



# Environmental Planning Committee

Monday 5 February 2024  
6.30pm

## Agenda



## Environmental Planning Committee (EPC)

Woollahra Council will be holding Committee meetings (i.e. Environmental Planning (EP), Finance, Community & Services (FC&S) and Strategic & Corporate (S&C) with The Mayor, Councillors and staff will be participating in person. Members of the public are invited to attend the Committee meeting in person or watch and/or listen to meetings live (via Council's website).

A copy of the Agenda is available on Council's website:

[https://www.woollahra.nsw.gov.au/council/meetings\\_and\\_committees/committees/environmental\\_planning\\_committee\\_ep/ep\\_agendas\\_and\\_minutes](https://www.woollahra.nsw.gov.au/council/meetings_and_committees/committees/environmental_planning_committee_ep/ep_agendas_and_minutes)

To register to address the Committee, please email your name, phone number and Item number to [records@woollahra.nsw.gov.au](mailto:records@woollahra.nsw.gov.au) by **10.00am on the day of the meeting**, indicating if you will be attending in person or wish to address the meeting via teleconferencing technology. Please note, instructions on how to join the meeting will be forwarded to person who have pre-registered to make a submission/address the Committee, via email on the day of the meeting via email.

Late correspondence may be submitted for consideration by the Committee. All late correspondence must be received by 10.00am on the day before the meeting. Late correspondence is to be emailed to [records@woollahra.nsw.gov.au](mailto:records@woollahra.nsw.gov.au)

Minutes of the Environmental Planning Committee (EP) will be posted to Council's website once finalised.

If you are experiencing any issues please call Council's Governance department on (02) 9391 7001.

The audio recording and late correspondence consider at the meeting will be uploaded to Council's website by 5.00pm on the next business day.

### Outline of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee Members and/or Staff to present apologies and/or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will invite member(s) of the public who registered to speak to address the Committee.
- Members of the public who have registered to address the Committee, will be allowed four (4) minutes in which to address the Committee. One (1) warning bell will be rung at the conclusion of three (3) minutes and two (2) warning bells rung at the conclusion of four (4) minutes. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (e.g. applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allocated four (4) minutes, the speaker will take no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

### Disclaimer:

Councillors, staff and members of the public are advised that meeting are being lived streamed, accessible via a link from Council's website.

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

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

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

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

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### Recommendation **only** to the Full Council ("R" Items):

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Broad strategic planning matters including those initiated at State and Federal Government level.
- Urban design studies.
- Planning proposals and local environment plans.
- Development control plans and guidelines.
- Development contribution plans.
- Heritage conservation studies, assessments and controls.
- Commercial centres' studies.
- Residential studies and strategies.
- Parks and Reserves Plans of Management (Strategies, Policies and Objectives).
- Flood Management Strategies.
- Recreation Policies and Strategies.
- Sustainability Policies and Strategies.
- Transport Strategies.
- Tree Policies and Strategies.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters requiring supplementary votes to Budget.
- Matters not within the specified functions of the Committee.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes

### Delegated Authority to be determined at Committee level ("D" Items):

- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agendas (and as may be limited by specific Council resolutions).
- Confirmation of the Minutes of its Meetings.
- Statutory reviews of Council's Delivery Program and Operational Plan
- Any other matter falling within the responsibility of the Environmental Planning Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above.

**Environmental Planning Committee Membership:** 7 Councillors

**Quorum:** The quorum for Committee meeting is 4 Councillors



# Woollahra Municipal Council

## Notice of Meeting

1 February 2024

To: His Worship the Mayor, Councillor Richard Shields ex-officio  
Councillors      Sean Carmichael      (Chair)  
                     Sarah Swan              (Deputy Chair)  
                     Lucinda Regan  
                     Matthew Robertson  
                     Isabelle Shapiro  
                     Merrill Witt  
                     Susan Wynne

Dear Councillors,

### Environmental Planning Committee – 5 February 2024

In accordance with the provisions of the Local Government Act 1993, I request your attendance at Council's **Environmental Planning Committee** meeting to be held in the **Thornton Room (Committee Room)**, 536 New South Head Road, Double Bay, on **Monday 5 February 2024 at 6.30pm**.

Members of the Public may:

- Register to address the meeting (via Zoom or in Person) by completing the relevant form available on Council's website:  
[https://www.woollahra.nsw.gov.au/council/meetings\\_and\\_committees/having\\_your\\_say\\_at\\_meetings](https://www.woollahra.nsw.gov.au/council/meetings_and_committees/having_your_say_at_meetings) and email the completed form to [records@woollahra.nsw.gov.au](mailto:records@woollahra.nsw.gov.au) **by 10.00am on the day of the meeting**.
- Submit late correspondence for consideration by Councillors by emailing [records@woollahra.nsw.gov.au](mailto:records@woollahra.nsw.gov.au) **by 10.00am on the day of the meeting**.

Watch and listen to the meeting live via Council's website:

[https://www.woollahra.nsw.gov.au/council/meetings\\_and\\_committees/committees/environmental\\_planning\\_committee\\_ep/ep\\_agendas\\_and\\_minutes](https://www.woollahra.nsw.gov.au/council/meetings_and_committees/committees/environmental_planning_committee_ep/ep_agendas_and_minutes)

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

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

Regards,

Craig Swift-McNair  
General Manager



# Environmental Planning Committee

## Agenda

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<b>Item No:</b>	D1 Delegated to Committee
<b>Subject:</b>	<b>CONFIRMATION OF MINUTES OF MEETING HELD ON 4 DECEMBER 2023</b>
<b>Author:</b>	Sue O'Connor, Governance Officer
<b>File No:</b>	23/224488
<b>Purpose of the Report:</b>	The Minutes of the Environmental Planning Committee of 4 December 2023 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.
<b>Alignment to Delivery Program:</b>	Strategy 11.3: Ensure effective and efficient governance and risk management.

**Recommendation:**

THAT the Minutes of the Environmental Planning Committee Meeting of 4 December 2023 be taken as read and confirmed.

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**Executive Summary:**

This report presents the Environmental Planning Committee Minutes of 4 December 2023 for confirmation by the Environmental Planning Committee.

The minutes of the meeting are presented as **Attachment 1** for adoption by the Environmental Planning Committee.

**Options:**

Submission of minutes to the Environmental Planning Committee is a procedural matter for the adoption of the minutes.

**Community Engagement and / or Internal Consultation:**

No internal or external consultation has taken place in the preparation of this report.

**Policy Implications:**

There are no direct policy implications as a result of this report.

**Financial Implications:**

There are no direct financial implications as a result of this report.

**Resourcing Implications:**

There are no direct resourcing implications as a result of this report.

**Conclusion:**

The minutes are presented for confirmation by the Environmental Planning Committee.

**Attachments**

1. Unconfirmed EP Minutes - 4 December 2023  



# Environmental Planning Committee

Monday 4 December 2023  
6.30pm

## Minutes

Unconfirmed



Woollahra Municipal Council  
Environmental Planning Committee Minutes

4 December 2023

**Environmental Planning Committee  
Minutes**

**Monday 4 December 2023**

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Unconfirmed

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4 December 2023

## Environmental Planning Committee

### Minutes of the Meeting held on 4 December 2023 at 6.30pm.

Present: His Worship the Mayor, Councillor Richard Shields ex-officio

Councillors: Sean Carmichael (Chair)  
Sarah Swan  
Lucinda Regan  
Matthew Robertson (via Zoom) (joined during Item R1 at 6.48pm)  
Isabelle Shapiro (via Zoom)  
Merrill Witt

Staff: Paul Fraser (Manager – Open Space & Trees)  
Micaela Hopkins (Team Leader – Environment & Sustainability)  
Wai Wai Liang (Strategic Planner)  
Carolyn Nurmi (Governance Officer)  
Sue O'Connor (Governance Officer)  
Scott Pedder (Director – Planning & Place)  
Andrew Simpson (Team Leader – Tree Department)  
Lyle Tamlyn (Acting Team Leader – Strategic Planning)  
Kristy Wellfare (Acting Team Leader – Heritage)  
Anne White (Manager – Strategic Planning & Place)

Also in Attendance: Roy Lumby (Consultant) (via Zoom)

## 1. Opening

The Chair declared the Environmental Planning Committee of 4 December 2023 open and welcomed Councillors, staff and members of the public who are watching and listening to this evenings meeting.

## 2. Acknowledgement of Country (Gadigal People and Birrabirragal People)

The Chair read the following Acknowledgement of Country:

*I would like to acknowledge that we are here today on the land of the Gadigal and Birrabirragal people, the traditional custodians of the land. On behalf of Woollahra Council, I acknowledge Aboriginal or Torres Strait Islander people attending today and I pay my respects to Elders past, present and emerging.*

## 3. Acknowledgement of the Sovereign of the Day (King Charles III)

The Chair read the following Acknowledgement of the Sovereign of the Day (King Charles III):

*I also acknowledge King of Australia, King Charles III.*

## 4. Apologies and Applications for Leave of Absence or Attendance by Audio-Visual Link by Councillors

An apology was received and accepted from Councillor Wynne and leave of absence granted.

**General** 4.1 Audio-Visual Link

**(Regan/Witt)**

**Resolved:**

THAT in accordance with clause 5.23 of Council's Code of Meeting Practice, Council approves the following Councillors participation in the Environmental Planning Committee of 4 December 2023 via Audio-Visual Link:

- Councillor Robertson
- Isabelle Shapiro

*Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.*

### **For the Motion**

Councillor Carmichael  
Councillor Regan  
Councillor Shapiro  
Councillor Shields  
Councillor Witt

**5/0**

### **Against the Motion**

Nil

## **5. Late Correspondence**

Late correspondence was submitted in relation to Item R2

## **6. Disclosures of Interest**

Councillor Shapiro declared a Non-Significant, Non-Pecuniary Interest in Item R1 (Post Exhibition Report for Draft DCP (Amendment No. 25) - Controls for Gas Appliances and Solar Energy Systems), as Councillor Shapiro knows the speaker, Janet Barlow who is a member of the Liberal Party. Councillor Shapiro remained in the meeting debated and voted on the matter.

Councillor Carmichael declared a Non-Significant, Non-Pecuniary Interest in Item R1 (Post Exhibition Report for Draft DCP (Amendment No. 25) - Controls for Gas Appliances and Solar Energy Systems), as Councillor Carmichael knows the speaker, Janet Barlow who is a member of the Liberal Party. Councillor Carmichael remained in the meeting debated and voted on the matter.

Councillor Swan declared a Non-Significant, Non-Pecuniary Interest in Item R1 (Post Exhibition Report for Draft DCP (Amendment No. 25) - Controls for Gas Appliances and Solar Energy Systems), as Councillor Swan knows the speaker Janet Barlow who is a member of the Liberal Party. Councillor Swan remained in the meeting debated and voted on the matter.

Councillor Robertson declared a Non-Significant, Non-Pecuniary Interest in Item R1 (Post Exhibition Report for Draft DCP (Amendment No. 25) - Controls for Gas Appliances and Solar Energy Systems), as Councillor Robertson knows Donald White & David Howarth both people are members of the Woollahra Greens Party and were named in the submissions. Councillor Robertson remained in the meeting debated and voted on the matter.

Woollahra Municipal Council  
Environmental Planning Committee Minutes

4 December 2023

**Items to be Decided by this Committee using its Delegated Authority**

**Item No:** D1 Delegated to Committee  
**Subject:** **CONFIRMATION OF MINUTES OF MEETING HELD ON 6 NOVEMBER 2023**  
**Author:** Sue O'Connor, Governance Officer  
**File No:** 23/219317  
**Purpose of the Report:** The Minutes of the Environmental Planning Committee of 6 November 2023 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.  
**Alignment to Delivery Program:** Strategy 11.3: Ensure effective and efficient governance and risk management.

(Shields/Witt)

**Resolved:**

THAT the Minutes of the Environmental Planning Committee Meeting of 6 November 2023 be taken as read and confirmed.

*Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.*

**For the Motion**

Councillor Carmichael  
Councillor Regan  
Councillor Shapiro  
Councillor Shields  
Councillor Swan  
Councillor Witt

**Against the Motion**

Nil

6/0

**Items to be Submitted to the Council for Decision with Recommendations from this Committee**

**Item No:** R1 Recommendation to Council  
**Subject:** **POST EXHIBITION REPORT FOR DRAFT DCP (AMENDMENT NO. 25) - CONTROLS FOR GAS APPLIANCES AND SOLAR ENERGY SYSTEMS**  
**Authors:** Wai Wai Liang, Strategic Planner  
Lyle Tamlyn, Acting Team Leader Strategic Planning  
Tristan Ryan, Senior Strategic Heritage Officer  
Mitchell Kirsch, Sustainability Projects Officer  
Micaela Hopkins, Team Leader Environment & Sustainability  
**Approvers:** Anne White, Manager Strategic Planning & Place  
Scott Pedder, Director Planning & Place  
**File No:** 23/213215  
**Purpose of the Report:** To report on the public exhibition of Draft Woollahra Development Control Plan 2015 (Amendment 25) on proposed controls for gas appliances and amended controls for solar energy systems, and to seek Council's approval for finalisation.  
**Alignment to Delivery Program:** Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

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- Note:** Councillor Shapiro declared a Non-Significant, Non-Pecuniary Interest in this Item, as Councillor Shapiro knows the speaker, Janet Barlow who is a member of the Liberal Party. Councillor Shapiro remained in the meeting debated and voted on the matter.
- Note:** Councillor Carmichael declared a Non-Significant, Non-Pecuniary Interest in this Item, as Councillor Carmichael knows the speaker, Janet Barlow who is a member of the Liberal Party. Councillor Carmichael remained in the meeting debated and voted on the matter.
- Note:** Councillor Swan declared a Non-Significant, Non-Pecuniary Interest in this Item, as Councillor Swan knows the speaker Janet Barlow who is a member of the Liberal Party. Councillor Swan remained in the meeting debated and voted on the matter.
- Note:** Councillor Robertson declared a Non-Significant, Non-Pecuniary Interest in this Item, as Councillor Robertson knows Donald White & David Howarth both people are members of the Woollahra Greens Party and were named in the submissions. Councillor Robertson remained in the meeting debated and voted on the matter.
- Note:** Janet Barlow, addressed the Committee.

**Motion Moved by Councillor Regan  
Seconded by Councillor Witt**

- A. Note the post exhibition report on *Draft Woollahra Development Control Plan 2015 (Amendment 25)* on proposed controls for gas appliances and amended controls for solar energy systems.
- B. Approve *Draft Woollahra Development Control Plan 2015 (Amendment 25)* at **Attachment 1** of the report to the Environmental Planning Committee of 4 December 2023.

**Amendment moved by Councillor Shapiro  
Seconded by Councillor Shields**

THAT Council:

- A. Note the post exhibition report on *Draft Woollahra Development Control Plan 2015 (Amendment 25)* on proposed controls for gas appliances and amended controls for solar energy systems.
- B. Approve the *Draft Woollahra Development Control Plan 2015 (Amendment 25)* at **Attachment 1** of the report to the Environmental Planning Committee of 4 December 2023, subject to only approving the amendments relating to solar energy systems and deleting any amendments to controls relating to indoor gas appliances.

**The Amendment was put and carried  
The Amendment became the Motion**

**The Motion was put and carried**

**(Shapiro/Shields)**

**Recommendation:**

THAT Council:



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- A. Note the post exhibition report on *Draft Woollahra Development Control Plan 2015 (Amendment 25)* on proposed controls for gas appliances and amended controls for solar energy systems.
- B. Approve the *Draft Woollahra Development Control Plan 2015 (Amendment 25)* at **Attachment 1** of the report to the Environmental Planning Committee of 4 December 2023, subject to only approving the amendments relating to solar energy systems and deleting any amendments to controls relating to indoor gas appliances.

*Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.*

**For the Motion**

Councillor Carmichael  
Councillor Shapiro  
Councillor Shields  
Councillor Swan

**Against the Motion**

Councillor Regan  
Councillor Robertson  
Councillor Witt

**4/3**

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**Item No:** R2 Recommendation to Council  
**Subject:** **POST EXHIBITION REPORT - PLANNING PROPOSAL TO LIST LAPIN HOUSE AS A LOCAL HERITAGE ITEM**  
**Authors:** Tristan Ryan, Senior Strategic Heritage Officer  
Kristy Welfare, Acting Team Leader Heritage  
**Approvers:** Anne White, Manager Strategic Planning & Place  
Scott Pedder, Director Planning & Place  
**File No:** 23/205936  
**Purpose of the Report:** To report on the public exhibition of the planning proposal to list Lapin House at 2C Dumaresq Road, Rose Bay as a local heritage item.  
**Alignment to Delivery Program:** Strategy 4.2: Conserving our rich and diverse heritage.

**Note:** Late correspondence was tabled by Tristian Ryan, Council's Senior Strategic Officer.

**(Robertson/Witt)**

**Recommendation:**

THAT Council:

- A. Finalise the planning proposal at **Attachment 1** of the report to the Environmental Planning Committee of 4 December 2023 to list "*Lapin House*" – *house and interiors* at 2C Dumaresq Road, Rose Bay (Lot A DP 33652) as a local heritage item in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014.
- B. Make the local environmental plan under section 3.36(2) of the Environmental Planning and Assessment Act 1979.

*Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.*

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**For the Motion**

Councillor Carmichael  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Swan  
Councillor Witt

7/0

**Against the Motion**

Nil

**Item No:** R3 Recommendation to Council  
**Subject:** **POST-EXHIBITION REPORT - DRAFT PUBLICLY OWNED FIG TREE MANAGEMENT PLAN**  
**Author:** Andrew Simpson, Team Leader - Tree Department  
**Approvers:** Paul Fraser, Manager Open Space & Trees  
Tom O'Hanlon, Director Infrastructure & Sustainability  
**File No:** 23/192360  
**Purpose of the Report:** To consider public exhibition submissions and adopt the draft Fig Tree Management Plan.  
**Alignment to Delivery Program:** Strategy 7.1: Protect and maintain trees, streetscapes, natural landscapes and biodiversity including the protection and restoration of bushland areas.

(Regan/Shapiro)

**Recommendation:**

THAT Council:

- A. Notes the public exhibition process that was undertaken and the submissions received on the draft Fig Tree Management Plan.
- B. Adopt the proposed Management Plan for publicly owned Fig trees, which includes an amendment to Council's Tree Management Policy.

*Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.*

**For the Motion**

Councillor Carmichael  
Councillor Regan  
Councillor Robertson  
Councillor Shapiro  
Councillor Shields  
Councillor Swan  
Councillor Witt

7/0

**Against the Motion**

Nil

There being no further business the meeting concluded at 7.11pm.

**We certify that the pages numbered 930 to 937 inclusive are the Minutes of the Environmental Planning Committee Meeting held on 4 December 2023 and confirmed by the Environmental Planning Committee on 5 February 2024 as correct.**

Chairperson

Secretary of Committee

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**Item No:** R1 Recommendation to Council  
**Subject:** **POST EXHIBITION REPORT - PLANNING PROPOSAL FOR 136 - 148 NEW SOUTH HEAD ROAD, EDGECLIFF**  
**Authors:** Wai Wai Liang, Strategic Planner  
Chinmayi Holla, Strategic Planner  
Lyle Tamlyn, Acting Team Leader Strategic Planning  
**Approvers:** Anne White, Manager Strategic Planning & Place  
Scott Pedder, Director Planning & Place  
**File No:** 23/200934  
**Purpose of the Report:** To report on the public exhibition of the planning proposal for 136 – 148 New South Head Road, Edgecliff  
**Alignment to Delivery Program:** Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

**Recommendation:**

THAT Council:

- A. Notes the matters raised during the public exhibition of the planning proposal for 136-148 New South Head Road, Edgecliff.
- B. Forwards the submissions, post exhibition report and amended planning proposal for 136-148 New South Head Road to the Department of Planning, Housing and Infrastructure as the local plan-making authority, with a request that the Minister (or delegate) makes the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

---

**Executive Summary:**

The purpose of this report is to provide information on the public exhibition of the planning proposal for 136-148 New South Head Road, Edgecliff. The planning proposal seeks to amend the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) to introduce a local provision that allows an alternative maximum building height and floor space ratio (FSR) on the site if certain requirements are met.

The existing maximum building height and FSR controls are 14.5m and 1.5:1 respectively. The proposed alternative controls of 46m and 5:1 are proposed to be enabled by a site specific clause in the Woollahra LEP 2014. A concept design was provided with the planning proposal which indicates a 12 storey mixed use building could be accommodated within the proposed amended controls. The applicant has indicated that this would facilitate 41 apartments and 2,851m<sup>2</sup> of non-residential floor space.

On 21 April 2023, a Gateway determination was issued by the then Department of Planning & Environment (DPE), recommending that the planning proposal proceed. Having considered the issues raised in the Gateway conditions, amendments were sought by Council staff. These amendments were supported, and a Gateway alteration was issued on 11 September 2023.

The planning proposal and supporting material were placed on public exhibition for 41 days. During this period, Council received 76 submissions. Staff have considered the issues raised in submissions, and recommend that Council requests the Minister to make the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979* (EP&A Act).

The associated voluntary planning agreement (VPA) was exhibited concurrently, and a post exhibition summary is subject to a separate report on the agenda for the Environmental Planning Committee (EPC) of 5 February 2024.

## Discussion:

The site at 136-148 New South Head Road, Edgecliff is located in the Edgecliff Commercial Centre (ECC), on the northern side of New South Head Road and is zoned MU1 Mixed Use zone under the Woollahra LEP 2014. A 3D image of the subject site is shown in **Figure 1** below.



Figure 1: 3D view of site (highlighted in red) from the west (source: Woollahra Council Maps).

The subject site is in the area covered by the *Draft Edgecliff Commercial Centre Planning and Urban Design Strategy* (Edgecliff Strategy). Council exhibited the Edgecliff Strategy from 31 May to 30 September 2021. At the time, the subject site was not identified for uplift in the Edgecliff Strategy due to the lots being under different ownerships and vehicle access not being available to all four properties. Since the Edgecliff Strategy was prepared, the subject site has been brought into a single ownership and vehicle access can be obtained to the whole site from Darling Point Road.

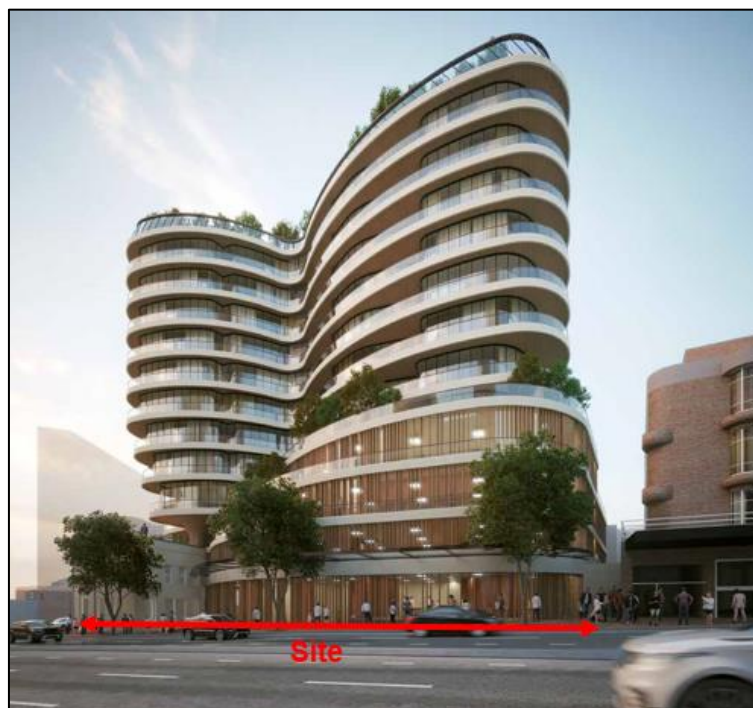


Figure 2: Indicative Concept Design for 136-148 New South Head Road (Source: Group GSA)

On 13 October 2021, a planning proposal was lodged by Edgecliff Central Pty Ltd. The planning proposal seeks to amend the Woollahra LEP 2014 as follows:

- Increase the maximum height of buildings control from 14.5m to 46m; and
- Increase the maximum FSR control from 1.5:1 to 5:1.

The objective of the planning proposal is to increase the development potential of the subject site to facilitate a 12 storey mixed use building. An indicative design was submitted with the planning proposal, which shows what could be built under the proposed controls (see **Figure 2**). The applicant has indicated that this would facilitate 41 apartments and 2,851m<sup>2</sup> of non-residential floor space.

The planning proposal was referred to the Woollahra Local Planning Panel (LPP) on 22 April 2022 where they provided the following advice:

- A. *THAT the Woollahra Local Planning Panel advises Council that the planning proposal for 136-148 New South Head Road, Edgecliff does not have sufficient strategic or site specific merit to proceed as a stand-alone planning proposal, and that it should be incorporated into the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy.*
- B. *THAT should Council resolve that the planning proposal for 136-148 New South Head Road, Edgecliff should proceed to a Gateway determination, the Woollahra Local Planning Panel advises Council that:*
  - I. *It does not support the site specific amendments to increase the Height of Buildings to 46m and the Floor Space Ratio to 5:1 without further urban design and traffic analysis including:*
    - a. *whether the 46m height standard is beyond what is required to accommodate a 12 storey building; and*
    - b. *defining in a draft Development Control Plan a building envelope that does not exceed a Floor Space Ratio of 5:1 and is in the form of a podium with tower.*
    - c. *the cumulative traffic and transport implications of the proposal and measures that are to be undertaken to mitigate impacts e.g. reduced car parking provision.*
  - II. *The planning proposal should provide for a site specific clause to be included in the Woollahra Local Environmental Plan 2014 which would increase the maximum height of buildings and the maximum Floor Space Ratio, but only if certain matters are satisfied. These matters should include, but not be limited to:*
    - a. *Site amalgamation.*
    - b. *Retention and conservation of the Heritage Item in a manner which retains the scale of the building and ensures that the item is not overwhelmed by the proposed new building.*
    - c. *Specifying a minimum quantum of non-residential Floor Space Ratio*
    - d. *Provision of Affordable Housing consistent with Council's adopted policy.*
    - e. *Design Excellence and commitments to sustainability beyond those required by BASIX.*
  - III. *Any planning agreement proposed by the applicant is to be prepared in accordance with the adopted Woollahra Voluntary Planning Agreement Policy 2020.*
  - IV. *Should a Gateway determination be received, the planning proposal, site-specific draft development control plan and any draft Planning Agreement be publicly exhibited concurrently.*

We note that the Woollahra LPP provided the following reasons for its decision:

*The Panel has considered the planning proposal, and advises Council that it is premature to proceed at this stage to Gateway prior to the adoption of the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy (ECC Strategy). In particular, there remain a number of unresolved strategic issues in relation to the capacity of the surrounding road network and the status of the road reservation planning proposal, the provision of community infrastructure upgrades, and the overall bulk and form of the Centre. The benefit of providing 35 net new dwellings does not provide sufficient justification to proceed, prior to the ECC Strategy being adopted.*

*The Panel advises Council that the planning proposal does not have sufficient site specific merit to proceed as a standalone planning proposal, particularly as it proposes to significantly increase the Height and Floor Space Ratio development standards with no mechanisms within the LEP to ensure the delivery of the benefits proposed in the concept design. These matters include but are not limited to:*

- *Site amalgamation.*
- *Retention and conservation of the Heritage Item in a manner which retains the scale of the building and ensures that the item is not overwhelmed by the proposed new building.*
- *Specifying a minimum quantum of non-residential Floor Space Ratio.*
- *Provision of Affordable Housing consistent with Council's adopted policy.*
- *Design Excellence and commitments to sustainability beyond those required by BASIX.*

On 4 July 2022, the EPC considered a report with the advice of the Woollahra LPP (see **Attachment 4**). Subsequently, on 25 July 2022, Council resolved the following:

- A. *THAT Council note the advice provided by the Woollahra Local Planning Panel on 22 April 2022 regarding the planning proposal for 136-148 New South Head Road, Edgecliff.*
- B. *THAT consistent with the advice from the Woollahra Local Planning Panel, Council resolves to refuse the planning proposal for 136-148 New South Head Road, Edgecliff which seeks to amend the Woollahra Local Environmental Plan 2014 in the following manner:*
  - (i) *Increase the maximum height of buildings development standard from 14.5m to 46m*
  - (ii) *Increase the maximum floor space ratio development standard from 1.5:1 to 5:1.*
- C. *THAT the applicant be notified that Council has refused the planning proposal in accordance with Clause 9 of the Environmental Planning and Assessment Regulation 2021.*
- D. *THAT 136-148 New South Head Road, Edgecliff be incorporated into the post exhibition version of the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy as a potential uplift site.*

In summary, Council resolved not to support the request because it considered that the site-specific and strategic merit were insufficient to support a standalone planning proposal. Consistent with the advice of the Woollahra LPP, Council resolved that any proposed uplift for the site should be incorporated into the Edgecliff Strategy.

#### Rezoning review

In response to Council's decision, a rezoning review was lodged by the applicant. On 18 August 2022, the Sydney Eastern City Planning Panel considered the rezoning review request and recommended that the planning proposal proceed to Gateway. In the *Rezoning Review Record of Decision* (see **Attachment 3**), the Sydney Eastern City Planning Panel stated the following:

*The Panel is satisfied this PP is consistent with the District Plan and the objectives for the revitalisation of the Edgecliff centre by providing an uplift of commercial space and residential in very close proximity to a major bus/rail interchange. In this regard it is also consistent with the LSPS and Local Housing Strategy.*



The Sydney Eastern City Planning Panel required the following to be included in the planning proposal:

- a clause requiring a design excellence competition or equivalent.
- a clause requiring the subject site to be amalgamated to ensure no vehicle access to New South Head Road.
- a clause for maximum number of storeys/ height and Floor Space Ratio
- a draft DCP to be exhibited concurrently with guidelines for future development including massing; number of storeys; sustainability measures; relationship to local heritage item; wind analysis; minimal overshadowing of the public domain, including Trumper Park and plaza areas opposite and the appropriate mix of commercial and residential given characteristics of site.

On 12 September 2022, Council considered a report on the Sydney Eastern City Planning Panel's rezoning review and resolved the following, which includes Council's resolution to accept the role of Planning Proposal Authority (PPA):

A. *THAT Council notes its resolution of 25 July 2022 in the following terms:*

- A *THAT Council note the advice provided by the Woollahra Local Planning Panel on 22 April 2022 regarding the planning proposal for 136-148 New South Head Road, Edgecliff.*
- B *THAT consistent with the advice from the Woollahra Local Planning Panel, Council resolves to refuse the planning proposal for 136-148 New South Head Road, Edgecliff which seeks to amend the Woollahra Local Environmental Plan 2014 in the following manner:*
  - (i) *Increase the maximum height of buildings development standard from 14.5m to 46m.*
  - (ii) *Increase the maximum floor space ratio development standard from 1.5:1 to 5:1.*
- C *THAT the applicant be notified that Council has refused the planning proposal in accordance with Clause 9 of the Environmental Planning and Assessment Regulation 2021.*
- D *THAT 136-148 New South Head Road, Edgecliff be incorporated into the post exhibition version of the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy as a potential uplift site.*

B. *THAT notwithstanding Part A, that Council note on 18 August 2022, the Sydney Eastern City Planning Panel considered a rezoning review and resolved to recommend the planning proposal be progressed to Gateway, which was contradictory to Council's reason for refusal.*

C. *THAT to enable Council's management of the process with a view to ensuring the best outcome for Woollahra residents, Council accepts the role of Planning Proposal Authority for 136-148 New South Head Road, Edgecliff (RR-2022-12) and prepare a planning proposal for the site which seeks to amend the Woollahra Local Environmental Plan 2014 in the following manner:*

- i. *Increase the maximum building height standard from 14.5 to 46m*
- ii. *Increase the maximum floor space ratio from 1.5:1 to 5:1.*

D. *THAT the Council finalise, in consultation with the applicant:*

- a. *An LEP clause requiring:*
  - i. *A design excellence competition or equivalent*
  - ii. *Amalgamation to ensure no vehicle access to New South Head Road*
  - iii. *Maximum number of storeys, height and floor space ratio*
  - iv. *Affordable housing consistent with Council's adopted Affordable Housing Policy*
  - v. *Provision of, or contribution towards, community infrastructure.*

- b. A draft DCP, to be exhibited concurrently, with guidelines for development including:
    - i. Massing and number of storeys*
    - ii. Sustainability measures*
    - iii. Relationship to local heritage item*
    - iv. Wind analysis*
    - v. Minimal overshadowing of public domain, including Trumper Park and plaza areas opposite the site*
    - vi. Appropriate mix of commercial and residential given characteristics of site*
    - vii. Car parking, vehicle access and egress.**
- E. THAT due to an existing road reservation being over the corner part of the site, that Council recommends that the issue of the road reservation is resolved by the applicant with Transport for NSW prior to the making of any LEP.*
- F. THAT any Planning Agreement proposed by the applicant be prepared in accordance with the adopted Woollahra Voluntary Planning Agreement Policy 2020.*
- G. THAT should a Gateway determination be received, the planning proposal, draft development control plan and any draft planning agreement be publicly exhibited.*
- H. THAT the applicant pays the relevant planning proposal fees as identified in Council's adopted Fees and Charges for 2022/2023.*

In response to Parts A, B and C of the above resolution, a letter from Council staff was sent to the DPE on 26 September 2022 to accept the role of PPA. This was followed by a request for a Gateway determination lodged on 28 November 2022.

In accordance with part D, the planning proposal submitted by Council as the PPA contained the following requirements in a site specific Woollahra LEP 2014 clause requiring:

- A design advisory panel to provide advice before the granting of development consent, which was considered an equivalent to a design excellence competition;
- Lot amalgamation and no vehicle access provided to New South Head Road;
- Maximum height (in m) and FSR; and
- The achievement of affordable housing, and provision of community infrastructure.

A maximum height in storeys was not included in the clause, as consultation with the DPE indicated no such requirement would be supported in a Standard Instrument LEP.

The site specific clause can be found on pages 18-20 of **Attachment 1**.

A draft development control plan (DCP) is currently being prepared by Council staff. It was not prepared earlier and exhibited concurrently with the planning proposal, as lengthy Gateway conditions necessitated substantial changes to the exhibition version of the document. During the finalisation process, the now *Department of Planning Housing & Infrastructure* (DPHI) will be responsible for reviewing and endorsing the changes. Any final amendments coming from this could have implications for the draft DCP controls, and accordingly it would have been premature to finalise the draft DCP controls earlier.

The draft DCP will include the following matters in accordance with Part D:

- Massing and number of storeys;
- Sustainability measures;
- Relationship to local heritage item(s);
- Wind analysis;
- Minimal overshadowing of public domain, including Trumper Park and plaza areas opposite the site;
- Appropriate mix of commercial and residential given characteristics of site; and

- Car parking, vehicle access and egress.

The draft DCP will be reported to a future meeting of Council prior to public exhibition.

In response to Part E, this issue has been resolved. The road reservation is no longer proposed for removal, and this is satisfactory to both the applicant and Transport for NSW (TfNSW) (see **Tables 4 & 5** below).

In response to Part F & G, a VPA has been prepared. The VPA was exhibited concurrently with the planning proposal. Furthermore, all fees have been paid as per Part H.

#### Gateway determination

On 21 April 2023, the then DPE issued a Gateway determination (see **Attachment 2**). The Gateway determination included conditions which requested, amongst other matters, that Council staff revise the planning proposal prior to exhibition. **Table 1** below shows each of these conditions, and a response from staff.

**Table 1: Summary of original Gateway conditions**

<b>Condition</b>	<b>Council staff response</b>
<i>a) Provide a plain-English explanation of the planning proposal that covers all aspects of the site-specific provision. An updated draft clause may be provided with an advisory note that it is an example only and will be subject to legal drafting by Parliamentary Counsel, should the proposal progress to finalisation.</i>	Council staff amended the planning proposal accordingly.
<i>b) Clarify that the proposal seeks to introduce a local provision that allows alternative maximum height of buildings and floor space ratio (FSR) if certain requirements are met, as such the existing maximum height of buildings and FSR controls will remain in the LEP as base controls.</i>	Council staff amended the planning proposal accordingly.
<i>c) Remove reference to “urban design and planning strategy and public domain plan” as a matter of consideration from the design excellence provision.</i>	Council staff amended the planning proposal accordingly.
<i>d) Remove all references to community infrastructure and affordable housing requirements (which include the recoupment of cost of provision) from the proposal.</i>	Staff expressed Council's opposition to this condition, as such references provided increased security for the capture of public benefits. However, upon receiving further advice, we were satisfied that the VPA could be successfully progressed and finalised concurrently with the planning proposal.
<i>e) Remove the site-specific heritage conservation requirement as this is already addressed via Clause 5.10 Heritage conservation of the Standard Instrument LEP.</i>	Council staff amended the planning proposal accordingly.
<i>f) Amend the proposed minimum non-residential floor space ratio from 3:1 to 1.6:1; and remove the proposed maximum non-residential FSR of 3.5:1. Provide an economic analysis to test the feasibility of a minimum nonresidential FSR of 1.6:1 or a higher quantum that takes into consideration the growth scenarios in the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy.</i>	<p>Council staff opposed this condition and raised concerns with the DPE. The removal of a maximum value for non-residential floor space would have the capacity to facilitate a fully commercial building on the site. This would fundamentally undermine the strategic merit of the planning proposal by not delivering residential accommodation.</p> <p>Council staff then liaised with the applicant and mutually agreed to support a non-residential FSR of 1:1 and a maximum of 2:1.</p>

Condition	Council staff response
	<p>The minimum non-residential FSR is consistent with the permissible uses in the subject MU1 zone, which generally facilitates residential development in the form of shop top housing. A maximum non-residential FSR of 2:1 would facilitate the indicative development concept scheme submitted with the planning proposal.</p> <p>A Gateway alteration was sought, and later received. It amended the condition accordingly (as shown in <b>Attachment 2</b>).</p>
<i>g) Amend the proposed alternative height of buildings control from 42m to 46m, subject to further design testing of the floor-to-floor heights currently shown in the indicative concept scheme against the floor-to-ceiling heights provisions of the Apartment Design Guide, the requirements of the National Construction Code and the outcomes of the economic testing outlined in item f) above.</i>	Council staff commissioned further urban design testing of the building height control. It found that 46m was appropriate for the site, particularly when having regard to the desired mix of uses. Accordingly, the planning proposal was amended by staff.
<i>h) Outline the matters to be addressed in the site-specific Development Control Plan.</i>	Council staff amended the planning proposal to address the matters that should be raised in the site-specific DCP.
<i>i) Clarify Council's intent to establish a "design review panel" or "design advisory panel" to ensure design excellence is achieved for future development and utilise consistent terminology throughout the document.</i>	Council staff amended the planning proposal to include further information on the design advisory panel.
<i>j) Replace existing reference to "business" zones (i.e. "B" zones) with the new employment zones (i.e. "E" and "MU" zones) as a result of the Department's Employment Zones Reform work.</i>	Council staff amended the planning proposal accordingly.
<i>k) Include extracts of relevant existing LEP maps that apply to the site, including Land Zoning, Floor Space Ratio, Height of Buildings, Heritage and Land Acquisition Reservation maps.</i>	Council staff amended the planning proposal accordingly.
<i>l) Explain the reasons for identifying the site on a new Key Sites Map; or alternatively, remove any reference to such a map if it is not required.</i>	<p>The planning proposal was amended to include a justification for identifying the site on a Key Sites Map.</p> <p>This map is commonly used in Standard Instrument to identify parcels of land that are subject to site specific provisions.</p>
<i>m) Include commentary that addresses the relevant provisions of the Woollahra Local Housing Strategy and relevant requirements of the Department's approval of the Strategy.</i>	Council staff amended the planning proposal to include relevant information.
<i>n) Confirm whether the site is identified as "flood-prone land" as defined in the NSW Floodplain Development Manual 2005 when addressing section 9.1 Direction – 4.1 Flooding.</i>	Council staff amended the planning proposal accordingly, indicating the site was not on flood prone land.
<i>o) Provide an updated discussion to demonstrate that the inconsistency with section 9.1 Direction 1.4 – Site Specific Provisions is justified in accordance with the terms of the direction.</i>	Council staff amended the planning proposal accordingly.
<i>p) Provide written explanation of the potential overshadowing impacts on the property at 160 New South Head Road to supplement the "sun-eye diagrams" in the concept scheme; and include additional shadow analysis relating to the proposed built forms and public plaza areas on the southern side of New South Head Road under the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy.</i>	An additional written explanation was included in the planning proposal. An additional overshadowing analysis was also supplied by the applicant and deemed sufficient. All of these documents were available for review as part of the exhibition period.

Condition	Council staff response
q) Confirm the location of the apartments within 235-287 New South Head Road (known as "Eastpoint tower") to which the view sharing modelling in the concept scheme relates to.	The Staff Assessment included information on units that may be affected by the proposal, specifically addressing those in 'Eastpoint', 'Oceanpoint' and 'Ranelagh'. Each of these buildings is represented in the same way in the applicant's supporting documentation. Accordingly, the submitted information already responded to the issue raised in this condition and it was unclear why the Eastpoint tower had been singled out.  Staff sought a Gateway alteration and this was supported by the DPE and the condition removed.
r) Update the project timeline in accordance with the requirements of the Gateway determination.	Council staff amended the planning proposal accordingly.

The DPE issued a Gateway alteration on 11 September 2023. The alteration included the following:

1. Delete:  
"Condition 1.f)"  
and replace with:  
a new Condition 1.f):  
"The development is to include a minimum non-residential floor space ratio (FSR) of 1:1 and a maximum non-residential FSR of 2:1."
2. Delete:  
"Condition 1.q)"

**Attachment 2** contains both the Gateway determination and subsequent alteration. We note that the Gateway determination did not identify Council as the local plan-making authority (LPMA).

All conditions of the Gateway determination (as amended by the alteration) have been addressed in the planning proposal, prior to public exhibition.

#### Draft Heritage Study of the ECC

In August 2022, Council staff engaged GML Heritage to undertake a Heritage Study of the ECC and surrounding areas. The study provided information on the historic values of the area and the final draft study recommended the listing of six individual items and one heritage conservation area (HCA). Relevant to the subject site is the proposed draft Brantwood HCA at 164-180 New South Head Road, Edgecliff which comprises five buildings. The five buildings are shown in **Figure 3** below, and it was recommended by GML that these buildings are listed in the Woollahra LEP 2014 as an HCA.



**Figure 3: Location of proposed HCA relative to site (source: Woollahra Maps).**

On 20 October 2023, the Heritage Study and the accompanying planning proposal was reported to the Woollahra LPP for advice. The Woollahra LPP supported the planning proposal with the following advice:

1. *Proceed with the planning proposal to list the following six local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014:*
  - a. *'Gruzman House, including interiors' at 4 and 6–8 Oswald Street, Darling Point (Lot 12, DP 3893 and Lot 3, DP 1197166).*
  - b. *'Winston House, including interiors' at 20 New South Head Road, Edgecliff (SP 20728, SP 31826).*
  - c. *'Portland Hall, including interiors and gardens' at 48 New South Head Road, Edgecliff (Lot 1, DP 82089; Lot 1, DP 1107185; Lot 1, DP 921798).*
  - d. *Victorian Georgian Terrace group – three cottages at 543–547 Glenmore Road, Edgecliff (Lots 34, 35 and 36, DP 255233).*
  - e. *Phoenix Palms in Oswald Street Reserve, Oswald Street, Darling Point (Road Reserve).*
  - f. *The Brantwood Estate group - five residential flat buildings, including interiors and gardens at 164-180 New South Head Road, Edgecliff:*
    - 164 New South Head Road (SP 16897)*
    - 166 New South Head Road (SP 90371)*
    - 168 New South Head Road (SP 11580)*
    - 170 New South Head Road (SP 86720)*
    - 172-180 New South Head Road (SP 10535)*
2. *Also consider adding 26-32 New South Head Road, Edgecliff (SP15051) as an individual heritage item.*
3. *The Heritage Inventory Sheets for each item are to include a general description of the elements of each item that are of significance, where known, and any relationship of the items to any others items.*



The Woollahra LPP provided advice, contrary to the staff recommendation, that the Brantwood Estate be listed as a heritage item group rather than a HCA given the intact nature and inter-relationship of the whole group, the landscaping, and certain interiors. The study and its recommendations are currently being revised by the consultants based on the advice of the Woollahra LPP. The study and planning proposal will be reported to a Council meeting in the first half of 2024. Notwithstanding the advice from the Woollahra LPP, Council staff will be recommending some form of heritage listing for the five properties at 164-180 New South Head Road, Edgecliff

#### Public exhibition

The planning proposal and supporting material were exhibited for 41 days, from Tuesday 26 September 2023 to Sunday 5 November 2023 (inclusive), consistent with the requirements of the EP&A Act, the *Environmental Planning and Assessment Regulation 2021* (the Regulation), the *Woollahra Community Participation Plan 2019*, relevant guidelines, and the conditions of the Gateway determination. Staff note that the supporting material did not include the draft DCP, for reasons previously discussed in this report.

The exhibition included the following:

1. Six notices in the Wentworth Courier newspaper providing details of the exhibition, appearing on 27 September 2023, 4, 11, 18 and 25 October 2023 and 1 November 2023.
2. A public exhibition webpage for the planning proposal and supporting material on *Your Say Woollahra*. This webpage was visited by 394 people during the exhibition period.
3. A notification letter or email was sent to the stakeholders and government agencies, including: the subject property owners, adjoining and nearby property owners; Sydney Water; TfNSW ; Heritage NSW; Ausgrid; and community organisations being the Darling Point Society, Double Bay Residents' Association, Edgecliff Residents' Association and the Paddington Society.

#### Submissions

A total of 76 submissions were received during exhibition. This included 48 submissions in support, 24 in objection and four submissions from the following state agencies: Ausgrid, Heritage NSW, Sydney Water and TfNSW. Heritage NSW, Ausgrid and Sydney Water did not raise any objections at the planning proposal stage. The issues raised by TfNSW are addressed below.

A redacted copy of all the submissions can be viewed at:

<https://yoursay.woollahra.nsw.gov.au/136-148-new-south-head>

under the **Document Library** on the right hand side of the page – **Consultation Feedback**.

The names of the submitters are in **Table 2** below.

**Table 2: List of submitters**

<b>Submissions of support</b>		<b>Submissions of objection</b>
<ul style="list-style-type: none"> <li>Adam Beasley</li> <li>Adam William</li> <li>Alon Mizrahi</li> <li>Andrea Stringer</li> <li>Andrew Silberberg</li> <li>Andrew Stringer</li> <li>Andrew Veron</li> <li>Anthony Halas</li> <li>Ariane Fuchs</li> <li>Ben Stewart</li> <li>Ingham Planning (on behalf of applicant)</li> <li>Brett Levy</li> <li>C &amp; D Bennett</li> <li>Charlotte Vidor</li> <li>Christian McKelvey</li> <li>Debbie Jennens</li> <li>Elizabeth Angus</li> <li>Eva Fischl</li> <li>Fred Macdonald</li> <li>Gary Perlstein</li> <li>Gavin Krawchuk</li> <li>George Bloomfield</li> <li>Greg Cohen</li> <li>Greg Shand</li> </ul>	<ul style="list-style-type: none"> <li>Herman Diego</li> <li>James</li> <li>Jason Gellert</li> <li>Jeremy Reid</li> <li>Justin Topper</li> <li>Matt Pontey</li> <li>Mia Boyarsky</li> <li>Nathan Briner</li> <li>Nik Angus</li> <li>Paul</li> <li>Paul Fischmann</li> <li>Paul Lendvay</li> <li>Peter</li> <li>Peter Li</li> <li>Rodney Rosmarin</li> <li>Sharon Hurwitz</li> <li>Sofia Li</li> <li>Stanely Hurwitz</li> <li>Taryn Boyarsky</li> <li>Tom Curtis</li> <li>Tom Pongrass</li> <li>Tony Gellert</li> <li>Tony Levine</li> <li>Warren Jacobson</li> </ul>	<ul style="list-style-type: none"> <li>Aldis &amp; Cox (on behalf of owners of 168 New South Head Road)</li> <li>Arek Drozda</li> <li>Arianne Reisner</li> <li>Belinda Nisbet</li> <li>Clare Caldwell</li> <li>Darling Point Society</li> <li>David Terry (on behalf of owners of 3-17 Darling Point Road)</li> <li>Deborah P</li> <li>Elizabeth Sheppard</li> <li>Emma</li> <li>John Macpherson</li> <li>Jonathan Walczak</li> <li>Karla Plehwe</li> <li>Leon Cohen</li> <li>Margaret</li> <li>Margot Fagan</li> <li>Mr Wong</li> <li>Owen Sperling</li> <li>Michael Lawrence</li> <li>Robert Boland</li> <li>Tessa Taylor</li> <li>William Clark (on behalf of owners of Eastpoint Tower)</li> <li>William Clark (on behalf of owners of Eastpoint Food Fair)</li> <li>Charlotte Feldman</li> </ul>

On behalf of the applicant, Ingham Planning provided a submission, which is considered later in this report.

Consistent with requirements of the DPE's *Local Environmental Plan Making Guideline* dated August 2023, copies of the submissions were provided to the applicant. They provided a response to some issues raised in submissions, which are summarised in **Table 3**.

Submissions of support raised the following matters, which have been noted by Council staff:

- The planning proposal will encourage the renewal of older building stock;
- It will provide a new supply of residential and commercial floor space near the train station;
- The new building will enhance accessibility for people with disabilities and elderly;
- A building built under the proposed controls will deliver more housing in the local area; and
- The proposal will take pressure off nearby lower density residential areas, with respect to delivering housing.

A summary of objections to the planning proposal, along with staff responses, is provided in **Table 3**.

**Table 3: Summary of issues raised by objectors and responses from staff**

<b>Topic</b>	<b>Comment</b>	<b>Council staff response</b>
<b>Excessive building height</b>	The proposed building height is excessive in the context of the existing four storey buildings east of the site.	Council staff consider that the proposed height of up to 12 storeys will facilitate an appropriate height transition between the ECC and the surrounding residential neighbourhoods. The height has been extensively tested and will not produce unreasonable environmental impacts.

Topic	Comment	Council staff response
<b>Loss of harbour views</b>	The concept design indicates some loss of harbour views for adjoining residential properties.	<p>Consistent with the principles in <i>Tenacity Consulting v Warringah Council [2004] NSWLEC 140</i>, view sharing will be considered during the assessment of any future development application (DA) for the site.</p> <p>View corridor testing has been undertaken, and staff do not consider the likely impacts to be unreasonable in the context.</p>
<b>Overshadowing of adjoining properties</b>	The concept design indicates adverse overshadowing impacts on nearby properties.	<p>The design report submitted by the applicant dated September 2021 suggests that shadows created by the concept scheme will have negligible impacts on surrounding properties, particularly as the shadows overlap with those of the 'Ranelagh' building behind the subject site.</p> <p>The impacts of shadows will be further addressed during the DA stage. The detailed design will be assessed against the <i>Woollahra Development Control Plan 2015</i> (Woollahra DCP 2015) and <i>Apartment Design Guide</i> (ADG), both of which require the reasonable protection of solar access to adjoining properties.</p>
<b>Loss of privacy as the result of insufficient building separation</b>	The concept design indicates that insufficient setbacks on the eastern boundary of the site will cause visual privacy impacts.	Any visual privacy impacts associated with a future DA will be considered by Council staff at the time of the DA assessment. The ADG and the Woollahra DCP 2015 have provisions regarding privacy that must be considered before granting consent. These will ensure that impacts are addressed.
<b>Lack of consideration of impacts on draft Brantwood Heritage Conservation Area</b>	<p>Council has recently proposed to establish the Brantwood HCA. The planning proposal documents do not consider the potential impacts of the proposed uplift on the draft Brantwood HCA.</p>	<p>The proposed listing of the Brantwood HCA was presented to the Woollahra LPP on 20 October 2023, which was after the planning proposal for 136-148 New South Head Road was prepared and placed on exhibition. The exhibition of the planning proposal for 136 -148 New South Head Road started on 26 September 2023 and finished on 5 November 2023. Amendments to the planning proposal for 136-148 New South Head Road can only be made as post-exhibition amendments after the exhibition period.</p> <p>Council's Heritage Officer has reviewed the planning proposal and determined that potential impacts to the Brantwood group can be suitably managed through formulating site specific DCP controls, regardless of whether the buildings are listed as individual items or an HCA. DCP controls may include requirements for setbacks, bulk and scale modulation, fenestration arrangements and the sensitive use of materials.</p> <p>These controls would address the following:</p> <ul style="list-style-type: none"> <li>• The interface between the future development of the subject site and the Brantwood group;</li> <li>• The bulk and scale of future development; and</li> <li>• Encourage a future development that is sensitive and sympathetic to its surrounding heritage context.</li> </ul>

Topic	Comment	Council staff response
		<p>This approach is supported by the findings of the heritage study, which suggest that the heritage and aesthetic significance of the Brantwood group is primarily associated with the inward-facing relationship between the buildings themselves and less about the historic character of the New South Head Road streetscape.</p> <p>Council staff are satisfied that as a result of the submissions, due consideration has been given to the impacts on the Brantwood group.</p> <p>Furthermore, any impacts will be assessed in detail at DA stage, having regard to Council's robust heritage controls (inclusive of new DCP provisions). The draft DCP will be reported to a future meeting of Council prior to public exhibition.</p>
<b>Potential impacts of excavation on heritage item</b>	Basement excavation works may destabilise the heritage item.	The merit of any excavation works will be considered at DA stage, having regard to the detailed design of the building and any engineering reports supplied by the applicant. Consent will not be granted unless staff are satisfied relevant issues have been addressed.
<b>Inconsistency with the Edgecliff Strategy and Draft Woollahra Integrated Transport Strategy</b>	The site was not identified for uplift in the Edgecliff Strategy. The transport outcomes from the proposal also do not align with the <i>Draft Woollahra Integrated Transport Strategy</i> .	<p>The site falls within the ECC. However, at the time of preparing the Edgecliff Strategy, the subject site was in multiple ownerships and did not have vehicular access. These constraints resulted in the site not being identified for uplift.</p> <p>With a consolidated ownership and vehicular access to Darling Point Road made possible, staff and the Sydney Eastern City Planning Panel considers that there is merit in supporting a site specific planning proposal for the site.</p> <p>The proposal also suitably addresses traffic concerns and therefore aligns with the <i>Draft Woollahra Integrated Transport Strategy</i>.</p>
<b>Creation of wind tunnel</b>	The building resulting from the planning proposal may contribute to the formation of a wind tunnel.	Council staff have reviewed this issue and, do not consider a single 12 storey building would create a wind tunnel.
<b>Traffic impacts of vehicular access to site</b>	Vehicles accessing the site from Darling Point Road will create congestion issues.	<p>Council staff have reviewed the congestion issues in relation to site access. This issue can be addressed by locating the access point as far as possible from the intersection with New South Head Road, and mandating a left in/left out only movement from the site. This will be further considered at the DA stage, when the design of the building will be under a detailed assessment (see also response to submission from TfNSW in <b>Table 5</b> below).</p> <p>Staff will also be seeking to include site specific parking provisions in the DCP applying to the site. These will limit the amount of parking to ensure any development does not cause undue strain on the nearby intersection. The proposed controls will be subject to a separate report to a meeting of Council.</p>

Topic	Comment	Council staff response
<b>Insufficient traffic assessment</b>	The proposal may add to local traffic and reduce street parking supply. The submitted assessment also may not be valid, particularly due to the cumulative effects from the Edgecliff Strategy should it proceed.	Council's traffic engineer reviewed the applicant's traffic assessment, and was satisfied with its contents. Staff acknowledge that the proposal may cause an increase in local traffic, and accordingly will be pursuing Woollahra DCP 2015 provisions to restrict the amount of parking on the site.  Impacts from traffic generated by identified uplift sites in the Edgecliff Strategy are being considered in a transport study specific to the strategy. This will account for any sites identified for uplift either in the Edgecliff Strategy or in a standalone planning proposal.
<b>Affordable housing not provided</b>	The planning proposal does not provide affordable housing on site.	The draft VPA for the site seeks to obtain a share of the land value increase facilitated by the planning proposal for community infrastructure and affordable housing. The draft VPA is subject to a separate report to a meeting of Council.

Ingham Planning made a submission on behalf of the applicant, which supported the proposal but requested a series of changes. These are detailed in **Table 4** below, with a response from Council staff.

**Table 4: Summary of issues raised by applicant and responses from Council staff**

Topic	Applicant's Comment	Council staff response
<b>Renumbering the site specific clause</b>	Site specific clause 6.9 already exists in the Woollahra LEP 2014, which will require the renumbering of the proposed new clause.	This is an administrative post exhibition change. At the time of preparing the planning proposal, clause 6.9 was not in use. Before finalisation, the clause will be renumbered.
<b>Lot 2 DP 983678 acquired by the applicant</b>	The reference to Lot 2 DP 983678 as a property from a deceased estate should be removed . The applicant confirmed that they are now the registered owner of the land.	Council staff have made post-exhibition amendments to the planning proposal to reflect that the applicant has acquired ownership of this lot.
<b>Remove reference of applicant proposing to amend the Land Reservation Acquisition Map</b>	The applicant is not proposing to remove 136 New South Head Road from the affectation on the Land Reservation Acquisition Map as part of this planning proposal and therefore any references to it should be removed.	This information was retained in the planning proposal in error. Council staff have made post-exhibition amendments to the planning proposal to delete any reference to the removal of the lands reserved for acquisition.
<b>Remove references to housing diversity and dwelling types under the design excellence clause</b>	Under the proposed design excellence clause, objective (b)(iii) and subclause (5)(j) should be removed as there are sufficient existing provisions for housing diversity and dwelling types.	Council staff support the proposed provisions in the planning proposal, as their inclusion in the clause will further ensure the strategic objectives of the planning proposal are realised.  However, staff acknowledge that 'diversity of dwelling types' could be misinterpreted as dwelling types other than apartments. As such, we recommend a post exhibition amendment to the site specific clause being subclause 5(j) to state as follows:

Topic	Applicant's Comment	Council staff response
		<p><i>In considering whether a development exhibits design excellence, the consent authority must have regard to the following matters:</i></p> <p>.....</p> <p><i>(j) whether the proposed development contains a diversity of residential dwelling types a range of apartment types and sizes.</i></p> <p>See page 19 of <b>Attachment 1</b>.</p> <p>Staff will also be seeking to include site specific provisions in the DCP regarding unit mix.</p>
<b>Replacing the word 'detrimentally' to 'unreasonably' for the impacts of view corridor under the proposed design excellence clause</b>	The use of the word 'detrimental' in subclause 5 under the design excellence clause implies that any adverse impact could be considered unreasonable. It is contrary to the principle of view 'sharing'.	Council staff disagree. Council staff support the existing wording of this subclause 5(e) in the planning proposal. The use of the term 'detrimental' is consistent with the NSW Land and Environment Court's view sharing principles. This will ensure the fair and consistent assessment of any issues pertaining to view sharing at the DA stage.
<b>Deleting item (f) and (i) under proposed design excellence clause</b>	<p>Items (f) and (i) should be deleted.</p> <p>Item (f) is in relation to 'pedestrian, cycle, vehicular and service access, and circulation requirements, including the permeability of the pedestrian network'. Permeability is not relevant given the small size of the site.</p> <p>Item (i) is in relation to 'i) whether the proposed development contains a mix of retail, commercial and residential uses'. Land use mix is a commercial consideration and not a design one.</p>	<p>Council staff disagree. Staff support the retention of item (f), but agree that the issue of permeability for the pedestrian network is not strictly relevant. Through site links are unlikely to be employed, given the relatively small size of the site. Accordingly, we support changing the term 'permeability' to 'quality', to instead focus on the relationship of the site to the public domain. The planning proposal has been amended accordingly (see page 19 of <b>Attachment 1</b>)</p> <p>However, Council staff support the provisions as drafted for land use mix. The incorporation of a satisfactory land use mix is important in fulfilling the strategic intent of the planning proposal. A mix of uses will contribute to the evolving role of the ECC, and ensure a diversity of employment opportunities and housing close to a major transport hub.</p>
<b>Key Sites Map</b>	The proposed introduction of a Key Sites Map appears to be a generic clause intended to apply to other sites in the future. The existing draft clauses will negate the need to create a Key Sites Map.	<p>Council staff disagree. A map identifying the land to which the clause applies is preferred by staff. It is considered a simpler and clearer way of identifying that there is a site specific clause applying to the site.</p> <p>Council staff have made post exhibition amendments in the planning proposal to include references to the Key Sites Map in the draft clause. This has enhanced the linkage between the map and the site specific clause.</p>
<b>Reference to finalisation of draft DCP under project timeline</b>	The timeline suggests that a draft DCP has been provided to the applicant for review. This has not occurred.	<p>Council staff agree. The applicant will be formally notified and invited to provide comments when the draft DCP is placed on exhibition.</p> <p>The reference in the project timeline has been updated by Council staff (see Page 30 of <b>Attachment 1</b>).</p>

### Consultation with TfNSW

On 10 November 2023, TfNSW made a submission in support of the planning proposal but objected to parts of the planning proposal that mentioned the removal of the land reserved for acquisition at 136 New South Head Road. Council staff acknowledge that it was not the applicant's intent to remove the acquisition area and that the position of TfNSW on retaining the land reservation acquisition has not changed.

In response, Council staff provided an email update to TfNSW dated 28 November 2023, indicating that all references to the applicant seeking amendment to the Land Reservation Acquisition Map will be removed in the planning proposal. On 21 December 2023, TfNSW formally withdrew their objection to the planning proposal and indicated their support for finalization. The correspondence from TfNSW is contained in the package of submissions available on Council's website.

