

**Item No:** R1 Recommendation to Council

**Subject:** **PLANNING PROPOSAL - 136-148 NEW SOUTH HEAD ROAD, EDGECLIFF AND REPORTING THE ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL**

**Author:** Louise Menday, Consultant Strategic Planner

**Approvers:** Anne White, Manager - Strategic Planning  
Scott Pedder, Director - Planning & Place

**File No:** 22/72243

**Purpose of the Report:** To provide Council with the advice of the Woollahra Local Planning Panel on a planning proposal for 136-148 New South Head Road, Edgecliff.  
To recommend that Council refuses the planning proposal for 136-148 New South Head Road.

**Alignment to Delivery Program:** Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

**Recommendation:**

- 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.

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**Executive Summary:**

Council received an owner initiated planning proposal for 136-148 New South Head Road, Edgecliff to amend the *Woollahra Local Environmental Plan 2014* (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.

A detailed assessment of the planning proposal was undertaken by Council staff and in summary, staff considered that the planning proposal had strategic and site-specific merit. This assessment was presented to the Woollahra Local Planning Panel (Woollahra LPP) on 22 April 2022.

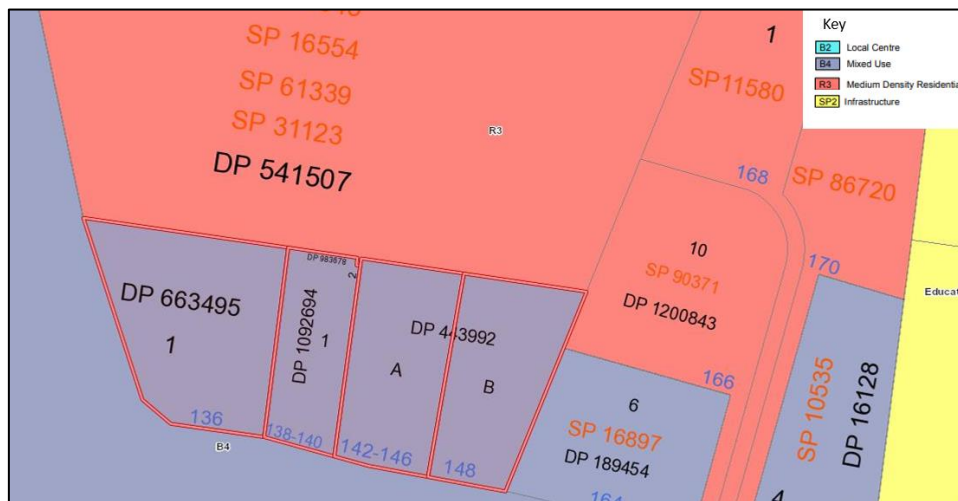
The advice from the Woollahra LPP was that the planning proposal does not have *sufficient* strategic or site specific merit to proceed as a stand-alone planning proposal, and that it should be incorporated into the *Draft Edgecliff Commercial Centre Planning and Urban Design Strategy* (the Draft ECC Strategy).

Council staff accept the advice from the Woollahra LPP that it would be premature to progress the planning proposal prior to the finalisation of the Draft ECC Strategy. Having considered this advice, staff recommend that Council resolves to refuse the planning proposal as contained in **Attachment 1** of the report to the Environmental Planning Committee of 4 July 2022, and resolves to notify the applicant in accordance with Clause 9 of the *Environmental Planning and Assessment Regulation 2021* (the Regulations).

## Discussion:

### The site and surrounding context

The subject site is known as 136-148 New South Head Road, Edgecliff, has an area of approximately 1746m<sup>2</sup> and comprises the following lots (see **Figure 1** below) Lot 1 DP 663495 (No. 136), Lot 1 DP 1092694 (No. 138-140), Lot 2 DP 983678 (No 138-140), Lot A DP 443992 (No 142-144), Lot B DP 443992 (No 146-148).



