Car parks; Caravan parks; Cemeteries; Charter and tourism boating facilities; Commercial premises; Correctional centres; Crematoria; Depots; Eco-tourist facilities; Electricity generating works; Entertainment facilities; Extractive industries; Farm buildings; Forestry; Freight transport facilities; Function centres; Heavy industrial storage establishments; Helipads; Highway service centres; Home occupations (sex services); Industrial retail outlets; Industrial training facilities; Industries; Jetties; Marinas; Mooring pens; Moorings; Mortuaries; Open cut mining; Passenger transport facilities; Public administration buildings; Recreation facilities (major); Recreation facilities (outdoor); Registered clubs; Research stations; Restricted premises; Rural industries; Rural workers' dwellings; Service stations; Sewage treatment plants; Sex services premises; Shop top housing; Signage; Storage premises; Tourist and visitor accommodation; Transport depots; Truck depots; Vehicle body repair workshops; Vehicle repair stations; Veterinary hospitals; Warehouse or distribution centres; Waste or resource management facilities; Water recreation structures; Water recycling facilities; Water supply systems; Wharf or boating facilities; Wholesale supplies

The range of permitted uses within the zone is considered to be appropriate taking into account:

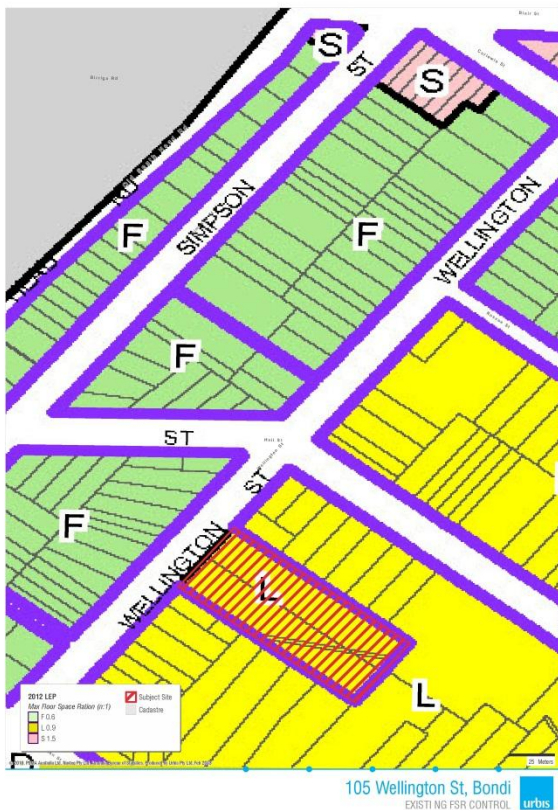
- The nature of surrounding development which is similarly zoned and consists of medium density residential dwellings (predominately residential flat buildings).
- The range of permitted uses within the R3 zone under WLEP 2012. Residential flat buildings are permissible within the zone.

HEIGHT AND FLOOR SPACE RATIO CONTROLS

No changes are proposed to the existing height and floor space ratio controls that apply to the site. These controls also apply to surrounding lands currently zoned R3:

- Floor Space Ratio: 0.9:1
- Height: 12.5 metres

FIGURE 11 – DEVELOPMENT CONTROLS



PICTURE 9 – FSR CONTROL



PICTURE 10 – HEIGHT CONTROL

6.1.3 RELATIONSHIP TO EXISTING LOCAL PLANNING INSTRUMENT

It is proposed that WLEP 2012 and the Waverley DCP 2012 will continue to apply to the site. WLEP 2012 will be amended by the site specific LEP.

7 Part 3 – Justification for the Objectives, Outcomes and the Process for their Implementation

7.1.1 SECTION A – NEED FOR THE PLANNING PROPOSAL

Q1. Is the planning proposal result of any strategic study or report?

The planning proposal is not the direct result of a strategic study or report. It has been developed in response to the relocation of the Maccabi Tennis Centre to Paddington.

The site is a logical and appropriate place for new residential development within Waverley LGA being within an established residential location and conveniently located near to existing services and facilities, including public transport.

Q2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The purpose of the Planning Proposal is:

- To enable the development of a residential scheme to occur on the site.
- To provide a detailed Concept Masterplan that demonstrates the ability of the site to be developed in a manner that delivers a good quality medium density residential housing that achieves a high level of amenity for existing and futures residents.

