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
Woollahra Local Environmental Plan 2014 (Amendment No 38) 
under the
Environmental Planning and Assessment Act 1979

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.


Insert in alphabetical order—

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