**Figure 1: Cadastral map (sites highlighted in red)**



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

The site is located on the north-eastern corner of New South Head Road and Darling Point Road (see **Figure 2**). The site comprises the following buildings (see **Figure 3**):

- 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 LEP 2014 (see **Figure 5**).
- 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.

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.

The site is zoned B4 Mixed Use under the Woollahra LEP 2014 (see **Figure 4** 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<sup>1</sup>.



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

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).

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.

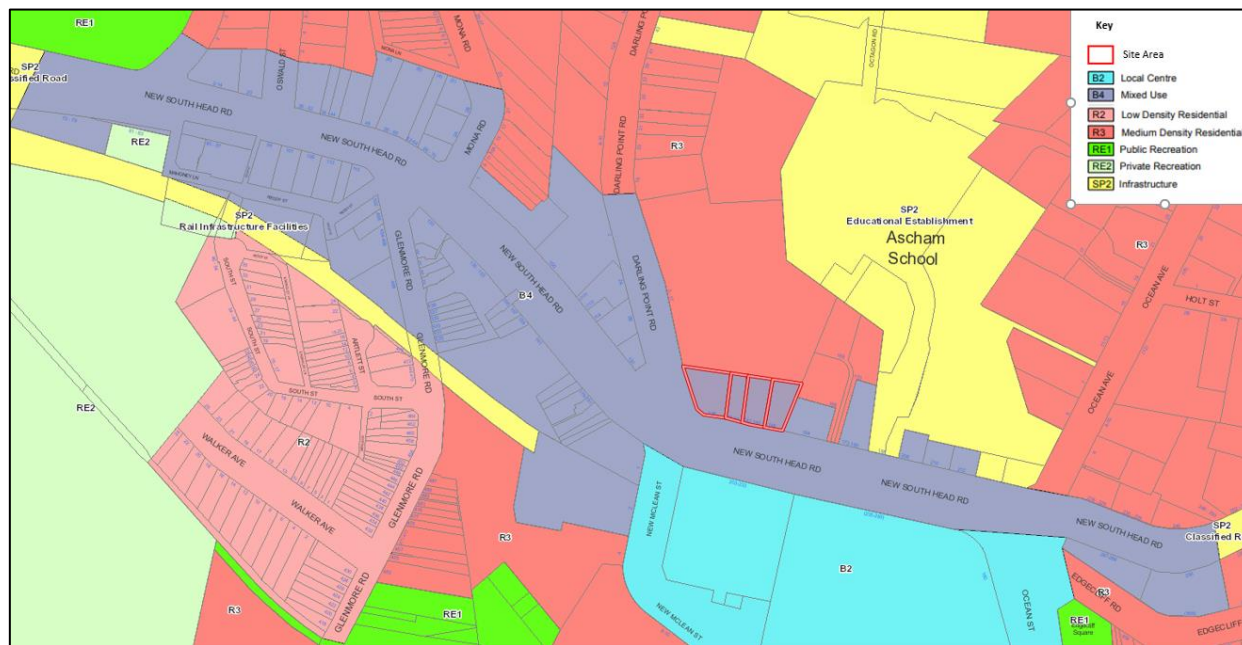
The site is opposite the Edgecliff Station and bus interchange which establishes the Edgecliff Commercial Centre (ECC) as a local transport, employment, retail and service hub.

<sup>1</sup> 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.

