





# Planning Proposal

2 & 4-10 Bay Street & 294-296 New South Head Road,  
Double Bay NSW 2028

Submitted to Woollahra Council  
On Behalf of Loftex Pty Ltd

April 2019

## REPORT REVISION HISTORY

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### Certification

This report has been authorised by City Plan Strategy & Development P/L, with input from a number of other expert consultants. To the best of our knowledge the accuracy of the information contained herein is neither false nor misleading. The comments have been based upon information and facts that were correct at the time of writing.

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Appendix	Document	Prepared by
1	Urban Design and Development Envelope Study	Tzannes
2	Heritage Impact Statement	Urbis
3	Overshadowing Impact Assessment	Ecological Australia
4	Flood Impact Statement	Wood & Grieve Engineers
5	Visual Impact Statement	Richard Lamb & Associates
6	Traffic Impact Assessment	PDC Consultants
7	VPA Letter of Offer	Loftex Pty Ltd

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## SECTION A - OVERVIEW

### 1. EXECUTIVE SUMMARY

This Planning Proposal (PP) is being submitted to Woollahra Council on behalf of the proponent, Loftex Pty Ltd and relates to the re-development of 2 & 4-10 Bay Street & 294-296 & 298 New South Head Road, Double Bay ("the site").

This PP has been prepared in accordance with Section 3.3 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the relevant Department of Planning Guidelines including "*A Guide to Preparing Local Environmental Plans*" and "*A Guide to Preparing Planning Proposals*".

This PP seeks to amend the following provisions of the Woollahra Local Environmental Plan 2014 (WLEP) to facilitate redevelopment in a manner that best responds to the New South Head Road and Bay Street Precincts. Specifically, the PP seeks to amend the WLEP as follows:

- Amend the WLEP 2014 Height of Buildings Map (HOB\_003) to identify the site as having a 21.5 metre height limit; and
- Amend the WLEP 2014 Floor Space Ratio Map (FSR\_003) to identify the site as having a Floor Space Ratio of 3:1.

The purpose of the PP is to facilitate the re-development of the site and support the provision of a high-quality mixed-use development comprising retail, commercial and residential uses. It is intended that the development will assist in enhancing the vitality and vibrancy of Double Bay as an important commercial centre and will help to increase housing diversity and choice.

The PP has been prepared in response to Council's recent urban design work in the Double Bay Centre which foreshadows similar change which would be facilitated in the review of the LEP.

The proposed amendments to the WLEP thus respond to both the broad metropolitan strategic and detailed local planning framework. As demonstrated, the alternative built form will achieve a suitable planning outcome for the site in regard to the existing and future anticipated context.

The PP provides a detailed justification for the proposed amendments and demonstrates compliance with the strategic framework at a metropolitan, district and local level. Together with the detailed urban design analysis prepared by Tzannes Architects, there is clear evidence to demonstrate this proposal to increase the allowable building height and floor space ratio on the site will offer a range of social and economic benefits to the community of Double Bay and will deliver material public benefit.

In conclusion, it is our view that the subject PP is worthy of Council's support to proceed to the Greater Sydney Commission (GSC) for a Gateway Determination.



## 2. THE SITE

### 2.1. Location and Description

The subject site comprises Nos. 2 & 4-10 Bay Street & 294-296 & 298 New South Head Road. The site is located within the suburb of Double Bay and is within the Local Government Area (LGA) of Woollahra. The location of the site is shown in **Figures 1** and **2** below.

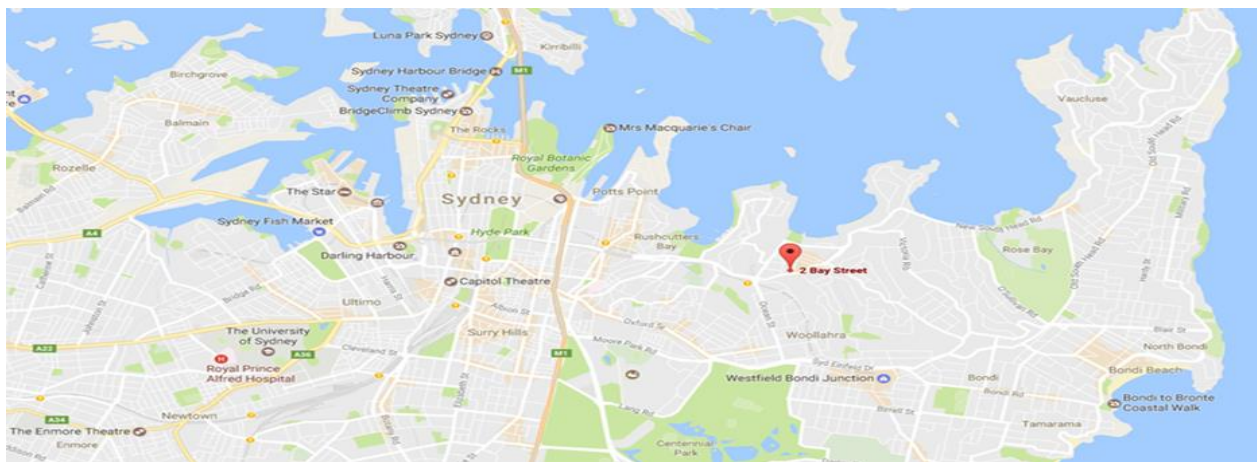


Figure 1: Context Map, site marked in red (Source: Google Maps)



Figure 2: Aerial view, site outlined in red and shaded yellow (Source: Sixmaps)

The site is located on the north-western corner of Bay Street and New South Head Road and has three street frontages to New South Head Road, Bay Street and Brooklyn Lane.

The site currently consists of the following allotments as shown in **Table 1** and **Figure 3** below.

*Table 1: Legal Description of Site*

Address	Lot	Deposit Plan
2 Bay Street	24 & 25	4606
4-10 Bay Street	100	712017
294-296 New South Head Road	C	955406
298 New South Head Road	B	955406

The amalgamated site forms a rectangular shape with a combined area of 1,862.7m<sup>2</sup>. The topography of the site falls from the south towards the north. The high point of the site is located at the southwest corner of the subject site with a level of RL13.70 AHD along New South Head Road. The low point is located at the northeast corner at RL 5.49m AHD. Refer to the survey plan which is included in the Urban Design and Development Envelopment Study prepared by Tzannes at **Appendix 1**.



*Figure 3: View of site showing lot boundaries and label, site outlined in red and shaded yellow (Source: Sixmaps)*



## 2.2. Existing Improvements

The existing development on the site comprises four separate buildings ranging from one to four storeys in height. The development at 294-296 New South Head Road currently comprises a part three, part four commercial building known as "The Fortress". The adjoining site at 298 New South Head Road is located on the corner of New South Head Road and Bay Street and contains a three-storey commercial building. The development at 2 Bay Street comprises a single storey commercial building. The adjoining development at 4-10 Bay Street contains a four-storey commercial building.

The existing development on the site is shown in **Figures 4 to 6** below.



Figure 4: Subject site, Bay Street Frontages (Source: Tzannes)

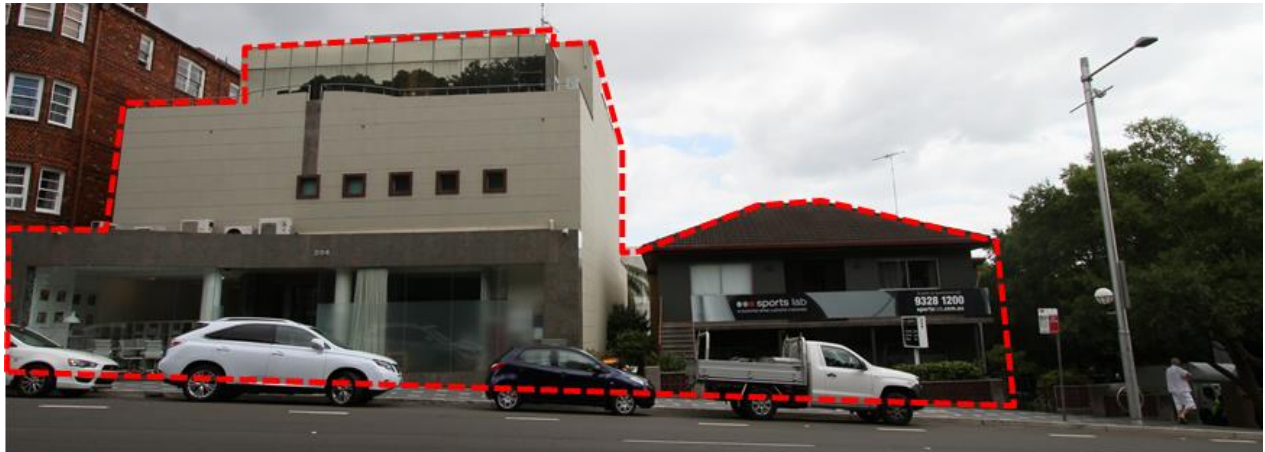


Figure 5: Subject site, New South Head Road frontage (Source: Tzannes)



Figure 6: Part of the rear of the site from Brooklyn Lane (Source: Google Maps)

## 2.3. Adjacent and Surrounding Development

In summary, the surrounding context is described as follows:

- Development fronting New South Head Road to the west of the site predominantly consists of residential flat buildings ranging up to seven storeys in height.
- Development fronting New South Head Road to the east of the site comprises a range of active retail and commercial premises, which form the Double Bay commercial centre.
- Bay Street has a very different character to New South Head Road and predominately consists of fine grain allotments with low storey commercial premises and higher storey mixed use developments.
- A number of buildings along Bay Street are identified as character buildings in the Woollahra Development Control Plan (2015) (DCP) because of their architectural character. This includes the building to the north of the site at 14 Bay Street and buildings opposite the site at nos. 9-15 Bay Street.
- The scale of the developments and inclusion of street trees reinforces a street village character along Bay Street.
- Brooklyn Lane primarily provides rear access to the adjoining commercial and residential uses. Development along Brooklyn Lane varies from one to six storeys in height.
- Whilst the site does not include any heritage items, the site is located within close proximity to the heritage listed gardens and associated vegetation to the former house "Overthorpe" at 337-349 New South Head Road.

The adjacent and surrounding development is shown in **Figures 7 to 10** below.





Figure 7: Low storey commercial premises fronting Bay Street (Source: Google Maps)



Figure 8: Commercial premises fronting Bay St (Source: Google Maps)



Figure 9: Medium density housing located north of the site on New South Head Road (Source: Google Maps)



Figure 10: Retail and commercial premises located south of the site on New South Head Road (Source: Google Maps)



Figure 11: Brooklyn Lane, predominantly used as a rear access lane (Source: Google Maps)



## 2.4. Site Context

### 2.4.1. Land Use

The subject site is located within the suburb of Double Bay and is within 2km of Bondi Junction and 3.5km of Sydney CBD. The site is located within the Central Subregion of Sydney.

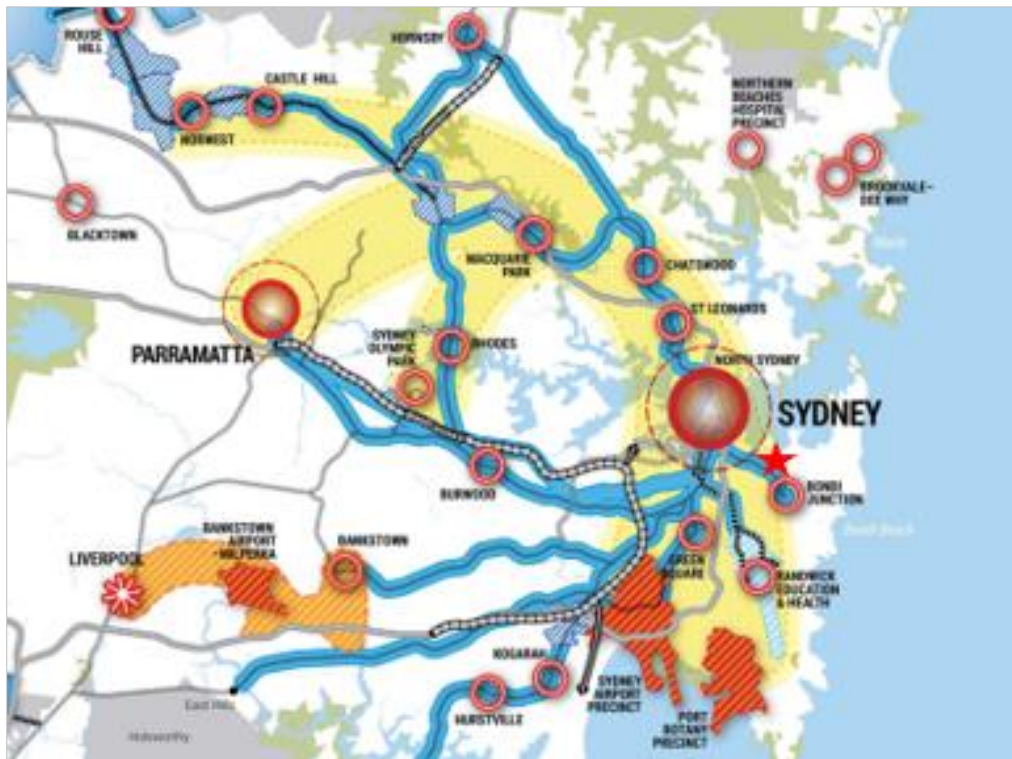


Figure 12: Extract from a Plan for Growing Sydney, approximate location of subject site marked with red star

The subject site sits at the western entry point of the Double Bay Commercial Centre, defined by the intersection of Bay Street and Manning Street with New South Head Road. New South Head Road forms a major arterial road which runs directly through the commercial centre and is characterised by heavy traffic flows and congestion. The properties to the east of the site fronting New South Head Road and Bay Street are zoned B2 Local Centre. Woollahra Council's B2 zone seeks to provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. The zone also seeks to encourage employment opportunities in accessible locations.

