



PLANNING PROPOSAL

Waverley War Memorial Hospital Birrell Street Sites
99-117 Birrell Street, Waverley

Report Information

Council versions:

No.	Date	Version
1	29/09/2020	Report to Waverley Local Planning Panel
2	03/05/2021	Planning Proposal for Gateway Determination
3	03/06/2021	Minor amendments as requested by the DPIE
4	09/11/2021	Updates to satisfy Gateway Determination Conditions

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PLANNING PROPOSAL SUMMARY

Council Reference	PP-2/2020	
LEP to be amended	Waverley Local Environmental Plan 2012	
LEP amended in the last five years?	No	
LEP	Current	Proposed
Zone	R3 Medium Density Residential	R3 Medium Density Residential
FSR	0.6:1	1.2:1
Height	9.5m	15m and 21m
Heritage	No	No
Affordable Housing	No	10%
Inclusion on the Key Sites Map	No	Yes – Apply Clause 6.9 Design Excellence
Aim of the proposal	<p>To realise the holistic redevelopment of the Edina Estate by:</p> <ul style="list-style-type: none"> (a) providing essential social infrastructure through the continuation and expansion of health related uses on the site; (b) increasing the provision of seniors housing and providing a component of affordable housing; (c) retaining and enhancing the unique heritage and environmental significance of the site; and (d) opening the site to the public to create a wellbeing precinct within a dense urban area. 	
Council Recommendation		
Consideration	Comments	
Key Points	The Proposal is supported when considered in conjunction with the WMH Campus Proposal, to realise the holistic redevelopment of the block known as the 'Edina Estate'.	
Does the proposal have strategic merit?	Yes	The proposal is considered to have strategic merit when considered holistically as part of the larger Edina Estate redevelopment, to better enable the appropriate redevelopment of the site to maintain and reinstate key heritage features of the site, and to enable the expansion of key uses on the site as well as the provision of affordable housing.
Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or	Yes	The redevelopment of the Edina Estate has strategic merit in accordance with the Region Plan, the District Plan and the Waverley Local Strategic Planning Statement (LSPS). The increase in capacity on the site to allow the redevelopment of additional seniors residential accommodation and health services for seniors, as well as the retention of the hospital is crucial to maintaining adequate services to support ageing in place. The provision of Affordable housing on the site is also strongly supported and is in line with aims of the LSPS and the Waverley Local Housing Strategy.
Consistent with a relevant local council strategy that has been endorsed by the Department; or	Yes	The redevelopment of the Edina Estate is generally consistent with the strategic intent of the LSPS, in that it co-locates services, and provides additional seniors housing close to those services. The site is ideally located in close proximity to Bondi Junction Strategic Centre and the Charing Cross centre.

<p>Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.</p>	<p>Yes</p>	<p>Waverley has identified in the Waverley Local Housing Strategy the need for additional provision of seniors housing and affordable housing.</p>
<p>Does the proposal have site specific merit?</p>	<p>Yes</p>	<p>The Proposal is considered a beneficial amendment to the WMH Campus Proposal, as the additional density and development potential on the Birrell Street sites will help to achieve the overall vision of the site as follows:</p> <ul style="list-style-type: none"> - Address key concerns regarding encroachment on significant heritage fabric of the campus by providing greater opportunity to locate the built form to the periphery of the site and reinstate a number of key open spaces on the site considered significant to the heritage item. - Provide additional options for vehicle access to the site to assist with servicing and visitation. - Provide a greater quantity of open space on the site to be utilised by the public, through the location of new buildings closer to the periphery of the site, thus providing additional open space for the residents and patients of the site, as well as visitors and locals. - Address concerns regarding the retention of the existing habitat corridor which runs through the centre of the site, through the location of buildings to the periphery of the site and through the retention of key mature and significant trees.
<p>With regards to the natural environment (including known significant environmental values, resources or hazards); and</p>	<p>Yes</p>	<p>The subject sites in conjunction with the WMH Campus Proposal will help to protect key environmental characteristics of the site as follows:</p> <ul style="list-style-type: none"> - Address concerns regarding the retention of the existing habitat corridor which runs through the centre of the site, through the location of buildings to the periphery of the site and through the retention of key mature and significant trees. - Provide for greater open space within the centre of the site to aid with water collection through the site, with the potential to reinstate an original water feature within the site (such as the pond).
<p>With regards to the existing uses, approved uses, and likely future uses of land in the vicinity of the proposal; and</p>	<p>Yes</p>	<p>The subject sites in conjunction with the WMH Campus Proposal will maintain the consistency of uses within the urban block, and provide a residential frontage to Birrell Street, which is currently residential.</p>
<p>With regards to the services and infrastructure that are or will be available to meet the demands arising from the proposal; and</p>	<p>Yes</p>	<p>The subject sites in conjunction with the WMH Campus Proposal will help to provide key social and environmental infrastructure including the provision and expansion of health related uses, the retention and enhancement of a significant heritage item, and the retention and enhancement of the habitat corridor and</p>

		green infrastructure (canopy, open space) running through the centre of the site.
Any proposed financial arrangements for infrastructure provision.	No	However a portion of open space is to be provided as publicly accessible open space to address the need for more open space in the densely populated area of Waverley.
Has Council prepared the planning proposal?	No	This report provides a summary of the key components of the Proposal.
Has Council prepared a planning proposal relevant to the site?	Yes	Council has prepared the WMH Campus Planning Proposal which has been finalised and amended the WLEP.
Does Council support the planning proposal? What are the reasons?	Yes. The Proposal is supported when considered in conjunction with the WMH Campus Proposal as the inclusion of these sites would better realise the holistic redevelopment of the Edina Estate, for the key reasons outlined above.	
Waverley Local Planning Panel Recommendation		
Consideration	Comments	
Does the WLPP support the planning proposal? What are the reasons?	<p>Yes. The reasons are that the holistic redevelopment of the Edina Estate is considered to have strategic merit on the basis of:</p> <ul style="list-style-type: none"> (a) providing essential social infrastructure through the continuation and expansion of health related uses on the site; (b) increasing the provision of seniors housing and providing a component of affordable housing; (c) retaining and enhancing the unique heritage and environmental significance of the site; and (d) opening the site to the public to create additional open space within a dense urban area. <p>The Panel's full advice is provided in Appendix 3</p>	
Does the proposal have strategic merit?	Partly	The proposal is considered to have strategic merit only when considered in conjunction with the WMH Campus Proposal
Does the proposal have site specific merit?	Partly	The proposal is considered to have site specific merit only when considered in conjunction with the WMH Campus Proposal
Strategic Framework		
Document	Relevant Directions, Planning Priorities, Actions, Goals, Strategies	Consistent
Region Plan	<ul style="list-style-type: none"> - Eastern Harbour City Vision - 30 Minute City - A city supported by infrastructure - Housing the city 	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>
District Plan	<p>PPE3 – Providing services and social infrastructure to meet people's changing needs</p> <ul style="list-style-type: none"> - Action 8. Deliver social infrastructure that reflects the needs of the community now and in the future. 	Yes – the expansion of the health related uses on the site, as well as increased open space and seniors and affordable housing support the community's changing needs.
	<p>PPE6 – Creating and renewing great places and local centres, and respecting the District's heritage</p> <ul style="list-style-type: none"> - Action 20c. Identify, conserve and enhance environmental heritage by managing and monitoring the cumulative impact of development on the heritage values and character of places. 	Yes – the proposal in conjunction with the WMH Campus Proposal will enable better protection of the significant fabric of the Edina Estate, and open the site up for public enjoyment.
	PP4 – Ensure the community is well serviced by crucial social infrastructure	Yes – the proposal in conjunction with the WMH Campus Proposal

<p>Local Strategic Planning Statement</p>	<ul style="list-style-type: none"> - Action 4, Maintain SP2 Infrastructure zoned land in WLEP review to continue to provide crucial social infrastructure for the area. - Action 6, Review planning controls to encourage co-location of health, education, social and community facilities both in Bondi Junction, and along strategic corridors - 	<p>better enables the provision of health related uses on the WMH Campus which is zoned SP2 Health related uses.</p>
	<p>PP6 – Facilitate a range of housing opportunities to support and retain a diverse community</p> <ul style="list-style-type: none"> - Action 6. Review planning controls to encourage adaptable and accessible housing in locations close to existing services, amenities and accessible recreation activities. - Action 8. Review the demand for seniors housing in the Eastern Suburbs area 	<p>Yes – increases the provision of seniors and affordable housing.</p>
	<p>PP7 – Recognise and celebrate Waverley’s unique place in the Australian contemporary cultural landscape.</p> <ul style="list-style-type: none"> - Action 6. Enhance and protect views of scenic and cultural landscapes from the public realm in Council’s LEP and DCP 	<p>Yes – the proposal in conjunction with the WMH Campus Proposal will enable better protection of the significant fabric of the Edina Estate, and open the site up for public enjoyment.</p>
	<p>PP8 – Connect people to inspiring and vibrant places, and provide easy access to shops, services, and public transport.</p> <ul style="list-style-type: none"> - Action 12. Investigate opportunities for precinct-based car parking and infrastructure in lieu of private car parking. 	<p>Yes – the proposal is well located between Bondi Junction Strategic Centre and Charing Cross Local Centre.</p>
	<p>PP9 – Support and grow Waverley’s local economy with a focus on wellbeing, knowledge and innovation</p> <ul style="list-style-type: none"> - Action 4. Any increase in job or residential density is to be supported by improved transport connectivity and services to deliver the 30-minute city. 	<p>Yes – contributes to the wellbeing economy.</p>
	<p>PP12 – Conserve our water resources and protect our coasts and beaches</p> <ul style="list-style-type: none"> - Action 2. Review and implement strengthened LEP provisions for reduced excavation, particularly in flood prone areas - Action 7. Increase permeability both in the public and private domains through development controls and public domain improvements - Action 16. Identify opportunities to reduce stormwater runoff by implementing water sensitive urban design on public and private land 	<p>Yes – reduced excavation across the site is supported through a minimum deep soil zone for the site.</p>
	<p>PP13 – Protect and grow our areas of biodiversity and connect people to nature</p> <ul style="list-style-type: none"> - Action 3. Review Council’s development controls to identify canopy as a crucial element of the LGA’s character. 	<p>Yes – the proposal in conjunction with the WMH Campus Proposal will better enable the retention and enhancement of the habitat corridor through the centre of the site.</p>

EXECUTIVE SUMMARY

This Planning Proposal (the Proposal) has been prepared as a result of a request to prepare a planning proposal (the Submission) that was made by the Proponent (Ethos Urban on behalf of Uniting Care). The Proposal is for the sites 99-117 Birrell Street, Waverley as identified as the ‘Birrell Street Site’ in Figure 1. The Proposal seeks to complement a separate, now finalised planning proposal for the remainder of the block for the War Memorial Hospital site (The WMH Campus Proposal), as identified in Figure 1. The entire block is bound by Birrell Street, Carrington Road, Church Street and Bronte Road is known as the Edina Estate, and is a significant heritage item for the locality.

Figure 1 - Aerial of the subject site



Source: Ethos Urban 2020

The Proposal seeks to amend the Waverley Local Environmental Plan (LEP) to:

- Amend the Alternative Height of Building map to show 15m and 21m;
- Amend the Alternative Floor Space Ratio map to show 1.2:1;
- provide affordable housing on the site.

The Proposal is consistent with the WMH Campus Proposal, which amended the Waverley LEP was Gazetted on 29 October 2021.

The holistic redevelopment of the Edina Estate is considered to have strategic merit on the basis of:

- (e) providing essential social infrastructure through the continuation and expansion of health related uses on the site;
- (f) increasing the provision of seniors housing and providing a component of affordable housing;

- (g) retaining and enhancing the unique heritage and environmental significance of the site; and
- (h) opening the site to the public to create a wellbeing precinct within a dense urban area.

The Proposal is considered to have site specific merit when considered holistically with the WMH Campus Proposal, to better enable development within the site that respects the significance of the original Edina Estate layout and achieves the strategic aims of the redevelopment.

The Proposal is considered a beneficial to the redevelopment of the Edina Estate as the additional density and development potential on the Birrell Street sites will help to achieve the overall vision of the site as follows:

- (a) Address key concerns regarding encroachment on significant heritage fabric of the Campus by providing greater opportunity to locate the built form to the periphery of the site and reinstate a number of key open spaces on the site considered significant to the heritage item.
- (b) Provide additional options for vehicle access to the site to assist with servicing and visitation.
- (c) Provide a greater quantity of open space on the site to be utilised by the public, through the location of new buildings closer to the periphery of the site, thus providing additional open space for the residents and patients of the site, as well as visitors and locals.
- (d) Address concerns regarding the retention of the existing habitat corridor which runs through the centre of the site, through the location of buildings to the periphery of the site and through the retention of key mature and significant trees.
- (e) The inclusion of the subject sites will help to protect key environmental characteristics of the site as follows:
 - o Address concerns regarding the retention of the existing habitat corridor which runs through the centre of the site, through the location of buildings to the periphery of the site and through the retention of key mature and significant trees.
 - o Provide for greater open space within the centre of the site and water sensitive urban design to aid with water retention and reabsorption through the site.

Given the opportunities afforded through the inclusion of the Birrell Street lots into the Edina Estate redevelopment to better achieve the aim of a holistic redevelopment of the site to create a precinct with a range of housing and health related uses to address the projected demographic needs of the community, the proposal is supported to proceed to a Gateway assessment.

INTRODUCTION

a. Description of the Planning Proposal

The subject Proposal in conjunction with the WMH Campus Proposal seeks to enable the holistic redevelopment of the Edina Estate. The overall redevelopment will seek to continue to provide essential social infrastructure through the provision of health related uses and seniors housing, retain and enhance the unique heritage and environmental significance of the site, and open the site up to the public to encourage a greater level of public engagement with the heritage fabric and open space on the site.

This Proposal specifically seeks to amend the Waverley Local Environmental Plan 2012 as outlined in Table 2.

<i>Table 1 – Summary of Proposed Changes to the WLEP2012</i>		
WLEP2012 Provision	Existing	Proposed
Zone	R3 – Medium Density Residential	R3 – Medium Density Residential
FSR	0.6:1	1.2:1
Height	9.5m	15m and 21m
Heritage	No	No
Affordable Housing Component	No	10% or 404sqm (whichever is greater)
Key Sites Map	No	Yes – to apply clause 6.9 Design Excellence

The Proposal is supported by the following documentation:

Campus Site gateway determination	
Proposed Mapping	
Planning Proposal Report for issue Ethos Urban	Ethos Urban
Response to request for additional information	Architectus
Urban Design Report	Hector Abrahams Architects
Statement of Heritage Impact	John Oultram and Susan O’Neill
Conservation Management Plan (2005)	Hector Abrahams Architects
Conservation Management Plan (2017)	JBS&G Environmental
Environmental Site Assessment	Traffix
Traffic & Transport Impact Assessment	Taylor Brammer
Landscape Design Statement	Waverley Council
Draft site-specific Development Control Plan	
Letter of intent – Provision of affordable housing	

b. History of the Planning Proposal

The evolution of the two planning proposals has occurred over three years, with the history provided in Appendix 1 to this report. The Birrell Street sites were originally not included in the WMH Campus Proposal, however as the project progressed it became evident that there would be benefits to the inclusion of these sites in the WMH Campus Proposal to better be able to address some key issues such as vehicle access to the site and the improved retention of the heritage fabric and spatial qualities of the overall Edina Estate.

The Birrell Street sites were then proposed to be included, however at the time, no further justification or supporting information was provided relating to the inclusion of the sites. Accordingly, Council did not support the inclusion of the sites into the WMH Campus Proposal without additional supporting studies such as traffic and urban design modelling. The subject Proposal thus provides the outstanding

supporting materials to justify the inclusion of the Birrell Street lots into the overall vision for the Edina Estate redevelopment.

c. Support of the Waverley Local Planning Panel

On 8 October 2020 the WLPP reviewed the subject Proposal, and provided a unanimous resolution as follows.

The Panel advises Council that:

1. *For the reasons in the Council’s Summary Report and Recommendations the subject Planning Proposal is considered to have strategic and site-specific merit only when considered as part of the War Memorial Hospital Campus site. The subject Planning Proposal is not considered to have strategic and site-specific merit if it were able to be developed in isolation.*
2. *To achieve the integrated development of the whole site, the Planning Proposal should be amended prior to being forwarded to DPIE for a Gateway determination to include an Additional Local Provision and Key Sites Map (or other relevant mapping) which provides for additional Floor Space Ratio (up to 1.2:1) and Height (15m and 21m) only if:*
 - (a) All Birrell Street lots are amalgamated with the War Memorial Hospital Campus*
 - (b) The deep soil zone and high-performance building provisions are consistent with those proposed for the War Memorial Hospital Campus*
 - (c) A site specific DCP has been prepared for the Birrell Street site and the War Memorial Hospital Campus in accordance with the Gateway determination for the War Memorial Hospital Campus.*
3. *It is preferable that a consolidated Planning Proposal for the Birrell Street sites and War Memorial Hospital Campus be prepared and exhibited following Gateway determination. The consolidated Site Specific DCP should be prepared as a matter of urgency.*
4. *By way of comment, the Panel notes that the Proponent’s Letter of Intent currently relates to affordable housing only, but other matters such as publicly accessible open space could also be considered.*

The full minutes of the WLPP meeting are provided in Appendix 3.

The issues outlined in (2) above were addressed in the report to the Waverley Council Strategic Planning and Development Committee (The minutes of which are detailed in Appendix 4) and provided again below.

Isolated development

To avoid the isolated development of the Birrell Street lots without the rest of the campus, or the development of only some Birrell Street lots, it is proposed that any increase in the height or FSR on the site is provided as an incentive via an Additional Local Provision that applies to the subject lots. It is proposed that the alternative building heights and floor space ratio can only apply if the subject lots are redeveloped as part of a broader, holistic development of the subject lots and surrounding War Memorial Hospital Campus Site. The additional height and FSR would also only be available if the sites provide the specified affordable housing comply with the Site Specific DCP which will include a provision regarding isolated development of lots. These provisions are deemed to provide a sufficient barrier to the isolated development of any of the lots and achieve the same outcome as the outcome intended by the Panel as stated ‘2(a) All Birrell Street lots are amalgamated with the War Memorial Hospital Campus’.

Minimum deep soil and high-performance buildings

The Minimum Deep Soil and High-Performance Buildings Provisions proposed to apply to the Birrell Street sites are the same as proposed to apply to the WMH Campus site.

Site Specific DCP

Council Officers have prepared a Site Specific DCP in accordance with the WMH Campus Gateway Determination which was endorsed by Council to be placed on public exhibition on 2 March 2021. The site-specific DCP was placed on public exhibition between 20 May 2021 – 4 July 2021. Council is reviewing the site specific DCP in line with feedback received by the community during the exhibition period and in relation to matters raised by Elected Members at the 17 August 2021 Council Meeting.

d. Support of Council to proceed to Gateway

On 3 November 2020, Council resolved to support the Proposal to proceed to Gateway determination. The Council minutes are provided in Appendix 4.

Council resolved to request the role of local plan-making authority from the DPIE to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979* in relation to the making of the amendment.

