

Item: ENV007-23 Beverly Hills Town Centre Master Plan - A Way Forward

Author: Manager Strategic Planning

Directorate: Environment and Planning

Matter Type: Committee Reports

RECOMMENDATION:

- (a) That Council not proceed with the exhibited Master Plan for the Beverly Hills Local Centre.
- (b) That Council notes the submissions on the previously exhibited Beverly Hills Local Centre Master Plan.
- (c) That Council endorse the following principles to guide the preparation of the Master Plan for Beverly Hills Local Centre:
 - (a) The Master Plan guides future development on both sides of King Georges Road.
 - (b) The expansion of the business zone on the eastern side of King Georges Road to create opportunities for the growth of the Local Centre to support the local community.
 - (c) The exploration of the western side of King Georges Road having greater maximum building heights than the eastern side of the road.
 - (d) The investigation of the inclusion of affordable housing within the Local Centre.
 - (e) That built form transition provisions between the business zone and adjoining low scale residential zones are incorporated into the Master Plan and future development controls.
 - (f) That non-residential floor space within future developments ensures capacity to meet the 2036 projections for employment floor space.
 - (g) That the Master Plan addresses the risk associated with the Moomba to Sydney High Pressure Gas Pipeline on future development
 - (h) The provision of a plaza and additional green spaces within the Local Centre.
- (d) That Council endorse the following elements to guide the development of the Master Plan for the Beverly Hills Local Centre:
 - (a) For the northern side of the Railway Line:
 - i. No changes to the zone or development controls
 - ii. Public domain upgrades in Warrawee Place
 - iii. New pedestrian bridge over the railway line
 - (b) For the eastern side of King Georges Road:
 - i. Expand the B2 zone
 - ii. Interface/setback controls are identified to address the built form transition between the B2 and R2 zone
 - iii. Car park at 23 Frederick Avenue and 506 King Georges Road is converted to a plaza with angled parking
 - iv. The maximum building heights is 21m (base height) to 28m (gateway sites)
 - v. The maximum floor space ratio is 2.5:1 (base FSR) to 3:1 (gateway sites)
 - (c) For the western side of King Georges Road:
 - i. The maximum building heights is 21m (base height), 24.1m (sites requiring 3m road widening and min 20m frontage), 31.4m (gateway sites), and 27.2m (Cinema site)
 - ii. The maximum floor space ratio is 3:1 (base FSR), 3.5:1 (sites requiring 3m road widening and min 20m frontage and gateway sites), and 4:1 (Cinema site)
 - iii. The widening of Dumbleton Lane by 3m
 - iv. The provision of green space on King Georges Road (purchase of land)
 - v. The provision of a pedestrian air bridge over King Georges Road.

- (d) Melvin Street and Edgbaston Road:
 - i. Retention of the R4 High Density Residential Zone
 - ii. Any future controls (FSR + height) result in limited residential intensification and restricted range of sensitive uses.
 - iii. The maximum building heights ranges from 15m to 21m
 - iv. The maximum floor space ratio ranges from 1.5:1 to 2:1
- (e) That the non-residential floor space ratio in the B2 Zone be 0.75:1
- (f) That affordable housing is investigated to be provided on the western and eastern side of King Georges Road.
- (e) That Council prepare the Master Plan based on the principles and elements in (c) and (d) above.
- (f) That Council prepare and exhibit an amended Traffic, Transport and Parking Study which assesses TfNSW's concerns, the potential impacts of land use uplift on the existing network and to develop mitigation strategies in order to accommodate the expected growth under the Draft Master Plan.
- (g) The Council prepare and exhibit an amended Public Domain Plan to accompany the draft Master Plan.
- (h) That Council prepare a draft Affordable Housing Contributions Scheme for the Beverly Hills Town Centre Master Plan, which includes testing the viability of sites to provide affordable housing contribution.
- (i) That Council requires further risk modelling in regard to the Moomba to Sydney High Pressure Gas Pipeline to be undertaken to determine the level of risk and whether the affected sites change under the Draft Master Plan.
- (j) That Council endorse consideration into the creation of a housing investigation area in 2025 in the area bound by B2 zoned land, Cahill Street, Morgan Street and Stoney Creek Road
- (k) That Council endorse Beverly Hills Town Centre Master Plan as detailed in this report for public exhibition for 60 days to allow the residents sufficient time to review the draft Master Plan and provide their submissions.
- (l) That Council conduct in person community consultation during the exhibition period, as well as including the provision of one-on-one telephone and meeting services by Council's town planners for community members who wish to discuss any aspects of the draft plan.
- (m) That a further report be prepared and submitted to Council at the conclusion of the exhibition period recommending a preferred approach for the Beverly Hills Town Centre based on the submissions received and the findings of the Traffic, Transport and Parking Study.
- (n) That the Council is to note that budget of over \$200,000 is required to action this resolution and no funds are allocated (to date) in the draft Budget for FY23/24 for Beverly Hills Master Plan.

EXECUTIVE SUMMARY

1. Council resolved (ENV034-22 on 28/11/2022) the following:
 - (a) The matter is to be deferred to a workshop of all Councillors so that they can seek further clarification and express their opinions regarding all matters contained in this report.
 - (b) Council reaffirms its previous resolutions that any further Master Plan for the Beverly Hills centre must not incorporate any form of compulsory acquisition of private property.
 - (c) Further to this, that the Green Corridor and Public Link proposed in Option 3 are not incorporated in a future master plan for the Centre.
2. A copy of the report that went to the Environment and Planning Committee on 14/11/2022 is in **Attachment 1**.

3. A workshop was held on 20 February 2023 with Council and this report provides a way forward for Council based on the following points:
 - (a) A Master Plan is prepared for Beverly Hills Town Centre
 - (b) The Master Plan is to cover future development on both sides of King Georges Road.
 - (c) A modest expansion of the business zone to the east (Option B) is to be incorporated into the Master Plan. (Note – There was mixed support for Option B on the eastern side with 6-8 storeys with a setback.)
 - (d) Greater heights on the western side than the eastern side to be incorporated into the Master Plan. The Master Plan is to depict the exhibited heights on western side.
 - (e) Council to investigate affordable housing for the western and eastern sides of King Georges Road in the B2 Zone.
 - (f) The Master Plan is not to include a green corridor but have setbacks contained in the DCP to accompany development under the Master Plan.
 - (g) The Master Plan is to provide a plaza/car park on Frederick Street with angled parking in street
 - (h) Council to investigate the acquisition of the Eat Greek site for Plaza/ pedestrian air bridge
 - (i) The Master Plan to identify a housing investigation area on the eastern side (R2 behind B2)
4. This report covers the above points and proposes a way forward based on the principles developed from the above points. Council needs to be aware that there is no budget available to fund the master planning work for Beverly Hills if this report is adopted.
5. Therefore, if Council adopts this report, then a budget is required. Council should note that there is only \$6,600.00 remaining to finalise the Beverly Hills Hazard Report (which is grant funding) in the FY22/23 Budget.
6. There is no money to date allocated in the draft Budget for FY23/24 for Beverly Hills Master Plan. Therefore, additional funding (approximately \$200,000) is required for:
 - (a) The traffic assessment
 - (b) Any funds over \$6600 to fund an updated risk assessment
 - (c) The Public Domain Plan
 - (d) The viability analysis for the AHCS
 - (e) The Way Forward Option
 - (f) The community consultation

BACKGROUND

Vision and Objectives for Beverly Hills

7. The following vision statement resulted from work undertaken in Phase 1 during July 2018-April 2019

The Beverly Hills Town Centre celebrates its existing character while successfully integrating a new, modern feel.

It provides a safe, inviting environment for all, is accessible and well-connected, and has green streets and open spaces to enjoy.

8. Key objectives developed during Phase 1 for the master plan were as follows:
- (a) Renewing and revitalising the Beverly Hills Local Centre (in B2 – Local Centre zone)
 - (b) Creating new opportunities for people to live close to transport and services
 - (c) Creating a community heart for Beverly Hills with public spaces
 - (d) New and improved connections within and around the centre
 - (e) Providing guidance for new development / planning proposals

Exhibited Master Plan

9. Phase 2 of the master plan commenced in July 2019. Master planning concepts were developed based on Phase 1 outcomes, detailed site investigations, consultation with the community, including targeted consultation workshops and Councillor workshops.
10. The draft Master Plan establishes 5 “big ideas” concepts for the town centre (refer to **Figure 1**):
- (a) Renewing the revitalising ‘The Strip’ (land zoned B2 along King Georges Road), by encouraging mixed use development and shop top housing, including an expansion of the B2 zone and the creation of a new ‘East Street’.
 - (b) New opportunities for people to live close to public transport and services with the introduction of medium to high density residential redevelopment along the new East Street between the Town centre and Lee Avenue.
 - (c) A New Civic Square for Beverly Hills on the corner of King Georges Road and Frederick Street, including a plaza space that is integrated with a community facility.
 - (d) New and improved connections to get from place to place including creation of ‘East Street’ and the widening of ‘West Lane’.
 - (e) New and improved pocket parks including a new neighbourhood park on the corner of Norfolk Avenue and Lee Avenue.
11. The public domain and open space strategy introduces new public spaces that include urban plazas, pocket parks, social corners, new streets and green links of which will tie Beverly Hills into its existing urban and open space framework. (Refer to **Figure 2**).
12. The proposed zonings, FSRs and heights of the exhibited Master Plan are shown in **Figures 3, 4 and 5**.

