

Item No:	D1
Subject:	PLANNING PROPOSAL - 136-148 NEW SOUTH HEAD ROAD, EDGECLIFF
Authors:	Louise Menday, Consultant Strategic Planner Lyle Tamlyn, Strategic Planner Anne White, Manager - Strategic Planning
Approver:	Scott Pedder, Director - Planning & Place
File No:	22/69145
Purpose of the Report:	To seek the advice of the Woollahra Local Planning Panel in relation to a planning proposal to amend the planning controls for 136 - 148 New South Head Road, Edgecliff under the Woollahra Local Environmental Plan 2014.
Alignment to Delivery Program:	Strategy 4.1: Encourage and ensure high quality planning and urban design outcomes.

Recommendation:

- A. THAT the Woollahra Local Planning Panel advises Council to proceed with the planning proposal for 136-148 New South Head Road, Edgecliff to amend the *Woollahra Local Environmental Plan 2014* to:
- (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.
- B. THAT the Woollahra Local Planning Panel advises Council that:
- (i) Any planning agreement proposed by the applicant be prepared in accordance with the adopted *Woollahra Voluntary Planning Agreement Policy 2020*.
 - (ii) Should a Gateway determination be received, the planning proposal, site-specific draft development control plan and any draft Planning Agreement be publicly exhibited concurrently.

Executive Summary:

This report seeks the advice of the Woollahra Local Planning Panel (Woollahra LPP) on proposed amendments to the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014).

On 13 October 2021, Edgecliff Central Pty Ltd lodged a request for a planning proposal for 136-148 New South Head Road, Edgecliff (the subject site). The objective of the planning proposal is to increase the development potential of the subject site to facilitate a 12 storey mixed use building by amending the Woollahra LEP 2014 as follows:

- Increase the maximum Height of Buildings development standard from 14.5 m to 46 m; and
- Increase the maximum floor space ratio (FSR) development standard from 1.5:1 to 5:1

The applicant submitted an indicative development concept to illustrate the built form that could be constructed in accordance with the proposed envelope.

We recommend that the Woollahra LPP provides advice to Council to proceed with the draft planning proposal at **Attachment 1**.

Discussion:

Reason for report to the Woollahra Local Planning Panel

On 27 September 2018, the Minister for Planning issued a Local Planning Panel Direction – Planning Proposals:

- A Council to whom this direction applies is required to refer all planning proposals to be 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.
- When a planning proposal is referred to the panel, it must be accompanied by an assessment report prepared by council staff setting out recommendations, including whether or not the planning proposal should proceed.
- A proposal is to be referred to the local planning panel before it is forwarded to the Minister under section 3.34 of the Environmental Planning and Assessment Act 1979 (the Act).

In this case, the planning proposal is required to be referred to the Woollahra LPP because the General Manager has not made a determination in regard to items 1 (a), (b) or (c) above.

The site

The subject site is known as 136-148 New South Head Road, Edgecliff, has an area of approximately 1746m² and comprises the following lots (see **Figure 1** below):

- Lot 1 DP663495 (No. 136)
- Lot 1 DP1092694 (No. 138-140)
- Lot 2 DP983678 (No 138-140)
- Lot A DP443992 (No 142-144)
- Lot B DP443992 (No 146-148)

Lot 2 in DP 983678 is a very small residual lot that forms part of 138-140 New South Head Road. This lot is not owned by Council or the applicant, however the applicant is seeking to purchase the property from a deceased estate. It is understood that it will be subject to the same controls as the remainder of the site.

