

Item No: R1 Recommendation to Council
Subject: **PLANNING PROPOSAL FOR 42-58 OLD SOUTH HEAD ROAD, VAUCLUSE**
Author: Jorge Alvarez, Senior Strategic Planner
Approvers: Allan Coker, Director - Planning & Development
Chris Bluett, Manager - Strategic Planning
Anne White, Team Leader - Strategic Planning
File No: 17/120527
Reason for Report: To report on a request for a planning proposal submitted to Council by Parker Logan Property Pty Ltd for 42-58 Old South Head Road, Vaucluse. To obtain Council's approval to prepare a planning proposal and forward it to the Greater Sydney Commission for a gateway determination

Recommendation:

- A. That Council prepare a planning proposal which explains proposed amendments to the *Woollahra Local Environmental Plan 2014* for land at 42-58 Old South Head Road, Vaucluse, comprising rezoning, and an increase in maximum permissible building height and floor space ratio.
- B. That the planning proposal apply a floor space ratio control of 1:1, instead of the requested 1.1:1, so that there is consistency with Council's baseline FSR controls.
- C. That the planning proposal be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- D. That when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.

1. Summary

In June 2017, a request for a planning proposal (contained in Annexure 1) was submitted to Council by Parker Logan Property Pty Ltd (the applicant) for land at 42-58 Old South Head Road, Vaucluse (the site).

The request seeks to amend the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014), in the following manner:

- amend the zoning from Zone R2 Low Density Residential to Zone R3 Medium Density Residential;
- increase maximum building height control from 9.5m to 10.5m; and
- apply a floor space ratio (FSR) control of 1.1:1 (no FSR control currently applies).

The objective of the request is to enable redevelopment of the site with residential flat buildings to a maximum height of 10.5 metres (3 storeys) and a maximum FSR of 1.1:1.

The request is consistent with State planning strategies and the majority of Council's local planning strategies. It provides the opportunity to develop the site with additional housing supply and choice, in a location which is highly accessible to a mixed use centre with various shopping options and services, public transport and open space facilities.

Overall, we support the request because it has strategic merit. However, the requested FSR of 1.1:1 is inconsistent with Council's baseline FSR of 1:1, which was developed by Council staff during the preparation of Woollahra LEP 2014. In the absence of a strategic merit justification of an FSR of 1.1:1, we recommend the baseline FSR of 1:1 be applied.

We seek a decision of the Council to:

- prepare a planning proposal; and
- forward the planning proposal to the Greater Sydney Commission (GSC) for a gateway determination. The determination will enable the planning proposal to be placed on public exhibition.

2. Background

2.1 Opportunity sites

The site forms part of a larger site, 30-58 Old South Head Road, which was identified in June 2010 as one of Council's 24 opportunity sites. These sites were identified for their potential, subject to planning control amendments, to provide additional housing to meet the housing targets set for Woollahra Council by the State government.

For this site, Council staff identified that increased development potential would be achieved by amending the *Woollahra Local Environmental Plan 1995* controls from:

- a maximum building height of 9.5 metres to 11 metres (3 storeys) and
- a maximum FSR of 0.55:1 to 1:1.

The proposals for these sites were publically exhibited. Council received 14 submissions (12 objections and 2 submissions of support) relating to this site. The main issues raised in the submissions related to potential impact of additional development on traffic generation, view loss, privacy and property values.

On 25 July 2011 Council resolved to defer further consideration of the opportunity sites in order to focus its resources on the preparation of the Draft Woollahra Local Environmental Plan 2013 (Draft WLEP 2013), which is now the Woollahra LEP 2014. As a result of the deferred consideration of the opportunity sites, a response to the issues raised in the submissions was not reported to a committee of Council. However, a copy of the submissions was provided to the applicant for consideration in formulating their request for a planning proposal.

We have not notified those residents who made a submission to the opportunity site consultation in 2010 for the following reasons:

- their submissions related to a previous planning investigation, and
- they will be notified when the planning proposal is placed on public exhibition, thereby providing an opportunity to make comments on the proposed controls.

2.2 Baseline maximum building heights and FSRs

During the preparation of Woollahra LEP 2014 Council staff reviewed maximum building heights and FSR controls which apply to residential and business zones. For the R3 Medium Density Residential zone, height controls and FSR were reviewed to account for current building practices regarding floor to ceiling heights, State regulations, BCA standards and urban design modelling based on the Council's setback controls. The outcome of this work created a suite of 'baseline' heights and FSRs, as shown in the table below.

Table 1: 'Baseline' heights and FSRs

Storeys	Height (m)	Baseline FSR
2	7	0.65:1
3	10.5	1:1
4	13.5	1.3:1
5	16.5	1.55:1

These baseline controls should form the basis for all requests seeking amendments to height and FSR planning controls. Where a request is not consistent with the baseline controls, a strategic justification must be demonstrated.

2.3 Pre-application planning proposal meeting

A pre-application planning proposal meeting was held with Council staff on 4 July 2016 to discuss the proposed planning changes for the site. After the meeting the applicant was advised to amend their request to prepare a planning proposal to address a number of issues. Key issues identified included the following:

- Obtaining written consent from the owners of the properties which are the subject of the request.
- Justification of the suitability of rezoning the site from the R2 Low Density Residential zone to R3 Medium Density Residential zone.
- Justification of why changes to height and FSR controls result in a suitable planning outcome for the site and its context. The justification was to include identification and analysis of the existing context, the desired future character of the Vaucluse East precinct and impacts of proposed changes.
- If a request was made for height and FSR controls that are inconsistent with Council's baseline controls, justification of how these will result in a better planning outcome for the site.

The request has generally addressed these issues, except for providing sufficient strategic justification of the variation from the baseline FSR.

3. The site

3.1 Location and context

The site is located on the western side of Old South Head Road, Vaucluse, between Clarendon Street and Captain Pipers Road, as shown in Figure 1. Old South Head Road is an arterial road connecting Bondi Junction to Watsons Bay. At this location, Old South Head Road forms the boundary between the Woollahra and Waverley local government areas (LGAs).

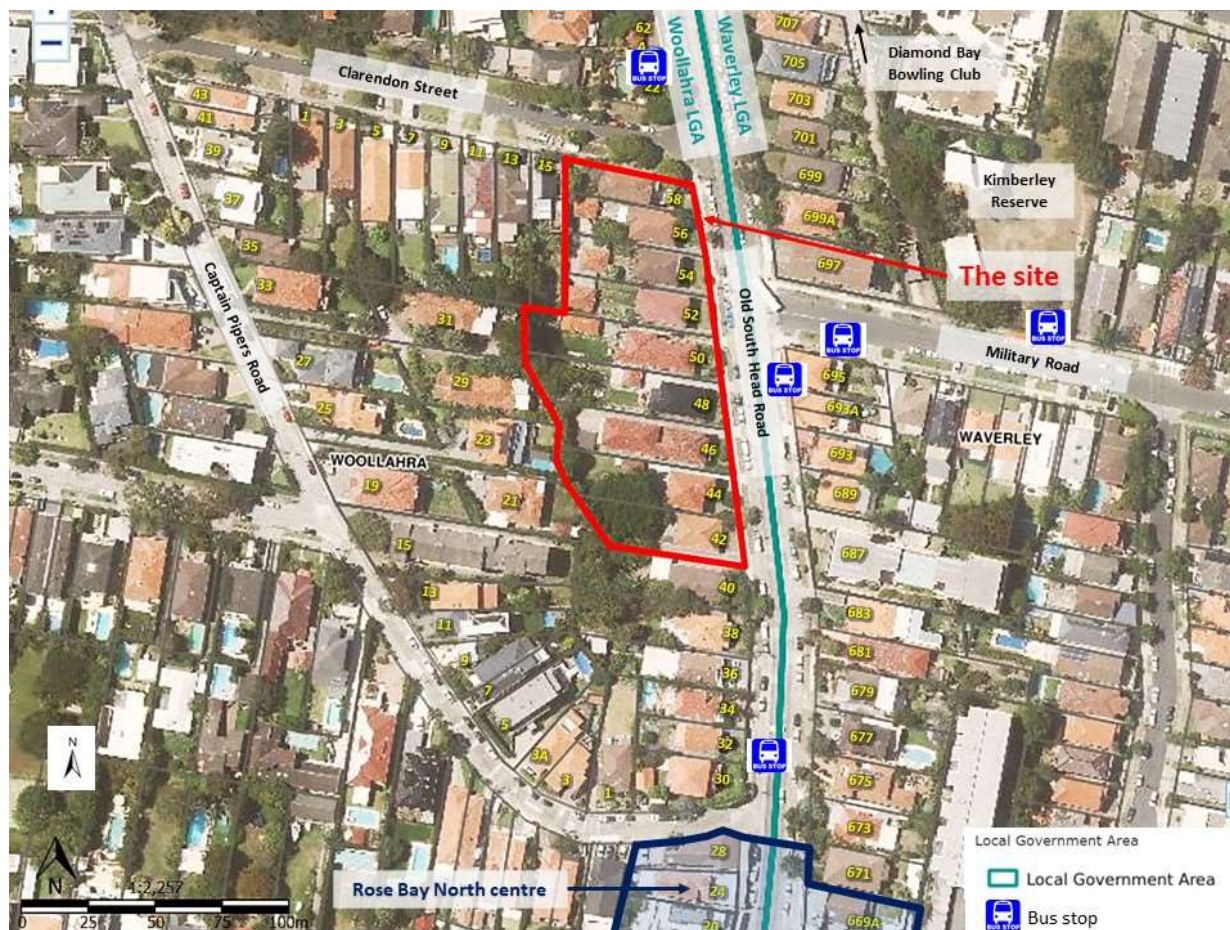


Figure 1: Local area map

Surrounding development consists of the following:

- Generally, the local area accommodates a mix of detached dwelling houses, semi-detached dwellings, duplexes and residential flat buildings which are predominantly 2 to 3 storeys in height.
- The Rose Bay North mixed use centre is located approximately 80m to the south. The centre accommodates a supermarket and various other shops and services.
- Diamond Head Bowling Club is located approximately 60m to the north.
- Kimberley Reserve is located approximately 75m to the east, and the ocean coastline is located approximately 250m to the east.

The site is highly accessible by public transport. Five bus stops are located within 100 metres of the site on Old South Head Road and Military Road, as shown in Figure 1. The bus stops service bus routes 323, 380, and 387 to Rose Bay, Edgecliff, Bondi Junction, Bondi Beach, Watsons Bay and the Sydney CBD, as shown in Figure 2. These services run at various times, but are generally every 15 minutes, 7 days per week.

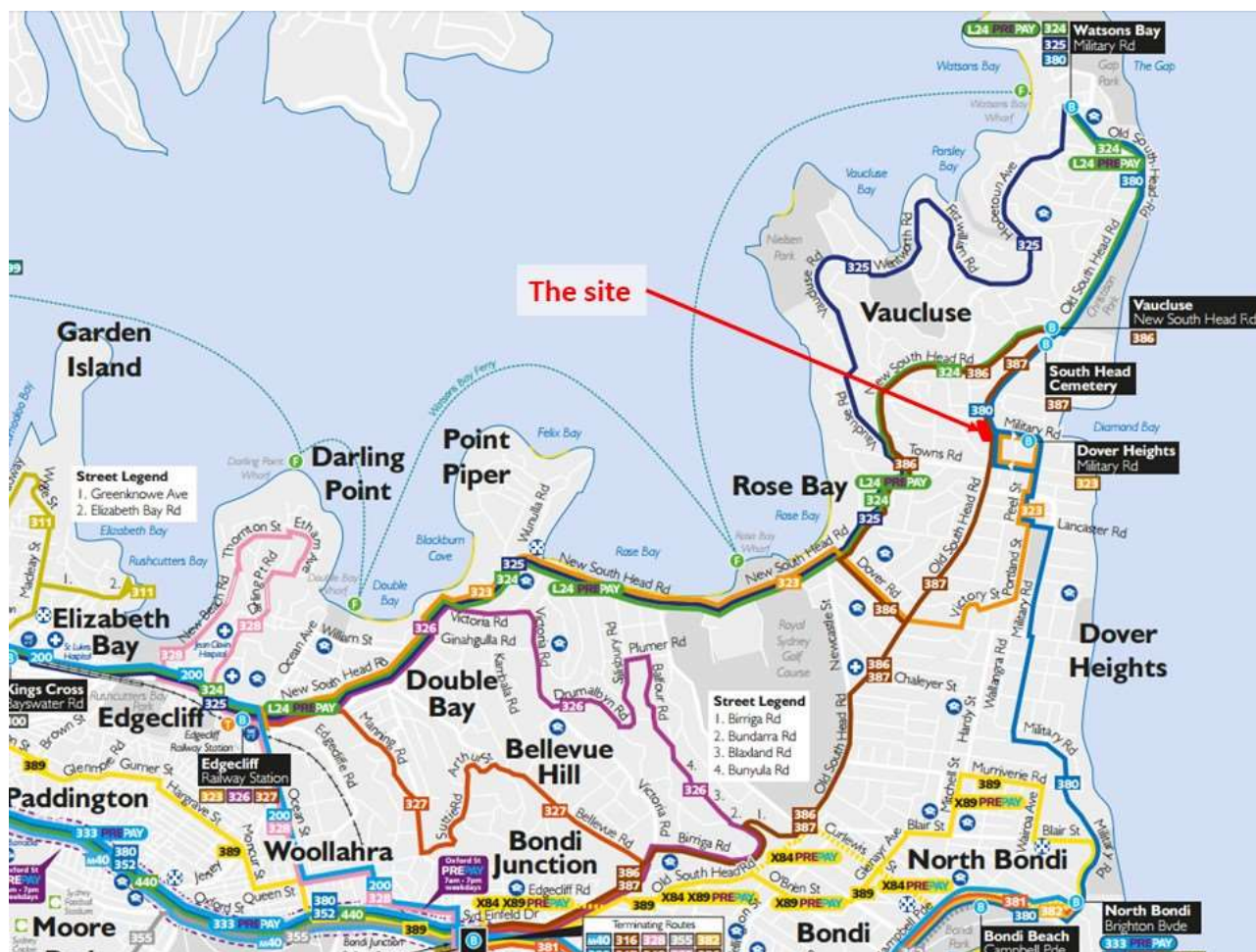


Figure 2: Bus and ferry map for the area (source: Sydney Buses)

3.2 Site description

The site consists of nine adjoining lots described below:

Table 2: Lots description

Street address	Legal description	Dwellings	Building type	Storey height
42 Old South Head Road	Lot 13 DP 13528	1	Detached	1
44 Old South Head Road	SP 16395	2	Duplex	2
46 Old South Head Road	Lot 11 DP 13528	1	Detached	2
48 Old South Head Road	SP 50433	2	Duplex	2
50 Old South Head Road	SP 13423	4	Residential flat building	2
52 Old South Head Road	Lot 4 DP 109409	1	Detached	2
54 Old South Head Road	Lot 3 DP 109409	1	Detached	2
56 Old South Head Road	Lot 2 DP 109409	1	Detached	2
58 Old South Head Road	Lot 1 DP 109409	1	Detached	2-3
Total		14		

A cadastral map showing property information is included below as Figure 3. The site is highlighted in red.

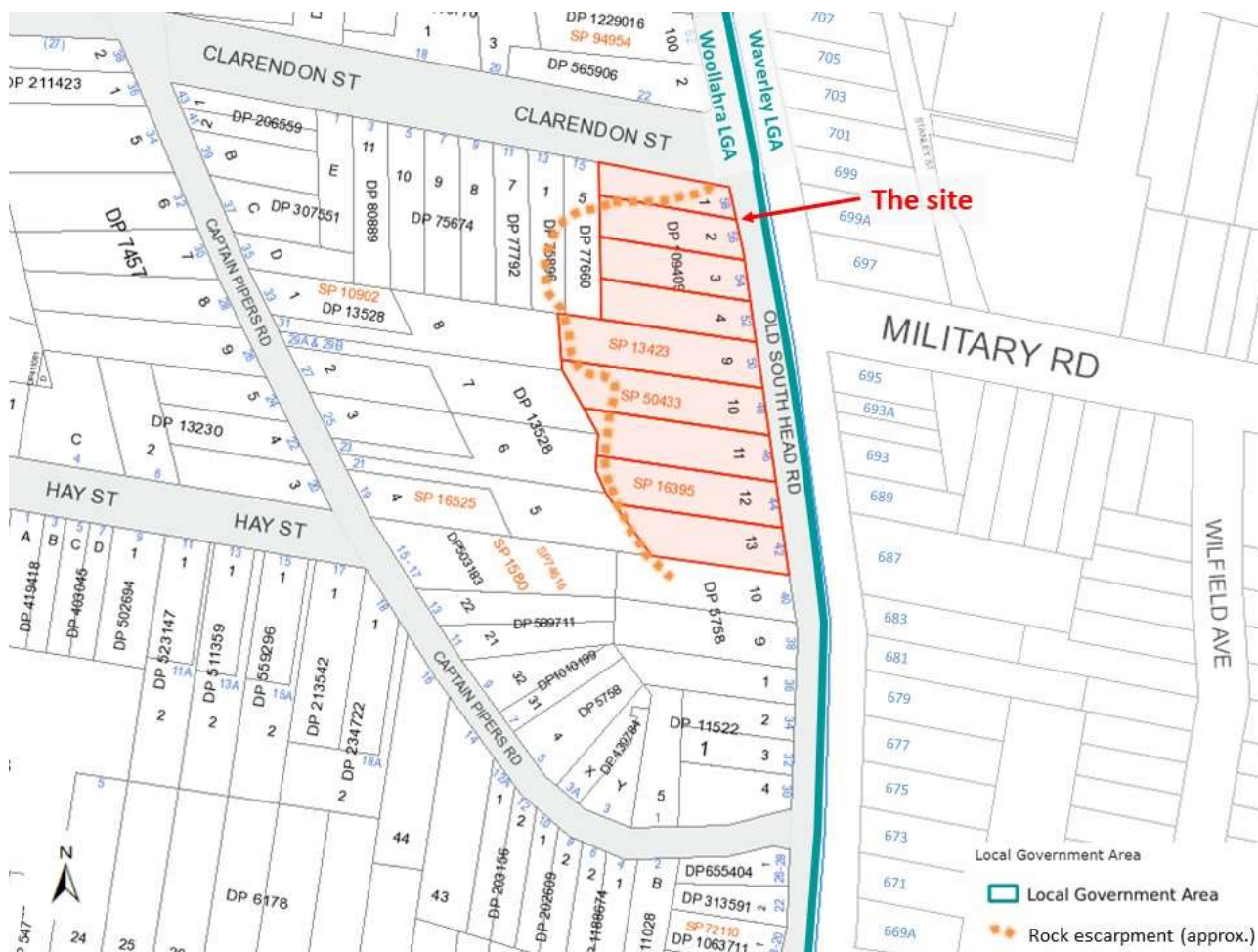


Figure 3: Cadastral map and approximate location of rock escarpment

The site has a total area of approximately 5,617 sqm. The site has a total frontage of approximately 116m to Old South Head Road and approximately 40m to Clarendon Street, and a maximum depth of approximately 60m (at No.50).

The bulk of the site, from No.42 to No.56, gently slopes downwards from south to north and from east to west. A rock escarpment, rising to a height of approximately 5 metres, is located to the west and north of this relatively flat area, as shown in Figure 3. The rear boundaries of the properties at Nos. 42 to 50 generally follow the escarpment. The escarpment then traverses the neighbouring properties to the west at 13 and 15 Clarendon Street before returning to the site at No.58, where it occupies more than 50% of that property.

The site is currently developed with 14 dwellings contained in six detached dwellings, two duplexes and one residential flat building with four units. The buildings range from 1 to 3 storeys in height. The buildings date from the Inter-War period. None of the buildings are heritage listed, located in a heritage conservation area or in the vicinity of a heritage item.

Photos of the existing development on the site are included below.



Figure 4: Existing development at 40 and 42 Old South Head Road



Figure 5: Existing development at 44 and 46 Old South Head Road



Figure 6: Existing development at 48 and 50 Old South Head Road



Figure 7: Existing development at 50 and 52 Old South Head Road



Figure 8: Existing development at 54 and 56 Old South Head Road



Figure 9: Existing development at 58 Old South Head Road (source: Google Maps)



Figure 10: Existing development at 58 Old South Head Road showing Clarendon Street, public stairs and steep topography of site and surrounds



Figure 11: Existing development at 58 Old South Head Road seen from the rear yard of 56 Old South Head road, showing rock escarpment to the left



Figure 12: Existing development at 687 Old South Head Road, opposite the site in Waverley LGA, showing a 3 storey residential flat building



Figure 13: Existing development at 693-693A and 695 Old South Head Road, opposite the site in Waverley LGA, showing a 2 storey mixed use (retail and residential) buildings



Figure 14: Existing development at 697 Old South Head Road and the Military Road intersection, opposite the site in Waverley LGA, showing a 3-4 storey residential flat building and ocean views

4. Planning controls

The planning controls that apply to the site and land in its vicinity are described below.

4.1 Zoning

The site is zoned R2 Low Density Residential under the Woollahra LEP 2014. The zone generally permits development of low density residential uses, such as dwelling houses, dual occupancies and boarding houses.

To the south of the site, the Rose Bay North mixed use centre is zoned B4 Mixed Use under the Woollahra LEP 2014. The zone generally permits development of a mixture of compatible uses such as commercial entertainment facilities, medical centres and shop top housing.

Old South Head Road is an arterial road zoned SP2 Classified Road under the Woollahra LEP 2014. The permissible uses are limited to development of roads.

Land on the eastern side of Old South Head Road, opposite the site, is zoned R3 Medium Density Residential under the *Waverley Local Environmental Plan 2012* (Waverley LEP 2012). The zone generally permits development of:

- low to medium density residential uses, such as dwellings houses, attached dwellings, multi dwelling housing, seniors housing and residential flat buildings, and
- land uses that provide facilities or services to meet the day to day needs of residents, such as neighbourhood shops, child care centres and community facilities.

Zoning for the site and surrounding land is shown below in Figure 15.



Figure 15: Existing land use zoning
(source: Department of Planning & Environment - Planning Viewer)

4.2 Building height

The site is subject to a maximum building height limit of 9.5 metres under the Woollahra LEP 2014. The height limit supports 2 to 3 storey development. The desired future character of the Vaucluse East residential precinct of the *Woollahra Development Control Plan 2015* (WDCP 2015) identifies that development may be 3 storeys, but should establish a 2 storey presentation to the street.

Land on the eastern side of Old South Head Road, opposite the site, which is zoned R3 Medium Density Residential, is subject to a maximum building height limit of 12.5 metres under the Waverley LEP 2012. Building height controls for the site and surrounding land are shown below in Figure 16.



Figure 16: Existing maximum building height controls
 (source: Department of Planning & Environment - Planning Viewer)

4.3 Floor space ratio

The site is not subject to a maximum FSR control under the Woollahra LEP 2014. As the site is zoned R2 Low Density Residential, the bulk and scale of development is determined by controls in the WDCP 2015.

Land on the eastern side of Old South Head Road, opposite the site, which is zoned R3 Medium Density Residential, is subject to a maximum FSR control of 0.9:1 under the Waverley LEP 2012. FSR controls for the site and surrounding land are shown below in Figure 17.

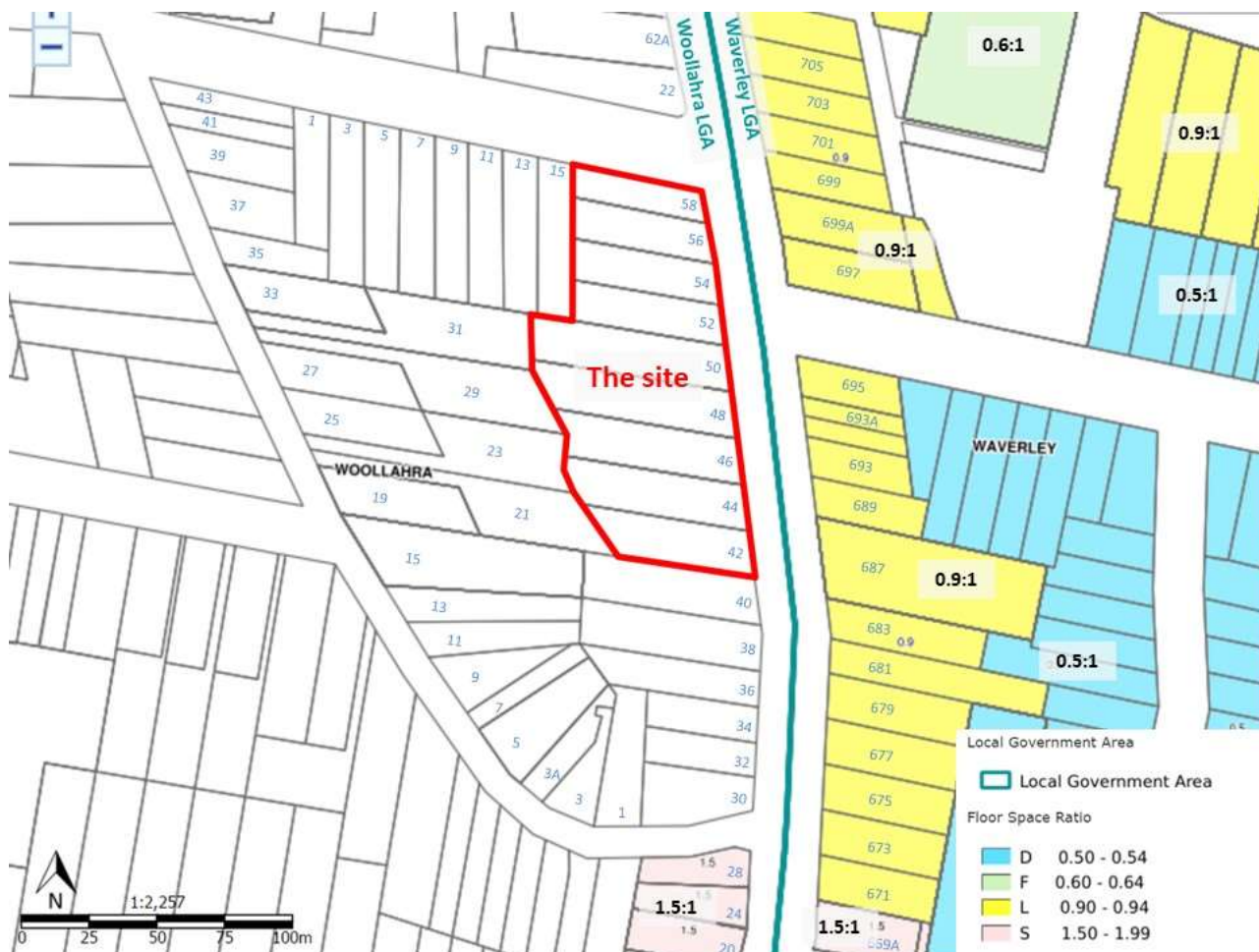


Figure 17: Existing maximum FSR controls
(source: Department of Planning & Environment - Planning Viewer)

5. The planning proposal request

In June 2017 a request for a planning proposal for the site (contained in Annexure 1) was submitted to Council by Parker Logan Property Pty Ltd (the applicant).

In summary, the objective of the request is to enable redevelopment of the site for the purpose of residential flat buildings to a maximum height of 10.5 metres (3 storeys) and a maximum FSR of 1.1:1.

The request includes the supporting documents listed in the table below. These documents are annexed to this report as indicated in the table.

Table 3: Supporting documents

Annexure	Document	Prepared by
1	Planning Proposal report	City Plan Services
2	Survey Plan	John R. Holt Surveyors Pty Ltd
3	Urban Design Analysis: <ul style="list-style-type: none"> • SEPP 65 Design Statement • Massing Study • View Impact Analysis • Shadow Analysis 	Nicholas Tang Architects
4	Heritage Impact Assessment	Zoltan Kovacs Architect
5	Traffic Impact Assessment	Hemanote Consultants
6	Tree Management Plan	Talc Tree and Landscape Consultants

5.1 Proposed controls

The request seeks to amend the Woollahra LEP 2014 in the following manner:

- amend the zoning from Zone R2 Low Density Residential to Zone R3 Medium Density Residential;
- increase maximum building height control from 9.5m to 10.5m; and
- apply a floor space ratio (FSR) control of 1.1:1 (no FSR control currently applies).

The planning proposal does not seek to amend any other provision of the Woollahra LEP 2014.

The request is similar to the proposed amendments previously considered as part of the opportunity sites process. However, the proposed building height is 0.5 metres lower at 10.5 metres, previously 11 metres, and the proposed FSR is 0.1:1 higher at 1.1:1, previously 1:1.

The requested FSR controls of 1.1:1 are inconsistent with Council's 'baseline' FSR for 3 storey development. We do not consider that the applicant has provided sufficient justification to support an FSR of 1.1:1. Therefore, we recommend that if a decision to prepare a planning proposal is made, an FSR of 1:1 is applied to the site.

6. Review of the request for a planning proposal

Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act) sets out what information a planning proposal is to include when submitted for a gateway determination. The Department of Planning and Environment (the Department) has prepared the document titled *A guide to preparing planning proposals* dated August 2016 (the guidelines) to help applicants meet the requirements of the Act. Council staff have reviewed the applicant's request and found that it was submitted in the form of a report which has regard to Section 55 of the Act and the guidelines.

