

Fact Sheet

Bronte's MacPherson and St. Thomas Street Village (including the Bronte RSL site)

Wednesday 17 July 2013



Following extensive consultation with the community in October and November 2012, Council resolved in February to amend sections of the Waverley Local Environment Plan 2012 (WLEP 2012) relating to Bronte's MacPherson and St Thomas Street Neighbourhood Centre (which includes Bronte RSL). A draft Planning Proposal, supporting documentation and the draft amendment to the WLEP 2012 were placed on public exhibition for 28 days in April 2013. Waverley Council received 160 written submissions during the exhibition of the Planning Proposal to amend the WLEP 2012 and amendment of the DCP 2012 in relation to Macpherson and St Thomas Streets Neighbourhood Centre.

A report went to Council on Tuesday 16 July 2013 recommending Council adopts the Planning Proposal to amend Waverley Local Environmental Plan 2012 (Amendment 1) Macpherson and St Thomas Streets, Bronte Neighbourhood Centre as exhibited in April 2013 and for Council to amend the draft Waverley Development Control Plan 2012 in response to community feedback.

This fact sheet explains the changes and what they mean for the community.

What are the main amendments to Waverley's LEP and DCP following the Council meeting?

The main amendments are:

- Cap on retail premises to 400sqm
- Rezone 107 Macpherson Street (Oceanview Apartments) to R3 Medium Density Residential,
- Allow "Registered Club (Bronte Returned Services Club only)" as an additional permitted use on the RSL site
- Establishment of solar access controls for development on sites backing onto lanes located within the centre
- Establish detailed site specific controls for the RSL site. The controls cover built form, public domain, active street frontages, loading facilities, driveway and car parking access, non-residential parking rates and bike parking.

In response to submissions made to the exhibited plans, further amendments to the Development Control Envelope for the Bronte RSL site include:

- Increased setback from the western boundary from 6m to 9m
- Increase maximum width of Macpherson Street access driveway, going from 6m to 9m to better comply with Australian standards
- Driveway access must be fully enclosed from 6m inside the Macpherson Street boundary to reduce noise and fumes for residents.

Some residents called for the Bronte RSL site to be zoned 'medium density residential'. Why was this not reflected in the amendments?

It is considered inappropriate to rezone the Bronte RSL site to R3 medium density residential because it would:

- reduce the long standing range of permitted uses
- potentially reduce the value of the land
- potentially remove any opportunity for the centre to gain an anchor tenant in the future (because it is a rare large site not requiring amalgamation).

What traffic controls are being introduced?

Access to the Bronte RSL site car park from Chesterfield Lane will be limited to residents only. Deliveries, commercial customer parking and Bronte RSL member parking will be accessed from MacPherson Street only. This is to minimise the traffic impact on Chesterfield Parade and Chesterfield Lane.

Will there be any changes to the height controls for the Bronte RSL site?

No. New height controls were introduced in October 2012, when the new Waverley Local Environment Plan 2012 came into effect. The height control is 13 metres as measured from natural ground level.

The 13 metre height limit resulted from a study of local villages conducted in 2007 and as such was then incorporated into the Waverley Local Environment Plan 2012. In 2012 Council commissioned Olsson and Associates to test the height controls for the Bronte RSL site. They also considered the height limit to be appropriate.

How does this height limit relate to current building?

The current Bronte RSL building is two storeys high at MacPherson Street (approximately 6–8m).