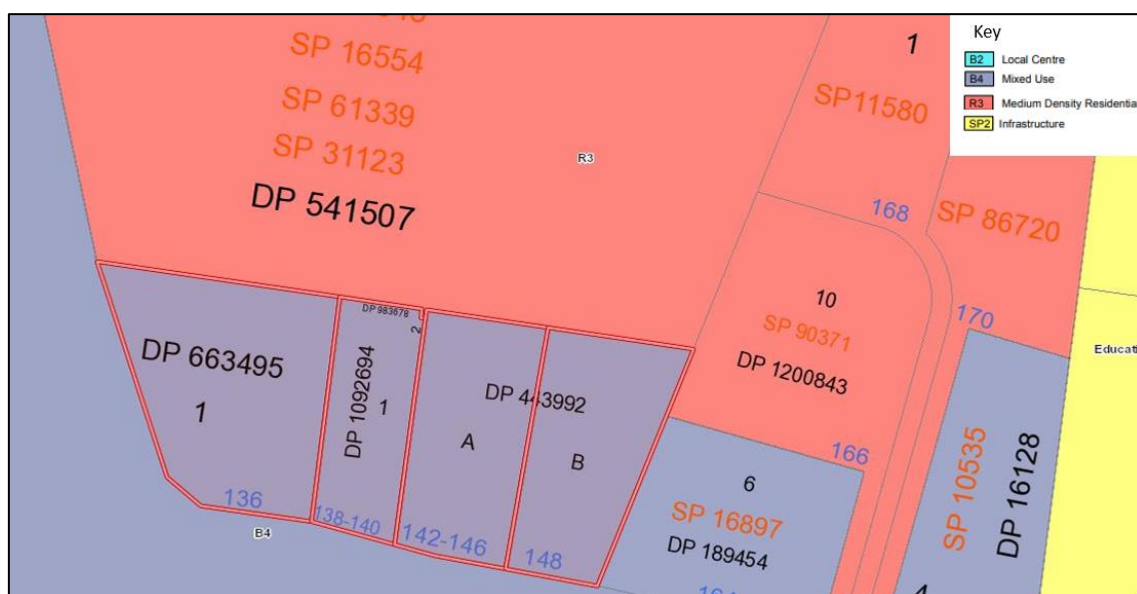


Figure 1: Cadastral map, with sites highlighted in red.

The site is located on the north-eastern corner of New South Head Road and Darling Point Road (see **Figure 2** below). The landform of the site rises from the west to the east along New South Head Road, with it being a relatively high point towards the top of the ridge. The New South Head Road frontage is approximately 55m and the secondary frontage to Darling Point Road is approximately 27m.



Figure 2: Aerial view of the subject site (site highlighted in red)

The site comprises the following buildings (see **Figures 3-5** below):

- 136 New South Head Road – A two storey rendered brick building, used for commercial and residential purposes, with an at grade car park to the rear. This property is listed as local heritage item No. 238 under the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014).
- 138-140 New South Head Road – A three to four storey rendered brick apartment building. Due to the slope from north to south across this property, the building presents as four storeys to New South Head Road.
- 142-148 New South Head Road – A two storey former residential building currently used for commercial and medical suites.

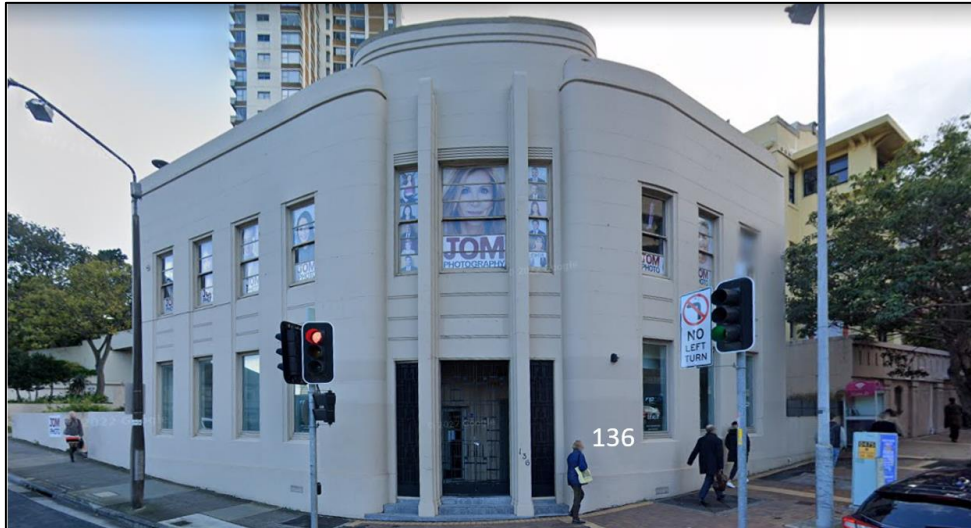


Figure 3: 136 New South Head Road, viewed from the corner of New South Head Road

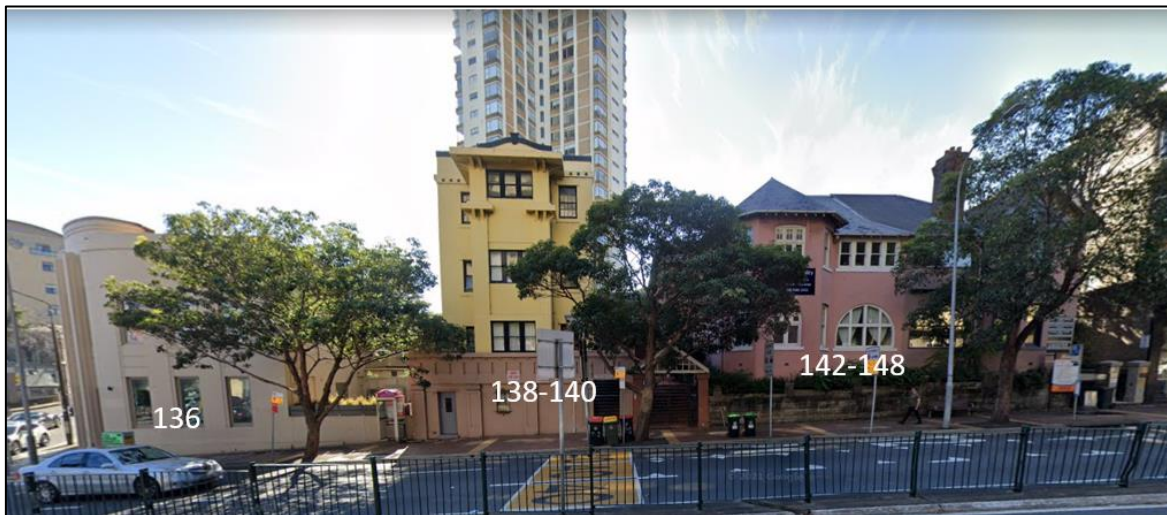


Figure 4: 136-148 New South Head Road, viewed from New South Head Road.



