

Planning Proposal



Amendments to Riddell Street planning controls



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|-----------------------|---------------------------------------|
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| Division/Department: | Planning and Place/Strategic Planning |
| Responsible Officer: | Lyle Tamlyn, Strategic Planner |
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Supporting documents (attached)

1. Planning and Urban Design Review: Riddell Street, Bellevue Hill, prepared by Studio GL
2. Report to the Environmental Planning Committee of 12 July 2021 (annexures removed)
3. Report to the Environmental Planning Committee of 7 February 2022 (annexures removed)

Acknowledgement of Country

We acknowledge the Gadigal and Birrabirragal people as the traditional custodians of the land in our local area.

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1. Introduction

1.1. Background

1.1.1. Notion of Motion and research

On 12 August 2019, a Notice of Motion was brought to Council. It was in response to a recent development application (DA 487/2018) for a three story residential flat building at 21-23 Riddell Street, which was refused by the Woollahra Local Planning Panel (WLPP) on 18 July 2019.

The application was refused for the following main reasons:

- The development was out of character with the neighbourhood and the precinct;
- Established trees and landscaping would be adversely affected;
- Car parking and traffic generation issues were unresolved; and
- The scope of excavation works was not supported.

It was later amended and approved by the Land and Environment Court.

The development application, and its discussion at the WLPP, indicated that the area of Riddell Street currently zoned R3 Medium Density Residential may not be suited to high density development. This conclusion was drawn due to its location on a ridge, current issues with traffic and parking and existing streetscape vegetation.

Accordingly, it was resolved at the same meeting:

THAT Council receives a report, as soon as practicable, in relation to amending its current Local Environmental Plan 2014 to rezone that part of Riddell Street, Bellevue Hill, 2023 (currently zoned R3 Medium Density Residential) back to an R2 Low Density Residential zone).

In May 2021, Council engaged Studio GL to undertake a detailed urban design review of the Riddell Street area that is zoned R3 Medium Density Residential.

Studio GL prepared a detailed urban design report, inclusive of the following:

- Discussion of the planning context of the study area including the strategic context, existing local planning controls, the recent court approval for a residential flat building at 21-23 Riddell Street, and other recent development applications.
- Study of the existing condition and character of the built form and public domain, including the pattern of development (urban structure, blocks and lot), topography, landscape and tree canopy, public domain and key local infrastructure.
- Three-dimensional modelling of the existing built form.
- Analysis of four potential development scenarios, testing different land use zoning and corresponding planning controls, including the impact of these options on the surrounding context, housing targets and parking.

1.1.2. Preparation of planning proposal

The above report was received by Council staff, who presented it to the Environmental Planning Committee (EPC) on 12 July 2021. On 26 July 2021, Council resolved the following:

- A. *THAT the planning and urban design review of the land use zoning of Riddell Street, Bellevue Hill prepared by consultants Studio GL and contained in Annexure 1 of the report to the Environmental Planning Committee of 12 July 2021 is received and noted.*
- B. *THAT a planning proposal is prepared to amend the Woollahra Local Environmental Plan 2014 to:*
 - i. *Rezone the following properties from R3 Medium Density Residential to R2 Low Density Residential: a. 13, 15, 17, 19, 21, 23, 25 and 27 Riddell Street, Bellevue Hill b. 14 and 15 Buller Street, Bellevue Hill.*
 - ii. *Amend Schedule 1 – Additional Permitted Uses to permit development for a residential flat building on the site at 21 & 23 Riddell Street, Bellevue Hill.*
- C. *THAT the planning proposal is referred to the Woollahra Local Planning Panel for advice.*
- D. *THAT the advice of the Woollahra Local Planning Panel is reported to a future Committee meeting of Council.*
- E. *THAT a draft development control plan is prepared to accompany the planning proposal amending Chapter B1 and Chapter B3 of the Woollahra Development Control Plan 2015 to:*
 - i. *Incorporate the land proposed to be rezoned R2 Low Density Residential into the Bellevue Hill North character precinct*
 - ii. *Insert an additional clause for front setbacks.*
- F. *THAT a further report be prepared to examine the possible rezoning from R3 to R2 of numbers 1-11 Riddell Street, Bellevue Hill.*

The further report referred to in 'F' above, was prepared by Council staff and tabled at the EPC of 7 February 2022, before being presented to Council on 28 February 2022.

On 28 February 2022, Council resolved:

- A. *THAT consistent with Council's resolution from 26 July 2021 to prepare a planning proposal to amend the Woollahra Local Environmental Plan 2014 to rezone 13 - 27 Riddell Street, Bellevue Hill and 14 & 15 Buller Street, Bellevue Hill from R3 Medium Density Residential to R2 Low Density Residential, the planning proposal also include the following amendments to the applicable development standards:*
 - i. *Delete the floor space ratio of 0.75:1*
 - ii. *Height of buildings: amend from 10.5m to 9.5m*
 - iii. *Minimum subdivision lot size: amend from 700sqm to 675sqm*
- B. *THAT Council note the advice in relation to the rezoning of 1-11 Riddell Street, Bellevue Hill from R3 Medium Density Residential to R2 Low Density Residential.*

1.1.3. Woollahra Local Planning Panel

This planning proposal was referred to the Woollahra LPP on 24 March 2022. The panel were supportive of the proposed LEP amendments and recommended that Council proceed. The panel also complimented the rigour of the independent, site-specific study prepared by Studio GL.

The Woollahra LPP's advice is provided below:

Resolved:

That the Woollahra Local Planning Panel advises Council to proceed with the planning proposal for 13-27 Riddell Street and 14-15 Buller Street to:

- A. Rezone the properties from R3 Medium Density Residential to R2 Low Density Residential.*
- B. Amend Schedule 1 – Additional Permitted Uses to permit residential flat buildings on 21-23 Riddell Street;*
- C. Delete the floor space ratio development standard applying to the properties;*
- D. Amend the height of buildings development standard for the properties from 10.5m to 9.5m;*
- E. Amend the minimum subdivision lot size development standard for the properties from 700sqm to 675sqm; and*
- F. Progress the planning proposal as a 'Standard' categorisation and that the LEP amendment not include a savings provision.*

Reasons:

The panel appreciated the comprehensive analysis of the proposed zoning changes as being appropriate and thoughtful for the future planning of Riddell Street and surrounding areas. The panel also note that such planning proposals can take around a year for approval and encourage early engagement with the Department of Planning and Environment to facilitate approval.

The Panel also noted the quality and logical outcome of the Independent Planning and Urban Design Review completed by Studio GL and that the subsequent modest reduction in the total dwelling targets has been robustly justified against Ministerial Direction 6.1.

The Panel notes the zoning changes will promote retention of the existing substantial tree canopy.

1.2. Description of this planning proposal

This planning proposal relates to following properties either on, or close to, Riddell Street in Bellevue Hill:

- 13 Riddell Street (Lot A in DP 300636);
- 15 Riddell Street (Lot 4 in DP 6028 & Lot B in DP 300636);
- 17 Riddell Street (Lot 2 in DP 220814);
- 19 Riddell Street (Lot 1 in DP 220814);
- 21 – 23 Riddell Street (Lot 2 in DP 6028 & Lot 1 in 658568);
- 25 Riddell Street (Lot 1 in DP 950091);
- 27 Riddell Street (Lot D in DP 984055);
- 14 Buller Street (Lot 1 in DP 726797); and
- 15 Buller Street (Lot 1 in DP 300636).

These addresses are collectively referred to in this document as the 'subject properties'.

This planning proposal aims to ensure the subject properties have controls that promote development that aligns with the desired future character of the area.

The planning proposal seeks to achieve this by amending the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) to:

- Rezone the subject properties from R3 Medium Density Residential to R2 Low Density Residential;
- Amend Schedule 1 – Additional Permitted Uses to permit residential flat buildings at 21-23 Riddell Street;
- Delete the floor space ratio (FSR) standard applying to the subject properties;
- Amend the building height standard for the subject properties from 10.5m to 9.5m; and
- Amend the minimum lot size standard for the subject properties from 700sqm to 675sqm.

In addition to the planning proposal, Council will also be separately preparing a draft development control plan (DCP) to amend:

- *Chapter B1* of the *Woollahra Development Control Plan 2015* (Woollahra DCP 2015) to incorporate the subject properties into the Bellevue Hill North residential precinct; and
- *Chapter B3* to insert a new front setback provision for the subject properties.

These amendments are intended to be exhibited concurrently with the planning proposal, should it receive a gateway determination.

This planning proposal has been prepared in accordance with section 3.33 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the *Local Environmental Plan Making Guideline* dated December 2021.

This planning proposal includes the following mandatory requirements:

- Objectives and intended outcomes (Part 4);
- Explanation of provisions (Part 5);
- Justification of strategic and site-specific merit (Part 6);
- Maps (Part 7);
- Details of community consultation (Part 8); and
- Project timeline (Part 9).

2. Subject properties and surrounding context

2.1. Subject properties

The subject properties are located between 13 -27 Riddell Street and 14 -15 Buller Street in Bellevue Hill. They line the south-eastern side of Riddell Street and the end of Buller Street. While the Buller Street properties do not have a frontage to Riddell Street, they remain in the same visual catchment.

The properties generally contain low density dwelling houses, varying between one and two storeys. They age from Interwar constructions to more contemporary developments.

The properties often have limited front setbacks, very small side setbacks and deeper rear setbacks. The setbacks of dwellings along Riddell Street vary with lot orientation. Dwellings located on angled lots tend to be located parallel to the side boundaries, which creates an irregular setback to the street. This triangular front setback is usually well landscaped with both shrubs and canopy trees.

The only exception to this pattern of built form is 21-23 Riddell Street, on which a three storey residential flat building is currently being constructed (DA2018/487).

Riddell Street, as well as the subject lots, has a topographic fall from north-east to south-west. As a result of this varying landform, dwellings at the north-eastern end are set above street level. These properties are accessed via an elevated path, with the adjoining embankment being densely vegetated.

Due to the relative narrowness of Riddell Street, there are large nature strips on each side of the road reserve. These contain established canopy trees, which help define the leafy character of the locality.

Riddell Street terminates into Bradley Avenue, which becomes a small area of public open space known as Bradley Avenue Reserve.

The subject properties are all currently zoned R3 Medium Density Residential, inheriting this categorisation from their equivalent Zone No 2 (b)—(Residential “B” Zone) status under the former *Woollahra Local Environmental Plan 1995*.

An aerial map, zoning map and photographs of the subject properties are provided overleaf.



Figure 1: Aerial view of properties subject to this planning proposal.