If the request is supported by Council, the planning proposal documentation will be prepared with regard to Section 55 of the Act and the guidelines. The applicant's request will be submitted to the GSC as part of the planning proposal.

6.1 Strategic merit

Strategic merit justification requires a consideration of both State and local level planning strategies. State planning strategies focus on high level, broad planning policy. As such, they do not negate consideration of local context matters such as appropriate built form and scale.

Consideration of the strategic merit of the request against both State and local strategies is provided below.

We have identified that, except for the FSR of 1.1:1, the request has strategic merit. Therefore, we can provide in principle support.

- NSW Government's document *A Plan for Growing Sydney* (2014) – Central subregion.
 - Direction 2.1 – Accelerate housing supply across Sydney
The request provides the opportunity to accelerate the housing supply. With a maximum FSR of 1:1, the site is capable of accommodating a maximum residential GFA of approximately 5,617 sqm, or approximately 81 dwellings, compared with the existing 14 dwellings on the site. This equates to approximately an additional 67 dwellings.
Note: Dwelling calculations are based on minimum standards required by the NSW Apartment Design Guide (SEPP 65) - with an average size of 62.5 sqm, on a development efficiency of 90% of maximum GFA.
 - Direction 2.3 – Improve housing choice to suit different needs and lifestyle
The request provides the opportunity to improve the housing choice of development on the site, through the unit mix requirements required by SEPP 65.
 - Direction 3.1 – Revitalise existing suburbs
The request will provide the opportunity to revitalise the site and the surrounding area by:
 - providing additional housing and a wider choice of housing options, and
 - providing additional patronage to local businesses in the Rose Bay North centre.
 - Direction 3.3 – Create healthy environments
The site is highly accessible to public transportation, open space facilities, educational establishments and health care facilities. It is also within walking distance of a mixed use centre. The request will provide the opportunity to improve the overall amenity of the area and will encourage people to walk and cycle which promotes social cohesion, community connectivity and a healthy environment.
- NSW Government's *Draft Central District Plan* (2016)
 - Liveability Priority 1: Deliver Central District's five-year housing targets. The request addresses this priority by providing the opportunity to develop an additional 42 dwellings towards meeting Woollahra's draft housing target of 300 dwellings by 2021.
 - Liveability Priority 2: Deliver housing diversity. The request addresses this priority by providing the opportunity for a wider range of housing on the site than is currently available.
 - Liveability Priority 6: Facilitate enhanced walking and cycle connections. The request addresses this priority by providing the opportunity for additional housing within walking distance of the Rose Bay North centre and open space facilities.

- Council's *Woollahra Development Control Plan 2015*:
 - Chapter B1: 1.11 Vaucluse East Precinct. The request is generally consistent with the desired future character of the precinct. This character is described as:
 - maintaining the evolution of low rise residential building styles, generally through the introduction of well-designed contemporary dwelling houses;
 - minimising the building bulk and scale of 3 storey development by designing development to generally present as 2 storey to the street; and
 - anticipating that some land fronting Old South Head Road may be zoned R3 Medium Density Residential.
 - Chapter B3: General Development Controls. The request is not seeking to amend the existing general controls of the DCP, such as building envelopes, setbacks and landscaped area. Any future development on the site would need to comply with the existing appropriate DCP controls applying to the site.

The applicant provided a heritage impact statement in support of the request, as the site currently accommodates Inter-War flat buildings. The statement was referred to Council's Strategic Heritage Officer for comment. The heritage officer:

- stated that, although the existing buildings on the site date from the Inter-War period, none of the buildings are heritage listed or identified as potential heritage items, and none are located in a heritage conservation area or in the vicinity of a heritage item;
 - did not raise an objection to the request as the buildings have been substantially altered over time and no longer retain any significance as representative examples of Inter-War architecture; and
 - recommended that, if the proposal proceeded to a development application involving demolition, that the buildings be recorded with a photographic archival recording prior to their demolition.
- Chapter E1: Parking and Access. The applicant provided a traffic impact assessment in support of the request. The assessment was based on a preliminary investigation of the site using a maximum FSR of 1.5:1. The assessment estimated a development yield of 124-128 dwellings, which is approximately 50% higher than the estimated dwelling yield achievable with a maximum FSR of 1:1.

The statement was referred to Council's Traffic Engineer for comment. The traffic engineer:

- stated that, based on the assessment, the net traffic generation increase is marginal and not anticipated to result in unacceptable adverse traffic impact on the existing road network;
- did not raise an objection to the request, subject to future on-site car parking compliance with Council's DCP, NSW regulations and Australian Standards; and
- recommended that Roads and Maritime Services be further consulted in terms of their views on the traffic generation if the proposal proceeded to a development application.

- Chapter E3: Tree Management. The applicant provided a Tree Management Plan which states that there are no naturally occurring trees on the site and the limited existing tree canopy tends to be located at the rear of the site. The request provides the opportunity to improve the landscaping and tree management on the site by consolidating landscaped areas and implementing a co-ordinated landscape plan or plans.
- Council’s *Community Strategic Plan, Woollahra 2025 – our community our place our plan*, in particular Goal 4 – Well planned neighbourhoods. Goal 4 sets out six key challenges, five of which are relevant to this request.

Table 4: Woollahra 2025 - Goal 4: Well planning neighbourhoods - Key challenges

Key challenge area	Key challenge	Response to challenge
Development	Protecting our area from high rise and inappropriate oversized development while balancing the pressure for new housing and jobs.	The request will not permit high rise or inappropriate oversized development. However, it will address the pressure for new housing.
Sustainability	Encouraging and supporting sustainable development.	The request will encourage and support sustainable development by providing housing in a location which is highly accessible by public transport and well located to access facilities within an established business centre.
Increased housing	Responding to the increased housing targets set by the State Government.	The request will respond to the housing targets set by the State Government, by providing the opportunity to develop additional housing.
Housing choice	Providing a diverse range of housing choices to meet the variety of household types, income and lifestyles.	The request will provide the opportunity to develop a diverse range of housing choices to meet a variety of household types, income and lifestyles.
Protection of urban character	Maintaining our mostly low rise, mixed urban form vibrant villages, architecture and heritage. Balancing the protection of the leafy character of the area with achieving development demand.	The request will not prevent the redevelopment of the site in a manner that maintains a mostly low rise, mixed urban form of vibrant villages, architecture and heritage.

- State Environmental Planning Policies (SEPPs). The request is consistent with the provision of all relevant SEPPs.
- The Minister for Planning’s relevant section 117 directions. The request is consistent with the following directions:
 - 3.1 Residential zones: The request will provide the opportunity to develop a variety and choice of housing types to cater for existing and future housing needs, whilst making efficient use of existing infrastructure and services. The request demonstrates appropriate built form through development concept drawings.

- 3.4 Integrated land use and transport: The request will provide the opportunity to deliver residential development in a transport accessible location.
 - 6.3 Site specific provisions: The request does not introduce unnecessarily restrictive site specific controls to the Woollahra LEP 2014.
- The request is not on land identified with any environmental constraints.
 - The request will provide the opportunity to enable an economic benefit of additional housing in a location accessible to public transport options.

This opinion is not intended to represent a position regarding the merits of a future development application for the site.

6.2 Site-specific merit

We have identified that the request is subject to the following site-specific merit issues.

View impacts

The site is located within a ridgeline that runs through the middle of Vaucluse. The elevation of the ridgeline provides water views to the east from a number of properties in the vicinity of the site, particularly 15 Clarendon Street and 21, 23, 29 and 31 Captain Pipers Road. The views from these properties may be impacted by the development of buildings to a maximum height limit of 10.5 metres.

The applicant has provided 3D modelling images, and a virtual 3D model to assist Council with the assessment of the potential view impact of the proposed height limit for the site. However, this documentation is not based on inspections from potentially affected properties. The exhibition of a planning proposal will provide a better method of undertaking a detailed assessment of the potential view impact of the proposed height limit. This can be facilitated by conducting a view analysis from adjoining properties.

This opinion is not intended to represent a position regarding the merits of a future development application for the site.

Design concept

Indicative concept plans for the site show an amalgamation of the various lots on the site into three larger lots and development of four or five residential flat buildings with a height of 3 storeys, with three driveways onto Old South Head Road. However, we note that the detailed design of development is a matter to be considered at the development application stage, and does not affect this request.

7. Options for proceeding

There are two options for responding to the request:

- prepare a planning proposal and submit it to the GSC, or
- notify the applicant that the request is not supported.

Option 1: Prepare a planning proposal and forward it to the GSC requesting a gateway for determination. This is our preferred approach.

Council will forward the planning proposal to the GSC requesting a gateway determination under section 58(2) of the Act. The GSC, or delegate, will then issue a gateway determination specifying whether the planning proposal is to proceed and, if so, in what circumstances. The gateway determination will confirm the information and consultation required before the planning proposal can be publicly exhibited.

Under section 59 of the Act, if a planning proposal is of local significance only Council can seek the delegation of the plan-making steps. This planning proposal is considered to have local significance only, and we would seek the delegation of the plan-making steps. This delegation will be to the position of General Manager, and sub-delegated to the position of Director Planning and Development, provided in Council's resolution of 29 November 2012. Delegation of a planning proposal removes duplication and streamlines the plan-making process.

Option 2: Notify the applicant that the request is not supported.

In the event that Council does not support the request or does not indicate its support within 90 days, the applicant can ask the Department for a pre-gateway review. Under this review mechanism, the Sydney Central Planning Panel will undertake an independent review of the planning proposal. This is not our recommended approach.

8. Next steps

If the Urban Planning Committee supports the recommendation and it is endorsed by Council, the planning proposal will be prepared and submitted to the GSC requesting a gateway determination under section 58(2) of the Act. The GSC, or delegate, will then issue a gateway determination specifying whether the planning proposal is to proceed and, if so, in what circumstances. The gateway determination will confirm the information and consultation required before the planning proposal can be publicly exhibited.

The public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2000*. The gateway determination will nominate the minimum required exhibition period. We recommend that the planning proposal is exhibited for a minimum of 28 days, should the gateway determination express a lesser period.

Public notification of the exhibition will comprise:

- a weekly notice in the local newspaper (the *Wentworth Courier*) for the duration of the exhibition period;
- a notice on Council's website;
- a letter to relevant public authorities and agencies;
- a letter to land owners in the vicinity of each site;
- a letter to local community groups including the *Vaucluse Progress Association*.

During the exhibition period the following material will be available on Council's website and in the customer service area at Woollahra Council:

- the planning proposal, in the form approved by the gateway determination;
- the gateway determination;
- the request for a planning proposal; and
- any other relevant reports or documents.

Submissions to the exhibition will be reported to the Urban Planning Committee for Council's further consideration.

9. Identification of income

When a planning proposal is not initiated by Council, under section 11 of the *Environmental Planning and Assessment Regulation 2000* we can request payment of all costs and expenses incurred in relation to the planning proposal. The Delivery Program 2013-2017 and Operational Plan 2016/17 sets out the fees and charges for preparing a planning proposal. The applicant is responsible for all costs associated with the planning proposal as required by the adopted fees and charges. The applicant has paid the fee for Stage 1 (up to gateway determination) of a major planning proposal.

10. Conclusion

The planning proposal request seeks to amend the Woollahra LEP 2014 in the following manner:

- amend the zoning from Zone R2 Low Density Residential to Zone R3 Medium Density Residential;
- increase maximum building height control from 9.5m to 10.5m; and
- apply a floor space ratio (FSR) control of 1.1:1 (no FSR control currently applies).

The request is consistent with State planning strategies and the majority of Council's local planning strategies. It provides the opportunity to develop the site with additional housing supply and choice, in a location which is highly accessible to a mixed use centre with various shopping options and services, public transport and open space facilities.

Overall, we support the request because it has strategic merit. However, the requested FSR of 1.1:1 is inconsistent with Council's baseline FSR of 1:1, which was developed by Council staff during the preparation of Woollahra LEP 2014. In the absence of a strategic merit justification of an FSR of 1.1:1, we recommend the baseline FSR of 1:1 be applied.

We seek a decision of the Council to:

- prepare a planning proposal; and
- forward the planning proposal to the Greater Sydney Commission (GSC) for a gateway determination. The determination will enable the planning proposal to be placed on public exhibition.

Annexures

1. Planning Proposal report [↓](#)
2. Survey Plan [↓](#)
3. Urban Design Analysis [↓](#)
4. Heritage Impact Statement [↓](#)
5. Traffic Impact Assessment [↓](#)
6. Tree Management Statement [↓](#)

Annexure 1

CITY
PLAN
SERVICES



Planning Proposal

42-58 Old South Head Road, Vaucluse, NSW, 2030

Submitted to Woollahra Council
On Behalf of Parker Logan Property

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Report Revision History

Revision	Date Issued	Prepared by	Reviewed by	Verified by
01	02/08/17	Mark Purdy Snr Project Planner	Stephen Kerr Executive Director	 Stephen Kerr Executive Director
02	03/24/17	Mark Purdy Snr Project Planner	Stephen Kerr Executive Director	
03	06/05/17	Mark Purdy Snr Project Planner	Stephen Kerr Executive Director	

This document is preliminary unless approved by a Director of City Plan Strategy & Development

CERTIFICATION

This report has been authorised by City Plan Strategy & Development, with input from a number of other expert consultants, on behalf of the Client. The accuracy of the information contained herein is to the best of our knowledge not false or misleading. The comments have been based upon information and facts that were correct at the time of writing this report.

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Appendix	Document	Prepared by
1	Survey Plans	John R. Holt Surveyors Pty Ltd
2	Urban Design Analysis: <ul style="list-style-type: none"> ▪ SEPP 65 Design Statement ▪ Massing Study ▪ View Impact Analysis ▪ Shadow Analysis 	Nicholas Tang Architects
3	Heritage Impact Assessment	Zoltan Kovacs Architect
4	Traffic Impact Assessment	Hemanote Consultants
5	Arboricultural Impact Appraisal	Talc Tree and Landscape Consultants
6	Council letter of advice to applicant (dated 22/09/16)	Woollahra Council
7	Donations and disclosure form	Parker Logan Property
8	3D Model	Nicholas Tang Architects

Section A - Overview

1. Executive Summary

This Planning Proposal (planning proposal) is submitted on behalf of Parker Logan Property and relates to land at 42-58 Old South Head Road, Vaucluse. The planning proposal seeks to amend the existing zoning, height, and floor space ratio (FSR) standards applying to the site to support the provision of a high amenity residential development and increased housing choice in close proximity to the Rose Bay North local centre.

This planning proposal explains the intended effect of, and justification for, the proposed amendment to the Woollahra Local Environmental Plan 2014. It has been prepared in accordance with Section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the relevant Department of Planning Guidelines including *A Guide to Preparing Local Environmental Plans* and *A Guide to Preparing Planning Proposals*. The proposal has also been assessed against the Strategic Merit Test as detailed in Planning Circular PS16-004 (dated 30 August 2016), which has confirmed that this planning proposal has strategic and site specific planning merit.

The planning proposal proposes to amend the following provisions of the Woollahra Local Environmental plan 2014 (WLEP) to facilitate the orderly redevelopment in a manner that best responds to the desired future character of Old South Head Road, Vaucluse:

- Amend the WLEP 2014 Land Zoning Map (Sheet LZN_005) to apply Zone R3 Medium Density Residential to the subject site;
- Amend the Height of Buildings Map (Sheet HOB_005) to identify the site as having a 10.5m height limit; and
- Amend the WLEP 2014 Floor Space Ratio Map (Sheet FSR_005) to identify the site as having a Floor Space Ratio of 1.1:1.

The proposed amendments to the zone, height and FSR standards applying to the site respond to a broad and detailed local strategic framework. The strategic opportunities and expectations that have informed this application assist in the planning justification, responding to emerging strategic trends throughout the locality. The sites strategic opportunities are considered in the context of a broad and well-articulated strategic framework at a metropolitan and local level. In accordance with the clear strategic imperative and justification illustrated throughout this report and the supporting material this planning proposal will offer economic and social benefits and is worthy of Council's support.

2. Background

2.1 Consultation with Woollahra Council

The proponent has consulted with Woollahra Council prior to the submission of this planning proposal. The consultation is briefly summarised below:

- Pre-lodgement meeting
Date: 4 July 2016
In attendance: Parker Logan Property and representatives from Woollahra Council
- Lodgement of original Planning Proposal
Date: 29 August 2016
Comment: Planning Ingenuity Pty Ltd. prepared the request
- Council response to the requested planning proposal
Date: 22 September 2016
Comment: Council's correspondence outlined that the information provided with the request was insufficient for Council to appropriately assess the merit of the proposed amendments to the LEP. A detailed description of the matters to be addressed were outlined in Council's advice (Appendix 6).
- Lodgement meeting - review of additional Planning Proposal information
Date: 6 April 2017
Comment: a new planning proposal was prepared and submitted by City Plan Strategy and Development.
- Council response to the requested planning proposal
Date: 8 May 2017
Comment: Council's correspondence outlined that lodgement of the planning proposal would not be accepted unless amendments were made to the planning proposal (Appendix 6).
- Council response to the requested planning proposal
Date: 26 May 2017
Comment: Council's correspondence outlined that lodgement of the planning proposal would be accepted following submission of an updated set of plans (Appendix 6).

This application seeks to provide a revised planning proposal for the subject site that addresses the matters raised in Council's correspondence dated 22 September 2016 and 8 May 2017. The planning proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (EP&A Act) and the relevant Department of Planning Guidelines including A Guide to Preparing Local Environmental Plans and A Guide to Preparing Planning Proposals. The proposal has also been assessed against the Strategic Merit Test as detailed in Planning Circular PS16-004 (dated 30 August 2016), which has confirmed that this planning proposal has strategic and site specific planning merit. We therefore now believe all matters have been adequately addressed, to the satisfaction of Council, in order for the planning proposal to proceed to DPE for a Gateway determination.

3. The Site

3.1 Site description

The site currently consists of nine (9) allotments as demonstrated in the Survey Plans in Figure 1 below. These allotments can be legally described as:

Table 1: Site details

Lot and DP	Address
Lot 1, 2, 3, and 4 in DP 109409	58-52 Old South Head Road
Stata Plan 13423	50 Old South Head Road
Stata Plan 50433	48 Old South Head Road
Lot 11 in DP 13528	46 Old South Head Road
Stata Plan 16395	44 Old South Head Road
Lot 13 in DP 13528	42 Old South Head Road

The combined area of the site the subject of this Planning Proposal is approximately 5,617m² as demonstrated in the Site Survey Plans provided at **Appendix 1**.

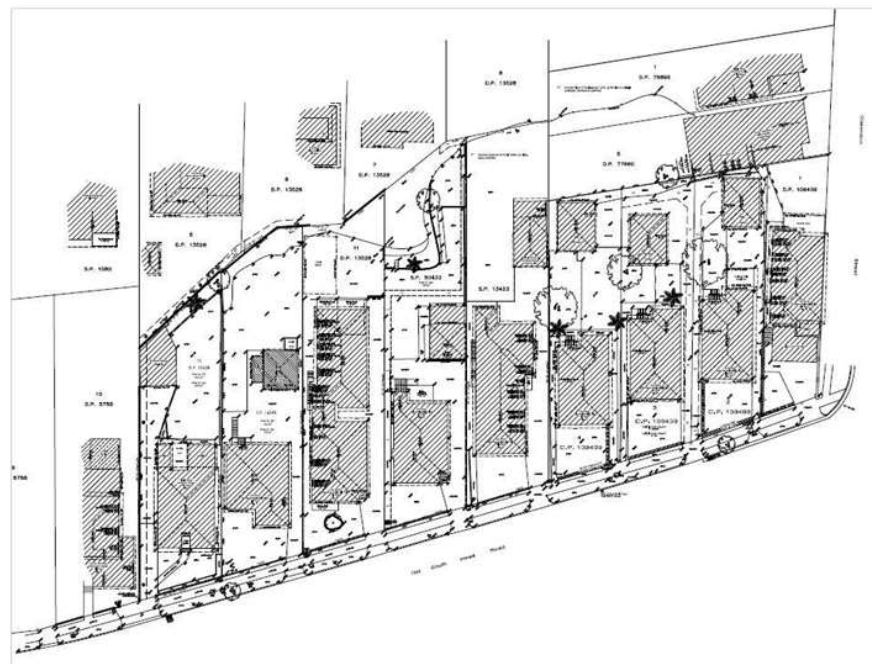


Figure 1: Site survey (source: Nicholas Tang Architects)



Figure 2: Aerial/map view of the subject site, highlighted in yellow (source: SixMaps)



Figure 3 - Terrain map of the locality illustrating unique topography of the site. (source: Google)

3.2 Existing development

The existing development on the subject site is summarised in Table 2 below.

Table 2: Details of existing development

Address	Land Use	Height
58 Old South Head Road	Dual Occupancy	3 storeys
56 Old South Head Road	Dual Occupancy	2 storeys
54 Old South Head Road	Dual Occupancy	2 storeys
52 Old South Head Road	Dual Occupancy	2 storeys
50 Old South Head Road	Residential flat building	2 storeys
48 Old South Head Road	Residential flat building	2 storeys
46 Old South Head Road	Residential flat building	2 storeys
44 Old South Head Road	Dual Occupancy	2 storeys
42 Old South Head Road	Detached dwelling	1 storey

The buildings on the site are not heritage listed and nor do they exhibit any local heritage significance as outlined within the Heritage Impact Report contained within **Appendix 3** of this Report.

Refer to Figures 3-6 below for a photographic review of existing development at the subject site.



Figure 4: The subject site viewed from the corner of Clarendon and Old South Head Road (Source: Google Street View)



Figure 5: View of the subject site from 50-52 Old South Head Road Street (Source: Google Street View)



Figure 6: View of the subject site 46-48 Old South Head Road (Source: Google Street View)



Figure 7: View of the subject site 42-44 Old South Head Road (Source: Google Street View)

3.3 Development within the vicinity of the site

Development directly opposite and to the south of the site comprise a mix of residential and commercial uses varying in both height and modernity. This varied form is encouraged under the Waverly LEP, applying a varied land use pattern and height to the surrounding development. The development directly opposite the site can be described as follows:

Table 3: details of surrounding development

Address	Land Use	Max Height
669a Old South Head Road	Residential flat building	3 storeys
697 Old South Head Road	Residential flat building	4 storeys
693- 695 Old South Head Road	Commercial	2 storeys
687 Old South Head Road	Residential flat building	5 storeys
677- 681 Old South Head Road	Detached dwelling	2 storeys
32 - 40 Old South Head Road	Detached dwelling	2 storeys

Development described above can be seen in the Figures below. It is noted that due to the slope of land on the western side of Old South Head Road, the predominant external wall height along the Old South Head road is 2-3 storeys.



Figure 8: View of development opposite the site to the east (Source: Google Street View)



Figure 9: View of 32 Old South Head Road adjoining the site to the south (Source: Google Street View)

Development within a 200m walking distance of the site comprises a mix of residential and commercial uses varying in both height and modernity as described and shown below:

Table 4: Surrounding development and land uses

Address	Land Use	Max Height
2-28 Old South Head Road	Commercial	4 storeys
694-704 Old South Head Road	Commercial	4 storeys
667a - 653 Old South Head Road	Commercial	4 storeys
2-6 Oceanview Ave	Residential flat building	4 storeys



Figure 10: Development on Old South Head Road to the south, viewed from near the intersection of Old South Head Road and Oceanview Avenue. (Source: Google Street View)



Figure 11: Development within 100m on Oceanview Avenue (Source: Google Street View)

3.4 Site Context

3.4.1 Land Use

The subject site is located within the suburb of Vaucluse and within 5km of Bondi Junction (refer to Figure 11 below). The site is located within the Central Sub Precinct of Sydney.

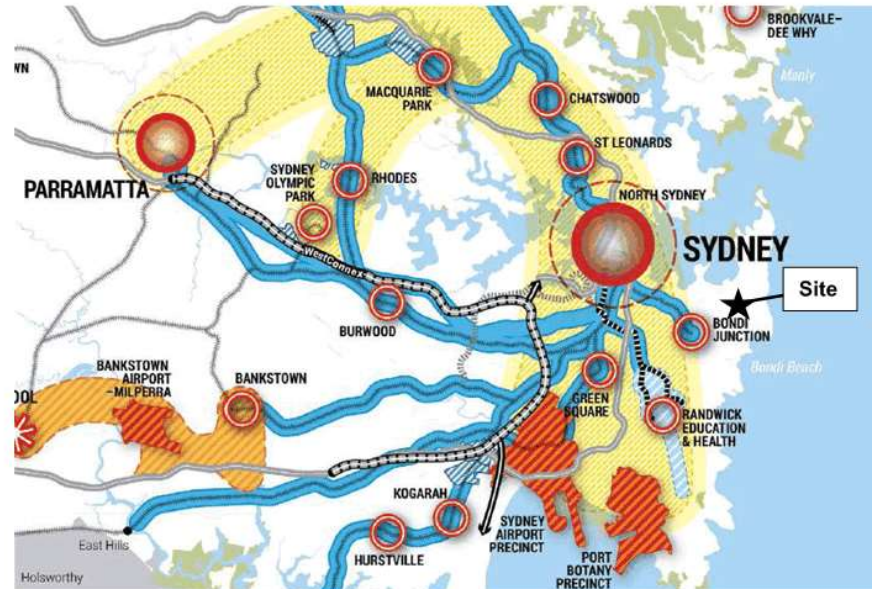


Figure 12: Extract from a Plan for Growing Sydney showing the approximate location of subject site.

The surrounding land is progressively being redeveloped to accommodate a growth in residential population which reflects the high amenity of the location and surrounding area as illustrated in the images above. The precinct contains a wide range of housing types and styles reflecting important stages in its development. Large areas are characterised by Federation and Inter-War bungalows. Inter-War residential flat buildings are also important contributors to the local character. The diversity of built form and the eclectic architectural styles provide a variable character that is in context with the planning proposal for the subject site.

Land fronting the eastern side of Old South Head Road is contained within the Waverly Council LGA and is zoned R3 Medium Density Residential as shown on Map 12 below. Waverly Councils R3 zone seeks to provide opportunities for renewal of existing building stock and a variety of housing types within a medium density residential environment. This planning proposal seeks to ensure consistency with the adjoining councils zoning and desired future character for Old South Head Road.

The growing mixed-use centre of Rose Bay North is located on Old South Head Road approximately 85m south of the site and serves the daily and weekly shopping needs of the local community. Despite the separation (85m), this centre effectively frames the site. Providing high quality and desirable residential accommodation adjoining the centre will therefore serve to maintain and enhance the viability of Rose Bay North. Moreover, placing diverse housing opportunities in location a good public transport networks will also support the viability of established larger employment centres such as Bondi Junction.

Waverley and Woollahra Council have both sought to encourage development at a scale that relates to the function and role of the streets they address. In this regard, larger scale development has appropriately been focused on major streets such as Old South Head Road. Given the sites proximity to public transport, shops and community services there is an opportunity for redevelopment along Old South Head Road, with a view to providing a greater intensity of development adjacent to a classified road and the Rose Bay North centre. In doing so the planning proposal seeks to protect the wider area from high rise and inappropriate oversized development.

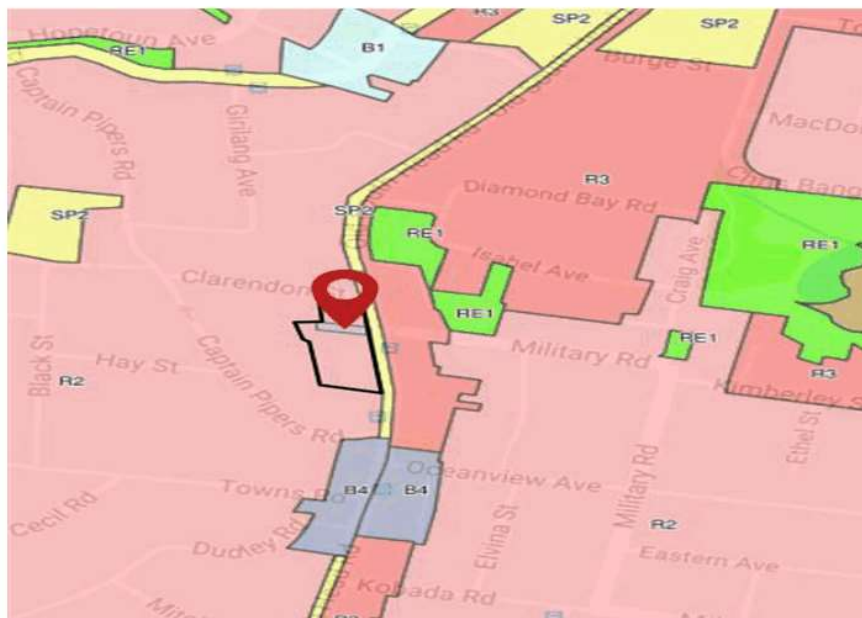


Figure 13: Zoning of land opposite the subject site (Source: NSW Planning Portal 2017)

3.4.2 Accessibility & Connectivity

Old South Head Road carries two-way traffic in a north to south direction with parallel parking on both sides. Clarendon Street is a Local Road and carries two-way traffic in an east to west direction, which also has parallel parking on both sides. The site is in close proximity to New South Head Road to the west.