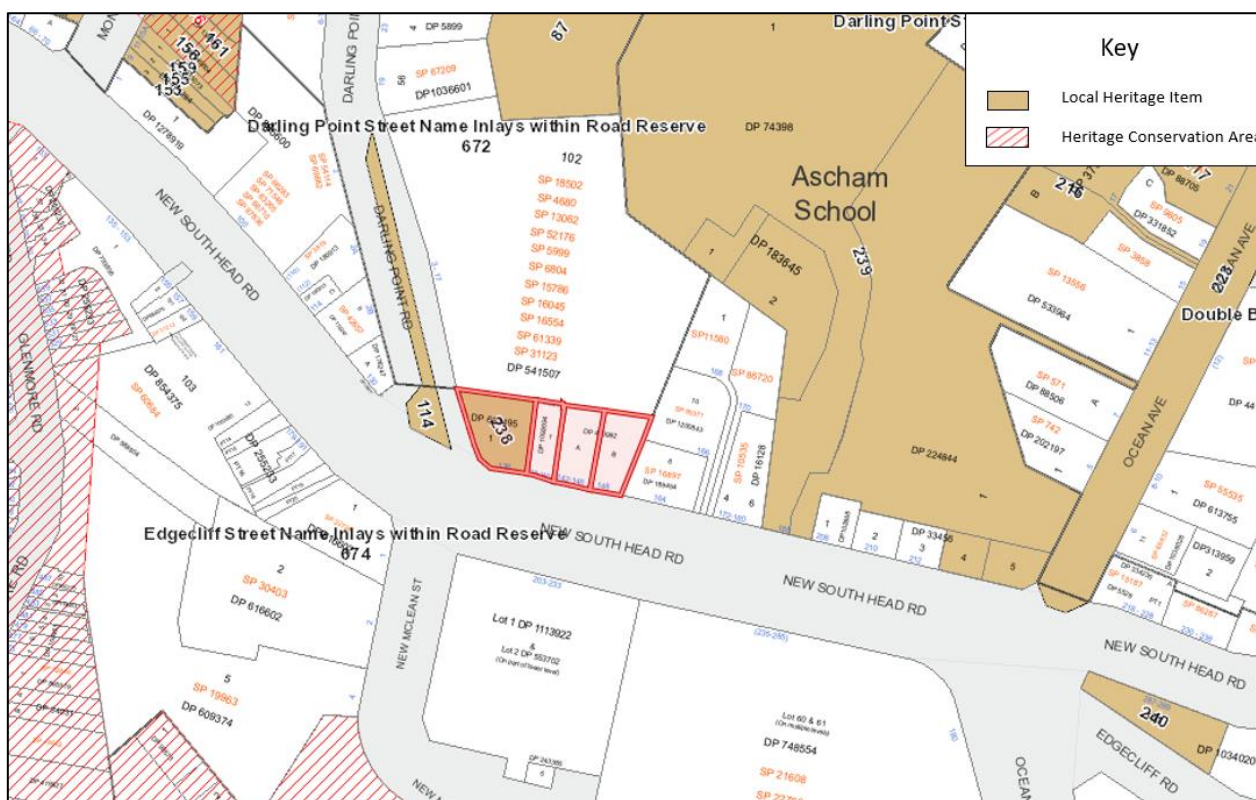


**Figure 5** illustrates the location of the heritage items on, and surrounding the subject site and the proximity of the Paddington Heritage Conservation Area (HCA), which is located to the south west of the subject site separated by New South Head Road and the Edgecliff Centre. Trumper Park and Trumper Oval, within the HCA, provide open space including informal and formal recreation areas, and mature trees.

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.