Figure 5: 3D view of 136-148 New South Head Road
(with the site highlighted in red) viewed from the west.

There are three Brush Box trees on the Council verge along the New South Head Road frontage. These trees are evenly spaced and vary in height between 10m and 12m

Vehicular access is provided via an existing driveway off Darling Point Road, about 25m from the intersection with New South Head Road. The driveway currently provides access to off-street parking for 136 New South Head Road only. Each building has pedestrian access points from New South Head Road.

The site is zoned B4 Mixed Use under the Woollahra LEP 2014 (see **Figure 6** below) and the corner of 136 New South Head Road is identified as land to be reserved for road widening under *Clause 5.1 Relevant acquisition authority of the Woollahra LEP 2014*¹.

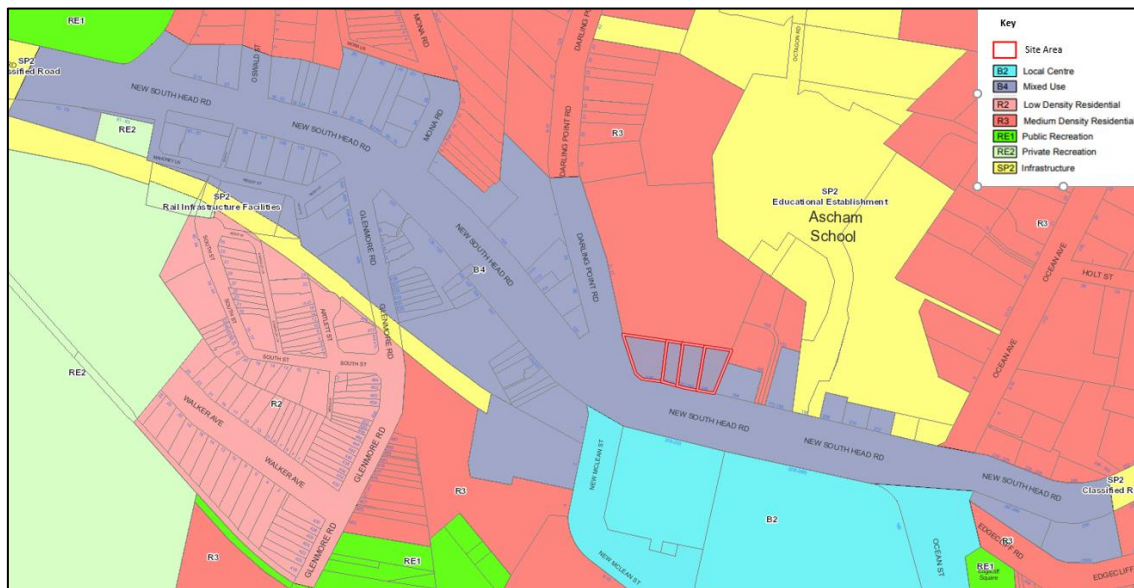


Figure 6: Extract from the Woollahra LEP 2014 (site highlighted in red)

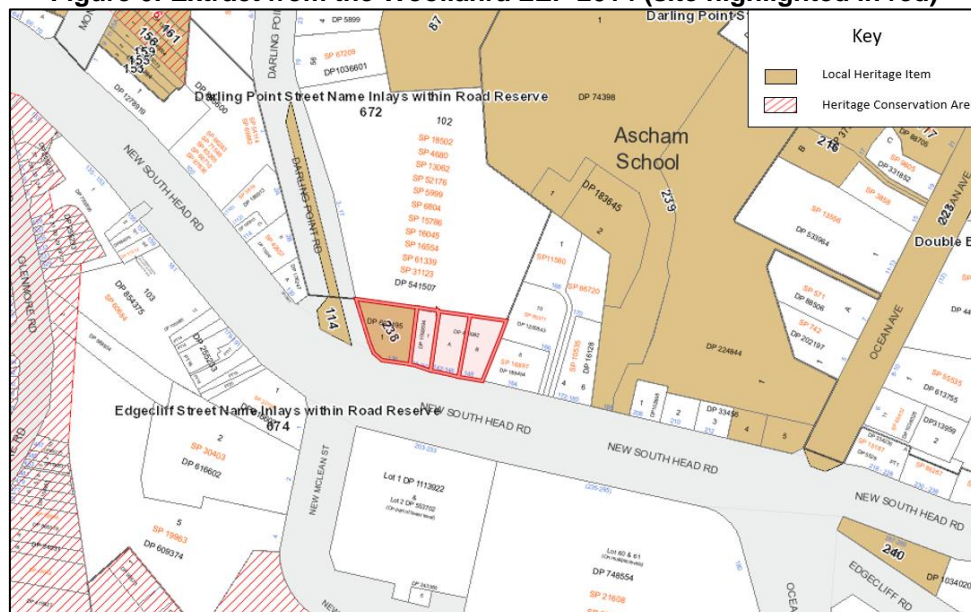


Figure 7: Extract from the Woollahra LEP 2014 Heritage Map (site highlighted in red)

¹ On 25 October 2021 Council resolved to submit a planning proposal to the Department of Planning and Environment seeking to remove twelve parcels of land along New South Head Road and Glenmore Road in Edgecliff from the Land Reservation Acquisition Map in the Woollahra LEP 2014. These parcels have been reserved for road widening. As this matter is being progressed separately, it is not the subject of this planning proposal.