Old South Head Road is well serviced by buses with several bus stops located within 100m of the site, which services surrounding suburbs and include bus routes 324, 333, 380, 386 and 387. Bus services operate seven days a week and are typically available every 15 minutes. The Bondi Junction transport interchange is also located within 4.8km of the site.

The proposed development is within close proximity to a variety of shops and services in the Rose Bay North local centre, which is located approximately 70m from the site. The bus service surrounding the site also provides access to the Rose Bay Shopping Centre and Bondi Junction, which have an even greater variety of goods and services.

The property is also approximately 2.3km from the Rose Bay Ferry Wharf and 2.7km from Watsons Bay Ferry, providing direct access to Circular Quay.

The site's accessibility and connectivity is illustrated by the cycle, bus, train networks seen in Figure 13 below.



Figure 14: Extract from the Traffic and Parking Impact Assessment showing the subject site's location within well-established bus and train networks (Source: Hemanote Consultants)

3.4.3 Building Forms

The building form surrounding the subject site is important in establishing the principles that will frame the redevelopment of the subject site. Additionally, this offers valuable insight into how building forms and public domain elements will fit within the existing context of the locality and guides the identification of realistic and achievable uplift on the subject site.

An analysis of the height of existing buildings in the area has been undertaken by Nicholas Tang Architects to determine the underlying built form massing and concludes:

The subject sites are generally orientated from east to west from Old South Head Road which runs north-south. They are relatively deep sites allowing for development of courtyard apartment configurations on larger sites (orientated east west) in combination with row apartments orientated at 90 degrees (north-south) on narrower sites between.

The open courtyard configuration allows for a northern orientated gap (envisioned to be a minimum of 12m wide in accordance with ADG separation distances) which would contain communal open space and allow solar access to adjoining sites to the south.

The northern oriented row apartments would ideally look out to the ends of the courtyard developments with a 6m boundary separation allowing for north facing communal open spaces.

Separation distances would be in accordance with the ADG – 12m between habitable rooms/balconies across courtyards and a minimum of 9m between habitable and non-habitable rooms in adjacent developments. Row apartments are proposed to have a minimum 6m setback from side boundaries to allow for communal open space and sufficient landscaping for privacy.

The height is generally to be 3 storeys reducing amenity impacts on adjacent sites and opening up view corridors from the sites to the west.

3.4.4 Street pattern and Streetscape Character

The site and surrounds have an eclectic mix of development which includes three and four storey residential flat buildings, one and two storey dwellings and four storey mixed use buildings in the R3 Medium Density and B4 Mixed use Zones surrounding the site. The planning proposal will make a positive contribution to the site and surrounds and will substantially improve the streetscape when viewed from Old South Head Road and Clarendon Street.

An analysis of the streetscape character and desired future character has been undertaken by Nicholas Tang Architects to determine the emerging character and the Urban Design Report notes:

The subject site is proposed to be rezoned R3 to allow for medium density development with a height control sufficient to allow 3 storeys and a FSR to reflect a built form at that height.

This responds to the context and neighbourhood character by providing a zoning and height that is similar to the controls set by Waverley Council on the eastern side. The drop in topography from the sites to the rear ensures that development on the proposed sites will be of equal or lesser height than the dwellings behind, with a reduced fourth floor allowing individual designs to be moulded to respond to view lines from these sites.

The proposed controls provide sufficient incentive for the economic redevelopment of the site whilst maintaining the future desired character of the area.

3.4.5 Public Open Space


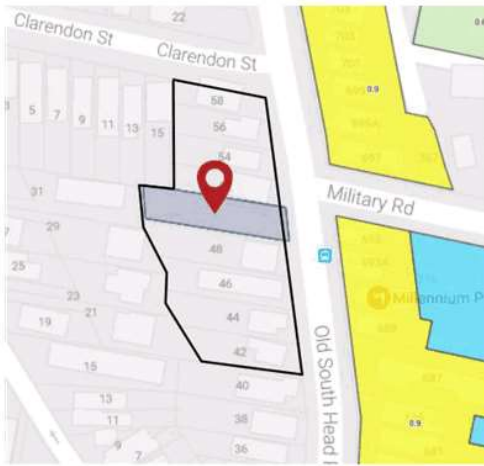
Public open space is an important influence on the desirability of the location. There is a network of public open space that surrounds the subject site characterised by:

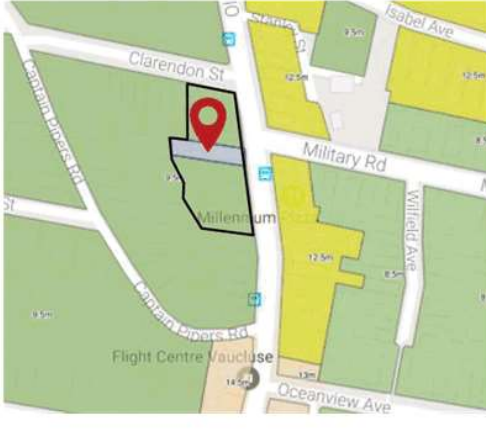
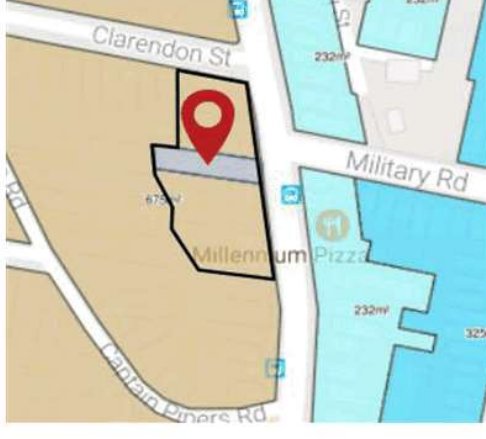
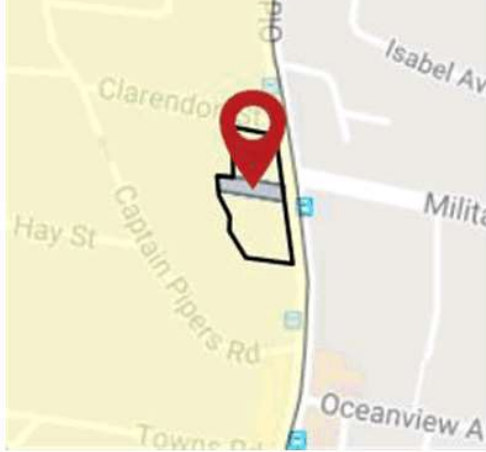
- the interplay of key spaces such as Diamond Bay Reserve and Christison Park.
- Smaller 'pocket parks' such as Kimberley Reserve, pedestrianised streets and footpath contributing to landscaped moments and informal positive recreation spaces.

3.4.6 Local Planning Controls

The current Woollahra Local Environmental Plan 2014 (WLEP) has the following relevant controls applicable to the site

Table 5: Applicable LEP controls

Address	Woollahra Local Environmental Plan 2014
<p>Zone</p> <p>1. The site is zoned 'R2 Low Density Residential' under the WLEP 2014</p>	
<p>Floor Space Ratio</p> <p>2. The WLEP does not contain a maximum floor space (FSR) ratio for the subject sites.</p>	

<p>Maximum Building Height</p> <p>3. The site is identified as having a maximum building height of 9.5m.</p>	
<p>Minimum Lot Size</p> <p>4. The site is identified as having a minimum lot size of 675m².</p>	
<p>Acid Sulfate Soils</p> <p>5. The site has a "Class 5" classification' under the WLEP.</p>	

3.5 Recent Approvals

The emerging residential population in the locality and the context outlined above has been facilitated by recent approvals, demonstrating the changing urban landscape of the local area. The "Mark Moran at Vacluse" Seniors Housing Development is located within 500m walking distance of the subject site. It is acknowledged that the Mark Moran at Vacluse has a site history with its own set of idiosyncrasies in terms of zoning and permitted uses. Notwithstanding this, the Department of Planning issued a Site Compatibility Certificate for the proposed Development with a cover letter, signed by the Director General, which states that the development was "compatible with the surrounding environment."

Seen within this context the proposal would not detract from the neighbourhood amenity but rather would make a positive contribution to the desired future character of Old South Head Road. It is noted that the Mark Moran at Vacluse comprises three (3) separate buildings with a contemporary built form consisting of a curved structure with undulating glass frontage to Old South Head Road. The building has a height of 18.25m and an FSR more than 2.2:1.



Figure 15: Mark Moran at Vacluse on Old South Head Road (Source: Google Street View)

Section B - Planning Proposals

4. Objectives and the Intended Outcomes

4.1 Objectives of the Planning Proposal

The intended outcome of the PP is to enable re-development of the site to achieve State and local Government housing objectives and deliver public benefits with minimal environmental and economic impacts.

The objectives of this planning proposal therefore are:

- To satisfy State government objectives in A Plan for Growing Sydney, the draft Central District Plan as well as relevant Section 117 directions;
- To support the implementation of relevant strategic planning in the Woollahra Site Opportunities report;
- To provide housing opportunities in a location with good access to transport, employment, and social infrastructure;
- To allow for the orderly and economic development of the subject site;
- To provide an opportunity to improve the presentation of the site to the public domain, and enhance the streetscape in doing so;
- To ensure the future development and use of land is appropriate, minimising environmental risks and potential impacts on adjoining land uses.

4.2 Intended outcome

The intended outcome of this planning proposal is to introduce development controls that will stimulate redevelopment and revitalisation of the precinct, in a manner which builds upon the existing diverse and eclectic urban grain and built form character and delivers significant public benefits to the local community.

The following specific development outcomes are intended:

- To provide an appropriate built form response with residential housing choice and design that respects the strategic context of the site;
- To broaden housing choice by providing an opportunity for modern low rise apartment with lift access;
- Encourage an amalgamation of land to enable a feasible, high quality, residential development that provides public domain enhancements for the local community;
- Protecting and enhancing the existing surrounding environment by encouraging development at a scale that relates to the function and role of Old South Head Road. In doing so the planning proposal seeks to protect the wider area from high rise and inappropriate oversized development;
- Deliver housing in a strategic location that can maximise the use of existing public transport, walking and cycling for trips;
- To introduce contextually appropriate development controls that ensure an appropriate built form response that enhances the site and locality;
- Stimulating growth of the local economy and offering opportunities for enhanced prosperity in the adjoining Rose Bay North centre; and
- Providing numerous direct and tangible benefits to the public, including improving the sustainability of the development on site, supporting access to employment and public transport, and enhancing the amenity and streetscape of the locality.

5. Explanation of the provisions

This planning proposal seeks the following modifications to the provisions of the Woollahra Local Environmental Plan 2014:

- Amend the WLEP 2014 Land Zoning Map (Sheet LZN_005) to apply Zone R3 Medium Density Residential to the subject site;
- Amend the Height of Buildings Map (Sheet HOB_005) to identify the site as having a 10.5m height limit; and
- Amend the WLEP 2014 Floor Space Ratio Map (Sheet FSR_005) to identify the site as having a Floor Space Ratio of 1.1:1.

The proposed controls, operating in conjunction with the existing provisions of the Woollahra DCP 2015, would facilitate redevelopment of a modern purpose built residential development, which complements the character of the local area.

The proposed FSR control provides for slightly less gross floor area than the building envelopes shown in Appendix 2. These envelopes provide for three storey building forms on the Old South Head Road frontage. The existing DCP controls and the proposed height and FSR controls create an appropriate framework in our view to ensure future development applications can be designed to a high standard without compromising the amenity of surrounding properties.

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

6. Justification

6.1 Need for a Planning Proposal

6.1.1 Is the planning proposal a result of any strategic study or report?

Yes. This planning proposal is a result of Woollahra Council's Opportunity Site Report, dated June 2010. Council identified 30–58 Old South Head Road, Vaucluse as an opportunity site at the eastern boundary of the local government area. The report included a proposed change in zoning to R3 Medium Density Residential with an FSR of 1:1 and a height of 11m. The key justifications for the planning control changes on this site contained in Council's report were as follows:

- "Rezoning the site to Zone R3 will be consistent with the planning controls and character of development encouraged by Waverley Council on opposite side of Old South Head Road.
- Existing RFBs are non-conforming uses in the 2(a) zone.
- Area is characterised by older building stock and the amenity will be improved by redevelopment. Redevelopment is significantly limited under the current zone."

On 11 July 2011 Council resolved that they "defer consideration of the remaining opportunity sites until gazettal of the Principal LEP". This resolution was based on written advice from the Department of Planning provided dated 24 June 2011 outlining that in order to facilitate the finalisation of Woollahra's principal LEP, a staged approach to the delivery of opportunity sites through separate site specific planning proposals would be appropriate. Consequently, three site specific planning proposals for opportunity sites identified in Woollahra Council's Opportunity Site Report have since been progressed, specifically:

Table 6: Planning proposals approved in accordance with Council's Opportunity Site Report

Address	Planning Proposal Number	Status
9A Cooper Park Road, Bellevue Hill	Planning proposal_2011_Wooll_003	Approved by Minister of Delegate
240 New South Head Road, Edgecliff	Planning proposal_2014_Wooll_001	Approved by Minister of Delegate
80-84 and 90 New South Head Road, Edgecliff	Planning proposal_2015_Wooll_003	Approved at Gateway and with RPA for implementation

Each opportunity site was identified by Council following critical planning analysis of all land within the Woollahra local government area. As outlined in the Woollahra Municipal Council Urban Planning Committee report dated 14 December 2009, a range of "urban design and planning justification [were] used to assess the suitability of the opportunity sites". Specifically, seven (7) planning matters were identified by Woollahra Municipal Council's Opportunity Site report as justification for amending the planning controls applicable to the subject site. For the purpose of demonstrating the continued validity of Council's planning justification, each of Council's justification and an updated response by CPDS is provided below.

Council Opportunity Site Report Item 1: Increased development potential will reflect the desired future character of the area.

The subject site is situated in the south east corner of the Vaucluse East Precinct of the Woollahra Residential Development Control Plan (WDCCP) 2015. The Precinct encompasses

a substantial area of an elevated plateau. The site is located on the east facing slopes of the Precinct, approximately 500 metres from the ocean escarpment and is not visible from the Harbour.

The majority of the Precinct is zoned for low density housing purposes and accordingly, the WDCP 'Desired Future Character' statement contained in section B1.11.2 of the DCP generally reflects the existing built form. The Statement does, however, reference the land on Old South Head Road currently zoned R3 Medium Density Residential as an opportunity to "provide opportunities for renewal of building stock". The intention of this planning proposal is to create an additional small area of R3 Medium Density Residential land, which will also provide opportunities to renew building stock in an appropriate location and in keeping with the character of the immediate locality.

The WDCP Section B1.11. identifies eight (8) 'desired future character objectives'. To assist in identifying whether the planning proposal is consistent with desired future character of the locality, each objective is examined below:

O1 To respect and enhance the streetscape character and key elements of the precinct.

The site and surrounds have an eclectic mix of development that includes two to four storey residential flat buildings, one and two storey dwellings, and mixed use buildings in the adjoining Rose Bay North Centre. As outlined in the Heritage Impact Report prepared by Zoltan Kovacs (Appendix 3) the subject site does little to contribute to the character of the area as "each building is degraded and they have lost their coherent Inter-war character". The planning proposal therefore seeks to replace a collection of face brick institutional buildings of dated appearance and little visual appeal (or internal amenity) with a contemporary development that engages the street, provides contemporary standards of amenity and is extensively landscaped throughout. Consequently, the proposed development will make a positive contribution to the site and surrounds and will substantially improve the presentation to Old South Head Road.

Future development is able to meet ADG requirements (such as solar access, building separation), both within the site and with regards to existing residential areas. The proposed building envelopes complement the urban form and will contribute to the legibility of the wider urban form along Old South Head Road. The planning proposal will facilitate architectural responses that provide high levels of residential amenity and contribute positively to the existing and future character of the locality. The built form can also reasonably establish a ground level interface that respects pedestrian scale and amenity.

An appropriate transition is provided to the predominant low density urban form and character of the Vaucluse East Precinct to the north and west of the site. This is particularly pertinent with respect to the relationship between the site and the existing low density residential suburb to the west. In this regard the proposal can suitably address the visual impact from a variety of viewpoints within a reasonable distance of the site.

In our opinion, in the context of the site and the wider development pattern along Old South Head Road, the proposal satisfies this objective.

O2 To retain the scenic qualities provided by the dramatic topography and natural vegetation within the precinct.

Future development would sit discretely within the unique natural topography of the site. Behind the subject sites to the west, the topography rises at the rear boundary and the abutting developments are generally sited around 6 to 8m higher than the subject sites (Old South Head Road RLs vary from 65.30 to 67.44 while the ground line of the properties at the rear vary from RL 73.49 to 72.50). The planning proposal will enable a form of development that will sit appropriately within this unique natural topography, ensuring that the proposal will not negatively impact the local areas scenic qualities, particularly when viewed from Old South Head Road.

The redevelopment of the site creates an opportunity to reintroduce natural vegetation in the landscaped areas and introduce increased building separation that provides for enhanced views between buildings. The planning proposal will therefore facilitate provision of contemporary buildings that will allow for a more consistent methodology in respect of appropriate landscape planting for the area, which will provide a positive contribution to the locality. In our opinion, and in the context of the site, the proposal satisfies this objective.

O3 To maintain the evolution of low rise residential building styles through the introduction of good contemporary buildings incorporating modulation and a varied palette of materials.

The proposal will facilitate the replacement of a collection of rendered and face brick buildings of dated appearance and little visual appeal with a suitable form of residential development that engages the street and is extensively landscaped throughout. The proposal will enable a more suitable style of architecture that incorporates modulation and varied palette. The proposal will also facilitate development that suitably addresses the street and provides an appropriate setback between the proposed buildings and the existing dwellings facing Old South Head Road. Landscaped areas and new open space along the frontage and throughout the site will provide enhanced visual permeability and improve the relationship between the publicly accessible and private domain. Consequently, the streetscape will be enhanced by the removal of the existing buildings and their replacement with well-designed buildings that respect the local character. In our opinion, in the context of the site, the proposal therefore satisfies this objective.

O4 To minimise building bulk and scale of three storey development by designing development to generally present as a two storey form to the street.

We believe this objective, as indicated by the word 'generally' is intended to apply to the low density residential land which comprises, and would continue to comprise, the vast majority of the precinct. Nevertheless, we believe that an R3 Medium Density Zone and the height limit proposed in this planning proposal are appropriate in the context of this site. Consequently, a well-designed development can be delivered on the site with a suitable bulk and scale that would make a positive contribution to the streetscape in this part of the Precinct.

O5 To design and site buildings to respond to the topography and minimise cut and fill.

The extensive site area of this proposal will enable future development to respond to topography and minimize cut and fill. The site enjoys a unique topography which would facilitate redevelopment with minimal cut and fill.

O6 To protect important views from the public spaces of the precinct to the harbour and the city skyline, including view corridors between buildings.

The proposal will not result in any loss of significant views towards the harbour or the city skyline. A Heritage Impact Report prepared by Zoltan Kovacs Architects has confirmed that the proposal will not have any adverse impacts on the heritage items in the vicinity of the site. The design of the proposed building will substantially enhance the appearance of the site when viewed from public spaces. In our opinion, in the context of the site, the proposal satisfies this objective.

O7 To reinforce the landscape setting and maintain the existing tree canopy.

Refer to response to objective 8 (below).

O8 To retain and reinforce the green setting of mature street trees, private trees and garden plantings.

As observed in the Tree Management Statement by TALC (Appendix 5), there are no naturally occurring trees on the site and the limited existing tree canopy tends to be located at the rear of the site. The proposed built form controls will improve the precinct's landscape setting. In particular, the proposed building height controls facilitate better building setbacks and landscaped area, which reflects the character of the area. In our opinion, in the context of the site, the proposal satisfies these objectives.

Council Opportunity Site Report Item 2: Increased development potential is consistent with the adjoining council's controls.

The subject site is located on the LGA boundary with Waverly Council. The provisions of the Waverley Local Environmental Plan 2012 that currently apply to the land directly east of the site are as follows:

- *Zone R3 Medium Density Residential*
- *Height of building control of 12.5m*
- *Floor Space Ratio Control of 0.9:1*

The planning proposal seeks to amend the zoning of the subject site to R3 Medium Density Residential, which will reflect the zone within the Waverley Local Environmental Plan 2012.

As demonstrated on the plans prepared by Nicholas Tang Architects (Appendix 2) the proposal seeks to provide a maximum building height of 10.5m as measured from ground level (existing), which represents a three (3) storey building envelope with consideration given to lift over-runs and servicing elements on the roof. This represents a variation to the Waverly Council control of -2m. Given that the proposed height standard is below the adjoining council maximum height development standards, it is considered that the proposed height control does not result in any inconsistency with the anticipated scale and density of the site as envisaged Waverley Councils controls.

The floor space ratio has been calibrated with the proposed building height control, however, we note that it is higher than the numeric standards within the Waverley Local Environmental Plan by 0.2:1. We also note that the FSR control has been, and is regularly, varied by Waverly Council. The correctly calibrated FSR control on the subject site will therefore ensure there is no need to vary the standard in future development applications. Moreover, the proposed amalgamation of allotments offers a significant opportunity to deliver a superior built form outcome in an "opportunity site".

Council Opportunity Site Report Item 3: Controls provide a suitable built form transition between adjoining zones.

Photomontages prepared by Nicholas Tang Architects (Appendix 2) show the general massing and height of the built form in relation to the existing development so that council can accurately quantify the extent of visual effects and potential impacts in relation parts of the proposal which seek to amend the existing height controls. A more detailed visual analysis may also be required at the DA showing the view composition from private domain viewing locations.

In relation to the buildings to the west of the site, the Urban Design Report prepared by Nicholas Tang Architects recommends a building height of 10.5m. In comparison, the R2 zoned land to the west of the subject site has a height limit of 9.5m, however it is also elevated by approximately 6-8m in comparison to the subject site. Consequently, land to the west would have a height of between 15.5 -16.5m when compared to the subject site. Consequently, we are of the view that the proposed building height will provide for an

appropriate transitional building scale that reinforces the topography whilst also protecting the amenity of adjoining land and ensures view sharing can be achieved.

The properties south of the site (30-40 Old South Head Road) are currently zoned R2 Low Density. A SEPP 65 Design Statement (Appendix 2) has been prepared against the preliminary indicative plans. The SEPP 65 Design Statement table demonstrates that the development is generally consistent with the SEPP 65, particularly in relation to adequate building separation distances between neighbouring sites to achieve reasonable levels of visual privacy without compromising access to light/air/views. While not confirmed, there is also an opportunity that this planning proposal will be a catalyst for the amalgamation of these sites as envisioned by Council's Site Opportunity report. Should this occur the transition between the subject site and the Rose Bay North Centre (2-28 Old South Head Road) will be further enhanced.

The Rose Bay North centre is located 85m (or seven allotments) south of the site and is zoned B4 Mixed Use. The centre has a 14.5m building height and 1.5:1 to 2:1 FSR, which provides for a larger scale of development than being proposed on the site. While the centre is not directly adjacent to the site, the proposal will provide a notably smaller scale built form and in doing so will provide a suitable transition to the lower density area north of the site.

Council Opportunity Site Report Item 4: Lot orientation secures reasonable solar access and views within the site and to adjoining areas.

The Planning Proposal intends to increase the height and FSR potential of the site. Accordingly, it is important to understand the solar access impacts and view impacts that could result from the future built form on the site.

The proposed development is located on relatively flat but elevated land on the west side of Old South Head Road. The scale and bulk of tower forms proposed in the built form massing strategy prepared by NTA are similar in scale and form to medium density residential buildings located within the immediate and wider visual context.

Views from development located to the west of the site appear to have limited and interrupted views to the ocean to the east of the subject site. The composition of these views does not appear to include land-water interfaces. Analysis of the visual catchment from Captain Pipers Road has identified a number of taller towers to the east of the site which appeared to be residential apartment buildings and were of a height or approximate height similar to or greater than that proposed.

As shown in the view analysis prepared by NTA (Appendix 2) a part of the view may be blocked by the upper parts of the forms proposed, however, this may be considered acceptable with the context of the surrounding medium density development to the east of the site. In this regard, it is noted that the proposed maximum height development standard (10.5m) is lower than the maximum height standard (11m) permitted on this opposite side of Old South Head Road. When considered in this context, potential impacts on views would be actually lower than that caused by development located on the east side of Old South Head Road. In addition, all future development applications will be required to provide a view analysis addressing matters identified in Tenacity Consulting v Warringah Council [2004] NSWLEC 140.

In relation to shadows, the Urban Design Report prepared by Nicholas Tang Architects has undertaken an indicative analysis of the existing and proposed shadows cast from the site and views from surrounding areas (Appendix 2). The shadow diagrams demonstrate the following:

- The existing building currently create a level of overshadowing to neighbouring buildings along Old South Head Road. The proposed development creates a minor extension to the extent of existing overshadowing.
- No undue overshadowing will occur to the public domain or to any neighbouring buildings. Shadows from the proposal largely fall within the site and adjoining road reserve. The extent of overshadowing is limited to the west elevation of the residential

property located at 60 Old South Head Road and the impact is considered to be relatively minor and acceptable with the property continuing to receive 2 hours of solar access to living spaces and private open space.

Council Opportunity Site Report Item 5: Proximity to centres to facilitate access to public transport and services.

The Rose Bay North centre is located to the south of the site and less than 85m walk of the site. The shopping centre has mix of retail, commercial and business opportunities that services the daily and weekly needs of residents as outlined in the WDCP 2015. Additional retail and childcare services are also located opposite the site on the corner of Military Rd and Old South Head Rd. The site is also a 500m walk to the Vaucluse Shopping Village. In this regard, increasing density within 500m of centres is consistent with well-established planning practice of increasing development potential near centres to promote more sustainable and transport oriented developments.

Council Opportunity Site Report Item 6: The site is located on a main road.

Waverley and Woollahra Council have both sought to encourage development at a scale that relates to the function and role of the streets they address. In this regard, larger scale development has appropriately been focused on major streets such as Old South Head Road. Given the sites proximity to public transport, shops and community services there is an opportunity for redevelopment along Old South Head Road, with a view to providing a pocket of more intense development adjacent to a classified road and the Rose Bay North centre. This is reflected in the WDCP future character statement for Vaucluse East

The dispersal of future housing opportunities in appropriate accessible locations enables the provision of housing styles (modern apartments with lift access) that are in short supply in the locality and creates opportunities for people to downsize without having to leave the locality and effectively age in place.

Council Opportunity Site Report Item 7: The site is within proximity to public transport nodes.

As outlined in section 3.4.2 of this report, Old South Head Road is well serviced by buses with several bus stops located within 100m of the site, which services surrounding suburbs and include bus routes 324, 333, 380, 386 and 387. Bus services operate seven days a week and are typically available every 15 minutes. The Bondi Junction transport interchange is also located within 4.8km of the site.

6.1.2 Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

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

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

The planning control changes proposed for this site are consistent with the objective of increasing capacity for residential development as outlined in Woollahra Council's Opportunity Site Report. In this regard, the planning proposal will deliver a well-designed response to the strategic framework and provides a meaningful contribution to relevant dwelling targets.

Zoning, floor space ratio and height controls are development standards in Woollahra LEP 2014. Change to these standards are made through a planning proposal and a draft local environmental plan. Accordingly, a planning proposal is the most appropriate way of achieving the intended outcome.

6.2 Relationship to Strategic Planning Framework

6.2.1 Is the planning proposal consistent with the objectives and actions contained within the applicable region or sub regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

A *Plan for Growing Sydney* (2014) is the NSW Government's 20-year plan for the Sydney Metropolitan Area. It provides direction for Sydney's productivity, environmental management, and liveability; and for the location of housing, employment, infrastructure and open space.

Consistency with 'A Plan for Growing Sydney' is outlined in the below table.

Table 7: Consistency with 'A Plan for Growing Sydney'

Direction	Response
Goal 1: A competitive economy with world-class services and transport.	
Direction 1.1 - Grow a more internationally competitive Sydney CBD.	Given the subject site's proximity to the Sydney CBD, the proposal has the potential to reinforce the city's role as a world class international city. By providing additional housing in this location, the proposal will allow future occupants to visit the city by public transportation to access employment opportunities, retail services and cultural events.
Direction 1.7 - Grow strategic centres - providing more jobs closer to home.	The site is within 5km of the Bondi Junction Strategic Centre. The planning proposal will provide an investment in housing that will service the broader LGA, providing homes closer to employment within an appropriately located strategic centre.
Goal 2: A city of housing choice, with homes that meet our needs and lifestyles.	
Direction 2.1 - Accelerate housing supply across Sydney.	The proposed development is capable of providing an increase in the supply and housing choice in a high demand area of Sydney. The site is capable of accommodating an indicative residential GFA of 6,178.7sq m (89 apartments).
Direction 2.3 - Improve housing choice to suit different needs and lifestyles.	The proposed development is capable of providing housing choice that will respond to the needs of the local community, and provide a mix of dwelling types. It may also consist of adaptable and accessible housing as well as housing for first home buyers and downsizers who wish to enjoy the local economy.
Goal 3: A great place to live with communities that are strong, healthy and well connected.	

