

OUR REF: 18418

12 June 2020

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The General Manager  
Woollahra Council  
PO Box 61  
**DOUBLE BAY NSW 1355**

**Attention: Mr Chris Bluett - Manager Strategic Planning**

Dear Chris,

**RE: PLANNING PROPOSAL FOR  
NOS. 252-254 NEW SOUTH HEAD ROAD, DOUBLE BAY**

Thank you for the opportunity to provide a response to Council's letter dated 24 April 2020, regarding the planning proposal submitted for Nos. 252-254 New South Head Road, Double Bay. The planning proposal is for the following amendments to the Woollahra Local Environmental Plan (LEP) 2014:

- Amendment to the maximum building height standard from 13.5m to 22m, with a secondary height control for part of the site to RL 45.90m.
- Amendment to the floor space ratio (FSR) standard from part 1.3:1, to 2.6:1 across the entire site.

The concept scheme based on these amended standards will accommodate a residential flat building with 33 apartments, of an appropriate height, bulk and scale to provide a transition between development to the east and west along New South Head Road.

This letter and the additional documentation attached address Council's requests relating to core documents; the planning proposal report; other supporting studies and information; and a Voluntary Planning Agreement (VPA).

## **1.0 CORE DOCUMENTS**

***Council's Comment:*** The following information is required for a full assessment of the request.

- *No consultation with surrounding property owners has been discussed. Staff encourage the applicant to engage with surrounding property owners at the early stages of the planning process.*

*The following information must be provided:*

- *Disclosure statement (political gifts and donations).*
- *Survey plan. An annotated copy is provided in the urban design report. Provide an unannotated copy with a clear resolution at an A3 print size.*

## Our Response:

### ***Neighbour Consultation***

Although noted by Council in the Pre-PP notes, consultation with surrounding property owners prior to lodgement of a planning proposal is not a requirement under the Department's *Planning Proposal Guidelines*. In accordance with the notification provisions of those guidelines, we note neighbours will have ample opportunity once the proposal has progressed for engaged community consultation.

### ***Disclosure Statement***

Please find attached in **Attachment A** the completed Political Gifts and Donations Disclosure Statement.

### ***Survey Plan***

An unannotated, A3-scale survey plan is attached in **Attachment B**.

## 2.0 PLANNING PROPOSAL REPORT

***Council's Comment:*** *The following information must be provided:*

- *The report must address the provisions of the Local Strategic Planning Statement 2020.*
- *Confirm the existing number of dwellings on the site.*

**Our Response:** The planning proposal report was finalised prior to the commencement of the final Woollahra Local Strategic Planning Statement (LSPS) on 31 March 2020, and therefore the LSPS was not addressed in the planning proposal report. Nonetheless, an assessment against the Woollahra LSPS is provided below:

### ***Woollahra LSPS 2020***

The *Woollahra Local Strategic Planning Statement* (LSPS) sets out a 20-year land use vision and planning priorities for the future the LGA. The planning priorities are centred on four key themes, inter alia:

- Infrastructure & collaboration;
- Liveability;
- Productivity; and
- Sustainability.

The LSPS lists a number of new studies and strategies which are underway, however are yet to be released. These include an Integrated Transport Strategy, and the Woollahra Local Housing Strategy, which would be applicable to this planning proposal.

Accordingly, the two key overarching priorities applicable to this planning proposal are infrastructure & collaboration; and liveability; which are discussed below:

### **Infrastructure & Collaboration**

With 35.9% of residents in the LGA catching public transport to work, and 10.4% walking, it is essential that new housing nearby local economic centres and transport hubs is provided. This is something that the planning proposal will encourage. Where new developments increase the number of dwellings, it is important that improvements in infrastructure are appropriately matched. The planning proposal will accommodate up to 33 new dwellings only 5 minutes' walk away from the Double Bay Local Centre, and the Edgecliff Railway Station and Bus Interchange.