To achieve this, amendments to the zoning of the site are needed. Alternative mechanisms to deliver the objectives and intended outcomes of the proposal have been explored as discussed below:

- Status of current LEP: The current Waverley LEP came into effect in October 2012. There are no plans at this stage for a review of this LEP. Given the uncertainty surrounding the timeframe for a review of the current LEP it is appropriate to progress a site specific LEP to rezone the site.
- Potential for development consistent with existing planning controls: Under the existing controls residential development is prohibited. There is a strong case for change to the existing site zoning to support medium density residential development; the site is a logical and appropriate place to concentrate future growth within the Waverley LGA being within an established urban area well served by public transport, facilities and services. Given its size, location, overall development potential and being under the control of a single entity the site has the potential to make a meaningful contribution to the housing targets for the area.

Without an amendment to the planning controls the proposed Concept Masterplan for the site cannot be achieved and the associated public benefits would be lost.

7.2 SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

Q3. Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

There is a clear alignment between State policy settings and the applicant's vision for the site. The redevelopment of the site will respond positively to forecast population growth for the area and will make an invaluable contribution to the availability of housing within the Waverley LGA.

The Metropolitan Plan for Sydney 2036 (“Metro Plan”) seeks to respond to the key challenges facing Sydney such as a growing and changing population, the need to locate more jobs closer to home, more efficient transport, tackling climate change and enabling a more sustainable city. Central to achieving these challenges is a focus on developing a ‘City of Cities’ structure which is defined by a compact, multi-centred and connected city structure enabling people to spend less time travelling to access work, services, markets or regional facilities.

The Plan is underpinned by a number of strategic objectives to ensure the viability of its subregions. These include:

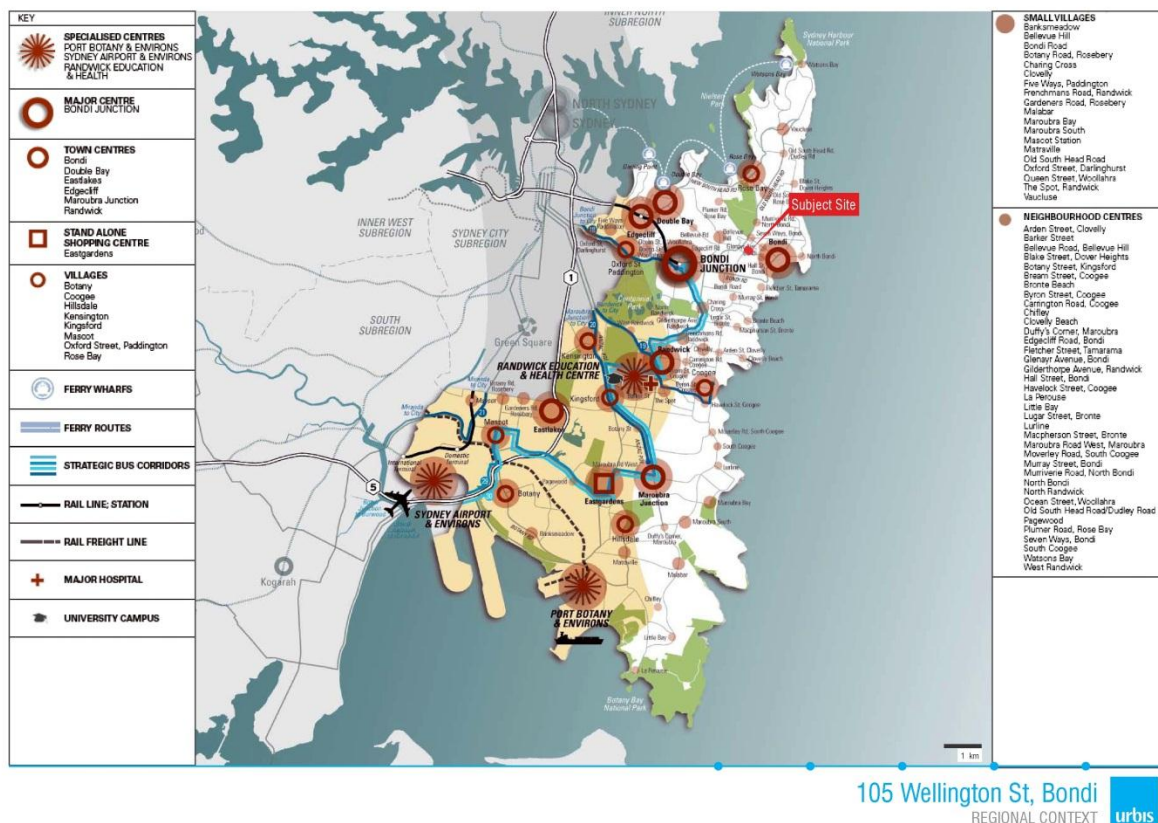
- The attainment of specific regional subregional housing targets
- The efficient utilisation of existing / new infrastructure
- The concentration of housing density in and around corridors and centres, particularly railway stations
- The creation of vibrant mixed use centres that accommodate both working and living.

