

Planning Team Report

Waverley LEP 2012 Amendment No. 6 - Maccabi Tennis Centre 105 Wellington Street, Bondi

Proposal Title:

Waverley LEP 2012 Amendment No. 6 - Maccabi Tennis Centre 105 Wellington Street, Bondi

Proposal Summary :

The proposal seeks to amend the Waverley LEP 2012 by rezoning land at 105 Wellington Street, Bondi from RE2 Private Recreation to R3 Medium Density Residential to facilitate its

redevelopment for apartment style residential dwellings.

PP Number :

PP 2014 WAVER 003 00

Dop File No:

14/09955

Proposal Details

Date Planning

11-Jun-2014

LGA covered :

Waverley

Proposal Received:

Metro(CBD)

RPA:

Waverley Council

State Electorate :

VAUCLUSE

Section of the Act

55 - Planning Proposal

LEP Type:

Region:

Spot Rezoning

Location Details

Street:

105 Wellington Street

Suburb:

Bondi

City:

Sydney

Postcode:

2026

Land Parcel:

Lots 15 & 16 section 4 DP 441, Lots 1 & 2 DP 34144

DoP Planning Officer Contact Details

Contact Name:

Lauren Templeman

Contact Number :

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RPA Contact Details

Contact Name:

Dan Starreveld

Contact Number :

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Contact Email:

DanS@waverley.nsw.gov.au

DoP Project Manager Contact Details

Contact Name:

Contact Number:

Contact Email:

Land Release Data

Release Area Name :

Growth Centre :

Regional / Sub
Regional Strategy

Metro East subregion

Consistent with Strategy

Yes

Waverley LEP 2012 Amendment No. 6 - Maccabi Tennis Centre 105 Wellington Street, Bondi

MDP Number:

Date of Release:

Area of Release

Type of Release (eg

(Ha):

Residential / Employment land):

No. of Lots:

No. of Dwellings

40

(where relevant):

Gross Floor Area:

No of Jobs Created:

The NSW Government Yes

0

Lobbyists Code of Conduct has been complied with:

If No, comment:

The Department of Planning and Environment's Code of Practice in relation to communications and meetings with Lobbyists has been complied with. Metropolitan Delivery (East) has not met any lobbyist in relation to this proposal, nor has the Director been advised of any meetings between other departmental officers and lobbyists concerning this proposal.

Have there been

meetings or

communications with registered lobbyists?

If Yes, comment :

No

Supporting notes

Internal Supporting Notes:

The proposal and supporting studies provide design and strategic information to support the site's future residential development. The proposal is considered to have merit as:

- · it will result in an appropriate built form for the area;
- the proposed development expected to result from this amendment is likely to be compatible with the adjoining residential area;
- · the site has good proximity to transport and services;
- it is an efficient use of existing services infrastructure, being located within an existing urban area:
- there is no guarantee recreational uses would continue on the existing site, as it is privately owned and non-recreational uses are permitted.

Council has the option to acquire the site, if needed for public open space. The applicant's offer of monetary contributions for the addition or upgrading of tennis court facilities on Council owned land is a positive outcome for Council and the broader community.

External Supporting Notes:

This proposal has been the subject of a pre-Gateway review. Advice received from Sydney East Joint Regional Planning Panel (Panel) stated that the proposal has strategic merit and recommended that it proceed to the Gateway for determination.

The Panel advised that while the provision of open space in Waverley is well below the average for the Sydney Region, the site is poorly located for tennis courts due to the lack of parking and close proximity to apartment buildings. The Panel also noted that the land is in private ownership and that the owner is under no obligation to provide what is usually a public facility.

Finally, the Panel noted that the applicant has offered a Voluntary Planning Agreement to Council to cover the cost of establishing compensatory recreational activities as identified in Council's Recreational Needs Study.

See documents section for a copy of the Panel's resolution.

Waverley Council has accepted the invitation to be the relevant planning authority for this proposal.

Waverley LEP 2012 Amendment No. 6 - Maccabi Tennis Centre 105 Wellington Street, Bondi

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? Yes

Comment:

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

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? Yes

Comment :

The proposal seeks to rezone land at 105 Wellington Street, Bondi from RE2 Private Recreation to R3 Medium Density Residential. This should be done by amending the Waverley LEP 2012 Zoning Map (LZN_003).