An assessment against the relevant infrastructure and collaboration planning priorities are provided on the following page:

*Planning Priority 1: Planning for integrated land use and transport for a healthy, sustainable, connected community and a 30-minute city.*

As previously discussed, the proposal will provide new housing in close proximity to buses along New South Head Road, and the Edgecliff Railway Station and Bus Interchange. These services provide connections to a range of local centres, and the Sydney CBD. Accordingly, additional dwellings with easy access to a range of economic centres and employment opportunities will contribute to the plan for an integrated and sustainable 30 minute city.

*Planning Priority 2: Planning for a community supported by infrastructure that fosters health, creativity, cultural activities and social connections.*

The planning proposal will provide a range of housing options for young professionals, couples, and downsizers. Generous communal space is proposed in the concept plans associated with the planning proposal, to foster social interaction and connections between neighbours. The site's proximity to the vibrant Double Bay Centre and nearby parks encourages healthy lifestyles, and provides opportunities for participation in recreational and cultural activities for future residents.

Accordingly, in our opinion, the proposal contributes to the relevant planning priorities for infrastructure and collaboration, and will assist in achieving a 30-minute city.

### Liveability

As the population continues to grow in the Woollahra LGA, with an estimated increase of over 2,000 people by 2036, it is essential that new housing suitable to this growth is provided. As stated in the LSPS, the main housing type in the LGA is apartments (55% of private dwellings).

The new dwelling stock as a result of this planning proposal will contribute up to 33 contemporary apartments, an increase of up to 25 dwellings over the existing eight apartments. This will assist Woollahra Council in accommodating future population growth. These new dwellings are in an ideal location with easy access to the Edgecliff public transport hub; two local centres; employment opportunities; health and medical services; shops; and public parks and open space.

An assessment against the relevant liveability planning priorities are provided below:

*Planning Priority 4: Sustaining diverse housing choices in planned locations that enhance our lifestyles and fit in with our local character and scenic landscapes.*

The planning proposal will accommodate a contemporary residential flat building with up to 33 new dwellings. These comprise a mix of studios (x14), 1 bedroom units (x13), and 2 bedroom units (x6), all with access to private open space.

The proposal will offer various unit sizes to accommodate a range of income levels, with the diverse housing proposed catering to people of varying ages and capabilities.

Car parking on site is provided, however minimised to encourage active use of the ample public transport available nearby. The location of the proposal will accommodate housing nearby transport options, local centres and villages, and parks and green space.

Importantly, the design, height and scale of the proposed residential flat building associated with the planning proposal will provide an uplifted built form on the site compared to the existing poorly resolved residential flat building.

The amended height and FSR will allow for a building which more appropriately addresses the street and offers a smooth transition between development along the northern side of New South Head Road.

*Planning Priority 5: Conserving our rich and diverse heritage.*

The subject site and existing building are not heritage items and are not within a heritage conservation area. However, the planning proposal will accommodate a contemporary, architecturally-designed residential flat building that aligns with the desired future character of the area.

***The Greater Sydney Commissions' Increased Housing Targets***

In the *Letter of Support: Woollahra Council draft Local Strategic Planning Statement* [dated: 12 March 2020] the Greater Sydney Commission (GSC) requires Local Housing Strategies to address the delivery of 6-10 year (when agreed) housing supply targets for each local government area under Planning Priority E5, Action 16(b), inter alia:

As set out in Action 4 of the Greater Sydney Region Plan, Council's 6-10 year housing target is to inform the development of updated local environmental plans (LEPs) and housing strategies.

The Commission notes:

- Council's 0-5 year housing target for the period 2016-2021 is 300 additional dwellings [Eastern City District Plan (2018) p.42] .
- Council's LSPS commits to preparing a Local Housing Strategy [Source: Woollahra Local Strategic Planning Statement, March 2020, p36]
- DPIE monitoring7 shows the current pipeline 2019/20 to 2023/24 of 550 dwellings.

In this context, Council is to show how they can meet an indicative draft range for 6-10 year housing targets for 2021/22 to 2025/26 of 500 - 600 dwellings as part of its Local Housing Strategy.

As the local housing strategy has not yet been prepared or released by Woollahra Council, an assessment against this cannot be undertaken. However, a potential 25 additional dwellings will contribute to Council meeting the GSC's increased housing targets of 500-600 dwellings.