It is noted that the discussion in the Council report sought Council's support for the Proposal to be submitted as an amendment to the Gateway of the WMH Campus Proposal. Council Officers have since discussed this matter, and no longer seek to amend the Gateway of the WMH Campus Proposal. The subject Proposal is instead to be considered as a separate planning proposal, in conjunction with the WMH Campus Proposal. However, in the consideration of the WLPP and Council, the amendment of the Gateway determination for the WMH Campus Proposal would have provided additional provisions that Council now seeks to include in the overall proposal.

e. Additional Matters to address in Planning Proposal

As outlined above, there are additional matters that Council seeks to include in the subject Proposal, as these were considered and supported in the amendment of the Gateway determination of the WMH Campus Proposal. These matters are:

1. That the Deep Soil zone clause identified in the WMH Campus Proposal is also applied to the subject Proposal to ensure that deep soil is considered holistically across the Edina Estate. In addition this clause is proposed to be applied more generally across Waverley as part of the implementation of the Waverley Local Strategic Planning Statement into the WLEP.
2. That the High-Performance Buildings clause identified in the WMH Campus Proposal is also applied to the subject Proposal to ensure that all buildings across the site are delivered to a high standard.

An example site specific provision addressing these matters is provided in Appendix 2.

f. Affordable Housing

Finally, the matter of affordable housing is to be addressed in this Proposal. The Gateway determination for the WMH Campus Proposal requires that "the affordable housing provision is to be removed from the planning proposal, as Council currently does not have an endorsed affordable housing contribution scheme." The WMH Campus Proposal was amended to reflect this change.

The subject Proposal (99-117 Birrell Street) seeks to provide 10% affordable housing or 404 square metres (whichever is greater) through inclusion in the WLEP. The Proponent has provided a letter of intent to support the inclusion of affordable housing (Attachment M).

The Gateway Determination for the WMH Birrell Street Proposal also specified the removal to affordable housing contributions, where they related to a scheme prepared in accordance with *State Environmental Planning Policy NO.70 Affordable Housing (Revised Schemes)*. Such references have been removed. Further discussion is provided in section 3.2.4 Affordable Housing of this report.

An example site specific provision addressing these matters is provided in Appendix 2.

Description of the Site

a. Affected Land

The subject site is located in the suburb of Waverley with an approximate area of 0.34 hectares, with a frontage to Birrell Street, identified in Figure 2 as the Birrell Street Site. This site forms part of the larger site known as the Edina Estate, which is bound by Carrington and Bronte Roads, and Birrell and Church Streets. The site slopes from Carrington Road (100m AHD), downwards towards Bronte Road (86m AHD). The site identified in Figure 2 as the War Memorial Hospital Campus site was the subject of a different planning proposal (WMH Campus Proposal) which was finalised on the 29 October 2021.

Figure 2 - Aerial of the subject site



Source: Ethos Urban, 2020

This Planning Proposal applies to the following parcels in the layout Lot/DPs:

Lot	DP	Address	Ownership
1	312247		Private
1	1115332	99 Birrell Street	Private
2	515904	101 Birrell Street	Private
1	515904	103 Birrell Street	Uniting
A	437866	105 Birrell Street	Uniting
B	437866	107 Birrell Street	Uniting
1	961790	109 Birrell Street	Uniting
11	667554	111 Birrell Street	Uniting
4	520982	113 Birrell Street	Uniting
3	520982	115 Birrell Street	Uniting
2	212655	117 Birrell Street	Uniting

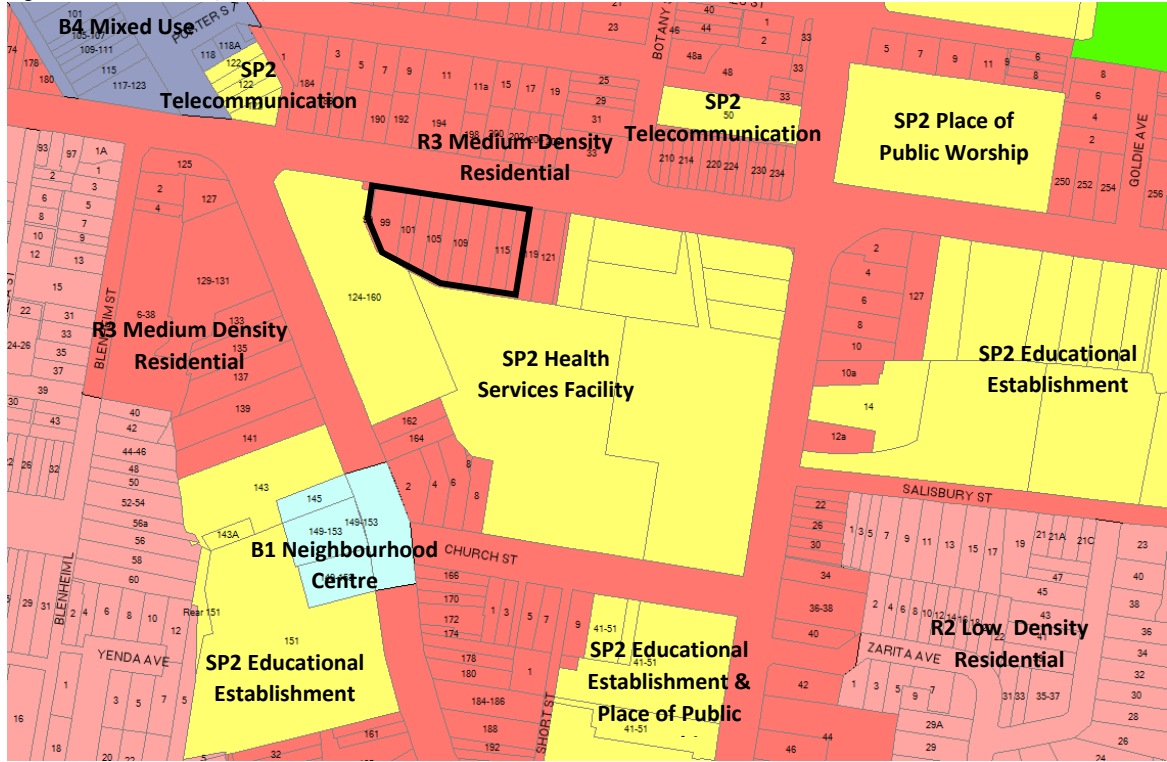
b. Current Planning Controls

The primary environmental planning instrument that applies to the site is the WLEP2012.

The key statutory controls are described in Table 3 below.

	Existing	Surrounds
Zone	R3 Medium Density Residential	R3, SP2 and B1 Neighbourhood centre
FSR	0.6:1 & 0.9:1	0.6, 0.9 & 1:1
Height	9.5	9.5 & 12.5m
Prevailing built form	1, 2, 3 and 4 storey	1-2 storey dwellings, 3-4 storey flats and large institutional buildings (schools and courthouse)

Figure 3 – Land Zoning Map



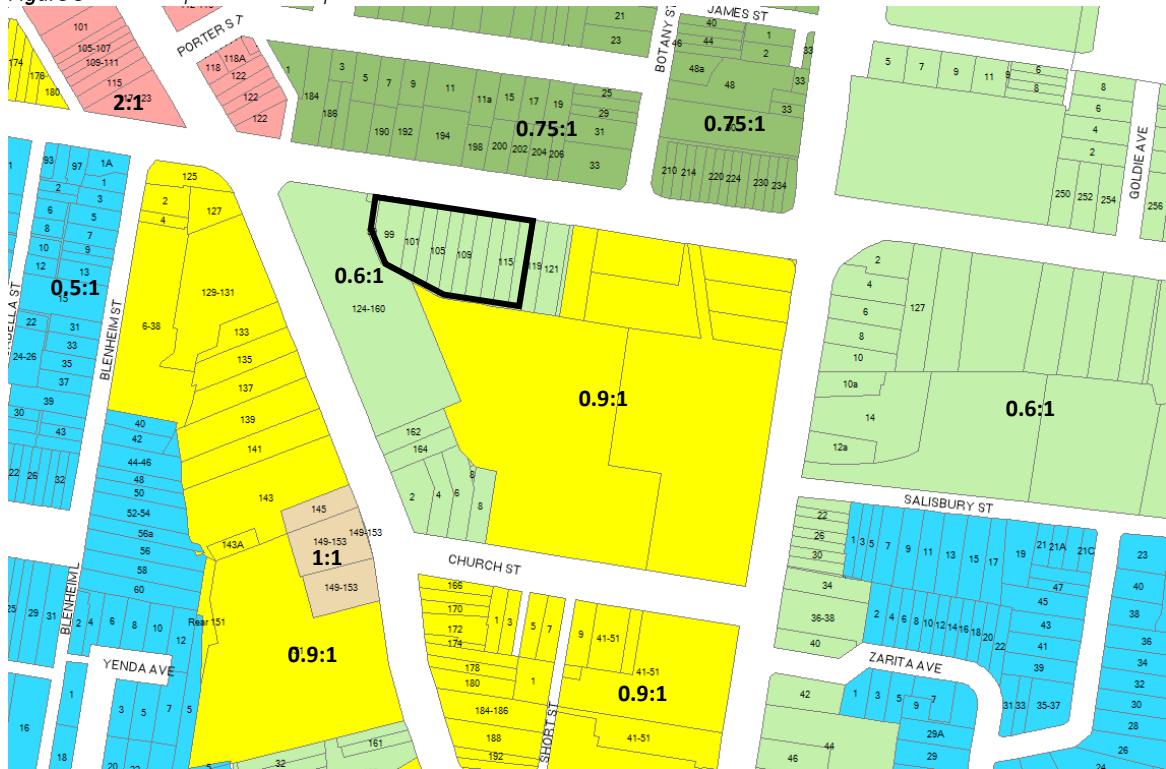
Source: Waverley Local Environment Plan 2012

Figure 4 – Height of Buildings Map



Source: Waverley Local Environment Plan 2012

Figure 5 – Floor Space Ratio Map



Source: Waverley Local Environment Plan 2012

Figure 6 – Heritage Map



Source: Waverley Local Environment Plan 2012

Figure 7 – Habitat Corridor and Significant Trees



Source: Waverley Development Control Plan

The Waverley Development Control Plan 2012 identifies a Habitat Corridor that runs through the Edina Estate site, and the Significant Tree Register identifies at present four significant trees on the Edina Estate site. The site has outstanding environmental features, including many significant trees and shrubs, as well as landscaped areas that contribute to a leafy and natural feel as well as an important Habitat Corridor. The inclusion of the Birrell Street sites in the overall redevelopment of the Edina Estate is to allow greater protection of the habitat corridor, and greater provision of open space to the centre of the site, and improved retention of the heritage fabric on the site.

Council’s Significant Tree Register is currently being reviewed and is subject to change within the duration of this Proposal.

c. Existing Development on the site

The subject site comprises a row of semi-detached dwellings that front onto Birrell Street. The buildings have not been found to have any heritage significance, however, do present a consistent street character at present. Provided that the character of the northern side of Birrell Street is largely inconsistent, there is arguably a mixed character to the street at present.

d. Surrounding Context

The site has a frontage to Birrell Street and is otherwise surrounded by the War Memorial Hospital site.

Birrell Street – Residential Street

The two-storey Banksia and Whychazel and Ellerslie buildings, the two/three storey Hunter lodge buildings from the WMH Campus Proposal also front Birrell Street. The existing streetscape along this section of Birrell Street comprises a mix of single storey semi-detached dwellings and two-storey buildings on the southern side of the street and 2-3 storey apartments, detached houses and terraces on the northern side of the street. The northern side of Birrell Street is the commencement of the *Botany Street Heritage Conservation Area*. The Statement of Significance as outlined in the inventory sheet for the area is:

The urban form of the Botany Street Heritage Conservation Area is the result of late 19th and early 20th Century subdivision of remaining open lands to the eastern periphery of Bondi Junction. The building streetscape is diverse and although buildings are not consistent to adjoining developments, they form a cohesive streetscape combining a variety of styles, materials and distribution of buildings along the street.

The range and compatible residential types from 1890's to 1940's records the consolidation of open lands about Bondi Junction following the establishment of regular tram services. The conservation area includes representative examples of varied styles from Victorian filigree through the Inter War Art Deco. The area retains notable streetscapes, characterised by the width of road easements and the quality of residential groupings.

Figure 8 - Birrell Street streetscape



a) View west from intersection of Birrell Street and Carrington Road showing the corner of the War Memorial Hospital Site.



b) View west along Birrell Street.



c) Terrace houses to the north of Birrell Street.



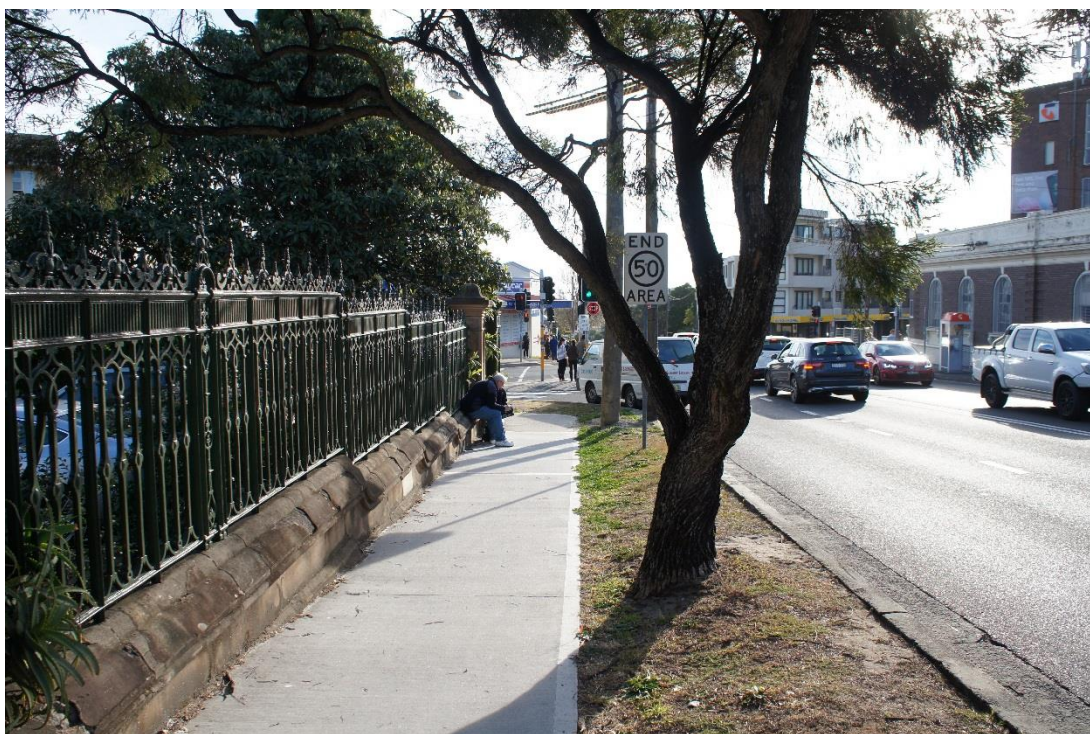
d) View west along Birrell Street showing district views and wide streetscape.



e) View west along Birrell Street showing wide streetscape, typical residential flat building development to the north, and the line of semi-detached dwellings as part of the subject site.



f) View of the semi-detached dwellings that form part of the subject site.



g) View of part of the heritage listed fence at the intersection of Bronte Road and Birrell Street.



h) View east along Birrell Street showing slight incline, wide streetscape and mature planting.

Source: Waverley Council, 2018.

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

1.1 Description Statement

To amend the *Waverley Local Environmental Plan 2012* (WLEP2012) to enable the redevelopment of the War Memorial Hospital Birrell Street site to:

- Enable the holistic redevelopment of the site known as the Edina Estate.
- Maintain the unique heritage and environmental significance of the site.
- Increase public accessibility within the site.
- Allow the expansion of the existing aged care and seniors living uses, including affordable housing options.
- Ensure that the site achieves positive environmental outcomes.

PART 2 – EXPLANATION OF PROVISIONS

2.1 Draft Development Standards

The proposed changes to the *Waverley Local Environmental Plan 2012* (WLEP2012) are as follows:

1. Include the site on the Key Sites Map to refer to a site-specific incentive provision.
2. Create a new Alternative Building Heights Map and identify the site to show an alternate height of 15m and 21m.
3. Create a new Alternative Floor Space Ratio Map and identify the site to show an alternate maximum FSR of 1.2:1.
4. Create a new site-specific provision that:
 - (a) Provides objectives for the redevelopment of the site

- (b) Applies Clause 6.9 Design Excellence to the site.
- (c) Sets out the requirements of a Site Specific DCP for the site.
- (d) Provides for an incentive provision that sets out requirements for:
 - i. Deep soil provision as 30% of the total site area, with the spatial layout as indicated in the Site Specific DCP.
 - ii. High performance building standards
 - iii. Affordable housing contribution of 10% (or 404sqm whichever is greater) of the overall development on the lots at 99-117 Birrell Street, Waverley be set aside as affordable housing, or as an equivalent monetary contribution.

In order to achieve the development standards of:

- i. Alternative height of building of 15m and 21
- ii. Alternative floor space ratio of 1.2:1

The incentivised provisions, inclusive of the of alternative building heights and alternative floor space ratio are only available to the subject sites, if these sites are developed as part of a broader, holistic redevelopment of the surrounding site, known as the ‘War Memorial Hospital Campus Site’.

These development standards are discussed in more detail in Part 3 of this Planning Proposal, and an example of a draft site-specific provision is provided in Appendix 2.

PART 3 – JUSTIFICATION

SECTION A – NEED FOR THE PLANNING PROPOSAL

3.1 Is the planning proposal a result of any strategic study or report?

On 18 August 2020, Council received a request to prepare a planning proposal for the subject site. To support this request, several documents were prepared by the Proponent for the site including:

Planning Proposal Justification Report	Ethos Urban
Urban Design Report	Cox Architecture
Heritage Impact Statement	Hector Abrahams Architects
Survey Plan	Dunlop Thorpe & Co
Landscape Design Statement	Taylor Brammer Landscape Architects
Preliminary (Stage 1) Environmental Site Assessment	JBS&G
Traffic Impact Assessment	Traffix
Preliminary Utilities Report	Stantec
Letter of Intent	Ethos Urban on behalf of Uniting

The request was found to be consistent with the War Memorial Hospital Campus proposal and was supported by the Waverley Local Planning Panel and Waverley Council to proceed to a Gateway determination.

Following the support of the Proposal from the Waverley Local Planning Panel and Waverley Council, additional work was completed by the project team acting on behalf of the proponent, in consultation with Council, inclusive of the following documents:

Planning Proposal Report	Ethos Urban
Uniting Waverley Urban Design Report	Architectus
Response to request for additional information	Ethos Urban

Landscape Design Statement
Heritage Impact Assessment
Arborist Report – Tree Data Schedule
Traffic & Transport Impact Assessment

TaylorBrammer
Hector Abrahams Architects
Tree Management Strategies
Traffix

3.2 Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the planning proposal is the best means of ensuring the holistic redevelopment of the Edina Estate.

The Proposal is consistent with the WMH Campus Proposal, which has been finalised and subsequently amended the WLEP. The conditional Gateway from the Department of Planning, Infrastructure and Environment (DPIE) is also provided in Attachment A of this report.