**Figure 4: Extract from the Woollahra LEP 2014 (site highlighted in red)**

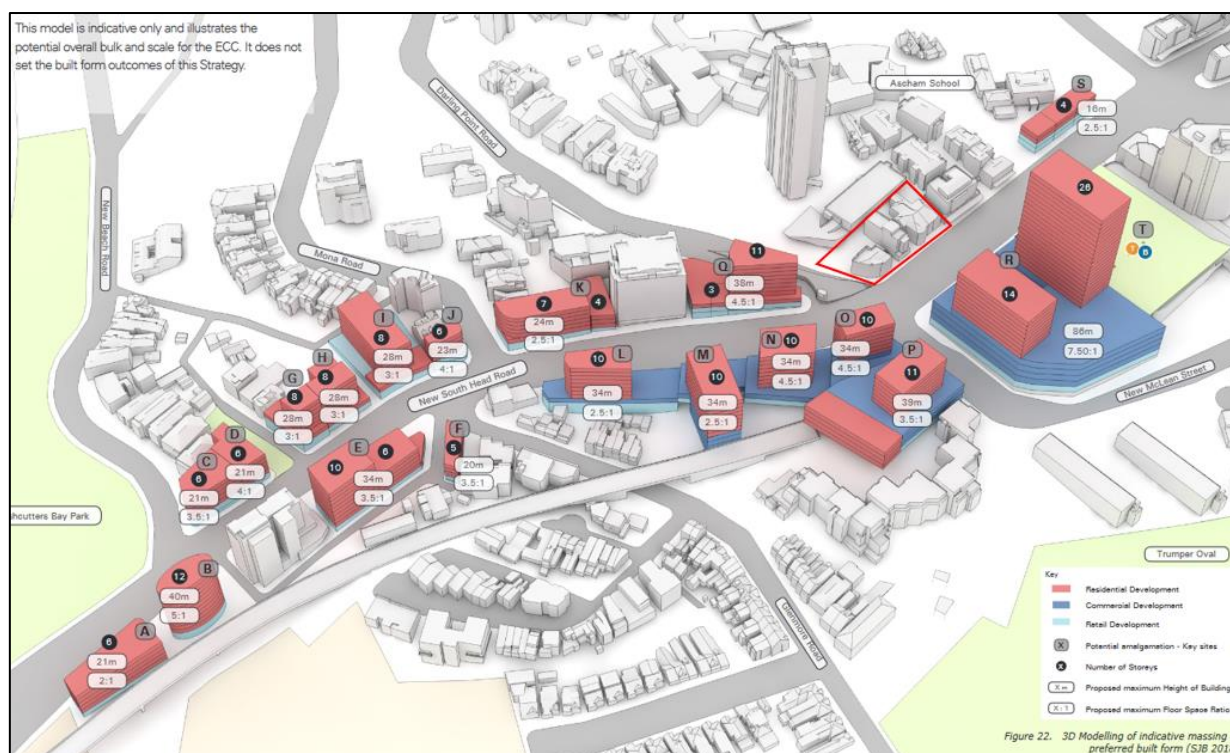


**Figure 5: Extract from the Woollahra LEP 2014 Heritage Map (site highlighted in red)**

### 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 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 6** 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 6: 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.

### 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. The letter included an indication that 18 storeys was excessive and that a 12 storey building might be more appropriate.



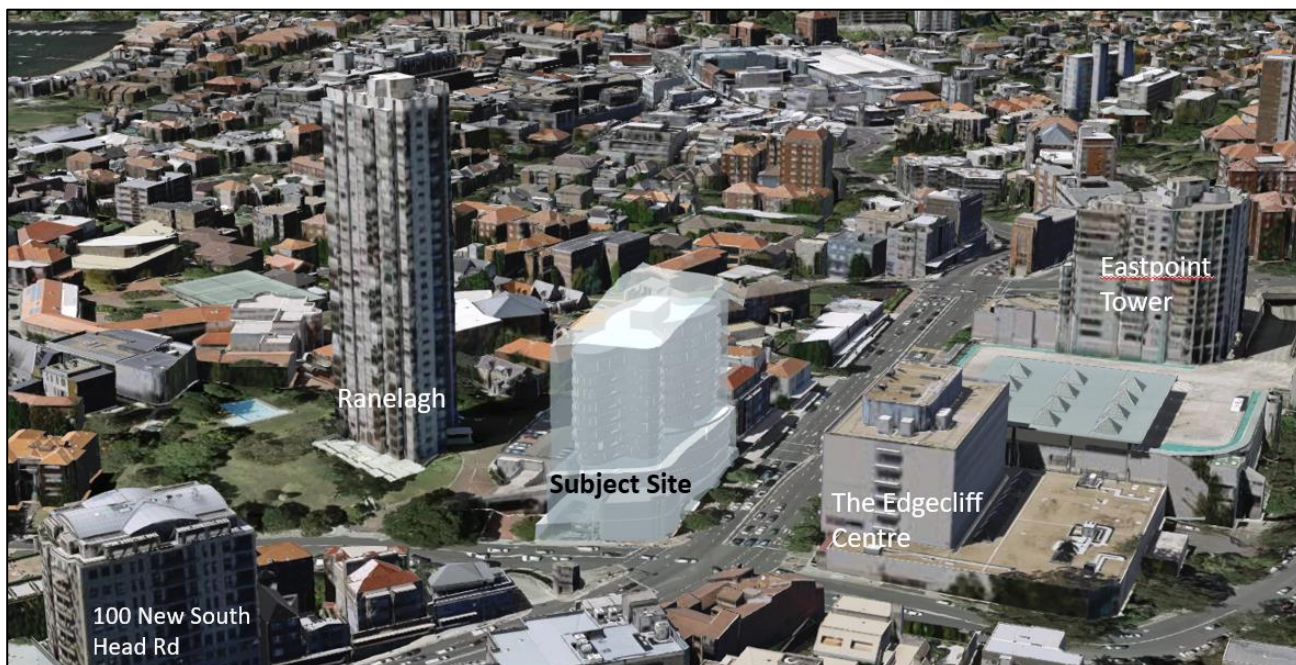
On 13 October 2021, Edgecliff Central Pty Ltd lodged a request for a planning proposal for 136-148 New South Head Road, Edgecliff (the subject site) (see **Attachment 4**). The objective of the planning proposal is to increase the development potential of the subject site to facilitate a 12 storey mixed use building by amending the Woollahra LEP 2014 as follows:

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

All the documents provided with the applicant's request for a planning proposal (see **Attachment 5**) are available on Council's website at the following link:

[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](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 applicant submitted the overall building envelope with an indicative development concept to illustrate the built form that could be constructed in accordance with the proposed controls (see **Figures 7-9** below).



**Figure 7: 3D view of the proposed building envelope on the subject site (with the development concept contained within it), viewed from the south west**

The indicative concept illustrated in **Figure 8** below indicates a street wall height of 15m (four storeys) along the New South Head Road frontage. The concept illustrates the upper eight storeys of the building 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 Gross Floor Area of 8723m<sup>2</sup>
- Forty-one mixed sized apartments
- Three levels of basement parking with capacity for 77 car 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 9** below).



**Figure 8: Artist's impression of indicative development concept viewed looking north from New South Head Road (Source: Planning Proposal Concept Report, Group GSA 2021)**



**Figure 9: Artist's impression of indicative development concept – Darling Point Road looking south (Source: Planning Proposal Concept Report, Group GSA 2021)**

Council staff 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 staff assessment is provided at **Attachment 2**.



In summary, staff considered that the planning proposal 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.

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 to 26 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)       |

Accordingly, staff prepared a planning proposal which was referred to the Woollahra LPP (see **Attachment 1**). The planning proposal satisfied the requirements of section 3.33 of the *Environmental Planning and Assessment Act 1979* (the 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
- Justification for the objectives, outcomes and provisions and a process for implementation.
- Details of the community consultation that is to be undertaken.

#### Advice of the Woollahra Local Planning Panel

Local Planning Panels (LPPs) are panels of independent experts that determine development applications on behalf of Council and provide advice on other planning matters, including planning proposals. Under the Act, LPPs are mandatory for all Sydney councils and are put in place so the process of assessment and determination of development as applications with a high corruption risk, sensitivity or strategy importance is transparent and accountable.