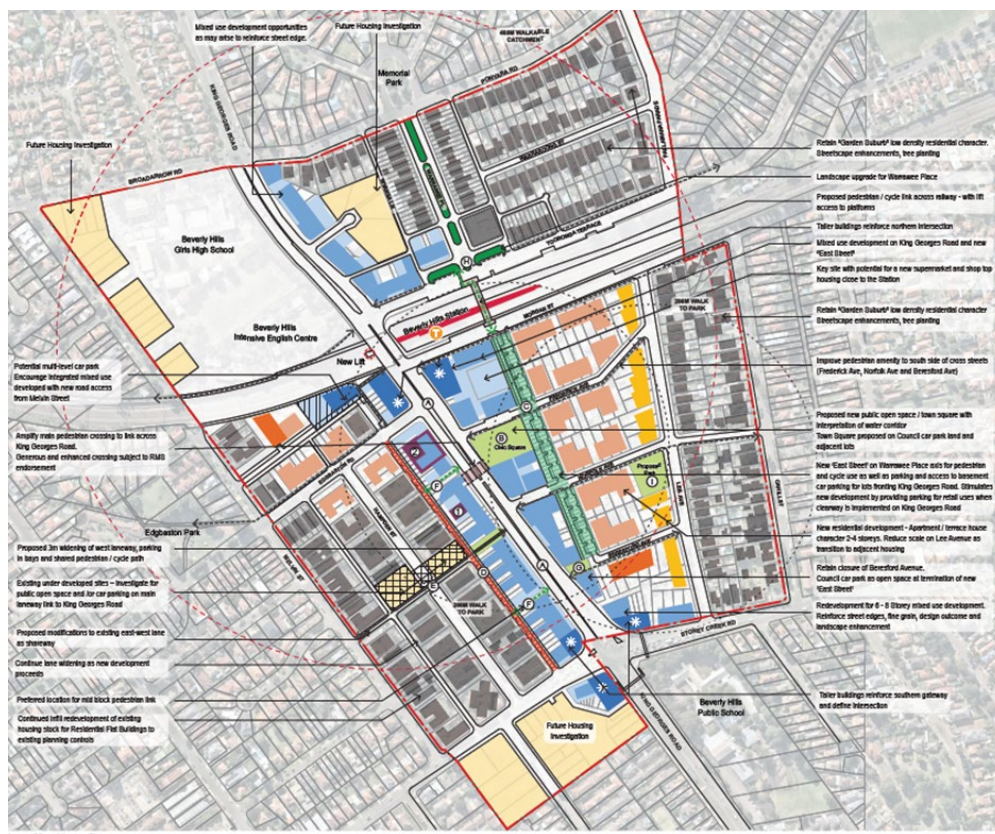


Figure 1 – Exhibited Master Plan

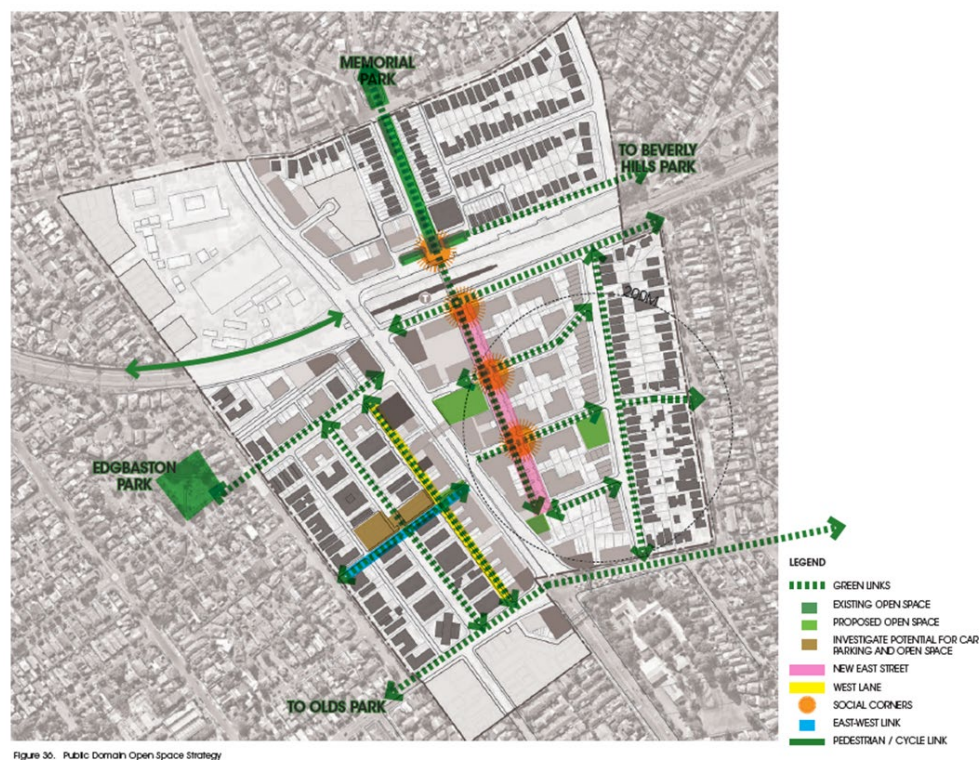


Figure 2 – Draft public domain plan and open space strategy



Figure 3 – Draft exhibited Master Plan zonings



Figure 4 - Draft exhibited Master Plan heights



Figure 5 - Draft exhibited Master Plan FSRs

13. The draft exhibited Master Plan identified four key strategic sites as crucial for the delivery of strategic public domain elements and community infrastructure. These sites were all located on the eastern side of King Georges Road.
14. To encourage the amalgamation of land for non-strategic sites within the study area, a minimum site frontage of 20m was required to achieve the proposed building heights ranging from 15 to 28 metres and floor space ratios ranging from 2:1 to 3:1 as indicated in the exhibited draft master plan for the B2 Zones.
15. For non-strategic sites within the study area, a bonus building height of 3.1m and FSR 0.5:1 would apply where a land dedication for road widening, or widening of existing pedestrian land or a new pedestrian lanes are identified.
16. The retention of cinema uses on the existing cinema site was also proposed to be incentivised with a bonus building height of 6.2m and FSR of 1:1 to a maximum of 2000 square metres.
17. More detail on the exhibited Master Plan is contained in **Attachment 1** to this report.

November 2022 report to Council

18. The report to the Environment and Planning Committee held on 14 November 2022 covered a number of matters as follows:
- Increasing the FSR (from 1.1 to 1.5:1) and HOB (12m to 15m) in the existing R4 – High Density Residential zone on the western side of King Georges Road to enable additional dwellings (storeys) on existing residential flat buildings (**Site A**).
 - Expanding the B2 zone on the western side of King Georges Road in the block bounded by Melvin Street, Edgbaston Road, the Edgbaston Road car park and railway line (**Site B**).
19. Site A and B are depicted in **Figure 6** below.

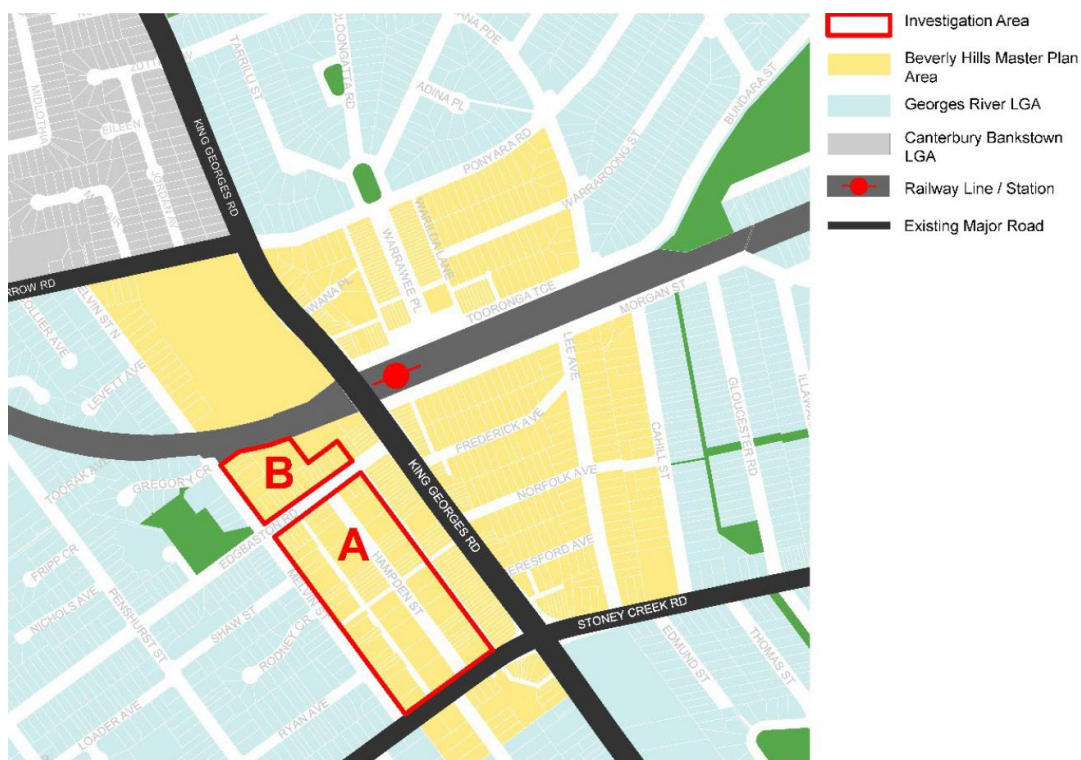


Figure 6 – Location of Site A and Site B

20. In relation to Site A Council was advised that new dwellings on top of existing strata development is not considered feasible or appropriate on the following basis:
- Strata constraints are inhibitive, and redevelopment would only occur with substantial increase in development potential (HOB and FSR)
 - Requires substantial and unfeasible structural modifications to the existing building to achieve suitable accessibility, internal circulation and additional basement parking
 - May lead to poor design outcomes where lower floors are disadvantaged in terms of solar access, as well as visual and acoustic privacy
 - Potential displacement of existing residents during redevelopment
 - Very few public domain improvements due to the unlikelihood of any development and therefore insufficient basis to leverage development investment to fund improvements

21. Council was advised that the rezoning of Site B from R4 High Density Residential to B2 Local Centre is considered inappropriate on the following basis:
- a. Site and strata title constraints would limit development opportunities and isolate this western portion from the town centre, resulting in a fragmented B2 centre.
 - b. Additional floorspace capacity along Edgbaston Road in this part of the precinct will undermine the revitalisation objectives that aim to support the feasibility of existing and future businesses along the King Georges Road strip.
 - c. Site B is affected by the High-Pressure Ethane Gas Pipeline. The hazard analysis study identifies the site has having a high level of individual risk due to its proximity to the pipeline.
22. More detail on Sites A and B is contained in **Attachment 1** to this report.

Recent Submissions

23. Since November 2022, Council has received 60+ submissions regarding the Beverly Hills Local Centre Master Plan, the majority of these were in two proforma responses:
- a. No changes to R2 and B2 on Eastern Side King Georges Road:
 - i. Requests no changes to land use zoning, heights or FSR to the B2 and R2 zones, including no green corridor on the eastern side of King Georges Road.
 - ii. Retain the existing Council carpark of Frederick Avenue and demolish the old toilet block and the Ray White Real Estate building to increase the size of this carpark and rebuild a new toilet block on site.
 - b. Supported Option 1 as proposed in November report (amended exhibited master plan) with no compulsory acquisition and no 'East Lane'.
24. Other submissions (not proforma) raised concerns relating to the proposed commuter carpark, building heights and the location of future supermarkets.

Planning Proposal 2023/0001 - 407-511 King Georges Road Beverly Hills (Western Side)

25. The Planning Proposal seeks to amend the Georges River Local Environmental Plan 2021 to:

- a. Increase the Floor Space Ratio from 2:1 to part 4:1 and part 5.5:1
- b. Increase the height from 15m to part 44m and part 50m

Note: The current B2 Local Centre zoning of the site is proposed to be retained.

