

2.3 LEP CONTROLS

GMU have reviewed the current applicable controls for the area and the site. The applicable controls are discussed below including zoning, height of building and FSR. We understand the site is not located within a heritage conservation area nor does it contain any heritage items.

The subject site is located within the R3 (Medium Density Residential) zone along New South Head Road. The site is in proximity to the B4 (Mixed use) zone in Edgecliff as well as the B2 (Local centre) zones.

ZONING

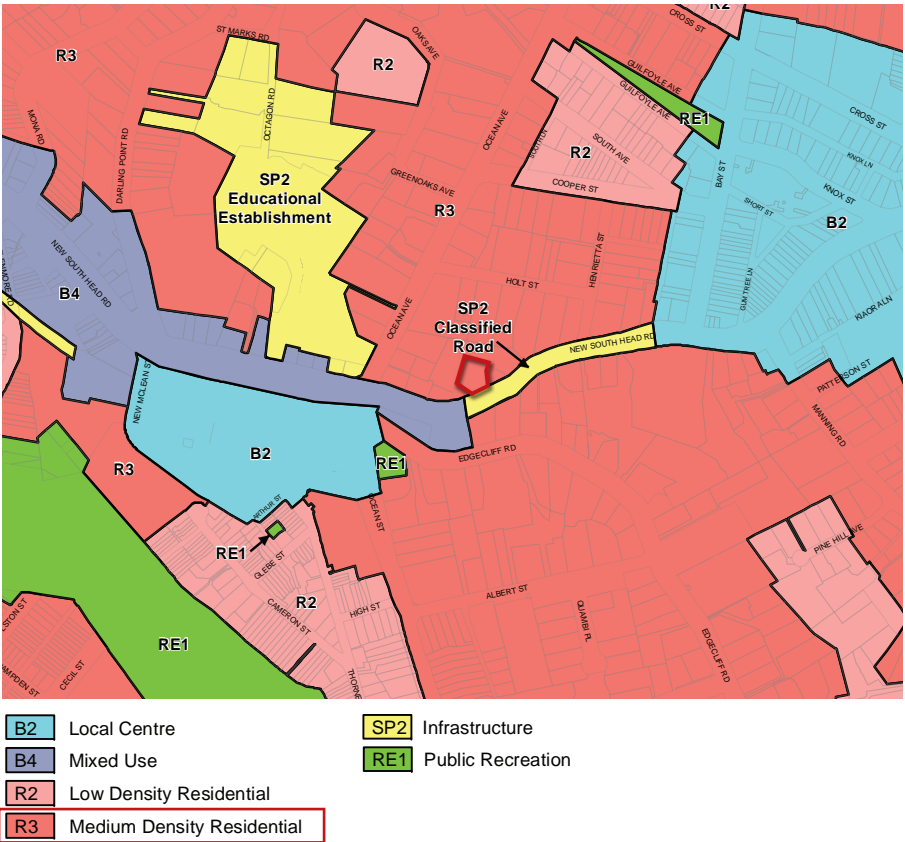


Figure 9. LEP Zoning Map (Woollahra LEP 2014 - Map 003).

The objectives for the R3 - Medium density residential zone as per the LEP 2014 aim:

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

HEIGHT OF BUILDING

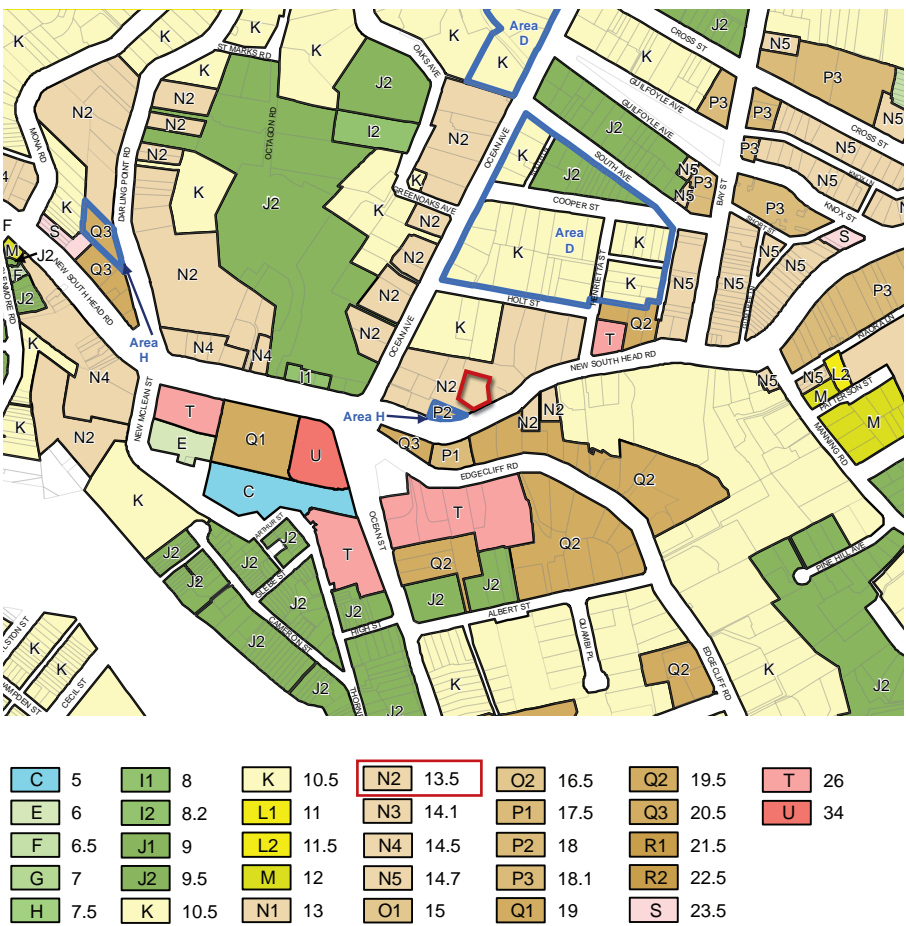


Figure 10. LEP HOB Map (Woollahra LEP 2014- Map 003).

The aims and objectives for height of buildings as per Cl. 4.3 in WLEP 2014 aim:

- To establish building heights that are consistent with the desired future character of the neighbourhood.
- To establish a transition in scale between zones to protect local amenity.
- To minimise the loss of solar access to existing buildings and open space.
- To minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion.
- To protect the amenity of the public domain by providing public views of the harbour and surrounding areas.

A maximum building height of 13.5m currently applies to the site.