The planning proposal was referred to the Woollahra LPP on 22 April 2022 (see **Attachment 3**) where they provided the following advice to Council:

- THAT the Woollahra Local Planning Panel advises Council that the planning proposal for 136-148 New South Head Road, Edgecliff does not have sufficient strategic or site specific merit to proceed as a stand-alone planning proposal, and that it should be incorporated into the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy.*
- THAT should Council resolve that the planning proposal for 136-148 New South Head Road, Edgecliff should proceed to a Gateway determination, the Woollahra Local Planning Panel advises Council that:*



- I. *It does not support the site specific amendments to increase the Height of Buildings to 46m and the Floor Space Ratio to 5:1 without further urban design and traffic analysis including:*
  - a. *whether the 46m height standard is beyond what is required to accommodate a 12 storey building; and*
  - b. *defining in a draft Development Control Plan a building envelope that does not exceed a Floor Space Ratio of 5:1 and is in the form of a podium with tower.*
  - c. *the cumulative traffic and transport implications of the proposal and measures that are to be undertaken to mitigate impacts e.g. reduced car parking provision.*
- II. *The planning proposal should provide for a site specific clause to be included in the Woollahra Local Environmental Plan 2014 which would increase the maximum height of buildings and the maximum Floor Space Ratio, but only if certain matters are satisfied. These matters should include, but not be limited to:*
  - a. *Site amalgamation.*
  - b. *Retention and conservation of the Heritage Item in a manner which retains the scale of the building and ensures that the item is not overwhelmed by the proposed new building.*
  - c. *Specifying a minimum quantum of non-residential Floor Space Ratio*
  - d. *Provision of Affordable Housing consistent with Council's adopted policy.*
  - e. *Design Excellence and commitments to sustainability beyond those required by BASIX.*
- III. *Any planning agreement proposed by the applicant is to be prepared in accordance with the adopted Woollahra Voluntary Planning Agreement Policy 2020.*
- IV. *Should a Gateway determination be received, the planning proposal, site-specific draft development control plan and any draft Planning Agreement be publicly exhibited concurrently.*

It is noted that the Woollahra LPP provided the following **reasons for its decision**:

*The Panel has considered the planning proposal, and advises Council that it is premature to proceed at this stage to Gateway prior to the adoption of the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy (ECC Strategy). In particular, there remain a number of unresolved strategic issues in relation to the capacity of the surrounding road network and the status of the road reservation planning proposal, the provision of community infrastructure upgrades, and the overall bulk and form of the Centre. The benefit of providing 35 net new dwellings does not provide sufficient justification to proceed, prior to the ECC Strategy being adopted.*

*The Panel advises Council that the planning proposal does not have sufficient site specific merit to proceed as a standalone planning proposal, particularly as it proposes to significantly increase the Height and Floor Space Ratio development standards with no mechanisms within the LEP to ensure the delivery of the benefits proposed in the concept design. These matters include but are not limited to:*

- *Site amalgamation.*
- *Retention and conservation of the Heritage Item in a manner which retains the scale of the building and ensures that the item is not overwhelmed by the proposed new building.*
- *Specifying a minimum quantum of non-residential Floor Space Ratio.*
- *Provision of Affordable Housing consistent with Council's adopted policy.*
- *Design Excellence and commitments to sustainability beyond those required by BASIX.*

### Rezoning Review

On 31 May 2022, the applicant submitted a rezoning review request (RR-2022-12) to the DPE through the NSW Planning Portal.

The rezoning review process allows an applicant to request an independent planning panel evaluate whether a proposal should progress to a Gateway determination. The applicant can request a rezoning review after the lodgement of the planning proposal and Council has either:

- notified the proponent in writing that it does not support the proposal, or
- failed to indicate its support for the planning proposal within 90 or 115 calendar days (depending on the planning proposal category).

Given the planning proposal was lodged in September 2021, the first criteria was met. Having liaised with staff at the DPE it is understood that the rezoning review request has been placed on hold until Council makes a decision on the planning proposal. Should Council resolve to refuse the planning proposal, the Sydney Eastern City Planning Panel will review the submission and make a recommendation to the Minister on whether the proposal should be submitted for Gateway determination and subsequently be placed on public exhibition.