The properties to the west of the site, also fronting New South Head Road, are zoned R3 Medium Density Residential. Woollahra Council's R3 zone seeks to provide for the housing needs of the community and to provide a variety of housing types within a medium density residential environment. This PP seeks to ensure consistency with the adjoining land use zoning and desired future character for New South Head Road.

Whilst the surrounding area contains a mix of residential, commercial and retail uses which form the commercial centre of Double Bay, no significant residential or mixed-use development has taken place within Double Bay's commercial core. This has resulted from a range of factors including the Centre's existing planning controls, which in most cases do not facilitate sufficient floor space to make redevelopment economically viable, as well as the impact of nearby Bondi Junction which has eroded the strength and significance of Double Bay as a commercial centre. Woollahra Council has acknowledged there is a problem with high vacancy rates and low foot traffic within the commercial centre and has also identified there is a lack of diversity in the local housing stock which is discouraging a varied demographic within the area.

Woollahra Council has sought to encourage development at a scale that relates to the function and role of the street they address. In this regard, larger scale development has appropriately been focused on major streets such as New South Head Road. Given the site's proximity to public transport, shops and community services, there is an opportunity for redevelopment at the site, with a view to providing a greater intensity of development adjacent to a classified road and within the Double Bay Commercial Centre.

#### **2.4.2. Accessibility and Connectivity**

New South Head Road is a main arterial road providing access from Sydney CBD, through the eastern suburbs to Vaucluse. Parallel parking is located on both sides of New South Head Road and two lanes are provided in each direction.

New South Head Road is well serviced by buses with several stops located within 100m of the site, which services surrounding suburbs and include bus routes 323, 324, 325, 326 & 327. Bus services are available seven days a week and are typically available every 10 minutes. Edgecliff Train Station and bus interchange is located approximately 400m from the subject site.

The proposed development is located within the Double Bay Commercial Centre which comprises a variety of shops and services. The bus services surrounding the site also provide access to Bondi Junction and Sydney CBD, which provide a greater variety of goods and services.

The site is approximately 500 metres from Double Bay Wharf providing access to Rose Bay Ferry Wharf, Watsons Bay Ferry Wharf and Circular Key.

**Figure 13** shows the public and active transport services within the vicinity of the site.



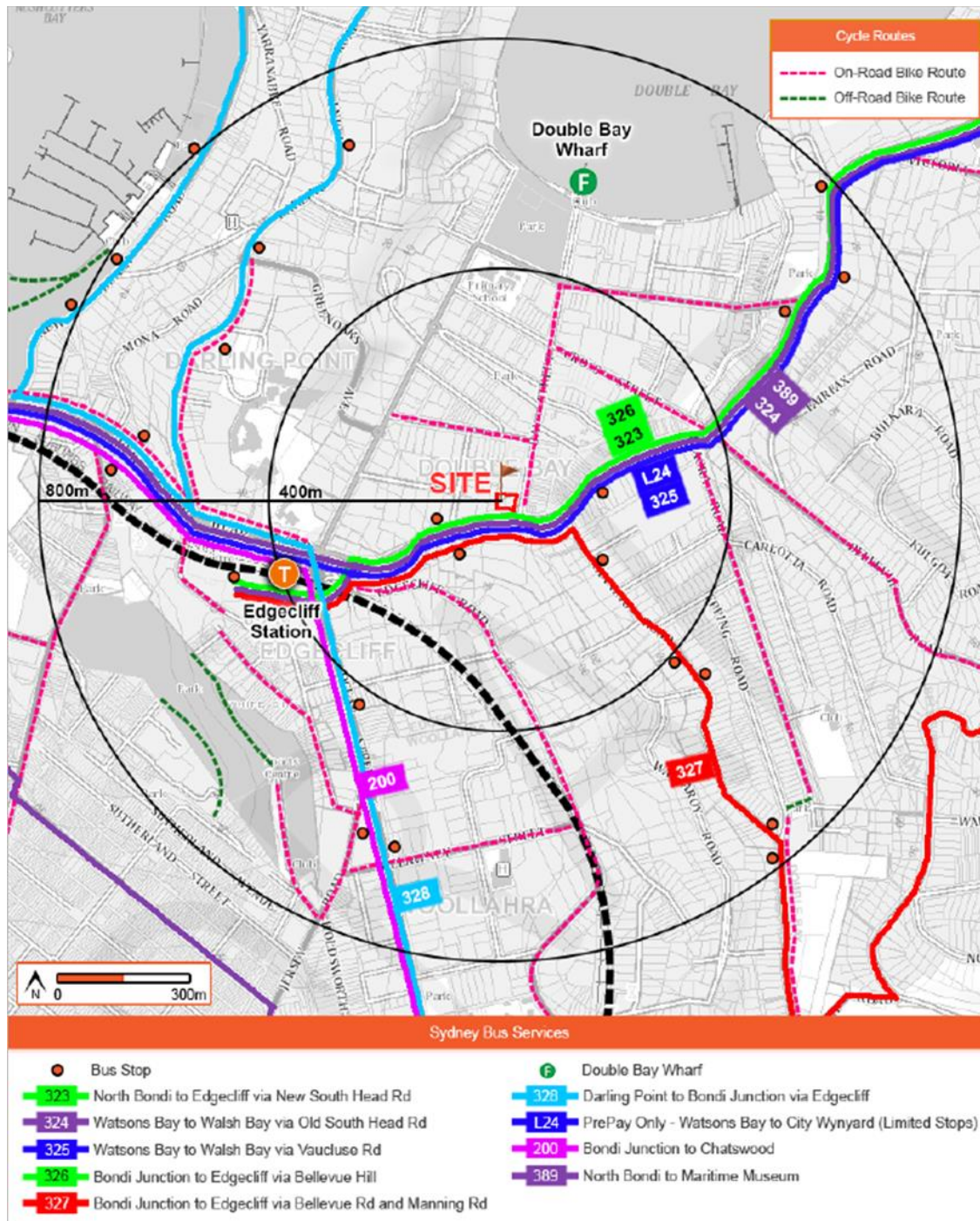


Figure 13: Public & Active Transport Services (Source: PDC Consultants)

### 2.4.3. Building Forms and Streetscape Character

The subject site and its immediate context are defined by the intersection between Bay Street and New South Head Road. The intersection sits at the western entry point into the Double Bay Commercial Centre and is topographically the highest point within the Centre. The site has been indicated as the Western Gateway into Double Bay by Aspect in the Double Bay Centre Public Domain Strategy.

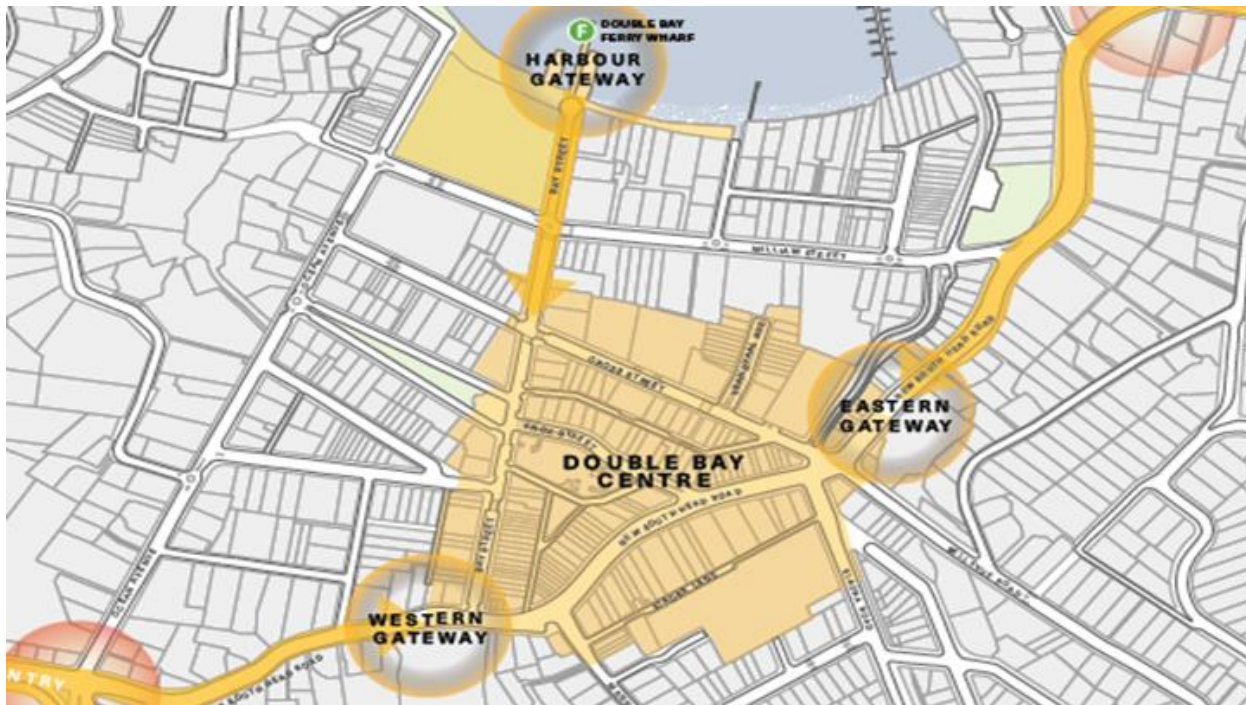


Figure 14: Double Bay Centre and Gateways (Source: Aspect Public Domain Report, 2016)

The site fronts Bay Street to the east and New South Head Road to the south. Bay Street connects New South Head Road with the harbour and is one of the most significant elements of the Double Bay public domain. Other developments fronting Bay Street within the vicinity of the site comprise a mix of both fine grain allotments and larger mixed-use developments. Appropriately scaled retail uses reinforce the street village character.

New South Head Road is a historically significant connection between the City and South Head. It traverses the Double Bay Centre where it has a strong curved form punctuated with vistas of green at either end. The adjoining developments fronting New South Head Road to the west and south comprise medium density residential, and developments to the east comprise a mix of commercial and retail development.

### Public Open Space

Public open space is an important influence on the desirability of the location. Public open space in close proximity to the site includes:



- Steyne Park - located less than 400m from the subject site, the large open park provides a playground and waterfront access.
- Guilfoyle Park - located 150m from the subject site, the small park provides shaded seating and hosts local food markets.

## 2.5. Current Development Controls

The WLEP has the following planning controls that apply to this site and are relevant to this PP.

### 2.5.1. Zoning and Permissibility

Under the WLEP the site is zoned 'B2 Local Centre', as shown in **Figure 15**.

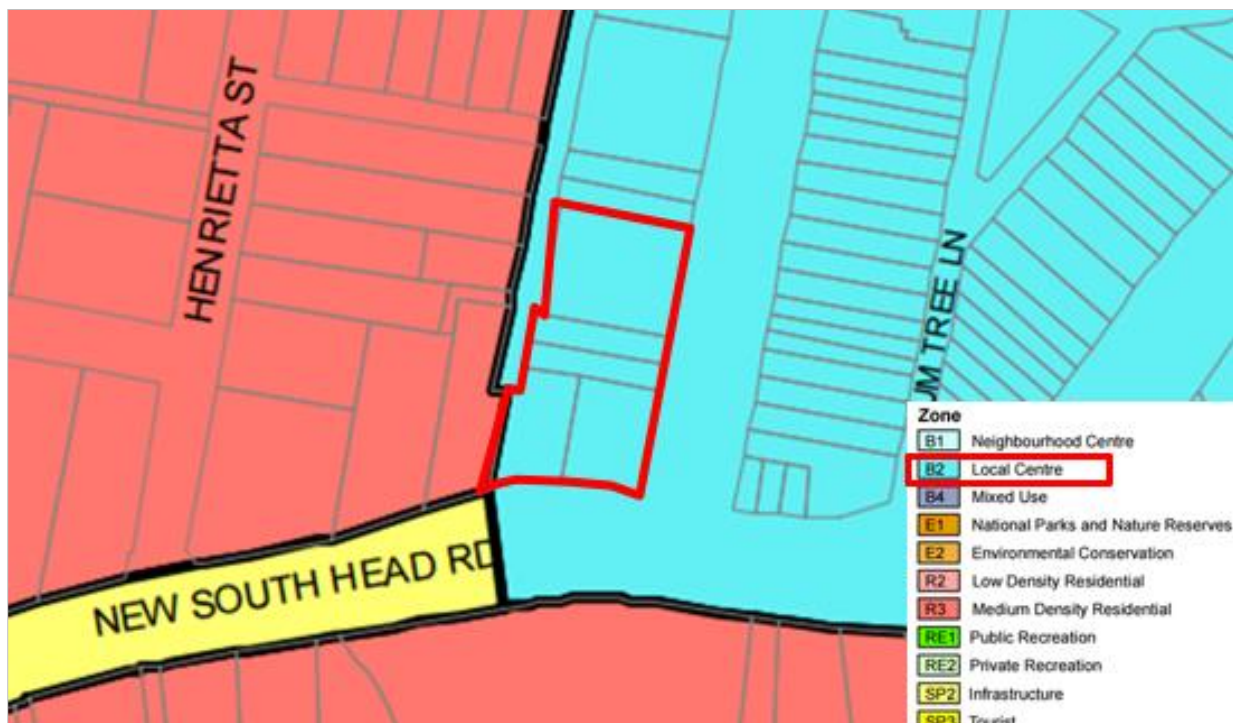


Figure 15: Extract of Zoning Map under the WLEP, subject site outlined in red (Source: WLEP)

The following extract is from the land use table for the B2 zone and sets out the objective of the zone and permissible land uses.

