

Amendment No. 75 to Woollahra LEP 1995: Increase height and FSR for 240 New South Head Road, Edgecliff

Proposal Title : Amendment No. 75 to Woollahra LEP 1995: Increase height and FSR for 240 New South Head Road, Edgecliff

Proposal Summary : The proposal seeks to:

- increase the maximum FSR from 0.875:1 to 4:1;
- increase the maximum building height from 9.5m to 18m; and
- apply a second height limit of 14m at the highest part of the site to protect views from surrounding properties, at 240 New South Head Road, Edgecliff.

The proposal will result in an estimated net yield of 12 additional dwellings.

PP Number : PP_2014_WOOLL_001_00 **Dop File No :** 14/06702

Proposal Details

Date Planning Proposal Received :	02-Apr-2014	LGA covered :	Woollahra
Region :	Sydney Region East	RPA :	Woollahra Municipal Council
State Electorate :	VAUCLUSE	Section of the Act :	55 - Planning Proposal
LEP Type :	Policy		

Location Details

Street :	240 New South Head Road		
Suburb :	Edgecliff	City :	Sydney
		Postcode :	2027
Land Parcel :	Lot 4 DP 431756		

DoP Planning Officer Contact Details

Contact Name : Lauren Templeman
Contact Number : 0285754112
Contact Email : lauren.templeman@planning.nsw.gov.au

RPA Contact Details

Contact Name : Brendan Metcalfe
Contact Number : 0293917140
Contact Email : brendan.metcalfe@woollahra.nsw.gov.au

DoP Project Manager Contact Details

Contact Name :
Contact Number :
Contact Email :

Amendment No. 75 to Woollahra LEP 1995: Increase height and FSR for 240 New South Head Road, Edgecliff

Land Release Data

Growth Centre :	N/A	Release Area Name :	N/A
Regional / Sub Regional Strategy :	Metro East subregion	Consistent with Strategy :	Yes
MDP Number :		Date of Release :	
Area of Release (Ha) :		Type of Release (eg Residential / Employment land) :	Residential
No. of Lots :	0	No. of Dwellings (where relevant) :	12
Gross Floor Area :	0	No of Jobs Created :	0

The NSW Government Lobbyists Code of Conduct has been complied with : **Yes**

If No, comment :

Have there been meetings or communications with registered lobbyists? : **No**

If Yes, comment :

Supporting notes

Internal Supporting Notes :	The proposal is considered to have merit as it contributes to subregional housing targets on a site located on a corridor with access to commercial centres, public transport and existing infrastructure. Woollahra Council has accepted the Minister's offer to delegate his plan-making functions under the EP&A Act. Council is seeking delegation to carry out the Minister's functions under section 59 of the EP&A Act 1979 to progress this planning proposal. The Department of Planning and Environment supports Council's request to exercise delegation because the planning proposal is considered a matter of local significance. Council has indicated that the planning proposal will take 6 months to complete. However, a timeframe of 9 months from the date of the gateway determination is considered appropriate.
External Supporting Notes :	The planning proposal is the result of Woollahra Council's Opportunity Site Report, dated June 2010, prepared in order to meet NSW Government housing targets. Council supports this planning proposal because it promotes sustainable and transport oriented development whilst minimising impacts on the surrounding area. The proposal also makes a significant contribution toward an eastern gateway to the Edgecliff Commercial Centre. The subject site is currently zoned 2(b) Residential under Woollahra LEP 1995. It is triangular in shape and is approximately 384m². The entire site is occupied by the existing building, comprising an upper level office area and a basement commercial area.

Adequacy Assessment

Amendment No. 75 to Woollahra LEP 1995: Increase height and FSR for 240 New South Head Road, Edgecliff

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The planning proposal aims to facilitate additional residential dwellings in a location that is near shops, services and public transport whilst minimising the impact of the proposed built form.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposal seeks to achieve the following for the subject site:**
- amendment to WLEP 1995 Density Map to allow a maximum permissible FSR of 4:1;
- amendment to WLEP 1995 Height of Buildings Map to allow a maximum building height of 18m and a second height limit of 14m.

(The second height is a maximum height of development at the highest part of the site, or the crown of the adjoining road, whichever is the higher.)

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA : **3.1 Residential Zones**
 3.4 Integrating Land Use and Transport
* May need the Director General's agreement **7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **No**

d) Which SEPPs have the RPA identified? **SEPP No 65—Design Quality of Residential Flat Development**

e) List any other **117 Directions:**
matters that need to **1.1 Business and Industrial Zones.**
be considered : **The proposal is inconsistent with this direction given the job loss from the upper level office area and basement commercial area in the existing building.**

The planning proposal should be amended, as a condition of Gateway Determination, to include discussion on its inconsistency with this direction.

3.1 Residential Zones.
The proposal is consistent with this direction as it contributes to subregional housing targets on a site located on a corridor with access to commercial centres, public transport and existing infrastructure.

