

FORMER BOWLING CLUB SITES 47 WARRANE ROAD, ROSEVILLE CHASE & 4 PENNANT AVENUE, GORDON

EXECUTIVE SUMMARY

PURPOSE OF REPORT:

To have Council consider the resubmission of planning proposals relating to the redundant bowling club sites for Gateway Determination.

BACKGROUND:

On 8 May 2018 Council resolved to prepare planning proposals for two redundant bowling club sites:

- 4 Pennant Avenue, Gordon; and
- 47 Warrane Road, Roseville Chase.

The planning proposals sought to rezone the sites from RE1 Public Recreation to R3 Medium Density Residential, with associated development standards.

The planning proposals were issued Gateway Determinations on 17 February 2020. These included conditions requiring them to be amended from R3 to R2 Low Density, with a number of supporting studies be prepared prior to exhibition.

The amended planning proposals were resubmitted to the Department of Planning, Infrastructure & Environment (DPIE) on 24 March 2021. On 30 May 2021 the DPIE altered the Gateway Determinations to determine that the proposals not proceed.

COMMENTS:

The Gateway Determinations were altered to, do not proceed as the DPIE *Planning Reform Action Plan* has a specific focus on reducing the timeframes for planning proposals to no more than 1 year.

The DPIE have recommended that Council resubmit the planning proposals for a new Gateway Determination.

RECOMMENDATION:

That Council resubmits the revised planning proposals for 4 Pennant Avenue, Gordon and 47 Warrane Road, Roseville Chase for a Gateway Determination.

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BACKGROUND

On 8 May 2018 Council resolved to prepare planning proposals for two redundant bowling club sites:

- 4 Pennant Avenue, Gordon; and
- 47 Warrane Road, Roseville Chase.

The planning proposals sought to rezone the sites from RE1 Public Recreation to R3 Medium Density Residential, with associated development standards.

The planning proposals were submitted to the NSW Department of Planning, Industry & Environment on 2 October 2018 for Gateway Determination. The Department issued Gateway Determinations on 17 February 2020, which included conditions which required the planning proposals to be revised from R3 Medium Density Residential to R2 Low Density Residential, with a number of supporting studies be prepared prior to exhibition. The Gateway Determinations included a condition which required the planning proposals to be finalised within 1 year. Customarily the Department has amended timeframes embodied in Gateway Determinations.

Council engaged a consultant team to prepare the urban design, traffic, heritage, and flood studies for the sites, matters ordinarily addressed at development application stage. The amended planning proposals and supporting studies were resubmitted to the Department of Planning on 24 March 2021 for approval for public exhibition. On 30 May 2021 the Department altered the Gateway Determinations to determine that the proposals should not proceed. The letters from the Department of Planning, Industry and Environment and altered Gateway Determinations are included at **Attachments A1-A4**.

The reason the Department altered the Gateway Determinations to '*do not proceed*' is that the timeframe for the planning proposals is contrary to the Department's new *Planning Reform Action Plan* which has a specific focus on reducing the timeframes for completing planning proposals to no more than 1 year (noting here that there was some 17 months plus between Council submitting the planning proposals and receiving heavily conditioned Gateway Determinations).

The Department have recommended that Council resubmit the planning proposals (revised in accordance with the Gateway Determination issued on 17 February 2020) for a new Gateway Determination. This effectively resets the clock, and allows the planning proposals to be finalised within 1 year from the Gateway Determination, meeting the Departments new KPI requirements:

'The Department recommends that Council resubmit this revised planning proposal for Gateway determination. I also advise that the Department has assessed Councils revised proposal and that the information provided satisfies the related Gateway conditions. As a result, if the proposal is resubmitted by Council, the Department would be able to promptly issue a revised Gateway approval without the previous pre-exhibition conditions, therefore enabling a short timeframe for its finalisation. Department of Planning, Industry and Environment letter dated 30 May 2021.

COMMENTS

The Department has assessed the revised planning proposals that were submitted on 24 March 2021, and has advised that the information provided satisfies the previous Gateway conditions. As a result, if the proposals are resubmitted by Council, the Department have advised they will be able to promptly issue new Gateway Determinations expeditiously.

The revised planning proposal for 4 Pennant Avenue, Gordon is included at **Attachments A5-A15**. The revised planning proposal for 47 Warrane Road, Roseville Chase is included at **Attachments A16-A23**.