Direction	Response
<p>Direction 3.1 - Revitalise existing suburbs.</p>	<p>The existing buildings on the subject site presently consist of a varied mix of residential buildings, which do not reflect a good urban design outcome for the site or reflect the future direction of locality. This planning proposal will improve the amenity and presentation of the streetscape by providing a high quality built form. It will provide a wider choice of housing styles. It will also provide improved public domain spaces and streetscapes, improving the locality's overall streetscape amenity.</p> <p>Further to the above, this site has several compelling planning attributes that make the site suitable as an R3 Medium Density Residential zone:</p> <ul style="list-style-type: none"> ▪ Increased development potential will be in the context with the existing character of surrounding development ▪ Increased development potential will reflect the desired future character of the area ▪ The site is on an LGA boundary and the increased development potential is consistent with Waverly council's controls ▪ The proposed controls provide a suitable built form transition between adjoining zones ▪ The site amalgamation offers a significant opportunity to minimise impacts of development that would not typically be afforded to the individual redevelopment of sites ▪ The lot amalgamation and orientation will provide reasonable solar access and views within the site and to adjoining areas ▪ The site is in close proximity to the Rose Bay north centre and will facilitate direct access to services, weekly shopping needs and regular public transport opportunities; and ▪ The site is located on a main road with high volumes of passing traffic, excellent connectivity to surrounding suburbs and direct access to bus services.
<p>Direction 3.3 - Create healthy built environments.</p>	<p>The site is highly accessible to public transportation, open space facilities, educational establishments and health care facilities. It is also within walking distance of a local centre.</p> <p>The planning proposal will improve the overall amenity of the area and will encourage people to walk and cycle which promotes social cohesion and community connectivity. Overall the proposal supports strong, healthy and well connected communities.</p>

The goals and directions addressed above are supported by planning principles that will guide how Sydney grows. These principles include:

- Principle 1: Increasing housing choice around all centres through urban renewal in established areas;
- Principle 2: Stronger economic development in strategic centres and transport gateways; and
- Principle 3: Connecting centres with a networked transport system.

This planning proposal directly responds to and provides outcomes in accordance with the three principles above.

'A Plan for Growing Sydney' also provides priorities for six (6) subregions. The subject site is located within the Central Subregion. Consistency with the priorities of the Central Subregion is demonstrated in the table below.

Table 8: Consistency with the relevant priorities of the Central Sydney Subregion.

Priority	Response
Work with Councils to identify suitable locations for housing intensification and urban renewal, including employment agglomerations, particularly around Priority Precincts, established and new centres, and along key public transport corridors.	<p>Through the consultation with Woollahra Council prior to the lodgement of this planning proposal as outlined earlier in this report, the applicant has sought to work with Council to provide for housing intensification and urban renewal in an appropriate location. In this regard, the planning proposal also reflects the planning justification that informed Councils original selection of the site for inclusion in the Council Opportunity Site Report.</p> <p>This intensification and renewal will:</p> <ul style="list-style-type: none"> ▪ Intensify housing opportunities within proximity to an established mixed-use centre that is undergoing transformation ▪ The improvement and intensification identified above will be provided within proximity to a major bus network that provides efficient access to Sydney's CBD and eastern suburbs. ▪ Provide housing with direct access to public transport along Old South Head Road, which is a 6.8km classified road linking the suburbs of Vaucluse, Rose Bay, Bondi Beach and Bondi North.

Draft Central District Plan

A Plan for Growing Sydney splits the Greater Metropolitan of Sydney into six district, and the subject site is located in the 'Central'. The Draft Central District Plan has recently been placed on public exhibition. This Draft District Plans build on A Plan for Growing Sydney, and provides the basis for the strategic planning of each district moving forward into the future.

Of relevance, the draft plan has established a five (5) year housing target for the Central District. Specifically, the plan nominates a housing target of an additional 300 dwellings within this time for the Woollahra. Further to this, Section 4.3.5 "Creating Housing Capacity in the Central District" identifies that supply capacity in the District has been provided through a range of state and local initiatives, including Woollahra Council's Opportunities Sites Study (2010).

In this regard, the future development will contribute to the housing supply required to meet the projected demand, specifically by seeking to increase supply in accordance with Woollahra Council's Opportunities Sites Study. In addition, the planning proposal will facilitate additional affordable places, which is consistent with the desired outcomes for this district.

The proposed PP seeks to implement the Woollahra Council's Opportunities Sites Study by providing housing that assist deliver the five year housing target for the Central District. It follows that the planning proposal is therefore consistent with the Draft Central District Plan.

Strategic Merit

Planning Circular PS16-004 (dated 30 August 2016) clearly articulates the considerations for determining whether or not a planning proposal should be submitted for a gateway determination (under section 56 of the EP&A Act). Although this circular is technically directed at a rezoning review undertaken by the relevant Planning Panel, the process outlined provides a useful frame of reference for Council to examine a planning proposal when first submitted.

A planning proposal will meet the strategic merit test if it is:

- consistent with the relevant draft district plan or corridor/precinct plan released for public comment; or
- consistent with a relevant local strategy that has been endorsed by the Department; or
- responding to a change in circumstances, such as the investment in new infrastructure or changing demographic trends that have not been recognised by existing planning controls

The circular notes that a proposal that seeks to amend controls that are less than 5 years old will only be considered where it clearly meets the Strategic Merit Test.

Table 9: DPE's Assessment Criteria

Does the proposal have strategic merit? Is it:	
Consistent with the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, or corridor/precinct plans applying to the site, including any draft regional, district or corridor/precinct plans released for public comment;	As discussed earlier, this proposal is consistent with the draft Central District Plan.
Consistent with the relevant local council strategy that has been endorsed by the Department; or	The Woollahra Council's Opportunities Sites Study (2010), Council identified 30–58 Old South Head Road, Vaucluse as an opportunity site at the eastern boundary of the local government area. The report included a proposed change in zoning to R3 Medium Density Residential with an FSR of 1:1 and a height of 11 m. Following more detailed analysis of the site and surrounding context, this planning proposal seeks a change in zoning to R3 Medium Density Residential with an FSR of 1.1:1 and a height of 10.5m. Notwithstanding the variances in the FSR (0.1:1) and height (-0.5m), the planning proposal has been demonstrated to meet the objectives of Woollahra Council's Opportunities Sites Study (2010) and the original planning justification. Consequently, the proposal is considered remain consistent with the Council's Opportunities Sites Study (2010). The planning proposal is consistent with Woollahra 2025, which is Council's 15-year strategic plan for the LGA developed by Council in consultation with the Woollahra community.
Responding to a change in circumstances, such as the investment in new	On 11 July 2011 Council resolved that they "defer consideration of the remaining opportunity sites until gazettal of the Principal LEP". This resolution was based on written advice from the

<p>infrastructure or changing demographic trends that have not been recognised by existing planning controls.</p>	<p>Department of Planning provided dated 24 June 2011 outing that in order to facilitate the finalisation of Woollahra's principal LEP, a staged approach to the delivery of opportunity sites through separate site specific planning proposals would be appropriate.</p> <p>Therefore, in order to accommodate this additional growth, a review of the planning controls in key locations is required. It is our understanding that Council has commenced a housing review, however, there has not been a comprehensive review of the planning controls. It is therefore crucial for Council to consider the subject planning proposal now, in parallel with any housing review, to ensure sufficient and adequately zoned land is available to accommodate the expected increase in population and dwelling projections.</p>
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Site specific assessment

Having met the strategic merit test, Planning Circular PS16-004 specifies that a planning proposal must then pass a site-specific merit test regarding:

- the natural environment;
- existing uses, approved uses and likely future uses of the land; and
- the services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.

Table 10: DPE's Assessment Criteria

Does the proposal have site-specific merit, having regard to the following:	
<p>The natural environment (including known significant values, resources or hazards),</p>	<p>There are no known site specific environmental considerations identified in the planning proposal and supporting material that would preclude further consideration of the proposed urban renewal.</p>
<p>The existing uses, approved uses, and likely future uses of land in the vicinity of the proposal; and</p>	<p>The land use context surrounding the subject site is varied and changing. The site is directly adjacent to low density residential development to the north and west, medium density development to the east and commercial development to the south. There is significant urban transformation currently underway to the north and south of the site. The range of existing and approved developments along Old South Head Road within the Vaucluse East Precinct and within vicinity of the subject site include:</p> <ul style="list-style-type: none"> ▪ 1-4 storey residential developments ▪ 2 storey commercial developments ▪ 4-5 storey mixed use developments; and ▪ 7 storey senior living developments. <p>The planning proposal has taken into consideration its surrounding context. It will not adversely impact any surrounding development (existing or proposed), rather it has the potential to act as a catalyst to promote additional urban renewal development.</p> <p>Consideration has been given to the implications of potential future redevelopment of the land directly to the south of the subject site. If it could be assumed that redevelopment of this broader precinct may occur in the future, then there would be no</p>

Does the proposal have site-specific merit, having regard to the following:	
	<p>negative implications for the broader precinct as well as on the development on the subject site.</p> <p>An urban design analysis prepared and submitted with the planning proposal identifies that:</p> <ul style="list-style-type: none"> ▪ the proposed form relates to, and complements, the proposed urban form and also contributes to the legibility of the wider urban form along Old South Head Road; ▪ an appropriate transition to the predominant low density urban form and character of the Vaucluse East Precinct north and west of the site. This is particularly pertinent with respect to the relationship between the site and the existing low density residential suburb to the west. In this regard, the proposal suitably addresses the visual impact from a variety of viewpoints within a reasonable distance of the site; ▪ the desired built form can reasonably establish a ground level interface that respects pedestrian scale and amenity; ▪ a diversity of built form and massing can be provided that contributes to the legibility of development within the site, and avoids monolithic urban design outcomes; ▪ the agglomeration of allotments will effectively enable future development to meet ADG requirements (such as solar access, building separation), both within the site and with regards to existing residential areas; and ▪ the increased development potential has been provided in a location with good access to high quality amenities such as public transport, open space, community services, recreation / entertainment and retail.
<p>The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision.</p>	<p>A Traffic Impact Assessment has been prepared and submitted with the planning proposal. There are no traffic matters identified on the site that would preclude further consideration of the proposed urban renewal.</p> <p>As outlined in the Urban Design Report prepared and submitted with the planning proposal, there is sufficient infrastructure available to accommodate the proposed development.</p>

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

6.2.2 Is the planning proposal consistent with the council's local strategy or other local strategy plan?

Yes. The planning proposal is consistent with Woollahra 2025, which is Council's 15-year strategic plan for the LGA developed by Council in consultation with the Woollahra community. The Woollahra 2025 strategy was adopted by Council, as its Community Strategic Plan on the 24 June 2013. Woollahra 2025 is based on the principle of sustainability. That is, meeting the needs of the present, without compromising the ability of future generations to meet their own social, economic, environmental and civic leadership needs.

A key theme of Woollahra 2025 is to provide quality places and spaces to meet the different needs of people living in the area and houses within easy distance of shopping areas, business precincts and local facilities. Consistency with Woollahra 2025 is outlined in the below table.

Table 11: Consistency with 'Woollahra 2025'

Direction	Response
Goal 4: Well-planned neighbourhoods	
4.1 Encourage and ensure high quality planning and urban design outcomes.	The existing buildings on the subject site presently consist of mix of aging residential building that do not reflect a good urban design outcome or the objectives of the R2 zone. This planning proposal will improve the amenity and presentation of the streetscape by providing a high quality urban design outcome. The site-specific controls will also ensure an improved streetscape, improving the locality's overall streetscape amenity. Importantly, the planning proposal balances the protection of the character of the area while assisting to meet housing targets set by the State Government on a smaller site as envisioned by Council Opportunity Site Report. In doing so the planning proposal seeks to protect the area from high rise and inappropriate oversized development while suitably balancing the pressure for new housing and jobs.
4.2 Promote sustainable design in future private and public development.	The site is highly accessible to public transportation, open space facilities, retail, child care, local businesses and daily/weekly retail. Future residents and visitors will have the potential to use an environmentally efficient building with thermal and water efficient design in addition to lower energy consumption that could be serviced from renewable sources. Residents will also have options to use a wide range of public transport services to access employment and well established services and facilities in the local area. The planning proposal will therefore improve the overall amenity of the area and will encourage people to walk and cycle, which promotes social cohesion and community connectivity. Overall the proposal supports sustainable, healthy and well connected communities.
4.3 Protect local heritage and residential amenity, including protection of significant architecture and the natural environment.	The planning proposal will deliver redevelopment at a scale that is compatible with the existing and desired future character of the area. The proposed development will increase housing supply and choice without negatively impacting local heritage or the natural environment. The planning proposal will provide a meaningful contribution to the sustainability of the North Rose Bay centre. This will assist in the provision of local employment and will assist revitalise the village atmosphere.
4.4 Encourage diversity in housing choice to suit a changing population.	The proposed development is capable of providing housing choice which will respond to the needs of the local community, and provide a mix of dwelling types. Subject to the final development application, it could provide adaptable and accessible housing as well as housing for first home buyers and downsizers who wish to enjoy the local economy.

6.2.3 Is the planning proposal consistent with applicable state environmental planning policies?

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

Table 12: Consistency with state environmental planning policies (SEPP)

SEPP Title	Consistency	Comment
1. Development Standards Consistent	N/A	Not applicable
14.Coastal Wetlands	N/A	Not applicable
15.Rural Landsharing Communities	N/A	Not applicable
19. Bushland in Urban Areas	N/A	Not applicable
21.Caravan Parks	N/A	Not applicable
26.Littoral Rainforests	N/A	Not applicable
29.Western Sydney Recreation Area	N/A	Not applicable
30.Intensive Agriculture	N/A	Not applicable
33.Hazardous and Offensive Development Complex	N/A	Not applicable
36.Manufactured Home Estates	N/A	Not applicable
39.Spit Island Bird Habitat	N/A	Not applicable
44.Koala Habitat Protection	N/A	Not applicable
47.Moore Park Showground	N/A	Not applicable
50.Canal Estate Development	N/A	Not applicable
52.Farm Dams, Drought Relief and Other Works	N/A	Not applicable
53. Transitional Provisions 2011	N/A	Not applicable
55.Remediation of Land	Yes	The planning proposal will not contain provisions that will contradict or would hinder the application of this SEPP.
59.Central Western Sydney Economic and Employment Area	N/A	Not applicable
60.Exempt and Complying Development	N/A	Not applicable
62.Sustainable Aquaculture	N/A	Not applicable
64.Advertising and Signage	N/A	Not applicable
65.Design Quality of Residential Flat Development	Yes	The planning proposal will create the development control framework within which future development can achieve consistency with the SEPP proposal. The Urban Design Report investigated the implications for realising the design quality principles in the SEPP and demonstrated an

SEPP Title	Consistency	Comment
		appropriate built form on the site. This includes an assessment of the over shadowing impacts to surrounding properties. The future DA will need to demonstrate consistency with this SEPP. An indicative compliance table against the provisions of the Apartment Design Guide (ADG) has been prepared by Nicholas Tang Architects (Appendix 2).
70.Affordable Housing (Revised Schemes)	Yes	The future development has the opportunity to provide an appropriate mix and number of dwellings which could contribute to affordable housing in the locality.
71.Coastal Protection	N/A	Not applicable
SEPP (Infrastructure) 2007	Yes	The planning proposal will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	N/A	Not applicable
Kurnell Peninsula	N/A	Not applicable
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	N/A	Not applicable
SEPP (Miscellaneous Consent Provisions) 2007	N/A	Not applicable
SEPP (Penrith Lakes Scheme) 1989	N/A	Not applicable
SEPP (State and Regional Development) 2011	N/A	Not applicable
SEPP (Building Sustainability Index: BASIX) 2004	Yes	The planning proposal will not contain provisions that will contradict or would hinder application of this SEPP.
SEPP (Major Development) 2005	N/A	Not applicable
SEPP (Sydney Region Growth Centres) 2006	N/A	Not applicable
SEPP (Infrastructure) 2007	N/A	Not applicable
SEPP (Kosciuszko National Park-Alpine Resorts) 2007	N/A	Not applicable

SEPP Title	Consistency	Comment
SEPP (Sydney Drinking Water Catchment) 2011	N/A	Not applicable
SEPP (Three Ports) 2013	N/A	Not applicable
SEPP (Urban Renewal) 2010	N/A	Not applicable
SEPP (Temporary Structures and Places of Public Entertainment) 2007	N/A	Not applicable
SEPP (Exempt and Complying Development Codes) 2008	N/A	Not applicable
SEPP (Rural Lands) 2008	N/A	Not applicable
SEPP (Western Sydney Employment Area) 2009	N/A	Not applicable
SEPP (Western Sydney Parklands) 2009	N/A	Not applicable
SEPP (Affordable Rental Housing) 2009	Yes	Future development has the opportunity to provide an appropriate mix and number of dwellings which could contribute to affordable housing in the locality.
Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005	N/A	Not applicable

6.2.4 Is the planning proposal consistent with the applicable Ministerial directions (s.117 directions)?

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

Table 13: Consistency with S117 Ministerial Directions

Direction Title	Consistency	Comment
Employment and Resources		
1.1 Business and Industrial Zones	N/A	Not applicable
1.2 Rural Zones	N/A	Not applicable
1.3 Mining, Petroleum Production and Extractive Industries	N/A	Not applicable
1.4 Oyster Aquaculture	N/A	Not applicable
1.5 Rural Lands	N/A	Not applicable

Direction Title	Consistency	Comment
Environment and Heritage		
2.1 Environment Protection Zones	N/A	Not applicable
2.2 Coastal Protection	N/A	Not applicable
2.3 Heritage Conservation	Yes	A Heritage Assessment prepared by Zoltan Kovacs Architects accompanies this proposal (Appendix 3). The subject site do not comprise heritage items. The heritage assessment concludes, in relation to the buildings, that: "The review has established that the existing buildings in the study area do not exhibit any heritage significance in the context of the local area and their retention in not warranted on conservation ground."
2.4 Recreation Vehicle Areas	N/A	Not applicable
Housing, Infrastructure and Urban Development		
3.1 Residential zones	Yes	The planning proposal encourages a variety and choice of housing types to provide for existing and future housing needs, whilst making efficient use of existing infrastructure and services. The planning proposal demonstrates appropriate built form whilst minimising the impact of residential development on the environment.
3.2 Caravan Parks and Manufactured Home Estates	N/A	Not applicable
3.3 Home Occupations	N/A	Not applicable
3.4 Integrating land use and transport	Yes	The planning proposal will enable residential development in close proximity to jobs and services encouraging walking, cycling and use of public transport.
3.5 Development Near Licensed Aerodromes	N/A	Not applicable
3.6 Shooting Ranges	N/A	Not applicable
Hazard and Risk		
4.1 Acid sulphate soils	N/A	This direction applies when a planning authority prepares a planning proposal which will apply to land having a probability of containing Acid Sulfate Soils (ASS). The subject land mapped as potentially containing Class 5 ASS in the corresponding WLEP planning map. The implications brought about as a result of this planning proposal regarding ASS are expected to

Direction Title	Consistency	Comment
		be minimal, due to the low category of ASS applying to the subject site and the relatively minor nature of the proposal. Further consideration with regard to ASS will be addressed as part of the assessment process for any subsequent development.
4.2 Mine Subsidence and Unstable Land	N/A	Not applicable
4.3 Flood Prone Land	N/A	The site is not located within flood prone land. Accordingly, Direction 4.3 is not applicable.
4.4 Planning for Bushfire Protection	N/A	The site is not located within a Bushfire prone area. Accordingly, Direction 4.4 is not applicable.
Regional Planning		
5.1 Implementation of Regional Strategies	Yes	Not Applicable. No regional strategies apply to the subject site.
5.2 Sydney Drinking Water Catchments	Yes	Not applicable
5.3 Farmland of State and Regional Significance on the NSW Far North Coast	N/A	Not applicable
5.4 Commercial and Retail Development along the Pacific Highway, North Coast	N/A	Not applicable
5.5 Second Sydney Airport: Badgerys Creek	N/A	Not applicable
Local Plan Making		
6.1 Approval and Referral Requirements	Yes	The planning proposal will be consistent with this Ministerial Direction.
6.2 Reserving Land for Public Purposes	Yes	The planning proposal will be consistent with this Ministerial Direction.
6.3 Site Specific Provisions	Yes	The planning proposal will be consistent with this Ministerial Direction.
Metropolitan Planning		
7.1 Implementation of the Metropolitan Plan for Sydney 2036	Yes	Refer to Section 6.2 above.

6.3 Environmental, Social and Economic Impact

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

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

6.3.2 Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

The planning proposal is supported by the studies/reports outlined in Table 14 below. The outcomes and conclusions of these studies/reports extracted in Table 14 show that the proposal does not include any unreasonable or unmanaged environmental effects.

Table 14: Outcomes and conclusions of the primary studies and reports that inform this planning proposal

Study/Report	Outcomes and Conclusions
Urban Design Report and SEPP 65 Design Statement prepared by Nicholas Tang Architects	<p>The report notes the following:</p> <p><i>The subject site is proposed to be rezoned R3 to allow for medium density development with a height control sufficient to allow 3 storeys and a FSR to reflect a 3 storey built form.</i></p> <p><i>The drop in topography from the sites to the rear ensures that development on the proposed sites will be of equal or lesser height than the dwellings behind, with a reduced fourth floor allowing individual designs to be moulded to respond to view lines from these sites.</i></p> <p><i>The proposed controls provide sufficient incentive for the economic redevelopment of the site whilst maintaining the future desired character of the area.</i></p> <p>The Urban Design Report recommends a building height up to 10.5 based upon analysis of the conditions of the site, which has a change in topography to the rear of the site. This is considered a practical height to accommodate the building within the desired 3 storey envelope with consideration given to lift over-runs and servicing elements on the roof and providing a suitable relationship to old South Head Road. In terms of overshadowing, as demonstrated in the shadow diagrams provided by Nicholas Tang Architects in Appendix 2, the proposed building envelope has a minor increase to the shadows cast which are considered not to significantly or unreasonably impact the amenity of adjoining properties.</p>
Heritage Assessment prepared by Zoltan Kovacs Architects	<p>The report concludes the following:</p> <p><i>"The potential demolition of 42-58 Old South Head Road, Vaucluse forming part of the planning proposal will not generate any adverse heritage conservation impacts for the cultural heritage of Woollahra. Having assessed the heritage impact of the planning proposal, the following can be recommended that Council can consent to the planning proposal on heritage grounds in recognition of its lack of adverse heritage conservation impacts."</i></p>
Traffic Impact Assessment Report by Hemanote Consultants	<p>The report concludes the following:</p> <p><i>It can be concluded from the traffic and parking impact assessment that the rezoning planning proposal for the existing lots at 42-58 Old South Head Road, Vaucluse from low density to medium density residential will have no adverse impacts on existing traffic or parking conditions:</i></p>

Study/Report	Outcomes and Conclusions
	<p><i>The external impact of the traffic generated by the proposed development options is considered to be acceptable and will not result in any adverse impacts on peak traffic periods.</i></p> <p><i>The potential of any increase in the number of vehicle movements in and about Old South Head Road and adjacent streets will remain well within the Environmental capacity of these streets, with no adverse impacts on the amenity of the area.</i></p> <p><i>The proposal will have three (3) driveway crossing points compared to the existing seven (7) driveway crossing points, which will provide safer manoeuvring into and out of the subject sites and reduce impacts on traffic along Old South Head Road, where all vehicles are to enter and exit the site in a forward direction.</i></p> <p><i>The parking demand resulting from the rezoning planning proposal will be accommodated within future on-site car parking facilities that are to be in accordance with the requirements of Council's DCP or other SEPP regulations. Therefore, the proposal will have no major impacts on parking in Old South Head Road or adjacent streets.</i></p> <p><i>The subject development site has good access to existing public transportation services in the form of regular bus services, as well as on-road cycle routes."</i></p>
<p>Arborist Report by TALC Tree and Landscape Consultants</p>	<p>The report notes the following:</p> <p><i>"All the trees are planted and no naturally occurring specimens are present. The age of the trees is broadly classes as being in mid to late maturity or upwards be predominantly 60-80% of their expected life expectancy with varying condition ratings of poor to fair. It is noted that there is a lack of age class gradation which would be required to ensure long term amenity and elements of continuous landscape to benefit the area in the foreseeable future."</i></p> <p>The report further recommends that a detailed tree impact assessment be undertaken for future development. The provision of a more detailed vegetation analysis in conjunction with a development application is supported.</p>

The Urban Design Report recommends a building height up to 10.5, which accommodates a the three (3) storey building on the site. Upon analysis of the conditions of the site, which has a significant rock shelf along the western boundary, this is the most practical height to accommodate the building within the desired 3 storey envelope with consideration given to lift over-runs and servicing elements on the roof, as well providing a suitable relationship to Old South Head Road.

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

6.3.3 Has the planning proposal adequately addressed any social and economic effects?

This proposal promotes the efficient utilisation of land, services and support facilities and encourages the orderly growth of this strategic location.

The economic benefit of the proposal is not isolated to consideration of the immediate impacts, rather, consideration must be given to the broader economic function of the site. The site will provide diverse residential typology to support surrounding established centres of the Bondi Junction. The site will support the ongoing viability of smaller local centres such as North Rose Bay. A broad benefit will also be provided throughout construction phases with additional output and direct/indirect jobs.

Additionally, subsequent development will contribute to the continued social growth of the area by encouraging a pattern of development which will help to diversify housing supply and increase housing choice. The proposal demonstrates that it positively contributes to the quality of the public domain and provides direct social benefits.

NSW Health advice regarding 'healthy built environments' identifies the importance of 'opportunities for social interaction and community connectivity'. NSW health articulate these opportunities in stating:

"There are strong links between good health, a sense of community and social interaction. The built environment can foster a sense of community through enabling day to day interaction with people and nature in safe and accessible environments:

- *People are less likely to interact within or feel part of a community that they perceive to be unsafe;*
- *Green and open spaces facilitate contact with nature as well as community."*

The built form that will be enabled by this proposal provides the opportunity to capture the "social interaction and community connectivity" envisaged by NSW Health in providing an interactive ground floor laneway, dedicated to Council through the Public Benefit Offer that accompanies this proposal, and through the prioritisation of open space and landscape elements. Moreover, this planning proposal will enable the development of the sites which are responsive to supporting the current and future social character of the locality, as well as supporting and revitalising its economic potential. Given the proximity of the site to public transport, services and infrastructure, this is an ideal site for development which will reinforce the opportunities for the social growth of the area.

Based on the above it is considered that the planning proposal will have a positive effect on the local economy and community.

6.4 State and Commonwealth Interests

6.4.1 Is there adequate public infrastructure for the planning proposal?

The existing public infrastructure is capable of accommodating this planning proposal for the reasons set out below:

- The site is well serviced by public transport. Existing bus routes run along Old South Head Road in the immediate vicinity of the site connecting the site to a range of employment and social infrastructure throughout the LGA and metropolitan Sydney.
- This planning proposal is surrounded by established pedestrian and cyclist routes which contribute to the provision of safe and efficient connectivity and enable people to travel through the area towards surrounding centres and local public open space.

The site is accessible by the existing road network. As considered in the Traffic Impact Assessment prepared by Hemanote Consulting accompanying this proposal (**Appendix 4**), the additional strain placed on the operation of the street network of the site and surrounds will be minor given the context of the subject site.

- Existing utility services will adequately service any future development proposal as a result of this planning proposal, and will be upgraded or augmented where required.
- Waste management and recycling services are available through Woollahra Council.
- The site is well serviced by medical centres and services.
- Education is also provided for in the area, with a number of schools and tertiary institutions located nearby.
- The area is well-serviced with Police, Ambulance, Fire and other emergency services.

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

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

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

7. Mapping

This planning proposal is submitted by Parker Logan Property and seeks the following modifications to the provisions of the WLEP 2014:

- Amend the WLEP 2014 Land Zoning Map (Sheet LZN_005) to apply Zone R3 Medium Density Residential to the subject site;
- Amend the Height of Buildings Map (Sheet HOB_005) to identify the site as having a 10.5m height limit; and
- Amend the WLEP 2014 Floor Space Ratio Map (Sheet FSR_005) to identify the site as having a Floor Space Ratio of 1.1:1.

The proposed amendments can be seen in Figures 17, 18 and 19 below.