FLOOR SPACE RATIO

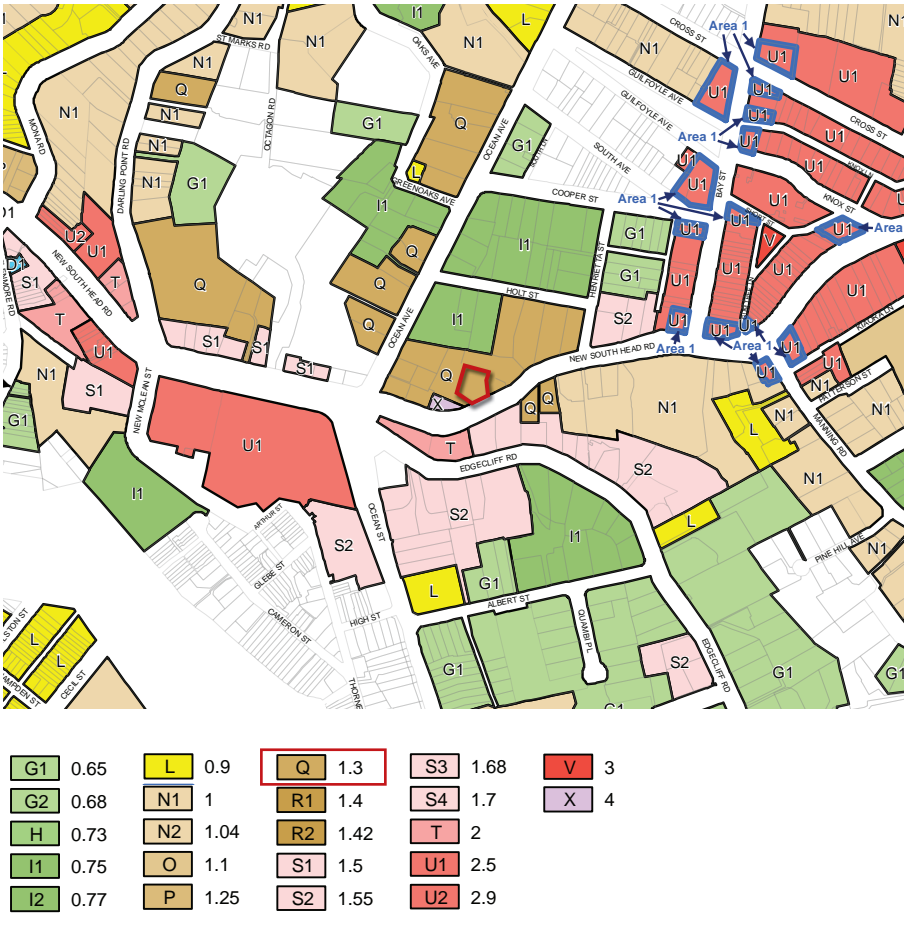


Figure 11. LEP FSR Map (Woollahra LEP 2014 - Map 003).

The aims and objectives for the floor space ratio as per Cl. 4.4 in WLEP 2014 aim:

- To ensure the bulk and scale of new development is compatible with the desired future character of the area.
- To minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain.
- To ensure that development allows adequate provision on the land for deep soil planting and areas of private open space.

A maximum FSR of 1.3:1 currently applies to the site. GMU understand that a number of recent amendments to the LEP provisions has resulted in increased maximum density controls. These include:

- Nos. 240-246 New South Head Road - FSR 4:1
- Nos. 80-84 and 90 New South Head Road - FSR 2.9:1
- No. 374 and 376-382 New South Head Road - FSR 4.5:1

2.4 CURRENT APPLICABLE DCP CONTROLS

The key current development controls applicable to the subject site are summarised as follows:

DCP B1.3 Double Bay Precinct

This part of the DCP provides a Character Statement, Desired Future Character Statement and objectives to guide development within the precinct and ensure key character elements are appropriately considered.

B1.3.1 Precinct character statement

The character statement includes the following character observations:

- The Double Bay precinct has a strong feeling of community and convenience due to the facilities located within the precinct and the proximity of the adjacent town centre.
- The precinct sits within a low lying basin, framing the Double Bay foreshore.
- The precinct is notable for both the density of its built form and its green landscape character. The tree canopy, formed by both street trees and private plantings, is a prominent element in the municipality's presentation from Sydney Harbour and should be maintained.
- The curvilinear sequence of New South Head Road which forms an edge to the precinct to the south.
- Due to the topography and location, major streets present unique settings within the broader common elements of the precinct.

B1.3.2 Desired future character:

The Character Statement includes the following points:

- On sloping land, new development should step down the site to reinforce the topography.
- Attention must also be given to protecting views, particularly views from public spaces down Ocean Avenue, Bay and Beach Streets to the harbour, and views from New South Head Road to the harbour.

A number of streetscape character and key elements are nominated for the precinct including:

- The rich mixture of architectural styles and building forms.
- The topography and the siting of development on New South Head Road, which descends into (and ascends out of) the Double Bay centre.
- The established tree canopy.

This chapter also provides objectives for future development in the precinct and the desired future character to:

- Respect and enhance the streetscape character and key elements of the precinct.