Therefore the proposal appears to respond to population growth rates which inform future housing supply targets; promotes design excellence and diverse housing choices; and responds with existing infrastructure and hubs, as outlined under Action 25 of the LSPS and increased housing supply targets under the GSC's Planning Priority E5. Accordingly, in our opinion, the proposal satisfies the relevant planning priorities and considerations for liveability provided in the LSPS.

***Number of Existing Dwellings***

The existing residential flat building on-site contains eight dwellings, with each of the existing apartments containing three bedrooms. The planning proposal will accommodate up to 33 dwellings on the subject site, a potential addition of 25 dwellings.

### 3.0 OTHER SUPPORTING STUDIES AND INFORMATION

**Council's Comment:** *Studies, investigations and reports supporting the requested amendments must relate to the **maximum** proposed building height / FSR envelope, as well as the concept plan envelope (for example shown as "wire frame" superimposed on photographs and plans). The following information must be provided:*

- *Photomontage and site photographs must show the **maximum** proposed building height / FSR envelope, as well as the concept plan envelope.*
- *3D Model in the format required by Attachment 9: 3D Digital Model Technical Requirement of Council's DA Guide (showing **maximum** proposed building height / FSR envelope, as well as the concept plan envelope).*

*The following reports require amendment (or additional statement) to be considered sufficient for assessment:*

- *View analysis – The view analysis included in the Antoniades Architects, GMU and GSA drawings and reports is insufficient for a full assessment of the potential view impact of the proposal. The applicant must provide an analysis from an expert specialising in view impact assessment.*
- *Shadow diagrams – The shadow diagrams included in the Antoniades Architects, GMU and GSA drawings and reports is insufficient for a full assessment. The applicant must provide shadow diagrams and analysis showing **maximum** proposed building height / FSR envelope, as well as the concept plan envelope.*
- *Urban design – The urban design analysis included in the GMU and GSA drawings and reports is insufficient for a full assessment. The applicant must update diagrams, such as streetscape diagrams, and analysis showing **maximum** proposed building height / FSR envelope, as well as the concept plan envelope.*

#### Our Response:

##### **Photomontage and Site Photographs**

Antoniades Architects have prepared 3D photomontage view imagery to indicate the concept building envelope, and maximum proposed building height and FSR envelope (see **Attachment C**).

The architectural plans originally submitted with the planning proposal include a photomontage which indicates the concept plan envelope.

##### **3D Model**

Two 3D models have been prepared by Antoniades Architects in accordance with Attachment 9 of Council's DA Guide. The models depict the maximum proposed building height and FSR envelope, and the concept plan envelope (see **Attachment D**).

##### **View Analysis**

A View Analysis Report prepared by GSA Planning provides a full assessment of the potential effects on views as a result of the proposal (see **Attachment E**). The View Analysis Report is supported by the 3D photomontage view imagery provided by Antoniades Architects (see **Attachment F and G**).

##### **Shadow Diagrams**

The architectural plans originally submitted with the planning proposal include extensive sun's eye diagrams and shadow diagrams for the concept plan envelope. Antoniades Architects have now prepared additional shadow diagrams and sun's eye diagrams indicating changes to solar access as a result of the maximum proposed building height and FSR envelope (see **Attachment C**).

### *Urban Design*

Antoniades Architects have prepared streetscape illustrations which depict the maximum proposed building height/FSR envelope, overlain over the concept proposal.

Clearly the difficulty in viewing the maximum envelope is that extends to all boundaries, without setbacks or modulation. In that sense, it is an exaggerated representation which is beyond the worst-case scenario. Any future application would have setbacks and modulation as a future building could not be constructed to the full height and to all boundaries. Likewise a future building would consider solar access, views, compliance with not only setbacks but also requirements such as the Apartment Design Guide and so on.