The Plan positively encourages well designed, higher density development within walking distance of existing public transport infrastructure, services and facilities.

Of relevance to this proposal the key housing directions of the Plan include:

- Increase housing choice as part of the housing target
- Concentrate development and strengthen major centres, towns, villages, small villages and neighbourhoods
- Enable communities to “age in place.”

FIGURE 12 – REGIONAL CONTEXT



Across the Greater Metropolitan Area a target of 60-70% of new housing will be accommodated in existing urban areas, focused around centres. This will take advantage of existing services such as shops and public transport and reduce development pressure in other parts of Sydney. The Metro Plan therefore positively encourages well designed, higher density housing in walking distance of centres. It identifies a target of at least 80% of all new homes to be located within the walking catchment of existing and planned centres of all sizes with good public transport.

As noted in Section 2.2, Bondi Road, one of six strategic bus corridors within the subregion, is located within walking distance of the site and provides regular bus services to Bondi Junction and Sydney CBD. Additionally, the site is within walking distance of Bondi Beach town centre as well as a number of neighbourhood centres.

The combined effect of the above considerations supports new housing development as proposed. The proposal will directly assist Waverley LGA to meet the objectives of the Metro Plan. The proposal represents one of only a few opportunities to provide new housing within close proximity to both existing centres and public transport with the attainment of dwelling targets.

As discussed below, the proposal directly contributes to the relevant strategic objectives of the Metro Plan.

TABLE 4 – SYDNEY METRO PLAN

ACTION	PROJECT CONTRIBUTION
D1 To ensure an adequate supply of land and sites for residential development	The proposal will contribute to the available supply of housing land within the LGA.
D2 To produce housing that suits our expected future needs	- Provides a range of dwelling types offering between 1 and 3 bedroom dwellings responding to the average household size. - Expands the housing supply within walkable distance from bus routes, education facilities, medical services and shopping opportunities.
D3 To improve housing affordability	Provide a variety of apartment types at varying price points.
D4 To improve the quality of new housing development and urban renewal	- Provides a logical approach to housing diversity in a well serviced existing urban area. - Allows the opportunity for each residential apartment building to be developed in accordance with SEPP 65 and the Residential Flat Design Code.

The Metro Plan is currently under review. The Draft Metropolitan Strategy for Sydney was released on 18 March 2013 and will be exhibited until 28 June 2013. The key messages of the current Metro Plan are restated and reinforced in the draft strategy:

- More housing is needed to meet demand:** The draft Metro Strategy increases the dwelling targets for the Sydney Metropolitan region, requiring a minimum of 273,000 new homes by 2021 and 545,000 by 2031. Minimum housing targets to 2021 and 2031 are specified for six subregions. Waverley LGA is within the Central Subregion; this subregion also includes Ashfield, Botany Bay, Burwood, Canada Bay, Hunters Hill, Lane Cove, Leichhardt, Marrickville, Mosman, North Sydney Randwick, Ryde, Strathfield, City of Sydney, Willoughby and Woollahra LGAs). Minimum housing targets of 82,000 and 138,000 new dwellings to 2021 and 2031 are to be achieved within the subregion. To help deliver these targets, the draft Strategy commits to “fast track” the supply of housing in established urban areas.

- New housing with good access to public transport, facilities and services: The provision of new housing with good access to existing and planned infrastructure remains a key focus of Government policy within the draft strategy (*Objective 5 – Policy (b) new housing will be encouraged in areas close to existing and planned infrastructure in both infill and greenfield areas*).
- The provision of more diverse housing: Consistent with the provisions of the current Metro Plan, the draft Strategy supports the delivery of a greater variety of housing types and sizes and recognises the need for smaller homes such as units, terraces and townhouses as well as specialised housing.