Options Presented to Councillor Briefing held 20 February 2023

26. The following options were presented to the briefing:

Option 3 from November Environment & Planning Committee report – amended design

27. In respect of Option 3 Council resolved (ENV034-22 on 28/11/2022) not to incorporate any form of compulsory acquisition of private property; and to remove the Green Corridor and Public Link in any future master plan for the Centre.
28. **Figure 7** below depicts the amended Option 3.

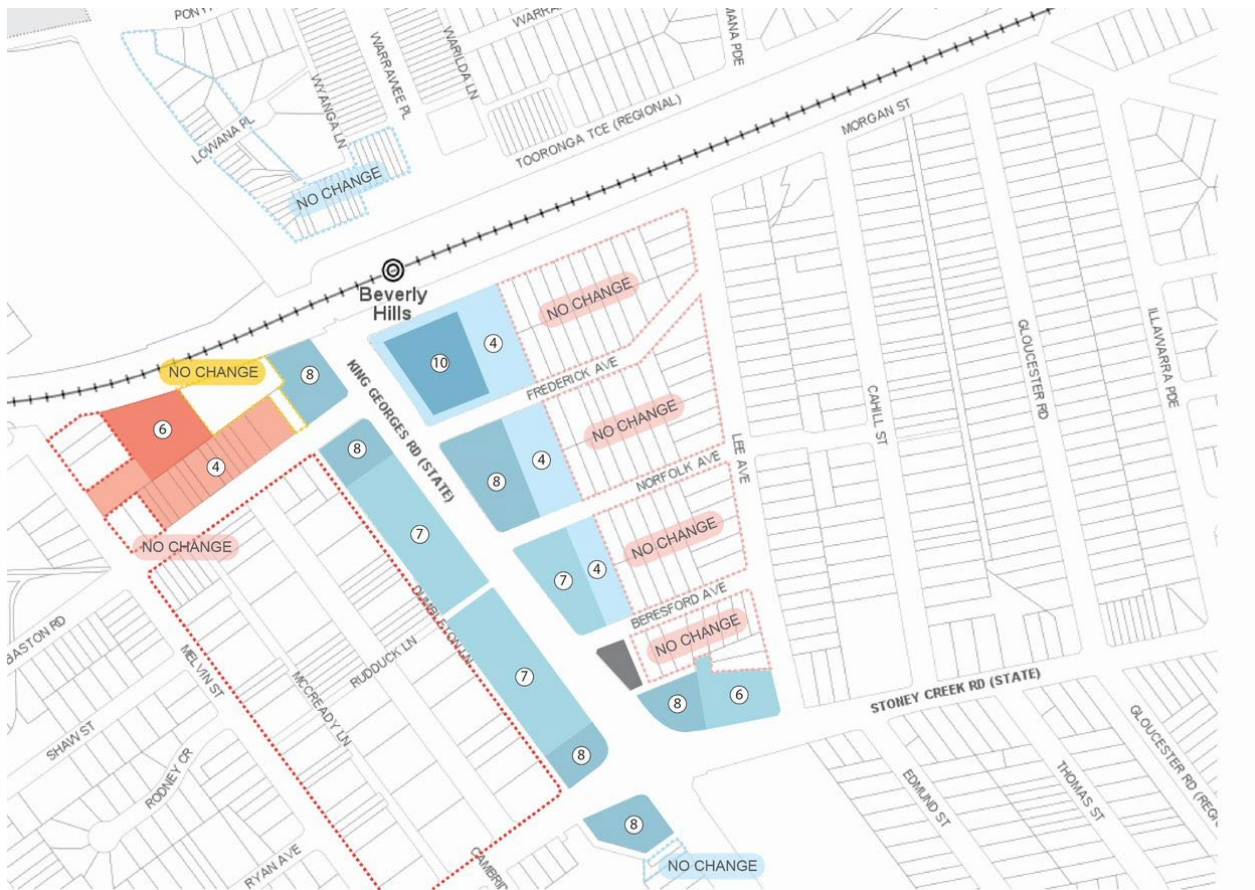


Figure 7 – Option 3 with amendments

29. Three key sites (refer to **Figure 8** below) are identified for amalgamation in this Option to deliver a 24m setback to the existing R2 low density residential area via a green setback.
30. The 24m wide setback between Morgan Street and Norfolk Avenue (key sites 1 and 2) will:
 - a. improve access and connectivity with pedestrian and bicycle access
 - b. provide opportunities for visitor street parking away from King Georges Road
 - c. include wide footpaths for public spaces
 - d. provide a 6m wide deep soil zone to provide tree canopy; and
 - e. minimise amenity impacts on the adjoining R2 zone through providing an interface zone.
31. The 12m wide setback between Norfolk Street and Beresford Avenue (key site 3) will:
 - a. improve access and connectivity with pedestrian and bicycle access
 - b. provide a 4m wide deep soil zone to provide tree canopy; and
 - c. minimise amenity impacts on the adjoining R2 zone.
32. **Note:** The Apartment Design Guide (ADG) only requires a 9m setback at the boundary adjacent to a lower density zone. Any requirements relating to the provision of a setback greater than 9m within a DCP will be overruled by the ADG and cannot be enforced.



Figure 8 – Key Sites Map

33. Option 3 proposes:

- a. An increase in height and density in the R4 High Density Residential zone along northern side of Edgbaston Road and Melvin Street to allow 4 to 6 storeys.
- b. No changes are proposed to the B2 zone north of the railway line in response to concerns on the impact on character of the adjoining residential area, which is an intact 'Garden suburb' style subdivision pattern mostly consisting of 1930s red-brick bungalows.
- c. Improved connections within and around the centre. The delivery of proposed pedestrian bridges over State government assets (road and rail) would require their consent and substantial funding to deliver. Council can advocate for and seek grant funding for these projects.

34. **Figure 9** below shows a section through Key Site 2

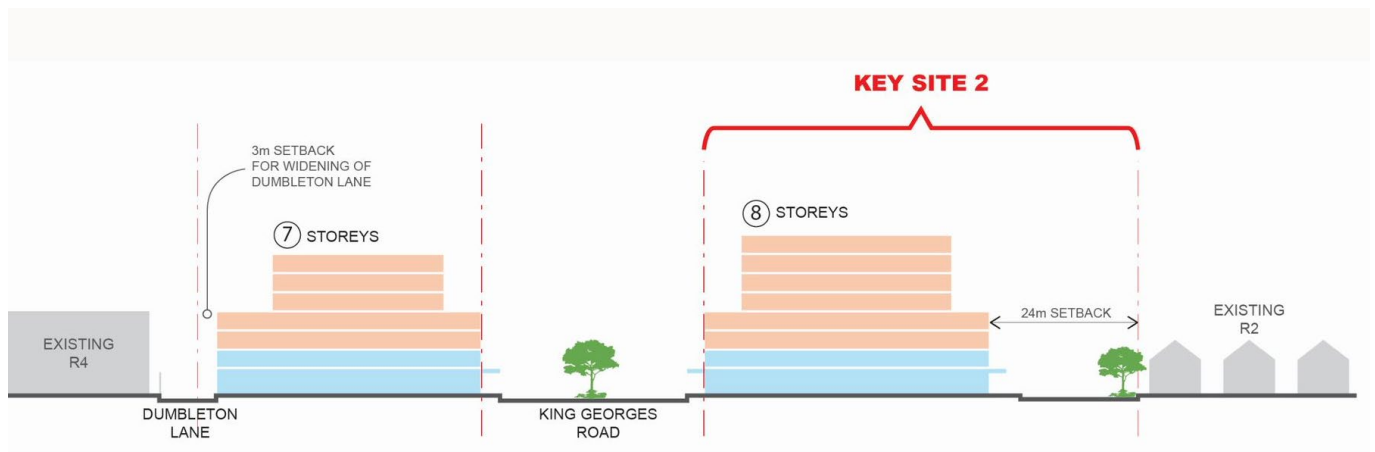


Figure 9 - Section across from Eastern to western side of King Georges Road

35. The issues with this option:

- a. The Apartment Design Guide (ADG) only requires a 9m setback at the boundary adjacent to a lower density zone. Any requirements relating to the provision of a setback greater than 9m within a DCP will be overruled by the ADG and cannot be enforced.
- b. Potential traffic and amenity impacts associated with new developments with no new road on eastern side
- c. Does not provide adequate increase in open space to support potential increase in density/population
- d. Does not provide potential site link/ lane behind expanded B2 on eastern side, may result in vehicular access conflicts

OPTION A: Amended Exhibited Master Plan

36. This option is based on the exhibited Master Plan with the following changes:

- a. No East Lane
- b. No Council led acquisition of R2 land for road or open space
- c. Expanded B2 – but includes the sites that were proposed to be road/site link
- d. Expanded B2 to Lee Avenue on block on corner of Stoney Creek Road, King Georges Road
- e. Smaller plaza
- f. Uplift spread around centre

37. **Figure 10** depicts the Option and **Figures 11 and 12** depict sections from east to west.

38. This option addresses the Master Plan objectives and community concerns:

- a. Opportunities for renewal of the existing and expanded B2 – Local Centre zone with increased height and density.
- b. Potential to meet the 2036 forecast for non-residential floorspace in the CCS with increase in B2 zoned land.
- c. Opportunities for new housing opportunities close to transport and services through shop top housing in the existing and expanded B2 and expanded R4 zone.
- d. Small community plaza on existing Frederick Street carpark.

- e. Supporting improved connections within and around the centre. The delivery of proposed pedestrian bridges over State government assets would require their consent and substantial funding to deliver. Council can advocate for and seek grant funding for these projects.
- f. No proposal for Council acquisition of land in the R2 zone.