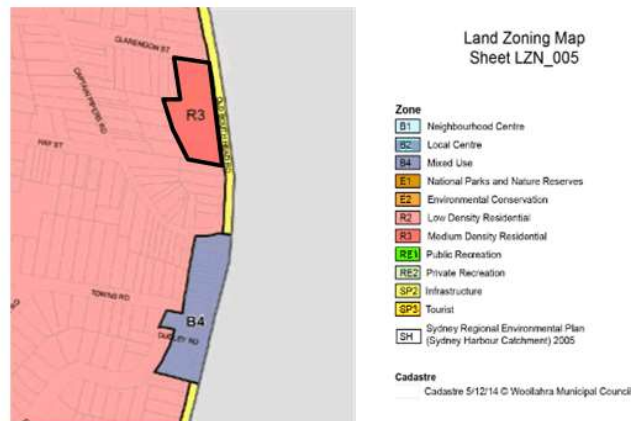


Figure 16: Extract from amended WLEP 2014 Zone Map (Source: Nicholas Tang Architects)

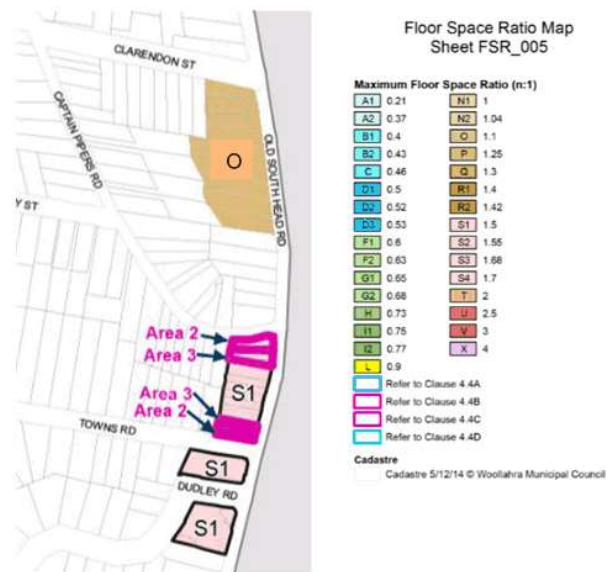


Figure 17: Extract from amended WLEP 2014 FSR Map (Source: CPDS)

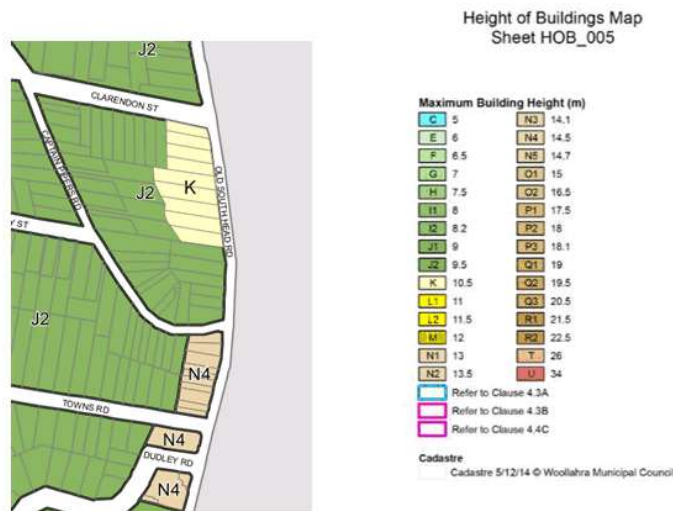


Figure 18: Extract from amended WLEP 2014 Height of Building Map (Source: CPDS)

8. Community Consultation

This proponent is willing to assist Council and undertake community consultation post Gateway, if required, to ensure all matters and concerns the Council or the community are adequately and thoroughly addressed.

The community will be notified of the commencement of the exhibition period via a notice in a local newspaper and via a notice on Woollahra Council's website. The written notice will:

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

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

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

9. Project Timeline

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

Table 15: Indicative project timeline

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

10. Conclusion

This Planning Proposal (planning proposal) is submitted as on behalf of Parker Logan Property. The planning proposal has explained the intended effect of, and justification for, the proposed amendment to the WLEP 2014. This planning proposal has been prepared in accordance with Section 55 of the Environmental Planning and Assessment Act 1979 (the EP&A Act) and the relevant guidelines prepared by the NSW Department of Planning and Environment including 'A Guide to Preparing Local Environmental Plans' and 'A Guide to Preparing Planning Proposals'.

This planning proposal sets out the justification for the proposed rezoning of the subject site at 42-58 Old South Head Road, Vaucluse. To enable a viable urban renewal development the following amendments are proposed:

- Amend the WLEP 2014 Land Zoning Map (Sheet LZN_005) to apply Zone R3 Medium Density Residential to the subject site;
- Amend the Height of Buildings Map (Sheet HOB_005) to identify the site as having a 10.5m height limit; and
- Amend the WLEP 2014 Floor Space Ratio Map (Sheet FSR_005) to identify the site as having a Floor Space Ratio of 1.1:1.

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

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

- Is consistent with the principles of Council's community strategic policies;
- Is consistent with the new Metro Strategy, 'A Plan for Growing Sydney';
- Is consistent and complies with the strategic planning test outlined in DPE's 'A Guide to preparing planning proposals';
- Is consistent with the relevant Ministerial Directions under Section 117 of the Act; and
- Does not pose any adverse environmental or social impacts to the surrounding community.

This planning proposal sets out a carefully-planned framework designed to achieve the redevelopment of one of the key opportunity sites in Vaucluse. It provides the opportunity to create an exciting new housing development for residents and visitors. It is designed to stimulate the local economy and provide much-needed quality housing close to transport, shops and other key amenities.

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



Annexure 3

SEPP 65 DESIGN STATEMENT

Planning Proposal
42-58 Old South Head Road,
Vaucluse NSW 2030

Parker Logan Property

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This design statement has been submitted to accompany a planning proposal for rezoning 42-58 Old South Head Road, Vaucluse from R2 low density to R3 medium density zoning. In preparing exploratory sketches we have taken account of and incorporated the principles of State Environmental Planning Policy 65. They are as follows;

Principle 1: Context and Neighbourhood Character

30 – 58 Old South Head Road, Vaucluse was identified by Woollahra Council in June 2010 as an "opportunity site" that could be rezoned from 2(a) low density residential to R3 Residential with an FSR of 1:1 and a height of 11m. The key justifications were;

- The site contains existing RFBs which were a non-conforming use in the 2(a) zone (and are a non-conforming use in the current R2 zone)
- The area is characterised by older building stock and the amenity will be improved by redevelopment. Redevelopment is significantly limited under the current zone.
- Rezoning the site to Zone R3 will be consistent with the planning controls and character of development encouraged by Waverley Council on the opposite side of Old South Head.

The proposals site at no.42-58 contain the following developments;

- 42 Old South Head Road – single storey dwelling
- 44 Old South Head Road – two storey duplex
- 46 Old South Head Road – two storey RFB (4 units)
- 48 Old South Head Road – two storey duplex
- 50 Old South Head Road – two storey RFB (4 units)
- 52 Old South Head Road – two storey duplex
- 54 Old South Head Road – two storey duplex
- 56 Old South Head Road – two storey duplex
- 58 Old South Head Road – two storey duplex

Old South Head Road serves as the division between Woollahra and Waverley local government areas. The sites opposite on the eastern side of Old South Head are zoned R3 and have a height limit of 12.5m and a FSR of 0.9:1.

They are as follows;

- 687 Old South Head Road – three storey RFB (19 units)
- 689 Old South Head Road – single storey dwelling
- 691 Old South Head Road – single storey early learning centre
- 693 Old South Head Road – two storey commercial terrace
- 695 Old South Head Road – two storey commercial terrace
- 697 Old South Head Road – four storey RFB (13 units)
- 699A Old South Head Road – two storey RFB (4 units)
- 699 Old South Head Road – single storey dwelling

Behind the subject sites to the west, the topography rises at the rear boundary and the abutting developments are generally sited around 6 to 7m higher than the subject sites (Old South Head Road RLs vary from 65.30 to 67.44 while the ground line of the properties at the rear vary from RL 73.74 to 72.50). The properties to the west are generally two storey dwelling houses or dual occupancies.

The subject site is proposed to be rezoned R3 to allow for medium density development with a height control sufficient to allow 3 storeys and a FSR to reflect a built form at that height.

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This responds to the context and neighbourhood character by providing a zoning and height that is similar to the controls set by Waverley Council on the eastern side. The drop in topography from the sites to the rear ensures that development on the proposed sites will be of equal or lesser height than the dwellings behind, with a reduced fourth floor allowing individual designs to be moulded to respond to view lines from these sites.

The proposed controls provide sufficient incentive for the economic redevelopment of the site whilst maintaining the future desired character of the area.

Principle 2: Built Form and Scale.

The subject sites are generally orientated from east to west from Old South Head Road which runs north-south. They are relatively deep sites allowing for development of courtyard apartment configurations on larger sites (orientated east west) in combination with row apartments orientated at 90 degrees (north-south) on narrower sites between.

The open courtyard configuration allows for a northern orientated gap (envisioned to be a minimum of 12m wide in accordance with ADG separation distances) which would contain communal open space and allow solar access to adjoining sites to the south.

The northern orientated row apartments would ideally look out to the ends of the courtyard developments with a 6m boundary separation allowing for north facing communal open spaces.

Separation distances would be in accordance with the ADG – 12m between habitable rooms/balconies across courtyards and a minimum of 9m between habitable and non-habitable rooms in adjacent developments. Row apartments are proposed to have a minimum 6m setback from side boundaries to allow for communal open space and sufficient landscaping for privacy.

The height is generally to be 3 storeys reducing amenity impacts on adjacent sites and opening up view corridors from the sites to the west.

Principle 3: Density.

The proposed density would result in a maximum FSR of 1.1:1. This would allow for the orderly and economic development of the proposed sites at a density which is suitable for medium density development located on a major arterial road corridor with good public transport links to local centres. It would provide a maximum density control that would be suitable for larger site amalgamations and should not be required to be varied under clause 4.6.

It is envisioned that the maximum yield over the sites would be approximately 89 units determined as follows:

Total Site Area	5,617sqm
Proposal Max FSR	1.1:1
Max GFA	6,178.7sqm
Max GFA @ 90% efficiency	5,560sqm
Divide by average unit size of 62.5sqm	89 units

(assuming a mix of studios @ 35sqm, 1 beds @ 50, 2 beds @ 75 and 3beds @ 90sqm)

Principle 4: Sustainability

The existing developments on the subject sites are older stock and as such their ESD performance is limited. The proposed redevelopment would provide for high quality dwellings with substantial opportunities for deep soil planting and stormwater drainage.

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In the proposed building sketches, the building depth is limited to the ADG controls of 18m allowing for efficient cross flow ventilation and passive solar design. The blocks have been designed with a north or north eastern aspect to all units.

Obviously the individual designs would be subject to BASIX and would be required to pass on heating, cooling, energy and water use.

Principle 5: Landscape

The proposed sketches allow for ample areas of landscaping. Front setbacks are envisioned to be around 5m, side setbacks between 3m - 6m and rear setbacks 4.5m and above allowing for mature and deep soil planting around the developments fringe and providing landscaped buffers to neighbouring properties. North facing opportunities for communal open space are provided and high quality landscaped solutions should be able to be achieved promoting social interaction.

Principle 6: Amenity

The buildings have been shaped to provide a high level of amenity for the future occupants with functional layouts, appropriate room dimensions and efficient shapes. All rooms have been designed with the ability to lay out full size furniture suiting the function of the space. The proposed height limits will enable residential units with a minimum of 2.7m clear ceiling heights.

All units have a good outlook and exception access to daylight and ventilation. The majority of units have solar access with a north eastern or north aspect.

Principle 7: Safety and security

The building designs are envisioned to incorporated legible entrances to the blocks. The pedestrian access points are to be directly from the front boundary. There will be direct access from the secure basement parking area via the infernal lift to all residential floors.

Principle 8: Housing Diversity and Social Interaction

The proposed sketch provides for a mixture of unit sizes, configurations and typologies. A medium density residential use is consistent with Council's objectives and the social mix and needs of the neighbourhood. It would be envisioned that adaptable units will be provided in accordance with councils policies.

Principle 9: Aesthetics

This would be a matter for more detailed DA designs, however the suggested built form provides opportunities for high quality architectural designs that respond to the emerging character of the local context.

Regards

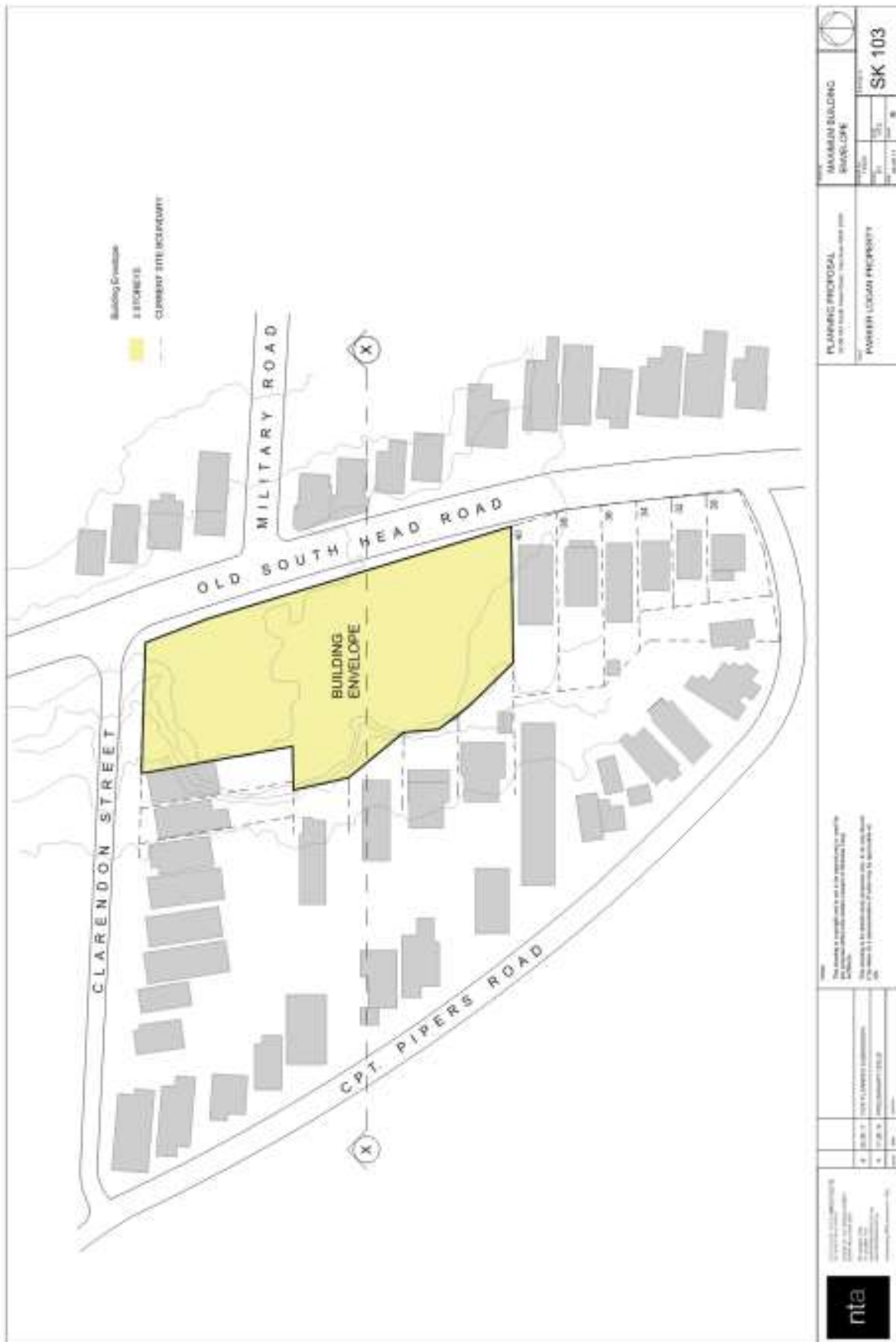
A handwritten signature in black ink, appearing to read 'N. Tang', with a horizontal line above it and a vertical line extending downwards from the end.

Nicholas Tang
NSW Architect no. 7363











VIEW FROM 15 CLARENDON STREET
VIEW FROM TOP FLOOR

MAXIMUM A
MAXIMUM B
MAXIMUM C
MAXIMUM BUILDING ENVELOPE

VIEW FROM SECOND FLOOR TERRACE

INDICATIVE ONLY

PROJ	VIEWS 1	DATE	
PLANNING PROPOSAL	VIEW FROM SECOND FLOOR TERRACE (SEE PLAN)		
PROJ NO	VIEW FROM SECOND FLOOR TERRACE (SEE PLAN)		
PROJ TITLE	VIEW FROM SECOND FLOOR TERRACE (SEE PLAN)		
PROJ NO	VIEW FROM SECOND FLOOR TERRACE (SEE PLAN)		
PROJ TITLE	VIEW FROM SECOND FLOOR TERRACE (SEE PLAN)		
PROJ NO	VIEW FROM SECOND FLOOR TERRACE (SEE PLAN)		
PROJ TITLE	VIEW FROM SECOND FLOOR TERRACE (SEE PLAN)		

VIEW FROM 21 CAPTAIN PIPERS ROAD
VIEW FROM TDP FLOOR- ROOM 1

MASSING A

MASSING B

MASSING C

MAXIMUM BUILDING ENVELOPE

VIEW FROM SECOND FLOOR - ROOM 2

INDICATIVE ONLY

PLANNING PROPOSAL PROPOSED MASSING AND FACADE TREATMENT FOR	VIEW 3		SK 115
POWERHUB LOCALITY PROPERTY	DATE	SCALE	NO.
	11/07/17	1:50	115
	11/07/17	1:50	115
	11/07/17	1:50	115

Notes: The drawings are prepared to be used in the application for approval. The drawings are not to be used for construction purposes. The drawings are not to be used for any other purpose. The drawings are not to be used for any other purpose. The drawings are not to be used for any other purpose.

nta

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DATE	11/07/17	SCALE	1:50	NO.	115
DATE	11/07/17	SCALE	1:50	NO.	115
DATE	11/07/17	SCALE	1:50	NO.	115

VIEW FROM 23, CAPTAIN PIPERS ROAD
VIEW FROM TOP FLOOR

MAXIMUM A

MAXIMUM B

MAXIMUM C


MAXIMUM BUILDING ENVELOPE

VIEW FROM 29, CAPTAIN PIPERS ROAD
VIEW FROM TOP FLOOR


INDICATIVE ONLY

NTA	VIEW 3		
PLANNING PROPOSAL VIEW FROM 23, CAPTAIN PIPERS ROAD		PROPOSAL SK 116	
DATE 10/07/17		SCALE 1:100	
PROJECT MAXIMUM BUILDING ENVELOPE		CLIENT MAXIMUM BUILDING ENVELOPE	


VIEW FROM 31 CAPTAIN PIFIERS ROAD
VIEW FROM SECOND FLOOR WINDOW I




MASSING A



MASSING B




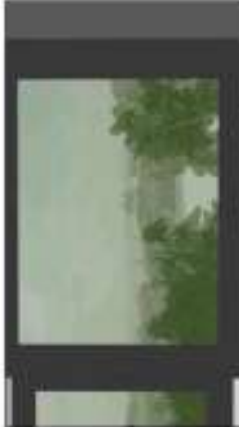


MASSING C




MAXIMUM BUILDING ENVELOPE

VIEW FROM SECOND FLOOR WINDOW II




INDICATIVE ONLY










PLANNING PROPOSAL 17/001/2017 - 17/001/2017 - 17/001/2017	VIEW VIEW 4		PROJ. NO. SK 117
FOR HARVEST LOGAN PROPERTY	DATE 15/06/17	SCALE 1:100	DATE 15/06/17

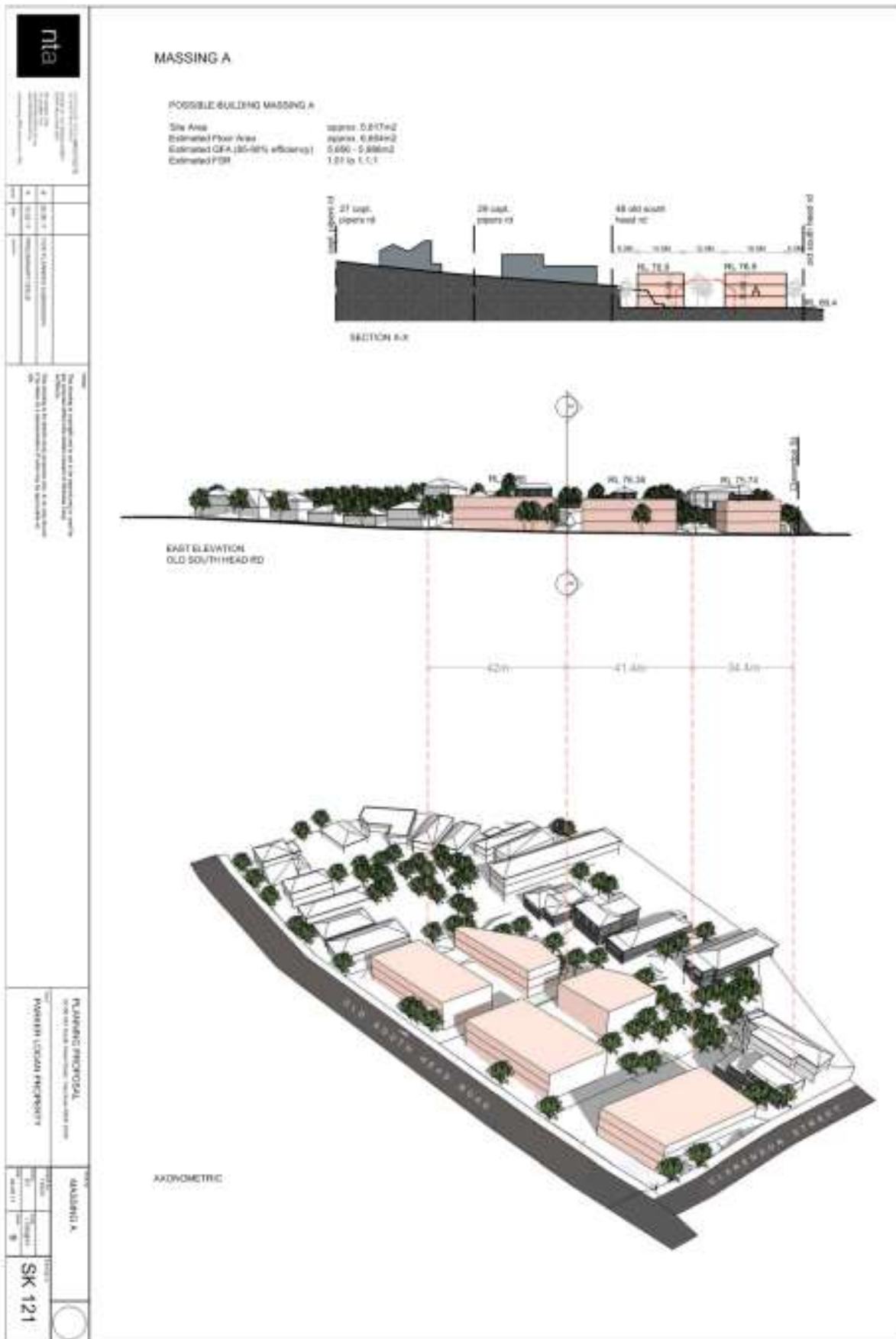
nta

NTA ARCHITECTURE
10/100 RIVERVIEW DRIVE
SYDNEY NSW 1585
TEL: 02 9550 1234
WWW.NTAARCHITECTURE.COM.AU

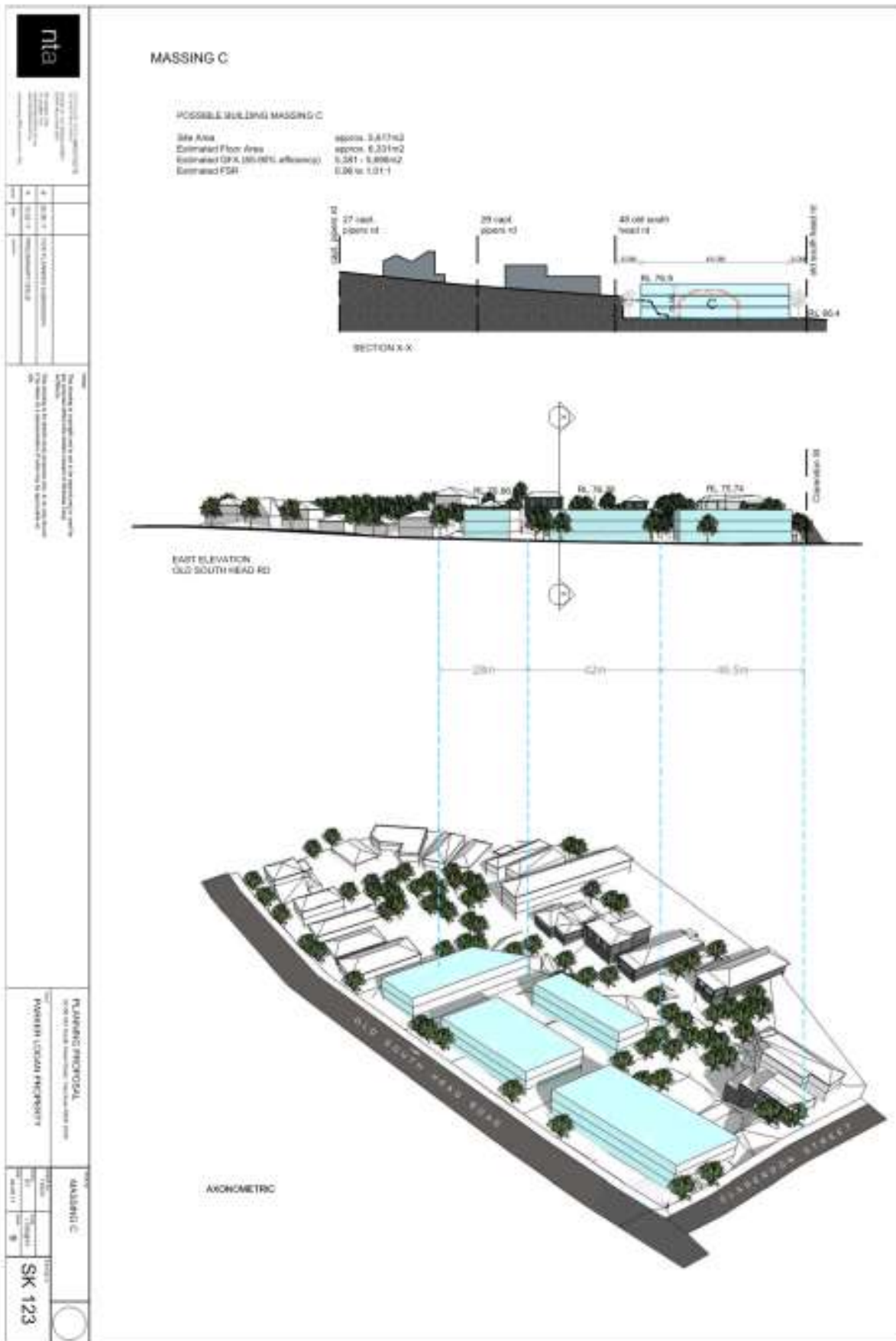
 <p>NTA CONSULTANTS 10/110 WILSON ROAD WILSON PROMENADE WILSON PROMENADE WILSON PROMENADE WILSON PROMENADE</p> <p>DATE: 10/11/16 SCALE: 1:1000 PROJECT: 10/110 WILSON ROAD DRAWN: [Name] CHECKED: [Name] DATE: 10/11/16</p> <p>THE DRAWING IS PREPARED FOR THE PURPOSES OF THE PROJECT ONLY. IT IS NOT TO BE USED FOR ANY OTHER PURPOSE. THE CLIENT IS RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION PROVIDED TO THE CONSULTANT. THE CONSULTANT ACCEPTS NO LIABILITY FOR ANY LOSS OR DAMAGE, INCLUDING CONSEQUENTIAL DAMAGES, ARISING FROM THE USE OF THIS DRAWING.</p> <p>PLANNING PROPOSAL 10/110 WILSON ROAD PARKER LOCAL PROPERTY</p> <p>DATE: 10/11/16 SHEET: 1 OF 1 PROJECT: SK 118</p>	<p>VIEW FROM CORNER OF MILITARY RD AND OSN RD</p> 	<p>VIEW OF 48-88 OLD SOUTH HEAD RD</p> 	<p>MASSING A</p>
			<p>MASSING B</p>
			<p>MASSING C</p>
			<p>BUILDING ENVELOPE</p>
<p>INDICATIVE ONLY</p>			