- Reinforce a consistent building scale within streets.
- Ensure that rooflines sit within the predominant street tree canopy.
- Provide a transition between the higher density buildings of the Double Bay centre and the lower density buildings of the residential area.
- Retain and reinforce the green setting of mature street trees, private trees and garden plantings.
- Protect important iconic and harbour views from the public spaces.

While Chapters D2.2 and D3 of the DCP do not strictly apply to our site. Provisions apply to areas immediately to the west along the New South Head Road Corridor and we have therefore studied the provisions as part of our initial investigations.

Chapter B3.2 outlines setback requirements including:

- Front setback C1. The front setback of the building envelope is determined by averaging the three most typical setbacks of the four closest residential buildings, facing the same side of the street.
- Side Setback C2. The minimum side setback for Residential Flat Buildings, attached dwellings and multi-dwelling housing is determined by the site width measured along the front setback line as determined in Figure 5B (below).
- Rear Setback C1. The rear setback is a consequence of the site depth, front setback and building depth as set out in the formula at Figure 6 (below).

FIGURE 5B
Side setback table for Residential flat buildings, multi dwelling housing and attached dwellings, and any other land use not addressed in controls C1 to C2 of Section 3.2.3 Side setbacks

A. Site width measured along front setback line in metres	B. Side setback in metres
<18.0	1.5
18.0 - < 21.0	2.0
21.0 - < 28.0	2.5
28.0 - < 35.0	3.0
35.0 +	3.5

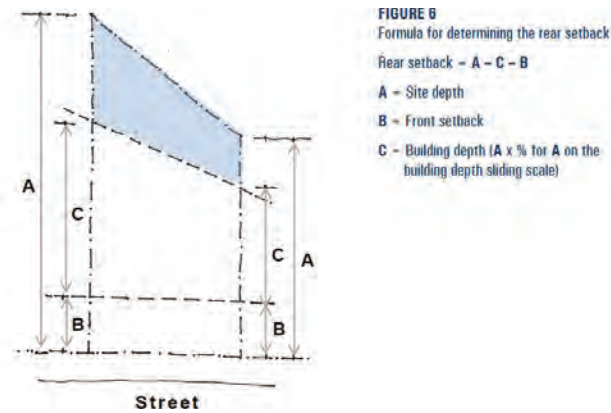


Figure 12. Setback control diagrams (WDCP Chapter B3).

Later chapters of this document discuss the proposed urban design principles and the preferred massing concepts for the subject site. This report summarises the proposal's response to the aims and objectives of the applicable controls to ensure that the proposed development provides a harmonious response to the existing context and considering the future desired character of the area in accordance with Council's policies and strategic plans.

In addition to the precinct-specific controls, a number of general development controls are found within the DCP Chapter B3. These are summarised below. B3.2 provides the following setback controls for residential flat developments in R3 zone:

B3.8.6 Residential flat buildings and multi dwelling housing

Chapter 3.8.6 applies to residential flat buildings and includes the following objectives and controls:

- To ensure usable and well located areas of private open space that provide good amenity for residents.

Objectives

- To ensure that dwellings within the development provide good amenity.
- To ensure usable and well located areas of private open space that provide good amenity for residents.

Controls

- Internal layout and window placement achieve good natural ventilation.
- Single aspect dwellings are limited in depth to 8m from a window.
- The back of the kitchen is no more 8m from a window.
- The width of a cross-over or cross-through dwelling over 15m deep is 4m or greater. Deep and narrow dwelling layouts are avoided.
- Where practical, habitable rooms excluding bedrooms are oriented to the north for maximum solar access.
- Light wells as the main source of lighting and ventilation to dwellings is avoided.
- Each dwelling has direct access to its own private open space area.
- Private open space areas are located and designed to minimise overlooking from other dwellings in the development.

SEPP 65 and the Apartment Design Guidelines (ADG) apply to residential flat developments of more that two storeys and 4 units.