The Proposal is considered a beneficial accompaniment to the WMH Campus Proposal, as the additional density and development potential on the Birrell Street sites will help to achieve the overall vision of the site as follows:

- (a) Address key concerns regarding encroachment on significant heritage fabric of the Campus by providing greater opportunity to locate the built form to the periphery of the site and reinstate a number of key open spaces on the site considered significant to the heritage item.
- (b) Provide additional options for vehicle access to the site to assist with servicing and visitation.
- (c) Provide a greater quantity of open space on the site to be utilised by the public, through the location of new buildings closer to the periphery of the site, thus providing additional open space for the residents and patients of the site, as well as visitors and locals.
- (d) Address concerns regarding the retention of the existing habitat corridor which runs through the centre of the site, through the location of buildings to the periphery of the site and through the retention of key mature and significant trees.
- (e) The inclusion of the subject sites will help to protect key environmental characteristics of the site as follows:
 - o Address concerns regarding the retention of the existing habitat corridor which runs through the centre of the site, through the location of buildings to the periphery of the site and through the retention of key mature and significant trees.
 - o Provide for greater open space within the centre of the site and water sensitive urban design to aid with water retention and reabsorption through the site.

The inclusion of the Birrell Street lots into the Edina Estate redevelopment will better achieve the aim of the holistic redevelopment of the site to create a precinct that co-locates health related uses with a range of housing to address the projected demographic needs of the community.

3.2.1 Height

An incentivised increase to the maximum permissible height is proposed, from 9.5m, to 15m to the periphery of the site and 21m to the central portion of the site (see Figure 9).

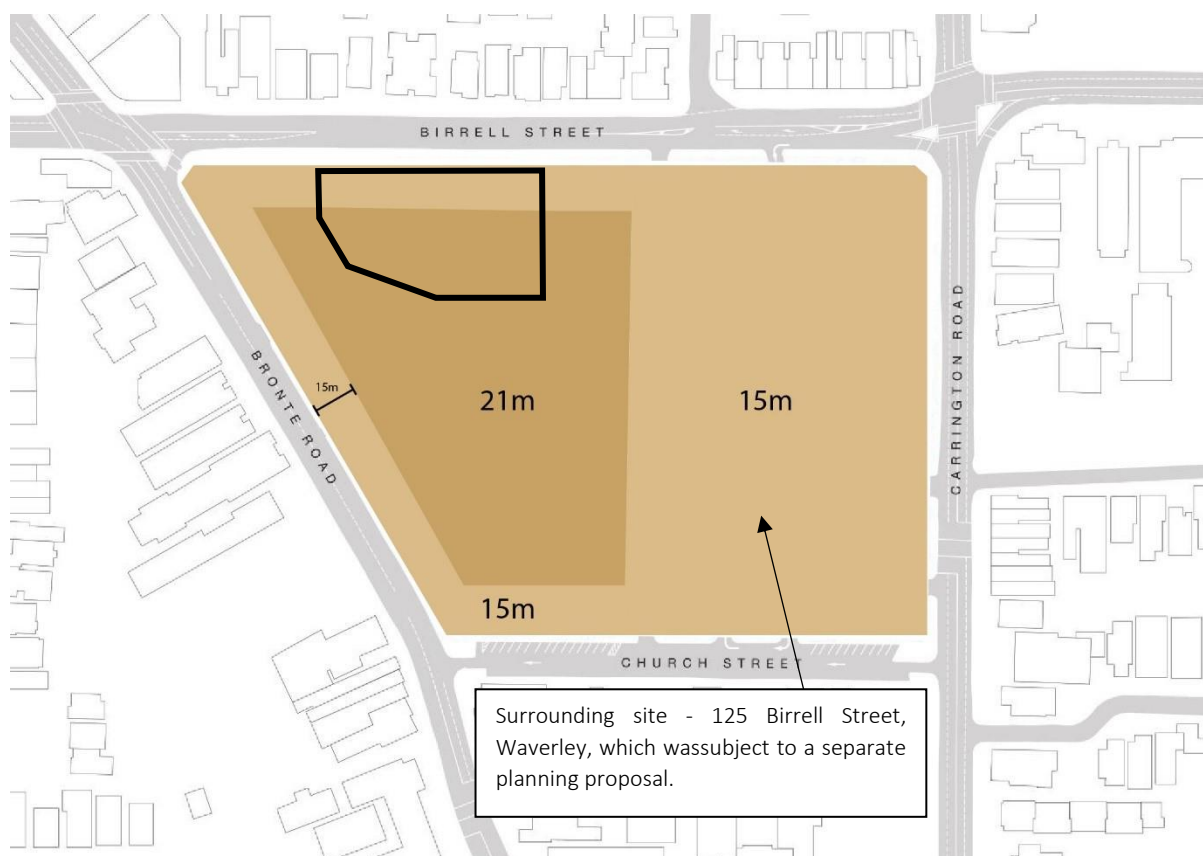
This height arrangement seeks to:

- Ensure the additional height is only available when high-performance buildings and significant deep soil zones (open space) are provided for the site.
- Provide a more appropriate height to the immediate curtilage of the individual heritage items to the east of the site.
- Permit additional height in the centre of the site where it can be appropriately mediated by the design of the buildings on site, and present a more appropriate four-storey street frontage to

the surrounding built form, which is a mix of 1-2 storey dwellings, 3-4 storey flats and large institutional buildings.

- Ensure that the height of the heritage listed Norfolk Pine trees is not challenged by any new development on the site.
- Ensure that the height of the Vickery Tower is appropriately respected by any new development on the site.

Figure 9 – Proposed Alternate Height of Building



Source: Waverley Council, 2019

The maximum incentive heights of 15m (four/five storeys) and 21m (six/seven storeys) are sufficient to deliver the Submission’s intent and provide a more amenable interface to the heritage items, the overall setting of the heritage grouping, as well as to the surrounding streetscapes. To support this Planning Proposal, the Proponent has submitted a potential layout of the site in the *Urban Design Report* (Attachment E). As per Ministerial Direction 6.3 a Planning Proposal should not seek to lock in a particular development proposal. However, to demonstrate one potential scheme that would be compliant with the proposed development standards and the endorsed Site Specific DCP, the Urban Design Report is provided for context of what could be achieved on the site. The potential layout (Figure 10) which the applicant has included in the Urban Design Report submitted in February 2021, arranges the buildings in a way which will provide for sufficient open space, solar access, retention of some

significant trees and will also maintain and enhance the original Victorian garden and its relationship with the significant heritage items on-site.

It should be noted the potential scheme provided by the proponent is set across not only the Birrell Street Site, but also the Campus Site.

Figure 10 – Master Plan aerial view



Legend

-  Proposed Drop Off
-  Future Hospital Extension
-  Existing Bus Stops
-  No. of storeys

- | | |
|--|--|
| A Building A - RAC, Clubhouse, Wellness Centre & Care Apartments | L Cadi Cottage |
| B Building B - ILU | M Nellie Vickery Chapel |
| C Building C - ILU | N Vickery Building |
| D Building D - ILU | O Morgan Building |
| E Building E - ILU | P Cafe Manos |
| F Building F - ILU | Q Education Centre |
| G Building G - ILU | R Morgue |
| H Building H - ILU | S Podiatry, Therapy Gym, Hydrotherapy Pool |
| I Winston O'Reilly Building | T Maintenance |
| J L.E. King Building | U Hospital Extension |
| K Elizabeth Hunter Lodge | V Existing cottages to be converted into Childcare |

Figure 11 – Aerial view of massing from north east corner - Birrell Street & Carrington Road



Figure 12 – Aerial view of massing from north west corner - Birrell Street & Bronte Road



Figure 13 – Aerial view of massing from north - Birrell Street



Figure 14 –View along the corner of Birrell Street & Bronte Road, looking south-east



Figure 15 - View along Birrell Street looking east



Figure 16 – Elevated perspective looking east along Birrell Street (near Centennial Park)

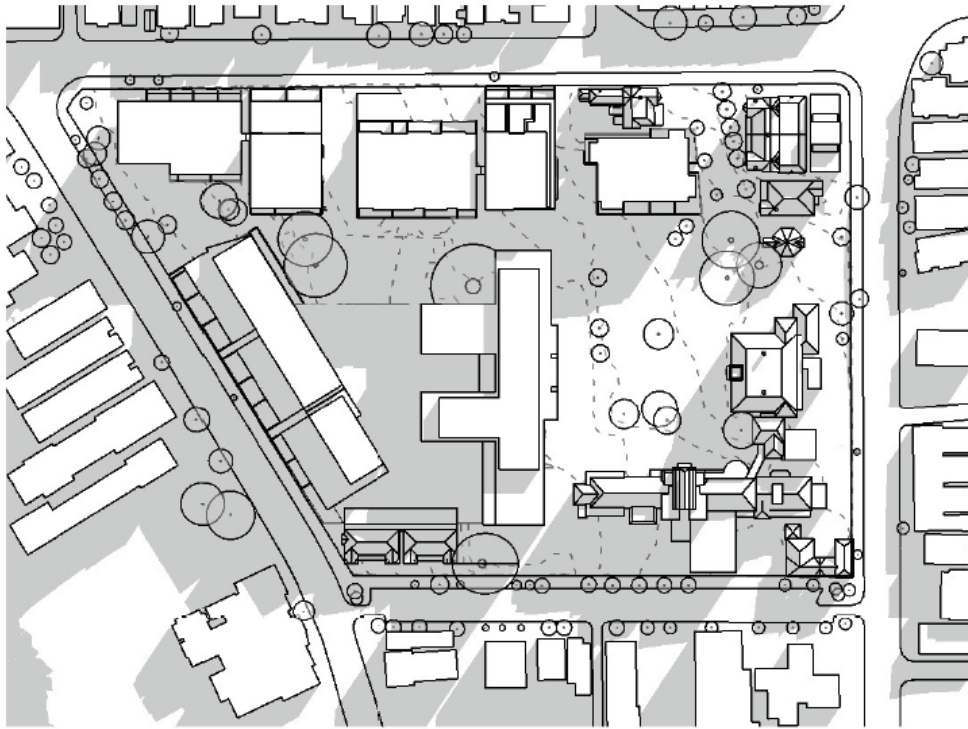


3.2.2 Overshadowing

The potential overshadowing typically does not extend into the private open space of surrounding development or overshadow surrounding properties for long enough to gain concern. The potential overshadowing within the site is addressed in the Draft Site Specific DCP to ensure that buildings within the site have appropriate solar access, that open spaces receive a reasonable amount of direct sun, and that building placement and design reduces wind tunnels. In addition, the layout demonstrated in the masterplan do not pose any adverse overshadowing impacts on the open space throughout the site.

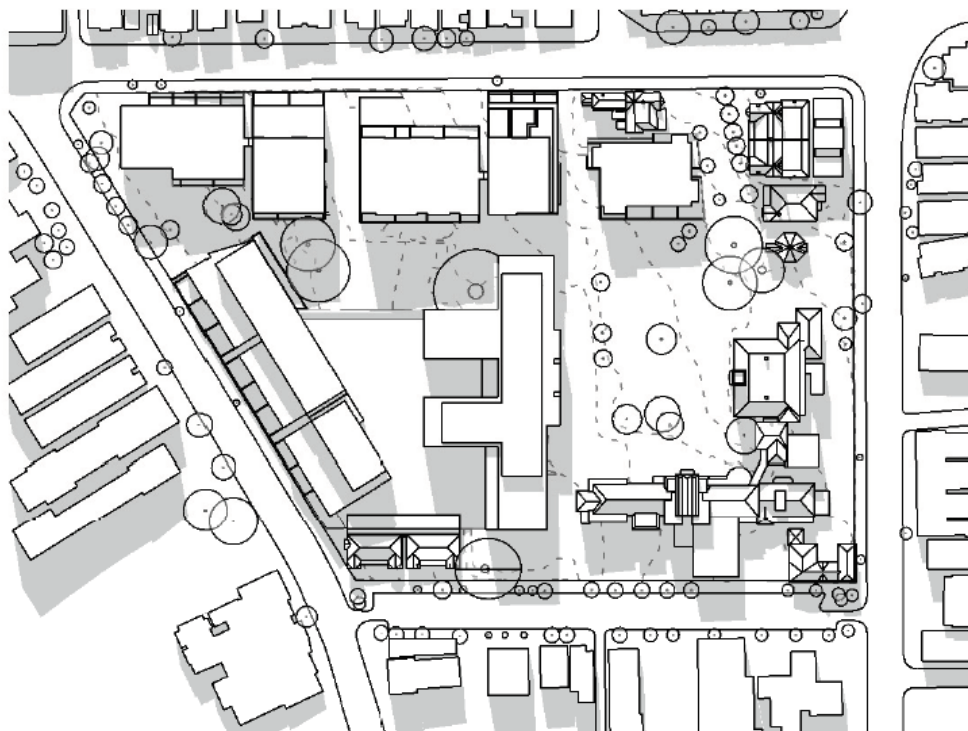
The images below detail overshadowing impacts on the winter solstice to demonstrate potential impacts.

Figure 17 – 21 June 9am



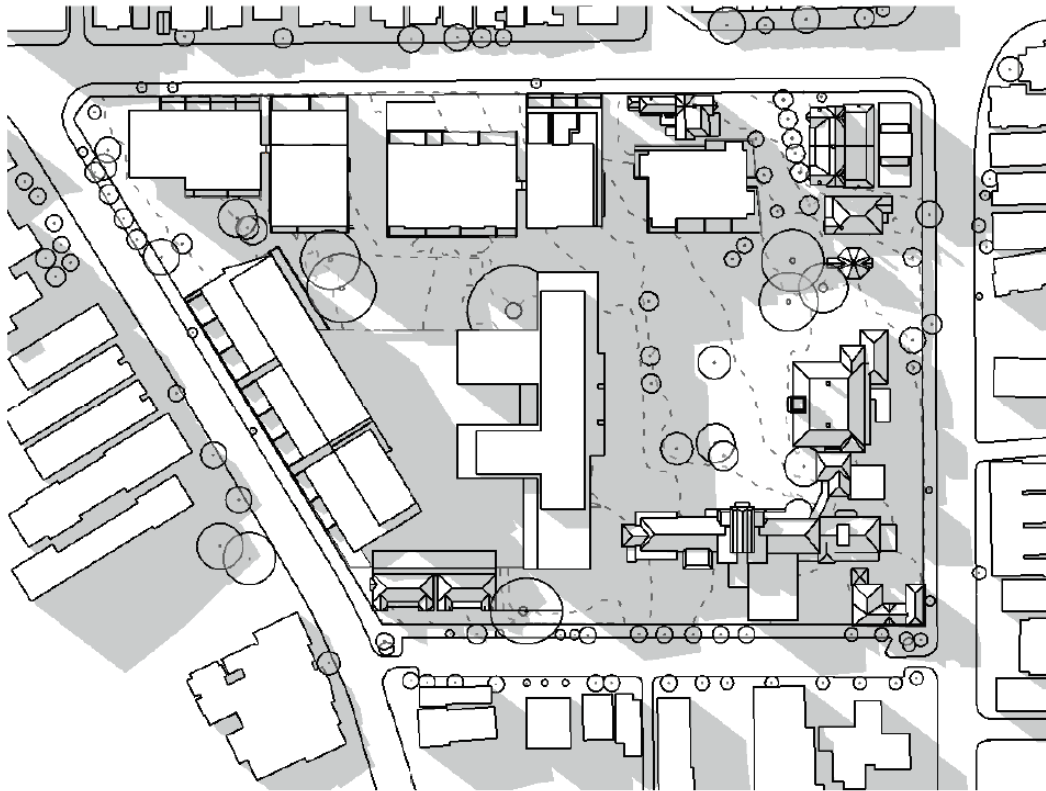
Source: Architectus, 2021

Figure 18 – 21 June 12pm



Source: Architectus, 2021

Figure 19 – 21 June 3pm



Source: Architectus, 2021

3.2.3 Floor Space Ratio

An incentivised increase to the maximum permissible floor space ratio (FSR) is proposed, from 0.6:1 to 1.2:1.

The proposed maximum floor space ratio for the site is suitable based on the requirements for the development as outlined by the proponent. Council worked with the proponent to ensure these requirements could be accommodated across both sites, which is reflected in the in the proposed FSR of 1:2:1 and the overall vision detailed in the Masterplan.

An increase in the FSR and height development standards would support the further intensification of uses on site. Based on the combined site area of 31,640sqm, there is currently floor space capacity for 28,100sqm under current FSR controls (applying the existing 0.6:1 and 0.9:1 FSR). The existing uses on the site account for approximately 11,505sqm.

3.2.4 Affordable Housing

There is a strong underlying demand for affordable housing provision in the Waverley LGA. An additional 600 affordable dwellings will be required by 2036 to address the current proportion of households in rental stress.

The subject of this Proposal (99-117 Birrell Street) seeks to provide 10% affordable housing (or 404 square metres, whichever is greater) through inclusion in the WLEP. This provision of affordable housing has been offered by the Proponent as outlined in Attachment M.

3.2.5 Other Matters

The discussion above illustrates the ability of the site to accommodate an increase in both height and FSR, however as the density of the site is increased, it is important to balance this with the amenity by ensuring sufficient open space and habitat, and increasing the efficiency of the buildings. Accordingly, provisions for Design Excellence, Deep Soil, and High Performing Buildings are proposed to be applied to the site. To ensure that the significance of the site is retained and enhanced, the increased height and FSR are proposed to be offered as incentives only, whereby if the provisions of Deep Soil and High Performing Buildings are met, then the additional height and FSR provision is also available.

Design Excellence

It is proposed to include the site on the Key Sites Map of the WLEP2012 and that clause 6.9 Design Excellence be applied to the site. Given the size and nature of the site, it is considered that the development will be of a scale that should attract additional considerations under Design Excellence.

Minimum Deep Soil

To secure the benefits of open space, access to the heritage parts of the site, and to ensure the retention of mature planting and impervious surfaces, additional site-specific provisions are proposed as follows:

- WLEP2012 - Minimum Deep Soil Area – to ensure that the site will continue to contribute to the Habitat Corridor which runs through the centre of the site, and to ensure that mature trees have adequate and healthy soil to grow in.
- WDCP2012 – Provision of open space and the public access to open space – to ensure that the key open spaces are provided within the site, and that these are accessible to the public. This would include the requirement to have accessible pathways to these areas, and that these areas are not ‘closed off’ to the public through fencing or the like.

With regards to public access to open space, the Proponent has indicated in the Response to Request for Additional Information (February 2021) provided in Attachment D their commitment to:

The creation of an area of shared open space accessible by the public. However, the provision of shared open space needs to align with the functional requirements of Uniting. In particular, as an aged care service provider, perceptions of safety and privacy for residents is of high importance. This is because many residents move into seniors housing because of the additional support and security it provides.

It is therefore necessary that Uniting retain control of publicly accessible shared open space, particularly in instances where there is the opportunity for safety and security issues (e.g. night-time loitering or antisocial behaviour) to ensure resident comfort.

Hence, while Uniting will support the development to be permeable and provide access opportunities for the community, it must be recognised that the land is still private land and Uniting needs to retain space for its private uses, and create a hierarchy of spaces for both its residents as well as the broader public.

Uniting provides residential aged care and seniors housing, hospitals, and children and youth services. Uniting therefore understand the operational requirements of each of these services. We note that this is currently being addressed post-Gateway through provisions contained in a Site Specific Development Control Plan (DCP) for the site, which has been developed by Council in conjunction with the Proponent.