39. The issues with this option are:

- a. Lack of community benefit / infrastructure improvements associated large uplift of density and height and zoning within centre, including open space and public domain
- b. Potential traffic and amenity impacts associated with new developments with no new road on eastern side
- c. Does not provide adequate increase in open space to support potential increase in density/population
- d. Does not provide potential site link/ lane behind expanded B2 on eastern side, may result in vehicular access conflicts

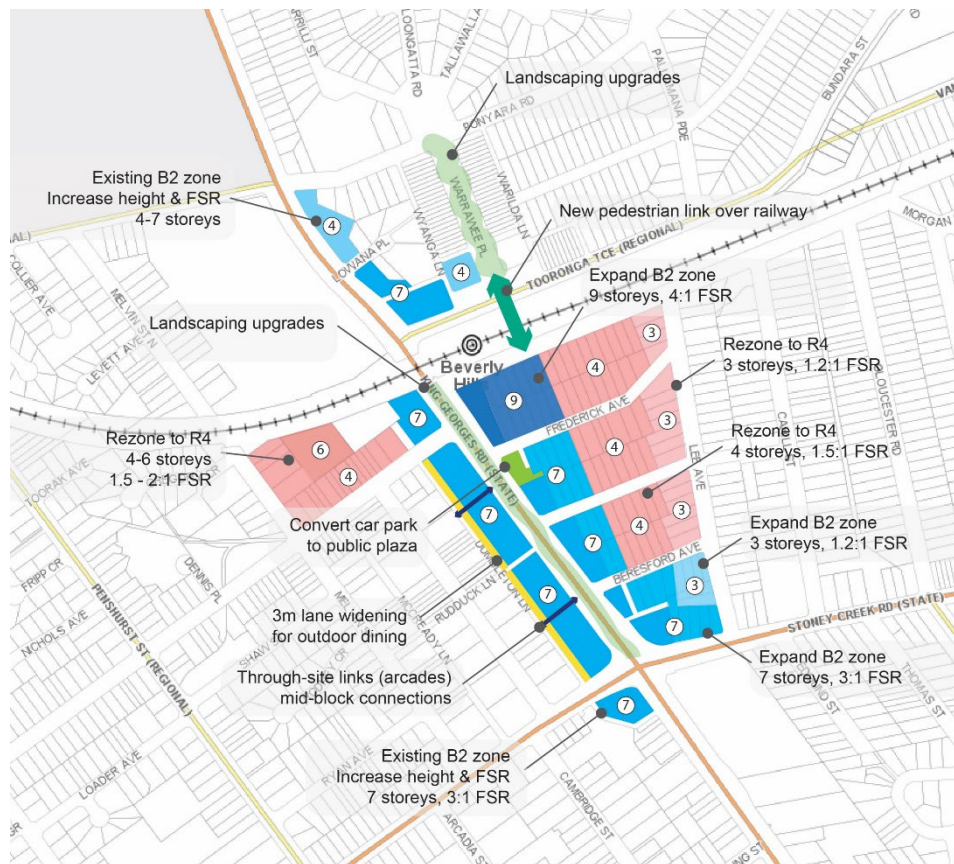


Figure 10 – Option A – Amended Exhibited Master Plan



Figure 11 – Section – Frederick Avenue – Key Site 1



Figure 12- Section – Norfolk Avenue – Key Site 2

OPTION B: 6 storeys Master Plan

40. This option proposes:

- a. No changes to B2 north of railway line
- b. Landscaping upgrades for Warrawee Place
- c. Some expansion of B2 zone on eastern side (up to start of green corridor)
- d. Allows in the B2 zone 6 storeys on both sides of King Georges Road and up to 8 storeys on gateway sites
- e. Conversion of Frederick Avenue carpark into public plaza include angled parking on Frederick Avenue to replace parking
- f. Council acquisition and conversion of 439-445 King Georges Road adjoining the cinema to a new plaza/ open space
- g. Pedestrian connections across King Georges Road and railway line
- h. A 3m lane widening to Dumbleton Lane for outdoor dining.

41. **Figure 13** depicts the Option and **Figures 14 and 15** depict sections from east to west.



Figure 13 – Option B

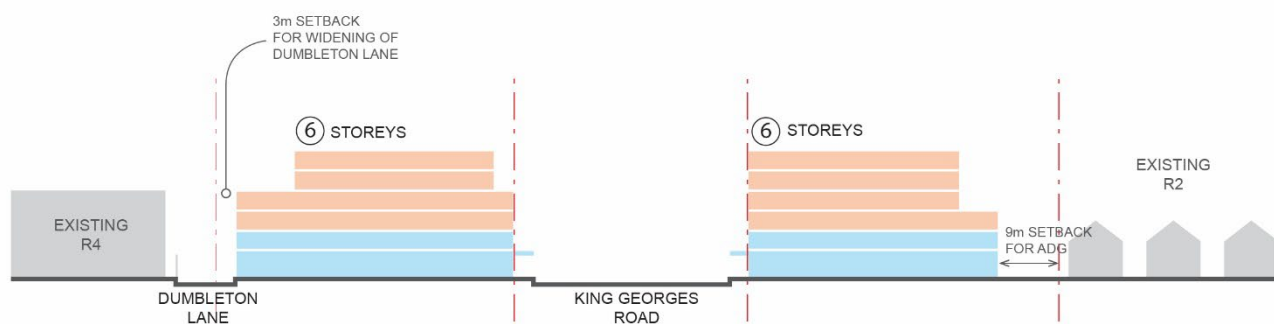


Figure 14 – Section Norfolk Avenue

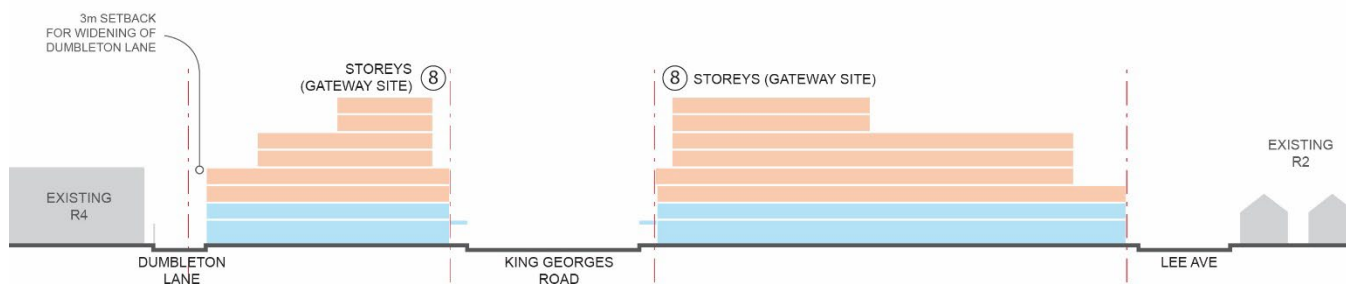


Figure 15 – Section Stoney Creek Road (Gateway Site)

42. Option B addresses Master Plan objectives and community concerns by:

- a. Delivering more opportunities for renewal of the existing and expanded B2 – Local Centre zone with increased height and density.
- b. Creating more opportunities for new housing opportunities close to transport and services through shop top housing in the existing and expanded B2 zone.
- c. Proposing a new town square to create a community heart for Beverly Hills through public spaces
- d. Supporting improved connections within and around the centre. The delivery of proposed pedestrian bridges over State government assets would require their consent and substantial funding to deliver. Council can advocate for and seek grant funding for these projects.
- e. No proposal for Council acquisition of land in the R2 zone.

43. The issues with this option are:

- a. Would result in inequality in development standards within the B2 zone between the northern and southern side of centre.
- b. Unlikely to deliver a new town square on western side as Nos.439-445 King Georges Road is privately owned with a development consent for a motel development and is also restricted by a stormwater canal.
- c. Does not provide potential site link/ lane behind expanded B2 on eastern side, may result in vehicular access conflicts.
- d. The built form interface between the B2 and R2 zones and the impact and amenity issues are not addressed.

OPTION C: Western side King Georges Road uplift

44. Option C (**Figure 16**) proposes:

- a. No change to B2 or R2 zone on northern side of railway line or eastern side of King Georges Road
- b. Landscaping upgrades for Warrawee Place
- c. Retain Frederick Avenue carpark
- d. B2 zone western side increase to 6 storeys and 2.5:1 FSR (recommended)
- e. Through site links for mid- blocks connections between Dumbleton Lane and King Georges Road (Western side)
- f. 3m lane widening to Dumbleton Lane for outdoor dining
- g. New pedestrian link bridge on King Georges Road and Railway line
- h. Council to acquire and convert the vacant land adjoining the cinema to a new town square/ open space

45. Option C addresses Master Plan objectives and community concerns by:

- a. Delivering some opportunities for renewal of the existing B2 – Local Centre zone with increased height and density.
- b. Creating some opportunities for new housing opportunities close to transport and services through shop top housing in the existing B2 zone.
- c. Proposing a new town square or park.

- d. Supporting improved connections within and around the centre. The delivery of proposed pedestrian bridges over State government assets (road and rail) would require their consent and substantial funding to deliver. Council can advocate for and seek grant funding for these projects.
 - e. No proposal for Council acquisition of land in the R2 zone.
46. The issues with this option are:
- a. Would result in inequality in development standards within the B2 zone between the western side of centre and rest of centre.
 - b. May result in redevelopment only on western side of King Georges Road.
 - c. Does not meet the 2036 forecast for non-residential floorspace in the CCS with no opportunity for an increase in the amount of B2 zoned land, which may result in overall decrease in non-residential floorspace with in the centre through redevelopment of existing B2 zoned sites.
 - d. Unlikely to deliver a new town square or park, as Nos.443-445 King Georges Road is privately owned with a development consent for a motel development and is also restricted by a stormwater canal.
 - e. Difficulty in delivery of proposed public domain improvements and landscaping upgrades due to limited redevelopment opportunities and urban renewal.
47. The removal of any B2 expansion may limit the redevelopment of eastern side of King Georges Road as the land parcels are small and irregular sized with only one laneway. The smallest site on eastern side is only 16m deep and most of them are less than 30m, whereas western side sites are more regular and around 45m deep.
48. **Figure 17** below depicts a cross section of the option.



Figure 16 – Option C – western side of King Georges Road Uplift

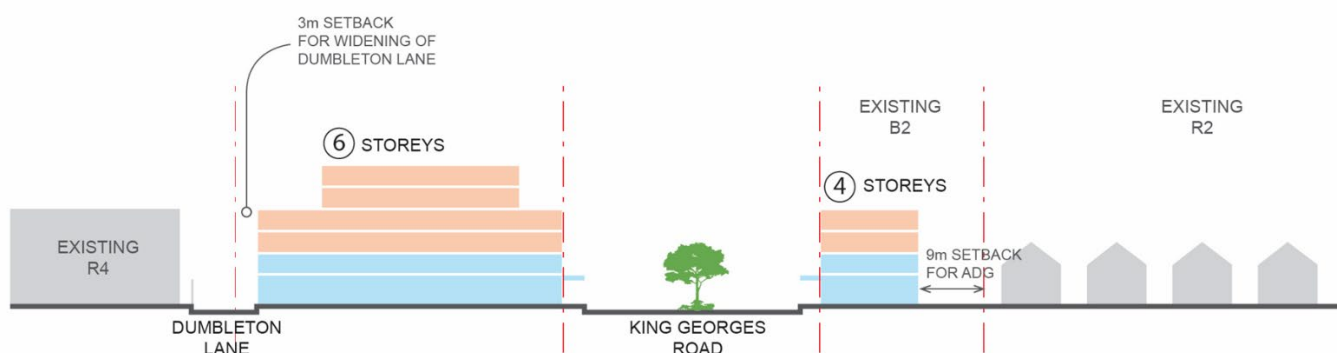


Figure 17 – Section at Norfolk Avenue

OPTION D: No Master Plan

49. Possible implications of having no master plan includes

- a. Ad-hoc planning proposals may be submitted by land owners. Council would have limited ability to delivery required infrastructure to support future changes in the centre.