The surrounding context

Development surrounding the site comprises a mix of commercial, retail, residential and educational buildings varying in age, and height from 1 storey to 14 storeys. An exception to this built form is the 31 storey apartment building 'Ranelagh', located immediately to the north and zoned R3 Medium Density Residential under the Woollahra LEP 2014. The Ranelagh building sits in a large landscaped area and has a substantial parking garage on its boundary with the subject site. The Ranelagh Building is identified as intrusive development in the *Woollahra Development Control Plan 2015* (Woollahra DCP 2015).

Ascham School is located to the north and northeast of 'Ranelagh', but does not have a boundary with the subject site. Ascham consists of numerous school buildings and substantial open spaces, that include the following local heritage items:

- 'Fiona' including interiors and former entrance gates; and
- 'Glenrock' including interiors and inner and outer gates;
- 'Dower House' including interiors, sand-stone works, remaining open space and oval adjacent to 'Fiona', and 4 Moreton Bay Figs.

Figure 7 above illustrates the location of the heritage items on, and surrounding the subject site and the proximity of the Paddington Heritage Conservation Area, which is located to the south west of the subject site.

Immediately east of the subject site are five lower scale buildings with limited access from New South Head Road, with access via a shared right-of way. These buildings comprise

- 164 New South Head Road – An Interwar, five storey mixed use building with top floor residential uses and ground floor shops. This building is constructed to the street boundary.
- 166, 168 and 170 New South Head Road - All brick residential flat buildings in small gardens/yards, three, four and four storeys respectively.
- 172-180 New South Head Road – White Interwar four storey mixed use building with ground floor shops fronting New South Head Road.

Immediately to the west of the subject site is a heritage listed retaining wall on Darling Point Road. Further to the west are nos.100 -130 New South Head Road, with a range of building heights and styles.

The site is opposite the Edgecliff Station and bus interchange which establishes the Edgecliff Commercial Centre (ECC) as a local transport, employment, retail and service hub.

Eastpoint residential tower is at the corner of New South Head Road and Ocean Street. Located at the top of the ridge line this 14 storey building presents as a significant landmark in the area.

The Paddington Heritage Conservation Area (HCA) is located so the south of the subject site, separated by New South Head Road and the Edgecliff Centre. The HCA has a predominantly 19th century residential character, represented by late-Victorian terrace houses, modest workers' cottages (including single-storey timber and masonry houses) and former mansions. Trumper Park and Trumper Oval, within the HCA, provide open space including informal and formal recreation areas, and mature trees.

Photographs of surrounding development are provided in **Figures 8 to 11** below.



Figure 8: Ranelagh apartment building, viewed from New South Head Road.



Figure 9: Nearby apartment buildings at 100-128 New South Head Road (to the south of the subject site) on the northern side of New South Head Road



Figure 10: View of the Edgecliff Centre, opposite the subject site



Figure 11: View of the Eastpoint Food Fair at 238-285 New South Head Road, the bus and rail interchange and the Eastpoint Tower behind

Draft Edgecliff Commercial Centre Planning and Urban Design Strategy

The subject site is within the Edgecliff Commercial Centre (ECC) and within the area covered by the *Draft Edgecliff Commercial Centre Planning and Urban Design Strategy* (draft ECC Strategy).

The draft ECC strategy sets a new vision for the ECC and makes recommendations on key built form outcomes including land uses, heritage conservation, maximum building heights, active street frontages, affordable housing, design excellence, community infrastructure and transport. The draft ECC Strategy identifies a number of properties along New South Head Road with potential uplift (additional height and FSR) (see **Figure 12** below).

Whilst the site falls within the ECC it was not identified for uplift in the draft ECC Strategy. This was because at the time of preparation, the subject site was in multiple ownerships and vehicle access was not available to all four properties. However, since the draft ECC Strategy was prepared, the subject site has been brought into a single ownership and vehicle access can be obtained to the whole site from Darling Point Road.

