



W A V E R L E Y
C O U N C I L

STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING

A meeting of the STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE
will be held at Waverley Council Chambers, Cnr Paul Street and Bondi Road, Bondi Junction at:

7.30PM, TUESDAY 7 MAY 2019

A handwritten signature in grey ink, appearing to read 'R. McLeod'.

Ross McLeod
General Manager

Waverley Council
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Delegations of the Waverley Strategic Planning and Development Committee

On 10 October 2017, Waverley Council delegated to the Waverley Strategic Planning and Development Committee the authority to determine any matter **other than**:

1. Those activities designated under s 377(1) of the *Local Government Act* which are as follows:
 - (a) The appointment of a general manager.
 - (b) The making of a rate.
 - (c) A determination under section 549 as to the levying of a rate.
 - (d) The making of a charge.
 - (e) The fixing of a fee
 - (f) The borrowing of money.
 - (g) The voting of money for expenditure on its works, services or operations.
 - (h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
 - (i) The acceptance of tenders to provide services currently provided by members of staff of the council.
 - (j) The adoption of an operational plan under section 405.
 - (k) The adoption of a financial statement included in an annual financial report.
 - (l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
 - (m) The fixing of an amount or rate for the carrying out by the council of work on private land.
 - (n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.
 - (o) The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*.
 - (p) The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
 - (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons,
 - (r) A decision under section 234 to grant leave of absence to the holder of a civic office.
 - (s) The making of an application, or the giving of a notice, to the Governor or Minister.
 - (t) This power of delegation.
 - (u) Any function under this or any other Act that is expressly required to be exercised by resolution of the council.
2. Despite clause 1(i) above, the Waverley Strategic Planning and Development Committee does not have delegated authority to accept any tenders.
3. The adoption of a Community Strategic Plan, Resourcing Strategy and Delivery Program as defined under sections 402, 403, and 404 of the *Local Government Act*.

Live Streaming of Meetings

This meeting is streamed live via the internet and an audio visual recording of the meeting will be publicly available on Council's website.

By attending this meeting you consent to your image and/or voice being live streamed and publicly available.

AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair will read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

“God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area”.

1. Apologies/Leaves of Absence

2. Declarations of Pecuniary and Non-Pecuniary Interests

3. Addresses by Members of the Public

4. Confirmation of Minutes

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6. Urgent Business

7. Meeting Closure

CONFIRMATION OF MINUTES PD/4.1/19.05



Subject: Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 2 April 2019

TRIM No.: SF19/327

Author: Richard Coelho, Governance and Internal Ombudsman Officer

RECOMMENDATION:

That the minutes of the Strategic Planning and Development Committee Meeting held on 2 April 2019 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Introduction/Background

The minutes of the Strategic Planning and Development Committee meeting must be submitted to Strategic Planning and Development Committee for confirmation, in accordance with clause 266 of the *Local Government (General) Regulation 2005*.

Attachments

1. Strategic Planning and Development Committee Meeting Minutes - 2 April 2019 .



**MINUTES OF THE STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 2 APRIL 2019**

Present:

Councillor Paula Masselos (Chair)	Lawson Ward
Councillor John Wakefield (Mayor)	Bondi Ward
Councillor Dominic Wy Kanak (Deputy Mayor)	Bondi Ward
Councillor Sally Betts	Hunter Ward
Councillor George Copeland	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Elaine Keenan	Lawson Ward
Councillor Steven Lewis	Hunter Ward
Councillor Marjorie O'Neill	Waverley Ward

Staff in attendance:

Peter Monks	Acting General Manager
Rachel Hensman	Acting Director, Waverley Life
Emily Scott	Director, Waverley Renewal
Jane Worthy	Internal Ombudsman

At the commencement of proceedings at 7.30 pm, those present were as listed above.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.

1. Apologies/Leaves of Absence

Apologies were received and accepted from Cr Nemesh.

Cr Burrill was previously granted leave of absence by Council for this meeting.

2. Declarations of Pecuniary and Non-Pecuniary Interests

The Chair called for declarations of interest and none were received.

3. Addresses by Members of the Public

3.1 H Somerville – PD/5.4/19.04 – Bronte Beach Village Upgrade - Review of Environmental Factors.

3.2 E Somerville – PD/5.4/19.04 – Bronte Beach Village Upgrade – Review of Environmental Factors.

3.3 H More (on behalf of The Bogey Hole Café) – PD/5.4/19.04 – Bronte Beach Village Upgrade – Review of Environmental Factors.

3.4 B Landsberg – PD/5.4/19.04 – Bronte Beach Village Upgrade – Review of Environmental Factors.

3.5 A resident – PD/5.4/19.04 – Bronte Beach Village Upgrade – Review of Environmental Factors.

3.6 J Bryden (on behalf of the applicant) – PD/5.8/19.04 – Planning Proposal – 96–122 Ebley Street, Bondi Junction – Final Assessment and Recommendation.

4. Confirmation of Minutes

PD/4.1/19.04 Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 5 March 2019 (SF19/327)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Keenan

That the minutes of the Strategic Planning and Development Committee Meeting held on 5 March 2019 be

received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports

PD/5.1/19.04 Draft Smart Waverley Strategy 2023 (A16/0562)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council endorses the Draft Smart Waverley Strategy 2023 attached to this report for public exhibition.

PD/5.2/19.04 Thomas Hogan Reserve Ecological Restoration Action Plan (SF18/1471)

MOTION / UNANIMOUS DECISION

Mover: Cr Copeland

Seconder: Cr O'Neill

That Council:

1. Adopts the Thomas Hogan Reserve Ecological Restoration Action Plan attached to this report as a guiding document for the restoration and rehabilitation of Thomas Hogan Reserve.
2. Proceeds with the staged, progressive restoration and revegetation of Thomas Hogan Reserve over a 15-year period, as outlined in the Ecological Restoration Action Plan.
3. Investigates the establishment of a wild playground/nature classroom.

PD/5.3/19.04 Knowledge and Innovation Hub Steering Group - Appointment of Industry Experts (A18/0001)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council appoints the following industry experts to the Waverley Innovation and Knowledge Hub Steering Group:

1. Sarah Martin.
2. Anton Nemme.
3. Liane Rossler.
4. James Zaki.

PD/5.4/19.04 Bronte Beach Village Upgrade - Review of Environmental Factors (A16/0755)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes that Andrew Robinson Planning Services (ARPS) was engaged by Council to provide a Review of Environmental Factors (REF) and LK Planning was engaged to complete a review of the REF and a review of the submissions received from the community during the REF community consultation process.
2. Notes that the recommendations relating to safeguards and mitigation measures made in the REF and expanded on by LK Planning will be implemented within construction documentation, including but not limited to:
 - (a) Construction works are proposed to be undertaken between April 2019 and October 2019 to avoid disruption during the 'warmer months'.
 - (b) Council's Development Control Plan relating to footpath seating to be updated to ensure outdoor seating associated with cafés/restaurants in the designated area of Bronte Road, Bronte, will not expand as a result of widening the footpath, and that footpath seating widths at Bronte Road, Bronte, be standardised to a maximum width of 2.1 m from the property boundary.
3. Notes that the General Manager is satisfied that:
 - (a) Council has complied with its duty under section 5.5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the activity.
 - (b) An environmental impact statement is not required under section 5.7 of the EP&A Act because the result of the examination under section 5.5 is that the activity is not likely to significantly affect the environment.
 - (c) Authorised works can proceed.
4. Amends the final design prior to issuing for construction as follows:
 - (a) All proposed cabbage tree palms to be removed and replaced with suitable low plantings.
 - (b) All seating to be removed in the public plaza located between the pedestrian crossing and the park and replaced with bike rings and/or low plantings.
 - (c) The relocated pedestrian crossing is not to be a raised threshold.
 - (d) Note the safety concerns of speeding traffic along Bronte Road. Therefore, traffic calming is to be investigated along Bronte Road from Macpherson Street to the Bronte Beach shopping centre, and the intersection to Pacific Street and Bronte Road, giving consideration to existing Council resolutions on the provision of a pedestrian footpath through this location.
5. Undertakes a further noise study during the peak summer period, and mitigation measures be implemented by Council if levels exceed those previously undertaken.

6. Investigates the installation of a slimline bus shelter on the northern side of the bus terminus.
7. Investigates drop-off parking for the Bronte Village in Bronte Road or the Cutting.
8. Investigates measures to prevent pedestrians, while using the pedestrian crossing, walking in the road by cutting across to the east to directly access the park entry.

H Somerville, E Somerville, H More (on behalf of The Bogey Hole Café), B Landsberg and a resident addressed the meeting.

PD/5.5/19.04 South Bronte Community Centre and Amenities - Concept Design (A14/0508)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Endorses the South Bronte Community Centre and Amenities concept design attached to this report for the purposes of public exhibition for a period of 28 days.
2. Notes that, following the public exhibition period, a further report will be prepared for Council summarising the consultation process, key feedback and recommending revision to concept design, as necessary.

PD/5.6/19.04 Building Futures Program - Matched Grant Funding for Round 2 (A17/0658)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council supports, in principle, the following matched grant funding program, subject to the adoption of the 2019–20 budget for the Building Futures program:

1. Round 2 matched grant funding of up to \$5,000 each for 10 buildings to undertake energy saving upgrades in the 2019–20 financial year.
2. Matched grant funding of up to \$5,000 each for two participating buildings of Building Futures Round 1 to implement solar in the 2019–20 financial year.

PD/5.7/19.04 Short-term Rental Accommodation - Exemption from the Codes SEPP (A12/0147)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Prepares a submission to the Minister for Planning and Environment seeking:
 - (a) Council's inclusion in the Ministerial Direction '3.7 Reduction in non-hosted short-term rental

accommodation period', reducing the period that 'entire homes' can be leased as short-term rental accommodation from 180 days to 90 days per year.

- (b) A registration process and fee in the legislation.
 - (c) A review of the compliance process to enable Councils to take effective action against owners of short-term rental accommodation (STRA) whose tenants impact upon the amenity of local residents.
 - (d) A regulatory requirement for STRA platforms such as AirBnB to monitor compliance with the new direction, as Councils are unable to accurately establish how long premises have been renting out a room or a house.
2. Prepares a planning proposal seeking a reduction in the number of days entire homes can be listed on short-term rental accommodation, if Council is successful in being added to the Ministerial Direction.

Division

For the Motion: Crs Betts, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, O'Neill, Wakefield and Wy Kanak.

Against the Motion: Nil.

PD/5.8/19.04 Planning Proposal - 96-122 Ebley Street, Bondi Junction - Final Assessment and Recommendation (PP-1/2016)

MOTION (WITHDRAWN)

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Refuses the planning proposal lodged by CityPlan Services to amend the Waverley Local Environment Plan 2012 (WLEP) in respect of 96–122 Ebley Street, Bondi Junction, for the following reasons:
 - (a) The proposed rezoning is inconsistent with the Bondi Junction Commercial Centre Review, Eastern City District Plan, Waverley Community Strategic Plan and Local Strategic Plan, as it contributes to the loss of commercial floorspace potential within Bondi Junction.
 - (b) The planning proposal does not protect capacity for job targets in 2036, therefore undermining the economic role of the centre.
 - (c) The planning proposal would undermine Bondi Junction's role as a Strategic Centre.
 - (d) The planning proposal would create a precedent for the further loss of the limited B3 Commercial Core zone in Bondi Junction.
 - (e) The proposed rezoning will cause solar access issues for surrounding residential and would impede future development of the key commercial Westfield site to the north.
2. Advises the Department of Planning and Environment (DPE) and the applicant of Council's decision.

FORESHADOWED MOTION

Mover: Cr Betts

That Council defers this matter to a Councillor workshop to discuss changes made by officers on the position of Council in this report since the previous resolution.

AT THIS STAGE IN THE PROCEEDINGS, THE MOVER OF THE ORIGINAL MOTION WITHDREW THE MOTION.

THE FORESHADOWED MOTION NOW BECAME THE MOTION AND WAS PUT AND DECLARED CARRIED.

MOTION / DECISION

Mover: Cr Betts

Seconder: Cr Goltsman

That Council defers this matter to a Councillor workshop to discuss changes made by officers on the position of Council in this report since the previous resolution.

Division

For the Motion: Crs Betts, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, O'Neill and Wakefield

Against the Motion: Cr Wy Kanak.

J Bryden (on behalf of the applicant) addressed the meeting.

PD/5.9/19.04 Bondi Junction Office Market Report (SF19/1480)**MOTION / DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Notes the annual Office Market Report produced annually by the Property Council of Australia now includes Bondi Junction.
2. Uses the findings to inform the preparation of the draft Local Strategic Planning Statement (LSPS) and subsequent actions regarding commercial floor space.

6. Urgent Business**PD/6.1/19.04 Planning Proposal - 194–214 Oxford Street and 2 Nelson Street, Bondi Junction (PP-1/2015)**

Council resolved to deal with this matter as an item of urgent business.

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Wakefield

That the Mayor urgently write to the new Minister for Planning and Public Spaces, the Hon Robert Stokes MP, requesting:

1. That the Minister take back his delegation from the Department of Planning and Environment with respect to the planning proposal for 194–214 Oxford Street and 2 Nelson Street, Bondi Junction.

2. The Minister’s refusal of the planning proposal for 194–214 Oxford Street and 2 Nelson Street, Bondi Junction.

3. An urgent meeting with the Minister to present Council’s objections to this proposed development.

Division

For the Motion: Crs Betts, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, O’Neill, Wakefield and Wy Kanak.

Against the Motion: Nil.

7. Meeting Closure

THE MEETING CLOSED AT 9.26 PM.

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SIGNED AND CONFIRMED
CHAIR
7 MAY 2019

REPORT
PD/5.1/19.05

Subject: Boot Factory Restoration Options Analysis Outcomes

TRIM No: A18/0655

Author: Matt Henderson, Senior Project Manager

Director: Emily Scott, Director, Community, Assets and Operations

RECOMMENDATION:

That Council:

1. Receives and notes the project status update on the Boot Factory Restoration Options Analysis included in this report.
2. Progresses to detailed design that includes:
 - (a) Retaining the masonry perimeter walls.
 - (b) Replacing the roof sheeting and review the opportunity to improve roof performance.
 - (c) Upgrading or reconstructing existing floors, noting that the upgrade options analysis report outlines five options for the internal floor structure. These will be developed further at the detailed design stage, with careful consideration to heritage outcomes.
 - (d) Maintaining natural ventilation.
 - (e) New connection openings to access a shared lift and sanitary facilities within the Mill Hill Building.
3. Notes that fit-out options will be developed based on the outcomes of the Knowledge and Innovation Hub Strategy.

1. Executive Summary

The purpose of this report is to provide a project status update on the Boot Factory upgrade options analysis project and to outline the next steps for the Boot Factory Restoration project.

2. Introduction/Background

The Boot Factory building is located at 27-29 Spring Street Bondi Junction, and was constructed between 1890 and 1915 by William Sidaway and Son, who began to produce footwear in Bondi Junction around 1887.

The building consists of three storeys of face brick with rendered, pilasters and string courses, multi-paned double hung timber windows and a simple moulded parapet bearing the signage 'Boot Factory'. Waverley Council acquired the building in 1984.

In 2009, the building was deemed unsafe due to structural concerns. The building has remained empty since then. Council considered demolishing the building but in August 2013 significant remedial structural bracing was installed to ensure the stability of the building until maintenance works initiated an alternative use for the building could be found.

Various options for the building were considered as part of the Civic Heart project but this project did not proceed.

Subsequently, Archer Office was engaged in July 2018 as the head consultant to lead a team of professional engineers and consultants for the preparation of an upgrade options analysis report (Attachment 1). The report contains information and concept designs on how the building can be restored and refurbished, complying with the Boot Factory's Conservation Management Strategy (CMS).

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Operations Committee 7 November 2018	OC/5.3/17.11	<p>That Council:</p> <ol style="list-style-type: none"> 1. Adopts the Waverley Innovation and Knowledge Hub Steering Group charter attached to this report. 2. Agrees to seek nominations from community members and industry experts to join the Waverley Innovation and Knowledge Hub Steering Group, noting that nominees will be appointed following a separate report to Council as soon as practicable. 3. Supports the primary objectives of the Waverley Innovation and Knowledge Hub Project as: <ol style="list-style-type: none"> (a) Adaptive reuse of the heritage-listed Boot Factory suitable for an innovation hub. (b) Establishing an innovation and knowledge hub at the Boot Factory and Waverley Library. (c) Involvement of the local community in decision-making processes. (d) Building partnerships and supporting local creative, professional, science and technology industries. (e) Establish a place function around the Boot Factory and Waverley Library in accordance with place-making principles.
Council 12 December 2017	CM/8.7/17.12	<p>That Council:</p> <ol style="list-style-type: none"> 1. Initiates action to have the Boot Factory considered for State Heritage Listing. 2. Investigates funding avenues that heritage listing makes available for restoration/refurbishment of old buildings of significance.

<p>Council 10 October 2017</p>	<p>CM/8.10/17.10</p>	<p>That:</p> <ol style="list-style-type: none"> 1. Council investigates the restoration and adaptive reuse of the Boot Factory, including: <ol style="list-style-type: none"> (a) Options for establishing a maker space, creative industries incubator and/or innovation hub at the Boot Factory that aligns with the establishment of a knowledge and innovation hub at Waverley Library. (b) Technology and facilities required. (c) Potential project plan for implementation. (d) Scoping of potential budget requirements. (e) Any potential sources of State and Federal funding that are available through innovation funds or heritage restoration grants. (f) Investigations into the possibility of gaining state heritage listing for the Boot Factory. 2. Council investigates options for the establishment of an innovation and knowledge hub at Waverley Library, to align with the Boot Factory project, with the investigation to include: <ol style="list-style-type: none"> (a) Options about the establishment of an innovation and knowledge hub at Waverley Library in conjunction with the Bondi Junction Boot Factory. (b) Work undertaken so far, including review of the Waverley Library 'My Amazing Library' Strategic Plan 2014–2017. (c) Additional technology and facilities required. (d) Potential project plan for implementation. (e) Scoping of potential budget requirements. (f) Any potential relevant sources of State and Federal funding that may be available, including but not limited to the NSW Public Library Infrastructure Grant. 3. An Innovation and Knowledge Hub Steering Group be established to plan and advise on oversight of the above projects, with the group to include the three Lawson Ward Councillors, community representatives, technical experts and relevant staff, and to be chaired by Cr Masselos. 4. Officers prepare a report for the November Operations and
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		<p>Community Services Committee setting out a proposed charter for the Steering Group.</p> <p>5. Officers commence the preparation of information to assist the work of the Steering Group.</p> <p>6. An appropriate budget be allocated for this first investigative phase of the project, with this to be included in the first quarterly budget review for Council approval.</p>
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4. Discussion

An early draft of the upgrade options analysis report was presented at a Councillor workshop on 27 November 2018 and was well received. The upgrade options analysis report includes:

- Site investigations:
 - Context.
 - Site analysis.
 - Design principles.
- Opportunities.
- Proposed upgrade.
 - Building fabric.
 - Spaces.
 - Urban design and landscape.

The key elements of proposed upgrade include:

- Retaining the masonry perimeter walls.
- Replacing the roof sheeting and review the opportunity to improve roof performance.
- Upgrade to achieve compliance with relevant Australian building codes.
- Upgrade or reconstruct existing floors, noting that the upgrade options analysis report outlines five options for the internal floor structure. These will be developed further at the detailed design stage, with careful consideration to heritage outcomes.
- Maintain natural ventilation.
- New connection openings to access a shared lift and sanitary facilities within the Mill Hill Building.
- Upgrade exterior windows with automatically closing in case of a fire, with upgraded external drencher system.

The report includes a concept design that connects the Boot Factory building to the MHB via multiple access bridges from levels 1 and 2. The connections offer an opportunity to utilise the existing MHB amenities and lift without having to significantly upgrade the Boot Factory. This approach was supported by the Councillors and the Project Control Group (PCG). It is noted that if these recommended connections occur the MHB will require compliance upgrades.

While the Boot Factory restoration project is focused on the conservation upgrade to this important heritage building, the Knowledge and Innovation Hub project (among investigating other LGA-wide opportunities) is focused on developing a concept for possible future use of the Boot Factory building post restoration. Therefore, making recommendations on the preferred fit-out was not included in the upgrade options analysis report, rather indicative floor layouts were included.

Archer Office was engaged to prepare the upgrade options analysis project and thus their contract is now completed. A request for tender (RFT) has been prepared to engage a head consultant to continue with the

development of the concept design, and preparation of the following documentation; DA documentation and authority approvals, detailed design development, tender and construction documentation. The Tender Evaluation report will be submitted to Council in May 2019.

5. Financial impact statement/Timeframe/Consultation

Financial impact statement

The budget for the Boot Factory Restoration is from cost code C0546.

The total anticipated funding required for the Boot Factory Restoration project including required upgrades to the MHB is \$3.5 million (excluding GST). The total 2019–20 budget allocation for the Boot Factory Restoration Project is \$250,000 which is sufficient for the design fees. An appropriate construction budget has been allowed within the LTFP 2019/20–2029/30.

Timeframe

The project will be delivered in May 2019 to April 2021. This timeframe includes the design phase, authority approvals and construction delivery.

Consultation

Consultation has taken place with internal stakeholders. The community consultation will commence post appointment of the successful consultant in June 2019 and will continue throughout the delivery of the project. The Knowledge and Innovation Hub Strategy and Steering Group consultation will also inform the fit-out requirements for the Boot Factory Restoration Project.

6. Conclusion

The Options Analysis has been successfully completed with robust options to progress into detail design. Endorses progressing to detailed design that includes:

- Retaining the masonry perimeter walls.
- Replacing the roof sheeting and review the opportunity to improve roof performance.
- Upgrade or reconstruct existing floors, noting that the upgrade options analysis report outlines five options for the internal floor structure. These will be developed further at the detailed design stage, with careful consideration to heritage outcomes.
- Maintain natural ventilation.
- New connection openings to access a shared lift and sanitary facilities within the Mill Hill Building.

The fit-out options will be developed based on decisions made with respect to future use. These are likely to be made following the outcomes of the Knowledge and Innovation Hub Strategy.

7. Attachments

1. Final Upgrade Options Analysis Report [↓](#) .



THE BOOT FACTORY

UPGRADE OPTIONS ANALYSIS

FOR WAVERLEY COUNCIL

STAGE 4: UPGRADE OPTIONS ANALYSIS REPORT

DESIGN REPORT

3rd APRIL 2019

ARCHER
OFFICE

ASPECT Studios™

PARTRIDGE

MATT DEVINE & CO

BCA ASSOCIATES

mbm

ADP
Consulting Engineers

EARTHSCAPE

Douglas Partners

PROJECT TEAM

ARCHITECTURE:	ARCHER OFFICE (LEAD CONSULTANT)
HERITAGE:	MATT DEVINE & CO
STRUCTURAL ENGINEER:	PARTRIDGE STRUCTURAL
MEP ENGINEERING:	ADP CONSULTING
BCA + DDA:	BCA LOGIC
GEOTECHNICAL ENGINEER:	DOUGLAS PARTNERS
LANDSCAPE:	ASPECT STUDIOS
ARBORIST:	EARTHSCAPE HORTICULTURAL SERVICES
QUANTITY SURVEYOR:	MBMPL

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03	THE OPPORTUNITY
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05	ATTACHMENTS

INTRODUCTION

**BACKGROUND**

The Boot Factory operated under its original owner and founder William Sidaway from its construction in 1892 to 1920. The factory was purchased by the Bardon family who continued to operate it as a boot factory until its closure in 1969. The site was eventually acquired by Waverley Council in 1984 from developer Dainford limited following its protection under section 130 of the Heritage Act 1977 and three unsuccessful development applications.

After conservation works were carried out in 1984-85 as specified by Clive Lucas & Partners, the building was used by various community organisations and services. It has been vacant since 2007 due to concerns regarding its condition. Numerous studies have been commissioned by Waverley Council since this time to evaluate the condition and remedial options for the building.

PURPOSE OF STUDY

The purpose of this study is to provide an analysis of feasible options for the adaptive re-use of the site. The intention is to investigate the use of the site as a 'Knowledge and Innovation Hub' to be operated by Waverley council.

INTRODUCTION

This document comprises upgrade options analysis and forms a summary of Phases 1-4 of the project.

This document represents a summary of the collective findings and proposals of the project team.



Left: 1985, Waverley Local Studies Photo Collection

Right: c1911 First Floor Interior, Waverley Local Studies Photo No. 876

**SITE INVESTIGATION
CONTEXT**

LOCATION



Bondi Junction is located on a ridgeline once known as Mill Hill.

The commercial centre grew around the original junction of the Bondi and Bronte tram routes.

Bondi Junction is connected to greater Sydney by the Eastern-most heavy rail station in Sydney.

Bondi Junction comprises the only Commercial Core zone within the Waverley municipality.

- KEY**
- WAVERLEY MUNICIPALITY
 - MIXED USE ZONES
 - NEIGHBOURHOOD CENTRES
 - COMMERCIAL CORE ZONE
 - RAIL LINE

SCALE 1: 25,000

SITE INVESTIGATION
CONTEXT

PUBLICLY ACCESSIBLE BUILDINGS



SCALE 1:2,500

SITE INVESTIGATION
CONTEXT

PUBLIC OPEN SPACES



BONDI JUNCTION APPEARS TO HAVE ORIGINALLY BEEN PLANNED WITHOUT THE DESIGNATION OF ANY MAJOR PUBLIC OPEN SPACES. SUBSEQUENTLY SEVERAL PUBLIC PEDESTRIAN OUTDOOR MALLS HAVE BEEN CREATED THROUGH THE CLOSURE OF STREETS TO VEHICULAR TRAFFIC.

PARKS
SQUARES & MALLS

SCALE 1:2,500

SITE INVESTIGATION SITE ANALYSIS

NORMAN LEE PLACE



The Boot Factory is located at the rear of Norman Lee Place at 27-33 Spring Street, Bondi Junction, located on the South side of Spring Street.

The site is bounded by the Mill Hill centre to the East, large format retailer Officeworks to the South and commercial and residential flat building known as Spring Street Apartments to the West.

CURRENT SITUATION



Obstacles including fences, rubbish bins, bike racks, an unused post box block site access.



The mixed use building to the West is set back to create this in-between space leading to the council-owned Officeworks building beyond.



A large tree close to The Boot Factory blocks views to the building from Norman Lee Place and the street.



The Mill Hill Community Centre has been constructed very close to The Boot Factory Building.



A steel table tennis table and large chess board painted over pavers provide limited activation.

SITE INVESTIGATION SITE ANALYSIS

Despite high rise commercial and residential buildings either side of the building, massings immediately to either side are slightly lower than The Boot Factory building, while opening to face towards it, displaying unusual deference that is not typical of Bondi Junction's commercial and mixed use zone.

Neighbouring buildings to both East and West address Norman Lee Place with covered ground floor colonnades. Both buildings provide offices looking onto the square with roof terraces above.