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S.117 directions identified by RPA:

3.1 Residential Zones

* May need the Director General's agreement

3.3 Home Occupations

3.4 Integrating Land Use and Transport

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Is the Director General's agreement required?

c) Consistent with Standard Instrument (LEPs) Order 2006: Yes

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land

SEPP No 65—Design Quality of Residential Flat Development

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Infrastructure) 2007

e) List any other matters that need to be considered: The proposal indicates consistency or can be consistent with the following SEPPs:

- SEPP 55 Remediation of Land historical use for recreational purposes suggests the site has no contamination;
- SEPP 65 Design Quality of Residential Flat Buildings the development concept facilitates future detailed building design in accordance with the SEPP and accompanying Residential Flat Design Code;
- SEPP (Building Sustainability Index: BASIX) 2004 the proposed development has been designed to facilitate future BASIX compliance; and
- SEPP (Infrastructure) 2007 the proposed development may require existing utilities to be upgraded and/or augmented. These works will need to be undertaken in accordance with the provisions of the SEPP, including sewerage, electricity and stormwater management.

The proposal states consistency with the following section 117 Directions:

- 3.1 Residential Zones the proposal broadens the range of housing choice whilst providing a chance for practical urban design. The site is located in close proximity to existing facilities and services;
- 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 supports the principle of integrating land use and transport, by exhibiting good access to public and private transportation;
- 6.3 Site Specific Provisions the proposal has been prepared in accordance with the provisions of the Standard Instrument and in a manner consistent with the Waverley LEP 2012; and
- 7.1 Implementation of the Metropolitan Planning Strategy the proposal is considered consistent with the aims of the Metropolitan Plan, namely the attainment of subregional

Waverley LEP 2012 Amendment No. 6 - Maccabi Tennis Centre 105 Wellington Street, Bondi

housing targets, efficient use of service infrastructure, concentration of housing in corridors and centres, and the creation of mixed use accommodation for living and working.

Have inconsistencies with items a), b) and d) being adequately justified? Yes

If No, explain:

The proposal is not considered to be inconsistent with any SEPP or section 117

Direction.

Mapping Provided - s55(2)(d)

Is mapping provided? Yes

Comment:

Preliminary maps provided in the proposal are considered adequate for exhibition

purposes.

Community consultation - s55(2)(e)

Has community consultation been proposed? Yes

Comment:

Community consultation will be in accordance with the Gateway Determination. It is

proposed that the planning proposal will be exhibited for 28 days.

Additional Director General's requirements

Are there any additional Director General's requirements? No

If Yes, reasons:

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? Yes

If No, comment:

The proposal and supporting studies provide design and strategic information to

support the site's future residential development.

Proposal Assessment

Principal LEP:

Due Date: October 2012

Comments in relation to Principal

The Waverley LEP 2012 was gazetted on 26/10/2012.

LEP:

Assessment Criteria

Need for planning proposal :

This proposal is not the result of a strategic study or report. It has been developed in response to the permanent relocation of the Maccabi Tennis Club to White City, Paddington. The applicant and owner of the site, Sports Properties Pty Ltd, has investigated alternative land uses for the site and is now seeking to rezone it for residential use.

Waverley LEP 2012 Amendment No. 6 - Maccabi Tennis Centre 105 Wellington Street, Bondi

Consistency with strategic planning framework: The proposal indicates consistency with several objectives of the draft Metropolitan Strategy for Sydney to 2031 relating to:

- contributions to housing supply and increased housing choice;
- the provision of housing with walkable distance to transport, education, and day-to-day services:
- the efficient utilisation of existing infrastructure; and
- the provision of housing in accordance with SEPP 65.

The proposal states that it is consistent with the following principles of the Waverley Council Community Strategic Plan 2010-22:

- Direction C3 Housing Options are available to enable long term residents and those
 with a connection to the community to remain in Waverley the development provides a
 range of dwelling types within an area in close proximity to existing services and facilities;
 and
- Direction C7 Health and quality of life are improved through a range of recreation and leisure opportunities - although the proposal aims to reduce the amount of recreational area within the LGA, the site is zoned private recreation and the proponent has offered a Voluntary Planning Agreement to help facilitate the development, redevelopment and maintenance of existing public recreational areas.

Environmental social economic impacts:

Environmental Impacts:

The 0.4ha site is primarily covered by hard tennis courts covered in synthetic grass with a club house located along the south west edge of the site. The only section of vegetation on the site is located along the northern and western boundaries in the form of a strip of trees and shrubs. As a result, the proposal indicates that no critical habitat or threatened species populations or ecological communities or their habitats would be adversely affected as a result of the rezoning.

