



Your Ref: RR-2024-32 (IRF24/2310)
Council Ref: SC7929 / 24/181699

17 October 2024

Renee Ezzy
Department of Planning, Housing and
Infrastructure
Locked Bag 5022
Parramatta NSW 2124

Dear Renee,

Re: Request for rezoning review RR-2024-32 for 203-233 New South Head Road, Edgecliff NSW

This letter responds to your correspondence dated 24 September 2024 advising of the above rezoning review. We are satisfied that the rezoning review request (dated 6 September 2024) is the same as the planning proposal considered by Council staff (lodged 8 April 2024).

The planning proposal was considered by the Woollahra Local Planning Panel (Woollahra LPP) on 17 October 2024. The agenda (including the applicant's planning proposal) and the staff assessment may be viewed on Council's website at:

www.woollahra.nsw.gov.au/council/meetings_and_committees/agendas_and_minutes

Having considered the planning proposal, and the staff assessment, the Woollahra LPP provided the following advice to Council:

- A. *THAT the Woollahra Local Planning Panel advises Council not to support the planning proposal for 203-233 New South Head Road and adjacent Council land, that seeks to amend the Woollahra Local Environmental Plan 2014 in the following manner:*
- i. *Maximum height of building standard of part 60m and part 124-128m.*
 - ii. *Maximum floor space ratio standard of 9:1 on the proponent's land.*
 - iii. *Minimum floor space ratio of 2:1 for non-residential floor space.*
 - iv. *Maximum floor space ratio development standard to 3.5:1 on the Council land.*
- B. *THAT the Woollahra Local Planning Panel advises Council that the panel does not support the planning proposal for the following reasons:*
- i. *Proposed provisions are inconsistent with the desired future character of the site as established under the adopted Edgecliff Commercial Centre Planning and Urban Design Strategy;*
 - ii. *Scale of development is inappropriate for the Edgecliff Commercial Centre as a local centre, as defined in the centres hierarchy;*
 - iii. *Bulk and scale of development is incompatible with the local context and creates inadequate transition between the built form and the surrounding lower density development;*

- iv. *Built form facilitated by the planning proposal request is considered excessive and would create undesirable urban design outcomes and compromise the amenity of the public domain.*
- C. *THAT the Woollahra Local Planning Panel advises Council to request the proponent to amend the planning proposal to be consistent with the endorsed Edgecliff Commercial Centre Planning and Urban Design Strategy with a maximum building height of 86m and a maximum floor space ratio of 7.5:1.*
- D. *THAT the Woollahra Local Planning Panel notes the availability of the bonus provisions of the State Environmental Planning Policy (Housing) 2021 which could apply when the Edgecliff Commercial Centre Planning and Urban Design Strategy is enabled in order to achieve affordable housing and support housing supply in the Woollahra Local Government Area.*

The planning proposal, staff assessment and advice from the Woollahra LPP will be reported to the *Woollahra Environmental Planning Committee* on 4 November 2024 and subsequently by a meeting of Full Council on 11 November 2024.

The proponent has initiated negotiations with Council staff in regards to a voluntary planning agreement (VPA). These negotiations are ongoing and no agreement on the terms of a draft VPA has been reached.

If you require information on the planning proposal, please contact Timothy Walsh, Team Leader Strategic Planning on (02) 9184 1066 or timothy.walsh@woollahra.nsw.gov.au.

Yours sincerely



Anne White
Manager - Strategic Planning & Place



Woollahra Local Planning Panel (Public Meeting)

Thursday 17 October 2024
1.00pm

Agenda

Woollahra Local Planning Panel (Public Meetings):

Woollahra Council will be holding Woollahra Local Planning Panel (WLPP) meetings using conferencing technology.

The Chair of the Panel, members of the Panel and staff will be participating in meetings in person and members of the public may attend via audio-visual link instead of attending in person.

In response to the Directive issued by the Minister for Planning & Public Spaces on 30 June 2020, the Woollahra Local Planning Panel was required to change the way applications are considered from 1 August 2020.

In this regard, the applications listed on this Agenda will be considered at a public meeting by the Panel.

Members of the public are invited to listen to meetings using conferencing technology or address the AAP meeting by conferencing technology. Public participation will be managed in accordance with meeting procedures.

- **To watch the meeting live or listen to the meeting live at 1.00pm**
Visit Council's website at 1.00pm and watch live via the following link:
<https://www.youtube.com/@woollahracouncil5355/streams>
- **To request to address the Panel (pre-register by 12noon the day before the meeting)**
Pre-register to listen to the meeting live or request to address the Panel by 12noon the day before the meeting by using the relevant registration form on Council's website - <http://www.woollahra.nsw.gov.au>
- **To submit late correspondence (submit by 12noon the day before the meeting)**
Members of the public may submit late correspondence on an agenda item being considered at a Panel Meeting. If you wish to make a written submission on an Item on the Agenda, please email your submission to records@woollahra.nsw.gov.au by 12noon on the day before the meeting.

Once registered you will be forwarded information on how to join the meeting via email.

An audio recording of the meeting will be uploaded to Council's website following the meeting by 5.00pm on the next business day.

Outline of Meeting Protocol & Procedure:

- The Chair will call the Meeting to order and ask the Panel/Staff to present apologies and/or late correspondence.
- The Chair will commence the Order of Business as shown in the Index to the Agenda.
- To register to speak at the meeting, you should register using the appropriate 'Register to address the Panel Application Form' as available on Council's website at: www.woollahra.nsw.gov.au by **12noon on the day before the meeting**.
- Members of the Public who have pre-registered to listen or speak at a meeting will be sent an email with the audio-visual link prior to the meeting. Please **do not** share the audio-visual link with any third party/ies.
- Members of the Public who have pre-registered to speak will be allowed three (3) minutes in which to address the Panel, one (1) warning bell will be rung at the conclusion of two (2) minutes and two (2) warning bells rung at the conclusion of three (3) minutes. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (e.g. applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allocated three (3) minutes, the speaker takes no further part in the debate unless specifically called to do so by the Chair.
- If there is more than one (1) person wishing to address the Panel from the same side of the debate, the Chair will request that where possible a spokesperson be nominated to represent the parties.
- After considering any submissions the Panel will debate the matter (if necessary) in closed session, and arrive at a resolution.
- Minutes of the Woollahra Local Planning Panel (Public Meeting) will be posted to Council's website once finalised.

Disclaimer:

By speaking at the Woollahra Local Planning Panel (WLPP) Meeting members of the public consent to their voice and personal information (including name and address) being recorded and publicly available on Council's website. Accordingly, please ensure your address to Council is respectful and that you use appropriate language and refrain from making any defamatory statements or discriminatory comments.

Woollahra Council does not accept any liability for statements, comments or actions taken by individuals during a Council meeting.

Any part of the meeting that is held in closed session will not be recorded.

People connecting to this meeting by conferencing technology are reminded that under the *Local Government Act 1993*, the recording of meetings by a member of the public using any electronic recording device including a mobile phone or video camera is not permitted. Any person found recording without the permission of Council may be expelled from the meeting.

The recording of each meeting will be retained on Council's website for a minimum period of 6 months. After that period has passed, recordings of meetings may be disposed of in accordance with the *State Records Act 1998*.

For further information please visit www.woollahra.nsw.gov.au

Woollahra Local Planning Panel Membership:

1 Chair, 2 Experts and 1 Community Representative

Quorum:

3 Panel members

Woollahra Municipal Council

Notice of Meeting

9 October 2024

To: Woollahra Local Planning Panel Members
Chair
Experts
Community Representative

Dear Panel Members,

Woollahra Local Planning Panel (Public Meeting) – 17 October 2024

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Woollahra Local Planning Panel (Public Meeting)** meeting to be held in the **Council Chambers, 536 New South Head Road, Double Bay, on Thursday 17 October 2024 at 1.00pm.**

Members of the public may:

- Register to address the meeting by **no later than 12 noon on the day before the meeting.** using the following Register to Speak Form
<https://www.woollahra.nsw.gov.au/files/assets/public/v/3/forms/registration-form-to-address-planning-panels.pdf>.
- Submit late correspondence for consideration by the Panel by emailing records@woollahra.nsw.gov.au by **no later than 12 noon on the day before the meeting.**
- Watch and listen to the meeting live via Council's website **from 1.00pm on the day of the meeting:**
https://www.woollahra.nsw.gov.au/council/meetings_and_committees/planning_panels/woollahra_local_planning_panel_wlpp/wlpp_agendas_audio_recordings_and_minutes

An audio recording of the meeting will be uploaded to Council's website following the meeting by 5.00pm on the next business day.

If you have any difficulties accessing the meeting please contact (02) 9391 7001.

Regards,

Craig Swift-McNair
General Manager

Woollahra Local Planning Panel (Public Meeting)

Agenda

Item	Subject	Page
1	Opening	
2	Acknowledgement of Country (Gadigal People and Birrabirragal People)	
3	Leave of Absence and Apologies	
4	Disclosures of Interest	

Items to be Decided by the Panel

D1	Planning Proposal - 203-233 New South Head Road, Edgecliff - 24/854877 *See Recommendation Page 7	
D2	DA 436/2020/2 - 18 Olphert Avenue Vaucluse - 24/182740183 *See Recommendation Page 186	
D3	DA2022/534/1 - 3 Fairfax Road BELLEVUE HILL - 24/183592341 *See Recommendation Page 398	
D4	DA 335/2022/1 - 555 New South Head Road Bellevue Hill - Cranbrook School - 24/182083583 *See Recommendation Page 593	

Item No: D1
Subject: **PLANNING PROPOSAL - 203-233 NEW SOUTH HEAD ROAD, EDGECLIFF**
Authors: Chinmayi Holla, Strategic Planner
Timothy Walsh, Team Leader Strategic Planning
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 24/85487
Purpose of the Report: To seek the advice of the Woollahra Local Planning Panel in relation to a request for a planning proposal to amend controls that apply under the Woollahra Local Environmental Plan 2014 to 203-233 New South Head Road and adjacent Council land.
Alignment to Delivery Program: Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

Advice:

- A. THAT the Woollahra Local Planning Panel advises Council not to support the planning proposal for 203-233 New South Head Road and adjacent Council land, that seeks to amend the *Woollahra Local Environmental Plan 2014* in the following manner:
- Maximum height of building standard of part 60m and part 124-128m.
 - Maximum floor space ratio standard of 9:1 on the proponent's land.
 - Minimum floor space ratio of 2:1 for non-residential floor space.
 - Maximum floor space ratio development standard to 3.5:1 on the Council land.
- B. THAT the Woollahra Local Planning Panel advises Council that the panel does not support the planning proposal for the following reasons:
- Proposed provisions are inconsistent with the desired future character of the site as established under the adopted *Edgecliff Commercial Centre Planning and Urban Design Strategy*;
 - Scale of development is inappropriate for the Edgecliff Commercial Centre as a local centre, as defined in the centres hierarchy;
 - Bulk and scale of development is incompatible with the local context and creates inadequate transition between the built form and the surrounding lower density development;
 - Built form facilitated by the planning proposal request is considered excessive and would create undesirable urban design outcomes and compromise the amenity of the public domain.
- C. THAT the Woollahra Local Planning Panel advises Council to request the proponent to amend the planning proposal to be consistent with the endorsed *Edgecliff Commercial Centre Planning and Urban Design Strategy* with a maximum building height of 86m and a maximum floor space ratio of 7.5:1.

Executive Summary:

This report seeks the advice of the Woollahra Local Planning Panel (Woollahra LPP) on a planning proposal to amend the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014). Lodged on 8 April 2024, the proponent's request for a planning proposal is in relation to land at 203-233 New South Head Road, Edgecliff (the proponent's land) and adjacent land within the road reservation on New McLean Street, Edgecliff (the Council land).

The proponent's Planning Proposal Report is at **Attachment 1**. In summary, the requested amendment to the Woollahra LEP 2014 would establish a:

- Maximum height of building standard of part 60m and part 124-128m across the site;
- Maximum floor space ratio (FSR) standard of 9:1 on the proponent's land;
- Minimum non-residential FSR of 2:1 for on the proponent's land;
- Maximum FSR development standard of 3.5:1 on the Council land.

The staff assessment (**Attachment 2**) outlines that the height and scale proposed is insufficiently justified and does not demonstrate strategic or site-specific merit. The proposed provisions will result in excessive bulk and scale on the site that is incompatible with the local context and provides inadequate transition to nearby lower density development.

Council's recently endorsed *Edgecliff Commercial Centre Planning and Urban Design Strategy* (the ECC Strategy) identifies a maximum height of 86m (26 storeys) and a maximum FSR of 7.5:1 on both the proponent's land and Council land (the site). This reflects the community and Council's position on the desired future character of the site. This also considers ECC's status as a local centre as identified in the centres hierarchy.

The delivery of an appropriate public benefit is fundamental to any intensification of the site. The delivery of a multi-purpose community facility on Council land is not included in the draft VPA letter of offer. These negotiations are ongoing and the terms of the offer are subject to change.

Staff recommend the Woollahra LPP provides advice to Council not to proceed with the planning proposal in the manner requested by the proponent for reasons identified within this report.

Notwithstanding, redevelopment and intensification of the site is encouraged as it would deliver new housing, modern employment space in an appropriate location, and the activation of New McLean Street. If amended in the manner staff recommend, the planning proposal would ensure consistency with the ECC Strategy and demonstrate strategic and site-specific merit.

Discussion:

Reason for report to the Woollahra Local Planning Panel

The planning proposal is required to be referred to the Woollahra LPP as per the Local Planning Panel Direction – Planning Proposals (2018).

The site

The site at 203-233 New South Head Road, Edgecliff is known as the Edgecliff Centre. It has a primary frontage to New South Head Road and two secondary frontages to New McLean Street as shown in **Figure 1**. The site sits over the Eastern Suburbs Rail Line and Edgecliff Station, which occupy an easement below ground level. The site slopes moderately, approximately 1 in 12, from its north-east corner (RL 33.69m) to its southern boundary (approx. RL 28m). The site is located on a visually prominent corner near the top of the rise of New South Head Road from Rushcutters Bay, close to the top of the Edgecliff ridge line.

The site has a seven storey commercial/retail building, with a supermarket, retail shops, and commercial suites above. A 3m ground level setback accommodates seating, a covered pedestrian colonnade, shopfronts and entries to the building's foyer.

The proponent's land has an area of approximately 4,957m² and comprises two lots:

- Lot 203 in DP 1113922 – approximately 4,749m²
- Lot 5 in DP 243380 – approximately 78m².



Figure 1: Aerial image showing the proponent's land (red) and Council land (yellow)

The Council land, being part of the road reserve, does not have a legal description or address, and has an area of approximately 1000m². The site is zoned E1 Local Centre, and forms part of the Edgecliff Commercial Centre (ECC).

There are significant street trees along the New South Head Road frontage and at the bend of New McLean Street. The Council land contains a number of established trees.



Figure 2: View of the north-west corner of the site.

Surrounding development

Development surrounding the site comprises a range of mixed use development, low and medium density residential dwellings ranging from two to four storeys and educational facilities. Refer to **Figures 3-6** below.

To the north, on the opposite side of New South Head Road, are existing residential buildings and Ascham School. Land at 136-148 New South Head Road has been recently subject to a planning proposal and is expected to be redeveloped to contain a 12+ storey mixed use building. To the south is 8-10 New McLean Street which currently contains low rise flat buildings. To the east is Eastpoint Tower containing Edgecliff Station and Bus Interchange and retail offerings. To the west are commercial suites known as 'Edgecliff Mews'.



Figure 3: View north of the site across New South Head Road



Figure 4: View west of the site across New McLean Street



Figure 5: View south of the site along Cameron Street



Figure 6: View of development south east of the site along New McLean Street

Current planning controls

The Woollahra LEP 2014 is the principal environmental planning instrument applying to the site. **Table 2** outlines relevant provisions, noting some controls do not apply to the Council land.

Table 2: Existing provisions applicable under Woollahra LEP 2014

Woollahra LEP 2014	Controls for proponent's land	Controls for Council land
Land use zone	E1 Local Centre	E1 Local Centre
Height of buildings	26m fronting New South Head Road 6m fronting New McLean Street	N/A
Floor space ratio	2.5:1	N/A
Heritage	Not item or conservation area	Not item or conservation area
Flood planning	Flood affected	N/A

Edgecliff Commercial Centre Planning and Urban Design Strategy (ECC Strategy) - Uplift Site H

Adopted on 29 April 2024, the ECC Strategy provides direction for growth in the ECC. The strategy is the result of an extensive community consultation process. Significant amendments and additional heritage and urban design investigations were undertaken in response to issues raised in submissions. The adopted ECC Strategy is a clear reflection of the community and Council's position on the desired future character of the ECC. The ECC Strategy can be viewed at:

https://hdp-au-prod-app-woollahra-yoursay-files.s3.ap-southeast-2.amazonaws.com/3817/2842/8706/Edgecliff_Commercial_Centre_Strategy_-_Endorsed.pdf



Figure 7: ECC Strategy study area (site highlighted in red)

The ECC Strategy envisions a mix of commercial, retail, residential uses and recommends that all new development is accompanied by community infrastructure, affordable housing and public domain improvements. The ECC Strategy proposes nine uplift sites that will contribute to the ECC growth and revitalisation and to assist in achieving Council's housing growth.

The site is nominated as uplift Site H in the ECC Strategy. Site H is identified as an amalgamated development site, with the proposed heights and FSRs applied to the whole site. This aims to ensure the provision of public benefit in the form of improved community infrastructure and public domain improvements discussed through this report and in the staff assessment.

The indicative massing for the site is illustrated in **Figure 8**. The planning controls recommended for the site are outlined in **Table 1**.



Figure 8: Indicative massing of building form for uplift sites, as per ECC Strategy (site highlighted in red)

Table 1: Planning controls recommended for the site in the ECC Strategy

	Controls for Uplift Site H (proponent's land and Council land)
Height of buildings	86m
Floor space ratio	7.5:1

The ECC Strategy recognises that the site is key to achieving desired uplift in the ECC. New and higher development on the site would landmark the centre of the ECC and the location of the Edgecliff Station. Given the size of the site, it has the potential to contribute significantly to Woollahra's housing targets, enhance the public domain and provide community infrastructure in the heart of the ECC.

Background

On 8 December 2020, the proponent lodged a planning proposal for the proponent's land seeking to amend the Woollahra LEP 2014 to increase the building height to 167m (45 storeys) and maximum FSR to 9:1, with a 3:1 minimum non-residential FSR. The planning proposal was not supported by Council or the Sydney Eastern City Planning Panel (SECPP). More information about this past planning proposal can be viewed on Council's website at:

<https://www.woollahra.nsw.gov.au/Building-and-development/Development-rules/Previous-and-proposed-exhibitions/planning-proposal-for-203-233-new-south-head-road-edgecliff>

Council staff met with the proponent for a pre-application meeting prior to the proponent submitting the current request for a planning proposal. See detailed discussion in the Staff Assessment report and staff's written advice to the proponent at **Attachment 3**.

Planning proposal request

On 8 April 2024, the proponent lodged a request for a planning proposal, seeking the following amendments to the Woollahra LEP 2014:

- Amend the building height standard from 6m and 26m to 124m-128m on the site.
Note: The height on Council land has not been formally requested under *Section 6.1 Height of Buildings* of the planning proposal request, hence the maximum building height request is assumed to be applicable to the whole site.
- Amend the FSR standard on from 2.5:1 to 9:1 on the proponent's land.
- Introduce a site-specific provision to require a minimum 2:1 FSR for non-residential uses on the site.
- Amend the FSR standard to 3.5:1 on the Council land.

The planning proposal request indicates excising approximately 1000m² from the road reserve in New McLean Street, creating a lot with legal description, and applying development standards to it.

The documents provided in support of the planning proposal request can be viewed on Council's website at:

<https://www.woollahra.nsw.gov.au/Building-and-development/Development-rules/Previous-and-proposed-exhibitions/Planning-proposal-request-for-203-233-New-South-Head-Road-Edgecliff>

The proponent's indicative development concept shows a mixed use development comprising a 13 storey commercial and 11-35 storey residential building (above a 2-3 storey podium) and a three level multi-purpose community facility on the Council land. **Figure 9** shows the indicative development concept's distribution of land uses and a 3D model. **Figures 10 and 11** are artist's impressions of the concept. The details of the indicative development concept are as follows:

- 29,460m² residential floor space - 275 apartments:
 - 1 bedroom – 20-30%
 - 2 bedroom – 30-40%
 - 3 bedroom – 30-40%
- 8500m² office
- 6230m² retail
- 2390m² multi-purpose community facility on Council land
- 2,600m² open space – podium plaza and building forecourt
- 333 basement car spaces, loading dock with seven levels of basement
- Affordable housing contribution of 5% of the residential floor space.

It is noted that the details in the indicative development concept are not guaranteed by the proposed provisions in the planning proposal.

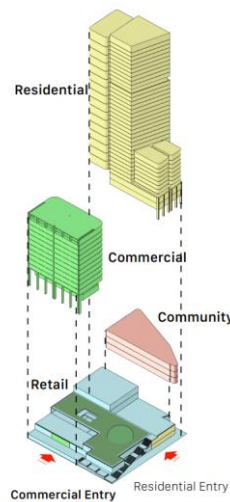


Figure 9: Indicative development concept - land use distribution and model
(Source: fjcstudio)



Figure 10: Indicative development concept – New South Head Road context looking east
(Source: fjcstudio)

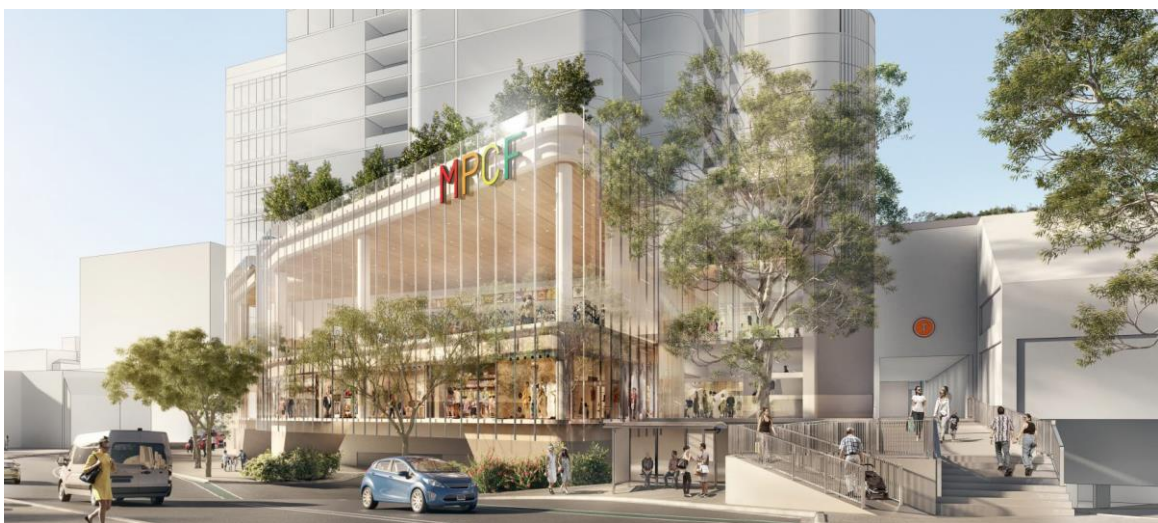


Figure 11: Indicative development concept – view on New McLean Street (Source: FJC, 2024)

Rezoning review

On 6 September 2024, the proponent lodged a rezoning review (RR-2024-32) with the Department of Planning, Housing and Infrastructure (DPHI) on the basis that Council has not made a decision within 115 days of the request for a planning proposal.

DPHI notified Council of the rezoning review on 24 September 2024 and requested a written response by 15 October 2024 with the following:

- Any comments on the planning proposal; and
- Confirmation that the proposal is consistent with the version submitted to Council.

DPHI will hold a briefing for the rezoning review and make a decision as to whether the proposal should proceed to Gateway. During the briefing, staff will have the opportunity to present information to the Sydney Eastern City Planning Panel (the Panel) regarding the planning proposal and make representations on behalf of the community. As such, it is crucial that staff obtain the Woollahra LPP's advice prior to the briefing.

Staff assessment

Staff assessed the planning proposal in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (the Act) and the Local Environmental Plan Making Guideline (August 2023). The full staff assessment of the planning proposal is provided at **Attachment 2**. Staff have identified that there is insufficient strategic and site-specific merit to justify the extent of the increase in the proposed planning controls.

Specifically, the planning proposal does not demonstrate strategic merit for the following key reasons:

- The planning proposal is inconsistent with the desired future character of the area as established under Council's recently endorsed ECC strategy.
- The proposed increase in height and scale is inconsistent with the centres hierarchy and the ECC's status as a local centre.
- The proposed provisions do not provide a mechanism to secure the delivery of residential yield due to an absence of an upper limit on the non-residential FSR.
- The planning proposal has not considered the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP) bonus in their review of whether the planning proposal is the best means of achieving the desired outcome.

Council's planning staff have also provided a broad assessment of the indicative development concept as it is a clear expression of the built form outcome intended for the site. The assessment finds that the planning proposal and the supporting indicative design concept does not demonstrate site-specific merit for the following reasons:

- The bulk and scale of the proposed envelope is excessive and incompatible with the local context.
- The proposed envelope would not facilitate a sympathetic transition to the lower scale built form in and around the ECC.
- The built form facilitated through the planning proposal creates insufficient setbacks above podium, inadequate internal building separation, and exceeds of maximum number of apartments per floor (non-compliance with the ADG).
- Inadequate accessibility and potential privatisation of public open space.
- Lack of activation and visual interest along street frontage, and clarity in relation to through-site permeability.
- The planning proposal reduces the development potential of the Council land and does not consider a holistic redevelopment of the site (both the proponent's land and the Council land) as envisaged in the ECC Strategy. The proposed maximum FSR controls seek to redistribute floor space from the Council land onto the proponent's land (see **Figures 12 and 13** below).
- Outcomes/decisions regarding the future potential of the Council land remain outstanding.

- The layout and configuration of the indicative multi-purpose community facility on Council land leads to poor legibility, including lack of activation, amenity and access.
- Lack of clarity in lodged documentation, including insufficient detail in surveys and sections.

The proponent's planning proposal requires a number of amendments to demonstrate strategic and site-specific merit. Staff recommend that the proponent undertake a review through detailed design development, and addresses the key issues identified within this report and in the staff assessment.

Council land

The delivery of an appropriate public benefit is fundamental to any intensification of the site. Staff note that the delivery of the multi-purpose community facility on Council land is not included in the draft VPA letter of offer. This is inconsistent with the planning proposal report and the indicative development concept. These negotiations are ongoing and the terms of the offer are subject to change. More information regarding the letter of offer is provided in subsequent sections.

The residential tower in the indicative concept proposes no setback from the Council land, with windows and balconies located on the boundary. As detailed in the staff assessment, the indicative design of the multi-purpose community facility on Council land also creates a poor planning and urban design outcome.

Figures 12 and 13 below compare the distribution of the FSR controls over the site proposed in the planning proposal and the Council endorsed ECC Strategy. If the GFA shown in the indicative development concept were distributed across the whole of the site the FSR would be 8:1 (assuming 3500m² of GFA is provided on the Council land).

The planning proposal request would result in a disparity in FSRs between the proponent's land and the Council land. In effect, the planning proposal would relocate the development potential of the Council land onto the proponent's site, and restricts the long term development opportunities of the Council land.



Figure 12: FSR distribution over the subject land proposed by the ECC Strategy

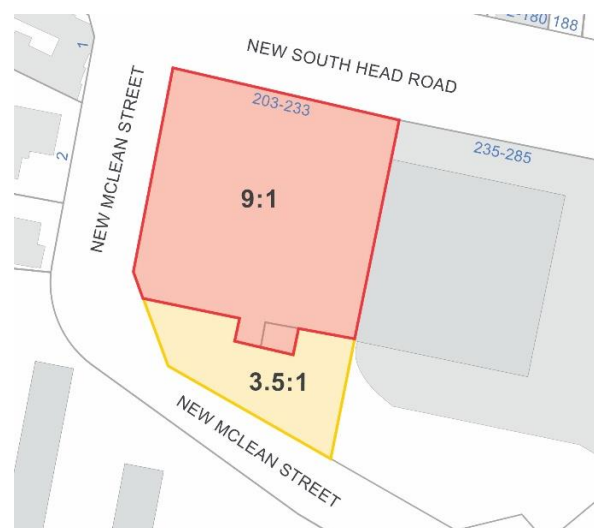


Figure 13: FSR distribution over the subject land proposed by the planning proposal

Staff recommendation – amended planning proposal

Council staff recommend that the Woollahra LPP advises Council not to proceed with the planning proposal request for 203-233 New South Head Road, Edgecliff in the manner requested by the proponent as it does not demonstrate sufficient strategic or site-specific merit.

Notwithstanding, redevelopment of the site would contribute to housing numbers, modern employment space, community infrastructure, and would assist in revitalisation of the ECC. Council staff recommend that an amended planning proposal is prepared consistent with the ECC Strategy and key recommendations outlined in Table 3 and the staff assessment to achieve appropriate bulk and scale and urban design outcomes.

Table 3: Summary of staff recommendations

Proposed staff changes to the planning proposal	Justification
The maximum height of the potential built form be reduced to 86m, consistent with the ECC Strategy.	Alignment with the ECC Strategy confirms the ECC's status as a local centre, and is compatible with the local centre's position in the centres hierarchy.
Review maximum FSR to reflect reduced height and improved built form (see recommendations below). Include provision for maximum non-residential FSR of 3:1.	To ensure bulk and scale of development achieves the desired future character of the local centre and an appropriate mix of land uses focussing on delivery of significant residential accommodation.
The maximum FSR should apply evenly to the whole site (proponent's land and the Council land).	To ensure public benefit and the future development potential of the whole site.
Inclusion of LEP provision that prevents application of Housing SEPP bonus.	To encourage development that is compatible with the local context
Use of <i>Part 6 Additional local provisions</i> to enable exceptions to the applicable maximum building heights and FSRs.	To provide certainty to the intended built form outcome for the whole of the site.
Detailed design recommendations for the indicative development concept	
Review built form to improve articulation, setbacks above podiums (minimum 6m) on all frontages, ADG compliance and transition to lower scale surrounding development.	Improve amenity on and around the site.
Review the location and configuration of the multi-purpose community facility on Council land, in alignment with Council's operational requirements and community needs.	To ensure good planning and design outcome for the community infrastructure, and maximise public benefit.
Improve street activation on all street frontages, legibility and permeability, street tree protection and urban greening.	To facilitate design excellence and improved public domain outcomes.
Preparation of a site-specific development control plan (DCP) to support the exceptions clause	To ensure the intended outcome is achieved and all issues are addressed at DA stage.
Levels and built form between the site and the adjacent Eastpoint be reviewed and supplemented with additional information to demonstrate that improved integration can be achieved.	To ensure quality urban design outcomes.

Should the planning proposal be amended in accordance with the staff recommendations outlined in **Table 3**, the proposal would demonstrate strategic and site-specific merit. It would facilitate development of a scale, type and intensity that is compatible with the ECC and its desired future character as expressed in the ECC Strategy.

The recommendations provide a mechanism to secure public benefit, improve the public domain and demonstrate design excellence.

Draft letter of offer

The planning proposal seeks to amend the Woollahra LEP 2014 to enable development potential beyond that envisaged by the community when it was adopted. The *Woollahra Voluntary Planning Agreement Policy 2020* (Woollahra VPA Policy) incorporates section 7.4(1) of the Act and states that:

a planning agreement is a voluntary agreement or other arrangement under this Division between a planning authority and a person (the developer):

(a) who has sought a change to an environmental planning instrument.

We understand that the proponent has initiated negotiations with Council staff in regards to a VPA. These negotiations are being managed by Council's Director Infrastructure and Sustainability for reasons of probity (as per the Woollahra VPA Policy) and will be reported to Council independently of the planning proposal.

A draft VPA letter of offer accompanies the planning proposal, and is available on the Planning Portal.

<https://www.planningportal.nsw.gov.au/rezoning-reviews/under-assessment/edgecliff-centre-203-233-new-south-head-road-edgecliff>

The letter outlines the following perceived public benefits of proceeding with the planning proposal:

- Works in kind:
 - An above grade public open space of approximately 2,300sqm with landscaping and recreational facilities.
 - A community facility of approximately 695sqm on the proponent's land. Staff note that the facility is to be delivered as a shell, with no fit out or ongoing costs.
 - A forecourt along New McLean Street. Staff note that the forecourt primarily serves as a residential tower entry point.
 - Through-site links between the site and the railway and bus interchange.
- Land dedication of an approximately 138.5sqm stratum parcel to Council for the development of the multi-purpose community facility on Council land.
- Monetary contributions:
 - Affordable housing contribution equating to 5% of the residential GFA.
 - Section 7.11 contributions. Staff note that these contributions would be applicable regardless of a VPA at the DA stage.

The offer estimates the total value of public benefits to be approximately \$36,333,153.

We note that the delivery of the multi-purpose community facility on Council land, as outlined in the planning proposal report and indicative development scheme, does not form part of the draft VPA offer. At the time of preparing this report, negotiations are ongoing and no agreement on the terms of a draft VPA has been reached.

Should a Gateway be granted, staff recommend that any draft VPA is exhibited concurrently with the planning proposal.

Options:

As a consequence of this report, the Woollahra LPP may:

- Provide advice to Council not to proceed with the planning proposal in the manner requested by the proponent; or
- Provide advice to Council to proceed with the planning proposal subject to the proponent making amendments proposed by staff or otherwise recommended by the Woollahra LPP; or
- Provide advice to Council to request the proponent to amend the planning proposal for further consideration at a future meeting of the Woollahra LPP; or
- Provide advice to Council to proceed with the planning proposal.

Community Engagement and/or Internal Consultation:

Council's planning staff undertook internal consultation to inform the assessment of the planning proposal. The parties consulted and their responses are discussed in the Staff Assessment report at **Attachment 2**. If the planning proposal receives a Gateway determination from DPHI, surrounding landowners and the wider community will be notified via the exhibition process. Public exhibition of the planning proposal will be undertaken in accordance with the requirements of the Act, the *Environmental Planning and Assessment Regulation 2021*, the *Woollahra Community Participation Plan 2019* and any conditions of the Gateway determination.

Policy Implications:

Should Council resolve to progress the planning proposal, and should it progress to finalisation, there will be policy implications as controls for the subject property and land will change under the Woollahra LEP 2014.

Financial Implications:

The proponent has paid a lodgement fee in accordance with Council's adopted Fees and Charges, including the fee for a site-specific DCP.

Any planning agreement proposed by the proponent will be prepared in accordance with the adopted *Woollahra Voluntary Planning Agreement Policy 2020* and the associated costs will be met by the proponent.

Based on the outcome of the VPA negotiations, there may also be financial implications associated with the management and operation of a multi-purpose community facility on the Council land.

Resourcing Implications:

Should Council decide to progress the planning proposal, resources will be associated with assisting with the public exhibition process (subject to acceptance of Council as Planning Proposal Authority) and the preparation of the site-specific DCP.

Based on the outcome of the VPA negotiations, Council resources may also be associated with the operation and management of a multi-purpose community facility on the Council land.

Conclusion:




This report seeks the advice of the Woollahra LPP on an owner-initiated planning proposal to amend the planning controls for 203-233 New South Head Road, Edgecliff under the Woollahra LEP 2014.

The effect of the planning proposal would facilitate a mixed use development of up to 37 storeys. The concept design lodged with the planning proposal comprises 2-3 storeys of podiums, and associated parking and loading elements, a 13 storey commercial building and a 11-35 storey residential building above the podium (comprising 275 apartments), and a multi-purpose community facility on Council land. However, there is no guarantee that the concept design will be facilitated.

The staff assessment identifies that there is insufficient justification in the planning proposal report for the height and scale proposed, and the planning proposal does not demonstrate strategic or site-specific merit. Staff recommend that the Woollahra LPP advises the Council not to proceed with the planning proposal in the manner requested by the proponent.

However, as demonstrated by the Council endorsed ECC Strategy, a planning proposal to enable uplift on the site land is supported. Accordingly, Council staff recommend that the Woollahra LPP provides advice to Council to request the proponent amends the planning proposal to be consistent with the endorsed ECC Strategy.

Attachments

1. 203-233 New South Head Road - Planning Proposal Report - Prepared by Ethos Urban- 19 March 2023 [↓](#) 
2. Planning Proposal 203-233 New South Head Road, Edgecliff - Staff Assessment- October 2024 [↓](#) 
3. Pre Planning Proposal - 203-233 New South Head Road- Staff written advice- 3 August 2023 [↓](#) 

Planning Proposal Report

The Edgecliff Centre

203-233 New South Head Road, Edgecliff

Amendments to the Woollahra Local Environmental Plan 2014

Submitted to Woollahra Municipal Council
on behalf of Longhurst Group



Prepared by Ethos Urban
14 March 2024 | 2190968



'Gura Bulga'

Liz Belanjee Cameron

'Gura Bulga' – translates to Warm Green Country. Representing New South Wales.



'Dagura Buumarri'

Liz Belanjee Cameron

'Dagura Buumarri' – translates to Cold Brown Country. Representing Victoria.



'Gadalung Djarri'

Liz Belanjee Cameron

'Gadalung Djarri' – translates to Hot Red Country. Representing Queensland.

Ethos Urban acknowledges the Traditional Custodians of Country throughout Australia and recognises their continuing connection to land, waters and culture.

We pay our respects to their Elders past, present and emerging.

In supporting the Uluru Statement from the Heart, we walk with Aboriginal and Torres Strait Islander people in a movement of the Australian people for a better future.

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Lara Reynolds	14/03/2024	Arcangelo Antoniazzi and Clare Swan 14 March 2024	
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Appendices

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A.	Benchmarking Analysis	<i>Astrolabe Group</i>
B.	Questions to Consider when Demonstrating Strategic Merit	<i>Ethos Urban</i>
C.	Urban Design Report	<i>FJC</i>
D.	Social Impact Assessment	<i>Cred Consulting</i>
E.	Economic Impact Assessment	<i>HillPDA</i>
F.	Visual Impact Assessment and Supplementary Reports	<i>Richard Lamb and Associates</i>
G.	Transport and Accessibility Assessment	<i>PTC</i>
H.	Heritage Impact Statement	<i>Curio</i>
I.	Environmental Wind Assessment	<i>Arup</i>
J.	Acoustic Assessment	<i>Arup</i>
K.	Preliminary Site Investigation	<i>Aurecon</i>
L.	Geotechnical and Structural Engineering Statement	<i>Aurecon</i>
M.	Preliminary Aeronautical Assessment	<i>Strategic Airspace</i>
N.	Arboricultural Impact Assessment	<i>Truth About Trees</i>
O.	Utilities Desktop Review	<i>IGS</i>
P.	ESD Strategy	<i>Arup</i>
Q.	Scoping Proposal Council Advice (dated 6 June 2023)	<i>Woollahra Municipal Council</i>
R.	Response Matrix to Scoping Proposal Council Advice	<i>Ethos Urban</i>

1.0 Introduction

This Planning Proposal Report is submitted to Woollahra Municipal Council (**Council**) for amendments to the *Woollahra Local Environmental Plan 2014 (WLEP 2014)*.

The Planning Proposal relates to the Edgecliff Centre at 203–233 New South Head Road and part of the adjoining Council-Owned Road Reserve fronting New McLean Street (herein collectively identified as the **site**). Ethos Urban has prepared this report on behalf of the proponent, Longhurst Group.

The purpose of the Planning Proposal is to amend the existing Height of Buildings and Floor Space Ratio (**FSR**) development standards applicable to the site to facilitate its mixed-use redevelopment. The proposed amendments to the WLEP 2014 include:

- Increasing the maximum permitted Height of Buildings from part 0m, part 6m and part 26m, to part 60m and to part 124m to 128m. At the site, a maximum height of 128m is equivalent to RL 156.75m.
- Increase the maximum permitted FSR on the Edgecliff Centre portion of the site from 2.5:1 to 9:1.
- Increase the maximum permitted FSR on the Council-Owned Road Reserve from 0 to 3.5:1.
- Introduce a site-specific provision to retain a minimum 2:1 (of the overall 9:1) for non-residential purposes.

The Planning Proposal will incorporate a portion of residual land which forms part of the Council-Owned Road Reserve that fronts New McLean Street, abutting the southern boundary of the Edgecliff Centre, and the FSR and Height of Buildings development standard proposed will extend to this portion of land.

The Planning Proposal is supported by an indicative development concept to demonstrate an anticipated built form outcome envisioned under the proposed amendments to the WLEP 2014.

The indicative development concept demonstrates one option of how the Planning Proposal envelope and proposed controls can be translated into a scheme which revitalises the site for a vibrant mixed-use development that can simultaneously give back to the community through a combination of community uses and public open spaces, the provision of essential services whilst also increasing employment generating floor space and housing close to transport.

The indicative development concept accompanying the Planning Proposal will be subject to separate Development Application (**DA**) approval at a later time, following the Planning Proposal.

2.0 Density Done Right

This section of the report summaries a capacity analysis undertaken on key social indicators across Edgecliff and the broader Woollahra LGA. It demonstrates that the site can accommodate additional development capacity in the form of the Planning Proposal, which is in a suitable location, and which can benefit and not adversely impact the broader locality.

The analysis utilises independent data driven analysis by data and analytic experts Astrolabe to determine the suitability and capacity of key surrounding infrastructure. The capacity analysis utilises the benchmarking of Edgecliff against other centres across Sydney with similar characteristics such as Bondi Junction, Crows Nest and St Leonards, Neutral Bay, and Green Square.

Further detail is provided at **Appendix A** and in the sections below.

2.1 Population and Housing

2.1.1 Population Reduction in Woollahra

An analysis of ABS Census Population Data over the past 55 years by Astrolabe indicates a worrying trend where the population in the Woollahra LGA has significantly contracted. The population of Australia, NSW and Sydney more broadly has increased, in most cases by two-fold, whilst the Woollahra LGA now has a population that is 15% smaller than its population in 1966. (refer to **Figure 1**). This has impacted the accessibility of housing to the wider community of NSW and resulted in significant underutilisation in housing productivity and a flight of productive population cohorts from the LGA.



Figure 1 – Population between 1966 and 2021

Source: ABS Census 2021

2.1.2 Unproductive Housing Stock

ABS Census 2021 data reveals that existing housing stock within the Woollahra LGA is unproductive and underutilised to meet the needs of its residents. Namely, the average dwelling in the Woollahra LGA has more bedrooms than is required to accommodate the average household size (2.21 persons) and most dominant household types (lone persons and couples without children).

This is highlighted by the percentage of dwellings that have one or more unused bedrooms – being 70% of dwellings in the Woollahra LGA (refer to **Figure 2**). Further analysis of the data identifies that 37% of dwellings have one unused bedroom, 23% have two unused bedrooms and 10% have three or more unused bedrooms. This means 1 in 10 homes within the Woollahra LGA have 3 or more unused bedrooms. This data highlights that the existing housing stock in the Woollahra LGA is significantly underutilised and is incompatible with residents needs. This has resulted in significant migration out of the Woollahra LGA for a particular population cohort into areas which have a more diverse housing stock (refer to **Section 2.1.2** below).

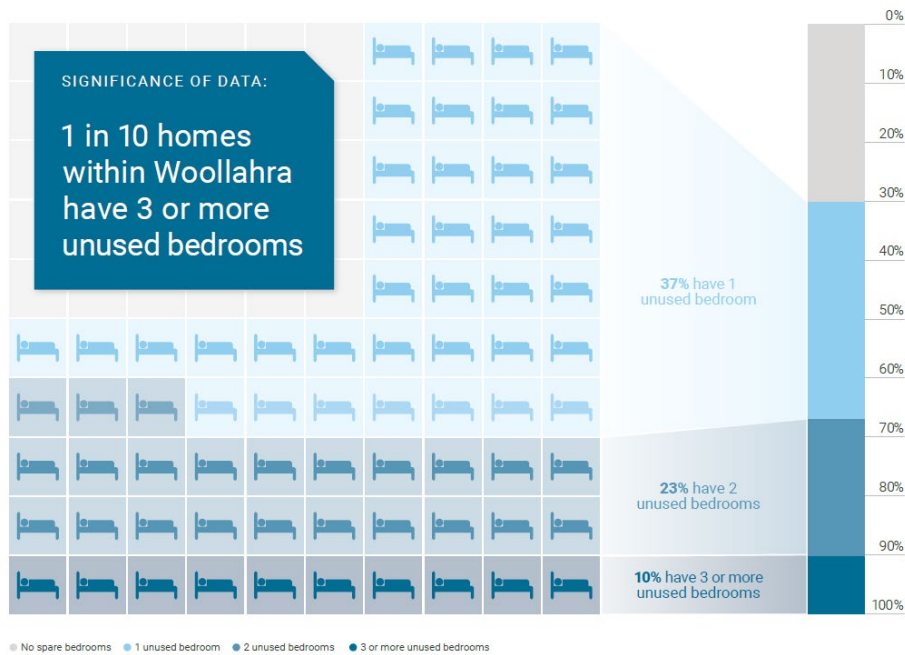
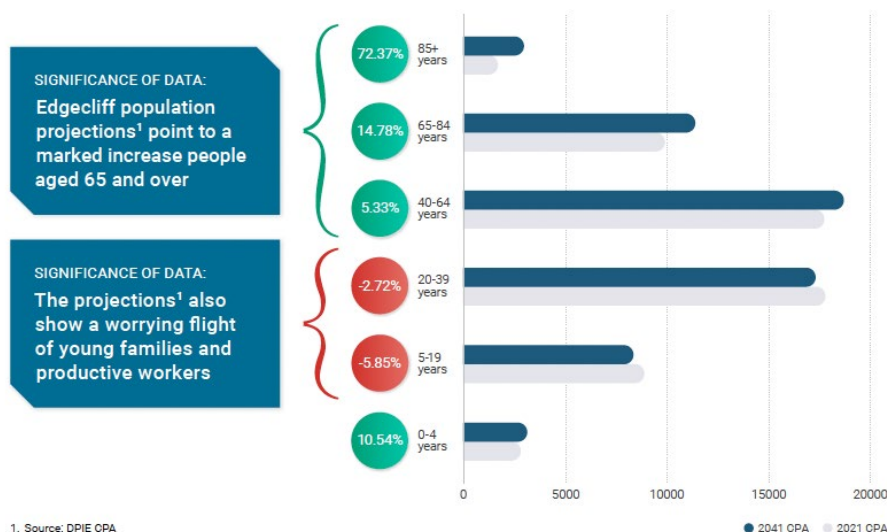


Figure 2 – Spare Bedroom Analysis in the Woollahra LGA

Source: ABS Census 2021

2.1.3 Migration Patterns and Population Predictions

As a result of the incompatible housing typologies (described above in **Section 2.1.1**), younger families and professionals are being forced to move out of the areas in which they grew up and into areas which provide greater access to housing stock, further away from their community network and family. This is evidenced by the worrying decrease of the 5-39 year-old population cohort predictions to 2041. The loss of these residents presents a significant risk of productive population flight out of the LGA resulting in a community lacking diversity. This is evidenced by the significant increase in the aged population primarily 65+ years old.



1. Source: DPIE OPA

Figure 3 – Population Cohort Predictions

Source: ABS Census 2021

2.1.4 Opportunities for Housing Diversity

There is a concept commonly referred to as the vacancy chain when referenced in relation to the accessibility of housing. This housing vacancy chain can be applied to types of housing within a subset of a market for example in Woollahra LGA. In this example, there are many homes which are underutilised as evidenced above however, the occupiers of those homes often do not have an alternate option to 'downsize' that meets their requirements. New developments such as this Planning Proposal offer an opportunity for low-maintenance, well connected and accessible homes. By providing these homes, it unlocks larger family homes and enables accessibility to existing stock that would be more appropriate and productively used.

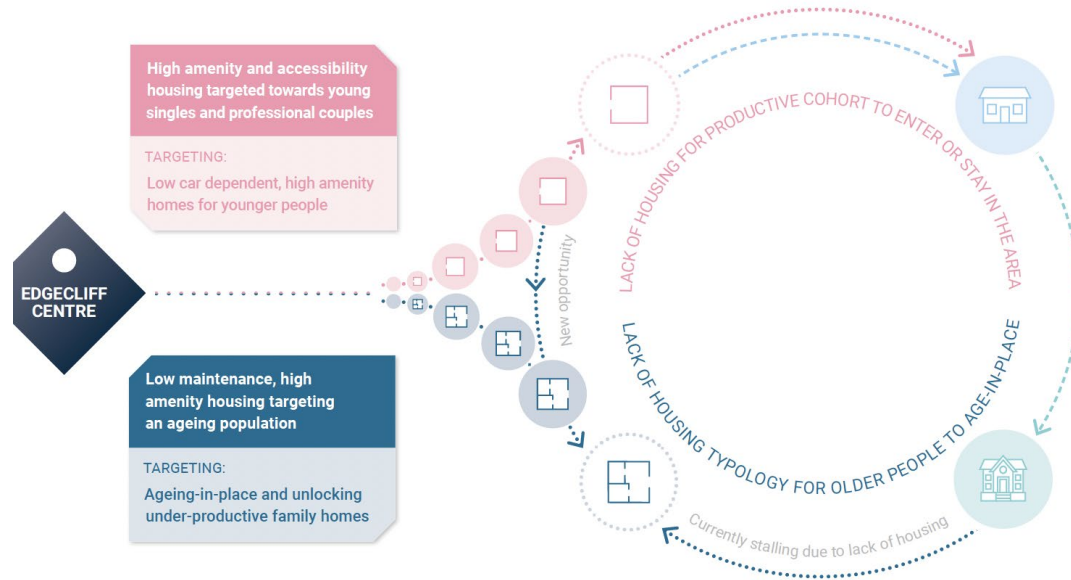


Figure 4 – Vacancy Chain

Source: Astrolabe

This is a direct result of the aging in place phenomena, whereby elderly people are living independently in their own homes for as long as possible without the need for aged care. To ensure this can occur within Edgecliff (or the Woollahra LGA more broadly) there is a requirement to provide housing stock that is low maintenance and close to key services, amenities and transport options. The provision of new housing stock that supports aging in place would also enable larger homes which are underutilised (such as by empty nesters / couples without children) to re-enter the market and accommodate larger families.

Increased supply within these locations should also seek to provide housing stock that is targeted towards a more entry level product for younger professionals and couples to offer an opportunity to buy a smaller, well connected and less car dependent homes.

Overall, this population and housing analysis clearly demonstrates that there is a significant need to provide more diverse housing stock within the Woollahra LGA. The provision of housing at the site would allow existing residents to stay in the LGA and support the better utilisation of existing housing stock. This also assists in easing the existing constraints associated with the NSW housing crisis.

2.2 Public Open Green Space

Astrolabe have undertaken an analysis of the public open space provision in Edgecliff, Bondi Junction, Neutral Bay, Crows Nest, St Leonards and Green Square.

The findings of this analysis are shown in **Table 1** and **Figure 5** below.

Table 1 – Provision of Public Open Green Space Across Centres

Centre	Population	Green Space Area (Hectares)	Rate (Hectares per 1,000 Residents)
Edgecliff	2,496	23.51	9.42
Bondi Junction	10,359	10.29	0.99
Neutral Bay	10,091	4.46	0.44
Crows Nest	4,973	5.12	1.03
St Leonards	7,213	9.28	1.29
Green Square	38,659	8.40	0.22

The results of this analysis clearly indicate that Edgecliff provides its residents with significantly greater access to open space when compared to other similarly characterised and accessible centres, which are in similar proximity to the Sydney CBD and benefit from similar levels of public transport services.