Other issues raised by TfNSW are summarised in **Table 5** below.

**Table 5: Summary of issues raised by TfNSW and responses from Council staff**

Topic	Comment	Council staff response
<b>Vehicle access</b>	All vehicular access/egress for the site to be from Darling Point Road and to be located to as far away as possible from the traffic signals at New South Head Road and Darling Point Road.	Council staff agree in principle with these suggestions. Such design elements can be incorporated into the detailed design and assessed at DA stage.
<b>Left in/left out movements should be used</b>	These movements should be implemented to manage congestion, and reinforced through the use of a median strip.	Council staff agree with these suggestions. Such design elements can be incorporated into the detailed design and assessed at DA stage.
<b>Provision of a Green Travel Plan</b>	It is recommended that a Green Travel Plan and a Travel Access Guide be prepared.	Council staff agree with these suggestions. Council staff consider that these can be implemented through the DA process.
<b>Restrict parking supply</b>	Onsite parking should be reduced to encourage active and public transport use.	Council staff agree that parking rates should be reviewed, having regard to the site's close proximity to the train station. This will be considered in the preparation of a site specific DCP, which will be reported to a future meeting of Council.

### Post exhibition amendments

Having considered the matters raised in the submissions, staff recommend the following post exhibition amendments to the planning proposal (see **Attachment 1**):

- Update the numbering of the proposed site specific clause to 6.11 (page 6 and 18).
- Delete the ownership information for Lot 2 DP 983678 (page 10).
- Remove all references to the proposed amendment to the Land Reservation Acquisition Map (page 18).
- Amend clause 6.11 to include references to the Key Sites Map (page 18).
- Amend item (j) of subclause 5 to include "a range of apartment types and sizes" in the sentence (page 19).
- Amend item (f) of subclause 5 to replace 'permeability' with 'quality' on page 19.
- Update the project timeline and remove references to the DCP being finalised concurrently with the planning proposal and the draft VPA (page 30 and 31).

Staff also suggest the following two minor post exhibition administrative amendments:

- Update the business zone names in the planning proposal to reflect the recent employment zone reforms that came into effect on 26 April 2023 (page 11 and 16)  
<https://yoursay.woollahra.nsw.gov.au/employment-zone-reform>
- Update the project timeline to reflect that Council is not the LPMA (page 30).

The proposed amendments are of a minor or administrative nature only, and do not change the objective of the planning proposal. Therefore, the post-exhibition amendments do not warrant re-exhibition.

The planning proposal post-exhibition amendments are highlighted in **yellow** with deletions shown in ~~red-strike-through~~ and text inserted shown in blue underline in **Attachment 1**. Staff recommend that Council supports the planning proposal as amended.

### **Options:**

As a consequence of this report Council may resolve to do one of the following:

1. Support the planning proposal with the recommended amendments by staff, noting that they are administrative and minor in nature, and accordingly advise the Minister to make the local environmental plan under sections 3.35(1) & (2) and section 3.36 of the EP&A Act.
2. Support the planning proposal without amendments and request that the Minister make the local environmental plan under section 3.36 of the EP&A Act.
3. Not support the planning proposal and request the Minister to determine that the matter not proceed under section 3.35(4) of the EP&A Act.

### **Community Engagement and / or Internal Consultation:**

Refer to the 'Discussion' section of this report

### **Policy Implications:**

Should the DPHI as the LPMA resolve to make the plan under the EP&A Act section 3.36 (2)(a), the Woollahra LEP 2014 will be amended.

Consistent with Council's resolution dated 12 September 2022 and the draft Woollahra LEP 2014 clause, a site specific DCP will also be prepared, exhibited and adopted prior to the issue of any development consent for the site.

### **Financial Implications:**

There will be costs associated with the preparation and exhibition of a site specific DCP.

### **Resourcing Implications:**

Should the DPHI finalise the planning proposal, staff resources will be associated with liaising with the DPHI and preparing the site specific DCP.







## Conclusion:

The planning proposal for 136 – 148 New South Head Road, Edgecliff was placed on exhibition in accordance with the Gateway conditions and Council's statutory obligations. A total of 76 submissions were received during the exhibition period. Key issues raised by the community related to building design, heritage conservation and traffic management. The applicant and NSW Government agencies also queried the wording of the draft provisions and the treatment of the road reservation. Council staff have reviewed all these issues and support the finalisation of the planning proposal, subject to minor amendments.

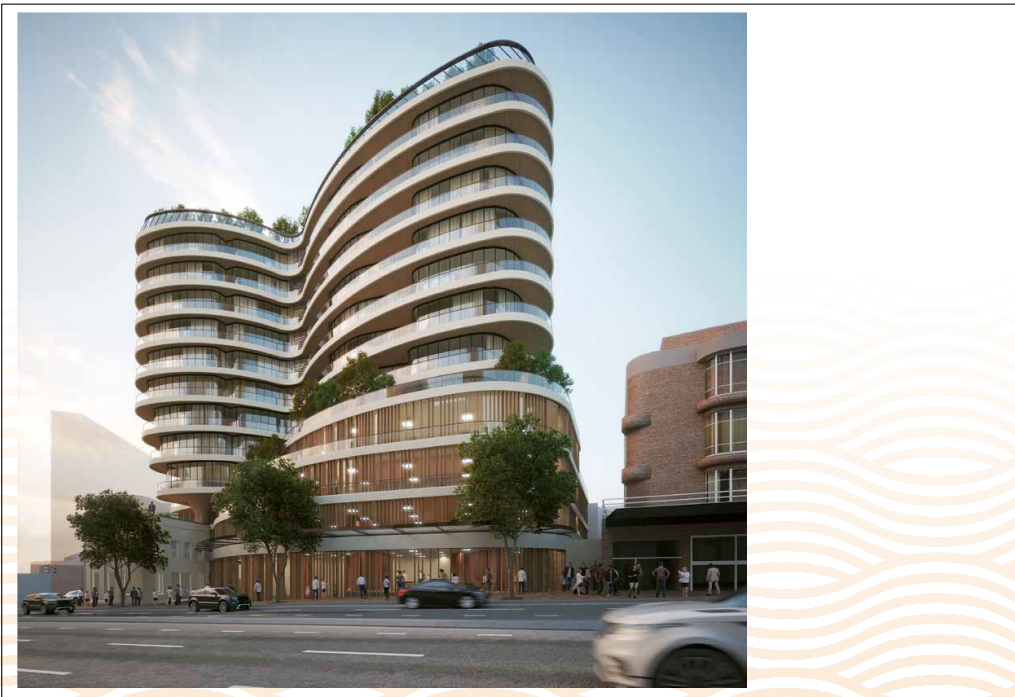
Having considered all other matters raised in the submissions, staff recommend that Council resolves to support the planning proposal as amended at **Attachment 1** and forward the planning proposal to the Minister (or delegate) to make the local environmental plan under section 3.36 of the EP&A Act.

## Attachments

1. Planning Proposal (with post-exhibition amendments) - January 2024 [↓](#) 
2. Gateway Determination & Alteration - September 2023 [↓](#) 
3. Rezoning Review Record of Decision - 18 August 2022 [↓](#) 
4. Report to Environmental Planning Committee (Attachments Removed) - 4 July 2022 [↓](#) 



# 136-148 New South Head Road, Edgecliff



Version Date:	January 2024
Division/Department:	Planning and Place/Strategic Planning
Responsible Officer:	Louise Menday, Consultant Strategic Planner
HPE CM Record Number:	24/13869

**Acknowledgement of Country**

*We acknowledge the Gadigal and Birrabirragal people as the traditional custodians of the land in our local area.*

**Note:** New text to be inserted is shown in blue underline,  
text for removal is shown in ~~red strike-through~~ and  
post-exhibition changes are highlighted in yellow.

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**SUPPORTING INFORMATION CIRCUALTED SEPARATELY**

## Supporting documents

**The applicant submitted the following documents with the request for a planning proposal (Refer to NSW Planning Portal):**

- Response to pre-application comments by Ingham Planning Pty Ltd September 2021
- Planning Proposal Report by Ingham Planning Pty Ltd September 2021
- Urban Design Report by Group GSA (Issue 10) 7 September 2021
- Planning Proposal Concept Report by Group GSA (Issue 7) 7 September 2021
- Site Survey Plan by Norton Survey Partners 19 June 2020
- Traffic & Parking Assessment by Colston Budd Rogers Kafes Pty Ltd May 2021
- Heritage Assessment by Urbis dated 17 July 2021 & Statement 18 August 2021
- Wind Impact Assessment (Revision 1) by ARUP 23 June 2021
- Acoustic Assessment by Acoustic Logic (Revision 0) 15 June 2021
- Contamination Investigation by Douglas Partners 17 March 2021
- Geotechnical Investigation by Douglas Partners 17 March 2021
- ESD Concept Advice by Efficient Living 13 August 2021
- Economic Benefits Assessment by Hill PDA 25 August 2021
- Preliminary Arboricultural Report (Revision B) by tree iQ 2 July 2021
- View Assessment
  - Planning Proposal 1B View Study August 2021
  - 164 New South Head Road View Study
  - Covering letter 164 New South Head Road View Study February 2022

**The applicant submitted the following additional documents with the rezoning review request (Refer to NSW Planning Portal):**

- Rezoning Review - Application Form
- Rezoning Review Report
- Rezoning Review - Letter to Council addressing WLPP minutes
- Appendix Cover Sheets
- Rezoning Review Report Attachment A - WLPP-Public-Agenda-22-April-2022
- Rezoning Review Report Attachment B - WLPP-Public-Minutes-22-April-2022
- Rezoning Review Report Attachment C - Traffic response
- Rezoning Review Report Attachment D - Economic response
- Rezoning Review Report Attachment E - Planning Proposal draft LEP and DCP provisions
- Rezoning Review Report Attachment G - Sustainability response
- Rezoning Review Report Attachment F - Height - Commercial Option
- Urban design and built form assessment 3D Model Notes
- Voluntary planning agreement - Summary of VPA negotiation up to 11 May 2022

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**The applicant submitted the following information in response to the Gateway determination conditions:**

- Urban Design Report Addendum A\_230274
- Planning Proposal Concept Report Addendum A\_230274

**Correspondence between Council and the applicant**

- Pre-application Consultation Minutes - 12 April 2021 (Refer to NSW Planning Portal)

**Council reports**

- Assessment (Woollahra Council Staff) November 2022 (Updated from April 2022)
- Planning Proposal (Woollahra Council Staff) November 2022 (Updated from and October 2022)
- Woollahra Local Planning Panel Report 22 April 2022
- Woollahra Local Planning Panel Minutes 22 April 2022
- Woollahra Environmental Planning Panel Report 4 July 2022
- Woollahra Environmental Planning Panel Minutes 4 July 2022
- Ordinary Meeting Woollahra Council Minutes 25 July 2022

## 1. Summary

This planning proposal seeks to introduce a local provision that allows alternative maximum height of buildings and floor space ratio (FSR) on the subject site if certain requirements are met.

The existing maximum height of buildings and FSR controls (14.5m and 1.5:1 respectively) will continue to apply in the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) as standard controls.

The alternative maximum height of buildings and FSR (up to 46m and 5:1 respectively) will be enabled via a site specific clause (clause [6.96.11](#)) that will set out the requirements to be met to obtain the alternative height of buildings and FSR.

The requirements to be met (as contained in clause [6.96.11](#)) include:

- All lots comprising the land being amalgamated into one lot,
- The whole of the amalgamated lot being developed as one development,
- No vehicular access is to be provided from New South Head Road ,
- The development is to include a non-residential floor space (e.g. offices or shops) as a minimum of 1:1 FSR and a maximum rate of 2:1 FSR.  
The rest of the building would consist of units.
- The development will achieve Design Excellence in accordance with the definition in the site specific clause

## 2. Introduction

### 2.1. Background

On 19 March 2021, Council staff discussed concept plans for a 66m building with a 6:1 FSR at a pre-application meeting. Council staff provided minutes of the meeting on 12 April 2022, and documented issues for the applicant to address prior to submitting a formal request to Council. Council's letter suggested that 18 storeys was excessive and that a 12 storey building may be more appropriate.

The staff comment on height was made in the context of the exhibited draft ECC Strategy that indicates the following for properties near the site:

- 14 to 26 storeys: 203 – 233 New South Head Road NSHR, Edgecliff Centre opposite
- 4 to 11 storeys: 2 New McLean Street opposite on New McLean Street
- 4 to 10 storeys: 1 New McLean Street opposite corner of NSHR and New McLean Street
- 6 to 11 storeys: 130 NSHR, opposite corner of NSHR and Darling Point Road.

On 13 October 2021, the applicant submitted the request for a planning proposal seeking a lower height and FSR of 46m (12 storeys) and 5:1 respectively and an indicative development concept for a 12 storey mixed use building. The following documents are provided in support of the applicant's request for a planning proposal:

- Response to pre-application comments by Ingham Planning Pty Ltd September 2021
- Planning Proposal Report by Ingham Planning Pty Ltd September 2021
- Urban Design Report by Group GSA (Issue 10) 7 September 2021
- Planning Proposal Concept Report by Group GSA (Issue 7) 7 September 2021
- Site Survey Plan by Norton Survey Partners 19 June 2020
- Traffic & Parking Assessment by Colston Budd Rogers Kafes Pty Ltd May 2021
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- Contamination Investigation by Douglas Partners 17 March 2021
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- ESD Concept Advice by Efficient Living 13 August 2021
- Economic Benefits Assessment by Hill PDA 25 August 2021
- Preliminary Arboricultural Report(Revision b) prepared by tree iQ 2 July 2021

## 2.2. Description of this planning proposal

This planning proposal is made in relation to 136-148 New South Head Road, Edgecliff and seeks the following amendments to the Woollahra LEP 2014:

A site specific clause to allow exceptions to the mapped Height of Buildings maximum of 14.5m (to a maximum of 46m) and to the mapped FSR maximum of 1.5:1 (to a maximum of 5:1) subject to certain conditions.

This planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act 1979) and the Department of Planning and Environment's *Local Environmental Plan Making Guideline* (August 2023).



### 2.3. Indicative development concepts

The indicative development concept is for a 12 storey mixed use building comprising:

- Total GFA of 8723m<sup>2</sup> with the following distribution: 5872m<sup>2</sup> residential, 2851m<sup>2</sup> non- residential – includes 339m<sup>2</sup> heritage building, 2253m<sup>2</sup> office, 155m<sup>2</sup> retail
- Forty-one apartments with the following mix: 9 x1 bedroom, 18 x 2 bedroom, 12 x 3 bedroom, 1 x 4 bedroom, and 1 x 5 bedroom
- Three levels of basement parking accessed off Darling Point Road, with capacity for 77 car spaces and 8 motorcycle spaces with the following allocation: 53 car spaces and 6 motorcycle spaces residential, 24 car spaces and 2 motorcycle spaces non- residential.

Council's Strategic Heritage Officer identified that the planning proposal is generally acceptable as it reflects Council's advice to reduce the height (from 18 to 12 storeys) and provides no more than a partial cantilever over the heritage item at 136 New South Head Road. The new building would be set back to allow views of the heritage item and not detract from its significance (Figures 1 and 2).

The street wall height of the indicative development concept is 15m (4 storeys) along the New South Head Road frontage, which is a similar height to the building to the east. The upper 8 storeys of the tower are set back above the 4-storey podium and articulated into a series of ellipses to break down the volume of the tower. Non-residential use is concentrated in the 4-storey podium with residential on levels 5-12. The concept also includes a rooftop garden.



Figure 1: Indicative development concept for a 12 storey mixed use building (Source: Planning Proposal Concept Report, Group GSA 2021)

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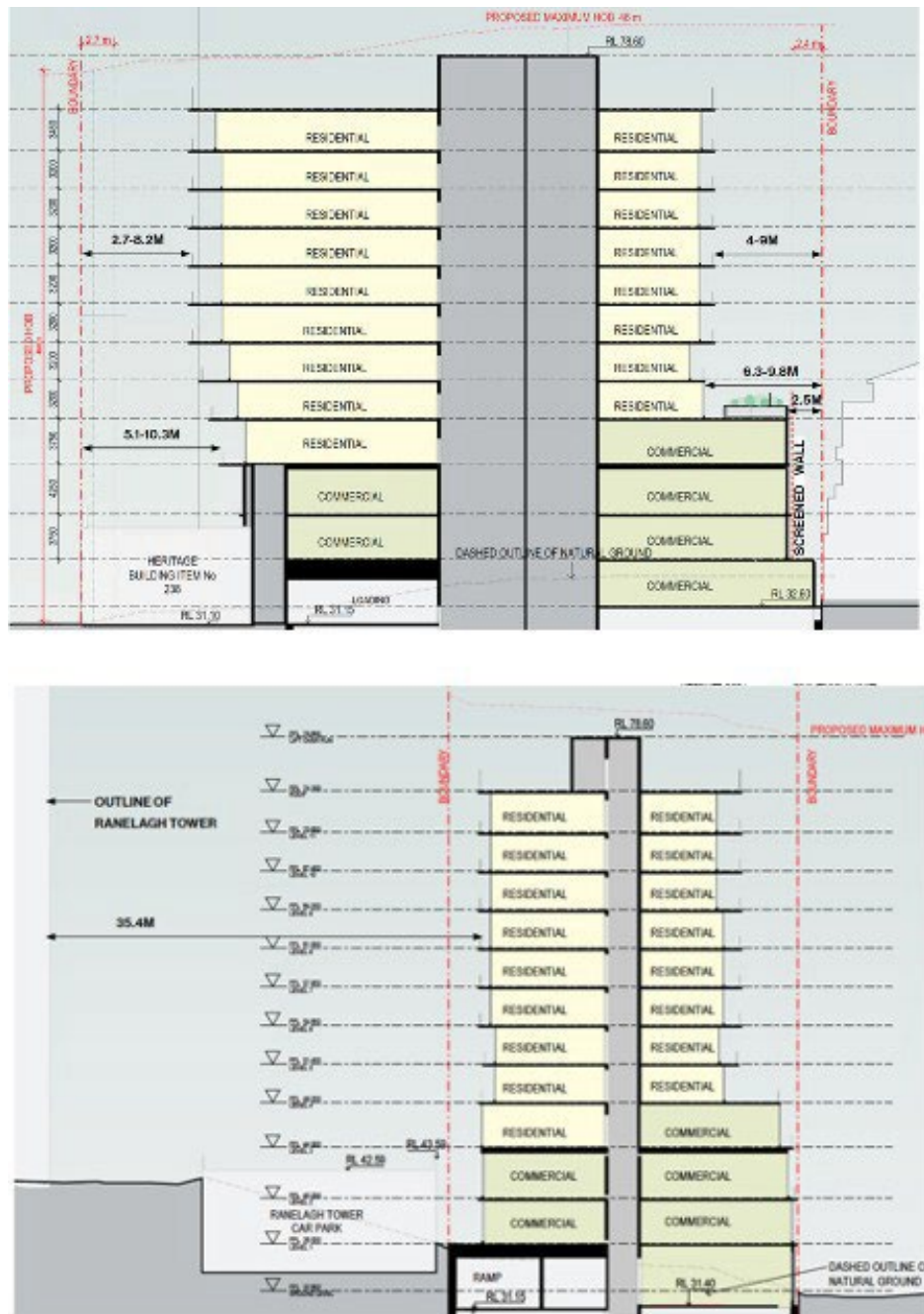


Figure 2: Indicative development concept cross section east-west (top) and north-south (Source: Source: Planning Proposal Concept Report, Group GSA 2021)

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### 3. Subject site and surrounding context

#### 3.1. The site

The subject site is known as 136-148 New South Head Road, Edgecliff, has an area of approximately 1746m<sup>2</sup> and comprises the following lots:

- Lot 1 DP663495 (No. 136)
- Lot 1 DP1092694 (No. 138-140)
- Lot 2 DP983678 (No 138-140)
- Lot A DP443992 (No 142-144)
- Lot B DP443992 (No 146-148)

Lot 2 in DP 983678 is a very small residual lot that forms part of 138-140 New South Head Road. This lot is not owned by Council or the applicant. However, the applicant is seeking to purchase the property from a deceased estate. It is understood that it will be subject to the same controls as the remainder of the site.

The site is located at the north-eastern corner of the New South Head Road and Darling Point Road intersection (refer to Figures 3 and 4). The landform of the ECC rises from west to east along New South Head, with the subject site being at a relatively high point.



Figure 3: Aerial image of site (Source: Council Maps)



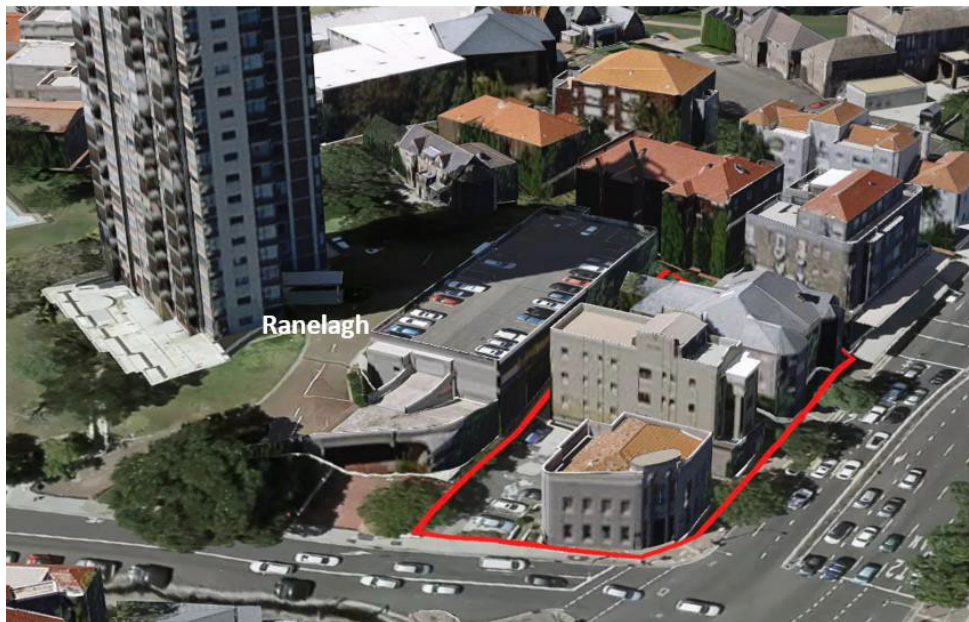


Figure 4: 3D view of site at 136-148 New South Head Road, Edgecliff (Source: Council Maps)

The subject site has a variable fall of approximately 3m east to west, and north to south. The New South Head Road frontage is approximately 55m and the secondary frontage to Darling Point Road is approximately 27m. There is pedestrian access via multiple entrances from New South Head Road to the buildings and rear yards of the properties. Vehicle access is provided by an existing driveway off Darling Point Road about 25m from its intersection with New South Head Road. The driveway currently provides access to off-street parking for 136 New South Head Road only but will be the single access to the combined site under the planning proposal.

The subject site is zoned **B4MU1** Mixed Use under the Woollahra LEP 2014. The building at 136 New South Head Road is listed as a local heritage item under Schedule 5 of the Woollahra LEP 2014 (refer Figure 5). The corner of 136 New South Head Road is identified as land to be reserved for road widening under Clause 5.1 Relevant acquisition authority of the Woollahra LEP 2014.

The subject site comprises various buildings as follows (and shown in Figure 6):

- 136 New South Head Road: Two storey rendered brick heritage building, used for commercial and residential purposes, and an at grade car park to the rear
- 138-140: Three to four storey rendered brick apartment building. Due to the slope from north to south across this property, the building presents as four storeys to New South Head Road. The street frontage is a service area (entry, bins etc.) that presents as a front wall
- 142-148: Two storey former residential building used for commercial and medical suites.

There are three Brush Box trees on the Council verge on the New South Head Road frontage of the subject site. The trees are evenly spaced across the frontage, vary in height between 10 and 12 metres, and are in good health.

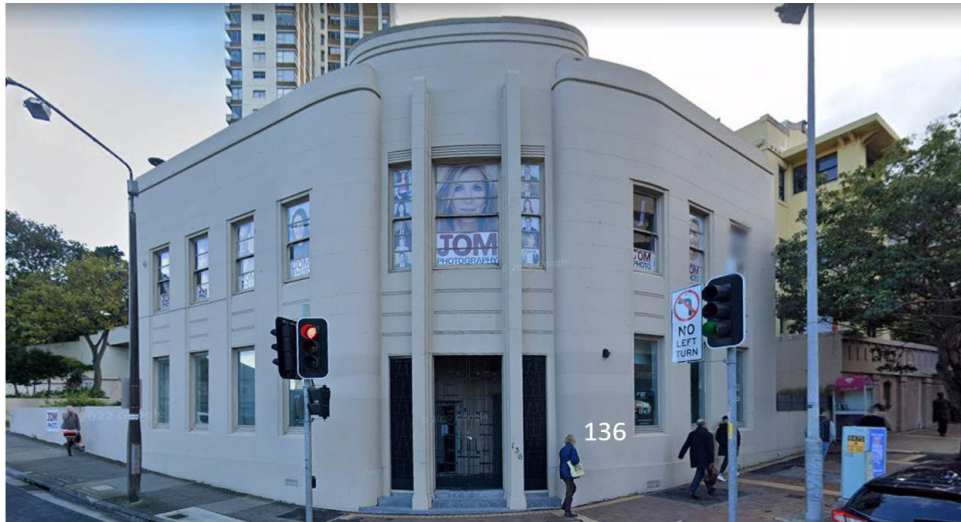


Figure 5: View of 136 New South Head Road - existing heritage item (Source: Google)

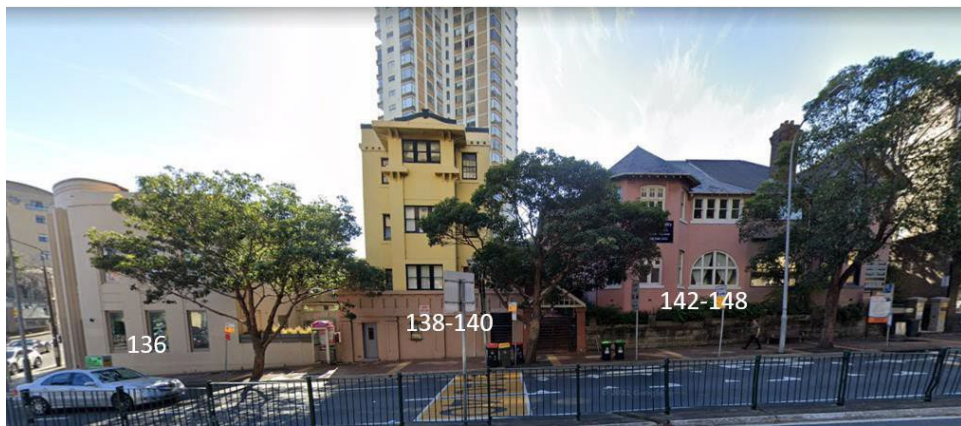


Figure 6: View of 142-148 New South Head Road (Source: Google)

### 3.2. Surrounding development

Development surrounding the site comprises a mix of commercial, retail, residential and educational buildings varying in age, and height from 1 storey to 14 storeys. An exception to this built form is the 31 storey apartment building 'Ranelagh', located immediately to the north and zoned R3 Medium Density Residential under the Woollahra LEP 2014. The Ranelagh building sits in a large, landscaped area and has a substantial parking garage on its boundary with the subject site. The Ranelagh Building is identified as intrusive development in the *Woollahra Development Control Plan 2015* (Woollahra DCP 2015).

Ascham School is located to the north and northeast of 'Ranelagh' but does not have a boundary with the subject site. Ascham consists of numerous school buildings and substantial open spaces, which include the following local heritage items:

- 'Fiona' including interiors and former entrance gates
- 'Glenrock' including interiors and inner and outer gates
- 'Dower House' including interiors, sand-stone works, remaining open space and oval adjacent to 'Fiona', and 4 Moreton Bay Figs.

Immediately east of the subject site are five lower scale buildings with limited access from New South Head Road, with access instead via a shared right-of way. These buildings comprise:

- 164 New South Head Road – An Interwar, five storey mixed use building with top floor residential uses and ground floor shops. This building is constructed to the street boundary (Identified as 160 New South Head Road in the applicant's documentation and the Gateway determination report).
- 166, 168 and 170 New South Head Road - All brick residential flat buildings in small gardens/yards, three, four and four storeys respectively.
- 172-180 New South Head Road – White Interwar four storey mixed use building with ground floor shops fronting New South Head Road.

Immediately to the west of the subject site is a heritage listed retaining wall on Darling Point Road. Further to the west are numbers 100 -130 New South Head Road, with a range of building heights and styles. 100 New South Head Road is a taller building, adopting a scale similar to what could be constructed on the subject site.

The site is opposite the Edgecliff Station and bus interchange which establishes the Edgecliff Commercial Centre (ECC) as a local transport, employment, retail, and service hub.

Eastpoint residential tower is at the corner of New South Head Road and Ocean Street. Located at the top of the ridge line, this 14 storey building presents as a significant landmark in the area.

The Paddington Heritage Conservation (HCA) is located to the south of the subject site, separated by New South Head Road and the Edgecliff Centre. The HCA has a predominantly 19th century residential character, represented by late-Victorian terrace houses, modest workers' cottages (including single-storey timber and masonry houses) and former mansions. Trumper Park and Trumper Oval, within the HCA, provide open space, including informal and formal recreation areas, and mature trees.

Photographs of surrounding development are provided in Figures 7 to 10 below.





Figure 7: Ranelagh apartment building, viewed from New South Head Road.



Figure 8: Nearby apartment buildings at 100-128 New South Head Road (to the south of the subject site) on the northern side of New South Head Road



Figure 9: View of the Edgecliff Centre, opposite subject site



Figure 10: View of the Eastpoint Food Fair at 238-285 New South Head Road, the bus and rail interchange and the Eastpoint Tower behind



3.3. Proximity to service, transport and recreation facilities

The site is located approximately 70 metres (pedestrian route) from train services and the bus interchange at Edgecliff Station. The Nos. N91, L24, 200, 328, 324, 325, 326, 327, and 328 bus services and train services provide regular links between Bondi Junction, Vaucluse, Walsh Bay, Watsons Bay, Darling Point, Chatswood, and the Sydney CBD.

The site is located within 30 metres of the Edgecliff Centre and Eastpoint Food Fair (with supermarkets, specialty shops and services (including substantial health services)).

According to School Infrastructure NSW, the site is in the catchments of:

- Woollahra Public School
- Double Bay Public School
- Glenmore Road Public School
- Rose Bay Secondary College
- Inner Sydney High School

The site is within 200m walking distance of Trumper Park and about 370 metres of Rushcutters Bay Park.

4. Existing planning controls

The controls applying to the site under the Woollahra LEP 2014 are as follows:

Table 1: 136-148 New South Head Road, Edgecliff planning controls - Woollahra LEP 2014

Land Use Zoning	Maximum building height (m)	Maximum Floor space ratio	136 New South Head Road only	
B4MU1 Mixed Use	14.5	1.5:1	Heritage Conservation	Acquisition by public authority
			Local Item No. 238	Reserved for public purpose

5. Objectives of the planning proposal

The objective of the planning proposal are:

- To put in place exceptions to the envelope controls that would allow redevelopment of the site by for a 12 storey mixed use development.
- To facilitate a built form that is compatible with the existing and emerging context and character of the locality.

## 6. Explanation of provisions

### 6.1. Site specific clause

It is proposed to introduce a site specific LEP clause that would enable additional density (height and floor space) where specified conditions are met in regard to:

- Desired future character
- Site amalgamation
- Non-residential floor space
- Conservation of the heritage item on the land
- Housing diversity
- Design excellence

### 6.2. Height of Buildings

The amendment would permit development of the subject site for a building up to 12 storeys. It is envisaged that any development on the subject site will have a 4 storey podium and an 8 storey articulated tower set back above. Details regarding built form will be included in a site-specific development control plan.

The 12 storey (46m) building height would be significantly lower than the 31 storey 'Ranelagh' building behind the site, or the 14-26 storeys recommended for the opposite side of New South Head Road under the draft ECC Strategy. Future development on the subject site would instead adopt a scale that is similar to the Eastpoint residential tower or the apartment building at 100 New South Head Road. This would allow the site to facilitate an appropriate height transition between the ECC and the surrounding residential neighbourhoods.

The submitted indicative development concept also demonstrates that development within the proposed height can be articulated to further minimise bulk and ensure that the additional height sits sympathetically within the streetscape.

### 6.3. Floor Space Ratio

The amendment will permit development of the subject site for a building with approximately 8723m<sup>2</sup> of gross floor area (GFA) which is an FSR of 5:1. It is envisaged the GFA will include non-residential use in the 4-storey podium and residential use above. A minimum and maximum non-residential requirement is included in the site specific LEP clause to ensure that the development will be mixed use and not entirely commercial. Details regarding the distribution of floor space will be included in a site-specific development control plan.

As discussed above, future development will adopt a scale that is compatible with the existing and proposed built context of the site. The newly amalgamated site, stretching 50m along New South Head Road, will also allow for development to efficiently use any additional floor space. It would promote functional commercial spaces with flexibility for various uses, consolidated vehicular access and servicing arrangements, and efficiently-planned residential floor plates. This will ensure that the site could meaningfully contribute to the supply of dwellings and commercial floor space in Edgecliff, without resulting in an

unnecessarily bulky form.

#### **6.4 Land Reservation**

The applicant has also proposed to amend the Land Reservation Acquisition Map (Sheet FSR\_003) to remove the partial Classified Road (B4) Reservation from 136 New South Head Road, Edgecliff.

#### **6.5 6.4 Draft exceptions clause**

### **Part 6 Additional Local Provisions**

Having considered the advice of the Woollahra Local Planning Panel, the Woollahra Environmental Planning Committee and the Sydney Eastern District Planning Panel, the following text is indicative of what could be included in the LEP as a site specific clause for the subject site. The applicant was given an opportunity to comment on a draft and their comments have been incorporated where appropriate.

It should be noted that all draft clause is indicative only and will be subject to drafting by the Parliamentary Counsel's Office, should the proposal progress to finalisation.

#### **6.8 6.11. 136-148 New South Head Road, Edgecliff**

- (1) The objectives of this clause, in relation to the land to which this clause applies, are –
  - (a) to allow for increased density of development, where that development meets the requirements of subclauses (3)-(9),
  - (b) to ensure that development in accordance with this clause:
    - (i) reflects the desired future character for the site,
    - (ii) includes an appropriate amount of non-residential floor space,
    - (iii) achieves diverse housing,
    - (iv) exhibits design excellence,
- (2) This clause applies to the land known as 136-148 New South Head Road, Edgecliff, being identified in the key sites map and legally described as:
  - (a) Lot 1 DP663495 (No. 136),
  - (b) Lot 1 DP1092694 (No. 138-140),
  - (c) Lot 2 DP983678 (No 138-140),
  - (d) Lot A DP443992 (No 142-144),
  - (e) Lot B DP443992 (No 146-148).
- (3) Despite clauses 4.3 and 4.4, consent may be granted to development on the land to which this clause applies that results in a floor space ratio that does not exceed 5:1 and a height that does not exceed 46m if –
  - (a) All lots comprising the land will be amalgamated into one lot,
  - (b) The whole of the amalgamated lot will be developed as one development,

- (c) There will be no vehicular access from New South Head Road to the development,
  - (d) The development will include non-residential floor space as a minimum of 1:1 floor space ratio and a maximum of 2:1 floor space ratio,
  - (e) The development will achieve Design Excellence in accordance with sub clauses (6) and (7),
- (4) Development consent must not be granted to development to which this clause applies unless, in the opinion of the consent authority, the proposed development exhibits design excellence.
- (5) In considering whether a development exhibits design excellence, the consent authority must have regard to the following matters -
- (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) how the proposed development responds to the environment and built characteristics of the site and whether it achieves an acceptable relationship with other buildings on the same site and on neighbouring sites,
  - (d) whether the building meets sustainable design principles in terms of sunlight, natural ventilation, wind, reflectivity, visual and acoustic privacy, safety and security and resource, energy, and water efficiency,
  - (e) whether the proposed development detrimentally impacts on view corridors and landmarks,
  - (f) pedestrian, cycle, vehicular and service access, and circulation requirements, including the permeability quality of the pedestrian network,
  - (g) the impact on, and any proposed improvements to, the public domain,
  - (h) appropriate interfaces at ground level between the building and the public domain,
  - (i) whether the proposed development contains a mix of retail, commercial and residential uses,
  - (j) whether the proposed development contains a diversity of residential dwelling types a range of apartment types and sizes,
- (6) Development consent must not be granted to development on the land to which this clause applies unless a design advisory panel has provided advice to the Council on the design excellence to inform the assessment of the development application for the development.

(7) In this clause –

**design advisory panel** means a panel established by Woollahra Municipal Council to provide Woollahra Municipal Council officers with independent expert advice and expertise on urban design, architecture, landscape architecture, art, and sustainability

*Note: Woollahra Municipal Council will establish a design advisory panel of relevant professionals and the panel will be functional prior to the determination of a development application on the land to which this clause applies.*

- (8) Development consent must not be granted for development on land to which this clause applies unless a development control plan has been prepared for the land that provides for the following—
- (a) defining a building envelope in the form of a podium with tower, and built form controls to ensure the building envelope is commensurate with the maximum height and floor space
  - (b) setbacks,
  - (c) height of buildings in storeys,
  - (d) a mix of apartment types, including the number of bedrooms in each apartment,
  - (e) Conservation of the heritage item
  - (f) Car parking
  - (g) Vehicle access and egress.
- (9) A development control plan is not required to be prepared if the consent authority is satisfied that such a plan would be unreasonable or unnecessary in the circumstances or that the development—
- (a) involves only alterations or additions to an existing building, and
  - (b) does not significantly increase the height or gross floor area of the building, and
  - (c) does not have significant adverse impacts on adjoining buildings or the public domain, and
- (d) does not significantly alter any aspect of the building when viewed from public places.

## 7. Justification

### 7.1. Need for planning proposal

#### 7.1.1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

No. The planning proposal is not the direct outcome of a recent study or strategy. However, the planning proposal does have strategic merit regarding Region, District and Local strategic plans and strategies (as described at Point 6.4).

The development enabled by the planning proposal has the potential to help meet Woollahra's employment and housing targets. It will also assist in the revitalisation of the ECC, and the strengthening of the ECC as a key local centre.

The site is ideally located in the Woollahra LGA to take advantage of significant public transport infrastructure and existing services, and where the use of active transport should be encouraged through reduced parking provision. Whilst Council staff have concerns about some of the traffic generation calculations, these can be addressed should the planning proposal progress.

Council's Strategic Heritage Officer identified that the planning proposal is generally acceptable as it reflects Council's advice to reduce the height (from 18 to 12 storeys) and provides a partial cantilever over the heritage item at 136 New South Head Road. The proposed scale provides a more compatible setting and will not 'overwhelm' the parapeted form of the heritage item. Also, there will be no impact on nearby heritage items (due to separation distances) and the lower height of the proposed building envelope reduces the potential for adverse visual impacts from the Paddington HCA.

The planning proposal has site-specific merit, as it meets the objectives of the relevant Woollahra LEP 2014 and Woollahra DCP 2015 controls and is acceptable in the context of existing larger buildings in the vicinity of the subject site.

#### 7.1.2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The objective of the planning proposal is to enable the development of a building up to 12 storeys with GFA of approximately 8700m<sup>2</sup>. The proposed map amendments are site specific and the simplest and most effective means of achieving the objectives and providing certainty as to the outcome of the amendments.

A site-specific DCP would support the LEP amendments and provide greater certainty regarding outcomes, particularly in relation to design, and amenity and the provision of community infrastructure. The main objective would be to provide guidance on the built form and an appropriate balance between managing impacts and providing adequate flexibility to achieve design excellence.

### 7.2. Relationship to strategic planning framework

#### 7.2.1. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including exhibited draft plans or strategies)?

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Partially. The planning proposal is partially consistent with the objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the planning priorities and actions of the *Eastern City District Plan* (2018), as summarised below.

The relevant objectives of *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and actions in the *Eastern City District Plan* (2018), particularly with the objective of:

*Aligning growth with infrastructure, including transport, social and green infrastructure, and delivering sustainable, smart, and adaptable solutions.*

This approach is incorporated in the *Woollahra Local Strategic Planning Statement* (LSPS) and the *Woollahra Local Housing Strategy* (LHS), by focusing growth in areas close to public transport and key centres, and is carried into the draft ECC Strategy. The planning proposal will also assist in meeting the Eastern District City housing targets (with approximately 35 net new dwellings).

The planning proposal aligns with the centres' hierarchy as it has the potential to contribute to the ECC's revitalisation and strengthening the ECC as an employment and transport hub. Development of the subject site at a higher density will bring wider public benefits via modern employment and residential floor space.

However, we note that the planning proposal does not include any social and green infrastructure.

**7.2.2. Will the planning proposal give effect to a council endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

Yes. The planning proposal is consistent with the following Council strategic plans:

**1. Woollahra 2030, Council's Community Strategic Plan**

Given the subject site is within the ECC the planning proposal is consistent with the theme *quality places and spaces and*:

- *Goal 4: Well-planned neighbourhoods*
  - *4.1 Encourage and ensure high quality planning and urban design outcomes*
  - *4.5 Enhance the form and function of the local business centres*

The ECC is being planned to accommodate growth to create a more vibrant and liveable centre that will provide for the local population. A building within the proposed envelope could contribute to achieving some of the aims of the draft ECC Strategy by contributing to housing and modern employment space. This is consistent with the CSP's aim of preventing inappropriately sized development, while balancing the need for new housing and jobs, and responding to the housing targets set by the State Government.

**2. Woollahra Local Strategic Planning Statement 2020 (LSPS)**

The planning proposal is consistent with the LSPS *liveability theme and*:

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

The ECC is being planned to accommodate growth, to create a more vibrant and liveable centre that will provide for the local population and the planning proposal would contribute to these aims.

The planning proposal has the potential to contribute approximately 35 (net) new dwellings

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towards Woollahra's housing targets in the ECC that the LHS identified as the focus for Woollahra's housing growth.

### **3. Woollahra Local Housing Strategy (Woollahra LHS)**

The planning proposal is consistent with the Woollahra LHS as the resulting development would contribute towards achieving Woollahra's 2026-2036 housing targets. Under the terms of the DPE approval of the Woollahra LHS, Council is to undertake a review to address, among other things, the achievement of the 2026-2036 housing targets and the role of the ECC in achieving these targets.

### **4. Draft Edgecliff Commercial Centre Strategy 2021 (the draft ECC Strategy)**

The draft ECC Strategy is being prepared to accommodate employment and housing growth in accordance with the strategic planning framework. The planning proposal would contribute to revitalisation and strengthening of the ECC as a local centre and hub.

#### **7.2.3. Is the planning proposal consistent with any other applicable State and regional studies or strategies?**

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State Environmental Planning Policies (refer to **Schedule 1**).

#### **7.2.4. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State Environmental Planning Policies (refer to **Schedule 1**).

#### **7.2.5. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?**

Yes. The planning proposal is consistent with applicable section 9.1 directions (refer to **Schedule 2**).

### **7.3. Environmental, social and economic impact**

#### **7.3.1. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject land. Accordingly, the proposal will not have any impact in this regard.

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

No. The planning proposal is generally consistent with the Woollahra LEP 2014 and Woollahra DCP 2015 that incorporate consideration of environmental effects. In particular



the planning proposal is consistent with the objectives of relevant controls and the desired future character of the ECC, as assessed in **Schedule 3**.

**7.3.3. Has the planning proposal adequately addressed any social and economic effects?**

Yes. The planning proposal is generally consistent with the Woollahra LEP 2014 and Woollahra DCP 2015. In particular, the planning proposal is consistent with the objectives of relevant controls and the desired future character of the ECC, as assessed in the site-specific merit assessment in **Schedule 3**.

The planning proposal would allow for viable development of the subject site and would contribute to the strengthening of the ECC as a key local centre that is a transport, and employment and service hub for the Woollahra LGA.

**7.4. State and Commonwealth interests**

**7.4.1. Is there adequate public infrastructure for the planning proposal?**

Yes. The Eastern City District Plan does not identify any planned state upgrades to infrastructure in the Woollahra LGA. There are planned upgrades in the Eastern Economic Corridor - transport, health, education, and cultural facilities - that may benefit the subject site at a regional level.

The subject site is well-served by existing rail, bus, and regional road networks and is ideally located to take advantage of the significant public transport investment in the ECC that includes Edgecliff Station and bus interchange, and buses operating along New South Head Road. There are areas of open space within walking distance to the site at Trumper Park and Rushcutters Bay. There are shopping facilities, restaurants, entertainment, and other services within walking distance at the Edgecliff Centre and Eastpoint. The site meets the criteria for encouraging public transport use, walking, and cycling.

The subject site is within an established urban area currently serviced by water, sewer electricity and telecommunications infrastructure.

**7.4.2. What are the views of State and Commonwealth public authorities consulted in accordance with the Gateway determination?**

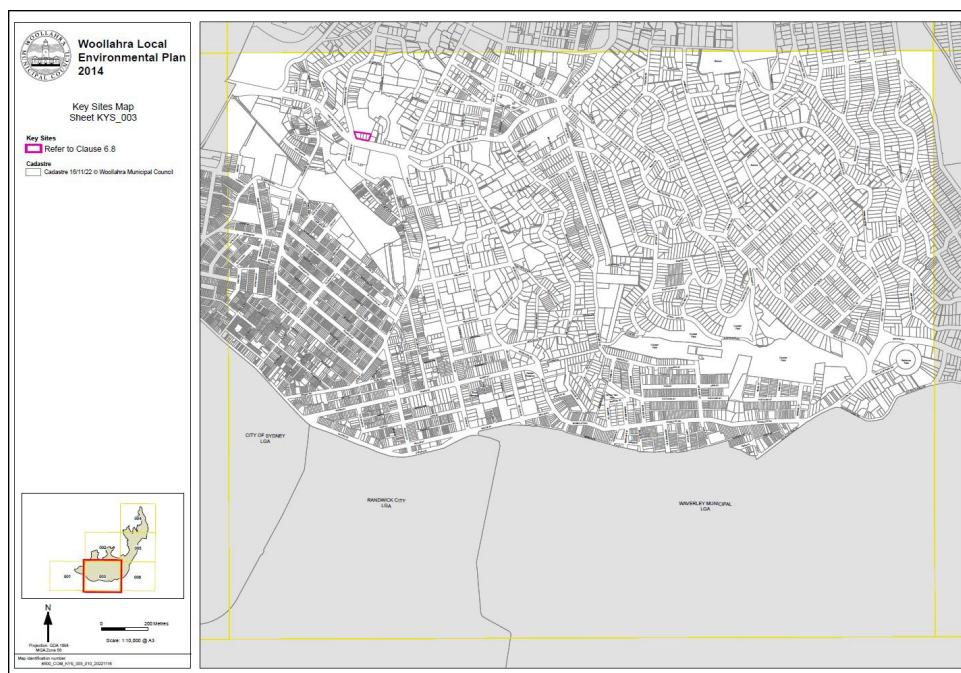
Consultation with public authorities will be undertaken during the public exhibition stage.

## 8. Mapping

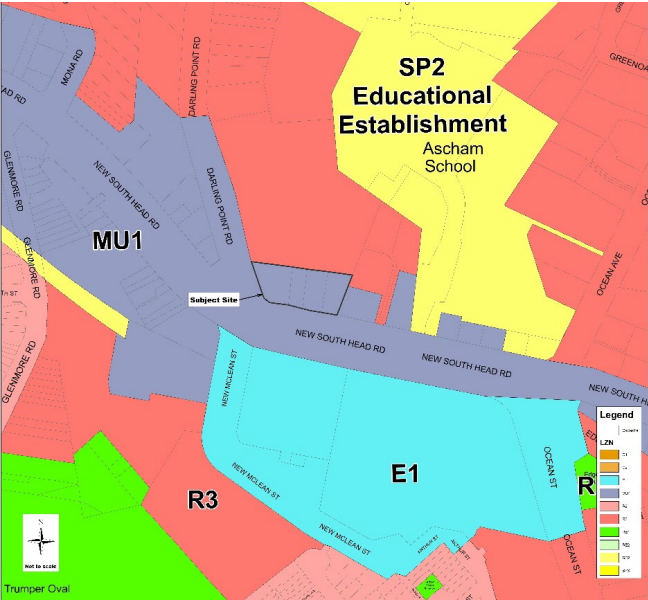
### 8.1. Proposed map

The planning proposal seeks to amend the Woollahra LEP 2014 Map by introducing a key sites map and identifying the site on the map. The key sites map will refer to the proposed site specific clause.

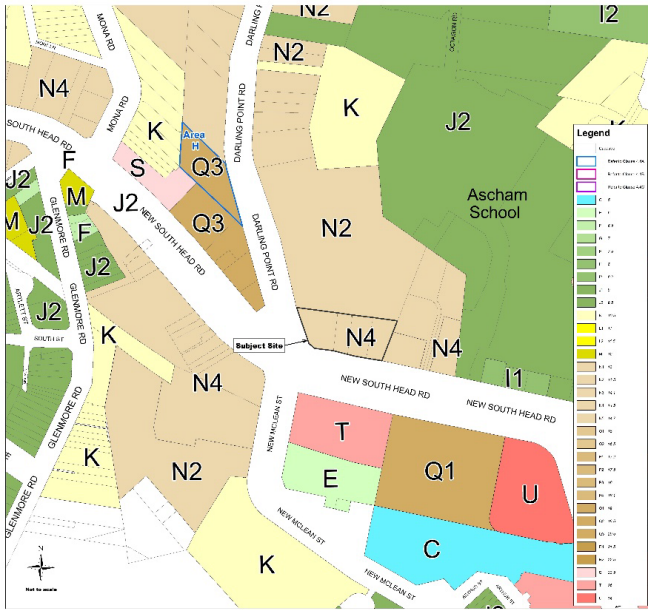
Using a new key sites map allows a direct and more efficient reference (saving on repetition) to the proposed exceptions in one site specific clause (rather than having the exceptions identified in both clauses 4.3 Exceptions to Height of Buildings and clause 4.4 Exceptions to FSR).



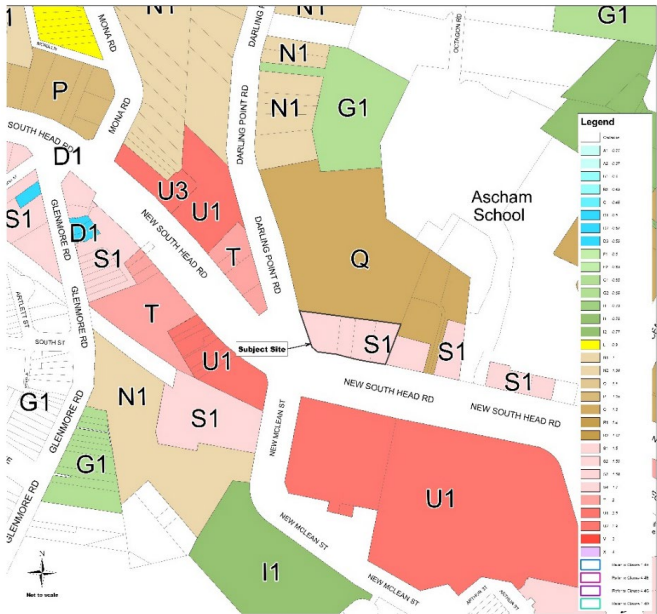
8.2. Existing Zoning Woollahra LEP 2014



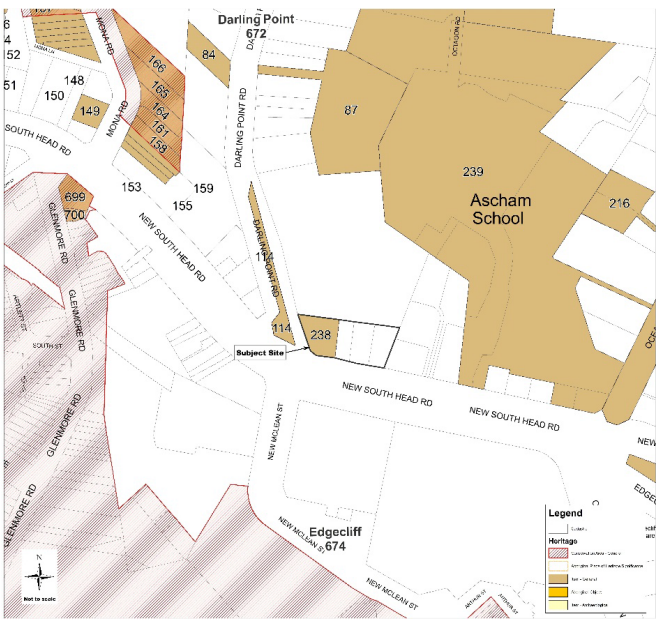
8.3. Existing Height of Buildings Woollahra LEP 2014



8.4. Existing Floor Space Ratio Woollahra LEP 2014



8.5. Existing Heritage Woollahra LEP 2014

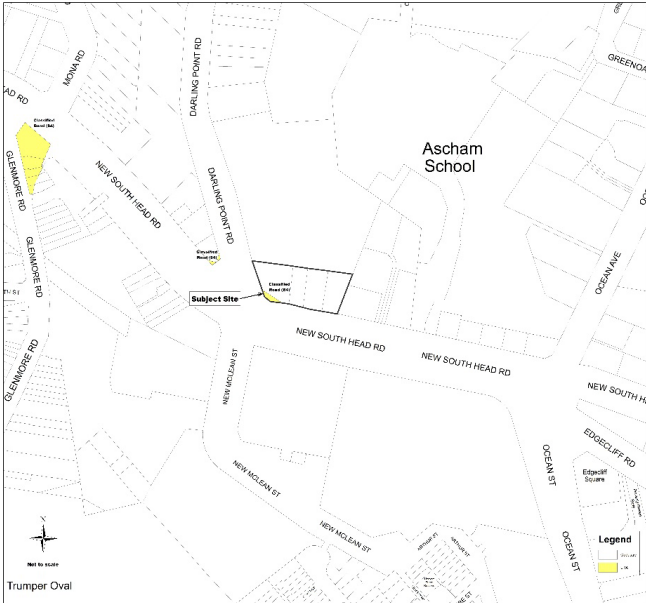


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8.6. Existing Land Acquisition Reservation Woollahra LEP 2014



## 9. Community consultation

The public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2021*, also having regard to other relevant plans and guidelines including the *Woollahra Community Participation Plan 2019*, *Local Environmental Plans – a guide to preparing local environmental plans* and any conditions of the Gateway determination.

We recommend that the planning proposal is exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period, when a hardcopy version of that newspaper is being published.
- a notice on Council's website.
- a letter to land owners in the vicinity of each site
- notice to local community, resident and business groups, such as the Double Bay Residents Association.

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

- the planning proposal, in the form approved by the Gateway determination.
- the Gateway determination.
- information relied upon by the planning proposal (such as the view analysis and relevant Council reports).
- Woollahra LEP 2014
- Section 9.1 Directions.

## 10. Project timeline

As Council is authorised to exercise the functions of the Minister for Planning under section 3.36 of the EP&A Act 1979, the proposed timeline for completion is as follows:

Plan-making step	Estimated completion
EPC/Council Report	July 2022
Rezoning Review Decision Delivered	25 August 2022
Response to Panels Secretariat - Council accepted PPA role	26 September 2022
Gateway request submitted (42 CDs* +11 CDs)	28 November 2022
Gateway determination	21 April 2023
Post-Gateway <sup>#</sup> – including agency consultation	August 2023
Request for alteration of Gateway determination	8 August 2023
Alteration of Gateway determination	11 September 2023
Public exhibition and assessment (95 WDs)	
Public exhibition (20 WDs)	26 September – 5 November 2023
Agency submissions (20 WDs)	Same time as public exhibition
Applicant response to submissions (25 WDs)	November 2023
Council assessment post exhibition	<del>4 December 2023</del> 5 February 2024
Council decision	<del>11 December 2023</del> 12 February 2024
Finalisation (55 WDs)	
Council <del>instructs the Parliamentary Counsel Office requests Minister</del> to prepare LEP amendment	<del>January 2024</del> February 2024
<del>Parliamentary Counsel issues an Opinion that the LEP can be legally made.</del>	<del>February 2024</del> March 2024
<del>Forward draft LEP to Department of Planning for notification</del>	<del>February 2024</del>
Notification of the LEP	<del>March 2024</del> April 2024

\* CDs = calendar days, WDs = working days – in accordance with the NSW Local

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*Environmental Plan Making Guideline, August 2023*

# Includes ~~draft DCP preparation and~~ Voluntary Planning Agreement finalisation.

A planning agreement is defined in section 7.4(1) of the EP&A Act 1979 as:

*A planning agreement is a voluntary agreement or other arrangement under this Division between a planning authority (or 2 or more planning authorities) and a person (the developer):*

- (a) who has sought a change to an environmental planning instrument, or*
- (b) who has made, or proposes to make, a development application or application for a complying development certificate, or*
- (c) who has entered into an agreement with, or is otherwise associated with, a person to whom paragraph (a) or (b) applies,*

*under which the developer is required to dedicate land free of cost, pay a monetary contribution, or provide any other material public benefit, or any combination of them, to be used for or applied towards a public purpose.*



## Schedules

### Schedule 1 – Consistency with State Environmental Planning Policies

State environmental planning policy	Comment on consistency
SEPP (Biodiversity and Conservation) 2021	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Exempt and Complying Development Codes) 2008	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Housing) 2021	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Industry and Employment) 2021	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Planning Systems) 2021	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Precincts - Central River City) 2021	Not applicable
SEPP (Precincts - Eastern Harbour City) 2021	Applicable and consistent. There are currently no identified state significant precincts located in the Woollahra LGA.
SEPP (Precincts - Western Parkland City) 2021	Not applicable.
SEPP (Precincts - Regional) 2021	Not applicable
SEPP (Primary Production) 2021	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Resilience and Hazards) 2021	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Resources and Energy) 2021	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

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State environmental planning policy	Comment on consistency
SEPP (Transport and Infrastructure) 2021	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy
SEPP No 65 – Design Quality of Residential Apartment Development	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Building Sustainability Index: BASIX) 2004	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

**Schedule 2 – Compliance with section 9.1 directions**

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
<b>1</b>	<b>Planning systems</b>	
1.1	Implementation of Regional Plans	Applicable and consistent. The planning proposal is consistent with the relevant objectives in the <i>Greater Sydney Region Plan: A Metropolis of Three Cities</i> (2018) and the relevant priorities and actions of the <i>Eastern City District Plan</i> (2018) as discussed herein.
1.2	Development of Aboriginal Land Council land	Not applicable. This planning proposal does not affect Aboriginal Land Council Land.
1.3	Approval and referral requirements	Applicable and consistent. The planning proposal does not provide any additional approval or referral requirements.
1.4	Site specific provisions	Applicable. Minor justifiable inconsistencies. The planning proposal does not contain any unnecessarily restrictive site specific planning controls. A site specific LEP clause is proposed that enables additional height and floor space subject to meeting specified criteria. The criteria reflect the indicative development concept that was part of the request for a planning proposal are not considered restrictive. The Gateway determination report considered these inconsistencies and recommended removal of references to affordable housing, community infrastructure and site specific heritage conservation. The report considered inconsistencies relating to site amalgamation, site specific DCP, design excellence (subject to removal of reference to planning/urban design strategies and public domain plans) minor and justifiable. The amendments required by the Gateway determination have been made to the site specific LEP clause and the remaining minor inconsistencies are considered justified.
1.5 – 1.22	Implementation Plans	Not applicable. These plans do not apply to the Woollahra LGA.

<b>2</b>	<b>Design and place</b>	
<b>3</b>	<b>Biodiversity and conservation</b>	
3.1	Conservation zones	Applicable and consistent. The planning proposal will not affect the conservation standards of any environmentally sensitive land.
3.2	Heritage conservation	Applicable and consistent. The planning proposal will not change existing heritage provisions. The planning proposal applies to a heritage item and Council's Strategic Heritage Officer has not raised any objections to the planning proposal on heritage grounds.
3.3	Sydney drinking water catchments	Not applicable. This direction does not apply to the Woollahra LGA.
3.4	Application of C2 and C3 zones and environmental overlays in Far North Coast LEPs	Not applicable. These LEPs do not apply to the Woollahra LGA.
3.5	Recreation vehicle areas	Not applicable. The planning proposal does not apply to sensitive land or land with significant conservation values, and does not relate to land to being developed for a recreation vehicle area.
3.6	Strategic conservation planning	Not applicable. The planning proposal does not apply to land identified as avoided land or a strategic conservation area under the State Environmental Planning Policy (Biodiversity and Conservation) 2021.
3.7	Public bushland	Not applicable. This planning proposal will not affect any public bushland.
3.8	Willandra Lakes Region	Not applicable. This direction does not apply to the Woollahra LGA.
3.9	Sydney Harbour foreshores and waterways area	Not applicable. The planning proposal does not apply to land identified within Foreshores and Waterways Area under the State Environmental Planning Policy (Biodiversity and Conservation) 2021.
3.10	Water catchment protection	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the objective of this direction.
<b>4</b>	<b>Resilience and hazards</b>	
4.1	Flooding	Applicable and consistent. The planning proposal will not rezone flood liable land or affect the application of controls that ensure

		that development on flood liable land will not result in risk to life or damage to property.  It is confirmed that the site <b>is not</b> identified as “flood-prone land” as defined in the <i>NSW Floodplain Development Manual 2005</i> when addressing section 9.1 Direction – 4.1 <i>Flooding</i> .
4.2	Coastal management	Not applicable. The planning proposal does not affect provisions relating to land in a coastal zone.
4.3	Planning for bushfire protection	Not applicable. The planning proposal does not affect bushfire prone land.
4.4	Remediation of contaminated land	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the objective of this direction.
4.5	Acid sulfate soils	Applicable and consistent. Existing acid sulfate soils provisions will not be altered by the planning proposal.
4.6	Mine subsidence and unstable land	Not applicable. The planning proposal does not apply to land within a proclaimed Mine Subsidence District or to land identified as unstable.
<b>5</b>	<b>Transport and infrastructure</b>	
5.1	Integrating land use and transport	Applicable and consistent. The planning proposal does not contain a provision which is contrary to the aims, objectives and principles of: <ul style="list-style-type: none"> <li>Improving Transport Choice – Guidelines for planning and development (DUAP 2001), and</li> <li>The Right Place for Business and Services – Planning Policy (DUAP 2001).</li> </ul>
5.2	Reserving land for public purposes	Applicable and consistent. Council has already resolved to remove the partial reservation on the subject site along with others on New South Head Road Edgecliff under a separate planning proposal (PP ). Council is continuing negotiations with the RMS and seeking their approval of the reservations.
5.3	Development near regulated airport and defence airfields	Applicable and consistent. The planning proposal does not contain a provision which is contrary to this direction.