## ***“B2 Local Centre***

### **1 Objectives of zone**

- *To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.*
- *To encourage employment opportunities in accessible locations.*
- *To maximise public transport patronage and encourage walking and cycling.*
- *To attract new business and commercial opportunities.*
- *To provide active ground floor uses to create vibrant centres.*
- *To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area.*
- *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 with consent**

*Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Centre-based child care facilities; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Function centres; Home occupations (sex services); Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Service stations; Sex services premises; Shop top housing; Tourist and visitor accommodation; Veterinary hospitals*

### **4 Prohibited**

*Any development not specified in item 2 or 3”.*

## 2.5.2. Height of Buildings

The site is subject to a maximum building height of 14.7m under the WLEP 2014. Refer to the extract below.

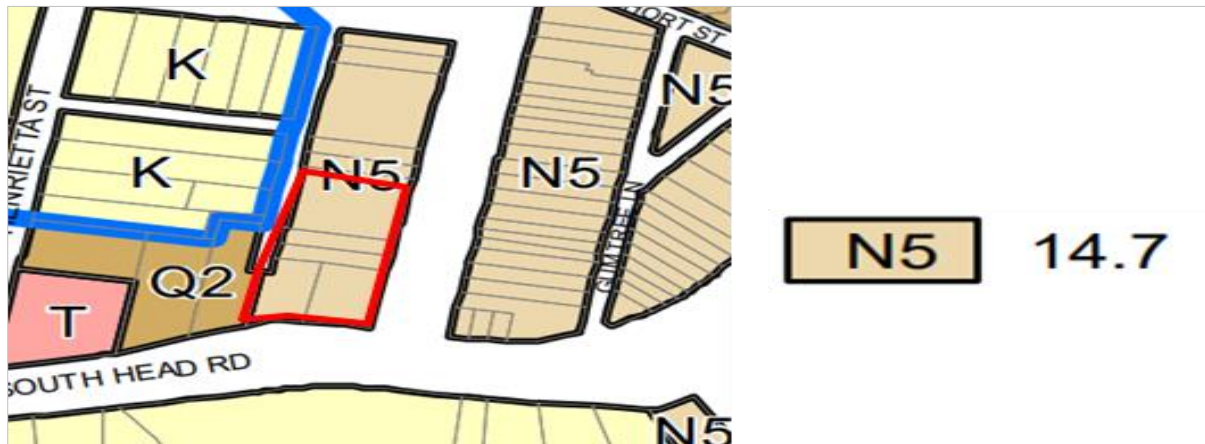


Figure 16: Extract of Height of Buildings Map under the WLEP, subject site outlined in red (Source: WLEP)

## 2.5.3. Floor Space Ratio

Part of the site is identified as having a maximum Floor Space Ratio (FSR) of 2.5:1 under the WLEP. Part of the site is identified as 'Area 1', which under Clause 4.4A of the WLEP, permits a maximum FSR of 3:1 'if the consent authority is satisfied that the development will be compatible with the desired future character of the zone in terms of building bulk and scale'. Refer to the FSR extract below.

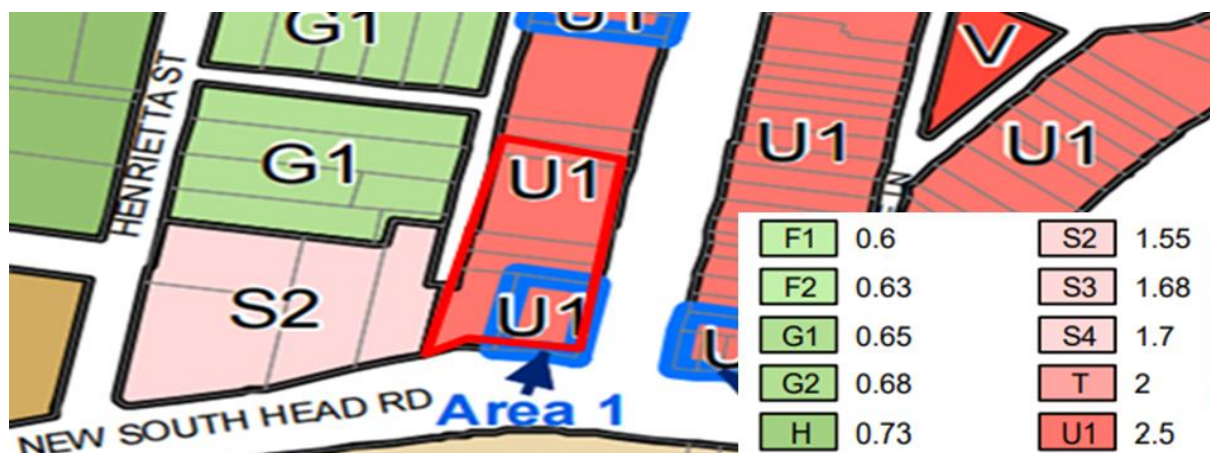


Figure 17: Extract of Floor Space Ratio Map under the WLEP, subject site outlined in red (Source: WLEP)

#### 2.5.4. Site & Built Form

Analysis has identified that the maximum FSR of 3:1 and 2.5:1 cannot be achieved in the height limits of 14.7 metres. This was demonstrated in a previous development application (DA) 45/2018/1 where a Clause 4.6 variation was sought to be used to deal with the unnecessary variation. Council sought a withdrawal of this DA and the development of the site to be facilitated by a PP (this PP).

#### 2.5.5. Heritage Conservation

The site does not contain a heritage item and is not within a heritage conservation area. The site is located opposite heritage items 'Gardens to former "Overthorpe"' and 'Vegetation associated with the gardens of the former house "Overthorpe"'. Local Heritage item 673 relates to various street name inlays along Bay Street. Refer to extract below.



Figure 18: Extract of Heritage Map under the WLEP, subject site outlined in red (Source: WLEP)



### 2.5.6. Acid Sulphate Soils

The site has a "Class 5" and "Class 2" classification under the WLEP.



Figure 19: Extract from Acid Sulphate Soils Map under the WLEP, subject site outlined in red (Source: WLEP)

### 2.5.7. Flood Planning

The site is identified in the Flood Planning Area under the WLEP. Refer to extract below.

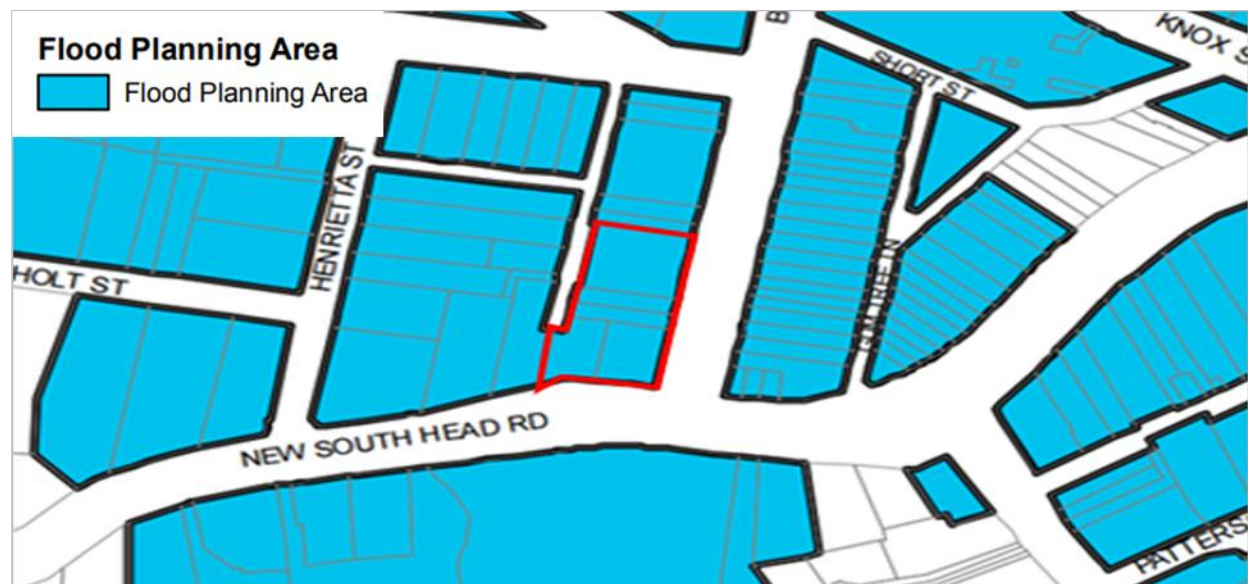


Figure 20: Extract from Flood Planning Map under the WLEP, subject site outlined in red (Source: WLEP)

## 2.6. Site Constraints and Opportunities

The identification of constraints and opportunities relating to the site helps to frame the planning principles that will guide future development.

In summary these constraints include:

- Topography of site and high water table.
- Proximity to noise on New South Head Road.
- Scale and character of the adjoining terrace properties on Bay Street.
- Amenity of adjoining apartment building at 290 New South Head Road to be protected.
- Orientation and depth of the site between Brooklyn Lane and Bay Street.
- Restriction of vehicular access from New South Head Road and no additional traffic on Bay Street.
- Retention of retail tenancies along Bay Street.

The opportunities include:

- Opportunity to create a gateway development on the western entry to the Double Bay Commercial Centre.
- Excellent proximity to public transport including rail, bus and ferry networks.
- Opportunity for landmark retail corner on New South Head Road.
- Opportunity to provide basement parking above the levels of ground water and outside of the acid sulphate soils affected land.
- Opportunity to provide additional height and bulk which has no adverse overshadowing impacts to adjoining properties.
- Existing vehicular access from Brooklyn Lane.
- Potential for a pedestrian through-site link from Brooklyn Lane to New South Head Road.
- Opportunity to retain commercial floorspace and improve and extend the premium retail floorspace offer.
- Opportunity to increase housing supply and diversity in Double Bay.

## 2.7. Development Strategy and Pre-PP Advice

On 15 February 2018 a DA was lodged to Woollahra Municipal Council at the subject site for a shop top housing development incorporating 46 residential units and seven commercial premises (DA 45/2018/1). The DA was accompanied by two Clause 4.6 variation reports which sought an exemption from the FSR and maximum height development standards applicable to the site under the WLEP. The Clause 4.6 variations were required because the current FSR and height controls were inconsistent and a mismatch. That is, the height did not allow for a built form to accommodate the relevant FSR.

Nevertheless, during the DA's assessment, the project team met with Council staff to discuss the DA. Council confirmed that they would be unable to support the DA in its current form (due to not wanting to create a precedent in varying the development standards) and advised that a PP should be lodged seeking amendments to the FSR and maximum height development standards. Council advised that the current



quantum of commercial floorspace should be retained across the site in any redevelopment and made a series of recommendations relating to the design of the building, apartment mix, opportunities for enhanced public domain and the potential for a Voluntary Planning Agreement.

The project team met with Council staff a second time, on 15 August 2018, and presented a preliminary design package which had been progressed in line with Council's feedback. Council were receptive to the amended design, however they expressed concerns regarding the six-storey height along Bay Street.

Following this meeting, the DA was subsequently withdrawn.

On 17 December 2018 a formal pre-PP meeting was held between the proponent's project team and Council's strategic planning team. The indicative plans detailed a part four storey, part six storey development accommodating approximately 41 dwellings and 1,490m<sup>2</sup> of non-residential floorspace. To facilitate this indicative design, an increase to the maximum building height from 14.7 metres to 25 metres and FSR from 2.5:1 and 3:1 to 3:1 across the consolidated site was sought.

Following the meeting Council provided written comments on the PP. In summary, Council staff considered the building height significant and stated that staff would not support a request for a PP with a proposed building height control of 25 metres. Council also identified that they would not support a request for a PP for increased FSR, unless it incorporated a non-residential FSR control of 1.3:1. This is consistent with Council's PP which has recently been submitted to the Department of Planning & Environment and seeks to adopt this control in the Double Bay Centre.

The amended development scheme presented as part of this PP responds to the matters raised by Council officers. Specifically, the PP proposes an FSR of 1.3:1 for non-residential development and a 21.5 metre maximum height limit to be achieved across the site. **Table 2** demonstrates how the PP responds to Council's written comments.