Overall, Edgecliff is extremely well serviced by open space and there is significant capacity to accommodate the proposal without straining existing open space (refer to **Figure 6**).

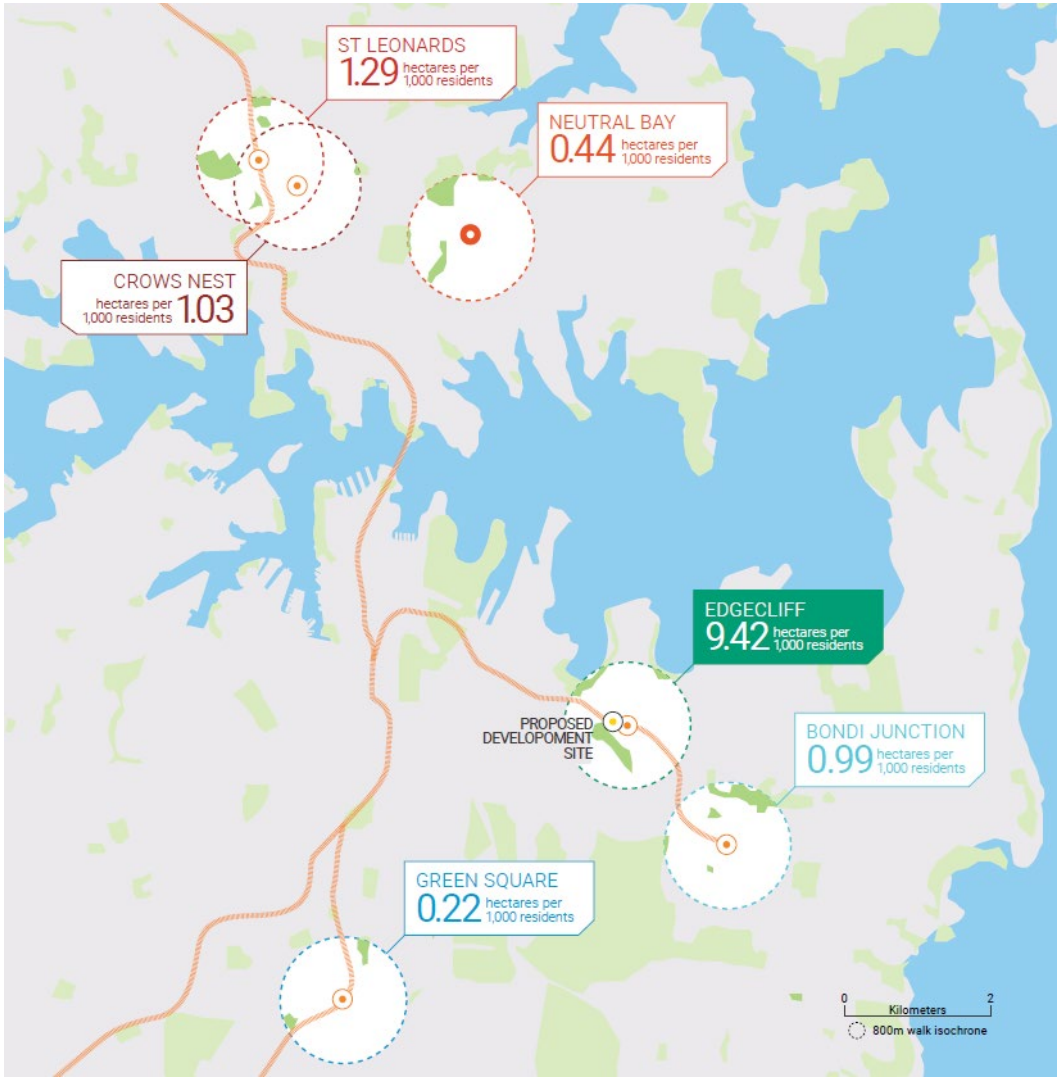


Figure 5 – Open Space Provision in Key Centres

Source: ABS Census 2021

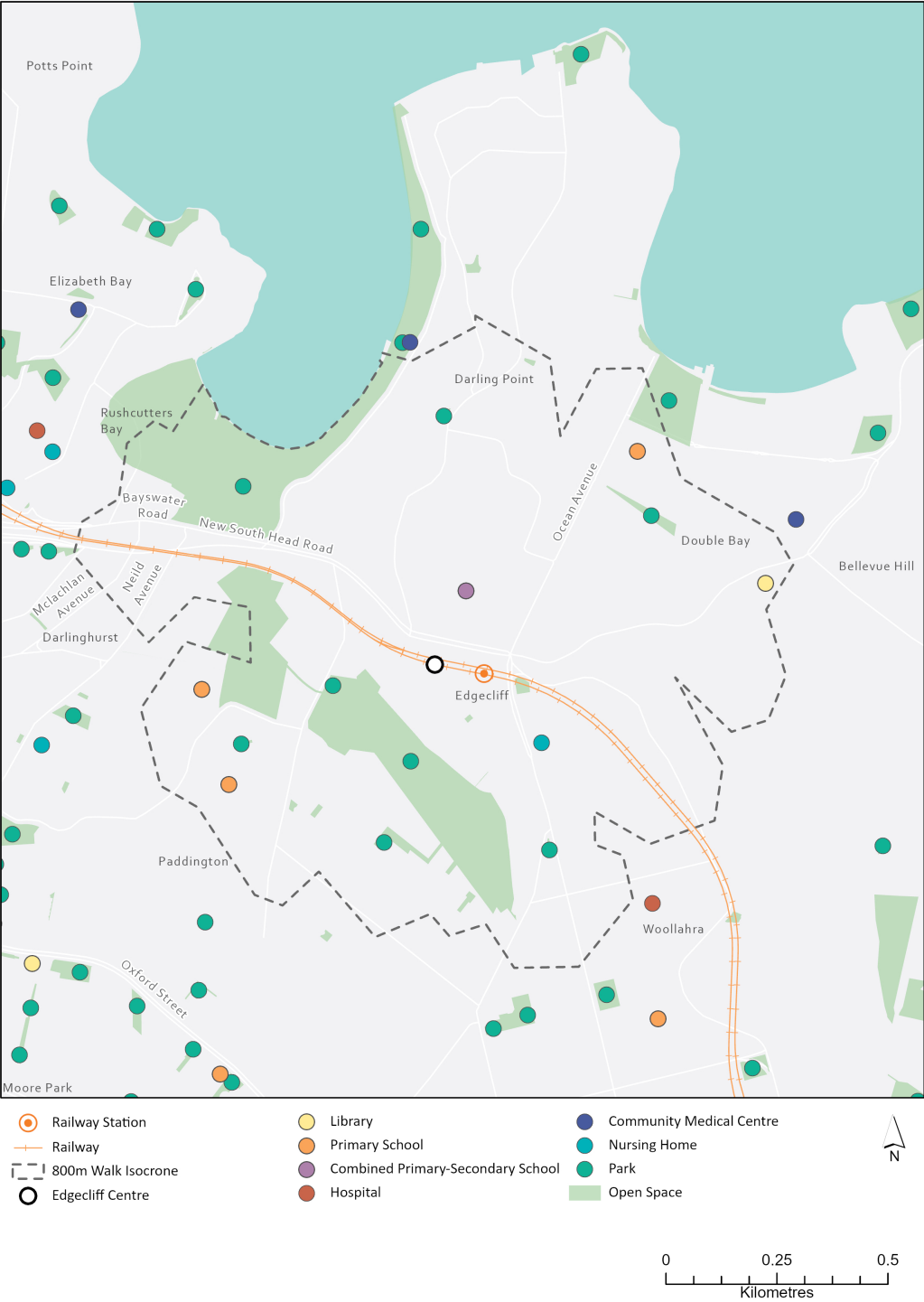


Figure 6 – Existing Open Space (and Social Infrastructure) in Edgecliff

Source: Astrolabe

2.3 Access to Health Services

An analysis of the average wait times for Emergency Department admissions reveals that St Vincent Hospital is the best performing principal referral hospital in the Greater Sydney area. The wait time at St Vincent's Hospital is less than half of that at the next best performing hospital (refer to **Figure 7**). The hospital is located only 1.2km from Edgecliff and highlights the high level of access to high quality health services available to the Eastern Suburbs.

In addition, St Vincent's Hospital was recently granted \$25 million in funding to deliver additional ICU beds and ambulatory care capacity. Prince of Wales Hospital, located only 4km from Edgecliff has recently just completed an \$800 million upgrade, expanding emergency and critical care services.

This will further enhance the health service provision for the surrounding areas and ensure that it can continue to accommodate population growth within the wider region.

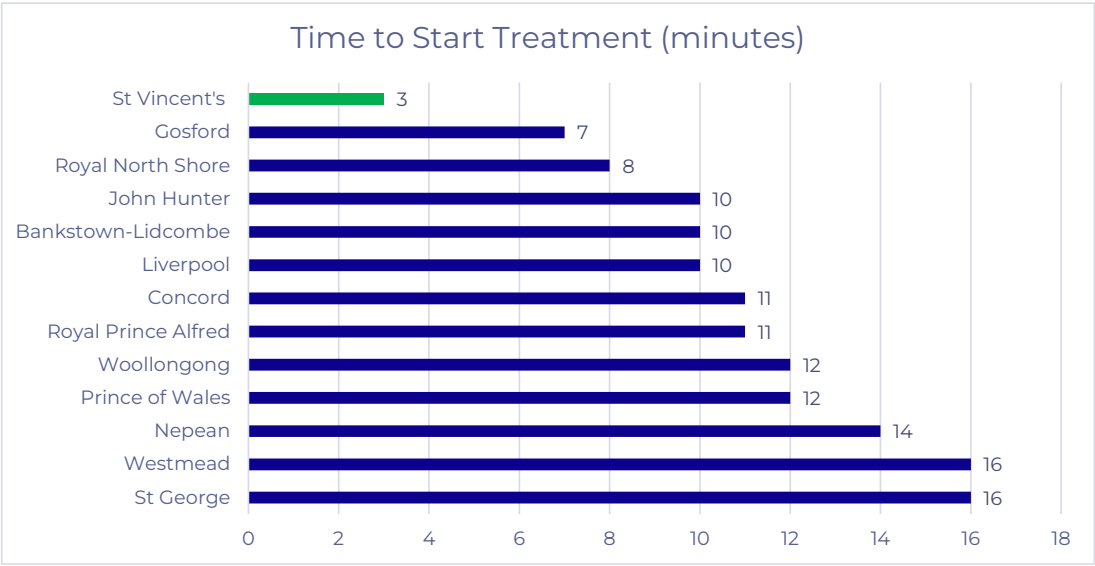


Figure 7 – Emergency Department Wait Time at Principal Referral Hospitals

Source: Health Information Exchange, NSW Health October to December 2022

2.4 Transport and Traffic

2.4.1 Public Transport

An analysis of Transport for NSW (TfNSW) Opal Data (in 2019 – pre pandemic) has revealed that Edgecliff Train Station is highly latent and significantly underutilised during peak hour periods between 6am-10am and 4pm-8pm. **Figure 8** shows that trains arrive at capacity (defined as limited seats and standing room) significantly less to Edgecliff Station in comparison to similarly located train stations to the north and the south of the Sydney CBD.

For example, during the morning peak, trains arrive to Edgecliff at capacity only 2.8% of the time, whereas trains arrive at capacity to Waverton 63.8% of the time. During the afternoon peak, trains arrive to Edgecliff at capacity 1.8% of the time, in comparison to St Peters where trains arrive at capacity 57.6% of the time.

The analysis demonstrates that a much greater patronage could be accommodated by the existing public transport infrastructure available within Edgecliff. The proposal would also not result in any public transport capacity constraints.

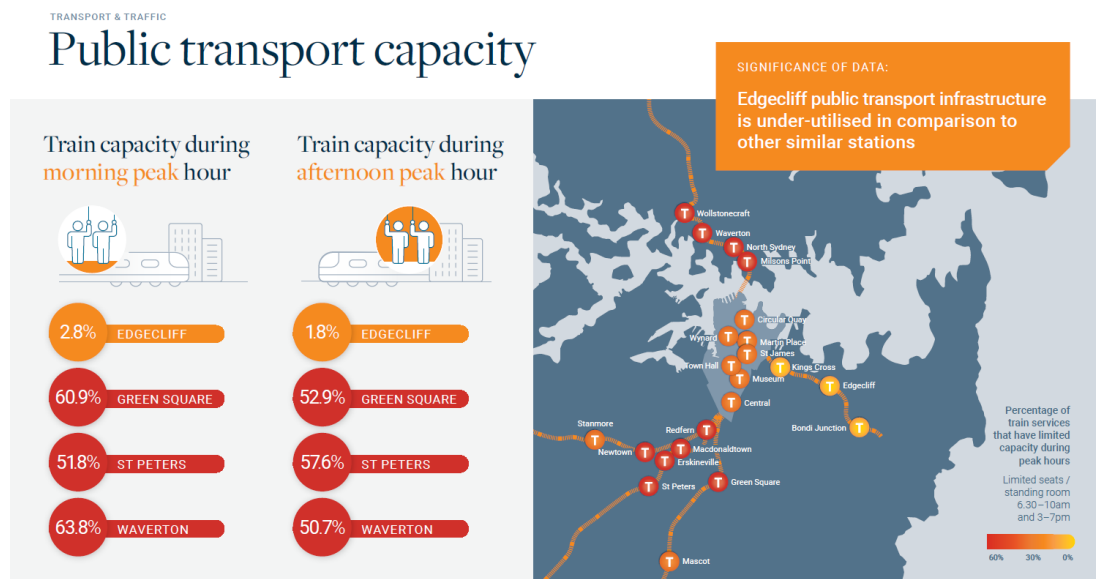


Figure 8 – Public Transport Capacity During Peak Hours

Source: TfNSW

2.4.2 Car Ownership in Woollahra LGA

ABS Census 2021 data reveals that Edgecliff residents have significantly lower rates of car ownership in comparison to other residents within the Woollahra LGA. For example, 28% of households in Edgecliff do not own any cars compared to only 14% in the wider LGA and the number of households who own two or more cars is 19.2% in Edgecliff compared to 38% in the wider LGA. These statistics are understandable based on the public transport availability and peninsular landscape setting of the LGA.

Specifically, car ownership directly corresponds to the provision of public transport services, which comprise bus and ferry services throughout the Woollahra LGA and a single train station located at Edgecliff. It also reinforces that access to several public transport services reduces car use.



Figure 9 – Car Ownership throughout the Woollahra LGA

Source: FJC / ABS Census 2021

The site is located directly adjacent to the Edgecliff Train Station and Bus Interchange. It is also in proximity to ample amenities and services. Therefore, the population increase resulting from the proposal (circa 500 people) would not be expected to increase the rates of car ownership in Edgecliff and would not increase traffic impacts on the local road network (further assessment is provided at **Section 10.3**). In comparison, the provision of new housing elsewhere within the Woollahra LGA (with less access to public transport services) would likely increase the rates of car ownership and worsen the existing traffic impacts.



Figure 10 – Car Ownership throughout the Woollahra LGA

Source: FJC / ABS Census 2021

As well, the primary arterial roads within the Woollahra LGA comprise:

- New South Head Road – Providing a northeast-southwest connection that commences in Rushcutters Bay and terminates in Vaucluse. It captures traffic flow from the Sydney CBD, Cross City Tunnel, Harbour Tunnel, Eastern Distributor and the eastern suburbs.
- Old South Head Road – Providing a north-south connection that commences in Bondi Junction and terminates in Watsons Bay. It captures traffic flow from the eastern suburbs.

The Woollahra Draft Active Transport Plan 2022 identifies that both roads experience significantly high levels of traffic, amounting to more than 10,000 vehicles per day (refer to **Figure 11**). When considering the provision of public transport and car ownership rates throughout the Woollahra LGA, it can be assumed that the provision of new housing deeper into the peninsula (as opposed to in Edgecliff at the entry of the LGA, adjacent to transport infrastructure) would increase traffic on the primary arterial roads and the wider road network. Again, this favours the suitability of the site to provide additional housing without resulting in significant traffic impacts.

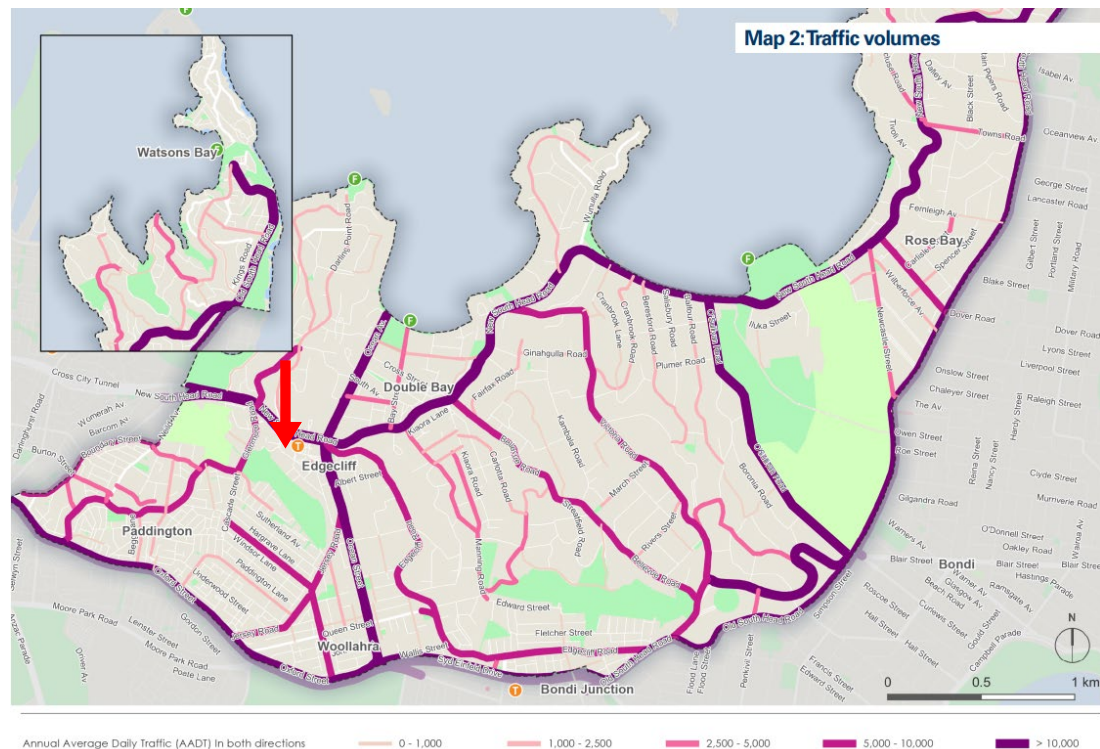


Figure 11 – Traffic Volumes on Key Roads in the Woollahra LGA (the site Identified In red)

Source: SCT Consulting, Woollahra Draft Active Transport Plan 2022

3.0 Background

3.1 Site Subject to the Planning Proposal

The site is located within the Woollahra LGA. Edgecliff is a suburb situated in the eastern suburbs of Sydney, positioned three kilometres east of the Sydney CBD. Surrounding local centres bounding the suburb include Darling Point to the north, Double Bay to the east, Paddington to the south and Rushcutters Bay to the west (refer to **Figure 12**).

The site is shown in **Figure 13**. It includes the following individual land parcels:

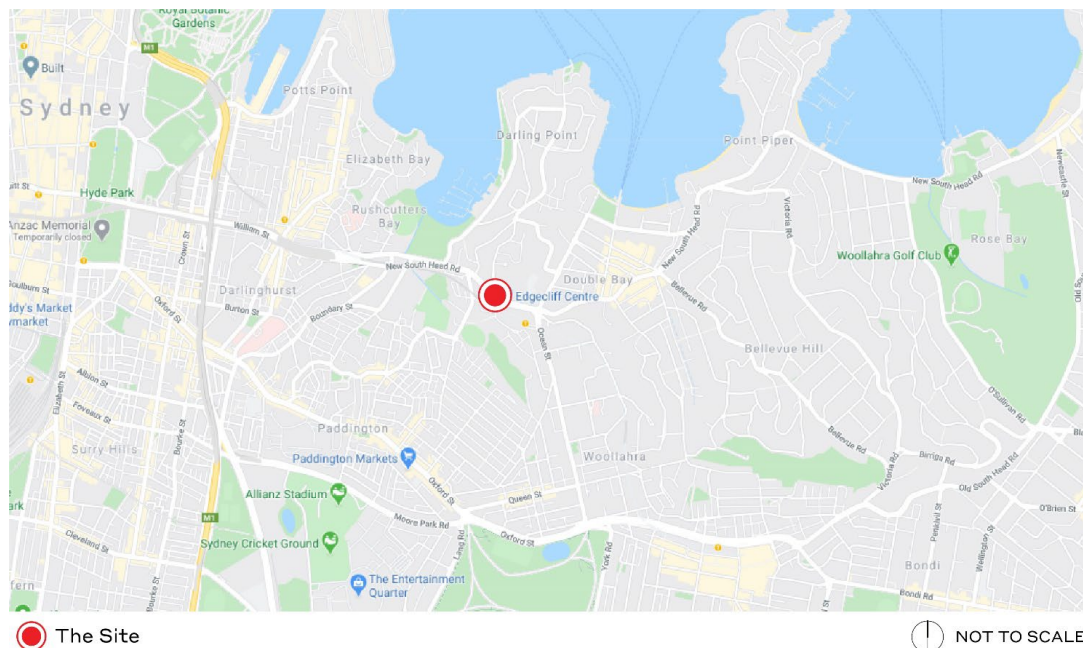
- The Edgecliff Centre, comprising:
 - Lot 203 in DP 1113922.
 - Lot 5 in DP 243380.
- Part of the Council-Owned Road Reserve adjacent the southern boundary of the Edgecliff Centre.

The Edgecliff Centre currently comprises a single seven storey building dating from the 1970s that is occupied by a range of commercial premises including retail at the ground, street front level with offices premises above.

The portion of the site comprising the Council-Owned Road Reserve is utilised for vehicle access, car parking and servicing. The existing development is shown in **Figure 14** to **Figure 19**.

The site is positioned adjacent to two train station entries, with one situated to the east of the site's northern frontage at New South Head Road and the other to the east of the site's southern frontage at New McLean Street. Both these train station entrances relative to the site are illustrated in **Figure 18** and **Figure 19**. The bus interchange adjoins the site and is situated above the Eastpoint Shopping Centre development.

The site does not include any direct vertical connections to the railway below or the bus interchange above.





Source: Nearmap and Ethos Urban



Figure 14 – The site, viewed from the northwest



Figure 15 – The site, viewed from the north

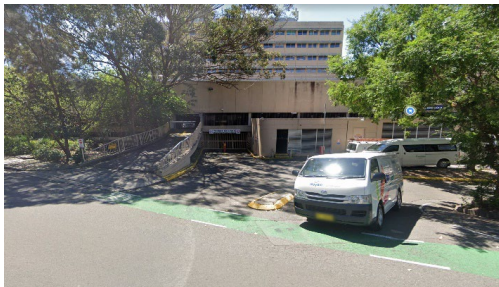


Figure 16 – Vehicular access to the site via New McLean Street

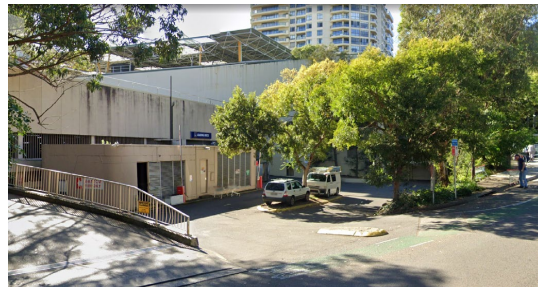


Figure 17 – Development on Council-Owned Road Reserve at rear of the site



Figure 18 – Station entrance adjoining the site to the east on New South Head Road



Figure 19 – Rear of the site adjoining the entrance to Station

3.1.1 Access and Transport

The site benefits from convenient public transport access, being located adjacent to the Edgecliff railway and bus interchange. This connects the site with direct railway services to the Sydney CBD and the Sutherland Shire. The bus services at the bus interchange provide important connections to the Sydney CBD, the Lower North Shore and the Eastern Suburbs. Key bus connections from the Edgecliff bus interchange include:

- A five-minute connection to the Sydney CBD.
- A three-minute connection to Bondi Junction.
- A 10-minute connection to St Vincent's Hospital.

There are a total of 5 vehicle access points on site. Vehicular access for public vehicles is provided to the west of the existing development via New McLean Street (refer to **Figure 16**), leading to one level of car parking. Egress for these vehicles is located at the south of the site on New McLean Street. Access to a tenant car park is also located to the south of the site, adjacent to the general car park exit and an additional loading vehicle entrance is located at the south-eastern corner of the site.

The majority of pedestrian entrances to Edgecliff Centre are located on New South Head Road, with one located on the north-western corner of New McLean Street.

3.1.2 Heritage

The site does not consist of any heritage items, nor is it within a heritage conservation area. It is located in the vicinity of the 'Paddington, including parts of Woollahra and Edgecliff' heritage conservation area. This heritage conservation area is situated to the south of the site, on the opposite side of New McLean Street. The closest heritage items are located on the northern edge of New South Head Road, directly opposite the site and include the following:

- Local item I238 'building and interiors' at 136 New South Head Road (opposite the site). A Planning Proposal (PP-2022-1646) at this site is currently undergoing finalisation.
- Local item I239 'Ascham school precinct' at 188 New South Head Road (opposite the site).
- Local item I114 'Concrete balustrade' at Darling Point Road, near intersection with New South Head Road.

The site is also located above the subterranean Eastern Suburbs Railway and Edgecliff Railway Station which listed under Sydney's Trains Section 170 Register.

3.1.3 Development Surrounding the Site

The site is located in the Edgecliff Corridor which broadly contains a mix of commercial, retail, entertainment, and residential uses. The broad built form typology which ranges from one to over thirty-two storeys create a varied hierarchy of height and density along the corridor.

The Woollahra Development Control Plan 2015 (**WDCP 2015**) describes the Edgecliff local centre as "part of the wider Edgecliff commercial area which includes the land zoned B4 Mixed Use along New South Head Road. New South Head Road is a major State road linking the Eastern Suburbs to the city and is the primary route for vehicles to Edgecliff." More specifically, the site is surrounded by the following development.

To the North

On the northern edge of New South Head Road, opposite the site, there are a number of mixed use and residential developments of a medium density, ranging from two to four storeys. Additional density is expected to be provided in this area off the back of the approved Planning Proposal's at 80-90 New South Head Road (PP-2020-268) and 240 New South Head Road (PP-2020-335), and the Planning Proposal at 136-148 New South Head Road (PP-2022-1646) which is currently undergoing finalisation for updates to the existing planning controls to facilitate the development of a 12 storey mixed use building.

Further north, on Darling Point Road, there are some high-density residential developments including the 32 storey Ranelagh development, located 100m north of the site and 51 Darling Point Road, which is 14 storeys and situated 300m north of the site.

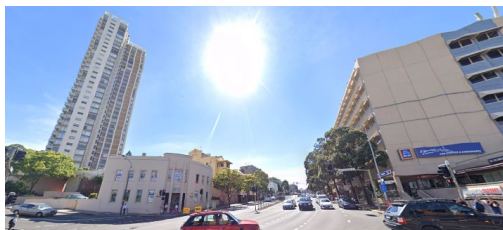


Figure 20 – New South Head Road facing east, showing development to the north

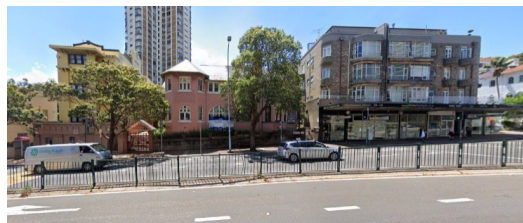


Figure 21 – Development north of the site - opposite side of New South Head Road

To the South

To the immediate south of the site, development is predominantly characterised by residential flat buildings. These developments along the southern edge of New McLean Street are part three and part four storey residential flat building developments. Further southeast, on Cameron Street and Bowes Avenue, development is typically of a two-storey terrace typology.



Figure 22 – Residential flat building south west of the site on New McLean Street



Figure 23 – Residential flat building south west of the site on New McLean Street

To the East

Directly adjoining the site to the east is the Eastpoint Shopping Centre development which is located above the Edgecliff Train Station and comprises a two-storey frontage along New South Head Road. Further to the east, at the junction of New South Head Road and Ocean Street and on Ocean Street, are Eastpoint Tower and Oceanpoint 170, respectively 16 storeys and 12 storeys.



Figure 24 – Eastpoint Shopping Centre, to the east of the site



Figure 25 – Eastpoint Tower, looking west from Ocean Street

To the West

Immediately west of the site, on the opposite edge of New McLean Street, development is characterised as mixed use and this continues further west along New South Head Road. The density of these developments' ranges from two to ten storeys and is generally mixed use.



Figure 26 – Mixed use developments on the western side of New McLean Street

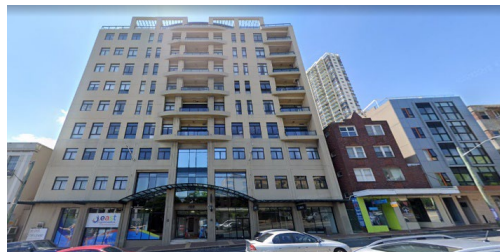


Figure 27 – Ten storey mixed use development on New South Head Road to the west of the site

Broader Development Context

More broadly, development along the Darling Point Peninsula is varied with a sporadic array of medium and high-density developments, as summarised in **Figure 28** and **Figure 29** below.



Figure 28 – Birds Eye View of Development along the Darling Point Peninsula (the site shown in red)

Source: FJC

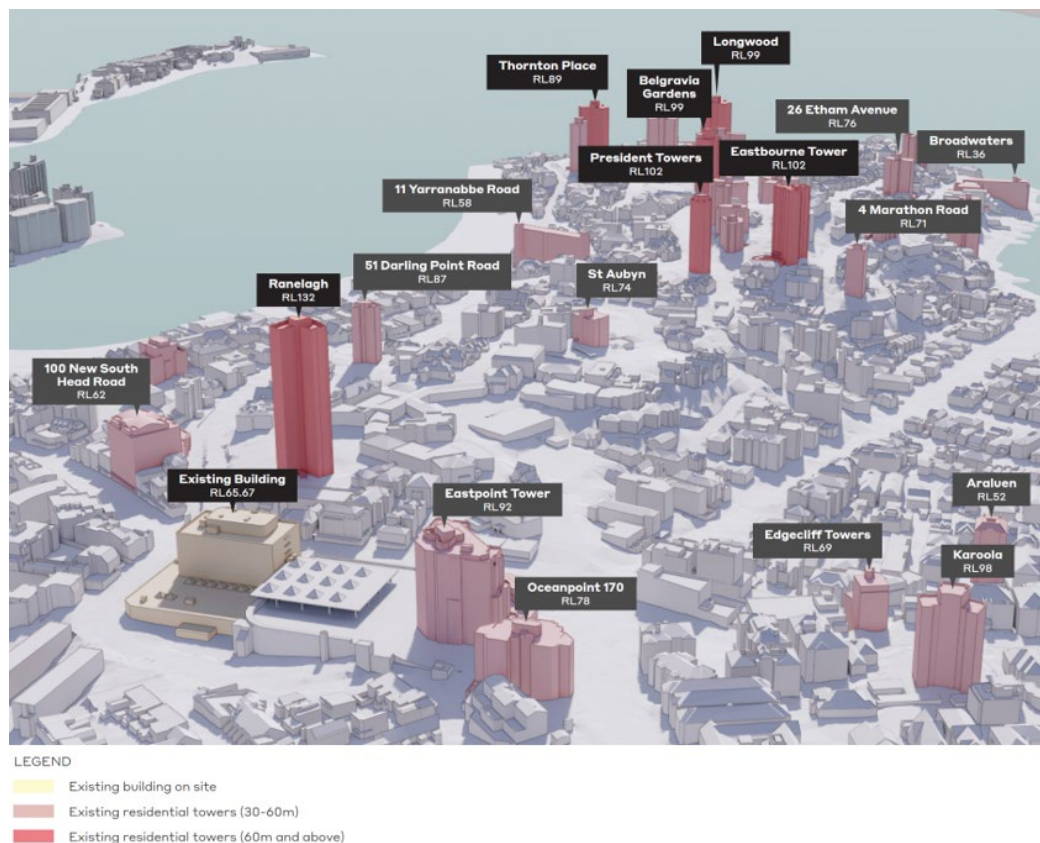


Figure 29 – Surrounding Development along the Darling Point Peninsula

Source: Ethos Urban

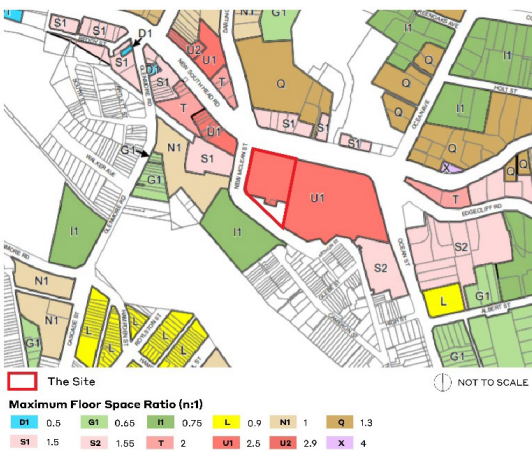
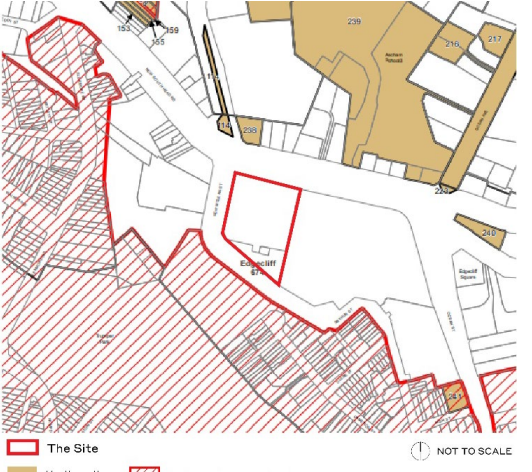
3.2 Existing Planning Controls that apply to the Site

3.2.1 Woollahra Local Environmental Plan 2014

The WLEP 2014 is the principal environmental planning instrument currently applying to the site. Current provisions applicable to the site are identified in **Table 2**.

Table 2 – Summary of the Key Controls in the WLEP 2014

Clause	Provision / Standard	Mapping
2.2 – Zoning	The site is zoned E1 Local Centre under the WLEP 2014. The proposed mix of land uses which include commercial office, retail, community facility and shop top housing are all permissible with development consent.	<p>Zones</p> <ul style="list-style-type: none"> E1 Local Centre R3 Medium Density Residential RE1 Public Recreation MU1 Mixed Use SP2 Infrastructure R2 Low Density Residential RE2 Private Recreation
4.3 – Height of Buildings	<p>The maximum height of building is as follows:</p> <ul style="list-style-type: none"> 26m for the area fronting New South Head Road. 6m for the area fronting New Mclean Street). No height control currently applies for the Council-owned road reserve. 	<p>Maximum Building Height</p> <ul style="list-style-type: none"> C 5m E 6m F 6.5m G 8m J2 9.5m K 10.5m M 12m N2 13.5m N4 14.5m P2 18m Q1 19m Q2 19.5m Q3 20.5m S 20.5m T 26m U 34m

Clause	Provision / Standard	Mapping
4.4 – Floor Space Ratio	The maximum FSR for the site is 2.5:1, with the exception of the Council-Owned Road Reserve where no FSR control currently applies.	 <p>NOT TO SCALE</p>
5.10 – Heritage Conservation	<p>The site is not listed as a heritage item, nor is it located within a heritage conservation area under the WLEP 2014. However, it is in the vicinity of a heritage conservation area and a number of heritage items, including:</p> <ul style="list-style-type: none"> Heritage conservation area C8 – Paddington, including parts of Woollahra and Edgecliff heritage conservation area. 136 New South Head Road (opposite the site) – building and interiors. 188 New South Head Road (opposite the site) – Ascham school precinct. Darling Point Road, near intersection with New South Head Road – Concrete balustrade. 	 <p>NOT TO SCALE</p>

3.2.2 Woollahra Development Control Plan 2015

The Woollahra Development Control Plan 2015 (**WDCP 2015**) builds upon the controls within the WLEP 2014 and provides more fine-grain design and development controls for development. The site is located on land within the Edgecliff Local Centre (Refer to **Figure 30**) which is subject to a precinct-specific DCP (Chapter D4 of Part D).

Desired Future Character for the Edgecliff Local Centre

The WDCP envisages that the development within Edgecliff Local Centre is to contribute to the following desired future character:

- Reinforce the role of Edgecliff Centre as the focus of retail and business activity and continue to be convenient place for people to meet, work, shop and use services.
- The built form will promote an urban environment which meets high standards of visual quality and pedestrian amenity.
- Buildings will be up to eight storeys on New South Head Road and transition down to one to two storeys at New McLean Street frontage. At the corner of Ocean Street and New South Head Road buildings up to 10 storeys are permitted.
- New McLean Street will have an active street frontage and parking and servicing arrangements will be reconfigured to be less visually intrusive. The amenity will be improved by including streetscape works, landscaping and reducing the frontage dedicated to vehicle movements.

- Pedestrian links across the centre, and through the centre to the bus interchange and railway station, will be enhanced. The connections to the surrounding New South Road commercial corridor and nearby residential land will increase pedestrian activity and convenience. Where commercial development addresses a street, awnings will be provided at street level for weather protection.
- Given the excellent public transport access, the centre is ideally located for increased residential and commercial land uses. Retailing, medical and health related services and professional services will continue to cater for the needs of the local community.

Development Controls

Key development controls applicable to the redevelopment of the site include the following.

- C1 The ground floor of the building on New South Head Road is setback 3m.
- C2 The building at 203-233 New South Head Road Addresses New McLean Street, is related to the scale of pedestrians and provides visual interest. This may be achieved by:
 - providing an active frontage to New McLean Street.
 - reconfiguring the parking and servicing arrangements so these do not dominate the streetscape.
 - reducing the number and width of vehicle cross overs.
- C3 The design of the lower part of the street façade relates to the scale of pedestrians.
- C12 The permeability and connectivity of the centre is improved. For example, by providing north-south thoroughfares and improving links between the retailing spaces and the public transport facilities.
- C18 Development provides an active frontage to New South Head Road, New McLean Street and Arthur Street.
- C27 Solar access to the Trumper Park Oval is provided between the hours of 10am and 2pm on 21 June. Where existing overshadowing is greater than this, sunlight is not to be further reduced.

Assessment of these controls is provided in **Section 11.0**.

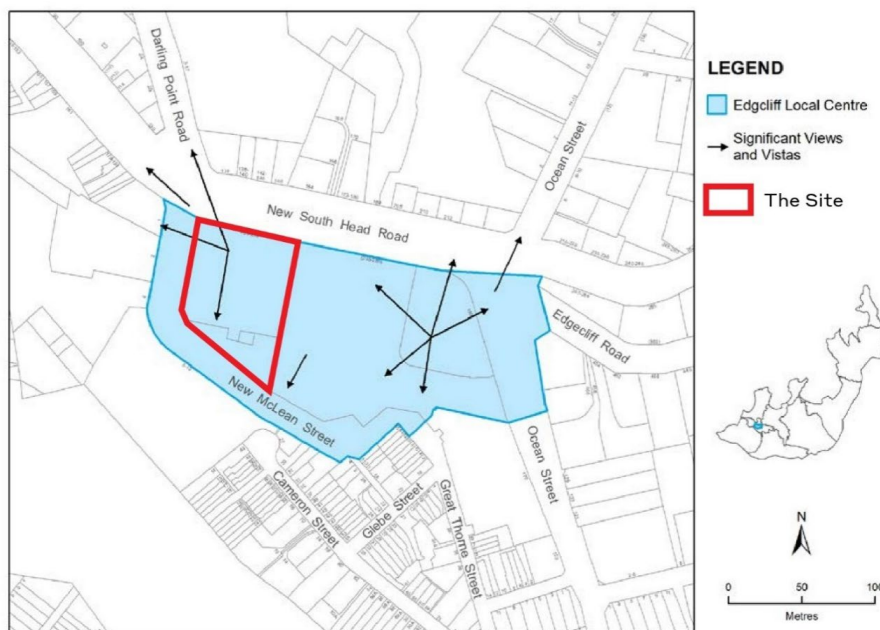


Figure 30 – Area comprising the Edgcliff Local Centre in the WDCP 2014

Source: WDCP 2014

3.3 Planning background

3.3.1 Previous Planning Proposal (2019 – 2021)

On 8 December 2020, the proponent lodged a Planning Proposal for the existing Edgecliff Centre portion of the site with amendments to the height of building control of up to RL 195m (being approximately 45 storeys) and a GFA of 44,190 square metres.

The indicative development concept associated with this previous Planning Proposal included a single 45 storey mixed use podium and tower with commercial, office, retail, medical, community and residential uses. As part of the request for a Planning Proposal, it was also envisaged that the proponent would undertake upgrades to the adjacent Transport Interchange at no cost to Government through a Voluntary Planning Agreement (**VPA**).

Following assessment, Council resolved not to support the Planning Proposal in their Environmental Planning Committee Meeting on 22 February 2021.

A Rezoning Review of the Planning Proposal was heard by the Sydney Eastern City Planning Panel (the **Panel**) on 9 September 2021. The Panel acknowledged that the site in its location is currently under-developed and can have significant public benefit opportunities flowing from its redevelopment.

The Panel also noted that the Planning Proposal had demonstrated strategic and site-specific merit to a certain degree. However, this was not sufficient to warrant a positive LEP Gateway given the scale of the height and the lack of certainty with respect to the public benefit of the Transport Interchange upgrades as a justification for the proposed development uplift.

The Panel (during the Panel meeting) provided guidance to the proponent to consider an overall built form height in the realm of circa mid 30 storeys and to revisit the proposal's emphasis on view sharing and existing view corridors with a more considered approach to the overall building height and form (i.e. a lower proposal with some view sharing impacts may be more acceptable). The Panel also noted that if the proponent intends to resubmit a Planning Proposal with upgrades to the Transport Interchange, it should seek to do so with a VPA in a more advanced state.

The Panel recognised the proponent's position that Edgecliff as a wider corridor, shares many of the key attributes of other, larger strategic centres identified within the Greater Sydney Metropolitan Plan. Some of the key attributes include enhanced mass transit and public transport accessibility, high levels of district connectivity, and access to a more diverse range of jobs, services and amenity.

Because of this, it was recognised by the Panel that Edgecliff should be considered as a more hybrid centre when looking to assess the strategic merit of the proposal. The Panel with this sentiment, informally coined the term and the area as a 'Strocal Centre' and noted that during the demonstration of public benefits the proponent should have regard to more affordable housing including mix, access to open space and community spaces.

At the time, under the DPE Guide to Planning Proposals, the Panel had the power to recommend or refuse a Rezoning Review and the Panels were not empowered to request refinements or amendments. Based on the Panel feedback and this limitation in the planning process that amendments could not be made (which has since been remedied by DPE in December 2021), the Planning Proposal was not endorsed by the Panel.

3.3.2 The Draft Edgecliff Commercial Centre Strategy

Whilst the previous Planning Proposal was being proposed, Council released the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy (**Draft ECC Strategy**). The Draft ECC Strategy sets a new vision for the Edgecliff commercial centre and makes recommendations on (amongst other things) built form outcomes, maximum building heights and community infrastructure.

For the site, the Draft ECC Strategy set:

- A proposed building height of 86m across two residential towers between 14 and 26 storeys.
- A proposed FSR of 7.5:1 (circa 44,003 sqm of GFA) (which assumed amalgamation with part of the Council-owned New McLean Road Reserve).
- A central public plaza, ground floor retail and a part four and part 5 storey commercial podium.

The Draft ECC Strategy (at the time of writing) is yet to be finalised.

The Planning Proposal now proposed has sought to retain the key principles of the ECC Strategy and incorporate elements of the Draft ECC Strategy, whilst also addressing the comments raised by the Panel under the previous Planning Proposal. This is elaborated in **Section 9.2**.

4.0 Pre-Lodgement Consultation

4.1 Ongoing Council collaboration

Collaboration and workshoping between the proponent and Council Officers has been underway for the last 12 months. This has involved regular and productive meetings which has informed the design evolution of the Planning Proposal, particularly in relation to:

- Built form and approach to land uses.
- Building height and tower typologies.
- GFA.
- Amalgamation/Land dedication with the Council-owned New McLean road reserve.
- Ground plane activation and public open space.
- Activation and enhancement of New McLean Street.
- Unlocking community space.

A key part of the consultation was both parties working together to ensure the key principles of the Draft ECC Strategy were embedded (and refined) within the Planning Proposal and ultimately, to ensure that the Planning Proposal reflected Council's aspirations for the site. With this, the proposal has also sought to address key commentary raised by the Panel (refer back to **Section 3.3.1**). Key elements of the proposal which have been derived from collaboration with Council Officers is summarised in **Section 9.0**.

4.2 Scoping meeting with Council Officers

Following early consultation with Council Officers and in accordance with the Local Environmental Plan Making Guideline, a Scoping Report was formally prepared and submitted to Council on 1 May 2023. Following review of the Scoping Report and supporting material, a meeting was held between the proponent and Council Officers on 6 June 2023. Written advice by the Council Officers on the Scoping Report was provided on 3 August 2023 (refer to **Appendix R**).

Appendix S summarises Council's feedback on the Scoping Report and where comments made by Council Officers have been addressed within this report.

4.3 Community Consultation

With reference to the relevant considerations set out within the NSW Department of Planning, Housing and Industry's Local Environmental Plan Making Guideline, it is noted that:

- The LEP making process does not require formal community consultation prior to a proponent submitting a rezoning request to council.
- The most appropriate time for community consultation for Planning Proposals is after a Gateway determination is issued and all relevant studies and reports have been completed. This ensures the community has clear and evidence-based information available to help them make informed comments on the proposal.

As such, formal public consultation for the Planning Proposal will take place in accordance with Sections 3.34 and 3.35 of the EP&A Act at a later date following Gateway Determination.

Any future DA for the site would also be required to be exhibited in accordance with Council requirements, at which point the public and any authorities would have the opportunity to make further comment on any future detailed development proposed for the site.

5.0 Objectives and Intended Outcomes

The objective of this Planning Proposal is to amend the WLEP 2014 to allow additional height and FSR on the site, and the intended outcomes of the proposed amendments are as follows:

- Capitalise on the unrestrained ownership structure of the site and its position immediately adjacent to the existing Edgecliff railway station and bus interchange, to facilitate a great opportunity for additional employment, retail and residential floor space.
- Promote the more efficient use of land from a single site by allowing greater height and density within an established Centre, to promote a sustainable and transport-orientated development.
- Provide improved pedestrian permeability and connectivity between the site and surrounding key features, including Trumper Park, Ocean Street and Edgecliff Railway Station and bus interchange.
- Contribute to the improvement of the locality by providing a truly mixed-use development which can provide uses (such as retail and commercial) to support the immediate, day-to-day needs of residents in an accessible location.
- Provide an improved urban design and pedestrian permeable outcome at ground level with good street activation, especially fronting New South Head Road.
- Facilitate place making on the site through the provision of varied land uses and spaces for public enjoyment.
- Contribute to the revitalisation of an outdated and tired built form with a modern and contemporary contribution to Edgecliff with design excellence at its heart.
- Concentrate density where it is considered most appropriate (i.e., within a centre, close to a railway station) while supporting the preservation of existing surrounding lower density residential and heritage areas in the LGA.
- Support the inclusion of non-residential floor space in the Centre.
- Allow existing Woollahra residents to enjoy the benefits stemming from the co-location of retail services and transport to support 'ageing in place' where residents are able to access local services without the need for broader travel outside the LGA.
- Contribute to the provision of valuable communal open space and community infrastructure for the community.
- Establishing a Town Centre delivered alongside public spaces, retail amenity and transport for the community to congregate and socialise.
- Provide a meaningful contribution to housing supply and targets in the Eastern Suburbs.

6.0 Explanation of Provisions

The Planning Proposal seeks the following amendments to the WLEP 2014 for the site.

6.1 Height of Buildings

Increase the maximum permitted Height of Buildings development standard from part 0m, part 6m and part 26m, to part 60m and to part 124m to 128m. At the site, a maximum height of 128m is equivalent to RL 156.75m.

6.2 Floor Space Ratio

- Increase the maximum permitted FSR on the Edgecliff Centre portion of the site from 2.5:1 to 9:1.
- Increase the maximum permitted FSR on the Council-Owned Road Reserve from 0 to 3.5:1.
- Introduce a site-specific provision to retain a minimum 2:1 (of the overall 9:1) for non-residential purposes.

The minimum non-residential FSR of 2:1 will apply to the Edgecliff Centre portion of the site only. This will ensure future development on site incorporates employment-generating floor space which cannot be used for residential purposes.

This will be implemented by way of inserting a site-specific provision within Part 6 of the WLEP 2014 (subject to discussion and agreeance with Council). Indicative drafting is provided below.

Clause XX – Non-residential floor space on the Edgecliff Centre

1. *The objective of this clause is to ensure development provided in the Edgecliff Centre continues to provide commercial floor area for employment generation purposes.*
2. *This clause applies to Lot 203 in DP1113922 and Lot 5 DP243380, being 203-233 New South Head Road, Edgecliff, and part of the Council-Owned Road Reserve fronting New McLean Street*
3. *Development consent must not be granted for a mixed use development identified on land in subclause (2) unless the consent authority is satisfied that a gross floor area equivalent to an FSR of 2:1 on Lot 203 in DP1113922 and Lot 5 DP243380 is dedicated to non-residential land uses.*
4. *In this clause, non-residential floor space means the ratio of the gross floor area of that part of a building used or proposed to be used for any purpose in all buildings within a site to the site area, other than for any of the following purposes—*
 1. *residential accommodation,*
 2. *serviced apartments,*
 3. *a car park.*

6.3 Amendments to the Woollahra Development Control Plan 2015

A draft site-specific DCP will be prepared by the proponent in collaboration with Council Officers and will be guided by the indicative development concept undertaken by FJC (shown in **Section 6.3**). The draft DCP will enshrine the vision and objectives for the site and will provide a clear framework to guide and regulate future development in accordance with the proposed LEP controls.

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 WDCP 2015 and will be publicly exhibited concurrently with the Planning Proposal post LEP Gateway.

The DCP would be prepared in consultation with Council and would include:

- A vision statement.
- Objectives and/or site principles for the site's redevelopment.
- Structure plan.
- Principles to achieve design excellence.
- Objectives and fine-grain development controls for:
 - Public domain.

- Built form matters, including height, setbacks massing and modulation.
- Heritage and streetscape constraints.
- Site access and movement (including vehicles, pedestrians and cyclists).
- Public art.
- Open space and community space.
- Sustainability initiatives and benchmarks.

A Concept DA may also be prepared in lieu of a site-specific DCP to achieve the same outcome and set the parameters for the site's future redevelopment in accordance with the LEP controls.

6.4 Design Excellence

The proponent has a strong commitment to achieve design excellence on the site and is amenable to having future development on the site subject to input by a Design Advisory Panel comprising representatives the relevant consent authority and the proponent. Principles to guide what constitutes design excellence can also form part of the site-specific DCP.

7.0 Indicative Development Concept

This section of the report explains the indicative development concept envisioned for the site under the proposed planning controls.