2.5 OPPORTUNITY SITES IN EDGECLIFF

Woollahra Council has identified 26 locations as 'opportunity sites' (refer opportunity sites document dated June 2010) to increase dwelling capacity and meet the housing targets set out by the NSW Government in the East Subregional Strategy in 2010.

The sites were identified following critical planning analysis of all land within the Woollahra Local Government Area (LGA), and are estimated to yield 1,000 new dwellings. Each of these sites has an increased development potential through increased maximum building height and floor space ratio and in some instances by rezoning to allow residential flat buildings or mixed use developments.

The study focused on planning changes for the business centres and immediate surrounding areas, particularly Edgecliff and the New South Head Road corridor to Rushcutters Bay consistent with:

- good planning practice
- more sustainable and transport oriented development, and to
- Protect the character and amenity of Woollahra's low density residential areas by limiting the need for significant change to the planning controls in these areas.

The sites identified were in Edgecliff, Vacluse, Rose Bay, Bellevue Hill, Paddington, Woollahra and Double Bay.

For the Edgecliff Centre, 4 sites were identified including:

- 1. Edgecliff Centre: 203-233 and 235-285 New South Head Road
- 2. Western Gateway: 73-79 New South Head Road (service station site)
- 3. Western Gateway: 2-14 New South Head Road
- 4. Eastern Gateway: 240-246 New South Head Road

These sites are identified on the adjacent diagram.

Of the identified sites, the eastern gateway site (No. 4) which is located to the west of the subject site has recently been completed. The height of building is 18m with a secondary height of 14m at the highest part of the site (Area H).