- b. Proponents may proceed to Rezoning Review – if not supported by Council – via state government planning panel
- c. No revitalisation of Beverly Hills - May result in no change to Beverly Hills. Continual decline in streetscape amenity and public amenity with ageing buildings and poor public domain reducing the liveability of the surrounding area, and the desirability of the Centre for investment.
- d. Potential decline in existing infrastructure with limited opportunities to improve traffic and parking situation due to no contributions plan or funding mechanisms
- e. Lack of planning for future employment floorspace demand, may result in demand shifting to other centres.

PREFERRED OPTION BY COUNCIL OFFICERS

50. The preferred option from Council Officers is the amended option 3 (refer to **Figure 18**) as it provides a balanced master plan to achieve the centre's vision.
51. This option achieves the key objectives for Beverly Hills by:
- a. Recognising the need to revitalise Beverly Hills centre with a clear vision that provides guidance for future development and planning proposals.
 - b. Providing development incentives to renew existing B2 land in the centre, including smaller lots through amalgamation.
 - c. Creating opportunities to meet the 2036 projections for employment floorspace demand for Beverly Hills.
 - d. Acknowledging the community's concerns regarding acquisition and proposing no Council acquisition of sites for public infrastructure. Infrastructure, such as the green setback and laneway widening will be delivered through development incentives.
 - e. Providing opportunities for new housing close to train station through upzoned areas with B2 shop top housing and increased FSR for some R4 land along northern side of Edgbaston Road.
 - f. Creating public spaces in green setback to provide informal opportunities for community to meet and gather.
 - g. Delivering new and improved connections within and around the centre, via development incentives to deliver the green corridor, lane widenings and cross links.
52. This option builds upon the exhibited draft Master Plan and proposes the following changes (refer to **Figure 18** for structure plan and **Figures 19, 20 and 21** for cross sections through key sites):
- a. An expansion of the B2 Local Centre zone on the eastern side of King Georges Road to incentivise amalgamation of key sites and provide a new green corridor.
 - b. An increase in height and density in the B2 zone, to allow 7 storeys with additional height on gateway sites up to 8 storeys and key sites up to 10 storeys to encourage redevelopment and renewal (dependent onsite amalgamation patterns and providing public benefit such as lane widening).
 - c. Improve pedestrian amenity through enhance and widened laneways to Dumbleton Lane and Rudduck Lane.
 - d. Three key sites are identified for amalgamation to deliver a 24m setback to the existing R2 low density residential area via a green corridor and public link.

- e. The 24m wide setback between Morgan Street and Norfolk Avenue (key sites 1 and 2) will:
 - i. improve access and connectivity with pedestrian and bicycle access
 - ii. provide opportunities for visitor street parking away from King Georges Road
 - iii. include wide footpaths for public spaces
 - iv. provide a 6m wide deep soil zone to provide tree canopy; and
 - v. minimise amenity impacts on the adjoining R2 zone through providing an interface zone.
- f. The 12m wide public link between Norfolk Street and Beresford Avenue (key site 3) will:
 - i. improve access and connectivity with pedestrian and bicycle access
 - ii. provide a 4m wide deep soil zone to provide tree canopy; and
 - iii. minimise amenity impacts on the adjoining R2 zone.
- g. An increase in height and density in the R4 High Density Residential zone along northern side of Edgbaston Road and Melvin Street to allow 4 to 6 storeys.
- h. No changes are proposed to the B2 zone north of the railway line in response to concerns on the impact on character of the adjoining residential area, which is an intact 'Garden suburb' style subdivision pattern mostly consisting of 1930s red-brick bungalows.
- i. Supporting improved connections within and around the centre. The delivery of proposed pedestrian bridges over State government assets (road and rail) would require their consent and substantial funding to deliver. Council can advocate for and seek grant funding for these projects.