Table 2: Response to Council's Pre-PP Written Advice

Council's Comment	Response
<b>Woollahra Local Environmental Plan 2014</b>	
<p><b>Part 4.3: Height of buildings</b></p> <p>A request for a PP must fully justify the requested building height control on the site Council advised that a Building Envelope Review is being prepared to guide future development of the Double Bay Commercial Centre. Although the review is yet to be finalised, Council indicated it is unlikely that there will be recommendations for a building height control of the scale sought in the pre-application.</p> <p>Council stated they would not support a request for a PP with a proposed building height control of 25 metres. Any proposed building height control would need to correspond to the baseline building height controls.</p>	<p>The PP seeks a proposed building height control of 21.5 metres. This proposed height is consistent with the <i>baseline maximum building heights for commercial zones</i> prepared by Council which informed the production of the Draft Woollahra Local Environmental Plan 2013.</p> <p>This study acknowledges that a suitable baseline building height for a six-storey mixed use building comprising both residential and commercial uses is 20.5 metres. Council have acknowledged that it is appropriate to include an additional 1m to building height controls to allow for rooftop articulation.</p> <p>As the development concept for the site consists of a six-storey mixed use building, the proposed 21.5 metres building height is considered appropriate and is consistent with Council's existing baseline building heights.</p>
<p><b>View sharing</b></p> <p>A request for a PP must address any view sharing impacts from surrounding properties. The assessment must be made on the maximum building envelope created by the requested planning controls, not the building envelope of the concept building.</p>	<p>The PP is accompanied by a Visual Impact Assessment Statement prepared by Richard Lamb &amp; Associates which is provided at <b>Appendix 5</b>.</p> <p>The Statement concludes that no residential development within the immediate or wider visual context is likely to be exposed to visual effects and impacts of the proposed development, of the height and scale proposed. Notwithstanding as a conservative approach, if access to units in the Overthorpe Apartments and assessment of view loss is required by Council and can be arranged, simple block-model photomontages could be prepared to be used as objective aids for assessment of the merits of the proposal.</p>
<p><b>Part 4.4: Floor space ratio</b></p> <p>A request for a PP must fully justify the requested FSR control on the site. This must include analysis of the impacts of increasing the FSR from the existing controls to the requested control. The FSR should be consistent with the PP submitted to the GSC on 15 November 2018 regarding the provision of a non-residential FSR. Council staff would only support a request for a PP if the</p>	<p>The PP seeks an FSR development control of 3:1 across the site, inclusive of a non-residential FSR of 1.3:1. Justification for the increase in FSR is provided at <b>Section 5</b>.</p>

Council's Comment	Response
requested FSR includes a minimum non-residential FSR of 1.3:1.	
<p><b>Part 5.10: Heritage conservation</b></p> <p>A request for a PP must address potential overshadowing issues and the impacts this could have on the micro-environment of the gardens of "Overthorpe". The analysis must be prepared by a qualified ecologist. It must include an assessment of the impact of any overshadowing on the micro-environment/micro-climate itself and an assessment of the impact that any changes to the micro-environment/micro-climate will have on the heritage significant plant species.</p>	<p>A Heritage Impact Statement has been prepared by Urbis and accompanies the PP at <b>Appendix 2</b>.</p> <p>An Overshadowing Impact Assessment has been prepared by Ecological Australia and accompanies the PP at <b>Appendix 3</b>.</p>
<p><b>Part 6.3: Flood Planning</b></p> <p>The site is identified as Flood Planning Area under the Woollahra LEP 2014. A request for a PP must address flood planning matters.</p>	<p>A Flood Impact Statement has been prepared by Wood &amp; Grieve Engineers and accompanies the PP at <b>Appendix 4</b>.</p>
<b>Woollahra Development Control Plan 2015</b>	
<p><b>Chapter D5: Double Bay Centre</b></p> <p>A request for a PP must have regard to the desired future character of the area and address whether the proposed planning controls may require associated changes to the Woollahra DCP 2015.</p>	<p>The associated changes to the DCP include:</p> <p>Amendment to D5.5.9 Control Drawing 5 to facilitate the following changes:</p> <ul style="list-style-type: none"> <li>▪ Increase the number of permissible levels from 4 to 6;</li> <li>▪ Include a four metre setback at third-floor level along part of the site's frontage to Bay Street;</li> <li>▪ Include a six metre setback at first floor level along part of the site's frontage to Brooklyn Lane; and</li> <li>▪ Include a three metre setback along the south-western extent of the site adjacent to the proposed through-site link.</li> </ul> <p>Amendment to E1.5.2 in relation to non-residential parking generation rates:</p> <p>Further detail of the requested DCP changes is provided in <b>Section 4.1</b>.</p>

## **SECTION B – PLANNING PROPOSALS**

### **3. PART 1 – OBJECTIVES AND THE INTENDED OUTCOMES**

#### **3.1. Objectives of the PP**

The objective is to facilitate the redevelopment of a key site within the Double Bay Local Centre to create a modern, safe and attractive mixed-use development.

The objectives of this PP are to:

- Protect and retain a range of non-residential uses which will provide employment opportunities and assist in enhancing the vitality and vibrancy of the Double Bay Commercial Centre;
- Provide housing opportunities in a location with excellent access to transport, employment and social infrastructure;
- Provide an opportunity to improve the presentation of the site to the public domain, and enhance the streetscape in doing so;
- Capitalise on opportunities within the site to provide an economic and orderly use of the land for a mixed-use development;
- Facilitate a high quality urban and architectural design that responds to adjoining land uses;
- Minimise adverse impacts on existing development;
- Ensure the future development and use of land is appropriate to minimise environmental risks and potential impacts on adjoining land uses; and
- Satisfy State government objectives in 'A Metropolis of Three Cities' as well as relevant Section 117 directions.

#### **3.2. Intended Development Outcome**

The intended development outcome of this PP is to introduce development controls that will stimulate redevelopment and revitalisation of the site and increase the quantum of non-residential and residential floorspace across the site where the maximum height limit relates to the maximum FSR for the land.

The following specific development outcomes are intended:

- To facilitate the intensification of a prime site on the corner of New South Head Road and Bay Street and within the Commercial Centre;
- To provide for an enhanced built form that is compatible and appropriate with the existing and future surrounding context;
- To stimulate growth of the local economy and offer opportunities for enhanced prosperity within the Commercial Centre;
- To provide a mix of apartment sizes, including one-bedroom and two-bedroom units, to assist in achieving a diversity of price points and in turn, a younger demographic residing within the Commercial Centre;

- To encourage an amalgamation of land to enable a feasible, high quality mixed-use development that provides significant public domain enhancements for the local community;
- To introduce contextually appropriate development controls that ensure an appropriate built form response that enhances the site and locality;
- To protect and enhance the surrounding environment by encouraging development at a higher scale along New South Head Road and a lower scale along Bay Street;
- To deliver housing and commercial uses in a strategic location that can maximise the use of existing public transport, walking and cycling for trips; and
- To provide numerous direct and tangible benefits to the public, including improving the sustainability of the development on the site, providing a range of employment generating uses on the site, supporting access to employment and public transport, and enhancing the amenity and streetscape of the locality.

The concept proposal prepared by Tzannes Architects is an indicative development outcome for the site demonstrating the anticipated built form outcome for the site which facilitates a range of positive outcomes discussed in this PP. Refer to the Urban Design Report at **Appendix 1** for further detail. The potential yield of the indicative development is shown in **Table 3** below.

*Table 3: Indicative Site Development Statistics*

Element	Provision
Site Area	1862m <sup>2</sup>
Total GFA	5,547m <sup>2</sup>
Residential GFA	3,120m <sup>2</sup>
Commercial GFA	1,934m <sup>2</sup>
Retail GFA	493m <sup>2</sup>
Total Non-Residential GFA	2,427m <sup>2</sup>
FSR	3:1
Height	21.5 metres
Total Residential Units	30 units comprising: <ul style="list-style-type: none"> <li>▪ 6 x one-bedroom apartments</li> <li>▪ 20 x two-bedroom apartments</li> <li>▪ 4 x three-bedroom apartments</li> </ul>
Parking	60 spaces at ground and basement levels

## 4. PART 2 – EXPLANATION OF THE PROVISIONS

### 4.1. Overview

#### LEP Amendments

This PP seeks the following modifications to the provisions of the WLEP as follows:

- Permit the maximum floor space ratio on the site from 2.5:1 and 3:1 to 3:1; and
- Permit the maximum building height from 14.7 metres to 21.5 metres.

It is proposed to implement these amendments by updating the relevant WLEP 2014 Maps as follows:

- Amend the WLEP 2014 Height of Buildings Map (Sheet HOB\_003) to identify the site as having a height limit of 21.5 metres; and
- Amend the WLEP Floor Space Ratio Map (Sheet FSR\_003) to identify the site as having a floor space ratio of 3:1.

#### DCP Amendments

The following DCP amendments are sought to facilitate the PP:

Amendment to **D5.5.9 Control Drawing 5** to facilitate the following changes:

- Increase the number of permissible levels from 4 to 6;
- Include a four-metre setback at fifth-floor level and above along part of the site's frontage to Bay Street;
- Include a six-metre setback at first floor level and above along part of the site's frontage to Brooklyn Lane; and
- Include a three-metre setback along the south-western extent of the site adjacent to the proposed through-site link.

The proposed setbacks are illustrated on the diagram at Figure 21.



Figure 21: Proposed DCP setbacks at third floor level fronting New South Head Road and fourth floor level fronting Bay Street (Source: Tzannes)

The purpose of introducing the four-metre setback along part of the site's Bay Street frontage is twofold. Firstly, the setback control will ensure that any future development application responds to the character of Bay Street and the lower form of development along this frontage. A four-metre setback control will ensure that future development will present as a four-storey building along Bay Street, with the fifth and six storeys above appropriately setback and indiscernible from the streetscape below.

On the site's corner of Bay Street and New South Head Road, a zero-metre setback is proposed. The purpose of this control is to allow for a gateway building to be provided on this prominent entrance corner to Double Bay, which enables maximum street frontage to be provided to Bay Street and New South Head Road. It is intended that the resultant built form on this corner will signify and mark the western entrance to Double Bay.

The purpose of introducing a 6 metre setback along the northern extent of Brooklyn Lane at level one and above is to ensure that appropriate separation distance is provided between the site and the adjoining neighbouring buildings which front Brooklyn Lane.

The purpose of introducing a 3 metre setback along the southern extent of the site's western boundary is to ensure that a through-site link can be provided and delivered by a future development application.

This PP proposes an amendment to **E1.5.2** in relation to non-residential parking generation rates:

- The exclusion of the minimum parking generate rate of 3.3 spacer per 100m<sup>2</sup> for retail premises for the subject site.

Based on the indicative concept plans, the retail component of the development is required to provide a minimum of 10 car parking spaces in accordance with E1.5.2 of the Woollahra DCP 2015. However, it is proposed to amend the DCP and exclude any requirement for retail car parking. This is considered acceptable in the circumstances for the following reasons:

- The existing development incorporates approximately 370m<sup>2</sup> of retail floor space with no on-site parking for retail staff or visitors. The existing development therefore generates a demand for 8 retail car spaces under the applicable car parking rates of the Woollahra DCP 2015 and this demand is wholly accommodated on street.
- The proposal will generate a demand for 10 on-street car spaces however this would equate to a net increase in demand of only 2 on-street car spaces once the existing development is taken into account.
- The proposal would include the removal of an existing driveway onto Bay Street. This would provide a public benefit through the creation of 1-2 additional on-street parking spaces and would offset the abovementioned net increase in on-street parking demand of 2 car spaces. Accordingly, the proposal would have no impact on the availability of on-street parking in the locality.
- The site resides within the Double Bay Centre which accommodates numerous retail, commercial, social and recreational services / businesses / shops. Accordingly, it is expected that a significant proportion of retail business would be drawn from 'foot traffic', as pedestrians walk past the site as part of a multi-purpose trip whereby pedestrians would visit a number of different shops / businesses as part of a single journey. Accordingly, it is expected that the retail tenancies would generate negligible retail visitor parking demands.
- Given the constrained width of Brooklyn Lane and the high traffic generation characteristics of retail developments, it is not considered appropriate to provide on-site retail visitor parking, as this would be accessed off Brooklyn Lane and could potentially result in efficiency concerns. In this regard, it is considered appropriate that any minor retail visitor parking demands be accommodated on-street or within the off-street public car parking that is available within the Double Bay Town Centre.
- The site benefits from excellent access to public transport services being within 400 metres of Edgecliff Railway Station, 400 metres of numerous bus stops located along New South Head Road, Manning Road and Edgecliff Bus Interchange, and within 550 metres of Double Bay Wharf. The site is therefore well situated to take advantage of these public transport services and will result in negligible retail staff and visitor parking demands generally.

The proposed height and FSR controls, together with an amendment to the DCP will create an appropriate framework in our view to ensure future development applications can be designed to a high standard without compromising the amenity of surrounding properties.

A development application for the redevelopment of the site will be lodged following amendment of the WLEP.



## 5. PART 3 - JUSTIFICATION

### 5.1. Need for a PP

#### 5.1.1. Is the PP a result of any strategic study or report?

Yes. The Double Bay Place Plan was adopted by Council in December 2014 and sets out an ambitious series of strategies, priorities and actions aimed at achieving a new vision and place story for Double Bay. Strategy 3.1 of the Place Plan states that Double Bay should be made as a place for people to live, work and play, and planning controls should encourage retail, commercial and residential mixed-use development. Strategy 3.2 of the Plan identifies that Double Bay should provide for increased housing opportunities to create a more diverse housing mix to make housing more affordable for young people and to increase the resident population of the village. The strategy recommended that an economic study be commissioned to examine the opportunities for an additional residential population to be accommodated in Double Bay in smaller apartments. The strategy recommends that the outcome should be reported to Council and both LEP and DCP planning controls should be amended to encourage new moderate scale housing.

