

Appendix C – Council Pre-Application Matrix

Item	Council comment	Location of where the item is addressed in the EIS
4.1	<p>Woollahra 2030 <i>Woollahra 2030, Council's Community Strategic Plan, identifies the strategic direction and integrated planning framework for the Woollahra Municipality. Council is committed to revitalising its centres, to deliver vibrant villages that provide local access to a range of shops and facilities. A request for a planning proposal must demonstrate full compliance with relevant goals of the plan.</i></p>	<p>The proposal is compliant with the relevant goals of the Woollahra Community Strategic Plan 2030 (refer to Section 7.2.2 of the Planning Proposal Justification Report).</p>
4.2	<p>Woollahra Local Strategic Planning Statement <i>The Woollahra Local Strategic Planning Statement (LSPS) sets out a 20-year land use vision and planning priorities that will support and guide Council's planning controls to help ensure the Woollahra LGA continues to be a great place to live, work, play and visit.</i></p> <p><i>The LSPS identifies the following: Edgecliff is the gateway that links Sydney's Eastern Suburbs and CBD along a vital transit corridor. It is based around a public train and bus interchange. Edgecliff is located in close proximity to Double Bay local centre, harbour-side parks and lifestyle destinations. It provides employment, local business services and retail. A planning review is currently underway for Edgecliff.</i></p> <p><i>Should the applicant seek to lodge a request for a planning proposal, it must demonstrate full compliance with relevant themes and planning priorities of the LSPS.</i></p>	<p>The proposal is compliant with the relevant themes and planning priorities of the Woollahra LSPS, as demonstrated in Section 7.1.1 and 7.2.2 of the Planning Proposal Justification Report.</p>
4.3	<p>Draft Woollahra Integrated Transport Strategy <i>The Draft Woollahra Integrated Transport Strategy 2019 (Draft ITS) sets out a vision for a more accessible LGA where active, sustainable, and efficient modes of transport are the most convenient choice for most trips. Council recognises the importance of having a transport strategy that reduces dependence on private vehicles by developing a system of viable, public and active transport alternatives.</i></p> <p>...</p> <p><i>A request for a planning proposal must address the relevant objectives and themes in the Draft ITS, particularly in relation to the site's inclusion in the Edgecliff Local Centre, which is a transport node for rail, bus, vehicular, cycling and pedestrian movement.</i></p>	<p>The proposal demonstrates compliance with the Draft ITS in Section 7.2.2 of the Planning Proposal Justification Report.</p>

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4.4	<p>The Edgecliff Commercial Centre Study</p> <p><i>The Edgecliff Commercial Centre comprises land along New South Head Road generally from its intersection with New Beach Road to its intersection with Ocean Street and Ocean Avenue. This area has been the subject of a number of enquiries in recent times from developers seeking potential planning proposal requests. The enquiries have generally sought changes to height and FSR standards of the Woollahra LEP 2014 to facilitate buildings with a dominant residential use. However, developer initiated planning proposal requests are dealt with on an individual basis, resulting in a fragmented and uncoordinated approach to planning.</i></p> <p>...</p> <p><i>In light of the study that is currently underway, we recommend that the request for a planning proposal is not lodged until the planning control review for the whole of the Edgecliff Commercial Centre has been completed. A decision to proceed with this site-specific request could be seen to pre-empt strategic decisions which are yet to be made about future planning controls for the centre.</i></p>	Discussion on the Edgecliff Commercial Centre Study is provided in Section 7.1.2 of the Planning Proposal Justification Report.