The indicative development concept is centred around revitalising the site for a vibrant mixed-use development that can simultaneously contribute to the community and social infrastructure through a combination of providing space for community uses and public spaces, the provision of retail services whilst also increasing employment generating floor space (jobs) and housing close to public transport. At the heart of the indicative development concept is to:

- Develop a new mixed-use community that establishes a true focal point of activity for the centre of Edgecliff.
- Contribute to a residential population that can stimulate business and retail activation in the centre of Edgecliff and provide a mix of uses which will increase opportunities for residents to work locally and use local retail and leisure facilities.
- Provide activated and landscaped frontages to New McLean and New South Head Road within an integrated civic ground floor retail precinct.
- Delivery for 15 years or a monetary contribution of 5% of the new residential GFA as affordable housing.
- Introduce a network of laneways, centralised spaces and volumetric colonnades that provide significant opportunities for pedestrianisation within the currently vehicle dominated Edgecliff corridor, allowing a greater opportunity for people to congregate, work, live and shop.
- Delivery of the Village Green comprising 3,000 sqm of community infrastructure through a combination of a central public plaza, open green spaces and diverse seating areas which accommodate diverse public gathering and meeting spaces, public art and spaces for recreation. This can include for example ping pong tables, pop-up cinema and interactive water fountains. The Village Green will be accessible via a grand public staircase located on the north-west corner of the site providing a highly visible and inviting access with views and vistas of the Sydney CBD and Harbour.
- Delivery of approximately 675 sqm community facilities (internal and external community space) adjacent to the proposed public plaza and open green space. The facility will also provide a key connection to the integrated multi-purpose community facility proposed on part dedicated land and council road reserve.
- Contribution of funding towards local community infrastructure in the form of a multi-purpose community facility with urban greening rooftop fronting New McLean Street.
- Land dedication critical to unlock the Council-Owned Road Reserve for the purposed delivery of the above-mentioned multi-purpose community facility.
- Introduce a new east-west site through-site link, providing greater connections between Trumper Park, public transport and Ocean Street.
- Creation of a forecourt at the corner of New Mclean Street adjacent to the proposed site through links, community facility and residential address with visual connectivity to the existing Trumper Park pathway.
- Rationalise existing vehicular crossovers to a single vehicle crossover and internalise existing loading dock and waste management facilities.
- A grand public staircase fronting the highly visible and iconic corner of the site fusing the site through links, laneways, colonnades, public open green space, plaza, community facilities and ground forecourt to each other to create a permeable public focused town centre.



Figure 31 – Indicative development concept (looking west along New South Head Road)

Source: FJC



Figure 32 – Indicative Development Concept (looking east along New South Head Road)

Source: FJC

7.1 Indicative Development Concept Overview

The indicative development concept is summarised in **Table 3**.


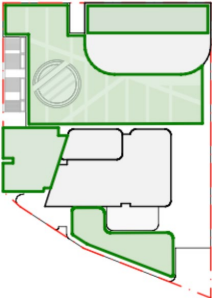
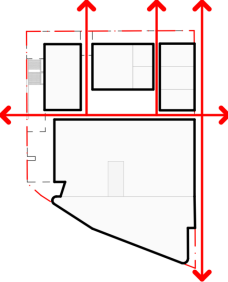
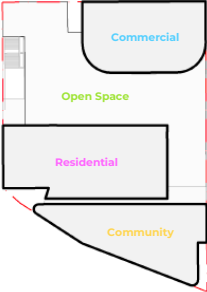
Table 3 – Overview of the Indicative Development Concept

Component	Indicative Development Concept
Edgecliff Centre	
Site Area	4,910 sqm
Land Uses	<ul style="list-style-type: none"> Residential Commercial office Retail Open space
Maximum Height	RL 156.75m
Height in Storeys	35 storeys plus plant Part 2 and Part 3 storey podium
Total Gross Floor Area (GFA)	44,190 sqm, comprising: <ul style="list-style-type: none"> 29,460 sqm of residential 8,500 sqm of commercial office 6,230 sqm of retail
Total Floor Space Ratio (FSR)	9:1, comprising: <ul style="list-style-type: none"> 3:1 employment FSR (retail, commercial) 6:1 residential FSR
Residential Apartments	275
Apartment Mix	<ul style="list-style-type: none"> 1 bed: 20-30% 2 bed: 30-40% 3 bed: 30-40%
Affordable Housing Contribution	5% (Delivery for 15 Years or Contribution)
Public Amenity	<ul style="list-style-type: none"> 2,600 sqm of open space including green space, piazza and forecourt. 750 sqm of site through links, laneways and colonnades
Basement Levels	7
Bicycle Spaces	429
Car Parking Spaces	333
Motorcycle Spaces	20
Council-Owned Road Reserve	
Site Area	957 sqm
GFA	2,390 of community space
FSR	2.5:1
Height	RL 47.25m
Height in Storeys	3 storeys
Funding / Land Dedication Offering	Contribution towards a multi-purpose community facility of at least 2,000 sqm with a double height amphitheatre space to be utilised as a community sporting facility (with capacity of up to 3,000 sqm subject to further design development in collaboration with Council).

7.2 Design Principles

The design principles that have informed the indicative development concept is summarised in **Table 4**.

Table 4 – Design Principles

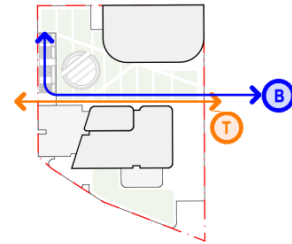
Principle	
<p>Activation</p> <p>The Planning Proposal prioritises establishing an inviting and dynamic street atmosphere that harmoniously blends with its surroundings. To achieve this, the indicative development concept incorporates ground-level retail areas, outdoor seating spaces, and spacious pedestrian walkways along the north and west sides, contributing to a vibrant and bustling streetscape.</p> <p>Additionally, the western section is enriched by a welcoming residential lobby and arrival area. Despite limitations due to easement and access requirements, the southern area is activated through an activated community space, ensuring continuous liveliness along New McLean Street, overcoming any site constraints.</p>	
<p>Urban Greening</p> <p>The indicative development concept emphasises the integration of abundant green areas, featuring landscaped gardens, communal spaces, and courtyards. These well-designed spaces encourage social interactions and foster a collective sense of responsibility towards the environment, promoting a shared ownership and appreciation of the surroundings.</p> <p>A series of landscaped terraces, including a primary publicly accessible terrace at podium level brings significant outdoor green space and amenity to the project. The greening of the podium facade, particularly at the intersection of New South Head Road and New McLean Street substantially enhance the streetscape.</p>	
<p>Connectivity</p> <p>The vision for the public domain revolves around establishing an inviting and inclusive area that seamlessly merges indoor and outdoor spaces. This objective is pursued through the inclusion of several entry points and vibrant laneways, fostering a smooth flow of pedestrians and providing excellent opportunities for high-quality retail experiences.</p> <p>The indicative development concept focuses on creating an open and permeable environment, enhancing permeability, and ensuring clear and easily identifiable connections to the upper levels of the building. It also seeks to improve access to the existing transport infrastructure through vertical and horizontal circulation that connects the north-west of the site through the development to the train and bus nodes adjacent to the site.</p>	
<p>Mixed Use Precinct with Identifiable Elements</p> <p>Rather than the creation of a single monolithic development with little relationship to the surrounding urban grain, the indicative development concept seeks to develop a collection of discrete identifiable buildings and uses that create a sense of an urban village. This cluster of buildings forms and uses, linked together by high quality public urban green spaces help to break down the scale of the development and foster a sense of connected community in line with the current character of the surrounding area.</p>	

Principle

Improved Connection to Transport

The design of the podium level in the indicative development concept prioritises a direct and convenient link to the nearby transport interchange, making it effortlessly accessible to the residents, workers, and visitors.

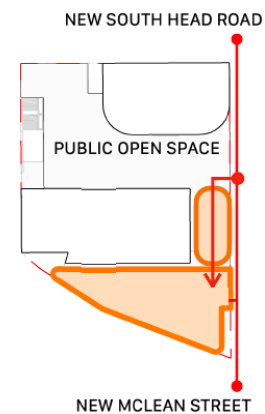
Moreover, the transport interchange directly connects to an elevated public park, offering panoramic views of the CBD to the west. The focus on accessibility is a crucial aspect of the Edgecliff Centre's design, as it incorporates various features to ensure ease of navigation and enjoyment for residents and visitors with disabilities. These include easily accessible entrances, wide corridors, doorways, and elevators, providing smooth access to all levels. This emphasis on accessibility is especially significant in line with the aspiration to create a multi-level offering that not only connects to the elevated bus interchange but also maximises the potential for high-quality public spaces with captivating city views.



A Place for Community

The provision of a highly activated, easily accessible community to the New McLean Street frontage of the site provides for meaningful activation to the street. The location of the community facility adjacent to existing residential developments along New McLean Street helps maintain the community scale of the area, while revitalising a portion of the site that is currently given over to services and car parking.

The overall location of the site with its excellent transport links makes it the perfect place to develop a community facility to service the Edgecliff precinct, which is currently underserved in this regard.



7.3 Land Use Distribution

The distribution of land uses in the indicative development concept is shown in **Figure 33** and described in the sections below. The intent is to create a town centre revolving around a built form principle of a collection of parts which can improve local amenity, service the community and put homes and jobs in close proximity to existing public transport infrastructure.

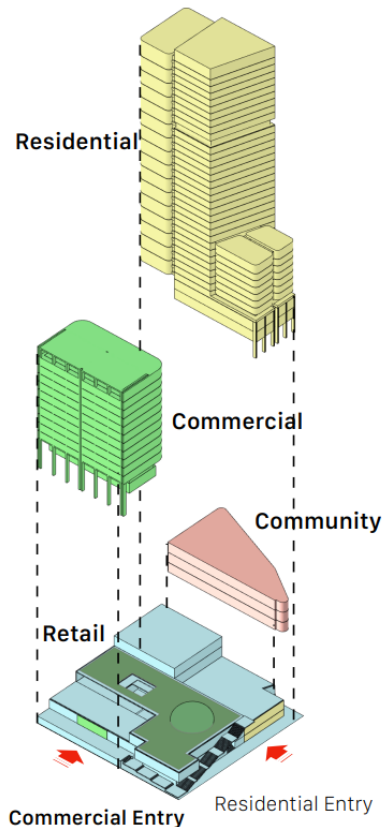


Figure 33 – Distribution of Land Uses

Source: FJC

7.3.1 Residential Apartments

The indicative development concept provides for circa 275 apartments within a 35-storey residential tower. Of these apartments, 27(9%) will be universally accessible.

The residential tower component has been designed to comply with all relevant ADG criteria. It will maximise privacy and achieve a high level of amenity for residents. An outdoor terrace will be provided on Level 11 which will provide residents opportunities for physical activity and communal open space.

The residential tower component will act as an identifiable marker for the site and Edgecliff, whilst also incorporating design elements which seek to minimise the overall prominence of the tower and provide a transition to the surrounding heritage conservation areas. Specifically, the tower form has been divided into appropriately scaled elements and will adopt curved edges where appropriate to mitigate visual and wind impacts. It is emphasised that the GFA of a typical residential floorplate will comprise only 16% of the overall site area.

The massing and design of the residential tower component would also encourage articulation and view sharing, enable appropriate building separation, protect solar access to Trumper Park Oval and mitigate any impacts to the rail corridor below.

The proposed residential tower component is shown at **Figure 34**. The potential view sharing and visual impacts resulting from the residential tower are detailed within **Section 10.1**.



Figure 34 – Proposed Residential Tower Component

Source: FJC

7.3.2 Commercial Office

The Planning Proposal will protect and expand on employment generating uses on the site through the provision of a 13-storey plus plant commercial office building that fronts the New South Head Road frontage. It has been designed to act as an identifiable commercial building design for modern day employment uses within Edgecliff (refer to **Figure 35**).

The mid-sized commercial tower component will provide an additional setback up to Level 3 to create a generous colonnade and an identifiable entry for businesses and workers. The indicative development concept floor plates have been designed to appeal to the anticipated tenant profile and planned to ensure flexibility into the future. The commercial tower component will feature a landscaped roof terrace on Level 13 to provide amenity for workers.

Importantly, having a commercial space of this nature signals the desire to create a benchmark office space with high levels of amenity, identity and activation, seeking to attract high quality businesses to the area in lieu of a homogenous commercial offering that is stacked within a building podium. The importance of providing commercial / non-residential floor space on the site and within Edgecliff more broadly is detailed within **Section 9.5**.



Figure 35 – Proposed Commercial Tower Component

Source: FJC

7.3.3 Retail Uses

A part 2 and part 3-storey podium for retail and community uses is proposed (refer to **Figure 36**). The indicative development concept shows that the low scale podium massing will be broken up into smaller components using colonnades, laneways, site through links and setbacks along the ground level. It will feature an east-west spine that connects the Edgecliff Railway Station and Bus Interchange to New McLean Street on the west and the existing Trumper Park walkway towards Glenmore Road. This will allow for ease of access and interaction between the pedestrian and the retail frontages.



Figure 36 – Proposed Retail Podium

Source: FJC

7.3.4 Community Facility

The Planning Proposal will provide a diverse offering of community facilities that will facilitate an opportunity to integrate this space into the wider proposed Multi-Purpose Community Facility (MPCF). Community facilities include the delivery of up to 675 sqm of internal and external community space adjacent to the bus terminal, proposed plaza and open green space that will be delivered amongst the Village Green.

There will be a further land dedication and funding contribution put forward as part of the Planning Proposal to facilitate a three-storey multi-use community facility to be located at the rear of the site fronting New McLean Street.

This massing has been designed provide a transition between the built form located on the Edgecliff Centre Site and the surrounding residential development to the south and maximise activation of the currently inactive southern part of New McLean Street (refer to **Figure 37**).

The community facility will be adaptable so that it can cater to a wide range of community needs. The indicative uses include sport facilities, meeting spaces and urban greening.

It is important to note that due to the current infrastructure, operational requirements and ownership pattern of the road reserve, redevelopment of the Edgecliff Centre along with the land dedication is critical to unlock the Council-Owned Road Reserve and facilitate this key opportunity for public infrastructure.

A monetary contribution will be provided by the proponent towards the delivery of the Multi-Purpose Community Facility along New McLean Street which we envisage will also require further funding contributions from other sites within the Draft ECC Strategy. It is anticipated that detailed design and delivery will be undertaken by the Council utilising these funds at the appropriate time considering all requirements around funding and road closure processes.



Figure 37 – Proposed Community Facility

Source: FJC

7.3.5 Public Square, Open Space and Urban Greening

The indicative development concept includes the opportunity for a high-quality public square and landscaped open space, which significantly ameliorates the existing harsh site environment.

The public square, open space and urban greening proposition can be summarised in **Figure 38**. Each key element is further summarised below.

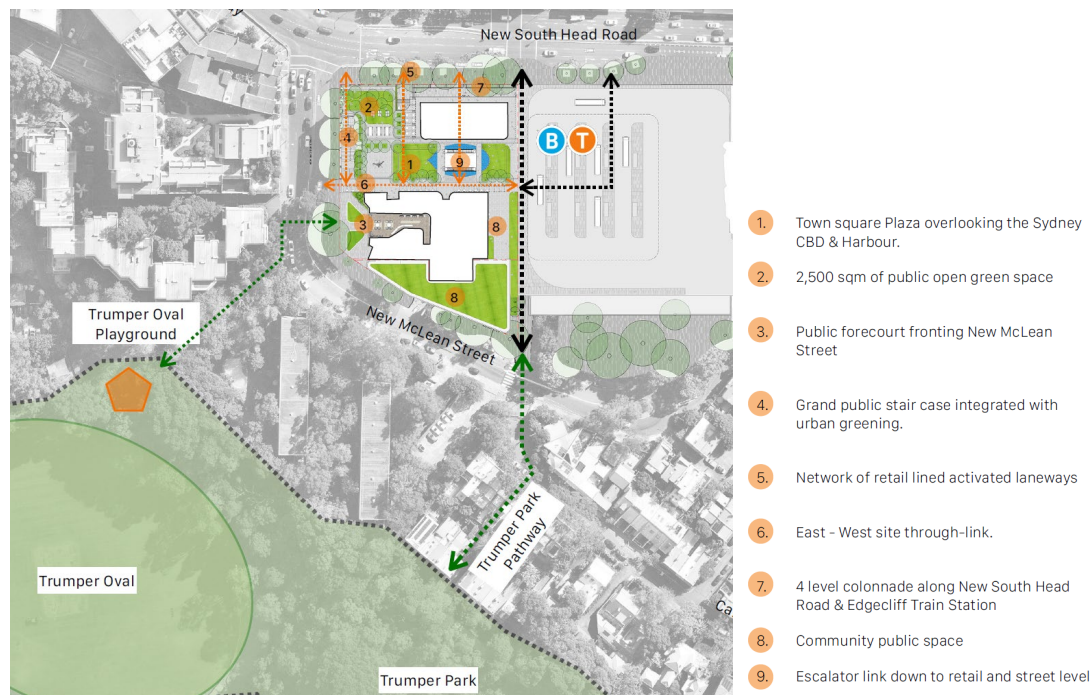


Figure 38 – Proposed public square, open space and greening strategy

Source: FJC

The primary frontage along New South Head Road is to be improved through the provision of attractive fine-grain retail laneways that invites pedestrians to travel through the site. An east-west through site link will provide an improved pedestrian experience and allow for a more permeable ground plane and podium with placemaking opportunities to enhance the experience for the community (refer to **Figure 39**).

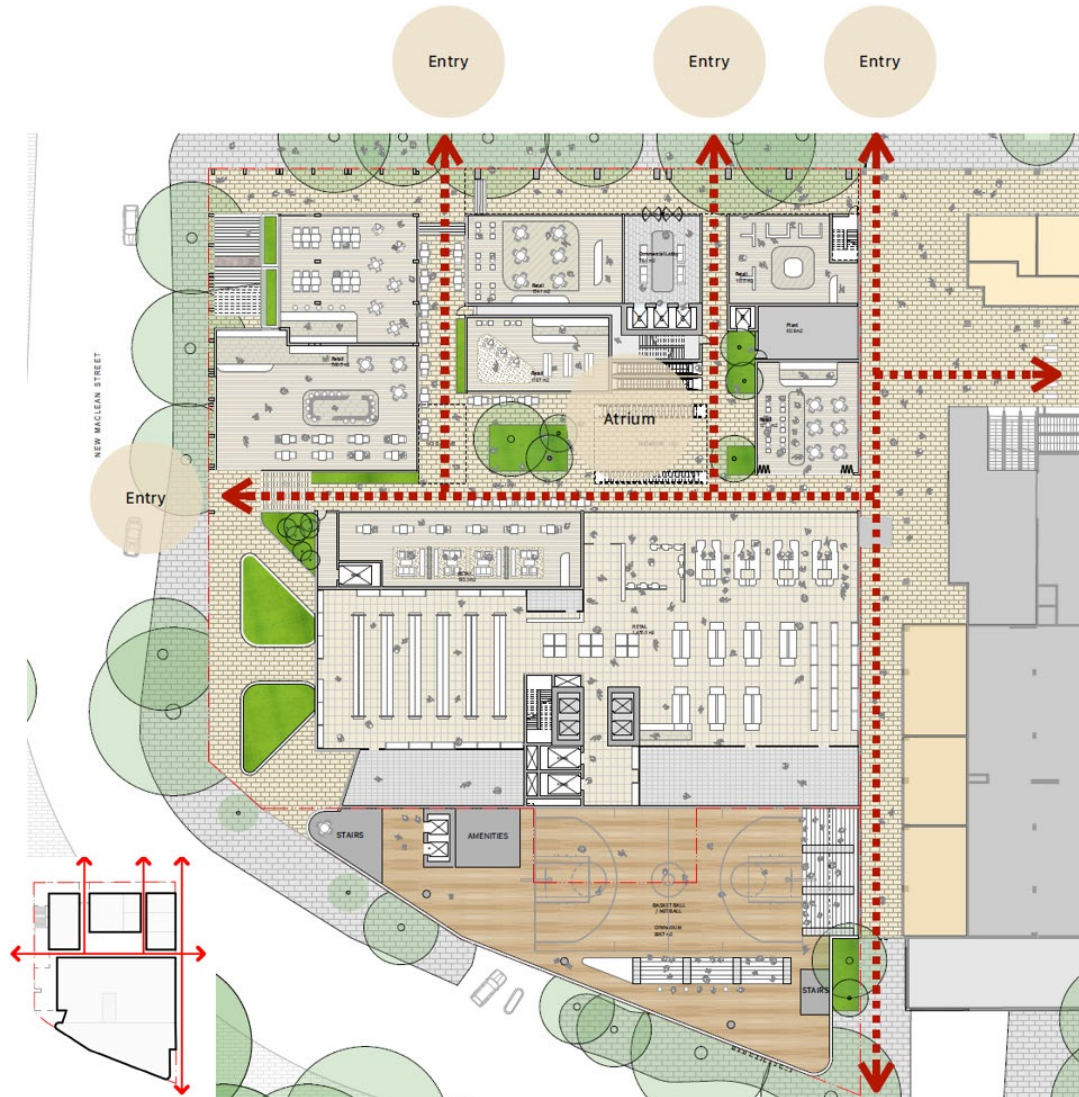


Figure 39 – Circulation and through-site link proposition

Source: FJC

A forecourt of approx. 470 sqm at south-west corner of New McLean Street will address the transition between the proposed site-through link and community and residential entry to provide a visual anchor to the existing Trumper Park pathway towards Glenmore Road and existing residential neighbours of New McLean Street.

The Planning Proposal seeks to curate a Village Green which delivers a further 3,000 sqm of publicly accessible community infrastructure (refer to **Figure 40** and **Figure 41**), incorporating:

- A central public plaza.
- Open green spaces.
- Multiple and diverse seating areas.
- Opportunities for public art.

- Community facility with external courtyard area.
- Connections to public transport and retail amenity.
- Opportunities for public recreation such as ping pong tables, pop-up cinema and interactive water fountains.

The space is accessible via a grand public staircase located on the iconic north-west corner of the site (refer to **Figure 42**) providing a highly visible and inviting access point to this publicly accessible open space, with connections also available via the public bus terminal or through escalators and lifts within the central void. The podium will be lined with an abundance of landscaping features to provide visual interest and urban greening opportunities throughout the built form.

A key advantage of the Village Green is that it will provide a direct connection to other uses on the site and the surrounding area further contributing to the abundance of existing open space, community interaction and infrastructure that benefits the local area. This creates a sense of continuity within the site, by providing blended retail, community, recreational and commercial uses, while also promoting social interaction and community engagement for all users of the site through promoting incidental travel via the bus interchange, the adjoining retail centre, train station and the surrounding streetscape.

The design of this open space has been developed closely with Council who advised the proponent to deviate from the ground floor plaza design identified in the Draft ECC Strategy and instead, consider an open space that can respond to the surrounding environment in a more appropriate manner (as has been achieved by the indicative development concept).

Overall, the public square, open space and urban greening concept will significantly enhance the public domain. It will provide a town centre for the wider Edgecliff corridor that is highly visible, adjoins public and community spaces, integrates with amenity and incorporates landscaping features that adorn the development. It will, increase access to open space and connections through the site whilst providing amenity that has been appropriately designed to sit comfortably adjacent the activity of New South Head Road.



Figure 40 – Indicative Publicly Accessible Open Space Concept

Source: FJC

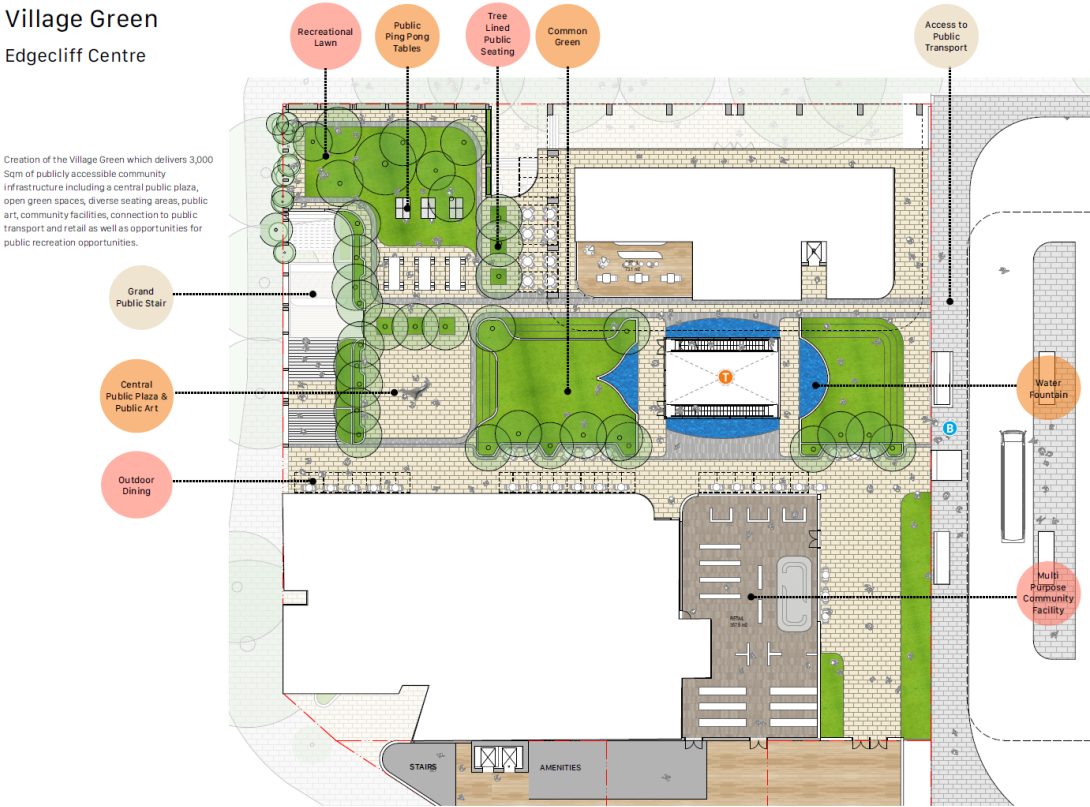


Figure 41 – Indicative Publicly Accessible Open Space Concept (in Plan)

Source: FJC



Figure 42 – Circulation and Connectivity from the Publicly Accessible Open Space

Source: FJC

7.3.6 Site Access, Movement and Parking

The ground plane contains a series of laneways, site-through links and colonnades to support strong permeability and opportunities for access to fresh air and natural light. A new east-west spine utilises the site to connect Glenmore Road (located west of Trumper Park) and New McLean Street to the existing rail station. Inter-level changes across the site enables improved accessibility to the adjoining retail centre and bus interchange whilst also supporting movements further east towards Ocean Street and Double Bay (refer to **Figure 43** and **Figure 44**).

The indicative development concept incorporates eight levels of basement car parking. There will be a single access point rationalised from five (5) current vehicle crossovers, located off New McLean Street, appropriately setback from the New McLean and New South Head Road intersection. The entry point will support access for the residential basement car park (for up to 216 car spaces), the commercial loading dock (for up to three medium rigid vehicles) and car park for commercial and retail uses (for up to 117 car spaces). Indicatively, the two upper basement levels will be dedicated to retail and commercial uses and the bottom six basement levels will be dedicated to residential uses.

The vehicular entry and egress point for the indicative development concept has been located via the Council-Owned Road Reserve consistent with the current servicing arrangement which will act as a transition and buffer for all vehicular movements. It will also continue to accommodate access for existing East Point residents.

This will result in only a single vehicle cross over at the pedestrian foot path along New McLean Street, improving the conditions for pedestrian movements. The loading dock will likely be located on Basement Level 2, near the entry ramp to the car park.

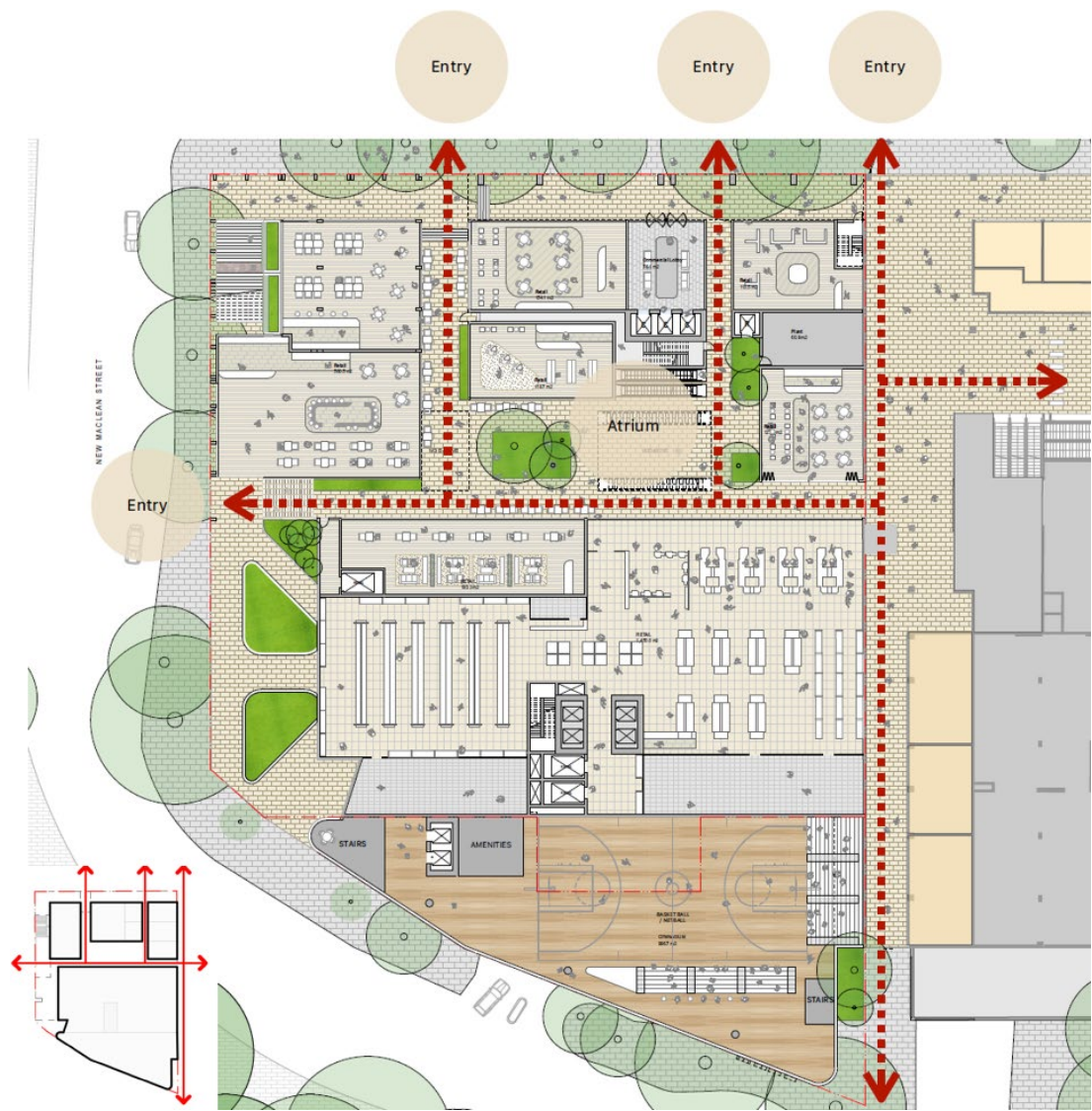


Figure 43 – Circulation and Connectivity at Ground Level
Source: FJC



Figure 44 - Circulation and Connectivity within the Wider Precinct

Source: FJC

7.4 Public benefit

The indicative development concept includes a myriad of benefits related to transport connectivity, public domain and walkability connections, encouraging community connections and well-being, as well as responding to housing and demographic needs in the Woollahra LGA. The contributions associated with the Planning Proposal include:

- Delivery or monetary contribution of 5% of the new residential GFA as affordable housing.
- Delivery of the Village Green comprising 3,000 sqm of community infrastructure through a combination of a central public plaza, open green spaces and diverse seating areas which accommodate diverse public gathering and meeting spaces, public art and spaces for recreation. This can include for example ping pong tables, pop-up cinema and interactive water fountains. The Village Green will be accessible via a grand public staircase located on the north-west corner of the site providing a highly visible and inviting access with views and vistas of the Sydney CBD and Harbour.
- Delivery of approximately 675 sqm community facilities (internal and external community space) adjacent to the proposed public plaza and open green space. The facility will also provide a key connection to the integrated multi-purpose community facility proposed on part dedicated land and council road reserve.
- Contribution of funding towards local community infrastructure in the form of a multi-purpose community facility with urban greening rooftop fronting New McLean Street.
- Land dedication critical to unlock the Council-Owned Road Reserve for the purposed delivery of the above-mentioned multi-purpose community facility.
- Delivery of a forecourt of approximately 470 sqm at the south-west corner of New McLean Street adjacent to the proposed site through links, community facility and residential address with visual connectivity to the Trumper Park pathway.
- Public domain improvements including through activating the streetscape with retail uses, inclusion of landscaping features throughout the site.

- Introduction of a network of pedestrian laneways, through site links, colonnades and central plazas interconnecting the surrounding area (such as Trumper Park pathway and New McLean Street) with the Transport Interchange via the site.
- A grand public staircase fronting the highly visible and iconic corner of the site fusing the site through links, laneways, colonnades, public open green space, piazza, community facilities and ground forecourt to each other to create a permeable public focused town centre.
- Provide activated and landscaped frontages to New McLean and New South Head Road within an integrated civic ground floor retail precinct.
- Develop a new mixed-use community that establishes a true focal point of activity for the centre of Edgecliff.
- Contribute to a residential population that can stimulate business and retail activation in the centre of Edgecliff and provide a mix of uses which will increase opportunities for residents to work locally and use local retail and leisure facilities.

8.0 Strategic Merit

This chapter demonstrates how the Planning Proposal and indicative development concept has strategic merit, taking into consideration:

- Alignment with the relevant strategic plans.
- Alignment with the broader strategic planning objectives established by State.
- The demographic setting of the site and locality.

Further assessment is provided in the sections below and is supported by the *questions to consider when demonstrating merit* set out in the *Local Environmental Plan Making Guideline* (September 2022) prepared by the Department of Planning, Housing and Industry (refer to **Appendix B**).

8.1 Policy Setting

8.1.1 Alignment with relevant strategic plans

Appendix B sets out in detail how the Planning Proposal is consistent with the applicable strategic planning framework set by the State and by Council. This includes an assessment against:

- *The Greater Sydney Region Plan*
- *The Eastern District Plan*
- *The NSW State Plan*
- *Future Transport 2056*
- *NSW State Infrastructure Strategy*
- *Greater Sydney Services and Infrastructure Plan*
- *Woollahra Local Strategic Planning Statement*
- *Woollahra Community Strategic Plan 2032*
- *Woollahra Draft Integrated Transport Study*
- *Woollahra Active Transport Plan*
- *Woollahra Local Housing Strategy 2021*

Overall, the Planning Proposal is in full alignment with the relevant policy setting because it:

- Responds to the proximity of existing infrastructure (the Edgecliff Railway Station and Bus Interchange) and provides more efficient access to housing, jobs and services to an existing transport hub.
- Reduces reliance of vehicle usage (by bringing jobs, homes, services, and transport closer together) and increases daily critical mass to support the viability of goods and services on the site and within the broader Edgecliff town centre.
- Contributes to the 0-5-year housing target for Woollahra (including the most recent targets identified for Woollahra), and the attainment of the overall housing target for the Eastern District, thereby assisting in protecting lower density areas from development pressures.
- Promotes and supports the increased role of Edgecliff as a key transport interchange and centre.
- Will, through the open space and public domain inclusions and retail uses proposed, contribute to the community which can foster health and support social connections.
- Responds to the Future Transport 2056 Plan, which identifies the importance of transport interchanges as places which will have a high level of density given their accessibility, service frequencies and travel times.
- Brings to life the potential for transport interchanges to deliver mixed-use, walkable, cycle friendly centres and neighbourhoods, as stated in the Greater Sydney Region Plan.
- Delivers a people-focused ground floor and podium comprising a mix of land uses including fine grain retail, community uses and open space, which is walkable, enjoyable and of a human scale.
- Contribute to the creation of a walkable centre that provides homes in proximity to employment - both in Edgecliff and easily accessible via the transport interchange.
- Responds to the evolving Edgecliff context, which under the Greater Sydney Region Plan is designated as a Local Centre. This type of centre plays an important role in providing access to goods and services, close to where people live. Increasing the level of residential development within walking distance of centres with a supermarket is a desirable liveability outcome.

- Adhere to the established principle of greater density around public transport.

8.2 Broader Strategy Setting

NSW Government policy over recent years has sought to integrate land use planning with existing or planned infrastructure. This is otherwise referred to as transit-oriented development (**TOD**) which aims to:

- Provide people with better access to public transport.
- Provided people with a broader range of housing options and job opportunities around public transport.
- Create more revitalised, connected, and sustainable communities overall.

This is captured in the 30-minute city concept of the NSW strategic planning framework, which is intended to guide decision-making on locations for new transport, housing, jobs, education, health and other facilities. The proposal underpins the notion of a 30-minute city and transit-oriented development.

The proposal is providing a range of uses targeted towards leveraging amenity, which is expected adjacent to an existing transport interchange with capacity.

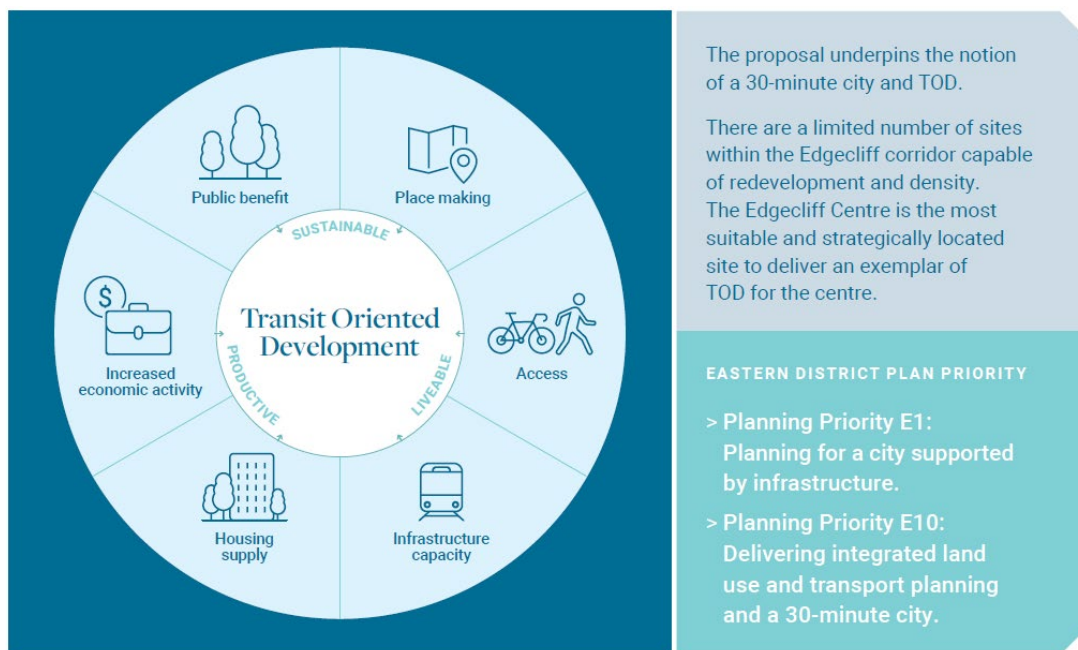


Figure 45 – Transit Oriented Development

The proposal seeks to accommodate more relevant retail, modern and sustainable offices to attract new businesses and investment along with diverse housing options which are currently lacking within the LGA. The proposal is an exemplar of TOD, locating increased density with infrastructure to revitalise the centre and reduce car dependency within the LGA.

Overall, the proposal:

- Delivers of a TOD with direct connection to the Edgecliff rail and bus interchange which maximises the use of a highly underutilised and latent transport interchange.
- Brings to life a fundamental planning principle which sees a density and employment increase over and adjacent to an existing railway station.

More broadly, the NSW Government has established a clear mandate to limit urban sprawl and rebalance the delivery of housing towards the existing metropolitan centres through increased height limits around existing transport infrastructure.

It is important that the rebalance is well considered and benefits from latent capacity in various infrastructure indicators such as transport capacity. When we look at the existing latent capacity of the Edgecliff Train Station which has significantly more capacity than many other stations within similar geographical locations (identified

in **Section 2.4.1**), it is incumbent on the planning authority when determining Planning Proposals such as the current proposal, to utilise these once in a generational opportunities located above a train station to maximise this to ensure that there is a benefit to all tax payers of NSW.

Previously, the desire for TOD has translated into the successful increase in density around existing and proposed public transport, including over-station developments. This thinking in planning has advanced significantly since the controls for centres like Bondi Junction (for example) were first envisaged over a decade ago.

St Leonards is a similar example. It has seen a significant increase in density to land surrounding the existing train station and future metro station. Height in St Leonards reaches up to 35 to 50 storeys with FSR controls from 15:1 up to 25.4:1. This has been solidified in the St Leonards and Crows Nest 2036 Plan (finalised in August 2020). Like Edgecliff is to the Sydney CBD, St Leonards is also only two stops away from the North Sydney CBD and three from the Sydney CBD.

Edgecliff is similar in locational advantage to St Leonards and Crows Nest, where densities of this scale have been deemed appropriate by State Government work. Where Edgecliff differs is the highly limited number of sites suitable for the scale of transit orientated development, with the Edgecliff Centre having the size and proportions and being the only real site capable of delivery of a transit orientated development within the centre.

TOD is also evident in centres such as Epping, Chatswood, and the Waterloo Metro Quarter. The Sydney Metro Northwest Urban Renewal Corridor (which includes eight station precincts from Cherrybrook to Cudgegong Road) also demonstrates a commitment to increasing density with infrastructure. There is a further analysis within **Section 9.3** of this report which breaks down centres across Sydney which have been subject to increased density on the basis of its attributes around transport infrastructure.

Edgecliff is well positioned to be able to take advantage of its location and current underutilisation of land to increase density around the station. Currently, land around the Edgecliff Station and Bus Interchange is relatively underutilised despite the station being the second stop out of the CBD. There is potential for uplift in the area around the station, especially on the site given that it is co-located with the Edgecliff Station and Bus Interchange. This has been identified and is reflected in council's Draft ECC Strategy to orientate and propose significant uplift around this transport interchange which is consistent with the objectives of the Planning Proposal.

8.2.1 Height around Train Stations and Smaller Centres

Stemming from the idea of TOD, buildings in Sydney with greater heights and densities are typically concentrated around train stations, given the amenity and accessibility provided by these public transport nodes. In practice, Kings Cross Station (which is also a *Local Centre*), the first stop on the T4 Eastern Suburbs and Illawarra Line out of the Sydney CBD, exemplifies the concept. The Planning Proposal site is located only one stop after Kings Cross.

Zetland, Green Square and Waterloo are other examples that also showcase this concept (refer to **Figure 46** to **Figure 48**).

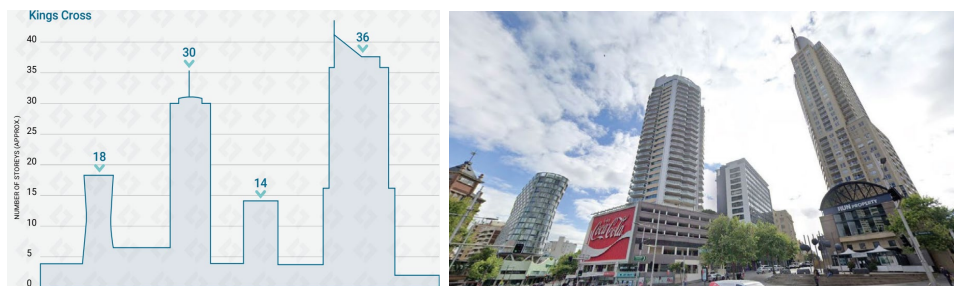


Figure 46 – Existing heights around Kings Cross

Source: Longhurst

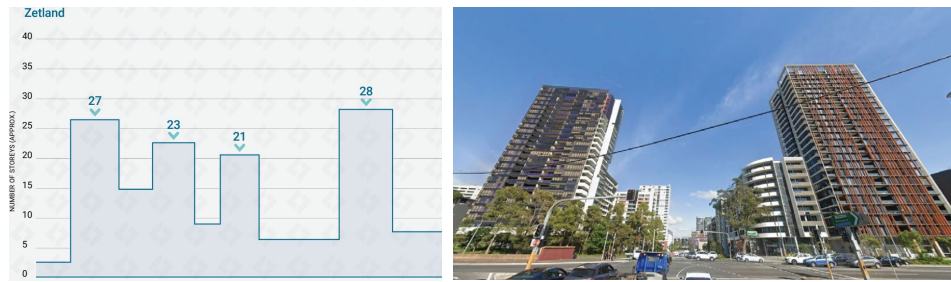


Figure 47 – Existing heights around Zetland

Source: Longhurst



Figure 48 – Existing heights around Darling Point

Source: Longhurst

8.2.2 Recognised for Renewal

Renewal of the Edgecliff Centre

The Greater Sydney Region Plan and Eastern District Plan includes a number of planning priorities that when read together support the investigation of renewal of the Edgecliff Centre and the site. These focus on the integration of land use and transport through the provision of a greater amount and choice of homes in locations such as Edgecliff that have access to jobs, services, and public transport. Both these strategic plans make explicit reference to exploring growth at established interchanges such as Edgecliff, including (like touched on above) the elevation of these roles in the Centre's hierarchy.

The Greater Sydney Region Plan (at Page 121) states that *'there will be potential for interchanges to deliver mixed-use, walkable, cycle friendly centres and neighbourhoods. Council's need to consider local conditions through place-based planning that provides for centres around interchanges to grow and evolve over time and potentially become strategic centres'*.

We also note that most maximum buildings heights for existing Local and Strategic Centres generally predate the current centres hierarchy and these pre-established LEP heights do not necessarily reflect the appropriate heights for a Strategic Centre. **Section 9.3** of this report further analyses the characteristics and attributes of varying local and strategic centres against their appropriateness for building height and density.

Renewal of the Site

Not dissimilar to the 'place-based planning' recognised in the Eastern District Plan, the site has been identified as a strategic site, capable of accommodating greater density within the Edgecliff Corridor for an extended period of time.

This recognition commenced with the Council-led Opportunity Study published in 2010 and (as detailed previously) the more recent Draft ECC Strategy commissioned in 2015 and published in 2021. The density proposed under this Planning Proposal has sought to generally align the quantum of GFA envisioned for the site under both of these existing Council-led strategies (refer to **Figure 49**).

For the Opportunity Study, this meant a GFA of circa 46,466 sqm and for the Draft ECC Strategy, this meant a GFA of circa 44,003 sqm. This Planning Proposal now proposed seeks the same, being a GFA of circa 44,190 sqm.

The proposal therefore seeks a continuation of the extent of density expected on site's directly adjacent to train stations, and a continuation of density envisaged under successive Council opportunity studies for Edgecliff.



Figure 49 – Density comparisons across Woollahra Council-led strategies

Source: Longhurst

8.2.3 Point Tower Typologies and Ridgelines

The site is at a logical end of two main linear corridors of point and cluster towers that terminate at their intersection above a transport interchange.

Looking at the local urban morphology, there is an east-west corridor aligned with William Street and its extension along New South Head Road. There is also two complementary north south spines, the first of which stretches from the end of Potts Point to Kings Cross Train Station and the second stretching from the end of Darling Point towards the Edgecliff Centre (refer to **Figure 50**). Notably however, unlike Kings Cross Train Station, there is no meaningful height allowance above the Edgecliff Transport Interchange.

Taller buildings in these spines are dominated by point towers dating from the 1960s to 1990s that have heights of up to 45 and 32 storeys respectively (refer to **Figure 51**). Given these attributes, the site (which is located at the top of these ridge lines) is different to the remainder of the Woollahra LGA, which, has a more suburban character and lower building heights towards the peninsular.

Notably, this is also recognised by the Woollahra LSPS that identifies Edgecliff as the gateway between the eastern suburbs and the CBD. While of a greater height than other buildings, uplift of the nature proposed is compatible with this overall visual pattern. In terms of broader context, it represents a clear urban termination of the line of point towers heading east from the CBD generally along the William Street and New South Head Road axis and those of the Darling Point peninsula terminating above the only transport interchange within the Woollahra LGA.

This principle is also reinforced as one of the key strategic planning elements of the Draft ECC Strategy whereby the greatest heights are concentrated along the ridgeline to emphasise the sloping topography and protect significant views from homes, public spaces and roads. Because of this, a one dimensional comparison of this Planning Proposal against the site's current height controls is not the singular nor most appropriate benchmarking tool of considering the appropriateness of height on the site.