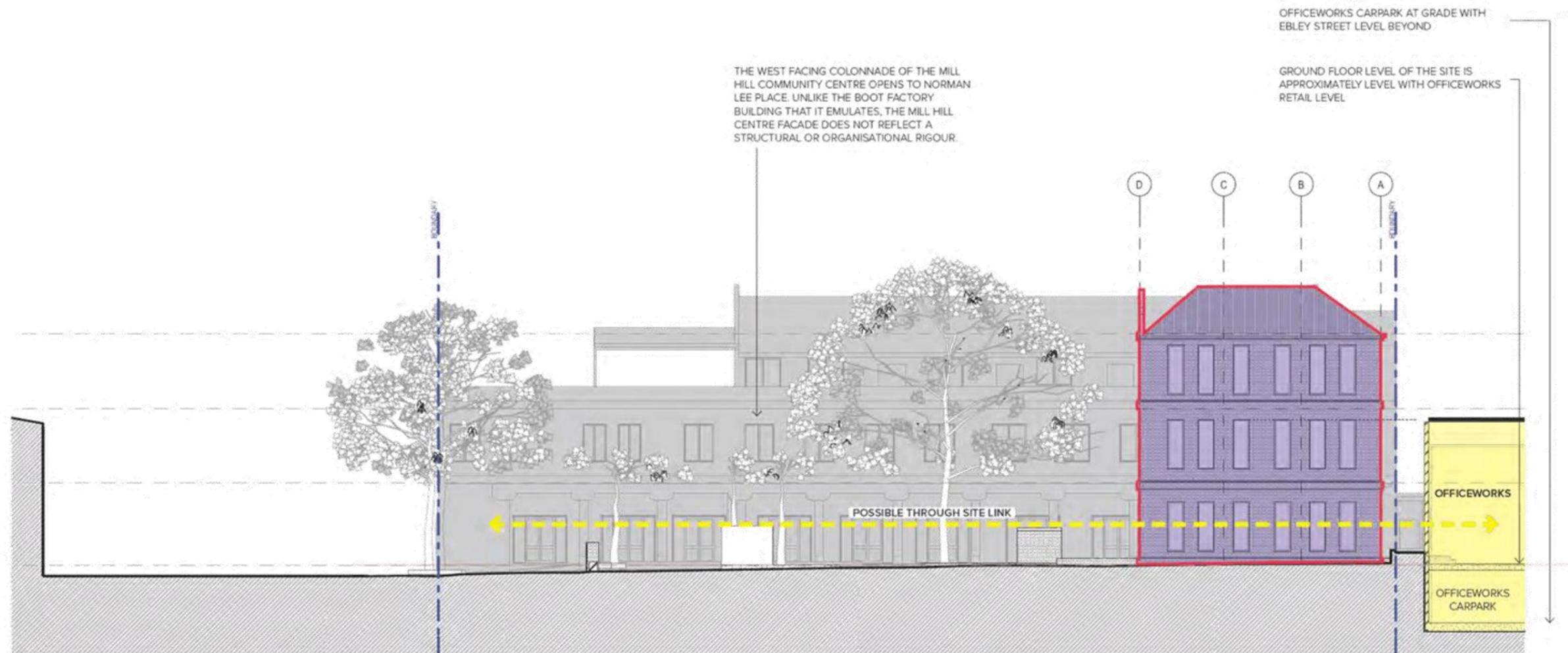


NORTHERN ELEVATION

SCALE 1:200

SITE INVESTIGATION SITE ANALYSIS

THE COUNCIL-OWNED BUILDING CURRENTLY OCCUPIED BY OFFICEWORKS TO THE SOUTH HAS THE MAIN WAREHOUSE LEVEL APPROXIMATELY AT GRADE WITH THE SITE

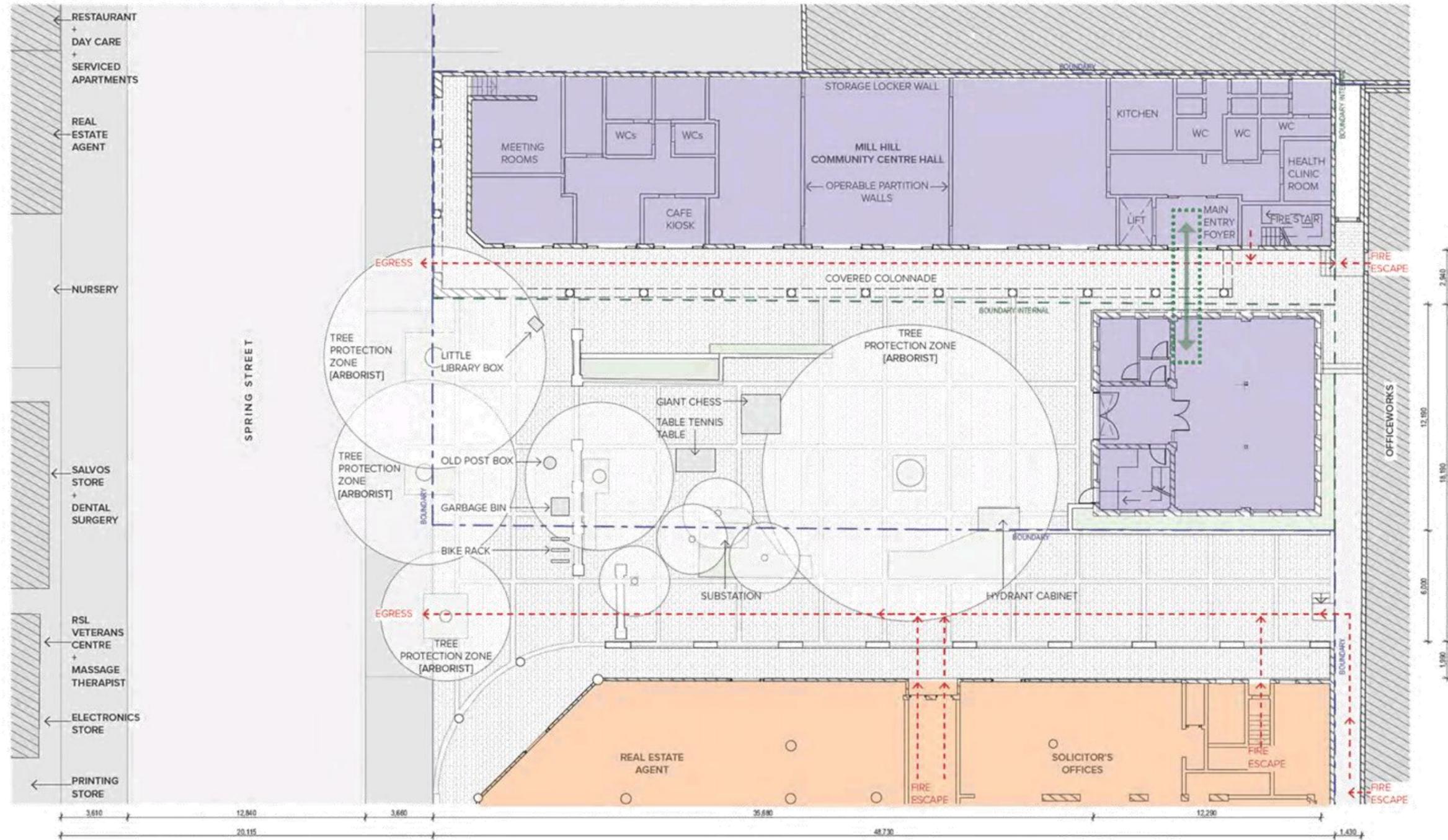


SITE SECTION B

SCALE 1:200

SITE INVESTIGATION
SITE ANALYSIS

NORMAN LEE PLACE IS BOUNDED BY SPACES THAT COULD OPEN ONTO THE SQUARE



GROUND FLOOR SITE PLAN

NOTE: EGRESS PATHS OF NEIGHBOURING BUILDINGS ARE INDICATIVE ONLY. EASEMENTS TO BE CONFIRMED BY WAVERLEY COUNCIL.

SCALE 1:200

SITE INVESTIGATION EXISTING BUILDING ANALYSIS

DEVELOPMENT TIMELINE



1892 SIDAWAY BOOT FACTORY OPENED

- By 1896, 60 staff are employed at Sidaway & Sons



1940s SHEDS FILL FORECOURT

- Likely shopfront, double storey building to street front
- Single storey shed attached to ground floor

1969 BARDON FACTORY CLOSES

- Commercial use of site ceases

1979 PURCHASED BY DEVELOPER DAINFORD LIMITED

- Protective order under Section 130 of Heritage Act

1984 WAVERLEY COUNCIL PURCHASE SITE

- Council pays \$750,000 for the property after 3 unsuccessful DAs lodged by Dainford Limited



1984-85 CONSERVATION WORKS UNDERTAKEN AS SPECIFIED BY CLIVE LUCAS & PARTNERS

- Removal of outbuildings
- Partial reconstruction of ground floor front facade
- New concrete fire stair & amenities
- Creation of entry lobby space with central main entry door
- Windows extensively repaired and/or reconstructed



1985 PUBLIC LAUNCH

- Community groups move in

1990 LOCAL HERITAGE LISTING

- Waverley LEP

1992 MILL HILL CENTRE CONSTRUCTED

- Designed by Jackson Teece Chesterman Willis

MID-90s REMEDIAL STRUCTURAL WORKS

- Concerns over structural stability of walls addressed



2007 BUILDING VACATED

- Due to structural concerns

2013 STRUCTURAL BRACING INSTALLED

- Windows boarded up
- Extensive steel bracing installed
- Safety fencing and hoarding erected

Left to Right:

1. c1911 Waverley Local Studies Collection photo No. 002534
2. 1982 Waverley Local Studies Collection, un-numbered
3. 1985 During Conservation Works, Waverley Local Studies Collection photo No. 1699
4. 1985 Boot Factory at its reopening, Waverley Local Studies Collection, un-numbered
5. 2009, Building Diagnosis Centre Report

SITE INVESTIGATION
EXISTING BUILDING ANALYSIS

CURRENT CONDITIONS



The front and other three brick facades are all in generally good condition.



Drenchers are visible over windows to the side and rear boundaries.



The windows are currently boarded up. Some exterior damage to render is visible.



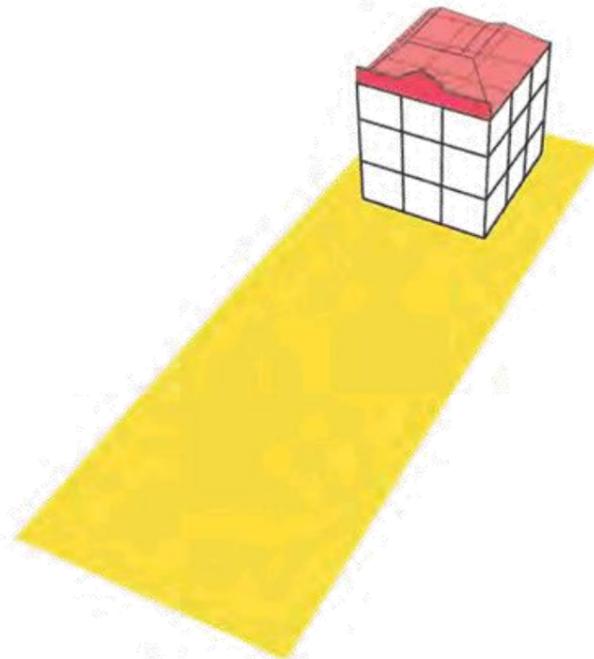
The interior of the building is currently compromised by remedial structural bracing members.



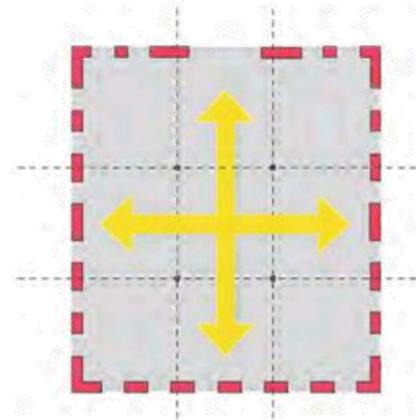
Concrete fire stair constructed in 1984.

HERITAGE

SITE INVESTIGATION
EXISTING BUILDING ANALYSIS



1. CUBIC FORM
3 Storeys
3 Bay facade with parapet & gable roof



2. INTERNAL LAYOUT
Each floor plate has 3 x 3 bays, symmetrical on two axes



3. FACADES
Front facade followed by West facade are the most important.
East and South facades are least important equally.

Important (Essential) Characteristics of the Boot Factory: While there is no doubt that the Boot Factory has historic, associative and social heritage significance at a local level, as well as being both rare and representative, it is the building's aesthetic significance that is most evident on site, expressed directly through its distinctive form and layout. These characteristics are important to be expressed, emphasized and definitely retained.

The Boot Factory is rectilinear in form, almost cubic, comprising three-storeys of three-bays, with each floor separated by a string course. The front façade features pilasters between the three bays and is terminated with a rendered parapet. Most bays are two windows wide, with the exception of the front façade, which has one double-width window in the central bay.

Each floor is a perfect square in plan, symmetrical on two axes, with a three by three grid on each floor, defined by a structural system of timber columns and brick pilasters. The fire stair and bathrooms added in 1984 were designed to respect this powerful grid.

The existing relationship of the Boot Factory to Spring Street is integral to its heritage significance and needs to be celebrated; this forecourt indicates the original setting of the item and makes a substantial contribution to its aesthetic significance. Further to this, the front façade is by far the most important, with its rendered string courses, pilasters and parapet.

Due to the setback of the adjacent development, the western façade is also highly visible and needs to be respected. Due to the proximity of development on adjacent sites, the importance of both the eastern and southern facades is diminished, as these facades cannot be experienced properly, and possibly allow for scope to change.

SITE INVESTIGATION
EXISTING BUILDING ANALYSIS



ROOF LEAKING. ROOF SHEETING TO BE REPLACED AS A MINIMUM. POTENTIAL TO EXPLORE OPTIONS THAT IMPROVE AMENITY, SUCH AS NATURAL VENTILATION & LIGHT

GIVEN THE PROXIMITY OF ADJACENT BUILDINGS & TO MEET FIRE REGULATION REQUIREMENTS, WINDOWS TO EAST, SOUTH & WEST ELEVATIONS MUST BE FIXED CLOSED OR AUTOMATICALLY CLOSING & MUST BE PROTECTED WITH EXTERIOR DRENCHERS

PERIMETER BRICK WALLS ARE OF HIGH SIGNIFICANCE & THEIR STRUCTURAL INTEGRITY CAN BE MAINTAINED

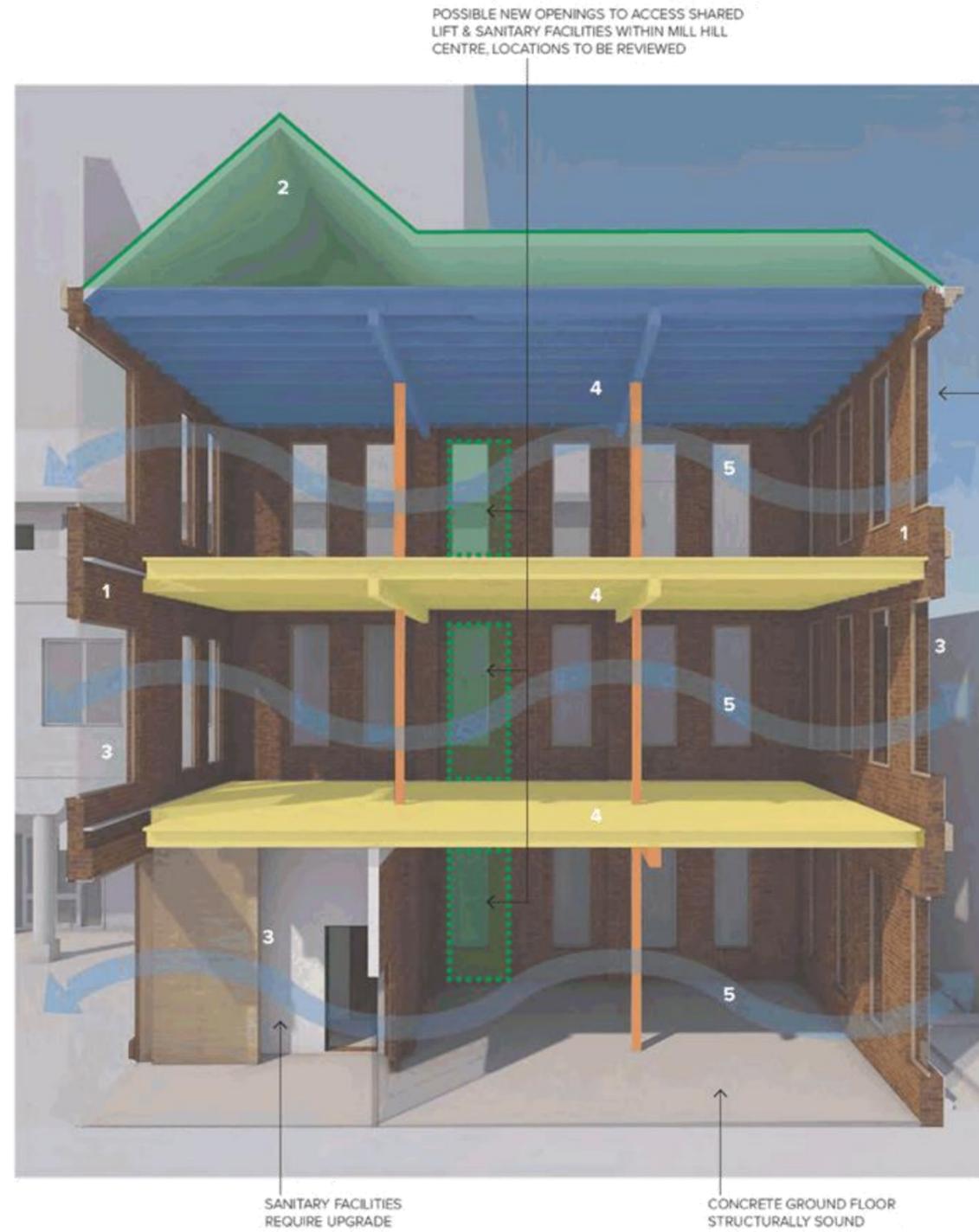
KEY ITEMS

- 1 Retain masonry perimeter walls
- 2 Replace roof sheeting & review opportunity to improve roof performance
- 3 Upgrades to achieve compliance with relevant codes

DOORS MAY REQUIRE UPGRADING TO POWER OPERATED (DUE TO SIZE OF DOORS & ANTICIPATED FORCE REQUIRED TO OPERATE)

BRICK HYDRANT CABINET, ABOVE GROUND PIPEWORK, SPRINKLER CONTROL VALVE & PRESSURE MAINTENANCE PUMP NEED TO BE REPLACED & POSSIBLY RELOCATED (NOTE: COMMUNITY MURAL ON WEST FACE)

SITE INVESTIGATION
EXISTING BUILDING ANALYSIS



EXTERIOR WINDOWS TO BE UPGRADED TO AUTOMATICALLY CLOSING IN CASE OF FIRE, WITH UPGRADED EXTERNAL DRENCHER SYSTEM

KEY ITEMS

- 1 Retain masonry perimeter walls
- 2 Replace roof sheeting & review opportunity to improve roof performance
- 3 Upgrades to achieve compliance with relevant codes
- 4 Upgrade or re-construct floors
- 5 Maintain natural ventilation if possible

SITE INVESTIGATION PRINCIPLES



1. INTEGRITY OF BUILDING FORM

- Original design intended to be 'in-the-round'
- Complete whole: external additions beyond this envelope likely to compromise the integrity of the building
- The intent of restoration works is to extend the design life of the base building.
- Intended functional use is to be facilitated through flexible internal fitout elements that are relatively temporary.
- Intervention should not compromise the clarity of the base building.



2. A PLACE FOR COLLABORATIVE PRODUCTION

- Maintain the performance principles of the original design intent as a heritage conservation approach.
- Significance and suitability of the boot factory as a place for physical making.
- Natural daylight and ventilation.
- Reintroduction of this use seems appropriate.
- Opportunity to re-imagine this use oriented towards future processes of making and collaborative production.
- Functionality of design as a key principle. Originally built as a functional building of its time, pre-dating electricity. Intervention to be of its time ie. Contemporary and highly functional.



3. SITE AS EXTENSION OF PUBLIC DOMAIN

- The public domain extends into the site, to create a public address for the building.
- The Boot Factory building is sited 'in the round'
- Strengthen and reinforce clarity of building object in public space.
- Further introduced elements are to be diminutive and not compromise the clarity of the boot factory building within the public domain

THE OPPORTUNITY

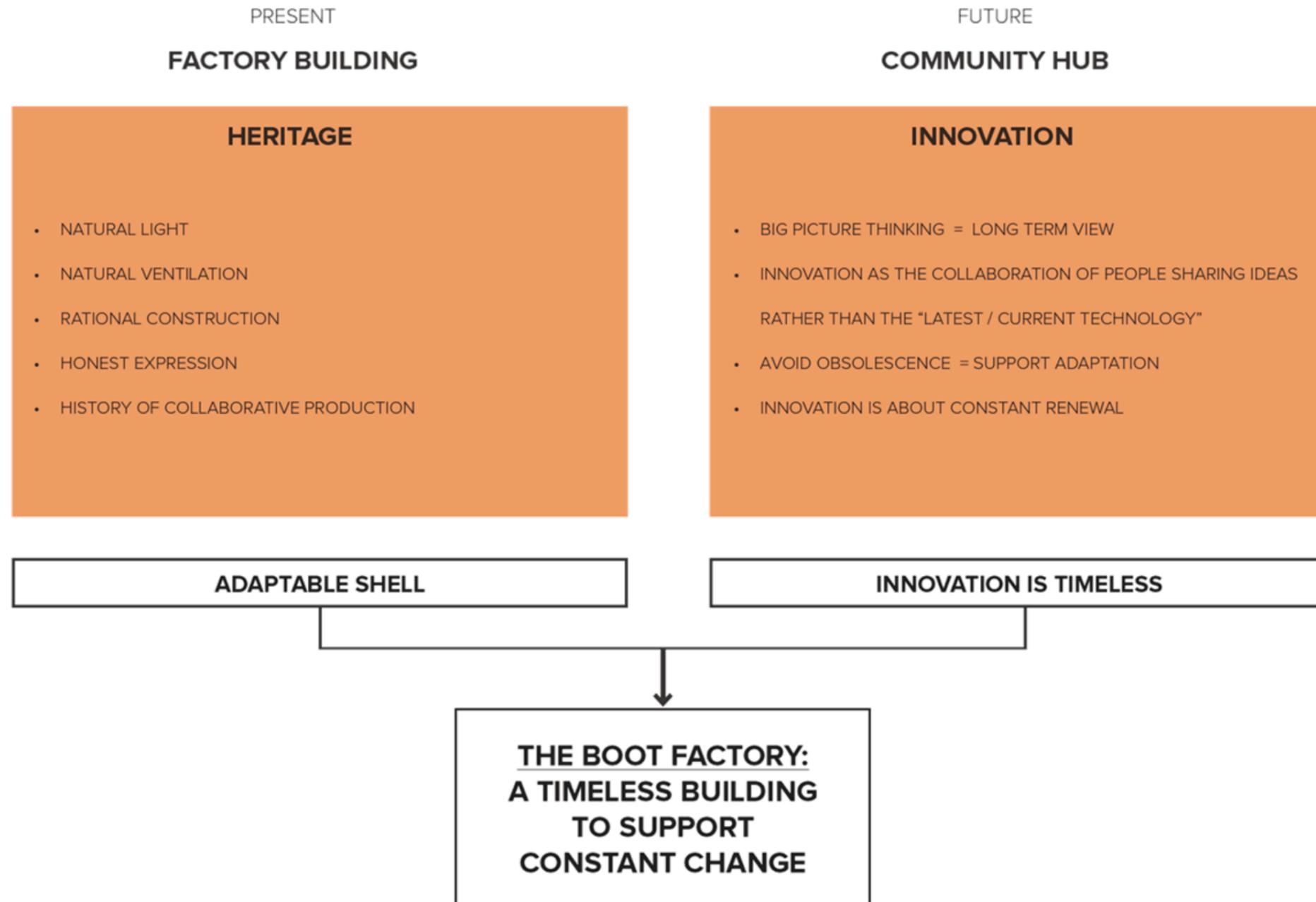
FROM ELTON REPORT:

Further to the 'Rebooting The Boot Factory' report prepared by Elton Consulting, we have identified several key criteria that appear both appropriate and likely to underpin the future direction of the project regardless of finer-grained considerations:

- 1. DIVERSE USER GROUPS**
- 2. MULTIPLE FUNCTIONAL OPPORTUNITIES**
- 3. FLEXIBILITY OF USE OVER TIME**
- 4. THE BOOT FACTORY AS A 'BEACON FOR IDEAS'**

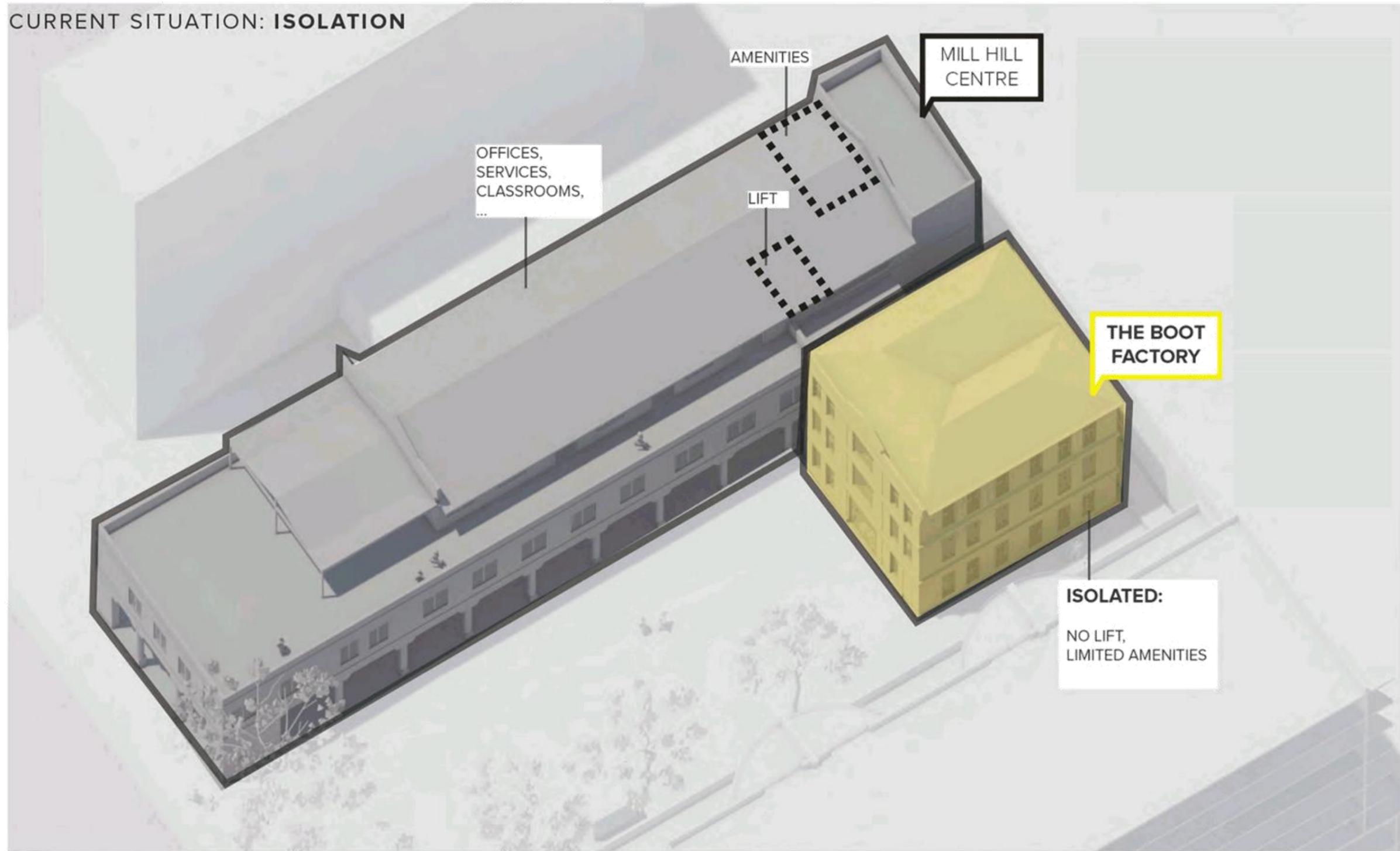
THE OPPORTUNITY

PROJECT ASPIRATIONS



THE BOOT FACTORY & MILL HILL CENTRE

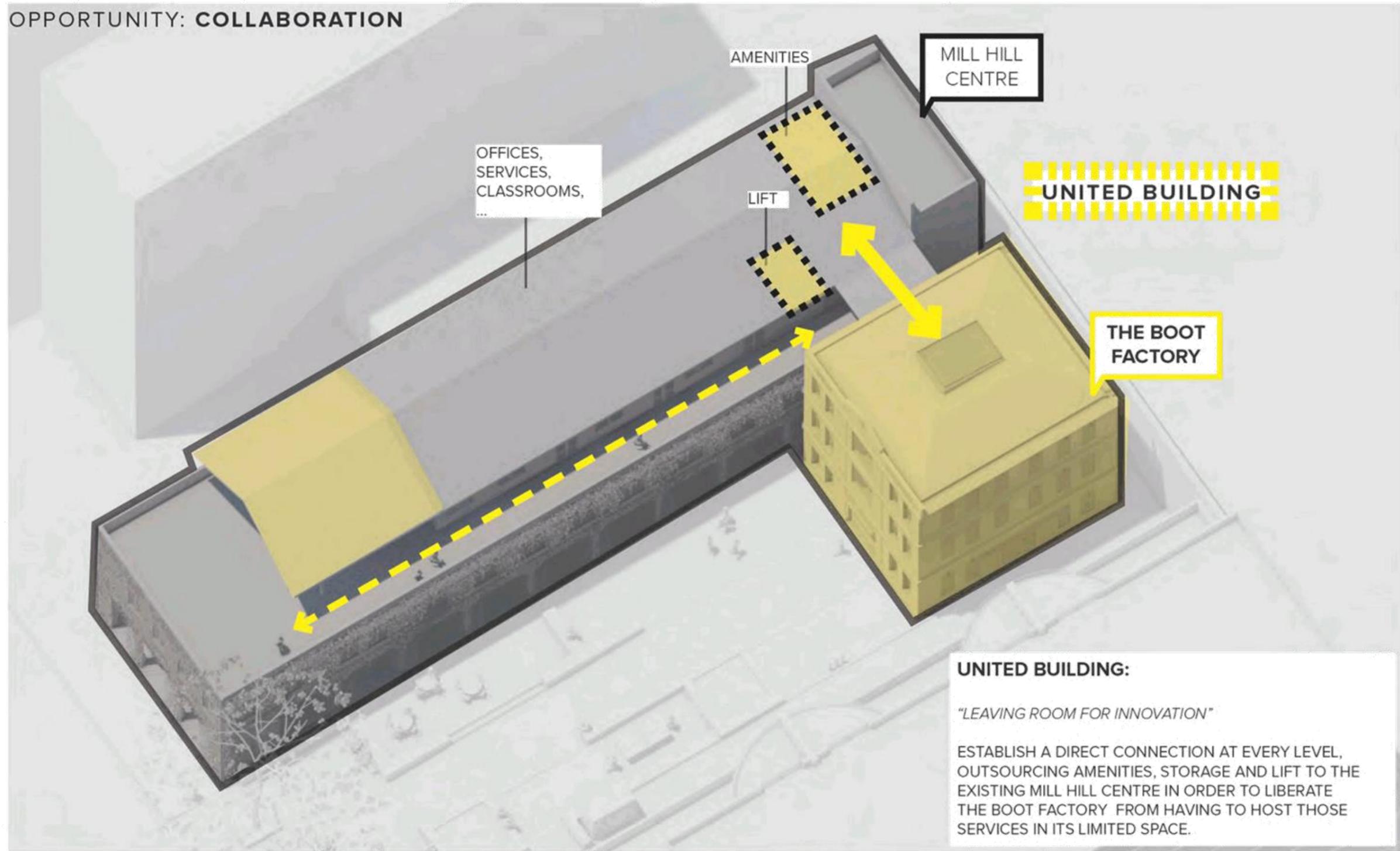
CURRENT SITUATION: ISOLATION



THE OPPORTUNITY

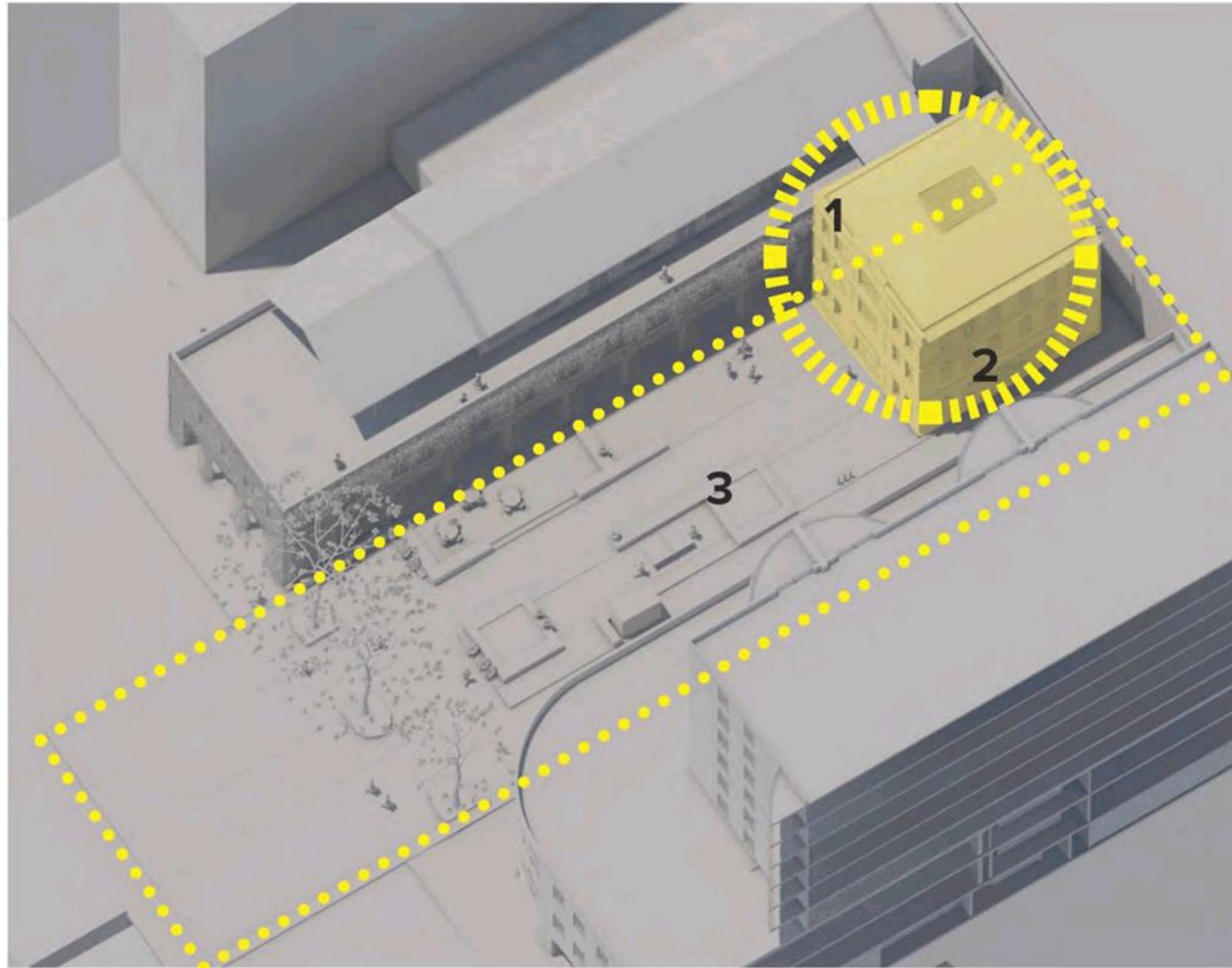
THE BOOT FACTORY & MILL HILL CENTRE

OPPORTUNITY: **COLLABORATION**



THE OPPORTUNITY

PROJECT ELEMENTS



1. INTEGRITY OF BUILDING FORM

BUILDING FABRIC



2. A PLACE FOR COLLABORATIVE PRODUCTION

SPACES



3. SITE AS EXTENSION OF PUBLIC DOMAIN

**URBAN DESIGN +
LANDSCAPE**

THE BOOT FACTORY UPGRADE

BUILDING FABRIC

SPACES

URBAN DESIGN +
LANDSCAPE

THE BOOT FACTORY UPGRADE BUILDING FABRIC

IMPROVE PERFORMANCE OF ENVELOPE



With input from consultants :

- BCA
- Building Services
- Heritage
- Structural

KEY ELEMENTS:

COMMON TO ALL OPTIONS

ROOF

- A new roof maintains the existing roof profile on north, east and west facades, while wrapping this profile to the south to leave a large skylight in the middle, eliminating the roof valley form that is currently leaking, while introducing more natural light and ventilation.