4.5	<p>Opportunity site consultation</p> <p><i>The site is one of 24 locations that Council consulted the community about in 2010 called 'opportunity sites'. Opportunity sites were locations identified by Council planning staff to potentially increase dwelling capacity and meet the housing targets set out by the NSW Government in the Draft East Subregional Strategy (July 2007). However, the opportunity site process did not lead to an amendment of planning controls for this site. Further consideration of the proposed planning control changes for the opportunity sites, including the site, and any suggested new sites has been deferred unless 'strong and supportable reasons' are provided. A request to prepare a planning proposal for the site must not rely on the opportunity site rationale. Any request should provide a new justification for proposed planning control changes.</i></p>	
5.1	<p>Greater Sydney Regional Plan: A Metropolis of Three Cities (2018)</p> <p><i>The Greater Sydney Regional Plan: A Metropolis of Three Cities (2018) (the Regional Plan), is built on a vision of three cities. The vision is that most residents live within 30 minutes of their jobs, education and health facilities, services and great places. Ten directions are set out within the Regional plan which establish the aspirations for the region over the next 40 years and are a core component of the vision and a measure of the Regional Plan's performance</i></p> <p>...</p> <p><i>A request for a planning proposal must demonstrate full compliance with relevant directions and actions of the Regional Plan.</i></p>	The proposal is compliant with the relevant directions and actions of the Region Plan, as detailed in Section 7.2.1 of the Planning Proposal Justification Report.
5.2	<p>Eastern City District Plan (2018)</p> <p><i>The Eastern City District Plan (2018) (the District Plan) is a 20-year plan to manage growth in the context of economic, social and environmental matters to achieve the 40-year vision for Greater Sydney. It contains the planning priorities and actions for implementing the Regional Plan at a district level and is a bridge between regional and local planning</i></p> <p>...</p> <p><i>A request for a planning proposal must demonstrate full compliance with the vision and relevant priorities and actions of the District Plan.</i></p>	The proposal is compliant with the relevant directions and actions of the Eastern District Plan, as detailed in Section 7.2.1 of the Planning Proposal Justification Report.

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5.3	<p>Environmental Planning and Assessment Act 1979 <i>Section 3.33 of the Environmental Planning and Assessment Act 1979 (the Act) sets out what information a planning proposal is to include when submitted for a gateway determination. The former Department of Planning and Environment prepared two documents titled A Guide to Preparing Planning Proposals (December 2018) and A Guide to Preparing Local Environmental Plans (December 2018) to help applicants meet the requirements of the Act.</i></p> <p><i>We draw to your attention that these guidelines identify that a planning proposal must demonstrate the strategic merit and the site-specific merit of the proposed LEP amendments.</i></p>	<p>Noted. The Planning Proposal has been prepared in accordance with Section 3.33 of the Environmental Planning and Assessment Act and <i>A Guide to Preparing Planning Proposals</i>. The strategic and site-specific merit assessment is provided in Section 7.2.1 of the Planning Proposal Justification Report.</p>
5.4	<p>State Environmental Planning Policy 65: Design Quality of Residential Apartment Development (SEPP 65) <i>A request for a planning proposal must address the relevant matters in SEPP 65 and the associated Apartment Design Guide (ADG) including:</i></p> <ul style="list-style-type: none"> • <i>Section 2E - building depth.</i> • <i>Objective 3F-1- Separation between dwellings to achieve a reasonable level of internal and external privacy.</i> • <i>Objectives 4A-1 and 4B-3 to achieve a reasonable sunlight and cross ventilation.</i> 	<p>SEPP 65 and ADG compliance have been assessed by FJMT at Appendix A. FJMT have demonstrated that the indicative concept is capable of satisfying the relevant provisions of SEPP 65 and the ADG. Any future DA on the site will be subject to detailed assessment against SEPP 65 and the ADG.</p>
5.5	<p>Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 <i>A request for a planning proposal must address the relevant matters in Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005.</i></p>	<p>Refer to Appendix H and Section 7.2.3 and Section 8.5 of the Planning Proposal Justification Report.</p>