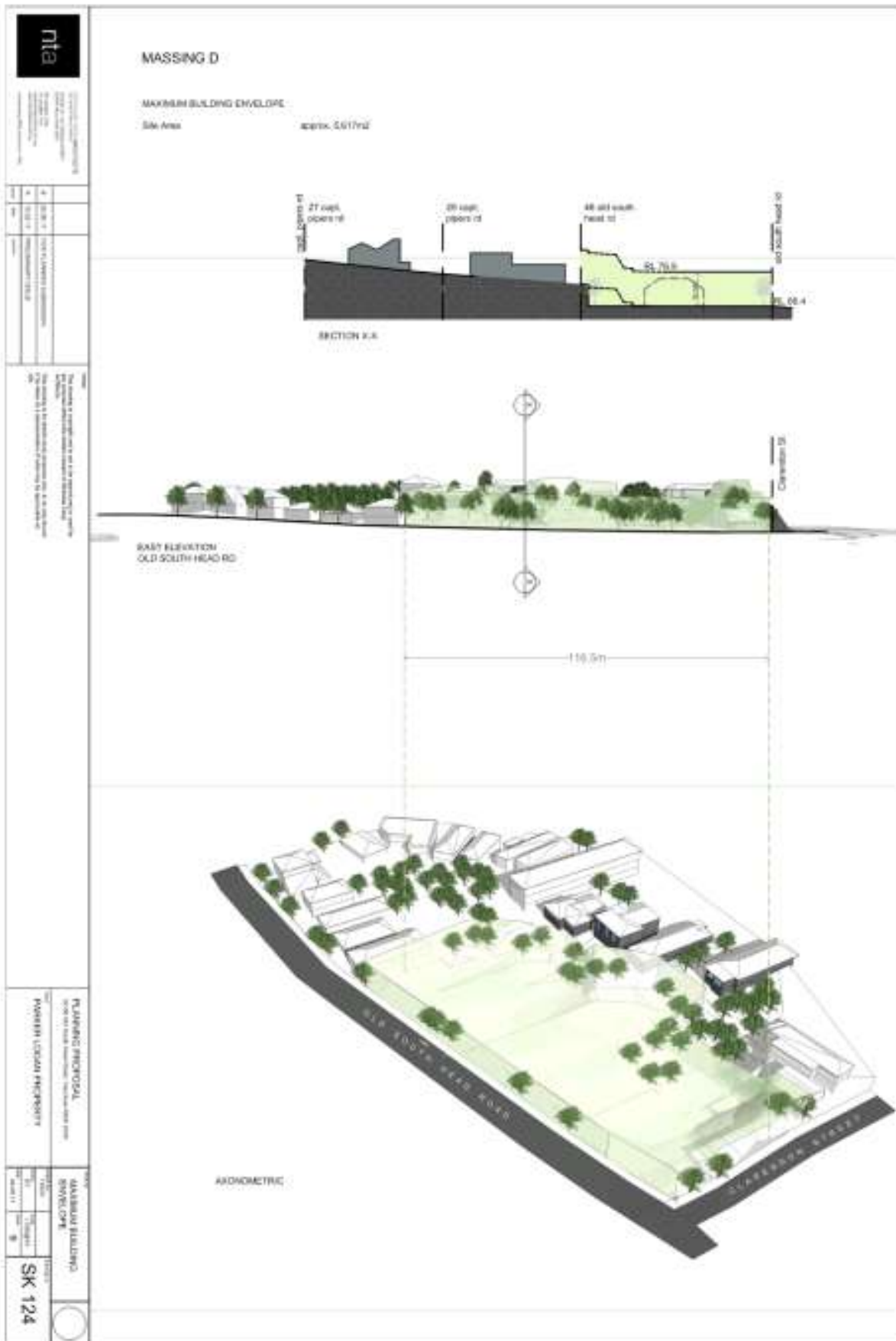
 <p>nta</p> <p>NSW ARCHITECTS 100/102 GOSFORD STREET SYDNEY NSW 2000 PH: (02) 9550 6000 WWW.NTA.COM.AU</p> <p>PROJECT NO: 17/0000000000 CLIENT: WOOLLAHRA MUNICIPAL COUNCIL PROJECT NAME: MARIEN LODGE PROPOSAL DRAWING NO: SK 119 DATE: 11/07/17</p> <p>PLANNING PROPOSAL SUBJECT: VIEW 2 MARIEN LODGE PROPOSAL</p> <p>DATE: 11/07/17</p> <p>SK 119</p>	<p>VIEW FROM MILITARY RD</p> 	<p>CORNER OF OSB RD AND CLARENDON ST</p> 	<p>MASSING A</p>
			<p>MASSING B</p>
			<p>MASSING C</p>
			<p>BUILDING ENVELOPE</p>
<p>INDICATIVE ONLY</p>			

 <p>NTA CONSULTANTS 100/102 WILSON AVENUE SYDNEY NSW 1570 PH: (02) 9550 2222 WWW.NTA.COM.AU</p> <p>PROJECT NO: 15/0000000000 DRAWING NO: 15/0000000000 DATE: 15/07/17 SCALE: 1:100</p> <p>PROJECT NAME: 15/0000000000 CLIENT: 15/0000000000</p> <p>THIS DRAWING IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE APPROVAL OF THE ARCHITECT. THE ARCHITECT ACCEPTS NO LIABILITY FOR ANY DAMAGE OR LOSS OF PROFITS OR BUSINESS ARISING FROM THE USE OF THIS DRAWING.</p> <p>PLANNING PROPOSAL 15/0000000000 MARRIEN LODGE PROPERTY</p> <p>DATE: 15/07/17 DRAWING NO: 15/0000000000 SCALE: 1:100</p> <p>PROJECT NAME: 15/0000000000 CLIENT: 15/0000000000</p> <p>SK 120</p>	<p>FRONT STREET VIEW FROM DSH RD</p> 	<p>FRONT STREET VIEW FROM OSH RD</p> 	<p>MASSING A</p>
			<p>MASSING B</p>
			<p>MASSING C</p>
			<p>BUILDING ENVELOPE</p>
<p>INDICATIVE ONLY</p>			









MASSING D

MASSING C

MASSING B

MASSING A

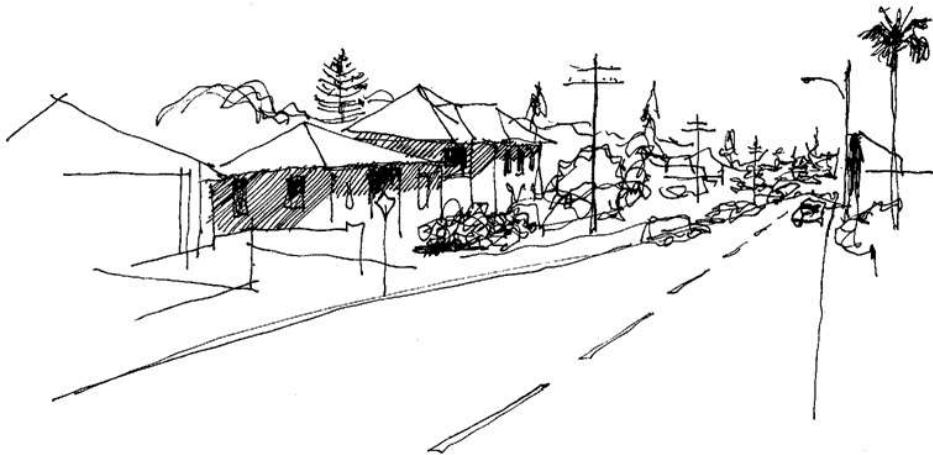
		SOLAR STUDY	
PLANNING PROPOSAL <small>FOR THE PROPOSED DEVELOPMENT OF A 10-STOREY OFFICE BUILDING WITH A COMMERCIAL GROUND FLOOR</small>		SK 125	
POWERED LOCALITY PROPOSAL			
<small>THE SHOWN DEVELOPMENT IS NOT A REPRESENTATION OF THE PROPOSED DEVELOPMENT. THE SHOWN DEVELOPMENT IS ONLY A REPRESENTATION OF THE PROPOSED DEVELOPMENT. THE SHOWN DEVELOPMENT IS NOT A REPRESENTATION OF THE PROPOSED DEVELOPMENT.</small>			



Annexure 4

Heritage Report

PLANNING PROPOSAL | 42-58 OLD SOUTH HEAD ROAD | VAUCLUSE



November 2016

Prepared by Zoltan Kovacs Architect

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KOVACS ARCHITECT

1 Executive Summary

I have been asked to review the planning proposal prepared on behalf of Parker Logan Property Pty Ltd. The planning proposal does not affect any heritage items, it is not in the vicinity of any heritage items and it is not located in a heritage conservation area, however the proposal involves the demolition of a number of existing single storey houses and small residential flat buildings, which are over 50 years old.

Five lots within the study area formed part of a Crown grant to William Charles Wentworth, the explorer and politician, on 5 July 1838. The other four lots were created in 1936 after a late grant to Alfred Henry Sidebottom.

The buildings were built between 1926 and 1937 as single dwellings and small duplexes. No significant architect was involved with any of them. The circumstances of the construction reflect average middle class mores of the time and place. Much of Vacluse was developed during the Inter-war period in a similar manner, but this process was ordinary and cannot be said to exhibit historical significance.

Site inspections revealed that each building is degraded and they lost their coherent Inter-war character.

The review has established that the existing buildings in the study area do not exhibit any heritage significance in the context of the local area and their retention is not warranted on conservation grounds.

2 Introduction

2.1 BACKGROUND

I have been asked to review the planning proposal prepared on behalf of Parker Logan Property Pty Ltd. The planning proposal does not affect any heritage items, it is not in the vicinity of any heritage items and it is not located in a heritage conservation area, however the proposal involves the demolition of a number of existing single storey houses and small residential flat buildings, which are over 50 years old.

This brief report sets out to assess if the planning proposal for demolition generates any heritage impacts.

2.2 METHODOLOGY

The methodology and terminology used in the preparation of this report has been drawn from the Australian ICOMOS *Burra Charter*, the *NSW Heritage Manual 2001 Update*, and J. S Kerr's *Conservation Plan* (rev. edn National Trust of Australia [NSW], Sydney, 1996). References to architectural styles are based on the identifications used by Apperly, R.; Irving, R. and Reynolds, P A *Pictorial Guide to Identifying Australian Architecture* (Sydney, 1989)

This Heritage Report has been prepared in accordance with the requirements of the *Woollahra Local Environmental Plan 2014*, the '*Woollahra Council Heritage Report Information Requirements for Demolition of Buildings within the Woollahra Municipality*' and the NSW Heritage Guide.

2.3 AUTHORSHIP

This report has been prepared by Zoltan Kovacs, Architect & Heritage Consultant with all the photographs taken by the author, unless otherwise identified. The author is a conservation architect with over thirty years experience in heritage conservation and he was Woollahra Council's heritage officer for seven years..

The documentary sources used in the formulation of a historical background were based on previous research at the Woollahra Local History Library. My contextual analysis is based on my familiarity with the area as a heritage consultant, which extends over twenty years.

2.4 LIMITATIONS

As the planning proposal is not a development application, this heritage report does not need to fulfil all the requirements of a Demolition Report. It merely needs to provide a broad overview of potential heritage issues. Consequently, detailed ownership history for each property is not provided, although the history of each property was researched. Similarly, no internal inspections were undertaken.

2.5 SITE IDENTIFICATION

The study area consists of nine allotments located on the west side of Old South Head Road. The properties are identified as:

42 Old South Head Road, Vaucluse	Lot 13, DP 13528 - single storey residence
44 Old South Head Road, Vaucluse	Lot 12, DP 13528 - two storey residence
46 Old South Head Road, Vaucluse	Lot 11, DP 13528 - two storey duplex
48 Old South Head Road, Vaucluse	Lot 10, DP 13528 - two storey duplex
50 Old South Head Road, Vaucluse	Lot 9, DP 13528 - two storey duplex
52 Old South Head Road, Vaucluse	Lot 4, DP 109409 - two storey duplex
54 Old South Head Road, Vaucluse	Lot 3, DP 109409 - two storey duplex
56 Old South Head Road, Vaucluse	Lot 2, DP 109409 - two storey duplex
58 Old South Head Road, Vaucluse	Lot 1, DP 109409 - two storey residence

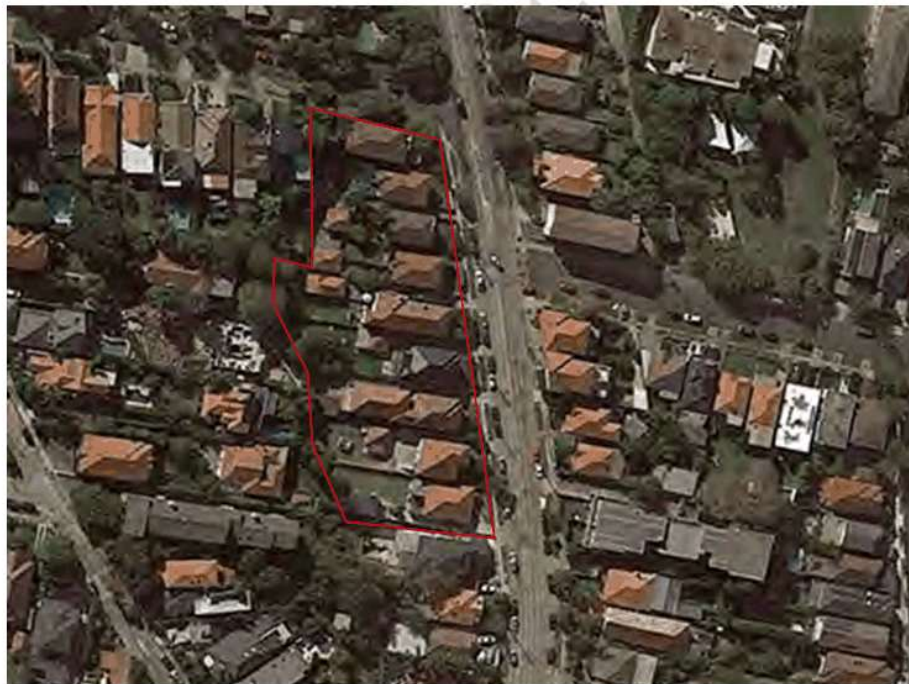


Figure 1 | Aerial view of the locality; the nine allotments are outlined in red

3 Historical Outline

The land from Petersham to South Head was traditionally the land of the Cadigal people, who traversed the well-watered landscape of forested gullies and scrub covered headlands in small family groups. The local Aboriginal population, unable to withstand the effects of the development of the district brought about by European settlement, disappeared from the area by the early 19th century.

Vaucluse was named after the poet Petrarch's retreat in the south of France - *Fontaine-de-Vaucluse* by Henry Browne Hayes, the Irish convict and adventurer, who was sentenced to death for kidnapping a wealthy heiress, but his sentence was commuted to transportation.

The first grants in the area were issued to Captain Thomas Laycock of the NSW Corps, followed by James Cardell, a private, and Joseph Llewellyn in 1797. Once established in the colony, after he was pardoned by Governor Bligh, Hayes bought the Llewellyn and Cardell grants in 1803 and built a house at Vaucluse Farm, as he named the estate. He only occupied the farm intermittently, as he was often imprisoned for anti-authoritarian behaviour. Before returning to his native Cork, he transferred his land to fellow Irishmen, first to Samuel Blackwell and then to Maurice O'Connell. Posted to Ceylon, O'Connell transferred his lease to Captain John Piper. Hayes eventually decided to sell the land through his nephew, who still remained in the colony, setting off years of complicated claims and counter claims. Eventually the *Vaucluse Estate* was bought at auction by William Charles Wentworth in 1827. Wentworth's consolidation of a series of large (and sometimes disputed) holdings lead to the regularization of grants in the area with properly surveyed boundaries and registered deeds. Wentworth finally verified his ownership of the Piper lands in the Court of Claims in 1836.



Figure 2 | *View of Vaucluse, aquatint by Joseph Lycett c. 819 (Source: NSW State Library)*



Figure 3 | *The Subdivision plan of the first release of the Vaucluse Estate in 1838*
(Source: Mitchell Library MS 4000/1 MLMSS)



Figure 4 | *Old South Head Road near William Street, c. 1878 (Source: National Library PIC P419)*

Despite the establishment of the road to South Head in 1789, the local area developed slowly as the soil was not fertile and the area was far from the city. It also lacked natural resources and after the bush was cleared during the early 19th Century, much of it was left undeveloped experiencing the gradual return of coastal heathland. There were a number of further small grants in the area during the 1820s & 30s with much of the land on the east side of the road leading to South Head remaining crown land. An alternative route to South Head was established in 1834 under Surveyor General, Thomas Mitchell and it became known as New South Head Road. The bridle track connecting Vaocluse House to Old South Head Road, as it quickly became known, was used by Captain Piper and it was soon named after him.

The gradual extension of the public transport system enabled the growth in popularity of the beach suburbs and unimproved lands were slowly developed, farming was replaced by housing subdivisions and the area started to achieve a consistent suburban character of brick houses with tiled roofs on sparsely vegetated blocks. By the end of the Inter-war period, the whole area achieved a consistent look.³

Once the locality was established as a small scale residential area by the early 1920's little further activity took place again until the mid to late 20th Century, when the general rise in property values within the Eastern Suburbs prompted a number of development phases, which gradually altered the Federation and Inter-war character of the precinct to a much more diverse and more densely occupied built environment.

3.1 Owners

Individual title searches have been undertaken for all the properties. No.s 42-50 formed part of a land grant to William Charles Wentworth on 5 July 1838 and the unimproved grant remained in his family's possession for most of the 19th Century. By 1898 most of the local area including the subject land was transferred to Fitzwilliam Wentworth, second son of William Charles Wentworth at his father's bequest. In 1903 Fitzwilliam Wentworth's holdings were sub-divided and offered for sale from July of that year onwards. The five allotments were included in this release.

The land forming No.s 52-58 remained in Crown possession until unusually late, as it was only granted to Alfred Henry Sidebottom in April 1930. He subdivided the grant in September 1936 and offered the four allotments for sale.

3.2 Occupants

None of the properties were occupied in 1933, which was the time of the cessation of the Sydney Sands Directory.

3.3 Building Work

A list of building and development applications for each allotment has been taken from the Woollahra Council Building Registers and Index Cards to Building and Development Applications from c. 1949 to 1988 and Council's on-line index. The list is provided in the Appendix. Further information and access to original plans is available at the Customer Service Section of Woollahra Council.



Figure 5 | Old South Head Road, c. 1943 (Source: NSW Lands SIX Maps); the study area is marked in red

4 Physical Description

4.1 CONTEXT OF THE PLACE

The place for the planning proposal is located on the east facing slope of the high plateau near the geographical centre of the Vaucluse peninsula, which is formed by a steep rocky ridge separating Sydney Harbour from the ocean. The place is on the western side of Old South Head Road, which also defines the boundary between the municipalities of Woollahra and Waverley.

The area surrounding the site is characterized by an irregular pattern of post-Victorian, mostly early 20th Century and Inter-War street layout, which resulted from the restrictive topography of deep valleys and steep cliffs. Offering spectacular views over the harbour, Vaucluse is an exclusive residential area with a relatively homogeneous suburban development pattern dominated by large detached residences, which are conversely characterized by heterogeneous built forms and a multitude of design styles spanning with examples the whole of the 20th Century. While there are some important surviving Inter-war and earlier residences in the locality, the majority of the building stock is formed by post-WWII developments of often low cultural value, despite the expense lavished on them.

The buildings on the lots surrounding the place are mostly large residences built during the 20th Century. There is a recent marked tendency in the local area covered by both municipalities for development of greater density and bulk with a newly emergent character, where high quality residential flat buildings are becoming dominant.

4.2 PLANNING PROPOSAL SITE

The subject site is formed by nine adjacent and roughly rectangular blocks on the western side of Old South Head Road, between Captain Pipers Road and Clarendon Street, at its junction with Military Road. The allotments are roughly equal in size and originate from two subdivision releases with No.s 42-50 and No.s 52-58 forming each respectively.

The allotments are approx. 600 m² in area which represents the typical sub-division pattern for the area. There are no apparent culturally significant or unique features associated with the sub-division pattern of the place.

The land rises towards the rear with the irregular rear boundaries caused by the terminating ridge line which forms a natural rock outcrop behind No.s 46 & 48. As the buildings occupy most of the sites with only narrow side passages separating them, the natural rock outcrop is not visible to the public domain.

4.3 EXISTING BUILDINGS

The following list summarises each building in turn. Some of the buildings are screened from the public domain by vegetation or walls.

Address: 42 Old South Head Road

Building Consent Date: 1926

Condition: average

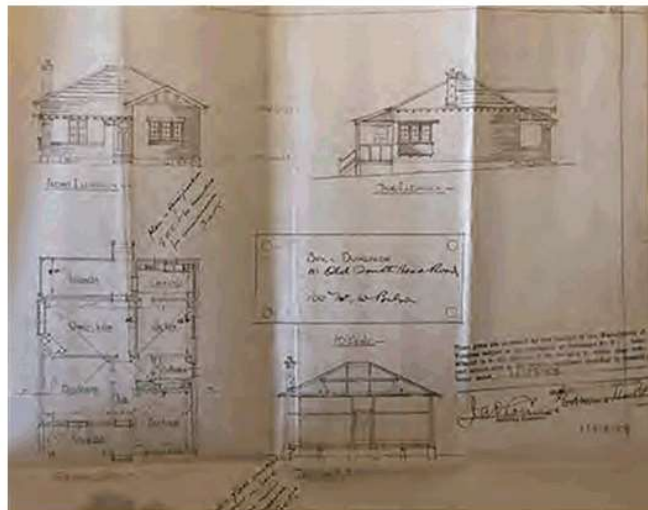
Integrity: Lost/degraded

Potential Local Significance: None



Notes

- ♦ originally example of modest pattern book Inter-war Bungalow, sample copy of original BA 36/1926 below
- ♦ originally face brick with open, asymmetrically positioned front veranda; open rear veranda; tiled hip and gable roof combination
- ♦ the building is now rendered, both verandas have been enclosed, chimneys lost, roof form altered;
- ♦ no evidence of surviving original fabric; extensively renovated in 1981
- ♦ Inter-war Bungalow character irreversibly lost



PROPOSED DEVELOPMENT | 42-58 OLD SOUTH HEAD ROAD | VAUCLUSE | HERITAGE REPORT

Address: 44 Old South Head Road

Building Consent Date : 1928

Condition: average

Integrity: Degraded

Potential Local Significance: None



Notes

- ◆ example of Inter-war Mediterranean duplex, original building application (BA19/28) file did not survive
- ◆ probably always rendered with open, asymmetrically positioned two storey bay with triple arched windows, rear garage; tiled hip roof
- ◆ the building was recently rendered in smooth hard cement, fenestration replaced, no evidence of chimneys, roof retiled;
- ◆ no external original fabric; extensively renovated (no record on council files)
- ◆ Inter-war Bungalow character degraded

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Address: 46 Old South Head Road

Building Consent Date : 1936

Condition: average

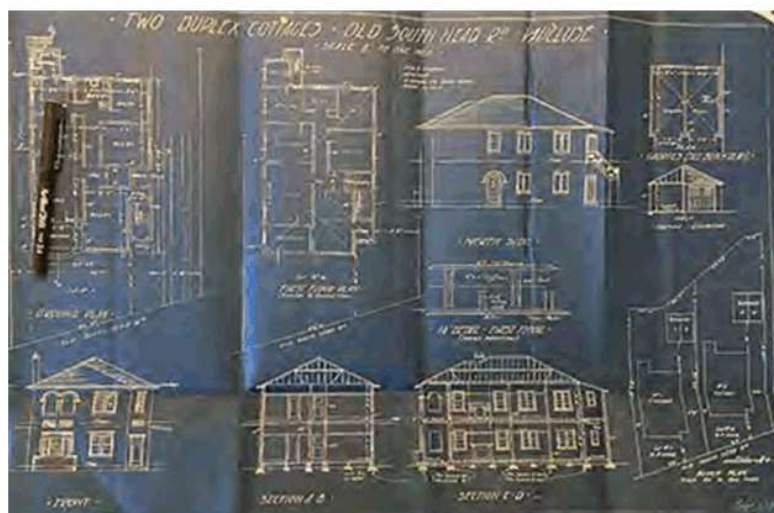
Integrity: Lost

Potential Local Significance: None



Notes

- ◆ paired duplex with No. 48, ordinary inter-war duplex designed by draftsman, sample copy of original BA 36/9120 below
- ◆ originally face brick with open, asymmetrically positioned front balcony with arched windows; arched side entrance to first floor unit, hip roof combination
- ◆ the building is now rendered, front balcony with coloured wire glass dates from 1969, fenestration altered;
- ◆ no external evidence of surviving original fabric; extensively renovated in 1969
- ◆ inter-war character and connection with No. 48 irreversibly lost



Address: 48 Old South Head Road

Building Consent Date : 1936

Condition: average

Integrity: Degraded

Potential Local Significance: None



Notes

- ◆ paired duplex with No. 45, ordinary Inter-war duplex designed by draftsman, sample copy of original building application below
- ◆ originally face brick with open, asymmetrically positioned front balcony with arched windows; arched side entrance to first floor unit, hip roof combination
- ◆ the front balcony was enclosed and fenestration altered to aluminium in 1964;
- ◆ no external evidence of surviving original fabric; interior renovated in 1988
- ◆ Inter-war character and connection with No. 46 irreversibly lost



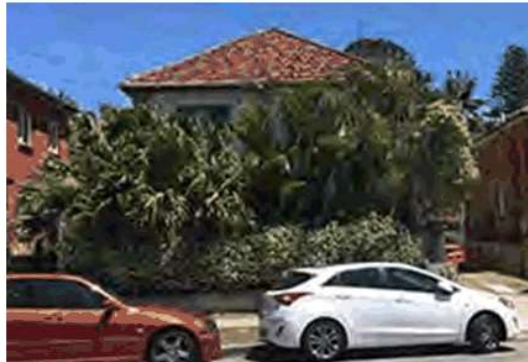
Address: 50 Old South Head Road

Building Consent Date : 1937

Condition: average

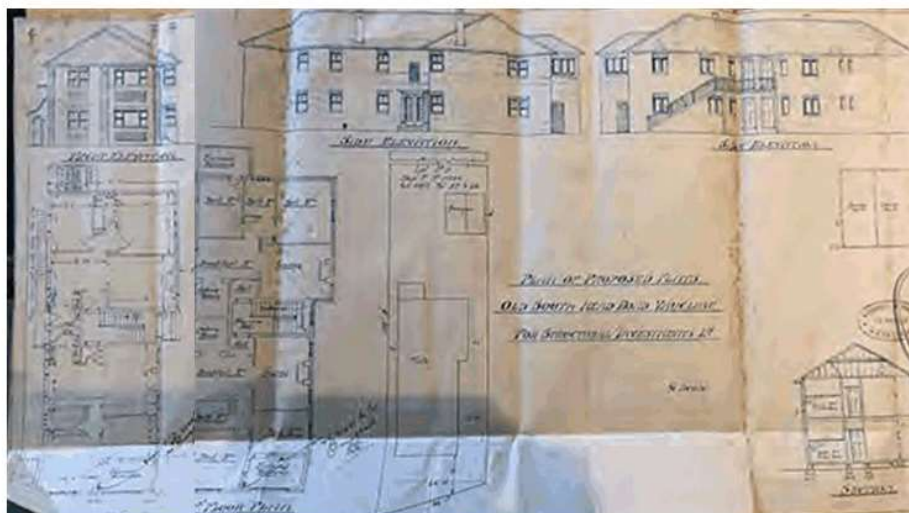
Integrity: Lost

Potential Local Significance: None



Notes

- ◆ example of Inter-war Bungalow inspired spacious duplex, sample copy of original BA 9030/1937 below, developed as a pair with No. 52
- ◆ originally face brick with open, asymmetrically positioned recessed front balconies on both floors; tiled hip roof combination
- ◆ the building is now rendered, both balconies have been enclosed, one chimneys survives, fenestration altered;
- ◆ no external evidence of surviving original fabric; extensively renovated in 1998
- ◆ Inter-war Bungalow character irreversibly lost



Address: 52 Old South Head Road

Building Consent Date : 1936

Condition: average

Integrity: Medium

Potential Local Significance: Low



Notes

- ◆ example of Inter-war Bungalow inspired spacious duplex, original BA 9048/1937 now missing
- ◆ developed as a pair with No. 50, but this is no longer apparent due to extensive changes to No. 50; the two share a driveway
- ◆ originally face brick with open, asymmetrically positioned recessed front balcony on both floors; tiled hip roof combination
- ◆ low sandstone front boundary wall - appears original
- ◆ both balconies have been enclosed, chimneys lost, some original fenestration survives, others altered;
- ◆ exhibits external surviving original fabric; some renovations in 1985
- ◆ Inter-war Bungalow character retained

PROPOSED DEVELOPMENT | 42-58 OLD SOUTH HEAD ROAD | VAUCLUSE | HERITAGE REPORT

Address: 54 Old South Head Road

Building Consent Date : 1936

Condition: average

Integrity: Degraded

Potential Local Significance: Low



Notes

- ◆ unusual example of Inter-war Dutch Colonial, sample copy of original BA 36/9081 consent below issued in the name of J. Walsh, but drawings are missing
- ◆ originally rendered, asymmetrically positioned front veranda with Dutch gable decorated with rendered heraldic device; tiled hip and gable roof combination
- ◆ the original balconies have been enclosed, chimneys lost, fenestration altered; intrusive faceted bay added to front elevation
- ◆ surviving original fabric only on decorative gable;
- ◆ Inter-war Dutch Colonial character degraded



Address: 56 Old South Head Road

Building Consent Date : 1936?