5.4	Shooting ranges	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.
<b>6</b>	<b>Housing</b>	
6.1	Residential zones	Not applicable. The planning proposal does not apply to land in a residential zone.
6.2	Caravan parks and manufactured home estates	Not applicable. The planning proposal will not affect any caravan parks or manufactured housing estates.
<b>7</b>	<b>Industry and employment</b>	
7.1	Business and industrial zones	Applicable and consistent. The planning proposal does not remove or alter a business zone and does not reduce the achievable employment floor space in the existing MU1 Zone that applies to subject site. The intended outcome is maintenance or increase in employment floor space on the land the planning proposal applies to.
7.2	Reduction in non- hosted short-term rental accommodation period	Not applicable. These strategies do not apply to the Woollahra LGA.
7.3	Commercial and retail development along the Pacific Highway, North Coast	Not applicable. This direction does not apply to the Woollahra LGA.
<b>8</b>	<b>Resources and energy</b>	
8.1	Mining, petroleum production and extractive industries	Not applicable. This planning proposal will not affect any of the nominated activities.
<b>9</b>	<b>Primary production</b>	
9.1	Rural zones	Not applicable. This planning proposal will not affect any rural zones.
9.2	Rural lands	Not applicable. This planning proposal will not affect any rural lands.

9.3	Oyster aquaculture	Not applicable. This planning proposal will not affect any Priority Oyster Aquaculture Areas.
9.4	Farmland of state and regional significance on the NSW Far North Coast	Not applicable. This direction does not apply to the Woollahra LGA.



Department of Planning and Environment

## Gateway Determination

**Planning proposal (Department Ref: PP-2022-1646):** to introduce alternative floor space ratio and building height and site-specific provisions for land at 136-148 New South Head Road, Edgecliff.

I, the Executive Director, Metro East and South at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Woollahra Local Environmental Plan (LEP) 2014 to introduce alternative floor space ratio and building height and site-specific provisions for land at 136-148 New South Head Road, Edgecliff should proceed subject to the following conditions:

1. The planning proposal is to be revised prior to exhibition to address the matters set out below:
  - a) Provide a plain-English explanation of the planning proposal that covers all aspects of the site-specific provision. An updated draft clause may be provided with an advisory note that it is an example only and will be subject to legal drafting by Parliamentary Counsel, should the proposal progress to finalisation.
  - b) Clarify that the proposal seeks to introduce a local provision that allows alternative maximum height of buildings and floor space ratio (FSR) if certain requirements are met, as such the existing maximum height of buildings and FSR controls will remain in the LEP as base controls.
  - c) Remove reference to “urban design and planning strategy and public domain plan” as a matter of consideration from the design excellence provision.
  - d) Remove all references to community infrastructure and affordable housing requirements (which include the recoupment of cost of provision) from the proposal.
  - e) Remove the site-specific heritage conservation requirement as this is already addressed via Clause 5.10 *Heritage conservation* of the Standard Instrument LEP.
  - f) Amend the proposed minimum non-residential floor space ratio from 3:1 to 1.6:1; and remove the proposed maximum non-residential FSR of 3.5:1. Provide an economic analysis to test the feasibility of a minimum non-residential FSR of 1.6:1 or a higher quantum that takes into consideration the growth scenarios in the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy.
  - g) Amend the proposed alternative height of buildings control from 42m to 46m, subject to further design testing of the floor-to-floor heights currently shown in the indicative concept scheme against the floor-to-ceiling heights provisions of the Apartment Design Guide, the requirements of the National Construction Code and the outcomes of the economic testing outlined in item f) above.
  - h) Outline the matters to be addressed in the site-specific Development Control Plan.
  - i) Clarify Council’s intent to establish a “design review panel” or “design advisory panel” to ensure design excellence is achieved for future development and utilise consistent terminology throughout the document.



- j) Replace existing reference to “business” zones (i.e. “B” zones) with the new employment zones (i.e. “E” and “MU” zones) as a result of the Department’s Employment Zones Reform work.
  - k) Include extracts of relevant existing LEP maps that apply to the site, including Land Zoning, Floor Space Ratio, Height of Buildings, Heritage and Land Acquisition Reservation maps.
  - l) Explain the reasons for identifying the site on a new Key Sites Map; or alternatively, remove any reference to such a map if it is not required.
  - m) Include commentary that addresses the relevant provisions of the Woollahra Local Housing Strategy and relevant requirements of the Department’s approval of the Strategy.
  - n) Confirm whether the site is identified as “flood-prone land” as defined in the *NSW Floodplain Development Manual 2005* when addressing section 9.1 Direction – 4.1 *Flooding*.
  - o) Provide an updated discussion to demonstrate that the inconsistency with section 9.1 Direction 1.4 – *Site Specific Provisions* is justified in accordance with the terms of the direction.
  - p) Provide written explanation of the potential overshadowing impacts on the property at 160 New South Head Road to supplement the “sun-eye diagrams” in the concept scheme; and include additional shadow analysis relating to the proposed built forms and public plaza areas on the southern side of New South Head Road under the *Draft Edgecliff Commercial Centre Planning and Urban Design Strategy*.
  - q) Confirm the location of the apartments within 235-287 New South Head Road (known as “Eastpoint tower”) to which the view sharing modelling in the concept scheme relates to.
  - r) Update the project timeline in accordance with the requirements of the Gateway determination.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
- (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 working days; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022).

Exhibition must commence within 3 months following the date of the Gateway determination.

PP-2022-1646 (IRF22/4535)

3. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the EP&A Act:
  - Transport for NSW
  - Environment and Heritage Group, Department of Planning and Environment
  - Ausgrid
  - Sydney Water

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 20 working days to comment on the proposal.
4. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the EP&A Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
5. Council is not authorised to be the local plan-making authority to make this plan.
6. The time frame for completing the LEP is to be 8 months following the date of the Gateway determination.
7. The planning proposal must be reported to council for a final recommendation no later than 6 months from the date of the Gateway determination.

Dated 21<sup>st</sup> day of April 2023.



**Amanda Harvey**  
**Executive Director, Metro East and South**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and**  
**Public Spaces**

PP-2022-1646 (IRF22/4535)



**Department of Planning and Environment**

Our ref: IRF23/2257 (PP-2022-1646)

Mr Craig Swift-McNair  
General Manager  
Woollahra Municipal Council  
PO Box 61  
Double Bay NSW 1360

Dear Mr Swift-McNair

**Planning proposal PP-2022-1646 – Alteration of Gateway Determination**

I refer to a planning proposal within the Woollahra local government area to amend the Woollahra Local Environmental Plan (LEP) 2014 to introduce alternative floor space ratio (FSR) and building height and site-specific provisions for land at 136- 148 New South Head Road, Edgecliff (PP-2022-1646).

In accordance with the Gateway determination issued on 21 April 2023, Condition 1 indicates that the planning proposal is required to be revised prior to the commencement of public exhibition.

The Department notes Council 's letter of 8 August 2023 advising that the planning proposal has been reviewed and requests to alter the Gateway determination.

The Department has reviewed the amended planning proposal and having regard to this information supports the amendments. The Department also endorses the shadow analysis provided to address Condition 1.p).

Therefore, I have determined as the delegate of the Minister, in accordance with section 3.34(7) of the *Environmental Planning and Assessment Act 1979*, to alter the Gateway determination dated 21 April 2023 for PP-2022-1646. The timeframe for public exhibition and LEP finalisation to accommodate for time taken to resolve various conditions of the Gateway determination. The alteration of Gateway determination is enclosed.

If you have any questions in relation to this matter, please contact Alexander Galea, Manager, Infrastructure & Planning on 8289 6793.

Yours sincerely

A black ink signature of Amanda Harvey, written over a black rectangular redaction mark.

**Amanda Harvey**  
**Executive Director**  
**Metro East and South**  
**11 September 2023**

Encl: Alteration of Gateway Determination



Department of Planning and Environment

## Alteration of Gateway Determination

**Planning proposal (Department Ref: PP-2022-1646)** to introduce alternative floor space ratio and building height and site-specific provisions for land at 136-148 New South Head Road, Edgecliff.

I, the Executive Director, Metro East and South, at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 21 April 2023 for the proposed amendment to the Woollahra Local Environmental Plan 2014 as follows:

1. Delete:

“Condition 1.f)”

and replace with:

a new Condition 1.f):

“The development is to include a minimum non-residential floor space ratio (FSR) of 1:1 and a maximum non-residential FSR of 2:1.”

2. Delete:

“Condition 1.q)”

3. Delete:

“Condition 2”

and replace with:

a new Condition 2:

“Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:

- (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 working days; and
- (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022).

Exhibition must commence within 1 month following the date of this Alteration of Gateway determination.”

PP-2022-1646 (IRF23/2257)

4. Delete:

"Condition 6"

and replace with:

a new Condition 6:

"The time frame for completing the LEP is to be 11 March 2024."

5. Delete:



"Condition 7"

and replace with:

a new Condition 7:

"The planning proposal must be reported to council for a final recommendation no later than 31 December 2023."

Dated 11th day of September 2023

**Amanda Harvey**  
Executive Director, Metro East and South  
Department of Planning and Environment

**Delegate of the Minister for Planning and  
Public Spaces**

PP-2022-1646 (IRF23/2257)



Planning  
Panels

**REZONING REVIEW  
RECORD OF DECISION**  
SYDNEY EASTERN CITY PLANNING PANEL

<b>DATE OF DECISION</b>	18 August 2022
<b>PANEL MEMBERS</b>	Carl Scully (Chair), Jan Murrell, John Brockhoff, Toni Zeltzer, Mary-Lou Jarvis
<b>APOLOGIES</b>	None
<b>DECLARATIONS OF INTEREST</b>	None

**REZONING REVIEW**

PP-2022-1646 - WOOLLAHRA - RR-2022-12 - AT 136-148 New South Head Road, Edgecliff (as described in Schedule 1)

Reason for Review:

- ☒ The council has notified the proponent that the request to prepare a planning proposal has not been supported
- ☒ The council has failed to indicate its support 90 days after the proponent submitted a request to prepare a planning proposal or took too long to submit the proposal after indicating its support

**PANEL CONSIDERATION AND DECISION**

The Panel considered: the material listed at item 4 and the matters raised and/or observed at meetings and site inspections listed at item 5 in Schedule 1.

Based on this review, the majority of the Panel determined that the proposed instrument:

- ☒ **should** be submitted for a Gateway determination because the proposal has demonstrated strategic and site-specific merit
- ☐ **should not** be submitted for a Gateway determination because the proposal has
  - ☐ not demonstrated strategic merit
  - ☐ has demonstrated strategic merit but not site-specific merit

The decision was by a majority of 3:2 in favour, against the decision were Mary-Lou Jarvis and Toni Zeltzer.

**REASONS FOR THE DECISION OF PANEL MAJORITY**

The Panel concurs with the Council's strategic planning Consultant and the assessment report that the Planning Proposal (PP) has strategic merit as it aligns with the directions of the District Plan. The subject site is included within the boundary of the Edgecliff Commercial Centre (ECC), but it is not within the Council's defined area of the exhibited Draft Strategy for Edgecliff.

The Panel considers that this rezoning is not dependent on Council's adoption of its Strategy for Edgecliff that excludes the subject site. Whilst the boundary of the Strategy may be extended this is unlikely to occur within a reasonable timeframe. The Panel considers proceeding with this PP at this stage will not prejudice future planning for the Edgecliff Centre, and indeed this PP has considered the uplift in the number of storeys shown in the exhibited Draft Strategy.

The Panel is satisfied this PP is consistent with the District Plan and the objectives for the revitalisation of the Edgecliff centre by providing an uplift of commercial space and residential in very close proximity to a major bus/rail interchange. In this regard it is also consistent with the LSPS and Local Housing Strategy.

The Panel recommends this PP proceed to Gateway, however, the provisions of the draft LEP exhibited must include the following:

- a clause requiring a design excellence competition or equivalent.

- a clause requiring the subject site to be amalgamated to ensure no vehicle access to New South Head Road.
- a clause for maximum number of storeys/ height and Floor Space Ratio
- a draft DCP to be exhibited concurrently with guidelines for future development including massing; number of storeys; sustainability measures; relationship to local heritage item; wind analysis; minimal overshadowing of the public domain, including Trumper Park and plaza areas opposite and the appropriate mix of commercial and residential given characteristics of site.





The Panel notes the existence of a road reservation over the corner part of the site and this should be resolved with Transport for NSW. The effect of the current affectation for the heritage building is unknown at this time and if acquisition of, part or all, is required this will inform not only the final design but any compensation. Therefore, this needs to be resolved prior to the making of any LEP.

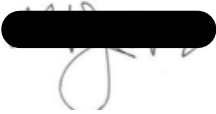
The planning process requires notification and public exhibition of the draft LEP, and in this case accompanied by a draft DCP. It is during this period that community consultation will occur, and the community will have the opportunity to formally make submissions on the draft plan during this public exhibition period.

The PP was submitted prior to the release of the LEP Making Guideline in December 2021 and as such the appointment of the PPA should follow the previous process. As such the Woollahra Council should be given the opportunity to decide whether to take on the role of PPA. If the Council decides not to take up this role then the Panel may appoint itself as the relevant Planning Authority.

**Those in the minority are of the opinion:**

- Toni Zeltzer expressed a position that notwithstanding the applicant has worked diligently with Council and there being site specific and strategic merit identified in the proposal, the height and bulk remains excessive causing the proposal to be intrusive and overwhelming.
- In addition, overshadowing beyond that created by Ranaleagh onto the public domain across the street alongside Edgecliff centre is much exacerbated across extended hours of the day.
- Mary-Lou Jarvis adopted the advice of the Council staff to the Environmental Planning Committee's meeting of the 4 July 2022 following the recommendation of the Woollahra Local Planning Panel "that the planning proposal does not have sufficient strategic or site-specific merit to proceed as a standalone planning proposal, and that it should be incorporated into the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy" (the Draft ECC Strategy).
- She expressed concern of an increased FSR of 5:1 (up from 1.5:1) where the increased height was from 14.5 to 46 metres and identified that the applicant was proposing to double the amount of commercial space from 1,011 to 2,850sqm and 42 residential units over 8 floors and considered that having regard to the housing strategy adopted by Council that it would be more appropriate for a greater residential component consistent with the Strategy. Finally, she expressed concern having regard to the number of submissions from the community that the community is not able to make verbal submissions to the Panel in respect of the proposal.

PANEL MEMBERS	
 Carl Scully (Chair)	 Jan Murrell
 John Brockhoff	 Toni Zeltzer

 Mary-Lou Jarvis	
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SCHEDULE 1		
1	<b>PANEL REF – LGA – DEPARTMENT REF - ADDRESS</b>	PP-2022-1646 - WOOLLAHRA - RR-2022-12 - AT 136-148 New South Head Road, Edgecliff
2	<b>LEP TO BE AMENDED</b>	Woollahra Local Environmental Plan (LEP) 2014
3	<b>PROPOSED INSTRUMENT</b>	The proposal seeks to amend the Woollahra Local Environmental Plan (LEP) 2014 to increase the height of buildings from 14.5m to 46m and the floor space ratio (FSR) from 1.5:1 to 5:1 for the site at 136-148 New South Head Road, Edgecliff.
4	<b>MATERIAL CONSIDERED BY THE PANEL</b>	<ul style="list-style-type: none"> <li>Rezoning review request documentation</li> <li>Briefing report from Department of Planning, Industry and Environment</li> </ul>
5	<b>BRIEFINGS AND SITE INSPECTIONS BY THE PANEL/PAPERS CIRCULATED ELECTRONICALLY</b>	<ul style="list-style-type: none"> <li><b>Briefing with Department of Planning, Industry and Environment (DPIE):</b> 18 August 2022 <ul style="list-style-type: none"> <li>Panel members in attendance: Carl Scully (Chair), Jan Murrell, John Brockhoff, Toni Zeltzer, Mary-Lou Jarvis</li> <li>DPIE staff in attendance: Pengfei Cheng, Laura Locke, Simon Ip</li> </ul> </li> <li><b>Briefing with Council and Proponent:</b> 18 August 2022 <ul style="list-style-type: none"> <li>Carl Scully (Chair), Jan Murrell, John Brockhoff, Toni Zeltzer, Mary-Lou Jarvis</li> <li>DPIE staff in attendance: Pengfei Cheng, Laura Locke, Simon Ip</li> <li>Council representatives in attendance: Anne White, Louise Mendey</li> <li>Proponent representatives in attendance: Mr Andrew Boyarsky, Brett Brown, Lisa-Maree Carrigan, Joshua Hollis, Martin Hill, Steven Davies.</li> </ul> </li> <li>Papers were circulated electronically 10 August 2022</li> </ul>

Woollahra Municipal Council  
Environmental Planning Committee Agenda

4 July 2022

**Item No:** R1 Recommendation to Council

**Subject:** **PLANNING PROPOSAL - 136-148 NEW SOUTH HEAD ROAD, EDGECLIFF AND REPORTING THE ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL**

**Author:** Louise Munday, Consultant Strategic Planner

**Approvers:** Anne White, Manager - Strategic Planning  
Scott Pedder, Director - Planning & Place

**File No:** 22/72243

**Purpose of the Report:** To provide Council with the advice of the Woollahra Local Planning Panel on a planning proposal for 136-148 New South Head Road, Edgecliff.  
To recommend that Council refuses the planning proposal for 136-148 New South Head Road.

**Alignment to Delivery Program:** Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

**Recommendation:**

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 22 April 2022 regarding the planning proposal for 136-148 New South Head Road, Edgecliff.
- B. THAT consistent with the advice from the Woollahra Local Planning Panel, Council resolves to refuse the planning proposal for 136-148 New South Head Road, Edgecliff which seeks to amend the Woollahra Local Environmental Plan 2014 in the following manner:
- (i) Increase the maximum height of buildings development standard from 14.5m to 46m
  - (ii) Increase the maximum floor space ratio development standard from 1.5:1 to 5:1.
- C. THAT the applicant be notified that Council has refused the planning proposal in accordance with Clause 9 of the *Environmental Planning and Assessment Regulation 2021*.
- D. THAT 136-148 New South Head Road, Edgecliff be incorporated into the post exhibition version of the *Draft Edgecliff Commercial Centre Planning and Urban Design Strategy* as a potential uplift site.

**Executive Summary:**

Council received an owner initiated planning proposal for 136-148 New South Head Road, Edgecliff to amend the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) to:

- Increase the maximum height of buildings development standard from 14.5m to 46m
- Increase the maximum floor space ratio development standard from 1.5:1 to 5:1.

A detailed assessment of the planning proposal was undertaken by Council staff and in summary, staff considered that the planning proposal had strategic and site-specific merit. This assessment was presented to the Woollahra Local Planning Panel (Woollahra LPP) on 22 April 2022.

The advice from the Woollahra LPP was that the planning proposal does not have *sufficient* strategic or site specific merit to proceed as a stand-alone planning proposal, and that it should be incorporated into the *Draft Edgecliff Commercial Centre Planning and Urban Design Strategy* (the Draft ECC Strategy).

Council staff accept the advice from the Woollahra LPP that it would be premature to progress the planning proposal prior to the finalisation of the Draft ECC Strategy. Having considered this advice, staff recommend that Council resolves to refuse the planning proposal as contained in **Attachment 1** of the report to the Environmental Planning Committee of 4 July 2022, and resolves to notify the applicant in accordance with Clause 9 of the *Environmental Planning and Assessment Regulation 2021* (the Regulations).

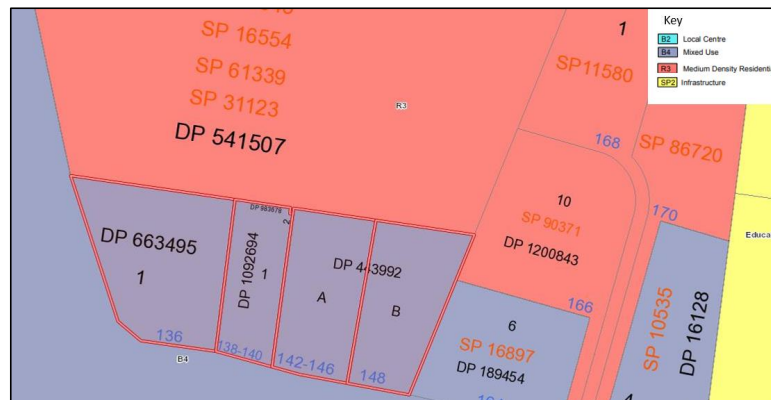
Item No. R1

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**Discussion:**

The site and surrounding context

The subject site is known as 136-148 New South Head Road, Edgecliff, has an area of approximately 1746m<sup>2</sup> and comprises the following lots (see **Figure 1** below) Lot 1 DP 663495 (No. 136), Lot 1 DP 1092694 (No. 138-140), Lot 2 DP 983678 (No 138-140), Lot A DP 443992 (No 142-144), Lot B DP 443992 (No 146-148).



**Figure 1: Cadastral map (sites highlighted in red)**



**Figure 2: Aerial view of the subject site (site highlighted in red)**

The site is located on the north-eastern corner of New South Head Road and Darling Point Road (see **Figure 2**). The site comprises the following buildings (see **Figure 3**):

- 136 New South Head Road – A two storey rendered brick building, used for commercial and residential purposes, with an at grade car park to the rear. This property is listed as local heritage item No. 238 under the Woollahra LEP 2014 (see **Figure 5**).
- 138-140 New South Head Road – A three to four storey rendered brick apartment building. Due to the slope from north to south across this property, the building presents as four storeys to New South Head Road.

- 142-148 New South Head Road – A two storey former residential building currently used for commercial and medical suites.

Vehicular access is provided via an existing driveway off Darling Point Road, about 25m from the intersection with New South Head Road. The driveway currently provides access to off-street parking for 136 New South Head Road only.

The site is zoned B4 Mixed Use under the Woollahra LEP 2014 (see **Figure 4** below) and the corner of 136 New South Head Road is identified as land to be reserved for road widening under *Clause 5.1 Relevant acquisition authority of the Woollahra LEP 2014*<sup>1</sup>.



**Figure 3: 3D view of 136-148 New South Head Road  
(site highlighted in red) viewed from the west**

Development surrounding the site comprises a mix of commercial, retail, residential and educational buildings varying in age, and height from 1 storey to 14 storeys. An exception to this built form is the 31 storey apartment building 'Ranelagh', located immediately to the north and zoned R3 Medium Density Residential under the Woollahra LEP 2014. The Ranelagh building sits in a large landscaped area and has a substantial parking garage on its boundary with the subject site. The Ranelagh Building is identified as intrusive development in the *Woollahra Development Control Plan 2015* (Woollahra DCP 2015).

Immediately east of the subject site are five lower scale buildings with limited access from New South Head Road, with access via a shared right-of way.

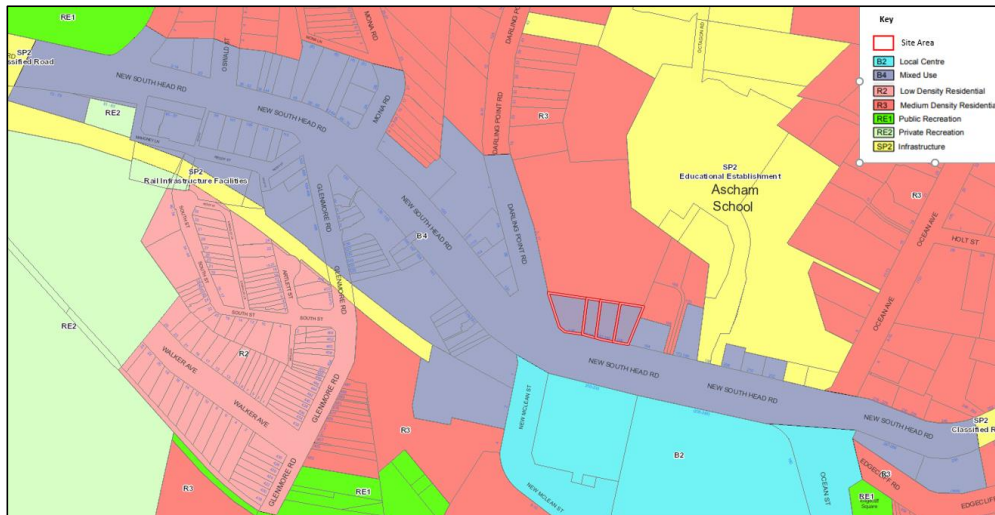
The site is opposite the Edgecliff Station and bus interchange which establishes the Edgecliff Commercial Centre (ECC) as a local transport, employment, retail and service hub.

<sup>1</sup> On 25 October 2021, Council resolved to submit a planning proposal to the Department of Planning and Environment seeking to remove twelve parcels of land along New South Head Road and Glenmore Road in Edgecliff from the Land Reservation Acquisition Map in the Woollahra LEP 2014. These parcels have been reserved for road widening. As this matter is being progressed separately, it is not the subject of this planning proposal.

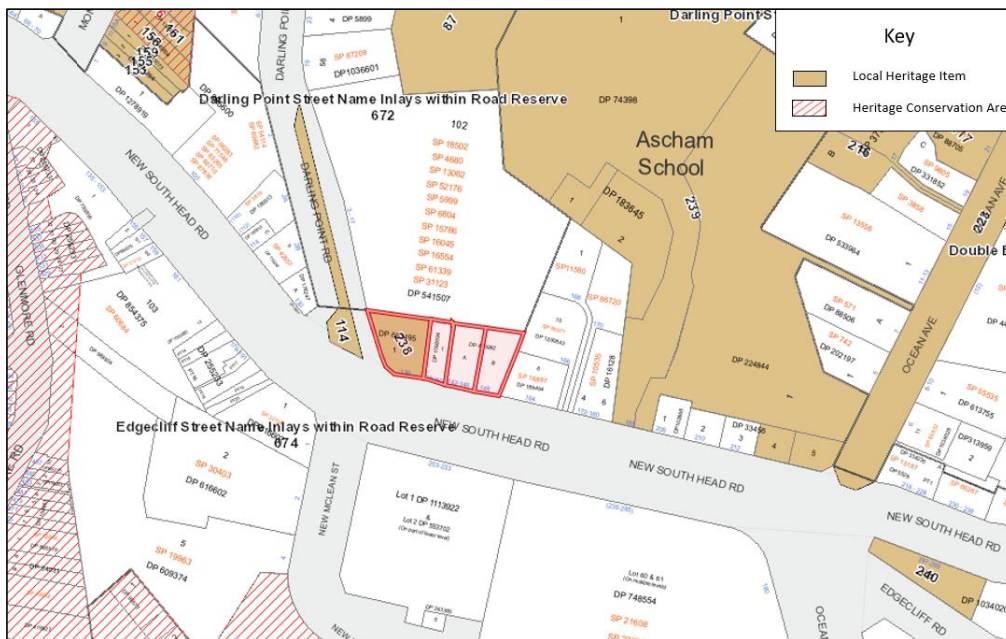


**Figure 5** illustrates the location of the heritage items on, and surrounding the subject site and the proximity of the Paddington Heritage Conservation Area (HCA), which is located to the south west of the subject site separated by New South Head Road and the Edgecliff Centre. Trumper Park and Trumper Oval, within the HCA, provide open space including informal and formal recreation areas, and mature trees.

Eastpoint residential tower is at the corner of New South Head Road and Ocean Street. Located at the top of the ridge line this 14 storey building presents as a significant landmark in the area.



**Figure 4: Extract from the Woollahra LEP 2014 (site highlighted in red)**

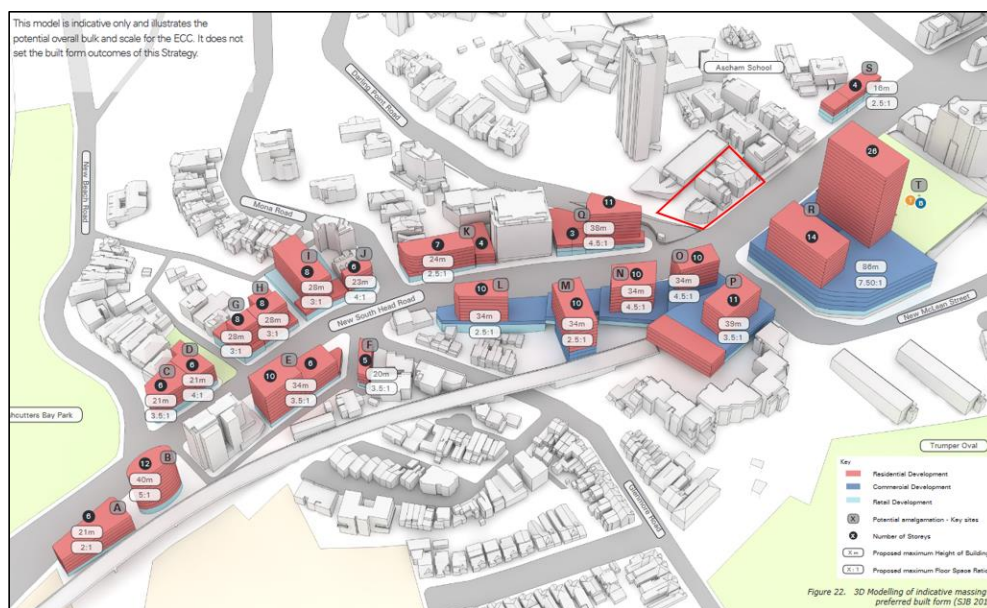


**Figure 5: Extract from the Woollahra LEP 2014 Heritage Map (site highlighted in red)**

Draft Edgecliff Commercial Centre Planning and Urban Design Strategy

The subject site is within the Edgecliff Commercial Centre (ECC) and within the area covered by the Draft ECC Strategy. The Draft ECC strategy sets a new vision for the ECC and makes recommendations on key built form outcomes including land uses, heritage conservation, maximum building heights, active street frontages, affordable housing, design excellence, community infrastructure and transport. The Draft ECC Strategy identifies a number of properties along New South Head Road with potential uplift (additional height and FSR) (see **Figure 6** below).

Whilst the site falls within the ECC it was not identified for uplift in the Draft ECC Strategy. This was because at the time of preparation, the subject site was in multiple ownerships and vehicle access was not available to all four properties. However, since the Draft ECC Strategy was prepared, the subject site has been brought into a single ownership and vehicle access can be obtained to the whole site from Darling Point Road.



**Figure 6: Extract from the 3D model contained in the ECC Strategy (site in red).**

Council exhibited the Draft ECC Strategy from 31 May – 30 September 2021. Given issues raised in submissions, Council staff are refining the Draft ECC Strategy and intend to provide a post-exhibition report to Council later this year.

While it is expected uplift sites will be identified in the final ECC Strategy, at the time of writing this report, there is no certainty about which sites will be included and what building height and floor space controls will be recommended.

Background

In March 2021, Council staff held a pre-application meeting with the applicant team and discussed concept plans for a 66m building (18 storeys) with a proposed FSR of 6:1. In a letter dated 12 April 2021, Council staff provided minutes of the pre-application meeting, and documented issues for the applicant to address prior to submitting a formal request to Council. The letter included an indication that 18 storeys was excessive and that a 12 storey building might be more appropriate.

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On 13 October 2021, Edgecliff Central Pty Ltd lodged a request for a planning proposal for 136-148 New South Head Road, Edgecliff (the subject site) (see **Attachment 4**). The objective of the planning proposal is to increase the development potential of the subject site to facilitate a 12 storey mixed use building by amending the Woollahra LEP 2014 as follows:

- Increase the maximum height of buildings development standard from 14.5m to 46m
- Increase the maximum floor space ratio development standard from 1.5:1 to 5:1.

All the documents provided with the applicant's request for a planning proposal (see **Attachment 5**) are available on Council's website at the following link:

[https://www.woollahra.nsw.gov.au/building\\_and\\_development/development\\_rules/previous\\_and\\_proposed\\_exhibitions/planning-proposal-request-for-136-148-new-south-head-road,-edgecliff](https://www.woollahra.nsw.gov.au/building_and_development/development_rules/previous_and_proposed_exhibitions/planning-proposal-request-for-136-148-new-south-head-road,-edgecliff)

The applicant submitted the overall building envelope with an indicative development concept to illustrate the built form that could be constructed in accordance with the proposed controls (see **Figures 7-9** below).



**Figure 7: 3D view of the proposed building envelope on the subject site (with the development concept contained within it), viewed from the south west**

The indicative concept illustrated in **Figure 8** below indicates a street wall height of 15m (four storeys) along the New South Head Road frontage. The concept illustrates the upper eight storeys of the building are set back above the four storey podium and articulated into a series of ellipses.

Non-residential uses are concentrated in the four storey podium with residential dwellings on levels 5-12 above with a roof top garden. The indicative development concept of a 12 storey mixed use development comprises:

- Total Gross Floor Area of 8723m<sup>2</sup>
- Forty-one mixed sized apartments
- Three levels of basement parking with capacity for 77 car spaces.



The indicative development concept shows the conservation of the heritage item at 136 New South Head Road by retaining the existing building and partially cantilevering the new building over the top (see **Figure 9** below).



**Figure 8: Artist's impression of indicative development concept viewed looking north from New South Head Road (Source: Planning Proposal Concept Report, Group GSA 2021)**



**Figure 9: Artist's impression of indicative development concept – Darling Point Road looking south (Source: Planning Proposal Concept Report, Group GSA 2021)**

Council staff assessed the planning proposal with reference to the NSW Department of Planning and Environment's (DPE) *Local Environmental Plan Making Guideline* (December 2021). The full staff assessment is provided at **Attachment 2**.

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In summary, staff considered that the planning proposal has strategic merit in the context of the region, district and local planning objectives and will help achieve Council's desired outcomes for land surrounding the ECC. The planning proposal also demonstrates site-specific merit. The built form likely to result from the amended controls will align with the scale of surrounding developments, and position new residential and commercial floor space in an appropriate location. It will also facilitate an appropriate height transition to surrounding lower density uses, ensuring that the wider built environment is respected.

The staff comment on height was made in the context of the indicative uplift identified in the draft ECC Strategy. The exhibited draft ECC Strategy indicates the following four properties in the vicinity of the site

**Table 1: Indicative uplift identified in the draft ECC Strategy,  
for sites surrounding the subject site**

Address	Location	Existing height control	Indicative uplift
203-233 New South Head Rd	Opposite on New South Head Rd	7-8 storeys (6m/26m)	14 to 26 storeys (86m)
2 New McLean St	Opposite on New McLean St	4 storeys (14.5m)	11storeys (39m)
1 New McLean St	Opposite corner of New South Head Rd & New McLean St	4 storeys (14.5m)	10 storeys (34m)
130 New South Head Rd	Opposite on northwest corner of New South Head Rd & Darling Point Rd	6 storeys (20.5m)	11 storeys (38m)

Accordingly, staff prepared a planning proposal which was referred to the Woollahra LPP (see **Attachment 1**). The planning proposal satisfied the requirements of section 3.33 of the *Environmental Planning and Assessment Act 1979* (the Act) as it includes:

- A statement of the objectives or intended outcome of the amendment to Woollahra LEP 2014.
- An explanation of the provisions that are to be included in the amendment to Woollahra LEP 2014
- Justification for the objectives, outcomes and provisions and a process for implementation.
- Details of the community consultation that is to be undertaken.

#### Advice of the Woollahra Local Planning Panel

Local Planning Panels (LPPs) are panels of independent experts that determine development applications on behalf of Council and provide advice on other planning matters, including planning proposals. Under the Act, LPPs are mandatory for all Sydney councils and are put in place so the process of assessment and determination of development as applications with a high corruption risk, sensitivity or strategy importance is transparent and accountable.

The planning proposal was referred to the Woollahra LPP on 22 April 2022 (see **Attachment 3**) where they provided the following advice to Council:

- THAT the Woollahra Local Planning Panel advises Council that the planning proposal for 136-148 New South Head Road, Edgecliff does not have sufficient strategic or site specific merit to proceed as a stand-alone planning proposal, and that it should be incorporated into the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy.*
- THAT should Council resolve that the planning proposal for 136-148 New South Head Road, Edgecliff should proceed to a Gateway determination, the Woollahra Local Planning Panel advises Council that:*

- I. *It does not support the site specific amendments to increase the Height of Buildings to 46m and the Floor Space Ratio to 5:1 without further urban design and traffic analysis including:*
  - a. *whether the 46m height standard is beyond what is required to accommodate a 12 storey building; and*
  - b. *defining in a draft Development Control Plan a building envelope that does not exceed a Floor Space Ratio of 5:1 and is in the form of a podium with tower.*
  - c. *the cumulative traffic and transport implications of the proposal and measures that are to be undertaken to mitigate impacts e.g. reduced car parking provision.*
- II. *The planning proposal should provide for a site specific clause to be included in the Woollahra Local Environmental Plan 2014 which would increase the maximum height of buildings and the maximum Floor Space Ratio, but only if certain matters are satisfied. These matters should include, but not be limited to:*
  - a. *Site amalgamation.*
  - b. *Retention and conservation of the Heritage Item in a manner which retains the scale of the building and ensures that the item is not overwhelmed by the proposed new building.*
  - c. *Specifying a minimum quantum of non-residential Floor Space Ratio*
  - d. *Provision of Affordable Housing consistent with Council's adopted policy.*
  - e. *Design Excellence and commitments to sustainability beyond those required by BASIX.*
- III. *Any planning agreement proposed by the applicant is to be prepared in accordance with the adopted Woollahra Voluntary Planning Agreement Policy 2020.*
- IV. *Should a Gateway determination be received, the planning proposal, site-specific draft development control plan and any draft Planning Agreement be publicly exhibited concurrently.*

It is noted that the Woollahra LPP provided the following **reasons for its decision**:

*The Panel has considered the planning proposal, and advises Council that it is premature to proceed at this stage to Gateway prior to the adoption of the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy (ECC Strategy). In particular, there remain a number of unresolved strategic issues in relation to the capacity of the surrounding road network and the status of the road reservation planning proposal, the provision of community infrastructure upgrades, and the overall bulk and form of the Centre. The benefit of providing 35 net new dwellings does not provide sufficient justification to proceed, prior to the ECC Strategy being adopted.*

*The Panel advises Council that the planning proposal does not have sufficient site specific merit to proceed as a standalone planning proposal, particularly as it proposes to significantly increase the Height and Floor Space Ratio development standards with no mechanisms within the LEP to ensure the delivery of the benefits proposed in the concept design. These matters include but are not limited to:*

- *Site amalgamation.*
- *Retention and conservation of the Heritage Item in a manner which retains the scale of the building and ensures that the item is not overwhelmed by the proposed new building.*
- *Specifying a minimum quantum of non-residential Floor Space Ratio.*
- *Provision of Affordable Housing consistent with Council's adopted policy.*
- *Design Excellence and commitments to sustainability beyond those required by BASIX.*

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### Rezoning Review

On 31 May 2022, the applicant submitted a rezoning review request (RR-2022-12) to the DPE through the NSW Planning Portal.

The rezoning review process allows an applicant to request an independent planning panel evaluate whether a proposal should progress to a Gateway determination. The applicant can request a rezoning review after the lodgement of the planning proposal and Council has either:

- notified the proponent in writing that it does not support the proposal, or
- failed to indicate its support for the planning proposal within 90 or 115 calendar days (depending on the planning proposal category).

Given the planning proposal was lodged in September 2021, the first criteria was met. Having liaised with staff at the DPE it is understood that the rezoning review request has been placed on hold until Council makes a decision on the planning proposal. Should Council resolve to refuse the planning proposal, the Sydney Eastern City Planning Panel will review the submission and make a recommendation to the Minister on whether the proposal should be submitted for Gateway determination and subsequently be placed on public exhibition.

### **Options:**

Council staff accept the advice from the Woollahra LPP that it would be premature to progress the planning proposal prior to the finalisation of the Draft ECC Strategy. Having regards to the advice from the Woollahra LPP, Council staff recommend that Council resolves to refuse the planning proposal. Consistent with Clause 9 of the *Regulations*, the applicant would be notified that Council has not supported the planning proposal.

However, Council staff recommend that the site is incorporated into the post exhibition version of the Draft ECC Strategy which will be reported to a future meeting of Council. A resolution of the issues identified in the Woollahra LPP's advice can be pursued through progress of the Draft ECC Strategy. This would include further urban design and traffic analysis including:

- a. whether the 46m height standard is beyond what is required to accommodate a 12 storey buildings; and
- b. defining a building envelope that does not exceed a Floor Space Ratio of 5:1 and is in the form of a podium with tower.
- c. the cumulative traffic and transport implications of the proposal and measures that are to be undertaken to mitigate impacts e.g. reduced car parking provision.

### Alternate recommendation

Alternatively, Council could resolve to proceed with the planning proposal (at **Attachment 1**), and resolve that the planning proposal (with updates to make reference to the Council decision) will be referred to the DPE seeking a Gateway determination. This will allow the planning proposal to be placed on public exhibition.

Should Council resolve to proceed, Council staff would draft an addendum that would address the advice from the Woollahra LPP and would propose a site specific clause to be included in the Woollahra LEP 2014 which would include exceptions to the mapped development standards (being height of buildings and floor space ratio). I.e. the mapped development standards could only be achieved via a development application where the following are also achieved:

- Site amalgamation (with one development over the entire site).
- Retention and conservation of the Heritage Item in a manner which retains the scale of the building and ensures that the item is not overwhelmed by the proposed new building.
- Specifying a minimum quantum of non-residential Floor Space Ratio.
- Provision of Affordable Housing consistent with Council's adopted policy (as a percentage of the additional residential floor space).

- Design Excellence (to be achieved through a competitive design process).
- Commitments to sustainability beyond those required by BASIX (including registration with the Green Buildings Council of Australia and Green Star Buildings Rating).

In addition to these matters raised by the Woollahra LPP, Council staff also recommend including the following additional exceptions:

- A specified mix of apartment sizes.
- Provision of, or contribution towards, community infrastructure.

Staff also suggest that the applicant be required to submit further urban design and traffic analysis to address:

- whether the 46m height standard is beyond what is required to accommodate a 12 storey buildings; and
- defining a building envelope that does not exceed a Floor Space Ratio of 5:1 and is in the form of a podium with tower.
- the cumulative traffic and transport implications of the proposal and measures that are to be undertaken to mitigate impacts e.g. reduced car parking provision.

It was acknowledged in the report to the Woollahra LPP that should the planning proposal proceed, a site specific DCP would be prepared to incorporate detailed guidelines for built form and design. The Draft DCP would include guidance on a *building envelope that does not exceed a Floor Space Ratio of 5:1 and is in the form of a podium with tower* as advised by the Woollahra LPP. The DCP could also include guidance on parking and traffic related matters, public domain and urban design, and detail on conservation of the heritage item. A Draft DCP would be reported to a future meeting of Council, should the planning proposal proceed.

Should Council resolve to proceed with the planning proposal, Council could adopt the following alternative recommendation:

- A. *THAT Council note the advice provided by the Woollahra Local Planning Panel on 22 April 2022 regarding the planning proposal for 136-148 New South Head Road, Edgecliff.*
- B. *THAT Council endorse the planning proposal as contained in **Attachment 1** of the report to the Environmental Planning Committee of 4 July 2022 to amend the Woollahra Local Environmental Plan 2014 to:*
  - (i) *Increase the maximum height of buildings development standard from 14.5m to 46m*
  - (ii) *Increase the maximum floor space ratio development standard from 1.5:1 to 5:1.*
- C. *THAT Council staff prepare an addendum to the planning proposal to identify that any increase in the maximum height of buildings and maximum floor space ratio development standards be permitted by way of an exception to the mapped development standards and subject to satisfactory consistency with the provisions of a specific clause in the Woollahra Local Environment Plan 2014 which includes:*
  - (i) *Site amalgamation (with one development over the entire site).*
  - (ii) *Retention and conservation of the Heritage Item in a manner which retains the scale of the building and ensures that the item is not overwhelmed by the proposed new building.*
  - (iii) *Specifying a minimum quantum of non-residential Floor Space Ratio.*
  - (iv) *Provision of Affordable Housing consistent with Council's adopted policy (as a percentage of the additional residential floor space).*
  - (v) *Design Excellence (to be achieved through a competitive design process).*
  - (vi) *Commitments to sustainability beyond those required by BASIX (including registration with the Green Buildings Council of Australia and Green Star Buildings Rating).*
  - (vii) *A specified mix of apartment sizes.*
  - (viii) *Provision of, or contribution towards, community infrastructure.*

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- D. *THAT the applicant be requested to submit a further urban design and traffic analysis to address:*
- (i) Whether the 46m height standard is beyond what is required to accommodate a 12 storey buildings; and*
  - (ii) Defining a building envelope that does not exceed a Floor Space Ratio of 5:1 and is in the form of a podium with tower.*
  - (iii) The cumulative traffic and transport implications of the proposal and measures that are to be undertaken to mitigate impacts e.g. reduced car parking provision.*
- E. *THAT when the revised urban design and traffic analysis is received, Council forwards the planning proposal to the Department of Planning and Environment with a request for a Gateway Determination to allow public exhibition.*
- F. *THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environment plan under section 3.36 of the Environmental Planning and Assessment Act 1979.*
- G. *THAT prior to exhibition, Council adopt a site specific Draft Development Control Plan that provides detail on the design of any development on the site, including, but not limited to:*
- (i) Conservation of the heritage item*
  - (ii) Car parking*
  - (iii) Vehicle access and egress*
  - (iv) Defining a building envelope in the form of a podium with tower.*
  - (v) Building envelope that is commensurate with the maximum height and floor space*
- H. *THAT any planning agreement proposed by the applicant be prepared in accordance with the adopted Woollahra Voluntary Planning Agreement Policy 2020.*
- I. *THAT should a Gateway Determination be received, the planning proposal, site-specific draft development control plan and any draft planning agreement must be publicly exhibited concurrently*

Public Benefit

The Woollahra Voluntary Planning Agreement Policy 2020 (Woollahra VPA Policy) incorporates section 7.4(1) of the EP&A Act and states

*that a planning agreement is a voluntary agreement or other arrangement under this Division between a planning authority and a person (the developer) (a) who has sought a change to an environmental planning instrument.*

By virtue of this planning proposal the applicant is seeking to change an environmental planning instrument (Woollahra LEP 2014) and is currently seeking to enter into a negotiation with Council regarding a VPA. This negotiation is being managed by Council's Director Infrastructure and Sustainability for reasons of probity (as per the Woollahra VPA Policy).

Should Council or the Sydney Eastern City Planning Panel support the planning proposal, a contribution towards improved community infrastructure is appropriate to ensure a public benefit is achieved in tandem with the proposed development.

**Community Engagement and / or Internal Consultation:**

No community engagement has been undertaken to date, other than a notification to the applicant consultant team of the Woollahra LPP meeting.

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Should Council resolve to support the planning proposal, public exhibition of the planning proposal would be undertaken in accordance with the requirements of the Act, the Regulations and the Gateway determination issued by the DPE as delegate for the Minister. To streamline the plan-making process, the Minister can delegate some plan-making powers to Council for routine matters. Part F of the alternate recommendation above requests authorisation to exercise the functions of the Minister to make an LEP under section 3.36 of the Act.

After public exhibition, the planning proposal and submissions received would be reported to a meeting of Council.

**Policy Implications:**

Should Council or the Sydney Eastern City Planning Panel support the planning proposal, and should the planning proposal progress to finalisation, there will be policy implications by changing planning provisions in the Woollahra LEP 2014 and Woollahra DCP 2015.

**Financial Implications:**

The applicant has paid planning proposal lodgment fees in accordance with Council's adopted Fees and Charges.

**Resourcing Implications:**

Should Council or the Sydney Eastern City Planning Panel support the planning proposal, staff resource implications will be associated with progressing a planning proposal which will include managing the public exhibition and preparing a post exhibition report to a meeting of Council.






**Conclusion:**

This report provides the advice of the Woollahra LPP on the owner initiated planning proposal to amend the planning controls for 136-148 New South Head Road, Edgecliff.

The Woollahra LPP provided advice to Council that the planning proposal does not have *sufficient* strategic or site-specific merit to proceed as a stand-alone planning proposal, and that it should be incorporated into the Draft ECC Strategy.

Council staff recommend that Council refuse the planning proposal at **Attachment 1** and proceeds to notify the applicant under Clause 9 of the Regulations.

**Attachments**

1. Planning Proposal - 136-148 New South Head Road, Edgecliff (prepared by staff) [↓](#) 
2. Staff Assessment - Owner initiated planning proposal for 136-148 New South Head Road, Edgecliff [↓](#) 
3. Report to the Woollahra LPP meeting of 22 April 2022 (excluding attachments) [↓](#) 
4. Applicant's Planning Proposal Report - 136-148 New South Head Road, Edgecliff [↓](#) 
5. Document list (submitted with the planning proposal) [↓](#) 

**Item No:** R2 Recommendation to Council  
**Subject:** **POST-EXHIBITION REPORT - VOLUNTARY PLANNING AGREEMENT FOR 136-148 NEW SOUTH HEAD ROAD, EDGECLIFF**  
**Author:** Richard Pearson, Development Manager  
**Approver:** Tom O'Hanlon, Director Infrastructure & Sustainability  
**File No:** 23/218390  
**Purpose of the Report:** To provide an update of the exhibition of a VPA  
**Alignment to Delivery Program:** Strategy 5.1: Enhance council provided community facilities to foster connections between people and place and enhance quality of life.

**Recommendation:**

THAT Council:

- A. Note the report which provides an analysis of submissions received on the draft Voluntary Planning Agreement (VPA).
- B. Note that no changes to the draft VPA are proposed.
- C. Authorise the General Manager to enter into the VPA prior to gazettal of the Planning Proposal.

---

**Executive Summary:**

This report provides an analysis of submissions received on the draft Voluntary Planning Agreement following its public exhibition. The VPA was supported by the majority of submissions received and is recommended to be finalised as per the draft exhibited VPA.

The VPA will provide revenue of up to \$5m to Council to enable the provision of affordable housing and community infrastructure associated with the Planning Proposal.

Should the Planning Proposal not proceed, or be reduced in scale, the VPA will correspondingly not proceed or reduce in amount.

**Discussion:**

At its meeting on 10 July 2023, Council resolved to exhibit the draft Voluntary Planning Agreement and Explanatory Note (**Attachment 1**) and Planning Proposal for 136-148 New South Head Road, Edgecliff. Exhibition of the VPA and Planning Proposal took place jointly from 26 September – 5 November 2023.

Depending on the amount and mix of floor space ultimately approved by the Planning Proposal, the draft VPA will deliver benefits to Council worth up to \$5,017,500, in addition to Section 7.11 or Section 7.12 contributions. The VPA was prepared consistently with Council's VPA Policy and reviewed and amended by Council's legal advisor Dr Lindsay Taylor prior to exhibition and consideration by Council. The VPA proposes \$2.7m to be allocated to affordable housing and \$2.3m to be allocated to other infrastructure provision in the Edgecliff Precinct.

Consistent with Council's Voluntary Planning Agreement Policy, the VPA is being progressed by Council's Infrastructure and Sustainability Division at arms-length from assessment of the Planning Proposal. This includes separate consideration of submissions as they relate to the VPA.



## Submissions:

A total of 29 submissions were received in relation to the VPA, with 17 in support and 12 opposing. **Attachment 2** provides a summary of all submissions received on the VPA. Submissions were mainly received from individuals or resident/strata groups. A submission was also received from Transport for NSW suggesting transport initiatives the VPA might be directed to.

It should be noted that the majority of submissions made to the exhibition concerned the Planning Proposal rather than the VPA, with the VPA generally not a contentious item. Many submissions made in relation to the VPA provided supportive or negative comments on the broader planning merits of the Planning Proposal, rather than providing specific reasons for supporting or opposing the VPA.

Table 1 provides an analysis of submissions made supporting the VPA:

Main reason for support	Number	Percentage
Will provide significant benefits to the area	10	59
Specific initiatives which could be funded	1	6
Broader planning reasons	5	29
No reasons	1	6
	17	100

*Table 1 – Analysis of supportive submissions*

Table 2 provides an analysis of submissions opposing the VPA:

Main reason for opposing	Number	Percentage
VPA not sufficient/affordable housing should be directly provided	5	42
Broader planning reasons	4	33
VPA used to allow over-development	2	17
VPA should include compensation to affected adjoining landowners	1	8
	12	100

*Table 2 – Analysis of opposing submissions*

The submissions made in support of the draft VPA are noted but do not require any amendments to be made to the VPA or further commentary. The suggestions by TNSW for initiatives which might be funded by the VPA can be further considered as the infrastructure plan for the precinct is progressed.

With regard to comments in opposition, it is noted that a number of submissions felt the amount of money being obtained was not adequate for the scale of development proposed, or that affordable housing should be directly provided rather than a cash contribution.

As outlined in the report to Council prior to exhibition, the VPA amount proposed has been derived from the methodology in Council's VPA Policy which enables Council to obtain a share in the value uplift from the Planning Proposal. It was also reviewed by Council's commercial advisors Deloitte who confirmed the amount being obtained was consistent with the policy. No adjustment of the amount sought is therefore proposed. It should also be noted that Council will remain eligible for contributions under Section 7.11 or 7.12 as these are explicitly not set aside by the VPA.

With regard to suggestions that affordable housing should be provided directly as part of the development, it is considered that obtaining a contribution and pooling it with other contributions received from other developments will enable a more strategic approach to the provision of affordable housing in the LGA and/or region. This is also in keeping with the management methodology of community housing providers, likely to manage Council's affordable housing stock, who prefer dwellings to be clustered rather than scattered throughout the LGA.

The small number of submissions that suggest the VPA is being used to allow development in excess of what should be allowed are rejected. The Planning Proposal and VPA are being separately assessed on their merits and indeed should the Planning Proposal ultimately not proceed, or be reduced in scale, the VPA will either not proceed or be reduced in amount.

Finally, one submission suggested that the VPA would be an appropriate mechanism to allow compensation of a group of adjoining land owners from impacts associated with the development. This is specifically not the purpose of the draft VPA, which is to allow Council to capture a share of the benefits of the proposal, to enable the provision of needed affordable housing, as well as other infrastructure in the Edgecliff Precinct.

On balance, it is considered that no changes are required to the exhibited draft VPA and that Council's General Manager should be authorised to enter into the VPA prior to gazettal of the Planning Proposal, should it proceed. If the Planning Proposal does not proceed, or is reduced in scale, the VPA will correspondingly not become operational or will be for a proportionately lesser amount, based on a formula in the VPA linked to the amount and mix of floor space achieved.

#### **Options:**

Council has no other option than to pursue a VPA if it is to secure additional community benefits from the rezoning, noting that Section 7.11 or 7.12 contributions will continue to be payable.

#### **Community Engagement and / or Internal Consultation:**

The report provides an analysis of submissions received in relation to exhibition of the draft VPA.

Under Council's VPA Policy the report has been prepared by Council's Infrastructure and Sustainability Division at arms-length from Council's strategic planning team, responsible for progressing the Planning Proposal. However, process and timing updates have been shared.

#### **Policy Implications:**

There are no policy implications as a result of this report.

#### **Financial Implications:**

As per Council's VPA Policy, the costs for preparing, executing, stamping and registering the planning agreement are to be met by the developer. Council's costs in negotiating, assessing, reviewing, administering and enforcing the planning agreement are also proposed to be met by the developer. Invoices have been provided to and paid by the proponent progressively.

#### **Resourcing Implications:**

As above.



### **Conclusion:**

The draft VPA was supported by the majority of submissions received and no significant issues were raised requiring its amendment.

The VPA will provide revenue of up to \$5m to Council to enable the provision of affordable housing and community infrastructure, associated with the Planning Proposal.

Should the Planning Proposal not proceed, or be reduced in scale, the VPA will correspondingly not proceed or reduce in amount.

### **Attachments**

1. Voluntary Planning Agreement & Explanatory Note - As Exhibited [!\[\]\(67ff022fd78f943b679992c2874bbfd1\_img.jpg\)](#) 
2. Attachment 2 - VPA submissions table [!\[\]\(5890ff4c38007932c846fa9d39ba1fe6\_img.jpg\)](#) 



## Voluntary Planning Agreement

Section 7.4 of the *Environmental Planning and Assessment Act 1979*

### **[Date]**

Woollahra Municipal Council (**ABN 32 218 483 245**) of 536  
New South Head Road, Double Bay (**Council**)

and

Edgecliff Central Pty Ltd (**ABN 41 630 520 517**) of 179-191  
New South Head Rd Edgecliff Sydney , NSW (**Developer**)

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# Agreement

## Date

## Parties

### First party

<b>Name</b>	Woollahra Municipal Council ( <b>Council</b> )
<b>ABN</b>	32 218 483 245
<b>Contact</b>	[REDACTED]
<b>Telephone</b>	[REDACTED]

### Second party

<b>Name</b>	Edgecliff Central Pty Ltd ( <b>Developer</b> )
<b>ABN</b>	41 630 520 517
<b>Contact</b>	[REDACTED]
<b>Telephone</b>	[REDACTED]

## Background

- A. On 13<sup>th</sup> October 2021 the Developer made an application to the Council for the Instrument Change for the purpose of making a Planning Proposal to facilitate the future renewal of the site for a mixed-use residential development with commercial and retail space.
- B. The Instrument Change application was accompanied by an offer by the Developer to enter into this Agreement.
- C. The Developer has offered to make Development Contributions under this Deed if the Instrument Change is made and if development consent is granted to the carrying out of the Development.

## Operative provisions

### 1 Planning agreement under the Act

- 1.1 The Parties agree that this Agreement is a planning agreement governed by Subdivision 2 of Division 7.1 of Part 7 of the Act.

### 2 Application of this Agreement

- 2.1 This Agreement is made in respect of the Development and applies to the Land, the Instrument Change and the Development

### 3 Operation of this Agreement

- 3.1 This Agreement operates from the last to occur of the following:
- a) the Instrument Change being published in the NSW Government Gazette; and
  - a) the date that this Agreement is executed by both parties.

### 4 Definitions and interpretation

- 4.1 In this Agreement the following definitions apply:

**Act** means the *Environmental Planning and Assessment Act 1979* (NSW).

**Affordable Housing** has the same meaning as in the Act.

**Construction Certificate** has the same meaning as in the Act.

**Dealing**, in relation to the Land, means, without limitation, selling, transferring, assigning, mortgaging, charging, encumbering or otherwise dealing with the Land.

**Development** means the proposed future development of the Land for a mixed-use development comprising residential, commercial and retail uses, made permissible by the Instrument Change and as approved by a future Development Consent.

**Development Application** has the same meaning as in the Act.

**Development Consent** has the same meaning as in the Act.

**Development Contribution** means the Monetary Contributions

**GFA** means Gross Floor Area and has the same meaning as in the *Woollahra Local Environmental Plan 2014*; and

- a) **Residential GFA** means the Gross Floor Area of that part of the Development which is a residential use and is to be calculated upon the grant of Development Consent;
- b) **Non-Residential GFA** means the Gross Floor Area for the part of the Development which consists of a commercial and retail use and is to be calculated upon the grant of Development Consent.

**GST** has the same meaning as in the GST Law.

**GST Law** has the meaning given to that term in *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

**Instrument Change** means a change to *Woollahra Local Environmental Plan 2014* brought about by way of Planning Proposal PP-2022-1646, to:

- Introduce alternative floor space ratio provisions if certain incentive requirements are met; and
- Introduce alternative height provisions; if certain incentive requirements are met; and
- Introduce other site specific provisions for the Land.

**Land** means Lot 1 Deposited Plan (DP) 663465 (No. 136), Lot 1 DP 1092694 (No. 138-140), Lot 2 DP 983678 (No. 138-140), Lots A and B DP443992 (No. 142-144 and 146-148), known as 136-148 New South Head Road.

**Monetary Contributions** means the monetary contributions specified or described in Schedule 1.

**Party** means a party to this agreement, including their successors and assigns.

**Planning Proposal** means the Planning Proposal PP-2022-1646.

**Register** means the Torrens title register maintained under the *Real Property Act 1900* (NSW).

**Regulation** means the *Environmental Planning and Assessment Regulation 2000*.

- 4.2 In the interpretation of this Agreement, the following provisions apply unless the context otherwise requires:
- (a) Headings are inserted for convenience only and do not affect the interpretation of this Agreement.
  - (b) A reference in this Agreement to a business day means a day other than a Saturday or Sunday on which banks are open for business generally in Sydney.
  - (c) If the day on which any act, matter or thing is to be done under this Agreement is not a business day, the act, matter or thing must be done on the next business day.
  - (d) A reference in this Agreement to dollars or \$ means Australian dollars and all amounts payable under this Agreement are payable in Australian dollars.
  - (e) A reference in this Agreement to any law, legislation or legislative provision includes any statutory modification, amendment or re-enactment, and any subordinate legislation or regulations issued under that legislation or legislative provision.
  - (f) A reference in this Agreement to any agreement, deed or document is to that agreement, deed or document as amended, novated, supplemented or replaced.
  - (g) A reference to a clause, part, schedule or attachment is a reference to a clause, part, schedule or attachment of or to this Agreement.