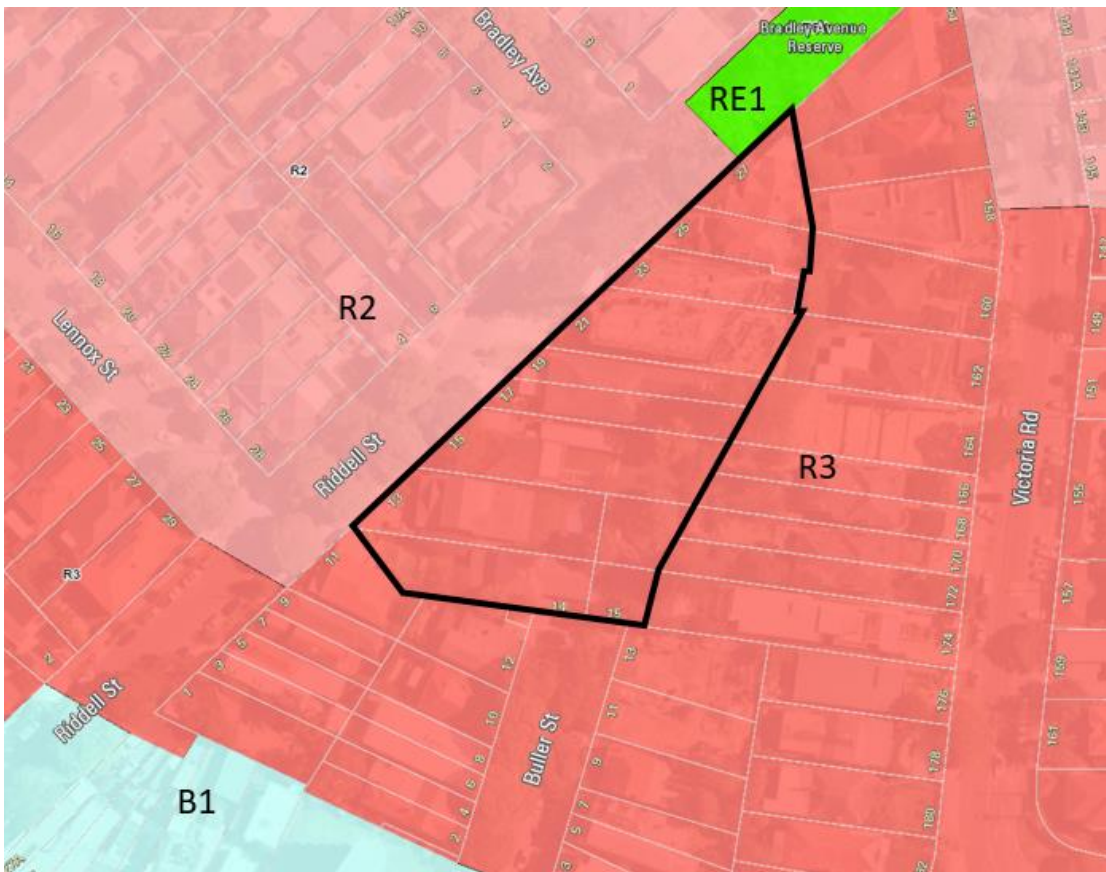


Figure 2: Properties subject to this planning proposal, with zoning overlay.



Figure 3: 13 Riddell Street, viewed from street frontage.



Figure 4: 15 Riddell Street, viewed from street frontage.



Figure 5: Apartments under construction at 21-23 Riddell Street, viewed from street.



Figure 6: 27 Riddell Street, viewed from raised pedestrian pathway.



Figure 7: Riddell Street road reserve, looking north-east.



Figure 8: 14 (left) and 15 (right) Buller Street, viewed from end of Buller Street.



Figure 9: Existing non-residential uses to south, viewed from Bellevue Road.



Figure 10: District views and topographic fall visible from Bradley Avenue Reserve.

2.2. Surrounding context

2.2.1. Bellevue Hill area

Bellevue Hill is located about 5.5km south-east of the Sydney CBD and 2km north-east of Bondi Junction. Surrounding suburbs within the Woollahra Local Government Area (LGA) include Double Bay, Rose Bay, Point Piper and Woollahra.

The roads across the area respond to the landform, resulting in a mix of curved and rectangular street patterns.

There is a diverse mix of housing types and styles in the suburb, including dwelling houses, semi-detached dwellings, multi-dwelling housing and residential flat buildings. The height and scale of built form in the southern part of Bellevue Hill is higher than the low density residences to the north, providing a transition from high density uses along main roads that tend to follow a ridgeline.

A map showing the wider context of the area is provided below.

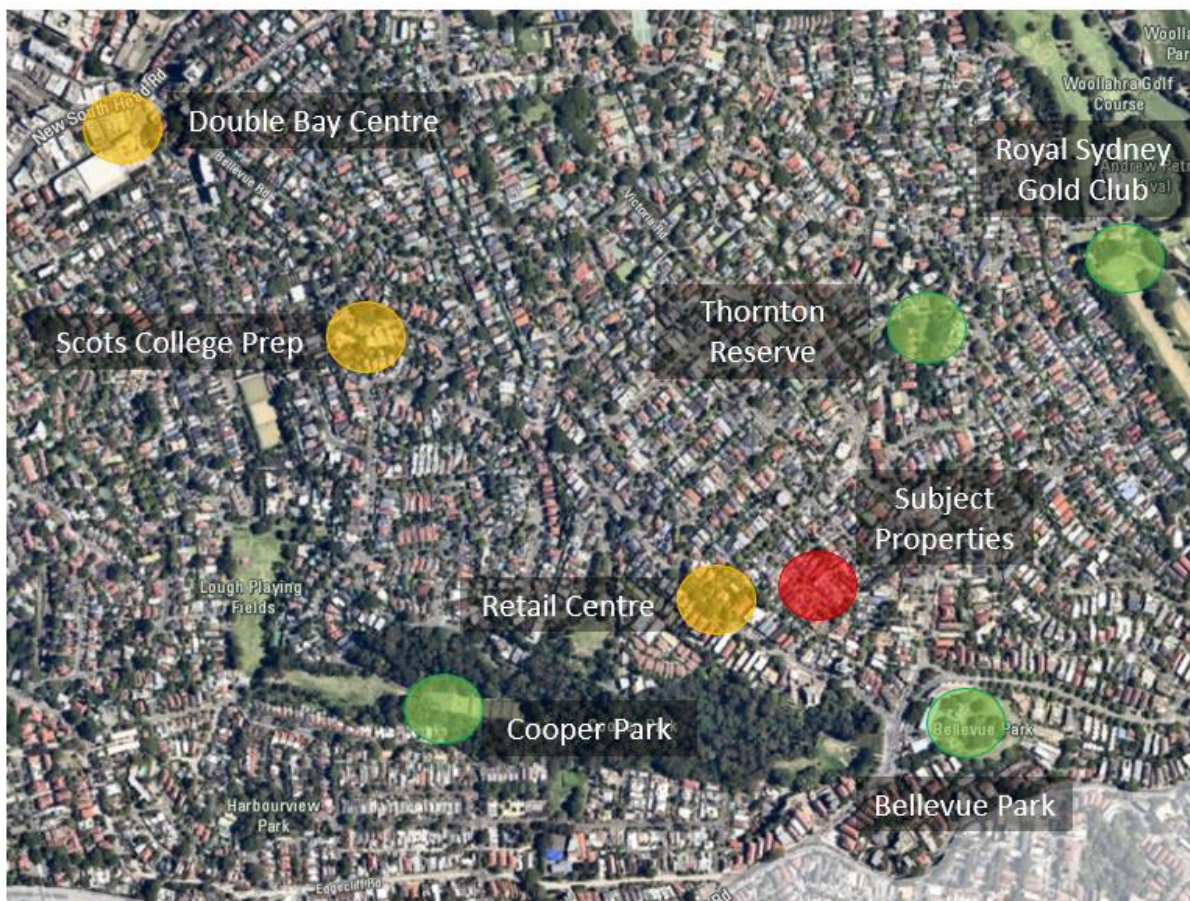


Figure 11: Map of surrounding context.

2.2.2. Landform and topography

The area is characterised by topography that gently slopes down towards Sydney Harbour. The main roads adjacent to the subject properties, such as Bellevue Road and Victoria Road, are curved in response to the natural topography.

Riddell Street is located on the eastern edge of a natural plateau which is generally flat. The majority of surrounding development to the east and north of the subject properties steps down to follow the slope.

The properties subject to this proposal are situated on one of the highest points in the suburb. From this high point, the steep slope of the terrain northward and eastward provides opportunities for distant views to the harbour.

Other local high points located within 400 metres of the subject properties include Bellevue Hill Park and dwelling houses along Rosslyn Street. Cooper Park, to the south of the study area, is located within a natural gully, with a creek running through the park.

2.2.3. Proximity to services, transport and recreation facilities

The subject properties are close to a neighbourhood centre on Bellevue Road, which comprises small-scale retail, restaurants and cafes. The closest employment centres are Double Bay and Bondi Junction, which contain a large mix of both retail premises and commercial premises.

The Bellevue Hill Public School is located 250 metres south-east of the subject properties. The Scots College and Cranbrook School are also nearby.

The area is accessible by car via New South Head Road and Old South Head Road, and by bus from Bondi Junction Station and Edgecliff Station.

Nearby recreation facilities include Cooper Park, Bellevue Park, Thornton Reserve and Royal Sydney Golf Club.

3. Existing planning controls

The properties are subject to planning controls within the Woollahra LEP 2014 relating to land zoning, building height, lot size, floor space ratio and other local provisions. These are as follows:

| Subject Properties (Riddell Street) | | | | | |
|-------------------------------------|-------------------------|-------------------|---------------------------|--------------------|----------------------------------|
| Land use zone | Maximum building height | Minimum lot size | Maximum floor space ratio | Acid sulfate soils | Flood planning area |
| R3 Medium Density Residential | 10.5m | 700m ² | 0.75:1 | Class 5 | Not within a Flood Planning Area |

Table 1: Existing planning controls for subject properties in Woollahra LEP 2014

The R3 Medium Density Residential zone has the following objectives and permitted uses:

Zone R3 Medium Density Residential

1 Objectives of zone

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.

2 Permitted without consent

Roads

3 Permitted without consent

Attached dwellings; Bed and breakfast accommodation; Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Group homes; Home occupations (sex services); Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Office premises; Oyster aquaculture; Places of public worship; Public administration buildings; Recreation areas; Residential flat buildings; Respite day care centres; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shops; Tank-based aquaculture

4 Prohibited

Pond-based aquaculture; Any other development not specified in item 2 or 3

4. Objectives of planning proposal

The objective of the planning proposal is to ensure that future development on the subject properties is responsive to the constraints of each site, and is compatible with the desired future character of the area.

This is important as the subject properties form a gateway to the adjoining lower density residential areas along Bradley Avenue and Lennox Street. The development of these sites, under the current zoning, would change the landscaped character of the street.

The planning proposal seeks to achieve its objectives by amending the Woollahra LEP 2014 to:

- Rezone the subject properties from R3 Medium Density Residential to R2 Low Density Residential;
- Amend Schedule 1 – Additional Permitted Uses to permit residential flat buildings on 21-23 Riddell Street;
- Delete the floor space ratio (FSR) standard applying to the subject properties;
- Amend the building height standard for the subject properties from 10.5m to 9.5m; and
- Amend the minimum lot size standard for the subject properties from 700sqm to 675sqm.

The objectives and permitted uses of the R2 Low Density Residential zone are reproduced below:

Zone R2 Low Density Residential

1 Objectives of zone

- *To provide for the housing needs of the community within a low density residential environment.*
- *To enable other land uses that provide facilities or services to meet the day to day needs of residents.*
- *To provide for development that is compatible with the character and amenity of the surrounding neighbourhood.*
- *To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.*

2 Permitted without consent

Home occupations; Roads

3 Permitted without consent

Attached dwellings; Bed and breakfast accommodation; Business premises; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Group homes; Home occupations (sex services); Information and education facilities; Office premises; Oyster aquaculture; Pond-based aquaculture; Public administration buildings; Recreation areas; Respite day care centres; Secondary dwellings; Semi-detached dwellings; Shops; Tank-based aquaculture

4 Prohibited

Any other development not specified in item 2 or 3

5. Explanation of provisions

The objectives of this planning proposal can be achieved by the amendments to the Woollahra LEP 2014 summarised under the headings below.