The site is located within the Metropolitan Urban Area, as defined by the draft Strategy, which relates to land developed for urban or related purposes or which has been identified for future urban development. It is also located in close proximity to existing public transport infrastructure. Consistent with the objectives of the draft Strategy, the proposal:

- Will deliver new and more diverse housing within the short term and as such will contribute to achieving the targets of the draft Strategy.
- Responds to a recognised need (and market demand) for housing in this locality.
- Will provide new homes in close proximity to existing infrastructure and services.

Q4. Is the planning proposal consistent with a council's local strategy or other local strategic plan?

The Waverley Together 2 Community Strategic Plan 2010-22 sets the strategic direction and overarching strategies for the future of the LGA. The proposal responds positively to the directions of the plan and will contribute to achieving the specified outcomes. The proposal will directly contribute to Direction C3 of the Plan "*Housing options are available to enable long term residents and those with a connection to the community to remain in Waverley*" by facilitating the development of a range of dwelling types within an area that is in close proximity to existing facilities and services.

Direction C7 is also relevant as follows:

"Health and quality of life are improved through a range of recreation and leisure opportunities."

The strategies to achieve this are as follows:

- *Improve the quality, flexibility and useability of parks, reserves and other green spaces to meet recreational needs, whilst considering and ameliorating any negative environmental impacts.*
- *Determine and prioritise future recreation and leisure needs based on regional as well as local facilities.*
- *Provide a broad range of facilities and activities to improve the physical and mental health of the community.*

While the proposal will result in the removal of the existing private tennis facility it presents an opportunity for investment in public recreation facilities elsewhere within the LGA (by way of a voluntary planning agreement). Hugh Bamford Reserve and Rodney Reserve have been identified as potential sites for tennis facilities. Additionally, opportunities for the improvement and expansion of the existing multi-purpose court at Waverley Park are currently being investigated by Council.

Q5. Is the planning proposal consistent with applicable State Environmental Planning Policies?

The proposal is consistent with the relevant State Environmental Planning Policies (SEPPs). The relevant SEPPs are identified below.

TABLE 5 – STATE ENVIRONMENTAL PLANNING POLICY

POLICY	DETAILS
SEPP 55 Remediation of Land	The site is used for recreational purposes and has not been subject to known contamination. The potential for site contamination arising from existing site uses will be assessed at DA stage. Potential contaminants will be appropriately managed and the site made suitable for future residential use.
SEPP 65 Design Quality of Residential Flat Buildings	SEPP65 provides a statutory framework to guide the design quality of residential flat developments. The development concept has been design to facilitate future detailed building design in accordance with SEPP 65 and the accompanying Residential Flat Design Code. Residential apartments are generally located away from the residential interfaces and where apartments are proposed in closer proximity to existing dwellings, the separation distances and other amenity controls will guide the appropriate siting an design of the future buildings.
SEPP (Buildings Sustainability Index: BASIX) 2004	The BASIX SEPP requires residential development to achieve mandated levels of energy and water efficiency. The proposed development concept has been designed with building massing and orientation to facilitate future BASIX compliance, which will be documented at the development application stage.
SEPP (Infrastructure) 2007	The Infrastructure SEPP aims to facilitate the efficient delivery of infrastructure across the State. The proposed development will require existing utility services to be upgraded and/or augmented to enable the future residential population to be accommodated. These works will need to be undertaken in accordance with the provisions of the SEPP.

Q6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?

The Planning Proposal has been assessed against the Section 117 Ministerial Directions and is consistent with each of the relevant matters, as outlined below.

TABLE 6 – SECTION 117 DIRECTIONS

DIRECTION	COMMENT
1. Employment and Resources	
1.1 Business and Industrial Zones	Not applicable
1.2 Rural Zones	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	Not applicable
1.4 Oyster Aquaculture	Not applicable