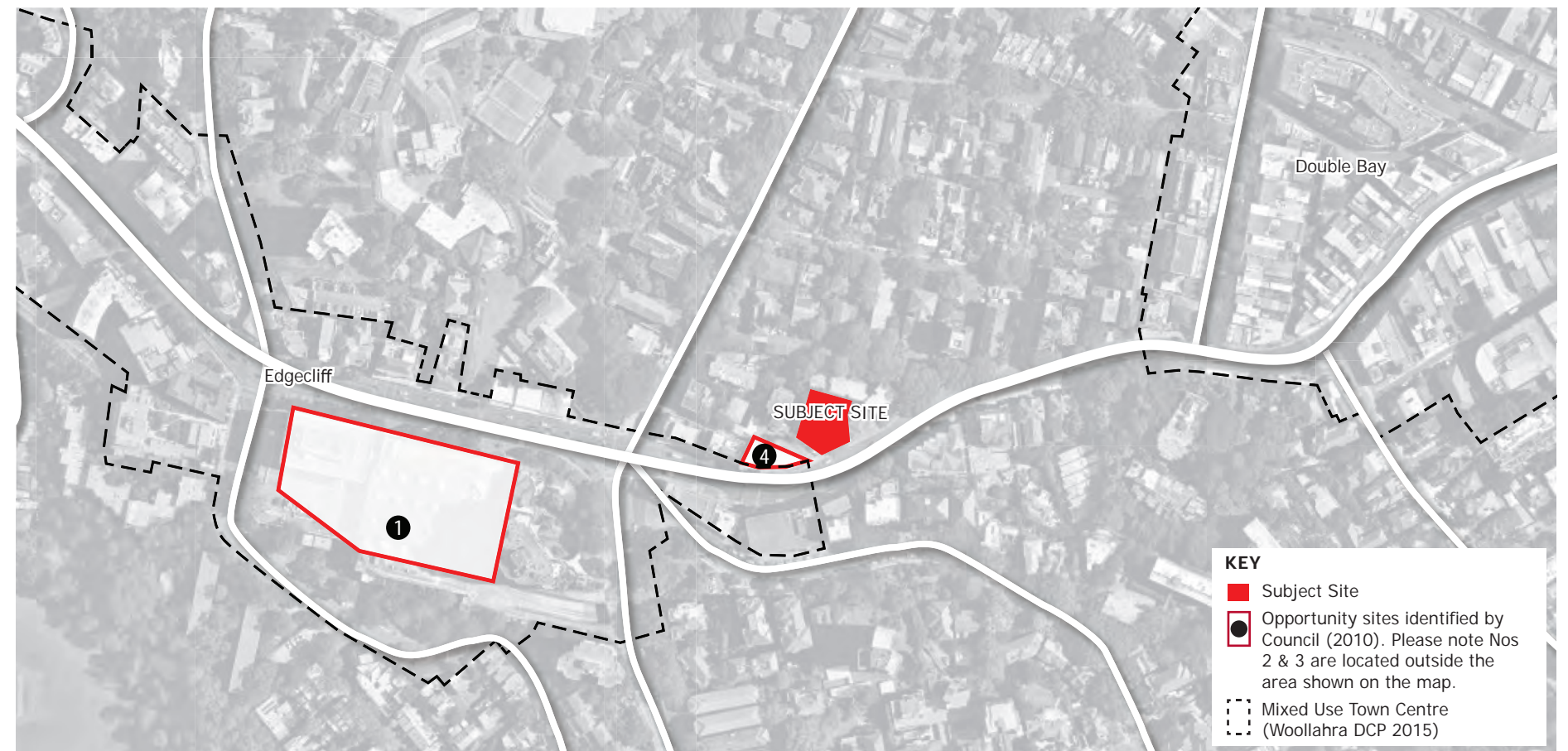


Figure 13. The location of opportunity sites within the area identified as Edgecliff Mixed Use Town Centre.

The key justifications for planning changes for each of the sites located close to the subject site are summarised below:

1- Edgecliff Centre: 203-233 and 235-285 New South Head Road

- The need to increase the development potential in centres to promote more sustainable and public transport oriented development.
- Potential to meet 40% of the growth required.
- Protection of residential areas from significant change.
- The benefit of uniting two sites that currently function separately, improving the retail experience and customer amenity.
- An increase to the site's FSR up to 6.05:1.
- An increase to the site's height up to 53m (17 storeys).

4- Eastern Gateway: 240-246 New South Head Road, Edgecliff

- An increase to the density within 400m of Edgecliff Centre.
- More sustainable and public transport oriented development.
- Zoning change to B4.
- An increase to the site's height up to 24.9m (part 6 to 7 storeys).
- An increase to the site's FSR up to 4.8:1.

We understand the site has been approved with a maximum FSR of 4:1 and a height of 18m through the planning proposal process.

Other than the site located at the eastern gateway, the remaining three sites have been deferred by Council subject to further investigation and 'strong and supportable reasons'. We understand that Council is currently undertaking an extensive analysis of both local centres which includes these opportunity sites in Edgecliff. However, the conclusions of the analysis have not been advertised as yet.

It is important to understand the main reasons for why selected specific sites were nominated for future growth, focusing on transit oriented development and accentuating prominent locations such as arrival points and core areas.

The subject site is located immediately to the east of the eastern gateway site (No. 4). This should be considered as part of the analysis of the existing and future height profile and densities along New South Head Road to ensure harmonious streetscape proportions.

2.6 SECTION CONCLUSION

The strategic direction of the Eastern City District Plan is to capitalise on strategic and local centres as well as local and major public transport nodes, in order to locate additional density including housing, jobs and services to achieve the concept of the 30-minute city.

This approach is consistent with Woollahra Council's strategic priorities formulated within the LSPS (draft) where increased connectivity and easy access to high-frequency public transport, open space amenity and the retention of the local village setting is emphasised through selected planning priorities.

The subject site is ideally located to offer housing choice close to local centres and public transport, taking advantage of the quality lifestyle offerings associated with the locality and the proximity to open space amenity, village centres, scenic landscapes and key community destinations.

3. LOCAL CONTEXT ANALYSIS