BRICK WALLS

- Retain and restore perimeter brick walls, as they are of high heritage significance & their structural integrity can be maintained.

WINDOWS

- Retain operable windows in order or improve amenity through natural ventilation & light. Existing windows retained and covered in a mesh that can act as a 'medium' for drenchers.

DOORS

- Enlargement of openings for connection to adjacent side and rear public spaces.

FRONT DOOR

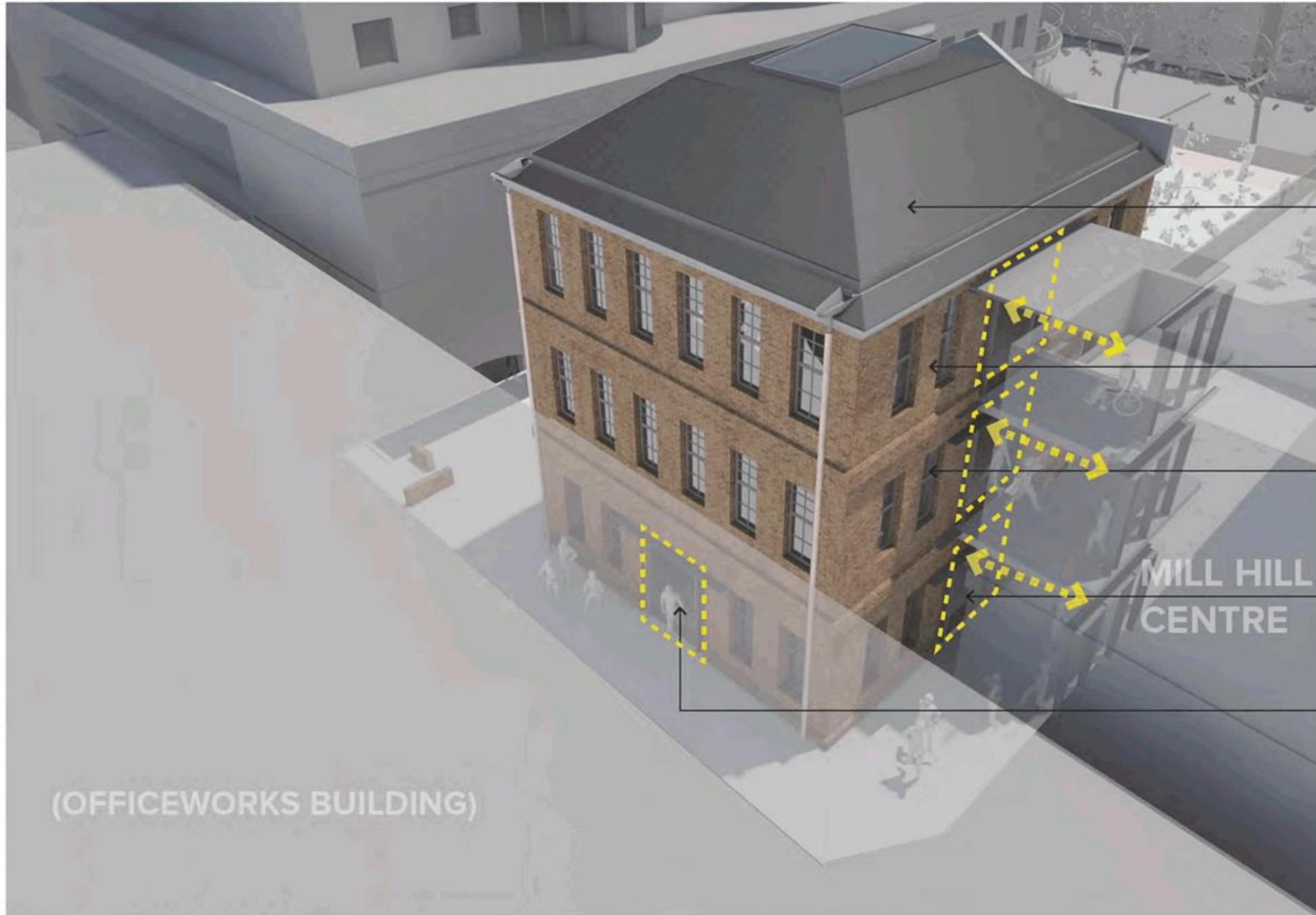
- If main entry doors are held open during normal operating hours they do not need to be power operated to meet accessibility requirements.
- If visitors are to operate these doors, their scale would require power assistance.

NORTH AND WEST FACADES

BRICK HYDRANT CABINET, ABOVE GROUND PIPEWORK, SPRINKLER CONTROL VALVE & PRESSURE MAINTENANCE PUMP NEED TO BE REPLACED & COULD POSSIBLY BE RELOCATED (NOTE: COMMUNITY MURAL ON WEST FACE)

THE BOOT FACTORY UPGRADE
BUILDING FABRIC

IMPROVE PERFORMANCE OF ENVELOPE



With input from consultants :

- BCA
- Building Services
- Heritage
- Structural

KEY ELEMENTS:

COMMON TO ALL OPTIONS

ROOF

- Adjusted roof form maintains the existing profile on north, east and west facades, while wrapping this profile to the south to leave a large skylight in the middle, eliminating the roof valley form that is currently leaking and introducing more natural light and ventilation.

BRICK WALLS

- Retain and restore perimeter brick walls, as they are of high heritage significance & their structural integrity can be maintained.

WINDOWS

- Unblock windows in order to improve amenity through natural ventilation & light. existing windows retained and covered in a mesh that can act as a 'medium' for drenchers.

MILL HILL CONNECTION

- Connection to adjacent mill hill centre building for use of lifts, amenities, storage and access to the officeworks carpark.

DOORS

- Enlargement of openings for connection to adjacent side and back public space.

SOUTH AND EAST FACADES

THE BOOT FACTORY UPGRADE
BUILDING FABRIC

MATERIALITY



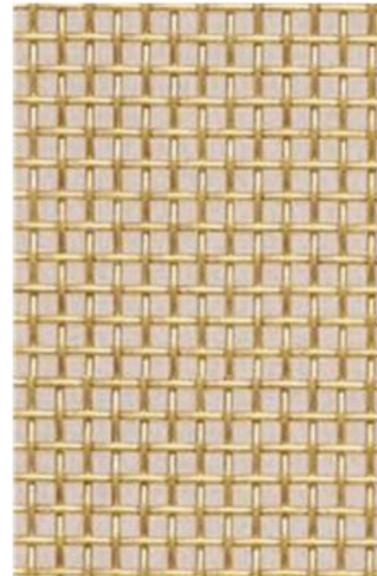
Restore and retain existing brick fabric



New roof structure



Doors openings: Steel reveals



Windows: Fine brass mesh over openings



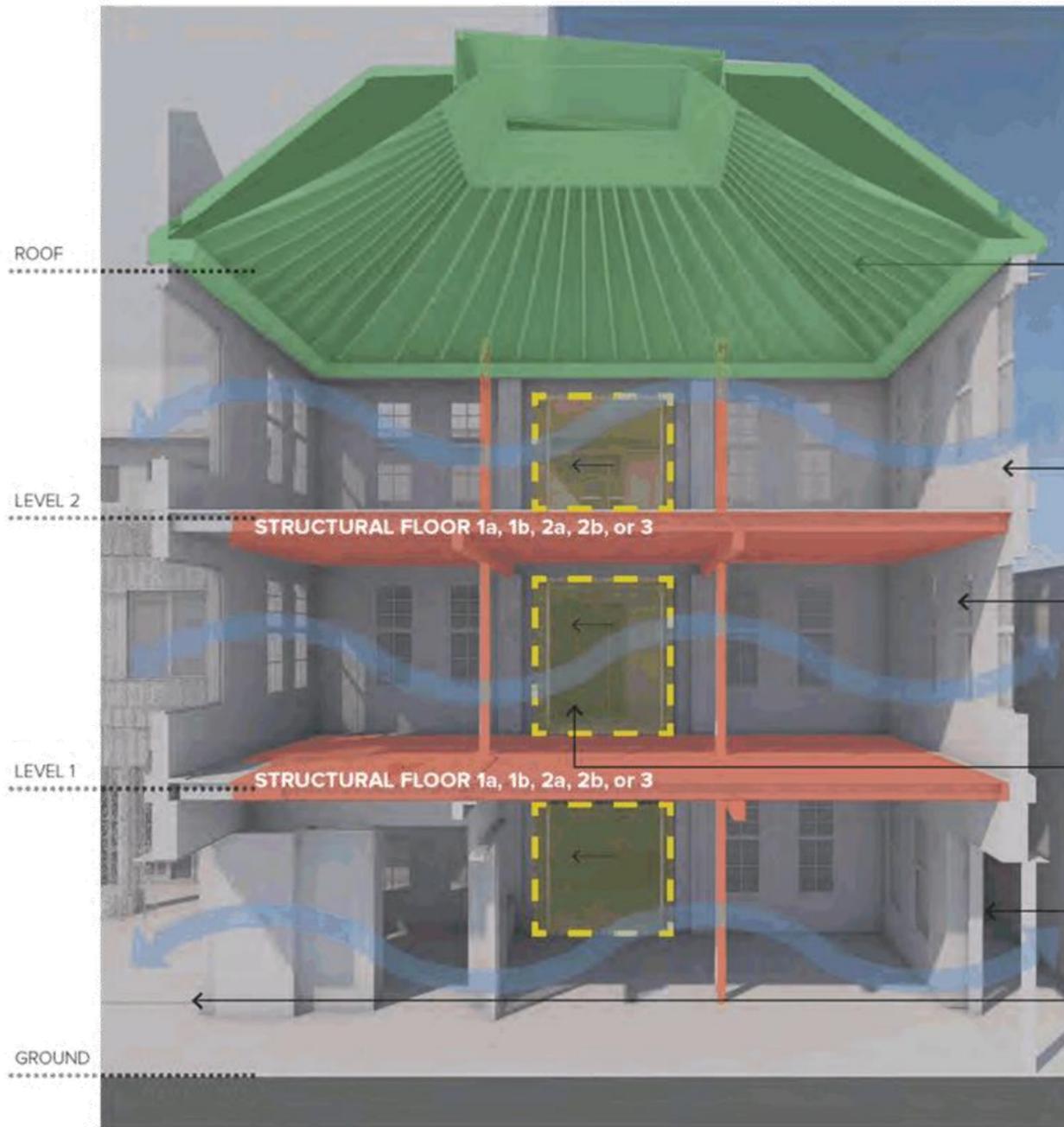
Staircase: Plate steel balustrade



Bridges: Fine steel balustrades

THE BOOT FACTORY UPGRADE
BUILDING FABRIC

RESTORE STRUCTURAL INTEGRITY



With input from consultants :

- BCA
- Building Services
- Heritage
- Structural

KEY ELEMENTS:

COMMON TO ALL OPTIONS

- ROOF**
 - Adjusted roof form maintains the roof profile on north, east and west facades, while wrapping this profile to the south to leave a large skylight in the middle, eliminating the roof valley form that is currently leaking and introducing more natural light and ventilation.
- BRICK WALLS**
 - Retain and restore perimeter brick walls, as they are of high heritage significance & their structural integrity can be maintained.
- WINDOWS**
 - Unblock windows in order or improve amenity through natural ventilation & light. Existing windows retained and covered in a mesh that can act as a 'medium' for drenchers.
- CONNECTION**
 - Connection to adjacent mill hill centre building for use of lifts, amenities, storage and access to the Officeworks carpark.
- DOORS**
 - Enlargement of openings for connection to adjacent side and back public space.
- FRONT DOOR**
 - If main entry doors are held open during normal operating hours they do not need to be power operated to meet accessibility requirements.
 - If visitors are to operate these doors, their scale would require power assistance.

OPTIONS

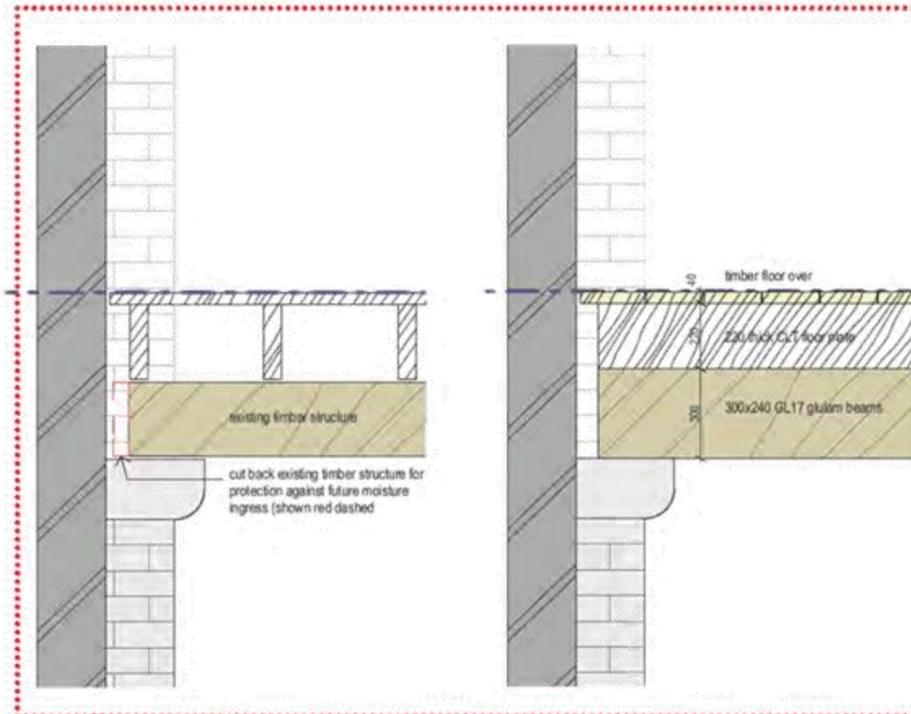
INTERNAL STRUCTURE

- OPTION 1A**
Restore Existing Timber Structure
Rebuild / Reuse existing timber. Conservation / Restoration approach. Individual analysis of each structural member and replacement and reinforcement as required. Make good and rebuild to original strength as far as is possible.
- OPTION 1A**
New Timber Structure
Rebuild timber floor structure with contemporary construction techniques
- CLT floor and laminated timber post and beam structure.
- OPTION 2A**
Concrete Over Existing Structure
Restore and keep existing timber floor structure with concrete slabs poured over, to provide structure and fire separation between floors.
- Timber structure to act as permanent formwork for the concrete slab.
- Underside of slab to be existing timber floor structure.
- Columns to be reinforced with steel and fire rated as required.
- New stair required to match new floor setout.
- OPTION 2B**
Composite Timber and Concrete
Reconstruct timber floor structure to match existing configuration, at a lower level to accommodate concrete topping poured over, to provide combined structural integrity and fire separation between floors.
- Timber structure to act as permanent formwork for the concrete slab.
- Underside of slab to be exposed timber floor structure.
- Columns to be reinforced with steel and fire rated as required.
- OPTION 2B**
New Concrete Structure
New exposed concrete floors with expressed beam thickenings to correspond with the structural grid.
Exposed concrete soffit with expressed beam thickenings.

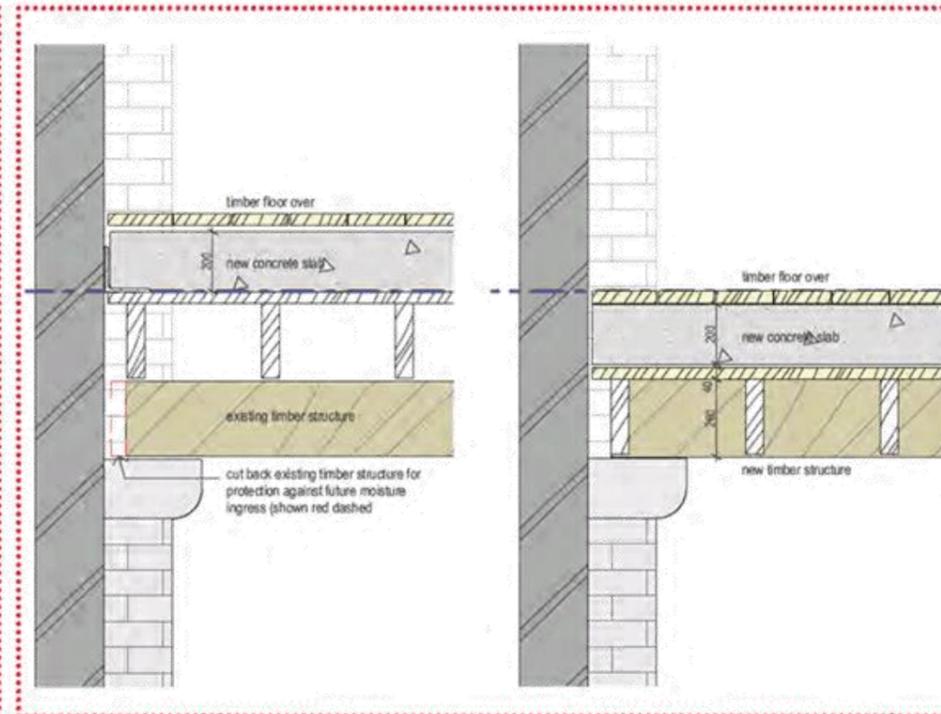
THE BOOT FACTORY UPGRADE
BUILDING FABRIC

STRUCTURAL OPTIONS

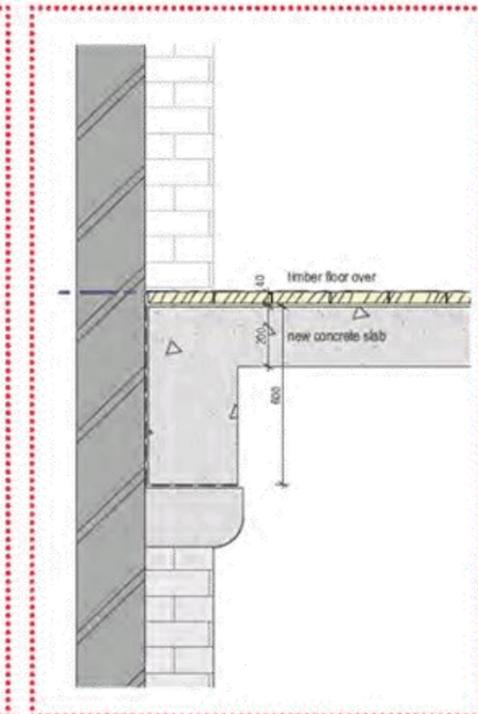
OPTION 1 - TIMBER



OPTION 2 - TIMBER + CONCRETE



OPTION 3 - CONCRETE



SCALE 1:20

OPTION 1A
RESTORE EXISTING TIMBER STRUCTURE

Member-by-member analysis of existing structure to allow piecemeal restoration with new elements and reinforcing as required.

Completed strength: (best case) 2kPa - 3kPa
This could support uses such as a reading room, hotel room, office space or classroom but not strong enough for exhibitions, gatherings, events or physical activities.

Negligible acoustic separation.
Highly susceptible to fire. Sprinklers.

OPTION 1B
NEW TIMBER STRUCTURE

Construct new finely crafted timber floor using optimised techniques such as CLT to improve acoustic separation and fire performance and strength.

Completed strength: Can be designed to high strength as required to allow for anticipated uses and future flexibility.

CLT provides improved acoustic separation.
CLT provides improved fire performance.
Sprinklers likely still required.

OPTION 2A
CONCRETE OVER EXISTING TIMBER

New concrete slab, poured over the existing timber structure, which would be restored as a cosmetic, non-structural element to be supported from the concrete.

Completed strength: Can be designed to high strength as required to allow for anticipated uses and future flexibility. Note increased floor level will require threshold transitions and a new stair.

Good acoustic separation.
Sprinklers not required by this construction but are likely required by other conditions.

OPTION 2B
COMPOSITE TIMBER AND CONCRETE

Construct timber floor structure with adjusted setout to allow a concrete slab to be poured over to finish at original floor level. Timber to contribute to structural performance.

Completed strength: Can be designed to high strength as required to allow for anticipated uses and future flexibility.

Good acoustic separation.
Sprinklers not required by this construction but are likely required by other conditions.

OPTION 3
NEW CONCRETE STRUCTURE

New concrete slab with expressed beams to correspond with structural grid. Potential for timber detailed acoustic linings and integrated services such as floor boxes to liberate heritage brickwork from services.

Completed strength: Can be designed to high strength as required to allow for anticipated uses and future flexibility.

Good acoustic separation.
Sprinklers not required by this construction but are likely required by other conditions.

THE BOOT FACTORY UPGRADE

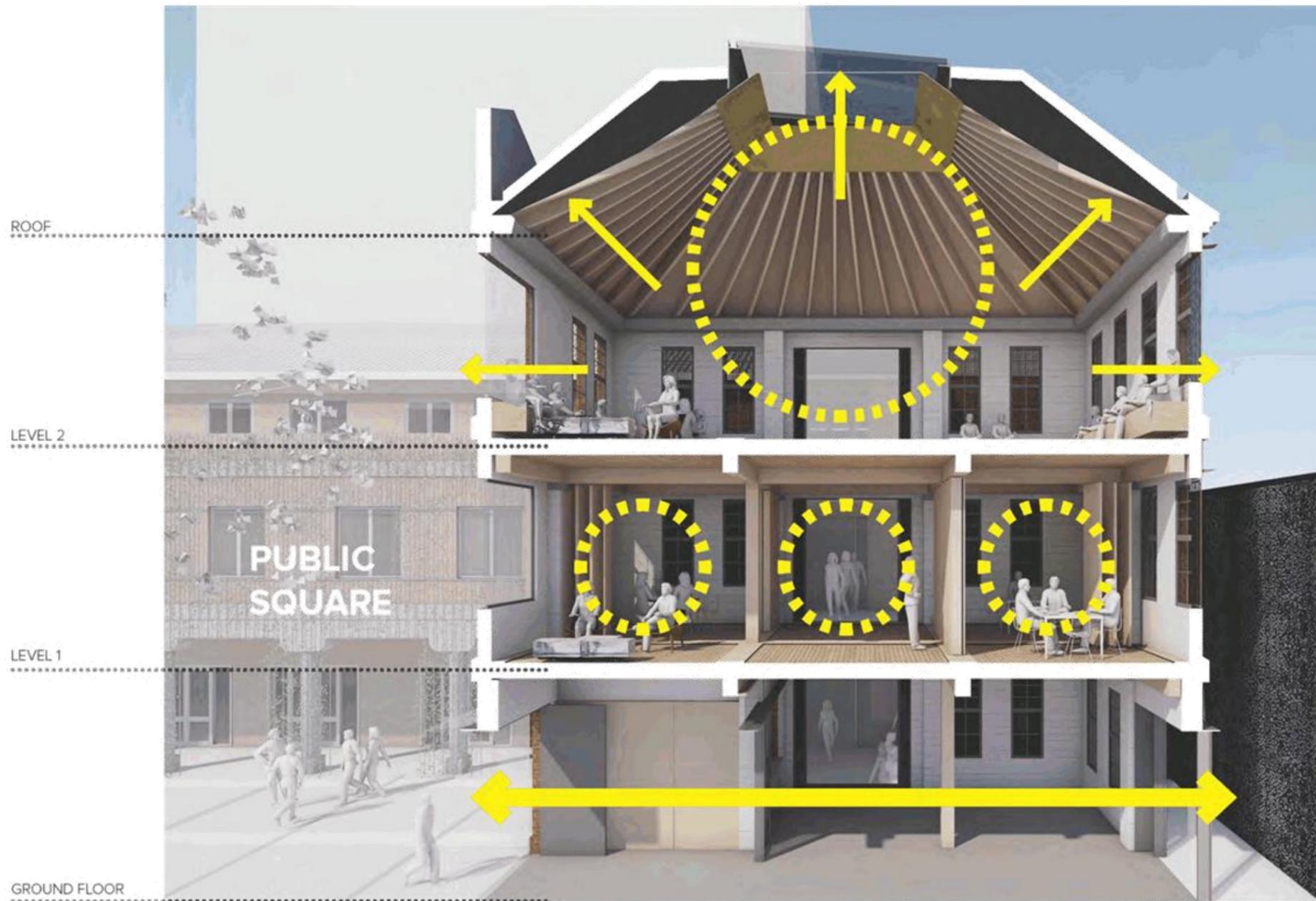
BUILDING FABRIC

SPACES

URBAN DESIGN +
LANDSCAPE

THE BOOT FACTORY UPGRADE SPACES

3 STOREYS : DIVERSE SPATIAL QUALITIES



The construction of a new roof provides the opportunity to create a voluminous room that is separated from the street and yet open to both the views and the sky.

The possibility of opening up the top floor of the stairwell offers the potential to restore the 'whole-floor' spatial condition of the original factory prior to the 1980s refurbishment, even if glazed partitions are used for acoustic separation.