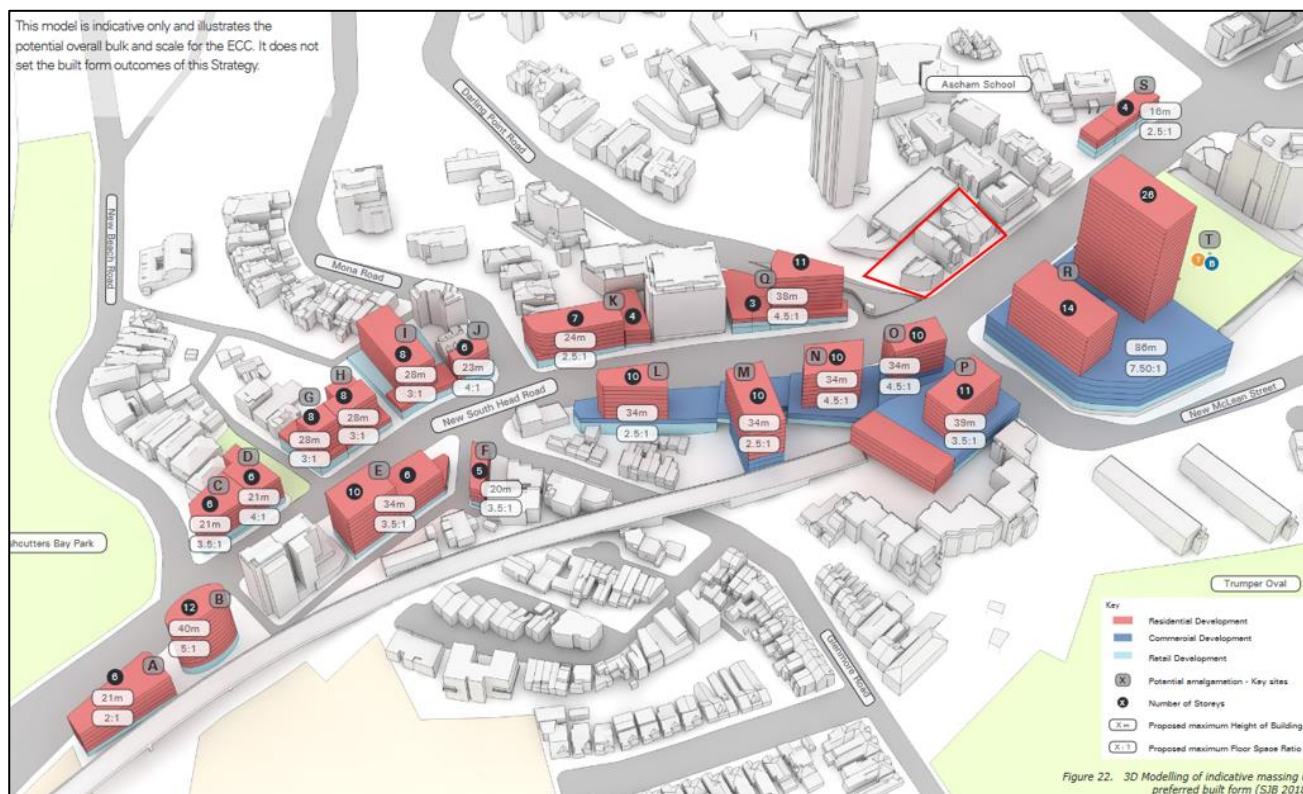


Figure 12: Extract from the 3D model contained in the ECC Strategy (site in red).

Council exhibited the draft ECC Strategy from 31 May – 30 September 2021. Given issues raised in submissions, Council staff are refining the draft ECC Strategy and intend to provide a post-exhibition report to Council later this year.

While it is expected uplift sites will be identified in the final ECC Strategy, at the time of writing this report, there is no certainty about which sites will be included and what building height and floor space controls will be recommended.

Regardless of the outcome on the draft ECC Strategy, there will be continued pressure for uplift in the ECC. This is due to:

- The ECC acts as a gateway connecting the Woollahra LGA to the Sydney CBD and more broadly to the eastern suburbs. The centre's proximity to Edgecliff train station and bus interchange also makes it an ideal location for new homes and commercial uses.
- A number of owners in the ECC have expressed interest in redeveloping at higher density and are continuing to consider potential proposals with Council staff

- The Eastern City Regional Planning Panel recognised the strategic importance of growth around Edgecliff Station when reviewing a planning proposal for a 45 storey development on the Edgecliff Centre (opposite the subject site at 203-233 New South Head Road). The Regional Planning Panel considered that site has strategic merit for significant uplift subject to addressing site specific merit issues.
- Council staff engaged with the Greater Sydney Commission and the then NSW Department of Infrastructure and Industry (now DPE) regarding Woollahra's identified growth to 2036. Both agencies supported focusing growth in the ECC.

Background

In March 2021, Council staff held a pre-application meeting with the applicant team and discussed concept plans for a 66m building (18 storeys) with a proposed FSR of 6:1. In a letter dated 12 April 2021, Council staff provided minutes of the pre-application meeting, and documented issues for the applicant to address prior to submitting a formal request to Council (**Attachment 2**). Council's letter included an indication that 18 storeys was excessive and that a 12 storey building might be more appropriate.