5.1. Land zoning

It is proposed to amend the Land Zoning Map (Sheet LZN_003) to apply the R2 Low Density Residential zone to the subject properties.

This rezoning will make residential flat buildings a prohibited use and encourage a scale of residential development that is compatible with the surrounding context.

5.2. Schedule 1 amendments

This planning proposal also recommends including a new provision in 'Schedule 1 – Additional Permitted Uses' of the Woollahra LEP 2014 as follows:

16 Use of certain land at 21-23 Riddell Street, Bellevue Hill

(1) This clause applies to land at 21-23 Riddell Street, Bellevue Hill, being Lot 2 in DP 6028 and Lot 1 in 658568.

(2) Development for the purpose of a residential flat building is permitted with development consent.

It should be noted that the above is suggested wording only, and the final provision will be drafted by the Parliamentary Counsel, should the planning proposal progress to finalisation.

The insertion of this provision recognises the fact that a residential flat building was approved for 21-23 Riddell Street by the Land and Environment Court on 4 June 2020. Rezoning provides certainty to the owners and adjoining residents about the type and scale of development that can occur on the site. The recommend wording will also ensure the site will not be subject to the existing use rights provisions in the *Environmental Planning and Assessment Act 1979*.

5.3. Changes in support of rezoning

As the revised zoning will encourage a lower density of residential development, it is appropriate that other LEP controls are amended to facilitate the intended scale of built form. Changes to the floor space ratio, building height and minimum lot size controls are outlined below.

5.3.1. Floor space ratio

It is proposed to amend the Floor Space Ratio Map (Sheet FSR_003) to delete the 0.75:1 FSR standard applying to the subject properties.

As the properties will be zoned R2 Low Density Residential, building bulk and density will be managed by the floorplate controls under Chapter B3.3 of the Woollahra DCP 2015. However, it is noted that another planning proposal may replace these controls with a 0.5:1

FSR for low to medium scale residential development, with the exception of smaller sites which will be subject to a sliding FSR scale. This planning proposal has received a gateway determination and will be progressed in 2022.

Both these options will replace the existing FSR with a control better catered to managing the building bulk of lower scale residential uses.

5.3.2. Building height

It is also proposed to amend the Height of Buildings Map (Sheet HOB_003) to replace the current 10.5m standard applying to the subject properties with a 9.5m standard.

A 9.5m height control is used widely across the R2 Low Density Residential zone in the Woollahra LGA. As the revised zoning will only permit lower scale residential developments, the new control will provide a height limit that is more appropriate to this type of use, and complementary to the character of the wider R2 Low Density Residential zone.

5.3.3. Minimum lot size

This planning proposal also recommends that the Minimum Lot Size Map (Sheet LSZ_003) be amended to replace the 700sqm lot size applying to the subject properties with a 675sqm standard.

As the revised zoning will encourage smaller scale developments, a reduced lot size can be permitted. Dwelling houses, semi-detached dwellings and the like do not require a larger lot size to comply with relevant landscaping and building bulk controls. Accordingly, a smaller minimum lot size control is appropriate in this instance.

6. Justification

6.1. Strategic study

The planning proposal is justified by the independent *Planning and Urban Design Review: Riddell Street, Bellevue Hill* ('the Review') prepared by Studio GL in July 2021. This study, commissioned by Council, includes detailed scenario testing of the subject properties and demonstrates that the sought LEP amendments are well resolved.

The methodology and findings of this study are outlined under the headings below.

6.1.1. Scope of study

Studio GL was asked to investigate the merit of rezoning Riddell Street properties from R3 Density Residential to R2 Low Density Residential. A total of 17 residential properties were nominated for the study, which collectively formed the 'study area'. This is shown in the figure overleaf.

Using a standardised set of assumptions, the study then modelled developments that could be built on these properties under different approaches to zoning. The Review noted key impacts associated with each scenario.

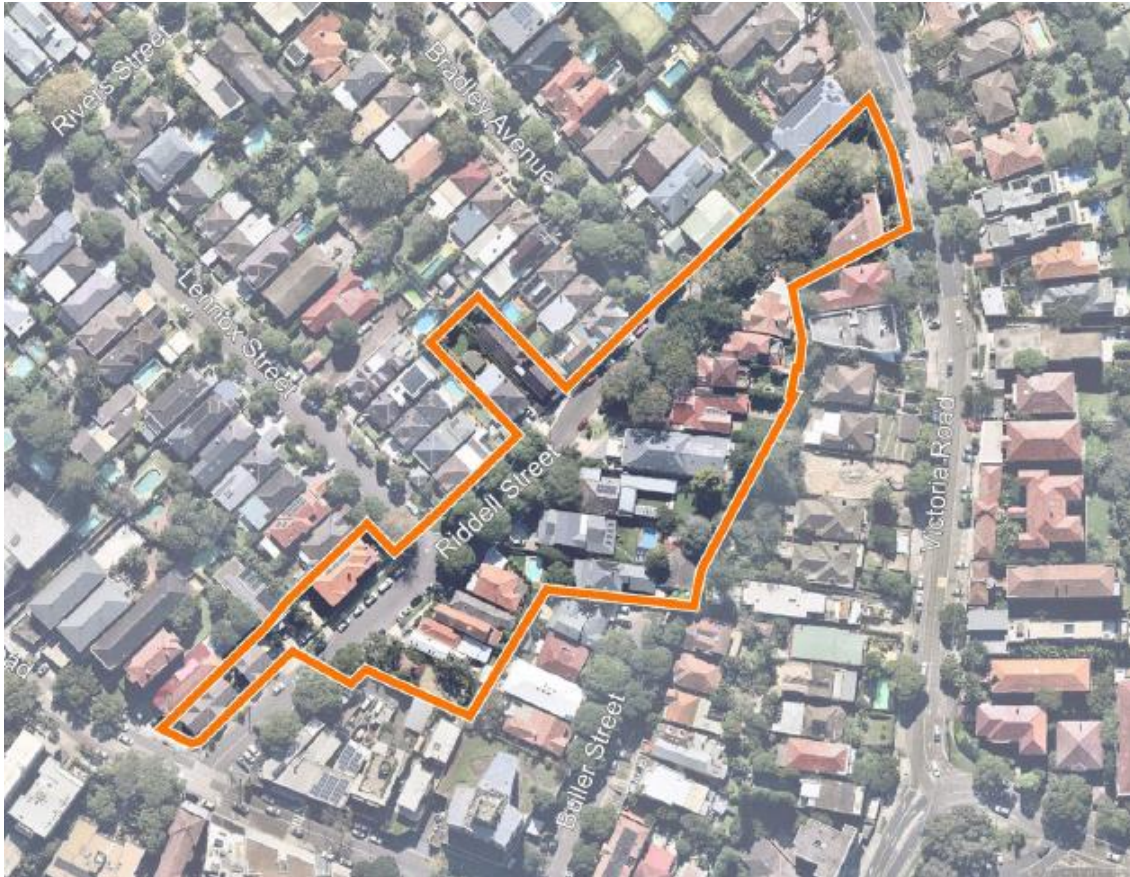


Figure 12: Study area map (source: Studio GL).

6.1.2. Scenario testing

Studio GL considered four scenarios in modelling various development outcomes:

- Scenario 1 assumed no changes are made to the existing controls and development occurs to the full potential allowable under the R3 Medium Density Residential zone and other applicable controls.
- Scenario 2 analysed the impact of down zoning all lots within the study area to a R2 Low Density Residential.
- Scenario 3 considered retaining the zoning of lots most likely to develop as apartments, and the down zoning sites less likely to develop to R2 Low Density Residential.
- Scenario 4 explored ways to minimise the impact of key site development on the character of Riddell Street. This scenario considered down zoning lots within the study area that are most likely to develop to R2 Low Density Residential and retaining the remaining lots as R3 Medium Density Residential.

All scenarios assumed the following:

- New developments would seek to maximise FSR and/or site coverage;
- New developments complied with the Woollahra LEP 2014's 0.75:1 FSR control (for apartments), or the Woollahra DCP 2015's floorplate controls (as it typical for lower density residential developments in the R2 Low Density Residential zone);

- Applicable height controls (either 9.5m or 10.5m) in the Woollahra LEP 2014 were met;
- Front and rear setback controls the Woollahra DCP 2015 were met or exceeded, with building depth considered 60% of site depth for apartments;
- All apartments complied with key design criteria in the Apartment Design Guide; and
- Parking numbers for residential apartments were assumed to be two spaces per unit, plus 0.25 of a space for visitors. Two spaces were allocated for proposed dwelling houses.

6.1.3. Scenario 1 – Maintain existing zones

Scenario 1 assumed no changes to existing controls and that all lots within the study area currently zoned R3 Medium Density Residential would retain this zoning.

This scenario made the following assumptions:

- No change for 29 Lennox Street and 29A, B, C Bellevue Road as they are too small to house apartments and have already been developed to their maximum capacity.
- 154 Victoria Rd and 25 & 27 Riddell Street provide the best opportunities to capitalise on views. Each site is too small to be developed individually, however if the lots were amalgamated the new site would be 1,200sqm and could be developed as two buildings.
- No change at 17, 19, 21 and 23 Riddell Street as two are currently under construction and the other two have been recently constructed.
- 15 Riddell Street and 14 & 15 Buller Street could be amalgamated to be developed as one apartment building.
- 1 Riddell Street could be amalgamated with adjoining sites (3 and 5 Riddell Street) to create a site large enough for an apartment building.
- The remaining 7, 9 and 11 Riddell Street would be an insufficient size for apartments. It was assumed these sites could be developed individually into larger dwellings.

Note: Detailed maps showing the locations of the sites referenced above are available in the Review, included at **Attachment 1**.

The planning outcomes of this scenario are summarised in the table below.

| Scenario 1 Planning Outcomes | |
|-------------------------------------|---|
| Outcome | Details |
| Car parking | This scenario would increase the current 41 spaces in the study area to 101 (including visitor parking). This would have a notable impact on local traffic and parking conditions, especially due to larger crossovers on Riddell Street. |
| Character of streetscape | <p>This scenario would have a significant impact on the character of Riddell Street and the surrounding low density residential area that shares a view catchment.</p> <p>The scale of the streetscape would change dramatically, with apartment buildings lining the south-east side of Riddell Street. The new developments would also require significant earthworks to accommodate basement parking, which would change the topography of the streetscape.</p> |
| Dwelling yield | Under this scenario, the study area would see an increase from 30 dwellings to 53 dwellings. |
| Solar access | There is a high chance that overshadowing of neighbouring lots would be increased. Overshadowing of 12 Buller Street would be particularly problematic and have a significant amenity impact on this property. |
| Tree canopy | <p>Under this scenario there is a high chance that trees within the front setbacks of 15, 25 and 27 Riddell Street would be lost. It is also possible that street trees in front of 15, 25 and 27 Riddell Street would be removed in order to incorporate driveways. Where lots are amalgamated (for example on 15, 25 and 27 Riddell Street) trees and established landscaping between lots would likely be removed.</p> <p>However, the majority of trees at the rear of lots would be retained due to the large rear setbacks.</p> |
| Views | The height and scale of new development would impact the existing view corridors between buildings available from the public domain, and wider view catchments visible from private dwellings. |

Table 2: Scenario 1 planning outcomes.