DIRECTION	COMMENT
1.5 Rural Lands	Not applicable
2. Environment and Heritage	
2.1 Environment Protection Zones	Not applicable
2.2 Coastal Protection	Not applicable
2.3 Heritage Conservation	Not applicable
2.4 Recreation Vehicle Areas	Not applicable
3. Housing, Infrastructure and Urban Development	
3.1 Residential Zones	The proposal will broaden the range of housing choices and provide ample opportunity for good urban design. The site is located within an established residential areas and locals services such as shops and public transport area located in close proximity.
3.2 Caravan Parks and Manufactured Home Estates	Not applicable
3.3 Home Occupations	Dwelling houses are not proposed by the application. Notwithstanding, home occupations are permissible within the R3 zone.
3.4 Integrating Land Use and Transport	The proposal is consistent with the direction for the following reasons: ▪ The site supports the principle of integrating land use and transport. ▪ The site exhibits good access to public and private transportation use. ▪ The site's proximity to public transport will provide opportunities for residents to access the site.
3.5 Development Near Licensed Aerodromes	Not applicable
3.6 Shooting Ranges	Not applicable
4. Hazard and Risk	
4.1 Acid Sulphate Soils	Not applicable
4.2 Mine Subsidence and Unstable Land	Not applicable
4.3 Flood Prone Land	Not applicable
4.4 Planning for Bushfire Protection	Not applicable
5. Regional Planning	
Directions 5.1 -5.8	Not applicable

DIRECTION	COMMENT
6. Local Plan Making	
6.1 Approval and Referral Requirements	This is an administrative requirement for Council
6.2 Reserving Land for Public Purposes	This is an administrative requirement for Council.
6.3 Site Specific Provisions	The Planning Proposal has been prepared in accordance with the provisions of the Standard Instrument and in a manner consistent with the Waverley LEP 2012.
7. Metropolitan Planning	
7.1 Implementation of the Metropolitan Plan	The Planning Proposal is consistent with the aims of the Metro Plan as detailed previously within this report.

7.2.1 SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

Q7. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats will be adversely affected as a result of the proposal?

The site is located within an established urban environment and comprises land that has been previously developed. There are no known critical habitats, threatened species or ecological communities within the site and therefore the likelihood of any negative ecological impacts are minimal.

Q8. Are there any other environmental effects as a result of the planning proposal and how are they proposed to be managed?

Site investigations have confirmed that the site is free of major constraints and that there are no likely environmental effects associated with the future development of the land that cannot be suitably mitigated through further design development.

The key findings of these preliminary investigations are provided below:

- Stormwater and flooding: The site is not flood affected.
- Contamination: The site is used for recreational purposes and has not been subject to known contamination. The potential for site contamination arising from existing site uses will be assessed at DA stage. Potential contaminants will be appropriately managed and the site made suitable for future residential use.
- Traffic: The transport report prepared by Traffix concludes that the potential traffic and transport impacts are considered to be acceptable as follows:
 - The proposal would result in an improvement to the current on-street parking situation through the removal of the existing recreational use which does not benefit from on-site parking. The parking needs of the development can be fully met on site.
 - Traffic generated by the proposed residential use would be less than that of the existing recreational use.

Overall, it is considered that the site will not result in any significant environmental impact that would preclude it from being rezoned and redeveloped for medium density residential use.

Q9. Has the planning proposal adequately addressed any social and economic effects?

The key issues to be balanced in weighing the social and economic impacts of the proposal are considered to be:

- Residential amenity: The proposal has been designed in response to a comprehensive analysis of the site and its surroundings including consideration of the potential overshadowing impacts of the proposal. This has influenced the built form parameters identified within the Concept Masterplan.
- Impact on availability of recreational facilities: The loss of the existing tennis courts is considered to be the most significant issue which this Planning Proposal has considered and addressed. A community facilities needs assessment has been undertaken to assess the availability of community and recreational facilities within the LGA (refer to Appendix D), particularly tennis courts. This investigation has identified that:
 - There is a good supply of community and recreational facilities within the Waverley LGA with the exception of indoor swimming pools and libraries.
 - In purely quantitative terms, there is a recognised shortage of tennis facilities within the LGA. The rezoning of the site will result in a further reduction in the availability of tennis facilities within Waverley.
 - Tennis facilities are available within the neighbouring LGAs of Randwick and Woollahra.
 - The need to provide new public tennis facilities within the Waverley LGA is recognised by Council and sites have been identified for the future provision of these facilities as follows:
 - Hugh Bamford Reserve and Rodney Reserve have been identified as potential sites for future tennis facilities.
 - Opportunities to upgrade the existing multi-purpose court at Waverley Park are currently being investigated.

While the general shortage of tennis facilities within the LGA is acknowledged, the site is considered to be neither appropriately located, nor of a suitable quality to assist in meeting the LGA requirement for such facilities. Consideration has been given to addressing the resultant loss of the tennis courts from the site should it be redeveloped for housing purposes. In this regard, the applicant offers to enter into a voluntary planning agreement with Council. This could involve a contribution to the development of the facilities identified above.