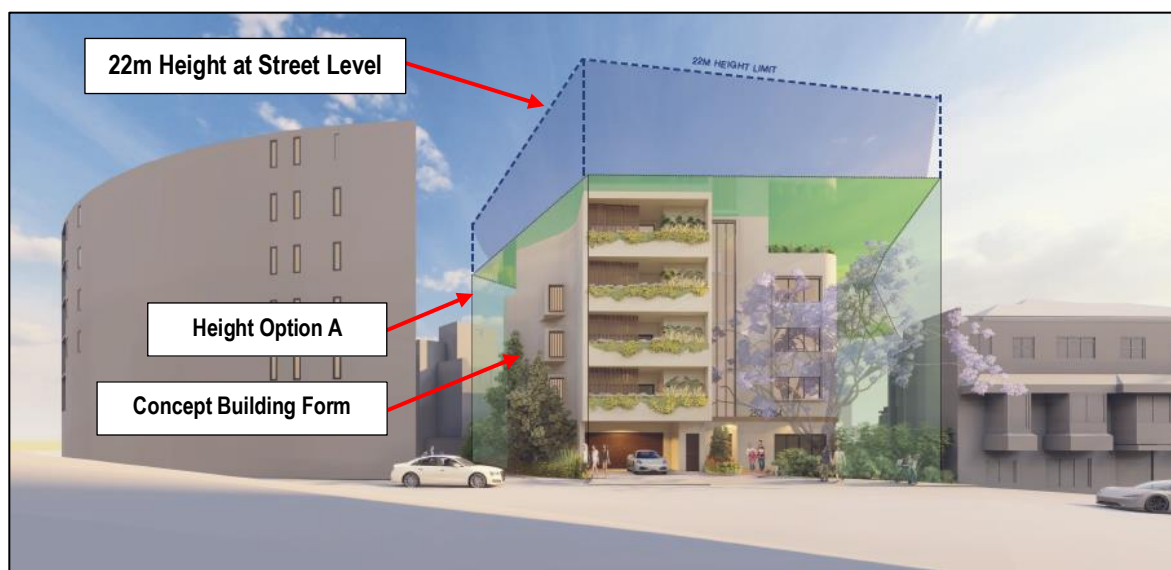
Currently, the existing building sits below road level, with a street level height of 13.5 metres. The Planning Proposal nominates a separate height plane at the front of the site of RL45.90 AHD at the streetscape edges of the site. This is equivalent to an additional building level at the street frontage, but prevents a future building from achieving a height of 22m at New South Head Road.

The rationale for the split heights proposed is to achieve streetscape transition between the adjoining buildings, and following the natural falls of New South Head Road. The RL height would give a compatible streetscape presence to a future building to New South Head Road to provide transition from the solid curved mass of the Thane Building (No. 240 New South Head Road) to the more modest height of the adjacent early 20<sup>th</sup> century residential flat building at No. 256-258 New South Head Road, to the east. For the remainder of the site, the proposed 22 metre height limit is considered compatible, appropriate, and maintains neighbour amenity.

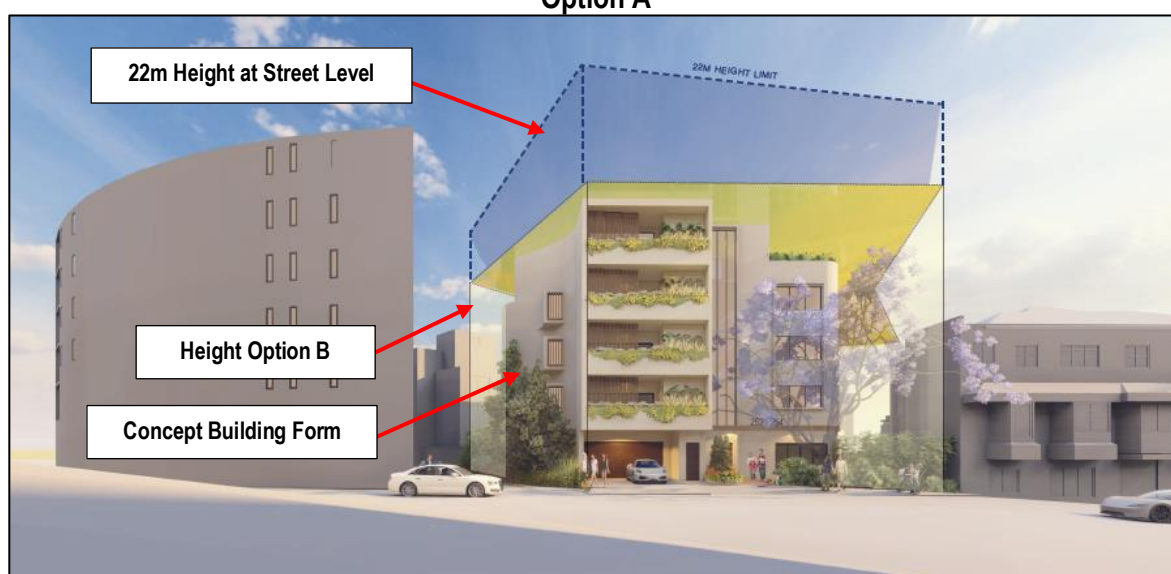
The Planning Proposal has two building height options to accommodate the proposed split height development standard (Options A & B). Two height plane options are to offer Council flexibility regarding the preferred method of defining the extent. The perpendicular approach of Option A has an area of 388m<sup>2</sup> at the front portion of the site, and the straight line approach of Option B has an area of 312m<sup>2</sup>.