- (h) An expression importing a natural person includes any company, trust, partnership, joint venture, association, body corporate or governmental agency.
- (i) Where a word or phrase is given a defined meaning, another part of speech or other grammatical form in respect of that word or phrase has a corresponding meaning.
- (j) A word which denotes the singular denotes the plural, a word which denotes the plural denotes the singular, and a reference to any gender denotes the other genders.
- (k) References to the word 'include' or 'including' are to be construed without limitation.
- (l) A reference to this Agreement includes the agreement recorded in this Agreement.
- (m) A reference to a party to this Agreement includes a reference to the servants, agents and contractors of the party, and the party's successors and assigns.
- (n) Any schedules and attachments form part of this Agreement.

## 5 Development Contributions to be made under this Agreement

- 5.1 The Developer must make the Monetary Contributions in the manner and at the times as set out in **Schedule 1** of this Agreement.
- 5.2 The Monetary Contributions are the only public benefits the Developer is required to provide under this Agreement.
- 5.3 The Monetary Contributions are to be adjusted in accordance with quarterly movements in the *Building Construction NSW Index*, which forms part of the *Producer Price Index*, both published by the Australian Bureau of Statistics, between the date the Instrument Change is published in the NSW Government Gazette and the date the Monetary Contributions are paid to the Council in accordance with this Agreement.

## 6 Application of the Development Contributions

- 6.1 The Council is to apply the Monetary Contributions made by the Developer under this Agreement towards the public purpose for which they are required and otherwise in accordance with this Agreement.
- 6.2 Despite clause 6.1, the Council may apply the Monetary Contributions made under this Agreement towards a public purpose other than the public purpose specified in this Agreement if the Council reasonably considers that the public interest would be better

served by applying the Monetary Contributions towards that other purpose rather than the purpose so specified.

## 7 Application of s7.11, s7.12 or s7.24 of the Act to the Development

- 7.1 This Agreement does not exclude the application of section 7.11, section 7.12 or section 7.24 of the Act to the Development.
- 7.2 The benefits under this Agreement are not to be taken into consideration when determining a development contribution under s7.11 or s7.12 of the Act in relation to the Development.

## 8 Registration of Agreement

### 8.1 Registration

The Developer acknowledges and agrees that:

- (1) this Agreement must be registered on the title to the Land pursuant to section 7.6 of the Act; and
- (2) subject to clause 8.2, Council will undertake that registration at the cost of the Developer.

### 8.2 Obligations on Developer

- (1) The Developer, at its own expense, will promptly after this Agreement comes into operation, take all practical steps to procure:

- a) the consent of each person who:
  - (i) has an estate or interest in the Land; or
  - (ii) is seized or possessed of an estate or interest in the Land;
- b) the execution of any Agreements; and
- c) the production of the relevant duplicate certificates of title,

to enable the registration of this Agreement in accordance with clause 8.1

- (2) The Developer, at its own expense, will take all practical steps, and otherwise do anything that the Council reasonably requires:

- a) to allow the lodgement of this Agreement with the Registrar-General as soon as reasonably practicable after this Agreement comes into operation but in any event, no later than sixty (60) business days after that date; and
- b) to allow the registration of this Agreement by the Registrar-General in the relevant folios of the Register for the Land as soon as reasonably practicable after this Agreement is lodged for registration

### **8.3 Discharge from the Register**

The Council will provide a release and discharge of this Agreement so that it may be removed from the folios of the Register for the Land (or any part of it) when:

- a) the obligations under this Agreement have been satisfied; or
- b) if this Agreement is terminated or rescinded.

## **9 Dispute Resolution**

### **9.1 Notice of Dispute**

If a dispute or lack of certainty between the parties arises in connection with this Agreement (**Dispute**), then either party may give to the other party a notice which:

- a) adequately identifies and provides details of the Dispute;
- b) stipulates what the First Party believes will resolve the Dispute; and
- c) designates its representative (**Representative**) to negotiate the Dispute.

The party who receives the notice of dispute must, within five (5) Business Days of receipt of the notice, give a notice to the other party designating as its representative a person to negotiate the Dispute (the representatives designated by the parties being together, **the Representatives**).

### **9.2 Further steps required before proceedings**

The Representatives must endeavour to resolve the dispute within five (5) Business Days of the date a notice under clause 9.1 is served.

### **9.3 Referral of Dispute for mediation or expert determination**

If the Representatives have not been able to resolve the Dispute within the period specified in clause 9.2, the parties must refer the matter to mediation under clause 9.5 unless the dispute relates to a technical matter which is appropriately dealt with by a suitably qualified expert, in which case the Dispute must be referred for expert determination under clause 9.6.

### **9.4 Referral for mediation**

If the Dispute is referred under clause 9.3 for mediation, the mediation must be conducted by a mediator agreed by the parties and, if the parties cannot agree within five (5) Business Days, then by a mediator appointed by the President of the Law Society of New South Wales for the time being.

### **9.5 Failure of mediation to resolve Dispute**

Either party may bring proceedings in relation to the Dispute in a court, tribunal or other body of competent jurisdiction if mediation of the Dispute under this clause 9 does not resolve the Dispute.

### **9.6 Referral for expert determination**

If the Dispute is referred under clause 9.3 for expert determination, it must be determined by a suitably qualified independent expert:

- a) agreed between and appointed jointly by the parties; or

- b) in the absence of such agreement within five (5) Business Days after the date that the matter is referred under clause 9.3 for expert determination, appointed by the President of the Law Society of New South Wales for the time being.

**9.7 Procedures for expert determination**

The parties must comply with all reasonable procedures and directions required or given by the expert in relation to the determination of the Dispute.

**9.8 Final determination of expert**

The parties agree that the final determination by an expert of a Dispute referred under this clause 9 will be final and binding upon them except in the case of fraud or misfeasance by the expert.

**9.9 Costs**

The parties are to share equally the costs of a mediator or expert appointed to whom a Dispute is referred under this clause 9.

**9.10 Remedies available under the Act**

This clause 9 does not operate to limit the availability of any remedies available to Council under the Act.

**9.11 Urgent relief**

This clause 9 does not prevent a party from seeking urgent injunctive or declaratory relief concerning any matter the subject of a Dispute under this clause 9.

**10 Review of Agreement**

- 10.1 This agreement may be reviewed or modified. Any review or modification of this Agreement will be conducted in the circumstances and in the manner determined by the parties.
- 10.2 No modification or review of this Agreement will be of any force or effect unless it is in writing and signed by the parties to this Agreement.
- 10.3 A party is not in breach of this agreement if it does not agree to an amendment to this Agreement requested by a party in, or as a consequence of, a review.

**11 Enforcement**

**11.1 Default**

In the event a party considers another party has failed to perform and fulfil an obligation under this Agreement, it may give notice in writing to the other party (**Default Notice**) giving all particulars of the matters in respect of which it considers default has occurred and by such notice require the default to be remedied within a reasonable time not being less than 21 days.

In determining a reasonable time, regard must be had to both the nature of the default and the work or other action required to remedy it and whether or not the continuation of the default constitutes a public nuisance or raises other circumstances of urgency or emergency.

If a party disputes the Default Notice it may refer the dispute to dispute resolution under clause 9 of this agreement.

#### 11.2 General Enforcement

Without limiting any other remedies available to the parties, this Agreement may be enforced by any party in any Court of competent jurisdiction.

Nothing in this Agreement prevents:

- a) a party from bringing proceedings in the Land and Environment Court to enforce any aspect of this Agreement or any matter to which this Agreement relates; and
- b) the Council from exercising any function under the Act or any other Act or law relating to the enforcement of any aspect of this Agreement or any matter to which this Agreement relates

### 12 Termination, Rescission or Determination

12.1 This Agreement terminates if:

- a) the parties agree in writing to terminate the operation of the Agreement at any time; or
- b) the Instrument Change sought by the Planning Proposal is not gazetted.

12.2 Upon termination of this Agreement:

- a) all future rights and obligations of the parties are discharged; and
- b) all pre-existing rights and obligations of the parties continue to subsist.

12.3 The decision by a party not to agree to terminate this Agreement under clause 12.1(a) is at the party's absolute discretion and is not subject to Dispute Resolution under clause 9.

### 13 Notices

13.1 Any notice, consent, information, application or request that must or may be given or made to a Party under this Agreement is only given or made if it is in writing and sent in one of the following ways:

- (a) Delivered or posted to that Party at its address set out below.
- (b) Emailed to that Party at its email address set out below.

#### Council

Attention

[REDACTED]

Address

PO Box 61 Double Bay NSW 1360

Email

[REDACTED]

**Developer**

Attention [REDACTED]  
Address PO Box 727 Edgecliff NSW 2027  
Email [admin@ankaproperty.com](mailto:admin@ankaproperty.com)

- 13.2 If a Party gives the other Party 3 business days notice of a change of its address, any notice, consent, information, application or request is only given or made by that other Party if it is delivered, or posted to the latest address.
- 13.3 Any notice, consent, information, application or request is to be treated as given or made at the following time:
- (a) If it is delivered, when it is left at the relevant address.
  - (b) If it is sent by post, 2 business days after it is posted
- 13.4 If any notice, consent, information, application or request is delivered, on a day that is not a business day, or if on a business day, after 5pm on that day in the place of the Party to whom it is sent, it is to be treated as having been given or made at the beginning of the next business day

## 14 Approvals and consent

Except as otherwise set out in this Agreement, and subject to any statutory obligations, a Party may give or withhold an approval or consent to be given under this Agreement in that Party's absolute discretion and subject to any conditions determined by the Party. A Party is not obliged to give its reasons for giving or withholding consent or for giving consent subject to conditions.

## 15 Assignment and Dealings

A party must not assign or deal with any right under this Agreement without the prior written consent of the other party, not to be unreasonably withheld. This clause will not operate in the event that the Developer enters into a contract of the sale of the Land the subject of this Agreement, and this Agreement has been registered on title in accordance with clause 8 of this Agreement.

## 16 Costs

The Developer agrees to pay or reimburse the reasonable legal costs and disbursements of Council of the negotiation, preparation, execution, and stamping of this Agreement.

## 17 Entire agreement

This Agreement contains everything to which the Parties have agreed in relation to the matters it deals with. No Party can rely on an earlier document, or anything said or done by another Party, or by a director, officer, agent or employee of that Party, before this Agreement was executed, except as permitted by law.

18 Further acts

Each Party must promptly execute all Agreements and do all things that another Party from time to time reasonably requests to affect, perfect or complete this Agreement and all transactions incidental to it.

19 Governing law and jurisdiction

This Agreement is governed by the law of New South Wales. The Parties submit to the non-exclusive jurisdiction of its courts and courts of appeal from them. The Parties will not object to the exercise of jurisdiction by those courts on any basis.

20 Joint and individual liability and benefits

Except as otherwise set out in this Agreement, any agreement, covenant, representation or warranty under this Agreement by 2 or more persons binds them jointly and each of them individually, and any benefit in favour of 2 or more persons is for the benefit of them jointly and each of them individually.

21 No fetter

Nothing in this Agreement shall be construed as requiring Council to do anything that would cause it to be in breach of any of its obligations at law, and without limitation, nothing shall be construed as limiting or fettering in any way the exercise of any statutory discretion or duty.

22 Representations and warranties

The Parties represent and warrant that they have power to enter into this Agreement and comply with their obligations under the Agreement and that entry into this Agreement will not result in the breach of any law.

23 Severability

If a clause or part of a clause of this Agreement can be read in a way that makes it illegal, unenforceable or invalid, but can also be read in a way that makes it legal, enforceable and valid, it must be read in the latter way. If any clause or part of a clause is illegal, unenforceable or invalid, that clause or part is to be treated as removed from this Agreement, but the rest of this Agreement is not affected.

24 Modification

No modification of this Agreement will be of any force or effect unless it is in writing and signed by the Parties to this Agreement.

25 Waiver

The fact that a Party fails to do, or delays in doing, something the Party is entitled to do under this Agreement, does not amount to a waiver of any obligation of, or breach of obligation by, another Party. A waiver by a Party is only effective if it is in writing. A written waiver by a Party is only effective in relation to the particular obligation or breach in respect of which it is given. It is not to be taken as an implied waiver of any

other obligation or breach or as an implied waiver of that obligation or breach in relation to any other occasion.

## 26 GST

If any Party reasonably decides that it is liable to pay GST on a supply made to the other Party under this Agreement and the supply was not priced to include GST, then recipient of the supply must pay an additional amount equal to the GST on that supply.



Schedule 1 - Development Contributions

Form of Contribution	Public Purpose	Timing	Amount
Monetary contribution	Affordable Housing.  Increasing the supply of affordable housing in the Woollahra Municipal Council Area	Prior to the issue of a Construction Certificate for the Development	Contribution to be calculated as follows:  $5\% \times (\text{Residential GFA of the Development less } 740\text{m}^2) \times \$10,588/\text{m}^2$  The exact value of this monetary contribution will be calculated upon the grant of Development Consent for the Development.
Monetary contribution	Public purposes consistent with the Planning Proposal including the provision (or recoupment of the cost of provision) of community infrastructure such as (but not limited to) community facilities, public domain works and transport infrastructure in the Edgecliff Precinct identified as the 'Study Area: Edgecliff Commercial Centre' in Figure 1 in the draft Edgecliff Commercial Centre Planning and Urban Design Strategy dated April 2021.	Prior to the issue of a Construction Certificate for the Development	Contribution to be calculated as follows:  Residential GFA of the Development $\times$ \$289.55/m <sup>2</sup>  The exact value of this monetary contribution will be calculated upon the grant of Development Consent for the Development.
Monetary contribution	Public purposes consistent with the	Prior to the issue of a Construction	Contribution to be calculated as follows:

	Planning Proposal including the provision (or recoupment of the cost of provision) of community infrastructure such as (but not limited to) community facilities, public domain works and transport infrastructure in the Edgecliff Precinct identified as the 'Study Area: <i>Edgecliff Commercial Centre</i> ' in Figure 1 in the draft Edgecliff Commercial Centre Planning and Urban Design Strategy dated April 2021.	Certificate for the Development	<i>Non-residential GFA of the Development x \$210.58/m2</i>  The exact value of this monetary contribution will be calculated upon the grant of Development Consent for the Development.
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## Schedule 2 – Requirements under s7.4

REQUIREMENT UNDER THE ACT	THIS PLANNING AGREEMENT
<b>Planning instrument and/or development application – (Section 7.4(1))</b> The Developer has: <ul style="list-style-type: none"> <li>(a) sought a change to an environmental planning instrument.</li> <li>(b) made, or proposes to make, a Development Application,</li> <li>(c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies.</li> </ul>	<ul style="list-style-type: none"> <li>(a) Yes</li> <li>(b) Yes</li> <li>(c) Not applicable</li> </ul>
<b>Description of land to which this agreement applies – (Section 7.4(3)(a))</b>	Lot 1 Deposited Plan (DP) 663465, Lot 1 DP 1092694, Lot 2 DP 983678, Lots A and B DP443992, otherwise known as 136-148 New South Head Road.
<b>Description of change to the environmental planning instrument to which this agreement applies – (Section 7.4(3)(b))</b>	An amendment to the Woollahra <i>Local Environmental Plan</i> 2013 to include a local provision for the land which: <ul style="list-style-type: none"> <li>• allows for increased FSR on the Land;</li> <li>• allows for increase in building heights on the Land;</li> <li>• provides for other site specific provisions.</li> </ul>
<b>Application of section 7.11 of the Act – (Section 7.4(3)(d))</b>	Does apply
<b>Applicability of section 7.12 of the Act – (Section 7.4(3)(d))</b>	Does apply
<b>Consideration of benefits under this agreement if section 7.11 applies – (Section 7.4(3)(e))</b>	See clause 7.
<b>Mechanism for Dispute resolution – (Section 7.4(3)(f))</b>	See clause 9.
<b>Enforcement of this agreement (Section 7.4(3)(g))</b>	See clause 11.
<b>No obligation to grant consent or exercise functions – (Section 7.4(3)(9))</b>	There is no obligation on Council to grant consent or exercise functions.

**Execution of Planning Agreement No. XXXX of 200X**

**Dated:** xxx

**Signed, sealed and delivered** by **Woollahra Council** by its General Manager and Mayor  
by the affixing of the Common Seal of Council in accordance with resolution dated

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<hr/>	<hr/>
General Manager (Signature)	Mayor (Signature)

<hr/>	<hr/>
Name of General Manager (Print Name)	Name of Mayor (Print Name)

**Signed, sealed and delivered** by Edgecliff Central Pty Ltd in accordance with section  
127(1) of the *Corporations Act 2001* (Cth) by authority of its directors.

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<hr/>	<hr/>
Director/Secretary (Signature)	Director (Signature)

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Name of Director/Secretary (Print Name)	Name of Director (Print Name)

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## Explanatory Note

(Section 205 of the *Environmental Planning and Assessment Regulation 2021*)

### Draft Planning Agreement

Under s7.4 of the *Environmental Planning and Assessment Act 1979*

#### 1 Introduction

The purpose of this Explanatory Note is to help the community to simply and clearly understand what the draft planning agreement (**Draft Planning Agreement**) is proposing, how it delivers public benefits, and why it is acceptable and in the public interest.

This Explanatory note supports the public notification and exhibition of the Draft Planning Agreement as required by section 7.5(2) of the *Environmental Planning and Assessment Act 1979* (NSW) (**Act**) and section 204(1) of *Environmental Planning and Assessment Regulation 2021* (**Regulation**).

This Explanatory Note has been prepared jointly between the parties as required by section 205 of the Regulation.

#### 2 Parties

**Woollahra Municipal Council** (ABN 32 218 483 245) of 536 New South Head Road, Double Bay (**Council**)

**Edgecliff Central Pty Ltd** (ABN 41 630 520 517) of 179-191 New South Head Rd Edgecliff Sydney , NSW (**Developer**)

#### 3 Description of Subject Land

The land to which the Draft Planning Agreement applies is Lot 1 Deposited Plan (DP) 663465, Lot 1 DP 1092694, Lot 2 DP 983678, Lots A and B DP443992, otherwise known as 136-148 New South Head Road (**Land**).

#### 4 Description of Development

The development to which the Draft Planning Agreement applies is proposed development on the Land for a mixed-use development comprising residential, commercial and retail uses (**Development**).

#### 5 Description of Proposed Change to Environmental Planning Instrument/Development Application

The Draft Planning Agreement relates to Planning Proposal PP-2022-1646 made by the Developer to the Council.

The planning proposal proposes changes to *Woollahra Local Environmental Plan 2014 (LEP)* to make the Development permissible on the Land with development consent under the Act.

The changes to the LEP sought by the planning proposal are to:

- introduce alternative floor space ratio provisions relating to the development of the Land if certain incentive requirements are met, and
- introduce alternative height provisions relating to the development of the Land if certain incentive requirements are met, and
- introduce other site specific provisions relating to the development of the Land.

## 6 Summary of Objectives, Nature and Effect of the Draft Planning Agreement

The Draft Planning Agreement provides for the provision of the following public benefits in connection with the Development:

- Monetary Contribution – to be used towards the provision of affordable housing, calculated as  $5\% \times (\text{Residential GFA (Gross Floor Area) of the Development less } 740\text{m}^2) \times \$10,588/\text{m}^2$ , and
- Monetary Contribution – to be used towards the provision (or recoupment of the cost of provision) of community infrastructure such as (but not limited to) community facilities, public domain works and transport infrastructure in the Edgecliff Precinct identified as the 'Study Area: Edgecliff Commercial Centre' in Figure 1 in the draft Edgecliff Commercial Centre Planning and Urban Design Strategy dated April 2021 (see diagram below) calculated at a rate of \$289.55 per m<sup>2</sup> of approved residential GFA of the Development, and
- Monetary Contribution – to be used towards the provision (or recoupment of the cost of provision) of community infrastructure such as (but not limited to) community facilities, public domain works and transport infrastructure in the Edgecliff Precinct identified as the 'Study Area: Edgecliff Commercial Centre' in Figure 1 in the draft Edgecliff Commercial Centre Planning and Urban Design Strategy dated April 2021 (see diagram below) calculated at a rate of \$210.58 per m<sup>2</sup> of approved non-residential GFA of the Development.



The final amount of each of these monetary contributions will be determined once Development Consent for the Development is granted (and GFA is known).

The Draft Planning Agreement does not exclude the application of section 7.11, section 7.12 (local infrastructure contributions) or section 7.24 of the Act (special infrastructure contributions) to the Development.

The benefits under the Draft Planning Agreement are not to be taken into consideration when determining a development contribution under s7.11 or s7.12 of the Act in relation to the Development.

The Draft Planning Agreement provided for registration of the agreement on the title to the Land.

The Draft Planning Agreement provides for the resolution of disputes arising under the agreement through independent mediation or expert determination, as appropriate to the nature of the particular dispute.

## 7 Timing of the Provision of Public Benefits

The Draft Planning Agreement requires the Developer to provide the public benefits set out in section 6 of this Explanatory Note to the Council prior to the issuing of a Construction Certificate under the Act for the Development.

## 8 Assessment of the Merits of the Draft Planning Agreement

The Planning Agreement promotes the public interest and benefits the community by requiring the Developer to pay monetary contributions to the Council toward affordable housing and community infrastructure as summarised in section 6 of this Explanatory Note in addition to any local infrastructure contributions that the Developer is required to make pursuant to *Woollahra Section 7.12 Development Contributions Plan 2022* as a condition of the grant of development consent for the Development.

The Draft Planning Agreement does not cause any negative impacts on the community and is not adverse to the public interest.

## 9 Conformance with Council's Capital works Program

The Draft Planning Agreement does not conform to the Council's capital works program.

**VPA SUBMISSIONS – 136-148 NEW SOUTH HEAD ROAD, EDGECLIFF**

SUBMISSION ID	NAME	LOCATION WHERE STATED	SUPPORT/ OPPOSE	SUBMISSION TEXT (Verbatim)
ID9191	Deborah P		O	I do not support increasing permitted building height to 46m; the current infrastructure (roads, public transport, parks, schools) could not cope with a huge number of extra residents even with the proposed VPA.
ID 9136	Sharon Hurwitz		O	<p>I would like to lodge my objection to the above proposal. The main reasons are as follows: -</p> <ol style="list-style-type: none"> <li>1. This building will be an eyesore and cause further traffic issues for the residents, school, and visitors of Darling Point.</li> <li>2. The suburb is already heaving with traffic in the early mornings, evenings and even during the day.</li> <li>3. It will not only cause substantial delays and congestion in Darling Point Road for people trying to access New South Head Road OR trying to get to the Edgecliff Shopping Centre. The traffic lights are not "user friendly" as it usually allows only 1 or 2 cars to cross over or turn right onto New South Head Road.</li> <li>4. This problem also relates to vehicles in Mona Road and New Beach Road (photo can be made available) trying to access New South Head Road. In fact, many vehicles from as far as Vaucluse attempt to reach New South Head Road to get to the CBD via one of these three roads.</li> <li>5. I have read the traffic survey completed for this project and as far as I can gather, the people who conducted the survey have no idea of the real traffic. I assume that none of them live in the area. I suspect that the survey was done in the school holiday period or at a time later than the Ascham school drop off/pick up.</li> <li>6. I am aware that the Council rejected this proposal and am pleased that they had the sense to do so on behalf of the people they represent. I am therefore confused as to why this needs to go to</li> </ol>



				<p>another authority for permission. There is already an unsightly building right next to where this one is proposed. I refer to Ranelagh Gardens at 3 Darling Point Road. It is obvious that whoever was involved in the approval process for that building, has stained the landscape of our beautiful city. We do not want a repeat of that.</p> <p>7. As a resident of this suburb I would hope that this proposal will now be looked at fleetingly and subsequently rejected emphatically on behalf of the people who live here, pay taxes and elect Councillors to act in their best interests.</p> <p>8. Sydney roads through the Eastern Suburbs have remained the same for as far as back as 50 years ago, perhaps even longer. With the influx of substantially more residents and immigrants to the area, including cars, buses, huge trucks using the roads, it is intolerable to enjoy the lifestyle that Sydney provided in the past.</p> <p>9. I believe the new building should be the same height as the current one on the site at present. I would welcome an explanation as to why the planning proposal seeks to amend the applicable building height and floor space ratio controls under the Woollahra Local Environmental Plan 2014. It is totally excessive for its height, floor ratio and traffic disruption. There is minimal parking available near that intersection and this is also unacceptable to the taxpaying residents of the area.</p> <p>10. As you are aware, the current development on the corner of Mona Road and New South Head Road is already proving to be a hindrance. This is happening everyday even without the extra cars which will no doubt be exiting from the underground parking onto Mona Road.</p> <p>In Conclusion: I find it deplorable that there are public servants/developers who would want to cause havoc to the area around this gateway to the Eastern Suburbs. I was hoping for the rule of the</p>
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				majority, i.e., Council representatives and residents would prevail. I can only presume if this goes ahead despite all the objections, that it will be for the benefit of financial gain for a few. I am also of the opinion that the planners involved in overseeing the Council's objection and the residents' rejection of this proposal do not live, drive, or work in the immediate area. I suggest they spend a few days (any day Monday to Sunday) driving in the area to make a proper assessment of this and then provide a sincere, frank, and moral response.
ID 9035	Greg Cohen		S	Do you support the draft VPA? Yes - as it is. The VPA will raise \$5M for affordable housing and infrastructure to improve Edgecliff, which is good for residents. Density like this around transport nodes is positive development.
ID 8858	Leon Cohen		O	Do you support the draft VPA? No This is for 4 affordable housing units assuming there are 80 units in the development?? What other conditions surround the is concession. Hardly going to solve the housing shartage. Sounds like more of a underhand deal to me.
ID 8821	James		S	Do you support the draft VPA? Yes - as it is.
ID 8601	Jason Gellert		S	Do you support the draft VPA? Yes - as it is. I understand significant money can be raised from the VPA, which can be used for affordable housing - which would be very welcomed by residents of the area. I would be in favour of that, given our need for more affordable housing.
ID 8451	John Macpherson		O	Do you support the draft VPA? No. Development of site long overdue but proposal is too intrusive, too high.
ID 8323	Tess Taylor		O	Do you support the draft VPA? No

				Against increased residential buildings or heights or parking
ID 8149	Prof Michael Lawrence		O	Do you support the draft VPA? No If community benefits are needed they should be paid for directly by either the state Government or by Council not by sacrificing town planning principles to extract a small token payment from a developer.
ID 8145	Belinda Nisbet		O	Do you support the draft VPA? No While a VPA helps the local area, it should not be used to 'sweeten' the deal to get unsuitable projects through. What constitutes "affordable" housing, how can they improve the Edgecliff infrastructure that would make up for the extreme harm they would do the area by building that scale in that location and ruining any heritage feeling of the Edgecliff area like in Bondi Junction. The art deco buildings in the Eastern suburbs should be preserved and especially as they add such value to the area and are in high demand from buyers.
ID 8114	Emma		O	Do you support the draft VPA? No We need to preserve the suburb in alignment with our community values. We do not want our suburb to turn into another Potts Pt or Darlinghurst, with high rises cropping up everywhere. It misaligns with the nature of the suburb.
ID 8013	Mr Wong		O	Do you support the draft VPA? No Considering the planning proposal to increase the building height and floor space ratio, the amount of money in the VPA is too little considering the profit a developer would make from such a development site.
CID 002	Dr Clare Caldwell		O	I am writing as a resident of Darling Point Road to <b>strongly object</b> to the proposed development at 136 New South Head Road, Edgecliff.  Having now lived for 10 years in this location, it has become apparent that

				<p>the amount of traffic using Darling Point Road as a rat run into the city is increasing each year.</p> <p>Before any development takes place on this very busy corner of New South Head Road and Darling Point Road, a full assessment of traffic flow would need to happen.</p> <p>On any given morning, cars can wait up to 7 sets of traffic lights to turn right into New South Head Road towards the city. Add hundreds of new residents and potentially hundreds of cars exiting from this proposed development into Darling Point Road and there will be traffic chaos.</p> <p>Any assessment of current traffic management at this corner will show that multiple cars at every set of traffic lights run the red. There is often no other way to exit Darling Point Road onto New South Head Road without doing so. On multiple occasions I have rung the RTA to ask them to re-synchronise the traffic lights to a weekday setting so that more than one car can get through the traffic light.</p> <p>It is sheer lunacy to think that hundreds more cars could be added to this flow and this intersection remain safe.</p> <p>On other matters, I fail to see how this development will be meeting the “affordable housing” quotas as required by the state government.</p> <p>I look forward to your reply.</p>
CID 006	Stanley Hurwitz	Edgecliff	S	<p><b>I fully support this application.</b></p> <p>I work from the Sanwa offices in Suite 201, 2nd Floor, 100 New South Head Road Edgecliff NSW 2027. The Sydney office of Base Capital operates from that location.</p>

				<p>I frequent the Edgecliff area most work days and have a personal working understanding of the area.</p> <p>I support this application for a number of reasons, the key ones are as follows:</p> <ol style="list-style-type: none"> <li>1. The existing area needs an upgrade and more importantly an increase in density give the shortage of well located housing.</li> <li>2. This is an ideal location for housing, retail and commercial space; given it is opposite the train station and bus interchange. When compared to Bondi Junction it is obvious the Edgecliff area is underdeveloped and in need of an upgrade.</li> <li>3. The "VPA will realise up to \$2.7M towards affordable housing and up to \$2.3M towards other infrastructure depending on the amount of floor space ultimately approved by the planning proposal." This money could be well spent and needed in the Edgecliff area.</li> </ol> <p>The flow of pedestrian traffic across new south head road does not work well and needs to be improved if possible to activate the area further, maybe some of these funds could be used to solve this.</p> <ol style="list-style-type: none"> <li>4. Further underground parking will be a benefit and needed for the area to activate it further as a local business and recreational hub.</li> <li>5. Density is best located around buss and train stations rather than in village areas.</li> </ol> <p>Please call me to discuss the development in need.</p>
CID 015	Eva Fischl	Vaucluse	S	<p>The State Government has said Woollahra needs to provide more housing. It makes sense to do that near a transport interchange and not in our villages. This development can help with that.</p>

				<p>The money being provided for affordable housing will also help our community as properly managed affordable housing blocks can be built in appropriate areas rather than a room here and there.</p> <p>A modern building can help improve the carbon footprint in our area and provide equitable access into premises for those in wheelchairs or with walking difficulties. The existing buildings on the site certainly do not do that.</p> <p>Nicely designed modern buildings can also focus people's attention away from the ugly Ranelagh building.</p> <p>I am in favour of this development going ahead.</p>
CID 019	Matt Pontey	George St, Sydney	S	<p>I am writing express my support of the planning proposal for the development of 136-148 New South Head Rd Edgecliff. This email seeks to address several key considerations regarding the optimal use of this underutilised location.</p> <p>Density around train stations is a widely recognised and proven approach for efficient urban development. I believe that concentrating density around transportation nodes, such as Edgecliff's train station, is a more sustainable and practical choice compared to village areas like Double Bay, Rose Bay, Watsons Bay, and others. The presence of numerous tall buildings in the vicinity of Edgecliff station makes this location particularly ideal for high-density development.</p> <p>Smart development around transport nodes not only enhances accessibility but also contributes to reduced traffic congestion and decreased reliance on private vehicles. By promoting this approach, the developers aim to create a community that is more</p>

				<p>environmentally conscious and resilient.</p> <p>In addition, the implementation of underground parking in the development will help alleviate the strain on street parking in the area, further reducing traffic congestion and enhancing the overall appeal of Edgecliff as a convenient and accessible location. The strategic placement of the development opposite the train station and bus interchange will play a crucial role in reducing traffic and parking issues in Edgecliff. It will encourage residents and commuters to opt for public transportation, thus contributing to a more sustainable and efficient urban environment.</p> <p>Furthermore, this proposal includes a Voluntary Planning Agreement (VPA) that will raise \$5 million to support affordable housing initiatives and infrastructure improvements within Edgecliff. This financial contribution will significantly benefit local residents and enhance the overall quality of life in the community.</p> <p>In conclusion, I strongly urge council to support the planning proposal for 136-148 New South Head Rd Edgecliff as this proposal will benefit the local community and make Edgecliff a more attractive and sustainable place to live and work for future generations.</p> <p>Thank you for your time and consideration.</p>
CID 020	Gary Perlstein		S	<p>I wish to support the Planning Proposal &amp; Draft VPA for 136-148 New South Head Rd Edgecliff for the following compelling reasons:</p> <ol style="list-style-type: none"> <li>1. We need a more contemporary Edgecliff that is keeping up with the times – its time this is done. It's been too long!</li> </ol>

				<p>2. We need more home dwellings – there is not enough to satisfy demand</p> <p>3. The youth which need more accommodation in this area will also appreciate that new buildings will be more energy efficient.</p> <p>4. We need more housing – having this near a train station makes so much sense and is the best place for this compared with other areas on the Eastern Suburbs.</p> <p>I trust you will take these reasons seriously when considering the application.</p>
CID 022	Andrew Silberg		S	<p>Dear Council</p> <p>I am writing in support of the planning proposal and a voluntary planning agreement (VPA) for 136-148 New South Head Road, Edgecliff.</p> <p>I believe that the proposal will be beneficial in a number of ways, including that it will provide a much needed upgrade to any area that appears dilapidated and under-capitalized, it will increase housing capacity near to a transport node and it will increase parking in a busy area where parking is currently limited.</p> <p>I look forward to the successful commencement of this project.</p>
CID 023	Nathan Briner	Bellevue Hill	S	<p>Regarding the proposed VPA and planning proposal submitted by the developer with respect to 136-148 New South Head Rd, Edgecliff, I wanted to please express my support for this. The area is one of the gateways to the Eastern Suburbs and with many of the buildings in and around Edgecliff being dated, the area would benefit greatly with the addition of refreshed and well-designed new developments with off street parking. Investing in high density</p>



				infrastructure near a major transport hub, being Edgecliff Station, would be beneficial for the area and provide much needed additional accommodation with a well thought out and pleasing aesthetic.
CID 027	Warren Jacobson	"Resident of Woollahra Council"	S	<p>I refer to the abovementioned submission in respect of Planning Proposal and VPA for 136 - 148 New South head Road Edgecliff.</p> <p>I am a resident of Woollahra Council and have reviewed the planning propola available on the council's website.</p> <p>I would like to express my support for the proposal for the following reasons:</p> <p>Housing: We are in the midst of a housing crisis, medium density in this location complements the considerable development happening along Old South head Road from Rose Bay to Vaucluse. This places medium density housing where its needed adjacent to major transport hubs and in close proximity to commercial hubs of Edgecliff, Bondi Junction and the Sydney CBD.</p> <p>Commercial: covid has precipitated the need and desire for more flexible commercial space and office space closer to where people live as an alternative to the CBD. This proposal contributed to that.</p> <p>Traffic Management: the proposal makes provision for parking that does not exist in the current use of land and by creating housing proximate to a transport node will take pressure off traffic and parking in the location. Density is better served in locations close to major transport hubs than on narrow and dense residential streets like the narrow Old South head Road arterial.</p>

				<p>Aesthetic and Environmental Impact: Edgecliff is the gateway to the Eastern suburbs but the quality and condition of the properties on the site and in the vicinity of the site are old, dilapidated and are not environmentally sound. The proposed development will greatly enhance the streetscape and built environment in a way that is more energy efficient. I welcome your consideration of this support and seek your support for the Proposal.</p>
CID 028	Tony Gellert	Bellevue Hill	S	<p>Submitter supports VPA based on support for Planning Proposal <i>(Document protected, unable to copy text of submission).</i></p>
CID 031	Peter Li		S	<p>I hope this email finds you well. I am writing to express my strong support for the proposed property development at 136-148 New South Head Rd, Edgecliff. This project represents a significant opportunity to revitalize and modernize the Edgecliff area along New South Head Road, addressing longstanding issues and contributing to the betterment of our community.</p> <p>Edgecliff has been in need of modernization and revitalization along New South Head Road for decades. The lack of new investment in this area has been noticeable and has hindered the growth and development of our neighborhood. The proposed property development has the potential to bring much-needed change, benefiting not only the local community but also the broader city.</p> <p>One crucial aspect of this development is the contribution it can make to local infrastructure. The funds generated from the Voluntary Planning Agreement (VPA) associated with this project can be channeled into enhancing local infrastructure. This investment will be vital in improving the quality of life for Edgecliff residents, providing better</p>

				<p>amenities, services, and community spaces.</p> <p>Accessibility is another significant concern that this development aims to address. Currently, people in wheelchairs face challenges in accessing the existing buildings on the site, as they are not ADA accessible. The new buildings proposed as part of this project will be designed with modern accessibility standards in mind, ensuring that everyone, regardless of their mobility, can easily access and utilize these facilities. This inclusive approach is not only ethical but also legally required in many cases.</p> <p>Furthermore, the new buildings will be constructed with a focus on energy efficiency. Given the growing concerns about climate change and sustainability, an energy-efficient design is not only responsible but also aligns with our shared commitment to reducing our carbon footprint. This development can serve as a model for future construction in our neighborhood, promoting environmentally friendly practices and helping Edgecliff transition to a greener and more sustainable future.</p> <p>Lastly, the proposed density of this development, especially around transport nodes, reflects smart urban planning. It takes advantage of existing infrastructure, reducing the need for excessive car usage, and promoting public transportation. This aligns with modern urban development principles that aim to reduce traffic congestion, air pollution, and make efficient use of available resources.</p> <p>In conclusion, I strongly support the property development at 136-148 New South Head Rd, Edgecliff, and I urge you to consider the positive impact it can have on our community. This project is an opportunity to revitalize Edgecliff,</p>
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				<p>address long-standing issues, and contribute to a more accessible, energy-efficient, and well-connected neighborhood.</p> <p>Thank you for your time and consideration. I believe this development will benefit our community and set a positive precedent for the future of Edgecliff.</p>
CID 033	Peter		S	<p>I am writing to voice my strong endorsement for the proposed property development at 136-148 New South Head Rd, Edgecliff. This project offers a unique opportunity to rejuvenate our neighborhood and usher in a new era of progress for Edgecliff.</p> <p>Edgecliff has long awaited a transformation along New South Head Road, which has seen minimal investment over the decades. This development promises to breathe new life into our community, addressing the stagnation that has prevailed for far too long.</p> <p>One compelling aspect of this project is the Voluntary Planning Agreement (VPA) associated with it. It is projected to yield approximately \$5 million, which can be allocated toward affordable housing and much-needed infrastructure enhancements. This infusion of funds will be a game-changer, improving the overall quality of life for our residents.</p> <p>The need for housing tailored to the younger demographic is paramount, and this project is poised to fulfill that need. Situated across from the transit interchange, it offers a strategic housing solution for young professionals and students who rely on public transportation. The location's proximity to the train station ensures a seamless connection to the city's public transport network, making it a highly desirable option for those seeking</p>

				<p>modern, convenient living spaces.</p> <p>Moreover, the inclusion of underground parking in the development is a thoughtful and practical feature. It will significantly reduce the burden on street parking, thereby enhancing the overall living experience in Edgecliff. With our streets freed from the congestion of parked vehicles, we can look forward to safer and cleaner surroundings.</p> <p>In summary, I wholeheartedly support the property development at 136-148 New South Head Rd, Edgecliff. It represents a welcome opportunity to modernize Edgecliff and utilize VPA funds for the betterment of our community. The inclusion of housing for young professionals, its proximity to public transportation, and the reduction of on-street parking through underground facilities are strong arguments in favor of this project.</p> <p>Thank you for considering these points, and I trust you will make a decision that aligns with the best interests of Edgecliff.</p>
CID 038	Andrew Stringer		S	<p>I have reviewed the docs and I support and approve this project.</p> <p>Edgecliff is OLD and TIRED. I have worked in Edgecliff for the past 14 years. What better location then across from a train station and bus interchange. The old buildings are awful. The VPA is providing badly needed funds. These funds need to be managed/ allocated/ used for the right purposes.</p> <p>We need vision and leadership so progress can happen. No more NIMBY.</p>

CID 039	Ben Stewart	Pitt St, Sydney	S	<p>Please take this as my letter of support for the proposed development at 136-148 New South Head Rd, Edgecliff.</p> <p>Based on my experience within the residential projects and project marketing space, there is a high demand for brand new apartments in this position. Edgecliff is the gateway to the Eastern Suburbs and it needs an appropriate modern building, just like what is being proposed.</p> <p>With its location opposite the Edgecliff Train Station, there is significant demand from downsizers and owner occupiers, in particular young families to be situated close to the Train Station for use of public transport and together with the easy access to Edgecliff Centre. People in wheelchairs cannot get into the existing buildings, as they are not ADA accessible.</p> <p>I firmly believe the Edgecliff / New South Head Road corridor needs an uplift and new modern housing near the train station. The proposed new building will have underground parking and can reduce the load on the street parking and traffic. In addition the VPA will raise \$5M for affordable housing and infrastructure to improve Edgecliff.</p> <p>Should you wish to discuss anything further, please do not hesitate to contact me.</p>
CID 041	Arek Drozda	164 NSH Rd, Edgecliff	O	<p>If, despite the strong arguments to the contrary, this development approval is pushed through, then as a minimum: Firstly, the Voluntary Planning Agreement (VPA) must include a provision for compensating owners of adjoining properties for the permanent and irreversible loss of value of those properties. This provision should compel developers, as a committed party in the VPA, to reach an agreement with ten individual owners of apartments directly facing the new development about the distribution of monetary compensation to be determined by an independent valuer. Today, it is socially unacceptable to have a situation in which one private party benefits from changes to the</p>

				<p>Council's planning regulations, incurring no costs, while other parties face significant losses, including property values and amenity. So, the profit margin of the developer that will be realised as the result of those changes has to be shared: with the community and the council (as per the provisions agreed to in the VPA) but also with the most affected residents of adjoining properties (which are currently not considered in the agreement). It is time to set a precedent that, in the context of urban renewal in old residential areas, profits should also be shared, not only costs. This will deliver tangible benefits to all the ratepayers of Woollahra Council for years to come.</p> <p>Currently, there is no public green space within a 400-meter radius of this location. If this development is approved, the expected public benefit is the creation of 'recreation and open space, urban greening, and outdoor spaces'. This is what the Council's staff response recommends for inclusion in the VPA with the developers (p.7).</p> <p>Enforcing these guidelines will also enhance the amenity for all stakeholders. For example, enforcing the separation will create space for a public, off-street green refuge, which is lacking in this area. The closest similar area is 400m away from this location. There is, in fact, a recommendation from the council's staff assessment of the proposal for the inclusion of provisions related to 'Recreation and open space, urban greening, and outdoor spaces' in the VPA with the developers (p.7).</p> <p>The estimate of the value of that loss is beyond the scope of this submission, but it suffices to say that it can be assessed by a professional valuer and that collectively, it will be substantial and should be at least partially borne by</p>
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				the developer. Making a reference to it in the VPA would be a logical solution.
CID 044	Adam William		S	<p><b>Planning Proposal:</b></p> <p>The proposal should proceed; or be improved by increasing in height and floor space, akin to other tall buildings in the direct vicinity. A 30-storey building is located next door to the proposal. More widely, there are tall building clusters of a similar size dispersed across the adjacent suburb of Darling Point, one of the desirable suburbs in Sydney. A tall building here would visually fit in and also offer more opportunity for people to live in the area.</p> <p>On page 16 of the 22 April 2022 Woollahra Local Planning meeting it says the original proposal was for 18-storeys, but Council advised that a 12-storey building was more appropriate. This was because of a possible future concept called the Edgecliff Commercial Centre (ECC) Strategy to provide more housing. This ECC Strategy has not progressed. At the time of writing this submission of support for 136-148 New South Head Rd (November 2023), it has been more than 2 years since the public exhibition for the ECC Strategy closed (30 September 2021). This stalled “strategy” is reminiscent of the last time there was a Council driven “strategy” for the Edgecliff Centre and New South Head Road corridor back in circa 2013. It has been a decade (yes, that’s 10 years) since the previous strategy stalled.</p> <p>It is completely nonsensical to force any proposal to attempt to fit in with a potential future strategy that has stalled. Especially in the context of the prolonged housing crisis in Sydney. It should be assessed on its own merits. The simple merit of the proposal is that it keeps the art-deco heritage building whilst providing housing, which is located literally across the road from the railway station, a significant bus interchange and is located on a well-</p>



				<p>connected major road.</p> <p>The proposal is textbook transit-oriented development. Edgecliff is located just 2 train stops from Martin Place. If the proposal's location is not suitable for the in-fill development of a tall building that we need – which location is? The NIMBY attitude of objectors to such proposals are selfish and are a key contributing factor to the ongoing housing crisis. NIMBY objectors should not rule over what is good planning or what the silent majority in the community want. For context, I point to the successful reinvigoration of the Kiaora Lands development in Double Bay. Located on the same New South Head Road as the proposal, it has reinvigorated and greatly improved the area. Since completion, many of the previous objectors to that project now think it's great and use the area for their shopping and socialising. The lack of vision of a few should not stop progress in society.</p> <p>The proposal at 136-148 New South Head Road contains four buildings, three of which significantly detract from the area. With the exception of the art-deco building on the corner, the other buildings are grotty, are walled off to the public and contribute nothing to the area. They are occupying land which needs to do much more than what it is.</p> <p>This proposal should be approved at 18-storeys or more – subject to overshadowing analysis of impacts to other residences.</p> <p><b>VPA:</b> If a taller building with more floor space is approved, both the Council and the community will benefit. A larger building will provide more units for a range of people to live in the area and become a part of the local community.</p>
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				<p>A larger building will require the developer to pay a larger funds to Council, allowing more services to be put back into the community.</p> <p>The proposal and the VPA are a win for the community and what the area needs.</p>
CID 049	Darling Point Society	Darling Point	O	<p>The Darling Point Society opposes the above development for the following reasons.</p> <p>New South Head Road is a major regional road, being a major link between the Eastern Suburbs and the Sydney CBD and beyond given its connection with Sydney's freeway systems. Traffic congestion is already a major issue. This location is a major transport hub for the area servicing schools including Double Bay Public School, Ascham, Cranbrook, Scots, Kambala, etc.</p> <p>This development would significantly add to this congestion with its accompanying parking for both residential and commercial occupants as well as service vehicles. Road access for the development would be at Darling Point Road right at the intersection with New South Head Road. The unique geographically conditions in this location make any solutions to increase capacity problematic. Whilst Council has been working with Transport for NSW for several years to improve capacity at this location, no solution has yet been found.</p> <p>This development would make a difficult situation worse.</p> <p>The proposal would also have a negative impact on the amenity of the area. Overshadowing, loss of privacy, noise amplification and most importantly wind tunnelling would all be major issues for this development.</p>

				<p>Finally, the proposal does not include affordable housing. Given its ideal location to transport, shopping and workplaces, it would be preferable to include this in the project as an immediate solution rather than as a contribution for another project which may or may not, ever eventuate.</p> <p>We trust serious consideration be given to refuse this proposal and VPA.</p>
	Transport for NSW		S	<ul style="list-style-type: none"> <li>• It is proposed that as the Planning Proposal progresses, the public benefit offer will be formalised, and details of the overall community benefit will be included in a Planning Agreement.</li> <li>• It is noted that the status of any agreement for additional works related to a public benefit offer, is unclear at this stage and needs to be clarified with Council and TfNSW. This is to include (but is not limited to): <ul style="list-style-type: none"> <li>- Any upgrades to the public domain along New South Head Road and Darling Point Road.</li> <li>- Opportunities to improve the pedestrian and cycling infrastructure.</li> </ul> </li> </ul>

**Item No:** R3 Recommendation to Council  
**Subject:** **POST EXHIBITION REPORT - PLANNING PROPOSAL TO LIST THE ST GEORGE GREEK ORTHODOX CHURCH, ROSE BAY AS A LOCAL HERITAGE ITEM**  
**Authors:** Eleanor Banaag, Senior Strategic Heritage Officer  
Kristy Wellfare, Acting Team Leader Heritage  
**Approvers:** Anne White, Manager Strategic Planning & Place  
Scott Pedder, Director Planning & Place  
**File No:** 23/231325  
**Purpose of the Report:** To report on the public exhibition of the planning proposal to list the St George Greek Orthodox Church, Rose Bay as a local heritage item.  
**Alignment to Delivery Program:** Strategy 4.2: Conserving our rich and diverse heritage.

**Recommendation:**

THAT Council:

- A. Finalise the planning proposal at **Attachment 1** of the report to the Environmental Planning Committee of 5 February 2024 to list the *St George Greek Orthodox Church and war memorial complex and setting, including interiors and moveable relics* at 90-92 Newcastle Street, Rose Bay (Lots 15 & 16, Sec D, DP 5092) as a local heritage item in Schedule 5 and on the Heritage Map of the *Woollahra Local Environmental Plan 2014*.
- B. Make the local environmental plan under section 3.36(2) of the *Environmental Planning and Assessment Act 1979*.

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**Executive Summary:**

This report relates to the public exhibition of a planning proposal to list the *St George Greek Orthodox Church and war memorial complex and setting, including interiors and moveable relics* at 90-92 Newcastle Street, Rose Bay (Lots 15 & 16, Sec D, DP 5092) as a local heritage item in Schedule 5 and on the Heritage Map of the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014).

The planning proposal was placed on public exhibition from 15 November to 17 December 2023 and in response we received five (5) submissions. The planning proposal is included at **Attachment 1**. Having considered the issues raised in submissions, it is recommended that Council resolves to make the amending local environmental plan under section 3.36(2) of the *Environmental Planning and Assessment Act 1979* (the EP&A Act).

**Discussion:**

Background

On 6 March 2023 the Environmental Planning Committee (EPC) considered a report on the outcomes of the Places of Worship Heritage Study, and the advice of the Woollahra Local Planning Panel. Subsequently, on 27 March 2023 Council resolved (in part):

- E. *THAT Council receives and notes the recommendation for the St George Greek Orthodox Church, and staff further investigate the heritage significance of the complex having regard to the issues raised regarding religious freedoms, and that the community are engaged to establish if there are elements of the building that are appropriate for heritage listing, investigates whether there is an active Development Application (DA) for the site on the corner of Old South Head Road and Newcastle Street, Rose Bay and/or if further legal advice is required.*

In response, Council staff implemented a community engagement strategy which took place from 24 May 2023 to Friday 9 June 2023 (inclusive). In response to the engagement, we received 17 individual submissions, with 12 submissions (70%) in support of the heritage listing of the St George Church. A report on the submissions and discussions regarding the matter of religious freedoms (as requested by the above resolution) was considered by the Environmental Planning Committee on 3 July 2023, and on 10 July 2023 Council resolved the following:

- A. *THAT Council defer the planning proposal to list the St George Greek Orthodox Church and war memorial complex and setting, including interiors and moveable heritage at 90-92 Newcastle Street, Rose Bay (Lots 15 & 16, Sec D, DP5092) as a local heritage item in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014 pending a site visit (being conducted within one months' time) for Councillors and Council staff.*
- B. *THAT this matter be reported direct to full Council for consideration.*

The purpose of the site visit was for Councillors and staff to view the internal and external areas of the church to further inform the significance assessment of the Church made in the *Places of Worship Heritage Study* prepared by Council staff. The site visit took place on Wednesday 19 July 2023 at 4:45pm. The site visit was attended by Councillors, Woollahra Council Staff, Fr Gerasimos Koutsouras and members of the Church Parish Board. Access to internal and external areas was provided.

Having being able to inspect the site and the buildings' internal features, Council staff maintained their recommendation that Council proceed with a planning proposal to list the St George War Memorial Church as a local heritage item.

A report on the site inspection was presented to a meeting of Council on 14 August 2023. Subsequently, Council resolved:

- A. *THAT Council endorse the preparation of a planning proposal to list the St George Greek Orthodox Church and war memorial complex and setting, including interiors and moveable relics at 90-92 Newcastle Street, Rose Bay (Lots 15 & 16, Sec D, DP 5092) as a local heritage item in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014 and resolve to forward this to the Department of Planning and Environment with a request for a Gateway determination to allow public exhibition.*
- B. *THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979.*
- C. *THAT Council endorse that the planning proposal include recommendations for the owner to prepare additional conservation management documentation (such as a Moveable Heritage Schedule or Conservation Management Plan or Strategy) to ensure that future management of the place is appropriate to the community's religious observances.*
- D. *THAT Council note its gratitude to the Father of the Greek Orthodox Church for opening the Church to Council for a site visit.*

### Gateway Determination and Public Exhibition

In response to Part B of the Council resolution from 14 August 2023, the planning proposal was submitted to the (then) Department of Planning and Environment (DPE) requesting a Gateway determination to allow public exhibition. The Gateway determination was issued on 18 October 2023 (see **Attachment 2**). The DPE classified the planning proposal as 'standard' as described in the *Local Environmental Plan Making Guidelines* (DPE 2023). Council was authorised to exercise the local plan-making authority functions in relation to the planning proposal. Prior to exhibition, the planning proposal was amended to acknowledge the Gateway determination (see **Attachment 1**).

The planning proposal was placed on public exhibition from 15 November to 17 December 2023 (inclusive) consistent with the requirements of the EP&A Act, *Environmental Planning and Assessment Regulation 2021* (the Regulations), Woollahra Community Participation Plan 2019, relevant guidelines and the conditions of the Gateway determination.

The exhibition included the following:

1. Five notices in the Wentworth Courier, appearing on 15, 22, and 29 November 2023, and 6 and 13 December 2023.
2. A page on Council's YourSay Woollahra webpage, which was visited by 32 people during the exhibition period;
3. Public exhibition on the NSW Planning Portal website from 15 November to 17 December 2023;
4. Notification emails were sent to the following government agencies or community groups;
  - the (then) Department of Planning and Environment NSW – Environment and Heritage Group (Heritage NSW);
  - the National Trust of Australia (NSW);
  - Vaucluse Progress Association;
  - Watsons Bay Association;
  - Watsons Bay and Vaucluse Social History Group;
  - Double Bay Residence Association;
  - The Paddington Society;
  - Woollahra History and Heritage Society;
  - Rose Bay Residents Association;
  - Darling Point Society;
  - Rose Bay Public School;
  - Rose Bay Secondary College.
5. Notification letters were sent to the owner, and owners of properties in the vicinity of the site.
6. Notification letters and emails were sent to Greek Orthodox parishes and community organisations in the wider Sydney and Inner West areas.
7. Notification letters and emails were sent to individuals who made submissions during the May/June community engagement.

All the information that was placed on exhibition is available at the following link, which includes the original Places of Worship Heritage Study, all relevant EPC and Council meeting, agenda reports and minutes as described in the above background discussion:

<https://yoursay.woollahra.nsw.gov.au/community-engagement-st-george-church-rose-bay>

## Submissions

In response to the public exhibition, there were five submissions received from the community. No submissions were received from Heritage NSW, the National Trust of Australia NSW, or any other community organisation. Of the five community submissions, three were in support of the planning proposal, and two were in objection. It is noted that no submissions were received from, or on behalf of, the owner. The issues raised in submissions are summarised below, with a response from Council staff. A redacted copy of the submissions is included at **Attachment 3**.

Issues raised in submissions	Staff response
<b>James Stevens</b>	
Mr Stevens made a submission by email <u>in objection</u> to the heritage listing.  He comments that the heritage listing is an unnecessary heritage order and constraint. He further comments that the majority of church parishioners, who are predominantly silent about the heritage listing, are nonetheless against it. People who are vocal in support of heritage listing are a minority and not involved in the Church (presumably meaning as an organiser or parishioner).	Council staff note the two objections.  Notwithstanding the petition compiled by the Church during the community engagement stage, based on submissions received through the public exhibition, there is no evidence to suggest that the majority of parishioners do not support the proposal to heritage list the church.  Furthermore, heritage listing does not aim to constrain use, development or change to a place. The owners of heritage-listed places are still in charge of managing their properties within the necessary planning frameworks. The LEP controls for heritage aims to manage changes to a building so that they appropriately conserve the significance of a place. This may mean that alterations, upgrades, and new developments like additions and extensions are guided and considered in their design to be more sensitive to the heritage building.
<b>Dean Haritos</b>	
Mr Haritos has made a submission via the Council YourSay page <u>in objection</u> to the heritage listing.  The submission comment is quoted as follows:  <i>"The overwhelming majority of parishioners who signed a petition early this year (over 1,000 signatures) are against a heritage listing. The listing puts unnecessary restrictions on our Church."</i>	Council staff maintain that the heritage listing is supported, as the St George Church meets six (of the seven) criteria for heritage significance, for its historical, associational, aesthetic, social, rare, and representative values.
<b>Rozy Dorizas</b>	
Ms Dorizas made a submission <u>in support</u> of the heritage listing.  She comments that the church is an important place of worship, solace and serenity for its community, as well as providing security and constancy for people who have made many memories there.  She acknowledges the significance of the places as a war memorial, and the association between Australians and Greeks and their shared military service that this building honours.  The submission also acknowledges that the building maintains its architectural value despite alterations and modifications over the past. These alterations have been designed with great care to be tasteful and sympathetic to the existing style of the building interiors and exteriors.	Comments of support are noted. This is consistent with the planning proposal and the information contained in the Heritage Inventory Sheet.

<b>Nick Andriotakis</b>	
<p>Mr Andriotakis made two duplicate submissions – one submitted to Council directly by email, and a second submitted via the Council YourSay page for the proposal.</p> <p>Mr Andriotakis has made a submission <u>in support</u> of the heritage listing.</p> <p>The submission provides a lengthy, detailed outline of the Australian military campaigns in Greece and the Mediterranean region, and the connection between Greece and Australian in terms of ANZAC soldiers serving and dying there. These military ties were the inspiration for the St George Greek Orthodox Church to also be dedicated as a War Memorial.</p> <p>The submission also supports the claim the while the church is a modernist approach and simple reflection of Byzantine styles, this is a reflection of a migrant community wanting to “make Australia home whilst also reflecting their Greek Orthodox heritage”.</p> <p>He states that, as he is a parishioner himself, many fellow parishioners have verbally expressed their support of the heritage listing.</p> <p>He recommends that should the church be heritage listed, and in future the congregation were to relocate or leave the site, the Holy Relics of the church be allowed to be removed in accordance with the Greek Orthodox Rites.</p>	<p>Comments of support are noted. This is consistent with the planning proposal and the information contained in the Heritage Inventory Sheet. This includes recommendations for the appropriate management of moveable relics to be managed by the Church following the preparation of a Moveable Heritage Schedule.</p> <p>In response to the comment regarding the management of moveable relics, Council agree in principle and believe the management of moveable relics should lie with the organisation.</p> <p>The Heritage Inventory Sheet has recommended that a Moveable Heritage Schedule be prepared by the church organisation and with the expertise of a heritage consultant, so that individual moveable heritage items and relics can be assessed and an appropriate management recommendation (which may involve removal in accordance with the Greek Orthodox Rites) is developed at an individual level.</p>
<b>George Vardas</b>	
<p>Mr Vardas has made a submission via the Council YourSay page <u>in support</u> of the heritage listing.</p> <p>In addition to the previous submission made by Mr Vardas as part of the earlier community engagement in July 2023, he has made additional comments with regard to the role of the St George Church in the wider community and its significance as a war memorial church. He outlines the notable public figures such as Sir Robert Menzies, Sir Thomas Playford and NSW Premier R J Heffron who all made statements about the enduring bonds between Greece and Australia through its shared military history, and that the St George Church reinforces this bond as a dedicated war memorial in addition to being a place of worship.</p>	<p>Comments of support are noted. This is consistent with the planning proposal and the information contained in the Heritage Inventory Sheet.</p>

Minor administrative change following feedback from the Parliamentary Counsel

It should be noted that the proposed title of the local heritage item (as contained in this report) is now being proposed as follows:

*St George Greek Orthodox Church and war memorial complex and setting, including interiors and moveable relics at 90-92 Newcastle Street, Rose Bay.*



The term “moveable relics” is proposed to replace the exhibited term “moveable items”. On the advice of the Parliamentary Counsels Office for the heritage listing of four Places of Worship in the Woollahra LGA (being finalised at the time of preparing this report), it was recommended that “relics” is a clearer and more inclusive term. This term is based on the definition of “Heritage Item” in the Woollahra LEP 2014, as a “heritage item” includes a relic. This recommendation will be adopted for the finalisation of the Places of Worship heritage listings, and for consistency we propose to adopt it for the heritage listing of the St George Church. The recommendation of this report, the planning proposal and the heritage inventory sheet have been updated accordingly.

This is a minor post exhibition administrative change, and does not amend the objective of the planning proposal. Post exhibition administrative changes in the planning proposal (**Attachment 1**) and heritage inventory sheet (**Attachment 4**) have been highlighted in yellow.

**Options:**

In response to the issues raised during exhibition, staff recommend that the planning proposal is finalised with one minor administrative change. In response to issues raised in submissions, no additional changes have been made to the heritage inventory sheet (see **Attachment 4**). A final inventory sheet will be submitted to the Department of Planning, Housing and Industry (DPHI, formerly DPE) with the planning proposal.

Should Council resolve to proceed, Council staff will arrange to finalise the local environmental plan in accordance with section 3.36 (2) of the Act. Alternatively, if Council decides not to finalise the planning proposal, Council should resolve to write to the Minister requesting that the planning proposal not proceed, under section 3.35(4) of the EP & A Act.

**Community Engagement and / or Internal Consultation:**

Refer to the Discussion section of this report.