Condition: average

Integrity: Degraded

Potential Local Significance: None



Notes

- ◆ originally example of pattern book Inter-war Bungalow style duplex, no drawings or building application files survive, the file of BA 36/9081 for Lot 2 also refers to a duplex on this site built for J. Walsh
- ◆ seems similar to No. 52
- ◆ originally face brick with open, asymmetrically positioned front veranda; open rear veranda; tiled hip roof
- ◆ the building is now rendered, chimneys lost, fenestration altered;
- ◆ no external evidence of surviving original fabric; extensively renovated
- ◆ Inter-war Bungalow character degraded



Address: 58 Old South Head Road

Building Consent Date : 1936

Condition: average

Integrity: Degraded

Potential Local Significance: None



Notes

- ◆ originally example of Inter-war Mediterranean, sample copy of original BA 36/9110 below; there were a number of preceding applications which were never built
- ◆ originally rendered, two castellated asymmetrically positioned front verandas; top veranda was colonnaded with a triple arch; two single car garages in basement; tiled hip and gabled roof combination
- ◆ the colonnaded veranda has been enclosed, all windows replaced;
- ◆ extensively renovated in 1987
- ◆ Inter-war Mediterranean character degraded



5 Planning Context

42-58 Old South Head Road is affected by a number of statutory and non-statutory heritage controls, guidelines and lists that are relevant to the planning proposal. They are as follows:

- ◆ NSW Heritage Act 1997,
- ◆ Woollahra Local Environmental Plan 2014
- ◆ National Trust of Australia (NSW) Register

5.1 NSW HERITAGE ACT 1977

5.1.1 State Heritage Register

The State Heritage Register is a list of heritage items of particular importance to the people of NSW. It includes items and places of state heritage significance endorsed by the Minister on the recommendation of the Heritage Council. Items on the State Heritage Register require approval from the Heritage Council of NSW for certain works.

None of the allotments forming 42-58 Old South Head Road, Vaucluse is included nor proposed for inclusion in the State Heritage Register.

5.1.2 Interim Heritage Orders

Interim Heritage Orders can be made under Part 3 of the Heritage Act either by the Minister or, where authorised, a Local Government Council. Interim Heritage Orders replace the previous Interim Conservation Orders and orders made under Section 130. They are effective for a maximum period of twelve months.

None of the allotments forming 42-58 Old South Head Road, Vaucluse is affected by any Interim Heritage Order.

5.1.3 Archaeological 'Relics'

Under Division 9 of the Heritage Act, a permit is required for the excavation of relics, unless there is an applicable gazetted exemption. Pursuant to Clause 139 of the Heritage Act, an excavation permit is required where excavation is proposed and there is reasonable knowledge or likelihood that disturbance or excavation of the land will result in a relic being discovered, exposed, moved, damaged or destroyed.

There is no evidence or likelihood that excavation of the land formed by 42-58 Old South Head Road, Vaucluse may disturb relics as defined by the Act as the existing buildings are all the first on their respective allotments.

5.2 WOOLLAHRA LEP 2014

The Woollahra Local Environmental Plan 2014 is a statutory plan recently adopted by

Woollahra Council. The objectives of this plan are to identify heritage items and heritage conservation areas and to provide measures for their protection, conservation and enhancement; and to ensure that new development is undertaken in a manner sympathetic to their character.

None of the allotments forming 42-58 Old South Head Road, Vaucluse is listed as a heritage item under Schedule 5 of the LEP and the place is not located in a heritage conservation area. There are no heritage items in the vicinity of the place.

5.3 NATIONAL TRUST

The National Trust of Australia (NSW) is a community-based conservation organisation. The Trust has assembled a Register of heritage items and conservation areas through the assessment work of its expert committees. While the Trust has no legal status, it is considered to be an authoritative guide to heritage significance, and the Trust acts a lobby group for heritage conservation.

None of the allotments forming 42-58 Old South Head Road, Vaucluse is identified by the National Trust of Australia (NSW).

6 Heritage Impact of Development

6.1 INTRODUCTION

None of the allotments forming 42-58 Old South Head Road, Vaucluse is not listed as a heritage item under the existing statutory controls contained in the Woollahra Local Environmental Plan and the place is not located within a heritage conservation area. None of the buildings in the place was reviewed in Council's Inter-war Bungalows Study 2014 as a potential heritage item.

6.2 HERITAGE IMPACT ASSESSMENT OF POTENTIAL DEMOLITION

Five lots within the study area formed part of a Crown grant to William Charles Wentworth, the explorer and politician, on 5 July 1838. The unimproved grant remained in his family's possession for the rest of the 19th Century, until 1903 when the estate was released for sale by the beneficiaries of Fitzwilliam Wentworth. The land was further subdivided by various purchasers. The other four lots were created in 1936 after a late grant to Alfred Henry Sidebottom.

The buildings were built between 1926 and 1937 as single dwellings and small duplexes. The circumstances of the construction reflect average middle class mores of the time and place. Much of Vaucluse was developed during the Inter-war period in a similar manner, but this process was ordinary and cannot be said to exhibit historical significance.

No relevant entries for owners or occupants of the nine properties were found in the Australian Dictionary of Biography, ANU, 2006, www.adb.online.anu.edu.au/adbonline.htm or *A Biographical Register 1788-1939* ed. H.J. Gibbney and Ann Smith, 1987, Canberra, ADB. The connection of the study area to William Charles Wentworth is only incidental.

No architect associated with the study area is included in the Register of Significant 20th Century Architects held by the Institute of Australian Architects. The nine buildings are ordinary without aesthetic merit or distinction. Their Inter-war fabric is degraded. They are ordinary residential buildings built to standard building typology and they are not rare examples of their kind in the Eastern Suburbs. There are several buildings of similar character nearby.

The nine buildings are ordinary residential buildings in a typical suburban setting without associations to particular community groups or cultural groups.

In a brief overview of the cultural values of the study area, it was found that its constituent buildings fail to meet the benchmarks for cultural significance, where their listing as heritage items would be warranted.

Will demolition of the building generate an adverse conservation impact?

The foregoing overview has established that the existing buildings in the study area do not exhibit any heritage significance in the context of the local area and their retention is not warranted on conservation grounds. Consequently demolition of any of the buildings will not generate an adverse impact for the cultural heritage of the Vaucluse area.

The proposed demolition does not affect the cultural heritage of the municipality of Woollahra.

6.3 STATUTORY COMPLIANCE

6.3.1 Woollahra Local Environmental Plan 2014

None of the allotments forming 42-58 Old South Head Road, Vaucluse is listed as a heritage item under WLEP2014 and the place is not located within a heritage conservation area.

The heritage provisions of WLEP 2014 do not apply to the place.

6.3.2 Heritage Act

The provisions of the Heritage Act are not relevant for the place.

6.4 CONCLUSION

Having examined the heritage impact of the development on the cultural heritage of the local area the following can be concluded:

The potential demolition of 42-58 Old South Head Road, Vaucluse forming part of the planning proposal will not generate any adverse heritage conservation impacts for the cultural heritage of Woollahra.

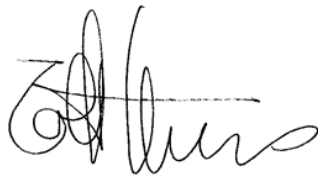
PROPOSED DEVELOPMENT | 42-58 OLD SOUTH HEAD ROAD | VAUCLUSE | HERITAGE REPORT

7 Recommendations

Having assessed the heritage impact of the planning proposal, the following can be recommended:

- ◆ that Council can consent to the planning proposal on heritage grounds in recognition of its lack of adverse heritage conservation impacts.

Signed

A handwritten signature in black ink, appearing to read 'Zoltan Kovacs', written over a horizontal dashed line.

ZOLTAN KOVACS B. Arch (Hons)
ARCHITECT

8 Bibliography

Apperly, R.; Irving, R.; and Reynolds, P 'A Pictorial Guide to Identifying Australian Architecture' (Sydney, 1989)

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'Woollahra Local Environmental Plan 1995 (WLEP)' (2003 update)

'Woollahra Local Environmental Plan 2014'

'Woollahra Council Heritage Report Information Requirements for Demolition of Buildings within the Woollahra Municipality' (1996)

PROPOSED DEVELOPMENT | 42-58 OLD SOUTH HEAD ROAD | VAUCLUSE | **HERITAGE REPORT**


9 Appendix

Req:8789662 /Doc:CT 03859-248 CT /Rev:04-Aug-2012 /Sta:OK OK /Prt:17-Nov-2016 12:57 /Seq: 01 of 2
 Ref:Blind & Associates /Src:P

Appt. No. 85020
 Release of last certificate
 Vol. 2172 Fol. 44

New South Wales.

(CERTIFICATE OF TITLE)

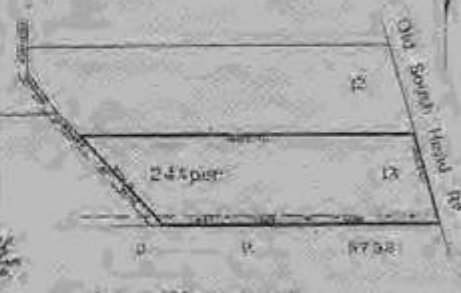

 REGISTERED
CANCELLED 13/12/19
 ON ISSUE OF NEW FOLIO 13/12/19

WILLIAM BIRDON of Malaga Bay, Carpenter, Transferee under instrument of transfer from The International
 Investment Land and Building Company Limited No. 3 38888 is now the proprietor of an Estate in fee simple
 subject to the provisions and conditions if any contained in the Case hereunto referred to and also subject to such
 encumbrances (if any) as are noted herein in Part II hereof in fee simple
 in the Municipality of Woollahra Parish of Clarence and County of Cumberland
 containing Twenty four and one quarter perches
 as shown in the Plan hereon and thereunto referred to being 205 12
 in a Plan deposited in the Land Title Office Sydney, No. 13628 and being part of 370 acres
 situate in the Public Map of the said Parish in the Department of Lands commonly called by William Charles Wentworth
 by Crown Grant dated the 21st day of July one thousand eight hundred and thirty eight.

In witness whereof I have hereunto signed my name and affixed my Seal this 10th day of March 1926

Deputy Registrar

General in the presence of *R. J. Lewis*



244 perches
 12
 13
 Old South Head Rd

NOTIFICATION REFERRED TO
 Instrument for dealings over the piece of land 4 feet
 wide colored blue in plan hereon and also shown in
 Deposited Plan 13628

Deputy Registrar

REGISTRAR GENERAL

No. 2 20226 MORTGAGE dated 26 June 1924
 from the said William Birdon to the Mortgagee
 of the said piece of land being part of
 Crown Land No. 13628

Produced and entered in the office of the
 Registrar General on the 13th day of Decr 1924

Deputy Registrar

REGISTRAR GENERAL

No. 2 20226 MORTGAGE dated 26 June 1924
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 Registrar General on the 13th day of Decr 1924

Deputy Registrar

REGISTRAR GENERAL

Reg:R789667 /Doc:CT D3939-245 CT /Rev:04-Aug-2012 /Sts:OK,OK /Prt:17-Nov-2016 12:57 /Seq:2 of 2
Ref:Rind & Associates /Src:P

<p>MORTGAGE No. <u>828013</u> has been discharged See <u>122526</u> Entered <u>29 June 1957</u></p> <p><i>Joubert</i> REGISTRAR GENERAL</p>	<p>CAVEAT No. <u>K18223</u> has been withdrawn See <u>116622</u> Entered <u>25 June 1958</u></p> <p><i>Joubert</i> REGISTRAR GENERAL</p>	<p>W/X K18223</p> <p>To K18223</p> <p>17 5</p> <p>DM M186522</p>	
<p><u>Public Auction of 1/2 acre Block 10/101 and 1/2000</u> See the registered particulars and writhe described See TRANSFER No. <u>116622</u> Entered <u>25 June 1958</u></p> <p><i>Joubert</i> REGISTRAR GENERAL</p>	<p><u>After the War of London, Queensland</u> See the registered particulars of the land within described See TRANSFER No. <u>K18223</u> Entered <u>25 June 1958</u></p> <p><i>Joubert</i> REGISTRAR GENERAL</p>		
<p>No. <u>116622</u> MORTGAGE dated <u>21 May 1957</u> See <u>116622</u> Entered <u>25 June 1958</u></p> <p><i>Joubert</i> REGISTRAR GENERAL</p>	<p>No. <u>116622</u> MORTGAGE dated <u>21 May 1957</u> See <u>116622</u> Entered <u>25 June 1958</u></p> <p><i>Joubert</i> REGISTRAR GENERAL</p>		
<p>MORTGAGE No. <u>116622</u> has been discharged See <u>116622</u> Entered <u>25 June 1958</u></p> <p><i>Joubert</i> REGISTRAR GENERAL</p>	<p>MORTGAGE No. <u>K18223</u> has been discharged See <u>116622</u> Entered <u>25 June 1958</u></p> <p><i>Joubert</i> REGISTRAR GENERAL</p>		
<p>No. <u>116622</u> MORTGAGE dated <u>21 May 1957</u> See <u>116622</u> Entered <u>25 June 1958</u></p> <p><i>Joubert</i> REGISTRAR GENERAL</p>	<p>COMPUTER FOLD NO FURTHER DRAWINGS TO BE REGISTERED.</p>		
<p>MORTGAGE No. <u>K18223</u> has been discharged See <u>116622</u> Entered <u>25 June 1958</u></p> <p><i>Joubert</i> REGISTRAR GENERAL</p>	<p><i>Joubert</i></p>		
<p>No. <u>116622</u> MORTGAGE dated <u>21 May 1957</u> See <u>116622</u> Entered <u>25 June 1958</u></p> <p><i>Joubert</i> REGISTRAR GENERAL</p>			

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1 of 1

Parcel 18296 Parcel Flag Registered
 H/No. / 42 Street Side R Address Sequence
 Street Old South Head RD VAUCLOUSE
 Title 1 LOT 13 PT SEC Entitlement 0
 DP 13528 CNF

Application Details
 Current Property Historic Properties Both Current & Historic Line 1 of 6

Indicator	Formatted Account	Document Type	External Reference	Precis
	006.1981.00000200.001	Building Applications	00000000	
	006.1977.00000615.001	Building Applications	00000000	
	006.1974.00000817.001	Building Applications	00000000	
	006.1964.00000199.001	Building Applications	00000000	
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→	006.1926.00000036.001	Building Applications	00000000	

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1 of 1

Parcel 18297 Parcel Flag

H/No. / 44 - Street Side R Address Sequence

Street Old South Head RD VAUCLUSE

Title 1 LOT 12 PT SEC Entitlement 0

DP 13528 CNF

Application Details

Current Property Historic Properties Both Current & Historic Line 1 of 4

Indicator	Formatted Account	Document Type	External Reference	Precis
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	006.1936.00009101.001	Building Applications	00000000	
→	<u>006.1928.00009019.001</u>	Building Applications	00000000	

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1 of 1

Parcel: 18300 Parcel Flag: Registered

H/No. / 46 Street Side: R Address Sequence:

Street: Old South Head RD: VAUCLUSE

Title: 1 LOT: 11 PT: SEC: Entitlement: 0

DP: 13528 CNF:

Application Details

Current Property Historic Properties Both Current & Historic Line 1 of 5

Indicator	Formatted Account	Document Type	External Reference	Pres
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	006.1964.0000057.001	Building Applications	00000000	
	006.1963.00001105.001	Building Applications	00000000	
	006.1962.00000440.001	Building Applications	00000000	
→	<u>006.1936.00009120.001</u>	Building Applications	00000000	

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1 of 1

Parcel: 18301 Parcel Flag: Historical

H/No. 48 Street Side: R Address Sequence: []

Street: Old South Head RD: VAUCLUSE

Title: 1 LOT: 10 PT: [] SEC: []

DP: 13528 CNF: [] Entitlement: []

Application Details

Current Property Historic Properties Both Current & Historic Line 1 of 5

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	006.1964.00000262.001	Building Applications	00000000	
	006.1938.00000064.001	Building Applications	00000000	
→	006.1936.00000119.001	Building Applications	00000000	
→	006.1936.00000044.001	Building Applications	00000000	

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1 of 1

Parcel: 16302
 H/No.: / 50 -
 Street: Old South Head
 Title: 1 LDT: 9 FT: SEC: Entitlement: 0
 DP: 13528 CNF: Parcel Flag: Historical Street Side: R Address Sequence: RD: VAUCLUSE

Application Details
 Current Property Historic Properties Both Current & Historic Line 1 of 6

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	006.1983.00000119.001	Building Applications	00000000	
	005.1972.00000055.001	Building Applications	00000000	
	005.1971.00001273.001	Building Applications	00000000	
	006.1971.00000036.001	Building Applications	00000000	
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1 of 1

Parcel: 18307 Parcel Flag: Registered

H/No: / 52 - Street Side: R Address Sequence:

Street: Old South Head RD: VAUCLUSE

Title: 1 LOT: 4 PT: SEC: Entitlement: 0

DP: 109409 CW:

Application Details

Current Property Historic Properties Both Current & Historic Line 1 of 4

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1 of 1

Parcel: 18308 Parcel Flag: Registered
 H/No. / 54 - Street Side: R Address Sequence:
 Street: Old South Head RD: VAUCLUSE
 Title: 1 LOT: 3 PT: SEC: Entitlement: 0
 DP: 109409 CNF:

Application Details

Current Property Historic Properties Both Current & Historic Line 1 of 2

Indicator	Formatted Account	Document Type	External Reference	Precis
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Parcel Parcel Flag

H/No. / - Street Side Address Sequence

Street RD

Title LOT PT SEC

DP CHR Entitlement

Application Details

Current Property Historic Properties Both Current & Historic Line of

Indicator	Formatted Account	Document Type	External Reference	Precis
	100.2014.00000242.001	Development Applications		Residential Flat Bldg 1 or 2 Storeys and Strata Su

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Parcel Parcel Flag

H/No. / - Street Side Address Sequence

Street RD

Title LOT PT SEC

DP CNF Entitlement

Application Details

Current Property Historic Properties Both Current & Historic Line of

Indicator	Formatted Account	Document Type	External Reference	Precis
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	006.1939.00009110.001	Building Applications	00000000	
	006.1936.00009110.001	Building Applications	00000000	
⇒	<u>006.1930.0000018.001</u>	Building Applications	00000000	
	100.2014.00000205.001	Development Applications		Dwelling House
	100.2062.00000771.001	Development Applications		Alteration and/or Additions to existing Dwelling H

Annexure 5

HEMANOTE CONSULTANTS

42-58 OLD SOUTH HEAD ROAD, VAUCLUSE

PLANNING PROPOSAL TO REZONE FROM LOW-DENSITY
TO MEDIUM-DENSITY RESIDENTIAL

TRAFFIC IMPACT ASSESSMENT

DECEMBER 2016

HEMANOTE CONSULTANTS

TRAFFIC ENGINEERING & DESIGN CONSULTANTS

SUITE 20, LEVEL 2, 215-219 GEORGE STREET, LIVERPOOL NSW 2170

CONTACTS: 0414 251 845 & 0414 445 497

EMAIL: hemanote@optusnet.com.au

I



**TRAFFIC & PARKING IMPACT ASSESSMENT
42-58 OLD SOUTH HEAD ROAD, VAUCLUSE
REZONING PLANNING PROPOSAL
DATE: 16 DECEMBER 2016**

DISCLAIMER

All information and material contained in this report is the property of Hemanote Consultants. It is solely based on the instructions of our client and the findings of Hemanote Consultants and is not intended for use or should not be relied upon by any third party. No responsibility is undertaken by Hemanote Consultants to any third party.

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II

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1 INTRODUCTION

This report has been prepared by Hemanote Consultants to assess the traffic and parking implications for the rezoning planning proposal for the existing lots at 42-58 Old South Head Road, Vaucluse from low density to medium density residential.

The report is to be read in conjunction with the planning proposal plans prepared by Nicholas Tang Architects (reduced copy of the plans attached in Appendix A) and submitted to Woollahra Council as part of a Development Application.

This report is set as follows:

- *Section 2:* Description of the existing site location and its use;
- *Section 3:* Description of existing traffic conditions, surrounding road network, existing transportation services and existing vehicular access;
- *Section 4:* Description of the proposal and potential vehicular access;
- *Section 5:* Description of existing on-street parking conditions near the subject site; and impacts on parking;
- *Section 6:* Assessment of traffic impacts on surrounding road network; and
- *Section 7:* Conclusion.

2 EXISTING SITE DESCRIPTION

➤ **Site Location**

The subject development site comprises of nine (9) existing lots and is located on the western side of Old South Head Road, south of Clarendon Street, at properties No. 42-58 Old South Head Road, within the suburb of Vaucluse. The subject sites have a total frontage of approximately 116 meters to Old South Head Road from the east. Refer to Figure 1 for a site locality map.

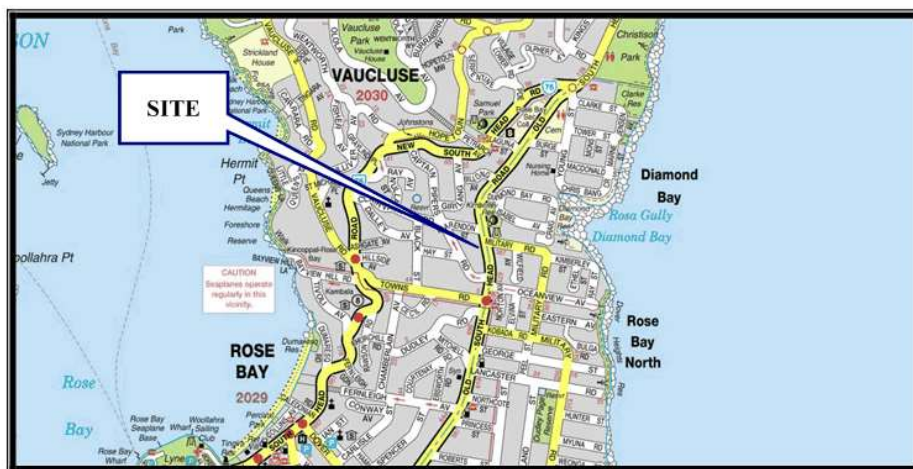


Figure 1: Site Locality Map

➤ **Existing Site & Surrounding Land Use**

The subject sites are currently occupied by two-storey residential dwellings and older style units in a mainly residential area, with a mixture of single dwellings and small sized residential flat buildings, as well as a small number of commercial/retail shops.



Photo 1: the frontage of the subject site to Old South Head Road



Photo 2: the frontage of the subject site to Old South Head Road

3 EXISTING TRAFFIC CONDITIONS

3.1 Road Network and Classification

Old South Head Road is a State Road under the jurisdiction of the Roads and Maritime Services. It carries a high volume of traffic daily and runs between Bondi Junction and Watsons Bay and is a bus route. It should be noted that the section of Old South Head Road near the subject site carries lower traffic volumes than other busier sections of the road. It intersects with a number of local, collector and state roads, including Military Road and Clarendon Street in the vicinity of the subject site.

3.2 Road Description and Traffic Control

Old South Head Road is a four-lane two-way undivided road that provides one travel lane per direction, with parallel to kerb unrestricted parking being permitted on both sides of the carriageway. The legal speed limit on Old South Head Road is 60 km/h.

The T-intersections of Old South Head Road with Military Road and Clarendon Street are controlled by 'Give Way' signs and line markings. There is an existing on-road cycle route along Old South Head Road and Clarendon Street.



Figure 2: Aerial photo of the subject site



Photo 3: Old South Head Road at the subject site - facing north



Photo 4: Old South Head Road at the subject site - facing south

3.3 Current Traffic Flows

A traffic volume count was undertaken by R.O.A.R Data Pty Ltd at the intersections of Old South Head Road/Military Road and Old South Head Road/Clarendon Street at the subject site on Thursday 10 November 2016, during morning peak periods (7.00am to 9.00am) and afternoon peak periods (3.00pm to 6.00pm) considering traffic peak periods.

The traffic flows on Old South Head Road, Military Road and Clarendon Street in the morning & afternoon peak hours are shown in Table 1 below and in Appendix 'B'.

Traffic movement	Morning Peak Hour (Vehicles Per Hour)	Afternoon Peak Hour (Vehicles Per Hour)
	8.00am – 9.00am	3.30pm – 4.30pm
Old South Head Road		
Northbound	403	553
Southbound	555	597
Military Road		
Eastbound	146	122
Westbound	160	179
Clarendon Street		
Eastbound	47	34
Westbound	14	17

Table 1: Current traffic flows near subject site (on a typical weekday)

The results of the traffic volume counts undertaken determined that the traffic morning peak period on Old South Head Road, Military Road and Clarendon Street was between 8.00am to 9.00am and the afternoon peak period was between 3.30pm to 4.30pm on a typical weekday.

The traffic flows on Old South Head Road are considered to be appropriate for a state road in a mainly residential area, where traffic is free flowing without any major queuing or delays in peak hours.

The traffic flows on Military Road and Clarendon Street are considered to be low and appropriate for local roads in a mainly residential area and in close proximity to a state road, where traffic is free flowing without any major queuing or delays in peak hours.

It is determined that the current level of service on Old South Head Road is class 'C', in accordance with Table 4.4 of the Roads & Maritime Services' "Guide to Traffic Generating Developments - 2002" (attached below) with peak hour flow being less than 600 vehicles/hr per direction.

The current existing level of service on Military Road and Clarendon Street is class 'A', with peak hour flow being less than 200 vehicles/hr per direction.

Level of Service	One Lane (veh/hr)	Two Lanes (veh/hr)
A	200	900
B	380	1400
C	600	1800
D	900	2200
E	1400	2800

Table 4.4: Urban road peak hour flows per direction (RMS Guide)

It has also been observed that the current operational performance of the intersections of Old South Head Road/Military Road and Old South Head Road/Clarendon Street is in 'Good operation with acceptable delays and spare capacity' at a Level of Service 'B', in accordance with Table 4.2 of the Roads & Maritime Services' "Guide to Traffic Generating Developments - '2002" (attached below) with an average delay of less than 28 seconds per vehicle.

Level of Service	Average Delay per Vehicle (secs/veh)	Traffic Signals, Roundabout	Give Way & Stop Signs
A	< 14	Good operation	Good operation
B	15 to 28	Good with acceptable delays & spare capacity	Acceptable delays & spare capacity
C	29 to 42	Satisfactory	Satisfactory, but accident study required
D	43 to 56	Operating near capacity	Near capacity & accident study required
E	57 to 70	At capacity, at signals, incidents will cause excessive delays Roundabouts require other control mode	At capacity, requires other control mode

Table 4.2: Level of Service Criteria for intersections (RMS Guide)

3.4 Existing Transportation Services

The subject site has good access to existing public transport services in the form of regular bus services that operate along both sides of Old South Head Road and Military Road (i.e. bus routes 324, 333, 380, 386 and 387).

The nearest bus stops are located on Old South Head Road and Military Road directly at the front of the subject site and within a very short walking distance.



Figure 3: Bus routes near the subject site



Photo 5: Existing bus stop on Old South Head Road opposite the subject site



Photo 6: Existing bus service on Old South Head Road at the subject site

4 PROPOSED DEVELOPMENT

4.1 Description of the proposal

The planning proposal is for the rezoning of the existing nine lots at 42-58 Old South Head Road, Vacluse from low density to medium density residential, including the following potential options:

Option 1	Block A	Block B	Block C	Total
Estimated No. of units	44	52	28	124
Option 2	Block A	Block B	Block C	Total
Estimated No. of units	44	38	46	128
Option 3	Block A	Block B	Block C	Total
Estimated No. of units	33	49	46	128

The above number of units is based on an average unit size of 50m². Refer to **Appendix 'A'** for the plans of the rezoning planning options.

4.2 Vehicular Access (Existing & Proposed)

At present, the subject nine sites provide seven (7) separate driveway crossings on the western side of Old South Head Road.

Each of the proposed three residential blocks is expected to provide a two-way driveway crossing that is approximately 5.5 to 6 metres in width, for adequate vehicle manoeuvring into and out of the site without causing any major delays or congestion for traffic along the road.

Therefore, the proposal will have three (3) driveway crossing points compared to the existing seven (7) driveway crossing points, which will provide safer manoeuvring into and out of the subjects sites and reduce impacts on traffic along Old South Head Road, where all vehicles are to enter and exit the site in a forward direction.

All vehicular access to be located and constructed in accordance with the requirements of AS2890.1:2004.

Any front fencing is to be restricted to a height of 1.2 metres, otherwise a 45° splay or equivalent (2m x 2m) is to be provided at exit driveways, in accordance with Council's DCP to provide adequate sight lines to pedestrians.

5 ON-STREET PARKING

5.1 On-street Parking Conditions

The subject site is located in a mainly residential area, with a mixture of single dwellings and small sized residential flat buildings, as well as some commercial/retail shops. At present, unrestricted parking is permitted on both sides of Old South Head Road and adjacent streets, with the exception of the signposted 'No Stopping' zones at intersecting streets and Bus Zones.

It has been observed that on-street parking spaces in the vicinity of the subject site were moderately to highly utilised at times, with some available on-street parking opportunities in the vicinity of the subject site.

5.2 Impacts of Proposed Development on Parking

The parking demand resulting from the rezoning planning proposal will be accommodated within future on-site car parking facilities that are to be in accordance with the requirements of Council's DCP or other SEPP regulations.

Therefore, the proposal will have no major impacts on parking in Old South Head Road or adjacent streets.

6 EXTERNAL TRAFFIC IMPACT

An indication of the potential traffic generation of the proposed development is provided by the RMS *Guide to Traffic Generating Development - 2002*.