The staff comment on height was made in the context of the indicative uplift identified in the draft ECC Strategy. The exhibited draft ECC Strategy indicates the following four properties in the vicinity of the site

***Table 1: Indicative uplift identified in the draft ECC Strategy,
for sites surrounding the subject site***

Address	Location	Existing height control	Indicative uplift
203-233 New South Head Rd	Opposite on New South Head Rd	7-8 storeys (6m/26m)	14 storeys (86m)
2 New Mclean St	Opposite on New McLean St	4 storeys (14.5m)	11storeys (39m)
1 New Mclean St	Opposite corner of New South Head Rd & New McLean St	4 storeys (14.5m)	10 storeys (34m)
130 New South Head Rd	Opposite on northwest corner of New South Head Rd & Darling Point Rd	6 storeys (20.5m)	11 storeys (38m)

The planning proposal

On 13 October 2021, the applicant submitted the request for a planning proposal seeking a height and FSR of 46m (12 storeys) and 5:1 respectively. The documents provided with the applicant's request for a planning proposal are available on Council's website at the following link and **Attachment 4** contains a list of these documents, and some of the key consultant reports are attached to this document.

https://www.woollahra.nsw.gov.au/building_and_development/development_rules/previous_and_proposed_exhibitions/planning-proposal-request-for-136-148-new-south-head-road,-edgecliff

The objective of the planning proposal is to enable a 12 storey mixed use development on the subject site through amendments to the development standards contained in the Woollahra LEP 2014. The proposed changes are summarised below in **Table 2**.

Table 2: Existing and proposed Woollahra LEP 2014 development standards

LEP development standard	Existing	Proposed
Height of Buildings	14.5m	46m
FSR	1.5:1	5:1

The planning proposal satisfies the requirements of section 3.33 of the EP&A Act as it includes:

- A statement of the objectives or intended outcome of the amendment to Woollahra LEP 2014.
- An explanation of the provisions that are to be included in the amendment to Woollahra LEP 2014
- The justification for the objectives, outcomes and provisions and a process for implementation.
- Details of the community consultation that is to be undertaken.

The applicant submitted a 3D model of the proposed overall building envelope, refer to **Figure 13**.



Figure 13: 3D view of the proposed building envelope on the subject site, viewed from the south west

The applicant also submitted an indicative development concept (refer to **Figures 14 and 15**) to illustrate what could be constructed under the proposed planning provisions within the building envelope.

The indicative concept submitted with the application indicates a street wall height of 15m (four storeys) along the New South Head Road frontage, which is a similar height to the building to the east. The concept illustrates that the upper eight storeys of the tower are set back above the four storey podium and articulated into a series of ellipses.

Non-residential uses are concentrated in the four storey podium with residential dwellings on levels 5-12 above with a roof top garden.

The indicative development concept of a 12 storey mixed use development comprises:

- Total GFA of 8723m² distributed as follows: 5872m² residential, 2851m² non-residential – includes 339m² heritage building, 2253m² office, 155m² retail

- Forty-one apartments mixed as follows: 9 x 1 bedroom, 18 x 2 bedroom, 12 x 3 bedroom, 1 x 4 bedroom, and 1 x 5 bedroom
- Three levels of basement parking accessed off Darling Point Road, with capacity for 77 car spaces and eight motorcycle spaces.

The indicative development concept shows the conservation of the heritage item at 136 New South Head Road by retaining the existing building and partially cantilevering the new building over the top (see **Figure 15** below).



Figure 14: Artist's impression of indicative development concept viewed looking north from New South Head Road (Source: Planning Proposal Concept Report, Group GSA 2021)



Figure 15: Artist's impression of indicative development concept – Darling Point Road looking south (Source: Planning Proposal Concept Report, Group GSA 2021)

Staff assessment

Council staff have assessed the planning proposal with reference to the NSW Department of Planning and Environment's (DPE) *Local Environmental Plan Making Guideline (December 2021)*. The full assessment is provided at **Attachment 3**. In summary, staff consider the planning proposal has strategic and site-specific merit as summarised below.

Strategic merit

A strategic merit assessment against relevant region, district, and local strategies, including the draft ECC Strategy, considers how the site can contribute to meeting Council's strategic obligations in the context of the NSW Government's objectives for the Eastern City District and Greater Sydney. Staff consider the planning proposal has strategic merit as it is consistent with:

- *District Plans*
The relevant objectives of Greater Sydney Region *Plan: A Metropolis of Three Cities* (2018) and actions in the *Eastern City District Plan* (2018), particularly with the objective of:

Aligning growth with infrastructure, including transport, social and green infrastructure, and delivering sustainable, smart, and adaptable solutions.

This approach is incorporated in the Woollahra Local Strategic Planning Statement (LSPS) and the Woollahra Local Housing Strategy (LHS), by focusing growth in areas close to public transport and key centres.

The planning proposal will assist in meeting the Eastern District City housing targets (with approximately 35 net new dwellings). The documentation submitted with the planning proposal suggests a contribution could be made towards affordable housing as part of a planning agreement.

The planning proposal aligns with the centre's hierarchy as it has the potential to contribute to the ECC's revitalisation as an employment and transport hub. This is further detailed in the applicant's Economic Benefits Assessment at **Attachment 8**.