Graphics showing the impact of this scenario are provided overleaf.



Figure 13: Scenario 1 3D perspective (looking from north-west of Riddell Street).



Figure 14: Scenario 1 overhead perspective.



Figure 15: Scenario 1 overshadowing diagram.



Figure 16: Scenario 1 3D perspective (looking from east to west).

6.1.4. Scenario 2 – Down zoning all lots

In this scenario all lots within the study area zoned R3 Medium Density Residential were rezoned to R2 Low Density Residential.

This scenario made the following assumptions:

- 4 and 6 Riddell Street could have larger dwellings constructed on them.
- 154 Victoria Road could accommodate a dual occupancy.
- No change at 17, 19, 21 and 23 Riddell Street as two are currently under construction and the other two appear to have been recently constructed.
- 25 and 27 Riddell Street, 15 Buller Street and lots between 1 -11 Riddell Street have insufficient lot sizes to construct dual occupancies but could develop into larger detached dwellings.

- 13 and 15 Riddell Street retain their current built form but could be further developed with additions within their existing rear setbacks.
- Additional development is permitted within the side setbacks of 14 Buller Street.

The planning outcomes of this scenario are summarised in the table below.

| Scenario 2 Planning Outcomes | |
|-------------------------------------|--|
| Outcome | Details |
| Car parking | This scenario will increase the current 41 spaces in the study area to 56, having a modest impact on local traffic conditions. |
| Character of streetscape | The scale of the streetscape would be retained under this scenario. There would also be limited interference with the natural landform through reduced excavation works. |
| Dwelling yield | Under this scenario, the study area would see an increase from 30 dwellings to 31 dwellings. |
| Solar access | Given the likelihood of additional storeys on each dwelling, increased overshadowing of neighbouring lots is possible. However, the extent of overshadowing would be considerably less than that shown in Scenario 1. |
| Tree canopy | <p>Compared to Scenario 1, the extent of tree removal is significantly lower as no lots would be amalgamated. The impact of any new driveways would also much lower as existing driveways could potentially be retained.</p> <p>The majority of trees at the rear of lots would probably be retained due to the large rear setbacks. Permissible additions made to 13 and 15 Riddell Street and 14 Buller Street were shown to have minimal impact on surrounding trees.</p> |
| Views | There is a chance that the height and scale of larger dwellings may impact on views from the surrounding properties. However, as there are no lot amalgamations in this scenario, the impact on public domain views is significantly lower than Scenario 1. |

Table 3: Scenario 2 planning outcomes.

Graphics showing the built form impacts of this scenario are provided in the figures below.



Figure 17: Scenario 2 3D perspective (looking from north-west of Riddell Street).



Figure 18: Scenario 2 overhead perspective.



Figure 19: Scenario 2 overshadowing diagram.



Figure 20: Scenario 2 3D perspective (looking from east to west).

6.1.5. Scenario 3 – Rezone sites unlikely to develop

In this scenario, sites within the study area that are unlikely to develop were down zoned to R2 Low Density Residential, while the others were left as existing.

The following assumptions were made:

- 29 Lennox Street and 29A, B, C Bellevue Road would retain their current zoning as they have been developed to their maximum capacity under the R3 Medium Density Residential zone.
- 154 Victoria Rd, 25 and 27 Riddell Street would be down zoned as the sites are too small for the development of apartments.
- 15 Riddell Street has sufficient size to support the development of a residential flat building and hence would retain its existing zoning.

- No change for 17, 19, 21 and 23 Riddell Street as two are currently under construction and the other two appear to have been recently constructed.
- The amalgamation of 13 Riddell Street, 14 and 15 Buller Street offers the greatest development potential for a large apartment building. The zoning for these lots would be retained as R3 Medium Density Residential.
- Lots between 1 and 11 Riddell Street would be down zoned to R2 Low Density Residential to retain the finer grain nature of existing development. The lots are generally small (less than 200sqm) and it is assumed these sites would be developed into larger detached dwellings.

The planning outcomes of this scenario are summarised in the table below.

| Scenario 3 Planning Outcomes | |
|-------------------------------------|---|
| Outcome | Details |
| Car parking | This scenario will increase the current 41 spaces in the study area to 90, having a notable impact on local traffic conditions. |
| Character of streetscape | The scale of the streetscape would change significantly under this scenario. Large apartment buildings would occupy the middle section of the streetscape and interfere with the visual catchment of the surrounding neighbourhood. The natural landform of the development sites would also be altered through necessary earthworks, changing the topography of the street setbacks. |
| Dwelling yield | Under this scenario, the study area would see an increase from 30 dwellings to 48 dwellings. |
| Solar access | The extent of overshadowing would be similar to Scenario 2. However, the extent of overshadowing of 12 Buller Street due to the development of 13 & 15 Riddell Street and 14 Buller Street is similar to that in Scenario 1 and would likely be problematic. |
| Tree canopy | <p>Similar to Scenario 2, the extent of tree removal is significantly lower than in Scenario 1 due to the smaller number of lots being amalgamated.</p> <p>The development of 13 Riddell Street and 14 & 15 Buller Street would result in the loss of trees within the site. It is also possible that street trees and the large tree in the front setback of 15 Riddell Street would be removed in order to incorporate driveways.</p> <p>The majority of trees at the rear of lots would likely be retained due to the large rear setbacks.</p> |
| Views | The amalgamation of 13 and 15 Riddell Street and 14 Buller Street would impact the existing view corridor from the public domain. There is also a chance that the height and scale of larger detached dwellings shown in this scenario would reduce views from the surrounding properties. |

Table 4: Scenario 3 planning outcomes.

Visual representations of this scenario are provided below.



Figure 21: Scenario 3 3D perspective (looking from north-west of Riddell Street).



Figure 22: Scenario 3 overhead perspective.



Figure 23: Scenario 3 overshadowing diagram.



Figure 24: Scenario 3 3D perspective (looking from east to west).

6.1.6. Scenario 4 – Rezone sites likely to develop

In order to help develop recommendations, Studio GL also explored an additional option which involved down zoning the sites within the study area that are more likely to develop.

This scenario used the following assumptions:

- 29 Lennox Street and 29A, B, C Bellevue Road would retain their current zoning as these sites have been developed to their maximum development capacity under the R3 Medium Density Residential zone.
- 4 and 6 Riddell Street are not down zoned as they are surrounded by low density housing. These sites are too small to be developed as dual occupancies but a larger dwelling could be constructed on each.
- 154 Victoria Rd is retained as R3 Medium Density Residential to match its adjacent sites which are also accessed off Victoria Road and located on sloping blocks.

- No change at 17, 19, 21, 23 Riddell Street as two are currently under construction and the other two appear to have been recently constructed. However, these lots would be down zoned to minimise further development.
- 13 & 15 Riddell Street and 14 & 15 Buller Street are the sites that would be most likely to develop within the study area. In this scenario, it was assumed that these sites are rezoned to R2 Low Density Residential. Alterations and additions were modelled to maximise their development potential under the new zoning.
- Given the insufficient size of 1, 3, 5, 9 and 11 Riddell Street, apartment development on these sites is unlikely. However, for the purposes of this scenario, it was assumed that 1 Riddell Street (the largest) was amalgamated with adjoining sites 3 and 5 Riddell Street to create one site large enough to be developed as an apartment building. Accordingly, these sites were collectively downzoned.

The planning outcomes of this scenario are summarised in the table below.

| Scenario 4 Planning Outcomes | |
|-------------------------------------|---|
| Outcome | Details |
| Car parking | This scenario will increase the current 41 spaces in the study area to 64, having a minor impact on local traffic conditions. |
| Character of streetscape | The scale of the streetscape would be moderately impacted under this scenario. Highly visible lots that address Riddell Street would partially retain their existing scale of built form. New apartments, concentrated in the southern portion of Riddell Street would have a lesser impact on the streetscape as a whole. |
| Dwelling yield | Under this scenario, the study area would see an increase from 30 dwellings to 34 dwellings. |
| Solar access | The extent of overshadowing would be similar to Scenario 2 and lower than Scenario 1 and 3. Given the likelihood of additional storeys within each dwelling, some increased overshadowing of neighbouring lots is likely. |
| Tree canopy | <p>The extent of tree removal in this scenario is significantly lower than Scenario 1 and 3 due to the smaller number of lots being amalgamated. Development of 1, 3 and 5 Riddell Street would result in the loss of trees within the site.</p> <p>It is also possible that street trees and the large tree in the front setback of 1 Riddell Street would be removed in order to incorporate driveways. The majority of trees at the rear of lots would be able to be retained due to the large rear setbacks. Permissible additions made to 13 and 15 Riddell Street and 14 Buller Street are shown to have minimal impact on the surrounding trees.</p> |
| Views | The amalgamation of 13 and 15 Riddell Street and 14 Buller Street would impact the existing view corridor from the public domain. There is also a |

| Scenario 4 Planning Outcomes | |
|------------------------------|--|
| Outcome | Details |
| | chance that the height and scale of larger detached dwellings shown in this scenario would reduce views from surrounding properties. |

Table 5: Scenario 4 planning outcomes.



Figure 25: Scenario 4 3D perspective (looking from north-west of Riddell Street).



Figure 26: Scenario 4 3D perspective (looking from east to west).



Figure 27: Scenario 4 overhead perspective.



Figure 28: Scenario 4 overshadowing diagram.

6.1.7. Summary of findings

The scenario testing explored the potential impacts of different approaches to land zoning in Riddell Street.

Scenario 1 generated a substantial increase of 24 dwellings and 60 car spaces. This scenario had the highest parking numbers and greatest impact on tree canopy, landscape area, overshadowing and the character of the streetscape.

Scenario 2 generated an increase of 1 dwelling and 15 additional car spaces from increased parking provision for dwelling houses. This scenario had the lowest impact on tree canopy, landscape area, overshadowing and the character of the streetscape.

Scenarios 3 and 4 investigated different combinations of both R2 Low Density Residential and R3 Medium Density Residential zoning being used. Expectedly, these yielded results that sat between Scenarios 1 and 2 in terms of impacts.

Other data trends visible across the scenarios include:

- Many of the sites currently zoned to allow medium density housing are too small to be developed individually as an apartment building. All sites except 13 and 15 Riddell Street would need to amalgamate with at least one other site to develop as an apartment building. A number of properties are so small they would need to amalgamate with at least two adjoining sites.
- The triangular shaped front gardens of 13 and 15 Riddell Street and the rear garden of 14 Buller Street, provide a green landscape setting along this section of Riddell Street. Apartment development on these sites, similar to the one recently approved at 21-23 Riddell Street, would substantially change the streetscape character.
- Retaining the existing lot pattern and front setbacks provides the greatest opportunity for retaining as much of the existing trees canopy cover as possible.
- All scenarios generate more parking as this is highly desirable in the neighbourhood.

6.1.8. Studio GL recommendations

The Review recommended that the central part (containing the subject properties) of the study area be rezoned from R3 Medium Density Residential to R2 Low Density Residential.

The Review noted that these sites are located on a ridge and have a local character similar to Bradley Avenue and Lennox Street, which are accessed off Riddell Street. The landscaped character of these sites forms a gateway to these adjoining lower density areas. The central part of the study area also contains a topographic high point, meaning that higher density developments would be visually prominent from the surrounding public domain.

