

**Item No:** R6 Recommendation to Council  
**Subject:** **REVIEW OF THE LAND USE ZONING OF RIDDELL STREET, BELLEVUE HILL**  
**Author:** Kelly McKellar, Team Leader Strategic Planning  
**Approvers:** Anne White, Manager - Strategic Planning  
Nick Economou, Acting Director Planning & Place  
**File No:** 21/107717  
**Reason for Report:** To present the planning and urban design review undertaken by consultants Studio GL of the land use zoning of Riddell Street, Bellevue Hill.

**Recommendation:**

- A. THAT the planning and urban design review of the land use zoning of Riddell Street, Bellevue Hill prepared by consultants *Studio GL* and contained in **Annexure 1** of the report to the Environmental Planning Committee of 12 July 2021 is received and noted.
- B. THAT a planning proposal is prepared to amend the *Woollahra Local Environmental Plan 2014* to:
- i. rezone the following properties from R3 Medium Density Residential to R2 Low Density Residential:
    - a. 13, 15, 17, 19, 21, 23, 25 and 27 Riddell Street, Bellevue Hill
    - b. 14 and 15 Buller Street, Bellevue Hill.
  - ii. Amend *Schedule 1 – Additional Permitted Uses* to permit development for a residential flat building on the site at 21 & 23 Riddell Street, Bellevue Hill.
- C. THAT the planning proposal is referred to the Woollahra Local Planning Panel for advice.
- D. THAT the advice of the Woollahra Local Planning Panel is reported to a future Committee meeting of Council.
- E. THAT a draft development control plan is prepared to accompany the planning proposal amending Chapter B1 and Chapter B3 of the *Woollahra Development Control Plan 2015* to:
- i. incorporate the land proposed to be rezoned R2 Low Density Residential into the Bellevue Hill North character precinct
  - ii. insert an additional clause for front setbacks.

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**1. Background**

On 12 August 2019, in response to a Notice of Motion Council resolved:

*THAT Council receives a report, as soon as practicable, in relation to amending its current Local Environmental Plan 2014 to rezone that part of Riddell Street, Bellevue Hill, 2023 (currently zoned R3 Medium Density Residential) back to an R2 Low Density Residential zone.*

In the background to the Notice of Motion, Councillors' noted that:

*A recent development application (DA 487/2018) (the "DA"), submitted for development of a 3 story residential flat building at 21-23 Riddell Street, Bellevue Hill, 2023 was before the Woollahra Local Planning Panel ("WLPP") on 18 July 2019.*

*The DA was refused by the WLPP on a number of bases, including, inter alia, that:*

- *it was unsuitable and out of character with the neighbourhood and the precinct;*
- *there would be excessive impacts on trees and landscape;*
- *there were issues relating to traffic generation and parking and*
- *there were concerns over excavation.*

*The DA, and its discussion at the WLPP, clearly indicated that the area of Riddell Street that is currently zoned R3 Medium Density Residential may not be suited to this type of building intensity, given its location on a ridge, current issues with traffic and parking and existing streetscape vegetation.*

*A report into the rezoning of this section of Riddell Street is therefore necessary to re-examine all these issues.*

## **2. Planning and Urban Design Review**

In May 2021, consultants *Studio GL* were engaged to undertake a planning and urban design review to address the matters raised in Council's resolution. The review comprised land in Riddell Street, Bellevue Hill currently zoned R3 Medium Density Residential under the *Woollahra Local Environmental (LEP) 2014* (as show in yellow outline in **Figure 1** below).

*Studio GL* have prepared a detailed planning and urban design report which includes the following:

- Discussion of the planning context of the study area including the strategic context, existing local planning controls, the recent court approval for a residential flat building at 21-23 Riddell Street, and other recent development applications.
- Study of the existing condition and character of the built form and public domain, including the pattern of development (urban structure, blocks and lot), topography, landscape and tree canopy, public domain and key local infrastructure.
- 3D modelling of the existing built form.
- Analysis including 3D modelling of four potential development scenarios testing different land use zoning and corresponding planning controls, including the impact of these options on the surrounding context, housing targets and parking.

A copy of the report prepared by consultants *Studio GL* is contained in **Annexure 1**.

### **2.1. Amendments to Woollahra LEP 2014**

Based on their review, consultants *Studio GL* recommend that part of Riddell Street, comprising ten sites, is rezoned from R3 Medium Density Residential to R2 Low Density Residential. These sites are shown in blue on the map in **Figure 2** below.

The recommendation is accompanied by the following justification in support of the rezoning:

- These sites form a gateway to the adjoining lower density residential areas along Bradley Avenue and Lennox Street.
- Development of these sites, under the current zoning, would change the landscape character of the street and front setbacks.