We note that there is no noticeable difference in the appearance of the site massing envelopes for Options A and B when viewed from the streetscape. The options are presented only as alternative methods to limit the extent. As noted, the actual area of additional height is controlled by setback requirements and also by future FSR located elsewhere of a new development. Additionally, as would be required for a future development on the site, the proposed built form has been designed to consider transition, setbacks, solar access and view sharing.

Without the inclusion of the streetscape height plane, there is potential for a future built form to be 22m height at the street front. In our view, this would be less compatible with a streetscape transition or the local character; would reduce amenity for the public domain; and potentially affect nearby residential dwellings (see **Figure 1** on the following page).



Option A

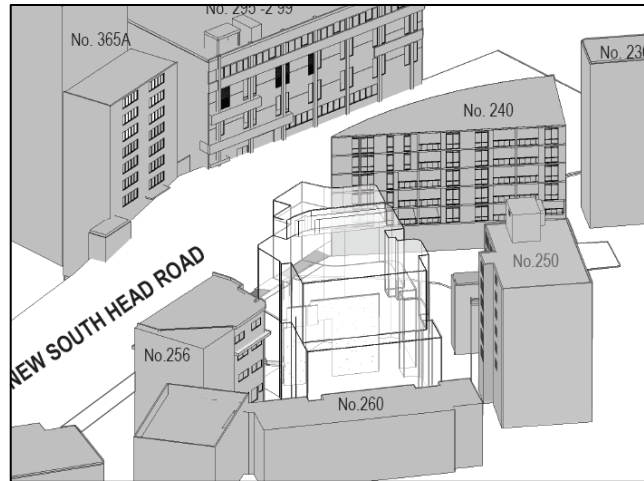


Option B

Source: Antoniadis Architects

**Figure 1:** Proposed Concept Building Form, Proposed Options A & B Site Massing Envelopes, and 22m Height Limit at Streetscape Level (not proposed)

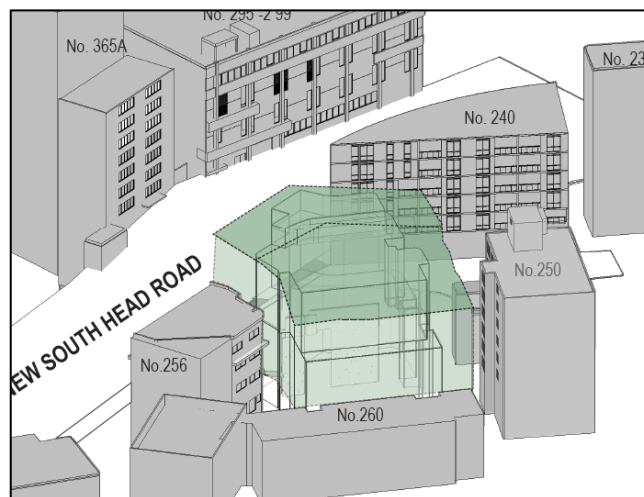
When viewed from the street, and aerial perspectives along New South Head Road, it shows both the concept building form and site massing envelope options are compatible and consistent within the streetscape (see **Figure 2** on the following page). The opposite side of New South Head Road also has a built edge, and transitional form is evident.



