

OUR REF: 18418

7 March 2022

The General Manager  
Woollahra Municipal Council  
PO Box 61  
Double Bay NSW 1360

gsa planning

95 paddington st, paddington nsw 2021  
ph: 02 9362 3364 fax: 02 9362 3073  
email: info@gsaplanning.com.au  
www.gsaplanning.com.au  
ABN 89 643 660 628

**Attention : Anne White**

Dear Anne,

**RE: RESPONSE TO GATEWAY DETERMINATION  
NO. 252-254 NEW SOUTH HEAD ROAD, DOUBLE BAY**

We refer to the Gateway Determination letter, dated 15 December 2021, for the Planning Proposal at Nos. 252-254 New South Head Road, Double Bay (Department Ref: PP-2021-6330). The applicant (Penoh Capital Land Pty Ltd), and project team (GSA Planning, Antoniades Architects, and GMU Urban Design and Architecture), have taken the opportunity to respond to the various items raised in the Gateway Determination, to assist in ensuring the amendments to the Woollahra Local Environmental Plan 2014 are progressed in a timely manner.

We note that in addition to the Gateway Determination, we received a letter from Council dated 24 September 2021 which included a number of design change requests. This letter infers a departure from the gateway determination, through imposition of conditions which are contrary to the Gateway Determination. It is our understanding and position, that the gateway determination and associated conditions are to be complied with, and previous Council resolutions that may differ to the intent or requirements of the gateway conditions are not a consideration. In particular, we note the rear setback proposed in the Site Specific DCP is identical to that provided to, and endorsed by, the Planning Panel. Further correspondence from the NSW Department of Planning, Infrastructure and Environment confirms the request from Council of a 12m rear setback is unreasonable.

This submission has been prepared in collaboration with Antoniades Architects and GMU Urban Design, and provides responses to each item raised in the Gateway Determination, as follows:

**1. The planning proposal (including attachments) is to be revised prior to public exhibition to address the matters set out below:**

**i. provide further testing to ensure the proposed floor space ratio (FSR) of 2.6:1 is achievable within the proposed height controls, taking into consideration the Apartment Design Guide including overshadowing of adjoining properties**

Antoniades Architects have provided FSR testing and solar access diagrams and tables in the Architectural Plans (refer **Annexure A**).



## ii. address the draft Woollahra Local Housing Strategy

We note that it is Council's responsibility to respond to this point in their Planning Proposal. The proponent provides the following response to this matter for assistance, as outlined below:

The Draft Woollahra Housing Strategy was finalised and adopted on 25 October 2021 (Woollahra Local Housing Strategy 2021). The purpose of the Strategy is to establish the basis for strategic planning for housing and residential development in the Woollahra local government area (LGA). It sets out how Council plans to facilitate housing and residential development that will:

- *meet the needs of our community now and in the future*
- *best fit with our local character, heritage, infrastructure capacity, tree canopy and scenic landscape*
- *contribute to housing targets for the Eastern City District*
- *implement the Woollahra LSPS 2020.*

The planning proposal will align with these aims through encouraging additional housing to meet the needs of the community, in a location nearby extensive public infrastructure, services and facilities. The design of the concept proposal will ensure a development complements the evolving local character, protects the tree canopy, and scenic landscape. It will contribute to meeting the housing targets previously set out in the Eastern City District Plan (300 new dwellings by 2021), and the Strategy itself which has a current 5-10 year housing supply target of 500 new dwellings in the LGA (see **Figure 1**). The existing built form on site provides just 8 apartments, and the proposal will provide up to an additional 25 apartments to assist in achieving these housing targets.

Table 2: Housing targets for the Woollahra LGA	
Time period	New dwellings
<b>2016 to 2021</b>	<b>300</b>
0–5 year housing supply target	
<b>2021 to 2026</b>	<b>500</b>
5–10 year housing supply target	
<b>2026 to 2036</b>	<b>400</b>
10–20 year housing supply forecast	
<b>Total</b>	<b>1,200</b>

**Figure 1:** Housing Targets as per the Woollahra Local Housing Strategy 2021

The relevant housing actions in the Strategy and our responses are as follows:

*1. Maintain the diverse range of housing types in the land use zones established by the Woollahra LEP 2014 and protect low density neighbourhoods and villages.*

The planning proposal will facilitate residential apartments of varying sizes, in an area with high demand for this style of accommodation, in the R3 Medium Density Zone. The concept development is a scale appropriate to the medium density residential area.