5.6	<p>Future Transport 2056 <i>Future Transport 2056 is a suite of strategies and plans for transport developed in NSW aligned with the GSC and Department of Planning, Industry and Environment's regional plans and Infrastructure NSW's State Infrastructure Strategy to provide an integrated vision for the state.</i></p> <p>...</p> <p><i>A request for a planning proposal must address the relevant issues in the Future Transport 2056 and the Greater Sydney Services and Infrastructure Plan, particularly in relation to the site's inclusion in the Edgecliff local centre, which is a transport node for rail, bus, vehicular, cycling and pedestrian movement.</i></p>	<p>The proposal has addressed Future Transport 2056 and the Greater Sydney Services and Infrastructure Plan in Section 7.2.1 of the Planning Proposal Justification Report.</p>
6.1	<p>Part 4.3: Height of buildings <i>The existing controls on the site permit a split maximum building height of 6m and 26m. The preapplication submission seeks a maximum building height of RL 195m (Australian Height Datum) (AHD), which represents a building height of approximately 161.75 - 167m above ground level.</i></p>	<p>The proposal remains consistent with the objectives of clause 4.3 of the Woollahra LEP. An assessment of the proposed height against the objectives of the height</p>

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	<p><i>The building height objectives of clause 4.3 of Woollahra LEP 2014 are as follows:</i></p> <p><i>(a) to establish building heights that are consistent with the desired future character of the neighbourhood,</i></p> <p><i>(b) to establish a transition in scale between zones to protect local amenity,</i></p> <p><i>(c) to minimise the loss of solar access to existing buildings and open space,</i></p> <p><i>(d) to minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion,</i></p> <p><i>(e) to protect the amenity of the public domain by providing public views of the harbour and surrounding areas.</i></p> <p><i>The proposed building height would permit development which would be inconsistent with the objectives identified above. In particular the controls would not:</i></p> <ul style="list-style-type: none"> <i>• establish a transition in scale between zones to protect local amenity,</i> <i>• minimise the loss of solar access to existing buildings and open space (including the dwellings in the Paddington HCA and the open space of Trumper Park),</i> <i>• minimise the impacts of new development on adjoining or nearby properties from disruption of views, loss of privacy, overshadowing or visual intrusion.</i> 	<p>control is provided in Section 8.2.1 of the Planning Proposal Justification Report.</p>
	<p><i>Council staff do not support the proposed building height on the site. However, if a request for a planning proposal is submitted, it must fully justify the requested building height control. The request must respond to the objectives above, and provide appropriate justification with regard to matters such as the effect on prescribed airspace, bulk and scale, solar access, views, loss of privacy, overshadowing, visual intrusion and public amenity. Additional information about some of these issues is provided below. The request must also address whether a change in maximum building height may require associated changes to the Woollahra DCP 2015.</i></p>	<ul style="list-style-type: none"> • The proposed height has been justified throughout the Planning Proposal Justification Report. Airspace is assessed in Appendix S. Bulk and scale, solar access, views, loss of privacy, overshadowing, visual intrusion and public amenity is addressed in Section 8 of the Planning Proposal Justification Report. • A Draft Development Control Plan amendment to the Woollahra Development Control Plan 2015 for the site will be prepared by the proponent in collaboration with Council. It will be determined at Gateway Determination whether it is a stand-alone DCP or an amendment to Part G (Site-Specific Controls) of the existing Woollahra DCP, and will be publicly exhibited concurrently with the Planning Proposal.
	<p>Prescribed airspace</p> <p><i>A prescribed airspace control applies to the site. Under the Commonwealth Airports Act 1996 and Airports (Protection of Airspace) Regulations 1996, the prescribed airspace for Sydney (Kingsford-Smith) Airport is defined by the 'Obstacle Limitation Surface' (OLS) (building height contour) map published by the Sydney Airport Corporation limited (SACL). The OLS map imposes a height contour of 156m AHD (RL) for the site. The proposed amendment to the building height control above the OLS height is considered a 'controlled activity' and is subject to Commonwealth Government approval.</i></p>	<p>An Aeronautical Impact Assessment (provided at Appendix S) has examined the proposal in relation to the prescribed airspace of Sydney Airport and the Commonwealth Airports (Protection of Airspace) Regulations 1996. The proposed height does exceed the Obstacle Limitation Surface, requiring a height approval under the Regulations. The height is approvable, and approval will be sought.</p>