The Review also recommended adjustments to the Woollahra DCP 2015's precinct character controls and front setback controls applying to the subject properties. These will be progressed concurrently with the planning proposal.

6.1.9. Conclusion

The Review prepared by Studio GL has demonstrated that the planning proposal has strategic merit and the key reasons amend the zoning and associated controls are:

- They will ensure future development respects the local character of Riddell Street and nearby low density neighbourhoods;
- New development will be more likely to preserve street trees, as well as those in front landscaped setbacks;
- Minimal new car parking will be introduced on Riddell Street, ensuring future development does not significantly affect local traffic conditions;
- The environmental amenity of existing properties will be better protected, particularly in terms of solar access; and
- District views from the street and private properties will be maintained.

These matters are further discussed under the headings below.

6.2. Need for planning proposal

6.2.1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

The planning proposal is a result of a Council resolution dated 28 February 2022 to rezone the subject properties to R2 Low Density Residential. This resolution was informed by a strategic study titled *Planning and Urban Design Review: Riddell Street, Bellevue Hill* ('the Review') prepared by Studio GL in July 2021.

As outlined in Part 6.1 above, this study clearly demonstrates the merit of this planning proposal.

6.2.2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

This planning proposal is the best way of achieving the desired outcomes for Riddell Street.

As outlined in the Review, Studio GL examined three other approaches to land zoning and noted the outcomes associated with each scenario. The results demonstrated that rezoning the suggested R3 Medium Density Residential lots was the best means of achieving high quality planning outcomes in Riddell Street.

Council staff also considered maintaining the R3 Medium Density Residential zoning and only amending the building height and floor space ratio controls on the subject properties. However, these controls would not facilitate the type of development intended for the R3 Medium Density Residential and would be contrary to its objectives. This would be a confusing outcome for Council staff and private practitioners alike.

Accordingly, this planning proposal is the best means of being transparent to the community about type of development envisaged for the subject portion of Riddell Street.

6.3. Relationship to strategic planning framework

6.3.1. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including exhibited draft plans or strategies)?

Yes. The planning proposal is consistent with the relevant objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the relevant planning priorities and actions of the *Eastern City District Plan* (2018), as discussed below.

Greater Sydney Region Plan: A Metropolis of Three Cities

The planning proposal is consistent with the directions and objectives of *Greater Sydney Region Plan: A Metropolis of Three Cities*, particularly:

- *Objective 12 – Great places that bring people together:* The revision of the zoning and built form controls applying to the subject properties will ensure an attractive and well-designed built environment for Riddell Street. The new controls will require new developments to respect the existing scale of the streetscape and appropriately relate to the surrounding low density neighbourhood.
- *Objective 30 - Urban tree canopy cover is increased.* The revised controls will manage the scale and typology of new developments on the subject properties. This will ensure street trees are not affected by vehicle crossovers for apartment buildings, and that new developments continue to provide the generous landscaped setbacks associated with lower density uses.

Eastern City District Plan

The planning proposal is generally consistent with the following planning priorities of the *Eastern City District Plan*:

- *Planning Priority E5 – Providing housing supply, choice and affordability with access to jobs, services and public transport.*

Studio GL estimates the proposed changes to the 10 subject properties could reduce their theoretical housing yield by approximately 20 dwellings. However, they further note this reduction is likely to be much smaller in reality. A number of these sites do not have practical development potential, either because they have been recently developed or because the site is too small to be developed into apartments. It was also noted that due to local market factors, apartment developments typically comprise luxury units that are a minimum of three bedrooms in size. As such, the number of dwellings in a building is likely to be lower than the Sydney average. The theoretical yield also does not consider that the amalgamation of several sites may not be logistically possible and financially viable. As such, Studio GL conclude realistic loss is more likely to be 10 dwellings.

This is a very minor reduction in the number of dwellings capable of being built in the subject properties, and it will not have a significant impact on housing supply in the Woollahra LGA.

The proposed R2 Low Density Residential zoning will also encourage the retention of dwelling houses and the development of dual occupancies. As apartments make up the largest proportion of dwelling types in the Woollahra LGA (55%, ABS 2016), a

focus on these other land uses will provide better housing choice for the local community.

- *Planning Priority E6 - Creating and renewing great places and local centres, and respecting the District's heritage.*

Riddell Street forms a key component of the pedestrian route from the low density residential areas of Bellevue Hill to the local retail centre on Bellevue Road. The current streetscape provides for high pedestrian amenity, with generous nature strips, extensive tree canopy cover and very limited vehicle crossovers. As demonstrated in the scenario testing, if further residential flat development permitted in the street, there will likely be larger driveways, less trees and greater parking demand. These factors will erode the current sense of pedestrian priority and diminish the value of Riddell Street as a key link. This would be contrary to the objectives of this planning priority.

Additionally, the planning proposal will ensure all developments help achieve the desired future character of the area. If the proposed controls are implemented, new proposals will be more likely to sensitively respond to streetscape constraints. This will ensure Riddell Street remains a great place, high in amenity and rich with local character.

- *Planning Priority E17 - Increasing urban tree canopy cover and delivering Green Grid connections*

As demonstrated in Scenario 1, amending the current zoning is essential in promoting the retention and growth of canopy coverage in Riddell Street. If the subject properties are developed, significant tree loss will occur from vehicle crossings, site amalgamations, larger building footprints and extensive earthworks.

The proposed controls will help manage the scale of future development in Riddell Street and ensure new proposals are compatible with the established canopy coverage. This is consistent with the planning priority, which seeks to promote the greening of residential neighbourhoods, particularly when they also form important active transport connections.

6.3.2. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Yes. The planning proposal is consistent with the *Woollahra Local Strategic Planning Statement (2020)*, Council's Community Strategic Plan *Woollahra 2030 (2017)* and the *Woollahra Local Housing Strategy (2021)*. This is further discussed under the headings below.

Woollahra Local Strategic Planning Statement

The planning proposal is consistent with the vision and planning priorities of the *Woollahra Local Strategic Planning Statement* as follows:

- *Vision: "Outstanding heritage, lifestyle, leafy, boutique villages and an unrivalled open, sunny harbour-side landscape in Sydney's east". The LSPS also states that "Our extensive gardens, tree canopy, parklands, and landscape provide a pleasant, clean and comfortable environment. We work to protect and maintain existing trees and enhance our tree canopy and urban forest" (Page 12).*

- *Planning Priority 4 - Sustaining diverse housing choices in planned locations that enhance our lifestyles and fit in with our local character and scenic landscapes.*
- *Planning Priority 11 - Conserving, enhancing and connecting our diverse and healthy green spaces and habitat, including bushland, tree canopy, gardens and parklands.*
- *Planning Priority 12 - Protecting and enhancing our scenic and cultural landscapes.*
- *Planning Priority 14 - Planning for urban resilience so we adapt and thrive despite urban and natural hazards, stressors and shocks.*

Woollahra Community Strategic Plan - Woollahra 2030

The planning proposal is consistent with the following strategies contained in the plan:

- *Strategy 4.1 Encourage and ensure high quality planning and urban design outcomes.*
- *Strategy 4.6 Ensure that planning and building requirements are complied with.*
- *Strategy 4.2 Promote sustainable design in future private and public development.*
- *Strategy 5.4 Protect trees, streetscapes and landscapes.*
- *Strategy 5.5 Enhance the physical environment of our local suburbs, neighbourhoods and town centres.*
- *Strategy 8.2 Monitor and strategically manage environmental risks and impacts of climate change.*

Woollahra Local Housing Strategy

The planning proposal aligns with relevant objectives and actions of the *Woollahra Local Housing Strategy*, which was endorsed by Council on 25 October 2021.

The proposal is consistent with Objective 1, in that it will sustain a diverse range of housing types and protect low density neighbourhoods and villages. The revised controls will not prohibit any residential land use, and will ensure all new developments adopt a scale that is compatible with the desired future character of Riddell Street.

As previously discussed, the planning proposal will only reduce housing yield across the subject properties by approximately 10 dwellings. This will have negligible effect on the supply of housing, and is capable of being offset by housing growth in Edgecliff that is envisaged in Objective 2 of the strategy. This objective is intended to supply additional housing to the Woollahra LGA, and provide scope for Council to correct zoning anomalies in lower density areas that have particularly unique character.

The proposed changes are also consistent with Objective 4, as they will ensure that new development protects tree canopy and contributes to long-term sustainability outcomes. The proposed zoning and accompanying controls will encourage lower scale development that is compatible with such objectives. This planning proposal will also be complemented by Council's upcoming changes to the Woollahra DCP 2015, which will establish a 35% canopy target for most low density residential development.

This proposal also directly supports Action 1 by maintaining a diverse range of housing types in the land use zones established by the Woollahra LEP 2014 and protecting low density neighbourhoods and villages.

6.3.3. Is the planning proposal consistent with applicable State Environmental Planning Policies?

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State Environmental Planning Policies (refer to **Schedule 1**).

6.3.4. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

Yes. The planning proposal is consistent with applicable section 9.1 directions (refer to **Schedule 2**).

6.4. Environmental, social and economic impact

6.4.1. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject land. Accordingly, the proposal will not have any impact in this regard.

6.4.2. Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

No. There are no likely environmental effects that would arise as a result of the planning proposal. Furthermore, the proposed controls will ensure the protection and enhancement of the natural environment to create resilient, sustainable and liveable neighbourhoods

Other environmental effects that might arise through the redevelopment of the sites would be identified through the development application process.

6.4.3. Has the planning proposal adequately addressed any social and economic effects?

Yes. The planning proposal will have a positive social effect. The proposed zoning changes, in combination with associated controls, will protect established greenery and ensure new development contributes to the LGA's leafy character and tree canopy. This will also help to reduce the urban heat island effect and improve connectedness to the natural environment, promoting resident amenity and wellbeing.

The proposal will not result in significant economic impacts and will not reduce the permissible land uses in the R2 Low Density Residential zone. As previously discussed, a number of logical and planning-related constraints already apply to the subject properties, meaning only 10 less dwellings are likely to be permissible as a result of this planning proposal. As such, this planning proposal will not unreasonably diminish the development potential of the subject properties. It will however greatly protect the amenity of the street, meaning any temporary reduction in development potential is justified.

6.5. State and Commonwealth interests

6.5.1. Is there adequate public infrastructure for the planning proposal?

Yes. The subject properties are connected to water, sewer, electricity and telephone services, and are in proximity to regular and frequent public transport services.

No significant infrastructure demand will result from this planning proposal as it will not allow more dwellings to be constructed on any parcel of land.

Notwithstanding this, Council will consult with public utility and service providers during the public exhibition if required, including Sydney Water.

6.5.2. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?

This section will be completed following consultation with public authorities identified in the gateway determination. Public authorities, including but not limited to, will be notified:

- Sydney Water; and
- Transport for NSW

Any other authorities identified by the Department of Planning and Environment will be consulted during the public exhibition of the planning proposal.

7. Mapping

The planning proposal seeks to amend the following Woollahra LEP maps:

- Land zoning map (Sheet LZN_003);
- Floor space ratio map (Sheet FSR_003);
- Height of buildings map (Sheet HOB_003); and
- Minimum lot size (Sheet LSZ_003).

Extracts of the existing and proposed maps are provided in the figures overleaf.