*2. Encourage a range of housing choices through unit mix*

A mix of studio, one and two bedroom apartments are proposed as per the concept plans. This will offer diverse housing sizes and types in an area nearby the Double Bay and Edgecliff Local Centres, and Edgecliff Train Station and Bus Interchange.

---

*4. Ensure new housing does not adversely affect the business, employment and community role of our business zones.*

The new housing as a result of the planning proposal will replace a purely residential development on the subject site, and is not within the Double Bay Centre itself. Therefore, there will be no impact on the extent of non-residential uses in the nearby centre. Additional housing will increase the economic growth of the area through residents utilising local services.

*5. Protect and enhance tree canopy, urban greening and low density scale of our residential areas*

The concept plans indicate a number of existing trees to be retained along the site boundaries, including the Jacaranda tree at the front portion of the site. Additional trees will be planted to enhance the tree canopy and encourage urban greening.

*11. Consider this strategy and the Woollahra LSPS 2020 in the assessment of site-specific planning proposals*

The proposal aligns with the LSPS by achieving architectural and urban design excellence through a well-designed, contemporary residential flat building that reflects the evolving character of the area. It will provide new homes in a safe and convenient walking distance to various facilities, services and transport. The proposed retention of a number of trees on site, and inclusion of additional trees, will positively contribute to the landscape character and tree canopy of the locality.

*14. Encourage design excellence and high levels of amenity*

The concept form is a scale that provides a transition in height and density on the New South Head Road streetscape, from west to east. The built form is tailored to provide a 'stepped form' in response to the existing topography, minimising perceived bulk to residential areas to the north and the incorporation of articulated facades, a mix of linear and curved edges, high quality materials, and deep soil landscaping and trees will ensure design excellence is achieved.

As demonstrated in the plans and documentation accompanying the planning proposal, amenity requirements are retained to neighbouring properties in terms of solar access, privacy and views. The concept plan provides apartments with window placement to achieve good natural ventilation and light. Further developed plans and internal layouts at DA stage will address internal amenity requirements, as per the ADG.

*26. Encourage inclusive housing design*

Further planning of internal layouts at DA stage will incorporate adaptable housing in accordance with the Woollahra DCP. Inclusive housing in accordance with the Liveable Housing Guidelines will also be considered.

### **iii. address Planning Priorities E1, E6, E10, E16 and E17 of the Eastern City District Plan**

We note that it is Council's responsibility to respond to this point in their Planning Proposal. The proponent provides the following response to this matter for assistance, as outlined below:

#### ***E1 – Planning for a city supported by infrastructure***

*Objective 1 Infrastructure supports the three cities.*

*Objective 2 Infrastructure aligns with forecast growth – growth infrastructure compact.*

*Objective 3 Infrastructure adapts to meet future needs.*

*Objective 4 Infrastructure use is optimised.*

This planning priority relates largely to infrastructure upgrades and priorities, and fairly balancing population growth with infrastructure investment. The planning proposal will provide an additional 25 dwellings in the LGA, which is unlikely to have a significant impact on existing infrastructure such as roadways, train and bus services, schools, medical centres, retail, and other local services and facilities.

---

The anticipated upgrades to infrastructure in the neighbouring Edgecliff Local Centre, as a result of the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy, will assist in accommodating additional residents.

**E6 – Creating and renewing great places and local centres, and respecting the District's heritage**

*Objective 12 Great places that bring people together.*

*Objective 13 Environmental heritage is identified, conserved and enhanced.*

As the planning proposal does not include works to the public domain or a heritage item, the objectives of the principle are less relevant. In any case, the planning proposal will facilitate a high quality built form which incorporates ample trees and landscaping across the site, providing a positive interface with the adjacent public realm.