With regards to deep soil, the Proponent has indicated in the *Response to Request for Additional Information* (Attachment D) their support for a provision of deep soil/maximum site coverage in the WDCP but not in the WLEP. Council views the importance of deep soil provision being elevated to the WLEP to ensure that Council can achieve Council's commitments to reduce the Urban Heat Island effect and maintain and increase canopy across the LGA. These commitments are outlined as follows:

- **Eastern City District Plan**
Planning Priority E17- Increasing urban tree canopy cover and delivering Green Grid connections
- **Waverley Local Strategic Planning Statement**
Planning Priority 16 - Plan for and manage our assets and urban environment, and support our community to adapt and be resilient to a changing climate
 - *Action 1 - Prepare and implement an Urban Greening and Canopy Strategy to:*
 - *implement stronger controls and mechanisms to protect and increase canopy, to reduce the Urban Heat Island effect*
 - *protect and increase the quantity and diversity of trees and plants in the public and private domain, to ensure that the tree canopy continues to be a dominant feature of the area and that species are resilient to projected changes in climate*
 - *identify opportunities to increase green walls and roofs on public and private land*
 - *identify opportunities for bio retention systems along Green Grid, biodiversity and habitat corridors*
 - *identify and secure future funding sources to increase planting and green infrastructure*
 - *identify opportunities for retention of water and water bodies in the landscape to effectively irrigate open spaces and increased greenery, and to support urban cooling*
- **Waverley Community Strategic Plan 2018-2029**
 - *Measure: Increase in canopy and shrub cover from 23.9% (2016) to 29.9% (2029)*

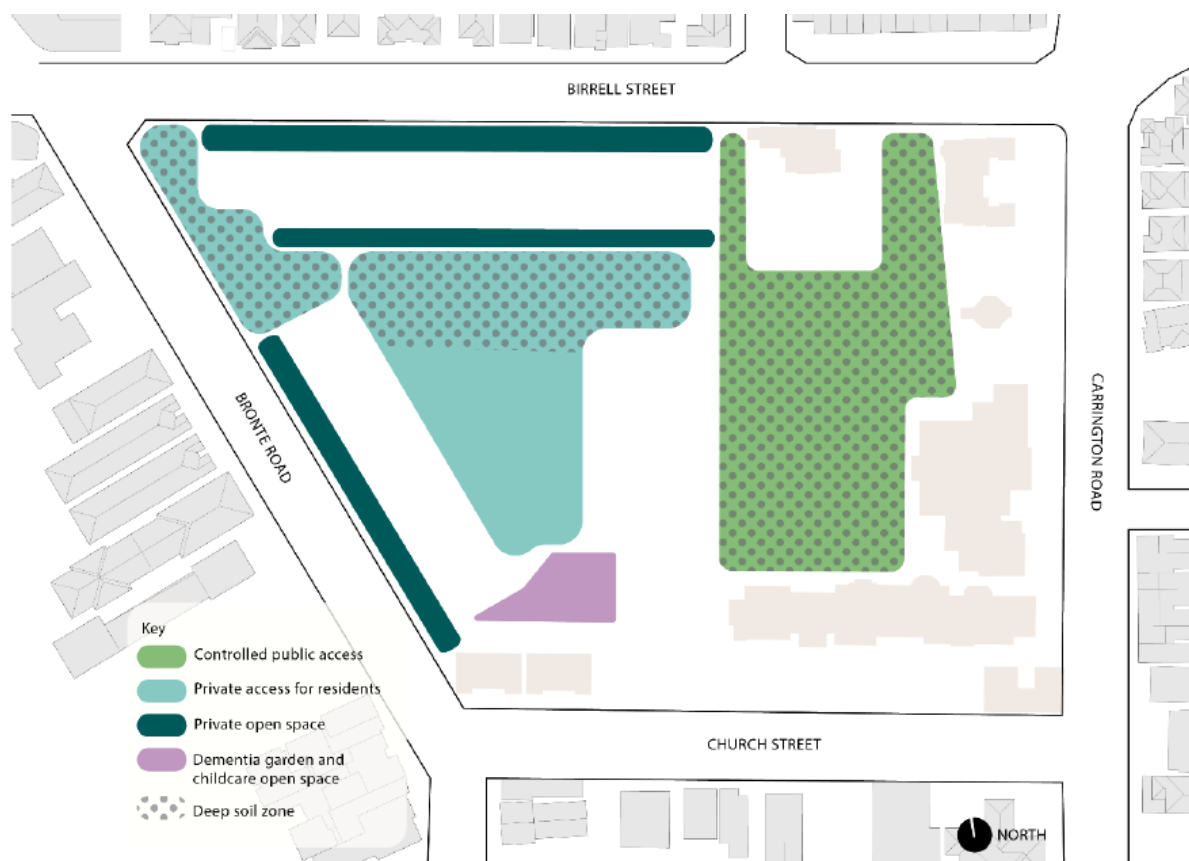
Evidence that a similar approach has previously been accepted by Parliamentary Counsel is illustrated by ‘Clause 6.6 Landscaped Areas’ of the *Mosman Local Environmental Plan 2012* and ‘Clause 6.14 Landscaped areas in certain residential, business, industrial and environment protection zones’ of the *Sutherland Shire Local Environmental Plan 2015*.

This Planning Proposal seeks to apply a minimum deep soil area rather than a minimum landscaped area, as a deep soil area would require the provision of a landscaped area that is planted and permeable – allowing for mature trees where appropriate and contributing to the reduction of runoff to urban areas. A ‘landscape area’ can simply require the planting of turf however may permit the area below to have a basement – hindering both the reabsorption of runoff into the water table and the ability to grow mature trees.

It is proposed that 30% of the total site area is to be provided as deep soil, with the spatial layout as indicated in the Site Specific DCP as Upper Garden Space, Central Garden Space, and Carriageway Space as illustrated in Figure 20. The three spaces as indicated are based on the Conservation Management Plan as provided by Hector Abrahams, which identifies these spaces as significant fabric to be maintained or reinstated.

The provision of this spatial arrangement and quantity of deep space in the centre of the site will ensure adequate soil for the habitat corridor running through the site to be maintained, as well as restoring an urban garden quality to the Estate. In addition, with the increased density proposed on the site, having significant open space to the centre will provide not only a space for the community to connect with each other and nature, but also to increase the amenity for occupants of the buildings to have green and open space to overlook.

Figure 20 – Deep Soil Provision



Source: Waverley Council 2020

High Performance Buildings

In addition to giving effect to the District Plan, Waverley Council has ambitious community energy and water targets that to achieve, will require new development in the Waverley area to be built to a high-performance building standard. These commitments are outlined below:

- **Eastern City District Plan**
 Planning Priority E19 Reducing carbon emissions and managing energy, water and waste efficiently
 - Action 68 - Support initiatives that contribute to the aspirational objective of achieving net-zero emissions by 2050, especially through the establishment of low-carbon precincts in Planned Precincts, Collaboration Areas, State Significant Precincts and Urban Transformation projects.
 - Action 69 - Support precinct-based initiatives to increase renewable energy generation, and energy and water efficiency, especially in Planned Precincts, Collaboration Areas, State Significant Precincts and Urban Transformation Projects.
- **Waverley Local Strategic Planning Statement**
 Principles for Change
 - Proposals should meet high sustainability standards, improve urban resilience, and mitigate negative externalities. Proposals can satisfy these high standards by committing all development on the subject site to achieve a 5+ Green Star rating with

the Green Building Council of Australia, or a Core Green Building Certification or Zero Carbon Certification with the Living Futures Institute of Australia, or equivalent.

Planning Priority 14 - Achieve net zero carbon emissions in the built environment

- *Action 1 - Advocate for increased BASIX targets for residential developments to achieve Council's ambitious environmental targets*
- *Action 3 - Implement a development pathway to promote, deliver and monitor sustainable housing that:*
 - *provides planning support to drive innovation in performance and improved environmental outcomes in developments*
 - *encourages passive design to minimise energy consumption*
 - *encourages on-site generation of renewable energy*
 - *encourages the use of recycled and low-embodied carbon materials*
 - *measures the uptake of sustainable housing*
 - *implements compliance processes to ensure that all buildings are delivering required and aspirational environmental outcomes*
 - *investigates a contribution to fund off-site renewable energy*
 - *investigates density bonuses related to high performance buildings*
 - *promotes the uptake of sustainable housing through open days, awards and other methods of recognition*
 - *provides a community education program to accelerate behaviour change and retrofits to reduce energy and resource consumption*
- *Action 8 - Work with private landowners to encourage uptake of renewable energy sources by removing barriers to solar power and facilitating solar power installation in Waverley across all of our different building types*
- **Waverley Community Strategic Plan 2018-2029**
 - Goal 5.1. Facilitate and deliver well-designed, accessible and sustainable buildings and public places that improve the liveability of existing neighbourhoods
 - *Strategy 5.1.5. Encourage energy and water efficiency, best practice waste management and zero carbon buildings for all developments*

The 'Principles for Change' in the LSPS set out a range of options for how planning proposals can respond to these high-performance standards (for example through propriety building performance rating schemes).

To ensure that any future development on the site contributes to Waverley's sustainable future, and to utilise this unique opportunity for the redevelopment of a large site to demonstrate best-practice sustainability, a site-specific incentive provision in the WLEP is proposed to require high-performance buildings on this site. The proposed high performance building standards seek to provide targets which exceed minimum requirements. The proposed Alternative Height of Buildings and Floor Space Ratio would only be able to be achieved, if the high-performance building standards are met. An explanation of the different rating systems is provided as follows:

BASIX

BASIX is the NSW Government planning measure building sustainability index to reduce household electricity and water use by setting minimum sustainability targets for new or renovated development. The application of BASIX is for residential purposes (such as Seniors Housing) and the parameters around how BASIX is applied is set out in the *State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004*.

NatHERS

NatHERS is the Nationwide House Energy Rating Scheme which measures a home's energy efficiency to generate a star rating with the higher the star rating, the less energy needed to heat and cool the home to keep it comfortable. NatHERS is administered by the Australian Federal Government.

NABERS

NABERS is a rating system which provides sustainability ratings for non-residential buildings. It is intended that buildings or parts of buildings which aren't covered by BASIX or NatHERS would instead be covered by the NABERS targets set for any future development.

The proposed targets for each of the abovementioned rating systems is provided in the Example Site Specific Provision in Appendix 2.

Site Specific DCP

To ensure that the built form is appropriately modulated, a Site Specific DCP is proposed to apply to the site. The Site Specific DCP will be based upon the Opportunities (2005 CMP) and Policies (2017 CMP) outlined in the CMPs, and as an example will provide additional guidance on:

- Built form controls including
 - Maximum storeys
 - Minimum setbacks
- Heritage significance of the site
 - Identification of significant fabric and spaces
 - Policies/principles for redevelopment
 - Suggestions for heritage interpretation across the site
- Access to open spaces
 - Desired through site links
 - Provisions on the design of private open space vs. publicly accessible open space
 - Provisions for the management of the site with regards to safety and maintenance
- Landscape and Biodiversity
 - Provisions for plantings including mature trees
 - Provisions for retention of Habitat Corridor
- Traffic
 - access points
- High-performance campus
 - Water collection and recycling on site
 - Energy and water efficiency
 - Waste collection
 - Energy generation

SECTION B – RELATIONSHIP TO STRATEGIC PLANNING FRAMEWORK

3.3 Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Greater Sydney Region Plan and exhibited draft strategies)?

3.3.1 A Metropolis of Three Cities

A Metropolis of Three Cities – the Greater Sydney Region Plan (Region Plan) prepared by the Greater Sydney Commission is a high-level strategy applicable to the proposal. The Region Plan sets forward a vision for Greater Sydney of three ‘Cities’, of which Waverley falls into the ‘Eastern Harbour City’. Each city has goals related to Infrastructure and Collaboration, Liveability, Productivity and Sustainability, as well as Ten Directions that relate to the whole of the Greater Sydney Region. The Planning Proposal is consistent with the Ten Directions from the Region Plan.

3.3.2 Eastern City District Plan

The *Eastern City District Plan* (District Plan), also prepared by the Greater Sydney Commission, provides actions and strategies to implement the Aims and Objectives of the Region Plan. The District Plan is applicable to the proposal. The actions specific to this proposal are outlined in Table 14.

Relevant Item	Discussion
Direction: Infrastructure supporting new developments	
Planning Priority E1: Planning for a city supported by infrastructure	
Objective 1 – Infrastructure supports the three cities Objective 2 – Infrastructure aligns with forecast growth Objective 3 – Infrastructure adapts to meet future needs Objective 4 – Infrastructure use is optimised	
1. Prioritise infrastructure investments to support the vision of A Metropolis of Three Cities.	The redevelopment of the site will complement the overall masterplan for this site and the surrounding site - the War Memorial Hospital Campus Site (subject to a separate finalised planning proposal). The overall vision for both sites seeks to ensure the continuation and expansion of a vital piece of social infrastructure to continue to service the local population as it grows.
3. Align forecast growth with infrastructure.	The redevelopment of site, together with the War Memorial Hospital Campus Site will ensure the continuation and expansion of a vital piece of social infrastructure to continue to service the local population as it grows.
4. Sequence infrastructure provision using a place-based approach.	A Master Plan has been submitted to inform the Planning Proposal, and a site specific DCP is has been prepared to ensure a place-based approach to the design of the site. These items will assist in the redevelopment of the subject site and the retention of social infrastructure on the War Memorial Hospital Campus Site.
5. Consider the adaptability of infrastructure and its potential shared use when preparing infrastructure strategies and plans.	The surrounding War Memorial Hospital Campus Site has significant heritage and environmental value. The overall vision for the redevelopment of both sites will enable greater access to the public to the significant heritage and environmental values located on the surrounding site. This is proposed to be managed through site specific clauses to apply to the LEP, and through a Site Specific DCP.
6. Maximise the utility of existing infrastructure assets, and consider strategies to influence behaviour changes, to reduce the demand for new infrastructure, including supporting the development of adaptive and	The existing infrastructure asset on the surrounding War Memorial Hospital Campus Site is proposed to be expanded to service a larger portion of the community.

flexible regulations to allow decentralised utilities.	The redevelopment of the subject site seeks to complement this expansion, by providing seniors and affordable housing, alongside the health infrastructure present on the surrounding site.
Direction: Working together to grow a Greater Sydney	
Planning Priority E2: Working through collaboration	
Direction: Celebrating diversity and putting people at the heart of planning	
Planning Priority E3: Providing Services and social infrastructure to meet peoples changing needs	
Objective 6 - Services and infrastructure meet communities' changing needs.	
8. Deliver social infrastructure that reflects the needs of the community now and in the future.	When considered in the context of the surrounding site, the redevelopment of the both sites will ensure the continuation and expansion of a vital piece of social infrastructure to continue to service the local population as it grows.
9. Optimise the use of available public land for social infrastructure.	<p>The War Memorial Hospital Campus Site has significant heritage and environmental value, which through a redevelopment process would be able to be opened to the public and shared.</p> <p>The overall vision for the redevelopment of both sites, will enable greater access to the public to the significant heritage and environmental values located on the surrounding site.</p> <p>This is proposed to be managed through site specific clauses to apply to the LEP, and further detail to be provided through a Site Specific DCP.</p>
Planning Priority E4: Fostering healthy, creative, culturally rich and socially connected communities	
Objective 7 - Communities are healthy, resilient and socially connected.	
Objective 8 - Greater Sydney's communities are culturally rich with diverse neighbourhoods.	
Objective 9 - Greater Sydney celebrates the arts and supports creative industries and innovation.	
<p>10. Deliver healthy, safe and inclusive places for people of all ages and abilities that support active, resilient and socially connected communities by:</p> <ol style="list-style-type: none"> a. providing walkable places at a human scale with active street life b. prioritising opportunities for people to walk, cycle and use public transport c. co-locating schools, health, aged care, sporting and cultural facilities d. promoting local access to healthy fresh food and supporting local fresh food production. 	<p>The redevelopment of the site promotes increased residential density for seniors living.</p> <p>The site is ideally located near Bondi Junction and is easily serviced by public transport and offers residents and visitors alike the opportunity to walk to/from nearby destinations and increase active street life both on the surrounding streets and within the site itself.</p> <p>The site is surrounded by health and aged care facilities, schools and cultural facilities.</p>
11. Incorporate cultural and linguistic diversity in strategic planning and engagement.	The surrounding War Memorial Hospital Campus Site currently provides care for the elderly and their families, serving an important role in the community. The proposal aims to ensure that diversity in age groups continues to be serviced through the provision of seniors housing on the subject site

<p>15. Strengthen social connections within and between communities through better understanding of the nature of social networks and supporting infrastructure in local places.</p>	<p>The Planning Proposal, when considered together with the finalised War Memorial Hospital Campus Site Planning Proposal, aims to continue and grow the provision of a vital piece of social infrastructure in the Eastern Suburbs, not only through the health and aged care uses, but also by opening the site up to the public to share the heritage significance of the site. The Master Plan demonstrates the intention to create a sense of place that will continue to foster local social networks.</p>
<p>Direction: Giving people housing choices</p>	
<p>Planning Priority E5: Providing housing supply, choice and affordability with access to jobs, services and public transport</p>	
<p>Objective 10 – Greater housing supply Objective 11 – Housing is more diverse and affordable</p>	
<p>16. Prepare local or district housing strategies that address the following:</p> <ul style="list-style-type: none"> e. the delivery of five-year housing supply targets for each local government area f. the delivery of 6-10 year (when agreed) housing supply targets for each local government area g. capacity to contribute to the longer term 20-year strategic housing target for the District h. the housing strategy requirements outlined in Objective 10 of A Metropolis of Three Cities that include: <ul style="list-style-type: none"> i. creating capacity for more housing in the right locations ii. supporting planning and delivery of growth areas and planned precincts as relevant to each local government area iii. supporting investigation of opportunities for alignment with investment in regional and district infrastructure iv. supporting the role of centres. 	<p>Waverley Council is on track to deliver the housing supply target for the five years without the redevelopment of this site.</p> <p>The planning proposal aims to increase the provision of housing for more vulnerable members of the community in the area, particularly seniors housing and affordable housing. This will help to serve the community as the population ages in place, as well as encouraging more active lifestyles and aging in place options. The development of the site as a precinct that is located nearby Bondi Junction and contains essential services on site will encourage walking and time spent outdoors in pleasant surrounds. This is key to a healthy lifestyle and for an aging population.</p>
<p>17. Prepare Affordable Rental Housing Target Schemes following development of implementation arrangements.</p>	<p>No planning agreement has been offered.</p>
<p>Direction: Designing places for people</p>	
<p>Planning Priority E6: Creating and renewing great places and local centres, and respecting the District’s heritage</p>	
<p>Objective 12 – Great places that bring people together Objective 13 – Environmental heritage is identified, conserved and enhanced</p>	
<p>18. Using a place-based and collaborative approach throughout planning, design, development and management, deliver great places by:</p> <ul style="list-style-type: none"> i. prioritising a people-friendly public realm and open spaces as a central organising design principle 	<p>Whilst the subject site does not incorporate specific public open spaces, when considered as part of the overall Masterplan with the surrounding War Memorial Hospital Campus Site, the proposal will assist in facilitating improved people-friendly public realm and open spaces. The Submission Master Plan demonstrates an intention to open the site for public use so that the public will benefit</p>