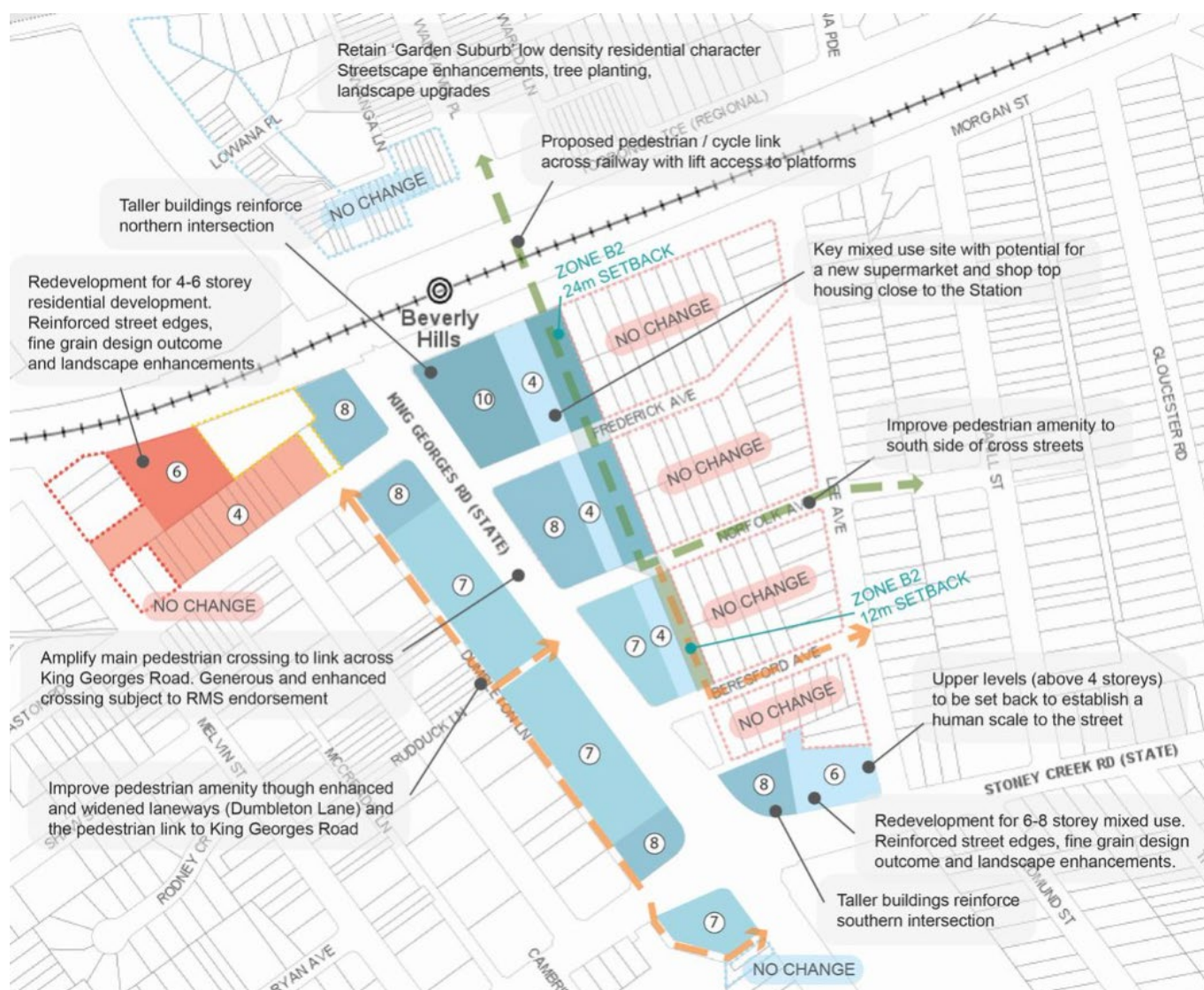


Figure 18 –Preferred amended Option 3 – Structure plan

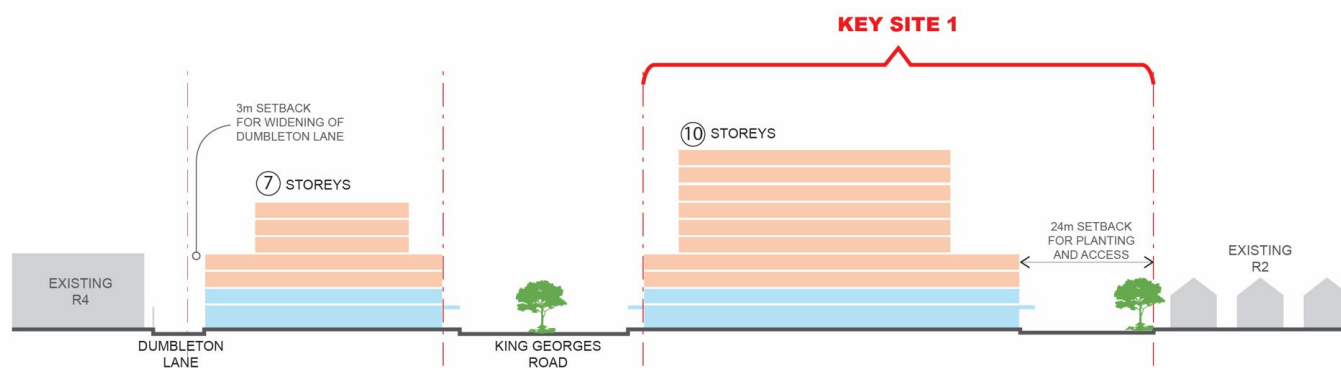


Figure 19 – Key Site 1

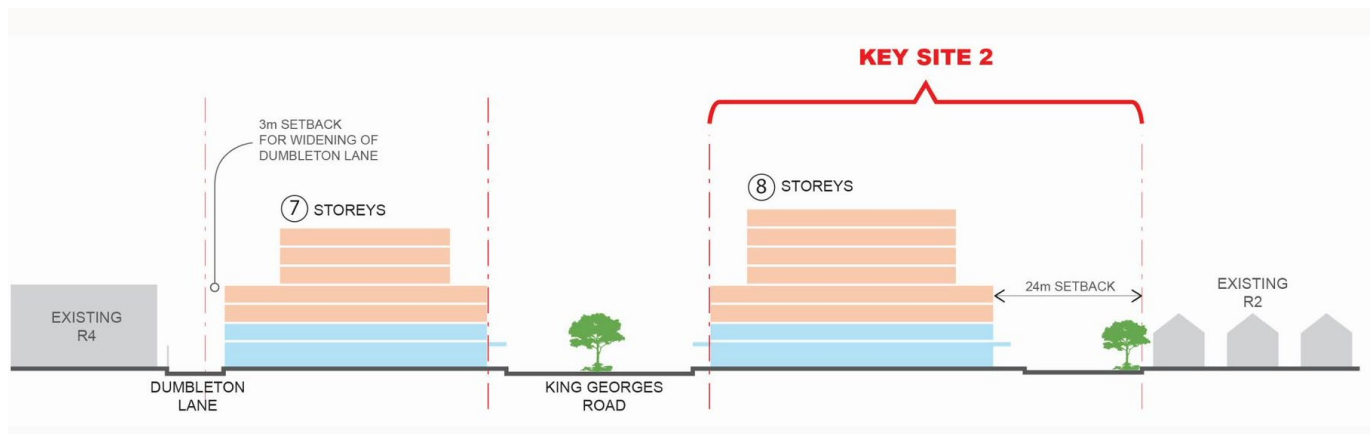


Figure 20 – Key Site 2

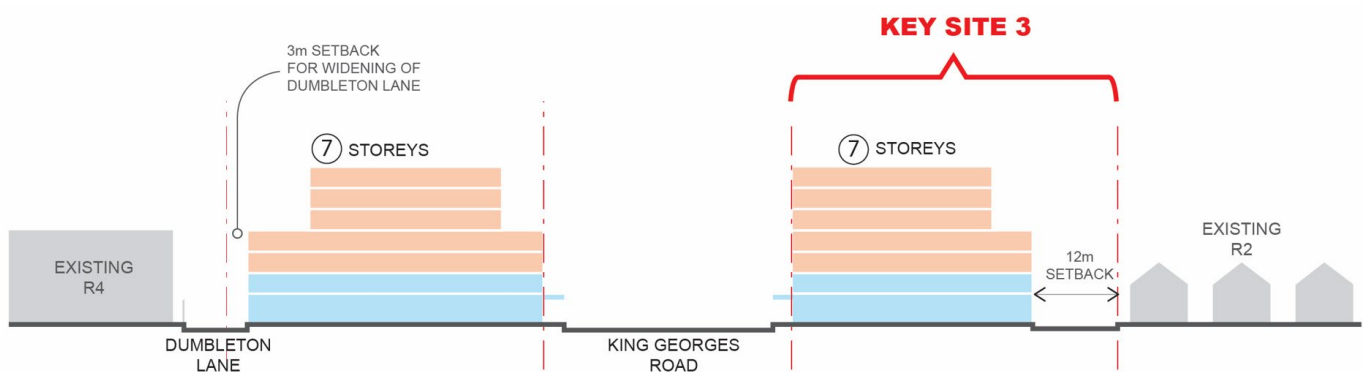


Figure 21 – Key Site 3

PRINCIPLES FROM COUNCILLOR BRIEFING HELD 20 FEBRUARY 2023

53. The following areas of agreement were developed at the briefing with Council held 20 February 2023 for Beverly Hills Local Centre:
- A Master Plan is prepared for Beverly Hills Local Centre
 - The Master Plan is to cover future development on both sides of King Georges Road.
 - A modest expansion of the business zone to the east (Option B) is to be incorporated into the Master Plan. (Note – There was mixed support for Option B on the eastern side with 6-8 storeys with a setback.)
 - Greater heights on the western side than the eastern side to be incorporated into the Master Plan. The Master Plan is to depict the exhibited heights on western side.
 - Council to investigate affordable housing for the western and eastern sides of King Georges Road in the B2 Zone.
 - The Master Plan is not to include a green corridor but have setbacks contained in the DCP to accompany development under the Master Plan.
 - The Master Plan is to provide a plaza/car park on Frederick Street with angled parking in street
 - Council to investigate the acquisition of the Eat Greek site for Plaza/ pedestrian air bridge
 - The Master Plan to identify a housing investigation area on the eastern side (R2 behind B2)

54. A set of principles has been developed from these areas of agreement, and are:
- The Master Plan guides future development on both sides of King Georges Road.
 - The expansion of the business zone on the eastern side of King Georges Road to create opportunities for the growth of the Local Centre to support the local community.
 - The exploration of the western side of King Georges Road having greater maximum building heights than the eastern side of the road.
 - The investigation of the inclusion of affordable housing within the Local Centre.
 - That built form transition provisions between the business zone and adjoining low scale residential zones are incorporated into the Master Plan and future development controls.
 - That non-residential floor space within future developments ensures capacity to meet the 2036 projections for employment floor space.
 - That the Master Plan addresses the risk associated with the Moomba to Sydney High Pressure Gas Pipeline on future development
 - The provision of a plaza and additional green spaces within the Local Centre.

PROVISIONS TO GUIDE THE MASTER PLAN FOR THE CENTRE

55. The following analysis and elements will assist in guiding the development of the master plan for the Centre. The analysis and elements are based on the points and comments provided at the Councillor Workshop on 20 February 2023 and the resulting principles that have been developed.
56. The analysis is broken down into areas/precincts within the Local Centre as follows:

Northern side of the Railway Line

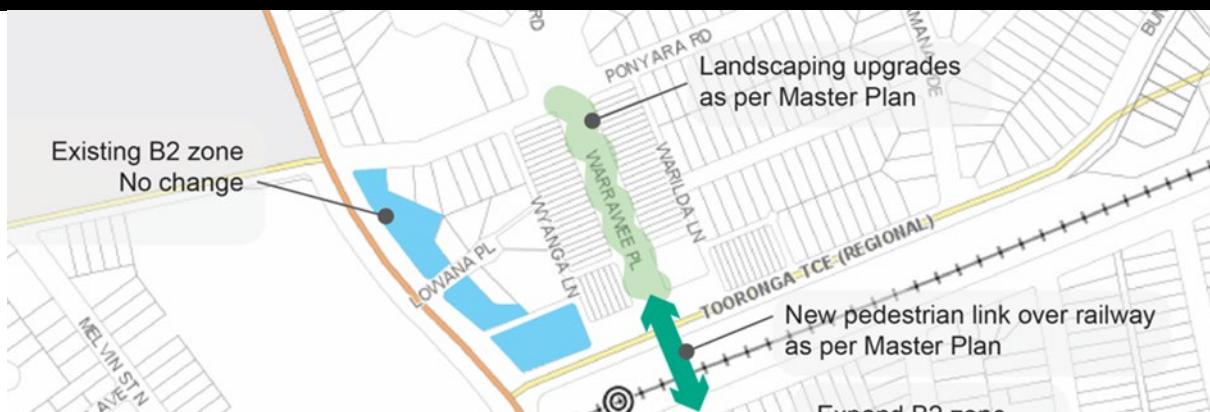


Figure 22 – Northern side of railway line

Elements for the Master Plan

- No change to the existing B2 Zone – retain the non-residential FSR as 0.5:1 as existing.
- The public domain to include the upgrades as per the exhibited draft Master Plan (refer to **Figure 23** below)
- New pedestrian bridge as per the exhibited draft Master Plan

9.3.4. WARRAWEE PLACE

Warrawee Place will support a more pedestrian friendly streetscape, activating the central spine with clear lines of movement, open lawn and flexible pocket plazas. The existing condition limits the flexibility and accessibility of space for pedestrian activation, with wide roads and low timber fencing.

Existing Warrawee Place provides opportunity to be redefined as a community linear pocket park. To transform Warrawee Place, the central median will be transformed to a series of mini pocket plazas and open lawn spaces. Generous planting buffers will encourage pedestrian movement north-south along Warrawee Place.

The streetscape will be retrofitted to produce a functional linear park. Introducing permeable paving and increasing street tree canopy will improve amenity for pedestrians and increase the opportunity for the public to have access to quality public space. Undergrounding of overhead cables will be investigated.

Permeable paving will define parking space, with tree planting at grade contributing to street amenity. These landscape interventions will activate the median prioritising pedestrians, giving the street back to the community.

Existing condition



Precedents



Figure 46. Warrawee Place

Figure 23 - Extract from exhibited Master Plan

Eastern side of King Georges Road



Figure 24 – Eastern side of King Georges Road

Elements for the Master Plan

- Expand the B2 zoning to the east as shown in **Figure 24** above and increase the non-residential FSR from 0.5:1 to 0.75:1.
- Street wall heights (4 to 6 storeys) and front and rear setbacks to be investigated.
- Setbacks to the R2 zone to the east to be incorporated in the detail of the Master Plan but will be added into the DCP that will accompany a planning proposal. **Note:** DCPs do not accompany Master Plans.
- Convert the existing Council car park at 23 Frederick Avenue and Ray White building at 506 King Georges Road into a plaza with angled parking on Frederick Avenue
- The following FSRs and Heights apply:

B2 Zone	FSR	Height in metres	Height in storeys
B2 Zone generally	2.5:1 (Includes non-residential 0.75:1)	21m	6 storeys (including 4 storeys residential) Refer to Figure 28 for built form & building envelope
B2 Gateway Sites	3:1 (Includes non-residential 0.75:1)	28	8 storeys (including 6 storeys residential) Refer to Figure 29 for built form & building envelope
B2 expansion at Lee Avenue	2.5:1 (Includes non-residential 0.75:1)	21m	6 storeys to 3 storeys at Lee Avenue

Western side of King Georges Road



Figure 25 – Western side of King Georges Road

Elements for the Master Plan

- No expansion of the B2 zone with the FSRs and heights as per the originally exhibited Master Plan for the western side. This includes an increase in the non-residential FSR from 0.5:1 to 0.75:1:

B2 Zone	FSR	Height in m	Height in storeys
B2 Zone (existing)	2:1 (0.5:1 non-residential)	15m	4 storeys (including 3 storeys residential)
B2 Zone (proposed base height)	3:1	21m	6 storeys (including 4 storeys residential)
B2 Zone (proposed - min frontage 20m & 3m laneway widening)	3.5:1 (Includes non-residential 0.75:1 & bonus 0.5:1 for 3m widening)	24.1 (Includes 3.1m height bonus for lane widening)	7 storeys (including 5 storeys residential)
B2 Gateway Sites (proposed - min frontage 20m plus 3m laneway widening)	3.5:1 (Includes non-residential 0.75:1 & 0.5:1 for laneway)	31.1m (Includes 3.1m height bonus for lane widening)	9 storeys (including 7 storeys residential)
Cinema Site	4:1 (Includes non-residential 1:1 – for replacement cinema & 3m laneway)	27.2m (Includes 6.2m height bonus and replacement cinema & laneway)	8 storeys (including 6 storeys residential)

- Street wall heights (4 to 6 storeys) and front and rear setbacks to be investigated.
- Widening of Dumbleton Lane by 3m as per the exhibited Master Plan.