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	<p>Building height control comparison <i>The proposed building height control represent a building height of approximately 161.75 - 167m above ground level. A comparison of the proposed building height to other approved building height controls show that the proposed control is:</i></p> <ul style="list-style-type: none"> • <i>substantially greater than the current highest maximum building height of 34m permitted under the Woollahra LEP 2014</i> • <i>substantially greater than the maximum building heights of 60m permitted under Waverley Local Environmental Plan 2012 at Bondi Junction, which is designated as a strategic centre in the Regional Plan and District Plan</i> • <i>greater than the majority of maximum building heights permitted under Sydney Local Environmental Plan 2012 in the Sydney CBD, which is designated as a metropolitan centre in the Regional Plan and District Plan.</i> 	<p>An assessment of building comparison is undertaken in Section 8.2 of the Planning Proposal Justification Report.</p>
	<p>View sharing <i>A request for a planning proposal must address any view sharing impacts relating to surrounding properties. An assessment of these impacts must be based on the maximum building envelope created by the requested planning controls, not the building envelope of the concept building (although this may be included in addition to the maximum building envelope, for example, shown as “wire frame” superimposed on a photograph). The view sharing assessment must follow the four step process established in Tenacity Consulting v Warringah (2004) NSWLEC 140 (paragraphs 23-33). The requirement for a view sharing assessment must not be taken to represent our support for the requested building height control, whether it be the height sought in your pre-application submission or another height.</i></p>	<p>A View Impact Assessment has been prepared by Richard Lamb and is provided at Appendix H.</p>
	<p>Solar access and overshadowing <i>A request for a planning proposal must address any solar access impacts on surrounding properties. An assessment of these impacts must be based on the maximum building envelope created by the requested planning controls, not the building envelope of the concept building (although the solar access and overshadowing impacts from the concept building may be included in addition to the maximum building envelope).</i></p>	<p>FJMT has assessed surrounding residential amenity in relation to solar access and overshadowing (refer to Appendix A).</p>
6.2	<p>Part 4.4: Floor space ratio <i>The existing controls on the site permit a maximum FSR of 2.5:1. The pre-application submission seeks a maximum FSR of 9:1. This represents an increase of more than 260% of the existing control on the site.</i></p> <p><i>The objectives of clause 4.4 of Woollahra LEP 2014 include:</i> <i>(b) for buildings in Zone B1 Neighbourhood Centre, Zone B2 Local Centre, and Zone B4 Mixed Use—to ensure that buildings are compatible with the desired future character of the area in terms of bulk and scale</i></p> <p><i>Having considered the site and its context, the proposed FSR would permit development which would be inconsistent with the objectives identified above. In combination with the proposed height control, it would permit development which would</i></p> <ul style="list-style-type: none"> • <i>create excessive bulk and scale</i> • <i>not be compatible with the character of surrounding land.</i> 	<p>The proposal is consistent with the objective of the FSR control (refer to Section 8.2 of the Planning Proposal Justification Report).</p>

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	<p>FSR control comparison A comparison of the proposed FSR with other FSR development standards in the Woollahra LGA and in major centres in other LGAs shows that the proposed control is:</p> <ul style="list-style-type: none"> substantially greater than the current maximum FSR of 4:1 permitted under the Woollahra LEP 2014 greater than the maximum building heights of 8:1 permitted under Waverley Local Environmental Plan 2012 at Bondi Junction, which designated as a strategic centre in the Regional Plan and District Plan greater than the base FSR permitted under Sydney Local Environmental Plan 2012 in the Sydney CBD, which is designated as a metropolitan centre in the Regional Plan and District Plan. 	The FSR of the proposal against FSR available in Bondi Junction and Sydney CBD is assessed in Section 8.2.3 of the Planning Proposal Justification Report.
	<p>Non-residential FSR Council is concerned about the erosion of non-residential floor space and employment opportunities on centres in the Woollahra LGA. This erosion will have a detrimental impact on the operation of the Edgecliff local centre within the context of the Eastern City District Plan</p>	It is proposed to include a minimum 3:1 non-residential FSR provision to ensure retention of employment generating floor space on the site (refer to Section 6.0 of the Planning Proposal Justification Report).