### **Options:**

Council staff accept the advice from the Woollahra LPP that it would be premature to progress the planning proposal prior to the finalisation of the Draft ECC Strategy. Having regards to the advice from the Woollahra LPP, Council staff recommend that Council resolves to refuse the planning proposal. Consistent with Clause 9 of the *Regulations*, the applicant would be notified that Council has not supported the planning proposal

However, Council staff recommend that the site is incorporated into the post exhibition version of the Draft ECC Strategy which will be reported to a future meeting of Council. A resolution of the issues identified in the Woollahra LPP's advice can be pursued through progress of the Draft ECC Strategy. This would include further urban design and traffic analysis including:

- a. whether the 46m height standard is beyond what is required to accommodate a 12 storey buildings; and
- b. defining a building envelope that does not exceed a Floor Space Ratio of 5:1 and is in the form of a podium with tower.
- c. the cumulative traffic and transport implications of the proposal and measures that are to be undertaken to mitigate impacts e.g. reduced car parking provision.

### Alternate recommendation

Alternatively, Council could resolve to proceed with the planning proposal (at **Attachment 1**), and resolve that the planning proposal (with updates to make reference to the Council decision) will be referred to the DPE seeking a Gateway determination. This will allow the planning proposal to be placed on public exhibition.

Should Council resolve to proceed, Council staff would draft an addendum that would address the advice from the Woollahra LPP and would propose a site specific clause to be included in the Woollahra LEP 2014 which would include exceptions to the mapped development standards (being height of buildings and floor space ratio). I.e. the mapped development standards could only be achieved via a development application where the following are also achieved:

- Site amalgamation (with one development over the entire site).
- Retention and conservation of the Heritage Item in a manner which retains the scale of the building and ensures that the item is not overwhelmed by the proposed new building.
- Specifying a minimum quantum of non-residential Floor Space Ratio.
- Provision of Affordable Housing consistent with Council's adopted policy (as a percentage of the additional residential floor space).



- Design Excellence (to be achieved through a competitive design process).
- Commitments to sustainability beyond those required by BASIX (including registration with the Green Buildings Council of Australia and Green Star Buildings Rating).

In addition to these matters raised by the Woollahra LPP, Council staff also recommend including the following additional exceptions:

- A specified mix of apartment sizes.
- Provision of, or contribution towards, community infrastructure.

Staff also suggest that the applicant be required to submit further urban design and traffic analysis to address:

- whether the 46m height standard is beyond what is required to accommodate a 12 storey buildings; and
- defining a building envelope that does not exceed a Floor Space Ratio of 5:1 and is in the form of a podium with tower.
- the cumulative traffic and transport implications of the proposal and measures that are to be undertaken to mitigate impacts e.g. reduced car parking provision.

It was acknowledged in the report to the Woollahra LPP that should the planning proposal proceed, a site specific DCP would be prepared to incorporate detailed guidelines for built form and design. The Draft DCP would include guidance on a *building envelope that does not exceed a Floor Space Ratio of 5:1 and is in the form of a podium with tower* as advised by the Woollahra LPP. The DCP could also include guidance on parking and traffic related matters, public domain and urban design, and detail on conservation of the heritage item. A Draft DCP would be reported to a future meeting of Council, should the planning proposal proceed.

Should Council resolve to proceed with the planning proposal, Council could adopt the following alternative recommendation:

- 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 Council endorse the planning proposal as contained in **Attachment 1** of the report to the Environmental Planning Committee of 4 July 2022 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.*
- C. *THAT Council staff prepare an addendum to the planning proposal to identify that any increase in the maximum height of buildings and maximum floor space ratio development standards be permitted by way of an exception to the mapped development standards and subject to satisfactory consistency with the provisions of a specific clause in the Woollahra Local Environment Plan 2014 which includes:*
  - (i) *Site amalgamation (with one development over the entire site).*
  - (ii) *Retention and conservation of the Heritage Item in a manner which retains the scale of the building and ensures that the item is not overwhelmed by the proposed new building.*
  - (iii) *Specifying a minimum quantum of non-residential Floor Space Ratio.*
  - (iv) *Provision of Affordable Housing consistent with Council's adopted policy (as a percentage of the additional residential floor space).*
  - (v) *Design Excellence (to be achieved through a competitive design process).*
  - (vi) *Commitments to sustainability beyond those required by BASIX (including registration with the Green Buildings Council of Australia and Green Star Buildings Rating).*
  - (vii) *A specified mix of apartment sizes.*
  - (viii) *Provision of, or contribution towards, community infrastructure.*