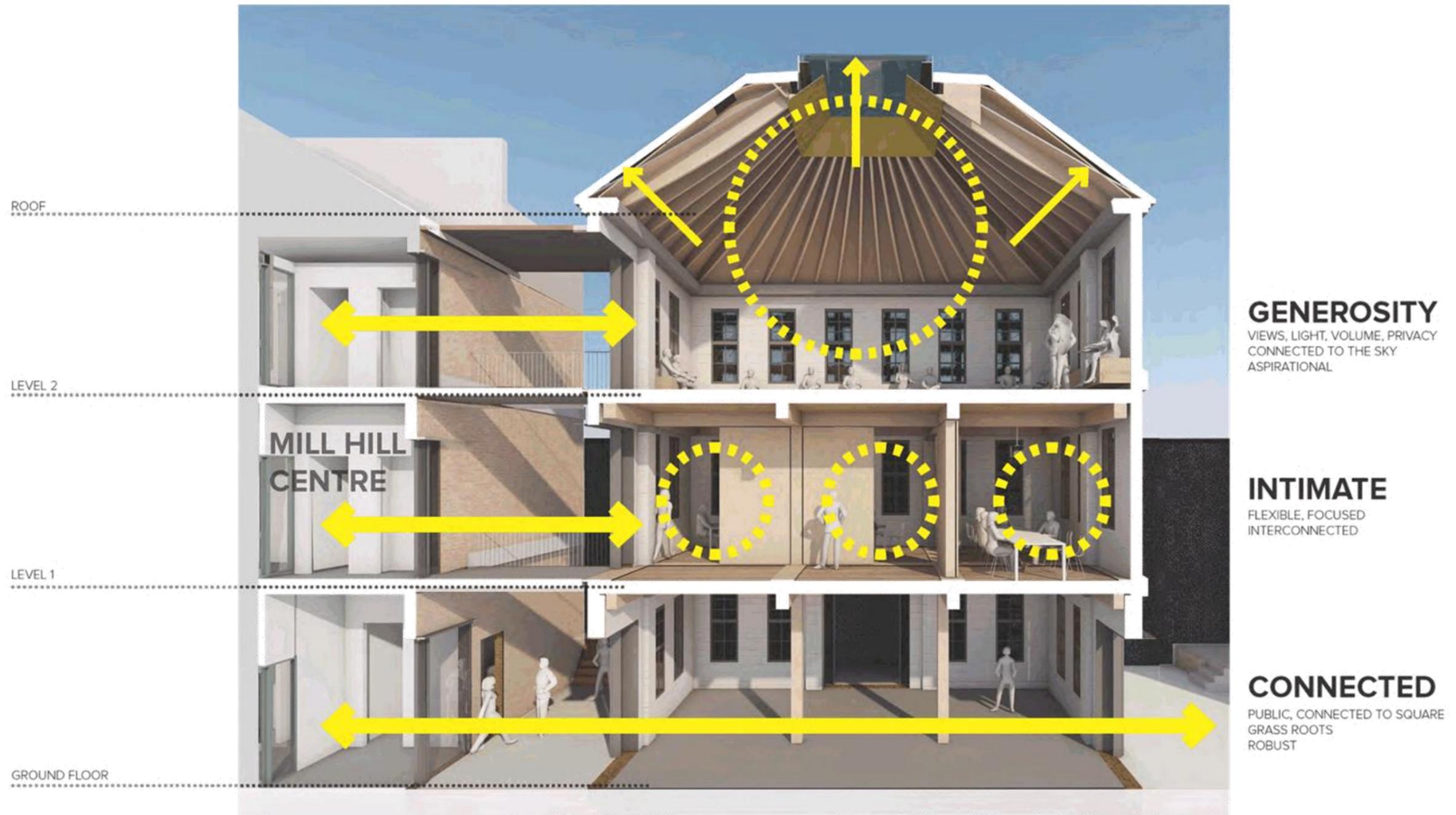
L2 GENEROSITY
 VIEWS, LIGHT, VOLUME, PRIVACY
 CONNECTED TO THE SKY
 ASPIRATIONAL

L1 INTIMATE
 FLEXIBLE, FOCUSED
 INTERCONNECTED

GF CONNECTED
 PUBLIC, CONNECTED TO SQUARE
 GRASS ROOTS
 ROBUST

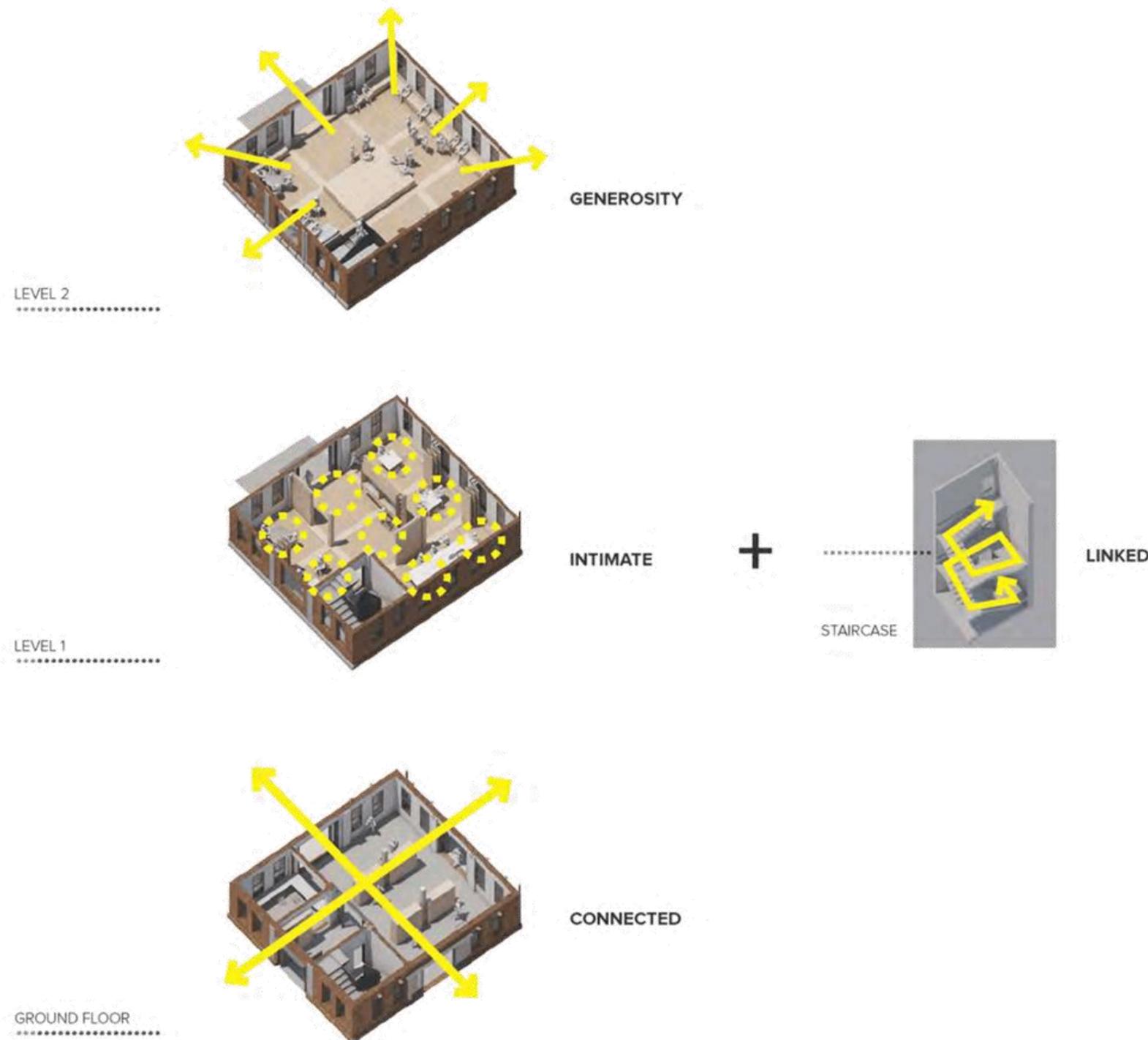
THE BOOT FACTORY UPGRADE
SPACES

3 STOREYS : DIVERSE SPATIAL QUALITIES



THE BOOT FACTORY UPGRADE
SPACES

3 STOREYS : PERFORMANCE DIVERSITY



SPACES AND FITOUT TO SUPPORT ACTIVITIES:

- Events
- Exhibitions
- Talks
- Meetings
- Workshops
- Training
- Drawing classes
- Yoga
- ...Future uses

PRINCIPLES:

- Diversity of spatial qualities and scales.
- Flexibility to adapt over time.
- Short-term functionality delivered with non-integral elements.

THE BOOT FACTORY UPGRADE SPACES

GROUND FLOOR: GRASS ROOTS / STREET LEVEL / ROBUST

- Connected: Interior space as continuation of external the public realm.
- Level access between inside and outside, potentially on all sides.
- Opportunity to create a single indoor/outdoor venue across the whole site.

TOILETS

OUTSOURCED FROM MILL HILL CENTRE

LIFT

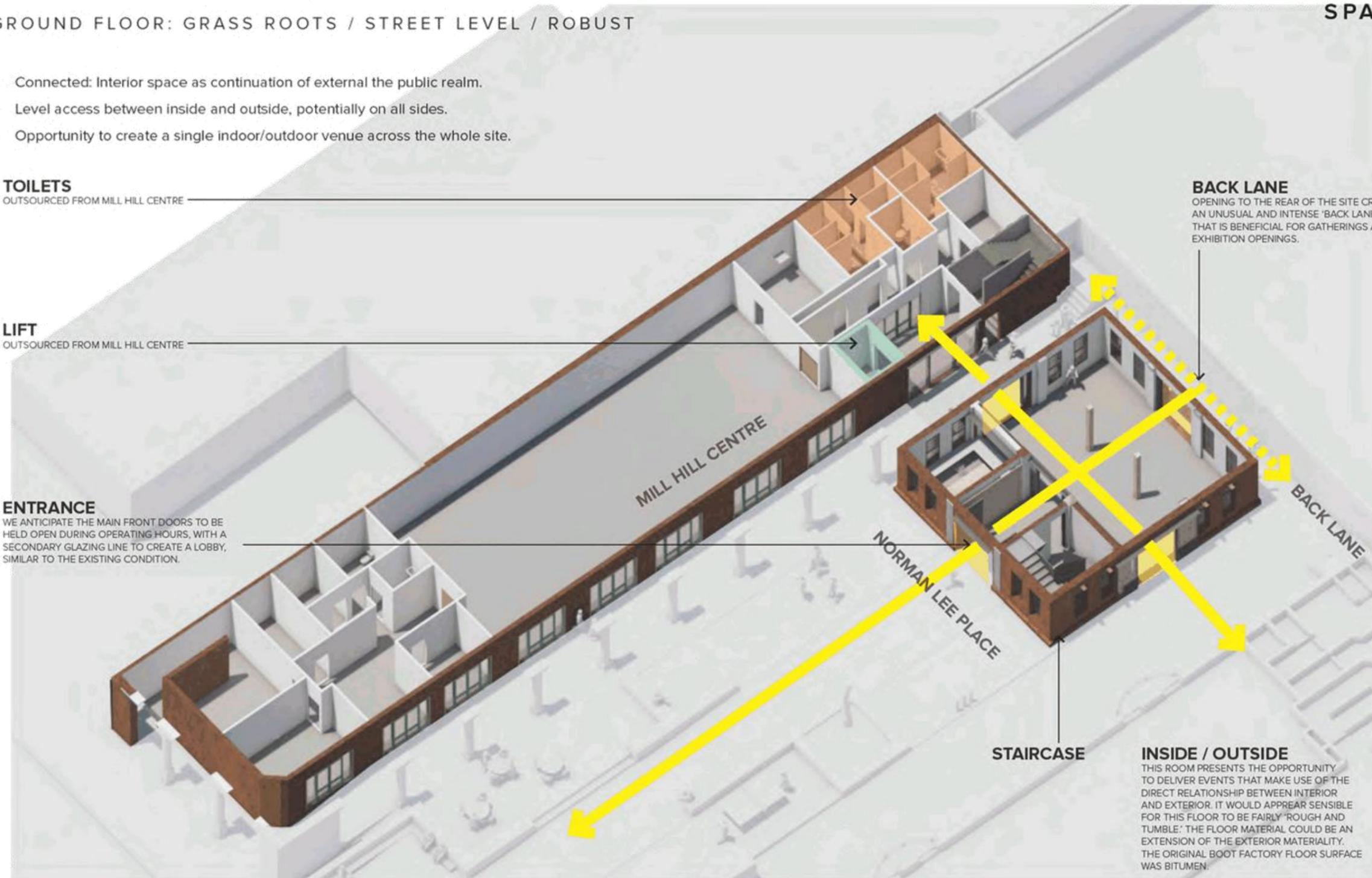
OUTSOURCED FROM MILL HILL CENTRE

ENTRANCE

WE ANTICIPATE THE MAIN FRONT DOORS TO BE HELD OPEN DURING OPERATING HOURS, WITH A SECONDARY GLAZING LINE TO CREATE A LOBBY, SIMILAR TO THE EXISTING CONDITION.

BACK LANE

OPENING TO THE REAR OF THE SITE CREATES AN UNUSUAL AND INTENSE 'BACK LANE' SPACE THAT IS BENEFICIAL FOR GATHERINGS AND EXHIBITION OPENINGS.



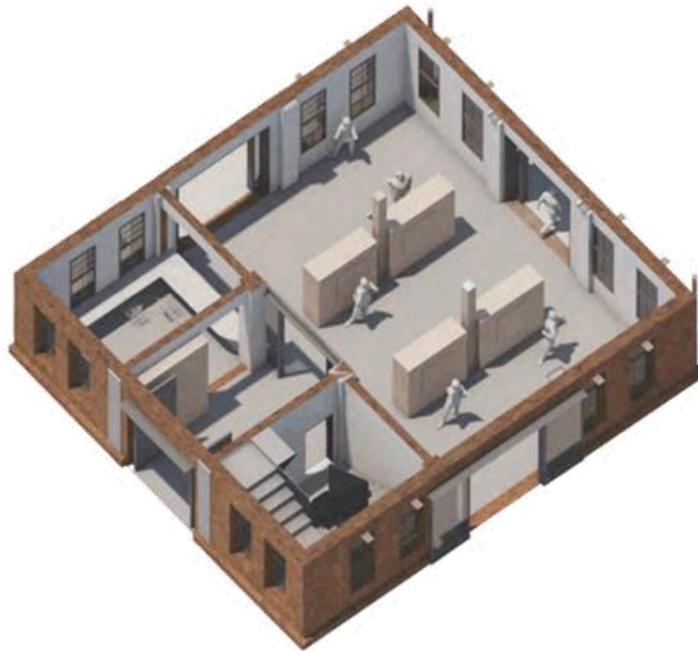
INSIDE / OUTSIDE

THIS ROOM PRESENTS THE OPPORTUNITY TO DELIVER EVENTS THAT MAKE USE OF THE DIRECT RELATIONSHIP BETWEEN INTERIOR AND EXTERIOR. IT WOULD APPEAR SENSIBLE FOR THIS FLOOR TO BE FAIRLY 'ROUGH AND TUMBLE'; THE FLOOR MATERIAL COULD BE AN EXTENSION OF THE EXTERIOR MATERIALITY. THE ORIGINAL BOOT FACTORY FLOOR SURFACE WAS BITUMEN.

THE BOOT FACTORY UPGRADE
SPACES

GROUND FLOOR: GRASS ROOTS / STREET LEVEL / ROBUST

- Connected: Interior space as continuation of external the public realm.
- Level access between inside and outside, potentially on all sides.
- Opportunity to create a single indoor/outdoor venue across the whole site.



Exhibitions/ Openings



Presentation / Talks



Workshops

THE BOOT FACTORY UPGRADE
SPACES

GROUND FLOOR: GRASS ROOTS / STREET LEVEL / ROBUST



GROUND FLOOR: INTERIOR PERSPECTIVES
INDICATIVE ILLUSTRATION OF OPTION 1B: NEW TIMBER STRUCTURE

GROUND FLOOR: GRASS ROOTS / STREET LEVEL / ROBUST



GROUND FLOOR: INTERIOR PERSPECTIVES + SERVICES
INDICATIVE ILLUSTRATION OF OPTION 1B: NEW TIMBER STRUCTURE

THE BOOT FACTORY UPGRADE
SPACES

GROUND FLOOR: GRASS ROOTS / STREET LEVEL / ROBUST



VIEW THROUGH BACK LANE



THE BOOT FACTORY UPGRADE SPACES

LEVEL 1: INTIMATE / COLLABORATIVE SPACES

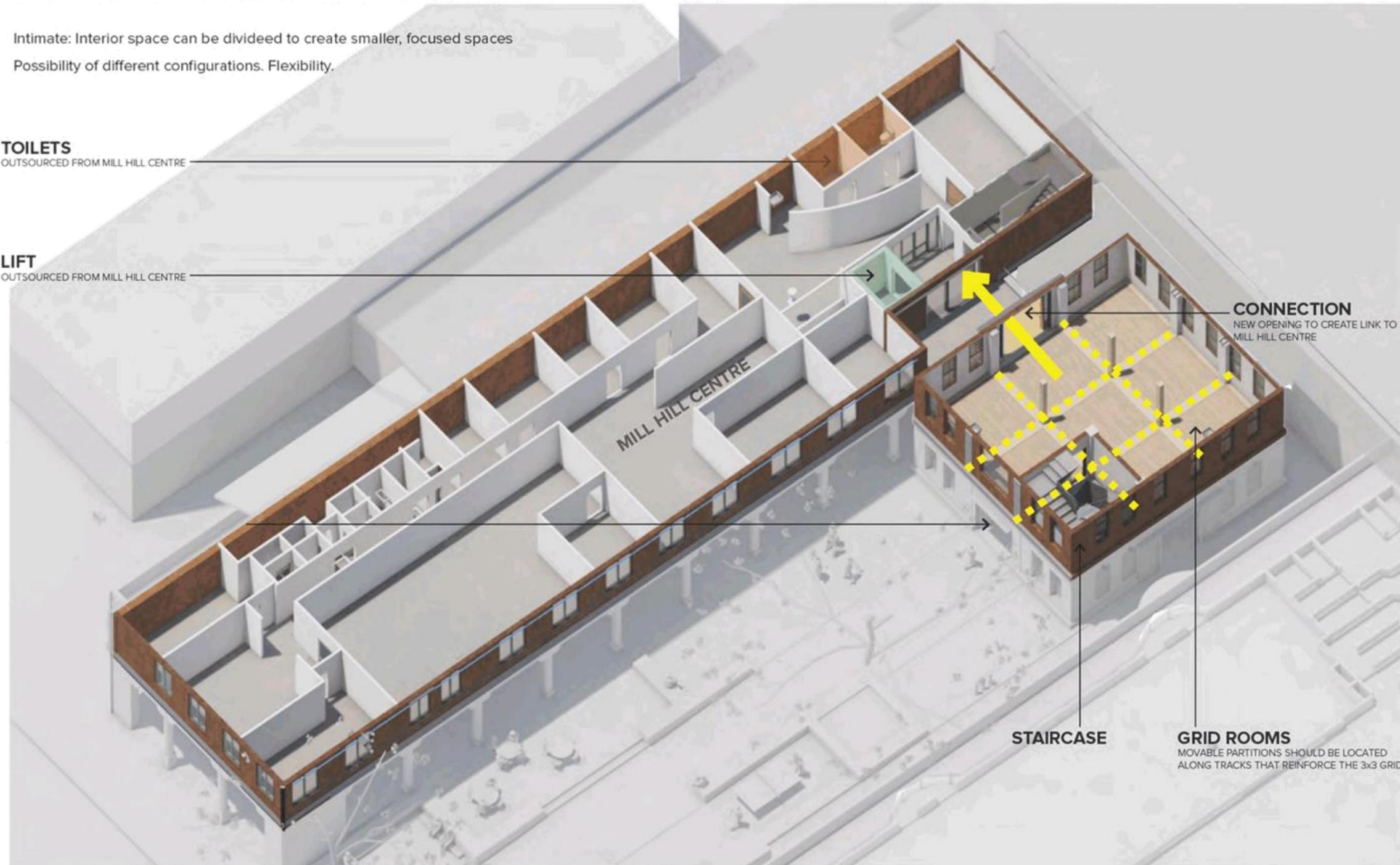
- Intimate: Interior space can be divided to create smaller, focused spaces
- Possibility of different configurations. Flexibility.

TOILETS

OUTSOURCED FROM MILL HILL CENTRE

LIFT

OUTSOURCED FROM MILL HILL CENTRE



CONNECTION

NEW OPENING TO CREATE LINK TO MILL HILL CENTRE

STAIRCASE

GRID ROOMS

MOVABLE PARTITIONS SHOULD BE LOCATED ALONG TRACKS THAT REINFORCE THE 3x3 GRID

THE BOOT FACTORY UPGRADE
SPACES

LEVEL 1: INTIMATE / COLLABORATIVE SPACES

- Intimate: Interior space can be divided to create smaller, focused spaces
- Possibility of different configurations. Flexibility.

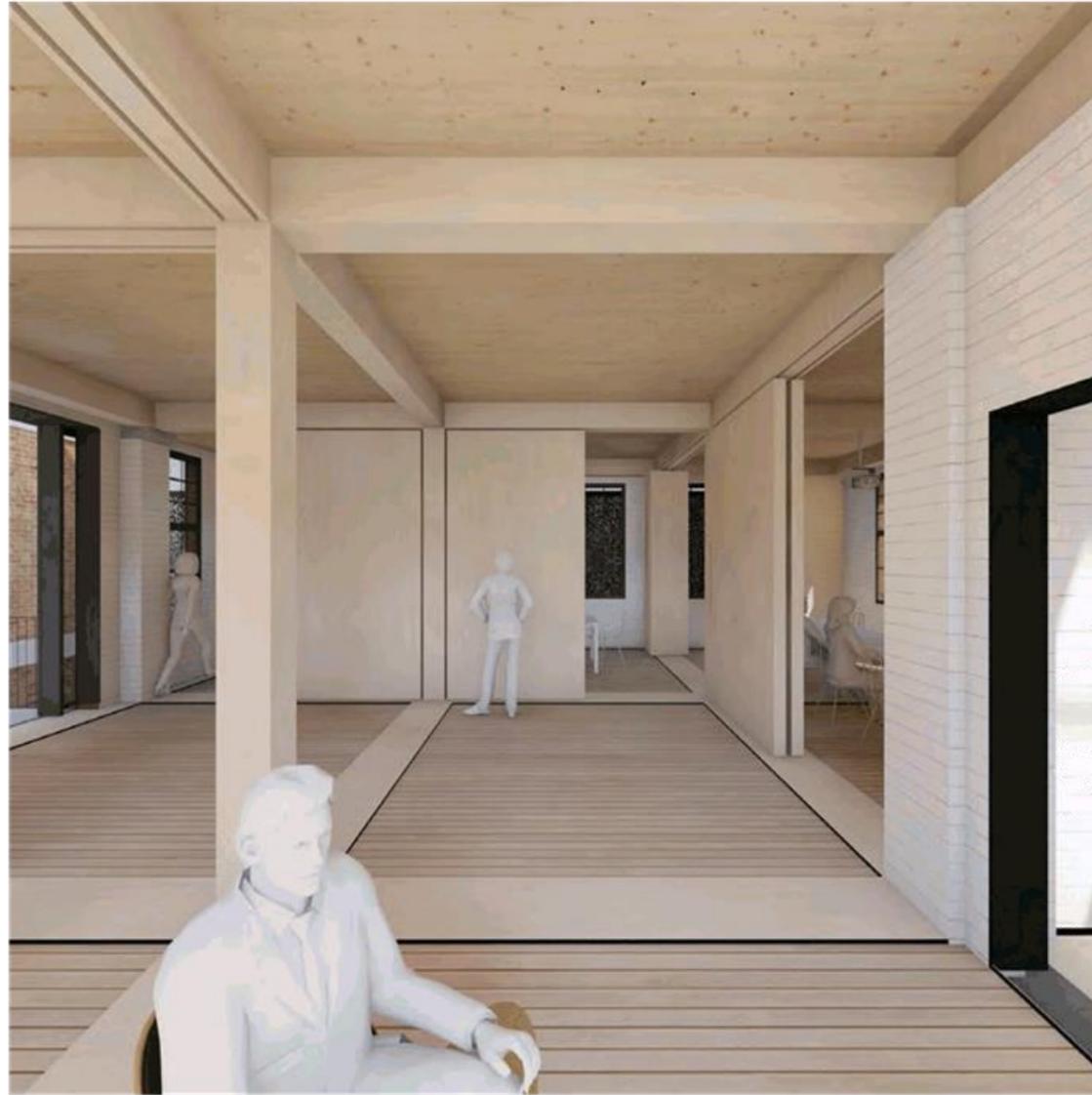


Level 1: Open spaces



Level 1: Compartmentalised spaces

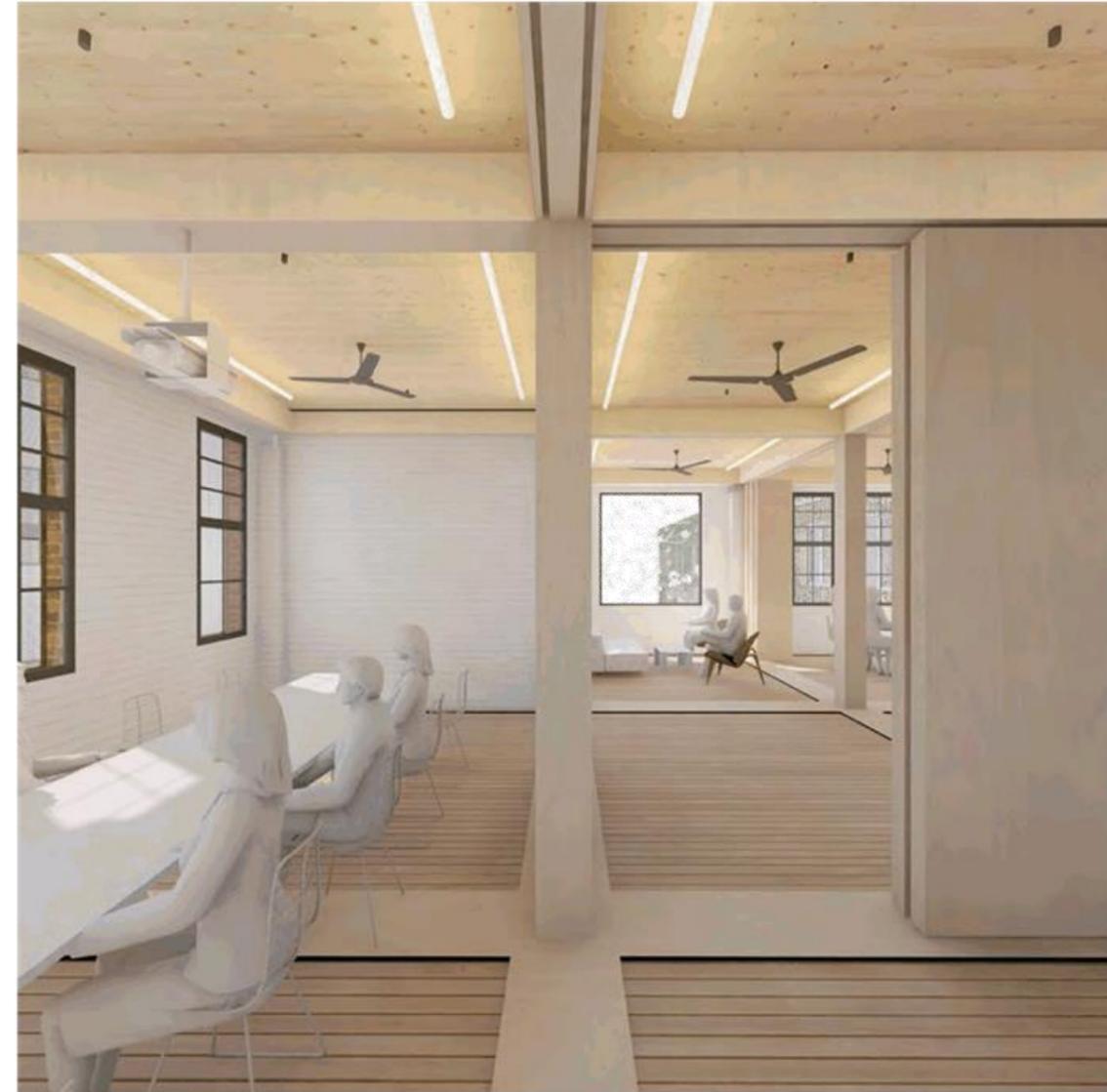
LEVEL 1: INTIMATE / COLLABORATIVE SPACES



LEVEL 1: INTERIOR PERSPECTIVES
INDICATIVE ILLUSTRATION OF OPTION 1B: NEW TIMBER STRUCTURE

THE BOOT FACTORY UPGRADE
SPACES

LEVEL 1: INTIMATE / COLLABORATIVE SPACES



LEVEL 1: INTERIOR PERSPECTIVES + SERVICES
INDICATIVE ILLUSTRATION OF OPTION 1B: NEW TIMBER STRUCTURE

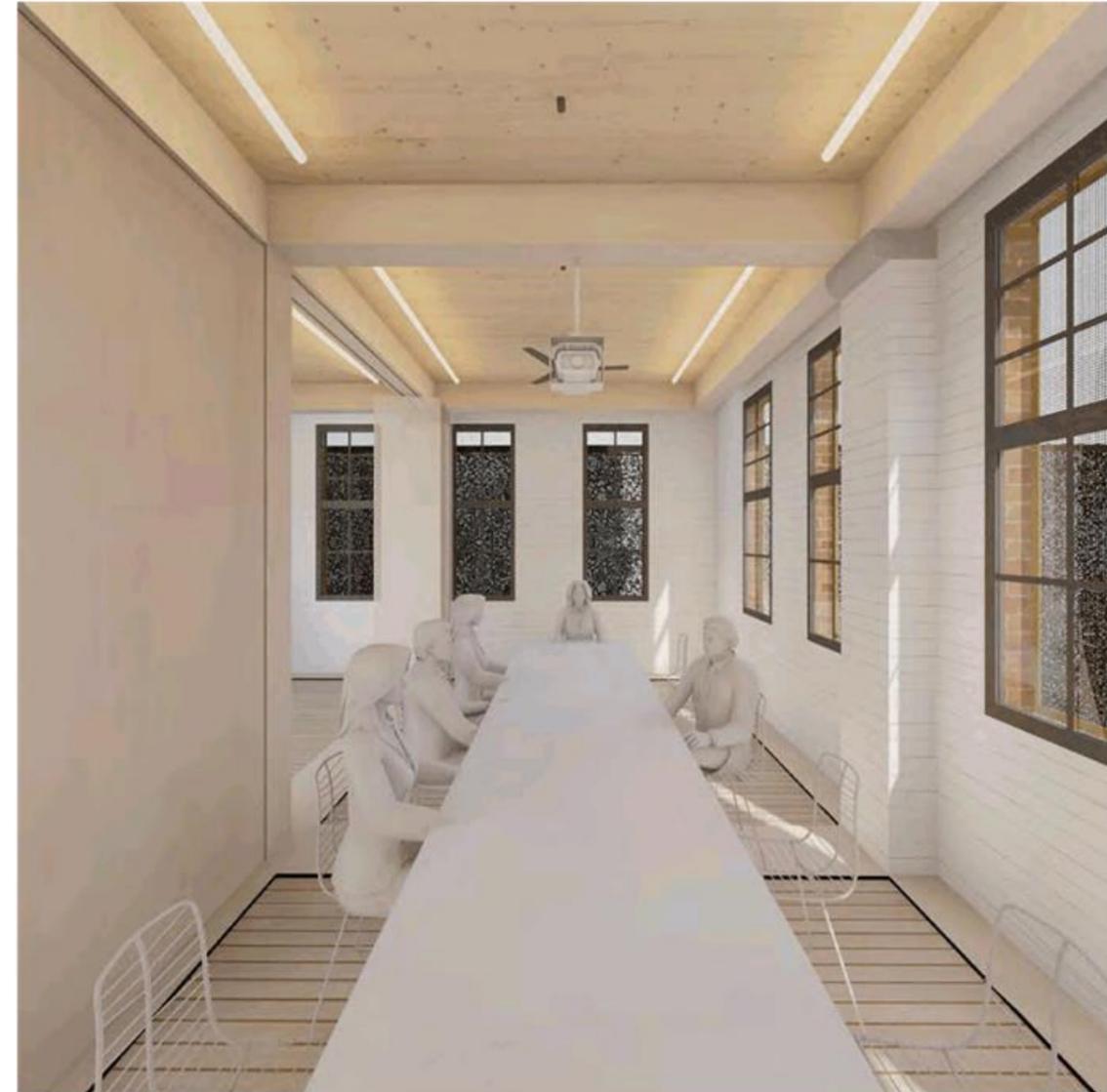
LEVEL 1: INTIMATE / COLLABORATIVE SPACES