As a result of the Place Plan, the Double Bay Economic Feasibility Study was prepared by Hill PDA to investigate opportunities for increased residential development within Double Bay Centre. The findings of the study highlight that the Centre has become an increasingly attractive location for younger residents and visitors on account of its changing retail and lifestyle mix. The growing appeal of the Centre has supported strong demand for retail floorspace at ground level together with sound demand for commercial office suites for professionals in prime locations. However, despite the strength and scale of this demand, mixed use development within the Centre has been limited in recent years. The study reveals that the majority of new developments that have progressed through to construction largely comprise 2+ bedroom apartments and have not incorporated sought after studio and one-bedroom apartments.

In light of the key findings set out within the Study, a series of recommendations were made. This included a recommendation that Council reviews its existing planning controls having particular regard to building height and FSR to increase residential development within the Centre. The study recommends increased densities for the Centre (up to 3.5:1 FSR) to facilitate new residential development with each site to be *"considered on its merits... dependent on urban design testing and other environmental considerations"* (Hill PDA 2015, p.71). The Study sets out a series of recommendations to support the redevelopment in the Centre that is likely to result in the provision of a mix of apartment sizes, particularly smaller studio and one bedroom apartments.

Since the publication of the Study, at the Council meeting of 9 May 2016, Council resolved (in part) that a community engagement program be held at which staff can address the public and receive feedback from the public on the Study and the proposed urban development options be the subject of the program, which will include a community impact statement and options in the form of 3D simulation models. It is understood that since this time, Council's planning and urban design staff have been preparing a community impact statement and fine tuning the Building Envelope Review.

This PP responds to the general policy direction of the Place Plan in facilitating a more appropriate, intensive use of the site to support a high-quality mixed-use development which increases the current quantum of residential floorspace, but also, at the same time, increasing non-residential floorspace. The proposed mix

of uses will sustain activity level and assist in maintaining vitality and vibrancy throughout the week and weekend.

The retention and increase in the amount of non-residential floorspace will enable a daytime population from offices and businesses during the week and will increase footfall in the locality and as well as contribute to retail, cafes, services, medical and restaurant demand. In the evening and on weekends, residents and visitors will provide customers for retail, leisure and restaurant activities in the local centre. The Double Bay Place Plan acknowledges that an important part of making Double Bay a great place of people is ensuring that there is a suitable level of activity throughout the day and evening. The proposed development will assist in sustaining and increasing activity levels within the centre and will enhance the character of Double Bay as a place for people to live, work and play.

The proposed FSR and amended height controls are consistent with the recommendations set out within the Hill PDA Study in seeking to increase residential development within the Centre. The PP will increase housing opportunities within Double Bay to assist in creating a more diverse and varied housing mix. The proposed development will incorporate a range of unit types, including smaller units suitable for younger people and lower income groups which will assist in encouraging a more diverse demographic within Double Bay.

Overall the PP will increase the current quantum of commercial floorspace and will deliver much needed housing within Double Bay. The proposed density responds to the Double Bay Place Plan and is in line with the recommendations of the Hill PDA Study which will thus ensure the economic feasibility of redevelopment of the site for both non-residential and residential purposes.

#### **5.1.2. Is the PP the best means of achieving the objectives or intended outcomes, or is there a better way?**

Yes. This PP is the best means of achieving the objectives. A PP is needed to change the FSR and height of the subject site and is the best method of achieving the objectives and intended outcomes of this PP as outlined in **Section 1** of this report.

A PP is the best way of achieving the objectives to trigger redevelopment of this key site, as the scale of change sought was considered by Council to be outside the scope of Clause 4.6. Additionally, a compliant scheme would not be able to achieve the objectives of this proposal and would not be able to adequately respond to the strategic opportunities identified throughout this proposal. Consequently, a PP provides a distinct benefit for the locality that would not otherwise be achievable through a compliant scheme.

The planning control changes proposed for this site are consistent with the objectives of increasing residential development within the Double Bay Commercial Centre by increasing residential densities through amendments to FSR and building heights. The PP will deliver a well-designed response to help increase residential development within the Centre.

FSR and height controls are development standards in the Woollahra LEP 2014. Any changes to these standards are made through a PP and a draft local environmental plan. Accordingly, a PP is the most appropriate way of achieving the intended outcome.

## 5.2. Relationship to Strategic Planning Framework

### 5.2.1. Is the PP consistent with the objectives and actions contained within the applicable region or sub regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

#### Greater Sydney Region Plan

The Greater Sydney Region Plan - A Metropolis of Three Cities has been prepared by the GSC and was adopted in March 2018. It is 20-year plan to manage growth and change and is built on a 40-year vision where the people of Greater Sydney live within 30 minutes of their jobs, education and health facilities, services and great places. This vision is consistent with the 10 Directions established in the Directions for a Greater Sydney that are a set of common guiding principles that will assist in navigating Greater Sydney's future as follows:

- A city supported by infrastructure.
- A collaborative city.
- A city for people.
- Housing the city.
- A city of great places.
- A well connected city.
- Jobs and skills for the city.
- A city in its landscape.
- An efficient city.
- A resilient city.

Within the Greater Sydney Region Plan these Directions are presented via the three cities concept, with the cities being the Western Parkland City, Central River City and Eastern Harbour City. District Plans have also been developed to support the three cities concept at a more localised level. The subject site is located in the Eastern Harbour City and is highly accessible to Sydney's Economic as shown in **Figure 22** below.

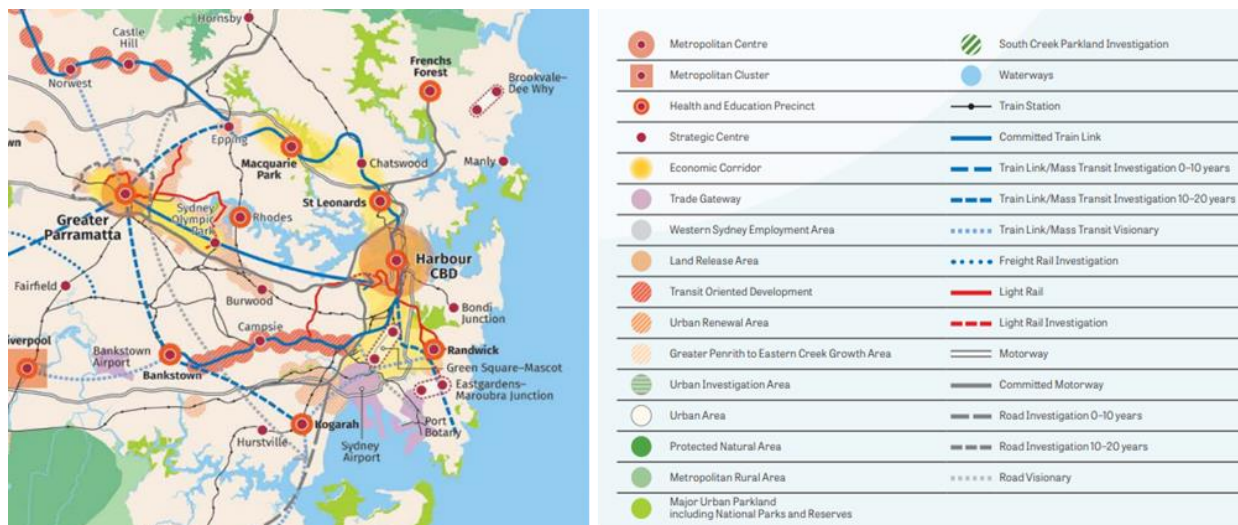


Figure 22: Metropolis of 3 Cities Vision to 2056 (Source: Greater Sydney Region Plan)

#### ▪ Eastern City District Plan

A Plan for Growing Sydney divides the Greater Metropolitan of Sydney into six districts, and the subject site is located within the 'Eastern subregion'. The District Plans provide the basis for the strategic planning of each district moving forward into the future.

The subject site is located within the Double Bay Local Centre and is within close proximity to the Harbour CBD and the strategic centre of Bondi Junction. The site has the ability to facilitate increased residential and non-residential, commercial density, given its location close to important centres as well as road, harbour and rail transport infrastructure.


#### **Consistency with the Objectives of the Greater Sydney Region Plan and Planning Priorities of the Eastern City District Plan**

To respond to population growth and future planning challenges, the Greater Sydney Region Plan and Eastern City District Plan focus on a number of Objectives and Planning Priorities. **Table 4** demonstrates the key matters within those plans relevant to this PP and consistency with the Objectives and Planning Priorities.

*Table 4: Consideration for the Greater Sydney Region Plan and Eastern City District Plan*

Greater Sydney Plan Objective	Eastern City District Planning Priority	Response
Objective 4 Infrastructure use is optimised	Planning Priority E1 Planning for a city supported by infrastructure	The PP will increase employment and residential capacity in a location already well serviced by road based public transport routes and the ferry network. This provides access to a range of destinations along the Economic Corridor including Sydney CBD and Bondi Junction.
Objective 7 Communities are healthy, resilient and socially connected	Planning Priority E4 Fostering healthy, creative, culturally rich and socially connected communities	This objective recognises streets and public places as key contributors to wellbeing by encouraging spontaneous social interaction and community cultural life when they are designed at a human scale for walkability. Active street life provides the greatest social opportunities when they are inclusive, intergenerational and multipurpose.  The PP will build on an opportunity to leverage the benefits of a unique building and provide activation on a neighbourhood level. This will provide a welcoming local destination for the local community providing opportunities for interaction and community building at the neighbourhood scale.
Objective 8 Greater Sydney's communities are culturally rich with diverse neighbourhoods	Planning Priority E4 Fostering healthy, creative, culturally rich and socially connected communities	This objective notes the benefits of a place-based planning approach that recognises cultural diversity in communities and responds to the different ways in which people engage and contribute.  The PP seeks to enable the redevelopment of the site to provide a mixed-use development accommodating non-

Greater Sydney Plan Objective	Eastern City District Planning Priority	Response
		<p>residential uses (commercial and retail uses), as well as residential accommodation.</p> <p>The PP will provide increased opportunities to encourage interaction between the local residential and working populations.</p>
<p>Objective 10 Greater housing supply</p> <p>Objective 11 Housing is more diverse and affordable</p>	<p>Planning Priority E5 Providing housing supply, choice and affordability, with access to jobs and services</p>	<p>This objective notes the importance of providing ongoing housing supply and a range of housing types in the right locations to create more liveable neighbourhoods and support Greater Sydney's growing population.</p> <p>The Plan recognises that nodes along mass transit corridors present some of the best opportunities for urban renewal to create new housing as these locations are generally well serviced by amenities and are highly accessible.</p> <p>Table 3 of the Plan seeks to establish 46,550 new dwellings in the Eastern City to 2021 and 157,500 new dwellings to 2036.</p> <p>The PP will enable the redevelopment of the site to provide additional housing supply. The PP will improve the supply and choice of housing in the local centre and will provide "homes" close to "jobs".</p> <p>The PP will also assist in reaching the 5-year housing target for Woollahra LGA, to include an additional 300 dwellings by 2021.</p> <p>However, the 1.3:1 Council requirement for non-residential GFA will limit the capacity of any development to deliver housing numbers and choice.</p>
<p>Objective 12 Great places that bring people together</p>	<p>Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage</p>	<p>This objective recognises Greater Sydney's centres and neighbourhoods each have a unique combination of people, potential, history, culture, arts, climate, built form and natural features creating places with distinctive identities and functions. The Plan notes the dual role of streets as places for people and their contribution in both moving people and encouraging them to linger and engage in public life. The plan highlights the following factors for creating fine grained people-oriented places.</p>

Greater Sydney Plan Objective	Eastern City District Planning Priority	Response
		 <p><i>Figure 23: Greater Sydney Region Plan (Figure 21) - Fine grain walkable places</i></p> <p>Ongoing urban renewal in the locality and the redevelopment of this prime site within the Double Bay Local Centre present a unique opportunity to enhance the locality's distinctive identity.</p>
Objective 14 Integrated land use and transport creates walkable and 30-minute cities	Planning Priority E10: Delivering integrated land use and transport planning and a 30-minute city	<p>This objective recognises the importance of integrating land use and transport planning to increase the productivity outcomes for Greater Sydney.</p> <p>Double Bay is identified as a local centre and the District Plan encourages the growth of these centres to reduce the need for people to travel long distances to access jobs and local services. The subject site is located within a highly accessible location, nearby to Edgecliff Railway Station, Double Bay Ferry Wharf and local bus services. The proximity of the site to the local transport network will assist in the creation of a 30-minute city by providing additional jobs and homes in a highly accessible location.</p>
Objective 30 Urban tree canopy cover is increased	Planning Priority E17. Increasing urban tree canopy cover and delivering Green Grid connections	<p>Landscape treatments will be considered as part of a later detailed design and DA process. Opportunities for tree planting in the street (if appropriate and achievable) and intended open space areas within the property will be considered as provided for in the Urban Design Report at <b>Appendix 1</b>.</p>
Objective 31 Public open space is accessible, protected and enhanced	Planning Priority E17. Increasing urban tree canopy cover and delivering Green Grid connections Planning Priority E18. Delivering high quality open space	<p>A network of open spaces is a form of green infrastructure which supports sustainable, efficient and resilient communities.</p> <p>There is an opportunity to establish a new public laneway between New South Head Road and Brooklyn Lane to promote connectivity and increase pedestrian amenity.</p>
Objective 32 The Green Grid links	Planning Priority E17. Increasing urban tree	<p>The Greater Sydney Green Grid connects communities to the landscape. It is a long-term vision for a network of high</p>



Greater Sydney Plan Objective	Eastern City District Planning Priority	Response
parks, open spaces, bushland and walking and cycling paths	canopy cover and delivering Green Grid connections	<p>quality green areas – from regional parks to local parks and playgrounds – that connect centres, public transport and public spaces to green infrastructure and landscape features. Within the public realm it includes enhanced waterway corridors, transport routes, suburban streets, footpaths and cycleways.</p> <p>The site is in close proximity to identified green grid routes providing good access to wider destinations via active transport means. The PP will build on opportunities to utilise active transport by providing a destination in proximity to identified green grid routes.</p>
Objective 33 A low-carbon city contributes to net-zero emissions by 2050 and mitigates climate change		<p>This objective seeks to mitigate climate change by reducing the emission of greenhouse gases to prevent more severe climate change and adapting to manage the impacts of climate change.</p> <p>The Plan seeks to facilitate greater use of public transport to combat the use of private vehicles and in doing so reduce greenhouse gas emissions.</p> <p>As the site is well located in proximity to road and harbour based public transport as well as local employment opportunities and amenities, the PP builds on the opportunity to intensify employment uses in a location that encourages uptake of public transport use and discourages the use of private vehicles.</p>

## Merit Assessment

### Strategic & Site-Specific Merit

The Department of Planning and Environment has identified assessment criteria to justify and determine if a PP has strategic planning merit. In this respect, as outlined in the summary tables below, this PP and the site have both strategic and site-specific merit.