**Policy Implications:**

Should Council resolve to progress the planning proposal to finalisation, there will be policy implications by amending the Woollahra LEP 2014, Schedule 5 Part 1, and Map (Sheet 8500\_HER\_COM\_006).

**Financial Implications:**

As this assessment was prepared by staff, there are no financial implications.





**Resourcing Implications:**

Staff resources will be associated with finalising the planning proposal and liaising with the DPHI and Parliamentary Counsel.

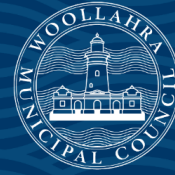
**Conclusion:**

A planning proposal to list the *St George Greek Orthodox Church and war memorial complex and setting, including interiors and moveable relics at 90-92 Newcastle Street, Rose Bay* as a local heritage item in Schedule 5 and on the Heritage Maps of the Woollahra LEP 2014 was placed on public exhibition in accordance with our statutory obligations and the conditions of the Gateway determination. Five submissions were received during the exhibition period. Having considered the matters raised in the submissions, staff recommend that Council resolves to proceed with the planning proposal and that the LEP is finalised.

## Attachments

1. Planning Proposal - St George Orthodox Church - January 2024 [↓](#) 
2. St George Orthodox Church- Gateway determination - October 2023 [↓](#) 
3. Submissions to the planning proposal - redacted [↓](#) 
4. St George Orthodox Church - Heritage Inventory Sheet - January 2024 [↓](#) 

# Planning Proposal



## Local Heritage Listing: St George Greek Orthodox Church, Rose Bay



Version Date:	January 2024
Division/Department:	Strategic Planning
Responsible Officer:	Eleanor Banaag – Senior Strategic Heritage Officer, Joahna Doolan – Student Planner
HPE CM Record Number:	24/12087

**Acknowledgement of Country**

*Woollahra Council acknowledges the Gadigal and Birrabirragal people, the traditional custodians of the land of Woollahra. We would like to acknowledge Aboriginal or Torres Strait Islander people and pay our respects to Elders past, present and emerging.*

**Cover Photo:** St George Greek Orthodox Church / Shona Lindsay / Woollahra Council

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## Supporting documents (circulated separately)

- **Heritage Study: Places of Worship, Woollahra LGA (April 2023)**
- **Heritage Inventory Sheet for St George Greek Orthodox Church (July 2023)**
- **Woollahra LPP 13 December 2022, Agenda and Minutes (attachments removed)**

- **Woollahra EP Committee 6 March 2023, Agenda and Minutes (attachments removed)**
- **Woollahra Council 27 March 2023, Minutes.**
- **Woollahra EP Committee 3 July 2023, Agenda, late correspondence and Minutes (attachments removed)**
- **Woollahra Council 14 August 2023, Agenda, late correspondence and Minutes**

## 1. Introduction

### 1.1. Background

#### Places of Worship Heritage Study

This planning proposal seeks to amend the *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014), at Schedule 5 (Environmental heritage) and the Heritage Map, to include one new heritage item.

The subject property, the St George Greek Orthodox Church, Rose Bay (Lots 15 & 16, Sec D, DP5092), is a place of worship and it was investigated as part of Council's *Heritage Study: Places of Worship, Woollahra LGA* (Nov 2022). The Study identified that there are 27 places of worship within the Woollahra LGA, of which 18 are listed as heritage items in the Woollahra LEP 2014, and one also listed on the State Heritage Register. Of the nine (9) places of worship that are not currently listed as heritage items, the Study found that five (5) meet the threshold for local heritage significance, and one of these also meets the threshold for State heritage significance.

The planning proposal was referred to the Woollahra LPP on the 13 December 2022, where they provided the following advice to Council:

- A. *THAT the Woollahra Local Planning Panel advises Council to proceed with the planning proposal to list the following sites as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014:*
  - i. *Paddington Church of Christ complex and setting, including interiors and moveable heritage at 116-122 Paddington Street, Paddington (Lots 20, 21 & 22, Sec 1, DP 180)*
  - ii. *St Andrews Scots Presbyterian Church complex and setting, including interiors and moveable heritage at 2 Carlisle Street, Rose Bay (Lot 1 DP 724928 & Lot 1 DP 966535)*
  - iii. *St George Greek Orthodox Church and war memorial complex and setting, including interiors and moveable heritage at 90-92 Newcastle Street, Rose Bay (Lots 15 & 16, Sec D, DP5092)*
  - iv. *Sydney Chevra Kadisha, including interiors and moveable heritage at 172-178 Oxford Street, Woollahra (Lot 1 DP 85862)*
  - v. *Vaucluse Uniting Church complex and setting - former 1909 Vaucluse Congregational Church building and former 1960 A-frame church building, including interiors and moveable heritage at 3 Russell Street, Vaucluse (Lot 7, Sec 5, DP 4400).*
- B. *THAT the Woollahra Local Planning Panel provides advice to Council to proceed with the nomination to the State Heritage Register of Sydney Chevra Kadisha, including interiors and moveable heritage at 172-178 Oxford Street, Woollahra (Lot 1 DP 85862)*
- C. *THAT as part of a future heritage study, the following three sites be further examined for their heritage qualities:*
  - *Sephardi Synagogue at 40-44 Fletcher Street, Woollahra*
  - *Kehillat Kadimah Synagogue at 662-666 Old South Head Road, Rose Bay*
  - *Chabad Double Bay at 2 Kiaora Road, Double Bay*

It is noted that the Woollahra LPP provided the following reasons for their decision:

*The Panel considered the submissions received, and considered the Places of Public Worship Heritage Study to be a thorough and comprehensively researched report, with a good comparative analysis and Council should be congratulated.*

On 6 March 2023, the planning proposal was considered by the Environmental Planning Committee and subsequently on 27 March 2023 the Council resolved:

- A. *THAT Council note the advice provided by the Woollahra Local Planning Panel on 13 December 2022 regarding the planning proposal to list five places of worship as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014.*
- B. *THAT Council endorse the planning proposal as contained at Attachment 3 of the report to the Environmental Planning Committee to list the following five sites as local heritage items in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014 and resolve to forward this to the Department of Planning and Environment with a request for a Gateway determination to allow public exhibition:*
  - i. *Paddington Church of Christ complex and setting, including interiors and moveable heritage at 116-122 Paddington Street, Paddington (Lots 20, 21 & 22, Sec 1, DP 180).*
  - ii. *St Andrews Scots Presbyterian Church complex and setting, including interiors and moveable heritage at 2 Carlisle Street, Rose Bay (Lot 1 DP 724928 & Lot 1 DP 966535)*
  - iii. *Sydney Chevra Kadisha, including interiors and moveable heritage at 172-178 Oxford Street, Woollahra (Lot 1 DP 85862)*
  - iv. *Vaucluse Uniting Church complex and setting - former 1909 Vaucluse Congregational Church building and former 1960 A-frame church building, including interiors and moveable heritage at 3 Russell Street, Vaucluse (Lot 7, Sec 5, DP 4400).*
- C. *THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979.*
- D. *THAT Council endorse a nomination to the State Heritage Register of Sydney Chevra Kadisha, including interiors and moveable heritage at 172-178 Oxford Street, Woollahra (Lot 1 DP 85862).*
- E. *THAT Council receives and notes the recommendation for the St George Greek Orthodox Church, and staff further investigate the heritage significance of the complex having regard to the issues raised regarding religious freedoms, and that the community are engaged to establish if there are elements of the building that are appropriate for heritage listing, investigates whether there is an active Development Application (DA) for the site on the corner of Old South Head Road and Newcastle Street, Rose Bay and/or if further legal advice is required.*



- F. THAT Council request that staff update the heritage inventory sheet for this Sydney Chevra Kadisha, having considered the late correspondence from URBIS that was tabled at the Environmental Planning Committee meeting of 6 March 2023.*

The heritage study report, the heritage inventory sheets and the planning proposal have been updated based on the outcome of the Woollahra LPP meeting and Council meeting.

In light of Part B, a separate planning proposal was submitted to DPE for Gateway approval for the four churches (PP 2023-789). The Gateway determination was provided on 6 June 2023, with Council being made the Plan Making Authority in accordance with Section 3.36(2) of the EP&A Act. The Planning Proposal for the four churches was placed on Public Exhibition between 19 July 2023 and 18 August 2023 (inclusive). The post-exhibition report for the Places of Worship Planning Proposal was presented to a meeting of Council's Environmental Planning Committee on 4 September 2023, where it was resolved to finalise the Planning Proposal. At the time of writing, the planning proposal is now at the finalisation stages.

#### **St George Greek Orthodox Church**

In light of Part E, Woollahra Municipal Council conducted further investigations and community engagement regarding the St George Greek Orthodox Church via Council's YourSay Woollahra website and through a mail-out to immediate residents over a two-week period between the 24 May 2023 and the 9 June 2023. It was also advertised in the Wentworth Courier newspaper on the 24 May 2023 and 31 May 2023. As a result, seven submissions were received, with four of the submissions in support of it being heritage listed and three against it. An online petition opposing a heritage listed status was also received on the 9 June 2023 with 968 signatories. A report on this community engagement was made to a meeting of the Environmental Planning Committee on 3 July 2023. The report (which includes community submissions, the petition and late correspondence) can be viewed on Council's website.

At this meeting, the matter was deferred pending a site inspection by WMC councillors and staff to the church. The purpose of the site visit was for Councillors and staff to view the internal and external areas of the church to further inform the significance assessment of the Church made in the *Places of Worship Heritage Study* prepared by Council staff.

A site inspection to the Church took place on Wednesday 19 July 2023 at 4:45pm. The site visit was attended by Councillors, Woollahra Council Staff, Fr Gerasimos Koutsouras and members of the Church Parish Board. Access to internal and external areas was provided. A further report on the site inspection was presented to a meeting of Council on 14 August 2023. The report can be viewed on Council's website. Having being able to inspect the site and the buildings internal features, Council staff maintain their recommendation that Council resolves to proceed with a planning proposal to list the St George War Memorial Church at 90-92 Newcastle Street Rose Bay (Lot 15 & 16, Sec D, DP 5092) as a local heritage item in Schedule 5 and on the heritage maps of the Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014). As a consequence of the site visit, Council staff were able to update the Heritage Inventory Sheet to include additional information and photographs.

At its ordinary meeting of 14 August 2023, Council resolved the following:

- A. THAT Council endorse the preparation of a planning proposal to list the St George Greek Orthodox Church and war memorial complex and setting, including interiors and moveable heritage at 90-92 Newcastle Street, Rose Bay (Lots 15 & 16, Sec D,*

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DP 5092) as a local heritage item in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014 and resolve to forward this to the Department of Planning and Environment with a request for a Gateway determination to allow public exhibition.

- B. THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979.
- C. THAT Council endorse that the planning proposal include recommendations for the owner to prepare additional conservation management documentation (such as a Moveable Heritage Schedule or Conservation Management Plan or Strategy) to ensure that future management of the place is appropriate to the community's religious observances.
- D. THAT Council note its gratitude to the Father of the Greek Orthodox Church for opening the Church to Council for a site visit.

### 1.2. Description of this planning proposal

The objective of the planning proposal is to amend Woollahra LEP 2014 to list the St George Greek Orthodox Church Rose Bay, identified in Table 1 below, as a local heritage item in Schedule 5 Environmental heritage, Part 1 Heritage items. Heritage listing of this site will ensure recognition of its significance, as well as provide statutory protection through ensuring that any future development proposals are assessed against the heritage provisions of the Woollahra LEP 2014.

Table 1: Subject site to which the planning proposal applies

	Item	Address	Lot/DP
1	St George Orthodox Church and War Memorial complex and setting, including interiors and moveable <b>relics</b>	90-92 Newcastle Street, Rose Bay	Lots 15 & 16, Sec D, DP5092

This planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the NSW Department of Planning and Environment supporting document. *Local Environmental Plan Making Guideline* (September 2022).

### 1.3. Assessment of Heritage Significance

An assessment of heritage significance of the subject site was carried out by Council Staff. That assessment is separately attached to this planning proposal, see *Heritage Study: Places of Worship, Woollahra LGA* (April 2023) and *Heritage Inventory Sheet - St George Orthodox Church* (July 2023).

The assessment of heritage significance was undertaken in accordance with Environment and Heritage Group, Department of Planning and Environment publications *Assessing heritage significance* (2001)-and *Investigating heritage significance* (2021). There are seven criteria used in the process of assessing heritage significance:

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**Criterion (a) – Historical significance**

*An item is important in the course, or pattern of NSW's cultural or natural history (or the cultural or natural history of the local area).*

**Criterion (b) – Associative significance**

*An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).*

**Criterion (c) – Aesthetic/technical significance**

*An item is important in demonstrating aesthetic characteristics and/or high degree of creative or technical achievement in NSW (or the local area).*

**Criterion (d) – Social significance**

*An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.*

**Criterion (e) – Research potential**

*An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).*

**Criterion (f) – Rarity**

*An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural (or the cultural or natural history of the local area).*

**Criterion (g) – Representative**

*An item is important in demonstrating the principal characteristics of NSW's*

- cultural or natural places; or*
- cultural or natural environments.(or a class of the local area's cultural or natural places; or cultural or natural environments.)*

Each criterion has inclusion and exclusion guidelines which are used to assist in the assessment process. If an item meets one of the seven heritage criteria at a local level, and retains the integrity of its key attributes, it can be considered to have local heritage significance.

The assessment concludes that the following site is of **local** heritage significance.

- St George Greek Orthodox Church and war memorial complex and setting, including interiors and moveable **relics** at 90-92 Newcastle Street, Rose Bay (Lots 15 & 16, Sec D, DP5092)*

Accordingly, it is recommended that this site is listed in Schedule 5 and identified on the associated Heritage Maps of the Woollahra LEP 2014.

Below is the Statement of Significance for the subject property. A copy of the inventory sheet for the subject property, including an assessment against all heritage criteria, is separately attached.

#### 1.4. Statement of Heritage Significance

##### 1.4.1. St George Greek Orthodox Church, Rose Bay and war memorial complex and setting, including interiors and moveable **relics**

Assessment of significance	
<b>Historical significance</b> Criterion (a)	<p>As part of the Rose Bay Estate subdivision of the former Point Piper Estate, the St George Greek Orthodox Church at Rose Bay has local historical significance for its ability to reflect the rapid pattern of development of Rose Bay in the post-World War I era and the growing presence of migrant communities that settled in the area during this time.</p> <p>The St George Greek Orthodox Church has local historical significance as an example of a church that was commissioned in NSW to honour the service of Australian soldiers of Greek heritage who lost their lives in World War I and World War II and also Australian soldiers who lost their lives in Greece during World War II. Therefore, St George Greek Orthodox Church would reach the threshold for local significance under this criterion. St George Greek Orthodox Church would not reach the threshold for State significance under this criterion.</p>
<b>Historical association significance</b> Criterion (b)	<p>The St George Greek Orthodox Church is significant for its association with migrant communities that settled in NSW following World War I. Since its construction and consecration in 1962, the church building has been the focus for worship and the continuity and celebration of Greek customs and traditions in Sydney's Eastern suburbs.</p> <p>The St George Greek Orthodox Church has significance for its associations with Australia's defence history. The church is dedicated as a war memorial that provides a place of commemoration for Australian soldiers of Greek heritage who lost their lives in World War I and World War II, and also Australian soldiers who lost their lives in Greece during World War II. The church is listed on the NSW War Memorials Register. Therefore, St George Greek Orthodox Church would reach the threshold for local significance under this criterion. St George Greek Orthodox Church would not reach the threshold for State significance under this criterion.</p>
<b>Aesthetic significance</b> Criterion (c)	<p>The St George Greek Orthodox Church is a fine example of the work of the prominent Inter-War architectural firm Fowell, Mansfield &amp; Maclurcan. Joseph Charles Fowell is recognised as a prominent Australian twentieth century architect, particularly renowned for his ecclesiastical architecture with numerous buildings being heritage listed. The St George Greek Orthodox Church is an interesting example of a Greek Orthodox War Memorial Church that incorporates elements of the Byzantine style typically associated with ANZAC memorials, with the traditional Greek Orthodox Church</p>

	style. The church displays simple and restrained design elements of these styles, whilst also stylistically consistent with the work of Fowell, Mansfield & Maclurcan. Within its surrounding streetscape setting, the church has landmark qualities. Therefore, St George Greek Orthodox Church would reach the threshold for local significance under this criterion. St George Greek Orthodox Church would not reach the threshold for State significance under this criterion.
<b>Social significance</b> Criterion (d)	<p>Although social significance has not been formally assessed, it is assumed the St George Greek Orthodox Church is held in high esteem by members of the Parish and the broader Greek Orthodox community of Sydney. In addition to regular Sunday church services, the building has been a focal point for the local Greek Orthodox community for significant celebrations and events including weddings, baptisms, funerals and religious activities for more than five decades providing an important part in the community's sense of place.</p> <p>The St George Greek Orthodox Church also has social significance for its ability to recognise and commemorate members of Australia's Greek community who served and lost their lives defending Australia during World War I and World War II, and Australian soldiers who fought in Greece during World War II. Demonstrative of this social significance, the building is listed on the NSW War Memorials Register. Therefore, St George Greek Orthodox Church would reach the threshold for local significance under this criterion. St George Greek Orthodox Church would not reach the threshold for State significance under this criterion.</p>
<b>Technical/ Research significance</b> Criterion (e)	It is considered that any archaeological potential on the site would have been removed during the construction of the existing church building with basement level. The building does not yield any potential for technical or scientific research information that would not be available from other sources. Therefore, the St George Greek Orthodox Church would not meet the threshold for local or State significance under this criterion.
<b>Rarity</b> Criterion (f)	The St George Greek Orthodox Church is the only example of its type in the Municipality. While there are numerous Greek Orthodox churches in Sydney and NSW, the St George Greek Orthodox Church has rarity as one of a very small number of churches of its type – being a Greek Orthodox war memorial church. There is only one other known Greek Orthodox war memorial church remaining in Sydney, the St Spyridon Greek Orthodox War Memorial Church, which is listed as a local heritage item on the Randwick Local Environmental Plan 2012. The only other being the St Ioannis Greek Orthodox War Memorial Church dating to 1965 has since

	<p>been demolished. The loss of this comparable building type increases the rarity of the St George Greek Orthodox Church.</p> <p>Therefore, St George Greek Orthodox Church would reach the threshold for local significance under this criterion. St George Greek Orthodox Church would not reach the threshold for State significance under this criterion.</p>
<p><b>Representative ness</b></p> <p>Criterion (g)</p>	<p>The St George Greek Orthodox Church is fine and representative of the ecclesiastical buildings designed by architectural practice Fowell Mansfield &amp; Maclurcan. The church is also a fine example of a Greek Orthodox War Memorial Church that was constructed in the post-war era to commemorate the loss of life that was experienced across the country during World War I and World War II. A comparative study of the St George Greek Orthodox Church with other Greek Orthodox war memorial churches, both extant and demolished, indicates the building retains similar elements and design features that are representative of this typology. There are no other Greek Orthodox churches within the Woollahra LGA. Because of its deliberate design as a war memorial church, the St George Greek Orthodox Church is a significant variation to other examples of traditional Greek Orthodox churches in Sydney. Therefore, St George Greek Orthodox Church would reach the threshold for local significance under this criterion. St George Greek Orthodox Church would not reach the threshold for State significance under this criterion.</p>
<p><b>Integrity</b></p>	<p>The exterior, and major forms and structures of the interior of the church is highly intact in its original form. Joinery and decorative elements such as the timber panelled ceiling, chandeliers and elaborately decorative mezzanine are intact. Alterations such as replacement flooring, new windows, and paint have been made as part of the ongoing upkeep of the church building, however these works have been done sympathetically and do not detract from the original architectural form and ecclesiastic nature of the church.</p>

#### Statement of significance

*The St George Greek Orthodox Church and war memorial is of local heritage significance for its historical, associative, aesthetic, social, rarity and representative values.*

*The church reflects the rapid pattern of development of Rose Bay in the post-World War I era and the growing presence of migrant communities that settled in the area during this time. Since its construction and consecration in 1962, the church building has supported the continuity and celebration of Greek customs and traditions in Sydney's Eastern suburbs for generations of that community.*

*Designed by prominent Inter-War architectural firm Fowell, Mansfield & Maclurcan, the St George Greek Orthodox Church is considered to be a fine and representative example of their ecclesiastical buildings. The church building is an interesting example of a Greek Orthodox War Memorial Church, which combines elements of the Byzantine style typically associated with ANZAC memorials with the traditional Greek Orthodox Church style. As a Greek Orthodox war memorial church, the St George Greek Orthodox Church has significance for its associations with Australia's defence history, commemorating members of Australia's Greek community who served and lost their lives in during World War I and World War II, and Australian soldiers who fought in Greece during World War I. There is only one other known example of this type of Greek Orthodox war memorial church remaining in Sydney.*

## 2. Existing sites and surrounding context

### 2.1. St George Greek Orthodox Church

Constructed in 1962, the St George Greek Orthodox Church is an example of a late twentieth century ecclesiastical style church. It was designed by architects Fowell, Mansfield & Maclurcan and built by Cirvan Bros Pty Ltd.

Dedicated as a war memorial, the church fronts Newcastle Street as a combination of the classic Greek Orthodox church style merged with elements of the simplified Byzantine style that is typical of Australian war memorial architecture. The building is set back from the street and sides, and is elevated on a tiered podium to the front.

The St George Greek Orthodox Church is a blond face brick building with a concrete tiled gabled roof featuring a bell tower to the front. The front (west) façade of the building features the main entry porch and a niche window. The square bell tower is located on the northern side of the front façade, is of brick construction and is capped with an open rendered concrete dome with metal crucifix above.

This site at 90-92 Newcastle Street, Rose Bay is legally identified on Lots 15 & 16, Sec D, DP5092 (see Figures 1 & 2 below).



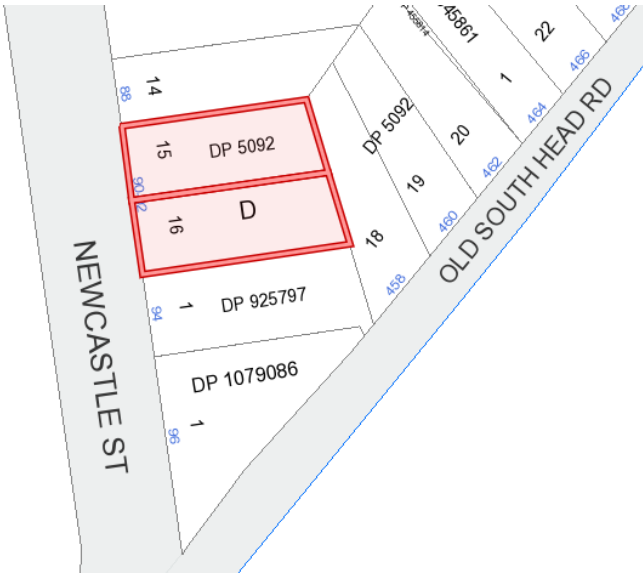


Figure 1: Cadastral map of St George Greek Orthodox Church, Rose Bay (Source: Woollahra Council GIS Maps)



Figure 2: 2018 aerial photograph of St George Greek Orthodox Church, Rose Bay (Source: Woollahra Council GIS Maps)





*Figure 3: View looking north east to the main entrance porch, note arched openings and niche window above. (Source: Woollahra Council, 2022)*



Figure 4: View looking south east across Newcastle Street towards the St George Greek Orthodox Church, note bell tower. (Source: Woollahra Council, 2022)



Figure 5: View of side fence of St George Greek Orthodox Church (Source: Woollahra Council, 2022)



Figure 6: View of sign at entrance of St George Greek Orthodox Church (Source: Woollahra Council, 2022)





Figure 7: View of plaque commemorating the dedication of the church as a war memorial (Source: Woollahra Council, 2022)



Figure 8: View of foundation stone of church (Source: Woollahra Council, 2022)



Figure 8. Internal, View of iconoclast. (Source: Woollahra Council, 2023)



Figure 9. Internal, view of mezzanine balcony. (Source: Woollahra Council, 2023)



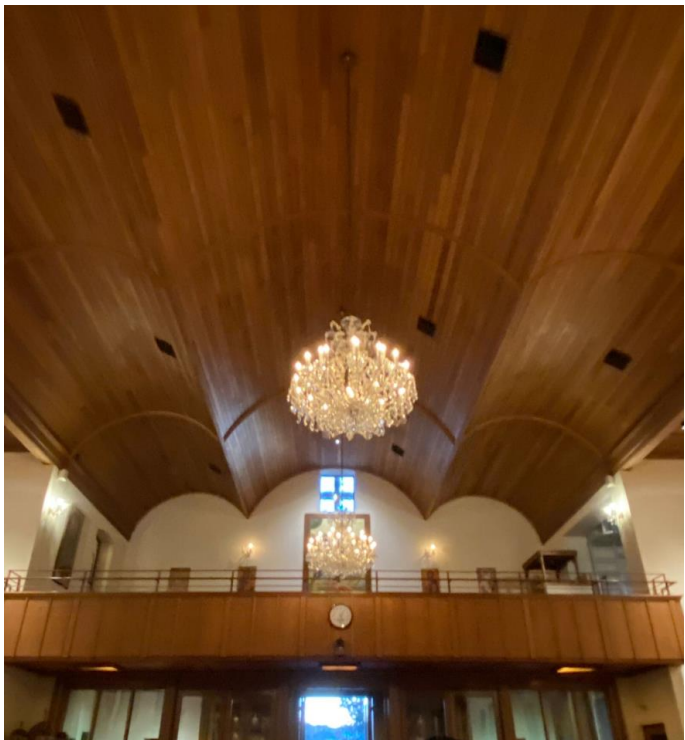


Figure 10. Internal, view of triple-vaulted panelled ceiling and rear balcony. (Source: Woollahra Council, 2023)



Figure 11. Internal, furniture and elements in entry vestibule. (Source: Woollahra Council, 2023)

3. Existing planning controls

3.1. Woollahra Local Environmental Plan 2014

Table 2 below identifies the zone and key principal development standards that currently apply to the subject site under Woollahra LEP 2014.

No changes are proposed to these under this planning proposal.

Table 2: Summary of current development standards

Site	Zone	Maximum building height (m)	Floor space ratio
St George Greek Orthodox Church, Rose Bay	R3 Medium Density Residential Zone	10.5	1

3.1.1. Zoning Objectives

The objectives of the R3 Medium Density Residential zone are as follows:

- To provide for the housing needs of the community within a medium density residential environment.
- To provide a variety of housing types within a medium density residential environment.
- To enable other land uses that provide facilities or services to meet the day to day needs of residents.
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.

3.1.2. Other LEP provisions

The subject site is identified under the Woollahra LEP 2014 as potentially containing Class 5 acid sulfate soils. The subject site is not known to be subject to any other environmental constraints.

3.2. Woollahra Development Control Plan 2015

The *Woollahra Development Control Plan 2015* (Woollahra DCP 2015) applies to the subject site. Any development proposals either on the site, or on an adjoining site, are required to address any relevant Woollahra DCP 2015 controls.

#### 4. Objectives of planning proposal

The objective of the amendment to Woollahra LEP 2014 is to recognise the heritage significance of the subject site in the Woollahra LGA and provide it with statutory heritage protection.

The planning proposal will amend Schedule 5 and the Heritage Map of the Woollahra LEP 2014 to include the subject site listed below. The inclusion of this site as an item in Schedule 5 of Woollahra LEP 2014 will mean any future development proposals either on the subject site, or on any land within the vicinity, will need to consider the provisions of Clause 5.10 (5) of Woollahra LEP 2014. This will provide a statutory requirement for development proposals to consider the effects of proposed development on the heritage significance of this item.

Item	Address	Lot/DP
<i>St George Orthodox Church and War Memorial complex and setting, including interiors and moveable <b>relics</b></i>	90-92 Newcastle Street, Rose Bay	Lots 15 & 16, Sec D, DP5092

#### 5. Explanation of provisions

The planning proposal seeks the following amendments to Woollahra LEP 2014:

- Insert a listing for the subject site in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage).  
[The exact wording of the amendment will be determined by the Parliamentary Counsel prior to the making of the LEP].
- Amend the Heritage Map (8500\_COM\_HER\_006) to identify one additional heritage item.



## 6. Justification

The planning proposal has strategic merit. The heritage significance of the subject site currently used as a place of worship has been established by the heritage assessment undertaken by Council staff (see separately circulated documents: *Heritage Study: Places of Worship, Woollahra LGA* (April 2023) and *Heritage Inventory Sheet - St George Orthodox Church* (July 2023)).

The heritage listings will provide ongoing protection and recognition of the heritage significance of this item.

These matters are further discussed below in part 6.1 to 6.3.

### 6.1. Need for planning proposal

#### 1. Is the planning proposal a result of an endorsed local strategic planning statement, strategic study or report?

Yes. The planning proposal is the result of the recommendations found in the main report *Heritage Study: Places of Worship, Woollahra LGA* and the Heritage Inventory Sheet - St George Orthodox Church prepared by Council's Senior Heritage Officer. The report concluded that this site meets the criteria for listing as a local heritage item.

#### 2. Is the planning proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes. The objective is to recognise the heritage significance of the subject site and provide it with statutory heritage protection. The best means of achieving this objective is through an amendment to Woollahra LEP 2014 to list the subject site as a local heritage item. This is achieved through the planning proposal process.

Other options, such as adding site-specific objectives and controls to Woollahra DCP 2015, or including heritage conservation conditions to a potential development consent, will not provide the same level of heritage protection and recognition.

### 6.2. Relationship to strategic planning framework

#### 3. Will the planning proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including exhibited draft plans or strategies)?

Yes. The planning proposal is consistent with the relevant objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the relevant planning priorities and actions of the *Eastern City District Plan* (2018), as discussed below.

#### **Greater Sydney Region Plan: A Metropolis of Three Cities**

The planning proposal is consistent with the directions and objectives of *Greater Sydney Regional Plan: A Metropolis of Three Cities*, particularly Objective 13: "Environmental heritage is identified, conserved and enhanced".

Identifying the subject site as a local heritage item will provide ongoing protection and recognition of its heritage significance.

### **Eastern City District Plan**

The planning proposal is generally consistent with the directions, priorities and objectives of the *Eastern City District Plan*, particularly Planning Priority E6 and Action 20:

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

*Objective 13 'Environmental heritage is identified, conserved and enhanced'*

*Action 20 'Identifying, conserving and enhancing the environmental heritage of the local area' through:*

- a. engaging with the community early to understand heritage values
- b. applying adaptive re-use and interpreting heritage to foster distinctive local places managing and monitoring the cumulative impact of development on the heritage values and character of places

Heritage listing of this site will provide ongoing protection and recognition of the heritage significance of these items.

#### **4. Will the planning proposal give effect to a Council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?**

### **Woollahra Local Strategic Planning Statement**

Planning Priority 5 of the Woollahra Local Strategic Planning Statement is relevant:

*Planning Priority 5 Conserving our rich and diverse heritage*

In particular Actions 28 and 30 of this planning priority seek to ensure that heritage is conserved and that the LEP and DCP reflect the evolving nature of heritage:

*28. Continue to proactively conserve and monitor heritage in the Municipality including:*

- *reviewing and updating provisions in Woollahra Local Environmental Plan 2014 and Woollahra Development Control Plan 2015*
- *sustainably managing visitation to our heritage conservation areas and destinations*
- *promoting a high standard of urban design in both the public and private domain that respects and communicates with heritage and our heritage conservation areas*
- *supporting implementation of legislation for Aboriginal Heritage.*

*30. Undertake further theme-based Municipality-wide studies, with consideration for the fact that heritage is constantly evolving.*

### **Community Strategic Plan, Woollahra 2032**

The planning proposal is consistent with *Woollahra 2032 – Community Strategic Plan*. Notably, the planning proposal meets the following strategy within Goal 4 (Well-planned neighbourhoods) under the Social theme:

#### **4.2 Conserving our rich and diverse heritage**

Heritage listing of the subject site will provide ongoing protection and recognition of the heritage significance of this item, consistent with these local strategies.

**5. Is the planning proposal consistent with any other applicable State and regional studies or strategies?**

Yes. The planning proposal is not in-consistent with other relevant State or regional study or strategy.

**6. Is the planning proposal consistent with applicable State Environmental Planning Policies?**

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State Environmental Planning Policies

Regarding *SEPP (Exempt and Complying Development Codes) 2008*, where an item is locally heritage listed (or is a draft item) on the Woollahra LEP 2014 Schedule 5, there are implications in terms of the extent of works that can be considered as exempt and complying development.

Refer to **Schedule 1** for an outline of consistency with all SEPPs.

**7. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?**

Yes. The planning proposal is consistent with applicable section 9.1 directions (refer to **Schedule 2**).

**6.3. Environmental, social and economic impact**

**8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?**

No. There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject land. Accordingly, the proposal will not have any impact in this regard.

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

No. There are no likely environmental effects that would arise as a result of the planning proposal. Protection of the items will be required when development is proposed, or if there is development proposed in its vicinity. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process.

**10. Has the planning proposal adequately addressed any social and economic effects?**

Yes. The heritage assessments measured the subject site against the criteria for 'cultural significance' as defined in the *Australia ICOMOS Burra Charter*, as meaning the historic, aesthetic, scientific, social or spiritual value for past, present or future generations.

The assessment found that this site meets a number of heritage criteria at a local level. While the planning proposal does not have any direct economic effect, it has some social impact for the local community that appreciates and enjoys local heritage in the Woollahra LGA.

There will be potential economic implications relating to the need for heritage management documents (to accompany a development application) to assess and support future changes

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to buildings, including new uses, alterations and modifications. With regards to development pathways, depending on the scale and impact of works, developments to local heritage items can be managed as:

- a development application process,
- a heritage works without consent application (under CI 5.10(3) of the Woollahra LEP 2014 for works with minor impacts or for maintenance only.

Furthermore, *SEPP (Exempt and Complying Development Codes) 2008* allows some work to local heritage items (with restrictions).

These additional heritage management and development approval processes will enable the needs of the landowner to be considered in conjunction with the conservation of the building and the impact of the proposed changes on the heritage significance of the building.

Therefore, it is considered that the planning proposal will have a positive social and economic effects because:

- Heritage listing will provide ongoing protection and recognition of the social heritage significance of these sites.
- Heritage listing will not preclude future development of the buildings which is undertaken in accordance with heritage requirements.
- The potential need for additional assessments and management documents to support development applications is necessary in order to provide the appropriate protection against impacts to significance.
- It is not anticipated that the planning proposal will have any negative social effect which need to be addressed as part of the proposal.

#### **6.4. State and Commonwealth interests**

##### **11. Is there adequate public infrastructure for the planning proposal?**

Yes. The planning proposal involves the local heritage listing of the subject site and does not involve amendments to the planning controls that will facilitate intensified development.

Currently, all properties have access to adequate public infrastructure such as water, sewer, electricity and telephone services.

There is no significant infrastructure demand that will result from the planning proposal. The existing services that are available to the subject site is suitable for the proposal of a local heritage listing in a residential zone.

##### **12. What are the views of State and Commonwealth public authorities consulted in accordance with the gateway determination?**

Should the planning proposal proceed to public exhibition, consultation with the relevant public authorities will be carried out. These authorities will include, but are not limited to:

- Environment and Heritage Group, Department of Planning and Environment
- The National Trust of Australia (NSW).

Further consultation will take place with any other authorities identified by the Gateway Determination.

## 7. Mapping

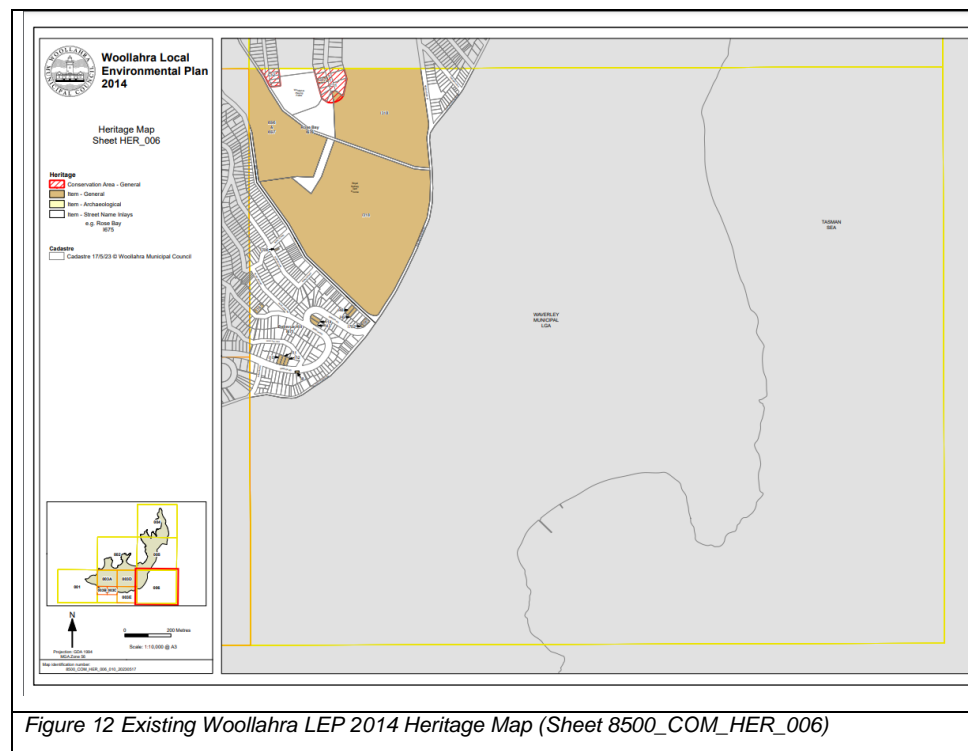
The planning proposal seeks to amend the Woollahra LEP 2014 Heritage Map (8500\_COM\_HER\_006) by applying an "Item-General" classification to the following site:

An extract of the existing and proposed heritage maps are shown below. It should be noted that the heritage item numbers as shown are indicative only and will be subject to confirmation at the finalisation stage.

	Item	Address	Lot/DP	LEP Heritage Map Sheet No.
1	<i>St George Greek Orthodox Church and war memorial complex and setting, including interiors and moveable relics</i>	90-92 Newcastle Street, Rose Bay	Lots 15 & 16, Sec D, DP 5092	8500_COM_HER_006

An extract of the existing and proposed heritage maps are shown in the following figures.

### **St George Greek Orthodox Church**



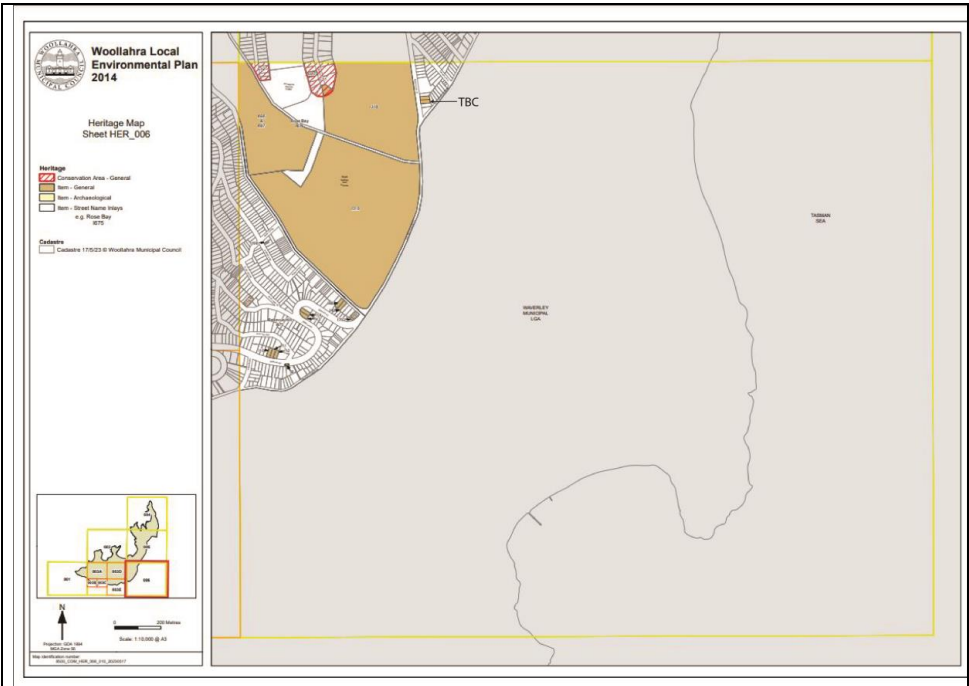


Figure 13 Proposed Woollahra LEP 2014 Heritage Map (Sheet 8500\_COM\_HER\_006)

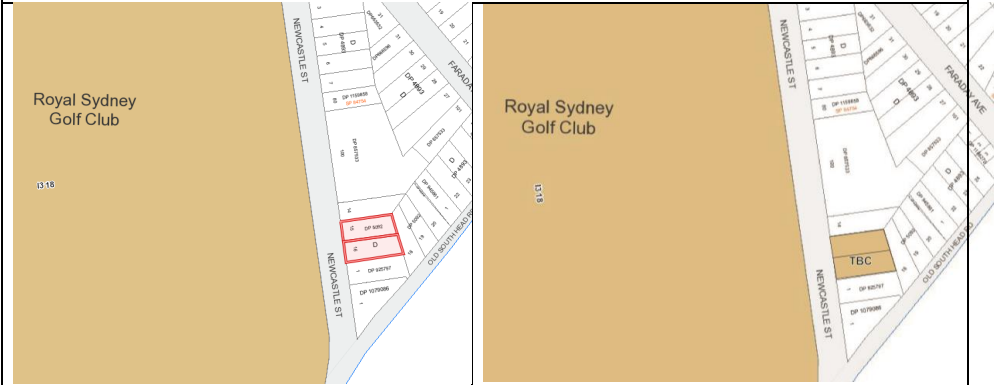


Figure 14 Extract from existing Woollahra LEP 2014 Heritage Map. The subject site is highlighted in red. (Sheet 8500\_COM\_HER\_006)

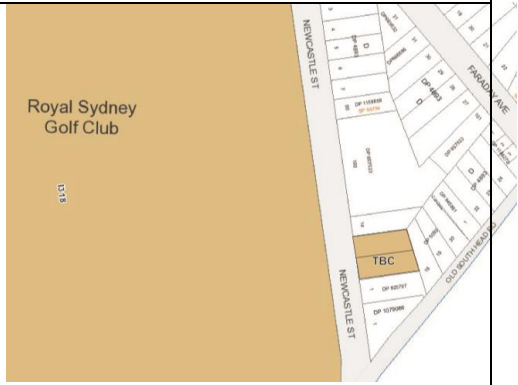


Figure 15 Extract from Woollahra LEP 2014 Heritage Map showing proposed heritage item, item number to be confirmed. (Sheet 8500\_COM\_HER\_006)

## 8. Community consultation

Public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2021*. It will also have regard to the other relevant plans and guidelines including the *Woollahra Community Participation Plan* (2019), the *Local Environmental Plan Making Guideline* (2021) and any conditions of the Gateway Determination.

We recommend that the planning proposal is exhibited for a minimum of 28 days.

Public notification of the exhibition will comprise:

- 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 land owners in the vicinity of the subject site
- notice to local community, resident and business groups such as the Woollahra History and Heritage Society and the Vacluse 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 offices:

- the planning proposal, in the form approved by the gateway determination
- the Gateway determination
- information relied upon by the planning proposal (such as relevant Council reports and the heritage significance assessment)
- Woollahra LEP 2014
- Section 9.1 Directions.

## 9. Project timeline

As Council is authorised to exercise the functions of the Minister for Planning under section 3.36 of the *Environmental Planning and Assessment Act 1979*, the proposed timeline for completion is as follows:

Plan-making step	Estimated completion
Woollahra Local Planning Meeting	13 December 2022
Environmental Planning Committee recommends proceeding	6 March 2023
Council resolution to proceed	14 August 2023
Gateway determination	October 2023
Completion of technical assessment	Usually none required
Government agency consultation	November 2023
Public exhibition period	Same time as agency consultation
Submissions assessment	January 2024
Council assessment of planning proposal post exhibition	February 2024
Council decision to make the LEP amendment	March 2024
Council to liaise with Parliamentary Counsel to prepare LEP amendment	March 2024
Forwarding of LEP amendment to Greater Sydney Commission and Department of Planning and Environment for notification	April 2024
Notification of the approved LEP	May 2024



## Schedules

### Schedule 1 – Consistency with State Environmental Planning Policies (SEPPs)

State environmental planning policy	Comment on consistency
SEPP (Biodiversity and Conservation) 2021	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Building Sustainability Index: BASIX) 2004	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Exempt and Complying Development Codes) 2008	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.  It is noted that where a property is locally heritage listed (or is a draft item) on the Woollahra LEP 2014 Schedule 5, there are implications in terms of the extent of works that can be considered as exempt and complying development.
SEPP (Housing) 2021	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Industry and Employment) 2021	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No.65 – Design Quality of Residential Apartment Development	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Planning Systems) 2021	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

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State environmental planning policy	Comment on consistency
SEPP (Precincts – Central River City) 2021	Not applicable.
SEPP (Precincts – Eastern Harbour City) 2021	Applicable There are currently no identified state significant precincts located in the Woollahra LGA.
SEPP (Precincts – Regional) 2021	Not applicable.
SEPP (Precincts – Western Parkland City) 2021	Not applicable.
SEPP (Primary Production) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Resilience and Hazards) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Resources and Energy) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Transport and Infrastructure) 2021	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

**Schedule 2 – Compliance with section 9.1 directions (Directions by the Minister)  
under the EP&AAct**

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
<b>1</b>	<b>Planning systems</b>	
1.1	Implementation of Regional Plans	Applicable. The planning proposal is consistent with the objectives of the <i>Greater Sydney Regional Plan: A Metropolis of Three Cities</i> , particularly Objective 13: Environmental Heritage is identified, conserved and enhanced.  The heritage listing of this property will provide ongoing protection of the heritage significance of these items.
1.2	Development of Aboriginal Land Council land	Not applicable. This planning proposal does not affect Aboriginal Land Council land.
1.3	Approval and referral requirements	The planning proposal seeks to heritage list one property in the Woollahra Local Government Area. This is not expected to require any additional approval or referral requirements. The planning proposal is consistent with this direction.
1.4	Site specific provisions	The planning proposal does not contain any unnecessarily restrictive site specific planning controls. The planning proposal is consistent with the direction
<b>1</b>	<b>Planning systems – place based</b>	
1.5 – 1.20	Implementation Plans	Not applicable. These plans do not apply to the Woollahra LGA.
<b>2</b>	<b>Design and place</b>	
<b>3</b>	<b>Biodiversity and conservation</b>	
3.1	Conservation zones	Applicable and consistent. The planning proposal will not affect the conservation standards of any environmentally sensitive land.
3.2	Heritage conservation	Applicable and consistent. The planning proposal will not affect the significance of places with environmental heritage. The proposed Heritage listing of the property in the Woollahra LGA will provide ongoing protection and recognition of the heritage significance of this property.

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
3.3	Sydney drinking water catchments	Not applicable. This direction does not apply to the Woollahra LGA.
3.4	Application of C2 and C3 zones and environmental overlays in Far North Coast LEPs	Not applicable. This direction does not apply to the Woollahra LGA.
3.5	Recreation vehicle areas	Not applicable. The planning proposal does not apply to sensitive land or land with significant conservation values. It will not allow land to be developed for a recreation vehicle area.
3.6	Strategic Conservation Planning	Not applicable. The planning proposal does not apply to land identified as avoided land or a strategic conservation area under the <i>State Environmental Planning Policy (Biodiversity and Conservation) 2021</i> .
<b>4</b>	<b>Resilience and hazards</b>	
4.1	Flooding	Not applicable. The planning proposal will not affect flood liable land.
4.2	Coastal management	Not applicable. The planning proposal will not affect land in a coastal zone.
4.3	Planning for bushfire protection	Not applicable. The planning proposal will not affect bushfire prone land.
4.4	Remediation of contaminated land	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to this direction.
4.5	Acid sulfate soils	Applicable and consistent. Existing acid sulfate soils provisions will not be altered by the planning proposal.
4.6	Mine subsidence and unstable land	Not applicable. The planning proposal does not apply to land within a proclaimed Mine Subsidence District or to land identified as unstable.
<b>5</b>	<b>Transport and infrastructure</b>	
5.1	Integrating land use and transport	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the aims, objectives and principles of: <ul style="list-style-type: none"> <li><i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and</li> <li><i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001).</li> </ul>

<b>Planning proposal – Compliance with section 9.1 directions</b>		
<b>Direction</b>		<b>Applicable/comment</b>
5.2	Reserving land for public purposes	The planning proposal does not amend reservations of land for public purposes. The planning proposal is consistent with the direction.
5.3	Development near regulated airport and defence airfields	Applicable and consistent. The planning proposal does not contain a provision which is contrary to this direction.
5.4	Shooting ranges	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.
<b>6</b>	<b>Housing</b>	
6.1	Residential zones	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.
6.2	Caravan parks and manufactured home estates	The planning proposal will not affect any caravan parks or manufactured housing estates.
<b>7</b>	<b>Industry and employment</b>	
7.1	Business and industrial zones	Not applicable. The direction does not apply where sites are zoned for business or industry.
7.2	Reduction in non-hosted short-term rental accommodation period	Not applicable. This direction does not apply to the Woollahra LGA.
7.3	Commercial and retail development along the Pacific Highway, North Coast	Not applicable. This direction does not apply to the Woollahra LGA.
<b>8</b>	<b>Resources and energy</b>	
8.1	Mining, petroleum production and extractive industries	Not applicable. This planning proposal will not affect any of the nominated activities.
<b>9</b>	<b>Primary production</b>	
9.1	Rural zones	Not applicable. This planning proposal will not affect any rural zones.
9.2	Rural lands	Not applicable. This planning proposal will not affect any rural lands.
9.3	Oyster aquaculture	Not applicable. This planning proposal will not affect any Priority Oyster Aquaculture Areas.

Planning Proposal – St George Greek Orthodox Church Rose Bay, local heritage listing

24/12087

Version: January 2024

Page 35 of 36

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
9.4	Farmland of state and regional significance on the NSW Far North Coast	Not applicable. This direction does not apply to the Woollahra LGA.



Department of Planning and Environment

## Gateway Determination

**Planning proposal (Department Ref: PP-2023-1889):** to list 90-92 Newcastle Street, Rose Bay in the Woollahra local government area as local heritage item.

I, the Director, Agile Planning at the Department of Planning and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Woollahra Local Environmental Plan 2014 to list 90-92 Newcastle Street, Rose Bay within the Woollahra local government area as local heritage items should proceed subject to the following conditions:

The Council as planning proposal authority is authorised to exercise the functions of the local plan-making authority under section 3.36(2) of the Act subject to the following:

- (a) the planning proposal authority has satisfied all the conditions of the gateway determination.
- (b) the planning proposal is consistent with applicable directions of the Minister under section 9.1 of the Act or the Secretary has agreed that any inconsistencies are justified; and
- (c) there are no outstanding written objections from public authorities.

The LEP should be completed on or before 14 August 2024.

### Gateway Conditions

- 1. Prior to public exhibition, the Planning Proposal is to be revised to include a draft version of the heritage sheet map.
- 2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
  - (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023) and must be made publicly available for a minimum of 20 working days; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in *Local Environmental Plan Making Guideline* (Department of Planning and Environment, August 2023).
- 3. Consultation with the landowner is required. Council should consider any information provided in its post exhibition assessment and reporting.
- 4. Consultation is required with the following public authorities and government agencies under section 3.34(2)(d) of the Act and/or to comply with the requirements of applicable directions of the Minister under section 9 of the Act:

- NSW Department of Planning and Environment - Environment and Heritage Group (Heritage NSW)
- National Trust of Australia, NSW

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material via the NSW Planning Portal and given at least 30 working days to comment on the proposal.

5. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

Dated 18 October 2023



**Louise McMahon**  
**Director**  
**Agile Planning**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and Public Spaces**

PP-2023-1889 (IRF23/2712)



-----Original Message-----

From: James Stevens [REDACTED]  
Sent: Wednesday, 15 November 2023 10:27 AM  
To: Records <Records@woollahra.nsw.gov.au>  
Subject: Submissions SC7426

I have always been against this church being constrained with an unnecessary heritage order.  
The majority of silent church members are against a heritage listing, yet a vocal minority and Woollahra councillors who do not attend, and who have nothing to do with our church and it's objectives seem to rule!!!

James Stevens  
MR ROSES CEO  
https://us-east-  
2.protection.sophos.com?d=mrroses.com&u=d3d3Lm1ycm9zZXMuY29t&i=Njl1ZjdhMzEyMzAwNGExMTgyYjEyNzQz&t=bjdMOERZU0EzQ056Rjk5UFJSODA3RW5FaU4wdmJpcm02UFg2dXRxR3BkQT0=&h=6285d033949d49db8289d13a9b63b6ff&s=AVNPUEhUT0NFTkNSWVBUSVbjB2okYuOXpzYs3J3VhkeTa4fkP8odYMZM4ig550IC4g  
Proud Sponsors of the Australian Ballet  
+61415940540

Founder of Roses Only  
United States https://us-east-  
2.protection.sophos.com?d=rosesonly.com&u=d3d3LnJvc2Vzb25seS5jb20=&i=Njl1ZjdhMzEyMzAwNGExMTgyYjEyNzQz&t=a3Q1NVVlVHNUTWVPVGtDaE1Hend3TXJ0WjZjaEJmMHdkdlJodHlFbWc0OD0=&h=6285d033949d49db8289d13a9b63b6ff&s=AVNPUEhUT0NFTkNSWVBUSVbjB2okYuOXpzYs3J3VhkeTa4fkP8odYMZM4ig550IC4g  
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2.protection.sophos.com?d=rosesonly.com.sg&u=d3d3LnJvc2Vzb25seS5jb20uc2c=&i=Njl1ZjdhMzEyMzAwNGExMTgyYjEyNzQz&t=WTBQbGdlITINLczl1bTJBjYlBPZ0xvVElnL2NOYTRQeWQ0SmVIZFV0cHNvaz0=&h=6285d033949d49db8289d13a9b63b6ff&s=AVNPUEhUT0NFTkNSWVBUSVbjB2okYuOXpzYs3J3VhkeTa4fkP8odYMZM4ig550IC4g  
Hong Kong https://us-east-  
2.protection.sophos.com?d=rosesonly.com.hk&u=d3d3LnJvc2Vzb25seS5jb20uaGs=&i=Njl1ZjdhMzEyMzAwNGExMTgyYjEyNzQz&t=SWtEd0pBZDcvc284bUJyaXVTdzFvSTJFV2NtNW5taE1kM3hYb3ZBMkJCMD0=&h=6285d033949d49db8289d13a9b63b6ff&s=AVNPUEhUT0NFTkNSWVBUSVbjB2okYuOXpzYs3J3VhkeTa4fkP8odYMZM4ig550IC4g

**From:** [Nick Andriotakis](#)  
**To:** [Records](#)  
**Subject:** Proposed Heritage Listing St George Greek Orthodox Church 90-92 Newcastle Street Rose Bay -Submissions SC7426  
**Date:** Thursday, 14 December 2023 4:36:03 PM  
**Attachments:** [image001.jpg](#)  
[image002.jpg](#)  
[ANZACS OF WAVERLEY BURIED IN GREECE 1941.docx](#)  
[WAVERLEY ANZACS BURIED IN GREECE.xlsx](#)  
[WOOLLAHRA ANZACS BURIED IN GREECE 1941.docx](#)  
[WOOLLAHRA ANZACS BURIED IN GREECE.xlsx](#)  
[Waverley Woollahra Australians Served in Greece .xlsx](#)

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General Manager  
Woollahra Council

I am a parishioner of the St George Greek Orthodox Church at Rose Bay , and a member of the parish and reside in Rose Bay . I am also secretary of the Joint Committee for the Commemoration of the Battle Crete and the Greek Campaign. The Joint Committee research , educates and commemorates Australians that served on mainland Greece and on the island of Crete in World War II and Australians of Greek Heritage that served Australia in all conflicts . St George Greek Orthodox Church was created over 60 years ago by a nascent but visionary Greek Australian Community and was dedicated as a War Memorial in memory of the Australians that lost their lives in Greece and to Australian's of Greek heritage that served Australia .

The Waverley and Woollahra Local Government Areas are essentially the region of the Parish of St George Greek Orthodox Church.

The Church is identified in the Australian War Memorial Places of Pride  
<https://placesofpride.awm.gov.au/memorials/266053>

St George Greek Orthodox Church at Rose Bay is also registered on the NSW State War Memorial Register <https://www.warmemorialsregister.nsw.gov.au/content/st-george-greek-orthodox-church>

### **This submission is made in favour of the proposed heritage listing of the church .**

Hundreds of families from the Parish area had members that served in the Battle of Crete and the Greek Campaign in WW2 and in WW1 through the Greek island of Lemnos and the Salonika Front . I have attached a spreadsheet of my preliminary findings so far . It includes Army , Airforce and Navy personnel and Nurses . Some of them served in WW1 & WW2

In early April 1941, the 2<sup>nd</sup> Anzac Corps was formed in Greece . The 1<sup>st</sup> Anzac Corps was formed in 1915 at Gallipoli and the Greek island of Lemnos played a crucial and important role serving as the training ground , Hospital Base, Safe Harbour, and supply hub . Some 1686 Australians and New Zealanders from WW1 and WW2 were lost in Greece and over half were never found or their remains identified . These Australians from both World Wars lie in the Commonwealth War Grave Cemeteries at Athens , Crete , Lemnos , Rhodes ,Thessaloniki and regional Macedonia . I have attached to this submission Australians lost in Greece from the

Waverley and Woollahra Local Government Areas .

Many Australian service personnel also became prisoners of war, so Greece was the last place that they experienced in freedom before capture and confinement for years captive in the cold and cruel Stalag Prisoner of War camps .

In addition, some 2,500 Australians of Greek Heritage served Australia in WW1 & WW2 .

After both wars , Australians that served in Greece and their families met the new Greek Australian community.

This mutual connection of Australia with Greece through these military ties inspired the founders of St George Greek Orthodox Church to dedicate it as a War Memorial . Even the Governor of New South Wales Sir Eric Woodward, who opened the church in 1962 served in Greece in World War II. The Governor's mention and the dedication of the war Memorial is inscribed in the bronze plaque located to the right of the entry stairs .

St George Greek Orthodox Church was created by a Greek Australian community some of which came pre-WW2 and others post WW2 . The architecture is a modernist approach with a restrained Byzantine Orthodox style reflecting a desire to make Australia home whilst also reflecting their Greek Orthodox heritage . This community adapted from the start and was a pioneer in using the English Language in its services and in communication with parishioners .

From the Flemish Bond face brickwork topped by the bright white bell tower to the clean interior , the building is a fusion of Greek and Australian building elements reflecting a modern society.

Many parishioners have approached me and expressed support of the proposal to list the church as a heritage item .

Should the Heritage listing be made ,St George Greek Orthodox Church will be the first purpose built Greek Orthodox Church, that comes under the auspices of the Greek Orthodox Archdiocese of Australia to be listed as a Heritage Item .

The Parish committee opposes the heritage listing of the church . It's a decision made without consultation to its members , and a petition seeking opposition to the heritage listing has been circulated electronically all over Sydney containing a negative argument against Heritage without outlining the alternative positive heritage listing benefits .

I respectfully request the council to ignore this one-sided petition in its deliberations as it is not reflective of the considered views of the Parish Community .

The heritage listing would prevent future unsympathetic alterations and will protect the integrity of the design vision of the founding community ensuring the Church's continuance in a respectful way. Should any future modifications alterations, additions be required the Heritage listing would not necessarily prevent them but ensure that such addition/ alterations are carefully considered and respectful to the original design intent .

A Heritage listing will positively enhance the building's longevity .

My only request is that should the church be listed as a Heritage Item and in the future is abandoned then the Holy Relics of the church should be allowed to be removed in accordance with the Greek Orthodox Rites .

Regards

Nick Andriotakis BE (Hons)

Secretary

Joint Committee for the  
Commemoration of the  
Battle of Crete & The Greek Campaign

[Redacted]

[Redacted]

**From:** [Rozy Dorizas](#)  
**To:** [Records](#)  
**Cc:** [Eleanor Banaag](#)  
**Subject:** Submissions SC7426  
**Date:** Wednesday, 13 December 2023 11:11:54 AM  
**Attachments:** [image002.png](#)  
[image003.png](#)  
[image004.jpg](#)  
[image005.jpg](#)

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Dear Sir/Madam

Further to my previous submission dated 20<sup>th</sup> June 2023, I would like to continue to **SUPPORT** the Proposed Heritage Listing of St George Greek Orthodox Church at 90-92 Newcastle Street, Rose Bay (Lot 15 & 16, Sec 5, DP 5092) for the following reasons:

1. Culturally, the significance to parishioners is, I believe, of the utmost importance. As I have previously stated, our church is one of a few constancies in our ever changing and uncertain world. It is a place of serenity, solace, peace, inclusion, familiarity with many memories – joyous and melancholy. Personally, the historical connection is emotionally binding – christenings, weddings and funerals. I can still see my late mother sitting in the fifth pew on the left. This brings me great comfort to know that her spirit continues to live on in our parish.
2. Furthermore, it is one of a handful of Greek Orthodox Churches in New South Wales which have been dedicated to the Australian soldiers of Greek origin who fought for Australia in two world wars and the Australian servicemen who died in Greece during WWII. This acknowledgement and association between the Australian and the Greeks should be honoured, respected and celebrated, not dismissed, disregarded and eliminated.
3. Architecturally, the elegance and magnificence of its interior and exterior is a rarity in the Greek Orthodox places of worship in New South Wales. Once again as stated in my previous correspondence, every detail within the church has been tastefully selected and stylishly applied to create a gloriously graceful interior. Unfortunately, over the past few years, tasteless ornate additions have been inserted into the interior which have detracted from the original fabric and concept of the parish ancestors. Proposals to change existing internal and external wall colour, removal of the exquisite wood panelling to the walls and ceiling and nailing into this majestic wood panelling in addition to moving internal walls, makes me very distraught, disgusted and extremely anxious.