LEVEL 1: INTERIOR PERSPECTIVES
INDICATIVE ILLUSTRATION OF OPTION 1B: NEW TIMBER STRUCTURE

THE BOOT FACTORY UPGRADE
SPACES

LEVEL 1: INTIMATE / COLLABORATIVE SPACES



LEVEL 1: INTERIOR PERSPECTIVES + SERVICES
INDICATIVE ILLUSTRATION OF OPTION 1B: NEW TIMBER STRUCTURE

LEVEL 1: INTIMATE / COLLABORATIVE SPACES



CONNECTION TO MILL HILL CENTRE

THE BOOT FACTORY UPGRADE SPACES

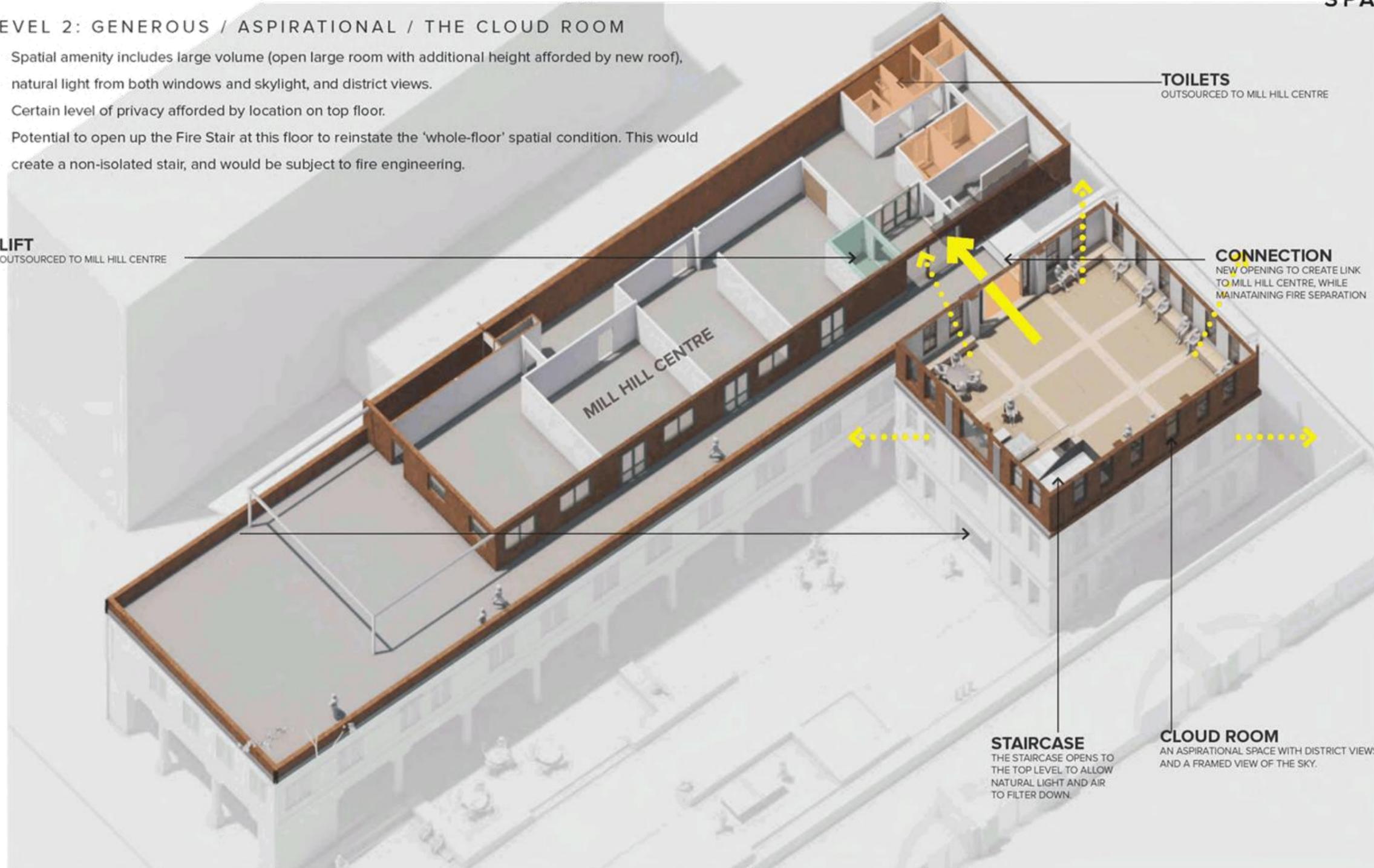
LEVEL 2: GENEROUS / ASPIRATIONAL / THE CLOUD ROOM

- Spatial amenity includes large volume (open large room with additional height afforded by new roof), natural light from both windows and skylight, and district views.
- Certain level of privacy afforded by location on top floor.
- Potential to open up the Fire Stair at this floor to reinstate the 'whole-floor' spatial condition. This would create a non-isolated stair, and would be subject to fire engineering.

LIFT
OUTSOURCED TO MILL HILL CENTRE

TOILETS
OUTSOURCED TO MILL HILL CENTRE

CONNECTION
NEW OPENING TO CREATE LINK TO MILL HILL CENTRE, WHILE MAINTAINING FIRE SEPARATION



STAIRCASE
THE STAIRCASE OPENS TO THE TOP LEVEL TO ALLOW NATURAL LIGHT AND AIR TO FILTER DOWN.

CLOUD ROOM
AN ASPIRATIONAL SPACE WITH DISTRICT VIEWS AND A FRAMED VIEW OF THE SKY.

THE BOOT FACTORY UPGRADE
SPACES

LEVEL 2: GENEROUS / ASPIRATIONAL / THE CLOUD ROOM

- Spatial amenity includes large volume (open large room with additional height afforded by new roof), natural light from both windows and skylight, and district views.
- Certain level of privacy afforded by location on top floor.
- Potential to open up the Fire Stair at this floor to reinstate the 'whole-floor' spatial condition. This would create a non-isolated stair, and would be subject to fire engineering.



Meetups



Talks



Workshops

THE BOOT FACTORY UPGRADE
SPACES

LEVEL 2: GENEROUS / ASPIRATIONAL / THE CLOUD ROOM



LEVEL 2: INTERIOR PERSPECTIVE

THE BOOT FACTORY UPGRADE
SPACES

STAIRWELL : OPEN ATRIUM



← The staircase opens to the top level to allow natural light and air to filter down to ground floor.

STAIRWELL : OPEN ATRIUM

THE BOOT FACTORY UPGRADE
SPACES



STAIRCASE INTERIOR PERSPECTIVE FROM LEVEL 2

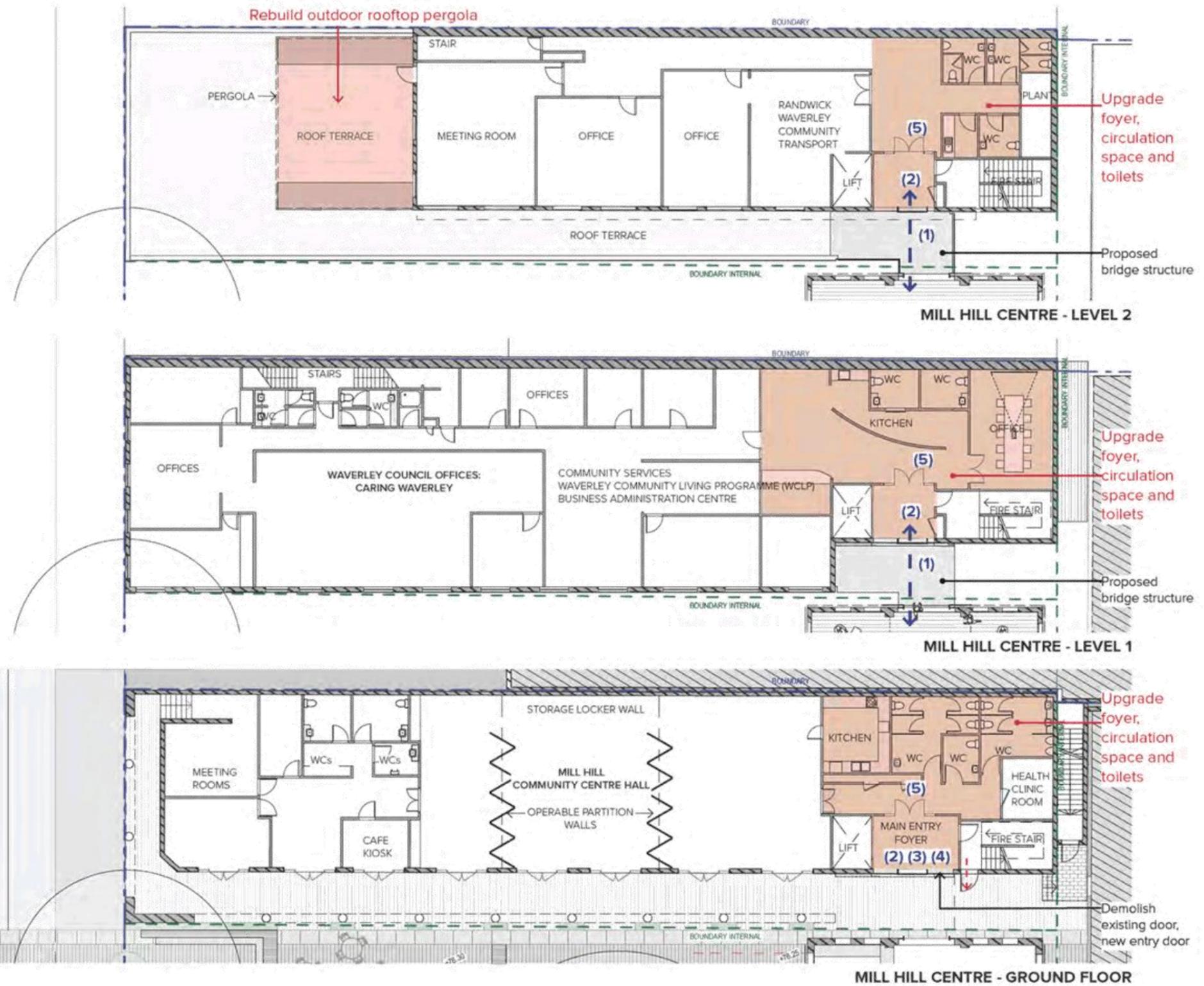
MILL HILL CENTRE UPGRADES

Required for *united building* - all options

from BCA consultant :

- (1) Upgraded level access between Boot Factory and Mill Hill Centre to provide compliant access to sanitary facilities
- (2) Door hardware along path of travel and lift control panel upgrade to comply with AS1735.12
- (3) Discontinue swipe card access to Mill Hill Centre to enable ready access to sanitary facilities
- (4) Relocation of ground floor manual release door button to a height compliant with AS1428.1-2009
- (5) Signage of sanitary facilities must be upgraded to comply with AS1428.1-2009

Suggested upgrades to improve amenity



THE BOOT FACTORY UPGRADE

BUILDING FABRIC

SPACES

**URBAN DESIGN +
LANDSCAPE**

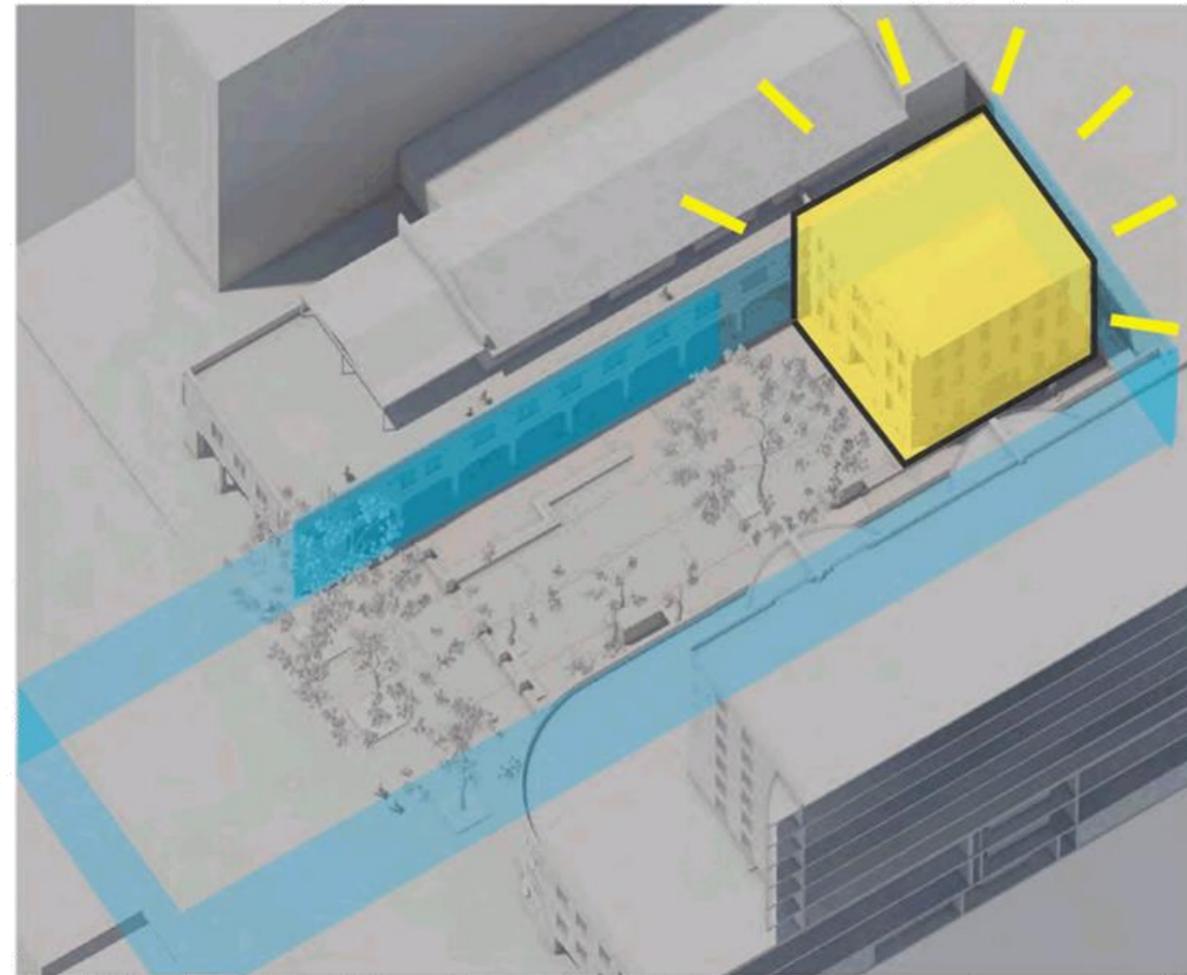
THE BOOT FACTORY UPGRADE
URBAN DESIGN + LANDSCAPE

PRINCIPLES



1. SITE AS EXTENSION OF PUBLIC DOMAIN

Open up the site as an extension of the street so that the factory sits within the public domain as a building 'in the round'.

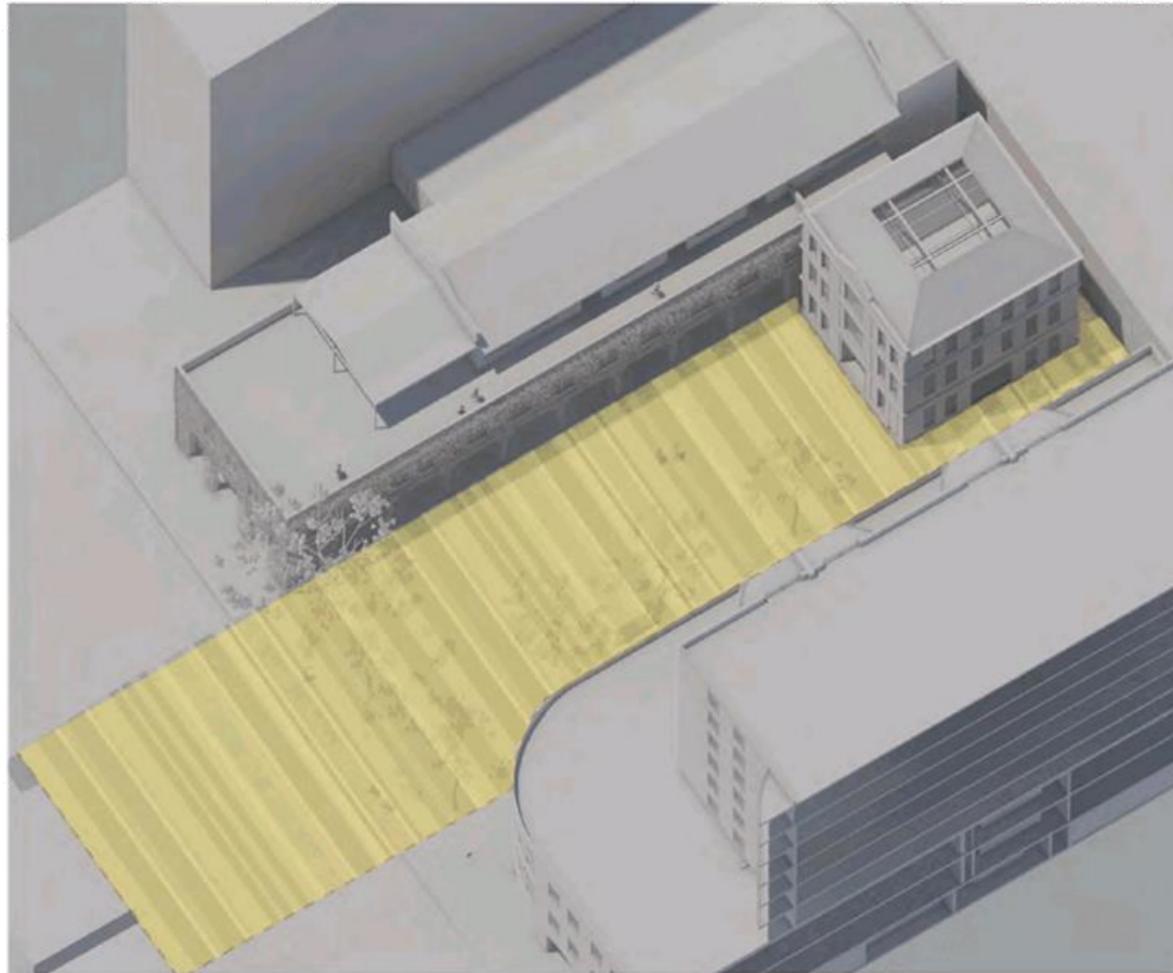


2. FOREGROUND BOOT FACTORY WITHIN PUBLIC ROOM

Potential treatments to adjacent facades to foreground heritage building. This public space forms an additional complimentary venue to The Boot Factory and Mill Hill Centre facilities.

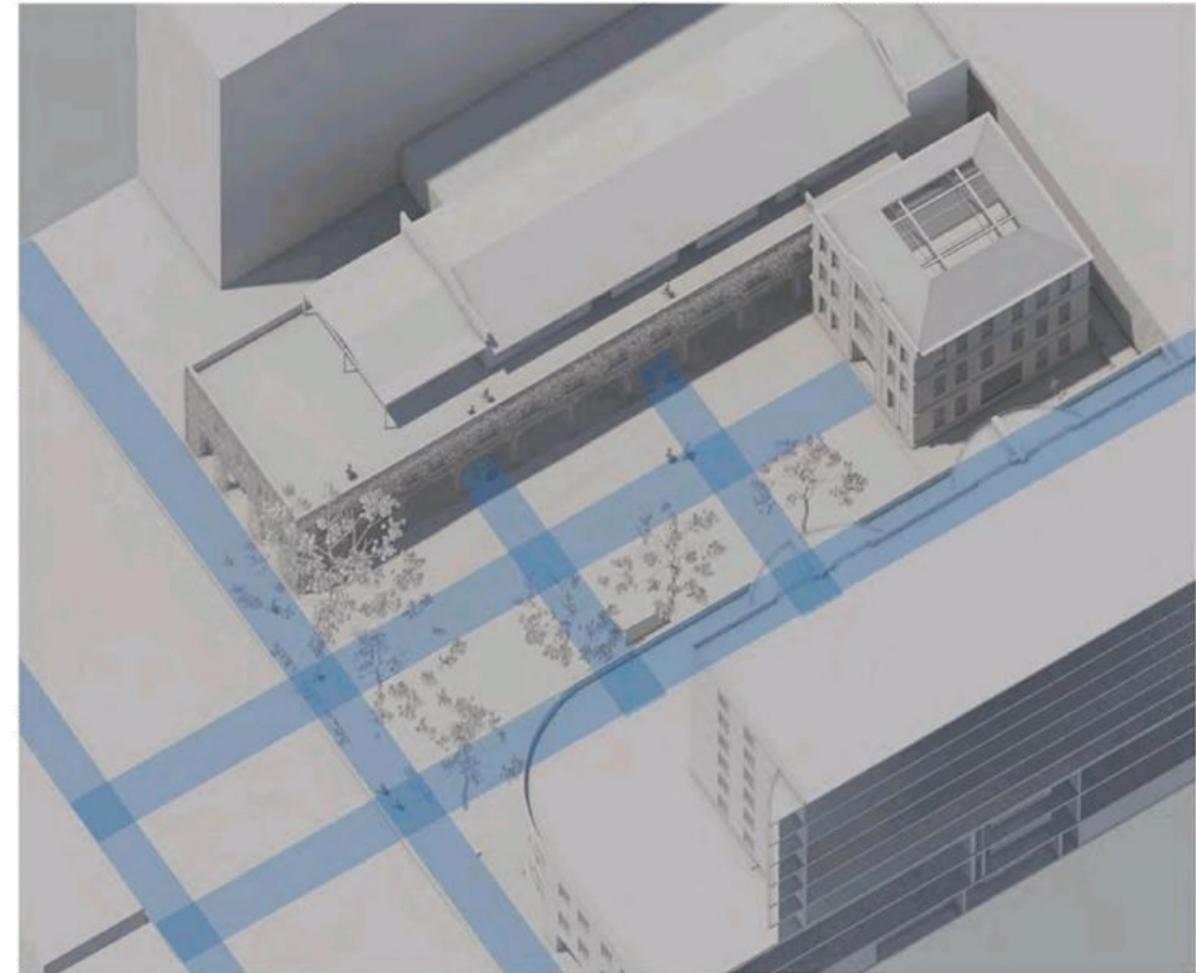
THE BOOT FACTORY UPGRADE
URBAN DESIGN + LANDSCAPE

PRINCIPLES



3. ROLL OUT THE CARPET

A generous gesture allows the public room to extend to the opposite side of spring st. Expressing this in the ground plane with a shared zone or surface treatment emphasises the presence of this important public space.



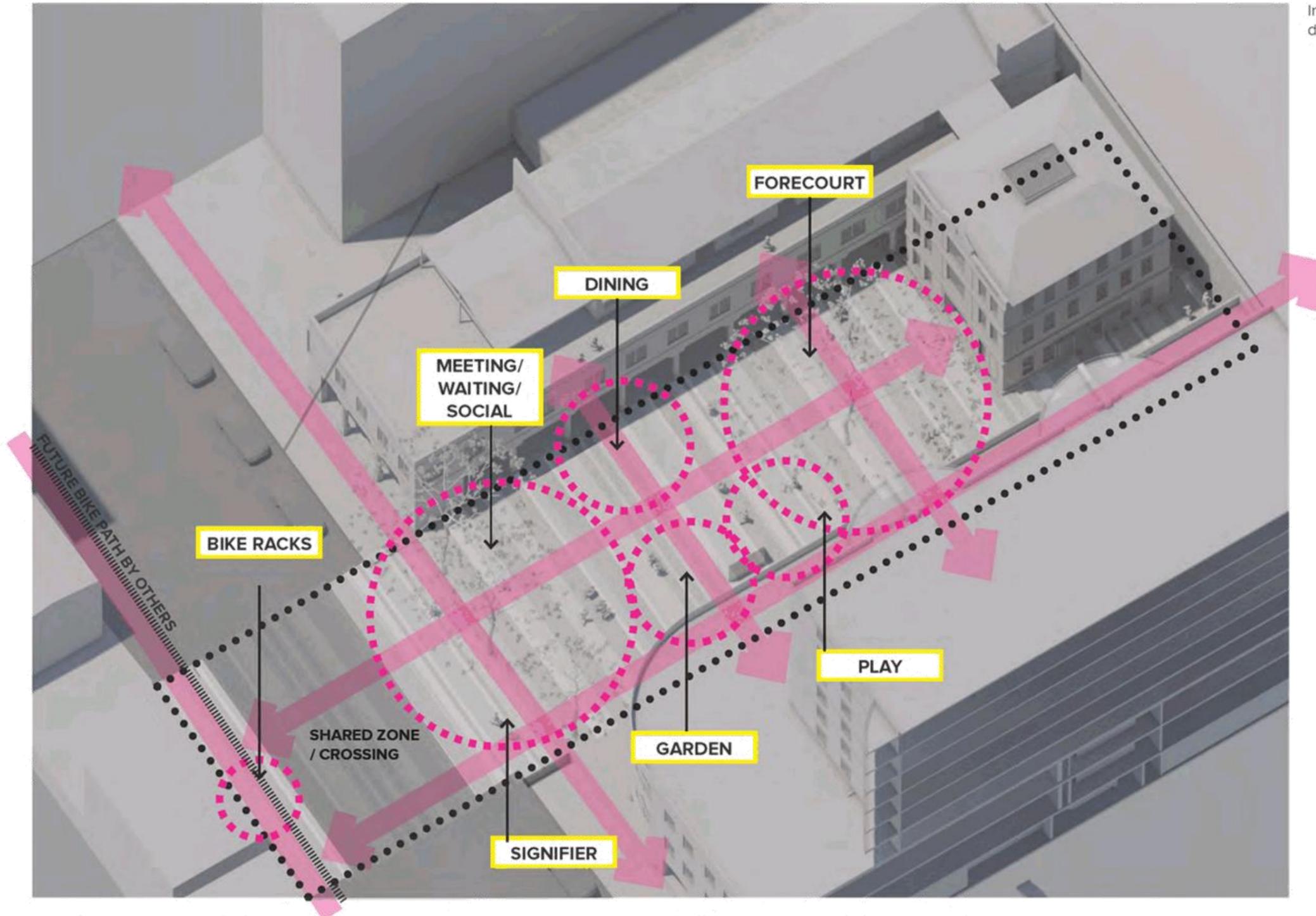
4. CONNECTIONS

Functions within the site can be organised to maintain key direct routes of travel through the site.

THE BOOT FACTORY UPGRADE URBAN DESIGN + LANDSCAPE

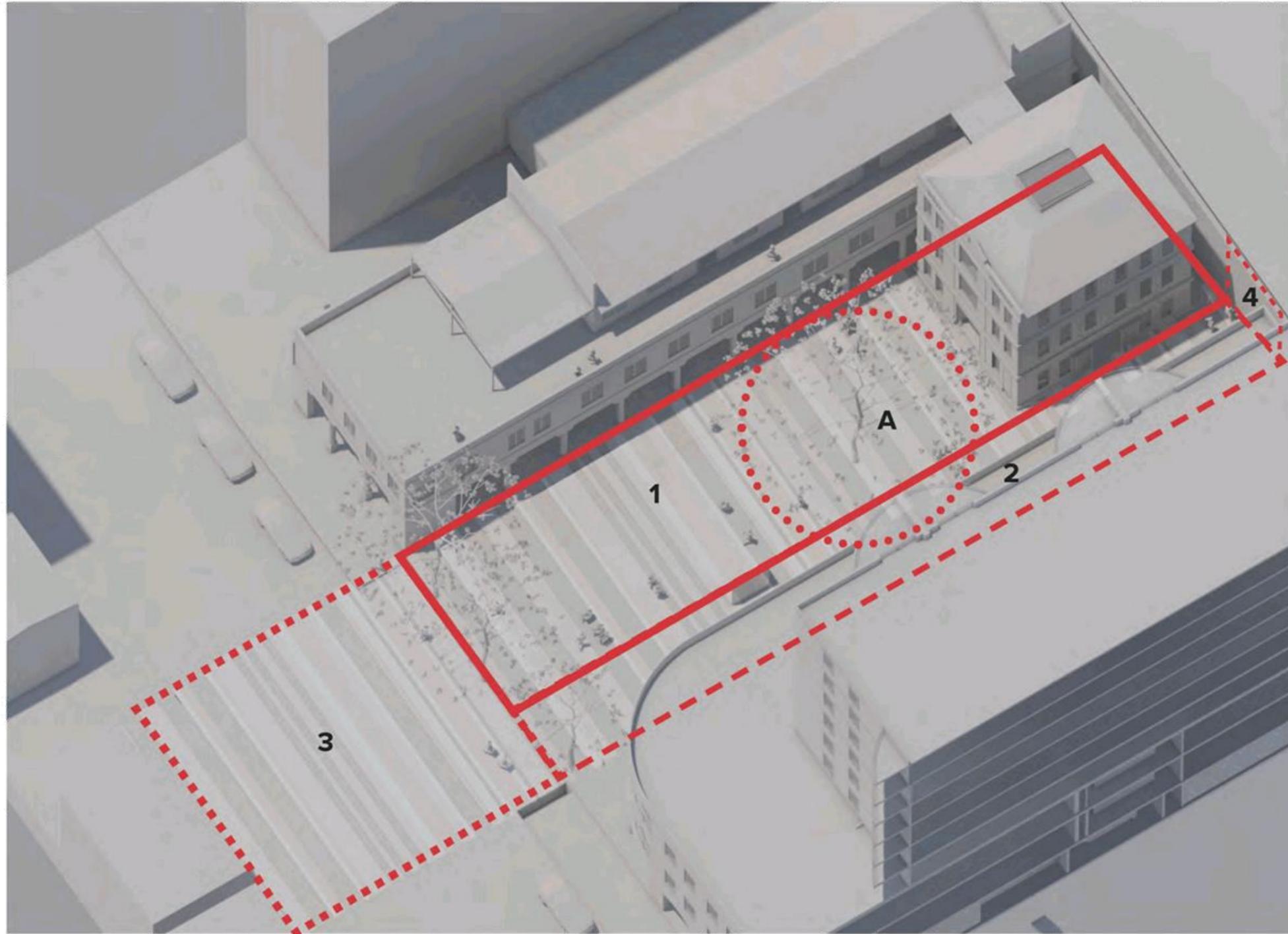
INDICATIVE FUNCTIONAL ZONES

Indicative zoning of activities divided by desire paths.