Social Impacts:

The Community Needs Assessment by Urbis (2013) focuses on the potential loss of the tennis courts due to the proposed rezoning. The study identified:

- a good supply of community recreation facilities within the LGA;
- a recognised shortage of tennis courts within the LGA;
- the availability of tennis court facilities in the neighbouring Woollahra and Randwick LGAs; and
- the potential for the construction of new courts at Hugh Banford Reserve and Rodney Reserve and the upgrading of existing courts at Waverley Park, as identified by Council.

The study concludes that the site's tennis facilities are neither appropriately located nor of a suitable quality to assist in meeting Council's long-term recreational needs.

Traffic and parking:

The Traffic Statement by Traffix (2013) concludes that:

- the proposal would result in improved on-street parking arrangements given there is currently no on-site parking whilst the parking needs of the new development can be fully met on site; and
- traffic generated by the proposal would be less than that of the existing recreational use.

Assessment Process

Proposal type:

Routine

Community Consultation

28 Days

Period:

Timeframe to make

9 months

Delegation:

DG

LEP:

Public Authority Consultation - 56(2)

Transport for NSW

Transport for NSW - Roads and Maritime Services

(d):

Other

Waverley LEP 2012 Amendment No. 6 - Maccabi Tennis Centre 105 Wellington Street, Bondi

Is Public Hearing by the PAC required?

No

(2)(a) Should the matter proceed?

Yes

If no, provide reasons:

Resubmission - s56(2)(b): No

If Yes, reasons:

Identify any additional studies, if required.

If Other, provide reasons

Identify any internal consultations, if required:

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? No

If Yes, reasons:

The site is located in an area that is generally well serviced by all necessary urban services and infrastructure. The site is conveniently located within easy access to a wide range of transport, retail, community, recreation and other services and amenities.

Any future development undertaken as a result of this proposal may require existing utility services to be upgraded and/or augmented to enable the future residential population to be accommodated. These works would need to be undertaken in accordance with the provisions of the Infrastructure SEPP 2007 and would be dealt with at the development assessment stage.

Documents

Document File Name	DocumentType Name	Is Public
SA5020_Planning Proposal cover ltr_110613.pdf	Proposal Covering Letter	No
SA5020_Planning Proposal Request.pdf	Proposal	No
Appendix A_Site Survey.pdf	Мар	No
Appendix B_Concept Masterplan & Design	Drawing	No
Analysis LOW RES.pdf		
Appendix C_Traffic & Parking Statement.pdf	Study	No
Appendix D_Community Needs Assessment.pdf	Study	No
Appendix E_Draft Communication Plan.pdf	Study	No
Part 6 - Project Timeline 19052014.xlsx	Study	No
Attachment_1Information_checklist.pdf	Study	No
105 Wellington Street FESP report 5 Nov 2013.pdf	Study	No
Council_Minutes19_November_2013.pdf	Study	No
Letter requesting Gateway not proceed 110614.pdf	Study	No
JRPP Resolution.pdf	Determination Document	No

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : Recommended with Conditions

S.117 directions:

3.1 Residential Zones

3.3 Home Occupations

3.4 Integrating Land Use and Transport

6.3 Site Specific Provisions

7.1 Implementation of the Metropolitan Plan for Sydney 2036

Additional Information:

It is recommended that:

Waverley LEP 2012 Amendment No. 6 - Maccabi Tennis Centre 105 Wellington Street, Bondi

- 1. The planning proposal be supported;
- 2. The planning proposal be considered as routine as exhibited for a period of no less than 28 days;
- 3. A public hearing is not required;
- 4. Consultation is to be conducted with the following state agencies;
- Transport for NSW
- Roads and Maritime Services
- Office of Communities: Sport and Recreation
- 5. The planning proposal is to be finalised within 9 months from the date of the Gateway determination.

Supporting Reasons:

The proposal and supporting studies provide design and strategic information to support the site's future residential development. The proposal is considered to have merit as:

- it will result in an appropriate built form for the area;
- the proposed development expected to result from this amendment is likely to be compatible with the adjoining residential area;
- the site has good proximity to transport and services;
- it is an efficient use of existing services infrastructure, being located within an existing urban area:
- there is no guarantee recreational uses would continue on the existing site, as it is privately owned and non-recreational uses are permitted.

Signature:	17/1	
Printed Name:	Tim Archer Date: 19/6/14	