Table 5: Strategic Merit Test

Strategic Merit Test	Comment
Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment;	As discussed in <b>Table 4</b> , this PP is consistent with the Greater Sydney Region Plan and the Eastern City District Plan. The proposal will increase residential accommodation in the Double Bay local centre with the future development accommodating up to 30 dwellings. The proposal will also increase the provision of non-residential, commercial

Strategic Merit Test	Comment
	floorspace which will assist in enhancing the vitality and vibrancy of Double Bay as an important commercial centre. More housing supply and choice could be provided if the proposed 1.3:1 non-residential limit is reduced.
Consistent with the relevant local council strategy that has been endorsed by the Department; or	The PP is consistent with: <ul style="list-style-type: none"> <li>▪ Woollahra Community Strategic Plan 2030</li> <li>▪ Double Bay Place Plan 2014</li> </ul>
Responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls.	The PP responds to the need to increase residential densities within the Double Bay Centre which is identified within Council's Double Bay Place Plan and the Double Bay Economic Feasibility Study prepared by Hill PDA. The PP will increase housing opportunities within Double Bay to assist in creating a more diverse and varied housing mix.

Table 6: Site Specific Merit Test

Site-specific Merit Test	Comment
The natural environment (including known significant values, resources or hazards),	There are no known site-specific environmental considerations identified in the PP and supporting material that would preclude further consideration of the proposed urban renewal.
The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal; and	<p>The land use context surrounding the subject site is varied. The site benefits from three street frontages with New South Head Road to the south of the site, Bay Street to the east of the site and Brooklyn Lane to the west of the site.</p> <p>As highlighted in the supporting Urban Design and Development Envelope Study prepared by Tzannes, the context and character of these streets varies.</p> <p>The Bay Street precinct supports lower scale development, interspersed with some larger mixed-use developments. The lower scale of development helps to reinforce a street village character, with sensitively scaled retail offerings and public domain elements assisting in creating this character. The street is tree lined and a number of the buildings are identified as contributory buildings within the Woollahra DCP which enhances the street's village type character.</p>



Site-specific Merit Test	Comment
	<p>New South Head Road has an abruptly different character and is characterised by heavy traffic contained along six lanes of traffic. The immediate surrounding properties that front the road largely comprise medium density residential apartments. To the east of the site, towards the Commercial Centre, properties fronting New South Head Road primarily consist of larger commercial and retail premises.</p> <p>Brooklyn Lane to the rear of the site is predominantly used as a rear service lane, providing access to car parking for the adjoining properties.</p> <p>The PP has taken into consideration the surrounding context and character of these frontages. It will not adversely impact any surrounding development (existing or proposed), but rather has the potential to act as a catalyst to promote additional urban renewal development.</p> <p>The Study prepared by Tzannes identifies that:</p> <ul style="list-style-type: none"> <li>▪ The additional height is appropriately located and results in minor additional overshadowing to the properties to the south;</li> <li>▪ The agglomeration of allotments will effectively enable future development to meet ADG requirements (such as solar access, building separation), both within the site and with regards to existing residential areas; and</li> <li>▪ The intensification of the site has been provided in response to the site's location with good access to high quality amenities such as public transport, open space, community services, recreation/ entertainment and retail.</li> </ul>
<p>The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.</p>	<p>A Traffic Impact Assessment has been prepared and is submitted with the PP at <b>Appendix 6</b>. There are no traffic matters identified on the site that would preclude further consideration of the proposed urban renewal.</p> <p>There is sufficient infrastructure (water, electricity, sewer, etc) available to accommodate the proposed development. The proposal will increase dwellings on site, as well as increase the quantum of non-residential floorspace which is in close proximity to public transport.</p>

The conclusion of this assessment is that the proposal has both strategic and site-specific merit and should be progressed for consideration of a Gateway Determination.

### **5.2.2. Is the PP consistent with the council's local strategy or other local strategic plan?**

The PP is consistent with the objectives and actions contained within the following local strategies:

- Woollahra Community Strategic Plan 2030; and
- Double Bay Place Plan.

Consideration of the above strategies is undertaken below.

#### **▪ Woollahra Community Strategic Plan 2030**

The Woollahra Community Strategic Plan 2030 (Strategic Plan) identifies the strategic direction and integrated planning framework for the Woollahra Municipality. The community vision is that:

*Woollahra will continue be a great place to live, work and visit where places and spaces are safe, clean and well-maintained.*

*Our community will offer a unique mix of urban villages with a good range of shops, services and facilities.*

*We will make the most of the natural beauty, leafy streetscapes, open spaces, views and proximity to the water and the city.*

*We will be a harmonious, engaged and connected community that looks out for each other. (p. 6)*

The PP will assist in revitalising Double Bay, to deliver a vibrant village which local access to a range of shops and facilities. Notably, the PP will meet the following strategies within Goal 4 (Well-planned neighbourhoods) under the theme Quality places and spaces:

#### **▪ 4.1 Encourage and ensure high quality planning and urban design outcomes**

The PP will enable a high quality, well designed, urban design outcome on the site which responds to its urban context, topography and orientation. The PP will facilitate the redevelopment of the site and will transform this significant corner in Double Bay. The PP will assist in activating a dead corner of New South Head Road and will completely revitalise the built form along Bay Street. The PP proposes public domain improvements including a through-site link to provide a pedestrian connection from New South Head Road to Brooklyn Lane and improvements to footpaths on New South Head Road.

#### **▪ 4.3 Protect our heritage, including significant architecture and the natural environment**

The PP is accompanied by a Heritage Impact Statement prepared by Urbis. The Planning Proposal will facilitate future development of a multi-storey mixed-use typology and will not contain modest building widths relating to lots. However, it is important to note that the subject site is a heavily modified section of Bay Street, extending on to New South Head Road, and has already been substantially redeveloped to the

point that no evidence of the former small-lot subdivision pattern or buildings remain. Therefore, in facilitating future redevelopment of the subject site, there will be no further loss of small-lot subdivision patterns in the area, and site amalgamation and redevelopment is appropriate.

▪ *4.5 Enhance the form and function of the local business centres*

The PP will increase the amount of non-residential floor space which will assist in protecting the capacity of the centre to meet community needs, maintain vibrancy and provide local employment now and into the future.

The PP is consistent with the Woollahra Community Strategic Plan 2030.

### Double Bay Place Plan 2014

The Double Bay Place Plan 2014 (Place Plan) sets out a series of strategies, priorities and actions to achieve the vision of Double Bay as Sydney's stylish bayside village.

The Place Plan sets out a series of strategies, priorities and actions aimed at achieving a new vision and place storey for the Centre. Consistency with the Place Plan is outlined in **Table 7** below.

*Table 7: Consistency with the Double Bay Place Plan*

Strategy	Response
<b>Theme 3: Planning and Centre Beautification</b>	
3.1 Make Double Bay a place for people to live, work and play.	The proposed development will provide a high-quality mixed-use development incorporating retail, commercial and residential uses. The proposal will provide a development in which people can live and work and will help to enhance the vitality and vibrancy of Double Bay.
3.2 Provide increased housing opportunities for people to live in Double Bay.	<p>The proposed development will increase opportunities for people to live in the Centre.</p> <p>In line with Action 3.2.1 of the plan, an economic study has been undertaken by Hill PDA. On 28 December 2015 Council resolved to receive and note the Double Bay Economic Feasibility Study prepared by Hill PDA, conduct a review of planning controls in the Double Bay Centre and prepare a community engagement strategy.</p> <p>The subject PP meets the study's suggested density baseline of 3:1 and provides for additional density in a suitable location.</p> <p>The subject PP thus responds directly to Strategy 3.2 and Action 3.2.1 by providing an amendment to Woollahra LEP 2014 to encourage a new</p>

Strategy	Response
	mixed-use development incorporating residential uses.
3.6 Create a distinctive sense of arrival and departure to and from Double Bay.	<p>Action 3.6.1 seeks to develop distinctive gateways to and from Double Bay from land and water and one of the actions is to review planning controls for corner sites to better define and activate street corners.</p> <p>The site is noted as the "Western Gateway" into Double Bay within the Double Bay Centre Public Domain Strategy and provides an important arrival point into the Centre.</p> <p>However, the existing buildings on the site do little to address and activate the street frontages along Bay Street and New South Head Road. The PP will provide a high-quality development which will define this important street corner and create a distinctive gateway into the Centre. The development will provide a better articulation of the gateway through an enhanced urban design and built form with an appropriate increase in scale and form.</p>
3.7 Maintain and improve Double Bay's pedestrian network of roads, footways and laneways	As part of the PP, it is intended that a through site link is created along the western extent of the site, linking New South Head Road through to Brooklyn Lane. As part of a VPA offer, the applicant is willing to construct this link as part of a future development application and will register an easement in favour of the public to create a right of footway over the through-site link.

### 5.2.3. Is the PP consistent with applicable state environmental planning policies?

The PP is consistent with all relevant State Environmental Planning Policies (SEPP). A full assessment is contained in the following table.

Table 8: Consistency with Statement Environmental Planning Policies (SEPP)

SEPP Title	Consistency	Comment
01.Development Standards Consistent	N/A	Not applicable
14.Coastal Wetlands	N/A	Not applicable
15.Rural Landsharing Communities	N/A	Not applicable
19. Bushland in Urban Areas	N/A	Not applicable

SEPP Title	Consistency	Comment
21.Caravan Parks	N/A	Not applicable
26.Littoral Rainforests	N/A	Not applicable
29.Western Sydney Recreation Area	N/A	Not applicable
30.Intensive Agriculture	N/A	Not applicable
33.Hazardous and Offensive Development Complex	N/A	Not applicable
36.Manufactured Home Estates	N/A	Not applicable
39.Spit Island Bird Habitat	N/A	Not applicable
44.Koala Habitat Protection	N/A	Not applicable
47.Moore Park Showground	N/A	Not applicable
50.Canal Estate Development	N/A	Not applicable
52.Farm Dams, Drought Relief and Other Works	N/A	Not applicable
53. Transitional Provisions 2011	N/A	Not applicable
55.Remediation of Land	Yes	No change of land use zoning is proposed for the site. The site has been used for commercial uses for some time. It is highly unlikely the land would be subject to a level of contamination that would preclude its use for residential accommodation.
59.Central Western Sydney Economic and Employment Area	N/A	Not applicable
60.Exempt and Complying Development	N/A	Not applicable
62.Sustainable Aquaculture	N/A	Not applicable
64.Advertising and Signage	N/A	Not applicable
65.Design Quality of Residential Flat Development	Yes	The PP will create the development control framework within which future development can achieve consistency with the SEPP proposal. The accompanying Urban Design and Development Envelope Study investigated the implications for realising the design quality principles in the SEPP and

SEPP Title	Consistency	Comment
		demonstrated an appropriate built form on the site. This includes an assessment of the over shadowing impacts to surrounding properties. The future DA will need to demonstrate consistency with this SEPP.
70.Affordable Housing (Revised Schemes)	Yes	The future development has the opportunity to provide an appropriate mix and number of dwellings.
71.Coastal Protection	N/A	Not applicable
SEPP (Infrastructure) 2007	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	N/A	Not applicable
Kurnell Peninsula	N/A	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	Not applicable
SEPP (Miscellaneous Consent Provisions) 2007	N/A	Not applicable
SEPP (Penrith Lakes Scheme) 1989	N/A	Not applicable
SEPP (State and Regional Development) 2011	N/A	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The PP will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Major Development) 2005	N/A	Not applicable
SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable
SEPP (Infrastructure) 2007	N/A	Not applicable
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	N/A	Not applicable
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not applicable
SEPP (Three Ports) 2013	N/A	Not applicable

SEPP Title	Consistency	Comment
SEPP (Urban Renewal) 2010	N/A	Not applicable
SEPP (Temporary Structures and Places of Public Entertainment) 2007	N/A	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	N/A	Not applicable
SEPP (Rural Lands) 2008	N/A	Not applicable
SEPP (Western Sydney Employment Area) 2009	N/A	Not applicable
SEPP (Western Sydney Parklands) 2009	N/A	Not applicable
SEPP (Affordable Rental Housing) 2009	Yes	Future development has the opportunity to provide an appropriate mix and number of dwellings.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	Not applicable