7.1	<p>Chapters D4: Edgecliff Centre The site is located in the Edgecliff Centre which is addressed in Part D: Business Centres, Chapter D4 Edgecliff Centre of Woollahra DCP 2015. Whilst the request for a planning proposal must have regard to the desired future character of the centre, it is recommended that the request for a planning proposal is delayed until the urban design study for the whole of the Edgecliff Commercial Centre is completed. It is anticipated that the study will create a new vision and desired future character for the Edgecliff Commercial Centre.</p>	The Planning Proposal has given regard to the desired future character of Edgecliff as per the DCP (refer to Section 8.2.1 of the Planning Proposal Justification Report).
7.2	<p>Chapter E1: Parking and Access A request for a planning proposal must be accompanied by a traffic and transport report based on the maximum permitted development under the requested planning controls.</p>	A Traffic and Transport Report is provided at Appendix I .
7.3	<p>Chapter E3: Tree Management A request for a planning proposal, regardless of the scale, must have regard to Council's desired future character objectives and controls relating to trees, specifically Chapter E3 Tree Management of Woollahra DCP 2015.</p>	Refer to Arboricultural Report at Appendix T .
7.4	<p>Chapter E4: Contaminated Land A request for a planning proposal must consider any potential contamination of the site.</p>	A Contamination Assessment Report is provided at Appendix N .
8.1	<p>Strategic Planning For reporting purposes to the Department of Planning, Industry and Environment, the planning proposal must include a statement which, based on the maximum potential development as well as your indicative concept, identifies the:</p> <ul style="list-style-type: none"> Number and size of existing and proposed dwellings Number of potential new residents Size of existing and new non-residential gross floor area in square metres Number of existing and new jobs that will be accommodated in the non-residential area Number and type of existing and proposed car parking spaces. 	<ul style="list-style-type: none"> Number of existing dwellings: 0 Number of potential dwellings: 232-268 Number of potential new residents: 430 Existing non-residential GFA: 4,810m² Proposed non-residential GFA: 15,649m²

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8.2	<p>Development control</p> <p><i>Should a development application for the site be lodged prior to a change in the existing planning controls, it would be assessed under the existing controls that apply. The expectation is that an application must fully comply with the relevant development standards and controls. Any exceedances of the development standards would need to be fully justified by virtue of Clause 4.6 Exceptions to development standards in Woollahra LEP 2014.</i></p>	Noted.
8.3	<p>Engineering Services</p> <p>...</p> <p><i>Council's Traffic and Transport Engineering staff have provided the following observations:</i></p> <ul style="list-style-type: none"> • <i>The intersection of New McLean Street and New South Head Road is approaching or at capacity. Any planning proposal request for this site should address the traffic impacts on this intersection with measures to address how it resolves the existing traffic issues at this location.</i> • <i>Given the potential scale of the development, there may be opportunities and need to upgrade the stormwater infrastructure in the area.</i> • <i>Given the potential scale of the development, there may be opportunities and need to upgrade the public domain in New South Head Road and New McLean Street.</i> • <i>As New South Head Road is a Classified Road, early consultation with the Roads and Maritime Services (RMS) is recommended</i> <p><i>A traffic impact statement identifying the maximum potential additional vehicle movements and traffic management strategy must be provided. The maximum potential car park and traffic movements must be based on calculations in accordance with Chapter E1 Parking and Access in Woollahra DCP 2015. This statement must address the implications of the likely development uplift arising from the requested new planning controls on existing traffic, parking and transport conditions surrounding the site and within any proposed parking areas. The statement must be produced by a suitably qualified and experienced traffic engineer in accordance with Chapter E1 Parking and Access in Woollahra DCP 2015.</i></p>	A Traffic and Transport Report is provided at Appendix I .