**E10 – Delivering integrated land use and transport planning and a 30-minute city**

*Objective 14 A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities*

The proposed additional residential accommodation, as a result of the additional height and FSR on the site, will be in close walking distance to a range of transport, infrastructure and services. The site is:

- Approximately 110 metres to the New South Head Road bus network;
- Approximately 220 metres to train and bus services from Edgecliff Railway Station and Bus Interchange, including airport services, access to Sydney CBD, and the wider metropolitan area;
- Connected to local ferry terminals by the various bus services available, including Double Bay Wharf for services to Circular Quay, Garden Island, Darling point, Rose Bay, and Watsons Bay;
- Approximately 350m from Double Bay shopping centre; and
- Approximately 220m from Eastpoint Food Fair and other retail, commercial, and medical services in Edgecliff.

The site's close proximity to these transport options and facilities and services encourages a walkable, 30 minute city.

**E16 – Protecting and enhancing scenic and cultural landscapes**

*Objective 28 Scenic and cultural landscapes are protected.*

The concept design for this planning proposal indicates ample deep soil areas across the site to accommodate a range of existing, transplanted, and new trees; and lawn and garden areas. This will contribute to the landscaped character of the locality, which is intertwined with predominantly medium density development. Further, the concept plans are designed to minimise impacts on views of the harbour, ridgelines, and scenic landscape from nearby development.

**E17 – Increasing urban tree canopy cover and delivering Green Grid connections**

*Objective 30 Urban tree canopy cover is increased.*

*Objective 32 The Green Grid links parks, open spaces, bushland and walking and cycling paths.*

The planning proposal will facilitate a built form which allows for retention or transplantation of a number of existing trees on the subject site, including the large Jacaranda tree at the front boundary which is a significant element in the streetscape. Deep soil areas will also accommodate a number of proposed new trees, to enhance the urban tree canopy cover.

**iv. address and justify the inconsistency with section 9.1 Direction 6.3 Site Specific Provisions**

We note that it is Council's responsibility to respond to this point in their Planning Proposal.

---

v. clarify the street wall height in storeys to New South Head Road and ensure consistency between architectural drawings and images

The street wall height in storeys to New South Head Road is maximum five (5) storeys. Elevations and CGI from the Planning Proposal are indicative only.

vi. include an advisory upfront in section 5 'Explanation of provisions' that draft amendments to clauses are indicative only and will be subject to drafting by Parliamentary Counsel should the planning proposal progress to finalisation

We note that it is Council's responsibility to include this advisory in their Planning Proposal.

vii. include a table that clarifies the extent of overshadowing impacts to individual units in the adjoining residential properties

Antoniades Architects have provided shadow analysis diagrams and tables in the Architectural Plans (refer **Annexure A**).

viii. update the existing and proposed maps in section 7 'Mapping' to ensure legibility and clarity

We note that it is Council's responsibility to respond to this point in their Planning Proposal.

In any case, please refer to **Annexure B** for enlarged maps, which are more legible.

ix. correct the statement in section 9 'Project timeline' as Council has not been authorised as the local plan-making authority to exercise the functions under section 3.36 of the Act.

We note that it is Council's responsibility to make this amendment in their Planning Proposal.

2. The planning proposal is to contain a provision that a site-specific development control plan (DCP) is to be prepared and in place prior to the issuing of any development consent for the site. The DCP should address matters including, but not limited to:

i. built form and articulations, including the building's interface with adjoining developments and presentation to New South Head Road

ii. provision of deep soil zones to support tree canopy and screen planting PP-2021-6330 (IRF21/4438)

iii. apartment mix

iv. environmental impacts such as overshadowing, visual and acoustic privacy and view-sharing.

Refer to Draft Site Specific DCP (**Annexure C**).

---

## Conclusion

We trust this letter, on behalf of the proponent in response to the various requirements outlined in the Gateway Determination, is of assistance to Woollahra Council and the NSW Department of Planning, Industry and Environment.

If you require further information, do not hesitate to contact our office on 9362 3364.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'G. Karavanas', written in a cursive style.