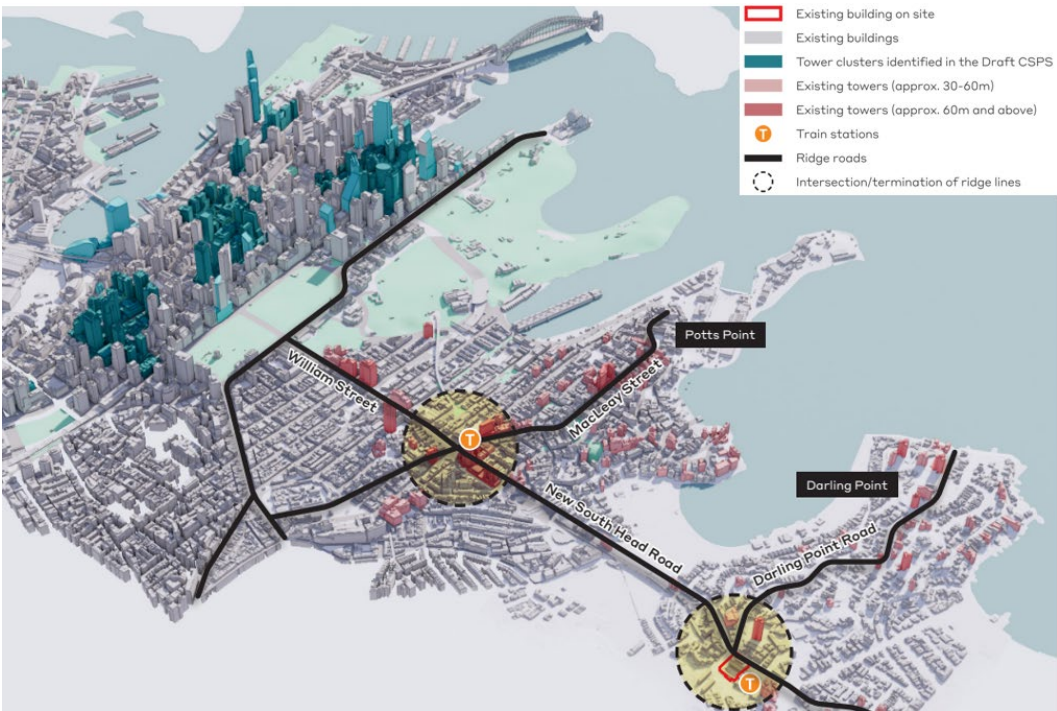


Figure 50 – Existing Point Tower Typologies along Ridgelines

Source: Ethos Urban

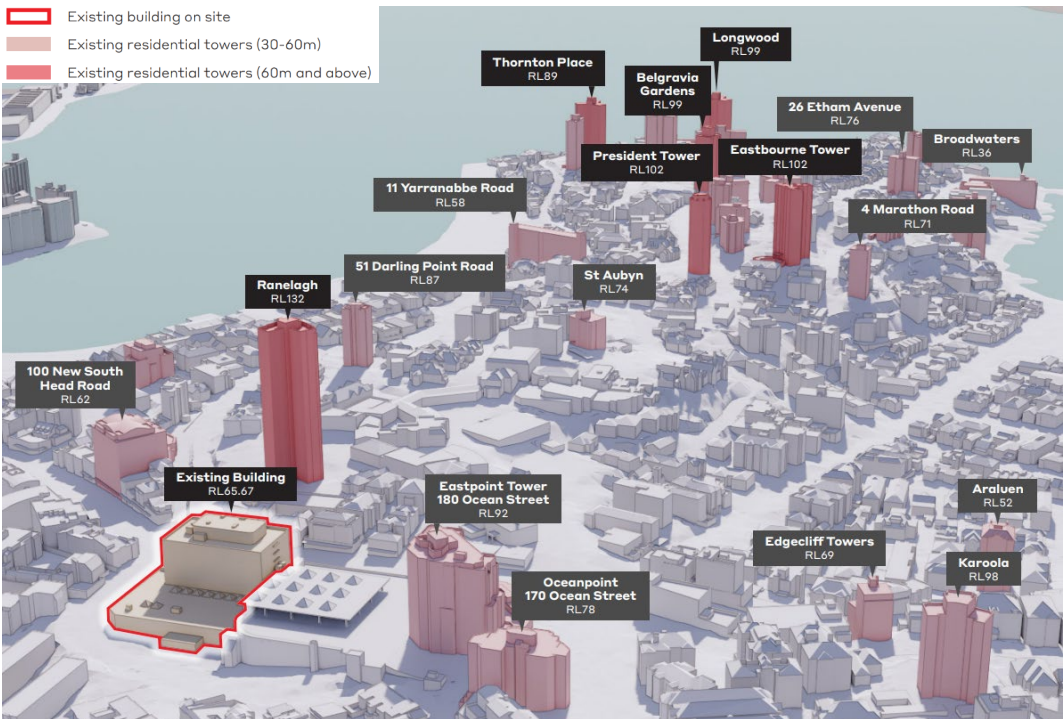


Figure 51 – Darling Point Road Ridge Built Form Typology

Source: Ethos Urban

8.3 Centres Analysis and Hierarchy

This section provides an analysis that demonstrates that:

- The building height within a centre should not be determined to be suitable based simply on the designation within the centres hierarchy. Rather, it should consider the centre's attributes, characteristics and capacity to manage density and building height in an appropriate manner.
- The height of development across Sydney is not tied to a centre's designation within the centres hierarchy prescribed under the 2016 Greater Sydney Region Plan (**GSRP**).
- Local Centres contain building heights well above identified Strategic Centres across Sydney.
- In many cases across Sydney, the designation of a centre does not accurately reflect its actual locational, infrastructure and amenity attributes that make it suitable for height and density, and instead considers wider characteristics such as industry, tourism or cultural attributes.
- Benchmarking centres across Sydney identifies a trend where additional height and density is associated with the centres capacity to manage those increases through attributes associated with infrastructure, accessibility, and amenity such as mass transit, levels of amenity, access to jobs and services, and district connectivity.
- This is irrespective of whether a centre has been deemed 'Local' or 'Strategic'. Because of this, we continue to see the growth of new Local Centres and emerging development precincts with significant height and density (in many cases greater than that proposed within the Planning Proposal) based on the respective centre's attributes.

8.3.1 Identifying and Analysing the Attributes of Centres

A centres designation within the hierarchy of a Local, Strategic or Metropolitan Centre is based on varying attributes. Those attributes are based on a wide range of characteristics of the area however importantly also reflect on the centre's role against the wider backdrop of the GSRP (reflected in **Figure 52**).

There is also recognition within the GSRP that *Improving liveability involves the creation and renewal of great places, neighbourhoods and centres. This requires place-based planning and design excellence that builds on an areas characteristics. It acknowledges the need for additional housing **close to centres**, recognising the centre's primary role to support a community's access to goods and services, and the **need for the centre to grow and evolve over time**.*



Figure 52 – Attributes of Local and Strategic Centres

Source: GSRP

When we review the above attributes against the GSRP, a centres designation as a Strategic Centre or a Local Centre doesn't necessarily reflect on the centres ability to deliver density in any particular manner. A good case study for this can be identified with the below assessment of the Manly Strategic Centre, as identified within the North District Plan.

Case Study Manly – Strategic Centre: North District Plan

The North District Plan identifies Manly's designation as a Strategic Centre and notes that:

'Manly strategic centre includes cultural, tourist, retail and entertainment activities for residents as well as local and international visitors. The variety of restaurants and small bars contribute to a vibrant night-time economy. Recreational opportunities from the coastal location and stunning beaches provide economic opportunities such as eco-tourism around North Head and Cabbage Tree Bay Aquatic Reserve.'

Manly has limited district and regional connectivity in terms of enhanced mass transit/public transport and does not currently have any significant height/density permitted. When you consider its employment generating attributes there is only a modest predicted increase in employment generation under the North District Plan and the existing base is also limited (lower than all Strategic Centres within the Eastern District and lower than Local Centres such as Edgecliff and Double Bay). However, the centre's recognition as a **Strategic Centre** is reinforced by its attributes being a local and international tourism hot spot with a vibrant night-time economy, cultural attractions and beaches promoting eco-tourism opportunities.

Comparatively, Meadowbank, which is a **Local Centre** identified within the GSRP and North District Plan was a centre identified to significantly increase height and density for increased employment and housing within the Northern District and this has come to effect as a housing hot spot in the region with greater district and regional connectivity.

Therefore, analysing appropriateness for building height, density, land use, and urban outcomes as illustrated above is nuanced and should not be undertaken via a simple, one-dimensional assessment of a centre's classification in the centre's hierarchy outlined in the GSRP but more so against the centre's attributes and capacity.

When we consider Edgecliff, it is designated as a Local Centre however on closer examination, it holds many of the key attributes of other, larger strategic centres identified in the GSRP (refer to **Figure 53**). Some of these key attributes include enhanced mass transit and public transport accessibility, high levels of district and regional connectivity, and access to a more diverse range of jobs, services, and amenity given its proximity to the Sydney CBD. There is also significant amount of latent capacity in infrastructure capacity and high-level liveability criteria that are met in the centre.

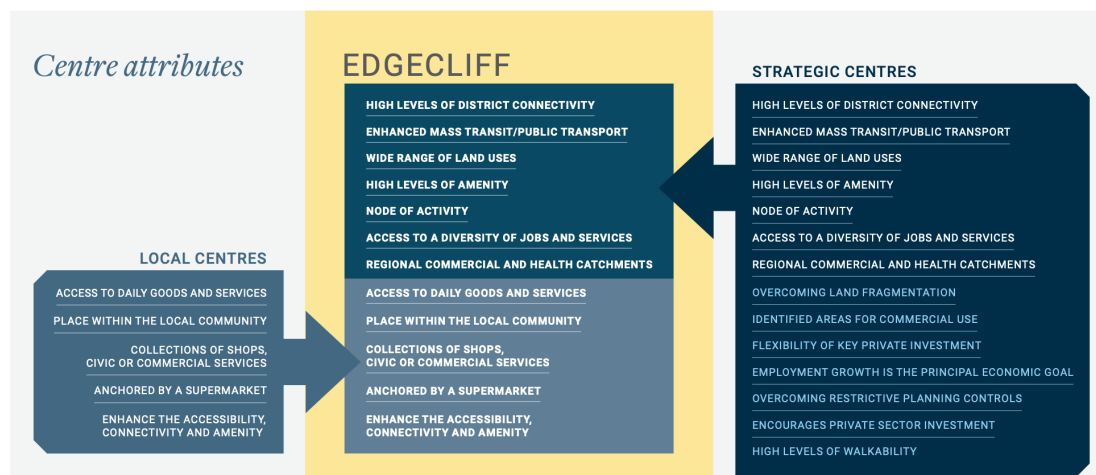


Figure 53 – Centres Attributes in Edgecliff

Source: Woollahra Council

Because of this, it was recognised by the Panel (during the previous Planning Proposal for the site) that Edgecliff as a wider corridor, shares many of the key attributes of other, larger Strategic Centres identified within the GSRP. The Panel with this sentiment, informally coined the term and the area as a 'Strocal Centre'.

When we further analysis these attributes against centres across Sydney (as below), it is apparent that a centres position on the hierarchy (i.e., whether it is designated as a Local or Strategic Centre) does not directly assess or mandate its suitability for building heights or density. Moreover, an analysis of its attributes is used to distinguish its suitability for building heights or density and therefore a wider consideration of the centre's attributes should be applied when considering the requested height of building of the Planning Proposal.

8.3.2 Identifying and Analysing the Topography Characteristics and Type of Density

Council's pre-lodgement consultation (refer to **Appendix R**) requested that the proponent demonstrate the appropriateness of the Planning Proposal's building height in context of the planning controls of Bondi Junction. In particular, they requested that attention was given to the status of Bondi Junction as a Strategic Centre with an existing height control of 60m.

The analysis of Centres Hierarchy in **Section 8.3.1** clearly analyses how a centre's designation in the centres hierarchy should not be a factor in determining the suitability of height and density. Giving weight to this, **Section 8.3.3** and **Section 8.3.4** provides many examples of Strategic Centres and Local Centres which far exceed the height controls of both Bondi Junction and this Planning Proposal. The analysis within these sections emphasises that a place-based assessment is more appropriate than simply determining the potential building height by centre hierarchy and a standardised Height of Building Control.

The flat topography and ownership patterns (comprising large, consolidated landholdings) within the Bondi Junction Centre create a more traditional street grid pattern (refer to **Figure 54**). This is reflected within the *Waverley Local Environmental Plan 2012*, which prescribes a single height of building control of 60m across the majority of the Bondi Junction Strategic Centre. However, this standardised approach is often criticised as it creates a more homogenous built form that has little to no articulation, separation and interaction with the surrounding landforms. This results in more intrusive built form that has significant bulk and scale impacts.

Comparatively, Edgecliff's topography rises from the east, (approximately RL 4m), with the highest point being near the site (approximately RL 32m) and falls to west (approximately RL 6m). Unlike the street grid pattern of Bondi Junction, the Edgecliff Corridor features a single arterial road (New South Head Road) which follows this topography. Local roads which run in a north-south direction 'splinter off' New South Head Road in a sporadic way creating a single block of developable sites. Accordingly, the ownership patterns (comprising smaller, irregular shaped landholdings) are heavily dictated by the sloping topography and minimal regularity (refer to **Figure 55**).

Therefore, Edgecliff requires careful consideration of height and densities, and not a standardised approach. It should consider the natural landform and topography, existing ownership patterns, and the road network, as well as other attributes (discussed in the sections above) such as proximity to public transport. In doing so, this would result in greater height and density applied to landholdings closer to the top ridgeline and Edgecliff Transport Interchange). This also allows for views and amenity to be maintained for the wider corridor.

This approach was appropriately considered by Council when developing the Draft ECC Strategy and by the proponent in the preparation of this Planning Proposal. Specifically, the Draft ECC Strategy notes the following:

"The distribution of the maximum HOB generally follows the natural topography. The highest HOB is concentrated around the ridgeline to emphasise the sloping topography (around the train station) and steps down with the natural landform. This allows reasonable amenity and views to be maintained across the ECC."

The above is reflected through the height of building at the site (in both the Draft ECC Strategy and this Planning Proposal), noting that the site is located at the top of the ridgeline and is directly adjacent to the Edgecliff Transport Interchange. In both instances, the proposed height of building at the site is greater than the maximum height of building in the Bondi Junction Strategic Centre.



Figure 54 – Grid Pattern and Landholdings in Bondi Junction

Source: FJC



Figure 55 – Sporadic Pattern and Landholdings in Edgecliff

Source: FJC

It is also noteworthy to consider the findings within the Visual Impact Assessment (**Appendix F**) which considers broader district views surrounding the site. It specifically notes (refer to **Figure 56**):

“The Bondi Junction centre as a skyline feature is of significant density and is horizontally very extensive, reaching from Oxford Street intersection with Old South Head Road on the east to Queens Park and Centennial Park to the West. The bulk, horizontal scale and density that it presents in many views would not share the same attributes of the Planning Proposal. The Planning Proposal would not have the presence or overbearing scale of Bondi Junction.”

This is primarily due to the place-based approach that has been considered and developed as part of the Planning Proposal as detailed above.



Figure 56 – Comparison of the Bondi Junction (left) and Edgecliff (right) Skylines

Source: RLA

8.3.3 Benchmarking Centres and their Respective Attributes

Benchmarking the attributes of various centres within Sydney, a trend begins to evolve whereby greater heights and density are often reflected around a centres capacity to manage those increases with particular attention to attributes associated with infrastructure, accessibility, and amenity such as mass transit, levels of amenity, access to jobs and services, and district connectivity. This trend demonstrates a high regard for quality place-based planning outcomes and the analysis highlights Edgecliff's suitability to be accommodate increases in line with this Planning Proposal.

Edgecliff and Rhodes for example, are not dissimilar in terms of attributes. Rhodes is identified as a **Strategic Centre** and has available heights up to 151m (48 storeys). Like Edgecliff, it is serviced by Rhodes Train Station and has open space in its vicinity, two primary supermarkets and a mix of retail and civic uses, all within walking distance which supports its suitability for tall towers.

However, other centres which are **not** classified as Strategic Centres such as Harris Park (which has heights up to 138m / 39 storeys) and newer urban renewal precincts such as the Carter Street Precinct in Parramatta (which can obtain heights up to 115m / 37 storeys), can also obtain significantly taller heights not dissimilar to Rhodes. This is because they hold similar if not better locational and transport attributes to support density and ultimately, have begun to unwind the one-dimensional notion of limiting density only to Strategic Centre's identified in the 2016 GSRP.

The most significant differences that Edgecliff has between the centres mentioned above is its proximity and accessibility into the Sydney Metropolitan CBD. Edgecliff is only 2.5km and 5 minutes away via 2 train stops. This accessibility to a diversity of jobs, services and amenity makes it highly suitable for increased density and taller allowable building heights when compared to other centres which also share similar attributes but are not as well connected. Comparatively, Strathfield, Burwood and Rhodes are all approximately 12km away via a 20-30 minute train ride to the CBD. Harris Park and the Carter Street Precinct are at the doorstep of the Parramatta CBD which aligns with their proximity to this Metropolitan Centre.

Comparatively and as mentioned previously, you have established strategic centres such as Manly, Mona Vale, East Gardens and Frenchs Forest with permitted heights between 40m and 69m (12 – 22 storeys). These heights are significant when you consider that these centres do not have any mass transit / train offering however offer other attributes which recognise their strategic nature. If these centres can achieve these heights and density without mass transit/trains, then Edgecliff, with this key attribute is compatible for greater heights and density. With the location being directly above the Edgecliff train station and adjacent to the bus interchange, the site is considered to have high levels of regional connectivity and direct accessibility to the diverse Metropolitan CBD and based on this it is suitable for the building heights being sought.

A similar comparison can be drawn for local centres such as Kellyville and Bella Vista (which have heights varying from 50m to 68m). Compared to Edgecliff, they have very low attributes and are situated in a low-density locality. Beyond the Metro, they do not have the concentration of uses and amenity like Edgecliff does. The amenity, locational and transit-orientated attributes of Edgecliff would infer its ability to support significantly more height and density than these centres, when these centres themselves can achieve 22 storeys.

8.3.4 Wider Local Centre Catchment Analysis

When we expand the analysis to the wider local centres across Sydney (and not just the Eastern District City), these contain significant height and density controls (as well as existing tower typologies) that demonstrate that height is not solely tied to a centre's designation in the hierarchy. Put simply, Sydney contains a myriad of Local Centres with heights well above recognised Strategic Centres:

- Five Dock which has permissible heights up to 79m (25 storeys).
- Granville which has permissible heights up to 99m (31 storeys).
- Strathfield which has permissible heights up to 59m (19 storeys).
- Wolli Creek which has permissible heights up to 70m (22 storeys).
- Brighton Le Sands which has permissible heights up to 51m (16 storeys).
- Rockdale which has permissible heights up to 40m (12 storeys).
- Telopea which has permissible heights up to 68m (21 storeys).
- Granville which has permissible heights up to 92m (29 storeys).
- Bella Vista which has permissible heights up to 69m (22 storeys).
- Harris Park which has permissible heights up to 138m (39 storeys).
- Carlingford which has permissible heights up to 57m (18 storeys).
- The Carter Street Precinct at Lidcombe which has permissible heights up to 115m (37 storeys).
- Lidcombe which has permissible heights up to 55m (17 storeys).

These heights are the result of planning intervention over many years and are on par and in some cases exceed permissible heights in recognised Strategic Centres such as Mascot (44m / 14 storeys), Hurstville (65m / 20 storeys), Hornsby (77m / 24 storeys), Kogarah (39m / 12 storeys), Sutherland (40m / 12 storeys), and Mona Vale (13m / 4 storeys), East Gardens (69m / 22 storeys), Campsie (27m / 8 storeys, noting that the recent Campsie Town Centre Masterplan supports heights up to 20+ storeys).

The commonality that lies across all the Local Centres mentioned is their relationship and proximity to existing transport infrastructure. **These heights sit around existing train stations and demonstrate that across Sydney, centres are more likely to be developed to a greater height and density based on their ability to support transport orientated development which is uninfluenced by their more one-dimensional and now dated centres designation.** However notably, these centres are generally considered to have lower attributes to Edgecliff overall when you benchmark the latent capacity in transport and other social infrastructure, housing affordability, access to open green space, liveability criteria and most importantly, proximity to the Metropolitan Sydney CBD.

8.3.5 Breaking Down the Comparison of a Centres Hierarchy

The proposal's height has been illustrated previously by Council Officers within feedback provided in the Pre-application Planning Meeting (incorrectly utilising the previous Planning Proposal's height of building). This preliminary assessment on building heights against heights in other centres did not consider a wide catchment of other regions and ignores the fundamental analysis illustrated above which outlines that a centre's designation should not (and has not) reflect the suitability of building heights.

Centres across the eastern district were also not accurately reflected/updated. For example, and on review of various current Local Environmental Plans (and as detailed above):

- Randwick can achieve permissible heights up to 54m (19 storeys) (rather than the 25m previously presented).
- Five Dock can achieve permissible heights up to 79m (25 storeys) (rather than the 20m previously presented).
- Frenchs Forest can achieve permissible heights up to 40m (12 storeys) (rather than the 12m previously presented).
- Rhodes can achieve permissible heights up to 151m (48 storeys) (rather than the 93m previously presented).

Importantly the analysis failed to capture other established Local Centres within the eastern district. Centres such as Wolli Creek can obtain heights well above those identified, anywhere from 46m to 70m (14 – 22 storeys). Erskineville has permissible heights of up to 55m and Arncliffe up to 70m, while Rockdale can obtain heights up to 47m (15 storeys).

The analysis should also consider actual heights that are established or emerging across the eastern district to reflect an appropriate place based response within any proposal. These matters, combined with their level of accessibility and attributes (which is elaborated previously in this section) are crucial in considering the suitability of heights (and density) on a site with its overall character. Wolli Creek is again one such example with an established cluster of residential towers up to 22 storeys (68m) while Darling Point has a myriad of existing tower typologies up to 32 storeys (circa 99m) along its peninsula.

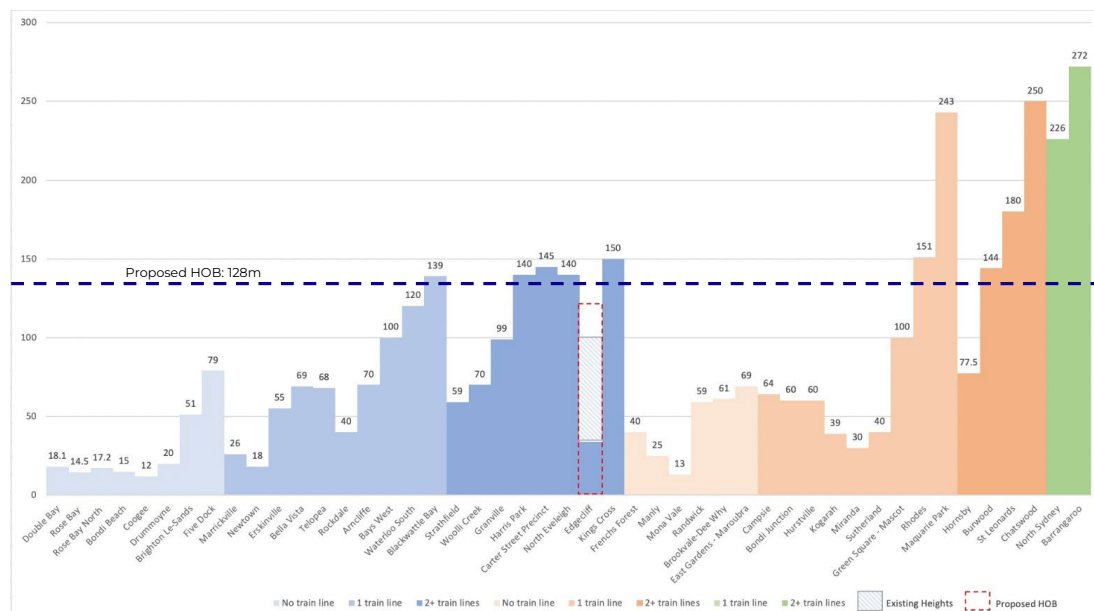


Figure 57 – Comparison of maximum height of buildings in metres with centres hierarchy

Source: Ethos Urban

On a detailed examination of **Figure 57**, it is clear that a wider analysis of centres is required against the criteria of the centre attributes which begins to explore the actual and more nuanced relationship of heights and centres across the eastern district and Sydney more broadly.

When considering the wider catchment of centres around Sydney, **Figure 57** starts to highlight that centres that are similarly characterised with attributes like Edgecliff are capable of and often do increase height and density greater than strategic centres.

These findings clearly indicate (as outlined above) that centres are not designated Local or Strategic Centres solely based on their suitability to incorporate height or density changes but a wide set of attributes in line with varying Planning Priorities identified in the Regional and District Plans. **Therefore, a Centres overall building height or a Planning Proposal recommending a certain building height should not be determined simply by benchmarking its designation in the centre hierarchy and that a centre's attributes are key consideration in determining the suitability of density.**

Based on the Planning Priorities and Principles in the GSRP and respective District Plans, further planning and thinking has started to develop a methodology to consider how centres should evolve over time. As the previous sections have illustrated, centres across Sydney have not developed systematically in accordance with their centres designation. Rather, there is recognition that land in highly accessible and amenity-rich locations should work harder, leveraging growth on these key attributes, irrespective of whether they sit within a 'traditional' Local or Strategic Centre.

This has resulted in a new dawn of self-sufficient centres and precincts that when examined, hold a range of attributes that sit across both a traditional Local and Strategic Centre originally conceived under the GSRP. That is, they provide for the immediate day-to-day needs of their residents, workers and immediate catchment through mixed retail, civic and community offerings (like a Local Centre) but also support significant employment floor space and housing more akin to a Strategic Centre – all in one.

Illustrated in **Figure 58** below, these new or evolving centres that sit within 5km of their major Metropolitan Centre which include the renewal of established precincts like Redfern/North Eveleigh (26 storeys), and precincts such as Blackwattle Bay (35 storeys), the Bays West Precinct (25 storeys) and Waterloo South (33 storeys) have begun to leverage this placed based planning approach. Similarly, the Carter Street Precinct (37 storeys) within 5km of its Metropolitan Centre (Parramatta) is another example.

The proposal is in full alignment with this emerging concept and there is no reason or constraint which would inhibit the site from continuing this planning evolution, which can leverage of the existing attributes of a highly unconstrained landholding, existing transport infrastructure and surrounding amenity, all of which sits within 3km of the Sydney CBD.

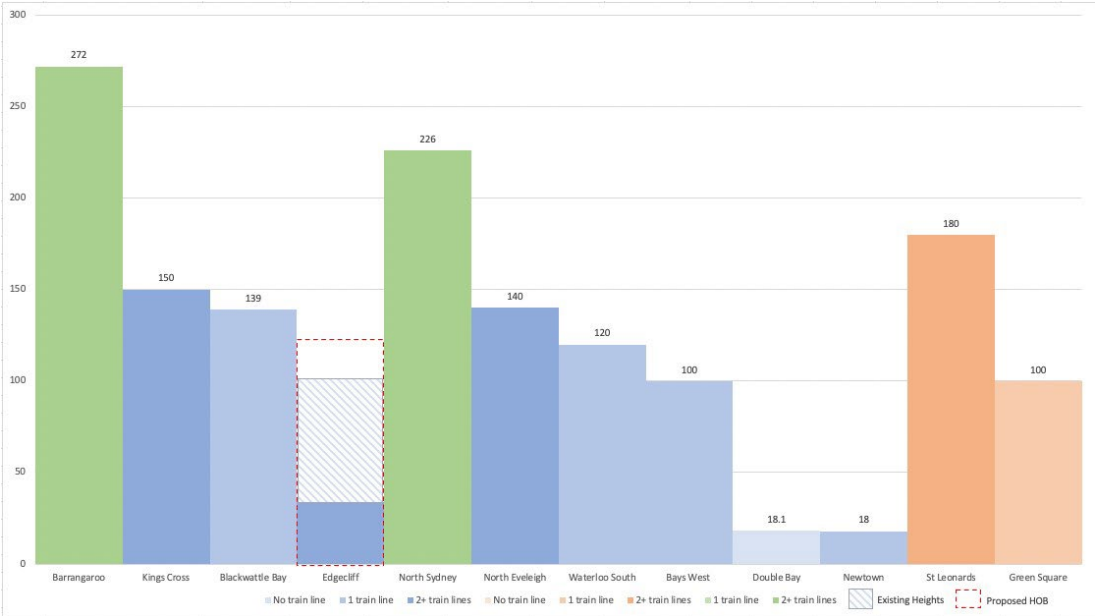


Figure 58 – New and evolving centres within 5km of their Metropolitan Centre

Source: Ethos Urban

9.0 Site Specific Merit

9.1 Feedback from the Sydney Eastern District Planning Panel

As identified in **Section 3.3**, the previous Planning Proposal for the site sought amendments to the WLEP 2014 that would facilitate a singular tower form on the site that was 45 storeys in height and had a total GFA of 44,190 sqm.

At the time the Panel had the benefit of considering the previous Planning Proposal against the Draft ECC Strategy, which shared a similar GFA with an alternative built form on the site. The Panel noted the following regarding the previous Planning Proposal submitted for the site:

- A built form height for the tower around the mid-30 storeys would be more desirable.
- Reconsider the proposals over emphasis on view sharing and the provision/extent of protecting view corridors. A shorter, less slender proposal may be suitable.
- Further consideration is needed to the transition between the built form and the lower density residential precincts towards the south.
- A revised Planning Proposal should resolve all ADG constraints identified as being an issue in the Draft ECC Strategy built form.
- If Edgecliff has the attributes of a Strategic Centre (therefore, necessitating the additional height) greater public benefits need to be demonstrated including:
 - More affordable housing mix.
 - Adequate open space.
 - Improved community facilities within the location.
- If any future proposed upgrades to the Transport Interchange should be proposed, the proponent should obtain more advanced agreement with the relevant agencies.

9.2 Draft Edgecliff Commercial Centre Strategy (Draft ECC Strategy)

The Draft ECC Strategy sets a new vision for the wider Edgecliff commercial centre and makes recommendations on (amongst other things) built form outcomes, maximum building heights and key public domain infrastructure. For the site, the Draft ECC Strategy recommended:

- A height of 86m across two residential towers between 14 and 26 storeys.
- GFA allowance of circa 44,003 sqm (which assumed amalgamation with part of the existing Road Reserve).
- A central public plaza, ground floor retail.
- Part four (along New South Head Road) and part 5 (along the residential to the south) storey commercial podium.
- Zero tower setback along the east and west boundaries.
- Ground floor central plaza fronting New South Head Road.
- 5% affordable housing of the new residential GFA.

Council welcomed feedback on the Draft ECC Strategy to identify opportunities to improve Edgecliff. The proponent in collaboration with Council has considered the planning principles and key elements which have underpinned the vision and built form outcomes for the site under the Draft ECC Strategy and have worked to ensure these are responded to (and refined) as part of this Planning Proposal.

The way in which the Planning Proposal has evolved from the Draft ECC Strategy and aligns with or enhances the principles and key elements is explained below.

9.2.1 Detailed Feedback and Design Evolution

As shown at **Figure 59**, the indicative massing at the site in the Draft ECC Strategy included two residential towers, at 14 and 26 storeys respectively, that were separated by 24m to support a public plaza at ground level.

However, the indicative massing raised several concerns during early collaboration between the proponent and Council. Notably, the indicative massing would not be capable of complying with the Apartment Design Guide (ADG) as there was no building setback provided against the adjoining neighbour to the east. The proposed tower locations also had no consideration of the existing Eastern Suburbs Railway Tunnel below the site and

would require a lift core to be located within the Sydney Train exclusion zones. Preliminary testing also found that the form would overshadow Trumper Park Oval at 10am on July 21.

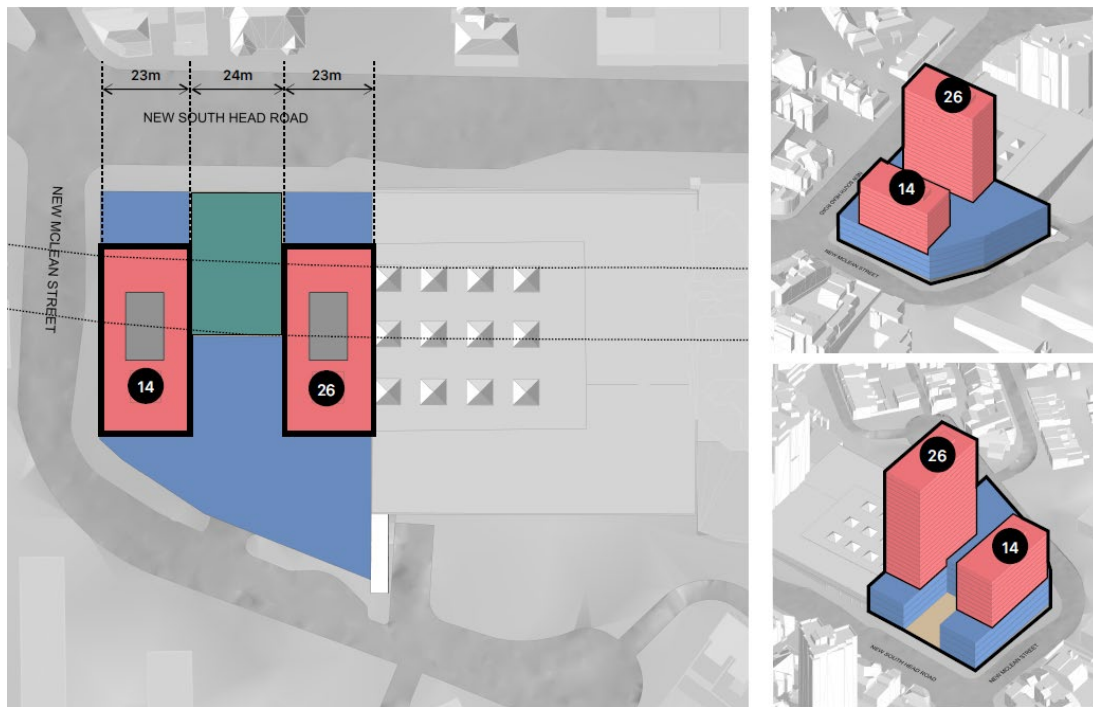


Figure 59 – Draft ECC Strategy Massing

Source: FJC

In seeking to achieve greater compliance, the tower form would need to be setback from the eastern boundary by 12m to accommodate potential future development directly adjacent to the site. This would result in a non-compliant building separation between the two tower forms on the site (shown at **Figure 60**). It would also compromise the quality of the public plaza, which was envisioned to act as the key public domain contribution within the precinct (despite its location orientated towards the vehicle dominated New South Head Road) and does not resolve the issue with the Eastern Suburbs Railway tunnel below and existing transport easements across the site.

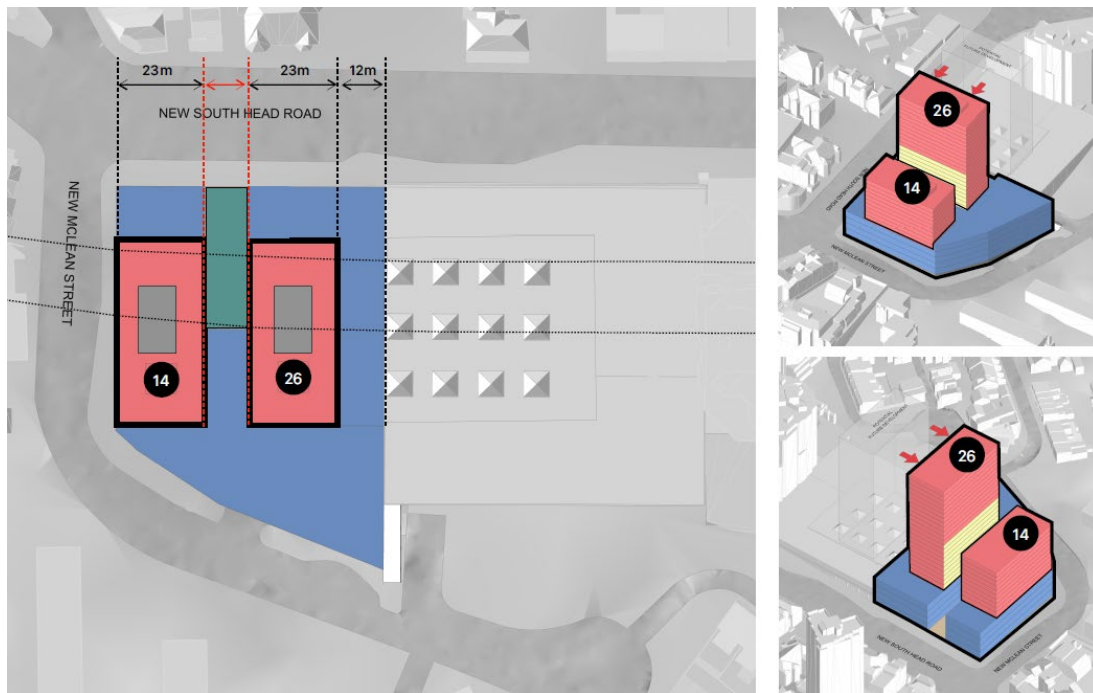


Figure 60 – Draft ECC Strategy Proposed Massing with Reduced Inter-Tower Separation

Source: FJC

Achieving compliance with both the eastern tower setback (12m) and inter-tower setback (24m) would result in the creation of inefficient and unviable floorplates unlikely capable to deliver the required GFA (refer to **Figure 61**). The floorplates envisaged under this approach would also make it more difficult to locate a core that will provide the structural requirements of this built form, requiring a significantly more complicated engineering solution.

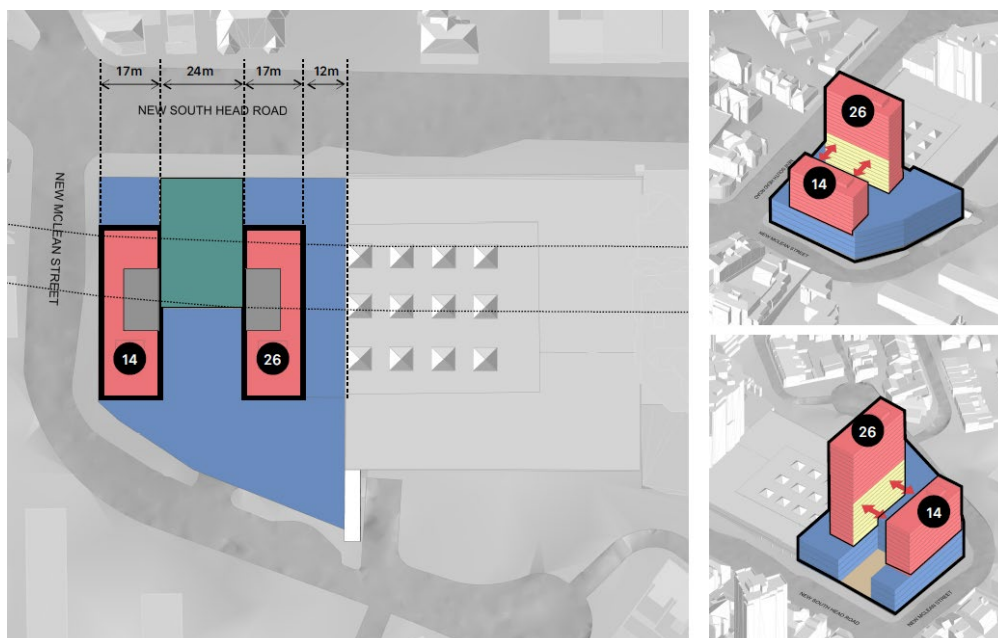


Figure 61 – Draft ECC Strategy Proposed Massing with Compliant Tower and Inter-Tower Setbacks

Source: FJC

Achieving both the setback / separation requirements and the floorplate requirements would exacerbate shadow impacts and interface with residential development to the south, and would also inhibit view sharing to the CBD for the existing residential development at 170 and 180 Ocean Avenue (refer to **Figure 62**). The floorplate in this scheme remains relatively inefficient and would still require a more complicated structural solution.

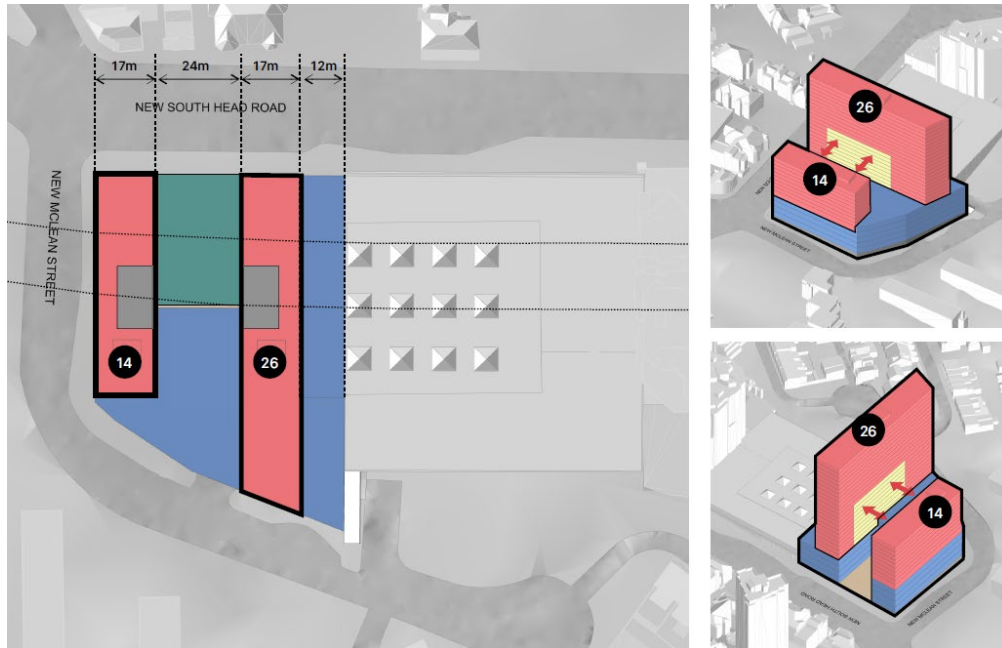


Figure 62 – Draft ECC Strategy Proposed Massing Options with Displaced Floorspace, Compliant Tower and Inter-Tower Setbacks

Source: FJC

As a result of the above considerations, the proponent explored alternative options to comply with the requirements of the ADG, minimise environmental impacts on surrounding development and achieve an optimal floorplate configuration. This has necessitated an increase in the heights envisioned by the Draft ECC Strategy (shown at **Figure 63**) however still resulted in a relatively inefficient floorplate and structural solution along with only minor improvements to environmental impacts.

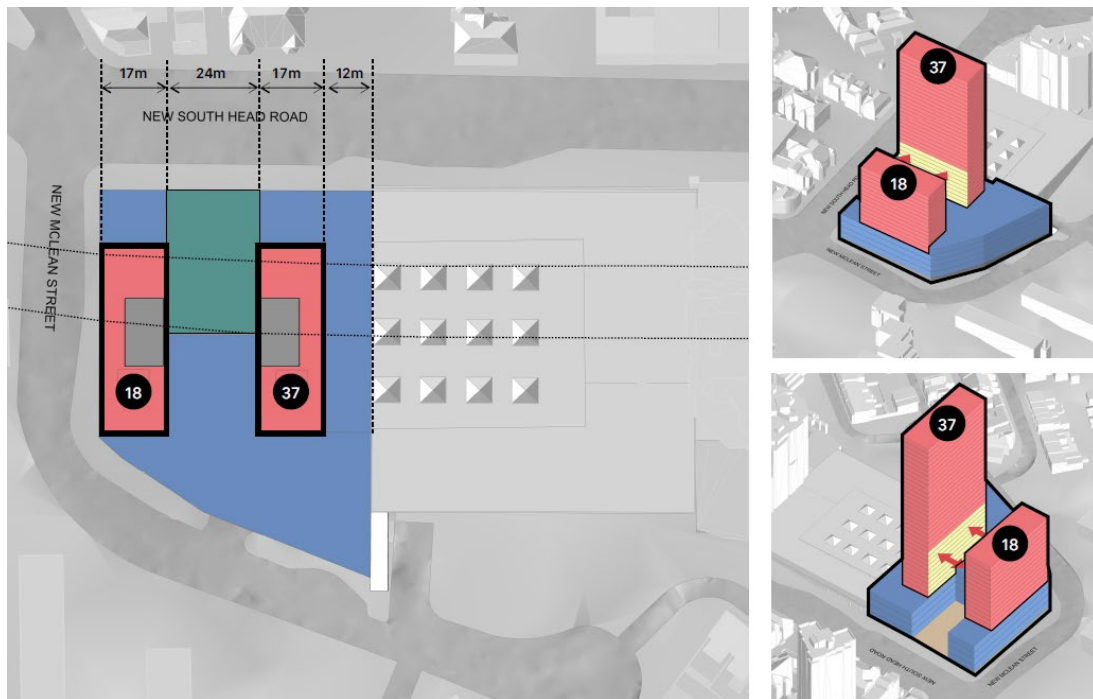


Figure 63 – Draft ECC Strategy Proposed Massing Options with Displaced Floorspace, Compliant Tower and Inter-Tower Setbacks

Source: FJC

The proponent reviewed this design evolution with Council staff who were keen to explore the positive outcomes achieved by the previous Planning Proposal, namely the creation of improved view corridors and the interaction of the commercial and residential land uses.

In conjunction with Council, the proponent explored an opportunity to enhance the wider public domain strategy considered within the Draft ECC Strategy, including the relocation of the public plaza away from the harsh New South Head Road whilst also helping to rejuvenate the New McLean Street frontage of the site and reaffirming this space for the local community and pedestrian use.

9.2.2 Land Use

The Draft ECC Strategy envisages that the existing land use zoning be retained for the site. Commercial uses would be concentrated around Edgecliff Train Station within a large podium and non-residential uses would be located above the podium within two tower forms fronting New South Head Road and New McLean Street. Residential uses would be located above other uses with sufficient setbacks.

The proposal is consistent with this land use vision because it retains the site's existing zoning. The proposed uses include a retail and community hub which are located within a more human scale and permeable podium with residential located off New McLean Street and orientated away from New South Head Road, consistent with the existing uses. The commercial use is concentrated in a more identifiable building closer to the Train Station and Bus Interchange along New South Head Road, offering a more logical approach to land use.

9.2.3 Height

The distribution of height identified in the Draft ECC Strategy seeks to create the greatest height and a focal point close to Edgecliff Station. This is reflected through a recommended height of 86m at the site and more human-scale development further beyond this.

The height of the proposal is greater than that envisioned under the Draft ECC Strategy, however importantly the built form proposed has taken into account compliance with ADG guidelines and principles, which when overlaid on the Draft ECC built form yields similar outcomes without resulting in further environmental impact (refer to **Section 9.4.1**). Notably, the proposed height of the Planning Proposal is also within the guidelines and

feedback received from the Regional Panel. Notwithstanding this, the proposal provides the opportunity to create a visually striking focal point at the gateway to the Eastern Suburbs, whilst also ensuring that amenity of the surrounding areas is maintained.

The proposed dual-tower typology is generally consistent with that shown in the Draft ECC Strategy. It will more equitably distribute height across the site and maximise ADG compliance and residential amenity (as noted above in **Section 9.2.1**) whilst also creating a more human scale podium particularly orientated along the south and create a dedicated commercial building fronting New South Head Road.

9.2.4 Floor Space

The Draft ECC Strategy envisages an FSR of 7.5:1 (equating to a GFA of approximately 44,003 sqm) for the site.

The proposal includes a GFA of circa 44,190 sqm. In essence, this comprises the GFA to be delivered under the Draft ECC Strategy, with a further 2,000-3,000 sqm of GFA to enable the delivery of a community facility on the Council-Owned Road Reserve, an opportunity that was not previously identified within the Draft ECC Strategy however has been identified and is only facilitated by the proponent with land dedication.

9.2.5 Amalgamation

Amalgamation of the Edgecliff Centre site with the Council-Owned Road Reserve fronting New McLean Street was proposed under the Draft ECC however Council have advised of their preference to retain ownership and operation of the Council-Owned Road Reserve to facilitate the Multi-Purpose Community Facility proposed within the Planning Proposal.

This approach doesn't preclude the redevelopment of the Edgecliff Centre site under the Strategy as it achieves the required objectives of sites that are developable under the Strategy. Namely, this includes achieving functional floor plates, maintaining minimum street frontages, providing suitable access and achieving street activation whilst minimising vehicle crossovers.

Council have indicated that it is their preference that this Planning Proposal considers both parcels of land identified under the Draft ECC Strategy whilst ensuring a separate ownership structure can be maintained.

In line with Council's preference, the Council-Owned Road Reserve (and the multi-purpose council facility to be provided within this space) will be owned, operated and delivered by Council while also allowing this Planning Proposal to consider a logical whole-of-block approach to redevelopment.

Furthermore, the indicative concept highlights how the Edgecliff Centre site could be delivered either simultaneously or prior to the multi-purpose community facility on the Council-Owned Road Reserve with a seamless integration at the appropriate time.

9.2.6 Design Excellence

Potential design excellence mechanisms which are raised in the draft ECC Strategy such as a design excellence LEP provision or the use of a design review panel aligns to standard practice. The Planning Proposal (and any subsequent DA) would be capable of achieving any such design excellence mechanisms.

In accordance with Council's feedback on the scoping proposal (**Appendix R**), the proponent recognises that a future planning application for the development may be subject to advice from a design advisory panel.

9.2.7 Public Amenity and Community Benefit

Given the size and location of the site, the opportunity is recognised to deliver facilities and amenity to the broader local community. At the heart of this offering is affordable housing, land dedication for a community facility and public domain and open space improvements.

This is consistent with the Draft ECC Strategy which recognises the need for affordable housing within Edgecliff and envisages the Edgecliff Centre as the site to deliver the key public domain contribution for the Draft strategy and wider corridor. Further opportunities have been identified and are proposed to be facilitated by the proponents with an opportunity to locate a Multi-Purpose Community Facility on the Council-Owned Road Reserve and (part) land dedication.

It is noted that the proponent worked with Council Officers to address the weakness of the central ground-floor public plaza first identified in the Draft ECC Strategy. It was agreed that an elevated larger publicly accessible open green space and plaza would provide a superior outcome as it would shift the space away from the harsh New South Head Road frontage, enable improved social amenity, solar access, and an opportunity for greater

urban greening. The proponent further lowered the podium height and introduced a large public stair, highly visible at the iconic corner of the site to ensure that this contribution to the public domain is easily identified and accessible.

9.2.8 Ensuring Draft ECC Strategy Implementation

The Draft ECC Strategy offers the opportunity for significant uplift and redevelopment throughout the wider Edgecliff Corridor. Notwithstanding this, it should be carefully considered when assessing Planning Proposals and Development Applications to ensure that constraints are appropriately considered and that the overarching vision for Edgecliff (such as balancing an increased provision of housing with the need to rejuvenate the area for commercial uses) can be achieved.

Most notably, the Draft ECC Strategy identifies 19 potential development sites that will be considered for uplift. Of these, 13 sites (or 70%) are required to be amalgamated to achieve uplift. This does not consider the existing ownership patterns of these sites which primarily comprises strata subdivision. In addition, the Draft ECC Strategy does not consider the heritage constraints within the area, as reflected through the selection of one (1) heritage listed site and five (5) sites adjacent to heritage items being selected for uplift. The ownership patterns and heritage constraints have the potential to impede uplift from being delivered as envisaged by the Draft ECC Strategy.

The subject site (which is identified as the key strategic site within the Draft ECC Strategy) is not constrained by any ownership patterns or heritage constraints. Notwithstanding this, it cannot be redeveloped in line with the built form envisaged by the Draft ECC Strategy. **Section 9.2.1** notes this is due to the overarching requirement to comply with the ADG separation requirements (the Draft ECC Strategy massing is inconsistent with the ADG), as well as the constraints caused by the location of the Eastern Suburbs Railway Tunnel directly under the site.

Given that the existing constraints within Edgecliff have not been fully considered in the preparation of the Draft ECC Strategy, Council should consider a place-based planning approach to ensure that the overarching vision for Edgecliff can be achieved.

9.3 Suitability of Increased Density

The proposal has been thoughtfully designed, tested, and analysed having regard to the site and the various environmental constraints surrounding the site. It was then further refined and sculpted having regard to urban design principles and contextual analysis.

The result is a height and FSR achievable within the building envelope, which is the product of urban and architectural design testing and environmental analysis. This testing established the appropriate building envelope in terms of its impacts and the site's environmental constraints (especially in relation to overshadowing and view sharing). From there, the building envelopes were further refined to be capable of accommodating a density and built form appropriate to the context.

This approach is a fundamental shift away from the setting of a generic fixed height and FSR number in isolation of site and locality-specific environmental context and impacts, which often occurs in the preparation of comprehensive LGA or town centre LEPs.

The proponent's alternate approach recognises the need for a site specific and opportunities and constraints based analysis and in particular, recognises the unconstrained nature of the site, being a large and unrestricted lot in the heart of Edgecliff above the Eastern Suburbs Railway Line, adjacent to the Edgecliff Railway Station and Edgecliff bus interchange.

The physical characteristics of the site and its location also requires consideration. The site represents a single large lot under single ownership. It does not have any significant environmental planning constraints and as mentioned above, sits adjacent/above to the Edgecliff Railway Station and Edgecliff bus interchange within the heart of the Edgecliff town centre. At the strategic level, the site has been earmarked for redevelopment within various Council policies for over ten years. As well, a number of planning priorities when read together support the investigation of the renewal of the Edgecliff Centre and the site. These focus on the integration of land use and transport through the provision of a greater amount, choice and affordability of homes in locations such as Edgecliff that have access to jobs, services and public transport.

At present, the Edgecliff Centre is a medium rise office building with active uses at the street-facing ground floor built in the 1970s. Given its attributes and opportunities mentioned, this represents an underutilisation of the site and results in poor urban design outcomes.

Accordingly, adherence to predetermined densities based on generic assumptions alone should not inhibit the development potential of a site which is latent, highly optimal and unconstrained, and can clearly deliver on the vision set out in the Region and District Plans for Edgecliff. A more optimal site or a site with the same favourable attributes may take significant time to materialise in Edgecliff (if ever given the pattern of land ownership in Edgecliff).

Further, the density proposed is intended to provide a mix of employment-generating land uses (jobs close to homes) and diverse housing options to support housing demand, the growing population of the LGA, and ageing in place. Under the LSPS, Edgecliff is identified as being important to local productivity and the site is perfectly placed and suitable to accommodate these mixed-uses with the density proposed to provide the required amenity in an otherwise constrained urban setting.