I strongly believe, as a society, we need to respect, acknowledge and maintain history and the elements which shaped this history. I also believe our lives today are interwoven with these historical threads which connect us emotionally and culturally to memories of this narration.

Not proceeding with the heritage listing of St George Greek Orthodox Church at 90-92 Newcastle Street, Rose Bay will break this historical thread and erase all memories of our ethnicity of 60 years, the comradery between two significant cultures and the personal association we have with this consecrated space.

Yours sincerely,  
**Rozy Dorizas** BIA(Hons)  
Interior Architect

## Statement in support of Planning Proposal for the heritage listing of the St George Greek Orthodox Church, Rose Bay

I am a heritage consultant and an active member of the local Greek-Australian community, including in my role as Secretary of the Australian Hellenic Council (NSW) and as former President of the Kytherian Association of Australia.

I also serve on the Georges River Local Planning Panel as a community representative and in October 2023 I was appointed to the Multicultural NSW Advisory Board.

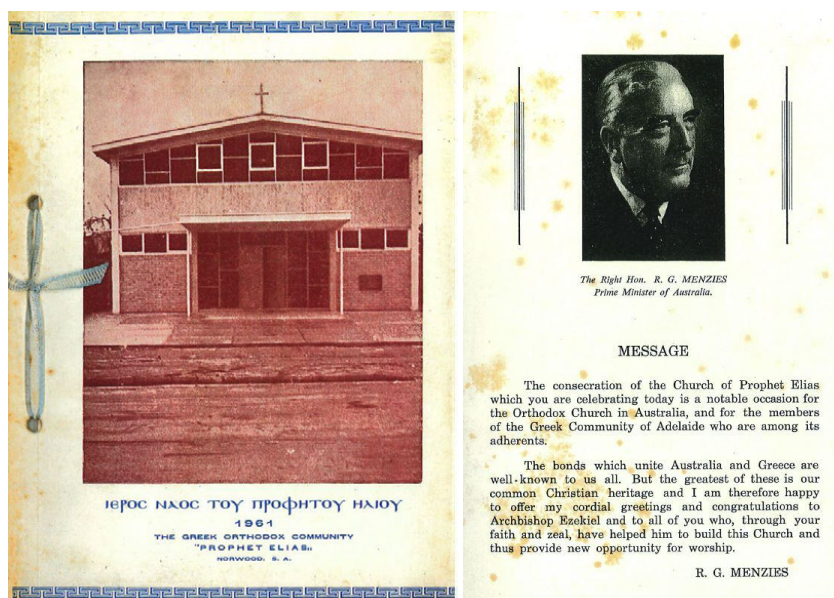
I have previously made an extensive submission in support of the heritage listing of the St George Greek Orthodox Church at Rose Bay which was also published as an opinion piece in the Greek Herald: <https://greekherald.com.au/opinion/preserving-the-heritage-at-st-george-greek-orthodox-church-in-rose-bay/>

In that submission I argued in favour of the heritage listing of the church and I was critical of some of the arguments mounted by opponents (including some of the comments and conclusions in the URBIS heritage report commissioned by the Parish in response to the Council heritage proposal).

With respect, the Planning Proposal has properly addressed all the issues that have been agitated and I strongly endorse its adoption by Council.

I would also make the following comments in relation to the role of the Greek Orthodox Church in the local and wider community and its historical significance as a war memorial church.

1. The St George Greek Orthodox Church in Rose Bay was opened in 1962. Its first priest was Father Miltiades Chrysavgis who formerly served as Rector at the Greek Orthodox Church of the Prophet Elias in Norwood in South Australia from 1959 to 1962.



2. The original Church of Prophet Elias was officially consecrated in 1961 and the messages sent by the then Prime Minister, Sir Robert Menzies and the then Premier of South Australia, Sir Thomas Playford, reflected the strong and enduring bonds between Greece and Australia and the role of the Greek Orthodox Church.
3. Ironically, in 1962 the Holy Cross Greek Orthodox Church in Wollongong was also officially opened and the written program featured a message from the then NSW Premier, R J Heffron, praising the "bonds of comradeship" between Australians and Greeks, particularly those forged in war.

*Message from the Premier of N.S.W.*



16th MARCH, 1962

It is proper that a permanent memorial recording the completion of the Church of the Holy Cross should be provided for posterity in the form of a Consecration Book.

The building of this Church, which for size is not surpassed by any Greek Orthodox structure in the Commonwealth, reflects greatest credit on the Greek community of Greater Wollongong, and is a matter for gratification and pride to all citizens of the city and district.

The unique architectural design has evoked much favorable comment and, as a spiritual centre, the Church is a timely provision for the needs of a rapidly expanding congregation.

To all other Australians, no matter what their religious persuasion, the new Church will be a symbol of the brotherhood that exists among all sections of this freedom-loving people of ours.

The bonds of comradeship between Australians of all racial origins, the Greeks — old and New Australians — settled here, and the people of Greece are indissoluble.

We, in this country, owe much to the Greek people who have brought great cultural influences to bear wherever they have made their homes.

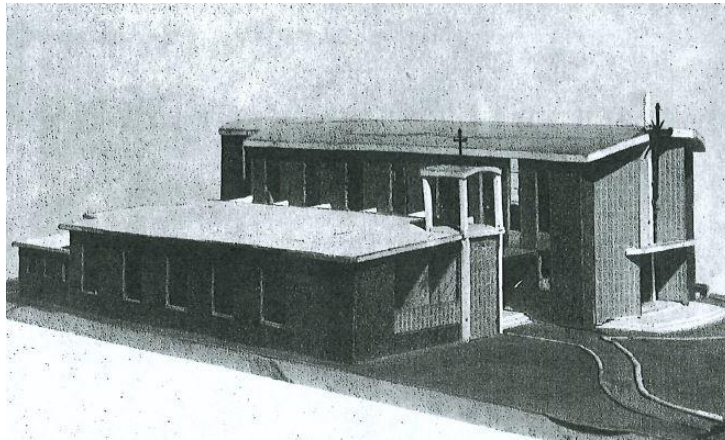
We have imperishable memories of the heroism and comradeship of the Greek people who, in the searing fires of war, fought and endured great privation side by side with our troops on the sacred soil of Hellenes.

The hall, which has been built adjacent to the Church, will be a valuable centre for social and community functions, and should do much to speed the integration of newcomers in this prosperous and happy population.

I am honoured to offer warmest felicitations to all who make up the congregation and society of Greeks in Greater Wollongong on an auspicious occasion.

R. J. HEFFRON,  
Premier of New South Wales.





4. Interestingly, the program also contained a message from the firm of architects engaged to design the Church of Holy Cross. The contemporaneous sentiments expressed by the architect D R Kennedy are reflective of what other local Greek Orthodox parish communities who were looking to build churches at this time were experiencing, including, notably, the Parish of St George in Rose Bay. In particular, the committee envisioned a church that would be complimentary in character to the parish's liturgical requirements, although not necessarily in the true traditional Byzantine form, as it was felt that it was to be a church for coming generations and whose design therefore would need to respond to the prevailing building techniques and economic and social conditions of the period.

### *The Architect's Message*

2nd MAY, 1962

On behalf of my firm and self I take this opportunity to congratulate Father Christophis and you members of the Greek Orthodox Community of Wollongong on the consecration and blessing of your new Church. At the same time we wish to thank you for the opportunity you gave us and the confidence and trust placed in us in associating us with this great venture, which today stands as tangible evidence of the spirit and force of your community in this developing and aspiring country of ours.

When the building with its adjacent hall was first proposed and we were commissioned as the Architects, I can frankly admit it was a challenge to us. The challenge was this: Your committee envisaged a church which would be complimentary in character to your liturgical requirements, yet not necessarily in the true traditional form, as it was felt that it was a church for coming generations who are and will be part of the New World. In the architectural sense this approach was as it should be, for Gothic, Byzantine, Renaissance etc., were periods of building and design dictated by techniques, economic and social conditions of their respective times and today's buildings should reflect these same conditions as they apply today.

The challenge was intensified by the requirements of a hall as a direct adjunct to the Church so that it could on the one hand be an individual wing and on the other occasion an almost integral annexe to the Church. The somewhat restricted site and a definite budget were further

governing factors and cumulatively these posed a problem of planning and massing.

The answer to such an exercise would always be that the Church must be the dominant wing, clearly expressed in its aesthetic massing and character and whilst this is generally relatively easy to achieve, the difficulty arrives when endeavouring to create the minor wing or wings of the complex without them appearing as something that was purely stuck on, so to speak, as an afterthought. In other words the whole composition must be integrated. The answer to this we feel is the siting of the bell tower which is an integral part of the Church and has therefore allowed the Church to flow over the hall facade and co-ordinate the whole composition.

If the building has achieved its aims, and I suppose posterity only can answer this, no small measure of its success must be credited to your priest and committee who gave us full co-operation, advice and, at times, showed great measures of patience. To your Archbishop we particularly express our thanks for his valuable time in giving us lucid and detailed explanations of the liturgical requirements, together with his blessing.

To you all we say thank you for allowing us the pleasure of the association with your good selves and your Church in which we wish you full spiritual happiness.

DONALD R. KENNEDY,  
Sydney G. Hirst & Kennedy, Architects.

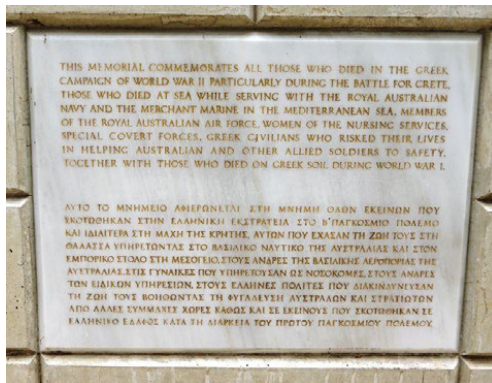




5. In the case of the St George Greek Orthodox Church at Rose Bay the Planning Proposal correctly records that the church displays “simple and restrained design elements” incorporating elements of the Byzantine style typically associated with ANZAC memorials with the traditional Greek Orthodox Church style. And one which is held in high esteem by members of the Parish and the broader Greek Orthodox community of Sydney.
6. The St George Parish has implicitly acknowledged this. On its web page at <https://www.stgeorgerosebay.org.au/who-we-are/our-parish/> the Parish Committee states:  
  
*The idea of building a Parish Church in the Eastern Suburbs of Sydney started in early 1956. With the concerted efforts of some 100 families, the construction of the present sacred edifice was completed in early 1962.*  
  
*The Greek Orthodox Church of St. George, Rose Bay, is one of over one hundred parishes in Australia belonging to the Greek Orthodox Archdiocese in Australia, bearing witness to Christ’s truth in contemporary Australian society.*  
  
*From its inception, the Greek Orthodox Parish of St. George has considered itself to be an integral part of Australian culture, by responding to many of its requirements, especially the use of English in prayer and worship, the introduction of Orthodox literature in the English language and an awareness of the broader mission of Orthodoxy in Australian Society.*  
  
*Today, the Greek Orthodox Church offers the same spiritual wonder with its majestic services, use of icons, fragrant incense and Byzantine chant. Its prayer and worship create the appropriate atmosphere, wherein one may be inspired to seek salvation.*
7. The ANZAC connection through the St George Greek Orthodox Church’s status as a war memorial complex is also significant and should in no way be diminished.
8. A more recent reminder of the incredible bonds of friendship between Greece and Australia that developed over two world wars and particularly in the Battle of Crete is the creation of the Australian Hellenic Memorial in Canberra:  
<https://monumentaaustralia.org.au/themes/conflict/ww2/display/90162-australian-hellenic-memorial>



9. The memorial, which was unveiled in 1988, is in the shape of an amphitheatre amidst an olive grove. The Doric column standing within is embossed with the cross of the Greek Orthodox Church, representing a soldier's grave. The inscription on the Australian Hellenic War memorial reflects the same sentiments expressed in the plaque that was installed at St George Church in Rose Bay more than 60 years ago and which have no less resonance today.



10. The St George Greek Orthodox Church at Rose is deserving of heritage protection.
11. I congratulate Woollahra Council for this enlightened and worthwhile heritage initiative.

**George Vardas**

17 December 2023

NICK ANDRIOTAKIS

I am a parishioner of the St George Greek Orthodox Church at Rose Bay, and a member of the parish and reside in Rose Bay. I am also secretary of the Joint Committee for the Commemoration of the Battle Crete and the Greek Campaign. The Joint Committee research, educates and commemorates Australians that served on mainland Greece and on the island of Crete in World War II and Australians of Greek Heritage that served Australia in all conflicts. St George Greek Orthodox Church was created over 60 years ago by a nascent but visionary Greek Australian Community and was dedicated as a War Memorial in memory of the Australians that lost their lives in Greece and to Australian 's of Greek heritage that served Australia.

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Hundreds of families from the Parish area had members that served in the Battle of Crete and the Greek Campaign in WW2 and in WW1 in the Gallipoli Campaign through the Greek island of Lemnos and the Salonika Front. I have submitted a spreadsheet of my preliminary findings in the previous submission for the Planning Proposal. It includes Australians from the Army, Airforce and Navy personnel and Nurses. Some of them served in WW1 & WW2

In early April 1941, the 2<sup>nd</sup> Anzac Corps was formed in Greece. The 1<sup>st</sup> Anzac Corps was formed in 1915 at Gallipoli and the Greek island of Lemnos played a crucial and important role serving as the training ground, Hospital Base, Safe Harbour, and supply hub. Some 1686 Australians and New Zealanders from WW1 and WW2 were lost in Greece and over half were never found or their remains identified. These Australians from both World Wars lie in the Commonwealth War Grave Cemeteries at Athens, Crete, Lemnos, Rhodes, Thessaloniki and regional Macedonia. I have attached to this submission Australians lost in Greece from the Waverley and Woollahra Local Government Areas.

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This mutual connection of Australia with Greece through these military ties inspired the founders of St George Greek Orthodox Church to dedicate it as a War Memorial. Even the Governor of New South Wales Sir Eric Woodward, who opened the church in 1962 served in Greece in World War II. The Governor's mention and the dedication of the war Memorial is inscribed in the bronze plaque located to the right of the entry stairs.

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From the Flemish Bond face brickwork topped by the bright white bell tower to the clean interior, the building is a fusion of Greek and Australian building elements reflecting a modern society.

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Should the Heritage listing be made, St George Greek Orthodox Church will be the first purpose built Greek Orthodox Church, that comes under the auspices of the Greek Orthodox Archdiocese of Australia to be listed as a Heritage Item.

The heritage listing would prevent future unsympathetic alterations and will protect the integrity of the design vision of the founding community ensuring the Church's continuance in a respectful way. Should any future modifications alterations, additions be required the Heritage listing would not necessarily prevent them but ensure that such addition/ alterations are carefully considered and respectful to the original design intent.

A Heritage listing will positively enhance the building's longevity.

My only request is that should the church be listed as a Heritage Item and in the future is abandoned then the Holy Relics of the church should be allowed to be removed in accordance with the Greek Orthodox Rites.

Response 3 – Dean Haritos

**Do you support the local heritage listing of the St George Greek Orthodox Church, Rose Bay?**

No, I do not support the local heritage listing of the St George Greek Orthodox Church.

**Please type your comments here.**

The overwhelming majority of parishioners who signed a petition early this year (over 1,000 signatures) are against a heritage listing. The listing puts unnecessary restrictions on our Church.

## Heritage inventory sheet

Based on the NSW Heritage Office State Heritage Inventory sheet

ITEM DETAILS			
Name of Item	St George Orthodox Church and War Memorial complex and setting, including interiors and moveable <b>relics</b>		
Former name			
Item type	Built		
Address	Number <b>90-92</b>	Street <b>Newcastle Street</b>	Suburb <b>Rose Bay</b>
Property description	Lots 15 &16, Sec D, DP 5092		
Use	Current <b>Place of worship</b>		Former <b>Place of worship</b>
Statement of significance	<p>The St George Greek Orthodox Church and war memorial is of local heritage significance for its historical, associative, aesthetic, social, rarity and representative values. The church reflects the rapid pattern of development of Rose Bay in the post-World War I era and the growing presence of migrant communities that settled in the area during this time. Since its construction and consecration in 1962, the church building has supported the continuity and celebration of Greek customs and traditions in Sydney's Eastern suburbs for generations of that community. Designed by prominent Inter-War architectural firm Fowell, Mansfield &amp; Maclurcan, the St George Greek Orthodox Church is considered to be a fine and representative example of their ecclesiastical buildings. The church building is an interesting example of a Greek Orthodox War Memorial Church, which combines elements of the Byzantine style typically associated with ANZAC memorials with the traditional Greek Orthodox Church style. As a Greek Orthodox war memorial church, the St George Greek Orthodox Church has significance for its associations with Australia's defence history, commemorating members of Australia's Greek community who served and lost their lives in during World War I and World War II, and Australian soldiers who fought in Greece during World War I. There is only one other known example of this type of Greek Orthodox war memorial church remaining in Sydney.</p>		
Level of significance	State: NO		Local: YES
Heritage listings	None		
DESCRIPTION			
Designer	Fowell, Mansfield & Maclurcan		
Builder	Cirvan Bros Pty Ltd		
Construction years	1962		
Physical Description	<p>Constructed in 1962, the St George Greek Orthodox Church is an example of a late twentieth century ecclesiastical style church. It was designed by architects Fowell, Mansfield &amp; Maclurcan and built by Cirvan Bros Pty Ltd. Dedicated as a war memorial, the church fronts Newcastle Street as a combination of the classic Greek Orthodox church style merged with elements of the simplified Byzantine style that is typical of Australian war memorial architecture. The building is set back from the street and sides, and is elevated on a tiered podium to the front.</p> <p><b>Exterior</b> The St George Greek Orthodox Church is a blonde face brick building with a concrete tiled gabled roof featuring a bell tower to the front. The front (west) façade of the building features the main entry porch and a niche window. The square bell tower is located on the northern side of the front</p>		

## Heritage inventory sheet

Based on the NSW Heritage Office State Heritage Inventory sheet

	<p>façade, is of brick construction and is capped with an open rendered concrete dome with metal crucifix above.</p> <p>The main entrance porch of the church is accessed via a series of concrete and terrazzo stairs from street level, and is defined by three centrally located double doors that are detailed with projecting cream-painted round arched masonry fins. The upper portions of the arched openings are infilled above a projecting shelf, and are decorated with bronze religious motifs. The central arch contains the "Chi-Rho", and "Alpha-Omega" symbols. The arches on either side have a centered cross with five smaller crosses surrounding it. The cross within the northern arch features Ancient Greek lettering (the language of the Church), while the southern cross includes a dual-fish motif – 'Ichthys' – which references the Biblical story of the multiplication of loaves and fishes.</p> <p>The niche window is centrally located above the entry porch and has rendered masonry crucifix in front of a four pane fixed window. The side (north and south) façades of the church feature tall multi-pane windows with amber colour glass and side entry doors. The rear (east) façade of the church features three apses that are capped with copper roofing and flashing. The brickwork also features breezeblock-style ventilation at the lower courses of the windows and two doors which provide access into the lower ground-floor community hall.</p> <p><b>Interior</b></p> <p>The description below is based on the heritage assessment provided by Urbis<sup>1</sup>, and a physical inspection by Woollahra Council in July 2023.</p> <p>The St George Church is entered through the central door on the western primary façade, into which the visitor walks directly into an entry vestibule, or narthex. The narthex includes the timber staircase to the mezzanine floor on the north side; and there are timber icon stands (εικονοστάσια – <i>iconostasia</i>) either side at the entrance to the nave. At ground floor level, the church interior comprises a two-storey scaled rectangular space containing the vestibule with mezzanine/gallery above, central nave, sanctuary and altar, vestry spaces, offices, stores and stairs.</p> <p>The flooring throughout the Church is parquetry timber with loose rugs throughout, and tiled stairs which lead to the iconostasis and the sanctuary. The church has rendered walls with timber panelling to the lower portion. The ceiling of the Church features a triple-vaulted timber board ceiling, while the walls have timber linings to the wainscoting and are rendered and overpainted above. The walls include some framed, painted icons. There are vertically proportioned stained glass windows throughout the interior, and while the openings remain in the original locations, the glazing itself was installed in 2021 as a result of a donation to the Church.</p> <p>At the rear of the nave is the iconostasis, <i>τεμπλον</i> – <i>templon</i>, located on a raised platform which separates the main church from the sanctuary behind the iconostasis. The timber iconostasis is a portable timber structure which features the 'Beautiful Gate' (<i>ωραῖος</i> – <i>horaïos</i>, accessed only by the clergy) in the middle, with painted icons including Jesus, John the Baptist, St George, Mary with infant Jesus on either side of the beautiful gate, and with Biblical scenes within the arches above the main panels. Flooring surrounding the iconostasis comprises green marble tiling. The sanctuary is accessible to clergy only and was not able to be inspected, however is understood to feature the rear of the iconostasis, and three recessed arches, the central one of which features an icon of Jesus on the Cross.</p>
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<sup>1</sup> St George Rose Bay 'Our Parish'. Accessed online at: <http://www.stgeorgerosebay.org.au/who-we-are/our-parish/>



## Heritage inventory sheet

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	<p>The building ceiling contains chandeliers, however these are relatively ordinary contemporary chandeliers, not the more ornate <i>Πολυέλεος</i> – <i>polyeleos</i> style chandelier typical of Greek Churches. There are portable timber pews throughout the nave of the church, symmetrically arranged on either side of the aisle and in rows.</p> <p>The lower ground-level of the Church features a hall used for community events and a weekend Greek language school. The space comprises typical plasterboard walls and ceiling, contemporary timber floorboards, a timber stage and a contemporary kitchen in the southeast corner.</p> <p><b>Moveable heritage <span style="background-color: yellow;">relics</span></b></p> <p>There are several movable heritage items, or relics, in the St George Greek Orthodox Church, including but not limited to timber furniture and commemorative items. This is a nominal list only and outlines items that are immediately apparent as having some degree of historical, social or other potential significance to the church. Moveable items may pertain to rituals and practices that are important parts of religious celebrations, or memorabilia and paraphernalia that are specific to this congregation and its religious practices. Additional items may be identified as part of a Moveable Heritage Assessment, the preparation of which is recommended.</p> <p><b>Fixed items, interior and exterior</b></p> <p>External fixed items include two plaques. One plaque commemorates the dedication of the church as a war memorial to Australian soldiers of Greek origin that took part in the two world wars and Australian servicemen who died in Greece during the Second World War. It was unveiled by Lieut. General Sir Eric Woodward on 24 November 1962.</p> <p>The other plaque located on the southern corner of the church is a foundation stone that was laid on the 23 April 1961 by his Eminence Archbishop Ezekiel. It notes the architects as Fowell, Mansfield &amp; Maclurcan and the builders as Cirvan Bros Pty Ltd.</p> <p><b>Setting</b></p> <p>The St George Greek Orthodox Church is located on the eastern side of Newcastle Street. It is located opposite the heritage listed Royal Sydney Golf Links, which is largely screened by dense foliage. The church building is situated within a predominantly residential streetscape setting, with original Federation era single-storey dwellings and some recent multi-dwelling developments located immediately adjacent, along the eastern side of Newcastle Street. Within this relatively low-scale setting, the church has a landmark presence within its immediate landscape.</p>
<b>Physical condition</b>	The church building (internal and external) appears in good condition. The building is well-maintained through its active use and regular maintenance. Paint on the rendered belltower appears to be degrading.
<b>Modification and Dates</b>	<p>BA 1960/745 – New church (Fowell, Mansfield &amp; Maclurcan)</p> <p>BA 1963/193 – Occupation certificate</p> <p>BA 1984/1094 – New stage hall (Complan Structural Designs)</p> <p>BA 1986/392 – New fence (Nicholson &amp; Evans Consulting Engineers)</p> <p>BA 1991/310 – Air-conditioning (Property Technologies Consulting Engineers)</p> <p>DA 2002/309 – New addition to the church building (ESZ Architects)</p>
<b>Archaeological potential</b>	No known historic archaeological potential. Identified as being on potentially sensitive land on the Aboriginal sensitivity mapping.
<b>Further comments</b>	



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### HISTORY

#### Aboriginal ethno-history

The coastal regions of Sydney between Port Jackson and Botany Bay are the ancestral territories of the Eora people. The traditional owners of the land now within the Woollahra Council area were the Cadigal (Gadigal) and the Birrabirragal people. In common with other tribes living by Sydney Harbour, the Gadigal lived in harmony with the natural resources within their country, fishing from canoes or hunting the animals that lived in surroundings. The tribe appears to have moved within their territory in response to the seasons and family connections. Shell middens and other archaeological remains in the area provide material evidence of many centuries of sustained connection to the land that also sustained them. The arrival of white settlers caused the wholesale disruption of traditional life and the cultural practices of the Eora people generally. Despite enormous challenges, today many Indigenous people identify as Eora and maintain cultural practices and a connection to Country.

#### Rose Bay suburb history

Rose Bay is a suburb in Eastern Sydney in the Woollahra LGA. It was named after George Rose, A British Treasury official.<sup>2</sup> Around 1805, the first Europeans who settled in the area comprised convicts operating Salt Boilers near the bay. From the early nineteenth century until 1920, Rose Bay was occupied by market gardens.

The suburb of Rose Bay was originally part of land granted to John Piper, Thomas Benson, Thomas Galvin, Richard Partridge, John Foster, William Piper, W. Jenkins, and S. Breakwell. These land grants were consolidated in 1830 to form a larger grant for Daniel Copper and Solomon Levey that consisted of 1130 acres. The land grant was later surveyed and subdivided by T.L. Mitchell in 1844 to become the Point Piper Estate.<sup>3</sup> This was wholly owned by Daniel Cooper by 1847. This land grant was subdivided and purchased by prominent and wealthy members of the area.

The Municipality of Woollahra was established in 1860. Due to the remoteness of Rose Bay at the time, the area was not involved in the suburban development of the 1880s, seemingly to be an area reserved for the rich.

Rose Bay developed with the construction of roads and public transport in the form of ferries and trams, this included establishment of a tram service along New South Head Road in 1903. Consolidation of public transport encouraged people of different socio-economic backgrounds to move to the area as land became more affordable, resulting in rental housing development throughout the suburb.

As the central flat land of Rose Bay was occupied by the golf course and market gardens, residential development was forced towards the northern and south-western ends of the suburb, forming short streets along the beachfront.<sup>4</sup>

The first church in Rose Bay was the Methodist Church built in 1904 at the corner of Dover and Old South Head Roads, now used by the Uniting Church. St Andrews Scots Church opened in 1913 and still remains as a Presbyterian Church. St Paul's Anglican Church opened in 1918 and was closed in 1991. The Roman Catholic St Mary Magdalene Church opened in 1920, and the St George's Greek Orthodox Church was established in 1962.<sup>5</sup>

Rose Bay developed into an 'urban garden' in the Inter-War period, with a peak in housing development and flat building in the 1920s.<sup>6</sup> This heralded the end of the use of the area for market gardening. In 1921, the Rose Bay area received electric power lines.<sup>7</sup> The rapid post-war development and residential consolidation in the area coincided with a growing presence of migrant communities in Rose Bay.

<sup>2</sup> Broomham, R. 1984. *Rose Bay Thematic History*.

<sup>3</sup> Broomham, R. 1984. *Rose Bay Thematic History*.

<sup>4</sup> Hughes, Truman, and Ludlow, 1984. *Heritage Study for the Municipality of Woollahra. Volume 1*.

<sup>5</sup> Broomham, R. 1984. *Rose Bay Thematic History*.

<sup>6</sup> Broomham, R. October 2002. *The Urban Garden: Double Bay and Rose Bay Between the Wars*.

<sup>7</sup> Broomham, R. October 2002. *The Urban Garden: Double Bay and Rose Bay Between the Wars*, pg. 12.

## Heritage inventory sheet

Based on the NSW Heritage Office State Heritage Inventory sheet

### St George Greek Orthodox Church

The establishment of Newcastle Street in 1875 to connect Old South Head Road and New South Head Road resulted in increased development in the area. In 1893, a nearby parkland that is now the Royal Sydney Golf Club was founded comprising a 9-hole course. At the turn of the century, the area around Rose Bay underwent change and rapid subdivision following the breakup of the Cooper Estate.

The subject property, formerly part of William Piper's 80-acre land grant and subsequently the 37-acre allotment bounded by Dover Street, Old South Head Road, Newcastle Street and New South Head Road that came under the ownership of Daniel Cooper, became part of the Rose Bay Estate subdivision. The St George Greek Orthodox Church is located on land that is of Lots 15 and 16 in Section D of the Rose Bay Estate. In circa 1910, a residence 'Sonoma' was built on the subject property by Otto Landahl. The subject site was purchased by The Greek Orthodox Parish of St Paul, Rose Bay on 29 May 1958.<sup>8</sup> A mortgage was taken out from the Bank of New South Wales in September 1961 which enabled the construction of the Church itself. The 'Sonoma' residence was demolished around 1962 to allow for the construction of the St George Greek Orthodox Church.

The concept of establishing a Greek Orthodox church in the Eastern suburbs of Sydney started in 1956, reflecting the broader ethnic mix in the area following World War II.<sup>9</sup> In 1960, a building application for the Greek Orthodox church at Rose Bay was lodged as BA1960/745. The church was designed by prominent architects Fowell, Mansfield & Maclurcan, who designed a large number of churches in Sydney and wider NSW. The architectural firm Fowell, Mansfield and Maclurcan are regarded by Apperley et al., as key practitioners of the Post-War Ecclesiastical style.<sup>10</sup> The firm was formed by Joseph Charles Fowell, Donald Maclurcan and John Mansfield. Church buildings designed by Fowell Mansfield and Maclurcan included the Orient Line Building (2-6 Spring Street, 1943); St Augustine's Church (Meehan Street, Yass, 1956); P&O, Church of St Rose (Collaroy Plateau, 1967); the Memorial Chapel and Studies Wing at St Paul's College (The University of Sydney) and St Neri's at Northbridge (1941) and St Paul's Church, Ryde (1934).

The construction of the church was completed in early 1962, and the church was subsequently opened as Saint Paul War Memorial Church. On 8 April 1962, the church was consecrated by Archbishop Ezekiel. The church was dedicated as a War Memorial by the Governor of New South Wales, Sir Eric Woodward, on 24 November 1962. The War Memorial Church commemorates Australian soldiers of Greek heritage who lost their lives in World War I and World War II and also Australian soldiers who lost their lives in Greece during World War II.<sup>11</sup>

### HISTORICAL THEMES

Australian Theme	State Theme	Local Theme
2. Peopling Australia	Ethnic influences-Activities associated with common cultural traditions and peoples of shared descent, and with exchanges between such traditions and peoples	Place or object that exhibits an identifiable ethnic background
3. Developing local, regional and national economies	Events-Activities and processes that mark the consequences of natural and cultural occurrences	Memorial
7. Governing	Defence-Activities associated with defending places from hostile takeover and occupation	War memorials

<sup>8</sup> Vol-Fol 2045-68

<sup>9</sup> St George Rose Bay 'Our Parish'. Accessed online at: <http://www.stgeorgerosbay.org.au/who-we-are/our-parish/>

<sup>10</sup> Apperley et al. 1989

<sup>11</sup> NSW War Memorials Register 'St George Church Rose Bay'. Accessed online at: <https://www.war memorialsregister.nsw.gov.au/content/st-george-greek-orthodox-church>

## Heritage inventory sheet

Based on the NSW Heritage Office State Heritage Inventory sheet

8. Culture-Developing cultural institutions and ways of life	Religion-Activities associated with particular systems of faith and worship	Church
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HERITAGE SIGNIFICANCE ASSESSMENT						
<b>Historical significance</b> SHR criteria (a)	<p>As part of the Rose Bay Estate subdivision of the former Point Piper Estate, the St George Greek Orthodox Church at Rose Bay has local historical significance for its ability to reflect the rapid pattern of development of Rose Bay in the post-World War I era and the growing presence of migrant communities that settled in the area during this time.</p> <p>The St George Greek Orthodox Church has local historical significance as an example of a church that was commissioned in NSW to honour the service of Australian soldiers of Greek heritage who lost their lives in World War I and World War II and also Australian soldiers who lost their lives in Greece during World War II. Therefore, St George Greek Orthodox Church would reach the threshold for local significance under this criterion. St George Greek Orthodox Church would not reach the threshold for State significance under this criterion.</p> <table border="1"> <thead> <tr> <th>Guidelines for inclusion</th><th>Guidelines for exclusion</th></tr> </thead> <tbody> <tr> <td> <input type="checkbox"/> shows evidence of a significant human activity  <input checked="" type="checkbox"/> <b>is associated with a significant activity or historical phase</b>  <input checked="" type="checkbox"/> <b>maintains or shows the continuity of a historical process or activity</b> </td><td> <input type="checkbox"/> has incidental or unsubstantiated connections with historically important activities or processes  <input type="checkbox"/> provides evidence of activities or processes that are of dubious historical importance  <input type="checkbox"/> has been so altered that it can no longer provide evidence of a particular association                             </td></tr> </tbody> </table>		Guidelines for inclusion	Guidelines for exclusion	<input type="checkbox"/> shows evidence of a significant human activity <input checked="" type="checkbox"/> <b>is associated with a significant activity or historical phase</b> <input checked="" type="checkbox"/> <b>maintains or shows the continuity of a historical process or activity</b>	<input type="checkbox"/> has incidental or unsubstantiated connections with historically important activities or processes <input type="checkbox"/> provides evidence of activities or processes that are of dubious historical importance <input type="checkbox"/> has been so altered that it can no longer provide evidence of a particular association
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<b>Historical association significance</b> SHR criteria (b)	<p>The St George Greek Orthodox Church is significant for its association with migrant communities that settled in NSW following World War I. Since its construction and consecration in 1962, the church building has been the focus for worship and the continuity and celebration of Greek customs and traditions in Sydney's Eastern suburbs.</p> <p>The St George Greek Orthodox Church has significance for its associations with Australia's defence history. The church is dedicated as a war memorial that provides a place of commemoration for Australian soldiers of Greek heritage who lost their lives in World War I and World War II, and also Australian soldiers who lost their lives in Greece during World War II. The church is listed on the NSW War Memorials Register. Therefore, St George Greek Orthodox Church would reach the threshold for local significance under this criterion. St George Greek Orthodox Church would not reach the threshold for State significance under this criterion.</p> <table border="1"> <thead> <tr> <th>Guidelines for inclusion</th><th>Guidelines for exclusion</th></tr> </thead> <tbody> <tr> <td> <input type="checkbox"/> shows evidence of a significant human occupation  <input checked="" type="checkbox"/> <b>is associated with a significant event, person, or group of persons</b> </td><td> <input type="checkbox"/> has incidental or unsubstantiated connections with historically important activities or processes  <input type="checkbox"/> provides evidence of activities or processes that are of dubious historical importance  <input type="checkbox"/> has been so altered that it can no longer provide evidence of a particular association                             </td></tr> </tbody> </table>		Guidelines for inclusion	Guidelines for exclusion	<input type="checkbox"/> shows evidence of a significant human occupation <input checked="" type="checkbox"/> <b>is associated with a significant event, person, or group of persons</b>	<input type="checkbox"/> has incidental or unsubstantiated connections with historically important activities or processes <input type="checkbox"/> provides evidence of activities or processes that are of dubious historical importance <input type="checkbox"/> has been so altered that it can no longer provide evidence of a particular association
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## Heritage inventory sheet

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<p><b>Aesthetic significance</b> SHR criteria (c)</p>	<p>The St George Greek Orthodox Church is a fine example of the work of the prominent Inter-War architectural firm Fowell, Mansfield &amp; Maclurcan. Joseph Charles Fowell is recognised as a prominent Australian twentieth century architect, particularly renowned for his ecclesiastical architecture with numerous buildings being heritage listed. The St George Greek Orthodox Church is an interesting example of a Greek Orthodox War Memorial Church that incorporates elements of the Byzantine style typically associated with ANZAC memorials, with the traditional Greek Orthodox Church style. The church displays simple and restrained design elements of these styles, whilst also stylistically consistent with the work of Fowell, Mansfield &amp; Maclurcan. Within its surrounding streetscape setting, the church has landmark qualities. Therefore, St George Greek Orthodox Church would reach the threshold for local significance under this criterion. St George Greek Orthodox Church would not reach the threshold for State significance under this criterion.</p> <table border="1"> <thead> <tr> <th>Guidelines for inclusion</th><th>Guidelines for exclusion</th></tr> </thead> <tbody> <tr> <td><input type="checkbox"/> shows or is associated with, creative or technical innovation or achievement</td><td><input type="checkbox"/> is not a major work by an important designer or artist</td></tr> <tr> <td><input type="checkbox"/> is the inspiration for a creative or technical innovation or achievement</td><td><input type="checkbox"/> has lost its design or technical integrity</td></tr> <tr> <td><input checked="" type="checkbox"/> is aesthetically distinctive</td><td><input type="checkbox"/> its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded</td></tr> <tr> <td><input checked="" type="checkbox"/> has landmark qualities</td><td><input type="checkbox"/> has only a loose association with a creative or technical achievement</td></tr> <tr> <td><input type="checkbox"/> exemplifies a particular taste, style or technology</td><td></td></tr> </tbody> </table>	Guidelines for inclusion	Guidelines for exclusion	<input type="checkbox"/> shows or is associated with, creative or technical innovation or achievement	<input type="checkbox"/> is not a major work by an important designer or artist	<input type="checkbox"/> is the inspiration for a creative or technical innovation or achievement	<input type="checkbox"/> has lost its design or technical integrity	<input checked="" type="checkbox"/> is aesthetically distinctive	<input type="checkbox"/> its positive visual or sensory appeal or landmark and scenic qualities have been more than temporarily degraded	<input checked="" type="checkbox"/> has landmark qualities	<input type="checkbox"/> has only a loose association with a creative or technical achievement	<input type="checkbox"/> exemplifies a particular taste, style or technology	
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<p><b>Social significance</b> SHR criteria (d)</p>	<p>Although social significance has not been formally assessed, it is assumed the St George Greek Orthodox Church is held in high esteem by members of the Parish and the broader Greek Orthodox community of Sydney. In addition to regular Sunday church services, the building has been a focal point for the local Greek Orthodox community for significant celebrations and events including weddings, baptisms, funerals and religious activities for more than five decades providing an important part in the community's sense of place.</p> <p>The St George Greek Orthodox Church also has social significance for its ability to recognise and commemorate members of Australia's Greek community who served and lost their lives defending Australia during World War I and World War II, and Australian soldiers who fought in Greece during World War II. Demonstrative of this social significance, the building is listed on the NSW War Memorials Register. Therefore, St George Greek Orthodox Church would reach the threshold for local significance under this criterion. St George Greek Orthodox Church would not reach the threshold for State significance under this criterion.</p> <table border="1"> <thead> <tr> <th>Guidelines for inclusion</th><th>Guidelines for exclusion</th></tr> </thead> <tbody> <tr> <td><input checked="" type="checkbox"/> is important for its associations with an identifiable group</td><td><input type="checkbox"/> is only important to the community for amenity reasons</td></tr> <tr> <td><input checked="" type="checkbox"/> is important to a community's sense of place</td><td><input type="checkbox"/> is retained only in preference to a proposed alternative</td></tr> </tbody> </table>	Guidelines for inclusion	Guidelines for exclusion	<input checked="" type="checkbox"/> is important for its associations with an identifiable group	<input type="checkbox"/> is only important to the community for amenity reasons	<input checked="" type="checkbox"/> is important to a community's sense of place	<input type="checkbox"/> is retained only in preference to a proposed alternative						
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<b>Technical/Research significance</b> SHR criteria (e)	<p>It is considered that any archaeological potential on the site would have been removed during the construction of the existing church building with basement level. The building does not yield any potential for technical or scientific research information that would not be available from other sources. Therefore, the St George Greek Orthodox Church would not meet the threshold for local or State significance under this criterion.</p> <table border="1" data-bbox="523 560 1225 770"> <thead> <tr> <th data-bbox="523 560 887 586">Guidelines for inclusion</th> <th data-bbox="887 560 1225 586">Guidelines for exclusion</th> </tr> </thead> <tbody> <tr> <td data-bbox="523 586 887 770"> <input type="checkbox"/> has the potential to yield new or further substantial scientific and/or archaeological information  <input type="checkbox"/> is an important benchmark or reference site or type  <input type="checkbox"/> provides evidence of past human cultures that is unavailable elsewhere               </td> <td data-bbox="887 586 1225 770"> <input type="checkbox"/> the knowledge gained would be irrelevant to research on science, human history or culture  <input checked="" type="checkbox"/> <b>has little archaeological or research potential</b>  <input type="checkbox"/> only contains information that is readily available from other resources or archaeological sites               </td> </tr> </tbody> </table>		Guidelines for inclusion	Guidelines for exclusion	<input type="checkbox"/> has the potential to yield new or further substantial scientific and/or archaeological information <input type="checkbox"/> is an important benchmark or reference site or type <input type="checkbox"/> provides evidence of past human cultures that is unavailable elsewhere	<input type="checkbox"/> the knowledge gained would be irrelevant to research on science, human history or culture <input checked="" type="checkbox"/> <b>has little archaeological or research potential</b> <input type="checkbox"/> only contains information that is readily available from other resources or archaeological sites
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<b>Rarity</b> SHR criteria (f)	<p>The St George Greek Orthodox Church is the only example of its type in the Municipality. While there are numerous Greek Orthodox churches in Sydney and NSW, the St George Greek Orthodox Church has rarity as one of a very small number of churches of its type – being a Greek Orthodox war memorial church. There is only one other known Greek Orthodox war memorial church remaining in Sydney, the St Spyridon Greek Orthodox War Memorial Church, which is listed as a local heritage item on the Randwick Local Environmental Plan 2012. The only other being the St Ioannis Greek Orthodox War Memorial Church dating to 1965 has since been demolished. The loss of this comparable building type increases the rarity of the St George Greek Orthodox Church.</p> <p>Therefore, St George Greek Orthodox Church would reach the threshold for local significance under this criterion. St George Greek Orthodox Church would not reach the threshold for State significance under this criterion.</p> <table border="1" data-bbox="523 1191 1225 1512"> <thead> <tr> <th data-bbox="523 1191 887 1218">Guidelines for inclusion</th> <th data-bbox="887 1191 1225 1218">Guidelines for exclusion</th> </tr> </thead> <tbody> <tr> <td data-bbox="523 1218 887 1512"> <input type="checkbox"/> provides evidence of a defunct custom, way of life or process  <input type="checkbox"/> demonstrates a process, custom or other human activity that is in danger of being lost  <input type="checkbox"/> shows unusually accurate evidence of a significant human activity  <input checked="" type="checkbox"/> <b>is the only example of its type</b>  <input type="checkbox"/> demonstrates designs or techniques of exceptional interest  <input type="checkbox"/> shows rare evidence of a significant human activity important to a community               </td> <td data-bbox="887 1218 1225 1512"> <input type="checkbox"/> is not rare  <input type="checkbox"/> is numerous but under threat               </td> </tr> </tbody> </table>		Guidelines for inclusion	Guidelines for exclusion	<input type="checkbox"/> provides evidence of a defunct custom, way of life or process <input type="checkbox"/> demonstrates a process, custom or other human activity that is in danger of being lost <input type="checkbox"/> shows unusually accurate evidence of a significant human activity <input checked="" type="checkbox"/> <b>is the only example of its type</b> <input type="checkbox"/> demonstrates designs or techniques of exceptional interest <input type="checkbox"/> shows rare evidence of a significant human activity important to a community	<input type="checkbox"/> is not rare <input type="checkbox"/> is numerous but under threat
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## Heritage inventory sheet

Based on the NSW Heritage Office State Heritage Inventory sheet

<p><b>Representativeness</b> SHR criteria (g)</p>	<p>The St George Greek Orthodox Church is fine and representative of the ecclesiastical buildings designed by architectural practice Fowell Mansfield &amp; Maclurcan. The church is also a fine example of a Greek Orthodox War Memorial Church that was constructed in the post-war era to commemorate the loss of life that was experienced across the country during World War I and World War II. A comparative study of the St George Greek Orthodox Church with other Greek Orthodox war memorial churches, both extant and demolished, indicates the building retains similar elements and design features that are representative of this typology. There are no other Greek Orthodox churches within the Woollahra LGA. Because of its deliberate design as a war memorial church, the St George Greek Orthodox Church is a significant variation to other examples of traditional Greek Orthodox churches in Sydney. Therefore, St George Greek Orthodox Church would reach the threshold for local significance under this criterion. St George Greek Orthodox Church would not reach the threshold for State significance under this criterion.</p> <table border="1" data-bbox="520 828 1193 1214"> <thead> <tr> <th data-bbox="520 828 887 855">Guidelines for inclusion</th><th data-bbox="887 828 1193 855">Guidelines for exclusion</th></tr> </thead> <tbody> <tr> <td data-bbox="520 855 887 904"> <input checked="" type="checkbox"/> is a fine example of its type  <input type="checkbox"/> has the principal characteristics of an important class or group of items </td><td data-bbox="887 855 1193 904"> <input type="checkbox"/> is a poor example of its type  <input type="checkbox"/> does not include or has lost the range of characteristics of a type </td></tr> <tr> <td data-bbox="520 904 887 1030"> <input checked="" type="checkbox"/> has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity  <input checked="" type="checkbox"/> is a significant variation to a class of items </td><td data-bbox="887 904 1193 1030"> <input type="checkbox"/> does not represent well the characteristics that make up a significant variation of a type </td></tr> <tr> <td data-bbox="520 1030 887 1214"> <input type="checkbox"/> is part of a group which collectively illustrates a representative type  <input type="checkbox"/> is outstanding because of its setting, condition or size  <input type="checkbox"/> is outstanding because of its integrity or the esteem in which it is held </td><td data-bbox="887 1030 1193 1214"></td></tr> </tbody> </table>	Guidelines for inclusion	Guidelines for exclusion	<input checked="" type="checkbox"/> is a fine example of its type <input type="checkbox"/> has the principal characteristics of an important class or group of items	<input type="checkbox"/> is a poor example of its type <input type="checkbox"/> does not include or has lost the range of characteristics of a type	<input checked="" type="checkbox"/> has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity <input checked="" type="checkbox"/> is a significant variation to a class of items	<input type="checkbox"/> does not represent well the characteristics that make up a significant variation of a type	<input type="checkbox"/> is part of a group which collectively illustrates a representative type <input type="checkbox"/> is outstanding because of its setting, condition or size <input type="checkbox"/> is outstanding because of its integrity or the esteem in which it is held	
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<p><b>Integrity</b></p>	<p>The exterior, and major forms and structures of the interior of the church is highly intact in its original form. Joinery and decorative elements such as the timber paneled ceiling, chandeliers and elaborately decorative mezzanine are intact. Alterations such as replacement flooring, new windows, and paint have been made as part of the ongoing upkeep of the church building, however these works have been done sympathetically and do not detract from the original architectural form and ecclesiastical nature of the church.</p>								


## Heritage inventory sheet


Based on the NSW Heritage Office State Heritage Inventory sheet

RECOMMENDED MANAGEMENT				
<b>Recommendations</b>	<p>It is recommended that the St George Greek Orthodox Church and War Memorial complex and setting, including interiors and moveable <b>relics</b> be listed as a heritage item in Schedule 5 (Environmental Heritage) of the Woollahra Local Environmental Plan 2014.</p> <p>A heritage management document is to be prepared by a suitably qualified heritage consultant to assess the significance of all fabric and provide appropriate conservation policies to guide future development on the site. This should include a moveable heritage assessment and inventory for items <b>and relics</b> in the St George Greek Orthodox Church which identifies items that contribute to the heritage significance of the place. The assessment must include future and ongoing management recommendations for any moveable items <b>and relics</b> identified as having significance associated with the place.</p> <p>The impact of future works on the heritage significance of the heritage item are to be assessed against the relevant provisions of the Woollahra LEP 2014 and in accordance with the Heritage Council of NSW publication 'Statements of Heritage Impact' as contained in the NSW Heritage Manual. Proposed works are to be guided by the conservation principles and guidelines of the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter) 2013.</p> <p>Any changes to the place should be appropriately located and be sympathetic to the identified heritage significance of the place.</p>			
INFORMATION SOURCES				
Type	Author/Client	Title	Year	Repository
Study	Woollahra Council (Shona Lindsay and Charlotte Simons)	Heritage Study of Places of Worship, Woollahra LGA	2023	Woollahra Council
Study	Urbis	Heritage Assessment. St George Greek Orthodox Church	2022	Woollahra Council
Plans	Various	Subdivision Plans	Various	State Library of NSW
Record	Woollahra Municipal Council	Building Application Records	Various	Woollahra Local Studies Collection
AUTHOR OF THIS REPORT				
Name Shona Lindsay – Senior Heritage Officer, Woollahra Council and Eleanor Banaag – Senior Heritage Officer Woollahra Council			Date January 2023 <b>Updated January 2024</b>	

## Heritage inventory sheet

Based on the NSW Heritage Office State Heritage Inventory sheet


IMAGES			
Image Caption	View looking north east across Newcastle Street towards the front (west) elevation of the St George Greek Orthodox Church.		
			
Image Year	2021	Image author and Copyright Holder	Charlotte Simons (Woollahra Municipal Council)

IMAGES			
Image Caption		View looking south east across Newcastle Street towards the St George Greek Orthodox Church.	
			
Image Year		2021	
Image author and Copyright Holder		Charlotte Simons (Woollahra Municipal Council)	



## Heritage inventory sheet


Based on the NSW Heritage Office State Heritage Inventory sheet


IMAGES			
Image Caption		View looking south east across Newcastle Street towards the St George Greek Orthodox Church.	
			
Image Year		2022	
Image author and Copyright Holder		Wai Wai Liang (Woollahra Municipal Council)	

IMAGES			
Image Caption		View of side fence St George Greek Orthodox Church.	
			
Image Year	2022	Image author and Copyright Holder	Wai Wai Liang (Woollahra Municipal Council)


## Heritage inventory sheet


Based on the NSW Heritage Office State Heritage Inventory sheet

IMAGES			
Image Caption	View of sign at entrance of St George Greek Orthodox Church.		
			
Image Year	2022	Image author and Copyright Holder	Wai Wai Liang (Woollahra Municipal Council)

IMAGES			
Image Caption	View of plaque commemorating the dedication of the church as a war memorial		
			
Image Year	2022	Image author and Copyright Holder	Wai Wai Liang (Woollahra Municipal Council)

Heritage inventory sheet  
Based on the NSW Heritage Office State Heritage Inventory sheet


IMAGES			
Image Caption		View of foundation stone of church	
			
Image Year	2022	Image author and Copyright Holder	Wai Wai Liang (Woollahra Municipal Council)


IMAGES			
Image Caption		View of Templon	
			
Image Year	Undated	Image author and Copyright Holder	St George Orthodox Church



Heritage inventory sheet

Based on the NSW Heritage Office State Heritage Inventory sheet

IMAGES			
Image Caption		Image of the Templon, Nave Vaulted Ceiling and chandeliers	
			
Image Year	Undated	Image author and Copyright Holder	St George Orthodox Church

IMAGES			
Image Caption		Image of Saint George on the Templon	
			
Image Year	Undated	Image author and Copyright Holder	St George Orthodox Church

Heritage inventory sheet

Based on the NSW Heritage Office State Heritage Inventory sheet

IMAGES			
Image Caption	Timber 'throne'.		
			
Image Year	2023	Image author and Copyright Holder	Woollahra Municipal Council

Heritage inventory sheet

Based on the NSW Heritage Office State Heritage Inventory sheet

IMAGES			
Image Caption	Mezzanine balcony above the nave.		
			
Image Year	2023	Image author and Copyright Holder	Woollahra Municipal Council

Heritage inventory sheet  
Based on the NSW Heritage Office State Heritage Inventory sheet

IMAGES			
Image Caption	Timber-panelled vaulted ceiling, looking towards church entrance.		
			
Image Year	2023	Image author and Copyright Holder	Woollahra Municipal Council

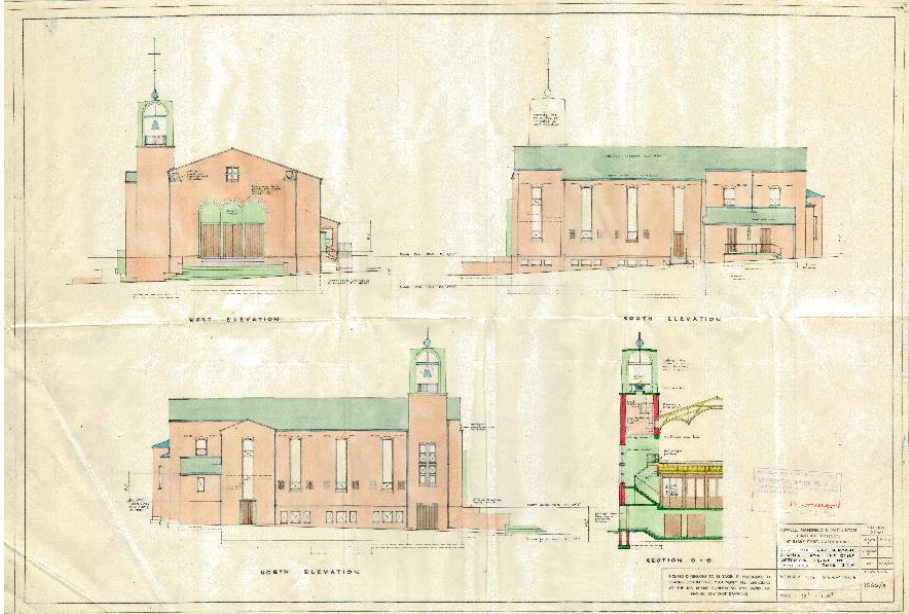
Heritage inventory sheet

Based on the NSW Heritage Office State Heritage Inventory sheet

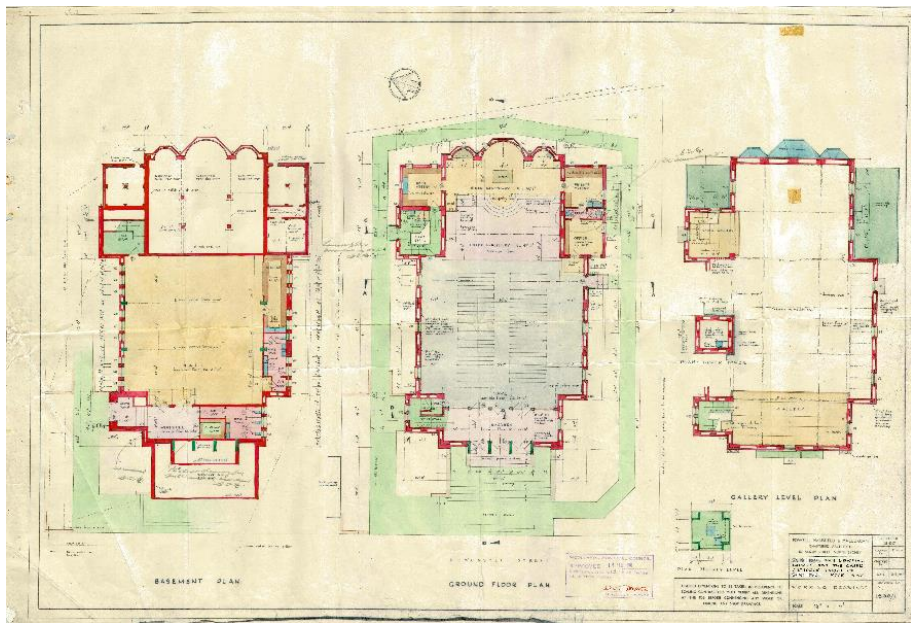
IMAGES			
Image Caption	Entry vestibule, or narthex, with cabinets and moveable items.		
			
Image Year	2023	Image author and Copyright Holder	Woollahra Municipal Council



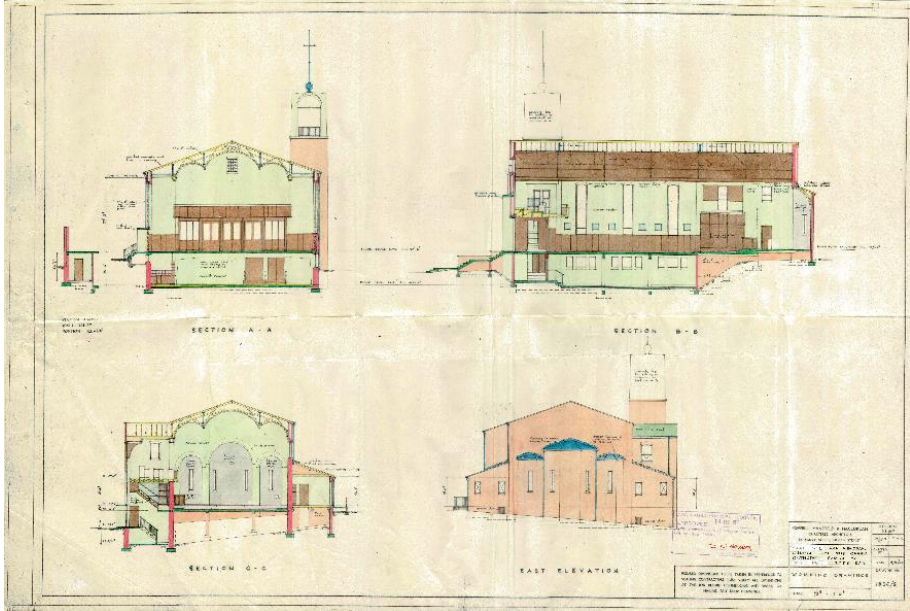
Heritage inventory sheet  
Based on the NSW Heritage Office State Heritage Inventory sheet

IMAGES			
Image Caption	Original plan of church		
			
Image Year	1960	Image author and Copyright Holder	Woollahra Municipal Council

Heritage inventory sheet  
Based on the NSW Heritage Office State Heritage Inventory sheet

IMAGES			
Image Caption		Original plan of church	
			
Image Year		Image author and Copyright Holder	
1960		Woollahra Municipal Council	

Heritage inventory sheet  
Based on the NSW Heritage Office State Heritage Inventory sheet

IMAGES			
Image Caption	Original plan of church		
			
Image Year	1960	Image author and Copyright Holder	Woollahra Municipal Council

**Item No:** R4 Recommendation to Council  
**Subject:** **DELIVERY PROGRAM 2022/23 - 2025/26 & OPERATIONAL PLAN 2023/24 PROGRESS REPORT - DECEMBER 2023**  
**Author:** Petrina Duffy, Coordinator Strategy & Performance  
**Approvers:** Sue Meekin, Director Corporate Performance  
Tom O'Hanlon, Director Infrastructure & Sustainability  
Scott Pedder, Director Planning & Place  
Patricia Occelli, Director Community & Customer Experience  
**File No:** 24/13267  
**Purpose of the Report:** To review the status of the Priorities and Actions in Council's Delivery Program 2022/23 – 2025/26 and Operational Plan 2023/24 for the six months ending 31 December 2023.  
**Alignment to Delivery Program:** Strategy 11.1: Build an efficient organisation that places customers and the community at the heart of service delivery.

**Recommendation:**

THAT Council receives and notes the December 2023 Progress Report on Council's Delivery Program 2022/23 to 2025/26 and Operational Plan 2023/24.

---

**Executive Summary:**

Council adopted its Operational Plan 2023/24 on 26 June 2023 and a revised Delivery Program 2022/23 to 2025/26 on 28 November 2022 in accordance with the Integrated Planning and Reporting (IPR) Legislation for NSW Local Government. The Delivery Program (DP) and Operational Plan (OP) are two of the strategic planning documents that comprise Council's IPR Framework.

It is a requirement under the IPR Legislation that Council report on the progress of its Delivery Program at least every six months. This progress report is for the six month period July 2023 to December 2023.

**Discussion:**

The progress report is attached as **Attachment 1**.

The framework for the progress report is presented by Key Service Areas:

- Environment & Climate Change
- Waste & Cleansing
- Parks, Trees & Recreation
- Land & Building Services
- Transport & Engineering
- Development Assessment
- Strategic Planning, Heritage Conservation & Place
- Compliance
- Governance
- Corporate Services
- Community Services, Culture & Arts
- Library Services
- Customer Experience & Engagement
- Woollahra Preschool.

The full progress report is being presented to both the Finance, Community & Services and the Environmental Planning Committees. The progress report is being tabled as an 'R' item i.e. a Recommendation to Council, with the same Recommendation being tabled at each of the above-mentioned Committees as follows:

THAT the December 2023 Progress Report on Council's Delivery Program 2022/23 to 2025/26 and Operational Plan 2023/24 be received and noted.

Once approved by Council the final document will then be uploaded to Council's website as a record of Council's achievements for the period July - December 2023.

The progress report refers to the 2023 Customer Satisfaction (CSAT) Survey. An overview of the results of the survey is attached as **Attachment 2**.

**Options:**

This report is for noting only.

**Community Engagement and / or Internal Consultation:**

This report has been compiled using information provided by Directors and Managers in relation to their area of budget responsibility. Once approved by Council the final document will be uploaded to Council's website as a record of Council's achievements for the period July to December 2023.

**Policy Implications:**

There are no direct policy implications arising from this report.

**Financial Implications:**

There are no direct financial implications arising from this report.



**Resourcing Implications:**

Resourcing implications are outlined within the report.