The report notes that should the rezoning go ahead, the recently approved apartment building at 21-23 Riddell Street (which is now under construction) would be subject to the existing use rights provisions in the *Environmental Planning and Assessment Act 1979*.

Accordingly, Council staff recommend that in addition to rezoning the land from R3 Medium Density Residential to R2 Low Density Residential, the planning proposal includes an amendment to *Schedule 1 – Additional Permitted Uses* of the Woollahra LEP 2014 to make a residential flat building permissible on the site at 21-23 Riddell Street, Bellevue Hill.



**Figure 1: Extract of Woollahra LEP 2014 Land Zoning Map showing Riddell Street and the surrounding area.**



**Figure 2: Area in blue recommended to be rezoned from R3 Medium Density Residential to R2 Low Density Residential**

**Table 1** identifies all the properties located in the study area, and also identifies which sites *Studio GL* has recommend are rezoned to R2 Low Density Residential and which sites should remain R3 Medium Density Residential.

**Table 1: Properties in the study area**

Address	Lot & DP	Lot size	Studio GL recommendation
29 Bellevue Hill Rd	SP 49772	516m <sup>2</sup>	Retain current R3 Medium Density Residential zone
14 Buller Rd	Lot 1, DP 726797	576m <sup>2</sup>	Rezone R2 Low Density Residential
15 Buller Rd	Lot 1, DP 195893 Lot B, DP 300636	161m <sup>2</sup> 238m <sup>2</sup>	Rezone R2 Low Density Residential
29 Lennox St	SP 19281	456m <sup>2</sup>	Retain current R3 Medium Density Residential zone
1 Riddell St	Lot 25, DP 979515	423m <sup>2</sup>	Retain current zone
2 Riddell St	Lot 5, DP 32541	585m <sup>2</sup>	Retain current R3 Medium Density Residential zone
3 Riddell Street	Lot 1, DP 77130	201m <sup>2</sup>	Retain current R3 Medium Density Residential zone
4 Riddell St	Lot 7, DP 215856	447m <sup>2</sup>	Retain current R3 Medium Density Residential zone
5 Riddell St	Lot 1, DP 195894	186 m <sup>2</sup>	Retain current R3 Medium Density Residential zone
6 Riddell St	Lot 8, DP 615267	432m <sup>2</sup>	Retain current R3 Medium Density Residential zone
7 Riddell St	Lot 27, DP 137229	171m <sup>2</sup>	Retain current R3 Medium Density Residential zone
9 Riddell St	Lot 1, DP 849875	166m <sup>2</sup>	Retain current R3 Medium Density Residential zone
11 Riddell St	Lot 28, DP 73399	326m <sup>2</sup>	Retain current R3 Medium Density Residential zone
13 Riddell St	Lot A, DP 300636	702m <sup>2</sup>	Rezone R2 Low Density Residential
15 Riddell St	Lot 4, DP 6028	846m <sup>2</sup>	Rezone R2 Low Density Residential
17 Riddell St	Lot 2, DP 220814	392m <sup>2</sup>	Rezone R2 Low Density Residential
19 Riddell St	Lot 1, DP 220814	354m <sup>2</sup>	Rezone R2 Low Density Residential
21 – 23 Riddell St	Lot 2, DP 6028 Lot 1, DP 658568	660m <sup>2</sup> 343m <sup>2</sup>	Rezone R2 Low Density Residential
25 Riddell St	Lot 1, DP 950091	294m <sup>2</sup>	Rezone R2 Low Density Residential
27 Riddell St	Lot D, DP 984055	313m <sup>2</sup>	Rezone R2 Low Density Residential
154 Victoria Rd	Lot A, DP 984055	627 m <sup>2</sup>	Retain current R3 Medium Density Residential zone

## 2.2. Amendments to Woollahra DCP 2015

In addition to the rezoning, *Studio GL* recommends amendments to the *Woollahra Development Control Plan (DCP) 2015* as follows:

- **Chapter B1:**

Incorporate the sites being rezoned to R2 Low Density Residential into the Bellevue Hill North residential precinct (see **Figure 3** below). This precinct is predominately low density in character and will reflect the proposed R2 Low Density Residential zoning of the land. Currently, these sites are located in the Bellevue Hill South Precinct which is predominantly medium density in character.

- **Chapter B3:**

Insert an additional control for front setbacks where the front boundary is not at right angles to the side boundaries. By applying site specific setback controls, this will help to ensure that the unusual lot and setback configuration in Riddell Street will maintain the characteristic front setback irrespective of the lot orientation. (See diagrams by Studio GL in **Figure 4** below).

In progressing the amendments to the planning provisions, *Studio GL* recommends that Council consults with the land owners affected by the recommended rezoning and changes to DCP provisions.

Should Council endorse the proposed amendments, Council staff recommend that all property owners are notified in writing of Council’s decision, next steps and invite feedback.