<ul style="list-style-type: none"> j. recognising and balancing the dual function of streets as places for people and movement k. providing fine grain urban form, diverse land use mix, high amenity and walkability, in and within a 10-minute walk of centres l. integrating social infrastructure to support social connections and provide a community hub m. recognising and celebrating the character of a place and its people. 	<p>from through site links, open spaces and the heritage significance of the site.</p> <p>The proposal seeks to provide high amenity being within a 10 minute walk of Bondi Junction Strategic Centre and Charing Cross Local Centre, and integrates social infrastructure in a way that supports social connections.</p> <p>This is proposed to be provided through amendments to the LEP and a Site Specific DCP.</p>
<p>19. In Collaboration Areas, Planned Precincts and planning for centres:</p> <ul style="list-style-type: none"> n. investigate opportunities for precinct-based provision of adaptable car parking and infrastructure in lieu of private provision of car parking o. ensure parking availability takes into account the level of access by public transport p. consider the capacity for places to change and evolve, and accommodate diverse activities over time q. incorporate facilities to encourage the use of car sharing, electric and hybrid vehicles including charging stations. 	<p>The site is well connected and serviced by public transport, is walkable from Bondi Junction Strategic Centre, and will be able to encourage more active modes of transport for its more mobile staff and visitors.</p> <p>The site is also within walking distance of Charing Cross Village Centre. The Site Specific DCP will provide requirements for vehicle access to, and vehicle movement around the site.</p> <p>Any parking associated with the site is proposed to be incorporated into the surrounding War Memorial Hospital Campus Site.</p>
<p>20. Identify, conserve and enhance environmental heritage by:</p> <ul style="list-style-type: none"> r. engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place s. applying adaptive re-use and interpreting heritage to foster distinctive local places t. managing and monitoring the cumulative impact of development on the heritage values and character of places. 	<p>The proposal will complement the proposed adaptive reuse of heritage located at the surrounding War Memorial Hospital Campus Site, to continue to foster a distinctive and significant local place.</p> <p>The revised development controls proposed in this Planning Proposal seek to facilitate redevelopment of the facilities on the site, while balancing the impact of the development on the surrounding heritage and environmental character.</p>
<p>21. Use place-based planning to support the role of centres as a focus for connected neighbourhoods.</p>	<p>This Planning Proposal aims to enhance the sense of place of the site as located within walking distance of two centres - Bondi Junction Strategic Centre and Charing Cross Village Centre. The aim for the site is not to compete with or undermine the provision of goods and services in these two centres, but to provide increased residential density within walking distance of the two centres.</p>
<p>Direction: Developing a more accessible and walkable city</p>	
<p>Planning Priority E10: Delivering integrated land use and transport planning and a 30 minute city</p>	
<p>Direction: Creating the conditions for a stronger economy</p>	
<p>Planning Priority E11: Growing investment, business opportunities and jobs in strategic centres</p>	

Objective 22 - Investment and business activity in centres	
<p>33. 38. Provide access to jobs, goods and services in centres by:</p> <ul style="list-style-type: none"> a. attracting significant investment and business activity in strategic centres to provide jobs growth b. diversifying the range of activities in all centres c. creating vibrant, safe places and quality public realm d. focusing on a human-scale public realm and locally accessible open space e. balancing the efficient movement of people and goods with supporting the liveability of places on the road network f. improving the walkability within and to centres g. completing and improving a safe and connected cycling network to and within centres h. improving public transport services to all strategic centres i. conserving and interpreting heritage significance j. designing parking that can be adapted to future uses k. providing for a diverse and vibrant night-time economy in a way that responds to potential negative impacts l. creating the conditions for residential development within strategic centres and within walking distance (10 minutes), but not at the expense of the attraction and growth of jobs, retailing and services; where appropriate, strategic centres should define commercial cores informed by an assessment of their need. 	<p>The proposal aims to facilitate increased social infrastructure provision and housing for more vulnerable demographics near Bondi Junction Strategic Centre and Charing Cross Village Centre.</p>
<p>41. Co-locate health, education, social and community facilities in strategic centres along the economic corridor.</p>	<p>The proposal aims complement the co-locate health and community facilities on the surrounding War Memorial Hospital Campus Site. Education and other social infrastructure is already located nearby.</p>
<p>43. Review the current planning controls and create capacity to achieve the job targets for each of the District’s strategic centres.</p>	<p>The redevelopment of the site will provide some additional jobs in the area; however, this is not the main aim of the proposal. Any jobs located on site will be easily serviced by public transport.</p>
<p>46. Strengthen Bondi Junction through approaches that:</p> <ul style="list-style-type: none"> a. protect capacity for job targets and a diverse mix of uses to strengthen and reinforce the economic role of the centre 	<p>The proposal, when considered in context with the surrounding site and the overall masterplan vision for both sites, will assist to open the surrounding site up to the public including access to high quality open space and heritage.</p>

<ul style="list-style-type: none"> b. consider potential options for future public transport connections to the south east of the District to accommodate forecast population and employment growth, and better connect the District c. expand the centre’s function and type of land uses, and knowledge-intensive jobs d. improve access from the centre of Bondi Junction to nearby open space and recreation facilities such as Queens Park, Centennial Park, Moore Park and Bondi Beach e. recognise the centre’s health attributes to support the Randwick health and education precinct and mechanisms for increasing floor space for health uses, including a health-focused business incubator f. investigate opportunities to improve and diversify night-time economy offerings g. promote place making initiatives to improve the quality of public spaces. 	
<p>Planning Priority E12: Retaining and managing industrial and urban services land</p>	
<p>Planning Priority E13: Supported growth of targeted industry sectors</p>	
<p>Direction: Valuing green spaces and landscape</p>	
<p>Planning Priority E14: Protecting and improving the health and enjoyment of Sydney Harbour and the District’s Waterways</p>	
<p>Planning Priority E15: Protecting and enhancing bushland and biodiversity</p>	
<p>Objective 27 - Biodiversity is protected, urban bushland and remnant vegetation is enhanced.</p>	
<p>62. Protect and enhance biodiversity by:</p> <ul style="list-style-type: none"> a. supporting landscape-scale biodiversity conservation and the restoration of bushland corridors b. managing urban bushland and remnant vegetation as green infrastructure c. managing urban development and urban bushland to reduce edge-effect impacts. 	<p>There is a habitat corridor through the site identified in the DCP. Any development on the site will need to demonstrate that the corridor is maintained, and where possible enhanced. This Planning Proposal also seeks to include a Minimum Deep Soil Zone across the subject site and surrounding War Memorial Hospital Campus Site specifically to ensure that there is appropriate space for the retention of mature canopy trees.</p>
<p>Planning Priority E16: Protecting and enhancing scenic and cultural landscapes</p>	
<p>Objective 28 - Scenic and cultural landscapes are protected.</p>	
<p>63. Identify and protect scenic and cultural landscapes.</p>	<p>The proposal will assist in protecting the War Memorial Hospital Campus Site to retain the significant scenic and cultural landscape heritage qualities which are present.</p>
<p>64. Enhance and protect views of scenic and cultural landscapes from the public realm.</p>	<p>The Submission Master Plan demonstrates the intention to open up and improve views to the heritage listed buildings on the site from the public realm. This will be supported through the site-specific control of Deep Soil Zones, as well as the Site Specific DCP.</p>
<p>Planning Priority E17: Increasing urban tree canopy cover and delivering Green Grid connections</p>	
<p>Objective 30 - Urban tree canopy cover is increased.</p>	
<p>Objective 32 - The Green Grid links parks, open spaces, bushland and walking and cycling paths.</p>	

<p>66. Progressively refine the detailed design and delivery of:</p> <ul style="list-style-type: none"> d. Greater Sydney Green Grid priority corridors and projects important to the District e. opportunities for connections that form the long-term vision of the network f. walking and cycling links for transport as well as leisure and recreational trips. 	<p>The site provides opportunities to grow new connections for the Green Grid and connections for walking.</p>
<p>Planning Priority E18: Delivering high quality open space</p>	
<p>Objective 31 - Public open space is accessible, protected and enhanced.</p>	
<p>67. Maximise the use of existing open space and protect, enhance and expand public open space by:</p> <ul style="list-style-type: none"> g. providing opportunities to expand a network of diverse, accessible, high quality open spaces that respond to the needs and values of communities as populations grow. h. investigating opportunities to provide new open space so that all residential areas are within 400 metres of open space and all high density residential areas (over 60 dwellings per hectare) are within 200 metres of open space. i. requiring large urban renewal initiatives to demonstrate how the quantity of, or access to, high quality and diverse local open space is maintained or improved. j. planning new neighbourhoods with a sufficient quantity and quality of new open space. k. delivering shared and co-located sports and recreational facilities including shared school grounds and repurposed golf courses. l. delivering or complementing the Greater Sydney Green Grid m. providing walking and cycling links for transport as well as leisure and recreational trips. 	<p>The Submission Master Plan indicates an intention to open improve the connections for habitat corridors, green infrastructure as well as open space across both the subject site and the War Memorial Hospital Campus Site. This space currently exists on the War Memorial Hospital Campus Site, however the intention to make it more publicly accessible is greatly supported by Waverley Council.</p>
<p>Direction: Using resources wisely</p>	
<p>Planning Priority E19: Reducing carbon emissions and managing energy, water and waste efficiently</p>	
<p>Objective 33 - A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change.</p>	
<p>Objective 34 - Energy and water flows are captured, used and re-used.</p>	
<p>Objective 35 - More waste is re-used and recycled to support the development of a circular economy.</p>	
<p>68. Support initiatives that contribute to the aspirational objective of achieving net-zero emissions by 2050, especially through the establishment of low-carbon precincts in Planned Precincts, Collaboration Areas, State</p>	<p>This Planning Proposal seeks to align with and where possible implement the Waverley Local Strategic Planning Statement, which includes the Principles for Change section. One of the Principles for Change is that where an increase in floorspace is sought through a Planning Proposal, any future development will be required to</p>

Significant Precincts and Urban Transformation projects.	achieve a high level of building performance via an appropriate accreditation program.
69. Support precinct-based initiatives to increase renewable energy generation, and energy and water efficiency, especially in Planned Precincts, Collaboration Areas, State Significant Precincts and Urban Transformation Projects.	As above.
Direction: Adapting to a changing world	
Planning Priority E20: Adapting to the impacts and natural hazards and climate change	
Objective 36 - People and places adapt to climate change and future shocks and stresses.	
Objective 37 - Exposure to natural and urban hazards is reduced.	
Objective 38 - Heatwaves and extreme heat are managed.	
76. Mitigate the urban heat island effect and reduce vulnerability to extreme heat.	To ensure that sufficient mature canopy is retained, this Planning Proposal identifies a minimum Deep Soil Zone area. Where possible additional mature tree planting will be encouraged, as well as soft surfaces to reduce the urban heat island effect, and direct breezes through the site. This is important particularly as the site will be home to predominantly seniors who are more vulnerable to changes in temperature.

3.4 Is the planning proposal consistent with a council’s local strategy or other local strategic plan?

3.4.1 Waverley Local Strategic Planning Statement (March 2020)

Table 5 – Waverley Local Strategic Planning Statement Relevant Actions	
Relevant Item	Discussion
Direction: A collaborative city	
This direction is supported through each of the Planning Priorities.	
Direction: A city supported by infrastructure	
Planning Priority 1: Deliver public and active transport projects to achieve the 30-minute city	
5. Work with the NSW Government to implement the transport hierarchy from Waverley’s People, Movement and Places to prioritise pedestrians and cyclists followed by public transport, and have regard to the Place and Movement framework prepared by TfNSW	The Site Specific DCP will encourage walkability and prioritise pedestrians within and around the site.
7. Ensure any changes to development controls are aligned to and delivered with NSW Government transport plans and projects	There are no relevant State-led projects to be delivered in this area.
8. Encourage more people in the community to travel by active transport, and promote new and flexible ways of working to improve the performance of the transport and road network	The Site Specific DCP will encourage walkability and prioritise pedestrians within and around the site.
9. Improve walkability throughout Waverley with a 'walking strategy' that identifies key walking routes with greater amenity, and prioritise public domain upgrades and canopy tree planting to these routes	Canopy tree planting and public domain improvements will be outlined in the Site Specific DCP.
12. Review infrastructure contributions and other funding mechanisms to ensure that development contributes to the funding of new and upgraded critical infrastructure including stormwater, sewage treatment, and the undergrounding of powerlines	N/A
Planning Priority 3: Digitally manage infrastructure to ensure it is efficient, fit for purpose, and well maintained	
3. Improve Council’s waste services with a waste management system that integrates public, private and illegal waste, and optimises waste collection	The Site Specific DCP will provide additional waste controls for the site.
Planning Priority 4: Ensure the community is well serviced by crucial social and cultural infrastructure	
4. Review and strengthen existing planning controls in the WLEP to continue to provide crucial social and cultural infrastructure for the area	This Planning Proposal seeks complement the retention of the crucial social infrastructure that is currently provided by the surrounding War Memorial Hospital Campus Site.
5. Identify opportunities to adapt and share infrastructure between public and private owners through a joint Memorandum of Understanding	The site and surrounding War Memorial Campus Site offer an opportunity to share open space as well as other social infrastructure such as community facilities and the like. This may form part of a Voluntary Planning Agreement in the future.
6. Review planning controls to encourage co-location of health, education, social and community facilities both in Bondi Junction, and along strategic corridors	The surrounding War Memorial Campus Site already offers the co-location of health and social infrastructure together on the site, near Bondi Junction.
8. Investigate and implement planning mechanisms to identify and protect crucial cultural and social infrastructure for the community	This Planning Proposal seeks to complement the protection of the crucial social infrastructure that is currently provided by the surrounding War Memorial Hospital Campus Site.

Direction: A city for people	
Planning Priority 5: Increase the sense of wellbeing in our urban environment	
1. Review planning controls to increase vegetation and canopy trees in new developments and public places	This Planning Proposal aims complement the protection and growth of the canopy across the subject site and War Memorial Hospital Campus Site, through a Minimum Deep Soil Zone as well as additional Site Specific DCP controls.
2. Implement opportunities to connect people to nature in the Open Space and Recreation Plan	This Planning Proposal aims to ensure key open spaces across the subject site and War Memorial Hospital Campus Site are provided through a Deep Soil Zone provision, and Site Specific DCP to provide greater access to open space and nature in the dense suburb of Waverley.
3. Identify and implement opportunities to improve walking and cycling connections to open spaces and popular destinations via the cycling and pedestrian network and the Green Grid	Similar to the Habitat Corridor identified in the DCP, this may also be identified as a Green Grid connection to improve pedestrian connectivity across the site.
4. Identify accessibility issues and improve accessibility to open spaces and recreation facilities, and upgrade play equipment to ensure all play equipment is universally accessible	This Planning Proposal aims to help facilitate the opening of the private open spaces on the War Memorial Hospital Campus Site to the public through a Deep Soil Provision to provide greater access to open space and nature in the dense suburb of Waverley.
5. Review planning controls and processes to increase public art in new developments and public places	The requirement to provide public artwork will apply to this site under the Site Specific DCP.
Direction: Housing the city	
Planning Priority 6: Facilitate a range of housing opportunities in the right places to support and retain a diverse community	
1. Prepare and implement a Local Housing Strategy that: <ul style="list-style-type: none"> • Sets a 6-10 year and 20 year housing target; • Includes a review of the demand for seniors housing; • Investigates demand for student and worker housing to support the Randwick Health and Education Precinct, and other local needs. 	<p>The Waverley Local Housing Strategy was adopted by Council in June 2020 and then approved by the DPIE with conditions in July 2021.</p> <p>Waverley Council’s Waverley Local Housing Strategy 2020-2036 identifies that planning for seniors housing is an important consideration as the demand for aged care continues to grow.</p> <p>The population in Waverley aged over 65 years is projected to increase by 38% by 2036 to around 8,800 residents. This represents 11% of the projected population. With this increase, the need for additional community health and aged care services and seniors’ residential facilities in the LGA is likely to increase.</p> <p>This Planning Proposal addresses the need for seniors housing in the Waverley area as seniors housing is a permitted use.</p>
2. To increase the avenues to deliver affordable housing: <ul style="list-style-type: none"> • Work with Woollahra and Randwick Councils to prepare a regional approach to affordable housing; 	This Planning Proposal seeks to deliver 10% or 404sqm (whichever is greater) of the dwellings on site as affordable. The basis of the provision is that the Alternative Height of Buildings and Alternative Floor Space Ratio controls are only

<ul style="list-style-type: none"> • Involve community housing providers in the preparation of the Affordable Housing Strategy; • Investigate opportunities to form partnerships to increase housing for very low to medium income groups; • Prepare and implement the Affordable Housing Strategy; • Review planning controls to support the delivery of affordable housing 	<p>available, if this affordable housing is delivered as part of any redevelopment of the site.</p>
<p>4. Review planning controls to provide for diverse types of housing, and work with NSW Government to improve character considerations in the Codes SEPP</p>	<p>This Planning Proposal increases the development capacity on site with the ability to provide seniors housing.</p>
<p>Direction: A city of great places</p>	
<p>Planning Priority 7: Recognise and celebrate Waverley’s unique place in the Australian contemporary cultural landscape</p>	
<p>5. Identify and protect views of scenic and cultural landscapes from the public realm through Council’s LEP and DCP</p>	<p>This will be reviewed as part of the Site Specific DCP, to appropriately protect views from the public domain of the scenic and cultural landscape of the site.</p> <p>In addition, the scenic and cultural landscape view from Centennial Park looking east over the hills of Waverley is to be protected by capping the maximum height limit and number of storeys permissible.</p>
<p>8. Develop strategies and programs that celebrate and share the local heritage and cultural stories of the Waverley area</p>	<p>This Planning Proposal aims to assist in the facilitation of the opening up of the heritage of the War Memorial Hospital Campus Site through the Site Specific DCP which will serve to provide greater detail around the heritage values of the site.</p>
<p>Planning Priority 8: Connect people to inspiring and vibrant places, and provide easy access to shops, services, and public transport</p>	
<p>5. Review and expand Council’s development controls, policies and guidelines to increase the application and understanding of Design Excellence, and to encourage innovation and creativity in development</p>	<p>This Planning Proposal seeks to increase the application of design excellence to the site by including the site on the Key Sites Map and applying Clause 6.9.</p>
<p>6. Review and implement opportunities to facilitate community-led place activations and public art</p>	<p>This may form part of a Voluntary Planning Agreement.</p>
<p>13. Implement the Disability Inclusion Action Plan</p>	<p>As the site will be home to predominantly seniors, accessibility and adaptability of the buildings and spaces on the site will be of crucial importance. Where appropriate, additional controls will be outlined in the Site Specific DCP.</p>
<p>Direction: A well connected city</p>	
<p>Planning Priority 9: Support and grow Waverley’s local economy with a focus on wellbeing, knowledge and innovation</p>	
<p>1. Retain shops and services in Bondi Junction and Village Centres</p>	<p>This Planning Proposal does not seek to challenge or undermine the success of the Charing Cross Village Centre of Bondi Junction Strategic Centre by ensuring that any goods or services provided on site are only ancillary to the primary use of the site for health services facilities or seniors housing.</p>
<p>Direction: A city in its landscape</p>	

Planning Priority 12: Conserve our water resources and protect our coasts and beaches	
6. Increase permeability both in the public and private domains through LEP and DCP amendments, and public domain improvements	The Site Specific DCP will ensure adequate deep soil and permeability is provided on this site.
10. Update Council’s LEP and DCP to mandate the collection and use of rainwater and recycled water in development across the LGA	The Site Specific DCP will encourage the use of recycled water on site.
11. Maintain, improve and create new habitats for iconic species identified in key catchments and waterways	The DCP identifies a habitat corridor running through the site that will be required to be maintained.
13. Identify opportunities to reduce stormwater runoff by implementing WSUD on public and private land	The Site Specific DCP will look at additional WSUD opportunities on the site.
Planning Priority 13: Protect and grow our areas of biodiversity and connect people to nature	
3. Review Council’s development controls to identify canopy as a crucial element of the LGA’s character	This Planning Proposal aims to support this Action by capping the maximum permissible height at 6 storeys to minimise the disruption to the canopy as seen particularly from Centennial Park.
4. Identify threatened habitats on private property and work with land owners to develop a Plan of Management to protect and support these habitats and the species that live in them	The site does not comprise identified threatened species or habitats, however the Habitat Corridor is to be maintained through the DCP.
5. Identify and deliver the Green Grid and opportunities for green infrastructure projects such as increased tree planting and increased coastal bushland areas to improve opportunities for people to connect with nature and to improve amenity	This site provides a key opportunity to connect not only the Habitat Corridor but also to create a new Green Grid connection through the site to encourage walkability in the local area.
8. Identify and implement projects to restore and improve urban habitat and connectivity	This site provides a key opportunity to enhance the Habitat Corridor.
Direction: An efficient city	
Planning Priority 14: Achieve net zero carbon emissions in the built environment	
1. Advocate for increased BASIX targets for residential developments to achieve Council's ambitious environmental targets	This site should achieve additional high performance measures to satisfy the Principles for Change outlined in the LSPS.
3. Implement a development pathway to promote, deliver and monitor sustainable housing that: <ul style="list-style-type: none"> • provides planning support to drive innovation in performance and improved environmental outcomes in developments • encourages passive design to minimise energy consumption • encourages on-site generation of renewable energy • encourages the use of recycled and low-embodied carbon materials • measures the uptake of sustainable housing • implements compliance processes to ensure that all buildings are delivering required and aspirational environmental outcomes • investigates a contribution to fund off-site renewable energy • investigates density bonuses related to high performance buildings 	The Site Specific DCP will aim to address a number of these issues, as well as this Planning Proposal updating the LEP to require high performance measures.