3.4 Integrating Land Use and Transport.
The proposal is consistent with this direction as it facilitates residential development within walking distance to public transport, shops and services thereby reducing the need for vehicle trips. The proposal also supports the nearby commercial centres of Edgecliff and Double Bay.

SEPP No 65 - Design Quality of Residential Flat Development.
Any redevelopment of the site must be designed in accordance with SEPP 65 to ensure that distances and treatments of windows and balconies will protect the privacy of surrounding residences. This would occur at the development assessment stage.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Amendment No. 75 to Woollahra LEP 1995: Increase height and FSR for 240 New South Head Road, Edgecliff

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Maps clearly identifying the subject site and identifying current and proposed FSR and height are provided with the planning proposal.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Council has proposed a period of 28 days consultation.**

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **December 2014**

Comments in relation to Principal LEP : **It is anticipated that Woollahra's Standard Instrument LEP will be made by the end of 2014. The proposal is to amend the WLEP 1995, but it may be an early amendment to the Standard Instrument LEP.**

It is noted that the subject site is zoned R3 Medium Density Residential in draft WLEP 2013 with a maximum height control of 13.5m. This is consistent with the average maximum building heights (4 storeys) for R3 zoned land in this particular area.

An FSR of 1.3:1 for the subject site in draft WLEP 2013 was needed to address the revised height control.

Assessment Criteria

Need for planning proposal : **The planning proposal is the result of Woollahra Council's Opportunity Site Report, dated June 2010, prepared in order to meet NSW Government housing targets. The initial proposal was to rezone the subject site from 2(b) Residential to B4 Mixed Use, increase the FSR from 0.875:1 to 4.8:1 and increase height from 9.5m to 24.9m.**

During exhibition of the opportunity site report, Council received 3 submissions of support and 23 objections to this proposal. In July 2011 Council resolved to defer consideration of opportunity sites in order to focus on preparing Draft WLEP 2013. It was anticipated that the opportunity sites would be considered after Draft WLEP 2013 was adopted.

The current planning proposal is needed to increase FSR and height controls for the subject site.

Amendment No. 75 to Woollahra LEP 1995: Increase height and FSR for 240 New South Head Road, Edgecliff

Consistency with strategic planning framework :

The proposal is consistent with the objectives of the Metropolitan Plan for Sydney 2036 and the Draft East Subregional Strategy 2007 relating to:

- contributing to subregional housing targets;
- provision of affordable and sustainable housing within centres and corridors with access to existing infrastructure, public transport and local services; and
- improving the quality of new housing development and urban renewal.

The proposal is consistent with Woollahra 2025 which is Council's 15 year Community Strategic Plan.

Environmental social economic impacts :

Social and Economic Impacts:

The planning proposal will achieve the following:

- increased population providing economic support to local businesses;
- additional dwellings increasing housing supply and potentially increasing housing affordability;
- greater housing choice via a development that includes a mix of apartment sizes;
- contribution toward an eastern gateway to the Edgecliff Commercial Centre; and
- promotion of sustainable and transport oriented development.

Environmental Impacts:

There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject land.

A view analysis assessing the potential impact of the proposal on views from buildings to the south accompanies the current proposal. This analysis concludes that view loss from the proposed built form is mostly negligible. The view analysis will be exhibited with the planning proposal.

Other environmental effects arising from the proposed built form will be identified as part of a development application for the subject site.

Assessment Process

Proposal type : **Routine** Community Consultation Period : **28 Days**

Timeframe to make LEP : **9 months** Delegation : **RPA**

Public Authority Consultation - 56(2)(d) :

Is Public Hearing by the PAC required? **No**

(2)(a) Should the matter proceed ? **Yes**

If no, provide reasons :

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Amendment No. 75 to Woollahra LEP 1995: Increase height and FSR for 240 New South Head Road, Edgecliff

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **No**

If Yes, reasons : **The subject site is connected to water, sewer, electricity and telephone services and is in proximity to regular and frequent public transport services.**

While no significant infrastructure demand will result from the planning proposal, consultation with relevant public utility and service providers is recommended to confirm service availability.

Documents

Document File Name

DocumentType Name

Is Public

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **3.1 Residential Zones
3.4 Integrating Land Use and Transport
7.1 Implementation of the Metropolitan Plan for Sydney 2036**

Additional Information : **It is recommended that:**

- the planning proposal be supported;
- the planning proposal be amended, prior to exhibition, to include discussion on the proposal's inconsistency with S.117 Direction - 1.1 Business and Industrial Zones.
- the planning proposal plus view analysis be exhibited for a period of no less than 28 days;
- a public hearing is not required;
- the planning proposal is to be finalised within 9 months from the date of the gateway determination;
- Woollahra Council be granted delegation to carry out the Minister's functions under section 59 of the EP&A Act 1979 to progress this planning proposal.

Supporting Reasons : **The proposal is considered to have merit as it contributes to subregional housing targets on a site located on a corridor with access to commercial centres, public transport and existing infrastructure.**

Signature:



Printed Name:

Tim Archer

Date:

1 / 5 / 14