#### 5.2.4. Is the PP consistent with the applicable Ministerial directions (s.117 directions)?

It is considered that the PP is consistent with the relevant Directions issued under Section 117(2) of the Act by the Minister to Councils, as demonstrated in the assessment of the following:

Table 9: Consistency with S117 Ministerial Directions

Direction Title	Consistency	Comment
<b>Employment and Resources</b>		
1.1 Business and Industrial Zones	Consistent	The proposal is consistent with this direction in that it maintains existing B2 lands. The proposal does not propose a land use change, and it does not reduce the potential floor space area for employment uses.
1.2 Rural Zones	N/A	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	N/A	Not applicable
1.4 Oyster Aquaculture	N/A	Not applicable
1.5 Rural Lands	N/A	Not applicable
<b>Environment and Heritage</b>		
2.1 Environment Protection Zones	N/A	Not applicable

Direction Title	Consistency	Comment
2.2 Coastal Protection	N/A	Not applicable
2.3 Heritage Conservation	Yes	<p>A Heritage Impact Statement has been prepared by Urbis and accompanies this application at <b>Appendix 2</b>. The Statement concludes, "The Planning Proposal will facilitate future development of a multi-storey mixed-use typology and will not contain modest building widths relating to lots. However, it is important to note that the subject site is a heavily modified section of Bay Street, extending on to New South Head Road, and has already been substantially redeveloped to the point that no evidence of the former small-lot subdivision pattern or buildings remain. Therefore, in facilitating future redevelopment of the subject site, there will be no further loss of small-lot subdivision patterns in the area, and site amalgamation and redevelopment is appropriate. Future built works DAs will provide for detailed design of future building forms, and there exists an opportunity to articulate and modulate the Bay Street elevation to interpret the significant streetscape articulation of the locality.</p> <p>The indicative concept scheme provided demonstrates that potential built development across the subject site will have significant setbacks from Bay Street to reduce any potential visual impacts from the proposed increased scale. Further articulation of the ground floor plan and retail spaces will assist in reducing impacts to the low-scale streetscape character of Bay Street.</p> <p>All character buildings identified in the Woollahra DCP will be wholly retained along Bay Street. There are no physical or visual impacts to any character buildings as a result of the Planning Proposal or future DAs which will be required to obtain consent for actual built works.</p> <p>There are no identified heritage constraints associated with the Planning Proposal, and it is therefore recommended to Council for approval".</p> <p>An assessment of potential overshadowing to the heritage gardens at 337-347 New South Head Road, Double Bay has been prepared by Ecological Australia and is provided at <b>Appendix 3</b>.</p> <p>The Statement concludes, "The potential overshadowing is unlikely to have an impact on the present gardens in the area indicated in the shadow diagrams, as all groundcover species are shade tolerant, and are currently shaded by the present canopy</p>



Direction Title	Consistency	Comment
		<p>species for extended periods. The canopy species which may be potentially impacted by increased shading to the soil surface during the mid-year period are mature and unlikely to have reduced vigour due to this very small change in sunlight. As the present tree canopy within Overthorpe Gardens creates the current micro-climate and additional overshadowing from the proposed development is very limited in both amount and time, the current micro-climate within the gardens will not be impacted by the proposed development.</p> <p>No weed species were recorded during the ELA site inspection, and the gardens are well maintained, such that overshadowing is unlikely to increase weed invasion or infestations in the gardens”.</p>
2.4 Recreation Vehicle Areas	N/A	Not applicable
<b>Housing, Infrastructure and Urban Development</b>		
3.1 Residential zones	Yes	The PP encourages a variety and choice of housing types to provide for existing and future housing needs, whilst making efficient use of existing infrastructure and services. The PP demonstrates an appropriate built form whilst minimising the impact of residential development on the environment.
3.2 Caravan Parks and Manufactured Home Estates	N/A	Not applicable
3.3 Home Occupations	N/A	Not applicable
3.4 Integrating land use and transport	Yes	The PP is consistent with this direction in that it increases density (for commercial, retail and residential uses) in a location that is close to a range of public transport options including bus, rail and ferry. The site is located within the Double Bay Commercial Centre and is within close proximity to further services and employment in Sydney's CBD.
3.5 Development Near Licensed Aerodromes	N/A	Not applicable
3.6 Shooting Ranges	N/A	Not applicable
<b>Hazard and Risk</b>		
4.1 Acid sulphate soils	N/A	This direction applies when a planning authority prepares a PP which will apply to land having a probability of containing Acid Sulfate Soils (ASS). The subject land mapped as potentially containing Class 5

Direction Title	Consistency	Comment
		and 2 ASS in the corresponding WLEP planning map. The implications brought about as a result of this PP regarding ASS are expected to be minimal, due to the low category of ASS applying to the subject site and the relatively minor nature of the proposal. Further consideration with regard to ASS will be addressed as part of the assessment process for any subsequent development.
4.2 Mine Subsidence and Unstable Land	N/A	Not applicable
4.3 Flood Prone Land	N/A	The site is located within flood prone land. A future development application will be accompanied by a Flood Risk Assessment to demonstrate a development proposal complies with all flood planning requirements of Council.
4.4 Planning for Bushfire Protection	N/A	The site is not located within a Bushfire prone area. Accordingly, Direction 4.4 is not applicable.
<b>Regional Planning</b>		
5.1 Implementation of Regional Strategies	Yes	Not Applicable. No regional strategies apply to the subject site.
5.2 Sydney Drinking Water Catchments	Yes	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not applicable
5.5 Second Sydney Airport: Badgerys Creek	N/A	Not applicable
<b>Local Plan Making</b>		
6.1 Approval and Referral Requirements	Yes	The PP will be consistent with this Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes	The PP will be consistent with this Ministerial Direction.
6.3 Site Specific Provisions	Yes	The PP will be consistent with this Ministerial Direction.
<b>Metropolitan Planning</b>		

Direction Title	Consistency	Comment
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes	Refer to Section 6.2 above.

### 5.3. Environmental, Social and Economic Impact

#### 5.3.1. Is there any likelihood that critical habitat or threatened species will be adversely affected as a result of the proposal?

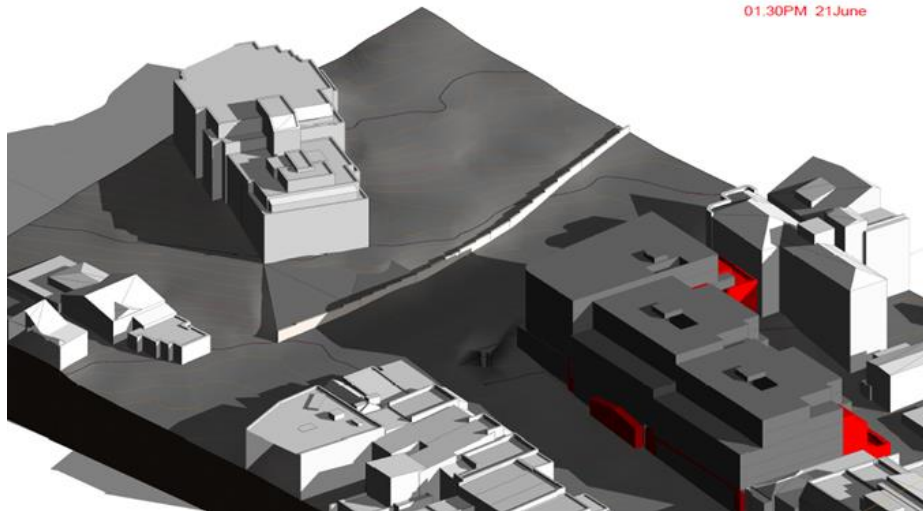
The subject site is located within an existing urban environment and does not apply to land that has been identified as containing critical habitat or threatened species, population or ecological communities, or their habitats

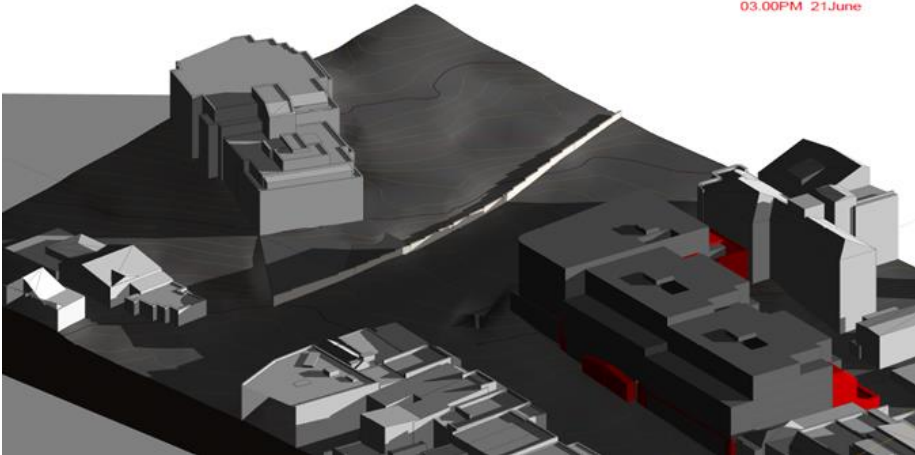
#### 5.3.2. Are there any other likely environmental effects as a result of the PP 7 and how are they proposed to be managed?

The PP is supported by the studies/reports outlined in **Table 10** below. The outcomes and conclusions of these studies/reports extracted in **Table 10** show that the proposal does not include any unreasonable or unmanaged environmental effects.

Table 10: Outcomes and Conclusions of the Primary Studies and Reports that inform this PP


Study/Report	Outcomes and Conclusions
<b>Urban Design and Development Envelopment Study</b> prepared by Tzannes	<ul style="list-style-type: none"> <li>▪ The Urban Design Study includes a site analysis which identifies why the site is uniquely suitable for a mixed-use development with increased density and heights. An overview of these opportunities is provided below: <ul style="list-style-type: none"> <li>▫ The delivery of public domain improvements, including a through site link, to provide pedestrian connection from New South Head Road to Brooklyn Lane and improvements to footpaths on New South Head Road.</li> <li>▫ The potential for a gateway building located at the Western Gateway of Double Bay which will cause minimal negative environmental impacts to surrounding residential buildings.</li> <li>▫ Activation of the corner of New South Head Road and opportunity to revitalise the retail offer along Bay Street.</li> <li>▫ Opportunity to provide additional non-residential floorspace including retail and commercial development.</li> <li>▫ Provision of a lower scale four-storey built form along Bay Street, with the upper two storeys set-back above.</li> <li>▫ Opportunity to accommodate a variety of apartment types and sizes.</li> <li>▫ Opportunity to provide below ground parking that is above the levels of the ground water and outside of the acid sulphate soils affected land.</li> </ul> </li> </ul>

Study/Report	Outcomes and Conclusions
	<ul style="list-style-type: none"> <li>▫ Opportunity to maintain current vehicular access from Brooklyn Lane enables vehicular access to and from the site without adding additional traffic along Bay Street and the Double Bay Commercial Centre.</li> <li>▫ Proximity of site to public transport connections.</li> <li>▪ The indicative design has been designed to comply with SEPP 65 requirements for both solar access and cross ventilation. Approximately 60% of units can achieve adequate cross ventilation and approximately 80% can achieve adequate solar access.</li> <li>▪ In relation to overshadowing impacts, the Urban Design Report provides an analysis of the shadow impacts caused by the indicative concept design at mid-winter and equinox. A summary of the overshadowing impacts at 21 June is provided below. This analysis is supplemented by elevational shadow diagrams provided at <b>Figures 24 and 25</b>.             <ul style="list-style-type: none"> <li>▫ Between 9am and 12am there is additional overshadowing to New South Head Road and the pavements located either side.</li> <li>▫ At 1:30pm there is very minor overshadowing to a small extent of Overthorpe Gardens, along its northern boundary.</li> <li>▫ At 3pm, there is overshadowing to a small extent of Overthorpe Gardens, but no overshadowing to any of the dwellings at Overthorpe.</li> </ul> </li> </ul> <div data-bbox="435 1140 1352 1648">  </div> <p>Figure 24: Elevational Overshadowing Analysis at 1:30pm on 21 June (Source: Loftex)</p>

Study/Report	Outcomes and Conclusions
	 <p>03.00PM 21 June</p> <p><i>Figure 25: Elevational Overshadowing Analysis at 3pm on 21 June (Source: Loftex)</i></p>
<p><b>Heritage Impact Statement</b> prepared by Urbis</p>	<ul style="list-style-type: none"> <li>▪ The PP will facilitate future development of a multi-storey mixed-use typology and will not contain modest building widths relating to lots. However, it is important to note that the subject site is a heavily modified section of Bay Street, extending on to New South Head Road, and has already been substantially redeveloped to the point that no evidence of the former small-lot subdivision pattern or buildings remain. Therefore, in facilitating future redevelopment of the subject site, there will be no further loss of small-lot subdivision patterns in the area, and site amalgamation and redevelopment is appropriate. Future built works DAs will provide for detailed design of future building forms, and there exists an opportunity to articulate and modulate the Bay Street elevation to interpret the significant streetscape articulation of the locality.</li> <li>▪ The indicative concept scheme provided demonstrates that potential built development across the subject site will have significant setbacks from Bay Street to reduce any potential visual impacts from the proposed increased scale. Further articulation of the ground floor plan and retail spaces will assist in reducing impacts to the low-scale streetscape character of Bay Street.</li> <li>▪ All character buildings identified in the Woollahra DCP will be wholly retained along Bay Street. There are no physical or visual impacts to any character buildings as a result of the PP or future DAs which will be required to obtain consent for actual built works.</li> <li>▪ There are no identified heritage constraints associated with the Planning Proposal, and it is therefore recommended to Council for approval.</li> </ul>
<p><b>Overshadowing Impact Assessment</b> prepared by</p>	<ul style="list-style-type: none"> <li>▪ The potential overshadowing is unlikely to have an impact on the present gardens in the area indicated in the shadow diagrams, as all groundcover species are shade tolerant, and are currently shaded by the present canopy species for extended periods. The canopy species which may be potentially impacted by increased shading to the soil surface during the mid-year period are mature and</li> </ul>



