

A1.3.2 How applications are assessed

Development applications are assessed by Council under the EP&A Act. Council assesses applications on their merits having regard to Woollahra LEP 2014 and this DCP.

However, compliance with Woollahra LEP 2014 and this DCP does not guarantee Council's approval. In particular, the following factors in section 79C of the EP&A Act must also be taken into account:

- ▶ the provisions of any other environmental planning instrument and any other development control plan applying to the land;
- ▶ the provisions of any planning agreement that has been entered into under section 93F of the EP&A Act, or any draft planning agreement that a developer has offered to enter into under section 93F;
- ▶ any relevant provisions of the Regulation;
- ▶ the provisions of any coastal zone management plan (within the meaning of the *Coastal Protection Act 1979*) that apply to the land to which the development application relates;
- ▶ the likely impacts of that development, including environmental impacts on both the natural and built environments, and social and economic impacts in the locality;
- ▶ the suitability of the site for the development;
- ▶ any submissions made in accordance with the EP&A Act or the Regulation; and
- ▶ the public interest.

A1.3.3 How applications are determined

Development applications can be determined at a local government level in one of four ways depending on the significance of the proposal, the level of non-conformity with Council's development controls and the number of objections received:

1. Delegated determination by a Council officer.
2. Determination by the Application Assessment Panel, which comprises senior Council officers.
3. Determination by the Woollahra Local Planning Panel, which comprises three approved independent persons with relevant expertise and a representative of the local community who is not a councillor or mayor.
4. Determination by the relevant Sydney district and regional planning panel, which comprises three members appointed by the Minister and two council nominees.

A1.4 List of amendments

Amendment	Date of approval and commencement	Description of amendment
No 1	Date approved - 12 December 2016 Date commenced - 21 December 2016	Replace Chapter E1 Parking and Access updating existing provisions and inserting new provisions for vehicle parking and access
No 2	Date approved - 10 April 2017 Date commenced - 19 April 2017	Replace Chapter B3 General Development Controls inserting new objectives for design excellence, simplify setback controls and other minor amendments relating to wall height controls, acoustic and visual privacy, on-site parking, landscaping, swimming pools, outbuildings, fence and battle-axe lot controls
No 3	Date approved - 26 November 2018 Date commenced - 2 January 2019	Amend chapter B3 General Development controls to insert a new section called B3.5.5 - Internal Amenity to ensure that rooms in a dwelling, particularly rooms that are located below natural ground level, have high levels of indoor residential amenity for health and well-being.
No 4	Date approved - 26 November 2018 Date commenced - 2 January 2019	Amend Chapter B3 General Development Controls by amending and inserting various objectives, controls, introductions and notes relating to: <ul style="list-style-type: none"> • Roof forms and roof structures • Plant equipment (including lifts and lift over runs) • Planting on elevated areas • Use of reflective material.
No 5	Date approved - 26 October 2020 Date commenced - 7 December 2020	The amendment responds to the introduction of the Low Rise Housing Diversity Code. The amendments are distributed throughout the DCP and insert references to the new housing types of Manor house and Multi dwelling housing (terraces) alongside existing references to residential flat buildings and multi dwelling housing.
No 7	Date approved - 11 November 2019 Date commenced - 2 January 2020	Chapter A3 Definitions: Amend definitions for “infill” and “pavilion”. Insert new definition for “courtyard”. Chapter C1 Paddington Heritage Conservation Area: Amend and insert various objectives, controls, introductions and notes relating to single storey buildings, multi-storey terrace style housing, infill development and general controls for all development.

Amendment	Date of approval and commencement	Description of amendment
No 8	Date approved - 9 December 2019 Date commenced - 20 January 2020	Amend Chapters D5 Double Bay Centre, E5 Waste Management and F3 Licensed Premises by modifying and amending various introductions, controls and objectives to: <ul style="list-style-type: none"> • Address potential tensions between business activities and residential amenity in Double Bay. • Insert examples of design solutions that could reduce noise transmission in Double Bay. • Address noise and nuisance arising from waste and recycling collections. • Amend bin sizes and types for Paddington and West Woollahra.
No 9	Date approved - 11 November 2019 Date commenced - 2 January 2020	Amend Chapter A1 by inserting additional savings and transitional provisions. Amend Chapter E1 Parking and Access by modifying and amending various sections, controls and objectives to: <ul style="list-style-type: none"> • Update electric vehicle circuitry controls to reflect evolving industry and policy development. • Insert mandatory requirements for electric circuitry to accommodate future installation of electric vehicle charging points. • Insert mandatory requirements for electric vehicle charging points in certain developments.
No 10	Date approved - 25 November 2019 Date commenced - 2 January 2020	Repeal Chapter A2 Advertising and Notifications and amend Chapter A1 General Development Controls to remove references to the repealed Chapter A2 and insert relevant references to the Woollahra Community Participation Plan.
No 11	Date approved - 24 February 2020 Date commenced - 16 March 2020	Amend Chapter A1 by inserting additional savings and transitional provisions. Amend Chapter D4 Edgecliff Centre, D5 Double Bay Centre and D6 Rose Bay Centre by adding various sections, controls and objectives for public art in major development.
No 12	Date approved - 22 February 2021 Date commenced - 12 April 2021	Amend Chapter C1 Paddington Heritage Conservation Area by inserting additional objectives and controls relating to the protection of pub buildings.

Amendment	Date of approval and commencement	Description of amendment
No 13	Date approved - 29 September 2020	Chapter A3 Definitions: insert the definition for “courtyard housing”. Delete the definition for “pavilion”.
	Date commenced - 12 October 2020	Chapter C1 Paddington Heritage Conservation Area: Amend clause 1.3.1 Single storey buildings, clause 1.4.3 Rear elevations, rear additions, significant outbuildings and yards and Table 8 in clause 1.5.8 Materials, finishes and details. Amendments include: <ul style="list-style-type: none"> replacing the definition of “pavilion” with “courtyard housing” adding and amending controls and diagrams for rear additions to single storey buildings.
No 14	Date approved - 26 July 2021	Amend Part B Chapter B1 and B3; Part C Chapters C1, C2 and C3 by modifying and amending various sections, controls and objectives to strengthen provisions for Inter-War flat buildings and timber buildings in Paddington and Watsons Bay.
	Date commenced - 30 August 2021	
No 15	Date approved - 22 March 2021	Amend Chapter A1 by inserting additional savings and transitional provisions.
	Date commenced - 12 April 2021	Amend Part B Chapter B3; Part C Chapters C1, C2 and C3; Part D Chapter D3 and Part G Chapter G4 by modifying and amending various sections, controls and objectives to strengthen controls for air-conditioning and other mechanical plant equipment to help protect streetscape character and amenity.
No 16	Date approved - 26 July 2021	Amend Part B Chapter C1 by modifying and amending various sections, controls and objectives affecting single storey buildings, multi-storey terrace style housing, infill development, side elevations and additions, rear elevations, roof forms and lofts over garages and studios.
	Date commenced - 30 August 2021	

Amendment	Date of approval and commencement	Description of amendment
No 17	<p>Date approved - 26 July 2021</p> <p>Date commenced - 30 August 2021</p>	<p>Amend Chapter A1 by inserting additional savings and transitional provisions.</p> <p>Amend Part B Chapter B3; Part C Chapters C1, C2 and C3; Part D Chapter D3, D4, D5 and D6 to strengthen controls for fire hydrant systems to address streetscape character and amenity impacts.</p>

Repealed by WDCP 2015 Amendment No. 19 on 6 December 2021