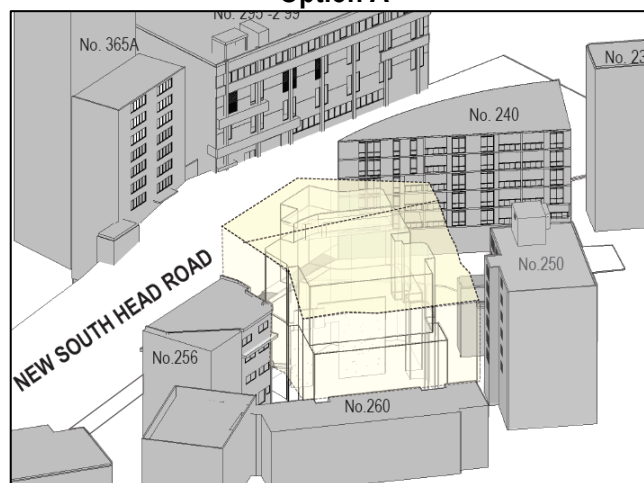
Source: Antoniades Architects

**Figure 2: Massing within the Streetscape – Concept Building Form**

The Option A and B envelopes provide increased bulk in comparison to the concept building form, however it should be noted that DCP and Apartment Design Guide requirements for articulation and setbacks will limit the bulk and extent of any future building on-site, and will also limit the extent of the top floor (see **Figure 3**).



**Option A**



**Option B**

Source: Antoniades Architects

**Figure 3: Massing within the Streetscape – Options A & B**

The Urban Design Report previously submitted by Gabrielle Morrish Urban Design (GMU) supported the concept plan envelope in the streetscape, inter alia:

*GMU's streetscape analysis has concluded, that a 4-6 storey streetwall scale will be appropriate for the subject site to provide harmonious streetscape proportions.*

*The diagrams on the following page summarise the findings of GMU's streetscape analysis, demonstrating that a 5 storey streetwall presentation compliments the streetscape profile and the surrounding development pattern. The proposed scale integrates with the development heights along the northern side of New South Head Road, stepping with the sloping topography to the lower scale built forms further east in Double Bay.*

We trust this provides all clarification required, regarding the urban design considerations of the maximum proposed building height and FSR envelope for the subject site.

#### 4.0 VOLUNTARY PLANNING AGREEMENT

**Council's Comment:** *The Woollahra Voluntary Planning Agreement Policy 2020 (VPA Policy) was adopted by Council on 10 February 2020. Under this policy, Council may consider entering into a planning agreement where there will be an opportunity or likely requirement for a development contribution, including requests for planning proposals seeking a change to Woollahra Local Environmental Plan 2014 to facilitate the carrying out of development.*

*This request for a planning proposal seeks changes to the current planning controls for the site. If approved, these changes will substantially increase the development potential of the site and hence its land value. With this in mind, Council anticipates negotiating a planning agreement prepared in accordance with the VPA Policy, to share in this value uplift for the community's benefit. We emphasise, however, that the strategic merit of a planning proposal must be fully justified, and the Council would need to support the requested changes.*

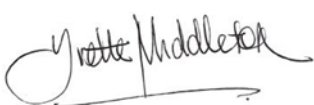
*Council prefers that negotiations for a planning agreement commence before the lodgement of a planning proposal. Further, the VPA Policy seeks to separate the role of Council as an asset manager and planning authority to ensure probity. In this regard, please contact the Director – Technical Services to discuss the requirements for a planning agreement.*

**Our Response:** The applicant is willing to enter into discussions with Council regarding a potential VPA for the Planning Proposal.

#### 5.0 CONCLUSION

We trust this letter, and the attached documentation addresses all additional information requested by Council. The additional documentation pertains to the disclosure statement; survey plan; photomontage and site photographs; 3D model; shadow diagrams; view analysis; and urban design statement. We trust this information is of assistance, however, should you wish to further discuss this matter, please do not hesitate to contact our office on 9362 3364.

Yours faithfully,



Yvette Middleton  
**ASSOCIATE DIRECTOR**