George Karavanas  
**MANAGING DIRECTOR**

# ANNEXURE A

## Architectural Plans provided by Antoniades Architects



## ANNEXURE B

### EXISTING MAPS



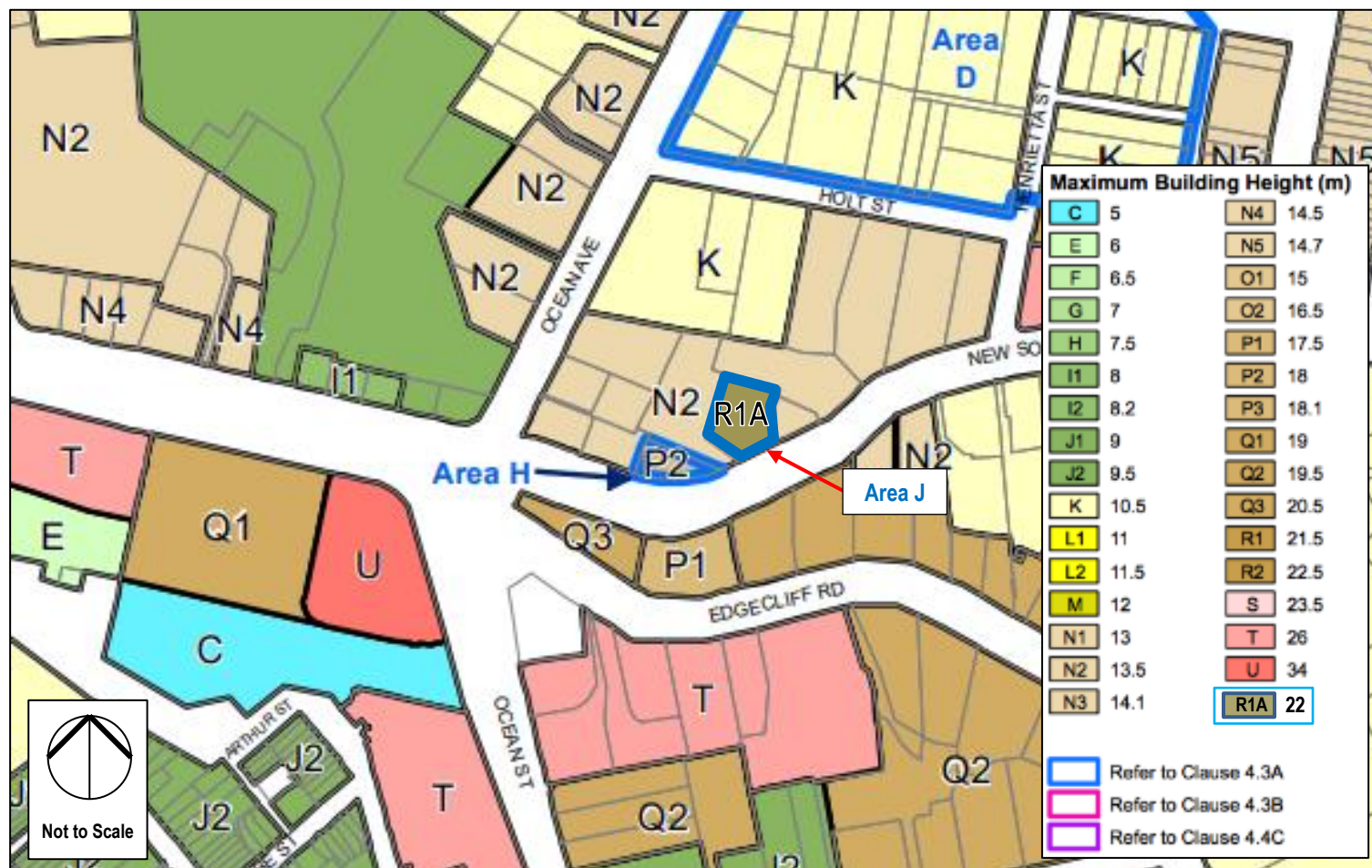
**Figure 20:** Extract from existing Woollahra LEP 2014 Height of Building Map (Sheet HOB\_003)