- Council to investigate the purchase of 439 King Georges Road for use as green space
- New pedestrian air bridge to replace existing crossing

Note:

Further work has been done on the heights and FSRs proposed by the exhibited Master Plan. An excess of FSR (being roughly 0.5:1) is provided by the exhibited Master Plan in comparison to the proposed maximum building height.

The amount of FSR establishes the development potential of a site, for example the number of apartments that can be built and the amount of employment floor space that can be provided. In order to fully utilise the FSR provided within the height limit, any future development may result in a design with minimal front and rear setbacks. As the result, the built form may be visually bulky and have limited opportunities for articulation due to the need for a building to achieve all of the proposed FSR to maximise its development potential.

Therefore the revised Master Plan will need to include the required minimum front and rear setbacks which will then need to be translated into DCP controls. This issue will be addressed as part of the preparation of the “Way Forward” Master Plan.

Melvin Street and Edgbaston Road

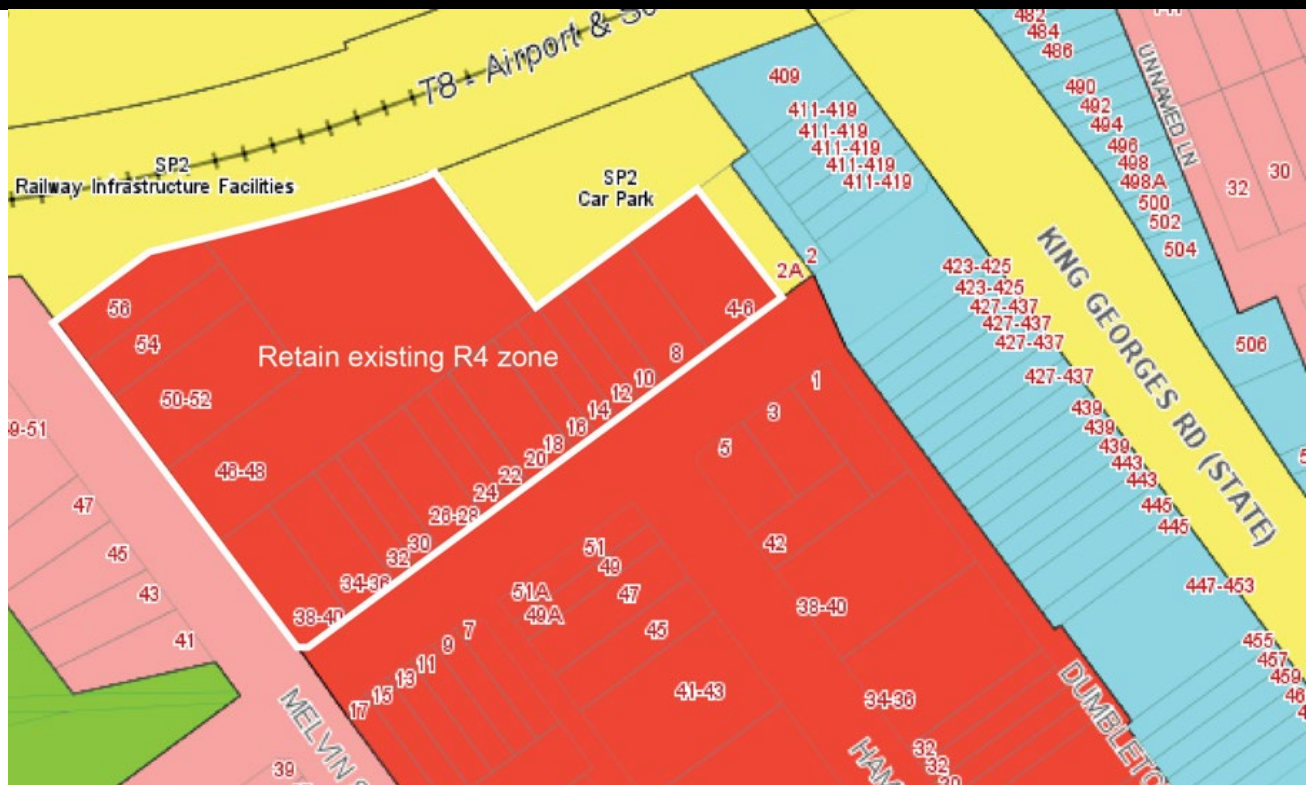


Figure 26 – Extract from Georges River LEP 2021 – Zoning Map

Elements for the Master Plan

- The Moomba to Sydney High Pressure Ethane Gas Pipeline is a high-pressure dangerous goods pipeline located within the study area for Beverly Hills Master Plan. The site outlined in white in **Figure 26** above is one of the five sites within the master plan study area identified as having a higher level of risk from the pipeline.
- The preliminary findings of the gas line risk report commissioned by Council indicates that Nos. 46-48 and 54-56 Melvin Street will require future controls relating to limited residential intensification and sensitive uses along the common boundary of the railway corridor – refer to **Figure 28** below.
- Retain the existing zoning of R4 High Density Residential over the land.
- No change to the zoning over the Beverly Hills Commuter Cr Park site – SP2 Car Park
- Delete the proposed laneway that was in the exhibited draft Master Plan to enable greater site planning flexibility to achieve height and FSR
- Retain the height and FSRs proposed in the exhibited draft Master Plan which are as follows:

Site	FSR	Height
Nos. 4 to 40 Edgbaston Road	1.5:1 (Currently 1:1)	15m (4 storeys) (Currently 12m)
No. 46-48 Melvin Street – front	2:1 (Currently 1:1)	15m (4 storeys) (Currently 12m)
No. 46-48 Melvin Street – rear	2:1 (Currently 1:1)	21m (6 storeys) (Currently 12m)

Housing investigation area on the eastern side (R2 behind B2)



Figure 27 – Proposed B2 zoning

Elements for the Master Plan

- The land area between the new B2 zone and Cahill Street – shown in red outline in **Figure 27** above – be labelled on the Master Plan a Housing Investigation Area.
- This area will be separately investigated by Council officers as to its suitability to either a R3 or R4 or a combination of both.
- The investigation will need to consider the implications of the Moomba to Sydney High Pressure Ethane Gas Pipeline. Refer to **Figure 28** below.
- This investigation would not commence until 2025.

MINIMUM NON-RESIDENTIAL FLOOR SPACE RATIO AND CALCULATIONS

57. The George River LEP 2021 includes a minimum non-residential (employment) FSR of 0.5:1 for B2 zoned land within Beverly Hills Centre. The Commercial Centres Strategy

(CCS) indicates that the current B2 zoned land within Beverly Hills centre results in a non-residential FSR of 0.75:1 and requires an FSR of 0.82:1 to meet the required 2036 demand for future employment floor space.

58. The previous Council report on Beverly Hills Master Plan (12 July 2021) recommended that Council consider a future LEP requirement for non-residential FSR of 0.75:1 in Beverly Hills. This requirement would stem the loss of the non-residential floorspace as sites are redeveloped and ensure capacity to meet the 2036 projections for employment floorspace demand.
59. It is recommended by officers that the Master Plan include a non-residential FSR of 0.75:1 to stem the loss of the non-residential floorspace as sites are redeveloped and ensure capacity to meet the 2036 projections for employment floorspace demand.

TRAFFIC

60. TfNSW has recently provided the following network operation comments on the Beverly Hills Master Plan in the context of the Planning Proposal for 407-511 King Georges Road Beverly Hills which will need to be addressed by the revised master plan:

- a. *Proposed multistorey carpark on Edgbaston Road*
 - i. *Network Operations has received a number of complaints regarding traffic signal TCS846, including queued traffic when entering and exiting Edgbaston Road. The proposed multi-storey car park will increase traffic volumes in this area, particularly at this intersection however, the traffic report does not appear to identify any traffic signal and/or road capacity improvements to accommodate the additional traffic generated by this development.*
 - ii. *The driveway into the multistorey car park is to be limited to left-in left-out only due to its proximity to the traffic signals and to maintain traffic flow on Edgbaston Road. This is to be achieved by installing a concrete median.*
- b. *Proposed pedestrian crossing across King Georges Road / Edgbaston Rd intersection:*
 - i. *It is noted that a planning proposal was submitted for the lots adjacent to the Council car park. Has the option of a pedestrian bridge been explored and considered? It may be possible to incorporate this into the new development, reducing its impacts on King Georges Road.*
 - ii. *Traffic modelling is to be undertaken to assess the impacts of the proposed pedestrian crossing across King Georges Road at Edgbaston Rd. Adverse traffic impacts to King Georges Road is to be mitigated as it is a major public transport and road freight corridor.*
- c. *Proposed right turn movement from Edgbaston Road into King Georges Road:*
 - i. *The proposed right turn movement will result in additional phases at the TCS846 intersection. More green time will be taken away from King Georges Road which will increase queuing and delays on a major public transport and road freight corridor. Based on this, Network Operations does not support the proposed right turn movement based on the current traffic and road conditions.*
- d. *Proposed additional bus services:*
 - i. *Proposed additional bus services on King Georges Road will increase traffic volumes on an already congested transport corridor. As outlined above, considering the proposed development uplift of the area (i.e. increasing residential and commercial densities), it is anticipated that this*

corridor and surrounding key intersections will have increased queues and delay given that it is already at capacity during peaks.

- ii. Traffic modelling is to be undertaken at key intersections to identify what traffic signal and/or road capacity upgrades are required.*

AFFORDABLE HOUSING

61. Council resolved (ENV035-22) on 28 November 2022 to prepare an affordable housing contributions scheme for the LGA. Beverly Hills Town Centre
62. Council can prepare a single scheme to apply to multiple areas within the LGA, as long as the viability analysis for each area is investigated. Furthermore, once the Council's Planning Agreement Policy has been updated Council can also apply the AHCS to planning proposals which seek an upzoning.
63. The development of an affordable housing contribution scheme involves the following:

- a. **Establish an evidence base:** The evidence base for an AHCS for Georges River LGA is established in the policy documents - Georges River Local Housing Strategy and the Georges River Inclusive Housing Strategy and Delivery Program; and is supported by the research and analysis prepared for the Draft Mortdale AHCS. The evidence will be pulled together into one document and updated with the recent census releases.
- b. **Identify areas for rezoning:** Affordable housing contribution schemes apply to developments that are facilitated by upzoning.

An upzoning is a change of zone to enable residential development or a change of planning controls (such as floor space ratio) which enables greater residential density in site. This ensures contributions are drawn from the increase in land value generated by the rezoning and are consistent with the affordable housing targets established in the Greater Sydney Commission's District Plans. One of the principles from the briefing on 20 February 2023 was to investigate affordable housing for the western and eastern sides of King Georges Road in the B2 Zone.

- c. **Establish an affordable housing contribution rate:** Once Council has selected areas that will be included in a AHCS, it must develop an appropriate affordable housing contribution rate for each area.