The Guide specifies the following traffic generation rates for high-density residential flat dwellings in a metropolitan Sydney area:

- 0.19 (AM) peak hour vehicle trips per unit.
- 0.15 (PM) peak hour vehicle trips per unit.
- 1.52 daily vehicle trips per unit.

Therefore, the proposed residential development options would have the following estimated traffic generation during AM and PM peak hours as shown below:

Option 1	Block A	Block B	Block C	Total
Estimated No. of units	44	52	28	124
Traffic generation (AM Peak)	8.3	9.9	5.3	24
Traffic generation (PM Peak)	6.6	7.8	4.2	19
Option 2	Block A	Block B	Block C	Total
Estimated No. of units	44	38	46	128
Traffic generation (AM Peak)	8.3	7.2	8.7	24
Traffic generation (PM Peak)	6.6	5.7	6.9	19
Option 3	Block A	Block B	Block C	Total
Estimated No. of units	33	49	46	128
Traffic generation (AM Peak)	6.3	9.3	8.7	24
Traffic generation (PM Peak)	5.0	7.4	6.9	19

Therefore, the proposed development options have an estimated traffic generation as follows:

- 24 morning peak hour vehicle trips.
- 19 afternoon/evening peak hour vehicle trips.
- Between 188 and 195 daily vehicle trips.

The estimated traffic generation from the proposed development options is considered to be of low impact on current flows on Old South Head Road and surrounding road network and will not alter the current levels of service, where additional traffic can be readily accommodated.

The potential increase in the number of vehicle movements in and about Old South Head Road and adjacent streets will remain well within the Environmental capacity of these streets, with no adverse impacts on the amenity of the area.

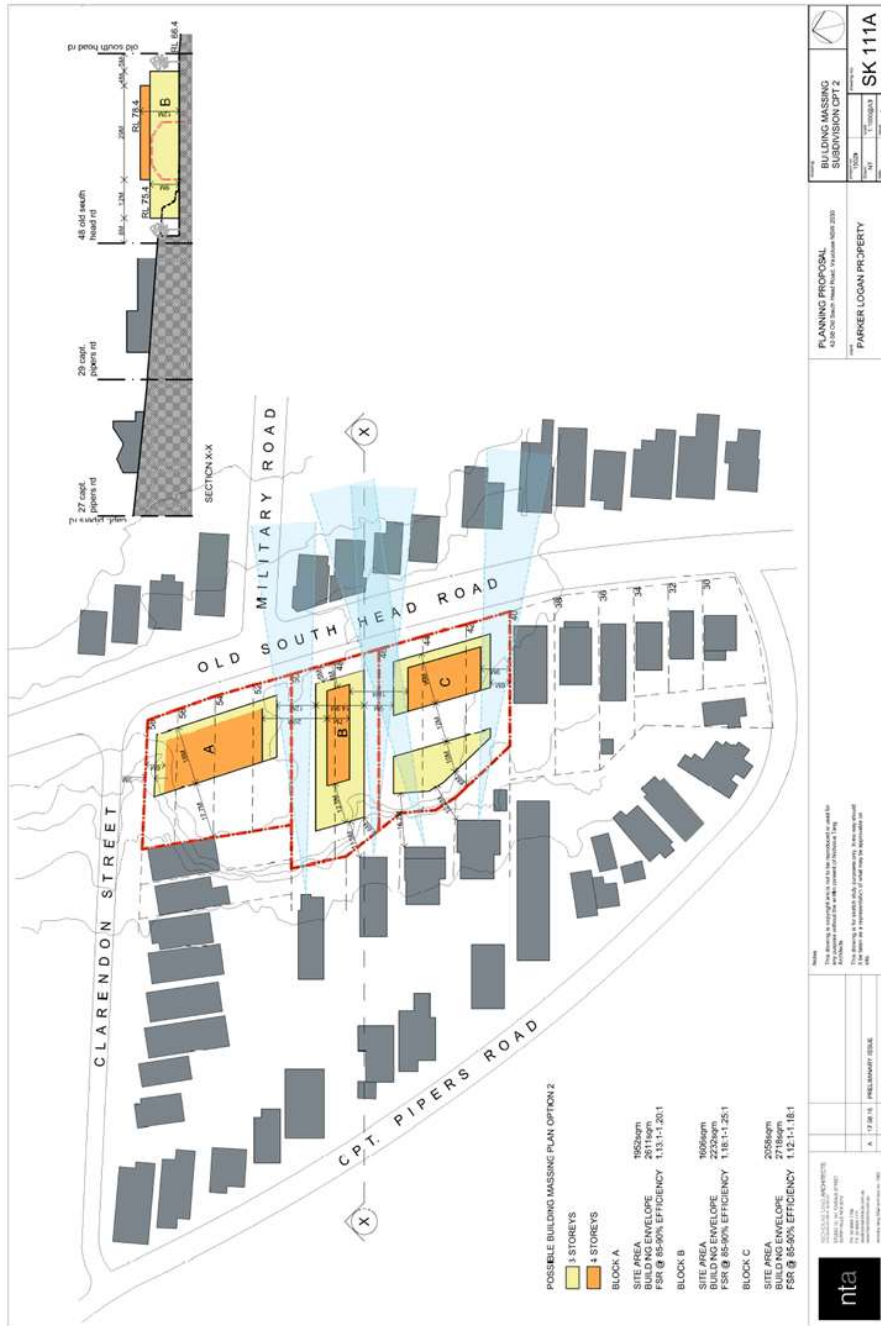
7 CONCLUSION

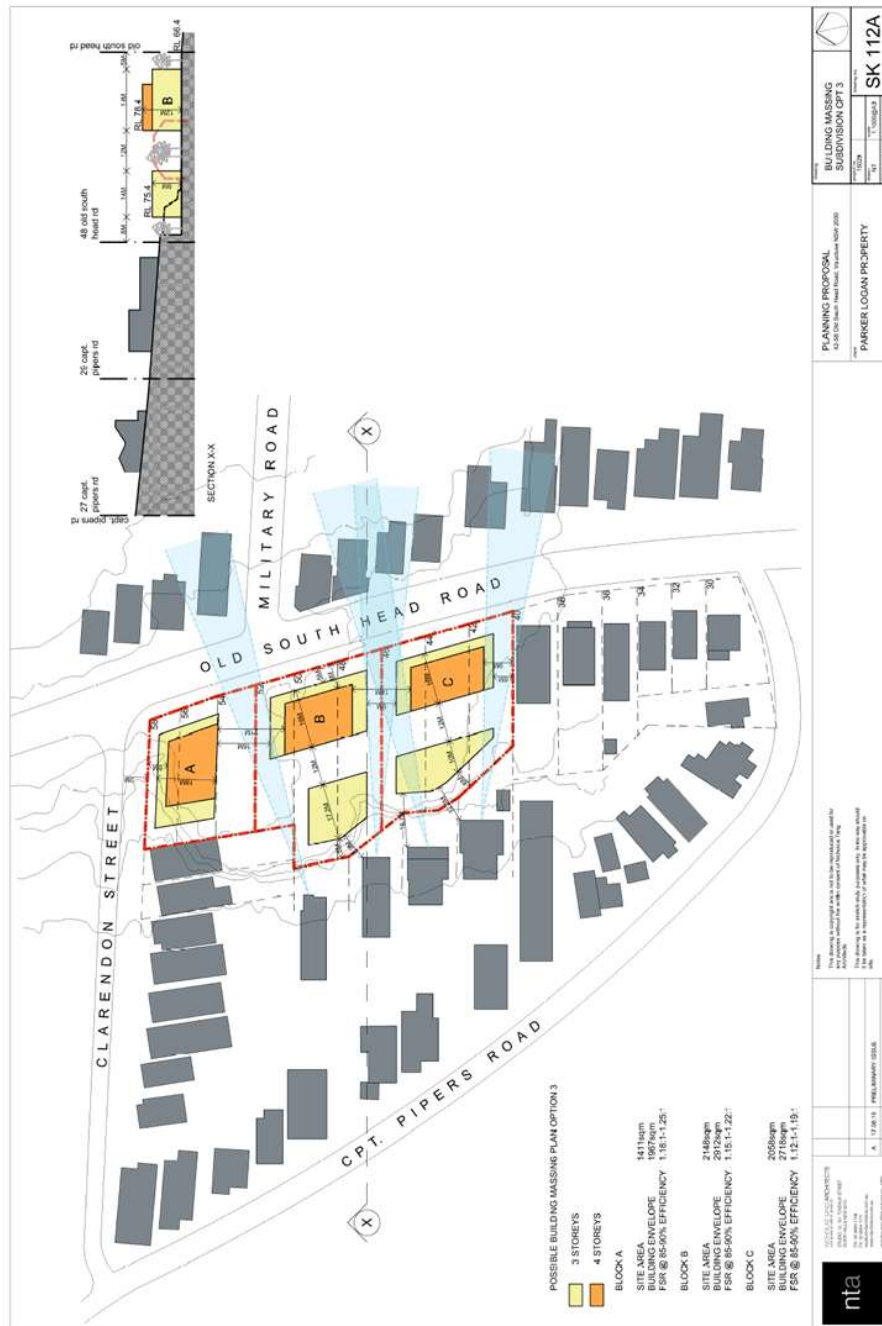
It can be concluded from the traffic and parking impact assessment that the rezoning planning proposal for the existing lots at 42-58 Old South Head Road, Vaucluse from low density to medium density residential will have no adverse impacts on existing traffic or parking conditions:

- The external impact of the traffic generated by the proposed development options is considered to be acceptable and will not result in any adverse impacts on peak traffic periods.
- The potential of any increase in the number of vehicle movements in and about Old South Head Road and adjacent streets will remain well within the Environmental capacity of these streets, with no adverse impacts on the amenity of the area.
- The proposal will have three (3) driveway crossing points compared to the existing seven (7) driveway crossing points, which will provide safer manoeuvring into and out of the subjects sites and reduce impacts on traffic along Old South Head Road, where all vehicles are to enter and exit the site in a forward direction.
- The parking demand resulting from the rezoning planning proposal will be accommodated within future on-site car parking facilities that are to be in accordance with the requirements of Council's DCP or other SEPP regulations. Therefore, the proposal will have no major impacts on parking in Old South Head Road or adjacent streets.
- The subject development site has good access to existing public transportation services in the form of regular bus services, as well as on-road cycle routes.

Appendix A – Proposed Development Options



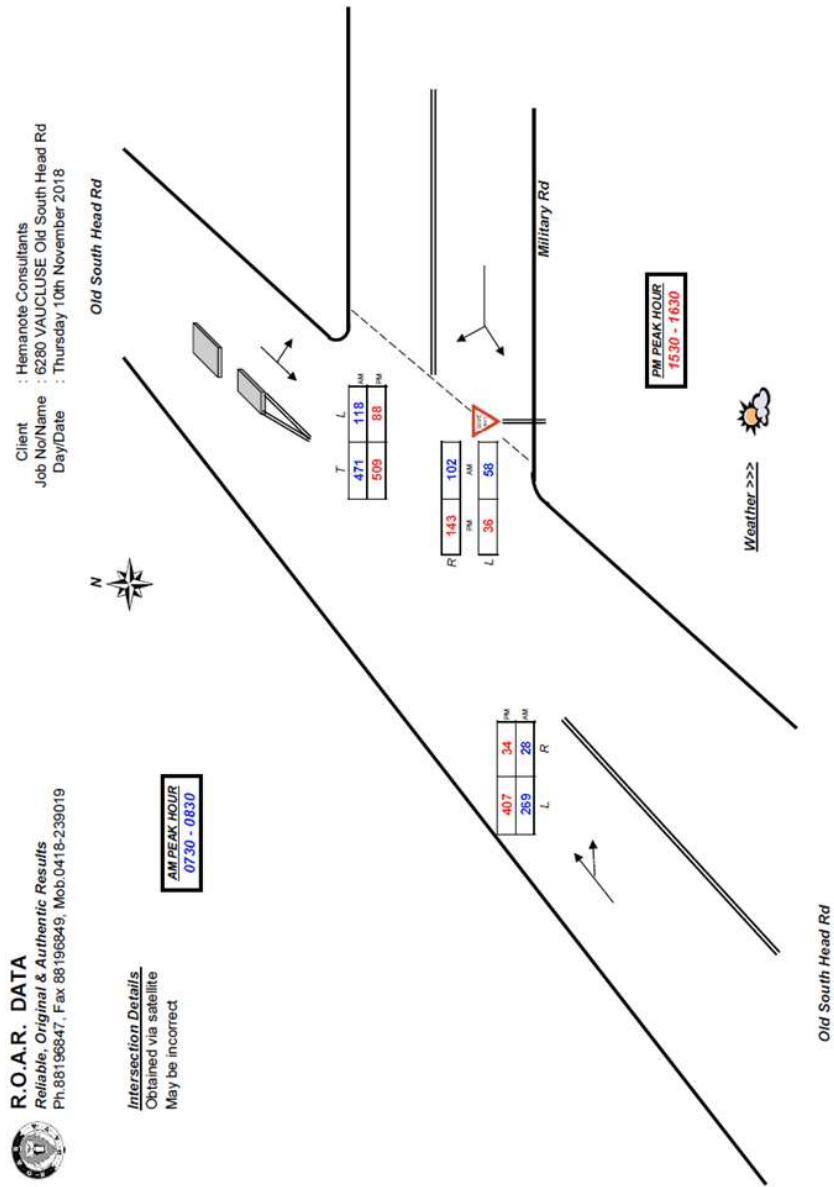




Appendix B – Traffic Volume Counts

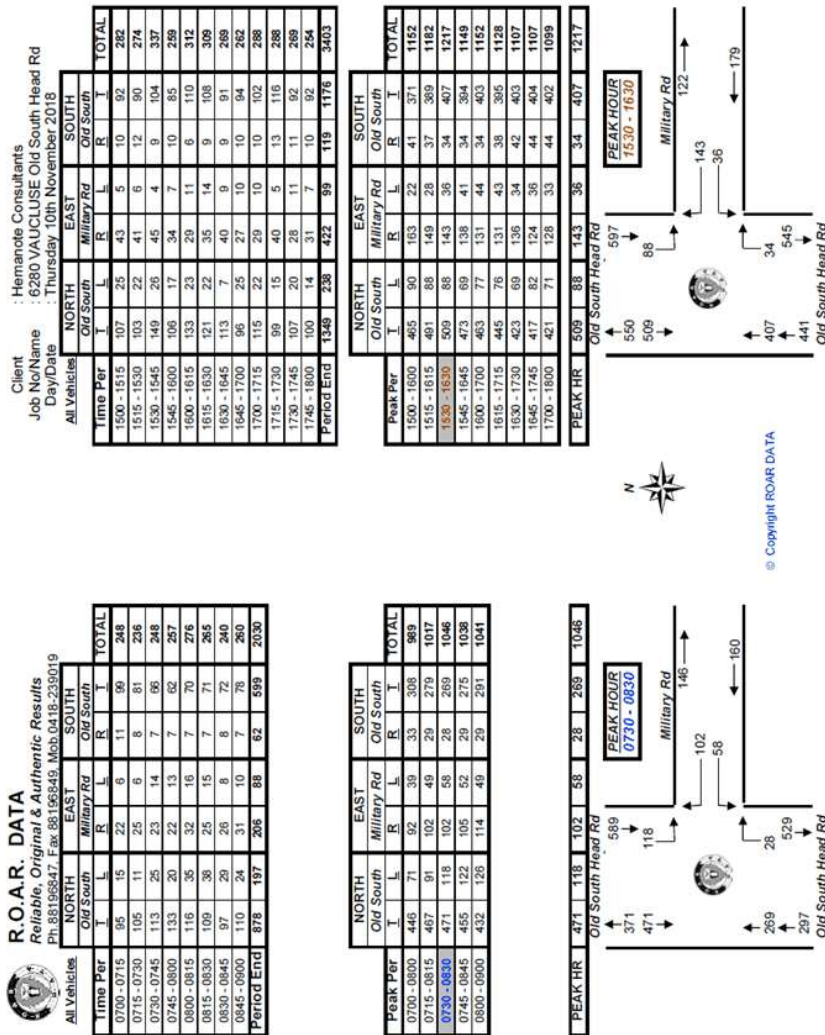
Hemanote Consultants

Traffic Impact Assessment – 42-58 Old South Head Rd, Vaucluse



Hemanote Consultants

Traffic Impact Assessment – 42-58 Old South Head Rd, Vaucluse

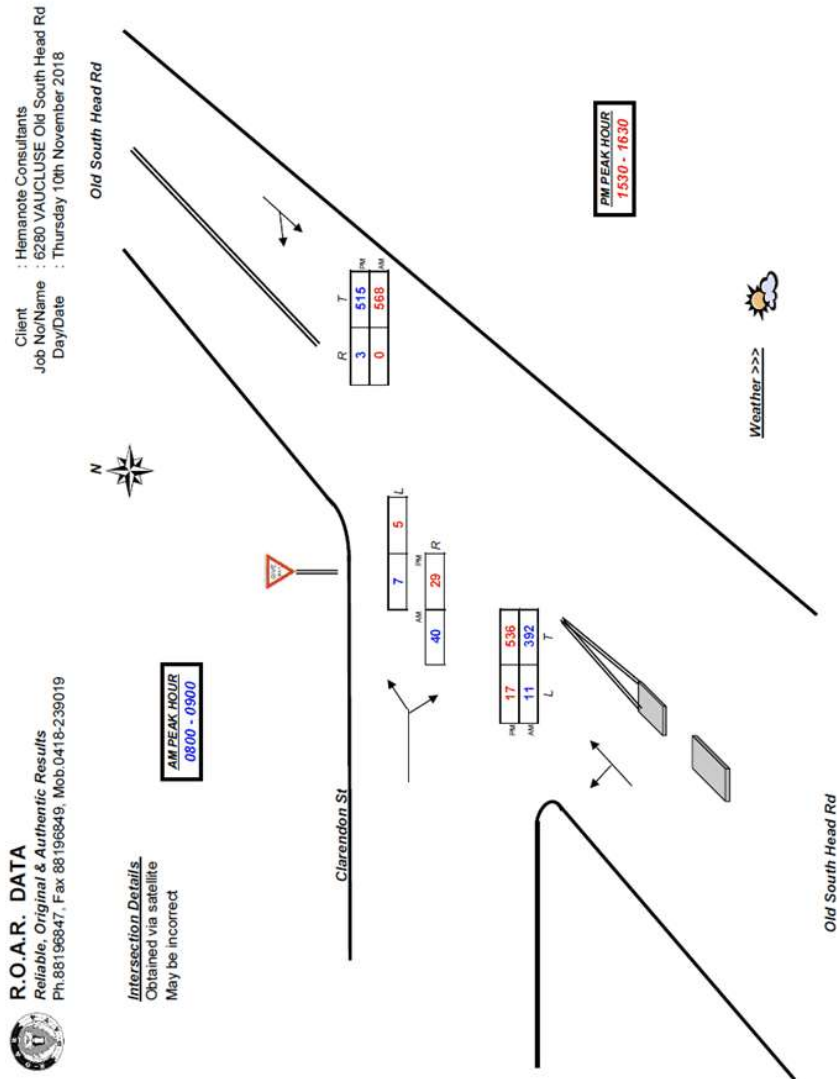


16 December 2016

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Hemanote Consultants

Traffic Impact Assessment – 42-58 Old South Head Rd, Vaucluse



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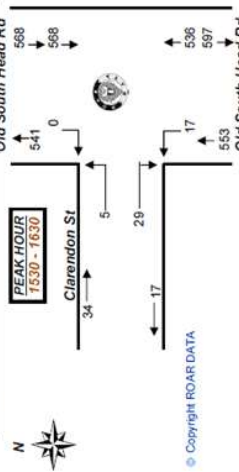
Hemanote Consultants

Traffic Impact Assessment – 42-58 Old South Head Rd, Vaucluse

Client : Hemanote Consultants
Job No/Name : 6260 VAUCLUSE Old South Head Rd
Day/Date : Thursday 10th November 2016

Pedestrians	NORTH			WEST			SOUTH			TOTAL
	Old South	Clarendon St	Old South	Old South	Clarendon St	Old South	Old South	Clarendon St	Old South	
Time Per	R	L	I	R	L	I	R	L	I	
1500 - 1515	3	127	1	5	3	132	3	132	3	271
1515 - 1530	0	121	0	4	4	127	4	127	4	256
1530 - 1545	0	162	2	13	3	146	13	146	13	326
1545 - 1600	0	118	2	5	7	114	5	114	5	246
1600 - 1615	0	147	1	9	5	154	9	154	9	296
1615 - 1630	0	141	0	2	2	142	2	142	2	287
1630 - 1645	0	117	2	3	2	129	3	129	3	253
1645 - 1700	0	114	2	7	1	120	7	120	7	244
1700 - 1715	2	127	1	10	6	126	10	126	6	272
1715 - 1730	0	107	1	7	3	153	7	153	3	271
1730 - 1745	2	120	0	7	0	119	7	119	0	248
1745 - 1800	1	109	1	5	2	121	5	121	2	239
Period End	8	1510	13	77	38	1653	77	1653	38	3209

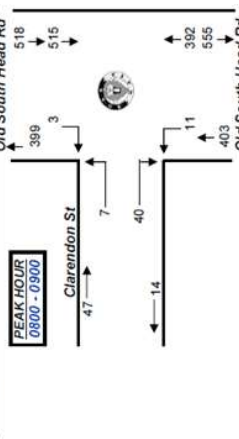
Peak Per	NORTH			WEST			SOUTH			TOTAL
	Old South	Clarendon St	Old South	Old South	Clarendon St	Old South	Old South	Clarendon St	Old South	
1500 - 1600	3	528	5	27	17	519	17	519	1089	
1515 - 1615	0	548	5	31	19	521	19	521	1124	
1530 - 1630	0	568	5	29	17	536	17	536	1155	
1545 - 1645	0	523	5	19	16	519	16	519	1082	
1600 - 1700	0	519	5	21	10	525	10	525	1080	
1615 - 1715	2	489	5	22	11	517	11	517	1056	
1630 - 1730	2	465	6	27	12	528	12	528	1040	
1645 - 1745	4	468	4	31	10	518	10	518	1035	
1700 - 1800	5	463	3	29	11	519	11	519	1030	
PEAK HR	0	568	5	29	17	536	17	536	1155	



R.O.A.R. DATA
Reliable, Original & Authentic Results
Ph: 88193847, Fax: 88193849, Mob: 0418-235019

Pedestrians	NORTH			WEST			SOUTH			TOTAL
	Old South	Clarendon St	Old South	Old South	Clarendon St	Old South	Old South	Clarendon St	Old South	
Time Per	R	L	I	R	L	I	R	L	I	
0700 - 0715	3	101	1	9	1	123	3	123	1	238
0715 - 0730	1	109	5	7	3	101	7	101	2	226
0730 - 0745	2	129	1	9	2	87	9	87	2	230
0745 - 0800	0	145	1	8	1	83	8	83	1	238
0800 - 0815	1	137	1	14	3	97	14	97	2	253
0815 - 0830	1	136	4	9	5	90	9	90	4	245
0830 - 0845	0	111	2	14	2	96	14	96	2	225
0845 - 0900	1	131	0	3	1	109	3	109	1	245
Period End	9	999	15	73	18	788	73	788	18	1900

Peak Per	NORTH			WEST			SOUTH			TOTAL
	Old South	Clarendon St	Old South	Old South	Clarendon St	Old South	Old South	Clarendon St	Old South	
0700 - 0800	6	484	8	33	7	394	33	394	932	
0715 - 0815	4	520	8	38	9	368	9	368	947	
0730 - 0830	4	547	7	40	11	357	11	357	966	
0745 - 0845	2	529	8	45	11	365	11	365	961	
0800 - 0900	3	515	7	40	11	392	11	392	968	



Annexure 6

Tree Management Statement



Prepared 21st December 2016

Site Location

42-58 Old South Head Road
Vaucluse, NSW 2023

Client

Parker Logan Property



TREE & LANDSCAPE CONSULTANTS

Site Analysis, Arboricultural Assessments



Dip. Hort. (Arboriculture)
Assoc. Dip.Hort. (Park Management)
Hort. Cert.
Bush Regeneration. Cert.
Tree Surgery Cert.
Member IACA, Member LGTRA, Member ISA
P.O Box 50
Padstow 2211 N.S.W.
Mobile **0418 277 379**
Email **talc2@optusnet.com.au**

21st December 2016

Parker Logan Property
42-58 Old South Head Road
Vaucluse, NSW 2023

Our reference: 4138

Tree Management Statement:
42-58 Old South Head Road
Vaucluse, NSW 2023

1. METHODOLOGY

This statement has been prepared by Tree & Landscape Consultants for Parker Logan Property. The author inspected the sites on the 11 & 12th December 2016 to gather general information for the direction as to the management of trees potentially impacted upon by future development.

A comprehensive assessment of each individual tree was not conducted, rather a "walk-by" approach in which observations of readily identifiable structural and health indicators in the trees were made without further investigations being conducted. The intent was to develop an overview of the current age class and condition of trees and to provide an understanding of the constraints and opportunities associated with them that would support the overall proposal.

Tree Management Statement – 42-58 Old South Head Road Vaucluse, NSW 2023

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2. OVERVIEW

The subject sites support predominately built structures and sealed surfaces with sporadic plantings being present adjoining buildings.

The main theme as part of the original development was the planting of a Kentia Palm (*Howea forsteriana*) and adjoining Frangipanni (*Plumeria rubra*) at the rear of each residence.

The remainder of the plantings are of an adhoc manner including species such as Norfolk Island Hibiscus (*Lagunaria patersonii*), Box Elder (*Acer nugundo*), Umbrella Tree (*Schefflera actinophylla*), Watergum (*Tristaniopsis laurina*), Cocos Palm (*Syagrus romanzoffiana*) located centrally and around the peripherals of the site.

All the trees are planted and no naturally occurring specimens are present. The Age of the trees is broadly classed as being in mid to late maturity or upwards be predominately 60-80% of their expected life expectancy with varying condition ratings of poor to fair. It is noted that there is a lack of age class gradation which would be required to ensure long term amenity and elements of continuous landscape to benefit the area into the foreseeable future.

3. MANAGEMENT OF TREES AND FUTURE DEVELOPMENT

The retention of any tree would need to be assessed utilising the Australian Standard AS 4970-2009 "Protection of trees on development sites, as a point of reference and guide for the recommended minimum clearances from the centre of tree trunks to development works. This system is to be applied as a generalised benchmark with distances being increased or decreased as a result of other factors providing mitigating circumstances or constraints as indicated by but not restricted to the following:

- *Tolerance of individual species to disturbance,*
- *Geology e.g. physical barriers in soil, floaters, bedrock to surface*
- *Topography e.g. slope, drainage,*
- *Soil e.g. depth, drainage, fertility, structure,*
- *Microclimate e.g. due to landform, exposure to dominant wind,*
- *Engineering e.g. techniques to ameliorate impact on trees such as structural soil, lateral boring,*
- *Construction e.g. techniques to ameliorate impact on trees such as pier and beam, bridge footings, suspended slabs*
- *Arboriculture e.g. exploration trenches to map location of roots,*
- *Physical limitations - existing modifications to the environment and any impact to tree/s by development e.g. property boundaries, road reserves, previous impact by excavation in other directions, soil level changes by cutting or filling, existing landscaping works within close proximity, modified drainage patterns.*

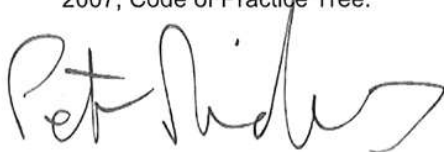
Tree Management Statement – 42-58 Old South Head Road Vaucluse, NSW 2023

Trees surrounding the site have varying trunk diameters, which will be utilised to determine setbacks to site works such as basement cuttings and construction works with an emphasis to be made for the retention and protection of trees adjoining boundaries. This is important as they provide screening, filtering of noise and pollution, shelter and shade, filtering of carbon monoxide, shelter and home for native fauna and landscape amenity.

It is considered that the benefits the trees provide can be continued through the retention of some trees adjoining boundaries complimented with the replanting of new trees, shrubs and ground covers as part of final landscape works. This course of action will ensure the continued function that trees provide.

4. RECOMMENDATIONS

- Any trees to be considered for retention are to be assessed utilising the Australian Standard AS 4970-2009 "Protection of trees on development sites" as a guide.
- That a detailed Tree Impact Assessment be undertaken for any future Development encompassing the above recommendations.
- That preference be given towards the replanting of locally indigenous species as the prominent canopy tree planting.
- That preference be given towards the retention of trees adjoining boundaries capable of continued long term growth.
- All dead, weed species and declining trees should be removed,
- All tree removal works be undertaken by a qualified Arborist with appropriate competencies recognised within the Australian Qualification Framework, with a minimum of 5 years of continual experience within the industry of operational amenity arboriculture, and covered by appropriate and current types of insurance to undertake such works and in accordance with Work Cover NSW 2007, Code of Practice Tree.



Peter Richards
Tree & Landscape Consultants

Tree Management Statement – 42-58 Old South Head Road Vaucluse, NSW 2023