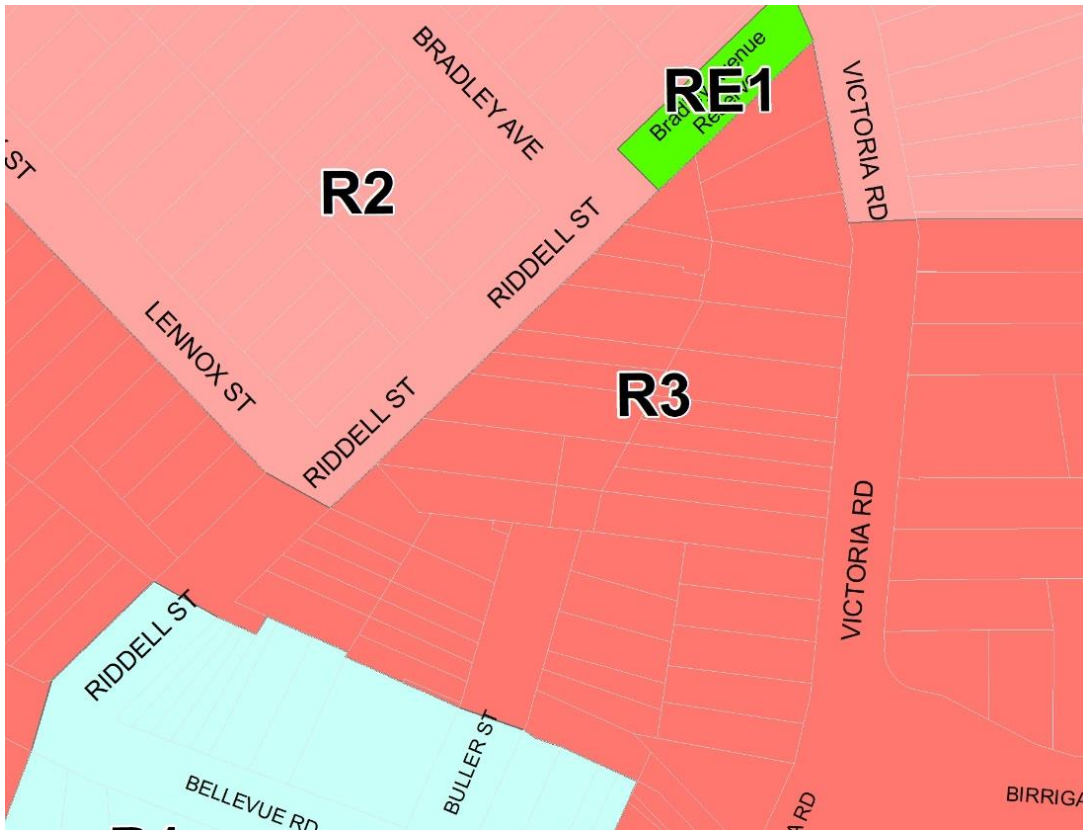


Figure 29: Existing land zoning map.

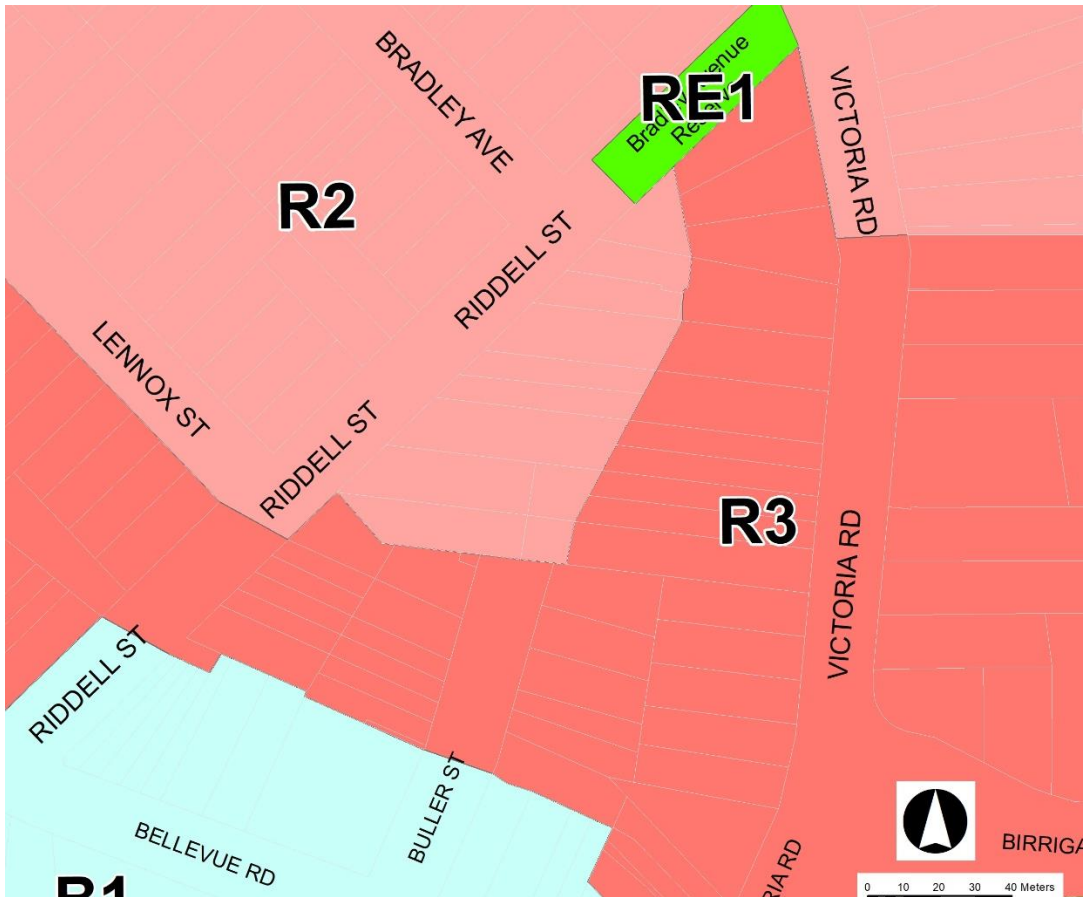


Figure 30: Proposed land zoning map.

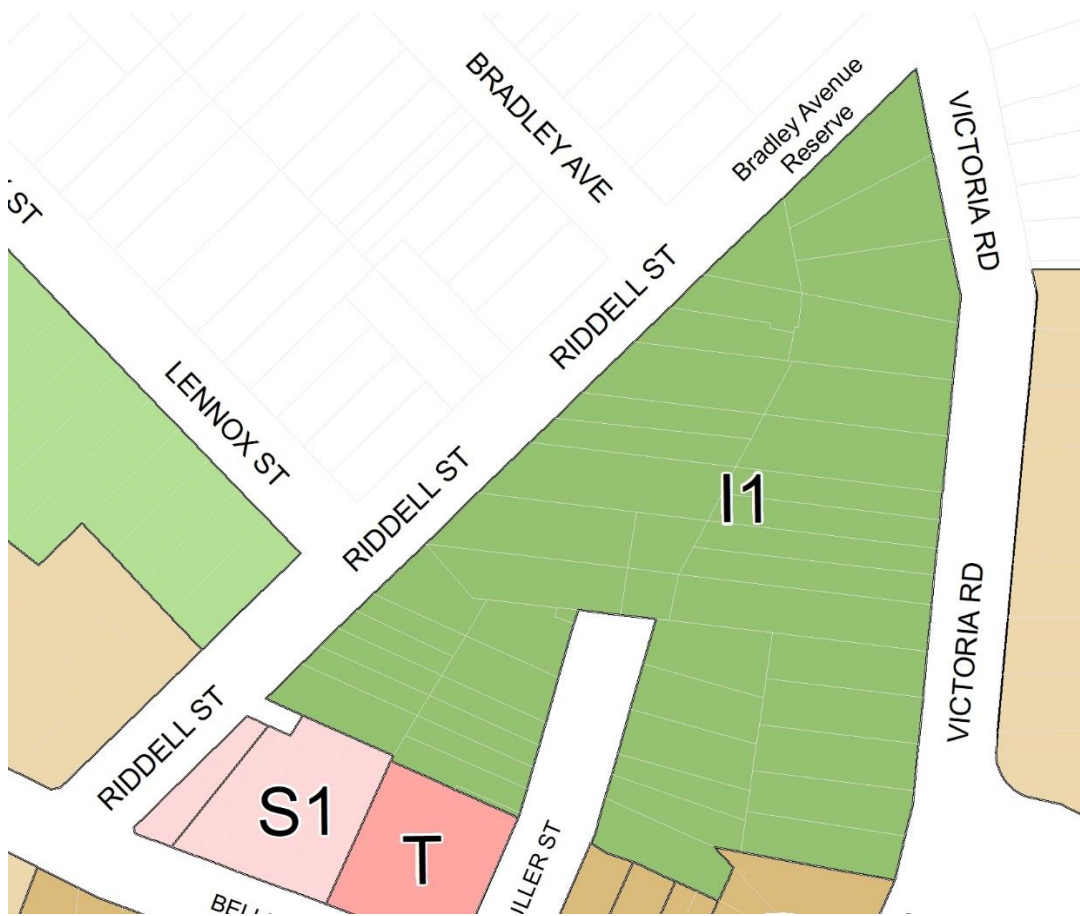


Figure 31: Existing floor space ratio map.

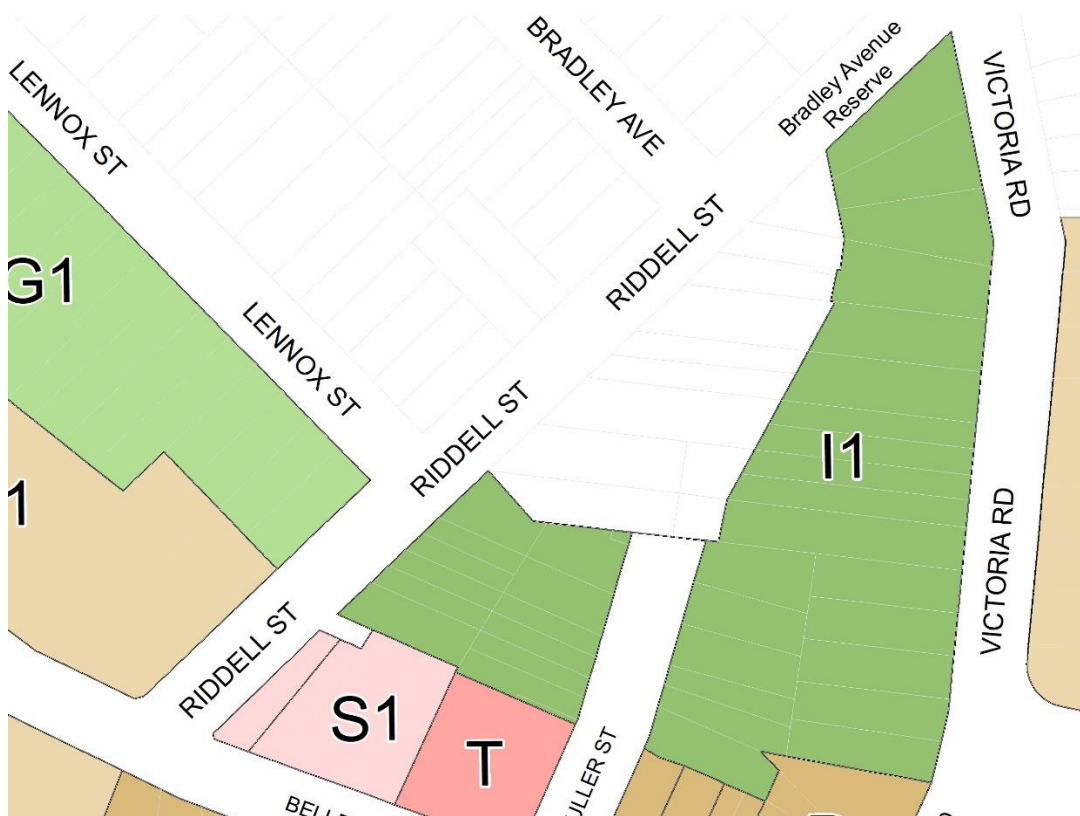


Figure 32: Proposed floor space ratio map.