THE BOOT FACTORY UPGRADE URBAN DESIGN + LANDSCAPE

EXTENT OF PUBLIC DOMAIN WORKS

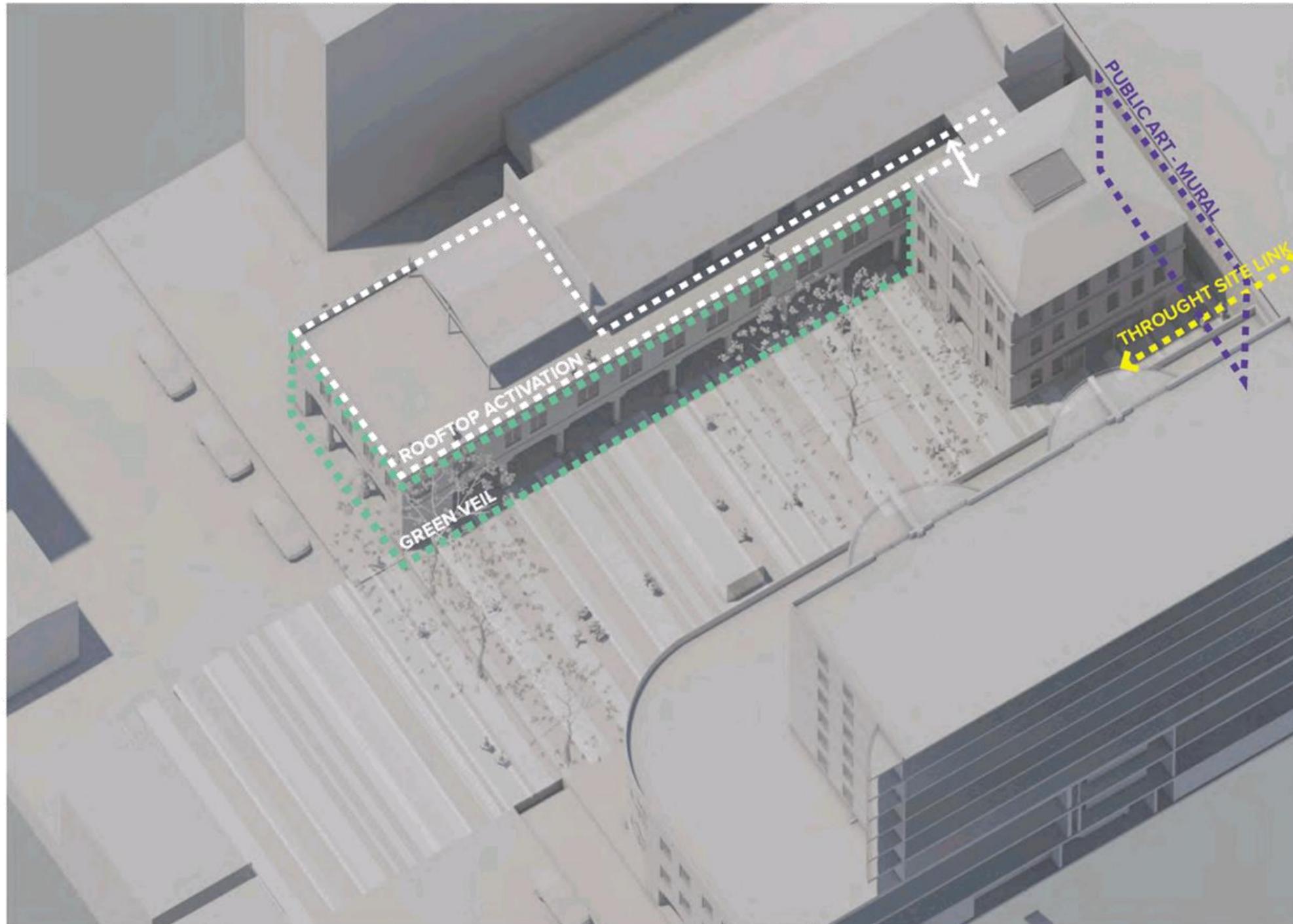


ITEMS

- A Retain, Remove or under prune existing London plane tree
- 1 Ground plane within boundary
- 2 Extension to adjacent site
- 3 Extension across the street
- 4 Through site link to Ebley st (Not considered within Cost Plan.)

THE BOOT FACTORY UPGRADE
URBAN DESIGN + LANDSCAPE

WORKS TO ADJACENT COUNCIL ASSETS



ITEMS

Green Veil

Lightweight system of cables and planting to soften Mill Hill Centre facade

Rooftop Activation

Connection of top level with Mill Hill Centre rooftop for occasional functions and events

Public Art - Mural

Contemporary graphic treatment to officeworks wall as part of public art strategy

Through Site Link

Connection with ebley st through officeworks building
(Not considered within Cost Plan.)

THE BOOT FACTORY UPGRADE
URBAN DESIGN + LANDSCAPE

SUSTAINABILITY AND PUBLIC ART



Green Veil

A lightweight cable system installed on the Mill Hill Centre to support greenery can help soften this facade that has been designed to mimic the original Boot Factory building, while shading this western facing facade to reduce thermal gain and in turn reduce energy consumption.



Public Art - Mural

Placing the mural as the background for the Boot Factory encourages visitors into the site and helps create an intense little alley that the ground floor can open onto at the rear. This mural can also provide additional precinct identity and views from within the building spaces.

THE BOOT FACTORY UPGRADE
URBAN DESIGN + LANDSCAPE

INDICATIVE LANDSCAPE DESIGN



THE BOOT FACTORY UPGRADE
URBAN DESIGN + LANDSCAPE

INDICATIVE LANDSCAPE DESIGN



INDICATIVE LANDSCAPE DESIGN

THE BOOT FACTORY UPGRADE
URBAN DESIGN + LANDSCAPE



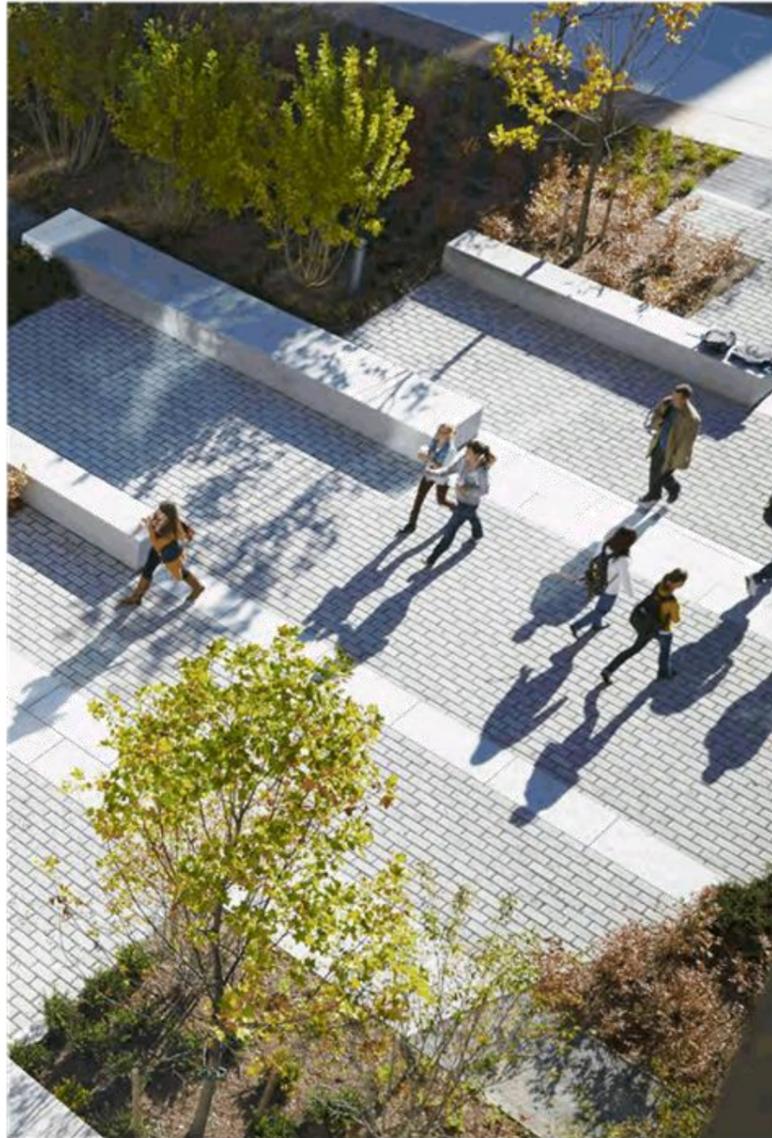
THE BOOT FACTORY UPGRADE
URBAN DESIGN + LANDSCAPE

INDICATIVE LANDSCAPE DESIGN



THE BOOT FACTORY UPGRADE
URBAN DESIGN + LANDSCAPE

LANDSCAPE MATERIALITY



Simple and legible use of materials to define the sequence of spaces



Concrete steps + edges



Concrete seating edges



Green veil - planting on lightweight cables



Seasonal interest



Swathes of grasses



Seating beneath dappled shade

OPTIONS MATRIX



	OPTION 1A	OPTION 1B	OPTION 2A	OPTION 2B	OPTION 3
BUILDING WORKS ROOF BRICK WALLS WINDOWS DOORS FRONT DOOR MILL HILL CONNECTION INTERIOR UPGRADE	●	●	●	●	●
FLOOR OPTION 1A	●				
FLOOR OPTION 1B		●			
FLOOR OPTION 2A			●		
FLOOR OPTION 2B				●	
FLOOR OPTION 3					●
LANDSCAPE + EXTERNAL WORKS GROUND PLANE GREEN VEIL PUBLIC ART - MURAL	●	●	●	●	●

ATTACHMENTS:

STAGE 4: UPGRADE OPTIONS ANALYSIS REPORT

DRAWINGS

ARCHITECTURAL

- 01.1 EXISTING BOOT FACTORY BUILDING DRAWINGS (FROM STAGE 1: SITE INVESTIGATION)
- 01.2 THE BOOT FACTORY UPGRADE DRAWINGS

SPECIALIST CONSULTANT DOCUMENTS

HERITAGE

- 02 STATEMENT of HERITAGE IMPACT - UPGRADE OPTIONS ANALYSIS - 13.03.19

BCA

- 03 PRELIMINARY BCA REVIEW AND ADVICE - 06.02.19

STRUCTURAL

- 04.1 STRUCTURAL DESIGN INPUT DRAWING SET - 07.03.19
- 04.2 REMEDIAL ENGINEERING REPORT, PARTRIDGE STRUCTURAL - 14.02.19

HYDRAULIC

- 05 HYDRAULIC CONCEPT DESIGN - 21.02.19

MECHANICAL

- 06 MECHANICAL CONCEPT DESIGN - 21.02.19
- 06 MECHANICAL CONCEPT OPTIONS ADVICE - 21.02.19

ELECTRICAL

- 07 ELECTRICAL CONCEPT DESIGN - 21.02.19

FIRE PROTECTION SERVICES

- 08 FIRE PROTECTION SERVICES CONCEPT DESIGN - 21.02.19

QUANTITY SURVEYOR

- 09.1 COST PLAN 3 - TRADE SUMMARY - 28.02.19
- 09.2 COST PLAN - OPTIONS BREAKDOWN - 28.02.19.
- 09.2 FIRE PROTECTION SERVICES CONCEPT DESIGN 21.02.19

REPORT
PD/5.2/19.05

Subject: Return and Earn Vending Machine at Bondi Beach

TRIM No: A17/0647

Author: Leslie Mallinson, Sustainable Communities Officer
Beth Kasumovic, Manager, Sustainable Waste

Director: Peter Monks, Director, Planning, Environment and Regulatory

RECOMMENDATION:

That Council:

1. Extends the contract agreement with the NSW Government representative Tomra-Cleanaway for a Reverse Vending Machine at Park Drive, Bondi Beach, until February 2020 when the Bondi Pavilion upgrade commences.
2. Following the removal of the RVM in February 2020, continues to support the 'Return and Earn' state government initiative by supporting Tomra-Cleanaway during their scoping of other potential RVM locations in Waverley.

1. Executive Summary

Since June 2018, a Reverse Vending Machine (RVM) as part of the NSW container deposit scheme has been trialled at a location behind the Bondi Pavilion in the Car Park along Park Drive, Bondi Beach. During this time, the RVM collected in excess of 2 million containers which is an amazing achievement for resource recovery as all containers must be recycled under the scheme.

The Waverley community and Council staff have provided feedback regarding the RVM in Bondi, and there is 92% support from the community for the RVM to stay in Bondi. However, a significant risk regarding traffic issues and pedestrian safety exists in relation to the current RVM location as well as issues regarding noise and additional litter.

It is recommended that the RVM remain in its existing location until removal is required for the Bondi Pavilion upgrade. During this time TOMRA, with the support of Council, will work to mitigate the issues and risks that have been identified and Council will support Tomra-Cleanaway to find a suitable alternative location.

2. Introduction/Background

The container deposit scheme, known as the Return and Earn Program, is led by the NSW Environment Protection Agency (EPA) and commenced state-wide on 1 December 2017. The goal of the scheme is to reduce litter by 40% by 2020. It also meets key deliverables in Council's Environmental Action Plan (EAP). The scheme functions by providing drop off locations (RVMs) for containers to be returned for a 10-cent refund.

The NSW EPA identified that Bondi Beach would be an ideal location for a large RVM to service the Vaucluse electorate. Following internal stakeholder engagement, the location at Park Drive North, behind the Bondi Pavilion was deemed the most suitable for the RVM (marked in blue on map below).



Figure 1. Location of RVM.

In June 2018, following a decision from ELT, an RVM was installed at this approved location for a three-month trial period. Following this, an extension was granted until the end of February 2019.

The RVM has been actively used during this time, with over two million containers returned to date since June 2018. This means that Council can be confident that all two million containers were recycled as required by the scheme. This is a great contribution towards Council's recovery target of 75% by 2020.

Community consultation was conducted in January and February 2019 to identify whether our community wanted the RVM to stay at Bondi Beach or in the general area of Waverley. Until that time, there had been no complaints logged in Council's customer service centre. Consultation was carried out through a survey available online and a letter-box drop to residents living in Bondi Beach. From all avenues, a total of 353 submissions were received as part of this process.

Internal staff with teams that work in proximity to the RVM, or whose daily tasks are impacted by the RVM, were also consulted over the duration of the contract to obtain any feedback regarding any operational issues and observations in and around the RVM.

The RVM is managed by Tomra-Cleanaway, the NSW Government's representative for the container deposit scheme program. Currently, Council has a month-to-month lease agreement with Tomra-Cleanaway for the servicing of the RVM.

3. Relevant Council Resolutions

Nil.

4. Discussion

The benefit to having the RVM in the Waverley local government area is that it provides a 'clean stream' recycling product that is required to be recycled as part of the NSW EPA CDS agreement. As a result, Council can be confident that the containers placed in the RVM are recycled. This is a great message to the community and contributes to Council's recovery target of 75% by 2020. However, Council wants to be sure

that having a RVM in Bondi Beach is what the community wants, and that it is a safe and well managed system.

Following the consultation with the community, a total of 353 responses (352 surveys and one email) were obtained. Comments were received from various internal staff who work in waste and recycling operations, facilities, and parks management. The results are summarised below. The complete responses are attached to this report.

Community engagement results:

- 93% of survey respondents said they would like to see the RVM stay at Bondi Beach.
- 91% of survey respondents said they would like to see more RVMs around Waverley.
- Comments related to amenity included concerns about dumping, excess waste, litter, and visual pollution resulting from the unkempt area.
- Comments related to safety included concerns about congestion, parking and pedestrian safety.
- Comments related to noise included the noise related to servicing the RVM, times of day of service and collection and movement of containers.

Staff comments:

- Observations regarding pilfering of public recycling bins and residential kerbside bins to obtain containers for the RVM are occurring at Bondi Park. This is resulting in litter around bins across Bondi Park.
- An increased number of homeless people ('rough sleepers') are residing near Bondi Pavilion who are collecting bottles for the RVM.
- Anti-social behaviour occurring as a result of the collection and storage of containers in and around Bondi Pavilion.

Some of the complaints listed above have been addressed with the contractor to ensure efficient servicing and cleaning, however the traffic, parking, noise and litter concerns are still a problem. The main issue is that people that drive to the RVM tend to pull up next to the yellow boom gate, stop or park their car next to the boom gate, which is illegal, causing congestion, while they empty their containers. This creates concerns for pedestrians walking in this area and traffic concerns.

The main concerns raised will be addressed with the following mitigation measures:

- Traffic mitigation

To help direct traffic, Council staff will include in the conditions for the contract extension that TOMRA be responsible for installing a yellow painted 'No Stopping' sign along the asphalt in front of the boom gate, erecting a 'No Stopping' sign at the boom gate, and creating directional traffic signs to show people where to drive in, park and access the RVM. Additionally, Council will arrange for regular parking officer patrols to enforce any parking infringements.

- Litter mitigation

Fixed signs will also be installed highlighting the installation of CCTV cameras on site, informing users that the site is being monitored and fines apply for illegal parking and illegal dumping/littering. As part of TOMRA's contract, Council has included an increased frequency of cleaning to three times per day, including the sweeping of glass.

- Noise mitigation

TOMRA has addressed some of the noise by delaying pick-ups until 8 am during weekdays and between 10 am and 2 pm on weekends. The RVM has also been sound-proofed so that no noise is heard. Further considerations are being discussed on how other ways noise can be addressed; for example, only collecting glass once per day instead of twice.

- Rough sleepers

Council staff will work with the NSW EPA on this issue and identify any measures that can assist Waverley to improve the homeless people (rough sleepers) situation behind the Pavilion and any anti-social behaviour.

- Long-term plan

The upgrade of the Bondi Pavilion is expected to commence in February 2020. When this occurs the RVM will be removed from its current location. New locations for this RVM or other smaller RVMs will be scoped out by the NSW EPA and Tomra-Cleanaway during this time.

5. Financial impact statement/Timeframe/Consultation

Financial impact statement

The RVM is cost-neutral to Council. Council receives a monthly lease fee from the service provider Tomra-Cleanaway. This fee covers loss of parking revenue for the four spaces occupied by the RVM and for the cost of Council collecting bins adjacent to the RVM.

Timeframe

Council will monitor and evaluate any issues relating to the RVM, including the traffic concerns, litter and noise.

6. Conclusion

The RVM has been actively used at Bondi Beach during the initial nine months of its operation, and has led to over two million containers being recycled. This contributes to Council's recovery target of 75% of waste diverted from landfill by 2020. Feedback from the community has shown there is support for an RVM in Bondi.

7. Attachments

1. Return and Earn Vending Machine Consultation [↓](#) .

APPENDIX A: Consultation Results: Return and Earn Vending Machine at Bondi Beach

Table 1 - Summary of Have Your Say online feedback

POSITIVE		
<i>Subject</i>	<i>Commentary</i>	<i>Council / Tomra response (if relevant)</i>
Love the RVM	Reasons provided on why: 1. Helps get cash back 2. Helps stop landfill 3. Helps keeps our beaches and streets clean 4. Reducing litter – I'm seeing less rubbish around 5. Creates incentives for good habits 6. Get to donate to great causes	
Great for the kids	1. Great to teach environmental lessons to my kids 2. Great to teach my kids hard work 3. Helping us raise money for a holiday	
Cutting costs of Council	1. The system is cutting costs for Councils. 2. Solving greenhouse emissions in beach areas	
Helps homeless people	1. Helps homeless people gather plastic that endangers our marine environment 2. Helps homeless to reduce garbage in our beach side community	
Great location	1. Great location, easy to get to	
Helps to manage our level of recycling	1. Our household generates a lot of recycling and this helps to not have overflowing bins 2. Can take positive action on recycling different products	
Additional spending money	1. Great help when at the super market	
NEGATIVE		
<i>Issue</i>	<i>Commentary</i>	<i>Council / Tomra response (if relevant)</i>
Noise	1. The truck that picks up the recycling comes too early and wakes everyone up 2. Noise of the users during the day disturbing residents who live nearby either while working from home or trying to relax at home 3. Car honking due to high traffic	1. Curfew in place (collections 8am – 4pm then 6pm-8pm) so that collections won't be happening during unreasonable hours. There should only be one glass collection a day which should only take a couple of minutes. 2. Tomra are installing padding inside the containers to sound proof when glass bottles go in the machine
Transport	1. Traffic – too congested/busy – need free designated short term parking spaces 2. Parking – no free parking available 3. Too expensive to park if pay for parking 4. Loss of parking spaces for beach users in an already very full car park	Council Parking officers monitor / patrol regularly

Unsightly and smells	<ol style="list-style-type: none"> Looks ugly Visual pollution next to a heritage building Liquid spilled on ground outside machine 	Pressure wash every 4 weeks (also looking into a disinfectant with fragrance to assist with this)
Inconvenient	<ol style="list-style-type: none"> RVM should be located in shopping centre car parks or other convenient locations where people can easily park, unload their boxes and spend their vouchers Too far away for me to access 	
Excess litter & Broken glass around the site & around the park	<ol style="list-style-type: none"> People dumping rubbish at RVM – please clean/sweep more often Boxes and bags left behind at site Trolleys pile up Bin divers are spilling litter out on to the ground in search of bottles 	<p>Cleaners are required to sweep the surrounds of the RVM during each clean. Cleanaway are required to sweep any dropped glass post collection</p> <p>3 cleans a day, 7 days a week. Plus additional clean if reported. Red lid 240 bins emptied by cleaners. 3m bin is collected 3 times a week (M,W,F)</p>
Machine is too busy	<ol style="list-style-type: none"> Too many people bulk using the machine with trolleys, etc, and makes the wait time too long for those who have only a few bottles to return Needs to be amended to where you can only return a certain amount per session to allow for others to have a turn Have an express lane 	
Opening hours	<ol style="list-style-type: none"> Machine closes too early Hours need to be extended – till 8:00pm at least Needs to be 24 hours 	
Homelessness increase	<ol style="list-style-type: none"> Homeless stealing recyclables out of public place and residential bins Homeless stealing residential recycling bins 	
Do not support 10c tax on containers	<ol style="list-style-type: none"> Money maker for the government Tax doesn't work, only increases costs 	
Encourages excessive plastic and glass usage	<ol style="list-style-type: none"> Financial incentives are adding to the acceptance of using single use plastic bottles. It doesn't address the environmental issue of plastic and glass container packaging 	
Disturbance in existing waste collection services	<ol style="list-style-type: none"> Only diverts bottles and cans from kerbside recycling which works fine Hate having people go through my bin 	
RVM full	<ol style="list-style-type: none"> RVM was too full, needs more frequent emptying 	
Hard to know what containers are acceptable or not	<ol style="list-style-type: none"> Some bottles have to get left behind and thrown out because they aren't eligible Please have more recycling on site for these containers 	

Council Officer Feedback

A consultation meeting was held with internal stakeholders on the 7th of February to discuss feedback and next steps. Five staff attended, representing Waverley Renewal, Clean and Attractive, Parks & Open Space Operations & Corporate and Technical Services & Sustainable Waverley.

Additionally, five staff provided feedback via email, representing Health and Rangers; Enriching Waverley, Waverley Facilities; Waverley Renewal, Commercial Waste and Public Place Cleansing & Customer Parking.

The consolidated list of issues raised are summarised below. Overall Council Officers were supportive of the RVM moving from the current location.

Table 2 - Summary of Have Your Say online feedback

Issue	Comments
Parking	<ul style="list-style-type: none"> • Illegal parking is happening continuously and is obstructive and dangerous
Rough sleepers/bin divers	<ul style="list-style-type: none"> • Increase in anti-social behaviour observed • Storing significant quantities of bottles, sometimes in trolleys and/or stolen bins <ul style="list-style-type: none"> ○ Leading to confrontations between sleepers (concerns others are stealing their bottles) ○ Cleanliness has decreased as a result of the extra material being kept • Been observed going through bins pulling out material to get to bottles and resulting in more litter around the area • Going through bins at all hours of the night, and moving bottles around causing noise disturbances through the night and into early hours of the morning
Stolen bins	<ul style="list-style-type: none"> • Commercial and domestic bins are being stolen to be used as storage containers for bottles
Bins on site overflowing/at capacity	<ul style="list-style-type: none"> • Concerns that once summer collections of 2 x per day of the yellow bin ceases with the summer collection schedule ceasing for the Bondi Beach area, the bins may over flow and lead to litter by the end of the day

REPORT
PD/5.3/19.05

Subject: Planning Proposal - Waverley War Memorial Hospital

TRIM No: PP-1/2017

Author: Jaime Hogan, Senior Strategic Planner

Director: Peter Monks, Director, Planning, Environment and Regulatory

RECOMMENDATION:

That Council:

1. Notes the submission of a planning proposal to amend the Waverley Local Environmental Plan 2012 lodged by Ethos Urban on behalf of Uniting, as amended on 5 November 2018.
2. Notes the advice given by the Waverley Local Planning Panel on 24 January 2019.
3. Forwards the Planning Proposal to the Department of Planning and Environment for a Gateway Determination to proceed to formal public exhibition, subject to the following amendments:
 - (a) That the Planning Proposal only apply to the lots as identified in the original Planning Proposal submitted July 2017.
 - (b) No alteration to the Land Zoning Map.
 - (c) No site-specific zone boundary flexibility clause.
 - (d) The following Additional Permitted Uses only to apply across the site as follows:
 - (i) Seniors housing.
 - (ii) Community facilities.
 - (iii) Centre-based child care facility.
 - (e) The following Additional Permitted Uses to apply in the R3 zone:
 - (i) Health service facility and any development which is ordinarily incidental or ancillary to health service facility.
 - (f) Increase the maximum permissible height from 9.5 m and 12.5 m, to 15 m and 21 m only.
 - (g) Increase the maximum permissible floor space ratio (FSR) from 0.6:1 and 0.9:1, to 1.2:1.
 - (h) New site-specific provisions to include:

- (i) Maximum site coverage to ensure open space provision.
 - (ii) Minimum deep soil and landscaped area to ensure significant trees, biodiversity corridors and heritage landscaped areas are protected.
 - (iii) Include the site on the Key Sites Map and apply clause 6.9 Design Excellence.
4. Places the Planning Proposal on public exhibition in accordance with any conditions of the Gateway Determination, should that be approved by the Department of Planning and Environment.
 5. Accepts the role of the Planning Proposal Authority from the Department of Planning and Environment, if offered, 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.

1. Executive Summary

Council has received a Planning Proposal for the site known as the Waverley War Memorial Hospital. The proposal aims to increase the provision of existing health and aged care services on the site and allow residential uses as a permissible use. The Planning Proposal seeks to amend the Waverley Local Environmental Plan 2012 (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 20 m to enable a use in an adjacent zone to be permissible, to allow 'flexibility in the case that 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 and cover most of 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 450 sqm) (in the R3 and SP2 zone).
 - Business premises (capped at 5,390 sqm) (in the R3 and SP2 zone)
 - 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 9.5 m and 12.5 m to 15 m, 17 m, 21 m, and 28 m.
- Increase the maximum permissible floor space ratio (FSR) from 0.6:1 and 0.9:1 to 1.5:1.

Council officers are supportive of the stated aim of the Planning Proposal; however, any reduction to the extent and effectiveness of the SP2 zone to deliver this outcome is not supported. The need for seniors housing (both Independent Living Units and aged care) across the local government area (LGA) is critical, and there are limited sites to fulfil this need. Furthermore, the proposed maximum height and FSR would result in a gross overdevelopment of the site, and significantly impact upon the heritage significance of the items and compromise a number of key aims of the WLEP2012.

The Planning Proposal is generally supported as it has strategic merit in accordance with the District and Region Plans, provided that the amendments recommended by Council Officers are adopted. These amendments have been recommended to ensure that the site continues and expands its role as an important health and seniors living site and delivers the intended uses via a SP2 Infrastructure zoning. Only uses that are strictly supportive of this vision are supported as additional permitted uses. In addition, an

increase in the capacity of the site is supported with amendments, to ensure that the character of the area is retained, and that the significance on the heritage items of the site are not compromised.

Council officers recommend that the Planning Proposal be forwarded to the Department of Planning and Environment for Gateway, subject to the following amendments:

- That the Planning Proposal only apply to the lots as identified in the original Planning Proposal submitted July 2017.
- No alteration to the Land Zoning Map.
- No site-specific zone boundary flexibility clause.
- The following Additional Permitted Uses only to apply across the site as follows:
 - Seniors housing.
 - Community facilities.
 - Centre-based child care facility.
- The following Additional Permitted Uses to apply in the R3 zone:
 - Health service facility and any development which is ordinarily incidental or ancillary to health service facility.
- Increase the maximum permissible height from 9.5 m and 12.5 m, to 15 m and 21 m only.
- Increase the maximum permissible floor space ratio (FSR) from 0.6:1 and 0.9:1, to 1.2:1.
- New site-specific provisions to include:
 - Maximum site coverage to ensure open space provision.
 - Minimum deep soil and landscaped area to ensure significant trees, biodiversity corridors, and heritage landscaped areas are protected.
 - Include the site on the Key Sites Map and apply clause 6.9 Design Excellence.

To ensure that a public benefit is delivered on the site, Council proposes that the above controls be provided as incentive provisions of an additional local provision clause in the WLEP2012. These incentive provisions could only be accessed subject to a public benefit such as a dedicated percentage of affordable housing, road upgrades, publicly accessible open space, five-star Green Star Rated buildings, and minimum landscaped areas, are provided. In addition, Council officers recommend that a site-specific Development Control Plan be prepared for the site.

2. Introduction/Background

History of the Planning Proposal

The Planning Proposal has had a number of iterations to the proposed permissibility and development standards. Table 1 provides an overview of the key dates of the project. More information on each stage is provided in Table 1.

Date	Matter
4 July 2017	Planning Proposal 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 planning proposal) to request for additional information submitted to Council
24 September 2018	Local Planning Panel meeting
12 October 2018	Third meeting with Council Planners and proponent
5 November 2018	Third response (amended planning proposal) submitted to Council
24 January 2019	Final Local Planning Panel advice received

5 March 2019	Reported to Strategic Planning and Development Committee, deferred to review submission from proponent
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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 12.5 m to 15 m, 21 m, and 28 m.
- 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 consider applying the Planning Proposal to the entire site if they acquire the remaining sites along Birrell Street.
- 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 12.5 m, and to reduce the overall maximum of the site to 20 m within the centre of the site. This was based on a cross-section of Bronte Road that was taken between Ebley Street and Birrell Street, not between Birrell Street and Church Street.
- 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 bounded 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 9.5 m and 12.5 m to 15 m, 17 m, 21 m, and 28 m.
- 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 and cover most of 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 450 sqm) (in the R3 and SP2 zone).
 - Business premises (capped at 5,390 sqm) (in the R3 and SP2 zone)
 - 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 12.5 m to 15 m, 17 m, 21 m, and 28 m.
- Increase the maximum permissible floor space ratio (FSR) from 0.6:1 and 0.9:1 to 1.5:1.