9.3.1 Consistency with the Woollahra Local Environmental Plan 2014

The proposed density is also considered appropriate having regard to the zoning, height and floor space objectives of the WLEP 2014 as identified in **Table 5** below.

Table 5 – Consistency with the Zoning, Height and Floor Space Objectives in the WLEP 2014

Clause	Comment	Consistent
Clause 2.3 – Zone Objectives and Land Use Table		
<i>To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.</i>	The proposal seeks to revitalise the site for a vibrant mixed-use development that will service the needs of the community through a combination of community uses and public spaces, the provision of retail whilst also increasing jobs and housing close to public transport.	Yes
<i>To encourage investment in local commercial development that generates employment opportunities and economic growth.</i>	The proposal will improve the quality of employment generating floorspace on the site. As a result of the proposal, there will be an expansion of commercial, retail, and community floor space that will attract investment into the heart of Edgecliff and support the retention and diversification of local employment opportunities.	Yes
<i>To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.</i>	State and local government have identified the need for an additional 157,500 homes between 2016 and 2036 for the Eastern City District (this is likely to be revised upwards given the State's housing crisis and the fact that State housing targets are being updated and revisited this year). The proposal will play a critical role in providing for a meaningful portion of this anticipated demand in the Eastern suburbs, within a highly accessible and appropriate location while reducing the need for higher densities to be placed within Woollahra's established neighbourhoods. This is important because studies undertaken on behalf of Council which are intended to inform Council's Local Housing Strategy, conclude that there is an apparent shortfall in capacity of current controls to support new high density residential housing. The proposal also looks to provide a greater amount and choice of new homes in a mixed use, transit-oriented form within a centre aligned with a train station. Combined with an improved public domain outcome and mix of uses, it will contribute to a vibrant and active centre.	Yes
<i>To encourage business, retail, community and other non-residential land uses on the ground floor of buildings.</i>	The redevelopment is centred around a people-focused ground floor and podium comprising a mix of land uses including fine grain retail, community use, and open space, which is walkable, enjoyable and of a human scale. This will create improved street activation, pedestrian permeability, and an improved interface with the existing bus interchange.	Yes
<i>To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area.</i>	The scale and type of the proposed development is intended to provide a mix of employment-generating land uses and diverse housing options to support housing demand, the growing population of the LGA, and ageing in place. This is compatible with the identified need, while also ensuring that the residential amenity of the surrounding area is not compromised (as described in Section 10.1).	Yes
<i>To ensure development is of a height and scale that achieves the desired future</i>	Part D4, Section 2.2 of the WDCP 2015 sets out the desired future character for the Edgecliff Local Centre. The proposal is consistent with the desired future character in that it:	Yes

Clause	Comment	Consistent
<i>character of the local centre.</i>	<ul style="list-style-type: none"> Includes a suite of non-residential uses (protected by a proposed minimum non-residential floor space provision) to support ongoing employment generating land uses and service provision on the site. Respond to the existing built form typology surrounding the site, to support visual quality and visual integration of the proposal within the surrounding built form context. Replace the currently inactive frontage of New McLean Street with space for a multi-purpose community facility to activate the street frontage for pedestrians. Support enhanced pedestrian permeability to and within the site through vertical connections and through site links. Increase residential and commercial capacity on a site that is adjacent to the Edgecliff Railway Station and Edgecliff Bus Interchange. <p>The larger height and scale of the proposal in comparison to surrounding development is consistent with the Draft ECC Strategy which envisaged the site as the most strategically important site within the wider corridor, thus requiring the tallest building. The proposed height and scale would also not preclude satisfying the large majority the desired future character requirements of the WDCP 2015.</p> <p>As well, Section 8.3 emphasises that a Centres overall height of building or a Planning Proposal recommending a certain height of building should not be determined simply by benchmarking its designation in the centre hierarchy. Rather, it should be benchmarked against a centres capacity in transport and other social infrastructure, housing affordability, access to open green space, liveability criteria and, proximity to the Metropolitan Sydney CBD.</p>	
<i>To encourage development that is compatible with the local centre's position in the centres hierarchy.</i>	<p>A centres designation as a Strategic Centre or a Local Centre doesn't necessarily reflect on the centres ability to deliver density in any particular manner. Rather, a centre continues to evolve based on its attributes, as well as environmental constraints and opportunities, which can cases also support the delivery of additional density.</p> <p>Edgecliff as a wider corridor, shares many of the key attributes with other centres identified within the GSRP with similar heights to the proposal, which would also support its ability to support significantly more height and density in line with the centre's position within the centres hierarchy. Further discussion is provided back in Section 8.3.</p>	Yes
<i>To ensure development provides diverse and active ground floor uses to contribute to vibrant and functional streets and public spaces.</i>	The indicative development concept is centred around a people-focused ground floor and podium comprising a mix of fine grain retail, community use, and open space, which is walkable, enjoyable and of a human scale. It will improve street activation, pedestrian permeability, and an improved interface with the existing bus interchange.	Yes
<i>To maximise public transport patronage and encourage walking and cycling.</i>	The proposal seeks to introduces residential uses on the site and expands on commercial office, community and retail uses with immediate access to rail and bus services. It will support an increased portion of people living within easy walking access to a range of jobs, services and facilities, as well as access by bus to other nearby activity centres and by train to other centres. Bicycle parking and end of trip facilities will maximise cycling to and from the site.	Yes
<i>To encourage the retention and planting of trees and other vegetation as part of development to minimise the urban heat island effect and to improve microclimates.</i>	The Arboricultural Assessment at Appendix W notes that the redevelopment will necessitate the removal of 35 of the 48 trees located on the site (being 6 on the Edgecliff Centre site and 29 on the Council-Owned Road Reserve). Notwithstanding this, the impact of tree removal will be appropriately offset through the provision of high-quality landscaping throughout the site, in the form of a landscaped gardens, communal open spaces and courtyard. The proposed landscaping concept will provide visual interest and soften the overall appearance of the built form, whilst also minimising the urban heat island effects and improving the microclimate.	Yes
Clause 4.3 – Height Objectives		
<i>(a) to establish building heights that are consistent with the desired future</i>	As detailed above, the proposal is consistent with the desired future character for the Edgecliff Centre as established by the WDCP 2015. Although the height proposed exceeds eight storeys (which is the height anticipated for	Yes

Clause	Comment	Consistent
<i>character of the neighbourhood</i>	development fronting New South Head Road), it does not preclude the proposal from satisfying the large majority the desired future character requirements of the WDCP 2015. Furthermore, the development of the Opportunity Site Study and the Draft ECC Strategy also anticipated heights greater than those of the WDCP 2015 and this reflects a more appropriate benchmark for the evolving desired future character. The assessment above demonstrates that the desired future character of the Edgecliff Centre is not centred solely around height and instead the LEP heights really reflects a similar environment to that currently in place rather than the centre's desired future character.	
<i>(b) to establish a transition in scale between zones to protect local amenity</i>	The incorporation of a human scale podium with higher density-built form above is an appropriate method to modulate density and deliver a transit orientated development. The tower components are also well setback from the street frontages to provide a transition to the surrounding heritage and residential areas. The perception of height, particularly for the south is most evident at the pedestrian level around the podium and tower setbacks. The proposal has sought to lower the podium form towards the rear with the intent of the two tower forms is to take mass away from the lower levels (which impacts a greater number of views from 170 and 180 Ocean Avenue) and reduce the extent of shadow for residential development and Trumper Park to the south.	Yes
<i>(c) to minimise the loss of solar access to existing buildings and open space</i>	The proposed dual tower forms cast a fast-moving shadow, reducing overshadowing impacts to residential development to the south. A single or shorter, bulkier height and form would increase the width of shadow cast to the south, causing residential land to the south to be shadowed for longer. Consistent with the WDCP 2015, the proposal also does not overshadow Trumper Park between 10:00am and 2:00pm in mid-winter.	Yes
<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>	The proposal is consistent with objective (d) for the reasons already set out in this report: <ul style="list-style-type: none"> • The envelopes are designed to respond to view sharing principles for residents at 170 and 180 Ocean Avenue. The podium is only two and three storeys in height to reduce the amount of bulk obscuring views at the lower levels. The overall building is then cut back and separated into two tower forms to maximum view sharing. • The proposed envelope creates a slim, fast-moving shadow which reduces the extent and duration of shadow cast on residential development to the south. Reducing the height would distribute bulk across the site and cause a wider, slower moving shadow. • The proposal incorporate setbacks and separation responsive to ADG criteria, to manage privacy concerns and visual intrusion. 	Yes
<i>€ to protect the amenity of the public domain by providing public views of the harbour and surrounding areas.</i>	The Visual Impact Assessment identifies a range of public domain locations from where the proposal is likely to be visible (including areas which have views of the Harbour). It determines that views from the public domain outside the site would not be significantly affected by the proposal, and no significant view loss will occur (refer to Appendix F). The view analysis confirms there is no discernible difference from the proposal to the Draft ECC Strategy and in many instances provides an improved outcome.	Yes
Clause 4.4 – Floor Space Objectives		
<i>(b) for buildings in Zone E1 Local Centre and Zone M1 Mixed Use—to ensure that buildings are compatible with the desired future character of the area in terms of bulk and scale</i>	As detailed above, the desired future character for the Edgecliff Centre is established by the WDCP 2015. There is no specific mention of a desired bulk and scale of development. It therefore provides less guidance in specifying what bulk and scale would satisfy the desired future character of the site. Further, the draft ECC Study is more contemporary to the WDCP and is hence more instructive in establishing the current intended desired future character for the Centre. Again, height (eight storeys) is mentioned in the WDCP 2015 desired future character statement, but bulk and scale respond to more than just height. Bulk and scale relate to the positioning, distribution, and articulation of building mass on a site, and how it is perceived from the public domain. The numerical height (and floor space) alone does not determine bulk and scale. Rather, it's how this height is translated on to a site (i.e. where and how it is positioned) which determines its bulk and sale, and ultimately, how it sits within the public domain.	Yes

Clause	Comment	Consistent
	<p>In addition, it is emphasised that future evolving character of the area is more appropriately based upon the Opportunity Site Study and the Draft ECC Strategy which also anticipated heights greater than those of the WDCP 2015.</p> <p>Given the lack of specific guidance given by the WDCP 2015 on the desired future character of the area in terms of bulk and scale, the proposal has relied on distributing mass on the site (i.e. a lower podium and setback towers) which would allow the street wall and podium to reach a height more consistent with existing heights along New South Head Road, and allow the overall building to respond to the same apartment building typology in the area (i.e. a tower element above podium setback from the street frontage). This ensures the bulk and scale of the proposal is not excessive and not dissimilar to the typology of New South Head Road, which ensures a degree of consistency in character and one responsive to the desired future character of the Centre.</p>	

9.4 Built Form and Height

9.4.1 Building Height

Broader Visual and Built Form Catchment

There is a concentration of taller buildings outside the Sydney CBD in centres and corridors aligned with major transport routes or in locations to maximise amenity and views to the Harbour. The site is located within and at the eastern boundary of a visual and built form character area that stretches from Hyde Park to Edgecliff that has a distinct presence of slender, taller building clusters (refer to **Figure 64**). These taller building clusters are aligned in two main linear corridors. The east-west corridor is aligned from the Sydney CBD along William Street and is extended to New South Head Road, and a complementary north-south spine stretching from the end of Darling Point to the Edgecliff Centre. Taller buildings in these spines are dominated by point towers dating from the 1960s to 1990s that have heights of up to 45 and 32 storeys respectively.

The proposal will offer an opportunity to complement the existing urban morphology and create a visually striking focal point at a prominent intersection within a transit oriented Centre. It will contribute positively to the broader visual and built form catchment, through solidifying Edgecliff as a gateway to the Eastern Suburbs and along New South Head Road. Importantly, it will complete the point-tower typology of the Eastern Harbour ridgeline, creating a cluster typology terminating above the transport interchange.

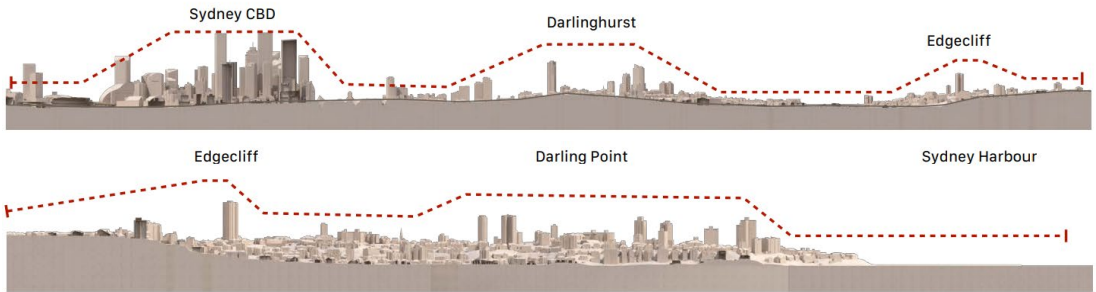


Figure 64 – Broader Visual and Built Form Catchment

Source: FJC

Tower Height

In order to achieve the vision for the site, the current maximum permitted height under the WLEP 2014 needs to be increased. The proposed maximum height of RL 156.75 has been carefully crafted to create two, slender tower forms. The two tower typology reduces the environmental impacts of the proposal and the heights chosen can more sympathetically achieve the floor space requirements within a reduced footprint. Reducing the height of the proposal would force floor space down and across the site, generally causing a suboptimal design outcome in terms of bulk and scale.

When compared to the shorter and bulkier form proposed within the Draft ECC Strategy (identified in **Section 9.2.1**), the proposal would result in significantly fewer environmental impacts. Specifically, the proposal will:

- Maximise view sharing to the Sydney CBD and Harbour for existing surrounding residential buildings, particularly at 170 and 180 Ocean Avenue.
- Ensure the taller and slimmer tower forms create a slimmer and faster moving shadow for residents to the south, reducing the extent/length of time of shadow caused by the proposal.
- Ensure no overshadowing to Trumper Park Oval between 10:00am and 2:00pm in mid-winter in accordance with the WDCP 2015 controls.
- Respond to ADG principles including but not limited to building setbacks and separation, solar access and cross ventilation.
- Realise the identified density within the draft ECC including a minimum non-residential floorspace within the proposal.

Overarchingly, the proposed maximum height of RL 156.75 and the indicative concept scheme comprising two tower forms (being 13 and 35 storeys in height) is considered suitable within the context of the site, given that:

- The site is not constrained by any environmental impacts such as flooding or heritage.
- The site is single ownership and not restricted in terms of strata title compared to majority of other large lots in Edgecliff.
- The site alone can optimise existing infrastructure, satisfy housing targets and bring additional housing, jobs and services directly above and adjacent to an existing transport hub. This aligns with the 30 minute city concept and removes the need for the LGA's existing low density character to contribute to additional densities.
- The redevelopment of the site would maximise patronage on a currently underutilised rail corridor.
- The site's immediate locality as a centre has no predefined consistent built form character and individual point tower clusters are common in the locality around the site.
- Ranelagh Tower has previously been considered 'intrusive development' within planning documents however council via the Draft ECC Strategy and its urban designer within the pre-application meeting acknowledged the opportunity to improve this built form providing contextual response to the wider corridor with a cluster approach at the Edgecliff Centre. A case study of this is the UTS Tower (previously intrusive) and Central Park development in Chippendale which is now regarded as a benchmark in urban design in Sydney.

The above qualities are highly specific to the site and could not be achieved elsewhere within Edgecliff or the wider region. It is for this reason that the height proposed as part of this Planning Proposal would not set an undesirable height precedent and is the reason why the proposal has site specific merit.

Podium Height

The existing podium heights within the surrounding area and along New South Head Road are highly fragmented (**Figure 65** and **Figure 66**). The podium height of various commercial and residential development differs between 3-6 storeys, with no clear basis for future development on the site.

However, the proposal seeks to provide a part 2 and part 3-storey podium that is commensurate with the existing and evolving surrounding forms. This has been achieved through careful analysis of factors such as height, massing, and architectural style of nearby buildings.

A key aspect to the podium is the high levels of articulation and permeability created with laneways, site-through links, urban greening, colonnades, central spaces, and public stairways. Crafting these features within a 2/3 storey form enables the podium to demonstrate an articulated and more human scale at the pedestrian level which interacts more softly with its surroundings and is more inviting for users to explore and interact through the space.

The proposed podium height will align with the parapet height of the adjacent Eastpoint Shopping Centre and the rooftop of the bus interchange along both New South Head Road and New McLean Street. The podium has also been designed to respond to the Heritage listed JOM building at 136 New South Head Road. The proposed commercial building relates to the height of the existing building at 180 Ocean Street and the heights proposed at the recently endorsed 136 New South Head Road (as per PP-2022-1646). The future streetscape is shown at **Figure 67** and **Figure 68**, noting that the massing of surrounding future development derived from the Draft ECC Strategy.

In comparison to the Draft ECC Strategy – which provides for a 5-storey podium on the site with a ground floor plaza and open space at its centre along New South Head Road, offers a harsher pedestrian and human scale transition of its podium – the proposal more sympathetically responds to existing and future scale of the surrounding context, with particular focus on the transition to the south. The proposal will deliver a lowered podium that provides retail and community uses, with an elevated open space that provides wide-ranging views

along key vistas and which will be publicly accessible for members of the community beyond those living within the development.

The podium will provide an interactive and publicly accessible interface with the street. It is consistent with the existing built context and character of this part of New South Head Road which is a mixed-use corridor ranging from medium to high density development comprising of a mix of residential and commercial uses.

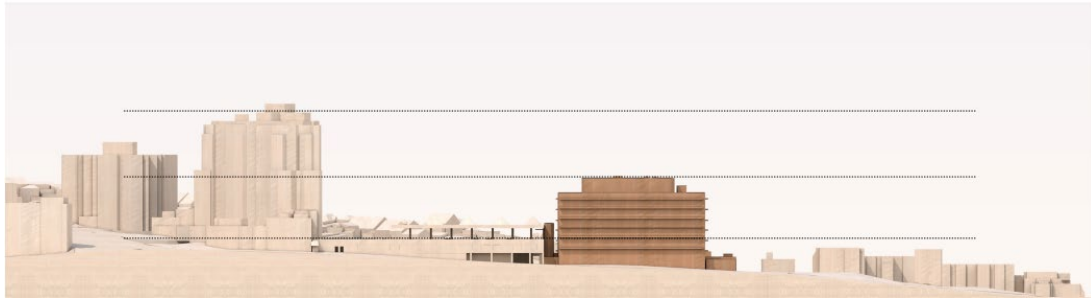


Figure 65 – Existing Streetscape along New South Head Road

Source: FJC

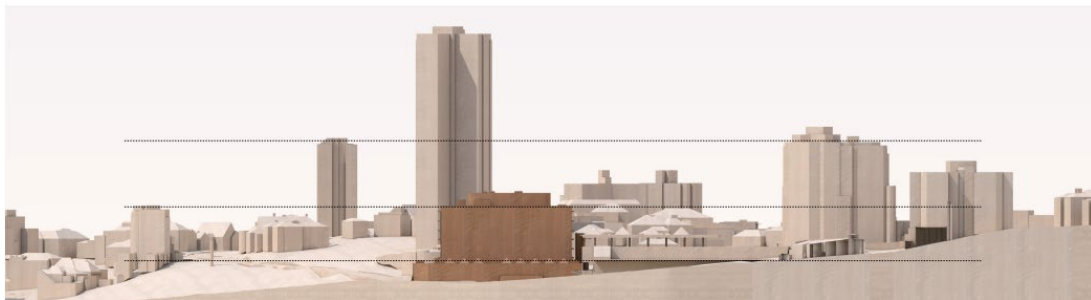


Figure 66 – Existing Streetscape along New McLean Street (South)

Source: FJC

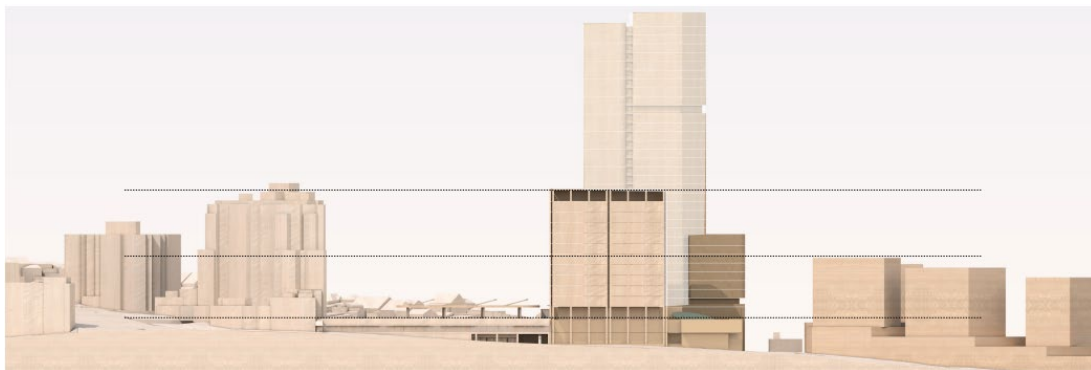


Figure 67 – Proposed streetscape along New South Head Road

Source: FJC

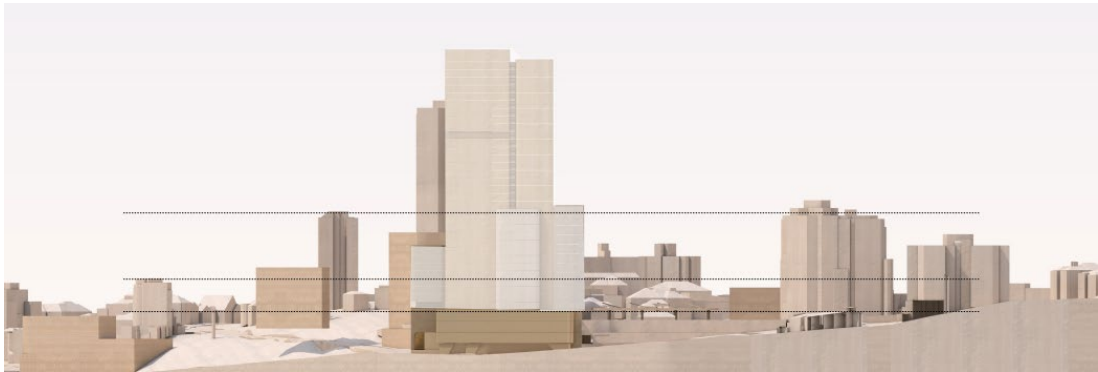


Figure 68 – Proposed streetscape along New McLean Street (South)
Source: FJC

9.4.2 Massing and Distribution of Built Form

The proposed massing and distribution of built form is the product of urban and architectural design testing and environmental analysis. This testing established the appropriate maximum building envelope in terms of its impacts and the site’s environmental constraints (especially in relation to overshadowing, amenity and view sharing). From there, the building envelope was further refined to be capable of accommodating a higher density built form appropriate to the context.

The principles that have informed the massing and distribution of form are described in **Table 6** below.

Table 6 – Massing and Distribution of Form Principles

Principal	
<p>Podium Height</p> <p>The site footprint has been extruded to provide a podium height that is commensurate with the adjacent development, in particular the Eastpoint Shopping Centre and rooftop of the bus interchange.</p> <p>This form also facilitates an improved transition towards the residential development south of the site and provides for a more human scale built form.</p>	
<p>Height of Adjacent Buildings</p> <p>The tower footprint has been extruded to generally align with the height of the Ranelagh Tower, whilst also acting as a focal point within Edgecliff, which resonates with creating a cluster of towers.</p>	

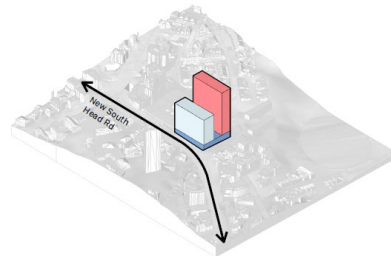
Principal

Tower Development and Rail Corridor

Building separation has been introduced between the east and west tower forms, with the form fronting New South Head Road lowered to closely align with the adjacent residential developments along Ocean Street and New South Head Road.

The introduction of this separation provides view sharing opportunities (for other towers in the locality) and creates an opportunity for a standalone commercial building (for employment) addressing New South Head Road.

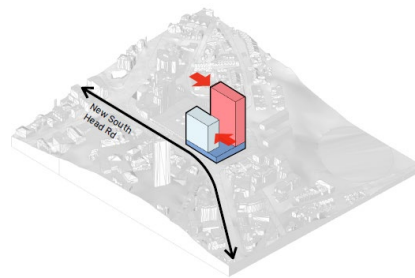
The bulk of the envelope has been designed to consider the structural integrity of the building in relation to the rail tunnel and exclusion zones.



Building Separation

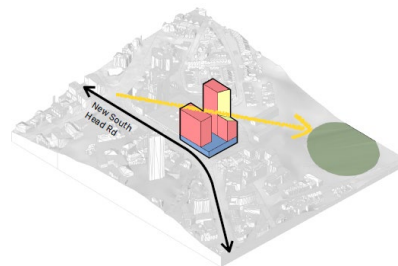
A 12m ADG setback is provided to the rear tower, to enable its use for residential development.

A further setback at the prominent corner of the site is provided to respond to surrounding heritage and assist with visual relief for the gateway entering the Eastern Suburbs and to allow for significant urban green space to be introduced to the podium level.



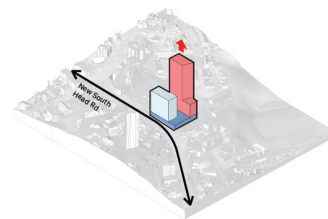
Solar Controls

The tower form is further sculpted to ensure that there is no additional overshadowing to Trumper Oval between 10:00am and 2:00pm in mid-winter, as per the controls within the WDCP 2015.



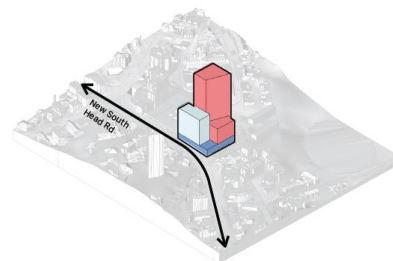
Residential Form Refinement

The residential tower form is refined to accommodate the identified density (floorspace) as part of the Draft ECC which was displaced when applying the appropriate setbacks and building separation.



Final Envelope

The final envelope is crafted to facilitate the appropriate levels of design articulation as part of any design development as requested by Council staff within the Pre-Planning Proposal Scoping Report. It is proposed that the relevant planning principles (such as view corridors and building separation) are identified within a site specific DCP or alike.



Setback and Building Separation

The proposed setbacks and building separation are shown at **Figure 69**. The proposal will incorporate an 18m building separation between the residential and commercial buildings, which will minimise the impact of noise, light, and privacy issues for residents.

There is also a 12m setback between the residential tower and the adjoining building to the east. This setback responds to the recommended ADG performance criteria and has been designed to enhance residential amenity and to ensure that the neighbouring lot is not sterilised. A further 26m setback from New McLean Street footpath towards the south is afforded, complemented by a human scale podium to ensure an appropriate transition towards the residential zones.

In addition, the multi-purpose community facility (provided partly on land dedicated by the proponent and on the Council-Owned Road Reserve) will incorporate a nil setback. This is considered appropriate on the basis that the proposed built form will align with the setback pattern at surrounding sites.

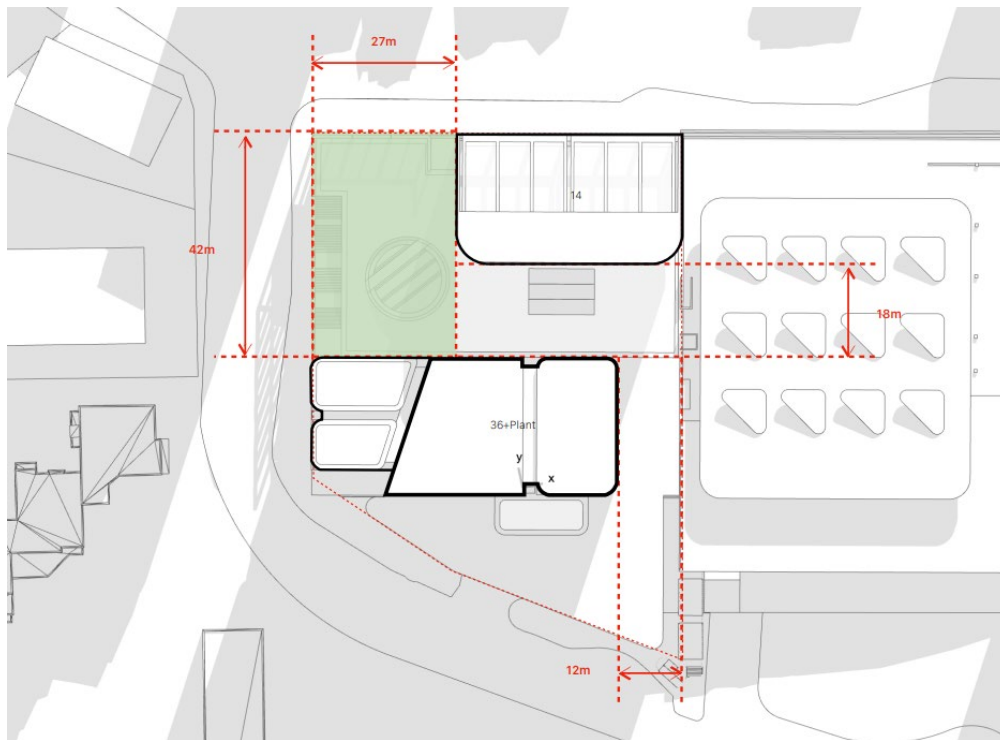


Figure 69 – Proposed Setbacks and Separation

Source: FJC

Tower Positioning

The positioning of the two tower forms on the site has been selected to maximise the functionality and use of space on the site, whilst also minimising any impact on the below rail corridor, allowing greater view sharing and complying with the WDCP overshadowing controls towards Trumper Park Oval.

Specifically, consideration has been given to ensure that the towers are safe and structurally sound, designed to accommodate building cores that navigate the tunnel/platform below. The design will not interfere with existing rail infrastructure and will enable future maintenance or upgrades of the train line to occur. The tower positioning in relation to the rail corridor is shown in **Figure 70** below.

The location of each land use and built form also offers logical placement of the land uses with commercial and retail primarily fronting New South Head Road, whilst residential uses address New McLean Street which compliments the existing residential uses present.

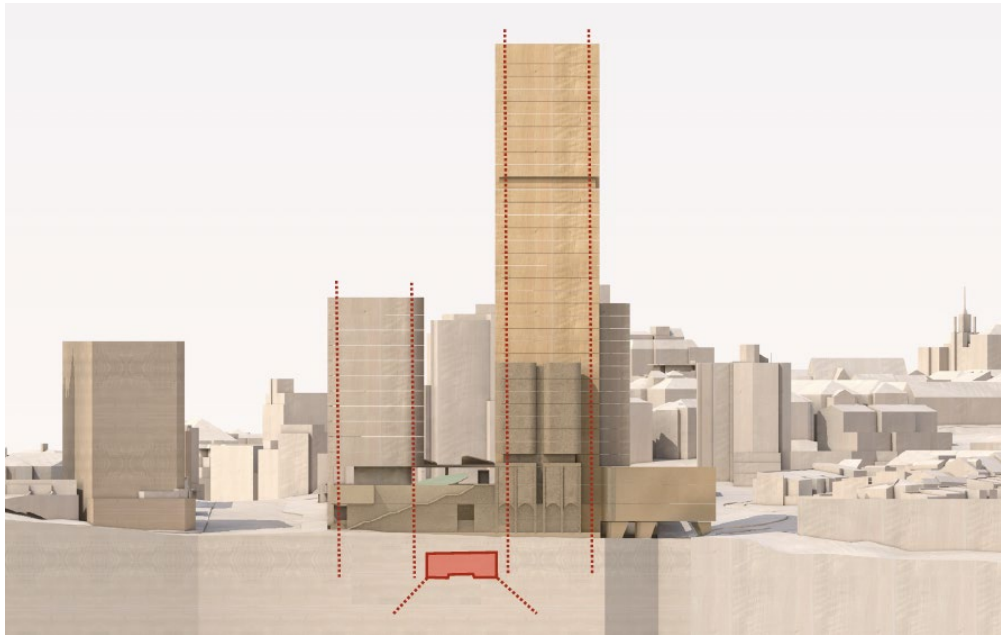


Figure 70 – Tower Positioning with Consideration of the below Rail Corridor (shown in red)

Source: FJC

Scale Transition to the South

The proposal will achieve a positive interface to the south, through the provision of significant setbacks of the residential component from the street frontage and a carefully designed building massing particularly around the podium which positions the bulk of floor space to towards New South Head Road in the north.

The most effective change is the proposed podium along New Mclean Street which is only 3 stories when compared to the 5 proposed within the Draft ECC Strategy. This design more appropriately transitions the residential podium and tower form some 26m away from the footpath, affording a human scale to the built form along the South. When compared to the massing proposed as part of the Draft ECC Strategy, the scale of the proposal will appropriately transition to the south to minimise overshadowing and visual impacts.

As well, the proposal also seeks to provide a community facility along the New Mclean Street frontage by providing dedicated land for this to occur. This will activate the streetscape and encourage connections between residential development in the south and the wider Edgecliff Centre (including the transport interchange) via the site.

From a heritage perspective (**Appendix H**), the proposed height, although visible from surrounding heritage items (i.e. Rushcutters Bay Park) and adjacent heritage conservation areas (i.e. Paddington and Woollahra to the south), would not present an adverse impact to any views and vistas to and from the heritage items or heritage conservation areas, particularly considering that the key significance of these listings generally relates to the internal character and street-level experience of the heritage conservation areas within their specific boundaries.

9.4.3 Gross Floor Area Analysis

Table 7 compares the floor space that can be delivered as part of the proposal and the Draft ECC Strategy massing. It demonstrates that the only major difference between the GFA of the proposal and that of the Draft ECC Strategy is the newly considered multi-purpose community facility, for which an allowance has been made in this Planning Proposal. Whilst a multi-purpose community facility was considered in Council's 2019 Community Facilities Study for the wider Western Catchment of the LGA, the composition, scale or location was not considered. The 2021 Draft ECC Strategy did not consider a multi-purpose community facility on this site however the proponent identified through its engagement with Council an opportunity to dedicate a portion of land to enable the development of the Council-Owned Road Reserve into a multi-purpose community facility. This additional floor space therefore will facilitate a three-storey multipurpose community facility only, as opposed to any other marketable or commercial uses.

The proposed community facility will be adaptable and is capable of being designed and integrated into the broader area, thereby satisfying the following recommendations of the Woollahra Community Facilities Study 2019:

- Provide a new integrated multipurpose facility in the Western Catchment.
- Provide more flexible, adaptable spaces within local facilities throughout the network.
- Provide more cultural and creative spaces across the LGA.

The public benefits associated with the additional land provided for a community facility are distinctive to the site (given the proximity to key transport services, employment opportunities, amenities and open space, and the absence of any significant natural environmental or ownership constraints) and represents a significant investment which cannot be delivered without support of the Planning Proposal, and on another site.

As such, the proposed additional GFA beyond the draft ECC Study associated with this Planning Proposal is acceptable. The Planning Proposal represents a quantum of GFA not dissimilar to the Draft ECC Strategy and anything additional is being allocated to purely future community uses that was not previously considered within the Draft ECC study and will utilise the currently under underutilised Council-Owned Road Reserve.

Table 7 – Gross Floor Area Comparison between the Proposal and the Draft ECC Strategy Massing

Component	Proposal	Draft ECC Strategy Massing
Site Area	Edgecliff Centre Site: 4,910 sqm Council Road Reserve: 957 sqm Total: 5,867 sqm	5,867 sqm
FSR	Edgecliff Centre Site: 9:1 Council Road Reserve: 3:1	7.5:1
Total GFA	Edgecliff Centre Site: 44,190 sqm Council Road Reserve: 2,871 sqm	44,003 sqm (<i>> 90% of Built Form is proposed to be delivered on the Edgecliff Centre Site</i>)
GFA Breakdown	Non-Residential: 14,730 sqm Residential: 29,460 sqm Community: 2,800 sqm	Non-Residential: 14,730 sqm Residential: 29,460 sqm Community: 0 sqm

9.4.4 Residential Amenity

Early testing indicates that the indicative development concept will comply with or surpass the recommended performance criteria of the ADG:

- Achieves two hours of solar access to living rooms and private open spaces to more than 70% of apartments between 9am and 3pm mid-winter.
- No more than 15% of apartments achieve no solar access between 9am and 3pm mid-winter.
- Achieves natural cross ventilation to more than 60% of apartments.

The indicative development concept has been tested capable of including:

- A large quantity of dual aspect apartments.
- A façade design that maximises the provision of windows.
- Sufficient deep soil across the site.
- Adequate ceiling heights in accordance with ADG recommendations.
- Adequate apartment depths in accordance with ADG recommendations.

Detailed studies pertaining to solar access and cross ventilation will be provided at the detailed DA phase to demonstrate consistency with the Apartment Design Guide and *State Environmental Planning Policy (Housing) 2021*. Nevertheless, an assessment of the design objectives and design criteria of the ADG has been carried out based on the indicative concept which confirms that the proposal is capable of fully responding the ADG recommended performance criterion. An ADG schedule is provided in **Appendix C**.

9.4.5 Assessment against the Previous Proposal

As identified in **Section 3.3.1**, the previous Planning Proposal for the site sought amendments to the WLEP 2014 that would facilitate a singular tower form on the site that was 45 storeys in height and had a total GFA of 44,190m².

When compared to the previous Planning Proposal, the current Planning Proposal scheme will:

- Re-orientate the built forms to create two tower forms, in term lowering the maximum height of building while still minimising the bulk of the development.
- Provide a dedicated tower for commercial office uses and another for residential uses.
- Lower the podium so that it is consistent with the street wall height of surrounding developments.
- Support the provision of a community facilities on the Edgecliff Centre site and Council-Owned Road Reserve.
- Provide a public stairway at the iconic north west corner which will lead to a publicly accessible Village Green accommodating 3,000 sqm of publicly accessible community infrastructure incorporating a central public plaza, open green spaces and much more .
- Not seek any upgrades to the existing Transport Interchange beyond improved connection points, which is responsive to feedback received from TfNSW.

This would result in the following:

- Improved public interface to New McLean Street and adjacent heritage conservation areas.
- Minimise overshadowing to Trumper Park and residential development to the south.
- Providing appropriate view sharing corridors to the Sydney Harbour and Sydney CBD.
- Additional opportunities to provide publicly accessible open space within the site with amenity and vistas.
- Providing an activated public use along McLean Street.

9.5 Non-Residential Floorspace

The proposal seeks to maintain the non-residential floor space that is currently on-site with a minimum overall non-residential floorspace ratio of at least 20% of total GFA being proposed. This is consistent with the recent Council endorsed planning proposal (PP-2022-1646) also located within the identified local commercial core of the Draft ECC Strategy. This results in an increase in the overall number of workers of the existing base case and opportunity of overall employment generating GFA whilst maintaining flexibility to deliver the needs of the local community.

The GSRP and District Plans establish the primary roles and functions of Local Centres and Strategic Centres within the centre's hierarchy. A Local Centre focus is to have the amenity to provide for the immediate and day-to-day needs of residents, while comparatively, a Strategic Centre's role is to amongst other items, have employment growth as a principal economic goal and have identified areas for commercial zones. As outlined in **Section 8.3** of this report whilst a centre's designation should not be used to determine its suitability for height and density, the purpose is to determine the suitable uses and functions the centre should seek to deliver for the local and wider community.

Whilst balancing the overall mix within a development to ensure long term uses are commensurate to the vision of the overall precinct, it is important to consider market trends in determining demand for uses and subsequent project feasibility and viability. Current market sentiment within the commercial and retail markets are at records lows, with significant headwinds including high vacancy rates coupled with stagnant rental growth and high levels of incentives. When considering the mix of a mixed-use development such as the proposal it is imperative to ensure that there are no long term inhibits to prevent the viability of a project from proceeding in a timely manner which could have other unintended consequences such as impacting the supply of other uses such as community uses or housing (which is further explored in the section below). The requirements to deliver any larger proportion of non-residential floor space will require substantial tenant pre-commitments in a market (namely Edgecliff) which is not known as a key commercial zone and during a market period where there are major constraints preventing transactions of that nature from occurring and subsequently risking the overall ability for the proposal to proceed in its entirety.

Considering the factors above (and below in **Section 9.6**) the proposal's quantity of non-residential floorspace is suitable and a meaningful contribution to providing jobs close to homes.

9.6 Housing Crisis

As stated within the National Housing Accord, the Federal Government has identified that 320,000 additional homes will need to be completed and delivered over five years from 2024 in order to meet the demand for the current population projections. This means that 64,000 dwellings need to be completed each year over five years from 2024. The Woollahra Local Housing Strategy 2021 also established a housing target of 1,200 new dwellings within the region between 2021 and 2036 (this equates to 500 new dwellings between 2021 and 2026).

However, NSW Government data from the Greater Sydney Urban Development Program identifies that dwelling completions and approvals are significantly below this target and have decreased over the last five years. During the 12 months leading up to September 2022, Greater Sydney delivered:

- 23,350 new completions, which was 32.5% below the previous 5 years' average and approximately 34% below the target established in the GSRP.
- 35,597 approvals (almost half of which were for low density housing), which was 15.8% below the previous 5 year's average.

The NSW Government has indicated that revised housing targets are expected to be released which seek to rebalance the distribution of housing targets closer to transport infrastructure and the city centre, including within the north shore and eastern suburbs. When the current population decline of the Woollahra LGA along with the latent capacity of transport infrastructure within Edgecliff and all other key social infrastructure capacities are overlayed, it should be considered that Edgecliff and more specifically strategic sites within Edgecliff such as the Edgecliff Centre are appropriately considered to have suitable controls to deliver increased housing targets. The only alternative will be to deliver the housing further within the peninsula in smaller village centres such as Double Bay, Rose Bay, Bellevue Hill and Vaucluse.

Not only has the slowdown on housing delivery had detrimental impacts on supply, but it also increases the pressure on affordability. While the stunt in the population growth resulting from the short-term impacts of COVID-19 have somewhat lessened the impacts of housing supply and affordability, this is set to change as the federal government has increased the forecasted number of migrants settling in Australia by an additional 186,000 in 3 years. In 5 years, there will be 900,000 new migrants living in Australia. As such, the current housing crisis will only get worse following the increase in migration intake, as well as returning international students. The slowing supply of housing, together with the increasing household formation is expected to lead to shortfall of around -106,300 dwellings (cumulative) over the 5 years to 2027.

Overall, the severe housing supply shortage and lack of delivery and approvals has resulted in a severe housing affordability crisis in NSW. The chronic housing affordability pressures are evidenced through the Demographic International Housing Affordability 2022 Edition, which ranks Sydney as the second least affordable major capital city among a total of 92 surveyed. This was found to be due to house prices, cost of a deposit, loan serviceability, rental affordability, and the demand for social and affordable housing. Over the past year, advertised rental prices across Sydney have risen by more than 33% (SQM Research). With rental vacancy rates sitting at a record low of 1%, the rental prices are not likely to resolve any time soon as demand outweighs availability.

To assist in alleviating and reducing the pressure of the current housing affordability and supply crisis, the proposal seeks to deliver circa 275 apartments on a highly accessible and unconstrained site, close to existing jobs, services, open space and transport services. This alone will deliver over half the new dwellings required to meet Woollahra's housing target of 500 new dwellings between 2021 and 2026. It will also ensure that the existing predominately low density residential and heritage character areas are protected from intensification or overdevelopment. To further improve housing affordability and reduce the vacancy chain, 5% of the increased residential GFA will be dedicated for affordable housing. The final delivery methodology is subject to negotiation with Council to either be paid via a contribution or alternatively delivered and managed for a minimum of 15 years.

9.7 Public Benefit

The indicative development concept includes a myriad of benefits related to transport connectivity, public domain and walkability connections, encouraging community connections and well-being, as well as responding to housing and demographic needs in the Woollahra LGA. The contributions associated with the Planning Proposal include:

- Delivery for 15 years or monetary contribution of 5% of the new residential GFA as affordable housing.
- Delivery of the Village Green comprising 3,000 sqm of community infrastructure through a combination of a central public plaza, open green spaces and diverse seating areas which accommodate diverse public gathering and meeting spaces, public art and spaces for recreation. This can include for example ping pong

tables, pop-up cinema and interactive water fountains. The Village Green will be accessible via a grand public staircase located on the north-west corner of the site providing a highly visible and inviting access with views and vistas of the Sydney CBD and Harbour.

- Delivery of approximately 675 sqm community facilities (internal and external community space) adjacent to the proposed public plaza and open green space. The facility will also provide a key connection to the integrated multi-purpose community facility proposed on part dedicated land and council road reserve.
- Contribution of funding towards local community infrastructure in the form of a multi-purpose community facility with urban greening rooftop fronting New McLean Street.
- Land dedication critical to unlock the Council-Owned Road Reserve for the purposed delivery of the above-mentioned multi-purpose community facility.
- Delivery of a forecourt of approximately 470 sqm at the south-west corner of New McLean Street adjacent to the proposed site through links, community facility and residential address with visual connectivity to the Trumper Park pathway.
- Public domain improvements including through activating the streetscape with retail uses, inclusion of landscaping features throughout the site.
- Introduction of a network of pedestrian laneways, through site links, colonnades and central plazas interconnecting the surrounding area (such as Trumper Park pathway and New McLean Street) with the Transport Interchange via the site.
- A grand public staircase fronting the highly visible and iconic corner of the site fusing the site through links, laneways, colonnades, public open green space, piazza, community facilities and ground forecourt to each other to create a permeable public focused town centre.
- Provide activated and landscaped frontages to New McLean and New South Head Road within an integrated civic ground floor retail precinct.
- Develop a new mixed-use community that establishes a true focal point of activity for the centre of Edgecliff.
- Contribute to a residential population that can stimulate business and retail activation in the centre of Edgecliff and provide a mix of uses which will increase opportunities for residents to work locally and use local retail and leisure facilities.

9.8 Social and Economic Benefits

The Planning Proposal would have the following social and economic benefits:

- The proposal will have a construction cost of circa \$488 million, with total economic activity associated with construction estimated at 1.5 billion. This includes:
 - \$596 million of economic activity in production induced multiplier effects.
 - \$381 million in consumption induced effects.
 - 1,160 jobs directly in design and construction.
- An additional 3,142 jobs through production induced and consumption induced multiplier impacts.
- The proposal when or close to full occupation will generate an estimated 785 jobs. This is a net increase of 364 over the current operation. This will include:
 - 478 full and part time retail jobs.
 - 478 predominantly full-time jobs associated with the office floor space.
 - 56 predominantly full-time jobs associated with the community uses.
- The creation of new and modernised employment space closer to and more accessible to home.
- The replacement of an existing, tired centre and commercial development and the creation of a transit orientated development with high-density employment and residential at a major transport node, thereby supporting urban consolidation, active transport use, improved accessibility to transport and reduced car dependency.
- Greater activation of the Edgecliff town centre and an improved identity to the town centre.
- Creating housing diversity and supply for an area that has limited housing diversity and new stock opportunity. The diversity of housing will support older people to age in place in the Eastern Suburbs, and adaptable housing options for people with disability.
- Provision of additional housing supply to cater to smaller household sizes including working aged population, singles, young families and downsizers.

- Improved visual amenity for Edgecliff through the renewal of an outdated and dysfunctional centre and transport interchange. This provides an opportunity for an increased sense of community identity for the centre of Edgecliff.
- Easily accessible public open space with publicly accessible vistas which might not be otherwise available in the LGA due to terrain and position of the site on the ridgeline.
- The site once developed will contribute \$77.2 million to regional domestic product. This is an \$32.2 million net increase from current operation.
- The net increase in retail expenditure to the Edgecliff area from the additional residents and employees is estimated to be equivalent to approximately \$6.5 million per year.

The Planning Proposal is supported by a Social Impact Assessment prepared by Cred Consulting (**Appendix D**) and an Economic Impact Assessment prepared by HillPDA (**Appendix E**).

10.0 Further Assessment

DPE's Guide to preparing Planning Proposal incorporates a series of questions to consider when demonstrating or justifying the site-specific and strategic merit of a proposal. These questions are as follows:

- *Is the Planning Proposal a result of an endorsed LSPS, strategic study or report?*
- *Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?*
- *Will the Planning Proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?*
- *Is the Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?*
- *Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?*
- *Is the Planning Proposal consistent with applicable SEPPs?*
- *Is the Planning Proposal consistent with applicable Ministerial Directions (section 9.1 Directions)?*
- *Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected because of the proposal?*
- *Are there any other likely environmental effects of the Planning Proposal and how are they proposed to be managed?*
- *Has the Planning Proposal adequately addressed any social and economic effects?*
- *Is there adequate public infrastructure for the Planning Proposal?*
- *What are the views of state and federal public authorities and government agencies consulted in order to inform the Gateway determination?*

A detailed response to each of these questions has been provided at **Appendix B**. In short, the responses demonstrate that the site has strategic and site-specific merit, and that the Planning Proposal is justified. A further assessment of key environmental matters is provided below.

10.1 Visual Impact

Richard Lamb and Associates (**RLA**) has prepared a Visual Impact Assessment (**VIA**) at **Appendix F** to determine the visual impact of the proposal from the public domain and in relation to view sharing with adjoining residential development. The VIA considers:

- The principles of *Tenacity Consulting v Warringah Council (Tenacity)* in relation to impacts on view sharing with private properties.
- The principles of *Rose Bay Marina Pty Limited v Woollahra Municipal Council (Rose Bay Marina)* in relation to visual impacts on views from the public domain.
- Key viewpoints identified in Part D of the WDCP 2015.

The conclusion reached by RLA is that the overall level of visual impact varies from low to moderate and is acceptable on balance.

Importantly, the assessment benchmarks the Planning Proposal against the Draft ECC Strategy which notes that, in respect to private domain views, the proposal offers superior outcomes and that, in respect to in public domain views notes that there is no discernible impact between the Planning proposal and the Draft ECC Strategy massing.

10.1.1 Private Domain Views

Potential impacts caused by the proposal on view sharing on surrounding residential receivers was assessed at the strategic level. Given the location of the site and the location of scenic views to the west and north, the main buildings to consider are those east of the site, particularly the Eastpoint Tower (180 Ocean Avenue) to the east and the Oceanpoint Tower (170 Ocean Avenue) to the south-east. The Ranelagh Tower (3 Darling Point Road) was also considered.

RLA has also undertaken an analysis of the effects on private domain views under two different scenarios, being:

- The massing proposed for the site by Woollahra Council in their Draft ECC Strategy.
- The 2-3 storey podium and 13 and 35 storey towers proposed as part of this Planning Proposal.

The likely view sharing of the two options on private domain views for the Eastpoint Tower (180 Ocean Avenue), Oceanpoint Tower (170 Ocean Avenue) and Ranelagh Tower (3 Darling Point Road) has been assessed by RLA considering the principles of *Tenacity*.