An affordable housing contribution scheme must establish an affordable housing contribution rate as either a percentage of floor space that can equate to a completed affordable rental unit, which can be dedicated, or a monetary contribution rate, or any combination of the two. This flexibility will allow Council to determine when it is appropriate and efficient to receive completed dwellings and when it would be appropriate to receive monetary contributions.

Council will need to test affordable housing contribution rates to ensure the proposed rate is viable and will not impact development feasibility and overall housing supply.

- d. **Produce a scheme using the Department's template:** Once Council identifies proposed areas and establishes viable affordable housing contribution rates, it must produce a draft scheme using the template in the Department's Guidelines.
64. As Council has expressed a desire for affordable housing within the Beverly Hills Master Plan Council will need evidence that affordable housing contribution rates are viable for the uplift proposed.

FINANCIAL IMPLICATIONS

65. Council should note that in the FY22/23 it has allocated:
- a. \$100,000 to Traffic Studies covering both Beverly Hills and Mortdale Local Centres. The Mortdale Traffic Study has been completed for exhibition. To date the Beverly Hills traffic assessment has not commenced. Council will need to reallocate the funds to a traffic assessment for Beverly Hills Master Plan if it adopts this report.
 - b. \$130,000 to the LEP Program which has been all expended on the preparation of the Beverly Hills Local Centre Master Plan Option 3 in the November 2022 E&P Report, to complete additional works in relation to the Foreshore Study and the associated community consultation, and for the Mortdale Local Centre.
 - c. In respect of grant monies from the Department of Planning and Environment only \$6,600.00 is remaining to finalise the Beverly Hills Hazard Report.
66. There is no money to date allocated in the draft Budget for FY23/24 for Beverly Hills Master Plan.
67. Therefore, additional funding (approximately \$200,000) is required for:
- a. The traffic assessment
 - b. Any funds over \$6600 to fund an updated risk assessment
 - c. The Public Domain Plan
 - d. The viability analysis for the AHCS
 - e. The Way Forward Option
 - f. The community consultation

RISK IMPLICATIONS

68. There is a risk of not proceeding with a planning proposal for Beverly Hills, as it could result in:
- a. Ad-hoc planning proposals being submitted which may not align with the future vision for Beverly Hills Centre with limited ability to deliver required infrastructure and public benefits.
 - b. No development or renewal within Beverly Hills Centre which may result in continuing decline in amenity with ageing buildings and poor public domain, reducing the liveability of the surrounding area, and the desirability of the Centre for investment.
 - c. Potential decline in existing infrastructure with limited opportunities to improve traffic and parking situation due to no contributions plan or funding mechanisms.
 - d. Limited capacity to meet future employment floorspace demand, potentially resulting in demand shifting to other centres.
69. The Moomba to Sydney High Pressure Ethane Gas Pipeline is a high-pressure dangerous goods pipeline located within the study area for Beverly Hills Master Plan. Land use safety and development near pipelines is an emerging and evolving planning issue as Sydney's population and housing density increases. Clause 66C of State Environmental Planning Policy (Infrastructure) 2007 (known as the Infrastructure SEPP) require councils to assess the level of risk when considering development near the pipelines, to ensure that risks to people, property and the pipelines are within acceptable levels.
70. Five sites within the master plan study area are identified as having a higher level of risk from the pipeline.

71. The modelling work to date on the implications of the Moomba to Sydney High Pressure Ethane Gas Pipeline on the exhibited draft Master Plan indicates that a setback to limit residential intensification and sensitive uses (such as child care centres) will be required as indicated in **Figure 28** below.

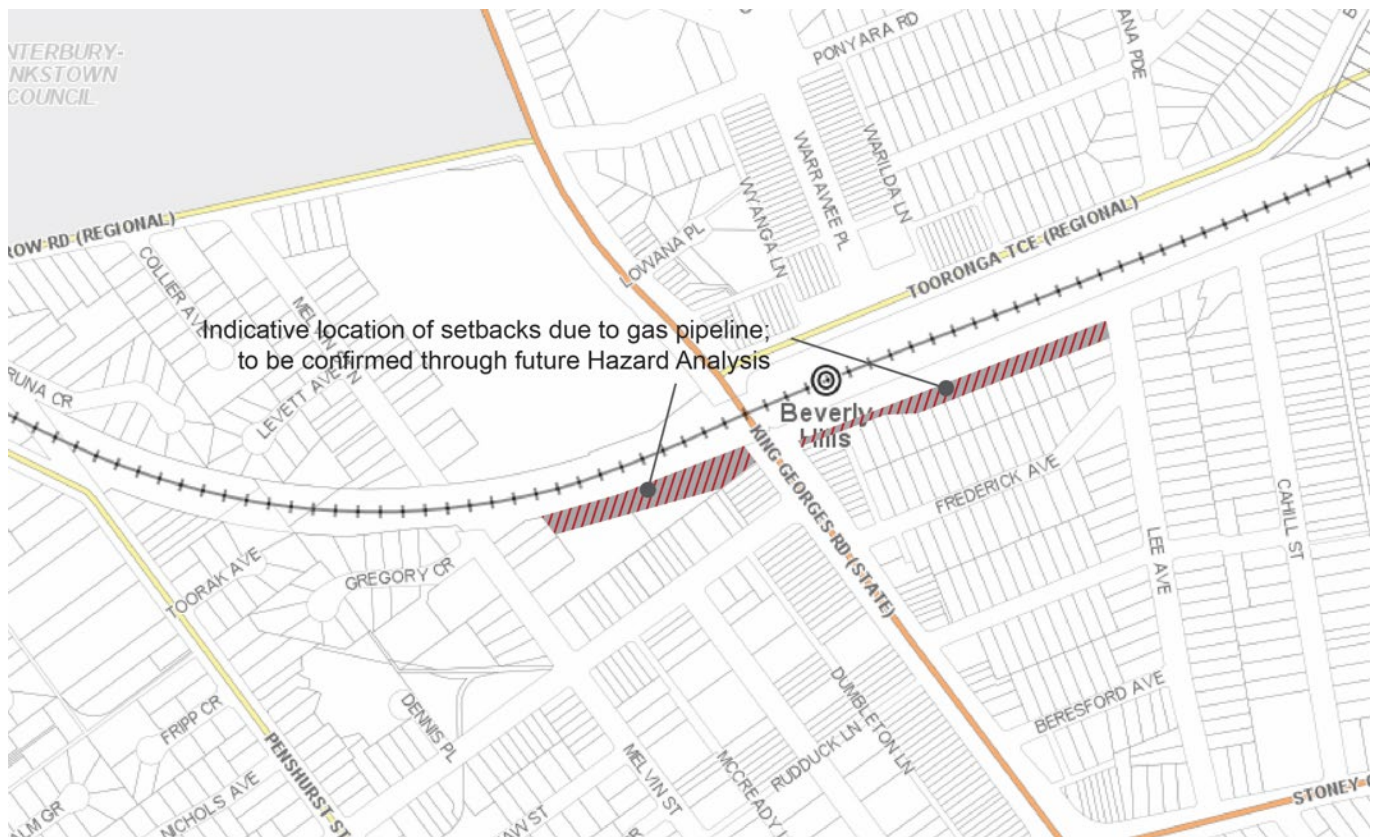


Figure 28 – Impact of the Moomba to Sydney High Pressure Ethane Gas Pipeline on the exhibited draft Master Plan

72. The implications of the Moomba to Sydney High Pressure Ethane Gas Pipeline on the final draft Master Plan will need to be again considered and further modelling undertaken. Such modelling indicates where additional sensitive land uses are not appropriate, or where residential intensification is not appropriate within the study area. Sensitive use is defined as a development that may be difficult to evacuate, including schools, aged-care facilities, childcare and hospitals. A range of planning tools are available to help minimise and manage the risk from the pipeline, including exploring alternative land uses for identified sites, including LEP provisions for affected sites, and providing design guidance on site planning in the DCP.
73. It is recommended that once Council endorses its preferred option for the amended draft master plan, that further modelling be undertaken to determine the level of risk and whether the affected sites change.

COMMUNITY ENGAGEMENT

74. Consultation is proposed for the owners and occupiers of properties located within the study area for Beverly Hills Centre. This consultation process will comprise of the following engagement methods:
- Targeted letters to landowners and occupiers
 - Fact sheet in plain English and Chinese outlining the proposed changes
 - Webinar meetings

- d. Face to face meetings
 - e. Dedicated email and phone call enquiries
75. The following material will be available during the exhibition period:
- a. Draft Master Plan
 - b. Traffic and Parking Study
 - c. Public Domain Plan
 - d. Risk Analysis for the Moomba to Sydney High Pressure Ethane Gas Pipeline
 - e. Fact sheets
 - f. Economic analysis for the viability of an AHCS for the land under the Beverly Hills Master Plan
76. All information will be available digitally on Council's YourSay website. Hard copies will be made available at Council offices.
77. Notification of the public exhibition will be through:
- a. Newspaper advertisement in The Leader
 - b. Exhibition notice on Council's website and social media
 - c. Community engagement project on Council's YourSay website
 - d. Council's social media channels
 - e. Notices in Council offices and libraries
 - f. Letters to all landowners and occupiers in areas where change to planning controls are proposed under the draft Master Plan as well as surrounding areas; and
 - g. Letters to relevant Government agencies.

NEXT STEPS

78. Following consideration of the submissions received, this report recommends that Council does not proceed with the exhibited draft Master Plan and instead endorses the preparation of an amended Master Plan based on the principles from the briefing on 20 February 2023.
79. If endorsed by Council, the amended Master Plan will be prepared, including a traffic and parking study, amended hazard analysis, economic analysis and public domain plan based on the option.
80. The amended documentation will then be placed on exhibition.
81. An indicative timeline is shown in **Table 1** below.

Table 1 – Timeline

Action	Indicative Timeline
Report to Environment and Planning Committee on the amended Master Plan – funding will be required to proceed with the preferred approach	April 2023
Minutes of Environment and Planning Committee referred to Council for adoption – with Budget approved	April 2023
Appointment of consultants to review viability, conduct the traffic assessment, amended hazard analysis and prepare public domain plans	June 2023

Action	Indicative Timeline
Preparation for draft Master Plan exhibition	January 2024
Exhibition of draft Master Plan	February to March 2024
Consideration of submissions and briefing to Councillors	April 2024
Report to Environment and Planning Committee for a resolution to adopt the amended Draft Master Plan	June 2024

82. It is noted that the project timeline is indicative and may be amended due to funding and reporting timeframes.

FILE REFERENCE

17/640 & D23/44041

ATTACHMENTS

Attachment 1 Report to Environment and Planning Committee held 14 November 2022