5 March - 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 are 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. Council officers note that all of the matters raised by the proponent have been addressed in Council officers' internal assessment report. As a result, this report and Council officer's recommendations have not been altered since the meeting of 5 March 2019.

Waverley Local Planning Panel Advice

The Planning Proposal was submitted to the Waverley Local Planning Panel (the Panel) for advice as per the Local Planning Panels Ministerial Direction effective 1 July 2018.

The Planning Proposal was reported to the Panel on 29 August 2018, on a full Agenda with other Development Applications. The meeting ran over time, and the matter was postponed to a full-day meeting of the Panel at a separate time, with the invitation for the proponent to present.

The matter was reviewed by the same Panel on 24 September 2018 over a full-day format. The outcome of the meeting of the Panel was to adjourn the meeting to seek further clarification and information regarding certain items. The minutes of this meeting are reproduced below.

DECISION: The panel notes that there have been discussions and that clarifications are required. The panel has decided that it will adjourn the consideration of the advice, and that the advice at the moment is:

The Panel Advises that:

- 1. The meeting be adjourned to allow the proponent to provide the following information:*
 - a. Justification for the proposed 1.5:1 FSR including GFA figures of the proposed uses in buildings identified in the masterplan.*
 - b. Heights of proposed buildings to be related to AHD information of the proposed buildings in the masterplan and existing ground level.*
- 2. The meeting be adjourned to also allow Council to meet with the owners of the properties not owned by the applicant having a frontage to Birrell Street within the R3 Zone to determine whether those sites should be included in the planning proposal.*
- 3. That the further details indicated in the advice is to be provided within 14 days.*

The additional information was forwarded to the Panel on 10 January 2019. The advice from the Panel as finalised on 24 January 2019 is summarised below.

The Panel endorses the support of the aim of the Planning Proposal, which is to expand the health and ageing provision of the site, however the Panel agrees that the Planning Proposal, as submitted, requires amendment to ensure that the character of the area is retained and the significance of the heritage items of the site are not compromised.

In particular, the Panel does not support the Planning Proposal as submitted, for the following reasons:

- 1. The Planning Proposal represents a significant overdevelopment of the site.*
- 2. The level of development will have a serious and detrimental impact on the important heritage values of the site.*
- 3. The proposed increase in maximum height of buildings to 9 storeys and maximum permissible floor space ratio to 1.5:1 would be out of scale with development in the surrounding streets and would have a negative impact on the streetscape.*
- 4. Waverley LGA, as one of the most densely populated areas in Australia, should comfortably meet its housing targets under the relevant strategic plans and, therefore, there is no justification for the proposed extension of the R3 Zone, which would permit residential flat buildings.*
- 5. The proposed extension of the R3 zone and flexible zone boundary would increase the area of the site where residential flat buildings are a permissible use which would compete with the extent and effectiveness of the SP2 zone to provide health and aged care facilities, for which there is a strategic demand within the LGA.*

For the reasons outlined in points 1-5 above, the Panel is of the opinion that the planning proposal does not demonstrate site specific merit.

The Panel supports the amendments proposed in the (Council Officers') Report and agrees that an alternative planning proposal, incorporating the amendments proposed by Council Officers, and a site specific Development Control Plan, should be able to achieve the realistic objectives for the site and have both strategic and site specific merit

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Strategic Planning and Development Committee 5 March 2019	PD/5.4/19.03	That Council defers the matter for at least one month subject to Council officer consideration.

4. Discussion

Land Use Zoning Map

i. SP2 Zone must be retained

The retention of the SP2 Health Services Facility zone is critical as the zoning is the only mechanism to ensure the continued operation and expansion of the important social infrastructure on the site. This is in accordance with the Eastern City District Plan and the Region Plan to ensure that residents in this region are adequately serviced by social infrastructure including hospitals. Removing the use of Health Service Facility is also incongruous with Policy 4 and 5 of the Heritage Conservation Management Plan (CMP) submitted with the proposal.

Policy 4: The existing institutional governance and hospital use is a historic use that should be continued.

Policy 5: The historic use should be broadly defined to include uses related to health, aged care and training.
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ii. No additional residential capacity required

Waverley Council has prepared its draft Local Housing Strategy which identifies that there is no additional residential up-zoning required to meet the dwelling targets set by the Greater Sydney Commission.

iii. Current and future need for Seniors Housing

Waverley Council also has research that demonstrates a current and future shortage of Residential Aged Care beds and Independent Living Units (seniors housing) in the LGA and eastern suburbs. Accordingly, it is imperative that no additional residential land is provided that would impact upon the optimisation (reduce capacity) of the site for seniors housing. There are many sites available for residential development in Waverley LGA, but few specifically allocated for seniors housing.

iv. R3 will compromise delivery of Seniors Housing

While the proposal retains a large area of SP2 land, Council officers are not supportive of a change in the Land Zoning Map, as the altered zoning pattern provides a larger area of useable R3 zone which permits Residential Flat Buildings. An RFB on this site serves a 'highest and best use' from a financial perspective, but would have an undesirable social and economic outcome for the LGA by compromising the delivery of health service facilities and seniors housing.

v. Vertical Villages bonus

The R3 zone permits RFB development and therefore the use of the Vertical Villages (Part 6) bonus (additional 0.5:1 FSR) under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) (Seniors SEPP). Council officers have noted that the 1.2:1 FSR is adequate to achieve a reasonable redevelopment of the site that is more appropriate with the surrounding context. The current location of the R3 zone to the corner of Bronte Road and Church Street contains four heritage items which limit the amount of redevelopment available on these lots, and accordingly is unlikely to attract a significant built form that would be supported by Council as part of a Development Assessment.

vi. Sale of this land

Any rezoning of this section of the site would make a large contiguous section of R3 zone very attractive to divest. Given the significance of the whole of the site being conceptualized as one estate, as outlined in the Conservation Management Plan submitted July 2017, this could impact upon the delivery of a holistic vision for the overall site, compromise the delivery of seniors housing in the LGA, as well as the retention of certain heritage characteristics of the site.

Site-specific Zone Boundary

i. Undermines all reasons listed above in 1. Land Use Zoning Map

The proposed site-specific zone boundary is not supported by Council officers. This undermines the vision of the whole site being maintained for the purposes of a Health Services Facility. The proposed site-specific zone boundary of 20m would significantly extend into the SP2 zone, as the entire surrounding area is zoned R3, excluding a small section of B1 Neighbourhood, as demonstrated in Figure 1. This again is not in accordance with the vision as expressed in the Masterplan – nor does it align with Council’s position that the site should be primarily utilised for a Health Services Facility to continue delivering and expanding the social focus of the site.

ii. Additional permitted uses are sufficient

While the zone boundary might be able to be altered to reduce the effective R3 zone, Council is not supportive of the site-specific zone boundary, as the proposed additional permitted uses are considered to be sufficient to permit all of the uses required across the site.



Figure 1. Effective R3 zone under the proposed Site-specific Zone Boundary.

Additional Permitted Uses

Council officers are supportive of some additional permitted uses. To ensure that the vision of an integrated aged care and health facility is able to be provided across the site, it is recommended that the following use is added to Schedule 1 Additional Permitted Uses for the R3 Medium Density Residential Zone lots:

- Health service facility and any development which is ordinarily incidental or ancillary to health service facility.

The following uses are recommended to apply to the SP2 Infrastructure (Health Service Facility) zone:

- Seniors housing.
- Community facilities.
- Centre-based child care facility.

A three-part test has been undertaken to assess each of the uses to apply to the SP2 Infrastructure (Health Service Facility) Zone as follows:

1. There is a demonstrated need for the use in the Waverley LGA or eastern suburbs region.
2. This site is an appropriate site for the use.
3. The use aligns with the vision for the site.

Table 2 below outlines the various uses proposed for the site.

Additional Permitted Use	1	2	3	Discussion
Seniors housing (in the SP2 zone)	Yes	Yes	Yes	Seniors housing is supported as an additional permitted use across the site.
Community facilities (in the SP2 zone)	Yes	Yes	Yes	Community facilities is supported as an additional permitted use across the site.
Centre-based child care facility (in the SP2 zone)	No	Yes	Yes	Centre-based child care facility is supported as an additional permitted use across the site.
Retail premises (capped at 450 sqm) (in the R3 and SP2 zone)	Yes	No	No	Retail premises are not supported as a use that is separate and independent to the Health Services Facility. The SP2 zone provides for uses, such as retail, that are ordinarily incidental or ancillary to a Health Services Facility.
Business premises (capped at 5,390 sqm) (in the R3 and SP2 zone)	Yes	No	No	Business premises are not supported as a use that is separate and independent to the Health Services Facility. The SP2 zone provides for uses, such as business premises, that are ordinarily incidental or ancillary to a Health Services Facility. Any existing businesses on site are assumed to be operating under either an ancillary use, or existing use rights. Either case is valid in any new Development Consent.

Hotel or motel accommodation (capped at 127 beds) (in the R3 and SP2 zone)	Yes	No	No	Hotel or motel accommodation, and serviced apartments are not supported as a use that is separate and independent to the Health Services Facility. The SP2 zone provides for uses that are ordinarily incidental or ancillary to a Health Services Facility. The serviced apartment function within the site could continue under existing use rights or as an ancillary function.
Serviced apartments (provided the use is ancillary to the health services facility)	Yes	No	No	
Function centre (provided the use is ancillary to the health service facility)	No	Yes	No	Function centre is not supported as a use that is separate and independent to the Health Services Facility. The SP2 zone provides for uses that are ordinarily incidental or ancillary to a Health Services Facility.

Height

i. Compromises heritage significance

The site comprises three heritage item groupings, containing 11 buildings. The heritage statement highlights that a number of the buildings, and the groupings themselves, are of Regional or State significance. Council officers maintain that the proposed height of 21m in the eastern part of the site is too tall as this would permit a six to seven storey building immediately adjacent to the two storey Ellerslie building, and that would challenge the landmark qualities of the Edina tower and the Norfolk Island Pines. This would severely compromise the heritage significance of not only individual buildings but the group itself. The proposed building heights are incongruous with Policies 10, 11 and 12 of the CMP (see below).

Policy 10: The siting of new buildings must respect the integrity of estate, its orthogonal and picturesque layouts, and the historic sequence of spaces. New buildings may be placed in the historic lower garden and service court spaces provided those spaces remain discernible. They may replace buildings assessed as being of moderate or low significance. New buildings should not be placed in the upper garden space.
Policy 11: the scale of new buildings should be of a scale consistent with the estate. This allows for large buildings; however, new buildings should not challenge the landmark qualities of the Edina tower or the Norfolk Island pines
Policy 12: the character of new buildings and new landscape features should appear to be a development of the estate as a whole, in a similar way that the 1935 War Memorial Hospital appears in relation to Edina.

ii. Compromises estate character

The site has significance not only because of the remaining buildings and landscape that provide remarkable examples of period architecture, but also because of the nature of the redevelopment of the estate. The proposed 28 m height in the centre of the site, and the 21 m height to the eastern portion of the site, both compromise the character of the estate due to the bulk and scale permitted under these controls, which are not of a scale consistent with the estate. This is incongruous with Policies 10, 11 and 12 from the CMP for the site (see above).

iii. Challenges landmarks

The proposed heights of 21 m and 28 m would permit a building of seven and nine storeys respectively, and both will impede the views of the Vickery tower from Birrell Street. The 28 m height, while not being taller than the two Norfolk Island Pines, will challenge the landmark qualities of the two pines from district views from Centennial and Queens Park. This is incongruous with Policies 3 and 11 of the CMP for the site.

Policy 3: The fabric, views and spatial relationships ranked Exceptional and High should be conserved. They are:

Victorian buildings and estate planning: topography, plantings, fences, statuary and spatial order (including the private street, original drive and distinction of service areas (stables and kitchen) from formal areas;
War Memorial Hospital buildings of aesthetic importance: main building, chapel;
1920s landscape items: palm trees, cast iron bollards, reconfigured gates to Birrell Street / Bronte Road and new gates to Carrington Road;
External views from Centennial Park of the Norfolk Island Pines;
Existing views of the houses along Birrell Street and tower from Carrington Street.

Policy 11: the scale of new buildings should be of a scale consistent with the estate. This allows for large buildings; however, new buildings should not challenge the landmark qualities of the Edina tower or the Norfolk Island pines.

iv. In excess of what is required by the masterplan

The submitted masterplan does not require maximum heights of 28 m or 21 m to be delivered. The buildings as shown in the masterplan can be delivered under envelopes of a maximum of 21 m and 15 m. Accordingly, Council officers recommend that these are the maximum permissible heights.

v. Challenges amenity on site

The proposed 28 m of the central building would permit a building of eight to nine storeys. This is proposed to be immediately adjacent to open spaces and plazas for public use. The overshadowing caused by this building, as well as the cumulative overshadowing of all of the buildings proposed by the masterplan, cannot be supported, as many of the open spaces would be in shade for the majority of the day.

vi. Inconsistent with prevailing residential character

The proposed 28 m of the central building would be grossly out of scale with the prevailing low to medium residential character.

vii. Sensitive interface with Heritage Conservation Areas

The site interfaces with a number of Heritage Conservation Areas and demands a sensitive treatment of the built form at these edges. A site specific DCP is recommended by Council officers to manage this interface through appropriate setbacks, significant planting, and capping the number of storeys that are able to present to the street frontage.

Floor Space Ratio

i. FSR of 1.2:1 more accurately reflects the submitted masterplan

Council officers have measured and modelled the FSR of the proposed masterplan to be 1.2:1. Further detail on the assumptions behind this modelling and how this differs to the applicant's modelling is provided in Section 3.2.5 of this report. Given that the planning proposal is seeking to implement the masterplan, a maximum of 1.2:1 is sufficient to achieve what has been demonstrated.

ii. The masterplan is an overdevelopment of the site

The masterplan is considered to be the maximum amount of development that Council officers would recommend being located on the site. The masterplan demonstrates that the quantum of development proposed already compromises the heritage significance of the site, and is incongruous with Policies 3, 6, 9, 10, 11, 12 and 12[sic] of the CMP (see below). Accordingly, this would be the absolute maximum amount of development of the site that Council officers would support. Should the Proposal proceed to Gateway, Council will prepare a DCP which delivers the Policies of the CMP.

<p>Policy 3: The fabric, views and spatial relationships ranked Exceptional and High should be conserved. They are: Victorian buildings and estate planning: topography, plantings, fences, statuary and spatial order (including the private street, original drive and distinction of service areas (stables and kitchen) from formal areas; War Memorial Hospital buildings of aesthetic importance: main building, chapel; 1920s landscape items: palm trees, cast iron bollards, reconfigured gates to Birrell Street / Bronte Road and new gates to Carrington Road; External views from Centennial Park of the Norfolk Island Pines; Existing views of the houses along Birrell Street and tower from Carrington Street.</p>
<p>Policy 6: The following historic spatial uses relating to the Victorian period should continue or be reinstated: early entrances and driveway; upper garden areas as garden / passive recreation.</p>
<p>Policy 9: The following reconstructions, removals and plantings should be considered: Removal of glass portico to reveal front entrance of 1935 Hospital; Replacement of concrete driveways with more sympathetic material; Reconstruction of grass bank to western side of Edina; Recreation of the original driveway path, in a manner similar to the original path (this would require the removal of buildings); Reconstruction of lower garden area (currently a carpark) to a garden area; Planting of trees which are missing from north west corner of the upper garden; Construction of a built form to close north end of service space behind Edina (where a Victorian outbuilding formerly stood); Construction of some built or garden form on site of original gatehouse (to mark entrance).</p>
<p>Policy 10: The siting of new buildings must respect the integrity of estate, its orthogonal and picturesque layouts, and the historic sequence of spaces. New buildings may be placed in the historic lower garden and service court spaces provided those spaces remain discernible. They may replace buildings assessed as being of moderate or low significance. New buildings should not be placed in the upper garden space.</p>
<p>Policy 11: the scale of new buildings should be of a scale consistent with the estate. This allows for large buildings; however, new buildings should not challenge the landmark qualities of the Edina tower or the Norfolk Island pines.</p>
<p>Policy 12: the character of new buildings and new landscape features should appear to be a development of the estate as a whole, in a similar way that the 1935 War Memorial Hospital appears in relation to Edina.</p>
<p>Policy 12 [sic]: Should works involve areas of potential archaeological deposits, plan for proper investigation and interpretation of those deposits.</p>

Lots included in the Planning Proposal

i. Some lots on Birrell Street are not owned by the proponent

Council officers' recommendation is that the Planning Proposal proceed to Gateway with amendments, including only the lots that were originally included by the proponent. This is due to owners' consent not

being provided for the remaining lots, and no demonstrated evidence or justification as to why the Planning Proposal should now apply to this additional part of the site. Should the exhibition period after gateway raise appropriate reasons for these lots to be included, Council will revisit any changes to the planning controls for these sites at that date.

ii. The lots on Birrell Street are not required to deliver the masterplan

The proposal seeks to deliver the masterplan, and to update and expand the existing services on site. The residential lots along Birrell Street are not required to deliver this vision. However, given the estate nature of the site as outlined in Policies 1 and 7 (see below) of the CMP, it is considered important to rectify the local listing of the site to incorporate the whole of the setting of the estate, which is bounded by Bronte Road, Birrell Street, Church Street and Carrington Road.

Policy 1: The place and curtilage should be defined as that part of the Edina estate which became the War Memorial Hospital in 1922. The setting should be defined as the original Edina estate boundaries and the streets which surround those boundaries: Bronte Road, Birrell Street, Church Street, and Carrington Street.

Policy 7: The place should be interpreted as the whole estate developed by the Vickery Family as a residence, and then as a result of a major gift, developed as a War Memorial Hospital.

iii. The lots on Birrell Street are a great example of development in Waverley

The CMP identifies that a part of the significance of the site is that it demonstrates an example of the development patterns in Waverley on a consolidated site. A larger estate which was subdivided to provide smaller pockets of residential development. The semi-detached dwellings along the Birrell Street frontage provide a group of dwellings which have been largely unchanged. They present a strong streetscape character to Birrell Street adjacent to the Botany Street Heritage Conservation Area and appropriate transition to the larger scale aged care development to the rear of these lots.

Heritage

i. Rectify listing to apply to whole site

Council officers' have noted that the heritage listing for the 'War Memorial Hospital Group' and 'War Memorial Hospital Grounds' apply to only part of the site, and should correctly apply to the area identified as the estate. The key reason for this is that the sandstone and wrought iron fence and gate at Bronte Road and Birrell Street are stated to have high significance. These components of the item are currently on a lot that is not identified as heritage. Accordingly, the local listing is recommended to be applied to the whole site.

ii. Statements of significance note 'State significance'

The Statement of Significance for a number of items and individual building components state that the item has 'State' or 'Regional' significance. Council wishes to investigate further whether this item should be elevated to a State Heritage item. This is to be a separate process and not to interfere with any planning proposal for the site.

Public Benefit Offer

i. No public benefit offer

There has been no public benefit offer made by the proponent to the Council for hard or social infrastructure improvements. An intensification of this site and the resultant impacts on the area should be offset by the provision of public infrastructure.

ii. Public Benefit

Given the significant uplift on site to the landowner, Council officers' recommendation is that any changes to the WLEP2012 be provided as an incentive site specific provision, which can be achieved, provided a number of public benefits are provided such as:

- Affordable housing units.
- Publicly accessible open space.
- Landscaping, deep soil and open space provisions.
- Green Star Buildings (minimum five-star rating) or Green Star Communities rating for whole of site.

Design Excellence and Urban Outcomes

i. Included in key sites map for Design Excellence

To ensure that design excellence is achieved on the site Council officers recommend that the site be added to the WLEP2012 Key Sites Map, and clause 6.9 applied.

ii. Site Specific DCP

To ensure that the built form has appropriate edges to the boundary of the site, and that the CMP is more adequately respected, a site specific DCP is recommended to be developed, to ensure maximum number of storeys, minimum setbacks, and significant planting throughout the site.

5. Financial impact statement/Timeframe/Consultation

There are no financial implications for Council relating to this report.

Should the Department of Planning and Environment (DPE) provide a Gateway determination to proceed, clause 3.34 of the *Environmental Planning and Assessment Act 1979* requires the planning proposal authority (PPA) to consult with the community in accordance with the Gateway determination.

It is therefore anticipated that the planning proposal would be required to be publicly exhibited for 28 days in accordance with the requirements of the DPE guidelines *A Guide to Preparing Local Environmental Plans* and dependent on the outcome of the Gateway determination.

The public exhibition would be undertaken by Council by way of:

- A public notice in the local newspaper(s).
- A notice on the Council website.
- Written correspondence to adjoining and surrounding landowners.

The planning proposal would be publicly exhibited at Council's offices and any other locations considered appropriate to provide interested parties with the opportunity to view the submitted documentation.

6. Conclusion

The proposal aims to increase the provision of existing health and ageing services on the site. The Planning Proposal seeks to amend the Waverley Local Environmental Plan 2012 (WLEP2012). Council officers are supportive of the aim of the Planning Proposal, however, any proposal to reduce the extent and effectiveness of the SP2 zone to deliver this outcome is not supported. Furthermore, the maximum height and FSR proposed by the proponent would result in a gross overdevelopment of the site and significantly impact upon the heritage significance of the Items.

The Proposal, subject to amendments, is supported as it has strategic merit in accordance with the District and Region Plans. These amendments have been recommended to ensure that the site delivers the intended uses via a SP2 Infrastructure zoning and only uses that are strictly supportive of the vision being supported as additional permitted uses. In addition, an increase in the capacity of the site is supported with amendments, to ensure that the character of the area is retained, and that the significance of the heritage items of the site are not compromised.

To ensure that a public benefit is delivered on the site, Council proposes that the above be provided as incentive provisions of a local provision clause in the WLEP2012, provided that a public benefit such as a certain proportion of affordable housing, road upgrades, publicly accessible open space, five-star Green Star Rated buildings or Communities rating for the whole site, and minimum landscaped areas, are provided. In addition, Council officers recommend that a site-specific Development Control Plan be prepared for the site.

It is recommended that the Planning Proposal subject to the following amendments be forwarded to the DPE for Gateway Determination:

- That the Planning Proposal only apply to the lots as identified in the original Planning Proposal submitted July 2017.
- No alteration to the Land Zoning Map.
- No site-specific zone boundary flexibility clause.
- The following Additional Permitted Uses only to apply across the site as follows:
 - Seniors housing.
 - Community facilities.
 - Centre-based child care facility.
- The following Additional Permitted Uses to apply in the R3 zone:
 - Health service facility and any development which is ordinarily incidental or ancillary to health service facility.
- Increase the maximum permissible height from 9.5 m and 12.5 m, to 15 m and 21 m only.
- Increase the maximum permissible floor space ratio (FSR) from 0.6:1 and 0.9:1, to 1.2:1.
- New site-specific provisions to include:
 - Maximum site coverage to ensure open space provision.
 - Minimum deep soil and landscaped area to ensure significant trees, biodiversity corridors, and heritage landscaped areas are protected.
 - Include the site on the Key Sites Map and apply clause 6.9 Design Excellence.

If the DPE is to support a Gateway Determination, the proposal as modified is to be placed on public exhibition for a minimum of 28 days and subject to any other conditions outlined by the DPE.

The proponent, should they wish, may seek a Rezoning Review of Council's determination with the DPE. As part of this process, Council would be consulted accordingly.

7. Attachments

Nil .

REPORT
PD/5.4/19.05

Subject: Planning Proposal - 203–209 Bronte Road and 94 Carrington Road, Waverley - Charing Square

TRIM No: PP-2/2018

Author: Patrick Connor, Strategic Planner
Tim Sneesby, Manager, Strategic Planning

Director: Peter Monks, Director, Planning, Environment and Regulatory

RECOMMENDATION:

That Council:

1. Notes the submission of a planning proposal to amend the Waverley Local Environmental Plan 2012 in respect of 203–209 Bronte Road and 94 Carrington Road, Waverley, lodged by Knight Frank, as amended on 5 February 2019.
2. Notes the advice given by the Waverley Local Planning Panel on 16 April 2019.
3. Notes that a Rezoning Review for this Planning Proposal was lodged by the proponent on 22 March 2019, which is to be considered by the Sydney Eastern City Planning Panel in May/June 2019.
4. Forwards the Planning Proposal to the Department of Planning and Environment for a Gateway Determination to proceed to formal public exhibition, subject to the following amendments:
 - (a) The proposed change in maximum permissible height from 9 m to 18 m is not supported.
 - (b) The proposed change in maximum permissible FSR from 1:1 to 2.65:1 is not supported.
 - (c) Increase the maximum permissible height of buildings of Lot B DP 332733 from 9 m to 10.5 m.
 - (d) Increase the maximum permissible height of buildings of Lot A DP 332733 & Lot A DP 105665 from 9 m to 13 m.
 - (e) Increase the maximum permissible FSR across all lots to 1.5:1.
 - (f) New site-specific provisions to further guide the built form of these sites, including setback upper levels and a defined public square.
 - (g) A minimum non-residential FSR of 0.6:1 to replace the current commercial floorspace and provide additional capacity to accommodate the retail and commercial objectives of the proposal and support the commercial role of Charing Cross centre.
 - (h) Restrictions be placed on the non-residential FSR to prohibit certain uses such as serviced apartments, which would be inconsistent with employment generating uses.
5. Places the Planning Proposal on public exhibition in accordance with any conditions of the Gateway

Determination, should that be approved by the Department of Planning and Environment.

6. Notes that specific mechanisms to lock-in the public square and any other public benefits, such as a site-specific DCP and Additional Local Provision, in the LEP will be drafted following exhibition and prior to reporting back to the Strategic Planning and Development Committee.
7. Accepts the role of the Planning Proposal Authority from the Department of Planning and Environment, if offered, 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.

1. Executive Summary

On 22 June, the applicant lodged a Planning Proposal (PP) for 203–209 Bronte Road and 94 Carrington Road (also known as 223–227 Bronte Road), Waverley, proposing a maximum permissible height of 24m and an FSR of 2.85:1. Following consultation with Council officers in December 2018 an amended Planning Proposal for the subject site was submitted to Council on 5 February 2019 proposing a maximum permissible height of 18 m and an FSR of 2.65:1. The proposed changes in the amended PP are still not in keeping with Charing Cross' built form and do not respect the heritage values of the conservation area or the proposed heritage item at 94 Carrington Road.

In summary, the proponent's proposal would:

- Be out of scale with the surrounding streetscape of Charing Cross, particularly Bronte Road, and the prevailing low-density neighbourhood surrounds.
- Adversely impact the setting of the draft heritage item at 94 Carrington Road and challenge the landmark status of the heritage listed Robin Hood Hotel.
- Diminish the character of the broader Charing Cross Urban Conservation Area by dominating the streetscape and impeding district view corridors of the State Listed Mary Immaculate Church.
- Reduce residential amenity for dwellings to the south with additional overshadowing.
- Reduce redevelopment potential of the neighbouring Reece site to the south.
- Provide a low amenity internal courtyard which would be overshadowed, have limited sky exposure and minimal functional space.

While the proposed controls are too high, there is still merit in the proposal, especially in creating a public space and through site links. Therefore, Council officers have made the recommendation to support placing the Planning Proposal on exhibition in line with the proposed amendments below.

Table 1: Proposed changes to Waverley LEP 2012.

WLEP2012 Provision	Existing Control	Proposal	Council amended PP
Zone	B4 Mixed Use	B4 Mixed Use	B4 Mixed Use
FSR	1:1	2.65:1	1.5: 1
Minimum non-residential FSR	NIL	NIL – concept scheme is 0.8:1	0.6:1
Height	9m	18m	Lot A DP 332733: 13 m Lot B DP 332733: 10.5 m Lot A DP 105665: 13 m
Heritage Conservation Area	94 Carrington Road	Maintain*	Maintain
	Existing Control	Proposal	Council PP
Through site link	NIL	Yes	To be secured as part of an Additional Local Provision in the LEP and site specific DCP

Public space	NIL	25%	To be secured as part of an Additional Local Provision in the LEP and site specific DCP
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* 94 Carrington Road is currently under assessment as part of a separate Planning Proposal for its inclusion within Schedule 5 Environmental Heritage of the Waverley LEP.

The Council amended proposed amendments to FSR and height would:

- Respect the streetscape and existing heritage character and built form of Charing Cross.
- Improve residential amenity for dwellings to the south.
- Ensure equitable sharing of sunlight with the Reece site to the south to ensure that this site is not sterilised.
- Create a much larger, higher amenity and more functional public square.

On 22 March 2019, the proponent formally lodged a Rezoning Review for this PP to be considered by the Sydney Eastern City Planning Panel. A date has yet to be set for the state Planning Panel, but is expected to be late May or early June.

2. Introduction/Background

On the 22 June 2018, Knight Frank lodged a Planning Proposal (PP) with Council for changes to the height and FSR over three lots: 203 – 209 Bronte Road and 94 Carrington Road, Waverley. The initial Planning Proposal proposed a height of 24 m and a FSR of 2.85:1. Council officers met with the proponent on 3 December 2018 to discuss the initial assessment of the PP. Following this meeting the proponent made revisions to the PP and submitted an amended PP having made changes to both the height of buildings and FSR, reducing the proposed height from 24m to 18m and reducing the FSR from 2.85:1 to 2.65:1.

2.1 The subject sites

The Planning Proposal is located on 203 – 209 Bronte Road (Lot A DP 105665), Waverley and 94 Carrington Road (Lot A and Lot B DP 332733), Waverley. Lot A DP 332733 is also known as 223–227 Bronte Road Figure 1 identifies the lots involved in the PP and their respective Lot and DPs. Table 2 below indicates the existing development on the site.

Table 2: Existing development on the site.

Address	Current use of site	Ownership structure
203–209 Bronte Road	Commercial building – Robin Hood Hotel Bottle Shop	Torrens title
94 Carrington Road (223–227 Bronte Road)	Commercial and residential building – Shop top housing with commercial uses on the ground floor and vacant residential flats above	Torrens title
94 Carrington Road	Dilapidated garage	Torrens title



Figure 1. Site of the Planning Proposal, 203–209 Bronte Road and 94 Carrington Road, Waverley.