Development of the subject site will bring wider public benefits via modern employment and residential floor space, and could contribute to new or enhanced community infrastructure in the ECC (such as urban greening and outdoor space, pedestrian and cycle facilities and indoor community space).

- *Woollahra 2030: Community Strategic Plan (CSP)*
Given the subject site is within the ECC, the planning proposal is consistent with the theme quality places and spaces and:
 - Goal 4: Well-planned neighbourhoods
 - 4.1 Encourage and ensure high quality planning and urban design outcomes
 - 4.5 Enhance the form and function of the local business centres
 - Goal 5: Liveable places
 - 5.1 Enhance local community, cultural and recreation facilities to become more attractive, integrated, and accessible.
- *Woollahra LSPS & Woollahra LHS*
The planning proposal is consistent with both the Woollahra LSPS and Woollahra LHS. In particular, the planning proposal fits with the LSPS liveability theme and:
 - *Planning Priority 6: Place making supports and maintains the local character of our neighbourhoods and villages, whilst creating great places for people*

- *Planning Priority 8: Collaborating to achieve great place making outcomes in our local centres which are hubs for jobs, shopping, dining, entertainment, and community activities.*

The draft ECC Strategy identifies that growth supported by revitalisation and upgraded community infrastructure can create a more vibrant and liveable centre for the local population. The planning proposal will contribute to this aim and help protect other areas of Woollahra from development while balancing the pressure for new housing and jobs.

- *Woollahra LEP 2014 & Woollahra DCP 2015*
The planning proposal is generally consistent with the objectives of relevant controls of the Woollahra LEP 2014 and Woollahra DCP 2015 by being compatible with the desired future character of the ECC, as highlighted in the site-specific merit assessment below.

Site Specific merit

The site-specific merit assessment considers local aspects of the planning proposal against the draft ECC Strategy principles, and relevant Woollahra LEP 2014 and Woollahra DCP 2015 objectives. Staff consider the planning proposal has site-specific merit due to the following:

- *Height of buildings* – The proposed 12 storey (46m) building height is significantly lower than the 31 storey ‘Ranelagh’ building behind the site, or the 14-26 storeys proposed for the opposite side of New South Head Road under the draft ECC Strategy. Future development on the subject site would instead adopt a scale that is similar to the Eastpoint residential tower or the apartment building at 100 New South Head Road. This would allow the site to facilitate an appropriate height transition between the ECC and the surrounding residential neighbourhoods.

The submitted concept scheme also demonstrates that development within the proposed height limit can be articulated to further minimise bulk and ensure that additional height sits sympathetically within the streetscape. This is further outlined in the applicant’s Concept Design Report at **Attachment 5**. A view study is also included at **Attachment 9**.

- *FSR* – As discussed above, future development will adopt a scale that is compatible with the existing and proposed built context of the site. The newly amalgamated site, stretching 50 metres along New South Head Road, will also allow for development to efficiently use any additional floor space. It would promote functional commercial spaces with flexibility for various uses, consolidated vehicular access and servicing arrangements, and efficiently-planned residential floor plates. This will ensure that the site could meaningfully contribute to the supply of dwellings and commercial floor space in Edgecliff, without resulting in an unnecessarily bulky form.
- *Heritage* – Council’s Strategic Heritage Officer identified that the planning proposal is generally acceptable as it reflects Council’s advice to reduce the height (from 18 to 12 storeys) and provide a cantilever over the heritage item at 136 New South Head Road. The proposed scale

provides a more compatible setting and will not ‘overwhelm’ the parapeted form of the heritage item.

Also, there will be no impact on nearby heritage items (due to separation distances) and the lower height of the proposed building envelope reduces the potential for adverse visual impacts from the Paddington HCA. This is further detailed in the applicant’s Heritage Report at **Attachment 7**.

- *Traffic and Transport* – The site is ideally located in the Woollahra LGA to take advantage of significant public transport infrastructure and existing services, and where the use of active transport should be encouraged through reduced parking provision. Whilst Council staff have concerns about some of the traffic generation calculations, these can be addressed should the planning proposal progress. Further information is available in the applicant's Traffic and Parking Report at **Attachment 6**.
- *Streetscape* – Redevelopment would provide an opportunity to improve the relationship of the site to the street and introduce active street frontages. The indicative development concept illustrates a four storey street wall height which is consistent with the Woollahra DCP 2015 guidelines. This approach is also consistent with the draft ECC Strategy for sites adjacent to Edgecliff Station.
- *Residential amenity* – The shadow analysis submitted with the planning proposal shows the additional shadow that would result from the built form constructed under the proposed controls. This analysis indicates the shadows at hourly intervals between 9am to 3pm on 21 June. The analysis concludes that the proposed envelope will not result in any adjoining dwellings failing to meet acceptable standards of solar access. Furthermore, the shadow diagrams indicate that there will be no unreasonable overshadowing of the public domain (including Trumper Park).
- *Views* – The view analysis submitted with the planning proposal illustrates that there may be some view impacts associated with the proposed envelope. However, these are unlikely to be unreasonable impacts. As the concept is further developed, they will be assessed under the view sharing controls in the Woollahra DCP 2015 (informed by Tenacity Consulting v Warringah Council 2004 NSWLEC 140). These controls seek to strike a balance between accommodating new development while providing, where practical, reasonable access to views from surrounding properties. Furthermore, potential view sharing will be weighed against the strategic objectives of enhancing the ECC's role as a local centre and focusing development in locations close to the Edgecliff Station and bus interchange.