<ul style="list-style-type: none"> • promotes the uptake of sustainable housing through open days, awards and other methods of recognition • provides a community education program to accelerate behaviour change and retrofits to reduce energy and resource consumption 	
<p>6. Amend the LEP and DCP to ensure new development is ‘future ready’ by providing the ability to adapt to existing and emerging technologies for building efficiency such as requiring dual piping for recycled water, connections for solar panels, and rooftop gardens</p>	<p>This will be a separate process, however it will be encouraged that this site, given the quantum of development, is required to be ‘future ready’.</p>
<p>Planning Priority 15: Achieve zero waste in the built environment</p>	
<p>2. Review opportunities for shared waste facilities and shared commercial waste contracts in precincts and centres to better manage amenity and traffic issues</p>	<p>Site Specific DCP will provide additional provisions for waste storage and collection.</p>
<p>Direction: A resilient city</p>	
<p>Planning Priority 16: Plan for and manage our assets and urban environment, and support our community to adapt and be resilient to a changing climate</p>	
<p>1. Prepare and implement an Urban Greening and Canopy Strategy to:</p> <ul style="list-style-type: none"> • implement stronger controls and mechanisms to protect and increase canopy, to reduce the Urban Heat Island effect • protect and increase the quantity and diversity of trees and plants in the public and private domain, to ensure that the tree canopy continues to be a dominant feature of the area and that species are resilient to projected changes in climate • identify opportunities to increase green walls and roofs on public and private land • identify opportunities for bio retention systems along Green Grid, biodiversity and habitat corridors • identify and secure future funding sources to increase planting and green infrastructure • identify opportunities for retention of water and water bodies in the landscape to effectively irrigate open spaces and increased greenery, and to support urban cooling 	<p>This is a separate process, however this site will contribute to the mature canopy in the area when considered in the context of the overall masterplan vision for the subject site and the War Memorial Hospital Campus Site through the retention and enhancement of the tree canopy across the sites.</p>
<p>2. Involve La Perouse Local Aboriginal Land Council, and other relevant Indigenous groups, when preparing environmental plans and strategies</p>	<p>This will be part of the Gateway exhibition process.</p>
<p>7. Review development controls and pathways to ensure new buildings and alterations and additions produce adaptable and resilient buildings that minimise the urban heat island, and advocate for the NSW Government to update the complying development code</p>	<p>This will be a separate process, however this site should be able to contribute to the reduction of the urban heat island effect within the site.</p>

3.4.2 Waverley Community Strategic Plan 2018-2029

Waverley Council has prepared the *Waverley Community Strategic Plan 2018-2029* (WCSP), which was adopted in June 2018. Table 6 below outlines the strategies relevant to the proposal.

Table 6 – Applicable Directions and Strategies from the Waverley Community Strategic Plan		
Relevant Directions and Strategies from the Waverley Strategic Plan	Is the proposal consistent with the Direction or Strategy?	
Arts and Culture		
1.2 Preserve and interpret the unique cultural heritage of Waverley		
1.2.1	<i>Maintain the unique cultural value and heritage significance of key landmarks</i>	This Proposal seeks to complement the retention of the heritage item listing the Campus Site, and the reduced height and density will ensure that the heritage significance of the site is retained, and that the landmark qualities of the site are not challenged.
Arts and Culture		
3.2 Expand the network of parks and open spaces, sporting and recreational facilities		
3.2.1	<i>Improve access to private and public recreation facilities and open spaces</i>	This Proposal aims to increase public access to the open spaces available on the site, as well as the community facilities.
Planning, Development and Heritage		
5.1 Facilitate and deliver well-designed, accessible and sustainable buildings and public places that improve the liveability of existing neighbourhoods		
5.1.1	<i>Facilitate and enable a range of housing options and other land uses</i>	This Proposal aims to increase seniors and affordable housing options in the area.
5.1.2	<i>Ensure new development maintains or improves the liveability and amenity of existing neighbourhoods</i>	This Proposal aims to maintain and improve the amenity and liveability of the area.
5.1.3	<i>Ensure new development provides a high standard of design quality and does not adversely impact on the amenity of neighbours or the wider community</i>	This Proposal aims to develop the site holistically as a masterplan to ensure that a cohesive vision for the site is delivered. The height and density will minimise the impact on the amenity of neighbours. The Submission Master Plan indicates an intention to provide a development of high quality for the wider community.
5.2 Value and embrace Waverley's heritage items and places		
5.2.1	<i>Protect, respect and conserve items and places of heritage significance within Waverley</i>	This Proposal seeks to complement the retention of the heritage item listing on the Campus Site and proposes maximum height and FSR controls to respect the heritage item and not challenge the landmark qualities of the site.
Transport, Pedestrians and Parking		
6.1 Provide a wide range of transport options so people can easily travel within and beyond our local government area		
6.1.3	<i>Reduce the need to own and travel by private motor vehicle</i>	The location of the site is well connected by public transport and is within easy walking distance of Bondi Junction and Charing Cross, encouraging visitors to travel by active or public transport. The proposal also aims to increase seniors housing, which is again within easy walking distance of nearby centres, reducing the need for private motor vehicle ownership and use. By allowing aging in place, less trips need to be taken by family to travel to see relatives or to have visitors come to the site.

3.4.3 Strategic and Site-Specific Merit Test

The ‘Guide to Preparing Planning Proposals’ outlines two merit tests that the proposal should be assessed against. The proposal is consistent the Strategic Merit Test and the Site-Specific Merit Test outlined in Tables 7 and 8 below.

Table 7 - Strategic Merit Test	
a) Does the proposal have strategic merit? Is it:	
Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment; or	As demonstrated in Table 5 above, the Proposal does have strategic merit and is consistent with many of the actions of the Eastern City District Plan.
Consistent with a relevant local council strategy that has been endorsed by the Department; or	As demonstrated in Table 6, The Proposal is consistent with the <i>Waverley Local Strategic Planning Statement (March 2020)</i> .
Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.	The Proposal aims to address changing demographic trends including an aging population. This will be addressed through an increase in the capacity across the subject site and Campus Site to deliver health related services, aged care, and seniors housing.

Table 8 - Site-specific Merit Test	
b) Does the proposal have site-specific merit, having regard to the following:	
The natural environment (including known significant environmental values, resources or hazards); and	The proposed height and FSR provisions aim to balance the need to maintain and grow vital social infrastructure whilst balancing the environmental values of the site including open space, significant tree canopy, and heritage values.
The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal; and	This Proposal has site-specific merit and likely future uses of land which will seek to provide additional seniors housing to the community.
The services and infrastructure that are or will be available to meet the demands arising from the proposal; and	This Proposal aims to provide additional seniors and affordable housing to the surrounding area to continue to support the needs of the current and future population of Waverley and the Eastern Suburbs.
Any proposed financial arrangements for infrastructure provision.	This Proposal offers no financial arrangements for infrastructure provision. There are no arrangements for additional infrastructure provision in place from Council or any other government agency for the immediate area.

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

This planning proposal does not contain provisions that contradict or would hinder the application of these SEPPs:

- SEPP No 33—Hazardous and Offensive Development
- SEPP No 55—Remediation of Land
- SEPP No 64—Advertising and Signage
- SEPP No 65—Design Quality of Residential Apartment Development

- SEPP No 70—Affordable Housing (Revised Schemes)
- SEPP (Building Sustainability Index: BASIX) 2004
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP (Exempt and Complying Development Codes) 2008
- SEPP (Affordable Rental Housing) 2009

The following State Environmental Planning Policies (SEPPs) may be relevant to a future development assessment, however they do not apply to the proposal to change the WLEP2012.

- SEPP 65 – Design Quality of Residential Apartment Development
- SEPP (State and Regional Development) 2011
- SEPP (Affordable Rental Housing) 2009
- SEPP (Educational Establishments and Child Care Facilities) 2017
- SEPP (Housing for Seniors or People with a Disability) 2004
- SEPP (Infrastructure) 2007
- SEPP 55 Remediation of Land

3.5.1 SEPP 55 Remediation of Land

State Environmental Planning Policy No 55—Remediation of Land (SEPP 55) applies to the site. As per cl. 6 of SEPP 55, in preparing an environmental planning instrument that seeks to change the zoning of a site, Council is not to include in a particular zone sensitive uses such as residential or hospital uses on a site unless:

- a) the planning authority has considered whether the land is contaminated, and
- b) if the land is contaminated, the planning authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and
- c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning authority is satisfied that the land will be so remediated before the land is used for that purpose.

Note.

In order to satisfy itself as to paragraph (c), the planning authority may need to include certain provisions in the environmental planning instrument.

The Proponent has submitted information addressing the application of (SEPP 55) to the site in the *Response to Request for Additional Information* (Attachment D). The Proponent has submitted a *Environmental Site Assessment* (ESA) (Attachment I).

3.6 Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Table 20 documents the Ministerial Directions that are relevant to the proposal. Overall, the proposal is consistent with the applicable s.9.1 Directions as available on the DPIE website.

Table 9 – Relevant Ministerial Directions	
Ministerial Directions	Comment
<p>2.3 Heritage Conservation</p> <p>(1) Objectives</p> <p>(a) <i>The objective of this direction is to conserve items, areas, objects and places of environmental heritage significance and indigenous heritage significance.</i></p> <p>(4) <i>A planning proposal must contain provisions that facilitate the conservation of:</i></p> <p>(a) <i>Items, places, buildings, works, relics, moveable objects or precincts of environmental heritage significance to an area, in relation to the historical, scientific, cultural, social, archaeological, architectural, natural or aesthetic value of the item, area, object or place, identified in a study of the environmental heritage of the area,</i></p> <p>(b) <i>Aboriginal objects or Aboriginal places that are protected under the National Parks and Wildlife Act 1974, and</i></p> <p>(c) <i>Aboriginal areas, Aboriginal objects, Aboriginal places or landscapes identified by an Aboriginal heritage survey prepared by or on behalf of an Aboriginal Land Council, Aboriginal body or public authority and provided to the relevant planning authority, which identifies the area, object, place or landscape as being of heritage significance to Aboriginal culture and people.</i></p>	<p>This Proposal includes the potential for redevelopment within the curtilage of several significant heritage items and heritage trees.</p> <p>The scale of increase in height to the eastern portion of the campus site seeks to respect the heritage significance of the individual items, as well as the significance and urban character of the Botany Street Conservation Area immediately to the north of the subject and Campus Sites. It does this by proposing a maximum of four storeys (15m) to these areas.</p> <p>Potential sites of archaeological significance have been identified in the 2017 CMP.</p> <p>No known Aboriginal heritage has been ascribed to, or identified on, the site.</p> <p>The 2017 CMP is a thorough document that details the history of the site, and identifies the various components of the built and landscape fabric that should be retained to preserve the significance of the site. The Site Specific DCP will seek to incorporate and implement the policies as outlined in the 2017 CMP.</p>
<p>2.6 Remediation of Contaminated Land</p> <p>(1) <i>The objective of this direction is to reduce the risk of harm to human health and the environment by ensuring that contamination and remediation are considered by planning proposal authorities.</i></p> <p>(2) <i>This direction applies to:</i></p> <p>(a) <i>land that is within an investigation area within the meaning of the Contaminated Land Management Act 1997,</i></p> <p>(b) <i>land on which development for a purpose referred to in Table 1 to the contaminated land planning guidelines is being, or is known to have been, carried out,</i></p> <p>(c) <i>the extent to which it is proposed to carry out development on it for residential, educational, recreational or childcare purposes, or for the purposes of a hospital – land:</i></p> <p>i. <i>in relation to which there is no knowledge (or incomplete knowledge) as to whether development for a purpose referred to in Table 1 to the contaminated</i></p>	<p>An Environmental Site Assessment has been carried out and submitted to support this Proposal. It identifies potential contamination of the land which may be a potentially unacceptable risk under the proposed uses. The conclusions and recommendations of the report are provided below to satisfy clause (5) of this Direction.</p> <p>5 Conclusions and Recommendations</p> <p>Based on the findings of the investigation, and subject to the limitations in Section 6, the following conclusions were made:</p> <ul style="list-style-type: none"> • Review of site history indicates the site has only been utilised for residential purposes; • Based on an assessment of the site history, environmental setting, and limited site inspection, potentially contaminating activities were identified as shallow fill used to raise the surface levels, hazardous building material impacts to shallow soils, and garden sheds and associated limited chemical storage; and

<p style="text-align: center;"><i>land planning guidelines has been carried out, and</i></p> <p>ii. <i>on which it would have been lawful to carry out such development during any period in respect of which there is no knowledge (or incomplete knowledge).</i></p> <p><i>(3) This direction applies when a planning proposal authority prepares a planning proposal applying to land specified in paragraph (2).</i></p> <p><i>(4) A planning proposal authority must not include in a particular zone (within the meaning of the local environmental plan) any land specified in paragraph (2) if the inclusion of the land in that zone would permit a change of use of the land, unless:</i></p> <p><i>(a) the planning proposal authority has considered whether the land is contaminated, and</i></p> <p><i>(b) if the land is contaminated, the planning proposal authority is satisfied that the land is suitable in its contaminated state (or will be suitable, after remediation) for all the purposes for which land in the zone concerned is permitted to be used, and</i></p> <p><i>(c) if the land requires remediation to be made suitable for any purpose for which land in that zone is permitted to be used, the planning proposal authority is satisfied that the land will be so remediated before the land is used for that purpose. In order to satisfy itself as to paragraph (4)(c), the planning proposal authority may need to include certain provisions in the local environmental plan.</i></p> <p><i>(5) Before including any land specified in paragraph (2) in a particular zone, the planning proposal authority is to obtain and have regard to a report specifying the findings of a preliminary investigation of the land carried out in accordance with the contaminated land planning guidelines.</i></p> <p><i>Note: In this direction, contaminated land planning guidelines means guidelines under clause 3 of Schedule 6 to the Environmental Planning and Assessment Act 1979.</i></p>	<ul style="list-style-type: none"> • The assessment did not identify the potential for gross or widespread contamination on the site. <p>In the absence of gross or widespread contamination, the requirement of the DUAP (1998) Planning Guidelines are considered to have been satisfied, provided measures are in place to ensure the potential for contamination and the suitability of the land for any proposed use area assessed once detailed proposal are made.</p> <p>It is recommended that a detailed site inspection of the rear of the properties with limited and targeted soil sampling be undertaken upon submission of a DA for redevelopment of the site, to assess the suitability of the land and where required provide recommendations for management/remediation to make the land suitable.</p>
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<p>3.1 Residential Zones</p> <p><i>(1) The objectives of this direction are:</i></p> <p><i>(a) to encourage a variety and choice of housing types to provide for existing and future housing needs,</i></p> <p><i>(b) to make efficient use of existing infrastructure and services and ensure that</i></p>	<p>This Proposal aims to encourage seniors housing and some affordable housing, to contribute to the range of housing types across the LGA.</p> <p>The Proposal seeks to complement the maintenance and growth of the existing social infrastructure on the Campus Site, allow for some additional and</p>
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<p><i>new housing has appropriate access to infrastructure and services, and</i></p> <p>(c) <i>to minimise the impact of residential development on the environment and resource lands.</i></p> <p>(4) <i>A planning proposal must include provisions that encourage the provision of housing that will:</i></p> <p>(a) <i>broaden the choice of building types and locations available in the housing market, and</i></p> <p>(b) <i>make more efficient use of existing infrastructure and services, and</i></p> <p>(c) <i>reduce the consumption of land for housing and associated urban development on the urban fringe, and</i></p> <p>(d) <i>be of good design.</i></p> <p>(5) <i>A planning proposal must, in relation to land to which this direction applies:</i></p> <p>(a) <i>contain a requirement that residential development is not permitted until land is adequately serviced (or arrangements satisfactory to the council, or other appropriate authority, have been made to service it), and</i></p> <p>(b) <i>not contain provisions which will reduce the permissible residential density of land.</i></p>	<p>ancillary services, and to increase the liveability of the that site.</p> <p>The Proposal involves the redevelopment of an existing site to improve the design of the site, and provide increased accessibility to the site for the community.</p> <p>The land is adequately serviced to increase the supply of residential development, and no provisions will decrease the permissibility of residential development on the site.</p>
<p>3.4 Integrating Land Use and Transport</p> <p>(1) <i>The objective of this direction is to ensure that urban structures, building forms, land use locations, development designs, subdivision and street layouts achieve the following planning objectives:</i></p> <p>(a) <i>improving access to housing, jobs and services by walking, cycling and public transport, and</i></p> <p>(b) <i>increasing the choice of available transport and reducing dependence on cars, and</i></p> <p>(c) <i>reducing travel demand including the number of trips generated by development and the distances travelled, especially by car, and</i></p> <p>(d) <i>supporting the efficient and viable operation of public transport services, and</i></p> <p>(e) <i>providing for the efficient movement of freight.</i></p> <p>(4) <i>A planning proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</i></p> <p>(a) <i>Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</i></p> <p>(b) <i>The Right Place for Business and Services – Planning Policy (DUAP 2001).</i></p>	<p>The objective of this direction is to ensure that urban land use locations improve accessibility for active and public transport and reduce car dependence.</p> <p>The site is well-connected to public transport, being a walking distance to heavy rail at Bondi Junction Interchange and being served by frequent bus services along Bronte Road.</p> <p>The proposed zone is for an urban purpose and is located near a Strategic/District Centre.</p>

<p>6.1 Approval and Referral Requirements <i>(1) The objective of this direction is to ensure that LEP provisions encourage the efficient and appropriate assessment of development.</i></p>	<p>This Proposal aims to ensure that the amended WLEP2012 would give effect to the redevelopment of the site and the appropriate assessment of development.</p>
<p>6.3 Site Specific Provisions <i>(1) The objective of this direction is to discourage unnecessarily restrictive site-specific planning controls.</i> <i>(4) A planning proposal that will amend another environmental planning instrument in order to allow a particular development proposal to be carried out must either:</i> <i>(a) allow that land use to be carried out in the zone the land is situated on, or</i> <i>(b) rezone the site to an existing zone already applying in the environmental planning instrument that allows that land use without imposing any development standards or requirements in addition to those already contained in that zone, or</i> <i>(c) allow that land use on the relevant land without imposing any development standards or requirements in addition to those already contained in the principal environmental planning instrument being amended.</i> <i>(5) A planning proposal must not contain or refer to drawings that show details of the development proposal.</i></p>	<p>The redevelopment of this site presents an unusual opportunity to protect the outstanding heritage and environmental significance of the Campus Site while also ensuring that the health facility and seniors housing focus of both sites is maintained. Site-specific planning controls are proposed to ensure that important elements of the Campus Site are protected and to create an appropriate response to the surrounding area.</p> <p>This Proposal also creates a new site-specific provision for deep soil and high-performance buildings. These controls currently exist within the WLEP2012 as a result of the Campus Site Planning Proposal, and they are also proposed to be included in the WLEP2012 via future updates to the WLEP in accordance with key actions of the Waverley Local Strategic Planning Statement as follows.</p> <p>The Minimum Deep Soil provision seeks to increase permeability of the urban landscape and ensure that there is sufficient deep soil for maintaining existing canopy and growing new canopy. Relevant Actions:</p> <p><i>5.1. Review planning controls to increase vegetation and canopy trees in new developments and public places</i></p> <p><i>12.6. Increase permeability both in the public and private domains through LEP and DCP amendments, and public domain improvements</i></p> <p><i>12.11. Maintain, improve and create new habitats for iconic species identified in key catchments and waterways</i></p> <p><i>12.13. Identify opportunities to reduce stormwater runoff by implementing WSUD on public and private land</i></p> <p>The High Performance Buildings provision seeks to incentivise the provision of water and energy efficient buildings through the provision of additional floor space and height. Relevant Actions:</p> <p><i>14. 3. Implement a development pathway to promote, deliver and monitor sustainable housing that investigates density bonuses related to high performance buildings</i></p> <p>Accordingly, these provisions are intended to be included in the WLPE2012 via future updates to the WLEP to apply more broadly across the LGA.</p>

SECTION C – ENVIRONMENTAL, SOCIAL AND ECONOMIC IMPACT

3.7 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 contains an important Habitat Corridor as identified in the DCP that must be maintained through any redevelopment of the site (as shown in the 'Description of site' section). The corridor is to be protected and enhanced through additional controls in the Site Specific DCP, Deep Soil Zones as proposed to be included in the LEP, as well as other mechanisms such as Tree Protection Orders and identifying trees on the Significant Tree Register. Given the size of the site, the habitat corridor can be maintained and enhanced.