In summary the report confirms the following findings:

- The view loss caused by the proposal on private domain views are no greater and, in many instances, an improved outcome than that which would be caused by a built form consistent within the Draft ECC Strategy.
- Primary views for East Point and Ocean Point are North and East with only secondary views West overlooking the site. None of the building in the proposed envelope above the height of podiums causes any additional view loss compared to the ECC Strategy envelope. In other words, the residential tower causes no additional view loss irrespective of height. There is also a provision of improved view corridors.
- In relation to Ocean Point – many north-west views are blocked by the existing East Point Tower. The proposal's slimmer form retains greater views west than Council's Draft ECC Strategy. The part of building higher than the Draft ECC Strategy envelope has no additional effect in view sharing for these neighbours.
- Primary views for Ranelagh are north-east and north-west with limited windows such as bathroom and kitchen southward facing over the site. The views at the lower RLs are affected by the envelope of the endorsed Planning Proposal for 136 New South Head Road which obstructs views of the site. Upper levels would be able to see over the envelope which will cause similar visual impacts as the Draft ECC Strategy deemed acceptable under further analysis.

10.1.2 Public Domain Views

The VIA considers the effective visual catchment of the site, which is the area within which there is sufficient detail to perceive the nature and quality of a development. This is smaller than the total visual catchment which is the area in which there is any visibility of the development at all.

The effective visual catchment of the site comprises views from the west (including parts of Edgecliff, Paddington, Darlinghurst, Potts Point, Rushcutters Bay and Darling Point) and from the east (including isolated areas within Double Bay and Rose Bay). The effective visual catchment to the west is significantly larger than that in the east, given the presence of lower built form and low-lying recreation areas. This means that there are more potential viewing places to the west of the site, including a range of locations within the public domain.

The primary analysis undertaken by RLA has been detailed in the VIA and considered an assessment of the proposal against a set of criteria such as Overall Level of Visual Effects, Casual Absorption Capacity, Compatibility with Urban Features, Sensitivity and Overall Visual Impact. This assessment concluded:

- The residual visual impacts were considered to be low to moderate overall.
- Minor to moderate change would occur to the effect of the project on the effective visual catchment and to the visual character, scenic quality, and public domain sensitivity of the Site.
- The overall level of visual effects was rated as moderate for most views in the visual catchment. High levels of visual effects were found for some close views with unimpeded foregrounds and low levels of visual effects for the small number of distant views.
- There would be low to medium visual exposure to most view locations. The commercial podium of the proposal has similar high impacts to the existing building, on close views.
- Any new tower would appear isolated in some views. The perceived isolation is caused by contrast in form with other adjacent buildings, not by the ultimate height of the structure.
- The height of the tower does not cause view loss. The residential podium does not cause any greater view loss impact on private views than would be caused by a building of the same height as the existing Eastpoint tower.
- The levels of visual effect were weighted against criteria of visual absorption capacity and compatibility with urban features, including the likely future character of the visual context to assess significance
- of impact.
- Compatibility with urban features was high for all view places. Impacts on most views therefore result in moderate or low impact significance when weighted.

Whilst not appropriate for the strategic nature of a Planning Proposal at the request of council RLA also undertook an analysis based on the principles of *Rose Bay Marina*. It is divided into a two-stage approach, the first being a quantitative assessment and the second being a qualitative assessment. The principle emphasises the need to consider views that have been identified as of specific importance, for example documented heritage views or views identified in existing statutory planning instruments. The process of determining

whether a development is acceptable or not must account for reasonable development expectations as well as the enjoyment of members of the public, or outlooks from public places.

Through an assessment of public domain views in accordance with the principles of *Rose Bay Marina*, the VIA confirms that the proposed podium component is likely to be of a similar visual exposure to the existing built form at the site.

Overall, the proposal would not significantly impact views from the public domain and would not block significant views to any significant items. Whilst the appearance and perceivable height of the tower component would be noticeable from some areas within the public domain, it is expected that this would have a positive effect through the replacement of the existing building with a high quality, articulated built form.

A comparison of the existing and proposed views within the public domain are shown at **Figure 71** below.



Existing view from Trumper Oval



Proposed view from Trumper Park



Existing view from New McLean Street



Proposed view from New McLean Street



Existing view from the corner of New South Head Road and Ocean Avenue



Proposed view from the corner of New South Head Road and Ocean Avenue



Existing view from Steyne Park, Double Bay



Proposed view from Steyne Park, Double Bay



Existing view from William Street, Rushcutters Bay



Proposed view from William Street, Rushcutters Bay



Figure 71 Comparison of Existing and Proposed Views from the Public Domain

Source: Virtual Ideas

10.2 Overshadowing

Overshadowing Diagrams have been prepared by FJC and are included at **Appendix C**. The diagrams assess the shadow cast at hourly intervals between 10am and 3pm during the winter solstice. An extract of the shadow diagrams is shown at **Figure 72**. The impact of overshadowing on the surrounding area is discussed in the sections below.

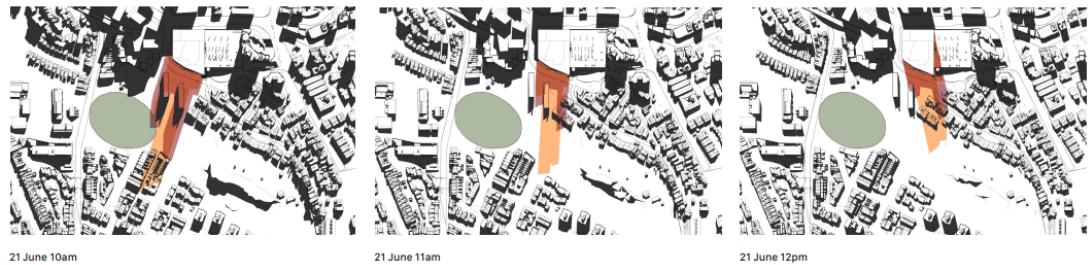




Figure 72 – Shadow Diagrams

Source: FJC Studios

10.2.1 Solar Impacts to Adjoining Properties

Chapter D4, C28 of the WDCP 2015 requires that development maintains solar access to existing adjoining dwellings for a period of two hours between 9am and 3pm on 21 June to existing north facing windows of habitable rooms, and for at least two hours to at least 50% of the private open space. Where existing overshadowing is greater than this, sunlight is not to be further reduced.

Consistent with the WDCP 2015 requirement, the shadow diagrams demonstrate that with the proposed envelope and indicative scheme, the adjacent residential dwellings to the south and southeast will receive 2 hours or more of solar access during the nominated time period.

It is also highlighted that the proposal would only result in a marginal variance in solar impacts compared to the Draft ECC Strategy. The different form placements would merely distribute similar shadows at different times throughout the day and would not cause any significant increase in overall shadows.

10.2.2 Overshadowing to Trumper Park Oval

Chapter D4, C29 of the WDCP 2015 states that solar access to the Trumper Park Oval is provided between the hours of 10am and 2pm on 21 June. Where existing overshadowing is greater than this, sunlight is not to be further reduced.

The FJC shadow diagrams confirm that between 10:00am and 2:00pm, the envelope and indicative scheme does not cast any shadow over Trumper Park Oval in accordance with the requirements of the WDCP 2015.

Comparatively and as evidenced at **Figure 72**, the Draft ECC Strategy massing results in a greater impact across Trumper Park Oval when compared to the Proposal.

10.2.3 ECC Strategy Massing

Modelling has been carried out to show the additional impact of the proposed envelope and indicative scheme when compared to the ECC Strategy massing (shown back in **Figure 72**). When comparing the two schemes, it is acknowledged that the proposal will vary the overshadowing to the surrounding area (through distribution of similar shadows at different times throughout the day), but this would not impede compliance with the relevant overshadowing controls in the WDCP 2015 as discussed in the sections above. The proposal also avoids any overshadowing to Trumper Park Oval that would occur as a result of the ECC Strategy massing.

10.3 Traffic and Parking

PTC has undertaken a Transport and Accessibility Assessment (refer to **Appendix G**) to accompany the proposal and determine its potential impact on the surrounding road network in relation to parking and traffic.

The proposal recognises the existing limitations of the surrounding road network and the important role the redevelopment of the Edgecliff Centre will have on the area. These are considered in two key responses:

- The proposed development will have positive impacts on traffic flow and are a result of relocating the car park entry away from the corner of the New South Head Road and New McLean Street intersection. As well, the proposal seeks to rationalise all vehicle crossovers (currently 5) to a single point along the road reserve.

- The proposal has identified that the general traffic movements of existing retail and commercial car spaces have the greatest impact on traffic movements. A redistribution of these car space uses away from commercial to residential (with the introduction of residential car parking) has enabled the proposal to have no increased net traffic generating movements, with improved traffic conditions in a majority of cases.

Importantly, it is proposed that the Planning Proposal will have no increased traffic movement during any peak period when compared to the existing building's capacity and in many instances improve on current intersection performance.

10.3.1 Car Parking

The proposed car parking provision for the indicative concept scheme is shown in **Table 8** below. The proposed car parking rates have been assessed against the relevant provisions of the WDCP 2015.

Table 8 – Proposed Car Parking Provision

Use	GFA / Units	DCP / BCA Rate	DCP Requirement	Proposed
Residential				
1 Bed	76	0.5 spaces per unit	38 (max)	216
2 Bed	110	1 space per unit	110 (max)	
3 Bed	89	1.5 space per unit	134 (max)	
Visitor	-	0.2 spaces per unit	54 (max)	
Total	275	-	336 (max)	216
Non-Residential				
Office	7,933m ²	2.5 spaces per 100m ² GFA	0.6 Parking Multiplier*	117
Retail	6,737m ²	3.3 spaces per 100m ² GFA	0.6 Parking Multiplier*	
Community	2,040m ²	2.0 spaces per 100m ² GFA	0.6 Parking Multiplier*	
Total	16,710m²	-	275 (min)	117
Accessible Parking**				
Adaptable Unit	28	1 per adaptable unit	28 (min)	28
Office	117 parking spaces	1 per 100 car spaces or part thereof	1 (min)	4
Retail		1 per 50 car spaces + 1 per additional 100 space	2 (min)	
Community		1 per 50 car spaces or part thereof	1 (min)	
Total	-	-	32 (min)	32

*In accordance with Chapter E1 of the Council's DCP, parking multipliers are used to discount the base parking generation rate for non-residential uses within Edgecliff E1 Zone.

**Accessible Parking forms part of the total number of parking spaces for residential and non-residential uses.

Given the unique nature of the site and its highly accessible location, Council officers have acknowledged that compliance with the current WDCP 2015 provisions is not the most suitable response for the site. Therefore, it is proposed that car parking provided at the site will be based on rates specified within the site-specific DCP to be prepared as part of this Planning Proposal, and based on the reduced parking provision outlined in **Table 8** above.

Therefore, the proposed non-residential car parking provision seeks to vary the WDCP 2015 requirements and proposes a shortfall of car parking spaces (for this land use), whilst the proposed residential parking provision is within the DCP recommended requirements. The chosen parking numbers are primarily due to the strategy set forth for the proposal to ensure that there is no net increased traffic generation from the proposal above what is existing.

There are also design limitations with the existing subterranean rail tunnel which has physically limited parking capacity on the site for parking. However, the nature and location of the site (being a transit orientated development) means that it does support a reduced non-residential car parking rate.

10.3.2 Bicycle and Motorcycle Parking

A minimum of 429 bicycle parking spaces are required when using the WDCP 2015 rates. The concept scheme will provide this within the detailed building configuration which is subject to future detailed design and detailed

development approval, but the bicycle arrangements will satisfy the WDCP 2015 criteria. These rates can be written into the site specific DCP written for the Planning Proposal.

The indicative scheme provides for 34 motorcycle spaces (22 spaces for residential and 12 for non-residential) which is in accordance with the minimum 19 and 12 (required to achieve compliance with the residential and non-residential development rates specified respectively under the WDCP 2015).

10.3.3 Traffic Generation

The potential traffic generation of the proposal is provided in **Table 9**.

Table 9 – Potential Traffic Generation

Land Use	Parking Spaces	Peak Period	Inbound Trips	Outbound Trips	Trip Generation Rate Per Space
Residential	216	Weekday AM Peak	6	26	0.15 trips per car space
		Weekday PM Peak	21	5	0.12 trips per car space
Retail	97	Weekday AM Peak	26	9	0.37 trips per car space
		Weekday PM Peak	70	85	1.6 trips per car space
		Saturday Midday Peak	100	99	2.1 trips per car space
Commercial	20	Weekday AM Peak	4	0	0.22 trips per car space
		Weekday PM Peak	1	6	0.32 trips per car space
		Saturday Midday Peak	1	2	0.09 trips per car space

10.3.4 Net Traffic Generation

Based on existing and future traffic generation, the potential additional traffic which will be generated by the development (net traffic generation) can be determined. This determined by subtracting the existing traffic generation from the potential future generation and is described in **Table 10**.

Overall, the proposal will not change the overall number of trips in the morning peak hour. The overall trips for the weekday evening peak hour and Saturday peak hour are anticipated to be slightly reduced (by 16 and 3 respectively). This is equivalent to approximately 1 reduced trip every 4 minutes for weekday evening peak hour which is expected to improve the intersections performance marginally during the weekday evening peak hour. Accordingly, the proposal would have a negligible impact on the performance and capacity of the road network.

Table 10 – Net Traffic Generation

Peak Period	Proposed	Existing Trip Generation	Net Trip Generation
Weekday AM	72 (36 In, 36 Out)	72 (60 In, 12 Out)	0 (-24 In, +24 Out)
Weekday PM	186 (91 In, 95 Out)	224 (87 In, 137 Out)	-38 (+4 In, -42 Out)
Saturday Midday	202 (101 In, 101 Out)	244 (121 In, 123 Out)	-42 (-20 In, -22 Out)

10.4 Heritage Impact

A Heritage Impact Statement has been prepared by Curio Projects (refer to **Appendix H**) to assess the heritage impacts associated with the concept proposal and redevelopment of the site in relation to the site's surrounding heritage context, in particular the surrounding heritage conservation areas. Curio makes the following conclusions in relation to heritage impact and the proposal:

- The proposal will not generate any physical impact to any heritage items or fabric given the site is not listed as a heritage item and is not located on land inside a heritage conservation area.
- The proposal will not generate any heritage impact to the below and adjoining Edgecliff Railway Station which is listed under the Heritage and Conservation Register under Section 170 of the Heritage Act 1977.
- The visual impact of the proposal will be perceptible from New South Head Road but would be mitigated through the indicative building massing and proposed mix-use of the site. This would include the provision of a three-storey publicly accessible podium to activate the street frontages, and also through the inclusion of setback tower forms.
- The proposal is considered to be consistent with the moderate mixed-use precinct in which it is located.
- Although the proposal would be visible from surrounding heritage items and adjacent HCAs, it would not adversely impact views and vistas to and from these items or HCA's given the key significance of these listings relate to the internal street character and street-level experience of these HCA's.
- The detailed design and articulation, as well as materiality and colour palette is commensurate with the character of surrounding heritage conservation areas and heritage items is considered to support the reduction of more distinctive visual impacts of the proposal from these sensitive areas and items.
- Materiality and planting at the streetscape level (through the proposed public domain spaces on the site) will support a positive visual impact on the precinct at the street level and align to the greenery attributed to the surrounding heritage conservation areas.
- The heritage significance and key views and vistas of Rushcutters Bay Park relate predominately to the park itself, and the connectivity of views and vistas to Sydney Harbour and surrounding inner Sydney parklands, rather than just views of surrounding development as part of the wider eastern suburb's skyline. Further, views southeast from Rushcutters Bay Park towards the development area, demonstrate that while the tower and part of the podium components of the proposal would be visible, the addition of the tower would be commensurate with the existing skyline which includes an existing residential tower and larger scale buildings.
- The proposal fronting McLean Street to the south will provide a positive impact on views which are currently described by the WDCP 2015 as creating 'an unwelcoming pedestrian environment with little visual interest'.

Overall, the Planning Proposal is considered to be consistent with the existing and emerging context of the surrounding area and will present opportunities for improvements to existing setting and character of the area. In this regard, Curio determines that the proposal will not have an adverse impact or alteration to the character and significance of any nearby heritage item, nor any of the nearby HCAs.

10.4.1 Southern Interface

The redevelopment of the site presents the opportunity to improve the existing views and vistas to the site from the HCAs, by the application of an improved and more sensitive design which incorporates improved permeability, accessibility and sympathetic materiality.

The proposed podium form along New McLean Street is for a 3-storey community activated podium form that will create a more human scale and pedestrian experience. The residential podium and tower form is further setback 26m from the pedestrian foot path which will provide a significant setback and transition towards the HCA and residential south of the Edgecliff Centre. Refer to **Figure 73**.

Considerations for the visual experience from the street both along New South Head Road and New McLean Street through the stepping back of building envelopes and greater engagement with the podium will improve the public and pedestrian interface of future developments proposed on the site.

Comparatively, the Draft ECC Strategy proposed a 5-storey commercial office podium along the north frontage of New McLean Street, adjoining the HCA (**Figure 74**). The proposed land uses and activation would be less complimentary to the character of the HCA whilst the built form will offer a more abrupt and less human scale transition towards the residential and pedestrian nature of this area. It is therefore considered that the Planning Proposal offers a more improved and considered transition between the built form of the commercial and residential buildings as part of this planning proposal to the neighbouring HCA than the Draft ECC Strategy.



Figure 73 – Indicative Photomontage of the Planning Proposal Massing, as viewed from the South

Source: FJC



Figure 74 – Indicative Photomontage of the Draft ECC Strategy Massing, as viewed from the South

Source: FJC

As a result, the Planning Proposal will not have an adverse impact or alteration to the character and significance of the HCA that is adjacent to the southern interface of the site. The Planning proposal is considered to be

consistent with the existing built context of this part of Edgecliff and will present opportunities for improvements to existing setting and character of the area than that of the existing building.

10.5 Wind Impacts

An Environmental Wind Assessment was undertaken by Arup (refer to **Appendix I**). It provides an experience-based wind assessment of the proposed concept envelope on pedestrian wind level conditions in and around the site. Overall, Arup considers that the of locations around the site would be suitable for walking with locations on the southwest corners being at the upper end of the classification which can be dealt with ameliorations in the detailed design process, which is standard practice. The assessment concludes though that these wind conditions would remain suitable for the intended use of the space.

Arup also make the following recommendations to consider during the detailed design of the proposal (which is not being sought under this Planning Proposal, but could be included in a site specific DCP for the Planning Proposal):

- Local wind amelioration may be required for outdoor seating areas around the site, especially at the south west corner.
- A permanent or temporary porous screen may be recommended at the podium retail levels to dissipate winds.
- The external façade of the upper podium levels should have the ability to be enclosed.
- Wind conditions at the Level 3 pedestrian connection would be ameliorated through local protection such as a canopy roof, vertical barriers to the west of the walkway, or landscaping.
- A lift lobby is recommended for the commercial car park to minimise internal flows up the lift shafts, unless there are vents to the car park which open to a different façade.

Based on the conclusions of the report, the proposal is suitably assessed at the concept Planning Proposal level and any areas of increased windiness able to be ameliorated at the detailed design stage.

10.6 Noise and Vibration

Arup has undertaken an acoustic review of the indicative scheme associated with the Planning Proposal (refer to **Appendix J**). A full Acoustic Assessment will accompany the future Development Application. It discusses from an acoustic perspective, the suitability of the uses proposed for the site given its over-station position and proximity to New South Head Road.

Arup conclude that it will be feasible to comply with the relevant acoustic policies and standards to provide a suitable acoustic outcome for uses of the site. Detailed acoustic and vibration studies will be required during the detailed design and approval stage, including detail and specific mitigation and management measures.

10.7 Contamination

Aurecon has undertaken a Preliminary Site Investigation which is provided at **Appendix K**. Based on the desktop information reviewed, it has been considered that the site represents a low risk in relation to contaminants of potential concern with concentrations that would pose a potential risk to human health and or the environment or constrain the future use of the site for the intended purposes.

Specifically, the following is noted:

- The site has been subject to urban development since prior to the 1940s and has been in its current state since the 1970s.
- The site is expected to consist of man-made fill above residual soils and bedrock. This man-made fill from onsite filling in the 1970s from the construction of the existing site and railway corridor does mean some present contaminants of potential concern, however, as detailed above, these are not likely to pose a risk to human health.
- Any future redevelopment and excavation will be subject to soil sampling either prior to construction or as spoil is produced. This will further inform waste classifications for disposal, and whether spoil can be re used on site or disposed off site.
- A Construction Environmental Management Plan/s (CEMP) should be prepared during any future redevelopment to minimise risks associated with runoff and dust. It should also include an Unexpected Finds Protocol for incidental potential contamination finds during earthworks and construction. The CEMP must detail the methodology to handle, manage and dispose any contamination found previously identified.

10.8 Geotechnical and Structural Implications

A Geotechnical and Structural Engineering Statement has been prepared by Aurecon (refer to **Appendix L**). The assessment identifies geotechnical constraints which may impact the proposed redevelopment of the site. The impact on and from the future redevelopment on the site on the existing rail infrastructure has also been considered.

Overall, Aurecon conclude that based on the expected geotechnical conditions of the site, the proposal can be feasibly designed and constructed on the site to ensure no adverse impact to the below rail corridor. This is based on conformance with the recommended design measures and mitigation measures identified by Aurecon.

10.9 Airspace Operations

A Preliminary Aeronautical Assessment has been undertaken by Strategic Airspace (refer to **Appendix M**) to assess the aviation-related airspace height impacts of the proposal. The assessment concludes:

- The height of the proposal would infringe the Obstacle Limitation Surface (OLS) on the site by approximately 0.75m AHD which would trigger the need for height approval under the Airports (Protection of Airspace) Regulations (APAR). The proposed height is approvable under the APAR but may be subject to conditions.
- The height of the proposal would be well below the PANS-OPS and the Radar Terrain Clearance Chart and is therefore considered approvable.
- There would be ample room for cranes to operate at a maximum height that would not exceed the height constraint of the limiting surface. Thus, implications associated with cranes would not affect the assessment of the height application.
- Considering the above, Strategic Airspace see no technical impediment to approval of the proposed works under the APAR.

10.10 Vegetation

The Arboricultural Assessment at **Appendix N** notes that the redevelopment will necessitate the removal of 35 of the 48 trees located on the site. Notwithstanding this, the impact of tree removal will be appropriately offset through the provision of high-quality landscaping throughout the site, in the form of a landscaped gardens, communal open spaces and courtyard. The proposed landscaping concept will provide visual interest and soften the overall appearance of the built form, whilst also minimising the urban heat island effects and improving the microclimate.

An Arboricultural Impact Assessment has been prepared by Truth About Trees and is included under **Appendix N**. The assessment indicates that redevelopment will necessitate the removal of 35 of the 48 trees located on the site (being 6 on the Edgecliff Centre site and 29 on the Council-Owned Road Reserve). Of the trees to be removed, 4 have a medium retention value and 31 have a low retention value. No trees proposed to be removed have a high retention value. All trees identified for retention will be protected through the provision of effective tree protection measures such as adequate tree protection fencing outlining the TPZ, protection of the trunk, branches and ground.

Overall, the impact of tree removal will be appropriately offset through the provision of high-quality landscaping throughout the site, in the form of a landscaped gardens, communal open spaces and courtyard. The proposed landscaping concept will provide visual interest and soften the overall appearance of the built form, whilst also minimising the urban heat island effects and improving the microclimate. In doing so, the proposed landscaping concept will align with the following objectives for tree management as listed in Chapter E3 of the WDCP 2015:

- *To promote, maintain and conserve the leafy character of the Woollahra Municipality.*
- *To conserve significant trees of historic, cultural, commemorative, scientific, visual or aesthetic importance.*
- *To sustain and enhance Woollahra's tree canopy cover whilst providing opportunities for development on private land.*

10.11 Infrastructure and Servicing

IGS has undertaken a desktop review of the existing utilities of the site and their capability in accommodating the proposal (refer to **Appendix O**). It also makes recommendations for any utility upgrades which would be required to accommodate the proposal. The following is of note from the IGS review:

- In order to accommodate the proposal either two new kiosks, two mini chamber substations or a single chamber substation will likely be required.
- Two natural gas mains are located in the vicinity of the site. These are estimated to have adequate capacity to support the proposal (subject to assessment and approval from the gas provider Jemena).
- Multiple telecommunications conduits are located along New South Head Road and McLean Street, and these are anticipated to have the carrying capacity to support the proposal.
- No major existing water services will need to be decommissioned or diverted. The existing reticulation tee of the trunk main in New South Head Road will likely need upgrading to supply the proposal.
- An existing gravity sewer (225mm) extends from the southern boundary of the site, across McLean Street and connecting to a sewer main at New McLean Street. It is considered to have enough existing capacity to serve the proposal.

10.12 Ecologically Sustainable Development

Ecologically sustainable development requires the effective integration of economic and environmental considerations in decision-making processes. Ecologically sustainable development can be achieved through the implementation of the following principles and programs, in accordance with the EP&A Regulation. The proponent is targeting to redevelop the site in accordance with the following sustainability commitments and targets identified in the ESD Strategy prepared by Arup (refer to **Appendix P**). This includes:

- Aspirational 5 Star NABERS energy rating for commercial office space.
- 40% reduction in water use and 25% reduction in energy use as per BASIX.
- Compliance with Section J of the BCA for the retail component.

These commitments will be achieved across the delivery of the development. These comprise initiatives to address the management and maintenance of the building, the selection of construction materials, demand for resources such as water and power, the use of sustainable modes of transport, impacts to the local ecosystem, emissions, and general community wellbeing. It demonstrates that there are opportunities to implement best-practice sustainable building principles and improve the environmental performance of the development.

10.12.1 Precautionary Principle

The precautionary principle is utilised when uncertainty exists about potential environmental impacts. It provides that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation. The precautionary principle requires careful evaluation of potential environmental impacts in order to avoid, wherever practicable, serious or irreversible damage to the environment.

This Planning Proposal has not identified any direct serious threat of irreversible damage to the environment and therefore the precautionary principle is not required to be applied in this instance.

10.12.2 Intergenerational Equity

Inter-generational equity is concerned with ensuring that the health, diversity and productivity of the environment are maintained or enhanced for the benefit of future generations. The proposal has been designed to benefit both the existing and future generations through:

- Encouraging sustainable transport options as a Transit Orientated Development.
- Reducing carbon emissions and the demand on resources.
- Reducing waste that goes to landfill via the choice of materials and a centralised waste strategy.
- Monitoring and tuning the performance and operation of the building across the range of land uses.
- Social benefits of the proposal – ageing in place, wellness, homes to families and singles.
- Provision of housing (shelter being a fundamental human right) during a national housing crisis.

The proposal has integrated both short and long-term social, financial and environmental considerations so that any foreseeable impacts are not left to be addressed by future generations. Issues with potential long-term implications such as waste disposal would be avoided and/or minimised through construction planning and the application of safeguards and management measures.

10.12.3 Conservation of Biological Diversity and Ecological Integrity

This principal upholds that the conservation of biological diversity and ecological integrity should be a fundamental consideration in development. The proposal would have no significant impact on biological diversity and ecological integrity.

10.12.4 Improved Valuation, Pricing, and Incentive Mechanisms

The principles of improved valuation and pricing of environmental resources requires consideration of all resources which may be affected by a proposal, including air, water, land and living things. The cost of infrastructure, biodiversity offsets, design measures, and other sustainability initiatives for the renewal of Edgecliff Centre have been incorporated into the cost of development and will be delivered in the most cost-effective way via a life cycle cost approach that provides best return on investment. Mitigation measures for avoiding, reusing, recycling and managing waste during construction and operation would also be implemented to ensure resources are used responsibly in the first instance.

11.0 Project Timeline

Table 11 provides the project timeline anticipated for the Planning Proposal which is predicated on the nature and scale of the Planning Proposal.

Table 11 – Anticipated Project Timeline

Action	Timeframe
Stage 1 – Pre-lodgement	Complete
Lodgement	March 2024
Stage 2 – Planning Proposal	May 2024
Stage 3 – Gateway Determination	June 2023
Stage 4 – Post-Gateway	August 2024
Stage 5 – Public Exhibition and Assessment	October 2024
Stage 6 – Finalisation	November 2024

12.0 Conclusion

This Planning Proposal seeks amendments to the WLEP 2014 to facilitate the redevelopment of the Edgecliff Centre at 203–233 New South Head Road and part of the adjoining Council-Owned Road Reserve fronting New McLean Street.

It is justified for the following reasons:

- The proposal is consistent with the objects of the EP&A Act, in that it promotes the orderly and economic use and development of land; promotes good design and amenity; provides housing and a component of affordable housing; and provides a project with high sustainability benchmarking.
- The proposal is consistent with the strategic planning framework for the site.
- The development concept will facilitate the:
 - Rejuvenation of Edgecliff creating a vibrant mixed use town centre as the gateway to the Eastern City District.
 - Provision of a mixed-use development to accommodate a variety of uses including specialty retail and community space, leisure facilities, commercial office and residential (including affordable housing);
 - Creation of additional employment opportunities to contribute towards the jobs target for the Eastern City District.
 - Improved connectivity between the Edgecliff Transport Interchange with the site and surrounding areas through the provision of pedestrian connections.
 - Provision of diverse housing choice within immediately adjacent to the Edgecliff Railway Station and in close proximity to the largest employment area being the Sydney CBD.
- The height, bulk and scale of the proposal is supported by environmental testing that concludes that the proposal is sympathetic to the surrounding development, especially in relation to overshadowing, view sharing, visual impact and heritage.
- The proposal will deliver significant social and economic benefits including through creating additional employment opportunities in the construction and operational phases and through revitalising an underutilised site with much needed housing (including a component of affordable housing), employment generating uses and publicly accessible open space and community facilities. The proposal also provides developer contributions towards and (part) land dedication for a multi-purpose community facility of up to 3,000 sqm (pending further design development with Council).
- The proposal is consistent with the applicable SEPPs and Ministerial Directions.

The proposed amended planning controls will allow the site to reach its strategic potential and provide an effective transit orientated development and contribution to the Edgecliff town centre. The site benefits from immediate and direct connectivity to Edgecliff Railway Station and bus interchange which offers significant uplift in transport capacity in the local area.

To this end, the Planning Proposal and indicative development concept for the site fosters the principles of transit orientated development, with a complete rethink of how developments are arranged and function, offering significant benefits and opportunities for Woollahra LGA and Edgecliff.


Accordingly, considering the proposal and the overall strategic nature of the site and justification provided in addressing key planning issues, the Planning Proposal is considered to have sufficient Strategic Merit. This Planning Proposal also demonstrates that the density proposed can be appropriately accommodated on the site while also minimising environmental impacts and not compromising the amenity of surrounding residential receivers, heritage and valued public spaces. This supports the site-specific merit of the Planning Proposal.

For these reasons, we have no hesitation in recommending this Planning Proposal for Gateway Determination.

Planning Proposal Request

203-233 New South Head Road

Edgecliff



Staff Assessment



Version Date:	October 2024
Division/Department:	Strategic Planning/Planning & Place
Responsible Officer:	Chinmayi Holla, Strategic Planner and Louise Menday, Consultant Strategic Planner
HPE CM Record Number:	24/132468

Acknowledgement of Country

Woollahra Council acknowledges that we are on the land of the Gadigal and Birrabirragal people, the Traditional Custodians of the land. We pay our respects to Elders past, present and emerging.

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1. Introduction

This report presents the staff assessment of the planning proposal request made by Longhurst Group (the proponent) for 203-233 New South Head Road, Edgecliff (the proponent’s land) and adjacent land in the road reserve on New McLean Street, Edgecliff (the Council land). In this staff assessment, the proponent’s land and the Council land together are referred to as the site. Refer **Figure 1**.



Figure 1: Aerial image showing the site (red) and the Council land (yellow)

Lodged on 8 April 2024, the planning proposal (PP-2024-540) seeks building height and floor space ratio (FSR) amendments to the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) as shown in **Table 1**.

Table 1: Requested amendments the Woollahra LEP 2014

	Existing standards	Requested Standards
Building height	Part 6m and 26m on the proponent’s land	Part 60m and 124-128m (max. RL 156.8m) on both the proponent’s land and the Council land*.
	No controls on the Council land	*We note that the height on Council land has not been formally requested under <i>Section 6.1 Height of Buildings</i> of the Planning Proposal Report, hence the maximum building height request is assumed to be applicable to the whole site.
Floor space ratio	2.5:1 on the proponent’s land	9:1 on the proponent’s land (with 2:1 minimum non-residential)
	No controls on the Council land	3.5:1 on the Council land

The proponent submitted the following documents to support their planning proposal request:

- Planning Proposal Report - Edgecliff Centre;
- Benchmarking Analysis;
- Questions to Consider when Demonstrating Merit;
- Urban Design Report - Parts 1-5;
- Social Impact Assessment;
- Economic Impact Assessment;
- Visual Impact Assessment
- Transport and Accessibility Assessment;
- Heritage Impact Assessment;
- Environmental Wind Assessment;
- Acoustic Assessment;
- Preliminary Site Investigation;
- Geotechnical and Structural Engineering Statement;
- Preliminary Aeronautical Assessment;
- Arboricultural Impact Assessment;
- Utilities Desktop Review;
- Ecologically Sustainable Development Strategy (ESD Strategy);
- Scoping Proposal Council Advice;
- Response Matrix to Scoping Proposal Council Advice; and
- Voluntary Planning Agreement draft letter of offer (26 June 2024).

The planning proposal request is accompanied by an offer to enter into a voluntary planning agreement (VPA). Council's Director Infrastructure and Sustainability is managing these negotiations for reasons of probity per the *Woollahra Voluntary Planning Agreements Policy* (2010). The result of the negotiations will be reported to Council independently of the planning proposal. Staff note that the delivery of multi-purpose community facility on Council land is not included in the draft VPA offer. At the time of preparing this report, negotiations are ongoing and no agreement on the terms of a draft VPA has been reached.

Should the planning proposal proceed, provisions to secure a contribution towards improved community infrastructure, public open space, public domain and community facilities should be included to ensure public benefit is achieved in tandem with any future development.

The proponent has provided an indicative development concept, which is an expression of the built form that could be achieved under the requested development standards. It shows a mixed-use development comprising a:

- 2-3 storey retail podium;
- 13 storey commercial building over the podium, fronting New South Head Road;
- 11 storey residential tower over the podium, fronting New McLean Street;
- 35 storey residential tower over the podium, abutting the Council land;
- Central podium top plaza and 'grand stairway' entrance from New South Head Road;
- Parking in 8 basement levels, commercial loading, entry from New McLean Street; and
- Three level multi-purpose community facility on the Council land (equivalent to four storeys in height).

At its highest, the residential tower will be equivalent to 37 storeys, the lower residential tower equivalent to 13 storeys, and the commercial building equivalent to 15 storeys.

Figures 2 and 3 show the potential distribution of land uses, a 3D model and typical floor plans from the indicative development concept. **Figures 4 and 5** show artist's impressions of the indicative development concept.

While the Council land is zoned E1 Local Centre, the planning proposal request indicates excising approximately 1000m² from the road reserve in New McLean Street, creating a lot with legal description, and applying development standards to it.

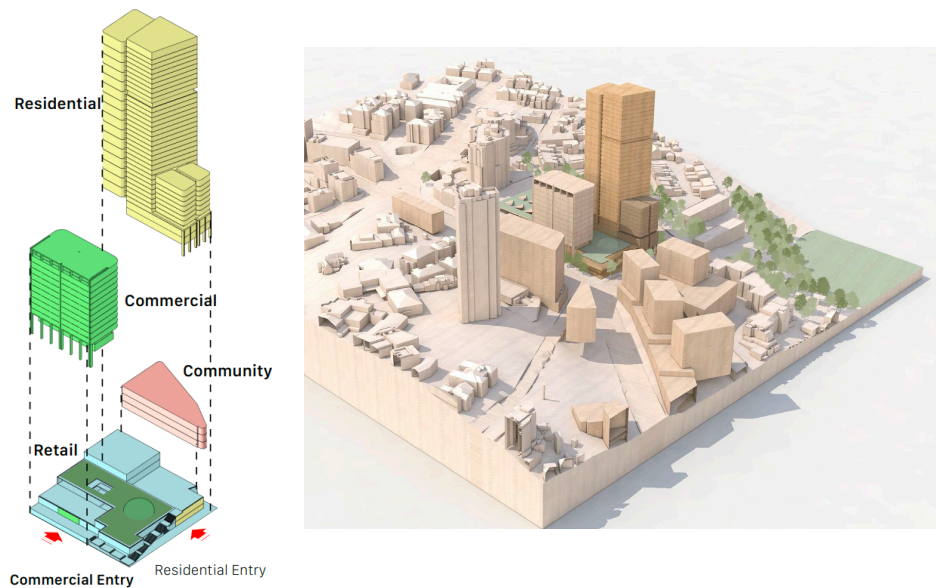


Figure 2: Indicative development concept - land use distribution and model (Source: FJC, 2024)

1.1. Rezoning review

On 6 September 2024, the proponent lodged a rezoning review (RR-2024-32) with the Department of Planning, Housing and Infrastructure (DPHI) as Council did not make a decision on the planning proposal within 115 calendar days. Staff subsequently received a letter from the DPHI on 24 September 2024 to notify Council of the rezoning review and to request a written response by 15 October 2024 with the following:

- Any comments on the planning proposal; and
- Confirmation that the proposal is consistent with the version submitted to Council.

Consequently, the DPHI will hold a briefing for a rezoning review and make a decision on whether the proposal should proceed to Gateway.



Figure 3: Indicative development concept - typical layout on the site, lower and upper levels
(Source: FJC, 2024)



Figure 4: Indicative development concept – New South Head Road context looking east
(Source: FJC, 2024)



Figure 5: Indicative development concept – view on New Mclean Street (Source: FJC, 2024)

Staff have assessed the planning proposal request in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the *Local Environmental Plan Making Guideline* (August 2023). The planning proposal is classified as a “complex planning proposal” based on the categories in the LEP Guideline.

A strategic merit assessment considers how the planning proposal would give effect to the NSW Government’s regional and district planning framework, and whether it demonstrates consistency with the objectives of Council’s local strategic planning framework.

A site-specific merit assessment considers the planning proposal request and indicative development concept against the relevant Woollahra LEP 2014 and *Woollahra Development Control Plan 2015* (Woollahra DCP 2015) objectives and controls.

Throughout this staff assessment, staff refer to the proponent’s planning proposal request (PP-2024-540) as the ‘planning proposal request’.

This staff assessment finds that the planning proposal request does not exhibit strategic or site specific merit due primarily to the bulk and scale of the potential built form, and inadequate transition between that built form and nearby lower density development.

It is recommended that the planning proposal request does not proceed in its current form.

Notwithstanding, the coordinated redevelopment of the site would contribute to housing numbers, modern employment space and identified community infrastructure, and would assist in revitalisation of the Edgecliff Commercial Centre (the ECC).

If the planning proposal request were to be amended in accordance with the staff recommendations (refer to summary in Section 6), it would facilitate development of a scale, type and intensity that is compatible with the ECC, and its desired future character as expressed in the *Edgecliff Commercial Centre Planning and Urban Design Strategy* (ECC Strategy).

2. Background

The proponent's land was subject to a previous planning proposal request that sought to amend Woollahra LEP 2014 and increase the building height to 167m (45 storeys) and maximum FSR to 9:1 (with a minimum non-residential FSR of 3:1). That previous planning proposal request was lodged on 8 December 2020 and on 22 February 2021 Council resolved to not support its progression.

On 9 September 2021, the Sydney Eastern City Planning Panel (SECPP) considered a rezoning review of the planning proposal request and determined that the planning proposal should not be submitted for Gateway determination as it did not demonstrate strategic merit. The SECPP's reasons for the decision included the bulk and scale of the potential built form, the lack of transition between that built form and lower density residential precincts, and the lack of certainty with respect to the public benefit.

The proponent continued to liaise with Council staff and on 1 May 2023, lodged a scoping report (including an indicative development concept). The proponent's scoping report sought the changes shown in **Table 2**. Table 2 also shows the amendments sought in the current planning proposal request.

Table 2: Comparison of planning proposal request with scoping report

	Planning proposal request	Pre-application scoping report
Building height	Part 60m and 124-128m (max RL 156.8m) for both the proponent's land and Council land RL47.5m for the Council land	132-136m over the whole site
Floor space ratio	9:1 on the proponent's land (with 2:1 minimum non-residential) 3.5:1 on the Council land	9:1 on proponent's land (with 3:1 minimum non-residential) 3.5:1 on the Council land

On 6 June 2023, staff held a pre-application meeting with the proponent. On 3 August 2023, staff provided a written response to the proponent, summarising the matters discussed at the pre-application meeting and identifying issues to be addressed before any request for a planning proposal was submitted.

The written staff advice expressed general support for redevelopment of the Edgecliff Centre, noting it occupies a prominent site in the commercial heart of the ECC. However, staff did not support the scale of the proponent's request, stating the building envelope would be excessive in height and bulk, and would not be justified on strategic or site-specific merit.

In summary, the staff written advice referred to a potential built form outcome that would:

- Be inconsistent with the ECC's desired future character;
- Result in a building significantly higher and bulkier than others in the vicinity;
- Not allow for a transition to the lower scale built form in and around the ECC;
- Not be an appropriate scale for a local centre and be more typical of a larger strategic centre that has a role beyond that of serving the local community;
- Contain open space areas within the site to the detriment of the public domain and have potential to privatise that open space;
- Not activate the New McLean Street frontage;
- Have an unacceptable impact on the amenity of nearby residential areas, and in particular the Paddington Heritage Conservation Area;

- Result in the loss of trees on the Council land and the unnecessary removal of street trees; and
- Not integrate the community centre with the development to ensure its delivery.

The planning proposal request for building height is lower than the scoping version by 8m, and proposes a lower non-residential FSR. Otherwise, the bulk, scale and layout of the building envelope enabled by the planning proposal request is substantially similar to the scoping version.

2.1. Recent proposals in vicinity

The area surrounding the site has been subject to several planning proposals seeking greater heights and FSRs. These include:

- 252-254 New South Head Road – seeking an increase in height from 13.5m to 22m (5 storeys from New South Head Road and up to 8 storeys at the rear) and a maximum FSR of 2.6:1. The LEP amendment was finalised and gazetted on 16 December 2022.
- 136-148 New South Head Road – seeking an increase in building height from 14.5m to 46m (12 storeys) and a maximum FSR of 5:1. The LEP amendment was finalised and gazetted on 17 May 2024.
- 8-10 New McLean Street – seeking a maximum building height of approximately 87.9m (25 storeys) and a maximum FSR of 4.5:1. On 28 February 2024, the SECPP determined that the planning proposal should be submitted for Gateway determination subject to amendments. The planning proposal is currently at the pre-Gateway stage.

The height, scale and merit of the recent planning proposal requests in the area have been considered in this staff assessment.

3. Assessment of strategic merit

This strategic merit assessment considers how the planning proposal would give effect to the NSW Government's regional and district strategic planning framework, and whether it demonstrates consistency with the Council's local strategic planning framework objectives.

The staff assessment finds that the planning proposal request does not exhibit strategic merit due to the bulk and scale of the potential built form. The discussion below indicates where these aspects of the planning proposal request would not meet State and local strategic planning framework objectives.

3.1. Greater Sydney Region Plan and Eastern City District Plan

The NSW Government's strategic planning framework supports increased local employment and increased dwelling numbers in places where growth can be aligned with infrastructure capacity. For the ECC, regional infrastructure includes the existing rail, bus and regional road network, and planned investment in the Eastern Economic Corridor in transport, health, education and cultural facilities.

3.1.1. Greater Sydney Region Plan: A Metropolis Three Cities (the Region Plan)

The redevelopment of the site would be integrated with the ECC's significant public transport that connects to the Sydney CBD and the wider Eastern Suburbs. The site is in a walkable neighbourhood with transport, shops and services, and green spaces. The site's central location would encourage use of active transport, including direct access to the separated cycleway along New South Head Road (proposed in the *Woollahra Active Transport Plan 2023*).

Intensified use of the site would deliver new housing and modern employment space in a location that leverages existing infrastructure.

However, the planning proposal request does not support the Region Plan's objectives for housing growth given the significant amount of residential yield anticipated is not ensured by the requested development standards. Specifically, the planning proposal request does not include an upper limit on the non-residential FSR and includes a definition of 'non-residential' that excludes serviced apartments. The planning proposal request would, therefore, enable a substantially or fully commercial development, and if this were the outcome the crucial provision of a significant increase in housing numbers would not be achieved.

Notwithstanding, a reviewed and amended planning proposal that addresses the staff recommendations summarised in Section 6 would support the Region Plan's objectives. To align with the Region Plan's objectives, staff recommend any planning proposal include a maximum non-residential FSR to ensure delivery of the residential floor space as proposed in the planning proposal request. Staff do not support the exclusion of serviced apartments from the definition of non-residential development, as proposed.

A planning proposal request amended in accordance with staff recommendations would align with:

Objective 10. *Greater housing supply*

Objective 11. *Housing is more diverse and affordable*

Objective 14 *A Metropolis of Three Cities – integrated land use and transport creates walkable and 30-minute cities.*

3.1.2. Eastern City District Plan 2018 (the District Plan)

Given the excessive scale of the planning proposal request (discussed in detail in Section 4), the planning proposal request is consistent with the principles of the centres hierarchy as outlined in the District Plan, and inconsistent with some of the District Plan's planning priorities, particularly:

Planning Priority E3 *Providing services and social infrastructure to meet people's changing needs*

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

The planning proposal request suggests the ECC exhibits characteristics of a strategic centre and can therefore accommodate the taller built form requested. Staff do not support this approach as discussed below.

The District Plan identifies the ECC as a local centre, capable of accommodating moderate growth to meet the needs of the local community. The ECC has, and will continue to have, a moderate amount of retail and employment space. It is not a major employment hub, nor does it have the extensive range of retail, commercial, and services that are characteristic of most strategic centres. The ECC does not have major educational or health facilities, or tourism or cultural precinct which can be distinguishing features of a strategic centre.

Staff agree the ECC benefits from established public transport and is on the regional road network. However, the ECC is constrained by the capacity of New South Head Road (the regional network) and by local road network connections into it. Being a narrow corridor, the ECC is also constrained by surrounding land uses that are much lower in scale, including within the ECC, in the Paddington Heritage Conservation Area (Paddington HCA) and Trumper Park and Oval. These constraints control the ECC's footprint and scale, and contribute to its local centre status.

The ECC Strategy takes the abovementioned factors into consideration and is based on urban design principles, environmental and amenity outcomes and the ECC's capacity to accommodate growth. The ECC Strategy confirms the ECC's status as a local centre and any building on the site needs to be appropriate for a local centre. The ECC recommends development of a reduced scale (specifically height and FSR) to ensure future development is consistent with the centre's hierarchy and appropriate to the ECC as a local centre. The ECC Strategy is further discussed in subsequent sections.

The District Plan emphasises the need to provide appropriate infrastructure to support growth, including delivery of new or improved public open spaces and community facilities and services. Incorporating the Council land with the proponent's land will facilitate the development of the community facility in a location where it is needed. The *Woollahra Community Facilities Study 2019* identifies the need for a multi-purpose community centre in the western precinct catchment within ten years and the site is uniquely placed to accommodate this. Staff support incorporation of the Council land and uplift of the site, but only if the strategic public benefit of a new community facility is achieved. Staff note that the delivery of the multi-purpose community facility on Council land is not included in the draft VPA letter of offer. At the time of preparing the staff assessment, these negotiations are ongoing and no agreement on the terms of a draft VPA has been reached.

A planning proposal request reviewed and amended in accordance with the staff recommendations summarised in Section 6 would align with the principles of the centres hierarchy and support the District Plan's objectives and planning priorities, specifically:

Planning Priority E3 *Providing services and social infrastructure to meet people's changing needs*

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

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

Planning Priority E10: *Delivering integrated land use and transport planning and a 30-minute city*

3.2. Community Strategic Plan 2032 (Woollahra 2032)

Woollahra 2032 identifies a strategic direction and integrated planning framework for the Woollahra Local Government Area (LGA) and specific goals regarding urban growth.

Given the scale and design of the potential built form (refer to Section 4 for detail), the planning proposal request would not provide a high quality urban design outcome and does not align with Woollahra 2032, specifically:

Goal 4: Well-planned neighbourhoods of Woollahra 2032, and specifically:

4.1 Encourage and plan for sustainable, high quality planning and urban design outcomes

4.3 Sustaining diverse housing choices in planned locations that enhance our lifestyles and fit in with our local character and scenic landscapes.

4.4 Facilitate safe and active local centres which increase local activity, balance tourism demands with the impact on the community and are in line with local character.

Woollahra 2032 identifies the ECC as a local centre that can accommodate moderate growth to meet the needs of the local community. The bulk and scale of built form enabled by the planning proposal request is considered too high for a local centre and is incompatible with the local context and character.

A planning proposal request reviewed and amended in accordance with the staff recommendations summarised in Section 6 would facilitate additional living, employment, and community space and be consistent with the role identified for the ECC in Woollahra 2032, including Goal 4.

3.3. Woollahra Local Strategic Planning Statement 2020 (the Woollahra LSPS 2020)

The Woollahra LSPS 2020 establishes a 20-year land use vision and planning priorities for infrastructure, liveability, productivity and sustainability.

Given the scale and design of the indicative development concept is inappropriate in the context and not consistent with the existing and desired future character, the planning proposal request would not support the strategic objectives of the Woollahra LSPS 2020, particularly:

- **Planning Priority 4:** *Sustaining diverse housing choices in planned locations that enhance our lifestyles and fit in with our local character and scenic landscapes.*

Action 25(e): *Promotes design excellence that preserves village and neighbourhood character, integrates sustainability principles, and supports the role of business centres.*

- **Planning Priority 6:** *Placemaking supports and maintains the local character of our neighbourhoods and villages whilst creating great places for people.*

Action 34: *Promote design excellence and best practice construction for public and private buildings, urban design and the public domain.*

Notwithstanding, future development on the site consistent with the staff recommendation outlined in this report would assist with achieving the following priorities and actions:

- **Planning Priority 1:** *Planning for integrated land use and transport for a healthy, sustainable, connected community and a 30-minute city.*
 - Action 6:** *Work with our community and government agencies to increase the role of Edgecliff as a key transport interchange in our area.*
 - Action 9:** *Ensure all new development along transport corridors has suitable access and facilities for deliveries, servicing and local freight activities.*
- **Planning Priority 7:** *Supporting access to a range of employment opportunities and partnerships.*
 - Action 41:** *Introduce planning controls into the Woollahra Local Environmental Plan 2014 and Woollahra Development Control Plan 2015 to protect and enhance floor space for commercial, retail, business, health and community uses in centres, particularly in Double Bay and Edgecliff.*
- **Planning Priority 13:** *Improving the sustainability of our built environment, businesses, transport and lifestyles by using resources more efficiently and reducing emissions, pollution and waste generation.*
 - Action 68:** *Promote sustainable development outcomes (noting that a site-specific DCP would include a requirement to achieving a minimum 5-Star Green Star Building rating).*

The staff recommendations summarised in Section 6 provide direction on how the planning proposal request can be reviewed and amended to improve its consistency with Planning Priorities 4 and 6 outlined above. A planning proposal reviewed and amended in accordance with these staff recommendations would better support the strategic objectives of the Woollahra LSPS 2020.

3.4. **Woollahra Local Housing Strategy 2021 (the Woollahra LHS 2021)**

The Woollahra LHS 2021 is a strategic plan for housing and residential development in the Woollahra LGA. The Woollahra LHS 2021 resulted from an evidence-based assessment of the LGA and provides for housing growth in planned locations where it will be consistent with local character and infrastructure capacity.

The planning proposal request does not support the Woollahra LHS 2021 objectives (primarily because the indicative significant amount of residential yield is not ensured). Staff emphasise that consistency with the LHS 2021 objectives is contingent on delivery of a substantial residential component on the site and the issues regarding scale and adverse character impacts need to be addressed.

