

Our ref: PP-7/2013
Your ref: PGR_2013_WAVER_002_00

11 June 2014



Department of Planning and Environment
Metropolitan Delivery (CBD)
GPO Box 39
SYDNEY NSW 2001

Attention: Lauren Templeman

Dear Lauren,

**PLANNING PROPOSAL TO AMEND
WAVERLEY LOCAL ENVIRONMENTAL PLAN 2012 – (AMENDMENT No 5)
105 WELLINGTON STREET, BONDI**

On 13 March 2014, the Joint Regional Planning Panel considered the Planning Proposal as part of a Pre Gateway Review and noted that the application had “strategic merit” and should be submitted for a Gateway Determination.

The Planning Proposal seeks to allow for the future redevelopment of the subject land for medium density residential development. The site is currently zoned RE2 Private Recreation under Waverley Local Environmental Plan 2012. The Planning Proposal seeks to rezone the site to R3 Medium Density Residential.

Council and the community maintain their opposition to the Planning Proposal lodged by Urbis Pty Ltd and do not believe it has any strategic merit. Council therefore formally requests under Section 56(2) of the *Environmental Planning and Assessment Act 1979* that the Minister determine not to proceed with the Planning Proposal at the Gateway.

I wish to re-iterate that Council at its meeting of 19th November 2013, resolved not to support the Planning Proposal for the following reasons:

- The tennis courts form an integral part of the local open space network, the demise of which would impact on the recreational needs of the community.
- The loss of this recreational facility would leave an unacceptable gap in the provision of recreational opportunities for the local community and deny the local community reasonable access to local open space.
- Retaining the tennis courts and providing this much needed recreational opportunity is in accordance with Council’s Strategic Plan, Social Plan and Recreational Needs Study and the Government’s Metropolitan and Subregional Strategies.
- Development of the scale proposed would impact on the amenity of the local community in terms of traffic generation, noise, hours of operation and parking.

All correspondence should be addressed to Waverley Council

PO Box 9, Bondi Junction NSW 1355 | DX 12006, Bondi Junction

PHONE 9369 8000 | FAX 9387 1820 | EMAIL waver@waverley.nsw.gov.au | WEB www.waverley.nsw.gov.au

Our Customer Service Centre is located at 55 Spring Street, Bondi Junction

Printed on 100% recycled paper

A previous rezoning application was considered by Council in November 2010 for rezoning the same site from Open Space 6(a) to Residential 2(c1) under the Waverley LEP 1996. The matter was determined by not supporting the application for predominantly the same reasons listed above.

Notwithstanding the Council's opposition to the proposal and in accordance with the JRPP's recommendation, a Planning Proposal has been prepared under Part 3 of the *Environmental Planning and Assessment Act 1979*. The Planning Proposal has been prepared in accordance with the requirements set out in the Department's "A guide to preparing local environmental plans" and "A guide to preparing Planning Proposals" released in October 2012. Please find attached the Planning Proposal and documentation for consideration by the LEP Panel, including:

- Council reports and resolutions;
- Studies relied upon to determine Council's resolution;
- Relevant diagrams identifying the sites;
- Letter from Urbis Pty Ltd outlining proposed VPA dated 16th May 2014;
- Planning Proposal Information Checklist; and
- The Project Timeline.

On 16th May 2014, Urbis Pty Ltd wrote to Council reiterating the applicant's offer to provide a monetary contribution to compensate for the loss of the tennis courts on the site. This offer has not been subject to negotiations with Council. Should the Planning Proposal proceed at the Gateway it is recommended that the determination be subject to a condition that the applicant prepare a draft VPA outlining their proposed offer which could then be placed on public exhibition concurrently.

Should you have any questions or require additional information please do not hesitate to contact Dan Starreveld of Council's Strategic Town Planning Division on (02) 9369 8053.

Yours Sincerely



Emily Scott
Acting Director - Planning and Environmental Services