The site contains no critical habitat or threatened species; however, the habitat corridor is likely to provide habitat for important populations and accordingly should be not only protected but enhanced through any redevelopment of the site.

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

3.8.1 Heritage

The inclusion of the Birrell Street sites in the overall master planning for both the Birrell Street sites and War Memorial Hospital Campus Site will aid in protecting the significant heritage contained on the Campus Site. For a more detail on the management and considerations toward the heritage aspects of both sites, please refer to the Campus Site Planning Proposal **PP_2019_WAVER_003_00** as well as Attachment E, F and G.

3.8.2 Drainage

The increase in impervious surfaces across the site through larger buildings and increased paved areas will likely create increased runoff into the storm water system. At Development Application stage, a strategy for the site should be prepared that ensures the retention of water on site during a heavy storm event, and that water collection and reuse on the site is implemented.

3.8.3 Traffic and Parking

The Proponent has provided a *Traffic/Transport Impact Assessment* (TIA) (Attachment J) which addresses transport and traffic impacts at both the subject site and the Campus Site.

The report outlines a worst-case scenario for the traffic generated by a maximum amount of carparking being provided in a future development. The report concludes that the proposal 'creates only a small increase in overall average delays for the intersections surrounding the site', however that the main intersection at Charing Cross is increased to 'unsatisfactory requiring additional capacity' with a Level of Service F in the morning peak, and is impacted to 'capacity' with a Level of Service E in the afternoon peak.

Traffic movements to and from the site should be minimised due to the site's proximity to Bondi Junction Interchange (800m) with train services and 29 bus routes, and within 400m of 10 bus stops servicing a variety of local and regional bus routes. Given the site is well serviced by public transport, and is well located within walking distance of Bondi Junction Strategic Centre and the Charing Cross Local Centre, the site lends itself to prioritise active and public transport for residents and staff visiting the site. A Green Travel Plan that details how the Proponent will encourage and manage active and public transport will be required as part of any future development application for the site.

The TIA also notes that:

- Aged care facilities are a relatively low generator of traffic during the commuter and school peak periods, particularly when account is taken of the synergy between the proposed residential components and the medical and retail aspects of the site.
- Whilst any future development will be subject to separate development application assessments, the traffic demands relating to the proposed change to controls are moderate, with the largest increase in average intersection delay being recorded as just 15 seconds.

Due to the immediate proximity of four schools adjacent to the site, there is concern that any additional traffic movements will likely impact on pedestrian safety and amenity for school children and parents. These impacts are to be managed through provisions to be provided in the Site Specific DCP.

There is in-principle support for any car parking to be placed underground rather than at grade or above ground. The basement car parks where possible should be linked to reduce the need for several entrances to the street. However, this would need to be completed with consideration to the impact on the roots of heritage trees and deep soil zones.

Bronte Road is a major bus route for services into and out of the Bondi Junction interchange, with the road being one travel lane in each direction and one parking lane in each direction with parking in high demand. Having regard to the high traffic volumes on Bronte Road there should be no vehicular access to or from Bronte Road. Vehicular access to or from Bronte Road with the resultant increase in vehicular movements has the potential to increase traffic delays for Bronte Road traffic; increase the potential for rear end crashes; result in an additional on street parking spaces having to be removed to improve driver sightlines. Vehicular access points on Bronte Road near the traffic lights are generally not supported due to the impact upon the intersection. Appropriate vehicle entry/exit points will be detailed in the Site Specific DCP.

With regards to potential childcare uses on the Campus Site, the traffic impacts may be a concern depending on the scale of the centre. The dropping off and picking up of children would need careful consideration. Appropriate provisions are proposed in the Site Specific DCP.

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

3.9.1 Social

This Proposal addresses the changing demographic of the surrounding community in that the population forecasts predict an aging population, with an increase of 38% of Waverley residents over the age of 65 years by 2036.¹

The increase in social infrastructure provision on the Campus Site to address this issue is facilitated through the finalised War Memorial Hospital Campus Site planning proposal. This allows residents to be able to age in place, in a community that they are familiar with, which has been shown to greatly increase the quality of life into older age.

The retention and expansion of the following existing community and health services on the Campus Site is also facilitated:

- War Memorial Hospital
- An aged day centre, including dementia care and allied health services
- Seniors Gym
- Men's Shed

¹ NSW Department of Planning & Environment, 2016, *New South Wales State and Local Government Area Population and Household Projections, and Implied Dwelling Requirements*.

3.9.2 Economic

There are no obvious economic effects as a result of the development.

3.10 Is there adequate public infrastructure for the planning proposal?

The proposal is well located near a range of services and is well serviced via public transport, being a short walk from the Bondi Junction Transport Interchange. As such no increases in public transport infrastructure are proposed to support the Proposal. Additional upgrades with regards to water and power may be required.

Given the scale of the site and the redevelopment, an energy and water efficiency and conservation plan may be requested as part of a Development Application to ensure power consumption is minimised and to investigate power generation options for the site.

3.11 What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

The Gateway determination specifies the level of public consultation that must be undertaken in relation to the Proposal.

PART 4 – MAPPING

See Attachment B for Proposed Mapping.

PART 5 – COMMUNITY CONSULTATION

Public exhibition is will include a newspaper advertisement, a display on the Council’s website and written notification to neighbouring landowners and State agencies. Pursuant to section 10.18 of the Environmental Planning & Assessment Act 1979, exhibition documents are no longer required to be made available at a physical location during the COVID-19 pandemic. Council is now able to exhibit the planning proposal and associated documents on Council’s website or the NSW Planning Portal, in lieu of displaying them in Council’s Library and Customer Service Centre.

The Gateway Determination specifies that public exhibition is required under 3.34(2)(c) and schedule 1 clause 4 of the Act for a minimum of 28 days. The Responsible Planning Authority must consider any submissions made concerning the proposed instrument and the report of any public hearing.

PART 6 – PROJECT TIMELINE

The following indicative project timeline will assist with tracking the progress of this Planning Proposal through its various stages of consultation and approval. It is estimated that this amendment to WLEP will be completed by September 2021.

The detail around the project timeline is expected to be prepared following the referral to DPIE for a Gateway Determination.

Tasks	Timeframe
Gateway Determination	May-September 2021
Community Consultation	November-December 2021
Post Exhibition Review	December-January 2021
Update Planning Proposal / Report to Council	February-March 2021
DPIE review of final Planning Proposal	March-April 2021
Parliamentary Counsel drafting of LEP	May 2021
DPIE to finalise LEP	May-June 2021

APPENDIX 1 – HISTORY OF THE PLANNING PROPOSAL

The following table provides an overview of the history of the Planning Proposals for both the War Memorial Hospital Campus Site, as well as the Birrell Street Site.

<i>Planning Proposal Key Dates</i>	
Date	Matter
4 July 2017	Proponent's request to prepare a planning proposal (Campus site) – the Submission – is lodged with Council
17 August 2017	Council request for additional information
8 September 2017	Initial meeting with Council Planners and Proponent
19 January 2018	Response to request for additional information submitted to Council
14 February 2018	Second meeting with Council Planners and Proponent
25 May 2018	Second response (amended Submission) to request for additional information submitted to Council
24 September 2018	Reported to Local Planning Panel meeting for
12 October 2018	Third meeting with Council Planners and Proponent
5 November 2018	Third response (amended Submission) submitted to Council
5 March 2019	Reported to March Strategic Planning and Development Committee
22 March 2019	Proponent lodges request for Rezoning Review
7 May 2019	This Proposal is reported to May Strategic Planning and Development Committee
8 May 2019	Council submits this Proposal to the DPIE
18 October 2019	Rezoning Review determined by the State Panel. Not supported to proceed to Gateway determination
5 December 2019	DPIE request for additional information
20 April 2020	Response to RFI from Proponent received
8 July 2020	Conditional Gateway Determination
18 August 2020	Birrell St site Planning Proposal submission lodged with Council
8 October 2020	Birrel St Sites Planning Proposal reported to Waverley Local Planning Panel
3 November 2020	Birrel St Sites Planning Proposal reported to November Strategic Planning and Development Committee
15 February 2021	Revised Masterplan provided by Proponent
2 March 2021	Site Specific DCP endorsed by Strategic Planning and Development Committee
20 May – 4 July 2021	Public Exhibition of Campus Site Planning Proposal and Site Specific DCP
17 August 2021	Campus Site Planning Proposal reported to Council and endorsed.
20 September 2021	Gateway Determination received for Birrell St Sites Planning Proposal
29 October 2021	Campus Site Planning Proposal finalised as Amendment No.22 in the WLEP.

The Submission has evolved over time as a result of the assessment process. Each stage is discussed and a graphic layout of the Submission is provided below.

[4 July 2017 - Planning Proposal lodged with Council](#)

The initial Planning Proposal was lodged to amend the WLEP2012 as follows:

- Change the zoning from SP2 Health Services Facility to R3 Medium Density Residential.
- Add Additional Permitted Uses applying to the site to include business premises, food and drink premises, function centre, retail premises, and tourist and visitor accommodation.
- Increase the maximum permissible height from 9.5m and 12.5m to 15m, 21m, and 28m.
- Increase the maximum permissible floor space ratio (FSR) from 0.6:1 and 0.9:1 to 1.5:1.

As part of the proposal, the proponent engaged consultants to prepare the following reports:

- Planning Proposal Justification Report, Ethos Urban (Previously JBA)
- Uniting Waverley Master Plan, COX

- Communication and Engagement Report, KJA
- Heritage Conservation Management Plan, Hector Abrahams and Associates
- Landscape Master Plan, Taylor Brammer
- Heritage Impact Statement, Hector Abrahams and Associates
- Traffic and Transport Assessment, Traffix
- Civil Services and Infrastructure Statement, Wood & Grieve Engineers
- Site Contamination Assessment, JBS Environmental
- Arborist Report, Taylor Brammer
- Peer Review and Photomontage Certification, Richard Lamb & Associates

Council officers requested additional information in August 2017 and met with the proponents in September 2017 to discuss the preliminary feedback for the proposal.

In January 2018, the proponent submitted the additional information that had been requested, and met with Council officers in February. The feedback of Council officers was that the heights and FSR were not supported to the extent proposed, and that the rezoning of the site to R3 Medium Density Residential was not going to serve the primary purpose of the site. Council officers provided the following feedback:

- For the proponent to acquire the remaining sites along Birrell Street, and for the Planning Proposal to apply to the entire site if appropriate.
- Retain the existing zoning of part SP2 Health Services Facility and part R3 Medium Density Residential.
- Add required Additional Permitted Uses that are secondary to the use of the site as a Health Services Facility.
- Reduce the maximum permissible height to the frontages of the site to 12.5m, and to reduce the overall maximum of the site to 20m within the centre of the site. This was based on a cross-section of Bronte Road that was taken between Ebley St and Birrell St, not between Birrell St and Church St.
- Reduce the maximum permissible FSR from 1.5:1 to 1.2:1.

[25 May 2018 - Amended Planning Proposal lodged with Council](#)

A modified proposal was submitted on 25 May 2018 to amend the WLEP2012 as follows:

- The affected sites of the Planning Proposal increased to be applied to the entire site bound by Birrell Street, Bronte Road, Carrington Road and Church Street. A number of these additional lots are not owned by the Proponent.
- Retain the existing zoning of part SP2 Health Services Facility and part R3 Medium Density Residential.
- Add Additional Permitted Uses applying to the site to include all uses that are currently permitted within the R3 Medium Density Residential Zones in the SP2 Health Services Facility zone.
- Increase the maximum permissible height from 9.5m and 12.5m to 15m, 17m, 21m, and 28m.
- Increase the maximum permissible FSR from 0.6:1 and 0.9:1 to 1.5:1.

[5 November 2018 - Amended Planning Proposal lodged with Council](#)

A modified proposal was submitted on 5 November 2018 to amend the WLEP2012 as follows:

- Alter the zoning within the site to be a mix of SP2 Health Services Facility and R3 Medium Density Residential.

- Add a site-specific zone boundary of 20m to enable a use in an adjacent zone to be permissible, to allow ‘flexibility in the case a more appropriate and logical built form outcome can be achieved with minor encroachment into the surrounding SP2 zone.’ That is, to effectively permit the R3 zone to extend 20m into the SP2 zone.
- Add Additional Permitted Uses that are proposed to apply to the site as follows:
 - Seniors housing (in the SP2 zone);
 - Community facilities (in the SP2 zone);
 - Centre-based child care facility (in the SP2 zone);
 - Retail premises (capped at 450sqm)(in the R3 and SP2 zone);
 - Business premises (capped at 5,390sqm)(in the R3 and SP2 zone); and
 - Hotel or motel accommodation (capped at 127 beds)(in the R3 and SP2 zone);
 - Serviced apartments (provided the use is ancillary to the health services facility);
 - Function centre (provided the use is ancillary to the health service facility).
- Increase the maximum permissible height from 9.5m and 12.5m to 15m, 17m, 21m, and 28m.
- Increase the maximum permissible floor space ratio (FSR) from 0.6:1 and 0.9:1 to 1.5:1.

[5 March 2019 - Strategic Planning and Development Committee Meeting](#)

The Planning Proposal as outlined in this document was reported to the Strategic Planning and Development Committee on 5 March 2019. A letter was provided by Uniting Care to the Committee that outlined a number of issues that the Proponent asserted were not addressed appropriately in the Planning Proposal as assessed by Council officers. The issues raised in the letter were considered to be a difference in position between Council officers and the Proponent, and not a matter of the quality or completeness of the assessment.

[22 March 2019 – Proponent lodges request for Rezoning Review](#)

The Proponent lodged a request for Rezoning Review, which seeks a review of Council’s decision to not support the Submission being forwarded in the form of a planning proposal for Gateway determination.

[18 October 2019 – Rezoning Review determined](#)

The Rezoning Review was held on 18 October 2019, and the State Panel determined that the Submission should not be submitted for a Gateway determination because the proposal has demonstrated strategic merit but not site-specific merit. The decision was unanimous.

[20 April 2020 – Response to Request for Additional Information](#)

The Proponent submitted additional information to support the Council-led Planning Proposal including:

- Response to Request for Additional Information
- Built Form Assessment and Urban Design Study prepared by COX
- Heritage Impact Statement prepared by Hector Abrahams Architects (
- Conservation Management Plan (2005) prepared by John Oultram and Susan O’Neill
- Phase 1 Environmental Site Assessment prepared by JBS&G Environmental and
- Traffic Impact Assessment prepared by Traffix

[8 July 2020 - Conditional Gateway approval received by the Department of Planning Industry and Environment.](#)

On the 8 July, 2020, conditional Gateway approval was received subject to the satisfying of a number of matters have been addressed throughout the updated Planning Proposal. The conditional Gateway

determination advised that the time frame for the completion of the LEP is to be 12 months following the date of the Gateway Determination – 8 July 2021.

18 August 2020 – Birrell Street site Planning Proposal submission lodged with Council

On the 18 August 2020, the Proposal prepared by Ethos Urban on behalf of the Proponent was lodged with Council. The Proposal was lodged to work in conjunction with the Planning Proposal for the War Memorial Hospital Campus site and sought to amend the WLEP2012 as follows:

- increase the maximum height of building from 9.5m and 12.5m to 15m and 21m;
- increase the maximum FSR from 0.6:1 to 1.2:1.

The Proposal also sought to provide 10% affordable housing on the site.

As part of the proposal, the proponent engaged consultants to prepare the following reports:

- Arborist Report prepared by Taylor Brammer Landscape Architects Pty Ltd
- Landscape Design Statement prepared by Taylor Brammer
- Letter of intent – Provision of affordable housing prepared by Ethos Urban
- Environmental Site Assessment prepared by JSB&G Australia Pty Ltd
- Preliminary Utilities Report prepared by Stantec Australia Pty Ltd
- Statement of Heritage Impact prepared by Hector Abrahams Architects
- Traffic Impact Assessment – prepared by Traffix
- Urban Design Report – prepared by Cox

8 October 2020 – Report to Waverley Local Planning Panel

On 8 October the Proposal was presented to the Waverley Local Planning Panel (WLPP) for their review and advice. The Panel undertook their own site visit. Following presentations from both Council and the Proponent, the WLPP made the following recommendation:

The Panel advises Council that:

1. For the reasons in the Council's Summary Report and Recommendations the subject Planning Proposal is considered to have strategic and site-specific merit only when considered as part of the War Memorial Hospital Campus site. The subject Planning Proposal is not considered to have strategic and site-specific merit if it were able to be developed in isolation.
2. To achieve the integrated development of the whole site, the Planning Proposal should be amended prior to being forwarded to DPIE for a Gateway determination to include an Additional Local Provision and Key Sites Map (or other relevant mapping) which provides for additional Floor Space Ratio (up to 1.2:1) and Height (15m and 21m) only if:
 - (a) All Birrell Street lots are amalgamated with the War Memorial Hospital Campus
 - (b) The deep soil zone and high-performance building provisions are consistent with those proposed for the War Memorial Hospital Campus
 - (c) A site specific DCP has been prepared for the Birrell Street site and the War Memorial Hospital Campus in accordance with the Gateway determination for the War Memorial Hospital Campus.