Study/Report	Outcomes and Conclusions
Ecological Australia	unlikely to have reduced vigour due to this very small change in sunlight. As the present tree canopy within Overthorpe Gardens creates the current micro-climate and additional overshadowing from the proposed development is very limited in both amount and time, the current micro-climate within the gardens will not be impacted by the proposed development.
<b>Flood Impact Statement</b> prepared by Wood & Grieve Engineers	<ul style="list-style-type: none"> <li>The existing development site is currently fully developed with buildings covering the majority of the site area. The currently flood modelling takes this into account and assumes that no flood water can enter the site. The site does not provide flood storage or an overland flow path for stormwater runoff during a large storm event. As a result, the proposed development will have no adverse impact on the existing flood extents nor the conveyance of stormwater through the area.</li> <li>The indicative concept design is capable of being developed in accordance with the proposed new planning controls whilst also fully complying with all flood planning requirements of Council.</li> </ul>
<b>Visual Impact Statement</b> prepared by Richard Lamb & Associates	<ul style="list-style-type: none"> <li>None of the surrounding residential context along New South Head Road to the west, east and south, north and north-west facing dwellings at Overthorpe are likely to be potentially affected by view loss caused by the proposed development.</li> <li>As highlighted in <b>Figure 26</b> below, the Overthorpe buildings are set within a garden characterised by a largely continuous canopy of vegetation and mature tree canopy. It is highly unlikely that there would be appreciable effects of the proposed development on views, due to the substantial screening effects of the vegetation present within the garden. The level of potential screening of views is a relevant consideration in terms of view loss, as the gardens are of State heritage significance, so that it is unlikely that significant clearing or removal of vegetation would be permitted to occur. In addition any natural losses of vegetation are likely to be compensated by replacement of trees of similar species or species of similar significance to those lost. Therefore the existing level of screening of views caused by vegetation to Overthorpe, will remain.</li> </ul>

Study/Report	Outcomes and Conclusions
	 <p><i>Figure 26: View south to the vegetation and built form at Overthorpe, from the roof top on the subject site.</i></p> <ul style="list-style-type: none"> <li>Other neighbouring residential development is unlikely to be significantly affected due to their low height, spatially relationship with and view access to scenic or highly valued features above and beyond, the subject site, for example at 290 New South Head Road.</li> <li>The Statement concludes that no residential development within the immediate or wider visual context is likely to be exposed to visual effects and impacts of the proposed development, of the height and scale proposed. Notwithstanding as a conservative approach, if access to units in the Overthorpe Apartments and assessment of view loss is required by Council and can be arranged, Richard Lamb &amp; Associates recommend that simple block-model photomontages be prepared to be used as objective aids for assessment of the merits of the proposal.</li> </ul>
<p><b>Traffic Impact Assessment</b> prepared by PDC Consultants</p>	<p><b>Traffic Generation</b></p> <ul style="list-style-type: none"> <li>The proposed development will result in a net increase in traffic generation of 4 vehicle trips / hour during both the weekday AM and PM peak periods. This equates to only one additional vehicle trip every 15 minutes which will have no material impact on the performance of the external road network or key intersections in the locality, and accordingly, no external improvements will be required to facilitate the development.</li> </ul> <p><b>Parking</b></p>

Study/Report	Outcomes and Conclusions
	<ul style="list-style-type: none"> <li>▪ In relation to residential car parking, the indicative concept plans provide 34 car parking spaces. This satisfies the maximum requirements of the Woollahra DCP 2015 and will ensure that all car parking demands are accommodated on-site with no reliance on on-street car parking.</li> <li>▪ In relation to commercial car parking the indicative concept plans provide 26 commercial car spaces. This will include a single 'car share' space which has the potential to replace up to four regular car spaces. The car parking complies with the Woollahra DCP 2015.</li> <li>▪ In relation to retail car parking, the indicative concept plan proposes zero car parking for retail uses. A DCP amendment is requested as part of this PP to exclude this requirement for any future development application. Justification for this amendment to the DCP is provided at Section 4.1.</li> <li>▪ In relation to bicycle parking, the indicative concept plans do not indicate any bicycle parking. However, there is sufficient area for bicycle parking to be provided within the lower ground and basement parking levels to accommodate the required provision. This could be addressed during the preparation of any future development application.</li> <li>▪ In relation to motorcycle parking, the indicative concept plans show provision for five motorcycle spaces. In accordance with the Woollahra DCP 2015, an additional space could be provided to ensure compliance with the DCP requirements.</li> </ul> <p><b>Service Vehicle Parking &amp; Waste Collection</b></p> <ul style="list-style-type: none"> <li>▪ The indicative concept plans provide a single loading bay that is suitable for use by all vehicles up to and including an 8.8 metre MRV. Swept path analysis has been undertaken and confirms that an 8.8 metre MRV will be able to satisfactorily access the loading bay with all entry and exit movements to occur in a forward direction.</li> </ul>

In accordance with the above table, this PP is not anticipated to result in unreasonable environmental effects. Future development applications will investigate the potential for other likely environmental effects arising from future detailed proposals.

### 5.3.3. Has the PP adequately addressed any social and economic effects?

This PP is capable of providing a diverse range of benefits, which will ultimately provide a range of positive social and economic effects to the locality and broader community. Specifically, this will include the following:

- **Economic** - The proposed development will have a positive economic effect by stimulating redevelopment and encouraging future retail/commercial space to improve the economy of Double Bay. The proposed retail/commercial use will assist in enhancing the vitality and vibrancy of Double Bay as an important commercial centre and will provide employment opportunities for local residents, both during construction and during the development's operation.

- **Housing** – The indicative concept plans which accompany this PP incorporate approximately 30 dwellings in this highly accessible location within the Double Bay Centre. The residential use will improve supply and choice of housing the local centre and will provide homes close to jobs.
- **Social** – The proposed development will contribute to the continued social growth of the area by encouraging a mix of residential and non-residential development within Double Bay which will sustain activity level and assist in maintaining vitality and vibrancy throughout the week and weekend. The retention of non-residential floorspace will enable a daytime population from offices and businesses during the week and will increase footfall in the locality and as well as contribute to retail, cafes, services, medical and restaurant demand. In the evening and on weekends, residents and visitors will provide customers for retail, leisure and restaurant activities in the local centre. The proposed development will assist in sustaining and increasing activity levels within the centre and will enhance the character of Double Bay as a place for people to live, work and play.
- **Sustainable Living** – The proposal will incorporate a mixed-use development and will promote the principles of co-location. This will enable people to work and live within the one area, reducing the need for people to travel large distances.
- **Improved Public Domain** - The PP will encourage the redevelopment of the site which currently contains a series of old and dated buildings with little articulation and architectural resolution. The proposal will significantly improve the presentation to the streetscape that currently exists and will deliver a high-quality building within a prominent location at the western gateway to the Double Bay Centre. The proposal will significantly improve the presentation to the streetscape that currently exists along all facades, as viewed from the public domain, and will improve the casual surveillance opportunities afforded from the site.  
  
The proposal will deliver a series of public domain benefits including a pedestrian through-site link connecting from New South Head Road through to Brooklyn Lane. The proponent offers to enter into a Voluntary Planning Agreement to construct this link and register an easement in favour of the public to create a right of footway over the link.
- **A Holistic Approach** - Due to careful design and appropriate architectural strategies, the proposed concept will not restrict or limit the potential redevelopment of any neighbouring sites. It will also not pose any adverse impacts to the surrounding environment.

Accordingly, it is considered that the PP will have a positive effect on the local economy and community.

## 5.4. State and Commonwealth Interests

### 5.4.1. Is there adequate public infrastructure for the PP?

The existing public infrastructure in conjunction is capable of accommodating this proposal.

The surrounding area is well serviced by public transport, providing connections to the surrounding suburbs, including the Sydney CBD. Notwithstanding this, the site is well situated within the established Double Bay local centre, with a variety of commercial services, and recreational, retail and commercial opportunities.

There are a number of educational establishments in the area, with several schools nearby. The area is generally well-served with Police, Ambulance, Fire and other emergency services.

Existing utility services will adequately service the future development proposal as a result of this proposal and will be upgraded or augmented where required. Waste management and recycling services are available through Woollahra Council.

In accordance with the above, this PP does not obstruct the existing public infrastructure. In fact, the proposal seeks to support and enhance the public infrastructure of the site and its surrounds.

**5.4.2. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?**

State and Commonwealth public authorities have not yet been contacted at this early stage in the PP process. The Gateway Determination has yet to be issued by the Minister for Planning and Environment. This will identify the necessary consultation to be undertaken.



## **6. PART 4 – COMMUNITY CONSULTATION**

This proponent is willing to assist Council and undertake community consultation post Gateway, if required, to ensure all matters and concerns the Council or the community are adequately and thoroughly addressed. The community will be notified of the commencement of the exhibition period via a notice in a local newspaper and via a notice on Woollahra Council's website. The written notice will:

- Give a brief description of the objectives or intended outcomes of the PP;
- Indicate the land affected by the PP;
- State where and when the PP can be inspected;
- Give the name and address of the RPA for the receipt of any submissions; and
- Indicate the last date for submissions.

During the exhibition period, the following material will be made available for inspection: -

- The PP, in the form approved for community consultation by the Director General of Planning and Infrastructure;
- The Gateway determination; and
- Any studies relied upon by the PP.

## 7. PART 5 – PROJECT TIMELINE

The timeframe for the completion of the PP will depend on the complexity of the matters, the nature of any additional information that may be required and the need for agency and community consultation. The following details are indicative only and may be amended at Gateway to provide the necessary level of confidence that the PP will be finalised within a reasonable time.

Table 11: Indicative Project Timeline

Step	Indicative Timeframe
Anticipated commencement date	Date of Gateway determination
Anticipated timeframe for the completion of required technical information	Not applicable. Technical analysis has already been commissioned to support the PP.
Timeframe for government agency consultation (pre and post exhibition as required by the Gateway determination)	As specified in the Gateway determination. Anticipated timeframe is to run concurrently with the public exhibition period.
Commencement and completion dates for public exhibition period.	Dates are dependent on the date of the Gateway determination. The proponent is willing to undertake consultation with both the Council and the community to ensure all matters and concerns are adequately addressed in an appropriate timeframe.
Dates for public hearing (if required)	Not applicable at this stage.
Timeframe for consideration of submissions	To be determined by Council.
Timeframe for the consideration of proposal post exhibition	To be determined by Council
Date of submission to the Department to finalise the LEP	Not known
Anticipated date RPA will make the plan (if delegated)	Not known
Anticipated date RPA will forward to the Department for notification	Not known

## 8. CONCLUSION

This PP is submitted on behalf of Loftex Pty Ltd. The PP has explained the intended effect of, and justification for, the proposed amendment to the WLEP 2014. This PP has been prepared in accordance with Section 3.33 of the EP&A Act and the relevant guidelines prepared by the NSW Department of Planning and Environment including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing PPs'.

This PP sets out the justification for the proposed amendment to the WLEP 2014 at 2 & 4-10 Bay Street and 294-296 & 298 New South Head Road, Double Bay. To enable a viable urban renewal development the following amendments are proposed:

- Amend the WLEP 2014 Height of Buildings Map (Sheet HOB\_003) to identify the site as having a height limit of 21.5 metres; and
- Amend the WLEP Floor Space Ratio Map (Sheet FSR\_003) to identify the site as having a floor space ratio of 3:1.

The concept design prepared and accompanying this PP, has been informed by a range of specialist investigations. These studies have outlined that the subject site is capable of accommodating the proposed development without posing any adverse impacts to the surrounding environment.

The proposal has been demonstrated as being the best means of achieving the objectives and intended outcomes. The PP is considered suitable and appropriate as it:

- Is consistent with the principles of Council's community strategic policies;
- Is consistent with Greater Sydney Region Plan, "A Metropolis of Three Cities" and the accompanying Eastern City District Plan
- Is consistent with the principles of local planning strategies and plans;
- Is consistent with the relevant Ministerial Directions under Section 9.1 of the Act; and
- Does not pose any adverse environmental or social impacts to the surrounding community.
- Is consistent and complies with the strategic planning test outlined in DPE's 'A Guide to preparing PPs';

The PP sets out a carefully-planned framework designed to achieve the redevelopment of a key, gateway site within Double Bay. The PP provides the opportunity to create an exciting new mixed-use development incorporating commercial/retail and shop top housing. It is designed to stimulate the local economy and provide much-needed quality housing close to transport, shops and other key amenities.

In summary, there is a sound planning basis and strategic planning merit to support a PP at this site. We therefore request that Council forwards this PP to the Department of Planning and Environment for a Gateway determination.