



Council Ref: SC6610 - 22/184646
Your Ref: RR 2022-12

26 September 2022

Stuart Withington
Manager
Planning Panels Secretariat
Locked Bag 5022
PARRAMATTA NSW 2124

Dear Mr Withington

**Rezoning Review for 136-148 New South Head Road,
Edgecliff - RR-2022-12**

On Monday 12 September 2022, Council considered a report on the rezoning review for 136 – 148 New South Head Road, Edgecliff where Council resolved:

- A. *THAT Council notes its resolution of 25 July 2022 in the following terms:*
 - a. *THAT Council note the advice provided by the Woollahra Local Planning Panel on 22 April 2022 regarding the planning proposal for 136-148 New South Head Road, Edgecliff.*
 - b. *THAT consistent with the advice from the Woollahra Local Planning Panel, Council resolves to refuse the planning proposal for 136-148 New South Head Road, Edgecliff which seeks to amend the Woollahra Local Environmental Plan 2014 in the following manner:*
 - i. *Increase the maximum height of buildings development standard from 14.5m to 46m*
 - ii. *Increase the maximum floor space ratio development standard from 1.5:1 to 5:1.*
 - c. *THAT the applicant be notified that Council has refused the planning proposal in accordance with Clause 9 of the Environmental Planning and Assessment Regulation 2021.*
 - d. *THAT 136-148 New South Head Road, Edgecliff be incorporated into the post exhibition version of the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy as a potential uplift site.*
- B. *THAT notwithstanding Part A, Council note on 18 August 2022, the Sydney Eastern City Planning Panel considered a rezoning review and resolved to recommend the planning proposal be progressed to Gateway, which was contradictory to Council's reason for refusal.*
- C. *THAT to enable Council's management of the process with a view to ensuring the best outcome for Woollahra residents, Council accepts the role of Planning Proposal Authority for 136-148 New South Head Road, Edgecliff (RR-2022-12) and prepare a planning proposal for the site which seeks to amend the Woollahra Local Environmental Plan 2014 in the following manner:*
 - i. *Increase the maximum building height standard from 14.5 to 46m*
 - ii. *Increase the maximum floor space ratio from 1.5:1 to 5:1.*

- D. THAT the Council finalise, in consultation with the applicant:*
- a. An LEP clause requiring:*
 - i. A design excellence competition or equivalent*
 - ii. Amalgamation to ensure no vehicle access to New South Head Road*
 - iii. Maximum number of storeys, height and floor space ratio*
 - iv. Affordable housing consistent with Council's adopted Affordable Housing Policy*
 - v. Provision of, or contribution towards, community infrastructure.*
 - b. A draft DCP, to be exhibited concurrently, with guidelines for development including:*
 - i. Massing and number of storeys*
 - ii. Sustainability measures*
 - iii. Relationship to local heritage item*
 - iv. Wind analysis*
 - v. Minimal overshadowing of public domain, including Trumper Park and plaza areas opposite the site*
 - vi. Appropriate mix of commercial and residential given characteristics of site*
 - vii. Car parking, vehicle access and egress.*
- E. THAT due to an existing road reservation being over the corner part of the site, that Council recommends that the issue of the road reservation is resolved by the applicant with Transport for NSW prior to the making of any LEP.*
- F. THAT any Planning Agreement proposed by the applicant be prepared in accordance with the adopted Woollahra Voluntary Planning Agreement Policy 2020.*
- G. THAT should a Gateway determination be received, the planning proposal, draft development control plan and any draft planning agreement be publicly exhibited.*
- H. THAT the applicant pays the relevant planning proposal fees as identified in Council's adopted Fees and Charges for 2022/2023* Accordingly, I write to advise you that for RR-2021-69 at 252-254 New South Head Road, Double Bay Council has resolved to undertake the role as Planning Proposal Authority.

Council will prepare a planning proposal in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 and submit this for a Gateway determination.

Should you require further information please contact Louise Menday on 02 9184 1017 or louise.menday@woollahra.nsw.gov.au.

Yours sincerely



Anne White
Manager - Strategic Planning and Place