- D. *THAT the applicant be requested to submit a further urban design and traffic analysis to address:*
- (i) Whether the 46m height standard is beyond what is required to accommodate a 12 storey buildings; and*
  - (ii) Defining a building envelope that does not exceed a Floor Space Ratio of 5:1 and is in the form of a podium with tower.*
  - (iii) The cumulative traffic and transport implications of the proposal and measures that are to be undertaken to mitigate impacts e.g. reduced car parking provision.*
- E. *THAT when the revised urban design and traffic analysis is received, Council forwards the planning proposal to the Department of Planning and Environment with a request for a Gateway Determination to allow public exhibition.*
- F. *THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environment plan under section 3.36 of the Environmental Planning and Assessment Act 1979.*
- G. *THAT prior to exhibition, Council adopt a site specific Draft Development Control Plan that provides detail on the design of any development on the site, including, but not limited to:*
- (i) Conservation of the heritage item*
  - (ii) Car parking*
  - (iii) Vehicle access and egress*
  - (iv) Defining a building envelope in the form of a podium with tower.*
  - (v) Building envelope that is commensurate with the maximum height and floor space*
- H. *THAT any planning agreement proposed by the applicant be prepared in accordance with the adopted Woollahra Voluntary Planning Agreement Policy 2020.*
- I. *THAT should a Gateway Determination be received, the planning proposal, site-specific draft development control plan and any draft planning agreement must be publicly exhibited concurrently*

#### 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).

Should Council or the Sydney Eastern City Planning Panel support the planning proposal, a contribution towards improved community infrastructure is appropriate to ensure a public benefit is achieved in tandem with the proposed development.

#### **Community Engagement and / or Internal Consultation:**

No community engagement has been undertaken to date, other than a notification to the applicant consultant team of the Woollahra LPP meeting.



Should Council resolve to support the planning proposal, public exhibition of the planning proposal would be undertaken in accordance with the requirements of the Act, the Regulations and the Gateway determination issued by the DPE as delegate for the Minister. To streamline the plan-making process, the Minister can delegate some plan-making powers to Council for routine matters. Part F of the alternate recommendation above requests authorisation to exercise the functions of the Minister to make an LEP under section 3.36 of the Act.

After public exhibition, the planning proposal and submissions received would be reported to a meeting of Council.

### **Policy Implications:**

Should Council or the Sydney Eastern City Planning Panel support the planning proposal, and should the planning proposal progress to finalisation, there will be policy implications by changing planning provisions in the Woollahra LEP 2014 and Woollahra DCP 2015.

### **Financial Implications:**

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

### **Resourcing Implications:**

Should Council or the Sydney Eastern City Planning Panel support the planning proposal, 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 provides the advice of the Woollahra LPP on the owner initiated planning proposal to amend the planning controls for 136-148 New South Head Road, Edgecliff.

The Woollahra LPP provided advice to Council that the planning proposal does not have *sufficient* strategic or site-specific merit to proceed as a stand-alone planning proposal, and that it should be incorporated into the Draft ECC Strategy.

Council staff recommend that Council refuse the planning proposal at **Attachment 1** and proceeds to notify the applicant under Clause 9 of the Regulations.

### **Attachments**

1. Planning Proposal - 136-148 New South Head Road, Edgecliff (prepared by staff) [↓](#) 
2. Staff Assessment - Owner initiated planning proposal for 136-148 New South Head Road, Edgecliff [↓](#) 
3. Report to the Woollahra LPP meeting of 22 April 2022 (excluding attachments) [↓](#) 
4. Applicant's Planning Proposal Report - 136-148 New South Head Road, Edgecliff [↓](#) 
5. Document list (submitted with the planning proposal) [↓](#) 