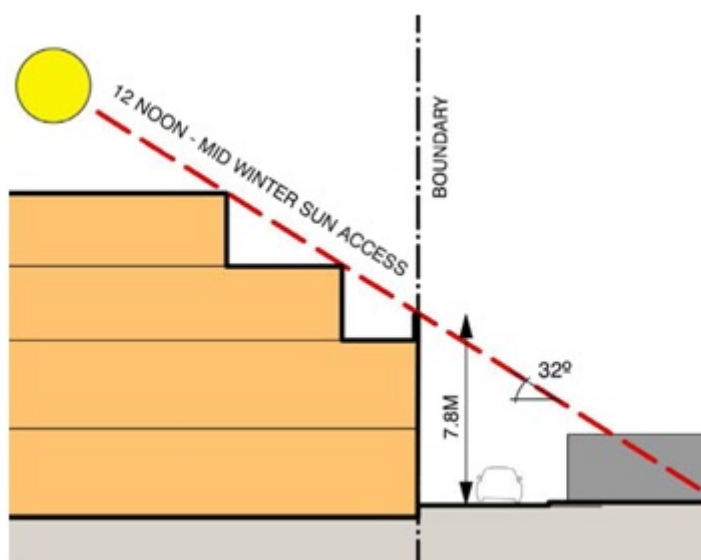
What are the practicalities of the height restriction?

Under the height restriction of 13m, a proposal could include a three storey building with a fourth storey element setback from Macpherson Street.

Council sets height restrictions on the basis of sound urban design advice from consultants and our own professional staff that can be considered reasonable if tested in the Land and Environment Court. The independent urban design advice is that a three storey building with a fourth storey setback from the Macpherson Street was appropriate in the streetscape.

The WDCP includes an additional control for buildings fronting Chesterfield Lane:

- Maximum height of 7.8m or two storeys above the level of the lane, anything higher must be built below a 32 degree angle, as shown in the diagram below.



The benefits of this resolution are that properties on the south side of Chesterfield Lane will have less overshadowing effects. The 32 degree angle correlates with the angle of the sun at noon on the winter solstice.

Some residents called for the Floor Space Ratio to be decreased, why was this not included in the recommendation?

Council made the decision based on recommendations from two independent urban design studies that the height and FSR controls are appropriate at 13m and 1:1 for this neighbourhood centre.

Some members of the community asked for the retail cap to be lower, why is it remaining at 400sqm?

Council commissioned local village centres economic assessment by Hill PDA in 2006 recommended that a mini-mart anchor tenant for Bronte's Macpherson Street centre with an area up to 500sqm would be appropriate. This study was reviewed in January 2013, focussing only on this Neighbourhood Centre. Council has retained the retail cap of 400sqm based on these assessments and to best service the Neighbourhood Centre.

Examples of other mini-marts within the locality and their associated areas (approximate areas only) are listed below:

- IGA, Hall Street, Bondi – 400sqm
- IGA, 124 Curlewis Street, Bondi – 400sqm

- Foodworks, 1-5 Dover Road, Rose Bay – 700sqm
- Foodworks, 43 Burnie Street, Clovelly – 400sqm (located within Randwick LGA)
- 137 – 147 Kemeny's, Bondi Road, Bondi – 900sqm
- Thomas Dux, Five Ways, Glenmore Road, Paddington – 450sqm

Council resolved to reduce the retail cap from 500sqm to 400sqm at the February Council meeting in response to community concern.

What happens to the developer's proposal for Bronte RSL?

Council received a development application from the developer on 7 March 2013. Council cannot determine the development application for the Bronte RSL site due to the Capital Investment Value exceeding \$20 million (proposed works \$24,768,810).

Council officers prepared a report for the Joint Regional Planning Panel (JRPP) recommending the refusal of the DA. This recommendation is based on a number of issues, including:

- non-compliance with the Waverley Local Environmental Plan 2012
- the proposed retail space and height increase of 20m, which is not in keeping with a Neighbourhood Centre
- traffic and parking issues
- overshadowing
- environmental impacts on the built environment
- overwhelming community opposition.

Council unanimously endorsed the recommendation for the JRPP to refuse the DA at the Council meeting on Wednesday 16 July. The JRPP will review this report and determine the DA on 25 July 2013.

Who can I contact for more information?

More information is available on Council's website at www.waverley.nsw.gov.au or www.haveyoursaywaverley.com.au/bronte. Alternatively, email your questions to bronteplanning@waverley.nsw.gov.au