**Conclusion:**

This report draws together progress comments from the respective Council officers on the December 2023 progress of Council's Delivery Program 2022/23 to 2025/26 and Operational Plan 2023/24. It is presented to inform the Committee and community of Council's progress in implementing the actions in its Delivery Program and Operational Plan.

**Attachments**

1. Delivery Program 2022/23 - 2025/26 and Operational Plan 2023/24 Progress Report - July - December 2023 [!\[\]\(a6f52c7dda3cd80477c916a910953b4b\_img.jpg\)](#) 
2. 2023 Customer Satisfaction (CSAT) Survey Overview [!\[\]\(c0f71505e49aead72736c9a545414099\_img.jpg\)](#) 





# DELIVERY PROGRAM & OPERATIONAL PLAN PROGRESS REPORT

July - December 2023

### **Acknowledgement of Country**

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



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Landscaping works and pathway extension at Bellevue Park



Feature poet Dai Moret at Poetica Petit event 14 September 2023

Cover image: Home Library Service members enjoyed a morning tea at Woollahra Library at Double Bay on 24 November 2023.



## Executive Summary



Welcome to the progress report for Council's Delivery Program 2022 - 2023 to 2025-2026 and Operational Plan 2023-2024, for the reporting period July - December 2023. As we are now

half way through our planned works for this financial year, I'd like to share a few highlights from this period below.

At the NSW Public Libraries Association Annual Conference held in November, Woollahra Libraries won the Innovation in Outreach Services Award for populations serving 30,000 – 100,000. This award provides recognition for the high-quality outreach programs and services provided by public libraries across New South Wales and we won this award for our WorldPride 2023 program. The goal of this program was to cement Woollahra Libraries as a place that welcomes, celebrates, recognises and supports our LGBTQIA+ community.

Our Libraries were also recognised with the Excellence in Innovation Award at the Knosys Libero User Group annual conference from a field of 112 organisations worldwide in September. The award was for implementing a service that has helped the library to improve the discoverability of and ease of access to our library collection, noting that we were one of the first libraries in Australia to do this work.

We acknowledge our shared responsibility to protect and grow our tree canopy so future generations can also enjoy the unique, leafy character of our area and the environmental and health benefits which trees bring. Our trees and landscaped areas – or urban forest – on public and private land clean our air, keep our streets cool and shade our schools, parks, playgrounds, homes and commercial areas in summer, and provide habitat for local wildlife. In November 2023, Council committed to a canopy cover target of 30% by 2050 through the adoption of our Urban Forest Strategy.

We have joined with Waverley and Randwick Councils in adopting a shared initiative, *Leading the Charge – Electric Vehicle Infrastructure Strategy*. For those with an EV, between July and December, we installed a new charger at Cooper Park Community Hall, Bellevue Hill; a 75kW fast charger at Dorhauer Lane, Woollahra; as well as seven streetpole EV chargers in Paddington, Woollahra and Vaucluse.

Among the capital projects recently completed and enhancing the amenity around the LGA are an extension to the pathway and other landscaping improvements at Bellevue Park, and a relocated and upgraded basketball and netball mini court installed at Harbourview Park, Woollahra.

In October we celebrated NSW Small Business Month 2023 with a Wellbeing Workshop and Business Networking Breakfast, with over 20 guests to talk about all things health and wellbeing.

It's been a busy time for our gallery with a total of 6,705 visitors between 1 July and 31 December 2023, including 200 people attending the September launch of the 2023 Woollahra Small Sculpture Prize which was won by Anita Johnson, for her work *Tenderness*. Celebrating its 30 year anniversary in 2023, Woollahra Council's Youth Photographic Award and Short Film Prize showcased the talent of young aspiring photographers and filmmakers with more than 180 photos and short film entries submitted by students from 13 different high schools for the annual competition in November.

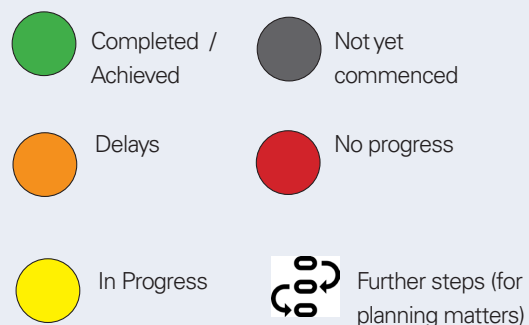
On 9 November 2023, the Sydney Eastern City Planning Panel approved our Development Application (DA) for the Wilberforce Ave Rose Bay Car Park redevelopment project. This project has been many years in the making and includes the demolition of the existing car park at Wilberforce Ave Rose Bay, to be replaced by a mixed use building incorporating a new multi-storey car park, ground floor retail premises, a community centre, public toilets and landscaping works. This will be a transformative project for the heart of Rose Bay. Not only will we see an increased parking capacity, but the community centre is very likely to become a hub for all manner of community activities in the years to come and is a much needed addition for the Rose Bay community.

So, lots to celebrate at this half-way point, and a lot more to come before 30 June 2024.

**Craig Swift-McNair,**  
**General Manager**

### Understanding this report

We have used a traffic light system to indicate the










## Notices of Motion




A Notice of Motion (NOM) is a request for action adopted by Council during the financial year. Councillors can raise a NOM at formal Council meetings. NOMs are not resourced in the adopted Operational Plan and related Budget at the commencement of the financial year and therefore resources with which to undertake the actions from a NOM, will normally form part of the consideration by Council prior to adopting a NOM. Where resourcing is required to deliver a NOM action/s, this may lead to delayed delivery of already adopted Operational Plan actions. Council staff will keep Councillors informed of any potential delivery impacts to existing Operational Plan action as a result of a NOM or NOMs being adopted by Council.





In the following pages, NOMs are reported in three ways: New – being those NOMs received between July- December 2023; NOMs being actioned via the Council adopted 2023/24 Operational Plan and NOMs either Completed / In Progress / Not Yet Commenced.


In the period 1 July to 31 December 2023, new NOMs as listed below were received. This list reflects the status of the report as at 25 January 2024. Where a report has been tabled to the Finance, Community & Services Committee this is referred to as FC&S; where a report has been tabled to the Environmental Planning Committee this is referred to as EP; where a report has been tabled to the Strategic & Corporate Committee this is referred to as S&C.

NOM Date	NOM Subject & Brief Description	Status
<b>Parks, Trees &amp; Recreation</b>		
<a href="#">10-Jul-23</a> 	<b>AUSGRID Aerial Bundled Cabling (ABC)</b> Recommending that Council note its draft Urban Forest Strategy 2024-2050 and canopy cover target. Requesting the GM report on how much electricity will be converted to ABC, financial implications etc.	In Progress; Discussions with AusGrid have commenced with a future report detailing all items in Part B of the resolution to be presented in the Q4 of FY23/24.
<a href="#">27-Nov-23</a> 	<b>Marine Ladder at Yarranabbe Park Wharf</b> Prepare a report on the feasibility of attaching a marine grade ladder or stair to the public wharf at Yarranabbe Park, Darling Point.	Completed; Report presented to Council on 11 December 2023. Risk assessment for the installation has been undertaken. Once approved, procurement and installation will proceed in Q3 FY23/24.
<a href="#">27-Nov-23</a> 	<b>Dillon Street Reserve aka Gugara Park</b> Prepare a report on considering the need to provide toilet facilities in Gugara Park including costings and any funding requirements.	Not Yet Commenced; Initial investigation is underway with anticipated report in Q4 FY23/24.

NOM Date	NOM Subject & Brief Description	Status
<a href="#">11-Dec-23</a> 	<b>Landscaping and Public Seating on the Corner of Peaker Lane and Moncur Street</b> Protect trees (other than Celtis trees) and remove hedging as required from the pocket park on the corner of Peaker Lane and Moncur Street, and install public seating in that pocket park.	In Progress; Park seating has been ordered and removal of hedge and celtis trees to be scheduled in February - March 2024.
<b>Transport &amp; Engineering</b>		
<a href="#">10-Jul-23</a> 	<b>Pedestrian Safety near Corner Suttie Road, Attunga Street. Manning Road and Edward Street</b> Requesting staff identify pedestrian safety opportunities in the areas of the nominated streets.	Not Yet Commenced; Council's Traffic Engineers will undertake an investigation in 2024 to identify the appropriate road safety measures for this intersection. Following investigation, a report will be presented to the Local Traffic Committee and Finance, Community and Services Committee for consideration before the end of FY2023/24.
<a href="#">14-Aug-23</a> 	<b>Councils to Implement a Community Education Program on Road Rules for Bike Use</b> Prepare a report detailing the likely costs and resourcing impacts of undertaking a joint community education program with Waverley and Randwick Councils around implementing a road rules for bikes program and undertake an assessment of the current NSW road rules for bike use.	In Progress; Discussions between neighbouring Councils have commenced. This task is delayed as staff are seeking to develop a common position with neighbouring Councils regarding a joint community education program which will include resourcing and cost implications. A report to Council will be presented in Q3-Q4 of FY2023/24.
<a href="#">28-Aug-23</a> 	<b>Expansion of Park n Pay App to Unmetered Short Term Parking Areas</b> Investigate and provide a report detailing the manner in which the Park n Pay app may be used to assist with turnover of car spaces in short term unmetered parking areas, for example areas with parking of 15 minutes or less that are often placed around childcare centres and schools, such report to consider where a trail for use of this app can be implemented as soon as possible.	Not Yet Commenced; A report outlining the feasibility of this initiative will be addressed before the end of FY2023/24 with the hope that the State Government will formally announce an end date to the scheme.




NOM Date	NOM Subject & Brief Description	Status
<a href="#">15-Nov-23</a> 	<b>Parking Applications - Park n Pay or Similar</b> Prepare a report on the costings of continual use of Park n Pay or similar applications in the Municipality.	Not Yet Commenced; A report outlining the feasibility of this initiative will be addressed before the end of FY2023/24 with the hope that the State Government will formally announce an end date to the scheme.
<b>Strategic Planning, Heritage Conservation &amp; Place</b>		
<a href="#">14-Aug-23</a> 	<b>Paddington Pub Project</b> Expedite the Paddington Pub Project giving consideration to exploring mechanisms available to ensure existing controls and protections that currently apply to pubs continue regardless of change of use. Write to the Minister for the Environment, Local Government and Heritage to raise community concerns over the loss of historic pubs and explore legislative changes and social value assessment to consider the significance of historic pubs to the community.	Completed; Resolution (as a consequence of a NOM) was rescinded by a decision of Council from <a href="#">11 September 2023</a> .
<a href="#">28-Aug-23</a> 	<b>No Net Loss of Dwellings</b> Prepare a planning proposal to include objectives and controls in the Woollahra Local Environmental Plan 2014 to prevent the net reduction of dwellings on development sites; and; Amend the Woollahra Development Control Plan 2015 to require a Social Impact Statement (or similar documentation) to be provided where a reduction in dwelling numbers is proposed on a development site.	In Progress; After consulting with adjoining Councils and staff at the DPHI, Council staff will prepare a report with recommendations on potential controls to manage the loss of dwellings. This will be tabled at a meeting of Council in the first half of 2024.

NOM Date	NOM Subject & Brief Description	Status
<a href="#">6-Nov-23</a> 	<b>Proposed Changes to the Housing SEPP and Planning System</b> Submit this NOM to the Local Government Conference to welcome the State Government's renewed focus on affordable housing and that the GM prepare the necessary documentation and correspondence from this NOM along with correspondence for the Mayor to send to the NSW Premier, Minister of Planning and Alex Greenwich MP with concerns over the proposed reforms.	Completed; The NOM was lodged and supported at the Local Government Conference. Letters has been sent to the NSW Premier, Minister of Planning and Alex Greenwich MP.
<b>Compliance</b>		
<a href="#">15-Nov-23</a> 	<b>Compliance With Housing SEPP in Respect of Independent Living Units for Seniors Housing</b> Compile a register of all developments approved as independent living units for seniors or those living with a disability under the State Environmental Planning Policy (Housing) 2021 (Housing SEPP) in the municipality and monitor ongoing compliance with the Positive Covenant.	In Progress; will be completed by 30 June 2024.
<a href="#">11-Dec-23</a> 	<b>Air Conditioning In Heritage Conservation Areas</b> Prepare a report on Council's enforcement regime for unauthorised air conditioning installations in heritage areas, advancements in air conditioning technology and options for updating heritage controls.	In Progress; will be completed by 30 June 2024.
<b>Community Services, Culture &amp; Arts</b>		
<a href="#">15-Nov-23</a> 	<b>Funding Portrait Painting of Brenda (Dutchie) Backhouse</b> Commission a portrait painting of Brenda (Dutchie) Backhouse, being the first woman to become Mayor of Woollahra Council (1978-1979) with the portrait to be funded by Council's Public Art Reserve.	In Progress; Due to be unveiled at Council's International Women's Day event in March 2024.

NOM Date	NOM Subject & Brief Description	Status
<a href="#">27-Nov-23</a> 	<b>The Voice Referendum</b> Requests the GM engage with the La Perouse Local Aboriginal Land Council, the Gujaga Foundation and the Gamay Rangers and any other relevant organisations: i. about ways Council could support the mental health of those affected by the Referendum campaign and result; and ii. on how best Council can listen to and be guided by Aboriginal and Torres Strait Islander people on matters relating to them. Requests that the Mayor write to the NSW Premier requesting that when he consults with First Nations communities on a Treaty process for NSW that he will ensure it involves local government.	Completed; i. A meeting was held with the La Perouse LALC and Gujaga Foundation on 11 December 2023 to discuss their involvement and guidance in the development of Woollahra's Innovate RAP. As part of this discussion, Council offered support to both organisations post the Yes referendum result and identify partnership opportunities for 2024. ii. A social media campaign commenced the week beginning 11 December 2023. A letter has been sent to the NSW Premier on 29 January 2024.

#### Notices of Motion actioned via the Operational Plan 2023/24




Resourcing has been allocated to address actions arising from the following open Notices of Motion in the current Operational Plan 2023/24. Progress comments will appear in this report under the relevant priorities.

NOM Date	NOM Subject	Priority	Page
<b>Parks, Trees &amp; Recreation</b>			
<a href="#">13-Feb-23</a> 	<b>A Swimmable Harbour</b> In Progress; refer to the action for details.	5.1.1	34
<b>Strategic &amp; Heritage Planning &amp; Place</b>			
<a href="#">14-Feb-22</a> 	<b>Substations &amp; Electrical Infrastructure</b> Completed; refer to the action for details.	4.1.1	50
<a href="#">14-Feb-22</a> 	<b>Strengthening Protections for Character Buildings</b> Completed; refer to the action for details.	4.2.1	51




### Previous Notices of Motion Completed, In Progress or Not Yet Commenced during this reporting period






The below Notices of Motion were received prior to 1 July 2023. Resourcing has been allocated to prepare responses to the Notices of Motion during the reporting period. This list reflects the status of the report as at 25 January 2024. Where a report has been tabled to the Finance, Community & Services Committee this is referred to as FC&S; where a report has been tabled to the Environmental Planning Committee this is referred to as EP; where a report has been tabled to the Strategic & Corporate Committee this is referred to as S&C.





Note: Notices of Motion reported as completed in previous progress reports do not appear in this list.




NOM Date	NOM Subject & Brief Description	Status
<b>Environment &amp; Climate Change</b>		
<a href="#">27-Feb-23</a> 	<b>Solar Canopies For Car Parking Lots And Rooftop Car Parks</b> Prepare a report, subject to funding being considered and approved as part of the Council budget process, to investigate the feasibility of installing or providing a strategy to install raised solar canopies in parking lots owned or managed by Council.	In Progress; A review of Council car parks has been undertaken, there is limited opportunity to install solar canopies. Further investigation will be undertaken to determine whether this is possible at Kiaora Place.
<b>Waste &amp; Cleansing</b>		
<a href="#">28-Nov-22</a> 	<b>Soft Plastics</b> Writes to Woolworths, Coles and the Federal and State Environment Ministers expressing disappointment that the REDcycle Service has been suspended and urge that all stakeholders.	Completed; Letters from the Mayor covering parts 1.i. ii. & iii of the NOM were sent to the relevant parties on 19 December 2022. Resolved at Council Meeting on the <a href="#">13 March 2023</a> to table the NOM at the Australian Local Government Association Assembly in 2023. Reported to Council <a href="#">11 September 2023</a> .
<b>Parks, Trees &amp; Recreation</b>		
<a href="#">06-Apr-20</a> 	<b>Street Play Initiative</b> Report on feasibility of undertaking a 'Street Play Initiative' trial in Woollahra similar to the Waverley Council Street Play initiative.	In Progress; An action has been included in the new Play Space Strategy adopted by Council 24 July 2023. A report outlining the feasibility of this initiative is planned for Q3 FY23/24.











NOM Date	NOM Subject & Brief Description	Status
<a href="#">22-Jun-20</a> 	<b>Street Tree Management Plan for Figs in Municipality</b> Prepare a report setting out a detailed plan of management for the proper preservation, care and management of Council owned/public Fig trees.	Completed; A report was presented to the EP Committee on <a href="#">4 September 2023</a> endorsing public exhibition of the draft fig tree management plan. Following public exhibition, the plan was endorsed by Council <a href="#">11 December 2023</a> .
<a href="#">28-Nov-22</a> 	<b>Urban Forest Strategy</b> Undertake a broad strategic review of Council's overall Open Space and Trees section of Council as part of the service review program for 2022-2023 (incorporating any work already undertaken with regard to maintenance operations of the Open Space & Trees section) and that this review include a focus on consideration of how Council will best implement the objectives of its urban forest strategy. Provide a briefing to Councillors on the draft urban forest strategy in February/March 2023 with a view of tabling the Urban Forest Strategy to the Environmental Planning Committee. Give urgent consideration to remedying the high proportion of vacant street tree pits or dead trees in the Cooper Ward, and along Old South Head Road and New South Head Road.	Completed; A strategic review of Council's Open Space and Trees section was tabled to the Strategic & Corporate Committee 15 November 2023 and noted by Council <a href="#">15 November 2023</a> . A Councillor Briefing on the Urban Forest Strategy was held on 20 March 2023. The Urban Forest Strategy was placed on public exhibition from 19/07/23 - 31/08/23 and adopted by Council on <a href="#">27 November 2023</a> .
<a href="#">13-Mar-23</a> 	<b>Review Woollahra Street Tree Masterplan 2014</b> Review the Woollahra Street Tree Masterplan 2014 to consider opportunities and locations for the planting of Jacarandas both as avenue planting on street verges and on traffic islands and prepare a report to Council to identify locations where Jacaranda planting can take place and how the Woollahra Street Tree Masterplan 2014 can be amended to include this new street enhancement.	Completed; This NOM is included in the Urban Forest Strategy recommendation adopted <a href="#">27 November 2023</a> .

NOM Date	NOM Subject & Brief Description	Status
<a href="#">11-Apr-23</a> 	<b>Synthetic Turf</b> Requests that staff give consideration to the findings and recommendations of the Department of Environment and Planning report of August 2021, and the Chief Scientist's progress report, when reviewing and reporting a final version of its Plans of Management for Woollahra's parks and its Recreation Strategy.	In Progress; The Chief Scientist has provided a summary report and is finalising findings. Once this report is made public staff will give consideration to the findings and recommendations.
<b>Transport &amp; Engineering</b>		
<a href="#">25-May-20</a> 	<b>Street Inlay Audit and Rectification</b> Undertake an audit of all 493 street inlays (set out in Annexure 1 of report to Urban Planning Committee on 23/02/2015).	In Progress; Audit and survey is complete. Internal staff discussions are ongoing in regard to the best method of remediating damaged/missing inlays. A report will be presented to Council in Q3-Q4 of FY2023/24.
<a href="#">27-Jul-20</a> 	<b>30km Speed Zone</b> Investigate and prepare a report regarding the potential to implement 30km/h zones or 40km/h zones in certain areas of the Woollahra Municipality.	Completed; A report on the Woollahra Active Transport Plan (ATP) post-public exhibition was presented to Council on <a href="#">15 November 2023</a> , where it was resolved to endorse the ATP, subject to any reference to 30km/h in the Walking Priority Projects be amended to 40km/h.
<a href="#">29-Sep-20</a> 	<b>Pedestrianisation and Traffic Calming Measures for Rose Bay</b> Prepare a report on opportunities to promote the better pedestrianisation of the Rose Bay area; traffic movement and traffic density in the area and the possibility of introducing lower speed limits in residential roads and laneways.	In Progress; Study is well underway and it is anticipated that a report on the draft study will be presented to the Local Traffic Committee and Finance, Community and Services Committee for consideration in Q4 FY2023/24.
<a href="#">5-Jul-21</a> 	<b>Truck Staging Area for Developments</b> Call for State Government to plan and designate Truck Staging Area for Developments in Eastern Sydney – Adopt as part of the development consent process for all development a designated truck staging area away from residential streets.	In Progress; This task is delayed as staff are seeking to develop a common position with neighbouring Councils regarding a suitable truck staging location for developments in the Eastern Suburbs. It is anticipated that a letter will be sent to the Planning Minister in Q3 of FY2023/24.

NOM Date	NOM Subject & Brief Description	Status
<a href="#">28-Mar-22</a> 	<b>Timed Parking in Watsons Bay</b> Investigate the introduction of timed parking for all or some streets in Watsons Bay to the north of Military Road.	Completed; Study has been undertaken and was reported to Woollahra Local Traffic Committee in August 2023. Council then endorsed a trial permit parking scheme on <a href="#">15 November 2023</a> and was implemented for the summer months.
<a href="#">29-Sep-20</a> & <a href="#">14-Jun-22</a> 	<b>Hydrogeological and geotechnical study for the Rose Bay/Lower Bellevue Hill Catchment Area</b> Undertake a hydrogeological and geotechnical study for the entire Rose Bay basin area from the Bellevue Hill ridgeline, similar to the study recently undertaken for the Double Bay region.  & <b>Geotech expert study of Bellevue Hill below the ridgeline at Drumalbyn Road to begin immediately on 1 July 2022</b> Prepare a scope of works for hydrogeological and geotechnical study for the entire Rose Bay basin area from the Bellevue Hill ridgeline.	In Progress; GHD consultants have completed the study. A draft report is currently being reviewed with anticipation to present the report to Council in Q3-Q4 of FY2023/24.
<a href="#">25-Jul-22</a> 	<b>Angled Rear To Kerb Car Parking In Double Bay</b> Investigate the feasibility (including costs) of implementing angled rear to kerb car parking in Double Bay, for the purpose of addressing the loss of parking and revenue in Knox Street due to the proposed pedestrianisation including consideration of any impact on building a safe cycle network.	Not Yet Commenced; Noting that Knox Street project is deferred and instead pedestrian upgrade works in Bay Street are in progress and on-street parking is temporarily impacted due to construction activity, the investigation into angle parking will be undertaken in Q4 of FY2023/24.
<a href="#">31-Oct-22</a> 	<b>Kiosk Substations</b> Make inquiries of Ausgrid as to whether any areas in the Woollahra municipality have reached electrical grid capacity and as to why there are so many installations of kiosk substations in the municipality.	In Progress; Manager Engineering Services is having ongoing discussions with Ausgrid on the issue. Council staff plan to advocate through SSROC and State Government, to minimise the impact of electrical infrastructure on the public domain.

NOM Date	NOM Subject & Brief Description	Status
<a href="#">12-Dec-22</a> 	<b>No Right Hand Turn Into Knox Street From New South Head Road</b> Liaise with Transport NSW as soon as reasonably practical to review the Knox Street intersection to improve vehicular safety by prohibiting right hand turns into Knox Street from New South Head Road, Double Bay.	In Progress; A Traffic Management Plan together with a design plan to restrict right turn movements from New South Head Road into Knox Street was approved by Transport for NSW in October 2022 as part of the proposed Knox Street Pedestrian Project. Noting that the Knox Street project is not proceeding at this time, Council's Engineers have commenced discussions with Transport for NSW (TfNSW) to seek their views on the proposal to proceed to restrict right turn movements from New South Head Road into Knox Street. Should TfNSW support in principle the proposed right turn restriction, Council's Engineers will then prepare a Traffic Management Plan and present a report to TfNSW for consideration and approval, before reporting to the Woollahra Local Traffic Committee meeting and Finance, Community Services committee meeting for endorsement.
<a href="#">27-Feb-23</a> 	<b>Quarry Street, Paddington</b> Requests that a 10km/hr zone be marked at Quarry Street, Paddington.	Completed: Installation of new signage to enhance pedestrian and cyclist safety within Quarry Street, Paddington, is completed. New 10km/hr signs, 'slow point' signs, advisory cycling route signs and associated chevron arrow signs have been included as part of these works.
<a href="#">26-Jun-23</a> 	<b>Road Safety New South Head Road</b> Requesting Council approach Transport for NSW to make New South Head Road consistent 50km/h speed limit.	Completed; Council's Traffic Engineers made formal representation to TfNSW via the Woollahra Local Traffic Committee on 1 August 2023, requesting that TfNSW reduce the speed limit on New South Head Road from 60km/hr to 50km/hr in Double Bay. TfNSW have advised that this matter is under investigation and a further update will provided when completed. The minutes of this meeting was tabled at Council's Finance, Community and Services Committee on <a href="#">4 September 2023</a> .

NOM Date	NOM Subject & Brief Description	Status
<b>Development Assessment</b>		
<a href="#">26-Jul-21</a> 	<b>Enforceable DA Conditions relating to footpaths</b> Prepare a report to investigate the feasibility of additional enforceable conditions of any Development Application (DA) which requires all footpaths to be maintained in a manner that provides a safe path.	Completed; Reported to Council on <a href="#">11 September 2023</a> .
<a href="#">6-Oct-21</a> 	<b>Protected wash areas</b> Prepare a report on the review our standard conditions of consent to determine how they can be strengthened with regards to managing run off from slurry and the requirements around Protected wash off areas and education can be done to educate builders and renovators on the importance of essential erosion and sediment controls to prevent run off from their building sites entering our waterways.	Completed; Reported to Council on <a href="#">11 September 2023</a> .
<b>Compliance</b>		
<a href="#">14-Feb-22</a> 	<b>Determination of Building Information Certificates by Council</b> Prepare a report that details proposed methods and processes (including any procedure for notification of a Building Information Certificates (BIC) to Councillors) for the calling of a BIC by a Councillor to Council, with a view to amending the Code of Meeting Practice to reflect this.	Completed; Reported to Council on <a href="#">11 September 2023</a> .
<a href="#">25-Jul-22</a> 	<b>Impacts Of Site Contamination</b> Prepare a report in relation to the impacts of site contamination to strengthen Council's planning controls regarding site contamination and disposal of contaminated site water during construction.	In Progress; will be completed by 30 June 2024.

NOM Date	NOM Subject & Brief Description	Status
<a href="#">26-Jun-23</a> 	<b>The Royal Hotel Paddington - Building Information Certificate</b> Requesting the GM prepare a report on the BIC to be presented to Council - The Royal Hotel Paddington - Building Information Certificate BIC 46/2022.	Completed; Resolved at Council meeting of <a href="#">9 October 2023</a> to approve the Building Information Certificate.
<b>Governance</b>		
<a href="#">26-Oct-20</a> 	<b>Councillor Indemnification</b> Prepare a report for consideration by Council on the merits of reviewing Council's current Payment of Expenses and Provision of Facilities Policy so that Councillors acting in good faith in their role as a Councillor are indemnified for reasonable expenses incurred by them in defending legal proceedings and/or obtaining medical services and/or relation to any property damage.	In Progress; A report on the Payment of Expenses & Provision of Facilities Policy is to be prepared and will include reference to Councillor Indemnification. The report is scheduled to be presented to Council's Finance, Community & Services Committee in March 2024.
<a href="#">26-Apr-21</a> 	<b>Legal Services Panel Review</b> Present a recommendation on a way forward to reconstitute the former Legal Services Review Panel.	In Progress; Legal advice has been received and an update provided to Cllrs Robertson, Shapiro and Wynne. Further discussions to be held in the third quarter of 2023/24.
<b>Customer Experience &amp; Engagement</b>		
<a href="#">27-Mar-23</a> 	<b>DA Advertising In Wentworth Courier</b> Ensure that Council no longer advertises Development Applications (DAs) in the Wentworth Courier and that the Woollahra Community Participation Plan be amended to reflect this change.	Completed; Council ceased advertising DAs in the Wentworth Courier in August 2023. Our Mayoral Column page now contains a blurb which directs people to the website for DAs, including a QR code back to the page <a href="http://www.woollahra.nsw.gov.au/da-notifications">www.woollahra.nsw.gov.au/da-notifications</a>



## Environmental

July- December 2023 highlights



Harbourview Park mini multi use court



### Multi use court

Relocated and upgraded basketball and netball mini court installed at Harbourview Park, Woollahra.



Vaucluse Bowling Club is getting a sustainability upgrade



### Sustainability

Vaucluse Bowling Club renovations include sustainability features of rooftop solar, rainwater tanks and will be a fully electric building.



Fast EV Charger at Queen Street Carpark at Dorhauer Lane, Woollahra



### EV chargers

Installation of Dorhauer Lane 75kW fast charger and 7 new streetpole chargers. For location information visit: <https://www.woollahra.nsw.gov.au/Environment/sustainable-transport/electric-vehicle-charging-stations>

## Economic

July- December 2023 highlights



Artists' impression of the Double Bay Centre



### Double Bay Strategy

After considering the issues raised in over 200 submissions, at the meeting of 27 November 2023 Council resolved to adopt the Double Bay Strategy which sets a vision to guide the future development of the Double Bay Centre.



Keynote speaker Carli Phillips



### Small Business Month

Wellbeing Workshop & Networking Breakfast held 31 October 2023 for NSW Small Business Month 2023.



Historic image of the Sydney Chevra Kadisha



### Heritage

Following public exhibition, Council resolved to finalise the heritage listings for the Sydney Chevra Kadisha, Paddington Church of Christ, St Andrews Scots Presbyterian Church, and Vaucluse Uniting Church.



## Civic Leadership

July- December 2023 highlights



Kauri Pine at Redleaf, Double Bay



### Urban Forest

On 27 November 2023 Council adopted an *Urban Forest Strategy* with the target of planting 13,410 new trees across our local area over 25 years to create 30% tree canopy cover by 2050.



EV Charger at Cooper Park Community Hall, Bellevue Hill



### Partnerships

*Leading the Charge – Electric Vehicle Infrastructure Strategy* adopted by Woollahra, Waverley and Randwick Councils.



Staff uniform recycling collection



### Recycling

Staff uniform recycling program has collected 197kg of uniforms from Waverley and Woollahra staff at our shared Depot for recycling.

## Social

July- December 2023 highlights



Digital Literary Award ceremony held at Woollahra Library at Double Bay on 23 November 2023. Photo credit: Edoardo Capriotti



Heart In Art exhibition at Woollahra Gallery at Redleaf ran from 28 June to 23 July 2023



Home Library Service members enjoyed a morning tea with a performance by Woollahra Preschool students on 24 November 2023



### Recommended reading

Congratulations to the 2023 winners of our Digital Literary Award across fiction, non-fiction, poetry and digital innovation. Read the winning works here: <https://www.woollahra.nsw.gov.au/Library/Digital-literary-award>



### Collaboration

The Heart in Art exhibition collaboration between Woollahra Council and First Hand Solutions Aboriginal Corporation featured 40 works by artists representing the Ampilatwatja, Pirlangimpi, Wingellina, Kaltukatjara, Yuendumu, Yawuru Country, Gunbalanya and Angurugu communities.



### Connection


Some of our 81 Home Library Service members enjoyed a morning tea with a performance by Woollahra Preschool students at Woollahra Library at Double Bay. Council provides a monthly 'Bus to Books' service for more mobile Home Library Service customers.



## Environment & Climate Change

### Strategy 5.4: Reduce impacts of local flooding and improve floodplain risk management.



Ref	Priority	Progress Comments
5.4.1	Ensure appropriate Floodplain Risk Management Plans are in place for the various catchments in Woollahra.	Floodplain Risk Management Plans are progressively being developed for various catchments within the Woollahra Municipality. Once these Floodplain Risk Management Plans are completed they are referred to the Woollahra Flood Risk Management Committee and Council's Environmental Planning Committee for adoption. Floodplain risk management studies and plans have been completed for Rushcutters Bay, Double Bay, Rose Bay and Watsons Bay and Paddington. Funding applications have been made to the Department of Planning and Environment to develop flood studies and plans for Vaucluse, and Darling Point. These applications were not successful. The Flood studies and plans for Vaucluse and Darling Point are still the priorities. Staff will also commission these high priority studies through other resources and funding opportunities.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Complete Plans for Vaucluse and Darling Point catchments and refer to the Floodplain Risk Management Committee for Council adoption, subject to funding from the Dept. Planning & Environment.	Project is subject to successful grant funding being available from the Dept. Planning & Environment. Funding applications to be submitted once grant period is confirmed.	In Progress 	Preliminary investigation / Scope of works	Flood studies and plans for Vaucluse and Darling Point remain priorities. Funding applications will be submitted to Department of Planning and Environment to develop flood studies and plans for Vaucluse and Darling Point, subject to grant funding availability. Staff will also commission these high priority studies through other resources and funding opportunities.


Ref	Priority	Comments
5.4.2	Develop and implement a five year Capital Renewal Program for stormwater drainage infrastructure and management of stormwater pollutants.	<p>Stormwater Drainage Infrastructure Program has been developed and is based on various Council Flood Studies and Flood Risk Management Studies and Plans.</p> <p>In June 2023 Council was advised by the Independent Pricing &amp; Regulatory Tribunal (IPART) that our application for a Special Rate Variation was successful. This will provide \$13.9m in funding over 10 years to complete priority projects to expand the capacity of our stormwater network, as well as funding an increased level of drainage and pipe repair works across the LGA to ensure the network is functioning at optimum efficiency. As part of this financial year program and the inclusion of the SRV, design plans will be prepared for Cecil Street, Paddington, and Edgecliff Road, Woollahra</p>

**Strategy 7.1: Protect and maintain trees, streetscapes, natural landscapes and biodiversity including the protection and restoration of bushland areas.**


Ref	Priority	Progress Comments
7.1.3	Educate and partner with the community on the protection of natural areas and waterways, including Bushcare.	Council has worked closely with community volunteers to protect a number of juvenile Powerful Owls over the spring period.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Support and promote Council's HarbourCare Program and other community engagement activities.	Volunteer groups supported on request, annual Clean Up Australia Day community activity held March 2024.	In Progress 	On schedule	Council supported 17 HarbourCare Clean-up events by community and corporate groups from July to December. In addition, Council supported local schools including The Scots College and Cranbrook School to undertake regular beach cleans over the six month period.
Support and promote Council's Bushcare Programs and other engagement activities, including support and coordination of Bushcare groups.	Ongoing, 30 June 2024.	In Progress 	On schedule	Council continued to coordinate the Bushcare program across 10 sites, including plant propagation at Council's Paddington nursery. Council held a community tree planting event at Christison Park for National Tree Day, which was attended by over 300 people who planted over 2,200 plants.




Ref	Priority	Progress Comments		
71.4	Implement actions from the Biodiversity Conservation Strategy.	Consultants completed a review of Council's Biodiversity Conservation Strategy. Staff will now finalise the update of the Strategy and prepare a report to Council in the next quarter. A 'Habitat Gardening Guide' was developed to accompany the Backyard Habitat workshop series, and is available on Council's website.		
Project / Deliverable	Due By	Status	Stage	Progress Comments
Undertake biennial biodiversity and environmental monitoring program, with data collected and reported on Council's website.	30 June 2024.	Delays 	Deferred until FY24/25	A request for quote was distributed however no suitable quotes were received. As no ecological consultants were available to undertake the work at the required time of year, the monitoring will need to be postponed until the spring / summer period of 24/25.

**Strategy 72: Support cleaner, healthier waterways including improved water quality and healthy water catchments, creeks and harbour.**

Ref	Priority	Progress Comments		
72.1	Implement a five year Capital Renewal Program for stormwater drainage infrastructure and management of stormwater pollutants.	Capital Renewal Program projects are incorporated into Council's future Capital Works program for renewal and/ or upgrade. As part of the Special Rate Variation funding, gross pollutant traps (GPTs) and water sensitive urban designs (WSUDs) will be incorporated where possible to mitigate and manage stormwater pollutants. This financial year we will be installing GPTs in Bay Street, Double Bay, and Edgecliff Road, Woollahra.		
72.2	Implement a program of capital works for water quality improvement, including installation of stormwater quality improvement devices such as raingardens and Gross Pollutant Traps (GPT).	Capital Works projects are underway, including a gross pollutant trap to be installed in January 2024, and soil testing investigations for the Christison Park stormwater harvesting tank.		
Project / Deliverable	Due By	Status	Stage	Progress Comments
Implement the \$620,000 Environmental Capital Works Program with a target of 90% of projects to be completed or under construction by end of FY23/24.	30 June 2024.	In Progress 	On schedule	Eight capital works projects are programmed and are in various stages of investigation and design, as per the capital works report presented to Council in November. A lighting upgrade has been completed at Redleaf Council Chambers to improve energy efficiency. An electric vehicle charger has been installed at Redleaf Council chambers to enable charging of Council fleet vehicles.





Ref	Priority	Progress Comments
72.3	Collaborate with partners to develop and implement programs to improve water quality.	Collaboration with Beachwatch, Sydney Water, Transport for NSW, the Member for Vaucluse and members of the local community continues through the Rose Bay Beach Working Party. Staff briefed the Member for Vaucluse and community representatives were appointed following an expressions of interest process. Other collaboration on catchment-wide water quality issues has taken place with the Sydney Coastal Councils Group. This has included the development of the Greater Sydney Harbour Litter Prevention Roadmap and completion of an 'Own it and Act' checklist to enable application for an EPA litter prevention grant.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Support the development of the Greater Sydney Harbour Coastal Management Program and other collaborative projects such as the Rose Bay Beach Working Party.	Attend quarterly Greater Sydney Harbour CMP working group meetings.	In Progress 	On schedule	Staff continue to support the development of a Coastal Management Plan (CMP) for Sydney Harbour. Due to lack of NSW Government funding for project management of the Greater Sydney Harbour CMP, the Sydney Coastal Councils Group is working with member Councils to reduce the scope of the CMP to the outer harbour only. A grant application is in preparation to continue the development of the CMP on this smaller scale.

Ref	Priority	Progress Comments
72.5	Take appropriate and timely action in response to pollution incidents.	Staff assist with pollution incident response as required. Compliance staff participated in Sydney Coastal Councils Group 'Get the Site Right' erosion and sediment control inspection and education day in October. Nine construction sites were inspected across the LGA and no compliance issues were observed.


#### Strategy 8.1: Reduce greenhouse gas emissions.

Ref	Priority	Progress Comments
8.1.1	Provide programs and projects to reduce local greenhouse gas emissions.	Annual auditing of Council's carbon footprint for the FY2022/23 financial year has commenced, and application for our continued Climate Active certification of carbon neutral accreditation will be submitted in January. Programs to reduce community emissions continue to be implemented through the 3 Council Regional Environment Program, including supporting solar installations at the 18 Footers Club and CYCA through the Solar My Suburb program. A flyer was included in the last rates notice mail-out educating the community about the top 5 actions they can take to reduce emissions. A number of social media posts have been made with the same theme.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Expand the Electric Vehicle charging network with two additional public vehicle charging stations per annum.	30 April 2024.	Completed / Achieved 	On schedule	In the last six months public electric vehicle chargers have been installed at Dorhauer Lane, Woollahra, and Cooper Park Community Hall, Bellevue Hill. In addition, the installation of seven streetpole EV chargers in Paddington, Woollahra and Vaucluse has commenced.
Develop and implement initiatives aimed at achieving community carbon reduction, including providing information to assist transition to all electric homes.	Workshops held quarterly.	In Progress 	On schedule	Community workshops were held about energy efficient hot water systems and Council supported the Jewish Sustainability Initiative (JewSI) to run a 'Go Solar' community workshop. A flyer was sent to all rate-payers with information about reducing carbon emissions, including transitioning to all electric homes. A new web page was created to provide information to the community. Consultations were held to provide advice to apartment owners and strata bodies about EV charging and installing solar.
Participate in and implement projects arising from the Three Council Regional Environment Program including Solar My Suburb and Energy Smart Cafes.	Ongoing, 30 June 2024.	In Progress 	On schedule	The 3 Council Regional Environment Program has continued to roll-out the Solar My Suburb and Solar My School programs. Feasibility reports were prepared for The Scots College (176-267kW), Cranbrook School Junior and Senrio campuses (168-387kW). With the majority of schools in the East now complete, this program will wrap up in 2024. With support from the Solar My Suburb Program, the 18 Footers Sailing Club has installed a 75kW solar system and the CYCA has installed an additional 20kW. A number of community building partnership grants have been applied for to assist other community organisations to install solar. A regional electric vehicle charging strategy was adopted by all three Councils in November 2023.
Participate in the Resilient Sydney program.	Participate in activities as scheduled.	In Progress 	On schedule	Staff attended Resilient Sydney workshops, including the Resilient Sydney 2025-30 Agenda Setting Workshop to commence development of the second Resilient Sydney Strategy.

**Strategy 8.2: Provide support to the community to reduce their environmental impact.**

Ref	Priority	Progress Comments
8.2.1	Coordinate educational events and Council's Environmental Grants Program.	Council's Environmental Grants Program opened for applications in July. Nine grants were awarded, supporting a range of community and school environmental projects including creation of habitat gardens for pollinators, frogs and small birds, installation of solar panels, and improvements to community gardens.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Deliver Council's environmental grants program.	31 May 2024.	In Progress 	On schedule	Council's Environmental Grants Program opened for applications in July. Nine grants were awarded, supporting a range of community and school environmental projects including creation of habitat gardens for pollinators, frogs and small birds, installation of solar panels, and improvements to community gardens.



Ref	Priority	Progress Comments
8.2.2	Implement the Environmental Education Program for each year.	Over the last six months a range of education sessions have been held for the local community, schools, and Council staff, as detailed below.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Plan and implement a program of environmental education initiatives to address a range of issues relating to the natural environment and sustainability.	12 initiatives delivered by 30 June 2024.	In Progress 	On schedule	Community education: National Tree Day, whale watching tours, a series of three 'Backyard Habitat' workshops, energy efficient hot water workshop, Double bay Tree Trail walking tour, composting workshops, frog identification walk, bird identification walk, and a bike education day. Monthly Environment E-Newsletters were distributed to the database of subscribers and environmental content included in the hardcopy Woollahra newsletter. Schools education: Nature Connection training for staff at Vacluse Public School, supporting Glenmore Road Public School with the EcoSchools framework, water quality workshop for The Scots College, provision of native habitat plants for local school gardens. Staff education: information session about Phytopthera, Double Bay tree trail walk, and internal workshops to improve whole of Council sustainability.



**Strategy 8.3: Prepare for and adapt to the impacts of climate change.**

Ref	Priority	Progress Comments
8.3.1	Develop and implement projects to enable climate change adaptation.	Climate change mitigation and adaptation has been included as a Priority Action Area in Council's draft Environmental Sustainability Action Plan. The most appropriate method of integrating climate risks into Council's operational risk register is under consideration.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Implement actions adopted by Council to address the climate emergency. Maintain Council's carbon neutral certification under the Climate Active Program.	Revised waste diversion targets, Carbon neutral auditing complete and submitted by 30 November 2023.	In Progress 	Preparations	Auditing of Council's carbon footprint for 2022-23 has been completed, and carbon offsets have been retired to ensure that carbon neutral status is maintained. The documentation will be submitted to Climate Active for certification in January 2024.
Finalise adoption of Council's Climate Change Risk Assessment and Adaptation Plan and commence planning for priority actions.	30 June 2024.	In Progress 	Preparations	Consultants have completed the Climate Change Risk Assessment and Adaptation Plan. Priority actions are being investigated, including the integration of climate risks into Council's operational risk register.

**Strategy 8.5: Reduce potable water usage by Council and encourage reduced usage on private property.**

Ref	Priority	Progress Comments
8.5.2	Implement projects to reduce Council's water usage.	Council's water use is monitored and any anomalies investigated. Rainwater tanks were installed as part of the upgrade of Vaucluse Bowling Club.
8.5.3	Work with neighbouring Council's to implement programs aimed at reducing community water use.	The 3 Council Regional Environment Program is developing content for Council's website to promote the SydneyWater 'WaterFix' Program, which offers water saving programs for residential, strata, commercial properties and schools.



## Waste & Cleansing

**Strategy 5.2: Provide and maintain safe, clean, serviceable public infrastructure including roads, footpaths, bicycle facilities, parks, open spaces, stormwater drains and seawalls.**




Ref	Priority	Progress Comments
5.2.1	Implement the infrastructure maintenance programs for all classes of public infrastructure.	During the reporting period, Council received 363 CRMs for footpath defects. Of these 307 were completed within this period. A further 238 were identified by Council inspectors, with 24 completed within this period. Many of these did not require works to be conducted, but were minor defects noted to monitor.



**Strategy 7.2: Support cleaner, healthier waterways including improved water quality and healthy water catchments, creeks and harbour.**


Ref	Priority	Progress Comments
7.2.4	Provide street cleaning services to minimise litter and dirt entering the stormwater drainage system.	There were 9 CRMs received and actioned for the cleaning of Business Centres during the reporting period. Scheduled cleaning and maintenance takes place 365 days a year within all Business Centres.
7.2.5	Take appropriate and timely action in response to pollution incidents.	There were no pollution incidents during the reporting period.

**Strategy 8.4: Encourage and assist our community to be leaders in waste management and resource recycling.**




Ref	Priority	Progress Comments
8.4.1	Encourage greater participation in waste reduction, recycling and other measures to minimise waste.	Our diversion rate for kerbside waste, recycling and FOGO over the 6 months was 53%. Council continues to provide waste management services, events and programs. This included promotion and hosting compost workshops, continuing to provide school workshops via Keep Australia Beautiful, jointly hosting Recycle it Saturday, ongoing participation in the Compost Revolution program, Council uniform recycling program, Letter box drop to all unit blocks regarding Kitchen to Compost Service, E-waste recycling and promotion of services and activities via What's on, Environment and Woollahra newsletters. A new truck art competition was completed with primary schools in Woollahra and planning begun for Clothing Drop off donation day in partnership with the Red Cross for second half of the year.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Investigate alternative avenues to minimise good quality items being thrown out in the clean-up, including Red Cross and other charities. Investigation to be reported to Council when complete.	30 November 2023.	Completed / Achieved 	On schedule	Council partnered with Red Cross to host a donation day mainly to receive good quality clothing and accessories that could be re-sold in Red Cross stores. Despite efforts for maximised promotion, the event was not as successful as we'd hoped with a much smaller attendance by residents than anticipated. Should this type of collection be attempted again, it might be done on a much smaller scale at localised community hubs. Bicycles and scooters have been added to our Recycle it Saturday collections. Bikes and scooters in good and bad condition accepted to be refurbished and donated to children and others in need by Revolve Recycling.
Investigate options for potential collection of polystyrene and un-useable textiles in connection with the e-waste collection service. Investigation to be reported to Council when complete.	30 November 2023.	Delays 	Awaiting Council decision	While the collection of polystyrene will prove difficult to collect and provide in a form that can be recycled (compacted via specialised machine), textile collection could be viable as we can work with St Vincents who will accept any type of textile. We are still looking into how this can be strategically implemented using current staff and allocation of resourcing/work plans etc.
Work with selected large Multi-Unit Dwelling (MUD) complexes to trial permanent bins for on-site e-waste collection. Investigation to be reported to Council when complete.	31 March 2024.	Delays 	Preparations	Staff have investigated the possibility using our e-waste truck and existing staff, the type of e-waste that could safely be handled both by residents and staff and method of storage and collection. This still needs input from management before approaching selected unit blocks to trial.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Educate community and promote Food Organics Garden Organic (FOGO) waste diversion with a focus on MUDs. Education programs to relevant stakeholders to be undertaken; Encourage the recycling of organics through the 3 Council Compost revolution; Increase on the organic waste diverted from landfill.	Education programs to be scheduled quarterly and website updated with information on programs. Annual report on organic waste diversion statistics by 30 June 2024.	Completed / Achieved 	On schedule	Council continues to work with SSROC and the 3 Council program to educate residents and schools. We received a FOGO update from SSROC detailing EPA's mandates which will extend to business in 2025 with Council being the Regulatory Authority. We published a news article in November to promote our waste diversion statistics and provide information on how we can improve on this. FOGO was featured with some more in depth information about the do's and don'ts and how to obtain a kitchen caddy to assist with collection. An audit of our waste services was also undertaken with results provided during this period. Our FOGO results have remained consistent and the audit has shown a significant increase in organics by 1.1kg per household per week. However, there is still a lot of food waste going into garbage bins at 30%. A couple of pop-up stalls were held at Double Bay market where we spoke to residents about FOGO and handed out kitchen caddies. There seemed to be knowledge in the community about the service, but some still completely unaware that Council provides this service. The compost revolution continues to provide heavily discounted compost bins and worm farms as well as workshops. The last workshop was held at Paddington community garden on the 3rd of December.
Encourage greater participation in waste reduction, recycling and other measures to minimise waste via a bi-monthly stall at Double Bay market to promote Council initiatives and provide greater presence in the community.	Bi-monthly stall and regular updates to Council's website.	Completed / Achieved 	On schedule	Three stalls were held over the course of this reporting period. We promoted Plastic Free July at our first stall and provided re-usable shopping bags and re-usable coffee cups. We also promoted FOGO and our recycling service at subsequent stalls which was well received by residents. It is definitely a great opportunity to provide face to face education. We will continue to do this bi-monthly with potential to move around to other busy commercial areas such as Kiaora Lane and Rose Bay shops.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Complete a review into truck signage to encourage waste reduction and recycling and other measures to minimise waste.	30 November 2023.	Completed / Achieved 	On schedule	The decision was made to go with childrens truck art which provides primary aged children with educational opportunity to create and learn about an environmental theme. This time we chose "Caring for our Environment" as the theme which had broad scope for environmental education. Four trucks were stickered with eight decals. The budget allowed for one further truck to be stickered and the decision was made to promote the "no plastic bags" message which is still one of the top contaminants in our recycling bins as well as promotion for the Woollahra App. Signage should be updated every 2 years depending on relevance and any new messages that might require promotion as decided by communications and the waste department.
Participate in regional waste avoidance/ reduction recycling projects and events, including National recycling week, Clean Up Australia Day, The Garage Sale Trail throughout the year (as scheduled).	Participate in Regional Events as scheduled throughout the year.	Completed / Achieved 	On schedule	This year for National Recycling week in November we focused on promoting our recycling diversion rates with an article called "How much are we recycling in Woollahra" We wanted to celebrate successes but also identify areas we can do better and reinforce recycling messages. We also ran a stall at Double Bay market and promoted all of our services. The Garage Sale Trail event took place over two weekends in November. Total garage sales were 46 with projected 23,460kg to be re-used. Council continues to engage Clean-up Australia to run schools sustainable waste management workshops. This period we focused on preschool and daycare. The program visited 10 different organisations and conducted 27 classes to children ages 3 and up. Vaucluse Primary School also had comprehensive education for all grades and focused on Nude Food where they will be introducing nude food days to decrease lunchtime waste.





Ref	Priority	Progress Comments
8.4.2	Conduct cost effective and efficient waste collection and recycling to residents and businesses and conduct organics recycling services.	Councils waste services are conducted in accordance with set budgets and schedules. 5,065 tonnes of general was collected in the reporting period which is 102 tonnes less than the same period in the previous year. 2,556 tonnes of recycling was collected during the reporting period which is 138 tonnes less than the previous year. FOGO service is provided to all residents with 2,050 tonnes of organics collected which is 7 tonnes less than the previous year.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Carry out the household clean-up collection service. The collection of non-recyclable bulky household items from 11 defined zones covering the Woollahra LGA, totalling 3 collections per zone annually.	Three collections per zone annually.	Completed / Achieved 	On schedule	Clean-up is complete for the year and waste calendars were sent out via post to all residents. A letter from the Mayor promoting our Recycle it Saturday events was also included to help provide awareness and boost numbers at these events.
Promote recycling through the E-Waste service and problem waste drop off. Complete joint collections days with Waverley and City of Sydney Councils for problem waste as scheduled and promote E-waste service through Council website and other opportunities as they arise.	Participate in cross-council events as scheduled throughout the year and provide regular updates to Councils website.	Completed / Achieved 	On schedule	Both events were undertaken successfully during this reporting period. The August event saw 834 cars driving through making it the second most attended event with 17.71 tonnes collected.
Undertake a new recycling tender and award contract.	28 February 2024.	Completed / Achieved 	On schedule	Recycling contract has met all milestones to date. The final stage will be a report to the General Manager in early 2024. Notification to winning tenderer and completion of associated documentation and contract will be undertaken in February as planned.





## Parks, Trees & Recreation

### Strategy 5.1: Enhance council provided community facilities to foster connections between people and place and enhance quality of life..


Project / Deliverable	Due By	Status	Stage	Progress Comments
Undertake investigation of swimming sites in the western harbour area of the LGA. [NOM 13/02/2023]	31 March 2024.	In Progress 	On schedule	Harbour water testing has been undertaken to determine suitable sites for swimming in the western area of the LGA, being Yarranabbe Park, McKell Park and Steyne Park. These results will be examined and dependent on the results progress with the feasibility report.
Investigate and implement actions from the Recreation Strategy. Incorporate projects pending budget allocation in the CapitalWorks budget for reporting quarterly. Prepare a forward plan of projects for future financial years.	Report on Capital Works items quarterly. Prepare the forward project plan by January 24 for inclusion in FY2024/25 budget.	In Progress 	On schedule	The objectives and actions of the Recreation Strategy are being implemented across various Capital improvement projects in our open space. Some examples of these are the half court basketball improvements at Spicer Reserve and Harbourview Park.
Subject to community consultation, construct multi use sports courts at Lough Playing Fields.	30 May 2024.	Delays 	Preliminary investigation / Scope of works	The construction method of the multi courts at Lough Playing fields has had to be re-designed due to geo technical issues which has increased the cost of the project. Further funding has been approved in the FY2023/24 CapitalWorks budget. Community consultation on the project will commence Q3 FY2023/24.
Investigate and implement actions from the Play Strategy. Incorporate projects pending budget allocation in the Capital Works budget for reporting quarterly. Prepare a forward plan of projects for future financial years.	Report on Capital Works items quarterly. Prepare the forward project plan by January 24 for inclusion in FY2024/25 budget.	In Progress 	On schedule	The objectives and actions of the Play Strategy are being implemented across various Capital improvement projects including the Lyne Park Playground upgrade, Spring Street Playground renewal and the Thornton Street Playground consultation.

**Strategy 5.3: Provide and maintain clean, attractive, accessible, connected and safe parks, sportsgrounds, foreshore areas and other public spaces and infrastructure such as roads, footpaths, bicycle facilities, stormwater drains and seawalls.**


Ref	Priority	Progress Comments
5.3.1	Ensure Plans of Management for public open spaces are updated periodically and reflect community needs and aspirations.	The 21 Crown Land Plans of Management are adopted. Works are progressing now on the Cooper Park Plan of Management and Masterplan. Initial community consultation on this project will run from Friday 17 November 2023 – Sunday 4 February 2024. Council staff will then review the feedback received and prepare a draft Plan of Management and Masterplan which will be presented to Council seeking recommendation to exhibit to the public.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Investigate and implement actions from the Crown Land Plans of Management. Incorporate projects pending allocation in the Capital Works budget for reporting quarterly. Prepare a forward plan of projects for future financial years.	30 June 2024.	In Progress 	On schedule	The objectives and actions of the Crown Land Plans of Management are being implemented across various Capital improvement projects and actions from the operational plan.
Development framework for Generic Plan of Management for Community Land and finalise prioritised schedule for development of site specific profiles. Prepare Plan of Management for Cooper Park.	30 June 2024.	In Progress 	Preparations	The development framework for the Generic Plan of Management is adopted. The Cooper Park Plan of Management and Masterplan is progressing. Initial community consultation on this project will run from Friday 17 November 2023 – Sunday 4 February 2024. Council staff will then review the feedback received and prepare a draft Plan of Management and Masterplan which will be presented to Council seeking recommendation to exhibit to the public.






Project / Deliverable	Due By	Status	Stage	Progress Comments
Commence implementation of recommendations from review of dog regulations in parks and reserves.	Within 6 months of final adoption of the review.	Delays 	On Schedule	The review of dog regulations has been undertaken including community consultation. Through the exhibition process Council staff received advice of the requirement of a Review of Environmental Effects to be undertaken for any change of use to open space. Staff are currently investigating what options are available to progress the changes and what will be required (funding and resources).

Ref	Priority	Progress Comments
5.3.2	Implement a prioritised program of capital improvements to public open spaces and recreation facilities.	The adopted CapitalWorks program continues to be implemented. Completed projects this quarter include; Trumper Park accessible pathway (Quarry Street section), Spicer Lane half-court basketball court, Robertson Park landscaping, Figtree Reserve embankment works, landscaped garden beds at Vaulcuse Bowling Club and Bay Street upgrade.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Implement Open Space CapitalWorks Program for, with a target of 90% of projects to be completed or in construction by 30 June 2024.	30 June 2024.	In Progress 	On schedule	48 projects programmed; 58% (28/48) are Completed or In Progress (defined as construction having commenced). The most recent progress update is available in the October-December 2023 <a href="#">Capital Works report</a> .


**Strategy 7.1: Protect and maintain trees, streetscapes, natural landscapes and biodiversity including the protection and restoration of bushland areas.**

Ref	Priority	Progress Comments
7.1.1	Plan and implement strategies and initiatives to enhance natural landscapes and systems and maintenance of trees.	In this period we achieved the following; <ul style="list-style-type: none"> <li>• 108 street trees</li> <li>• 24 park trees</li> <li>• 636 trees in bushland</li> <li>• 2,660 shrubs planted in bushland</li> <li>• 5,200 groundcovers in bushland</li> <li>• 93% of bushland in under regeneration</li> <li>• 69% of bushland is fully regenerated.</li> </ul>

Project / Deliverable	Due By	Status	Stage	Progress Comments
Continue to advocate, through Mayoral and GM Forums, including SSROC, for amendments to Ausgrid tree clearance requirements, with a view to reducing canopy loss.	Ongoing 30 June 2024.	In Progress 	On schedule	Continue to advocate, through Mayoral and GM Forums, including SSROC, for amendments to Ausgrid tree clearance requirements, with a view to reducing canopy loss. With the adoption of the UFS, this issue will again be raised with Ausgrid in the Ausgrid working party scheduled for Q3 of FY2023/24.
Commence implementation of actions from the Urban Forest Strategy.	31 March 2024.	In Progress 	On schedule	The Urban Forest Strategy is now adopted. Recruitment of the Urban Forest Strategy team is a priority which is progressing. It is intended to commence the recruitment process in February 2024.
Prepare multi-year schedule of pruning for Hills Figs in streets and commence pruning program.	Ongoing 30 June 2024.	In Progress 	On schedule	The Fig Management Plan is adopted and has been included as an addendum to the Tree Management Policy. The new clearances have been incorporated into our existing tree maintenance schedule. In Q3 23/24 staff will look to engage a suitable Consultant to prepare the multi-year pruning schedule.


Ref	Priority	Progress Comments
7.1.2	Implement a prioritised program of capital improvements to natural areas.	Capital improvements throughout our natural areas are implemented with the guidance of our asset register and Biodiversity Strategy. Examples of these works include the maintenance of the Cooper Park pond to remove sediment and plant further vegetation for improved water quality and water management.

**Strategy 11.1: Build an efficient organisation that places customers and the community at the heart of service delivery.**

Project / Deliverable	Due By	Status	Stage	Progress Comments
Recruitment of new parks maintenance team.	Recruitment complete by 15 December 2023.	Delays 	On schedule	There has been an active recruitment drive undertaken for this new team. 4 out of the 5 positions have been filled. Some of the initial projects the team have undertaken are the Vacluse Bowling Club and Bay Street upgrade garden beds.


**Strategy 11.2: Secure Council's financial position.**

Ref	Priority	Progress Comments
11.2.2	Achieve sustainable asset management through the integration of strategic asset planning with financial planning.	The reviewed Asset Management Plan for Open Spaces (playgrounds, fencing, multipurpose facilities) was adopted by Council on 28 November 2022 and continue to be updated.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Commence implementation of actions from Open Space & Trees service review.	30 September 2023.	In Progress 	On schedule	The Open Space & Service Review was adopted by Council in November 2023. Funding to facilitate various actions was included in the September Budget review. Further expansionary items are included in the draft FY2024/25 Operational Budget. One item from the review includes the implementation of the Urban Forest Strategy which has commenced.

## Land & Building Services


### Strategy 5.1: Enhance council provided community facilities to foster connections between people and place and enhance quality of life.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Undertake feasibility study for potential rebuild of Holdsworth Centre.	31 March 2024.	Delays 	In Draft	Initial meeting with Holdsworth Centre completed. Brief for quotations being prepared.

Ref	Priority	Progress Comments
5.1.2	Implement a prioritised program of capital improvements to community facilities.	Capital works delivery is detailed in the October-December 2023 <b>Capital Works report</b> where detailed progress updates of individual projects is provided.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Implement Property & Projects Capital Works Program, with a target of 90% of projects to be completed or in construction by 30 June 2024.	30 June 2024.	In Progress 	On schedule	46 projects programmed; 57% (27/46) are Completed or In Progress (defined as construction having commenced). The most recent progress update is available in the October-December 2023 <b>Capital Works report</b> .