Notwithstanding, residential uplift on the site would support key Woollahra LHS 2021 strategic objectives, and a planning proposal reviewed and amended in accordance with the staff recommendations summarised in Section 6 would align with the following Woollahra LHS 2021 objectives:

- **Objective 1:** *Sustain a diverse range of housing types and protect low density neighbourhoods and villages.*
- **Objective 2:** *Facilitate opportunities for housing growth in locations identified in the Woollahra Local Housing Strategy.*

3.5. Edgecliff Commercial Centre Planning and Urban Design Strategy (ECC Strategy)

Adopted on 29 April 2024, the ECC Strategy provides direction for growth in the ECC (**Figure 6**). The strategy is the result of an extensive community consultation process. Significant amendments and additional heritage and urban design investigations were undertaken in response to issues raised in submissions. The adopted ECC Strategy is a clear reflection of the community and Council's position on desired future character of the ECC.

The adopted ECC Strategy establishes a more focused approach to planning for the ECC, with the uplift sites concentrated between Edgecliff Station and Mona Road. The ECC Strategy identifies the precinct around the site as a local commercial core that can accommodate a moderate level of employment and residential growth to enhance employment and living opportunities for the local community. It is envisaged that growth will revitalise the ECC and improve its economic viability, particularly through enhanced public domain and community infrastructure.

The site is one of nine sites identified for uplift in the ECC Strategy, nominally up to 86m with two towers of 14 and 26 storeys on a four storey podium. **Figure 7** shows the indicative massing of the built form in the ECC Strategy. The planning proposal request indicates a 128m (37 storey) residential tower on the site, which is inconsistent with the ECC Strategy. As discussed in Section 4, staff consider the requested height is excessive and is not of a scale that is appropriate to the ECC's status as local centre.

Notwithstanding, staff support redevelopment on the site and acknowledge its potential to contribute to public domain enhancements and fill the identified need for community infrastructure in the heart of the ECC. Accordingly staff support an increase in scale on the site consistent with the ECC Strategy.

Council's recommended approach to the development of this part of the ECC outlines treating the proponent's land and the Council land as one (the site), with the heights and FSRs applied to the whole site. This approach would facilitate a coordinated built form outcome that secures public benefit and delivers improved urban design outcomes along New McLean Street.



Figure 6: Extent of the Edgecliff Commercial Centre (Source: Woollahra Council, 2024)

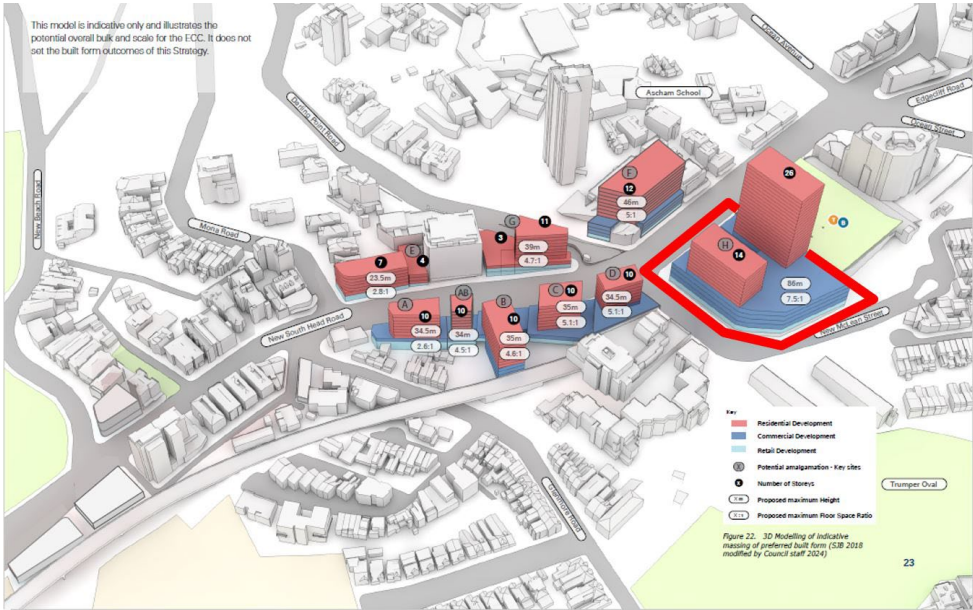


Figure 7: ECC Strategy Indicative Massing with site highlighted in red (Source: Woollahra Council, 2024)

4. Assessment of site-specific merit

This site-specific merit assessment reviews the planning proposal against relevant Woollahra LEP 2014 and Woollahra DCP 2015 objectives and controls, with specific reference to the indicative development concept. The site-specific assessment finds that the planning proposal request does not demonstrate site-specific merit. The reasons for the staff finding are outlined in Points 4 and 5 below and summarised in the Summary of Recommendations in Section 6.

4.1. Woollahra Local Environmental Plan 2014

4.1.1. E1 Local Centre Zone Objectives

The planning proposal request would have unacceptable impacts resulting from the scale of the built form and does not comply with the following objectives:

- *To encourage development that is compatible with the local centre's position in the centres hierarchy.*
- *To ensure development is of a height and scale that achieves the desired future character of the local centre.*

Notwithstanding, uplift on the site would contribute to additional housing and modern retail and commercial space. A planning proposal reviewed and amended in accordance with the staff recommendation would align with the above and following E1 Zone objectives.

- *Provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.*
- *Encourage investment in local commercial development that generates employment opportunities and economic growth.*

4.1.2. Maximum building height

Under Woollahra LEP 2014, the maximum building heights are:

- 6m for the southern portion of the site (accommodating the two storey building);
- 26m for the northern portion of the site (accommodating the seven storey building); and
- No height for the Council land.

The proponent has requested part 60m and part 124-128m (max RL 156.8m) for both the proponent's land and Council land.

The 128m height triggers air space protection rules (a breach of approximately 0.75 AHD). The proponent states this is not expected to prevent development to the height requested. Further comment may be sought from the relevant authority should the planning proposal progress to public exhibition.

Figure 8 shows the approximate distribution of heights (in RLs) across the site. At its highest point, the indicative development concept shows a 35 storey residential tower above a two-storey non-residential podium, a total of 37 storeys (maximum height of RL 156.75m).

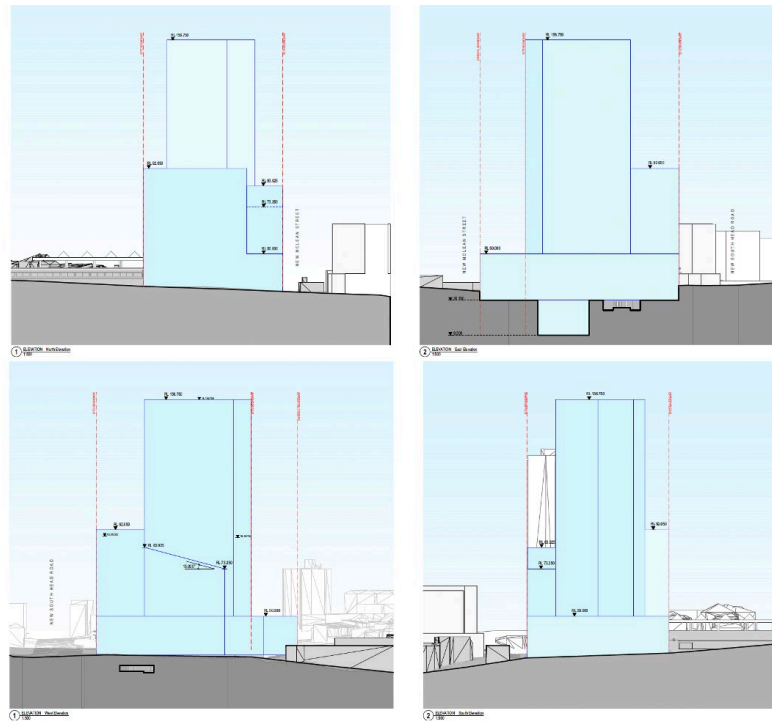


Figure 8: Requested heights maximum envelope (Source: FJC, 2024)

In assessing the requested building height, staff had regard to the following:

- Existing building height controls;
- The ECC Strategy that shows towers of 14 and 26 storeys (maximum 86m) on the site, acknowledging the highest building should be in the heart of the ECC;
- The ECC Strategy that shows nearby uplift sites of 10-11 storeys (34-39m);
- The 37 storeys proposed on the proponent's land being 30m taller than the tallest building nearby, Ranelagh (that the Woollahra DCP 2015 identifies as an intrusive building); and
- The recent planning proposal for 136-148 New South Head Road that would enable 46m (12 storeys) via an exceptions clause.

As discussed in the following sections, 128m (37 storeys) is excessive and if the planning proposal request were to be amended in accordance with the staff recommendations (refer to summary in Section 6), it would facilitate development of a scale, type and intensity consistent with the ECC Strategy.

Staff consider the following aspects in the indicative development concept acceptable, given they are within the ECC Strategy's indicative heights and their impacts can be managed:

- 13 storey commercial building over the two storey podium (approximately 60m) - noting this contributes to maintaining commercial floor space in the heart of the ECC;
- 11 storey part of the residential tower over the two storey podium – noting this lower height maintains solar access to Trumper Oval from 10am onwards mid-winter; and
- Height up to RL 47.5m (approximately 20m) on the Council land – noting three to four storey podium height on New McLean Street is consistent with the ECC Strategy.

4.1.2.1. Urban design review and height

An internal urban design review indicates that the site and adjacent land (Eastpoint) will continue to be the focus of higher density commercial, retail, community and residential uses, and can absorb considerable height above existing controls, due to:

- Accessibility, centrality and the New South Head Road address
- Large, comparatively un-fragmented sites and ownership
- Edgecliff Station and bus interchange that will attract pedestrians
- Ownership and railway easements, that add complexity and requires a comparatively higher density for viability
- Scope to improve the presentation and usability of the primary public domain; and
- Separation from sensitive land uses by wide roads, neighbouring precincts, and existing non-sensitive uses that would enable minimisation of potential impacts such as overshadowing, solar access, privacy, outlook and views.

Tall buildings can be positive where appropriately located, such as on the site that benefits from the:

- Ridge location that reinforces the site's visual significance and would 'place-mark' the presence of urban activity and transport; and
- The inner-Sydney character of tall buildings along ridgelines, which ensures tall buildings on the site would not be unique and would not be unreasonably visually prominent within the wider cityscape and skyline.

Notwithstanding, the urban design review recommends a lower height than the 128m (RL 156.75m), as the role of Edgecliff as a local centre does not warrant an overtly prominent landmark tower. Staff propose a height consistent with the ECC Strategy is appropriate for the site.

Additional survey data is required to address the lack of clarity in the lodged documentation and includes:

- Detailed sections to clearly show floor to floor heights in metres, and number of storeys; and
- A detailed and readable survey to establish the existing ground levels and assist in completing the first point¹.

4.1.2.2. State Environmental Planning Policy (Housing) 2021 (the Housing SEPP)

On 14 December 2023, the NSW Government implemented in-fill affordable housing reform to encourage affordable housing and market housing in accessible areas (within 800m of Greater Sydney train stations and other relevant locations). The reform incorporated into the Housing SEPP include:

- A height and FSR bonus of up to 30% for projects that include up to 15% of their gross floor area (GFA) as affordable housing.
- A requirement for the affordable housing to be managed by a registered community housing provider and remain affordable for a minimum of 15 years.
- Non-discretionary development standards for lot size, dwelling sizes, landscaped area, deep soil zones, car parking and others.
- Requirements for the consent authority to consider the character of the local area, or the desired future character for areas under transition.

¹ The only available ground level is the spot height of RL 27.57m that is the lowest height in the external loading dock and would establish an RL of 156.75m (27.57m + 128 m).

The site could include 15% of its GFA as affordable housing and could obtain a 30% bonus on the maximum FSR and building height. Under the ECC Strategy, the indicative maximum FSR for the site is 7.5:1. A 30% FSR bonus on 7.5:1 is 9.75:1. The proponent's request for a 9:1 FSR is close to the maximum FSR that could be achieved under the Housing SEPP.

The ECC Strategy's indicative maximum height for the site is 86m. A 30% bonus on 86m is 112m (about 34 storeys). The proponent's requested 37 storeys could increase to 48 storeys using the 30% bonus and would further exceed an acceptable scale of development for the site.

The proponent has not considered the Housing SEPP bonus in their review of whether the planning proposal is the best means of achieving the desired outcome. Accordingly, any proposed uplift on the site would need to be supported by a provision that prevents the Housing SEPP bonus being available on the site.

4.1.2.3. Height – summary and recommendation

In summary, staff consider the height of 128m excessive and it would:

- Be inconsistent with the ECC's desired future character;
- Produce a building significantly higher than others in the vicinity and not allow for a transition to lower scale built form in and around the ECC (existing and potential);
- Not be appropriate in scale to the Edgecliff local centre as it would be more typical of a larger strategic centre; and
- Be liable to extend even higher through a Housing SEPP bonus.

While the height is reduced from the pre-application version by 8m in the planning proposal request, the urban design review and staff analysis indicates the reduction is not enough to achieve an acceptable outcome. At 128m and 37 storeys, the residential tower on the site would be three or more times the height of nearby development.

4.1.3. Maximum floor space ratio

Under the Woollahra LEP 2014, the maximum FSR is 2.5:1 for the proponent's land and there is no FSR control applying to the Council land. The proponent has requested a maximum FSR of 9:1 for the proponent's land and 3.5:1 for the Council land.

In assessing the requested FSR, staff had regard to the following:

- The ECC Strategy that indicates an FSR of 7.5:1 for the site (the proponent's site and the Council land), a four storey podium and a minimum non-residential FSR of 3:1; and
- The recommended FSR of nearby uplift sites in the ECC Strategy that are 4.5-5:1.

The planning proposal request would result in a disparity in FSRs between the two parcels. In effect, the planning proposal would relocate the development potential of the Council land onto the proponent's land, and restricts the long term development opportunities of the Council land.

Staff do not support the requested FSR for the site as it could result in a built form with excessive bulk that does not respond to the local context.

Given the recommended height of 86m and the need for setbacks, building separation and articulation (refer to Section 4 for detail), the FSR should be reduced and confirmed in a subsequent detailed design.

The urban design review supports the positioning of the residential tower behind the commercial and community buildings, stating this will bring visual relief within the streetscape due to the stepping of the building mass into the centre of the site. However, the following staff concerns about the planning proposal request and the indicative development concept need to be addressed, and may affect the achievable FSR on the site:

- No setback above podium of the 12 storey commercial building on the northern boundary;
- No setback above podium of the nine storey residential tower on the western boundary;
- An 18m internal building separation that may need to increase to 24m (for *Apartment Design Guide*, or ADG compliance) if windows are placed in the southern façade of the commercial building; and
- The lower residential floorplate (from Level 3 to 11) shows 11 apartments per level and exceeds the ADG design criteria maximum of eight apartments.

Setbacks above the podium are considered appropriate to visually distinguish and separate the different parts of the built form, and bring visual relief in the streetscape. Setbacks would improve microclimates at pedestrian levels, especially by reducing wind impact and enabling better solar access. Setbacks would also provide useable outdoor space for the towers' occupants. Staff note that the proposed podium of two storeys in the indicative development concept is lower than the four storey podium recommended in the ECC Strategy. Staff consider this variation to be acceptable as the design accommodates the entire commercial floor space within the commercial tower, and the two-storey retail podium helps to create a consistent street wall with adjacent buildings along New South Head Road.

Based on the urban design review, staff recommend the following to address the concerns raised above:

- Setback to tower at a minimum of 6m above the podium;
- Podium no taller than two storeys with retail/commercial addressing the streets;
- Podium articulated to maintain a human scale building wall to the street;
- Podium level setbacks landscaped and directly accessible from the tower lifts; and
- Residential tower footprint to comply with the ADG (building separation and number of units off corridors).

Addressing the matters outlined above and lowering the height of the built form will assist in the modelling of an appropriate FSR.

4.1.4. Maximum non-residential floor space

For the reasons discussed at Point 3.1.1, the requested development standards do not ensure a significant amount of residential yield anticipated in the indicative development concept. Staff emphasise that strategic and site-specific merit are contingent, among other things, on the delivery of a substantial residential component on the site. The residential yield is a key reason staff support (in principle) uplift on the site.

To ensure a substantial residential component is achieved on the site, staff recommend a maximum 3:1 non-residential FSR. Staff do not support the exclusion of serviced apartments from the definition of non-residential development.

This recommendation is based on the indicative development concept that shows approximately one third of proposed GFA as commercial floor space (including retail) and the remaining two thirds of proposed GFA as residential floor space.

4.1.5. Arrangement of height and floor space

The indicative development concept proposes an alternative built form to that shown in the ECC Strategy (refer to **Figure 9**). The arrangement of built form reflects constraints on the site caused by the rail corridor beneath (refer to **Figure 10**).

The indicative development concept presents a logical layout and enables the internal plaza that would provide open space for development on the site. Urban design analysis indicates the distribution shown in the indicative development concept has minimal additional impact in terms of amenity, particularly overshadowing and views. Staff, therefore, have no objection to the indicative spatial arrangement of built form, subject to the recommended reduction in its height (and corresponding amendment to FSR). However, the bulk and scale of the tower compromises the amenity of the public domain, creates inadequate transition between that built form and nearby lower density development and is inconsistent with the desired future character of the ECC as identified within the ECC Strategy.

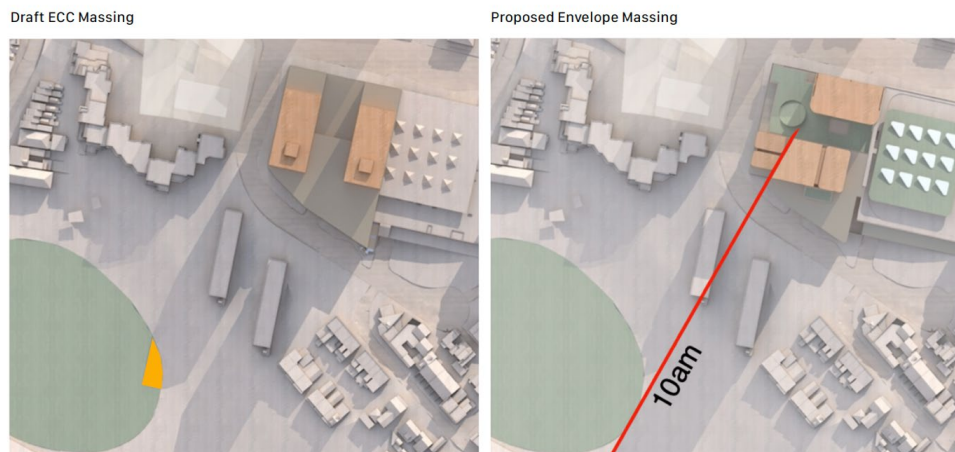


Figure 9: Comparison of massing under the ECC Strategy and the planning proposal (Source: FJC 2024)

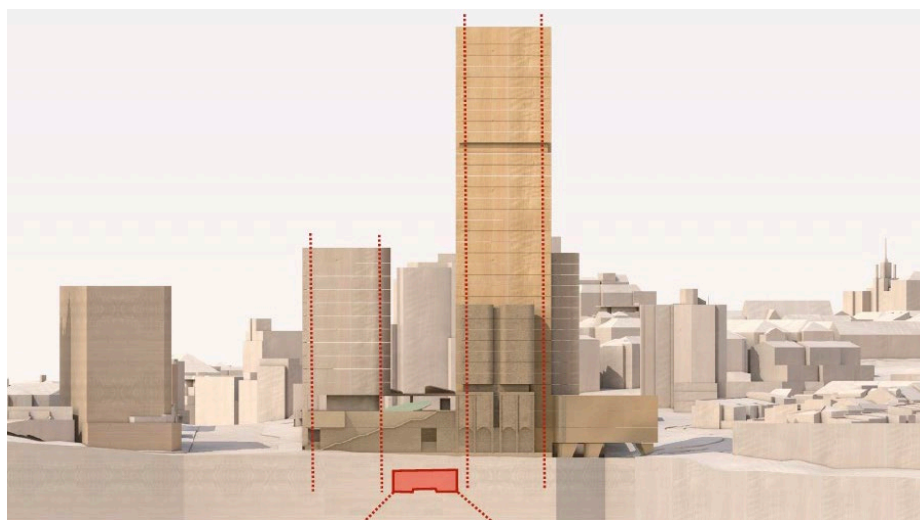


Figure 10: Indicative development concept – tower positioning around rail corridor (Source: FJC 2024)

4.1.6. Part 6 Additional Local Provisions

Staff do not support amendment to the height of buildings and FSR maps. A simple map amendment may not provide adequate control to achieve the intended outcome of the recommended planning proposal. A map amendment would potentially enable the increased maximum heights and FSRs to be realised on the site whether or not key built form principles were achieved.

Staff recommend the use of *Part 6 Additional local provisions* to enable exceptions to the applicable maximum building heights and FSRs if specified requirements are met. An exceptions clause would provide certainty to the intended built form outcome for the whole site.

An exceptions clause for the planning proposal has been recommended under Section 6.2 Exceptions clause. The exemplar clause provided is modelled on similar clauses in the Woollahra LEP 2014 for 136-148 New South Head Road, Edgecliff and 488-492 Old South Head Road/30 Albemarle Avenue, Rose Bay (yet to be finalised).

4.2. Woollahra Development Control Plan 2015 (Woollahra DCP 2015)

4.2.1. Desired future character

The Woollahra DCP 2015, *Part D: Business Centres and Chapter D2.2 Mixed Use Centres – Edgecliff Road Corridor* describe the desired future character for the ECC. Key objectives are:

- Reinforcing the ECC as a focus of retail and business activity, and as a convenient place for people to meet, work, shop and use services; and
- Creating a high quality urban environment and pedestrian amenity, including human scale and active frontages on New South Head Road and New McLean Street.

Chapter D4 Edgecliff Centre provides specific controls for the Edgecliff Centre (that includes the site, the adjacent Eastpoint Food Fair and Eastpoint residential tower) to ensure development has regard to its context and is compatible with the desired future character.

Key objectives of the desired future character for the Edgecliff Centre are:

- High standard of architectural and landscape design, contribution to sense of place;
- Protecting the amenity of residential, pedestrian and commercial areas; and
- Improving connections and active frontages (particularly on New McLean Street).

The planning proposal request is inconsistent with the above-mentioned business centre and Edgecliff Centre objectives and desired future character because of the scale of the built form that is out of context, and would lead to poor local character, amenity and urban design outcomes (refer to Section 4.4 Urban design for detail).

However, a planning proposal reviewed and amended in accordance with the staff recommendations summarised in Section 6 would contribute to achieving the desired future character objectives while enabling modern employment and residential space adjacent to Edgecliff Station and bus interchange. An amended planning proposal could also contribute to public domain enhancements and provide community infrastructure.

4.2.2. General controls

The Woollahra DCP 2015, *Part D: Business Centres, Chapter D3 General Controls for Neighbourhood and Mixed Use Centres* also applies and establishes objectives and controls for centres. Some of the key objectives for mixed use centres are to:

- D3.2 O2 *Maintain continuous retail or commercial uses at street level.*
- D3.3 O2 *Create or activate an interface between ground level retail or commercial properties and the street.*
- D3.4 O1 *Achieve a built form of a scale and character in keeping with the desired future character of each centre.*
- D3.4 O5 *Encourage building massing and articulation that creates strong corner buildings.*
- D3.5 O2 *Encourage good building design and limit building bulk through articulation.*
- D3.8 O6 *Increase opportunity for landscaped areas at ground level to improve amenity for building occupants and neighbours.*
- D3.9 O4 *Ensure that on-site car parking and driveways do not dominate or detract from the appearance of the development and the local streetscape.*
- D3.10 O3 *Ensure that site facilities are thoughtfully integrated into the development and are unobtrusive.*
- D3.10 O8 *Discourage the provision of mechanical plant equipment on the roofs of buildings to minimise visual impact of these services.*

As discussed in *Sections 4.1.2 Height, 4.1.3 FSR and 4.4 Urban design*, the planning proposal request and indicative development concept are inconsistent with some of these objectives, particularly regarding:

- Active frontages and ground level interface on New McLean Street;
- Strong corner at the intersection of New South Head Road and New McLean Street;
- Articulation, building height and bulk, podium setbacks; and
- Dominance of the vehicular entrance on New McLean Street.

These design matters would need to be addressed in the recommended detailed design development and incorporated in the site-specific provisions.

4.3. Community infrastructure

The planning proposal request refers to “*a contribution of funding towards community infrastructure in the form of a multi-purpose community facility, with green roof, fronting New McLean Street*”.

A multipurpose community facility on Council land does not form of the VPA draft letter of offer. At the time of preparing this report, negotiations are ongoing and no agreement on the terms of a draft VPA have been reached.

The Urban Design Report shows the concept for a multi-purpose community facility on Council land with two full levels (one with a multi-purpose court and void above, one with a function centre), a mezzanine overlooking the court, and a small lower ground level entrance on New McLean Street. The amount of floor space is quoted at 2390m² in the Planning Proposal Report that also references potential to be as much as 3000m² through design collaboration with Council. Staff note both these figures are inconsistent with the 3.5:1 control requested for the Council land (a 3.5:1 FSR on a 1000m² lot would result in 3500m² of gross floor area).

While the design and location of the community space are subject to negotiation between the proponent and appropriate Council teams, staff note the current design does not provide

an ideal planning outcome. In the indicative development concept, the multi-purpose community facility on Council land is located above vehicular entrances on New McLean Street and would have poor legibility. Further, the floor plans are irregular in shape and would result in inefficient internal spaces. The spaces would be subject to limited solar access and have no direct access to parking or loading facilities.

4.4. Urban design

Aspects of the indicative development concept such as height and bulk and the multi-purpose community facility on Council land have an impact on the public domain and desired future character and are discussed previously (that discussion is not repeated here).

The urban design review analyses the remaining public domain and character aspects of the indicative development concept and makes recommendations on retail, open space, activation, permeability, legibility and 'laneways' as discussed below.

4.4.1. Green space

The planning proposal request refers to 3000m² of green space that includes 'a village green', podium top plaza, grand staircase, and seating areas. This green space is wholly within the site and staff consider it could be perceived as private space, rather than public open space. The green space will primarily benefit development on the site by providing internal separation, solar access, natural ventilation and outdoor space for users of the development. The plaza is behind the towers and the 'village green' is above street level (see **Figure 10**). To have better impact on public amenity, the green space on the site should ideally be at street level, preferably with exposure to New McLean Street, and receive mid-winter solar access.



Figure 10: Indicative development concept – New South Head Road frontage (Source: FJC 2024)

4.4.2. Activation and pedestrian connections

The proponent cites the following activation and pedestrian connection initiatives regarding the indicative development concept:

- Forecourt on New McLean Street adjacent to through site links, multi-purpose community facility and residential entry with visual connectivity to the Trumper Park pathway;

- Activating the streetscape with retail, and inclusion of landscaping throughout the site;
- Network of pedestrian laneways, through site links, colonnades and central plazas interconnecting the surrounding area;
- Public staircase off the corner at New South Head Road and New McLean Street; and
- Activated and landscaped frontages to New McLean Street and New South Head Road within an integrated civic ground floor retail precinct.

However, the New McLean Street frontage shown in the indicative development concept lacks activation and visual interest (see **Figure 11**). Staff recommend enhancement of the role of New McLean Street as an activated public space.



Figure 11: Indicative development concept – streetscape in New McLean Street (Source: FJC 2024)

4.4.3. Laneways

The proponent cites the introduction of a network of pedestrian laneways, through site links, colonnades and central plazas interconnecting the surrounding area with transport. However, the proposed 'laneways' are internal and do not constitute true laneways. It is not clear there would be increased connectivity to Edgecliff Station or the bus interchange.

Levels between the site and Eastpoint do not match, and the interconnecting laneways shown in the indicative development concept may not be achievable. There is no indication in the planning proposal request of support or desire from the owners of Eastpoint or TfNSW regarding new access points from the site.

4.4.4. Public domain summary

Appropriate public domain enhancements are integral to enabling uplift on the site and to making a positive contribution to the ECC's revitalisation. As discussed above, some aspects of the proponent's indicative development concept are considered to have negative impact on the public domain and to be of no public benefit. Staff consider that the urban design impacts of the indicative development concept need thorough review, and recommend this be required as part of the detailed design development referred to above.

4.5. Trees

Council's Tree Management Officer reviewed the planning proposal request and provided comments, which are reflected in the following discussion. Accordingly, Council staff do not support the tree management outcomes that would result if the indicative development concept were to be developed.

The site includes 30 native trees. Some of these are on the Council land and would need to be removed to accommodate the multi-purpose community facility. The eleven street trees along the New South Head Road frontage could be retained and protected but could be impacted by re-paving and re-servicing, rather than any building footprint and potential impacts are manageable.

Two large mature *Eucalyptus* in the road reserve to the west of the site, proposed to be pruned (trees 15 and 17 in the Arboricultural Report) are assessed as in good health and condition. These trees are prominent in the local landscape, and they are a priority to be retained. Modifications to the building envelope will be required to negate the need for pruning of these trees.

Should the planning proposal proceed, appropriate controls for tree retention and replacement planting should form part of new Woollahra DCP 2015 provisions.

4.6. Traffic and parking

In assessing the impact of the planning proposal request to traffic and transport, staff had regard to the following:

- The *Woollahra Active Transport Plan*, adopted in December 2023, proposes a dedicated cycleway along New South Head Road adjacent to the site; and
- New South Head Road and its intersection at Darling Point Road/New McLean Street are identified in the *Draft Woollahra Integrated Transport Strategy 2021* as experiencing high traffic congestion during weekday peak periods.

Council's Traffic Engineer reviewed the planning proposal request and provided comments that have informed the following discussion.

The transport impact assessment supporting the planning proposal request indicates that the indicative scheme will not result in any additional trip generation during peak hours and will not have any detrimental impact on the performance of the surrounding intersections. Staff have also considered traffic generation and parking requirements on the site in context of the ECC Strategy. The ECC Transport Study (SCT 2024, updated to support finalisation of the ECC Strategy) indicates the ECC Strategy projected growth can be accommodated within the existing road network. SCT Consulting recommend that Council investigate the introduction of strategies to restrict trip generation, such as limiting additional parking, reducing rates for residential uses, improving active transport infrastructure, and liaising with TfNSW on traffic signal phasing at the new South Head Road and New McLean Street intersection. These options could be explored for the site.

In accordance with the Woollahra DCP 2015 *Chapter E1 Parking and Access*, a maximum of 337 car spaces could be provided for the residential component of the indicative development concept (that shows 216 parking spaces for the residential component), and 254 would be required for the commercial component (117 spaces are shown). It is noted that the proposed provision for residential parking is substantially below the maximum, which has raised concerns for the increase of parking pressures on the surrounding road network.

In principle, staff support the residential parking amount, given the site's direct access to public transport, and consider reduced parking on the site would discourage car ownership. Staff consider the retail/commercial parking, and the service arrangements shown in the indicative development concept generally acceptable and detail regarding this aspect of development on the site can be included in the recommended DCP.

TfNSW concurrence would be required at development application (DA) stage for any increase in vehicular, pedestrian and cycle traffic around the intersection of New McLean Street and New South Head Road.

Notwithstanding the above, it is noted that the planning proposal request does not include parking for the multi-purpose community facility. Nor does it assess traffic generation from the multi-purpose community facility provided on Council land, and this would need to be addressed in the recommended detailed design development and may affect the potential maximum FSR.

4.7. Solar access

Regarding nearby dwellings, Chapter D4, C28 of the Woollahra DCP 2015 requires two hours of solar access between 9am and 3pm on 21 June to north facing windows of habitable rooms, and at least two hours to at least 50% of the private open space. Where existing overshadowing is greater than this, sunlight is not to be further reduced.

The Planning Proposal Report provides a high level solar analysis (**Figure 15**) that indicates these solar access requirements can be met by the planning proposal request envelope and as demonstrated in the indicative development concept. The proponent's analysis also indicates the ADG solar access requirements can be met for units on the site.

The proponent's solar analysis indicates Trumper Oval would not be overshadowed by a development to the scale enabled by the planning proposal request between 10am and 2pm mid-winter and would, thus, comply with the DCP requirement.

The Planning Proposal Report states the proposal would result in a marginal variance in solar impacts compared to the ECC Strategy, and that the different massing would redistribute shadows at different times throughout the day and not cause significant increase in overall shadows.

The internal urban design analysis indicates the solar access diagrams are adequate for the purpose of assessing the planning proposal request and staff note more detailed solar access assessment would be undertaken at DA stage to confirm compliance of the detailed design of the built form.

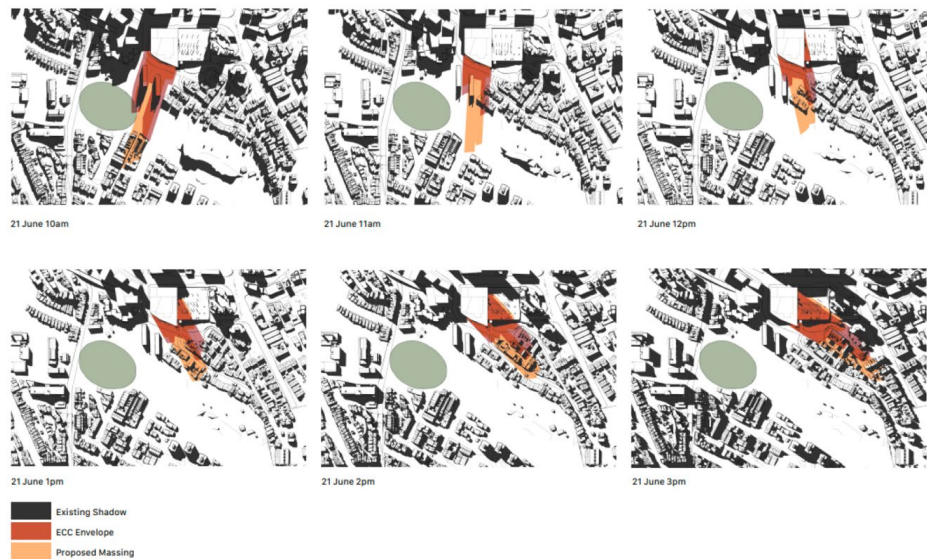


Figure 15: Comparative shadow diagrams - ECC Strategy and indicative development concept
(Source: FJC 2024)

4.8. Views

The proponent's visual impact assessment (VIA) prepared by Richard Lamb considers the Tenacity principles in relation to impacts on private views. The VIA concludes that at the strategic level, the level of visual impact varies from low to moderate and is acceptable on balance.

The VIA states that private view loss is no greater than that which would be caused by a built form consistent within the ECC Strategy, and in many instances an improved outcome. In Summary the VIA concludes:

- Primary views for East Point and Ocean Point (the main buildings affected) are north and east with secondary views west overlooking the site.
- None of the towers in the proposed envelope above the height of podiums cause any additional view loss compared to the ECC Strategy envelope.
- Primary views for Ranelagh are north-east and north-west with limited windows such as bathroom and kitchen southward facing over the site. The views at the lower RLs are affected by the envelope of the endorsed planning proposal for 136-148 New South Head Road which obstructs views of the site.

In relation to visual impacts on views from the public domain, the VIA concludes there is no discernible impact between the planning proposal and the ECC Strategy massing. The VIA considers the effective visual catchment of the site, which is the area within which there is sufficient detail to perceive the nature and quality of a development. In summary the VIA concludes:

- Minor to moderate change would occur to the visual catchment, character, scenic quality, and public domain sensitivity of the site
- The level of visual effects is rated as moderate for most views in the visual catchment. High levels of visual effects were found for some close views with unimpeded foregrounds and low levels of visual effects for the small number of distant views.

It is apparent a development in accordance with the planning proposal will be highly visible, particularly when viewed along New South Head Road, from Trumper Park and from the Paddington HCA/New McLean Street. While staff recommend a reduction in height, development on the site would still be highly visible, but its impact may be reduced.

The exact extent and reasonableness of private loss would be assessed at DA stage, and that view impact is unlikely to be affected by the staff recommended reduction in height. In assessing the planning proposal, the view loss needs to be weighed against the strategic objectives of enhancing the ECC's role as a local centre and optimising use of Edgecliff Station and the bus interchange (as envisaged in the ECC Strategy).

Views of the ECC skyline, and views from dwellings and public places, are considered in the background study² to inform the ECC Strategy. The ECC Strategy states that the preferred option was chosen as the towers can be located to negotiate view sharing and create a recognisable skyline that can be easily identified from surrounding areas. This objective is achievable with the proposed reorientation of the towers under the planning proposal.

4.9. Heritage

Council's Heritage Office reviewed the planning proposal request and provided comments. Primary concerns raised are related to the bulk of a development enabled through the proposed development standards and the impacts this could have on places of heritage significance, as outlined below:

the proposal is unacceptable due to the excessive building height and bulk ...which would very likely give rise to an unacceptable heritage impact over a broad visual catchment...with potential to set an undesirable precedent for high-rise development in the Edgecliff commercial precinct, which would have a cumulative negative impact on the nearby conservation areas in terms of heritage and other amenity impacts... suggested street level design improvements do not outweigh adverse impacts and are themselves not necessarily desirable urban design

The Heritage Officer raised concerns regarding the planning matters that are discussed in other sections of this staff assessment (such as bulk and scale, transition to lower scale development, solar access, view impact, urban design, and desired future character). That staff discussion is not repeated here, noting that the staff assessment recommendations include reduction in height and improved urban design outcomes.

Should the planning proposal proceed, heritage protection and design excellence will be considered further. Any requirements beyond those contained in the Woollahra LEP 2014 and existing Woollahra DCP 2015 would be included in the recommended site-specific DCP.

4.10. Sustainability

The following matters in relation to environment and sustainability need to be further considered should the planning proposal proceed:

- Depending on the actual extent of tree removal, a Flora and Fauna Assessment may be required at a later stage to assess the impact of vegetation removal on biodiversity, given Trumper Park is within 100m and is a large bushland reserve that provides habitat for many native and threatened species.
- Proximity to Trumper Park needs to be considered in landscaping (including green walls/roofs) and should include the planting of local native species and canopy species where possible.

² Edgecliff Commercial Centre Study, SJB Architects, September 2018

- The provided ESD Report makes no commitment to implement any sustainability measures, and only states that certain initiatives will be 'considered'. Should the planning proposal proceed, Council would require best practice sustainability standards.

Staff consider that the above matters can be addressed in a site-specific DCP and/or via conditions in any future consent.

4.11. Parks and open space

Council's Open Space and Recreation Planning Team Leader reviewed the indicative development concept and provided the following comments.

Staff emphasise that overshadowing of Trumper Park and Oval should be minimised, with no increase in overshadowing between 10am and 4pm on 21 June. The planning proposal request and indicative development concept would achieve the solar access requirement regarding Trumper Oval. However, to avoid additional overshadowing to the rest of Trumper Park, the proposed development (as illustrated in the indicative concept) would require significant redesign. Staff note that the indicative massing in the ECC Strategy would also result in some increased overshadowing of Trumper Park and is considered acceptable. Given the shadows cast would be fast moving, solar access to the park would be maintained at various times throughout the day.

4.12. Site-specific DCP (amendment to the Woollahra DCP 2015)

Staff recommend the preparation of a site-specific DCP to support the exceptions to the maximum building height and FSR standards that would be enabled by the recommended planning proposal.

The site-specific DCP would provide guidance on the intended built form outcome and cover matters such as housing yield and diversity, articulation and setbacks, heritage impact, street activation, tree preservation, public open space and urban greening, vehicle access and parking, and sustainability.

In this regard, the proposed draft exceptions clause requires that development consent must not be granted unless a DCP has been prepared for the site (see below). The clause then lists a range of matters that are to be addressed in the DCP.

Should Gateway determination be received, staff would prepare a draft site-specific DCP.

5. Justification for the planning proposal

The *Local Environmental Plan Making Guideline* (LEP Guideline) prescribes the content to be contained in a planning proposal and acts to supplement the LEP making process outlined under Division 3.4 of the EP&A Act 1979.

The LEP Guideline outlines the matters for consideration when justifying the need for a planning proposal. These are posed as questions for the proponent to answer. Council staff are of the opinion that the key question which asks whether a planning proposal is needed has been sufficiently addressed by the proponent, as discussed below.

Question 2 of the LEP Guidelines asks:

Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

The proponent presents the following five options in response to this question:

- Option 1 – Do nothing
- Option 2 – Redevelop the site under the current Woollahra LEP 2014 controls
- Option 3 – Request for variation of a development standard pursuant to clause 4.6 of the WLEP 2014.
- Option 4 – Completion of the Draft ECC Strategy
- Option 5 – Prepare a site-specific planning proposal to amend the height of buildings and floor space ratio development standards (the subject of this planning proposal).

Staff assessment of each option is provided below.

Option 1 – Do nothing

The site is developed to the scale permitted under the existing development standards and this option involves the operation of the existing commercial building on the site in its current form. The proponent states the building is outdated and nearing the end of its optimal life and economic viability. Further, it would not be possible to build on the Council land under this option as there are no development standards applying to the land.

This option presents a lost opportunity to provide additional residential, employment and community infrastructure in modern buildings, in an accessible location, providing density where it is most appropriate.

This option would not assist Council in achieving its housing targets, or the outcomes identified in the ECC Strategy.

Notably, this option would not achieve the affordable housing contribution and significant community infrastructure improvements that are a key element of the intended outcome.

Option 2: Redevelop under the current controls of the Woollahra LEP 2014

Redevelopment under the current controls would not support the intended outcomes of the planning proposal that looks to intensify activity adjacent to transport infrastructure and to revitalise the heart of the ECC.

The proponent states that demolition of the existing building on the proponent's land to redevelop up to 26m would not be feasible and this would be exacerbated given the constraints associated with the below ground rail easement.

This option also presents a lost opportunity to provide additional employment space, housing and public benefits summarised under Option 5.

Option 3 – Clause 4.6 Variation Request

This option would rely on a development assessment under the existing controls and would not include a strategic merit assessment.

To achieve the intended outcome, additional height and floor space is required for the site. While there is no test for the maximum extent of variation, the variation to height and FSR needed to achieve the intended outcome of this planning proposal is considered too significant for a clause 4.6 variation.

Option 4: Finalisation of the draft ECC Strategy

The proponent lodged their request for a planning proposal prior to Council adopting the final ECC Strategy on 24 April 2024. Discussion of this option is no longer relevant.

Notwithstanding, the ECC Strategy was considered, where appropriate, in the strategic merit and site-specific merit assessment of this planning proposal. Staff consider that a consolidated planning proposal prepared to enact the ECC Strategy would be the most efficient means of achieving the intended outcomes of this planning proposal as it would provide assessment of the cumulative impact of redevelopment on all sites identified for uplift and enable growth in a coordinated manner.

Option 5: This planning proposal

Staff consider that the intended outcome warrants a new planning framework via site-specific Woollahra LEP 2014 provisions and a supporting site-specific DCP. The planning proposal option also triggers Council's endorsed VPA process and negotiations for a contribution towards affordable housing and other community infrastructure as discussed in this planning proposal.

Through this option staff have assessed the merits of the planning proposal and found that it needs to be amended in accordance with the staff recommendations to have strategic and site-specific merit.

6. Summary of Recommendations

As discussed throughout this staff assessment, the planning proposal request does not exhibit strategic or site-specific merit due primarily to the bulk and scale of the potential built form, and inadequate transition between that built form and nearby lower density development (and associated negative amenity impact).

Given the findings of this staff assessment, staff recommend the Council ask the proponent to review and amend the planning proposal request to ensure consistency with the ECC Strategy. Staff recommend the review is undertaken primarily through detailed design development that is based on accurate survey information.

If the planning proposal request were to be amended in accordance with the following staff recommendations, it would facilitate development of a scale, type and intensity that is compatible with the ECC, and its desired future character as expressed in the ECC Strategy.

6.1. Strategic merit

To ensure consistency with regional, district and local strategic planning frameworks, staff recommend review and amendment of the planning proposal request regarding the scale of the potential built form being reduced to ensure it is more compatible with the ECC's status as a local centre (as outlined in the centres hierarchy).

6.2. Site-specific merit

To improve compatibility with the local context and consistency with the ECC Strategy, and the Woollahra LEP 2014 and Woollahra DCP 2015 objectives, staff recommend:

1. The maximum height of the potential built form be reduced to ensure it is more compatible with the context and does not negatively impact on the amenity in the vicinity of the site. Staff recommend the maximum height be based on the benchmark height identified in the ECC Strategy of 86m (RL 113m), that a review of maximum height be undertaken through a detailed design review based on accurate survey information and focus on the heights within the local context.
2. The maximum FSR be reduced to be consistent with the FSR identified in the ECC Strategy of 7.5:1 across the whole site.
3. A minimum 2:1 non-residential FSR and maximum 3:1 non-residential FSR to maintain the existing amount of employment floor space while ensuring delivery of a significant amount of residential floor space
4. That the built form be reviewed to improve amenity on and around the site, including articulation, setbacks (minimum of 6m) above podium on all frontages, ADG compliance and transition to lower scale buildings.
5. The location and configuration of the multi-purpose community facility on Council land be reviewed in line with Council's operational requirements, to meet community needs, and to improve its functionality, legibility, and public presence. **Note:** the multi-purpose community facility is not included as part of the draft letter of offer and VPA negotiations are ongoing.

6. The public domain impact be reviewed, including activation on all street frontages, enhanced public amenity, legibility and permeability into and through the site, street tree protection and urban greening.
7. Levels and built form between the site and the adjacent Eastpoint be reviewed and supplemented with additional information to demonstrate that improved integration can be achieved.

6.3. The Housing SEPP bonus

Staff recommend any uplift on the site be supported by a provision that prevents the Housing SEPP bonus being applied to ensure there is no opportunity to extend the bulk and scale of development on the site beyond what is considered appropriate in the context. In accordance with these staff recommendations, the appropriate maximum height and maximum FSR for the site will be determined as part of the recommended detailed design review and included in the recommended exceptions clause (see below).

6.4. Exceptions clause

Staff recommend the use of *Part 6 Additional local provisions* to enable exceptions to the applicable maximum building heights and FSRs (rather than amendment to the maximum building height and maximum FSR maps). The exceptions clause would describe specific criteria to be met in redevelopment of the site and provide certainty to the built form outcome. The following text is indicative of what could be included in the LEP as a site-specific clause for the site. The exceptions clause would be finalised following the recommended detailed design review, and would include the final maximum heights and FSRs achievable as exceptions.

6.13 Development on land at 203-233 New South Head Road, Edgecliff

- (1) *The objectives of this clause are as follows—*
 - (a) *to allow higher density development on certain land in Edgecliff,*
 - (b) *to ensure the development reflects the desired character of the area and exhibits design excellence,*
 - (c) *to provide for non-residential floor space and diverse housing.*
- (2) *This clause applies to land identified as “Area 4” on the Key Sites Map.*
- (3) *A building resulting from development on land to which this clause applies may have a floor space ratio up to that specified in subclause (4) and a building height up to that specified in subclause (5) if the consent authority is satisfied of the following—*
 - (a) *there will be no vehicular access between New South Head Road and the consolidated lot,*
 - (b) *the non-residential floor space ratio of the building will be at least 2:1 and no more than 3:1.*
- (4) *The maximum FSR on the land must not be more than 7.5:1*
- (5) *The height of a building on the land must not be more than:*
 - (a) *60m between the northern boundary and 15m from the northern boundary,*
 - (b) *86m between 40m from the northern boundary and 65m from the northern boundary,*
 - (c) *20m between the southern boundary and 35m measured along the eastern boundary,*
 - (d) *Despite sub-clauses (a)-(c) the height of a building on the land must not exceed the height required to ensure there will be no overshadowing of Trumper Oval between the hours of 10am and 2pm on 21 June,*
 - (e) *Despite sub-clauses (a)-(c) building on the land will comprise a 10m podium with towers setback from above the podium.*

- (6) *Subclause (3) applies only if a development control plan that provides for the following matters has been prepared for the land—*
 - (a) *building envelopes and built form controls, including storeys and setbacks and provision for a podium and tower,*
 - (b) *a mix of apartment types, including the number of bedrooms in each apartment,*
 - (c) *urban design,*
 - (d) *appropriate car parking and vehicle access arrangements.*
- (7) *Despite subclause (6), a development control plan is not required if the consent authority is satisfied that—*
 - (a) *the preparation of a plan is unreasonable or unnecessary in the circumstances, or*
 - (b) *the development—*
 - (i) *involves only alterations or additions to an existing building, and*
 - (ii) *does not significantly increase the height or gross floor area of the building, and*
 - (iii) *does not have significant adverse impacts on an adjoining building or the public domain, and*
 - (iv) *does not significantly alter an aspect of the building when viewed from a public place.*
- (8) *Development consent must not be granted under this clause unless the consent authority is satisfied that the development will include an area that will be used for the purpose of a community facility.*
- (9) *Development consent must not be granted to development on land to which this clause applies unless—*
 - (a) *a design review panel has reviewed the development, and*
 - (b) *the consent authority considers the advice of the design review panel, and*
 - (c) *the consent authority is satisfied the development exhibits design excellence.*
- (10) *In deciding whether the development exhibits design excellence, the consent authority must consider the following—*
 - (a) *whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,*
 - (b) *whether the form and external appearance of the development will improve the quality and amenity of the public domain,*
 - (c) *the relationship of the development with other existing or proposed development on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,*
 - (d) *whether the building resulting from the development will incorporate sustainable design principles, including in relation to the following—*
 - (i) *sunlight,*
 - (ii) *natural ventilation,*
 - (iii) *wind,*
 - (iv) *reflectivity,*
 - (v) *visual and acoustic privacy,*
 - (vi) *safety and security,*
 - (vii) *resource, energy and water efficiency,*
 - (e) *whether the proposed development will detrimentally impact the following—*
 - (i) *view corridors and landmarks,*
 - (ii) *pedestrian, cycle, vehicular and service access,*
 - (iii) *circulation requirements, including the permeability of the pedestrian network,*
 - (f) *the impact of the development on the public domain,*
 - (g) *whether there are appropriate interfaces at ground level between the buildings and the public domain,*

(h) *whether the development will include a mix of retail, commercial and residential uses.*

(11) *In this clause—*

design review panel means a panel of 2 or more persons established by the consent authority.

non-residential floor space means the total gross floor area of all buildings on the consolidated lot used for purposes other than residential accommodation or community facilities.

6.5. Site-specific DCP

Staff recommend the preparation of a site-specific DCP to support an exceptions clause and the additional height and FSR that the recommended planning proposal would enable.

The site-specific DCP would provide guidance on the intended built form outcome and cover matters such as housing yield and diversity, articulation and setbacks, heritage impact, street activation, tree preservation, public open space and urban greening, vehicle access and parking, and sustainability.

7. Conclusion

This report provides a staff assessment of the planning proposal request for 203-233 New South Head Road, Edgecliff and the Council land against the relevant strategic planning framework and site-specific matters.

This staff assessment found that, while intensified use of the site has strategic and site-specific merit, the bulk and scale of the planning proposal request is excessive and not supportable. Staff consider that the planning proposal in the manner requested by the proponent should not proceed. However, staff recommend that an amended planning proposal be prepared, incorporating the recommendations of this staff assessment to ensure consistency with the endorsed ECC Strategy.

Should the planning proposal (with recommended amendments) proceed, staff suggest the use of an exceptions clause rather than an amendment to the maximum height of buildings and floor space ratio maps, and that staff prepare an associated DCP to ensure the intended outcome is achieved.