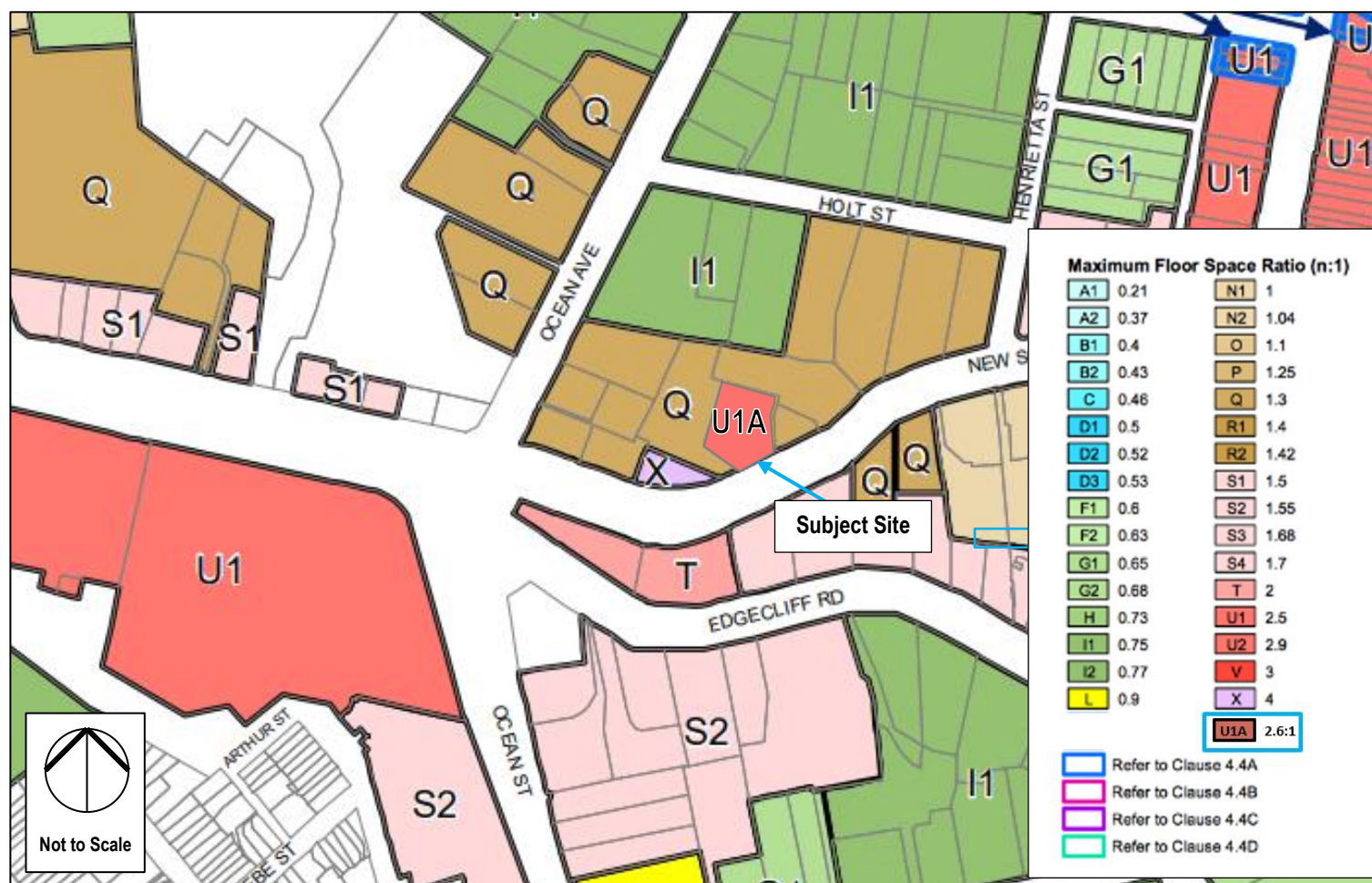
Figure 21: Extract from proposed Woollahra LEP 2014 Height of Building Map (Sheet HOB\_003)

## PROPOSED MAPS



**Figure 22:** Extract from existing Woollahra LEP 2014 Floor Space Ratio Map (Sheet FSR\_003)  
(Note: AREA J = 22 metres with street front area height limited to RL45.90 AHD)





**Figure 23:** Extract from proposed Woollahra LEP 2014 Floor Space Ratio Map (Sheet FSR\_003)  
(Note: U1A = 2.6:1)

## ANNEXURE C

### Draft Site Specific DCP