8.4	<p>Urban Design</p> <p><i>Height analysis</i></p> <p><i>An urban design analysis of the proposed height should demonstrate:</i></p> <ul style="list-style-type: none"> • <i>An analysis of the proposed height control when compared to the skyline / city silhouette along the Eastern Suburbs Railway corridor. The analysis should consider the centre hierarchy from the Sydney CBD (Hyde Park) to Kings Cross (in a strategic location), Edgecliff as a local centre and the Double Bay Centre.</i> • <i>The response of the proposed height control to the role of Edgecliff Local Centre as a Local Centre, including a comparative height analysis of local centres with a similar urban structure to Edgecliff.</i> • <i>The relationship of the proposed controls to the local context and streetscape. How the scale and height of the proposed podium, with a limited built form articulation, is appropriate for this location in the Edgecliff Commercial Centre.</i> <p>Streetscape</p> <p><i>The scale and height of the proposed podium of the development concept, with a limited built form articulation is not considered appropriate for the streetscape character of this corridor. A streetscape analysis should be provided to demonstrate the consistency / suitability of the proposed 6-7 storey street wall height.</i></p>	<p>The height analysis is provided in Strategic and Urban Design Study at Appendix E.</p> <p>The streetscape analysis is provided in Strategic and Urban Design Study at Appendix E.</p>

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	<p>Public domain <i>A public domain analysis of the proposed controls must consider the following:</i></p> <ul style="list-style-type: none"> <i>The Edgecliff local centre and Edgecliff mixed use centre along New South Head Road has limited pedestrian-oriented public domain area. The proposed conceptual ground level entrance plaza onto New South Head Road offers internalised spaces with limited interaction with and contribution to the public domain. The space is not at a size that performs as a public plaza. A more accessible and open plaza area concept should be considered.</i> <i>The proposed concept must consider the creation of active frontages facing New McLean Street to enhance the public domain, streetscape and public safety. Activation of New McLean Street should consider a ground level setback on the western frontage of the site to allow for the creation of an open plaza / forecourt area for outdoor dining.</i> <i>Through-site links proposed as part of a development concept should connect with the existing pedestrian link to Trumper Park from New McLean Street and the existing pedestrian link to Cameron Street and the Paddington HCA to New McLean Street, to improve the permeability of the site.</i> 	<p>The public domain analysis is provided in Strategic and Urban Design Study at Appendix E.</p>
8.5	<p>Heritage ... <i>A request for a planning proposal must include a robust analysis of the heritage impacts of the requested controls and potential development. This must be submitted to allow a complete heritage assessment.</i></p>	<p>A Heritage Assessment Report is provided at Appendix J.</p>
8.6	<p>Open space and trees <i>The conceptual 'Sky Plaza' open space area proposed is very limited and overlooks a bus terminal. Located three to four storeys above ground level it would be limited to people who live, work or arrive to the precinct and not be easily accessible for the wider community. It would not be an appealing place to sit or recreate. The space does little for young children or the youth to engage in active play as there are no play elements. Planning controls to allow a development of this scale should consider the inclusion of major open space requirements with provisions for state of the art equipment and themes. Trumper Park, Rushcutters Bay Park and Yarranabbe Park would be highly used by residents in this area and should be a focus of funding improvements by way of the development.</i></p>	<ul style="list-style-type: none"> Specific open space requirements and play elements within the open space proposed can be subject to ongoing discussions post gateway and during detailed design. Any funding improvements by way of the development can be subject of post-gateway discussions.
8.7	<p>Community services <i>The site is located in the western catchment and if developed will increase the demand for local community facilities. The applicant should contact Council's Community Services staff to discuss the opportunities for a planning proposal request to incorporate the provision of local community facilities and / or the dedication of floor space for a facility. This may be considered within the voluntary planning agreement framework.</i></p>	<p>A community room has been accommodated within the proposal.</p>
8.8	<p>Property and projects <i>Council owns land adjoining the site between its southern boundary and New McLean Street. The land is subject to a number of right of way easements to allow vehicular access to the site and the 'Eastpoint' car park from New McLean Street.</i> <i>The applicant must contact Council's Property and Projects staff to discuss the existing easements over the land, as well as the future use and potential development of this land.</i></p>	<p>Noted. FJMT have undertaken a study of how Council could integrate a community space within this land and the proponent is willing to examine uses of this land in coordination with Council.</p>
8.9	<p>VPA <i>Council prefers that negotiations for a planning agreement commence before the lodgement of a request for a planning proposal. Further, the VPA Policy seeks to separate the role of Council as an asset manager and planning authority to ensure probity. In this regard, please contact the Director – Technical Services to discuss the requirements for a planning agreement.</i></p>	<p>Negotiations for a VPA can commence at the post Gateway stage.</p>