- Traffic: The residential nature of traffic generated will be entirely consistent with the residential context of the site. The proposal has the potential to improve the current traffic situation noting that there is no on-site parking provision available.

7.2.2 SECTION D – STATE AND COMMONWEALTH INTERESTS

Q10. Is there adequate public infrastructure for the planning proposal?

The site is served by existing utility services and is located to allow incoming residents to capitalise on the wide range of infrastructure and services existing and planned within the area. A range of established services are available within close proximity of the site.

Q11. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?

It is acknowledged that Waverley Council will consult with relevant public authorities following the Gateway determination.

8 Part 4 - Community Consultation

8.1.1 APPLICANT LED CONSULTATION

Although the application is not required to be publicly exhibited until a gateway determination, the application has sought to proactively inform the community immediately. This has included:

- Preparation and distribution of an information leaflet to local residents notifying them of the proposal.
- Establishment of a free call 1800 number (1800TalkToUs) operational during business hours, project PO Box (105 Wellington Street Site C/- Urban Concepts PO Box 615 Milsons Point NSW 1565 and e-mail address (info@urbanconcepts.net.au)
- Creation of a dedicated website to provide information to the community in advance of the formal public exhibition period (www.urbanconcepts.net.au/105wellington).

Additional a site signage providing information about the development will be displayed at the entrance to the site and an advertisement will be placed in local newspapers. Further information about the applicant's community consultation strategy is included at Appendix E.

The applicant would be happy to liaise further with Council to identify appropriate opportunities to further engage with the local community outside the formal public exhibition process to provide a greater understanding of additional issues that are relevant to the local community.

8.1.2 STATUTORY CONSULTATION

Clause 57 of the *Environmental Planning and Assessment Act 1979* requires the relevant planning authority to consult with the community in accordance with the gateway determination. It is anticipated that the Planning Proposal will be required to be publicly exhibited for 28 days in accordance with the requirements of the Department of Planning and Infrastructure guidelines "*A Guide to Preparing Local Environmental Plans*."

It is anticipated that the public exhibition would be notified by way of:

- A public notice in the local newspaper(s)
- A notice on the Waverley Council website
- Written correspondence to adjoining and surrounding landowners

The gateway determination and Planning Proposal would be publicly exhibited at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

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9 Conclusion

The Planning Proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning and Infrastructure including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*. It sets out the justification for the proposed rezoning of the subject site at 105 Wellington Street, Bondi to allow for medium density residential development under the provisions of an amending site specific LEP.

The Concept Masterplan accompanying the Planning Proposal has been informed by a range of specialist investigations and detailed site analysis. As a result, the proposed LEP built form and zone change in our view will be capable of facilitating an appropriate development outcome for the following reasons:

- Local context: The Planning Proposal achieves an appropriate built form and scale outcome having regard to the scale of surrounding development.

The site is within walking and cycling distance of well-established retail, commercial and recreational uses at Bondi Beach and high frequency public transport provides direct access to facilities at Bondi Junction. These factors make it ideal for medium density residential development.

The proposal will result in a residential development providing a mix of unit types which will contribute to housing affordability and choice within Waverley LGA.

- Strategic context: The Planning Proposal will positively contribute to the State planning strategic goals of providing housing opportunities in areas with access to existing facilities and services. Key aspects of the Metro Plan and draft subregional strategy emphasise the importance of concentrating future housing in centres in view of a wide range of transport, environmental, sustainability and liveability objectives.
- Net community benefit: While the project will result in the development of a site currently occupied by private open space it will nevertheless provide an alternative high quality environment and one which will make a valuable contribution to the diversity and quality of housing available within the LGA. To offset the loss of the existing tennis courts, the proposal includes an offer to enter into a VPA to provide contributions to Council to assist capital works funding in the LGA. These contributions could be used by Council for a range of public purposes one of which may include the development of tennis facilities identified in the Waverley Council Recreation Study 2008.

Overall, it is considered that the Planning Proposal is satisfactory and it is requested that Waverley Council take the necessary steps to enable it to proceed to Gateway Determination under Section 56 of the EP&A Act.

Urbis

June 2013

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Appendix A

Site Survey

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Appendix B

Concept Masterplan

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Appendix C

Traffic Report

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Appendix D

Community Needs Assessment

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Appendix E

Community Consultation Strategy

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