Public Benefit

The Woollahra Voluntary Planning Agreement Policy 2020 (Woollahra VPA Policy) incorporates section 7.4(1) of the EP&A Act and states

that a planning agreement is a voluntary agreement or other arrangement under this Division between a planning authority and a person (the developer) (a) who has sought a change to an environmental planning instrument.

By virtue of this planning proposal the applicant is seeking to change an environmental planning instrument (Woollahra LEP 2014) and is currently seeking to enter into a negotiation with Council regarding a VPA. This negotiation is being managed by Council's Director Infrastructure and Sustainability for reasons of probity (as per the Woollahra VPA Policy) and will be reported to Council independently of reporting on the planning proposal.

Should the planning proposal proceed, a contribution towards improved community infrastructure is appropriate to ensure a public benefit is achieved in tandem with the proposed development.

Council staff are refining the community infrastructure needs for the ECC (to be incorporated in the final ECC Strategy). These refined needs will be available to inform the negotiations for the VPA, and may include contributions towards:

- Childcare, education, early childhood education or health facilities
- Facilities for youth and young adults
- Facilities for seniors and universal access

- Community facilities such as libraries, cultural and multi-use community centre
- Recreation and open space, urban greening and outdoor spaces
- Pedestrian and bike paths
- Affordable housing.

Should the planning proposal proceed, it is recommended that any draft VPA is exhibited concurrently with the planning proposal to ensure that uplift on the subject site is accompanied by appropriate community infrastructure.

Staff Recommendation

Council staff recommend that the Woollahra LPP advises the Council to proceed with the draft planning proposal at **Attachment 1** for the land at 136-148 New South Head Road, Edgecliff, to amend the Woollahra LEP 2014 to:

- Increase the maximum height of buildings development standard from 14.5m to 46m
- Increase the maximum floor space ratio development standard from 1.5:1 to 5:1

Options:

As a consequence of this report, the Woollahra LPP may provide advice to Council to proceed with the planning proposal as currently proposed.

Alternatively, the Woollahra LPP may provide advice not to proceed with the planning proposal or require staff to make amendments.

Community Engagement and / or Internal Consultation:

Internal consultation was undertaken and the responses are referred to in this report and the Assessment at **Attachment 3**.

If the planning proposal receives a gateway determination, surrounding landowners and the wider community will be notified via the exhibition process

Public exhibition of the planning proposal will be undertaken in accordance with the requirements of the *Environmental Planning and Assessment Act 1979*, the *Environmental Planning and Assessment Regulation 2021*, the *Woollahra Community Participation Plan 2019* and any conditions of the Gateway determination.

Policy Implications:

Should Council resolve to progress the planning proposal (having considered the advice of the Woollahra LPP), and should it progress to finalisation, there will be policy implications as controls for the subject properties will change under the Woollahra LEP 2014 and the Woollahra DCP 2015.

Financial Implications:

The applicant has paid lodgment fee in accordance with Council's adopted Fees and Charges.

Resourcing Implications:

Staff resource implications will be associated with progressing a planning proposal which will include managing the public exhibition and preparing a post exhibition report to a meeting of Council.

Conclusion:

This report seeks the advice of the Woollahra LPP on a developer-initiated planning proposal to revise the planning controls for 136-148 New South head Road under the Woollahra LEP 2014.

This report presents an assessment of the planning proposal against the strategic planning framework and relevant site-specific matters. It has strategic merit in the context of the region, district and local planning objectives and will help achieve Council's desired outcomes for land surrounding the ECC. The planning proposal also demonstrates site-specific merit. The built form likely to result from the amended controls will align with the scale of surrounding developments, and position new residential and commercial floor space in an appropriate location. It will also facilitate an appropriate height transition to surrounding lower density uses, ensuring that the wider built environment is respected.

Council staff consider the planning proposal has site specific merit in the context of the draft ECC Strategy, the Woollahra LEP 2014 and the Woollahra DCP 2015.

Council staff recommended that the Woollahra LPP advises Council to proceed with the draft planning proposal at **Attachment 1**.

Attachments

1. Draft Planning Proposal - April 2022
2. Pre-application consultation Minutes - 12 April 2021
3. Staff Assessment - March 2022
4. Document List (submitted with the planning proposal)
5. Concept Design Report by Group GSA - September 2021
6. Traffic and Parking Assessment by Colston Budd Rogers and Kafes - May 2021
7. Heritage Assessment by Urbis - 16 July 2021
8. Economic Benefits Assessment by Hill PDA - 25 August 2021
9. View Study by Ingham Planning and Group GSA - 8 February 2022