The planning proposal amended in accordance with the staff recommendations would establish strategic merit for the following reasons:

1. The planning proposal would enhance housing and employment close to services, public transport, and green space, consistent with the objectives and planning priorities in the Region Plan and District Plan.
2. The planning proposal would support the centres hierarchy principles, and the Woollahra LGA structure plan identified in the Woollahra LSPS 2020.
3. The planning proposal would facilitate development that is of the type and intensity that would be consistent with the objectives of the ECC Strategy.

The planning proposal amended in accordance with the staff recommendations would achieve site-specific merit for the following reasons:

1. The amendments to the Woollahra LEP 2014 would facilitate a building envelope that is suitable in terms of height, bulk and scale for the site and appropriate to the ECC.
2. The proposed mix-use development comprising retail, commercial, residential and community use would be compatible with the desired future character of the ECC.

3. The proposed development would activate a prominent corner location in the Edgecliff Commercial Centre and enhance the streetscape of New South Head Road and New McLean Street.

Redevelopment and intensification of the site is encouraged as it would deliver new housing and modern employment space in a location that leverages existing infrastructure. If amended in the manner staff recommend, the planning proposal would ensure consistency with the ECC Strategy and demonstrate strategic and site-specific merit.

Woollahra
Municipal
Council



Council Ref: Pre-application consultation 1/2023 [23/108133]

02 August 2023

Paolo Razza
Longhurst Property Group
Level 6
203-233 New South Head Road
Edgecliff NSW 2000

Dear Mr Razza

Re: Pre-application consultation response

Meeting No: 1/2023
Meeting date: 06 June 2023
Property: Edgecliff Centre site - 203-233 New South Head Road,
Edgecliff
Applicant: Longhurst Property Group

Thank you for attending the meeting on 6 June 2023 to discuss your potential request for a planning proposal at 203-233 New South Head Road and part of the adjoining Council-owned road reserve fronting New McLean Street (collectively referred to as the 'site').

Attached is our response to the information you submitted prior to the meeting and key issues discussed at the meeting and your further correspondence. We hope this response will assist in deciding how to progress your project.

The comments provided in this letter and the attached response are made in regard to a pre-application for a planning proposal request. The comments do not represent a notification under clause 9 of the *Environmental Planning and Assessment Regulation 2021*.

The pre-application consultation aims to identify issues that need to be addressed prior to requesting Council to prepare a planning proposal. However, it is only after a detailed assessment of a request that all issues can be identified and fully considered. Please note the disclaimer at the end of the response.

In summary, the pre-application submission seeks the following changes to the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014):

- Amendment to the maximum building height standard from 0m, 6m and 26m to between 132m - 136m;
- Amendment to the maximum floor space ratio (FSR) standard on 203-233 New South Head Road, Edgecliff from 2.5:1 to 9:1;
- Amendment to the maximum floor space ratio (FSR) standard on the Council-owned part of the site from 0:1 to 3.5:1; and
- Introduction of a site-specific provision to provide a minimum 3:1 FSR for non-residential uses.

Given the site's strategically important location in the Edgecliff Commercial Centre, Council staff support reviewing the planning controls for this site. However, the proposed increase in both the maximum building height and FSR controls is significant in the context of the site. In summary, it would create a building envelope which is excessive in height and bulk. Council staff consider that the extent of the proposed increase is not currently justified on either strategic or site-specific merits. Therefore, Council staff do not support the proposal in its current form. These key issues, as well as other matters, are detailed in the attached advice for your consideration.

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536 New South Head Road
Double Bay NSW 2028

Correspondence to:
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t: (02) 9391 7000
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Further information on planning proposal requests is available on Council's website at: www.woollahra.nsw.gov.au/building_and_development/development_rules/requests_for_planning_proposals. If you lodge a planning proposal, please indicate on the form that you had a pre-application meeting and include the reference provided at the top of this letter.

I hope this service has been of use to you. Please contact Chinmayi Holla if you require any further assistance on (02) 9391 7140.

Yours sincerely



Anne White
Manager, Strategic Planning and Place

Edgecliff Centre site - 203-233 New South Head Road, Edgecliff
Pre-application consultation - Response to applicant [23/108133]

August 2023

PRE -APPLICATION CONSULTATION RESPONSE

Reference no.	Pre-application 1/2023
Address	Edgecliff Centre site - 203-233 New South Head Road, Edgecliff
Meeting date	6 June 2023
Pre-application officer	Chinmayi Holla, Strategic Planner and Lyle Tamlyn, A/ Team Leader Strategic Planning
Applicant	Longhurst Property Group
Present at meeting	Woollahra Council Scott Pedder – Director Planning and Place Anne White – Manager Strategic Planning and Place Maya Jankovic – Coordinator, Community & Culture Lyle Tamlyn – A/ Team Leader Strategic Planning Chinmayi Holla – Strategic Planner Diana Griffiths – Director, Studio GL Applicant Paolo Razza – Longhurst Group Dimitri Roussakis – Longhurst Group Sean McPeake– FJC Studio Arcangelo Antoniazzi – Ethos Urban

1 Information submitted

The following documents were provided to Council:

- Completed pre-application consultation form with owners consent;
- Urban design report;
- Pre-lodgement scoping report; and
- Updated shadow diagrams and view analysis submitted on 30 June 2023.

2 The site and context

2.1 The site

The site comprises 203-233 New South Head Road and part of the adjoining Council-owned road reserve fronting New McLean Street. It is located on the south-eastern side of the intersection of New South Head Road and New McLean Street, Edgecliff.

The site contains a commercial building commonly known as the 'Edgecliff Centre'. The site is located in a business centre referred to as the Edgecliff Centre under Chapter D4 of the *Woollahra Development Control Plan 2015* (Woollahra DCP 2015), which aligns to the E1 Local Centre zone under the Woollahra LEP 2014, and borders land zoned MU1 Mixed Use zone under the Woollahra LEP 2014.

To avoid confusion between references to the building and the land use centres the following terms are used in this document:

- Edgecliff Centre refers to the existing building on the site;
- Edgecliff Local Centre refers to the land zoned E1 Local Centre under the Woollahra LEP 2014;
- Edgecliff Mixed Use Centre refers to the land zoned MU1 Mixed Use under the Woollahra LEP 2014; and

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- Edgecliff Commercial Centre (ECC) refers to the combined land zoned E1 Local Centre and MU1 Mixed Use Centre under the Woollahra LEP 2014.

The site is legally described as:

- Lot 203 in DP 1113922 and Lot 5 in DP 243380, owned by Longhurst Investments No 1 Pty Ltd; and
- Lot 2 in DP 553702, owned by Rail Corporation New South Wales. This lot runs in an east-west direction across the site and applies to land below RL 27.51 (approximately the existing ground level) to an unlimited depth below. This lot lies below and beside the subterranean sections of Lot 203 in DP1113922 and services the Eastern Suburbs railway line.
- An unregistered piece of land which forms part of the road reserve.

The site is irregular in shape with a total area of 4,910sqm on the Edgecliff Centre parcel and approximately 1000sqm on the Council-owned road reserve. The site has a moderate slope of approximately 1 in 12 from its north-east corner (RL 33.69m) to its southern boundary (approx. RL 28m). The site is located on a visually prominent location at the top of the rise of New South Head Road from Rushcutters Bay, and near the top of the Edgecliff ridge line.

2.2 Existing development

The Edgecliff Centre currently comprises a seven storey building dating from the 1970s and contains a range of commercial premises including retail at the ground level and office premises above.

The Council-owned road reserve comprises access to a number of loading docks, an exit ramp from the Level 1 public carpark of the Edgecliff Centre to New McLean Street, and access to the lower level car park of the Edgecliff Centre and the Eastpoint Tower car park.

2.3 Surrounding development

The site is part of the wider ECC along New South Head Road. The ECC contains a mix of commercial and residential uses with a mix of heights, scales and building typologies. More specifically, the site is surrounded by the development outlined below.

East

Directly adjoining the site to the east is a large mixed use development at 235-285 New South Head Road and 180 Ocean Street. The development incorporates:

- Eastpoint Shopping Centre, with a one to three storey frontage along New South Head Road;
- Edgecliff Station below ground;
- A bus interchange on the roof of the shopping centre; and
- 'Eastpoint Tower', a 16 storey residential tower on the south-western corner of the New South Head Road and Ocean Street, with heavily landscaped, mature vegetation along both street frontages.

South

Development on the southern side of New McLean Street, opposite the site, consists of:

- The 'Cameron Court' residential flat buildings at 8-10 New McLean Street. The buildings are set amongst heavily landscaped, mature vegetation. The buildings are three storeys fronting New McLean Street and five storeys at the rear of the site;
- Heavily vegetated slopes, further south of 'Cameron Court', which form the northern boundary of Trumper Park.; and
- Two storey terraces that are located along Cameron Street and Bowes Avenue.

North

Development on the northern side of New South Head Road, opposite the site, consists of:

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- A number of mixed use and residential buildings ranging from two to four storeys;
- The Ascham School and grounds; and
- Further north, the 'Ranelagh' residential tower at 3 Darling Point Rd, Darling Point. It is located on a large landscaped lot and the tower is approximately 91m (32 storeys).

West

Development on the western side of New McLean Street, opposite the site, consists of:

- Commercial development at 1 New McLean Street known as 'Edgecliff Mews' and mixed use commercial and residential development at 2 New McLean Street called 'Edgecliff Court'. Both buildings are built to the street frontage and are approximately two to four storeys to the street, and up to eight storeys at the rear; and
- The 'Wimbledon' residential flat building at 4 New McLean Street. The building is approximately four storeys to New McLean Street and up to six storeys at the rear, where the site fronts Glenmore Road.

2.4 Transport and access

The site benefits from excellent public transport access, being located adjacent to the Edgecliff station and bus interchange. Trains and buses from this location connect to various locations in the Woollahra Local Government Area (LGA), the wider Eastern suburbs, Bondi Junction, the Sydney CBD and the Greater Sydney metropolitan area.

A taxi rank is located on New South Head directly to the northern frontage. A kiss and ride stand is located on New McLean Street directly to the south frontage.

The site is located on New South Head Road, which is a major arterial route connecting the Sydney CBD to the Woollahra LGA and more broadly to the eastern suburbs. The surrounding intersections at Darling Point Road, New McLean Street, New South Head Road and Ocean Street have been identified in the *Draft Woollahra Integrated Transport Strategy 2021* (Draft Woollahra ITS 2021) as experiencing high traffic congestion during weekday peak periods.

The Draft Woollahra ITS 2021 identifies the local area as having no dedicated cycle lanes, largely due to the unavailability of space in road reserves and the high speed of traffic in the New South Head Road corridor.

The main pedestrian access to the site is from New South Head Road. Vehicular access to a single level public car park within the site is available from a driveway on the western street frontage on New McLean Street. Egress from this car park is to the south on New McLean Street. Vehicular access to a tenant car park and loading docks is also available from the south on New McLean Street.

2.5 Heritage

The site is not listed as a heritage item in the Woollahra LEP 2014, nor is it located within a heritage conservation area (HCA). However, the site is close to a number of heritage items and HCAs listed in Woollahra LEP 2014, including:

- Item 238: 136 New South Head Road (opposite the site to the north) – building and interiors;
- Item 239: 188 New South Head Road (opposite the site to the north-east) – Ascham school precinct;
- Item 114: Concrete balustrade on Darling Point Road, near intersection with New South Head Road (opposite the site to the north);
- HCA C8: Paddington HCA (opposite the site on New McLean Street to the south);
- HCA C6: Mona Road HCA (approximately 200m to the north-west); and
- HCA C15: Woollahra HCA (approximately 250m to the south-east).

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The site is located above the subterranean Eastern Suburbs Railway and Edgecliff Station, both listed on the Sydney Trains Section 170* register.

**Note: Under Section 170 of the NSW Heritage Act 1977, all state government agencies must keep and administer a database of heritage assets called a Section 170 Heritage and Conservation Register.*

3 Description of the planning proposal request

A request for a planning proposal would involve the following changes to the Woollahra LEP 2014:

- Amendment to the maximum building height standard from 0m, 6m and 26m to between 132m - 136m;
- Amendment to the maximum floor space ratio (FSR) standard on 203-233 New South Head Road from 2.5:1 to 9:1;
- Amendment to the maximum floor space ratio (FSR) standard on the Council-owned parcel from 0:1 to 3.5:1; and
- Introduction of a site-specific provision to provide a minimum 3:1 FSR for non-residential uses.

The indicative concept to be facilitated by these controls comprises a 36 storey (plus plant) mixed use development, constructed over a basement of seven levels with 301 car spaces.

An urban design report has been prepared by *ficstudio*, with three-dimensional sketches and an indicative floorplate layouts for some levels.

4 State legislation

4.1 Environmental Planning and Assessment Act 1979

Section 3.33 of the *Environmental Planning and Assessment Act 1979* (the Act) sets out what information a planning proposal must include when submitted for a Gateway determination. The *Department of Planning and Environment* (DPE) has published the *Local Environmental Plan Making Guideline December 2021* (the guideline) (updated September 2022) to help applicants meet the requirements of the Act. The guideline stipulates a planning proposal must demonstrate the strategic merit and the site-specific merit of the proposed LEP amendments.

4.2 Greater Sydney Regional Plan: A Metropolis of Three Cities

The Greater Sydney Region Plan: A Metropolis of Three Cities (the Region Plan) establishes a vision of three cities: the Western Parkland City, the Central River City and the Eastern Harbour City. Edgecliff is located in the Eastern Harbour City, which is envisioned to become a more innovative and globally competitive city.

Ten directions are set out within the Region Plan, which establish the aspirations for the region over the next 40 years. These directions are a core component of the vision and a measure for the Region Plan's performance.

The Region Plan also establishes a three-level hierarchy of centres – metropolitan, strategic and local centres – reflecting their role in the overall economic geography of Greater Sydney. Objectives to create and support local employment opportunities in these centres are included in the Region Plan.

Any future request for a planning proposal must demonstrate full compliance with relevant directions and actions of the Region Plan.

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4.3 Eastern City District Plan (2018)

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.

Edgecliff is identified as a local centre in the District Plan. Its role is to provide local jobs and services for the local catchment in contrast to strategic or metropolitan centres which service much larger catchments. We note that the District Plan encourages urban renewal in centres with frequent high capacity public transport to allow more people to live in areas with access to jobs and services. The Region Plan also contains principles to ensure development and renewal in centres is undertaken through a place-based approach.

The District Plan identifies that there is an unmet need for diverse housing. It recommends providing a range of dwellings comprising different types, sizes and price points to help improve affordability and suggests that 5-10% of new residential floor space is affordable rental housing.

A request for a planning proposal must demonstrate full compliance with the vision and relevant priorities and actions of the District Plan.

4.4 Future Transport Strategy and the Greater Sydney Services and Infrastructure Plan

The *Future Transport Strategy* (which replaces the *Future Transport 2056*) contains strategic directions for transport across NSW, which are aligned with the Six Cities Region vision and *Infrastructure NSW's State Infrastructure Strategy*. It provides an integrated vision for the state.

The *Greater Sydney Services and Infrastructure Plan* is the 40-year plan for transport in Sydney, and supports *Future Transport 2056* (now replaced by *Future Transport Strategy*) and the Region Plan. The *Greater Sydney Services and Infrastructure Plan* establishes the specific outcomes transport customers in Greater Sydney can expect, and identifies the policy, services and infrastructure initiatives to achieve these.

The plan focuses on enabling people and goods to move safely, efficiently and reliably around Greater Sydney, including having access to their nearest centre within 30 minutes by public transport, seven days a week. It also envisages that the transport system will support the liveability, productivity and sustainability of places on our transport networks. Achieving this will require more efficient modes of transport (i.e. public transport, shared transport, walking and cycling) to play a greater role.

A request for a planning proposal must address the relevant issues in the *Future Transport Strategy* and the *Greater Sydney Services and Infrastructure Plan*.

4.5 State Environmental Planning Policy 65: Design Quality of Residential Apartment Development (SEPP 65)

A request for a planning proposal must address the relevant matters in SEPP 65 and the associated *Apartment Design Guide* (ADG). Sections particularly relevant to the indicative concept include:

- Section 2E – Building depth;
- Section 3E – Deep soil zones;
- Section 3F – Visual privacy;
- Section 3J – Bicycle and car parking;
- Section 4K – Apartment mix; and
- Section 4S – Mixed use

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5 Council's strategic plans and studies

5.1 Woollahra 2032

Woollahra 2032, Council's community strategic plan (CSP), identifies the strategic direction and integrated planning framework for the LGA. Council is committed to revitalising its centres, to deliver vibrant villages that provide local access to a range of employment, shops and services.

Any request for a planning proposal must demonstrate compliance with relevant CSP goals.

5.2 Woollahra Local Strategic Planning Statement

The *Woollahra Local Strategic Planning Statement 2020* (Woollahra LSPS 2020) 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.

The Woollahra LSPS 2020 describes the ECC as providing employment, local businesses and services. The LSPS identifies Edgecliff as a key local centre (along with Double Bay, Rose Bay and Rose Bay North) for its employment component and significant transport infrastructure.

The Woollahra LSPS 2020 indicates that the Edgecliff and Double Bay local centres will be the focus of employment and housing growth, and it is envisaged Edgecliff will comprise a range of business, employment, community facilities and housing.

The Woollahra LSPS 2020 also notes the importance of protecting the character and amenity of Woollahra's residential precincts, open spaces and natural areas and the need to protect these from the impacts of higher density development.

Any request for a planning proposal must demonstrate full compliance with all relevant planning priorities of the Woollahra LSPS 2020, and not rely solely on those relating directly to the ECC for justification.

5.3 Draft Woollahra Integrated Transport Strategy

The Draft Woollahra ITS 2021 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 a transport strategy that reduces dependence on private vehicles by developing a system of viable, public and active transport alternatives.

The Draft Woollahra ITS 2021 sets out the objectives, background analysis, challenges, opportunities, policies and actions with regard to four themes:

- Access, Mobility and Liveable Places: Supporting people in Woollahra to get around, regardless of age or ability.
- Public Transport: Working with the State Government to make public transport a more competitive alternative to car use.
- Active Transport: Making walking and cycling the most convenient option for most trips.
- Roads and Parking: Managing the road network to support all users and reducing traffic congestion, noise and speeding.

We note that the site is located within the ECC, which is a transport node for train, bus, vehicular and pedestrian movement.

Any request for a planning proposal must address the relevant objectives and themes in the draft Woollahra ITS 2021. A copy of the draft is available at <https://yoursay.woollahra.nsw.gov.au/its>.

5.4 Draft Woollahra Active Transport Plan

The *Draft Woollahra Active Transport Plan* sets out Council's commitment to making active transport a safe, easy and enjoyable option for as many people as possible, while also helping to

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meet our emission reduction targets. The goal of this 10-year plan is to create a high quality connected walking and cycling networks. The plan includes an action list with 10 priority projects, including some in Edgecliff.

Any request for a planning proposal must address the relevant actions in the *Draft Woollahra Active Transport Plan*. A copy of the draft is available at <https://yoursay.woollahra.nsw.gov.au/active>

5.5 Woollahra Local Housing Strategy 2021

The Woollahra Local Housing Strategy 2021 (Woollahra LHS 2021) sets out objectives and actions for housing across the Woollahra LGA.

The Woollahra LHS 2021 identifies that any request for a planning proposal must demonstrate:

- How it will substantially contribute to the delivery of public benefits, including publicly accessible open space, public domain improvements, and affordable housing
- A sensitive response to heritage and local character
- Compliance with the objectives of the Woollahra LHS 2021, and planning priorities of the Woollahra LSPS 2020.

Any request for a planning proposal must address the relevant objectives and actions in the Woollahra LHS 2021. A copy of the Woollahra LHS 2021 is available at: https://www.woollahra.nsw.gov.au/data/assets/pdf_file/0007/252457/Woollahra-Local-Housing-Strategy-2021.pdf

5.6 Draft Edgecliff Commercial Centre Planning and Urban Design Strategy

The *Draft Edgecliff Commercial Centre Planning and Urban Design Strategy* (Draft ECC Strategy) sets a new vision for Edgecliff and makes recommendations on key built form outcomes including land uses, heritage conservation, maximum building heights, active street frontages, affordable housing, design excellence, community infrastructure and transport. Its aim is to provide a clear and coordinated approach to planning that will prevent ad-hoc development.

The subject site lies within the study area for the Draft ECC strategy. The Draft ECC Strategy recommends a maximum of 26 storeys (86m) on the site with a maximum FSR of 7.5:1. Staff recommend that the Draft ECC Strategy is considered in any request for a planning proposal on the site. A future planning proposal should refer to the relevant objectives and actions in the Draft ECC Strategy and supporting documents. A copy of the Draft ECC Strategy and supporting documents is available at: <https://yoursay.woollahra.nsw.gov.au/edgecliff>

Edgecliff is strategically targeted for housing and employment growth under the Draft ECC Strategy. In addition to addressing housing targets, the Draft ECC Strategy aims to revitalise Edgecliff and facilitate transport-oriented development that has a mix of residential and non-residential uses, and that is supported by enhanced community infrastructure.

A future planning proposal should provide an appropriate mix of uses, including additional housing and employment space, and supporting community infrastructure (including community centre, public open space and affordable housing).

6 Woollahra Local Environmental Plan 2014

6.1 Clause 2.1 Land use zones

The site is currently zoned E1 Local Centre under the Woollahra LEP 2014. The zone objectives include:

- *To provide a range of retail, business and community uses that serve the needs of people who live in, work in or visit the area.*
- *To enable residential development that contributes to a vibrant and active local centre and is consistent with the Council's strategic planning for residential development in the area.*

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- *To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area.*
- *To ensure development is of a height and scale that achieves the desired future character of the local centre.*
- *To encourage development that is compatible with the local centre's position in the centres hierarchy.*
- *To ensure development provides diverse and active ground floor uses to contribute to vibrant and functional streets and public spaces.*
- *To maximise public transport patronage and encourage walking and cycling.*

While the proposed uses are consistent with the objectives of the zone, the resulting development on the subject site would not be of a scale that aligns with the desired future character of the neighbourhood. This is further elaborated under Section 8.1.

However, if a request for a planning proposal is submitted, it must be fully justified through an assessment against the zone objectives, particularly with regard to the height, bulk and scale, and their effect on the desired future character of the neighbourhood. This includes the character of the HCA, Trumper Park and Oval, and the tree canopy cover along the southern side of New McLean Street.

6.2 Part 4.3: Height of buildings

The existing controls permit a split maximum building height of 6m and 26m. The pre-application submission seeks a maximum building height of 136m, which is an increase of over 400%.

The building height objectives of clause 4.3 of Woollahra LEP 2014 are:

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

In considering the proposed building height, staff note the following:

- The proximity of the site to the zone boundaries between the B2 Local Centre, B4 Mixed use, R2 Low Density Residential and R3 Medium Density Residential zones;
- The prominent location of the site near the top of the Edgecliff ridge line; and
- The surrounding built form context generally ranging from two to fourteen storeys.

Development permitted under the proposed controls would be inconsistent with the objectives identified above. In particular the controls would not:

- Establish a transition in scale between zones to protect local amenity;
- 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); and
- Minimise the impacts of new development on adjoining or nearby properties from overshadowing or visual intrusion.

Whilst staff are supportive of uplift on the site, we do not support an increased height limit of 136m, which is greater than what is recommended by the Draft ECC Strategy. The height is considered to be unsuitable for a local centre and does not reflect the desired future character envisaged for Edgecliff. This is further explained under *Section 8.1*.

Any request for a future planning proposal must respond to the objectives above, and provide appropriate justification with regard to matters such as the effect on bulk and scale, solar access,

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views, loss of privacy, overshadowing, visual intrusion and public amenity. Additional information about some of these issues is detailed later in this response.

6.2.1 Prescribed airspace

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.

Accordingly, Commonwealth Government consultation and approval is required by the Ministerial direction (section 9.1) - *3.5 Development near regulated airports and defence airfields*.

6.3 Part 4.4: Floor space ratio

The existing controls 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.

The relevant objectives of clause 4.4 of Woollahra LEP 2014 include:

- (b) *for buildings in Zone E1 Local Centre, and Zone MU1 Mixed Use—to ensure that buildings are compatible with the desired future character of the area in terms of bulk and scale.*

Having considered the site and its context, the proposed FSR would permit development which would be inconsistent with the objectives identified above and the desired future character outlined by the Draft ECC Strategy. The proposed amendment would facilitate development of excessive bulk and scale that is incompatible with the character of surrounding land. This would also impact on the environmental amenity of the surrounding properties.

Any request for a planning proposal must fully justify the requested FSR control for the site. This must include analysis of the impacts of increasing FSR from the existing control to the requested control. The request must also address whether a change in maximum FSR may require associated changes to the Woollahra DCP 2015.

6.3.1 Non-residential FSR

In general, staff are supportive of a minimum non-residential FSR as part of a future planning proposal as this will facilitate retention of employment opportunities within the ECC.

At a minimum, this means development should facilitate:

- Employment generating land uses;
- Active ground floor retail and business uses such as cafes, shops, hairdressers and restaurants; and
- Non-residential uses, such as business, office, medical services and community uses.

Please note that for the purposes of this approach car parking and serviced apartments are not included as non-residential floor space.

7 Woollahra Development Control Plan 2015

7.1 Chapters D4: Edgecliff Centre

The site is subject to *Part D: Business Centres, Chapter D4 Edgecliff Centre* of the Woollahra DCP 2015. Any request for a planning proposal must have regard to the desired future character and objectives of the centre, which envision reinforcing the ECC's role as a focus of retail and business activity.

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7.2 Chapter E1: Parking and Access

Any 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. The report must address access, parking, traffic generation, and public and active transport.

7.3 Chapter E3: Tree Management

Any 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.

7.4 Chapter E4: Contaminated Land

Any request for a planning proposal must be accompanied by a contamination report to demonstrate that the site is suitable for the proposed development under *State Environmental Planning Policy (Resilience and Hazards) 2021*.

7.5 Chapter E5: Waste Management

Any request for a planning proposal must be accompanied by a waste management strategy to demonstrate how waste will be serviced within the site.

8 Referral officers comments

8.1 Strategic Planning

8.1.1 Role of a local centre

As outlined previously, the strategic plans identify Edgecliff to have a local centre status. The building height of the indicative concept and resulting scale of built form would not reflect the role and character of Edgecliff as a local centre as identified in the District Plan and Woollahra LSPS 2020.

Staff note that the pre-application scoping report compares the site to strategic and metropolitan centres such as St Leonards, Kings Cross (included in the metropolitan centre of Sydney CBD) and Green Square. To date, all buildings constructed of similar heights in Greater Sydney are located in metropolitan and strategic centres, including the Sydney CBD, Parramatta CBD, Chatswood, North Sydney, and St Leonards. These centres have much larger catchments and a greater number of existing high-density development compared to Edgecliff, which is identified as a local centre. Whilst it is noted that the applicant identifies that the ECC is an emerging strategic centre, there is no existing evidence in the pattern of surrounding development, or strategic intent that has been identified by the regional, district, and local strategies to support this.

The context of Edgecliff is different to the examples given as it is surrounded by HCAs in Edgecliff, Darling Point and Paddington. If the justification for additional density relies on a comparison to other centres, it should focus on centres with similar hierarchy status, heritage and character.

Due to the significant potential uplift on this site, it is important that the site is considered from the immediate and district-wide. A future planning proposal should be supported by an urban design analysis of the proposed height that demonstrates:

- An analysis of the proposed height control when compared to the CBD skyline 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 and the Double Bay Centre; and
- The response of the proposed height control to the role of the ECC as a local centre, including a comparative height analysis of local centres with a similar urban structure to Edgecliff.

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8.1.2 Building height

Located adjacent to the Edgecliff Station, the Draft ECC Strategy site identifies the site as an appropriate location for the tallest height in the ECC. However, the indicative concept would set an undesirable precedent for neighbouring sites in terms of its bulk and height. At 136m tall, the proposal exceeds the height limit proposed in the Draft ECC Strategy by 50m, and indicates a much wider envelope. We note that the proposed maximum building height of 136m is also significantly greater than the maximum building height of:

- 39m (11 storey) proposed for some of the surrounding sites in the ECC as identified in the Draft ECC Strategy; and
- 60m permitted under *Waverley Local Environmental Plan 2012* at Bondi Junction, which is designated as a strategic centre.

The site has a prominent location near the top of the Edgecliff ridgeline. This means that any tall building will be highly visible throughout much of the wider area, as is the case for the already existing Ranelagh to the north, the top of which is at RL 127.200, compared with RL 159.350 of the subject proposal.

Without being too specific, any height proposed on the site should demonstrate:

- Appropriateness to the local centre status of the ECC (rather than a strategic centre such as Bondi Junction) and consistency with the strategic intent set by the regional and district plans;
- A sympathetic transition in scale from the surrounding development;
- An appropriate interface with the Paddington HCA, Trumper Park and the residential development to the south and of the site; and
- Minimise the impacts of new development on adjoining or nearby properties relating to disruption of views, loss of privacy, overshadowing or visual intrusion (further outlined below).

8.1.3 Floor space ratio

The Draft ECC Strategy recommends a maximum FSR of 7.5:1 be applied, achieving an overall GFA of approximately 44,000sqm. The indicative concept proposes to locate its GFA entirely on the Edgecliff Centre site which, as it is smaller, would require an FSR of 9:1. We note that the requested FSR of 9:1 is greater than the maximum FSR of:

- 8:1 permitted under *Waverley Local Environmental Plan 2012* in the centre of Bondi Junction, which is designated as a strategic centre; and
- 4.5:1 recommended for land in the vicinity of the site in the Draft ECC Strategy.

As outlined previously, the indicative concept presents a bulk and scale that is inconsistent with the desired future character of the ECC (as envisaged in the Draft ECC Strategy) and would result in adverse amenity impacts and potentially unacceptable traffic generation.

The development of a single identifiable commercial building, as shown in the indicative concept, is supported. This would result in a higher quality floorplate than commercial uses located in a deep floorplate podium. Previous studies have indicated that a balanced mixed use approach to this site is needed. High quality, well located commercial floor space is rare in the Woollahra LGA and plays a critical role in ensuring the long term viability of centres.

The recommendation in the scoping report to require a minimum FSR for non-residential purposes is supported. However, the Draft ECC Strategy recommends that 3:1 or 40% of the total FSR should be non-residential. The pre-application submission proposes to increase the FSR to 9:1 but maintains the FSR of the non-residential component at 3:1, reducing the overall proportion of the non-residential floor area to 30% of the total FSR.

The residential tower in the indicative concept proposes no setback from the Council-owned site, with windows and balconies located on the boundary. The roof of the community building on the Council-owned site is proposed to be an outdoor space for residents of the apartments. In effect,

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the indicative concept proposes to relocate the development potential of the Council-owned site onto its site, and restricts the long term development opportunities of the Council-owned site. The acquired value created by these assumptions should be factored into any future planning proposal on the site.

We note that the maximum building envelope proposed (indicated as 'PP envelope' in the overshadowing and view analysis diagrams) is much wider than the indicative concept. The indicative concept is impacted by overshadowing, impact on views, and setbacks from boundaries. This would be further exacerbated by the extent of the maximum building envelope. In establishing building envelopes, Part 2D of the ADG outlines that FSR should not reflect the maximum capacity of the building envelope and the allowable GFA should only 'fill' approximately 70% of the building envelope. This allows for flexibility in design excellence or building articulation.

It is recommended that a future planning proposal on the site:

- Should clearly identify not only a maximum overall FSR but also a minimum non-residential FSR;
- Increase the percentage of non-residential FSR to 40% (or 3.6:1) of the FSR, as proposed in the Draft ECC Strategy. At a minimum, the proposed non-residential FSR should be fully justified; and
- Allows sufficient flexibility for design excellence in the proposed building envelope.

8.1.4 Forecast

For reporting purposes to the DPE, a future planning proposal must include a statement which, based on the maximum potential development as well as the indicative concept, identifies the:

- 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; and
- Number and type of existing and proposed car parking spaces.

8.2 Urban Design

8.2.1 Bulk and Scale

Generally, the scale of the proposal and the distribution of bulk on the site needs to be reconsidered. The applicant should be required to demonstrate, through the development of options, the best outcome for the site and its context. The analysis should address all of the issues raised below in relation to maximum building height, bulk and scale, view sharing, solar access and overshadowing, streetscape, public domain, heritage, tree preservation and sustainability.

The analysis should be based on the maximum building envelope enabled by the requested planning controls, rather than the building envelope shown in the indicative concept (although this may be included in addition to the maximum building envelope analysis).

8.2.2 Views

The vision to enhance and maintain key views into and from the site is supported as is the approach to break the built form into a series of distinct and well composed parts. The proposed arrangement of built form into two buildings either side of the railway corridor is logical and allows the southern building to have direct lift access into a basement for loading and servicing. Further justification is needed as to why the taller of the two buildings is not located on New South Head Road and is closer to the Paddington HCA. However, it is understood that a commercial building with an address and frontage to New South Head Road and a residential building with an address off New McLean Street is a logical approach.

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The indicative concept provides a detailed assessment of the impact of the proposed development on views, especially the high value views to the city, Harbour Bridge and the harbour from private apartment buildings around the site. Staff note that while the indicative concept allows for views between the buildings, the residential tower developed to the extent of the maximum building envelope sought (referred to as 'as 'PP envelope' in the overshadowing and view analysis diagrams) would have a significant impact on the private views from surrounding buildings.

Any request for a planning proposal should recognise that as one of the tallest buildings in the area it will become a local landmark and a building that will be viewed "in the round". As outlined previously, it is recommended that a future planning proposal consider the impact on local and regional skyline views from key streets and open spaces such as New South Head Road heading east and from Trumper Oval as well as the impact on views from private apartment buildings around the site. 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 indicative concept (although this may be included in addition to the maximum building envelope, for example, shown as "wire frame" superimposed on a photograph).

8.2.3 Solar Access and Overshadowing

Any request for a planning proposal must address solar access impacts on surrounding properties and open space, and provide an accurate and comprehensive shadow analysis. In particular, ensuring solar access is maintained to Trumper Park Oval at 10.00am in mid-winter should be a requirement of any development on this site. The Oval requires natural sunlight to ensure turf management is maintained. Any overshadowing would have a significant effect for the community who utilise the oval for sports and recreation. It is noted that the overshadowing impacts of the indicative concept is much larger when compared to the Draft ECC Strategy, which will need to be justified by a future planning proposal.

Achieving ADG solar compliance is a requirement of the ADG and the SEPP 65. It is noted that the indicative concept is capable of meeting the requirements of the SEPP.

8.2.4 Streetscape

The vision to create a welcoming and accessible space for the public that blurs the boundary between the indoors and outdoors is strongly supported. However, the indicative concept appears to prioritise publicly accessible areas within the development to the detriment of the overall accessibility of the public domain. Further opportunities should be explored to enhance the quality of public domain and streetscape interface along New South Head Road and New McLean Street.

The ground level retail spaces and commercial lobby facing New South Head Road in the indicative concept appears to provide good activation. Further opportunities to continue this around the corner to New McLean Street should be investigated. In particular, the following elements need to be reconsidered to activate the public domain along New McLean Street:

- The community space on the "ground floor" is described as "hovering over the carpark access below". As this carpark access provides all vehicle and servicing for the proposed development and the Eastpoint residential tower it is likely to result in a vehicular dominated environment with little activation or surveillance;
- The proposed community space is shown extending to the edge of New McLean Street. This creates narrow pinch points along the street, especially around the existing Kiss and Ride shelter and pull in bay;
- The indicative concept indicates no ground level retail spaces to the west (New McLean Street) or activation along New McLean Street; and
- The location of the proposed residential entry off New McLean Street is supported however the indicative concept shows a deeply recessed colonnade, well back from the

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street with no surrounding retail or community activation. This entry should be smaller and brought closer to the edge of the street.

At a minimum, it is recommended that a future planning proposal on the site should:

- Extend the Design Principles beyond the boundaries of the site and focus on how the proposed development will be successfully integrated into its location;
- Aim to expand and enhance the public domain and increase the tree canopy of the area;
- Encourage the use of publicly accessible links and open spaces;
- Include a detailed design of the adjoining footpath along New South Head Road and New McLean Street and clearly show extent and design of footpath crossings, the width of all footpaths and the possible location of street trees and any proposed level changes;
- Maintain an active frontage along New South Head Road and maximise active frontage along New McLean Street with retail shop fronts that have direct access from the street and large operable windows that allow activity to spill on to the footpath; and
- Facilitate active retail frontages that step down the slope. This may require higher floor to floor heights and the removal of a section of the carpark shown in the indicative concept.

8.2.5 Design Excellence

Given the high visibility of the site, and its important status as a gateway site, it is important that a future planning proposal delivers on design excellence. This will not only require that it is responsive to Country but also responsive to the local context and heritage of the area.

A design advisory panel will be established by Woollahra Municipal Council to provide Woollahra Municipal Council officers with independent expert advice and expertise on urban design, architecture, landscape architecture, art, and sustainability; to inform the assessment of the development application for the development. A future planning proposal should include a site-specific provision that requires development consent from a design advisory panel on the design excellence.

It is recommended that the following factors be considered in a design excellence provision:

- Standard of architectural design, materials and detailing;
- Form and external appearance of the development;
- Improvements to the quality and amenity of the public domain;
- Response to the environmental and built characteristics of the site, and relationship with other buildings;
- Sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy and water efficiency;
- View sharing principles;
- Heritage issues and streetscape constraints, including principles for responding to the significance of Rushcutters Bay Park and the neighbouring HCAs;
- Bulk, massing and modulation of buildings;
- Principles of ecologically sustainable development; and
- Improvements to pedestrian, cycle, vehicular and service access, circulation and requirements.

Public Art would be expected to be part of any request for a future planning proposal of this scale and especially around the publicly accessible spaces. While a detailed public art plan would not be required at the planning proposal stage, a strategy for how public art will be commissioned and an indication of the type of art and how it will respond to the Country, context and heritage of the area would be useful. In particular, the proposed level of commitment to public art should be reflected in the future planning proposal.

8.2.6 Sustainability

A site-specific DCP should be submitted as part of a future planning proposal, which includes provisions for best practice sustainability standards and environmental mitigation measures for any development on the site. It is recommended that the site-specific DCP include minimum standards for:

- Urban greening e.g. green walls and roofs, tree canopy target, diversity of vegetation planted, planting of local natives;
- Impact to native and threatened species e.g. flying-fox friendly design, stop work provisions etc;
- Mandatory Green Star rating for all buildings which covers impacts from construction e.g. embodied emissions;
- Water efficiency e.g. rainwater/stormwater harvesting;
- EV chargers, e-bike chargers and end of trip facilities;
- Solar panels/renewables and all electric buildings (no gas); and
- Design specifications for passive heating/cooling, ventilation, and lighting

8.3 Transport Planning

8.3.1 Traffic generation

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.

To ensure the adequate provision of car parking, servicing facilities on the site and to minimise the impact on adjoining traffic and parking generated by proposed development, the applicant must submit a Traffic and Parking Report.

The report is to assess the implications of the proposal on existing traffic, parking and transport conditions surrounding and within site. The report must be produced by a suitably qualified and experienced traffic engineer and must include (but not be limited to) the following:

- Expected traffic generation rates and their impact on the surrounding road networks;
- Intersection SIDRA modelling surrounding the site, and consideration should be referred to Transport for NSW (TfNSW), noting New South Head Road is a State Road;
- Impact on existing parking conditions and transport requirements in the surrounding area.
- Consideration referred to the *Draft Woollahra Active Transport Plan* to include all existing and proposed walking and cycling links surrounding the area;
- Assessment of any vehicle access and accommodation proposed; and
- Compliance with Council's off-street parking requirements (Council's DCP).

8.3.2 Accessibility

The vision to create an easily accessible multi-level building that provides connections to the elevated bus interchange and public spaces is welcomed. This principle should be expanded to include connections between surrounding streets, the retail and commercial spaces and the train station.

Any request for a planning proposal on the site needs to consider the constraints created by the existing rights of access, including those that support access to the Eastpoint residential tower car park. The indicative concept consolidates all vehicular access to one location off New McLean Street. While consolidation is supported this would create a very complex intertwining of servicing, private vehicles and access to Eastpoint residential tower car park. Successful resolution of this challenge will be critical to the success of this proposal. It may be necessary to split access for loading from private vehicles. To minimise impacts on the street and car park layout, loading and servicing may need to have a mechanised turntable. Any carpark or loading access needs to be carefully designed to ensure pedestrian access is prioritised along the footpath. A future planning proposal must also provide evidence to ensure that car park access dimensions can adequately accommodate the movement of a sufficiently-sized loading vehicle.

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In general, a future planning proposal would benefit from an approach that considers the lower levels of the building as an expansion of the transport interchange. Useful principles to follow include providing clear intuitive wayfinding, using daylighting to help guide people through the building and locating and orienting pedestrian entries where they respond to pedestrian desire lines.

8.4 Heritage

As outlined previously, the site is located within the vicinity of a number of heritage items and HCAs listed in Woollahra LEP 2014.

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.

The size and height of the indicative concept is such that its visual impacts will extend well beyond the site and the Edgecliff Local Centre. This extended impact of the proposal would alter views to, from and within local and State heritage items particularly Rushcutters Bay Park, and the Paddington, Mona Road and Woollahra HCAs. This extended impact must be fully considered in the heritage impact statement submitted with a planning proposal request.

Shade across the adjacent HCAs should be as limited as possible, and may require alterations in form as well as height to achieve a satisfactory outcome. Excessive shadow from a development on this site would have an aesthetic impact, but it also risks impacts on the continued use of these areas and buildings as residences, and the viability of their existing street trees. If a condition arises where they are shaded for much of the day, there is a risk that some homes within the area could become disused.

The indicative concept achieves an inadequate transition between the proposed 136m envelope and the neighbouring HCA, save for the proposed community centre on Council land. It is understood that it would be difficult to achieve a satisfactory transition from the height proposed across this one site, however the dramatically increased height compared with that of the Draft ECC Strategy exacerbates this issue considerably.

8.5 Open space and Tree Management

8.5.1 Public domain

The provision of a public open space, as shown in the indicative concept, would help revitalise the ECC and is fully supported. However, a future planning proposal should ensure that the open space meet the needs of the community and is highly accessible. Future design needs to ensure the spaces are not semi-privatised but have full public access. Parameters around this can be included in a site-specific DCP. However, staff recommend that further information on this aspect should be included in a future planning proposal, noting that open space is of key importance to our Council and the community.

The location of the public open space, being visible from New South Head Road, is supported as it contributes to its visual accessibility. Further opportunities to integrate the public spaces with the surrounding pedestrian network should be explored. These include providing additional and improved through-site links that run north-south, providing pedestrian access from New McLean Street (extending from Trumper Park) to the first level open space, and further integrating the public open space with the community centre.

The vision and plan outlined for open space in a future planning proposal should be further refined to include possible recreational facilities and play elements. This should be consistent with Council's *Draft Play Space Strategy* which can be found at <https://yoursay.woollahra.nsw.gov.au/playspace-strategy>.

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8.5.2 Urban Greening

We recommend that urban greening improvements and its integration into the new development be an important aspect of a future planning proposal on this site. These could include landscaping elements such as modular planters, façade greening, and green walls that soften the impact of existing hardscape surfaces and improve visual aesthetics. Some of the green character along New McLean Street will be impacted by a future development on the Council owned land, so initiatives to provide greenery on and adjoining this land should be explored. Plans for further greening opportunities along New McLean Street and New South Head Road can be made in consultation with Council's Open space and Trees team and should refer to Council's *Draft Urban Forest Strategy* which can be found at <https://yoursay.woollahra.nsw.gov.au/ufs>.

8.5.3 Street and Private Trees

The indicative concept would necessitate the removal of existing trees from the Council-owned land along New McLean Street that contribute to the landscaped character and canopy. The applicant must engage an arboricultural consultant early in the planning phase to determine the retention value of all of the existing trees and vegetation, especially along New South Head Road.

A future planning proposal should provide opportunities to replace this canopy or provide deep soil on the site that could accommodate canopy trees. It is important that medium to large trees are planted in regular spacing to offset the bulk of the development (both on public and private land). Setbacks for tree planting and landscape should be identified and used to guide the constraints and opportunities analysis of the site and inform building envelope controls.

8.6 Community Services

The community infrastructure indicated in the indicative concept would make a valuable contribution to the revitalisation of the ECC and would be needed to support any uplift on the site. An appropriate mechanism is needed to ensure any proposed community infrastructure is achieved. Staff recommend exploring further opportunities to integrate the community centre with the rest of the development to ensure it is delivered.

It is recommended that any request for a planning proposal:

- Ensure that the development meets Child Safe design principles;
- Is designed to be active, inviting, safe and inclusive for all members of the community and all ages;
- Outline the parking provisions for the attendees of the community facility, including easy drop off / pick up for parents / carers;
- Improve access to the community facilities and provide connections to the public open space; and
- Consider the ongoing management of the community facility, including office space.

Relevant Council staff would welcome discussions with the applicant to discuss opportunities for the community facility including identifying potential uses.

8.7 Affordable Housing

The indicative concept indicates the provision of affordable housing, which is supported. Whilst we note that a community facility is being proposed as part of the future planning proposal, a development of the scale proposed should include affordable housing as a minimum of 10% of the new residential GFA achieved in accordance with Council's adopted Affordable Housing Policy that sets an aspirational target of 10%.

9 Voluntary planning agreement

The *Woollahra Voluntary Planning Agreement Policy 2020* (VPA Policy) was adopted by Council on 10 February 2020. Under this policy, Council would consider entering into a VPA where there

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is an opportunity to secure public benefits alongside changes to controls that substantially increase the development potential of a site (some of which may be addressed earlier in this response).

However, we emphasise that the strategic merit of a future planning proposal would need to be fully justified and Council would need to support the requested changes. Furthermore, 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 – Infrastructure & Sustainability to discuss any requirements for a VPA, noting that no information is to be provided to Strategic Planning staff.

10 Information required with a request to prepare a planning proposal

Should you submit a request for a planning proposal, the core documents listed in 10.1 below, are required. Additional documents may be required at the time a request to prepare a planning proposal is lodged.

10.1 Documents

- Completed application form;
- Land owner's consent;
- Request to prepare a planning proposal addressing the matters in the *Local Environmental Plan Making Guideline 2022*; In particular, "Section 2: The Planning Proposal" and "Attachment C: Supporting Technical Information";
- Concept plans, including elevations and sections illustrating the distribution of land uses and building bulk;
- Results of any consultation with surrounding property owners;
- Disclosure statement (relating to political donations and gifts);
- Survey plan; and
- Studies, investigations and reports supporting the requested changes and relating to the *maximum* requested building height / FSR envelope, as well as the concept plan envelope, including:
 - Planning report justifying the requested amendments to the height and FSR controls, including the following information:
 - Number and size of existing and proposed dwellings
 - Number of potential new residents
 - Size of existing and new commercial gross floor area
 - Number of existing and new jobs that will be accommodated in the commercial area
 - Number and type of existing and proposed car parking spaces.
 - Photomontage and site photographs
 - 3D Model in the format required by Attachment 9: 3D Digital Model Technical Requirement of Council's DA Guide.
 - View analysis (including local and regional skyline views)
 - Shadow diagrams in plan and elevation
 - Traffic and parking assessment
 - Urban design analysis (including streetscape study and figure-ground study)
 - Heritage impact statement
 - Arboricultural report
 - Geotechnical investigation
 - Acoustic assessment
 - Wind impact assessment
 - A statement addressing the issues of 'controlled activity' and 'prescribed airspace' under the Commonwealth *Airports Act 1996* and *Airports (Protection of Airspace) Regulations 1996* and Ministerial direction (section 9.1) - 3.5 Development near regulated airports and defence airfields.

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Notes:

- *Images must show the maximum building height / FSR envelope of the proposal, as well as the concept plan envelope may include, for example, a "wire frame" superimposed on a photograph or another image; and*
- *Further reports, studies or documentation may be required once the request has been submitted.*

11 Fees

As a consequence of the proposed amendments to the development standards, a planning proposal of the nature discussed at the meeting is considered to be a complex planning proposal. Consistent with Council's adopted [2023/24 Fees and Charges](#) the cost for this request is outlined below. Please note that an additional charge will be applied to allocate Council's resources to customise/ modify the site-specific DCP to be consistent with Council's standard approach and format.

Complex planning proposal

More complex zone amendments and/or variations to development standards of greater than 20%.	\$107,000* (GST exempt)
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Note: An hourly rate of \$324.00 applies to any additional unforeseen tasks and functions.
• Should the planning proposal not proceed to public exhibition, 30% of the fee (including any additional fees charged to draft a site-specific DCP) will be refunded.

The above fees are relevant for the 2023/24 financial year only. Any fees payable outside this period will be subject to the adopted fees and charges for the relevant financial year.

12 Next steps

Should you choose to lodge a planning proposal, fees are not payable on submission. Council staff would first review the planning proposal and supporting documentation to ensure all the required information had been provided to allow a full assessment.

Once we were satisfied that all the required information had been provided, an invoice would be issued to the applicant. Lodgement is recorded from the date payment is received by Council.

Once all required documentation and payments were received, we would commence the detailed assessment of the request. Further information could be required once this process commences. The planning proposal would then be reported to the Woollahra LPP for advice. This would then be reported to Council's Environmental Planning Committee for consideration, before being heard at a full meeting of Council.

13 Conclusion

The pre-application submission seeks the following changes to the Woollahra LEP 2014:

- Amendment to the maximum building height standard from 0m, 6m and 26m to between 132m - 136m;
- Amendment to the maximum floor space ratio (FSR) standard on 203-233 New South Head Road from 2.5:1 to 9:1;
- Amendment to the maximum floor space ratio (FSR) standard on the Council-owned parcel from 0:1 to 3.5:1; and
- Introduction of a site-specific provision to provide a minimum 3:1 FSR for non-residential uses.

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As identified above, Council staff support reviewing the planning controls for this site. However, the proposed increase in both maximum building height and FSR controls are significant in relation to the site and its context and would create a building envelope which would permit development of an excessive height and bulk. Additionally, issues surrounding transport planning, and public domain treatments require further consideration to mitigate against adverse planning outcomes.

We would welcome the opportunity to further assist you with this project, and would be pleased to arrange a further meeting once you have had the opportunity to consider this advice.

However, if a request for a planning proposal is lodged with Council, it must fully justify the changes being sought to the building height and FSR controls and include an appropriate associated minimum non-residential FSR control. The request must also be accompanied by all the documentation identified under *Section 10* of this response.

14 Disclaimer

The aim of a pre-application meeting is to provide a service to applicant who wish to obtain the comments of Council staff prior to lodging an application. The advice can then be addressed or at least known, prior to lodging an application.

This has the following benefits:

- It allows a more informed decision about whether to proceed with a request for a planning proposal; and
- It allows issues to be addressed, especially issues of concern, prior to requesting Council to prepare a planning proposal. This could then save time and money once the request for a planning proposal is lodged.

All efforts are made to identify issues of relevance and likely concern with the preliminary request. However, the comments in this response are based on the information submitted for preliminary assessment and our discussion at the pre-application meeting.

You are advised that:

- The comments expressed may vary once detailed information is submitted and formally assessed, or as a result of issues contained in submissions by interested parties if a planning proposal is exhibited;
- Statements contained in this report must not be taken to represent Council staff's support for the indicative concept in its current or altered form; and
- If a request to prepare a planning proposal is received by Council, nothing contained in a pre-application response binds Council staff, the elected Council members, or other bodies beyond Council in any way.

The comments provided in this response are made in regard to a pre-application for a request for a planning proposal. The comments do not represent a notification under clause 9 of the *Environmental Planning and Assessment Regulation 2021*.

We hope this service has been of use to you. Please contact Chinmayi Holla if you require any further assistance on (02) 9391 7140.




Chinmayi Holla
Strategic Planner



Anne White
Manager - Strategic Planning and Place