The revised planning proposals for both bowling club sites are for a rezoning to R2 Low Density Residential and associated development standards. At OMC 30 June 2020 after considering a report on the Gateway conditions, Council resolved (in part):

- B. That in progressing the Planning Proposals with the R2 Low Density Residential zone for these sites, it will be made clear that Council considers an R3 Medium Density Residential zoning on the sites has sufficient justification and strategic merit, and an R3 zoning would be sought on the sites in the future.*

It is considered that the provision of medium density housing, particularly on 47 Warrane Road, Roseville Chase is consistent with the Ku-ring-gai Local Strategic Planning Statement *Principles for Housing*:

Principle - Locate medium density housing types within a 5min walk (400m radius) of Neighbourhood Centres serviced by major bus routes along arterial roads: Roseville Chase, West Gordon and North St Ives (subject to provision of priority bus infrastructure from Mona Vale to Macquarie Park and Dee Why to Chatswood)

47 Warrane Road, Roseville Chase is located within a 200m radius of the Roseville Chase Neighbourhood Centre, and Warringah Road/Babbage Road an arterial road with major bus routes. The strategic centres of Chatswood, Frenchs Forest, St Leonards, North Sydney and Sydney CBD can all currently be accessed within 30min. The 2056 Future Rapid Bus Network has identified a Rapid Bus line which links Dee Why, Frenchs Forest, Roseville Chase and Chatswood which is intended to operate in a similar manner to the existing Northern Beaches B-Line. In December 2020, Transport for NSW introduced a network of all-day frequent routes including route 160X which operates on limited stops (express) between Dee Why and Chatswood. This is a frequent service forming part of a staged approach to delivering a "B-Line" style service on the Dee Why to Chatswood corridor.

The mobility and accessibility from the Roseville Chase Neighbourhood Centre will further increase with the future implementation of the Rapid Bus Transit from Dee Why to Chatswood, making this a logical area for consideration for future increases in housing density through the implementation of an R3 Medium Density zone.

INTEGRATED PLANNING AND REPORTING

Theme 3: Places, Spaces and Infrastructure

Theme 6: Leadership and Governance

Community Strategic Plan Long Term Objective	Delivery Program Term Achievement	Operational Plan Task
P2.1: A robust planning framework is in place to deliver quality design outcomes and maintain the identity and character of Ku-ring-gai.	P2.1.1: Land use strategies, plans and processes are in place to effectively manage the impact of new development.	P2.1.1.1.2: Continue to review the effectiveness of existing strategies, local environmental plans, development control plans and processes across all programs.
L2.1 Council rigorously manages its financial resources and assets to maximise delivery of services.	L2.1.3: Council maintains its commitment to infrastructure asset management priorities.	L2.1.3.1: Identify available funding sources in the Long Term Financial Plan and allocate to priority projects and assets.

GOVERNANCE MATTERS

The process for the preparation and implementation of planning proposals is governed by the provisions contained in the *Environmental Planning and Assessment Act 1979* and the *Environmental Planning and Assessment Regulation 2000*.

The reclassification of the land at 4 Pennant Avenue Gordon will be subject to the relevant provisions of the *Local Government Act 1993*.

RISK MANAGEMENT

There is a significant risk to Council's overall budget position if asset sales are not achieved at a maximum level or on schedule. There is also a reputation risk to Council if it fails to proceed with social infrastructure projects, such as the St Ives Indoor Sports Courts and Marian Street Theatre, which rely on asset sales for funding.

FINANCIAL CONSIDERATIONS

The sites present an opportunity for Council to utilise asset recycling, to invest in new assets or revitalisations of existing assets, such as the Marian Street Theatre and St Ives High School Indoor Sports Courts.

AEC have provided market advice and uplift analysis regarding the value of the site under the R2 Low Density Residential zoning and R3 Medium Density Residential zoning (**Confidential Attachments A24 – A25**). There is a significant difference in value of the sites with an R3 Medium Density Residential zone as originally sought by Council, and the R2 Low Density Residential zone conditioned by the Gateway Determination issued in February 2020.

SOCIAL CONSIDERATIONS

The proposed rezoning of these redundant sites to a residential zone will assist in the provision of additional housing within Ku-ring-gai.

Future divestment of the sites would assist Council in meeting community expectations for the renewal and replacement of community infrastructure, such as the Marian Street Theatre, and St Ives High School Joint Use Indoor Courts.

ENVIRONMENTAL CONSIDERATIONS

As a result of past land uses and activities on both sites, Stage 1 Preliminary and Stage 2 Detailed Site Investigations have confirmed there are areas of environmental concern (contamination) on both sites. The sites are able to be made suitable for future residential uses, subject to further assessment, management and remediation.

4 Pennant Avenue, Gordon contains flood prone land, and is located within the catchment of Blackbutt Creek. A Flood Impact Assessment has been prepared for the site, which notes that the concept development options for the site provide for the suitable management of flood flows through the site.

4 Pennant Avenue is also mapped as containing Biodiversity Significance under the KLEP 2015. The site contains remnant components of the critically endangered ecological community (CEEC) Blue Gum High Forest. The remnant trees are on the boundary of the site. Future development on the site would need to be designed to avoid impact on the Blue Gum High Forest.

COMMUNITY CONSULTATION

The Planning Proposals have not yet been the subject of community consultation.