**Figure 3: Map of existing Bellevue Hill North Precinct and sites recommended to be incorporated into this Precinct.**

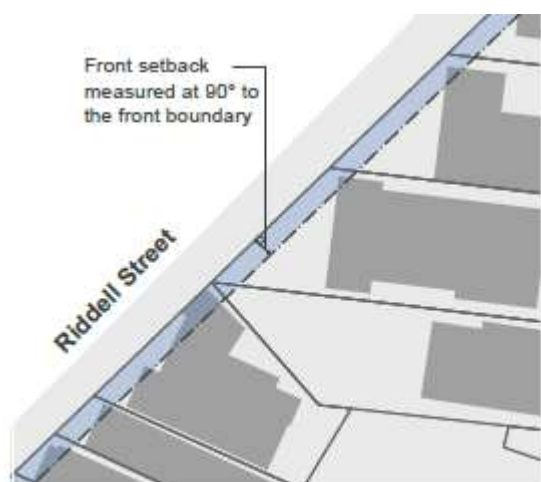


Figure 39 Diagram showing the existing DCP controls for Front Setbacks

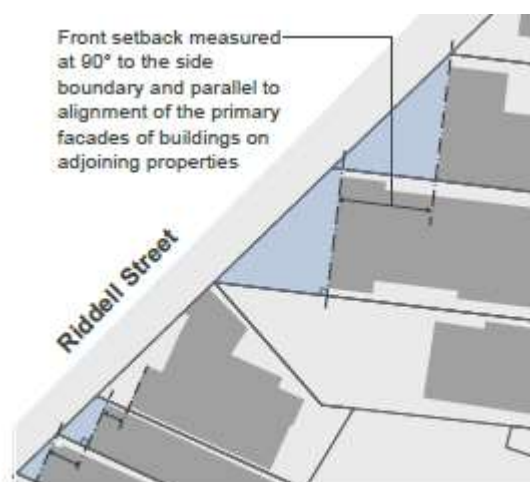


Figure 40 Diagram showing the recommended DCP controls for Front Setbacks

**Figure 4: Diagrams by Studio GL illustrating the current and proposed front setback controls**

### 3. Next steps

The planning and urban design review by Studio GL has provided a robust analysis in response to the Notice of Motion. Council staff recommend proceeding with the report recommendations, subject to including an amendment to *Schedule 1: Additional permitted uses*, to allow a residential flat building on the site at 21-23 Riddell Street.

Should Council resolve to proceed, the next steps are to:

- prepare a planning proposal to amend the Woollahra LEP 2014 to rezone ten sites in Riddell Street from R3 Medium Density Residential to R2 Low Density Residential and amend *Schedule 1 – Additional Permitted Uses* to permit residential flat buildings on the site at 21-23 Riddell Street.
- prepare a draft development control plan (draft DCP) to amend Chapter B1 of the Woollahra DCP 2015 to incorporate the sites being rezoned into the Bellevue Hill North residential precinct and Chapter B3 to insert a new front setback provision
- notify affected landowners of Council’s decision and invite feedback.

The planning proposal will be referred to the Woollahra Local Planning Panel (LPP) for advice consistent with Section 2.19 of the *Environmental Planning and Assessment Act 1979* and the *Local Planning Panel Direction – Planning Proposals* issued by the Minister on 27 September 2018. We will concurrently refer the draft DCP to the Woollahra LPP.

The advice of the Woollahra LPP will be reported to a future committee meeting of Council.

### 4. Conclusion

On 12 August 2019, in response to a Notice of Motion, Council resolved to receive a report in relation to rezoning part of Riddell Street, Bellevue Hill from R3 Medium Density Residential to R2 Low Density Residential.

In May 2021, consultants *Studio GL* were engaged to undertake a planning and urban design review to address the matters raised in Council’s resolution. The report is contained in **Annexure 1**.

Based on the report by *Studio GL*, Council staff recommend that Council resolve to prepare a planning proposal to rezone the following properties from R3 Medium Density Residential to R2 Low Density Residential:

- 13, 15, 17, 19, 21, 23, 25 and 27 Riddell Street, Bellevue Hill
- 14 and 15 Buller Street, Bellevue Hill.

Council staff further recommend that the planning proposal include an amendment to *Schedule 1 – Additional Permitted Uses* to permit residential flat buildings on the site 21-23 Riddell Street.

Concurrently with this planning proposal, Council staff will prepare a draft DCP to amend Chapter B1 and B3 of the Woollahra DCP 2015 to amend the relevant precincts and the front setback controls as recommend in the report by *Studio GL*.

Should Council resolve to prepare a planning proposal and a draft DCP, these will be reported to the Woollahra LPP for advice. This advice will be reported to a future committee meeting of Council.

#### Annexures

1. Studio GL Planning & Urban Design Review Riddell St, Bellevue Hill Report [↓](#) 