



New South Wales

# **Woollahra Local Environmental Plan 2014 (Amendment No 38)**

under the

**Environmental Planning and Assessment Act 1979**

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

**LAURA LOCKE**

As delegate for the Minister for Planning and Public Spaces

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### **1 Name of plan**

This plan is *Woollahra Local Environmental Plan 2014 (Amendment No 38)*.

### **2 Commencement**

This plan commences on the day on which it is published on the NSW legislation website.

### **3 Land to which plan applies**

This plan applies to land identified as “Area 1” on the Key Sites Map under *Woollahra Local Environmental Plan 2014*.

## **Schedule 1      Amendment of Woollahra Local Environmental Plan 2014**

### **[1] Part 6 Additional local provisions**

Insert at the end of the part, with appropriate clause numbering—

#### **Development on land at 136–148 New South Head Road, Edgecliff**

- (1) The objectives of this clause are as follows—
  - (a) to allow higher density development on certain land in Edgecliff,
  - (b) to ensure the development reflects the desired character of the area and exhibits design excellence,
  - (c) to provide for non-residential floor space and diverse housing.
- (2) This clause applies to land identified as “Area 1” on the Key Sites Map.
- (3) A building resulting from development on land to which this clause applies may have a floor space ratio of up to 5:1 and a building height of up to 46m if the consent authority is satisfied of the following—
  - (a) all lots comprising the land are consolidated into a single lot (the *consolidated lot*),
  - (b) development on the consolidated lot will be the result of a single development application,
  - (c) there will be no vehicular access between New South Head Road and the consolidated lot,
  - (d) the non-residential floor space ratio of the building will be at least 1:1 and no more than 2:1.
- (4) Subclause (3) applies only if a development control plan that provides for the following matters has been prepared for the land—
  - (a) building envelopes and built form controls, including storeys and setbacks and provision for a podium and tower,
  - (b) a mix of apartment types, including the number of bedrooms in each apartment,
  - (c) conservation of heritage items on the consolidated lot,
  - (d) appropriate car parking and vehicle access arrangements.
- (5) Despite subclause (4), a development control plan is not required if the consent authority is satisfied that—
  - (a) the preparation of a plan is unreasonable or unnecessary in the circumstances, or
  - (b) the development—
    - (i) involves only alterations or additions to an existing building, and
    - (ii) does not significantly increase the height or gross floor area of the building, and
    - (iii) does not have significant adverse impacts on an adjoining building or the public domain, and
    - (iv) does not significantly alter an aspect of the building when viewed from a public place.
- (6) Development consent must not be granted to development on land to which this clause applies unless—

- (a) a design review panel has reviewed the development, and
  - (b) the consent authority considers the advice of the design review panel, and
  - (c) the consent authority is satisfied the development exhibits design excellence.
- (7) In deciding whether the development exhibits design excellence, the consent authority must consider the following—
- (a) whether a high standard of architectural design, materials and detailing appropriate to the building type and location will be achieved,
  - (b) whether the form and external appearance of the development will improve the quality and amenity of the public domain,
  - (c) the relationship of the development with other existing or proposed development on the same site or on neighbouring sites in terms of separation, setbacks, amenity and urban form,
  - (d) whether the building resulting from the development will incorporate sustainable design principles, including in relation to the following—
    - (i) sunlight,
    - (ii) natural ventilation,
    - (iii) wind,
    - (iv) reflectivity,
    - (v) visual and acoustic privacy,
    - (vi) safety and security,
    - (vii) resource, energy and water efficiency,
  - (e) whether the proposed development will detrimentally impact the following—
    - (i) view corridors and landmarks,
    - (ii) pedestrian, cycle, vehicular and service access,
    - (iii) circulation requirements, including the permeability of the pedestrian network,
  - (f) the impact of the development on the public domain,
  - (g) whether there are appropriate interfaces at ground level between the buildings and the public domain,
  - (h) whether the development will include a mix of retail, commercial and residential uses.
- (8) In this clause—
- design review panel*** means a panel of 2 or more persons established by the consent authority.
- non-residential floor space*** means the total gross floor area of all buildings on the consolidated lot used for purposes other than residential accommodation.

## [2] Dictionary

Insert in alphabetical order—

***Key Sites Map*** means the Woollahra Local Environmental Plan 2014 Key Sites Map.