The Gateway Determinations will contain conditions regarding the public exhibition of the planning proposals, which would be for a minimum of 28 days. Additionally and in accordance with Section 29 of the *Local Government Act 1993*, the reclassification of 4 Pennant Avenue, Gordon will require a public hearing presided over by an independent chairperson.

INTERNAL CONSULTATION

Internal consultation with staff from Strategy and Environment has been undertaken for this report. The matter has been regularly reported to Council's Major Projects Steering Committee, Major Projects Advisory Committee, and the Councillor's Major Projects Consultation Forum.

SUMMARY

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The amended planning proposals were submitted to the Department of Planning on 24 March 2021 for approval for public exhibition. On 30 May 2021 the Department altered the Gateway Determinations to determine that the proposals should not proceed. The Gateway Determinations were altered to do not proceed, as the Department's *Planning Reform Action Plan* has a specific focus on reducing the timeframes for planning proposals to no more than 1 year.

The Department have recommended that Council resubmit the planning proposals for a new Gateway Determination.

RECOMMENDATION:

- A. That Council resubmits the revised planning proposals for 4 Pennant Avenue, Gordon (**Attachment A16-A23**) and 47 Warrane Road, Roseville Chase (**Attachment A5 – A15**) to the Department of Planning, Industry and Environment for a Gateway Determination in accordance with Section 3.34 of the *Environmental Planning and Assessment Act 1979*.
- B. That upon receipt of a Gateway Determination, the public exhibition process is carried out in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*, the Gateway Determination and the Ku-ring-gai Community Participation Plan.
- C. That a report be brought back at the end of the exhibition process.

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Manager Urban & Heritage Planning

Andrew Watson
Director Strategy & Environment

Attachments:	A1	4 Pennant Avenue - Signed Letter to Council 30.05.2021 - Gateway Determination Revised to 'Do not Proceed'		2021/160105
	A2	4 Pennant Avenue - Signed Gateway Determination Alteration 30.05.2021 - Do not proceed		2021/160107
	A3	47 Warrane Road - Signed Gateway Determination Alteration 30.05.2021 - Do not proceed		2021/160112
	A4	47 Warrane Road - Signed Letter to Council 30.05.2021 - Gateway Determination revised to 'do not proceed'		2021/160108
	A5	Planning Proposal - 4 Pennant Avenue, Gordon (Amended R2) - June 2021	Excluded	2021/183292
	A6	Appendix 1 - Report to Council and Resolution - Ordinary Meeting 8 May 2018	Excluded	2018/235301

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A7	Appendix 2 - Report and Resolution - Review - Conditions on Gateway Determinations for 4 Pennant Avenue, Gordon and 47 Warrane Road, Roseville Chase	Excluded	2021/080029
A8	Appendix 3 - Stage 1 Preliminary Site Investigation - 4 Pennant Avenue Gordon	Excluded	2018/235304
A9	Appendix 4 - Stage 2 Detailed Site Investigation - 4 Pennant Avenue, Gordon	Excluded	2018/235306
A10	Appendix 5 - Title Information	Excluded	2018/235309
A11	Appendix 6 - Urban Design Report	Excluded	2021/085721
A12	Appendix 7 - Traffic and Transport Study Report by SMEC	Excluded	2021/091234
A13	Appendix 8 - Heritage Report Gordon Bowling Club	Excluded	2021/083814
A14	Appendix 9 - Flood Impact Assessment Report	Excluded	2021/081883
A15	Appendix 10 - Remedial Action Plan - 4 Pennant Avenue, Gordon	Excluded	2021/080527
A16	Planning Proposal - 47 Warrane Road Roseville - (Amended R2) - June 2021	Excluded	2021/183680
A17	Appendix 1 - Report to Council and Resolution - Ordinary Meeting 8 May 2018	Excluded	2018/235313
A18	Appendix 2 - OMC 30 June 2020 - Report and Resolution - Review - Conditions on Gateway Determinations for 4 Pennant Avenue, Gordon and 47 Warrane Road, Roseville Chase	Excluded	2021/080029
A19	Appendix 3 - Stage 1 Preliminary Site Investigation - 47 Warrane Road, Roseville Chase	Excluded	2018/235319
A20	Appendix 4 - Stage 2 Detailed Site Investigation - 47 Warrane Road, Roseville Chase	Excluded	2018/235320
A21	Appendix 5 - Title Information	Excluded	2018/235325
A22	Appendix 7 - Urban Design Study by Studio GL	Excluded	2021/079290
A23	Appendix 8 - Remedial Action Plan - 47 Warrane Road, Roseville Chase	Excluded	2021/080042
A24	AEC Uplift Analysis - 4 Pennant Avenue Gordon		Confidential
A25	AEC Uplift Analysis - 47 Warrane Road Roseville Chase		Confidential