2.2 Current planning controls for the site

The *Waverley Local Environmental Plan 2012* (WLEP 2012) applies to the subject sites, which are zoned B4 Mixed Use with a maximum height of 9 metres and floor space ratio of 1:1.

Zoning

The zoning of the site is B4 Mixed Use. The objectives of the B4 Mixed Use zone are as follow:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.
- To encourage commercial uses within existing heritage buildings and within other existing buildings surrounding the land zoned B3 Commercial Core.

Height of buildings

The maximum height of buildings control applying to the site is 9m. This height is consistent with much of the Charing Cross centre and surrounding area. Currently the height of the bottle shop on Lot A DP 105665 is 5.4m and the height on Lot A DP 332733 is 11.5m.

FSR

The FSR of the subject site is 1:1. This FSR is consistent with the surrounding area. This conservative FSR helps to create and maintain the fine grain building envelopes seen throughout much of the Charing Cross village centre and especially the built form character of Bronte Road.

Heritage

While there are currently no heritage items (heritage conservation area to be discussed in the next section) on the subject site, Lot A DP 332733 is currently being assessed for heritage listing as part of the Waverley LEP Housekeeping Amendment 2018 Planning Proposal. The lot is being considered for the building façade and Spanish Mission style residential flat buildings present on the site.

Heritage Conservation Area

The shop building at 223-227 Bronte Road is a strong contributing visual element in the Charing Cross Urban Conservation Area, being a well detailed Georgian Revival commercial building with two surviving shopfronts substantially intact. Although simple in detailing, the contrast between the face brick and rendered elements to the upper façade and the strong parapet design make the building stand out from its neighbours, and the buildings' scale serves as a good transition between the contemporary Legion Club building and the Edwardian style shops along this portion of Bronte Road.

The Charing Cross heritage conservation area is listed for its heritage values in demonstrating late 19th and early 20th century commercial buildings of both state and local heritage significance; therefore, it is important the heritage conservation area is retained. The high integrity of built form in the area records the historic evolution of a place from an early village east of Sydney. The layered fabric dominated by Federation Style buildings indicates a streetscape generated by tram transport beginning in the 1880s.

2.3 Planning Proposal History

Original Planning Proposal

The original Planning Proposal, lodged on 22 June 2018, sought the following amendments to WLEP2012:

- Increase the height standard from 9 m to 24 m.
- Increase the FSR from 1:1 to 2.85:1.

The Planning Proposal also included providing 30% of the lot area for a public courtyard and through site link.

Council officer's advice

Council officers met with the proponent on 3 December 2018 to advise them that the proposed height of 24m and FSR of 2.85:1 was grossly out of context with the surrounding built form in Charing Cross. Further to this the proposed controls on 94 Carrington Road (which is part of the heritage conservation area) would adversely impact the conservation area and that the lot was also being considered for inclusion as a heritage item into Schedule 5 Environmental Heritage of the Waverley LEP. Council advised the proponents in its current form the proposal was unlikely to be supported.

Post-Council officer advice

Taking Council officer's advice, the proponent lodged a revised Planning Proposal on 5 February 2019. The revised Planning Proposal proposed a height increase to 18 m and an FSR increase to 2.65:1. The proposal also stated that the façade of 94 Carrington Road would be protected so as to maintain the Bronte Road streetscape and that 25% of the lot area would be given for the purposes of the public courtyard and through site link.

It is considered, however, that the proposed changes outlined are still not in keeping with Charing Cross' built form and do not respect the heritage values of the conservation area or the building at 94 Carrington Road. While the proposed controls are still too high, there is still merit in the proposal, especially in creating a public space and through site link. Therefore, a recommendation has been made to support the Planning Proposal with amendments in line with more sensitive and appropriate controls as outlined in Table 1 of this report.

During the assessment period, Council was notified by the proponent on the 22 March 2019 that a Rezoning Review was lodged to the Sydney Eastern City Planning Panel.

Waverley Local Planning Panel Advice

The Planning Proposal was submitted to the Waverley Local Planning Panel (the Panel) for advice as per the Local Planning Panels Ministerial Direction effective 1 July 2018.

The Planning Proposal was reported to the Panel on 10 April 2019. The Panel largely supported officers' recommendations regarding height and FSR: that redevelopment could occur on the subject sites with more appropriate, lower-scale built form controls than proposed by the applicant. The minutes of this meeting are reproduced below.

That the Panel advise Council it does not support the Planning Proposal for 203 – 209 Bronte Road and 94 Carrington Road, Waverley and that it should not be forwarded to the Department of Planning and Environment for Gateway Determination, in its present form.

The Panel advise Council that a Planning Proposal should be prepared for the following area, which has the potential for redevelopment:

- 223 - 227 Bronte Road (94 Carrington Road) (Lot A DP 332733)
- 94 Carrington Road (Lot B DP 332733)
- 203 - 209 Bronte Road (Lot A DP 105665)
- 211 - 221 Bronte Road (Lot B DP 105665 and Lot C DP 105665)
- 96 - 98 Carrington Road (Lot 1 DP 952482 and Lot 1 DP 90800)
- 229a - 229 Bronte Road (Lot 2 DP 102988 and Lot 3 DP 102988)
- 231 - 233 Bronte Road (Lot 1 DP 170941)

The Council's Planning Proposal should address the following principles:

1. The street frontage height should complement the height of the existing buildings within the HCA in Bronte Road and provide a transition to the residential zone in Carrington Road, as follows:

a. At the Carrington Road frontage

- i. 203 - 209 Bronte Road (Lot A DP 105665) is to match the parapet height of the Robin Hood Hotel*
- ii. 94 Carrington Road (Lot B DP 332733) – 10.5m*

iii. 96 - 98 Carrington Road (Lot 1 DP 952482 & Lot 1 DP 90800) – 10.5m

b. At the Bronte Road frontage

i. 211 - 221 Bronte Road (Lot B & Lot C DP 105665) is to maintain the existing building height

ii. 223 - 227 Bronte Road (Lot A DP 332733) is to maintain the existing building height

iii. 229a - 229 Bronte Road (Lot 2 & 3 DP 102988) is to maintain the existing building height

iv. 231 - 233 Bronte Road (Lot 1 DP 170941) is to match the parapet height of 235 Bronte Road (SP 87725)

2. Any additional building height above both street frontages shall be set back a minimum of 3m from the street frontage and shall be a maximum of 13m above existing ground level which may increase to a maximum of 15m if it can be justified in the Planning Proposal, based on compatibility with the existing context and overshadowing considerations.

3. Development on 96 - 98 Carrington Road shall be set back 3m from the boundary to 100 Carrington Road (SP 21794)

4. Any additional height on 231 - 233 Bronte Road must be set back a minimum of 3m from the street frontage and can be built to the boundary of 235 Bronte Road

5. The FSR can be increased to fit into the envelope established by the above heights and setbacks with a minimum non-residential FSR of 0.6:1

6. Restrictions be placed on the minimum non-residential FSR to prohibit certain uses such as serviced apartments which would be inconsistent with employment generating uses.

7. The built form shall be broken into separate buildings through the provision of laneway connections and an internal publicly accessible open space. This open space shall be of sufficient size (spanning 94 and 96 Carrington Road), have adequate solar access, retail connections and public art to provide appropriate public amenity

8. 229 - 229a and 223 - 227 Bronte Rd are contributory items in the heritage conservation area and sufficient fabric shall be retained to ensure their continuing contribution to the streetscape and the HCA

9. Council should consider an appropriate LEP mechanism that ensures any increase in FSR and height above the existing controls should be dependent upon the provision of these requirements in relation to setback, height, retention of contributory elements, provision of public open space, laneway connections, solar access and amenity. For example, height and FSR maps remain as existing with an additional clause added to the LEP to enable additional height and FSR upon compliance with the above

10. The Panel acknowledges that the applicant has provided a public benefit offer letter to be secured via a Voluntary Planning Agreement, which should address the above requirements of 7 and 9

11. The Planning Proposal should be accompanied by a site specific DCP to guide the built form and the public domain outcome of these properties.

3. Relevant Council Resolutions

Meeting and date	Minute No.	Decision
Strategic Planning and Development Committee 9 October 2018	PD/5.1/18.10	<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorses the planning proposal attached to this report that seeks the following amendments to the Waverley Local Environmental Plan 2012: <ol style="list-style-type: none"> (a) Correct minor mapping and wording anomalies/errors. (b) Add low–medium impact events on public land and murals to Schedule 2 Exempt Development. (c) Add objective strengthening a desired future character outcome to clause 4.3 ‘Height of buildings’ and clause 4.4 ‘Floor space ratio’. (d) Add active transport objective to zones R4 High Density Residential, B3 Commercial Core and B4 Mixed Use. (e) Zone changes to increase coverage of ‘E2 Environmental Conservation’ to protect Eastern Suburbs Banksia Scrub. (f) Amend Schedule 5 Environmental Heritage to correct item listings. 2. Officers undertake a preliminary heritage assessment of 94 Carrington Road (also 223–227 Bronte Road, Charing Cross) prior to submitting the subject planning proposal to Gateway. If the heritage assessment determines that the property at 94 Carrington Road (223–227 Bronte Road) has sufficient merit to warrant inclusion as a heritage item, then that property be included as an additional amendment to schedule 5. 3. Forwards the planning proposal to the Department of Planning and Environment, seeking a Gateway Determination. 4. Requests that it assume the role of Relevant Planning Authority in order to manage the public exhibition process for the planning proposal. 5. Places the planning proposal on public exhibition if permitted to do so, in accordance with the Gateway Determination.

4. Discussion

Proponent's scheme

The Planning Proposal lodged on Lot A DP 332733, Lot B DP 332733 and Lot A DP 105665 proposes to increase the FSR on the sites from 1:1 to 2.65:1 and maximum height permissible from 9 m to 18 m. The sites are well located to public transport services and are within close proximity to the strategic centre of Bondi Junction. The proposal will maintain retail and commercial floor space whilst also encouraging residential development. It is noted that this retail and commercial floor space and residential development can occur under existing controls.

Lot A DP 332733 is within a heritage conservation area and is currently being assessed for inclusion with Schedule 5 of the LEP as part of the WLEP Housekeeping Amendment 2018 PP. The façade and fabric of the building on Lot A DP 332733 is proposed to be retained as part of officers amended proposal. The proponent's scheme is out of proportion with the existing context and would have significant impacts on the visual amenity of Charing Cross, especially along Bronte Road. The Bronte Road streetscape and bulk and scale is consistent along the street and development to the proposal's size would likely interrupt this and negatively impact the heritage character of Charing Cross. There is potential for intensification on Carrington Road as there is no consistent streetscape along this road.

The proposal intends to create a through site link and public square. The proponent's proposed courtyard space is small. While it measures approximately 135 m² in total, the functional outdoor dining space is only around 40 m². Due to the proposed heights it would be under shadow for most of the year. This would create a negative and unwelcoming perception of the space. However, a lower scale building wall height would create a more inviting space with greater access to sunlight, daylight and sky-exposure.

In summary, the proponent's proposed 18 m height and 2.65:1 FSR would:

- Be out of scale with the surrounding streetscape of Charing Cross, particularly Bronte Road, and the prevailing low density neighbourhood surrounds.
- Adversely impact the setting of the draft heritage item at 94 Carrington Road (223-227 Bronte Road) and the heritage significance of the Robin Hood Hotel inclusive of its landmark status.
- Impede on district view corridors of the State Listed Mary Immaculate Church, detrimentally impacting on the 'landmark' significance of this item.
- Diminish the character of the broader Charing Cross Urban Conservation Area by dominating the streetscape and impeding district view corridors inclusive of the State Listed Mary Immaculate Church.
- Reduce residential amenity for dwellings to the south with additional overshadowing.
- Reduce redevelopment potential of the neighbouring Reece site to the south.
- Provide a low amenity internal courtyard which would be overshadowed, have limited sky exposure and minimal functional space.

Council officer's amended scheme

The notion of further retail and commercial space in Charing Cross and the creation of a public space for local residents to enjoy is supported. Charing Cross is a suitable location for residential development given the transport connections to Bondi Junction and proximity to high amenity surrounds of Queens and Centennial Park and beaches. However, these positive outcomes can be achieved and improved under more appropriate and sensitive built form controls that respect and celebrate the existing character and built form of Charing Cross. Therefore, amendments to the proponent's proposal to maximise the positive elements and eliminate and negative impacts from a more intensive mixed use redevelopment of the site. The proposed built form controls are derived from a holistic and strategic analysis of the centre as part of our updated draft Village Centres Study. This proposed future scheme for the site considers and

incorporates the redevelopment of this site in context to the neighbouring site to the south (Reece Plumbing).

The draft scheme allows for a much larger, higher amenity and more functional public square and residential and commercial uses. The draft scheme recommends a scale that respects the significant heritage character of Charing Cross and is sympathetic with the prevailing character by stepping down in height to neighbouring sites. This draft scheme needs to be finalised as part of the draft Village Centres Study and will form part of the background studies associated with the draft Comprehensive LEP 2021.

Amendments recommended to the PP are as follows:

- 13 m height on Lot A DP 332733 and Lot A DP 105665.
- 10.5 m on Lot B DP 332733.
- an FSR of 1.5:1 across all sites.

The controls listed, along with a site specific DCP to be created in conjunction and an Additional Local Provision that secures the delivery of the public square, allow for a development that does not diminish the visual amenity of the Bronte Road streetscape, the landmark status of the Robin Hood Hotel and is consistent in size with the surrounding development. The proposal will also maintain the heritage item on Lot A DP 332733 being assessed for inclusion within Schedule 5 of the LEP as part of the Waverley LEP Housekeeping Amendment PP. In order to secure the commercial benefits of redevelopment with uplift, Council's proposal will add a non-residential FSR of 0.6:1 over the sites ensuring any future development incorporates sufficient space to be used for commercial purposes.

In summary, the proposed amendments to FSR and height would:

- Respect the streetscape and existing heritage character and built form of Charing Cross, including the contributor building draft heritage item at 94 Carrington Road (223-227 Bronte Rd), the landmark Robin Hood Hotel and State Listed Mary Immaculate Church.
- Improve residential amenity for dwellings to the south.
- Ensure equitable sharing of sunlight with the Reece site to the south to ensure that this site is not sterilised
- Create provision for a much larger, higher amenity and more functional public square.

The figures below outline the development possible under both the proponent's controls (in blue) and under Council's controls (in pink).



Figure 2. View from Bronte Road, north of the site – Proponent (blue).



Figure 3. View from Bronte Road, north of the site – Officer amended scheme (pink).



Figure 4. View from Carrington Road, south of the site – Proponent (blue).

Note: Reece building (red circle) is 9 m.



Figure 5. View from Carrington Road, south of the site – Officer amended scheme (pink).



Figure 6. View from Bronte Road, south of the site – Proponent (blue).



Figure 7. View from Bronte Road, south of the site – Officer amended scheme (pink)



Figure 8. View of site from Queens Park, west of the site – Proponent (blue).



Figure 9. View of site from Queens Park, west of the site – Officer amended scheme (pink)

While the proposal intends on delivering open space, the quality of the open space would be low. The idea of the activated space with artisan cafes and restaurants is supported. However, the proposed courtyard space is small. While it measures approximately 135 m² in total, the functional outdoor dining space is only around 40m² (see below image). Due to the proposed heights the proponent's square will be under shadow for most of the year. This would create a negative and unwelcoming perception of the space. However, a lower scale building wall height as proposed by Council officer's amendments would create a more inviting space with greater access to sunlight, daylight and sky-exposure. Sky-exposure is an urban design principle influencing the pedestrian perception of scale of a space, which in turn impacts upon the general perception of the character of a place.



Figure 10. Analysis of proposed square.

Council's proposed scheme allows for a much greater level of sky-exposure, larger and more functional space and sunlight than the proponent's proposal. This proposed scheme, which incorporates the future redevelopment of the neighbouring Reece Plumbing site to the south, has been derived from the updated draft Village Centres Study. This concept will be consulted on once this study is placed on exhibition towards the end of 2019. The public square would be secured through an Additional Local Provision of the LEP and a Site Specific DCP post-exhibition and before reporting to Council for final endorsement.



Figure 11. Public square schemes – Proponent (blue/green).



Figure 12. Public square schemes – Officer amended scheme (pink).

Viability of Charing Cross

The provision of a greater amount of commercial and retail floorspace would assist in reinforcing the commercial/retail role and function of Charing Cross centre by potentially adding greater footfall. Although it is important to note that the proponent's scheme or Council's amendments don't increase the range of commercial or retail uses that could be accommodated on site under current controls.

The proponent claims that Charing Cross centre is underperforming due to a high vacancy rate and that their scheme would redress this issue. Our analysis demonstrates that there are no structural problems with the performance or viability of Charing Cross as a centre. Based on a recent audit completed in January 2019, the vacancy rate is currently 4%; a slight increase from the 2% vacancy rate as at June 2018. A vacancy rate of 5% is considered a 'natural' attrition rate allowing for the turnover of businesses. As the vacancy rate has historically been very low for Charing Cross and has slightly increased to the natural attrition rate, the performance of Charing Cross as a successful village centre is not in question.

Council's proposal does allow for an increase in both commercial and residential floorspace which can assist in bringing more people and jobs to the centre, but it will do so using a built form that is in keeping with the surrounding area.

5. Financial impact statement/Timeframe/Consultation

Financial impact statement

There have been no upfront or recurrent costs associated with this Planning Proposal other than staff costs associated with the administration and assessment.

Timeframe

The estimated timeframe for completing of the LEP amendment is set out below:

Gateway Determination	June 2019
Public Exhibition	July – August 2019
Report to Council	November/December 2019
Consideration by Minister or Delegate	February - April 2020

Consultation

If the planning proposal is supported to proceed to public exhibition, future community consultation will occur in accordance with the Gateway Determination. Notwithstanding this, it is considered that an exhibition period of not less than 28 days would be appropriate given the nature of the amendment. It is also suggested that:

- Notice be given in the Wentworth Courier being the local paper that services the Waverley municipal area.
- The planning proposal will be advertised on Council's website.
- The planning proposal will be exhibited in Council's Customer Service Centre and Library.
- Letters will be sent to key stakeholders including all adjoining and neighbouring sites, local residents and business owners in the vicinity of the subject site.

6. Conclusion

The Planning Proposal does have merit for its creation of both residential and commercial floorspace and the creation of a public space and through site link. The proposed controls as submitted by the proponent are not in keeping with the current built form of Charing Cross and will have adverse effects on overshadowing, the Bronte Road streetscape, the Charing Cross Urban Conservation Area and the visual amenity of Charing Cross as a whole. Therefore, it is considered that the proposed controls are too high and bulky.

The recommended alternative controls allow for greater residential amenity and are more sympathetic to the Bronte Road streetscape, the heritage conservation area and the visual amenity of Charing Cross. Consequently, the recommended amendments should be pursued as opposed to the proponent's proposed controls. A site specific DCP should be prepared and an Additional Local Provision added in order to protect the heritage building and façade on 94 Carrington Road and outline the scheme by which the buildings are to be built to ensure the creation of a high amenity public square and through site link. A non-residential FSR of 0.6:1 over the sites will ensure any future development incorporates sufficient space to be used for commercial purposes.

7. Attachments

Nil.

REPORT
PD/5.5/19.05

Subject: Planning Proposal - 84 Curlewis Street, Bondi Beach

TRIM No: PP-2/2019

Author: Patrick Connor, Strategic Planner

Director: Peter Monks, Director, Planning, Environment and Regulatory

RECOMMENDATION:

That Council:

1. Notes the submission of a Planning Proposal prepared by LK Planning on 15 February 2019 to add an Additional Permitted Use of 'commercial premises' under Schedule 1 of the Waverley Local Environmental Plan 2012.
2. Supports the Planning Proposal being forwarded to the Department of Planning and Environment for Gateway Determination.
3. Places the Planning Proposal on public exhibition in accordance with any conditions of the Gateway Determination that may be issued by the Department of Planning and Environment.
4. Accepts the role of the Planning Proposal Authority from the Department of Planning and Environment, if offered, 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.

1. Executive Summary

The Planning Proposal submitted by LK Planning on 15 February 2019 seeks to amend the *Waverley Local Environmental Plan 20120* (WLEP) by adding an additional permitted use of 'commercial premises' to *Schedule 1 Additional Permitted Uses* for 84 Curlewis Street, Bondi Beach. The proposed 'commercial premises' use is in keeping with the surrounding development given the location of the site to the B1 Neighbourhood Centre which has a mix of shop top housing comprising commercial uses on the ground floor and residential uses above. The proposed additional permitted use is considered to be a simpler means to achieve this outcome than rezoning the lot to B1 Neighbourhood Centre, and as such Council supports the Planning Proposal.

2. Introduction/Background

The Planning Proposal is located at 84 Curlewis Street, Bondi Beach (Lot 1 DP 1231789). Figure 1 below identifies the lots involved in the PP and their respective Lot and DPs.



Figure 1. Site of the Planning Proposal, 84 Curlewis Street, Bondi Beach.

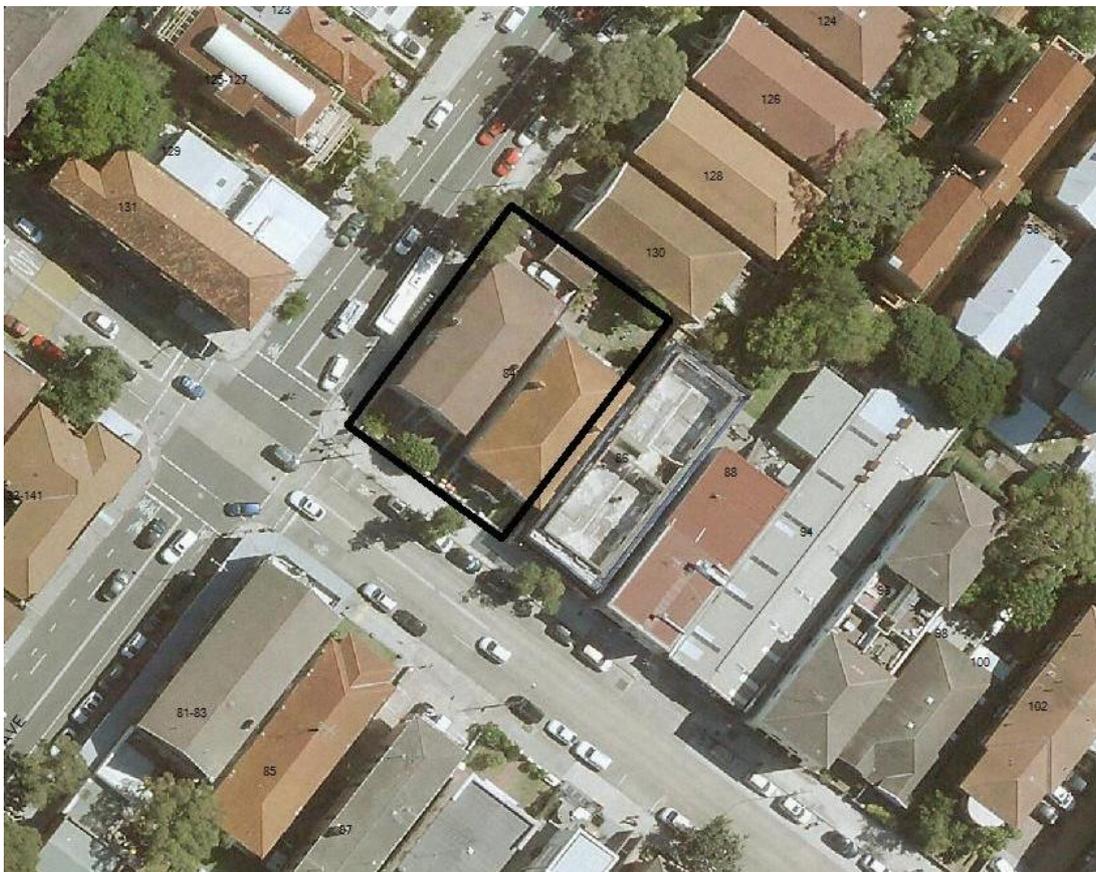


Figure 2. Aerial photograph of the site of the Planning Proposal.

The lot size of the subject site is 841 m². There is a current DA approval (DA-334/2016/C) for the site for a boarding house and retail tenancies comprising a neighbourhood shop and kiosk. The boarding house will contain 39 rooms allowing for a maximum accommodation of 68 lodgers and one on-site manager. The development is currently under construction and as such there are no active uses on the site. The proposed development replaced two residential flat buildings (seen on the aerial image above).

The site is located on the intersection of Glenayr Avenue and Curlewis Street, which sits on the zone boundary between the R3 Medium Density Residential zone and the B1 Neighbourhood Centre zone (see Figure 1). The site also sits on the edge of the Bondi Beach Local Centre identified in the Eastern City District Plan.

The locality is characterised by a very diverse mix of uses including single storey dwellings, two- to three-storey walk-up flats and shop top housing. Notably, the three other buildings on the intersection contain shop top housing/mixed use developments. The character of Curlewis Street is largely residential, with some commercial premises operating under existing use rights.

3. Relevant Council Resolutions

Nil, but the following development applications are relevant:

DA-334/2016 – Approved 22 March 2017

Demolition of existing flat buildings and erection of a mixed use development including two retail shops at ground level and boarding house accommodation.

DA-334/2016/A – Approved 23 May 2018

Modification to boarding house including additional boarding room, alterations to building footprint and building height.

DA-334/2016/B – Withdrawn

Modification to amend condition 16

DA-334/2016/C – Approved 27 July 2018

Modification to amend condition 133 to change the reference of the contribution payment time from 'to be paid at construction certificate stage' to 'be paid at occupation certificate stage'.

4. Discussion

The table below outlines the LEP controls applicable to the site and what is proposed by the PP.

Table 1. LEP controls and Planning Proposal.

WLEP 2012 Provision	Current Planning Controls	Planning Proposal
Zone	R3 Medium Density Residential	R3 Medium Density Residential
Additional Permitted Use	NIL	Commercial Premises
FSR	0.9:1	0.9:1
Height	12.5m	12.5m
Heritage	No	No

A Planning Proposal to amend *Schedule 1 Additional Permitted Uses* of the WLEP is considered to be the best means of achieving the intended outcomes as the proposed 'commercial premises' use is not permitted in the R3 Medium Density Residential Zone. The addition of 'commercial premises' would not be out of character with the surrounding area given the location of the site adjacent to the B1 Neighbourhood Centre zoned sites, which have very similar developments to the one proposed on this site.

The land use 'commercial premises' is an umbrella definition that includes business, office and retail premises. Commercial premises are permissible within the B1 Neighbourhood centre zone and business, office and retail premises are all uses that are present in the surrounding B1 zone.

An additional permitted use is considered to be the simplest and most direct means of achieving the intended outcome. A rezoning of the site would likely result in other planning controls on the site needing to change, and would also require a change to the DCP controls for the site. As the proposal is only seeking to expand the permissible uses in the approved development (currently under construction) it is not considered that a rezoning is necessary.

The inclusion of this site into the B1 Neighbourhood Centre zone would also likely trigger a DCP amendment to include the site in the Local Village Centres map and set of controls. As the primary intention of the planning proposal is to facilitate an adaptation of the already approved building that is under construction, it would be counter-productive to seek a change of zoning and is unnecessary for the intended outcome.

The current uses permissible under the R3 Medium Density Residential zone only allow for neighbourhood shop and kiosks. Whilst providing opportunity for minor retail, these uses are restricted under *Clause 5.4 Controls relating to miscellaneous permissible uses* in the WLEP, whereby kiosks may have a maximum floor space of 20 m² and shops may have a maximum floor space of 80 m². Providing small tenancies with no opportunity or flexibility in the controls restricts the practical range of commercial services that can be provided on the site. This Planning Proposal seeks to remove that restriction.

Permitting an additional use of commercial will not impact on the environment. The site is currently being developed with a retail ground floor, the Planning Proposal will allow for the ground floor to be used for a greater range of uses that fall under the 'commercial premises' umbrella term. Environmental concerns have been addressed during the DA stage. Accordingly, as the proposal does not seek to alter the approved built form it is not considered that this proposal will have any impact on the surrounding environment above and beyond the approved DA.

The proposal is well located near a range of services and is well serviced via public transport, being located near two frequently serviced bus routes and a short bus ride to the Bondi Junction Transport Interchange. As such, no increases in public transport infrastructure are likely to be required due to the proposal. Additional upgrades with regards to water and power may be required.

The proposed additional uses would increase the types of employment activity on the site and increase the availability of local employment opportunities to complement the other commercial activities already within the neighbourhood centre. It is considered that this would increase the amenity of the area and as such would provide both a social benefit, and the increase in job availability would provide an economic benefit for the Bondi Beach local centre.

On the 27th September 2017 a Ministerial Direction was released requiring non-minor Planning Proposals be referred to the Local Planning Panel. This PP has not been sent to the Waverley Local Planning Panel as it is deemed to be of a minor nature, not causing any significant adverse impact on the environment or adjoining land. The Local Planning Panel direction states:

'A council to whom this direction applies is required to refer all planning proposals prepared after 1 June 2018 to the local planning panel for advice, unless the council's general manager determines that the planning proposal relates to:

- a) the correction of an obvious error in a local environmental plan,*
- b) matters that are of a consequential, transitional, machinery or other minor nature, or*
- c) matters that council's general manager considers will not have any significant adverse impact on the environment or adjoining land.*

It is considered that the Additional Permitted Use of 'Commercial Premises' to Schedule 1 will not have a significant adverse impact on the environment or adjoining land. The site is within an established retail and commercial strip along Glenayr Avenue, and the additional permitted use would be consistent with the surrounding uses in the area.

5. Financial impact statement/Timeframe/Consultation

Financial impact statement

There have been no upfront or recurrent costs associated with this Planning Proposal other than staff costs associated with the administration and assessment.

Timeframe

Gateway Determination	July 2019
Public Exhibition	August - September 2019
Report to Council	November/December 2019
Consideration by Minister or Delegate	February - March 2020

Consultation

If the planning proposal is supported, future community consultation will occur in accordance with the Gateway Determination. Notwithstanding this, it is considered that an exhibition period of not less than 28 days would be appropriate given the nature of the amendment. It is also suggested that:

- Notice be given in the Wentworth Courier being the local paper that services the Waverley municipal area.
- The planning proposal will be advertised on Council's website.
- The planning proposal will be exhibited in Council's Customer Service Centre and Library.

Letters will be sent to key stakeholders including all adjoining and neighbouring sites, local residents and business owners in the vicinity of the subject site.

6. Attachments

Nil .