3. It is preferable that a consolidated Planning Proposal for the Birrell Street sites and War Memorial Hospital Campus be prepared and exhibited following Gateway Determination. The consolidated Site Specific DCP should be prepared as a matter of urgency.
4. By way of comment, the Panel notes that the Proponent’s Letter of Intent currently relates to affordable housing only, but other matters such as publicly accessible open space could also be considered.

[3 November 2020 – Reported to November Strategic Planning and Development Committee](#)

On the 3 November 2020, the Proposal was put to the Waverley Council Strategic Planning and Development Committee to allow the Proposal to proceed for a Gateway Determination. As a result of this meeting, the following resolution was made.

That Council:

1. Notes the submission of a planning proposal prepared by Ethos Urban on behalf of Uniting Care on 18 August 2020 to increase the maximum height of buildings and the maximum floor space ratio of the sites 99-117 Birrell Street, Waverley, under the Waverley Local Environmental Plan 2012.
2. Notes that the proposed increase in height and FSR is consistent with the Gateway Determination received for the adjacent War Memorial Hospital Campus site, and will enable improved conservation of the significant heritage fabric of the site and increase the amount of usable, public open space available on the site.
3. Authorises officers to forward the Planning Proposal to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.
4. Places the Planning Proposal on public exhibition in accordance with any conditions of the Gateway Determination that may be issued by the DPIE.
5. Note that a Site Specific DCP will be exhibited concurrently with the Planning Proposal and will include provisions for scale and interface with the surrounding land uses, heritage buildings and gardens within the site, pedestrian access and through-site links and provision of landscaped open space.
6. Requests the role of local plan-making authority from the DPIE to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979* in relation to the making of the amendment.

[15 February 2021 – Response to Request for Additional Information](#)

In the time between the lodgement of this Proposal and February 2021, the Proponent worked with Council officers to develop a new masterplan for the site that provided a holistic vision for the redevelopment that better responded to Council’s concerns regarding deep soil provision, the retention of the habitat corridor, and the retention of heritage fabric.

Additional updated information was submitted to Council by the Proponent. The additional, updated information included:

- Planning Proposal report prepared by Ethos Urban

- Uniting Waverley Urban Design Report prepared by Architectus
- Response to request for additional information prepared by Ethos Urban
- Landscape Design Statement prepared by TaylorBrammer
- Heritage Impact Assessment prepared by Hector Abrahams Architects
- Arborist Report – Tree Data Schedule prepared by Tree Management Strategies
- Traffic/Transport Impact Assessment prepared by Traffix

2 March 2021 – Site Specific DCP endorsed for exhibition.

The Site Specific DCP for this planning proposal (and Campus site Planning Proposal) was put to Council's Strategic Planning and Development Committee (SPDC) meeting. The Site specific DCP was endorsed by Council as follows:

That Council public exhibits the draft Site Specific Development Control Plan for the War Memorial Hospital attached to the report for a minimum period of 28 days, in accordance with section 3.43 and clause 5 of schedule 1 of the Environmental Planning and Assessment Act 1979, subject to:

1. *Any minor amendment required in the case of an amended Gateway Determination for the relevant planning proposals.*
2. *Ensuring there is consistency between Figure 3 (site layout plan) and Figure 4 (open space site plan) in the draft DCP to ensure that there is appropriate setback between the Bronte Road/Birrell Street heritage-listed gateway and the five-storey building at the corner*

20 May – 4 July 2021 – Public Exhibition of Campus Site Planning Proposal and Site Specific DCP

The Planning Proposal was placed on public exhibition from 20 May 2021 – 4 July 2021 alongside the draft site specific DCP.

17 August 2021 – Campus Site Planning Proposal reported to Council and endorsed.

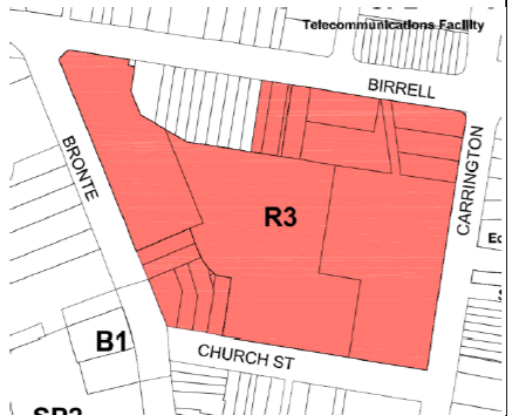
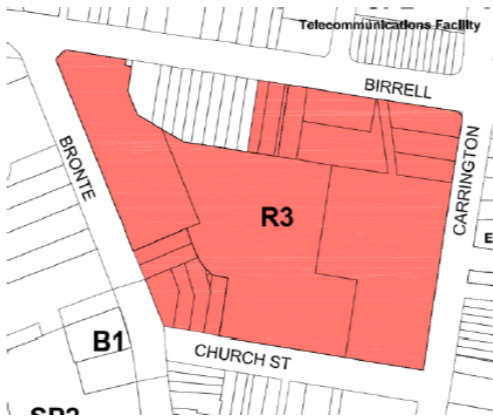
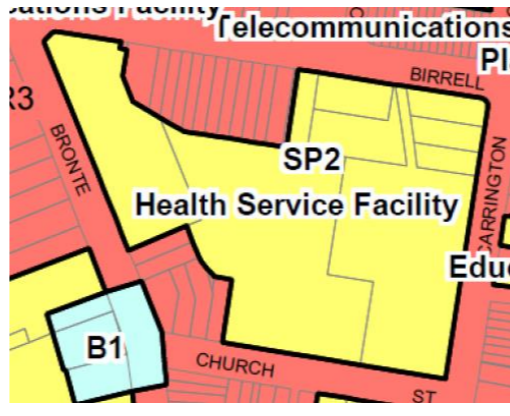
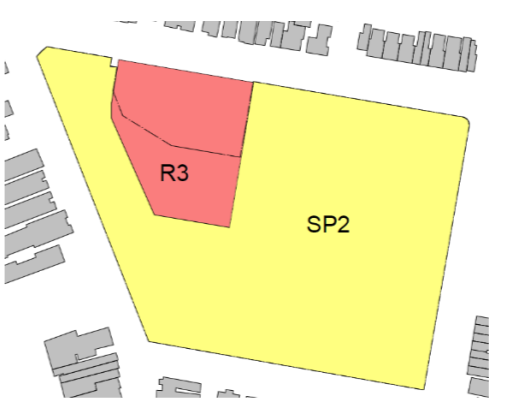
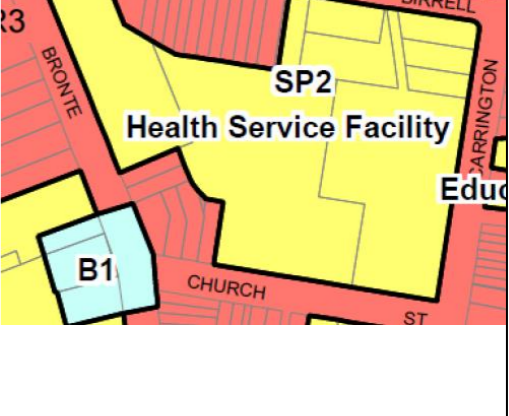


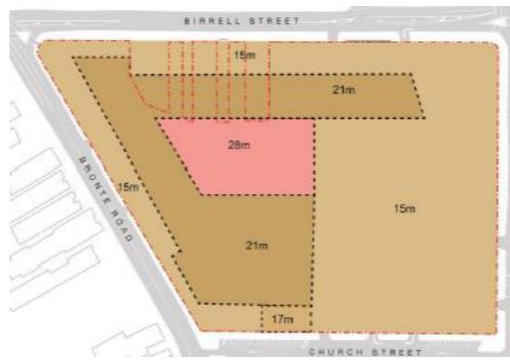
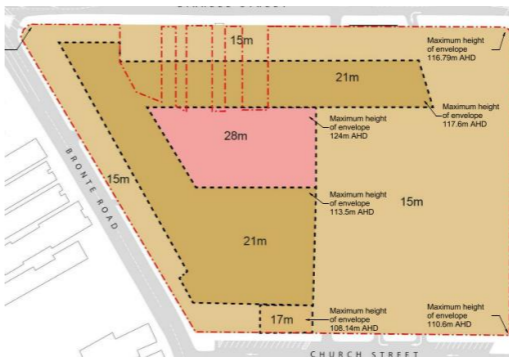
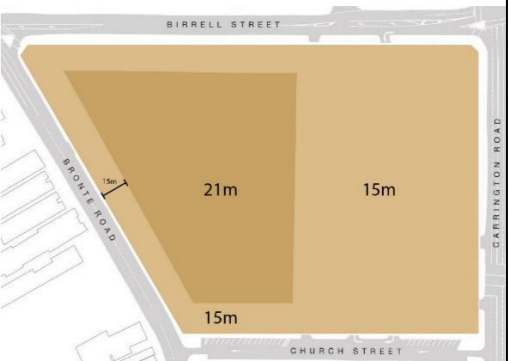
Submissions received from both the public and the agencies notified were reported to Council on 17 August 2021. The report was adopted by Council with a number of amendments to the recommendations put forward by the Officers in the report

20 September 2021 – Gateway Determination received for Birrell St Sites Planning Proposal

On the 20 September 2021, conditional Gateway approval was received by Council subject to the satisfying of a number of matters that have been addressed throughout the updated Planning Proposal. The conditional Gateway determination advised that the time frame for completing the LEP is to be 9 months following the date of the Gateway determination and that the Planning Proposal must be reported to Council for a final recommendation no later than 7 months from the date of the Gateway Determination.

29 October 2021 – Campus Site Planning Proposal finalised as Amendment No.22 in the WLEP

Following the post-exhibition review, the DPIE finalised the Planning Proposal and the amendments to the WLEP were gazetted on the 29th October 2021. The amendment can be viewed at the following link - <https://legislation.nsw.gov.au/view/pdf/asmade/epi-2021-645>.

Proposal History					
WLEP2012 Provision	Proponent's Submission 4 July 2017	Additional Information supplied by Proponent 19 January 2018	Amended Submission supplied by Proponent 25 May 2018	Amended Submission supplied by Proponent 5 November 2018	This Planning Proposal
Zone	R3 Zone to apply to entire site. 	R3 Zone to apply to entire site. 	Retain existing SP2 (Health Services Facility) and part R3 Medium Density Residential. 	Change SP2 and R3 zoning locations to rationalize building locations on site. Proposal for a 20m zone setback from boundary of other zone. 	Retain the existing land use zoning pattern. 
FSR	1.5:1	1.5:1	1.5:1	1.5:1	An increase in FSR to 1.2:1 is sufficient to deliver the Proponent's Master Plan. Given the heritage nature of the site, and large areas of the site that will remain unchanged, the FSR potential of these areas can be used elsewhere on the site.
Height	15m, 21m, 28m 	15m, 21m, 28m 	15m, 17m, 21m, 28m 	15m, 17m, 21m, 28m 	Increase the maximum permissible height to 15m, with 21m to the centre of the site. 

Sites the Planning Proposal is to be applied to	All sites bounded by Bronte Road, Birrell Street, Carrington Road and Church Street, excluding the majority of the residential lots along Birrell Street.	All sites bounded by Bronte Road, Birrell Street, Carrington Road and Church Street, excluding the majority of the residential lots along Birrell Street. Confirmed that 119 Birrell Street was to be included.	All sites bounded by Bronte Road, Birrell Street, Carrington Road and Church Street (pending outcome of landowners support)	All sites bounded by Bronte Road, Birrell Street, Carrington Road and Church Street (pending outcome of landowners support)	Council does not support all of the sites being included in the Planning Proposal if they are not in the one ownership, or if the owners have not agreed to the Planning Proposal. This Planning Proposal only includes the Birrell Street properties.
Other issues	Nil.	Nil.	Nil.	Nil.	<ul style="list-style-type: none"> • Site Specific DCP • Affordable housing • Include site on Key Sites Map • Deep Soil, Design Excellence, and High Performance Building incentives

APPENDIX 2 – EXAMPLE SITE SPECIFIC PROVISION

Below is provided an example of the proposed changes to the WLEP, inclusive of a site-specific provision. This is not the final proposed text, but for the purposes of illustrating the intent of the provision. The example provision has been drafted in line with Amendment No. 22 in The Waverley LEP, which implemented the changes from the War Memorial Hospital Campus Site Planning Proposal:

Part 6 Additional local provisions

Insert at the end of the Part, with appropriate clause numbering—

(1) The objectives of this clause are—

(a) to enable the redevelopment of the War Memorial Hospital Birrell Street Sites (99-117 Birrell Street), Waverley in accordance with the provisions of a site-specific development control plan, and

(b) to ensure buildings with additional height and floor space ratio are not erected on the land unless—

(i) 30% of the land will be a deep soil zone,

(ii) the buildings are designed to minimise the consumption of energy and water, and

(iii) 10% (or 404sqm) is provided as affordable housing.

(2) This clause applies to land shown coloured x on the Key Sites Map.

(3) Development consent must not be granted for development on land to which this clause applies unless a development control plan that provides for the following has been prepared for the land—

(a) built form controls, including the maximum number of storeys and minimum setbacks for buildings,

(b) measures to ensure development of the land does not negatively impact on the character of surrounding land,

(c) pedestrian access, including by links through the site,

(d) landscaping of open space.

(4) A building on land to which this clause applies may have 1 or more of the following—

(a) a height of not more than the maximum height shown for the land on the Alternative Height of Buildings Map,

(b) a floor space ratio of not more than the maximum floor space ratio shown for the land on the Alternative Floor Space Ratio Map.

(5) Subclause (4) applies only if the consent authority is satisfied that—

(a) at least 30% of the land to which this clause applies will be a deep soil zone, and

(b) any building used only for non-residential purposes will be capable of achieving a 4.5 star NABERS rating for water or equivalent, and

(c) any part of a building that is used for non-residential purposes will be capable of achieving a 5.5 star NABERS rating for energy or equivalent, and

(d) for BASIX affected development—any building used for dwellings will be capable of—

(i) exceeding the applicable BASIX target for water by at least 5 points or equivalent, and
(ii) exceeding the applicable BASIX target for energy by at least 10 points or equivalent,
and

(iii) achieving a NatHERS rating of 7 stars or equivalent.

(e) The consent authority is satisfied that a minimum of at least 10% of any dwellings or 404 square metres (whichever is greater) in the proposed development on sites identified as 99-117 Birrell Street, Waverley will be set aside as affordable housing, or that an equivalent monetary payment is provided in lieu of the physical allocation of affordable housing.

(6) In this clause—

BASIX target means a target for water or energy efficiency that is—

(a) set by the Planning Secretary for the purposes of BASIX certificates issued under the Environmental Planning and Assessment Regulation 2000, and

(b) in force on the commencement of this clause.

deep soil zone means a landscaped area with no building above or below the ground, but does not include an area used or intended to be used for a driveway or parking.

NABERS rating means a rating for the water or energy efficiency of a building under the National Australian Built Environment Rating System.

NatHERS means the Nationwide House Energy Rating Scheme administered by the Commonwealth Government

Clause 6.9 Design excellence

Insert the relevant colour for the subject sites into Clause 6.9 as identified on the Key Sites Map.

APPENDIX 3 – MINUTES OF THE WAVERLEY LOCAL PLANNING PANEL

MINUTES OF THE WAVERLEY LOCAL PLANNING PANEL MEETING HELD BY

VIDEO CONFERENCE ON WEDNESDAY, 8 OCTOBER 2020

UNDER SCHEDULE 2, PART 5, ITEM 26 OF THE ENVIRONMENTAL PLANNING AND
ASSESSMENT ACT 1979 (NSW)

PLANNING PROPOSAL: 99-117 BIRRELL STREET, WAVERLEY

Panel members present:

Annelise Tuor (Chair)

Peter Brennan

Ian Stapleton

Sandra Robinson (Community Rep)

Declarations of interest:

Nil.

Site visit and briefing

The Waverley Local Planning Panel (Panel) members have independently viewed the site and surrounding area from the public domain/electronically. The Panel was also briefed by the following Council officers and representatives of the applicant:

Jaime Hogan	Waverley Council
Anne McGoverne	Waverley Council
Adrian Ciano	Uniting
Milicia Bircakovic	Uniting
Graeme Fielden	Uniting
Gordon Kirkby	Ethos Urban
Arcangelo Antoniazzi	Ethos Urban
Thomas Atkinson	Ethos Urban
Felipe Miranda	Cox Architecture

Following the briefing the Panel considered the Planning Proposal under Schedule 2, Part 5, Item 26 of the Environmental Planning and Assessment Act 1979.

Resolution

The resolution provided by the Panel as follows was unanimous.

Annelise Tuor

Chair

PP-2/2020 – 99-117 Birrell Street, Waverley

The Panel advises Council that:

1. For the reasons in the Council’s Summary Report and Recommendations the subject Planning Proposal is considered to have strategic and site-specific merit only when considered as part of the War Memorial Hospital Campus site. The subject Planning Proposal is not considered to have strategic and site-specific merit if it were able to be developed in isolation.
2. To achieve the integrated development of the whole site, the Planning Proposal should be amended prior to being forwarded to DPIE for a Gateway determination to include an Additional Local Provision and Key Sites Map (or other relevant mapping) which provides for additional Floor Space Ratio (up to 1.2:1) and Height (15m and 21m) only if:
 - (a) All Birrell Street lots are amalgamated with the War Memorial Hospital Campus
 - (b) The deep soil zone and high-performance building provisions are consistent with those proposed for the War Memorial Hospital Campus
 - (c) A site specific DCP has been prepared for the Birrell Street site and the War Memorial Hospital Campus in accordance with the Gateway determination for the War Memorial Hospital Campus.
3. It is preferable that a consolidated Planning Proposal for the Birrell Street sites and War Memorial Hospital Campus be prepared and exhibited following Gateway determination. The consolidated Site Specific DCP should be prepared as a matter of urgency.
4. By way of comment, the Panel notes that the Proponent’s Letter of Intent currently relates to affordable housing only, but other matters such as publicly accessible open space could also be considered.

APPENDIX 4 – MINUTES OF THE WAVERLEY COUNCIL STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE 3 NOVEMBER 2020

Minutes of Strategic Planning and Development Committee Meeting

3 November 2020

PD/5.5/20.11 Planning Proposal – 99-117 Birrell Street, Waverley (SF20/5475)

MOTION / DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes the submission of a planning proposal prepared by Ethos Urban on behalf of Uniting Care on 18 August 2020 to increase the maximum height of buildings and the maximum floor space ratio of the sites 99–117 Birrell Street, Waverley, under the Waverley Local Environmental Plan 2012.
2. Notes that the proposed increase in height and FSR is consistent with the Gateway Determination received for the adjacent War Memorial Hospital Campus site, and will enable improved conservation of the significant heritage fabric of the site and increase the amount of usable, public open space available on the site.
3. Authorises officers to forward the planning proposal to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.
4. Places the planning proposal on public exhibition in accordance with any conditions of the Gateway Determination that may be issued by the DPIE.
5. Notes that a Site Specific DCP will be exhibited concurrently with the planning proposal and will include provisions for scale and interface with the surrounding land uses, heritage buildings and gardens within the site, pedestrian access and through-site links and provision of landscaped open space.
6. Requests the role of local plan-making authority from the DPIE to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979* in relation to the making of the amendment.

Division

For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemesh and Wakefield.

Against the Motion: Cr Wy Kanak.

A Ciano (Head of Property Development, Uniting) addressed the meeting.