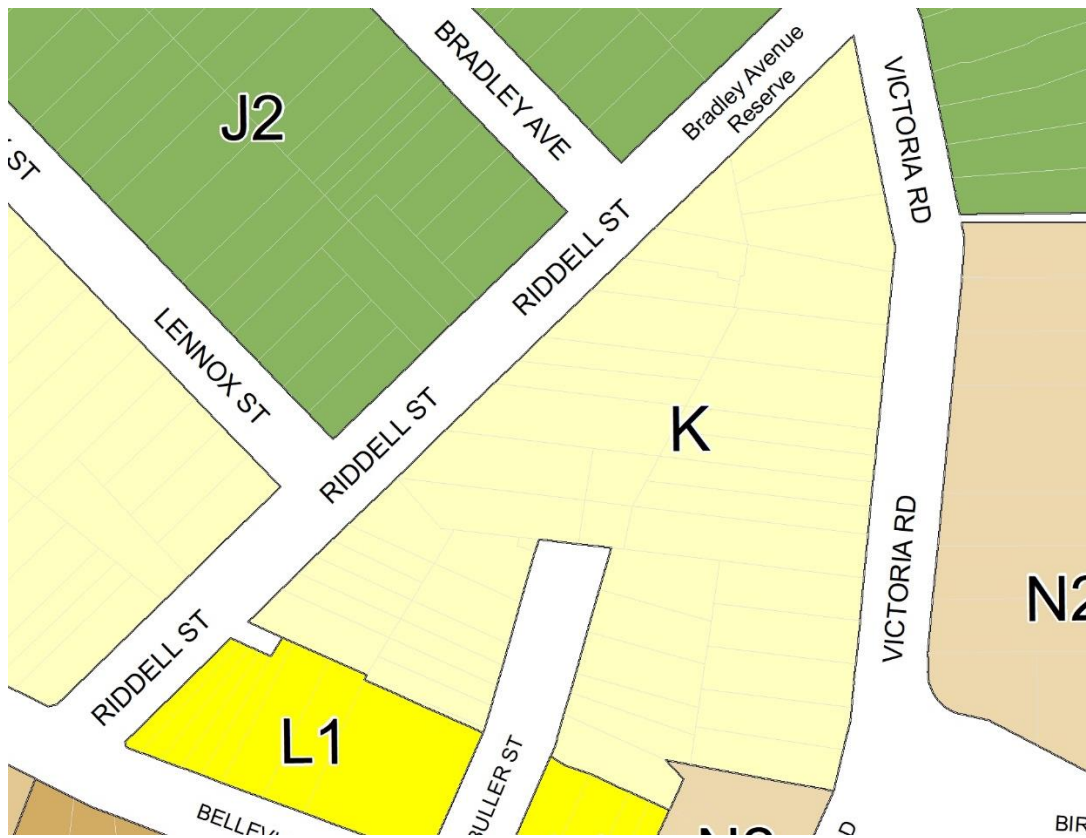


Figure 33: Existing height of buildings map.

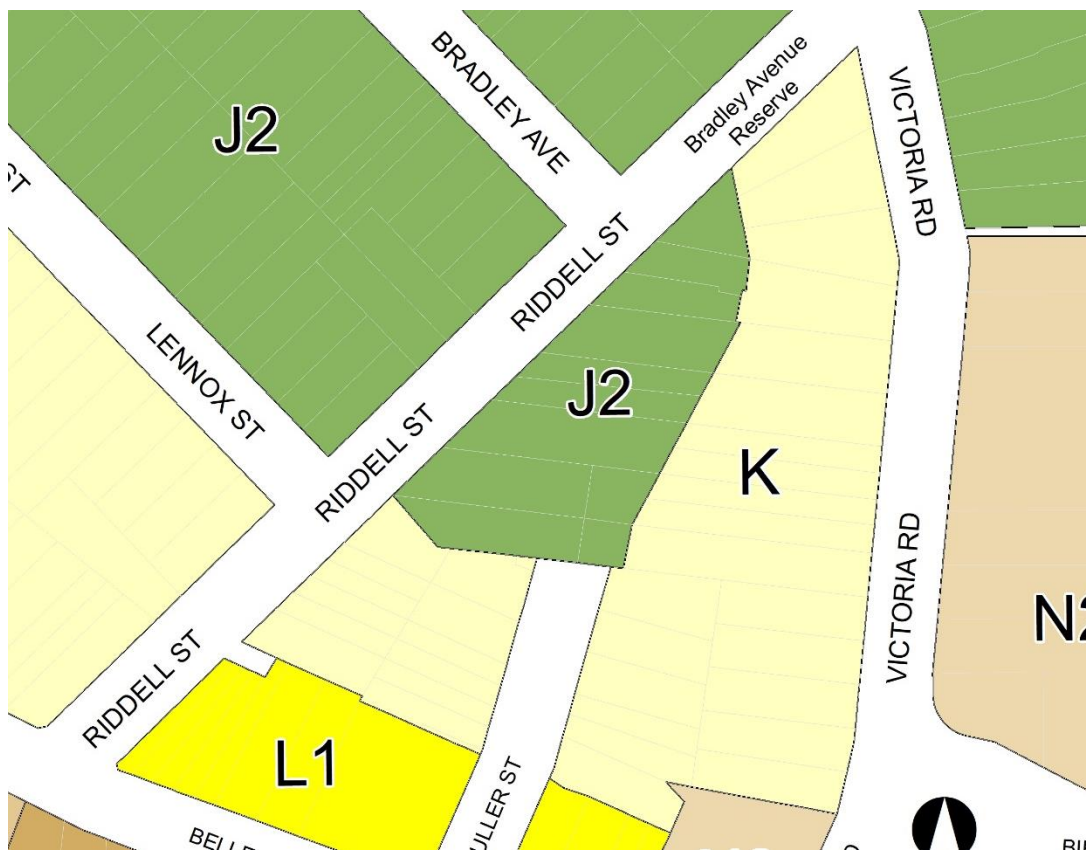


Figure 34: Existing height of buildings map.

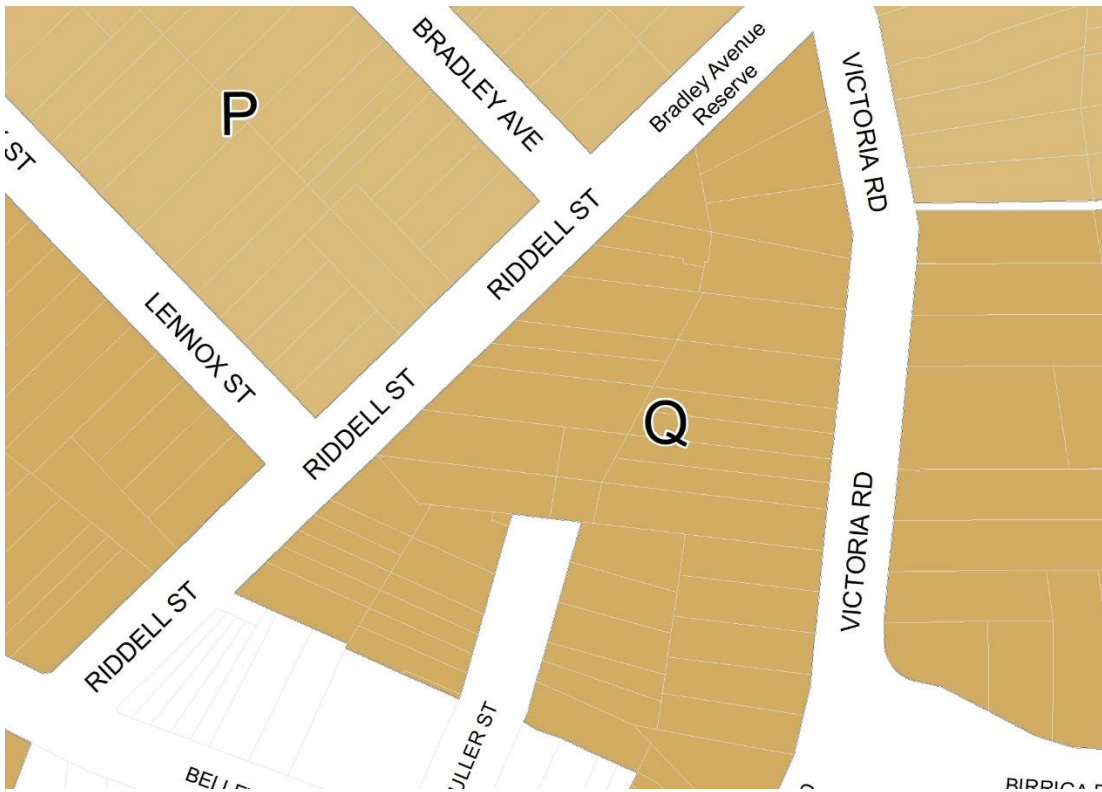


Figure 35: Existing minimum lot size map.

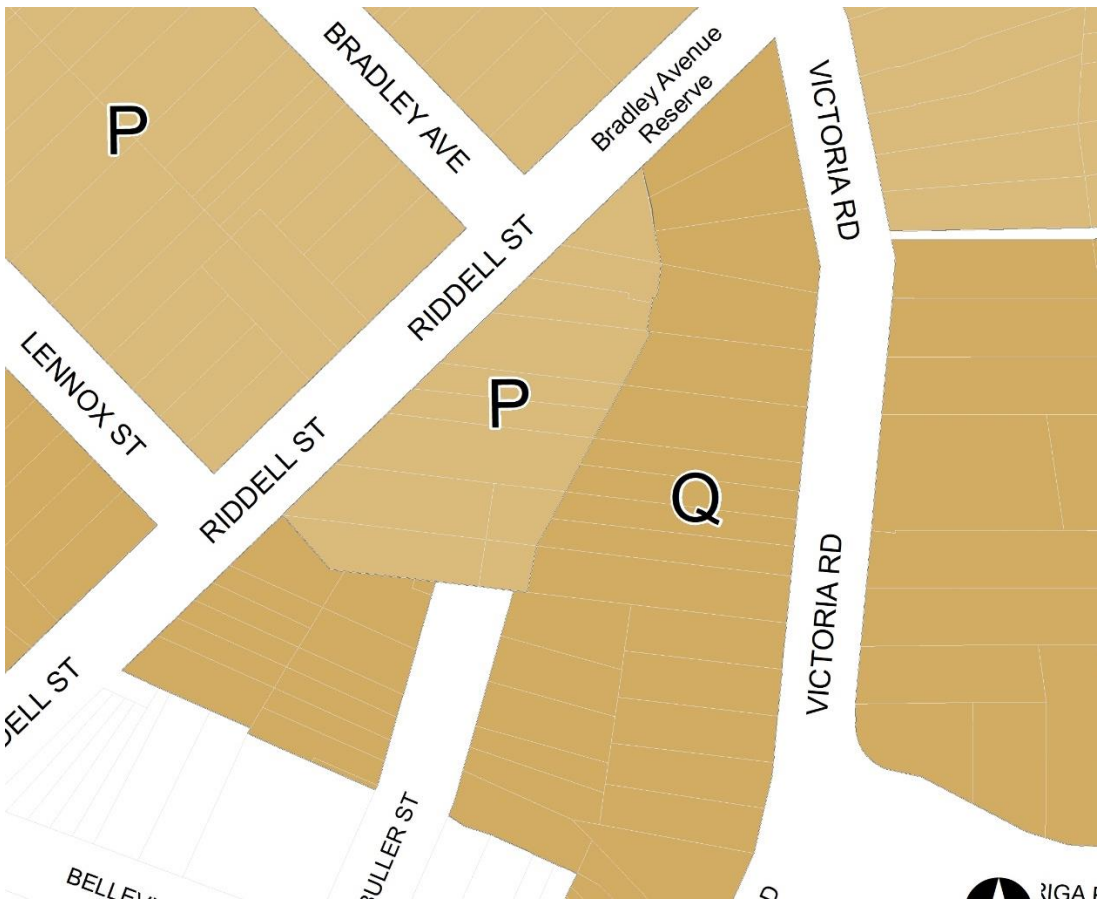


Figure 36: Proposed minimum lot size map.

8. Community consultation

Public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2000*. It will also have regard to the *Local Environmental Plan Making Guideline* dated 2021 and any conditions of the Gateway Determination.

We recommend that the planning proposal is exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- Weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period, when a hardcopy version of that newspaper is being published;
- A notice on Council's website;
- A letter to every land owner that may be subject to the revised controls.
- Notice to local community, resident and business groups.

During the exhibition period the following material will be available on Council's website and in the customer service area at Woollahra Council offices:

- The planning proposal, in the form approved by the gateway determination;
- The gateway determination;
- Information relied upon by the planning proposal;
- Woollahra LEP 2014; and
- Section 9.1 Directions.

9. Project timeline

If Council is authorised to exercise the functions of the Minister for Planning under section 3.36 of the *Environmental Planning and Assessment Act 1979*, the proposed timeline for completion is as follows:

| Plan-making step | Estimated completion |
|--|-----------------------|
| Environmental Planning Committee recommends proceeding | April 2022 |
| Council resolution to proceed | April 2022 |
| Gateway determination | June 2022 |
| Completion of technical assessment | Usually none required |
| Government agency consultation | July 2022 |
| Public exhibition period | July 2022 |
| Submissions assessment | August 2022 |
| Council assessment of planning proposal post exhibition | September 2022 |
| Council decision to make the LEP amendment | September 2022 |
| Council to liaise with Parliamentary Counsel to prepare LEP amendment | October 2022 |
| Forwarding of LEP amendment to Greater Sydney Commission and Department of Planning and Environment for notification | November 2022 |
| Notification of the approved LEP | December 2022 |

Schedules

Schedule 1 – Consistency with State Environmental Planning Policies

| State environmental planning policy | Comment on consistency |
|--|---|
| SEPP (Biodiversity and Conservation) 2021 | Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Exempt and Complying Development Codes) 2008 | Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Housing) 2021 | Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Industry and Employment) 2021 | Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Planning Systems) 2021 | Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Precincts – Eastern Harbour City) 2021 | Applicable There are currently no identified state significant precincts located in the Woollahra LGA. |
| SEPP (Precincts – Central River City) 2021 | Not applicable. |
| SEPP (Precincts – Regional) 2021 | Not applicable. |
| SEPP (Precincts – Western Parkland City) 2021 | Not applicable. |
| SEPP (Primary Production) 2021 | Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |

| | |
|---|---|
| SEPP (Resilience and Hazards) 2021 | Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Resources and Energy) 2021 | Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Transport and Infrastructure) 2021 | Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP 65 (Design Quality of Residential Apartment Development) | Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |
| SEPP (Building Sustainability Index: BASIX) | Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. |

Schedule 2 – Compliance with section 9.1 directions

| Planning proposal – Compliance with section 9.1 directions | | |
|---|---|--|
| Direction | Applicable/comment | |
| 1 | Planning systems | |
| 1.1 | Implementation of Regional Plans | Applicable. The planning proposal is consistent with the relevant objectives in the <i>Greater Sydney Region Plan: A Metropolis of Three Cities</i> (2018) and the relevant priorities and actions of the <i>Eastern City District Plan</i> (2018) as previously discussed in this report. |
| 1.2 | Development of Aboriginal Land Council land | Not applicable. This planning proposal does not affect Aboriginal Land Council Land. |
| 1.3 | Approval and referral requirements | The planning proposal seeks a minor residential rezoning. This is not expected to require any additional approval or referral requirements. The planning proposal is consistent with this direction. |
| 1.4 | Site specific provisions | The planning proposal does not contain any unnecessarily restrictive site specific planning controls. The planning proposal is consistent with the direction |
| 1 | Planning systems (cont.) – place based | |
| 1.5 – 1.1 7 | Implementation Plans | Not applicable. These plans do not apply to the Woollahra LGA. |
| 2 | Design and place | |
| 3 | Biodiversity and conservation | |
| 3.1 | Conservation zones | Applicable and consistent. The planning proposal will not affect the conservation standards of any environmentally sensitive land. |
| 3.2 | Heritage conservation | Applicable and consistent. The planning proposal will not affect the significance of places with environmental heritage. |
| 3.3 | Sydney drinking water catchments | Not applicable. This direction does not apply to the Woollahra LGA. |
| 3.4 | Application of C2 and C3 zones and environmental overlays in Far North Coast LEPs | Not applicable. These LEPs do not apply to the Woollahra LGA. |

| Planning proposal – Compliance with section 9.1 directions | | |
|---|--|---|
| Direction | | Applicable/comment |
| 3.5 | Recreation vehicle areas | Not applicable. The planning proposal does not apply to sensitive land or land with significant conservation values. It will not allow land to be developed for a recreation vehicle area. |
| 4 | Resilience and hazards | |
| 4.1 | Flooding | The planning proposal will not rezone flood liable land or affect the application of controls that ensure that development on flood liable land will not result in risk to life or damage to property. The planning proposal is consistent with the direction. |
| 4.2 | Coastal management | Not applicable. The planning proposal does not affect land in a coastal zone. |
| 4.3 | Planning for bushfire protection | Not applicable. The planning proposal does not affect bushfire prone land. |
| 4.4 | Remediation of contaminated land | Applicable and consistent. The planning proposal does not contain a provision which is contrary to the objective of this direction. |
| 4.5 | Acid sulfate soils | Applicable and consistent. Existing acid sulfate soils provisions will not be altered by the planning proposal. |
| 4.6 | Mine subsidence and unstable land | Not applicable. The planning proposal does not apply to land within a proclaimed Mine Subsidence District or to land identified as unstable. |
| 5 | Transport and infrastructure | |
| 5.1 | Integrating land use and transport | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the aims, objectives and principles of: <ul style="list-style-type: none"> Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and The Right Place for Business and Services – Planning Policy (DUAP 2001). |
| 5.2 | Reserving land for public purposes | The planning proposal does not amend reservations of land for public purposes. The planning proposal is consistent with the direction |
| 5.3 | Development near regulated airport and defence airfields | Applicable. Consistent. The planning proposal does not contain a provision which is contrary to this direction. |
| 5.4 | Shooting ranges | Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range. |

**Planning proposal –
Compliance with section 9.1 directions**

| Direction | Applicable/comment |
|-----------|--|
| 6 | Housing |
| 6.1 | <p>Residential zones</p> <p>Applicable and consistent.</p> <p>A key objective of this direction is ‘to minimise the impact of residential development on the environment’. The revised zoning and associated controls will encourage the retention of existing vegetation on the subject properties, and provide more opportunity for deep soil landscaping as part of future developments. This additional greenery will support local biodiversity, provide habitat to wildlife moving between bushland areas of the LGA and reduce localised heat.</p> <p>The planning proposal will encourage housing that is of good design. The new controls will encourage development to sensitively respond to the existing streetscape and make provision for quality landscaping. This will protect the quality of the streetscape, is consistent with the desired future character and enhance the character of surrounding low density residential areas.</p> <p>This planning proposal will not significantly affect the choice of housing types and locations available in the market. Furthermore, the proposal will have no impact on the use of existing infrastructure or the consumption of land on the urban fringe.</p> <p>This direction requires planning proposals to not reduce the permissible density of dwellings on a site, unless the relevant planning authority can demonstrate the planning proposal is:</p> <ul style="list-style-type: none"> a) <i>justified by a strategy approved by the Planning Secretary which:</i> <ul style="list-style-type: none"> i. <i>gives consideration to the objective of this direction, and</i> ii. <i>identifies the land which is the subject of the planning proposal (if the planning proposal relates to a particular site or sites), or</i> b) <i>justified by a study prepared in support of the planning proposal which gives consideration to the objective of this direction, or</i> c) <i>in accordance with the relevant Regional Strategy, Regional Plan or District Plan prepared by the Department of Planning and Environment which gives consideration to the objective of this direction, or</i> d) <i>of minor significance.</i> <p>Having considered the independent Review prepared by Studio GL, and that this planning proposal is of minor</p> |

| Planning proposal – Compliance with section 9.1 directions | | |
|---|--|---|
| Direction | | Applicable/comment |
| | | significance only (as it will reduce the permissible density of the land by approximately 10 dwellings), this planning proposal is consistent with this direction. Furthermore, the minor loss in density resulting from this planning proposal is capable of being offset by other Council strategies, such as the <i>Draft Edgecliff Commercial Centre. Planning and Urban Design Strategy</i> . |
| 6.2 | Caravan parks and manufactured home estates | The planning proposal will not affect any caravan parks or manufactured housing estates. |
| 7 | Industry and employment | |
| 7.1 | Business and industrial zones | Applicable and consistent. The planning proposal does not contain a provision which is contrary to the objective of this direction. |
| 7.2 | Reduction in non-hosted short-term rental accommodation period | Not applicable. These strategies do not apply to the Woollahra LGA. |
| 7.3 | Commercial and retail development along the Pacific Highway, North Coast | Not applicable. This direction does not apply to the Woollahra LGA. |
| 8 | Resources and energy | |
| 8.1 | Mining, petroleum production and extractive industries | Not applicable. This planning proposal will not affect any of the nominated activities. |
| 9 | Primary production | |
| 9.1 | Rural zones | Not applicable. This planning proposal will not affect any rural zones. |
| 9.2 | Rural lands | Not applicable. This planning proposal will not affect any rural lands. |
| 9.3 | Oyster aquaculture | Not applicable. This planning proposal will not affect any Priority Oyster Aquaculture Areas. |

**Planning proposal –
Compliance with section 9.1 directions**

| Direction | | Applicable/comment |
|------------------|--|---|
| 9.4 | Farmland of state and regional significance on the NSW Far North Coast | Not applicable. This direction does not apply to the Woollahra LGA. |