### Strategy 9.1: Collaborating to achieve great placemaking outcomes in our local centres which are hubs for jobs, shopping, dining, entertainment, and community activities.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Cross Street Carpark Project- Attain Public Private Partnership (PPP) approval and finalise Project Development Agreement for the project.	28 February 2024.	Delays 	Preparations	Negotiations toward a non-binding Heads of Agreement are continuing with the preferred development partner, Pallas Group/Fortis Consortium. A report on the status of negotiations was tabled in Q2. A further report will be tabled in February 2024.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Redevelopment of Wilberforce Avenue Car Park Rose Bay - Subject to approval of DA, undertake tender for engagement of construction contractor.	28 February 2024.	In Progress 	On schedule	Development consent was granted in November 2023. Tenders for construction to be called in Q3/Q4 FY23/24. Loan facility for construction costs (as per SRV) currently being procured.

**Strategy 11.2: Secure Council's financial position.**

Ref	Priority	Progress Comments
11.2.3	Maximise return from Council's commercial premises.	Review of commercial properties underway to identify potential opportunities for further development and/or income generating opportunities.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Complete tenders for car park management services and Kiaora Place management and enter new contracts for each.	30 April 2024.	In Progress 	On schedule	Tender documents for car parks management being finalised and will be advertised in February 2024.

Ref	Priority	Progress Comments
11.2.4	Explore opportunities to leverage Council assets for commercial return.	As part of Council's review to maximise return from Council's commercial premises, opportunities to leverage Council assets for commercial return is being incorporated.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Complete the property holdings review commenced in 2022/23 and commence implementation of recommended actions.	29 February 2024.	In Progress 	On schedule	A review of Council's commercial premises is underway to then assess potential for further development and / or income generating opportunities.


## Transport & Engineering

### Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes and place and enhance quality of life.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Continue to work with Ausgrid, and advocate through SSROC and State Government, to minimise the impact of electrical infrastructure on the public domain.	Ongoing, 30 June 2024.	In Progress 	On schedule	Council staff continue to have ongoing discussions with Ausgrid on the issue. Council staff will also seek support from SSROC to minimise these impacts.


### Strategy 5.5: Renew and upgrade ageing infrastructure including roads, footpaths, stormwater drains and seawalls..

Ref	Priority	Progress Comments
5.5.1	Prepare and implement asset management plans for all classes of public infrastructure.	Council's Infrastructure Assets are reviewed every five years and this information is used to develop Council's five year Infrastructure Renewal Capital Works Forward Program. The program is reviewed annually and informs the annual Delivery Program and Operational Plan (DPOP).
5.5.2	Implement the Infrastructure Capital Works Programs for renewal for all classes of public infrastructure.	Capital works delivery is detailed in the October-December 2023 <b>Capital Works report</b> where detailed progress updates of infrastructure projects is provided.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Implement the Infrastructure Capital Works Program for renewal of all classes of public infrastructure with a target of 90% of projects to be completed or in construction by 30 June 2024.	30 June 2024.	In Progress 	On schedule	76 projects programmed; 76% (58/76) are Completed or In Progress (defined as construction having commenced). The most recent progress update is available in the October-December 2023 <b>Capital Works report</b> .

**Strategy 6.1: Facilitate an improved network of accessible and safe active transport options.**

Ref	Priority	Progress Comments
6.1.1	Provide for sustainable, safe, convenient and efficient local movement of pedestrians, other alternative active transport and vehicles and support improved and accessible public transport.	The Woollahra Active Transport Plan is a visionary long term document which will guide investment and design decisions for the next 10-15 years for both walking and cycling, and includes designs for 10 high quality cycling and pedestrian projects. The Woollahra Active Transport Plan was adopted by Council on 15 November 2023.




Project / Deliverable	Due By	Status	Stage	Progress Comments
Complete construction of Open Space Legacy Project – Bay Street Pedestrian Plaza.	31 December 2023.	In Progress 	On schedule	Construction is well underway and all civil works are expected to be completed by the end of January 2024.

**Strategy 6.3: Reduce traffic congestion, noise and speeding.**

Ref	Priority	Progress Comments
6.3.1	Maintain public parking infrastructure, manage parking across the municipality and reduce vehicle speed and traffic congestion through the introduction of traffic management facilities.	Parking is reviewed by Council's Traffic & Transport Section on an on-going basis. Parking reports are prepared for the consideration of the Woollahra Traffic Committee and Council's Finance, Community and Services Committee. A review of the Resident Permit Parking area in Watsons Bay was undertaken in 2023 and was reported to Woollahra Local Traffic Committee in August 2023. Council then endorsed a trial permit parking scheme on 15 November 2023 and was implemented for the summer months.

**Strategy 11.2: Secure Council's financial position.**

Ref	Priority	Progress Comments
11.2.2	Achieve sustainable asset management through the integration of strategic asset planning with financial planning.	A review of the Land Improvement (Retaining walls, Seawalls and Harbourside Structures), Transport, and Stormwater Asset Management Plans was undertaken to update the latest information, accordingly. This continuing process assists with the ability to effectively program the renewal of assets based on their condition ratings and then are incorporated into our future capital works program.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Asset revaluation for infrastructure and open space assets completed.	30 April 2024.	In Progress 	On schedule	A review of the Land Improvement (Retaining walls, Seawalls and Harbourside Structures), Transport, and Stormwater Asset Management Plans was undertaken to update the latest information, accordingly. This continuing process assists with the ability to effectively program the renewal of assets based on their condition ratings and then are incorporated into our future capital works program. An audit on all condition ratings to the assets is well underway with anticipation to be completed in April 2024.
Review Asset Management Plans structure and methodology in preparation for development of new Asset Management Plans in FY2024/25.	30 April 2024.	In Progress 	On schedule	A review of the Asset Management Plans will be undertaken once the audit on condition ratings for assets is completed.
Rollout bus shelter advertising in accordance with new contract.	29 February 2024.	In Progress 	On schedule	Roll-out for Bus Shelter advertising and new bus shelters have commenced late 2023. Civil works will begin late January 2024 and it is anticipated that all sites will be completed by April 2024.



## Development Assessment

### Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes and place and enhance quality of life.

Ref	Priority	Progress Comments
4.1.2	Deliver high quality and timely development assessment.	The principal performance indicator for the Development Assessment Department is that we continue to provide an effective and efficient development control service. The performance of Development Assessment is outlined below.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Deliver development assessment processing times of 95 days and 117 days (net and gross mean) <i>Note: Net Mean is the total processing time which excludes the number of days the applicant is given to provide further information (Stop the Clock letter). Gross Mean is the overall processing time with no deductions.</i>	Ongoing, 30 June 2024.	Delays 	Under review	Q1 processing times not achieved (169 net mean days and 177 gross mean days); Q2 processing times not achieved (162 net mean days and 167 gross mean days). The average for the full FY22/23 was 111 net mean days and 135 gross mean days. The overall net and mean processing times in the 1st and 2nd quarters of FY23-24, have not met the benchmark requirement. The recommendations put forward in the DA Review process undertaken by Morrison Low have been adopted and a number have now been implemented including the new delegations model and face-to-face DARC meetings. It is anticipated that the benefit of these new recommendations will assist in improving overall processing times.

### Workload and Productivity

The following table shows the number of DAs and s.4.55 applications lodged compared to the number of DAs determined during this reporting period. A Section 4.55 Modification Application is an application to modify an approved Development Application.

Quarter	# DAs Lodged	# DAs Determined	# s.4.55 Lodged	# s.4.55 Determined
3rd 2022/23	102	149	86	91
4th 2022/23	127	138	108	97
1st 2023/24	133	105	107	98
2nd 2023/24	121	147	102	110

The following table shows both DAs and modification applications lodged and determined during the 1st and 2nd quarters of 2023/2024.

Quarter	Total Applications Received	Total Applications Determined
3rd 2022/23	188	240
4th 2022/23	235	235
1st 2023/24	240	203
2nd 2023/24	223	257

#### Decision makers

The following table shows where decisions on DAs (excludes s.4.55 applications) were made during the 1st quarter.

Level of Delegation	Total # of DAs	% of Total	Approved	Refused
Staff	44	46.8%	40	4
Application Review Panel	17	18.1%	17	0
Application Assessment Panel	17	18.1%	17	0
Local Planning Panel	16	17%	9	7
Sydney Eastern City Planning Panel	0	0	0	0
<b>Total</b>	<b>94</b>	<b>100%</b>	<b>83</b>	<b>11</b>

Note: The above figures do not include DAs which were rejected within 7 days of lodgement or withdrawn. In total **11** DAs were rejected or withdrawn.

The following table shows where decisions on DAs (excludes s.4.55 applications) were made during the 2nd quarter.

Level of Delegation	Total # of DAs	% of Total	Approved	Refused
Staff	73	53.3%	67	6
Application Review Panel	26	19%	26	0
Application Assessment Panel	7	5.1%	7	0
Local Planning Panel	30	21.9%	14	16
Sydney Eastern City Planning Panel	1	0.7%	1	0
<b>Total</b>	<b>137</b>	<b>100%</b>	<b>115</b>	<b>22</b>

Note: The above figures do not include DAs which were rejected within 7 days of lodgement or withdrawn. In total **10** DAs were rejected or withdrawn.

## Appeals

The following table shows the number of appeals lodged during the following quarters. Specific details of all appeals, are tabled and reported quarterly to the EPC.

Quarter	Appeals Lodged
3rd 2022/23	13
4th 2022/23	19
1st 2023/24	18
2nd 2023/24	15

Given the current number of appeals being dealt with is extremely high, the level of legal activity and staff resourcing (preparation of Statement of Facts and Contentions, Statements of Evidence and Court attendance) is also high. This has a direct influence on Council's DA processing times.

## Turnaround Times

The following tables provides a summary of the net and gross mean processing times in days for Development Application (excludes s.4.55 applications) determinations:

Measure	Avg. FY 2021/22	1st Qtr 2022/23	2nd Qtr 2022/23	3rd Qtr 2022/23	4th Qtr 2022/23	Avg. FY 2022/23	1st Qtr 2023/24	2nd Qtr 2023/24	YTD Avg. FY 2023/24
<b>Overall</b>									
Net Mean	<b>108</b>	106	105	115	117	<b>111</b>	169	162	<b>166</b>
Gross Mean	<b>124</b>	124	129	140	144	<b>135</b>	177	167	<b>172</b>
<b>Staff Delegated</b>									
Net Mean	<b>65</b>	62	68	71	81	<b>71</b>	88	104	<b>96</b>
Gross Mean	<b>81</b>	76	86	97	100	<b>90</b>	90	109	<b>100</b>
<b>ARP</b>									
Net Mean	<b>123</b>	111	105	149	134	<b>126</b>	232	267	<b>250</b>
Gross Mean	<b>151</b>	131	151	182	173	<b>159</b>	242	277	<b>260</b>
<b>AAP</b>									
Net Mean	<b>238</b>	203	224	219	198	<b>211</b>	320	270	<b>295</b>
Gross Mean	<b>288</b>	267	238	266	288	<b>265</b>	327	286	<b>307</b>
<b>LPP</b>									
Net Mean	<b>193</b>	178	216	183	180	<b>189</b>	275	218	<b>247</b>
Gross Mean	<b>223</b>	229	248	225	227	<b>232</b>	288	231	<b>260</b>

The overall net and mean processing times in the 1st and 2nd Quarters of 2023-2024 have not met the benchmark requirement of a 15% reduction in net and gross mean processing times based over the past three years of activity. This benchmark equates to 95 and 117 days, respectively.

This can be attributed to the following factors:

1. Referral turnaround times are too high, directly affecting processing times.
2. The proportion of applications determined under Staff delegation was relatively low 46.8% and 53.3% for the respective quarters when compared to the average proportion of previous quarters (60%). This has a direct influence on the overall processing times.
3. A greater proportion of applications being determined via LPP.
4. A significant number of determined applications, in total 47, were aged applications (>300 days). These have a direct influence on the overall processing times.
5. The high number of Class 1 appeals.

### Outcomes

The following positive outcomes were achieved in the reporting period:

- The productivity of Development Assessment in terms of processing DAs and related applications including case handling of Class 1 appeals has been high.
- Successful planning outcomes have been achieved in Class 1 appeals.
- The DA processing times for applications determined via ARP, AAP and LPP have improved over the 2nd quarter when compared to the 1st quarter.
- A significant number of aged applications (>300 days), have been cleared.
- The recommendations put forward in the DA Review process undertaken by Morrison Low have been adopted and a number have now been implemented including the new delegations model and face-to-face DARC meetings. It is anticipated that the benefit of these new recommendations will assist in improving overall processing times.

### Service review implementation update

At its meeting of 15 November 2023, Council noted a recommendation for implementation of 14 of 17 proposed actions following a service review into the DA process. The following progress has been in the reporting period:

Ref	Recommendation	Progress Comments
S13	Review the delegations policy to ensure that applications are determined by the most efficient process. If a value-based approach is maintained, consider indexing the value or scheduling a periodic review	<p>As per the recommendation made to the S&amp;C Committee and resolved by Council (refer part D) 15 November 2023, the following cost of works thresholds and staff delegation changes implemented from 1 December 2023:</p> <ul style="list-style-type: none"> <li>The cost of works threshold for staff (Team Leader) level being increased from \$500K to &lt; \$1M</li> <li>The cost of works threshold for ARP being increased from \$500K to between \$1M or greater to &lt; \$5M</li> <li>The cost of works threshold for AAP being increased from \$2M to \$5M or greater.</li> </ul> <p>The determination times in this current progress report will be the baseline to measure the impact of the 1 December 2023 changes in the next January – June 2024 progress report.</p>
H7	Review resource requirements to ensure sufficient resources exist to meet required response timeframes	<p>Additional external contractor resources were approved as part of the September 2023 QBR for use by referral teams until 30/06/24.</p> <p>The impact of these temporary resources are being monitored to inform ongoing operational resource needs.</p>
S10	Review the DARC process to ensure that all participants engage fully in the process and apply consistent criteria to requesting further information, requesting referrals, applying standard conditions and making no comments on applications	DARC process changes have been implemented from 17/1/24. The impact of these changes will be reported in the January – June 2024 progress report.
S11	Design and implement prioritisation processes to facilitate faster processing of simple or uncomplicated DAs	DARC process changes have been implemented from 17/1/24. The impact of these changes will be reported in the January – June 2024 progress report.



Ref	Recommendation	Progress Comments
S9	As part of systems review, place more information on council's website	<p>Council resolved 15 November 2023:</p> <p>* E. Request staff to investigate and report on:</p> <p>(a) The viability of lodgement via a digital platform integrated with the NSW Planning Portal which:</p> <ul style="list-style-type: none"> <li>i. Automatically identifies missing parts of any application prior to being provided to an Assessment Officer; and</li> <li>ii. Provides better notification and communication processes to applicants and staff, identifying questions and an indicative timeline for each DA</li> <li>iii. Explains how Woollahra Council systems can be more efficiently integrated given the various IT systems that are in use by Woollahra Council.</li> </ul> <p>(b) Prioritisation of referrals in the application process with a view to separate applicants deemed 'simple' and those deemed 'complex' with each stream to remain in the 'first come, first-served basis'.</p> <p>Regarding part (a), the NSW Government has announced \$5.6 million in the Budget for an AI pilot project to support councils in faster decision-making, compliance checking, and to create workflow efficiencies in the development assessment process. Council is participating in the 'AI in NSW Planning' project with the Department of Planning and Environment which aims to identify existing, fit for purpose AI and digital solutions that will create DA workflow efficiencies, with a focus on the pre-lodgement phase. The project aims to provide solutions that would be available for council procurement via a panel arrangement through a competitive process led by the Department.</p> <p>Council staff attended an AI workshop held by the Department of Planning and Environment in December 2023 and are participating in the pilot program.</p> <p>Additionally, an expansionary request has been included in the draft 2024/25 operational budget for third party vendor costs to improve the functionality of Development Assessment information on Council's website.</p> <p>Regarding part (b), please refer to recommendation S11 update above.</p>








## Strategic Planning, Heritage Conservation & Place




**Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes and place and enhance quality of life.**




Ref	Priority	Progress Comments
4.1.1	Ensure that Council's strategic planning framework, Local Environmental Plans and Development Control Plans are regularly reviewed, are consistent with relevant Metropolitan plans and provide a planning and compliance framework which will result in appropriate high quality development and incorporates community concerns and ideals.	<p>During this reporting period, our priorities were to:</p> <ol style="list-style-type: none"> <li>1. Finalise both the Edgecliff Commercial Centre and Double Bay Centre planning and urban design strategies, and report them to Council late 2023 / early 2024.</li> <li>2. Advocate to the NSW Government on the Housing and Productivity Contribution, affordable housing density bonuses and issues around no net loss.</li> <li>3. Assess and progress proponent-led planning proposals, including 136-148 New South Head Road and Old South Head Rd / Abermarle Avenue.</li> <li>4. Prepare amendments to the Woollahra DCP 2015 e.g. for substations and electrical infrastructure and progress site specific amendments e.g. 252-254 New South Head Road.</li> <li>5. Appoint consultants to progress the Paddington Public Domain Strategy.</li> </ol>


Project / Deliverable	Due By	Status	Stage	Progress Comments
Assessment of all <b>Proponent Initiated Planning Proposals</b> in accordance with Statutory requirements	Ongoing, 30 June 2024.	In Progress 	Ongoing	Consistent with the specifications in the DPHs Local Environmental Plan Making Guideline, Council staff endeavour to progress planning proposals in accordance with the identified timelines.
Establish <b>development controls for Substations &amp; Electrical Infrastructure.</b> [NOM 14/02/22]	31 December 2023.	Complete / Achieved 	Complete	On 14 August 2023, Council resolved to exhibit amendments for Substations and Electrical Infrastructure. These were on exhibition from 5 September to 8 October 2023, and endorsed by Council on 15 November 2023. These came into effect on 8 December 2023.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Establish <b>development controls for private Basketball Courts</b> in residential zones.	30 June 2024.	Not Yet Commenced 	Awaiting commencement date	A report on this matter is intended to be tabled in the first half of 2024.
Report to Council on the Implementation strategy for the <b>Edgecliff Commercial Centre</b> , including planning proposal development control plan and public domain plan. (UPC delegated 16/11/2015)	30 September 2023.	In Progress  	Post-exhibition review	On 29 March 2021, a report on the draft strategy and supporting documents was presented to a meeting of the Strategic and Corporate Committee requesting public exhibition. On 26 April 2021, Council resolved to publicly exhibit the draft strategy and supporting documents. Exhibition commenced on 31 May 2021 and the exhibition period was extended until 30 September 2021. Since this time, Council staff have commissioned a heritage study, which is being prepared by GML which will inform the scope of the Strategy. In response to the issues raised in the submissions and the heritage study, a Councillor briefing was held on 17 July 2023. Further to this briefing, Council staff have commissioned additional studies in relation to an Affordable Housing Scheme to further inform the Strategy.  A post-exhibition report including the updated ECC Strategy, the Public Domain Plan and the Transport Study, is anticipated to be presented to the Strategic and Corporate Committee in the first half of 2024.
Prepare a site specific Development Control Plan to <b>strengthen Protections for Character Buildings</b> [NOM 14/02/2022]	30 June 2024.	Complete / Achieved  	Complete; next step is a heritage study (refer to action in 4.2.1)	A report on this matter was considered by EPC on 4 September 2023, and on 11 September 2023 Council resolved to remove controls for character buildings in the Double Bay Centre, and initiate a heritage study for the Rose Bay Centre.





Project / Deliverable	Due By	Status	Stage	Progress Comments
Exhibit amended planning controls to increase the <b>minimum lot size to construct an attached dual occupancy development in the R2 Low Density Residential Zone</b> to 800m <sup>2</sup> , (which on 22/02/2021 Council Resolved to increase the minimum lot size from 800m <sup>2</sup> to 1200m <sup>2</sup> ).	31 March 2024.	Delays 	Preparations; next step is a report to Council when response received from DPHI	Council staff wrote to the DPHI on 8 November 2023 seeking advice on a way forward for dual occupancy minimum lot sizes. At the time of preparing this report, staff were waiting on a formal response. However, we note that the current reforms for R2 zone housing may permit a 450sqm lot size for dual occupancies if progressed. Staff are separately preparing a submission on the proposed reforms, and will report this to a future meeting of Council.
Prepare site specific development controls for <b>252-254 New South Head Road, Double Bay</b>	30 September 2023.	Complete / Achieved 	Complete	A Draft site specific DCP was considered by EPC on 5 June 2023 and Council resolved to place the draft DCP on exhibition on 26 June 2023. The exhibition took place from 19 July to 18 August 2023. The submissions were considered by the EPC meeting of 3 October 2023, and on 9 October. Council resolved to approve the DCP. The new controls commenced on 27 October 2023.
Finalise Planning Proposal and amendments to the Development Control Plan (post-exhibition) for <b>136-148 New South Head Road, Edgecliff</b>	31 March 2024.	In Progress 	Post-exhibition review	The applicant lodged a request for a planning proposal on 13 October 2022, which was referred to the WLPP on 22 April 2022. The WLPP advised Council that it did not support the planning proposal as a standalone (as it did not have sufficient strategic or site specific merit) and that consideration of uplift on the site should be incorporated in the draft Edgecliff Planning and Urban Design Strategy. The WLPP advice was reported to a meeting of the Council in July 2022 where Council resolved not to support the planning proposal.  The Sydney Eastern District Planning Panel considered the applicant's rezoning review request on 18 August 2022 and resolved that the planning proposal had strategic

Project / Deliverable	Due By	Status	Stage	Progress Comments
Report to Council on the <b>Paddington Public Domain Strategy</b> outcomes.	30 June 2024.	In Progress 	On Schedule	<p>and site specific merit and that it should be submitted to the DPE with a request for a Gateway Determination. At the meeting of Council on 12 September 2022 Council accepted the role of Planning Proposal Authority and staff submitted the gateway request on 28 November 2022.</p> <p>The then DPE issued a Gateway determination on 23 April 2023. Council requested an alteration to the Gateway determination which was approved in September.</p> <p>The planning proposal was on exhibition from 26 September 2023 – 5 November 2023. A post-exhibition report is scheduled for a meeting of Council in the first quarter of 2024. The site specific DCP will then be prepared.</p> <p>In November 2023 Council staff appointed consultants Spackman Mossop Michaels to progress this project. Since that time staff have carried out key stakeholders meetings. A Draft strategy is being prepared for further review and consultation.</p>
Implement amendments to planning controls as a consequence of <b>excavation, Subterranean building and dewatering in Double Bay</b> (CR 25/02/2019) & Prepare a further report to limit excavation and dewatering in the <b>most impacted zones in the Double Bay Floodplain</b> (CR 25 October 2021)	30 June 2024.	In Progress  	On Schedule; next step is a report to Council	<p>On 12 April 2021, the EPC considered a report on the Double Bay hydrogeological and geotechnical impacts prepared by GHD. On 26 April 2021, Council resolved to prepare a planning proposal and draft DCP provisions. This planning proposal was reported to the LPP on 20 May 2021. A further Council resolution dated 25 October 2021 approved the draft amendments to the DCP and the planning proposal to the DPE.</p> <p>The planning proposal was exhibited from 16 February 2022 to 18 March 2022, and a post exhibition report was presented to the EPC on 4 April 2022.</p> <p>On 2 September 2022, Amendment 25 to the Woollahra LEP 2014 came into force and was published on the NSW Legislation website. The amendments require the consent authority to consider the potential impacts of construction dewatering, including any effects on the structural integrity of surrounding properties.</p>

Project / Deliverable	Due By	Status	Stage	Progress Comments
Local Planning Panel <b>excavation report</b> [NOM from EPC of 07/08/23]	30 June 2024.	In Progress 	On Schedule	<p>Having made amendments to both the LEP and DCP in response to the Double Bay hydrogeological and geotechnical study prepared by GHD, on 11 April 2023 Council considered a report and recommendations from the EPC meeting of 3 April 2023, and resolved to make minor amendments to the Woollahra DCP 2015 to improve the nexus between the excavation provisions and the groundwater (hydrogeology) provisions and to enhance the prominence of the groundwater (hydrogeology) provisions in Chapter E2. Because these are minor administrative amendments, it was resolved that these would be undertaken concurrently with another DCP amendment. A hydrogeological and geotechnical assessment of the Rose Bay basin area has commenced and is expected to be reported to Council in April/ May 2024.</p> <p>The amendments to the Woollahra DCP (in response to the issues raised for Double Bay) will be prepared and exhibited concurrently with changes which will arise from the Rose Bay basin study.</p> <p>A review of recent DA determinations to determine the level of volume of excavation non-compliance is currently being undertaken. In December 2023 legal advice was sought in relation to the effectiveness of Council's current excavation controls, and what opportunities for improvement there are. A report on this matter is expected to be tabled at a meeting of Council in the first half of 2024.</p>



Project / Deliverable	Due By	Status	Stage	Progress Comments
Write to the Minister & DPIE (with supporting planning evidence) seeking an exemption from the provision of <b>SEPP Housing for Seniors or People with a Disability</b> 2004, and provide an update report.	30 June 2024.	In Progress 	Preparations	<p>A report on this matter was endorsed by Council on 26 July 2021. On 30 August 2021, a submission was made to the Minister and an action was included in the Woollahra Local Housing Strategy. On 25 September 2021, Council received a response from the Minister indicating that this issue would be considered as part of the consultation of the draft Housing SEPP. Subsequent to this correspondence, the Housing SEPP commenced on 26 November 2021 and a key change is that "residential care facilities" are no longer permitted in the R2 Low Density Zone (with minor exemptions). However, on 1 July 2022 via Departmental Media Release, Council was notified that the Housing SEPP was amended to permit independent living units (ILUs) in the R2 zone to be carried out by ANY person. The Mayor subsequently wrote to the Minister expressing Council's concern and disappointment with this amendment, and requesting that ILUs are not permitted in the R2 zone in the Woollahra LGA.</p> <p>Also, in May 2022 Council made a submission to the DPE requesting that land within HCAs in the Woollahra LGA is permanently excluded from seniors housing. This request was made consistent with previous advice from the DPE outlining that councils may seek to permanently exclude seniors housing from applying to HCAs where it can be demonstrated that suitable housing has been adequately provided in other areas of the LGA. However, in July 2022 the DPE advised that it would not support any requests to permanently exclude seniors housing from land identified as a HCA, i.e. contrary to their previous position, and that the potential impacts</p>




Project / Deliverable	Due By	Status	Stage	Progress Comments
<b>Employment Zone</b> reforms	30 June 2024.	In Progress 	Preparations	<p>of seniors housing on HCAs needs to be managed through the DA process like other forms of development. The DPE also advised it was revising its design guidance for seniors housing to help inform the design and assessment of new seniors housing under the Housing SEPP. In November 2022 proposed amendments to the Housing SEPP were exhibited, and staff made a submission requesting that ILU are not permitted in the R2 Low Density Residential Zone. The Seniors Housing Design Guide was approved by the Minister in November 2023 and published by the DPE in December 2023. The Guide replaces the Seniors Living: Urban Design Guidelines for Infill Development (2004) for seniors housing development. Staff are reviewing the new Guide to identify potential amendments to Council's local planning controls, having regard to the need that any proposed changes should not be inconsistent or duplicate the State planning provisions which apply to seniors (ie Housing SEPP &amp; Seniors Housing Design Guide, and SEPP 65 &amp; Apartment Design Guide). An update with advice will be reported to Council in the first half of 2024.</p> <p>In April 2023 the DPHI made changes to business and industrial land use zones in all LEPs across NSW. As a consequence of this, Council staff are required to update the DCP, consistent with these amendments. A report was tabled to the EPC meeting of 3 October 2023, and on 9 October 2023 Council resolved to prepare and exhibit a draft DCP. Exhibition will commence in the first quarter of 2024, and a post exhibition report will be presented to a future meeting of Council.</p>

Project / Deliverable	Due By	Status	Stage	Progress Comments
Planning Proposal for <b>488-492 Old South Head Road &amp; 30 Albemarle Avenue, Rose Bay</b>	30 June 2024.	Delays 	Awaiting external gateway approval; next step is public exhibition	The applicant lodged a request for a planning proposal on 5 May 2022 to facilitate a four storey mixed use development on the site. Following discussions between the proponent and staff, the applicant lodged a revised planning proposal on 12 April 2023. The planning proposal was considered by the WLPP on 6 July 2023 for advice. In response to the advice of the WLPP, the proponent submitted a revised planning proposal on 31 July 2023. This matter was considered by the EPC on 7 August 2023 and on 14 August 2023, Council resolved to refuse the planning proposal. On 6 September 2023, the applicant lodged a rezoning review with the DPE (RR-2023-20). On 9 November 2023, the Sydney Eastern City Planning Panel determined that the planning proposal should be submitted for Gateway determination and has appointed itself as the planning proposal authority to finalise the matter. The planning proposal has been submitted for Gateway determination with the DPE and is currently under assessment. Subject to a Gateway determination being issued, it is anticipated that exhibition will occur in the first half 2024.




#### Strategy 4.2: Conserving our rich and diverse heritage.





Ref	Priority	Progress Comments
4.2.1	Implementation of the Heritage Gap Analysis which includes maintaining a program of heritage research and potential new conservation areas and heritage items.	During this reporting period, our priorities were to: <ol style="list-style-type: none"> <li>1. Progress the Edgecliff Commercial Centre Heritage Study to a meeting of the WLPP.</li> <li>2. Finalise the Double Bay Heritage Study.</li> <li>3. Finalise the places of worship planning proposal.</li> <li>4. Appoint consultants to progress the following studies: Rose Bay schools, Modern, Interwar flat buildings and significant architects.</li> </ol>







Project / Deliverable	Due By	Status	Stage	Progress Comments
Finalise Planning Proposal for <b>places of worship</b> in the Woollahra Local Government Area [NOM 8/04/19]	31 March 2024.	In Progress 	Post-exhibition review	<p>A planning proposal to list 5 places of worship was reported to the WLPP on 13 December 2022, who advised Council to proceed with the planning proposal.</p> <p>The advice of the WLPP was reported to a meeting of the Council on 27 March 2023, where Council resolved to support the heritage listing of four (of the five) places of worship. The St George Greek Orthodox Church was removed from the planning proposal at this time, with Council requesting that further community engagement be undertaken to further understand the significance of the place.</p> <p>The revised Places of Worship Planning Proposal consisting of four sites (The Sydney Chevra Kadisha, Paddington Church of Christ, St Andrews Scots Presbyterian Church, and Vacluse Uniting Church) was submitted to DPE in May 2023 for a Gateway determination.</p> <p>The planning proposal was exhibited between 19 July 2023 and 18 August 2023. On 11 September 2023 Council considered a post exhibition report, and resolved to approve the proposed heritage listings. Staff are currently working with the DPHI to finalise the LEP amendment.</p>
Investigate the potential heritage significance of the <b>St George Church, Rose Bay</b>	30 June 2024.	In Progress 	Post-exhibition review	<p>A planning proposal to list the St George Greek Orthodox Church was endorsed by Council on 14 August 2023 and Gateway Approval was received on 18 October 2023. The planning proposal was on exhibition from 15 November to 17 December 2023, and it is anticipated that a post exhibition report will be presented to a meeting of Council in the first quarter of 2024.</p>

Project / Deliverable	Due By	Status	Stage	Progress Comments
Report to Council on an assessment of heritage significance for <b>Old School Hall, Rose Bay Public School, Albemarle Ave, Rose Bay, and McAuley Catholic School and outbuildings</b> (formerly Christian Brothers College Rose Bay) (CR 8/04/19)	31 March 2024.	In Progress 	Preparations	In June 2023 heritage consultants Artefact were engaged to progress this study. Subject to the recommendations of the heritage study, consultation with the relevant landowners will occur in early 2024.
Finalise Planning Proposal for the heritage listing of <b>Wilkinson buildings.</b> (CR 24/11/14)	30 September 2023.	Delays 	Post-exhibition review	A planning proposal to list 5 additional Wilkinson buildings as local heritage items was reported to the WLPP meeting of 1 September 2022, where the WLPP provided advice to proceed with the planning proposal. This advice was considered by the EPC on 4 October 2022 and Council resolved to proceed with the planning proposal on 31 October 2022. Public exhibition was undertaken from 8 February to 10 March 2023. A post exhibition report was considered by the EPC on 1 May 2023, and on 8 May 2023 Council resolved to finalise the planning proposal. As at December 2023, the planning proposal was being finalised with the DPHI.
Finalise Planning Proposal for new heritage items in the <b>Double Bay Centre</b> (CR 26/04/2021)	31 March 2024.	In Progress 	Post-exhibition review	In February 2022 Council staff engaged heritage consultants LSJ to undertake a Heritage Significance Assessment of buildings in the Double Bay Centre. The assessment report and accompanying planning proposal were presented to the WLPP on 13 December 2022 for advice. The WLPP advised Council to proceed with the planning proposal and the advice of the Panel was presented to the EPC meeting of 6 March 23 and the planning proposal endorsed by Council on 27 March 2023.



Project / Deliverable	Due By	Status	Stage	Progress Comments
Heritage Listing of <b>Lapin House, Rose Bay</b>	31 March 2024.	In Progress 	Post-exhibition review	<p>The planning proposal was on exhibition from 16 August to 5 September 2023. A post exhibition was considered by EPC on 6 November 2023 and on 15 November Council resolved to finalise the planning proposal. The finalisation of the planning proposal to list the four properties as heritage items is underway.</p> <p>At the meeting of 11 September 2023, Council resolve to proceed with a planning proposal to list Lapin House as a heritage item. The planning proposal was on exhibition from 24 October to 21 November 2023, and a post exhibition report was considered at the EPC meeting of 4 December 2023. On 11 December 2023, Council resolved to finalise the LEP. Council staff will liaise with the DPHI in the first quarter of 2024 to have the matter finalised.</p>
Preparation of <b>Edgecliff Centre heritage study</b> and planning proposal for implementation	31 December 2024.	In Progress 	On Schedule	<p>In 2022, GML were appointed to prepare the Edgecliff Commercial Centre Heritage Study. Having produced a draft study, consultation with the owners of affected buildings took place in the second half of 2023. The Edgecliff Commercial Centre Heritage Study (and accompanying planning proposal) was reported to a meeting of the WLPP on 20 October 2023 and the study and its recommendations are being revised by the consultant based on feedback from the WLPP. The Study and planning proposal will be reported to a Council meeting in the first half of 2024.</p>
Report to Council on the assessment of heritage significance of <b>543-549 Glenmore Road, Edgecliff.</b> (CR 5 July 2021)	30 September 2023.	Delays 	Awaiting Council decision	<p>An assessment of the heritage significance of these buildings was undertaken as part of the wider Edgecliff Commercial Centre Heritage Study being prepared by GML Heritage. The Edgecliff Commercial Centre Heritage Study (and accompanying planning proposal) was reported to a meeting of the WLPP on 20 October 2023 and the study and its recommendations are being revised by the consultant based on feedback from the WLPP. The Study and planning proposal will be reported to meeting of Council in the first half of 2024.</p>



Project / Deliverable	Due By	Status	Stage	Progress Comments
<b>Modern</b> Heritage Study	Commence by 30 June 2024.	In Progress 	Preparations	In November 2023, Council staff appointed heritage consultants GML to progress the Modern Study which is being addressed in different stages across 2024 and 2025 as part of the program identified in the Heritage Gap Analysis. The consultants are reviewing an initial list of sites which was prepared by Council staff, based on a number of resources. Subject to the recommendations of the Study, it is anticipated that consultation with the relevant landowners will occur in 2024, before progressing a report to a meeting of the WLPP or EPC.
<b>Inter-War Flat Buildings</b> Heritage Study.	Commence by 30 June 2024.	In Progress 	Preparations	In November 2023, Council staff appointed heritage consultants GML to prepare a Thematic Study of Interwar Flat buildings in the Woollahra LGA. It is anticipated that this study will be reported to a meeting of Council in the first half of 2024, and will provide a comprehensive resource to inform future detailed heritage studies.
<b>Significant Architects</b> study [NOM 09/12/2019]	Commence by 30 June 2024.	In Progress 	Preparations	In November 2023, Council staff appointed heritage consultants Robertson & Hindmarks to progress the Significant Architects Study which is being addressed in different stages across 2024 and 2025 as part of the program identified in the Heritage Gap Analysis. The consultants are reviewing an initial list of sites which was prepared by Council staff, based on a number of resources. Subject to the recommendations of the Study, it is anticipated that consultation with the relevant landowners will occur in 2024, before progressing a report to a meeting of the WLPP or EPC.
Report on future heritage listing of <b>arts and crafts buildings</b> . (CR 11/11/2019)	Commence by 30 June 2024.	Not Yet Commenced 	Preparations	Council staff are in the process of preparing a methodology to identify how this project will commence. Subject to other priorities, it is identified that this project will occur in stages over 2024 and 2025 as part of the program identified in the Heritage Gap Analysis.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Heritage Listing of <b>Cooper Park Garage</b> [NOM 14/06/2022]	Commence by 30 June 2024.	In Progress 	Preliminary investigation / Scope of works	Investigation of heritage significance is underway using internal resources. Subject to the recommendation, it is anticipated that a report on this matter will be presented to a meeting of either the WLPP or EPC in the first half of 2024.
<b>Oxford Street</b> Heritage Study [NOM 23/08/2021]	Commence by 30 June 2024.	In Progress 	Preparations	During this reporting period, staff were preparing a brief to engage an external consultant to complete the heritage assessment. It is anticipated that a heritage consultant will be appointed to carry out this study in the first quarter of 2024.
<b>2a-14a Queen Street, Woollahra</b> Heritage Study (Centennial flat building) [NOM 25/10/2021].	Commence by 30 June 2024.	In Progress 	Preparations	During this reporting period, staff were preparing a brief to engage an external consultant to complete the heritage assessment. It is anticipated that a heritage consultant will be appointed to carry out this study in the first quarter of 2024.
<b>Rose Bay Centre</b> Heritage Study	Commence by 30 June 2024.	In Progress 	Preparations	On 11 September 2023, Council endorsed the preparation of a Heritage Study for the Rose Bay Centre. During this reporting period, staff were preparing a brief to engage an external consultant to complete the heritage assessment. It is anticipated that a heritage consultant will be appointed to carry out this study in the first quarter of 2024.
Provide a report on the further protection of secondary wings on contributory and heritage items in the <b>Darling Point HCA</b> (CR 25 October 2021)	30 June 2024.	Not Yet Commenced 	Awaiting commencement date	Subject to other priorities, project will occur in the first half of 2024 as part of the program identified in the Heritage Gap Analysis.
Progress a <b>single chapter of the WDCP 2015</b> dedicated to heritage conservation (including contributory items) (CR 1/10/2022)	30 June 2024.	Not Yet Commenced 	Awaiting commencement date	A report outlining options to Council to enhance Woollahra's planning instruments with respect to the demolition of contributory items was reported to the EPC meeting of 4 October 2022, and on 31 October 2022 Council resolved to progress a single chapter of the WDCP 2015 dedicated to heritage conservation

Project / Deliverable	Due By	Status	Stage	Progress Comments
				(including contributory items). Subject to other priorities, this project will progress as a medium priority action under the Heritage Gap Analysis.




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

Ref	Priority	Progress Comments
4.3.1	Ensure Council's planning documents and strategies support high quality housing and housing diversity which is consistent with the strategic thinking of Council in relation to planned infrastructure, services and locational issues.	During the reporting period, this priority was addressed by progressing the sub-regional approach to affordable housing and considering submissions to the Draft Double Bay Planning & Urban Design review and the Draft Edgecliff Planning & Urban Design review, and making consequential amendments.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Preparation of a sub- <b>regional approach to affordable housing</b> (with Waverley and Randwick Councils)	31 March 2024.	Delays 	Preparations	A report on this matter was considered by EPC on 3 April 2023, and endorsed by Council on 11 April 2023. Since this time, Council staff have been working with staff from Waverley and Randwick Councils to progress a joint discussion paper. It is anticipated that a report on this matter will be reported to a Council meeting in the first quarter of 2024.
Report to Council on the Implementation strategy for the <b>Double Bay Urban Design Strategy</b> Planning Proposal, development control plan and public domain plan.	30 September 2023	Delays 	Preparations	At its meeting on 27 November 2023, Council resolved to adopt the Double Bay Strategy, subject to modifications. In December 2023 the Strategy was finalised and available on Councils website. Council staff are currently preparing a planning proposal and anticipate reporting this to a meeting of the WLPP in the first quarter of 2024.



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

Ref	Priority	Progress Comments
4.4.1	Ensure Council's planning strategies and controls support and promote appropriate development and activities in business centres.	During the reporting period, this priority was addressed by the finalising the Double Bay Strategy. It was endorsed, subject to amendments, at Council in November 2023. The Edgecliff Strategy being further refined, before Council staff can finalise the recommended post-exhibition amendments. We expect it will be considered by Council in the first half of 2024. Both these strategies will guide appropriate development in our business centres.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Finalise the <b>Double Bay Centre</b> Planning Proposal and Development Control Plan	30 April 2024.	Not Yet Commenced 	Preliminary investigation / Scope of works	At its meeting on 27 November 2023, Council resolved to adopt the Double Bay Strategy, subject to modifications. In December 2023 the Strategy was finalised, and is available on Council's website. Council staff are currently preparing a planning proposal and amending DCP, and anticipate reporting the planning proposal to a meeting of the WLPP in the first half of 2024.
Finalise the <b>Edgecliff Centre</b> Planning Proposal and Development Control Plan	30 April 2024.	Not Yet Commenced 	Awaiting commencement date	This action will commence once the Edgecliff Strategy has been endorsed by Council. A post-exhibition report including the updated ECC Strategy, the Public Domain Plan and the Transport Study, is anticipated to be presented to a meeting of Council in the first half of 2024.
Prepare and adopt an <b>Affordable Housing Scheme for Edgecliff Commercial Centre</b> .	30 April 2024.	In Progress 	On Schedule	Consultants SGS have been engaged to prepare an affordable housing scheme which will inform the Edgecliff Commercial Centre Strategy. It is anticipated that this will be reported to a meeting of Council in the first half of 2024.

**Strategy 9.1: Collaborating to achieve great placemaking outcomes in our local centres which are hubs for jobs, shopping, dining, entertainment, and community activities.**

Ref	Priority	Progress Comments
9.1.1	Encourage economic development in business and retail centres and implement Council's adopted Place Plans.	During this reporting period, our priorities were to: 1. 1. Progress a Local Approvals Policy 2. 2.Ongoing management of our business grants program.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Prepare and adopt a Woollahra <b>Local Approvals Policy</b> .	31 December 2023.	Delays 	Preliminary investigation / Scope of works	During this reporting period Council staff conducted initial consultation meetings with relevant departments (such as staff from Property and Projects, Compliance and Engineering Services teams) to discuss current processes associated with various actions that will be included in the Local Approvals Policy. Subject to other priorities it is anticipated that a report will be presented to a meeting of Council in the first half of 2024.
Improve the amenity in <b>Peaker Lane, Woollahra</b> between Spicer Street and Holdsworth Street including consulting with affected property owners in Peaker Lane for a contribution toward the total costs improvements, noting the \$30,000 allocated by Council in the 2023/24 budget.	31 December 2024.	Delays 	Preparations	Council staff have undertaken a preliminary assessment of the site and have commenced preparations to liaise with all affected property owners in Peaker Lane to discuss the proposed upgrades and necessary improvements to their private properties before public works can commence.

**Strategy 11.2.1 Effective management of Council's finances.**

Project / Deliverable	Due By	Status	Stage	Progress Comments
Prepare and adopt a <b>s7.12 Development Contributions Plan</b> .	30 April 2024.	In Progress 	On Schedule	<p>As a consequence of resolutions from 27 June 2022 and 26 June 2023, staff were investigating the treatment of 4.55 modifications, consecutive applications and cost summary reports with respect to charging 7.12 contributions.</p> <p>On 4 September 2023, the EPC considered a report on this matter and on 11 October 2023 Council resolved to update requirements for cost estimates and adopt a new standard condition of consent. During this reporting period, Council staff have been liaising internally to facilitate the implementation of this new condition.</p> <p>Separately, staff will prepare a report to update the current Woollahra Section 7.12 Development Contributions Plan to incorporate a list of infrastructure projects that reflects the DPOP for the 2024/2025 financial year. This will be reported to a meeting of Council in the first half of 2024.</p>



## Compliance

### Strategy 4.5: Ensure that planning and building requirements are promoted and complied with.

Ref	Priority	Progress Comments
4.5.1	Council provides cost effective and timely building certification service	<p>Council provided the following building certification services for the half year to 31 December 2023;</p> <ul style="list-style-type: none"> <li>3 construction certificate applications (CC) were received with 1 being determined, representing a market share of 1%;</li> <li>0 complying development certificate applications (CDC) were received with 0 being determined;</li> <li>Council was appointed the Principal Certifier for 1 projects, representing a market share of 2%; and</li> <li>1 occupation certificate certificates (OCs) were received with 1 being determined, representing a market share of 2%.</li> </ul>
4.5.2	Council provides an effective response to unauthorised uses and works.	<p>For the half year to 31 December 2023 Council's Building Control staff;</p> <ul style="list-style-type: none"> <li>Received 216 customer requests and finalised 166;</li> <li>Served 29 'Notices of intention to give an Order';</li> <li>Served 14 Orders;</li> </ul>

### Strategy 5.3: Provide and maintain clean, attractive, accessible, connected and safe parks, sportsgrounds, foreshore areas and other public spaces and infrastructure such as roads, footpaths, bicycle facilities, stormwater drains and seawalls.

Ref	Priority	Progress Comments
5.3.3	Provide seasonal lifeguard services to Camp Cove Beach.	<p>Council provides a casual lifeguard service at Camp Cove Beach between October and April. The service operates on an as needs basis and may be closed due to inclement weather.</p>

### Strategy 6.2: Management of public parking on-street and off-street.

Ref	Priority	Progress Comments
6.2.1	Provide parking enforcement services.	<p>Routine proactive parking patrols are undertaken across the LGA daily, as well as responding to customers' specific requests and proactive patrols of illegal parking at schools. Council's parking patrol services continue to be impacted by COVID-19 through staff leave.</p> <p>During the half year to 31 December 2023;</p> <ul style="list-style-type: none"> <li>22,815 street parking infringements were issued for various offences</li> <li>2,537 infringements were issued in Council carparks.</li> </ul>



**Strategy 72: Support cleaner, healthier waterways including improved water quality and healthy water catchments, creeks and harbour.**

Ref	Priority	Progress Comments
72.5	Take appropriate and timely action in response to pollution incidents.	<p>During the reporting period Council's Rangers investigated the following customer requests with regard to building sites;</p> <ul style="list-style-type: none"><li>• 26 requests for air pollution issues, including dust related matters; and</li><li>• 24 requests for sediment control / water pollution issues including</li><li>• building site discharges, wash-downs and spills.</li></ul>


**Strategy 73: Monitor and respond appropriately to environmental and public health matters that impact community health and safety.**

Ref	Priority	Progress Comments
73.1	Ensure compliance with food, animal and pool safety and environmental health matters	<p>At the end of the half year to 31 December 2023 there were 377 recorded food premises in the LGA. The following food control activities were completed during the half year;</p> <ul style="list-style-type: none"><li>• 128 primary inspections were carried out;</li><li>• 6 re-inspections were carried out;</li><li>• 3 food notices/orders were issued;</li><li>• 17 customer requests were investigated; and</li><li>• 1 penalty infringement notice was issued.</li></ul> <p>For the half year to 31 December 2023 Council's Health Premises and Fire Safety registers confirmed the following;</p> <ul style="list-style-type: none"><li>• 131 health premises were recorded;</li><li>• 2 health premises inspections were carried out;</li><li>• 66 regulated cooling tower/warm-water systems were recorded; and;</li><li>• 846 complete annual fire safety statements were lodged with Council.</li></ul> <p>For the half year to 31 December 2023 the following activities were carried out pursuant to Council's swimming pool safety program;</p> <ul style="list-style-type: none"><li>• 24 swimming pool inspection requests were determined;</li><li>• 5 swimming pool exemption applications were determined;</li><li>• 5 swimming pool fencing customer requests were logged; and</li><li>• 0 swimming pool fencing notices/orders were issued.</li></ul>

## Governance


### Strategy 2.1: Build strong and respectful connections with partners so that we can enhance and protect our local area and quality of life.

Ref	Priority	Progress Comments
2.1.2	Respond to calls for Office of Local Government submissions and collaborate with different levels of the government to help us achieve our community's aspirations for the LGA	Submissions are prepared as required in response to the Office of Local Government and/or industry wide calls for submissions.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Council is informed of submission opportunities and makes timely submissions.	Ongoing throughout the year, 30 June 2024.	In Progress 	On schedule	In the reporting period there was a submission made to the Legislative Inquiry into the Planning System and the Impacts of Climate Change on the Environment & Community (submission endorsed by Council on 9 October 2023).


### Strategy 10.1: Encourage inclusive community participation and build respectful relationships through engagement and input into decision making.

Ref	Priority	Progress Comments
10.1.2	Ensure our suite of integrated planning and reporting documents are in plain language, meet legislative requirements and enable us to report on Council's performance to the community.	Council's Annual Report 2022/23, including our audited Financial Statements, was adopted by Council 15 November 2023.




Project / Deliverable	Due By	Status	Stage	Progress Comments
Council's Operational Plan for 2024/25 is developed and adopted by Council.	30 June 2024.	In Progress 	On schedule	The draft 2024/25 Operational Plan is currently being developed and it is anticipated that it will be presented to Council in April 2024 prior to seeking community feedback during April/May 2024.

**Strategy 11.3: Ensure effective and efficient governance and risk management.**

Ref	Priority	Progress Comments
11.3.1	Maintain a strong governance framework that facilitates transparent and democratic decision-making and provide effective support to manage the efficient operation of Council and other Committee meetings in an open, transparent and accountable manner.	Council, Committee and Panel meetings continue to be held as per the meeting schedule and promote openness, transparency and accountability in Council decision making processes.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Preparation for Councillor Candidate Information Sessions and Councillor Induction Program for the 2024 Local Government Elections are completed.	30 June 2024.	In Progress 	On schedule	Councillor Induction Program and Councillor Candidate Information Sessions planning has commenced and will continue to be developed during the third and fourth quarter of 2023/24 Financial Year.


Ref	Priority	Progress Comments
11.3.2	Ensure corporate risks are managed appropriately to reduce the likelihood of any adverse impacts to Council or the community.	Following an external independent assessment of Council's Risk Management a Risk Improvement Roadmap was developed. As part of this, a full review and refresh of Council's operational risk register was undertaken. Further, Council's Executive Leadership Team have developed Council's Strategic Risk Register which will be reviewed with Councillors at a workshop in the third quarter of the 2023/24 Financial Year.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Internal Audit of Council's Workplace Health & Safety Management System completed and presented to Council's Audit, Risk & Improvement Committee (ARIC)	31 December 2023.	In Progress 	On schedule	The Work Health & Safety Management System Draft Internal Audit Scope was presented and endorsed by the Audit, Risk & Improvement Committee in December 2023. The Internal Audit Scope proposed two parts being, Working at Heights (for completion prior to 30 June 2024) and Working with Hazardous Substances selected for completion (prior to 31 December 2024).
Internal Audit of Council's Cyber Security measures and controls are completed and presented to Council's Audit, Risk & Improvement Committee (ARIC)	31 March 2024.	In Progress 	On schedule	The Cyber Security Internal Audit Scope was presented and endorsed by the Audit, Risk & Improvement Committee in December 2023. The Internal Audit is to be progressed in the 3rd quarter of 2023/24 Financial Year.
Finalise Council's Enterprise risk registers and present to Council.	30 September 2023.	Delays 	Preparations	Council's Strategic Risk Register was presented and reviewed by the Audit, Risk and Improvement Committee and will be reviewed with Councillors at a workshop to be held in the third quarter of the 2023/24 financial year.






## Corporate Services


### Strategy 10.1: Encourage inclusive community participation and build respectful relationships through engagement and input into decision making.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Implement reporting of expenditure for the Special Rate Variation funded projects of \$48million in Council's Annual Report.	30 June 2024.	In Progress 	On schedule	Council has commenced work on a number of projects funded by Council's Special Rate variation. Expenditure on these will be included in Council's Annual Report which will be finalised by 30 November 2024.


### Strategy 11.1: Build an efficient organisation that places customers and the community at the heart of service delivery.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Complete Council's Information Technology Architecture Strategy to support Council's digital transformation and support the best customer experience.	30 June 2024.	Delays 	Preparations	Delivery delayed due to priority IT projects. Development of the strategy will be prioritised with a revised due date of 30 June 2024.
Rollout Council's key ICT Strategy project of the Office 365 operating system.	31 March 2024.	In Progress 	Preparations	Exchange Online complete- OneDrive in beta release- Teams in Testing- Intune in planning stage
Undertake system penetration testing to support Council's Cyber Security program.	28 February 2024.	Not Yet Commenced 	Awaiting commencement date	Engage with Cyber Security partner to complete Penetration testing in February 2024.

Ref	Priority	Progress Comments
11.1.3	Maintain a high performing workforce that is responsive to the needs of the community and the organisation	Council delivered its first End of Year celebration on 29 November under the relaunched Reward and Recognition framework. It was very well received and attended by 300 staff. Departmental Workforce Planning has been completed and the results will inform the Workforce Management Strategy. "Average days to recruit" has increased by 10 days. FY to date voluntary turnover is at 4.8%. Training participation is high at 41% for face to face and 51% for online training. 70 supervisors completed our leadership development program.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Council's Workforce Management Strategy is reviewed, updated and presented to Council for noting.	30 June 2024.	In Progress 	On schedule	Departmental Workforce Planning with has been completed and the results will inform the Workforce Management Strategy which will be tabled to Council for noting in June 2024.

Ref	Priority	Progress Comments
11.1.4	Implement and conduct a Service Delivery Review Program to identify improvements to services delivery.	Two Service Review reports with recommended improvements to service delivery into the Development Assessment process and Open Space and Trees services were tabled to the Strategic and Corporate Committee and adopted by Council 15 November 2023.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Undertake Service reviews for <ul style="list-style-type: none"> <li>Traffic, Transport &amp; Parking Management</li> <li>Governance</li> <li>Regulatory Services and</li> <li>Strategic &amp; Land-use Planning</li> </ul> (full scopes yet to be determined).	30 June 2024.	Delays 	Deferred until FY24/25	The Development Assessment and Open Space & Trees Service Reviews finalised in November 2023 have resulted in a number of initiatives designed to improve service levels and Development Assessment turnaround time. As these initiatives require additional resources and expenditure the service reviews originally anticipated to be completed in the 2023/24 year will be deferred to a future year. It will be recommended to Council in the March 2024 quarterly budget review that the existing budget of \$100,000 for service reviews be redirected to fund the initiatives.

#### Strategy 11.2: Secure Council's financial position.

Ref	Priority	Progress Comments
11.2.1	Effective management of Council's finances.	LTFP will be updated and presented to Council after finalisation of the December 2023/24 Quarterly Budget Review and the 2024/25 Draft Budget.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Council's Long Term Financial Plan is updated and adopted by Council.	30 June 2024.	In Progress 	On schedule	Council's Long Term Financial Plan (LTFP) is currently being updated to incorporate the December 2023 Quarterly Budget Review and the Draft 2024/25 Budget. The updated draft LTFP will be presented to Council in April 2024 for consideration prior to being placed on public exhibition for community feedback.

Ref	Priority	Progress Comments
11.2.2	Achieve sustainable asset management through the integration of strategic asset planning with financial planning.	All Asset Management Plans were adopted by Council on 28 November 2022 and continue to inform the Long Term Financial Plan.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Asset Management Plan financial information is integrated into Council's Long Term Financial Plan.	31 March 2024.	In Progress 	On schedule	The current update of Council's Long Term Financial Plan will incorporate updated Asset Management Plan information.

**Strategy 11.3: Ensure effective and efficient governance and risk management.**


Ref	Priority	Progress Comments
11.3.3	Manage, coordinate and deliver Workplace, Health and Safety measures to ensure a safe and healthy work environment.	There has been strong focus on raising the profile of WHS through implementation of Safety Month initiatives, enhancement of Work Instructions and Safe Operating Procedures, Health Surveillance Program, and the early intervention program. Injury rates fell by 34%.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Develop a corporate plan to achieve greater understanding of psychosocial intervention strategies to enhance workplace responses.	31 March 2024.	Complete / Achieved 	On schedule	Psychosocial Health & Wellbeing Survey was undertaken for high risk areas in late 2023. Report generated for two areas (Library and Officers/Managers) and action plans are being drafted for implementation.


## Community Services, Culture & Arts

**Strategy 1.1: Provide, promote and facilitate a range of community projects, programs and events that support an inclusive, thriving and sustainable community.**

Ref	Priority	Progress Comments
1.1.1	Provide opportunities to connect people and ideas to encourage lifelong learning and quality of life.	A Partnership Agreement with Workers Educational Association Sydney is in place to continue to deliver Philosophy Club in 10 week blocks in the Cultural Hub with plans to run 2 x 10 week blocks annually.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Plan, promote and deliver 7 diverse and inclusive events, activities and programs to the community. Including but not limited to: NAIDOC Week July 2023 Mental Health Week October 2023 International Day of People with a Disability December 2023 Seniors Festival February 2024 Youth Week April 2024 Dementia Awareness Week May 2024 National Reconciliation Week May 2024 (Dates subject to agency change).	3 events by 31 December 2023, 4 events by 30 June 2024.	In Progress 	On Schedule	In partnership with a range of community organisations and across Council divisions, Council promoted and led the following events – During July a number of NAIDOC Week events were held including Ursula Yovich concert, Community Open Day and Dance Workshop; coordination of an internal campaign for Wear It Purple Day in August; provision of Mental Health Week First Aid Training for 15 community members with 12 completing the course in November; hosting an International Day of People with Disabilities 'Let's Get Creative' community day on 30 November 2023.






Project / Deliverable	Due By	Status	Stage	Progress Comments
Diversity strategy developed to inform Council's policies, programs and services.	30 June 2024.	In Progress 	Preparations	A Diversity Strategy Working Group consisting of internal staff members was established in November 2023 with a Project Brief prepared in December 2023. it is anticipated that this Strategy will be finalised in 2024/2025 financial year.



**Strategy 2.1: Build strong and respectful connections with partners so that we can enhance and protect our local area and quality of life.**

Ref	Priority	Progress Comments
2.1.1	Respond to calls for Office of Local Government submissions and collaborate with different levels of the government to help us achieve our community's aspirations for the LGA.	The theme for the next Community and Cultural Grants Round will be formulated from the updated needs analysis

Project / Deliverable	Due By	Status	Stage	Progress Comments
Conduct a Community needs assessment study to inform Councils planning, programs and services	31 March 2024.	Complete / Achieved 	On Schedule	Community needs assessment report presented to ELT in November 2023 outlining all Community and Customer Experience key strategic documents and key community needs identified.
Distribute up to \$110 000 in grant funding to support Community and Cultural development as determined by Council.	30 September 2023.	Complete / Achieved 	On Schedule	The Mayor hosted a Grants Presentation Ceremony on 18 October for all successful grant recipients across the four grant streams. Under the Community and Cultural grants stream 28 applications were approved for funding consisting of 18 community projects: \$75,014.77 and 10 cultural projects \$32,459.38, to a total value of \$107,474.15. One cultural project was withdrawn by Citizen of the World Music to the value of \$1,000 due to partial funding making the project not financially viable (staffing expenses not approved for inclusion). Each successful grant recipient has been allocated a Council staff member to ensure a positive outcome for all projects.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Deliver services to Woollahra residents as per contract with, Holdsworth Community (\$900,368) to deliver the following projects: Navigating My Aged Care System Aged Care Wellness Hub trial Woollahra Dementia Alliance Action Plan Woollahra Connect Program Family Services.	30 June 2024.	In Progress 	On Schedule	As per the funding agreement quarterly meetings were held with Holdsworth Community on 25 July and 18 October 2023. Holdsworth is meeting identified service deliverables as per the funding agreement. It should be noted that Council also participates in bi-monthly Woollahra Dementia Alliance (WDA) meetings and promoted WDA activities and events.
Deliver services to Woollahra residents as per contract with Womens Housing Association (\$330,000) 6 x 2 bedroom plus 4 x 3 bedroom units for local women and their families escaping abuse.	30 June 2024.	In Progress 	On Schedule	Bi-annual meetings are continuing to be held with Womens Housing Company. Meetings were held on 24 July and 13 November 2023. Both organisations are meeting identified service deliverables as per the funding agreements.
Work with other Government agencies to develop programs and projects to respond to community needs: seniors, diversity, mental health, housing, family services, youth, and children as they arise.	30 June 2024.	In Progress 	On Schedule	On 5 December, 2023, in partnership with Bayside, Randwick and Waverley Councils, Woollahra staff coordinated a Coercive Control Forum during the 16 Days of Activism against gender based violence. It was a cross-Council collaborative project in conjunction with Eastern Sydney Domestic Violence Network, Moving Forward and Lokahi. Approximately 150 people attended.


Ref	Priority	Progress Comments
2.1.3	Following adoption, administer Council's Reflect Reconciliation Action Plan 2022-2023.	An annual progress report on the Reflect Reconciliation Action Plan was reported to Council in September 2023 which demonstrated that the majority of listed actions had been completed and that Council was ready to move to the next level of Reconciliation Action Plan.- an Innovate RAP This report along with the Annual RAP impact survey was submitted to Reconciliation Australia by 30 September, 2023. A new internal working party has been appointed and Council has commenced discussions with our cultural partners, the La Perouse LALC and the Gujaga Foundation to develop the new Innovate RAP, ready for Council adoption in June 2024.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Develop an Innovate RAP to support Council to progress activities of reconciliation.	30 June 2024.	In Progress 	On Schedule	To move to the Innovate RAP, a new internal working group was required. An EOI calling for representation from each Council division and all Aboriginal and Torres Strait Islander staff were encouraged to apply by 10 November. 7 applications were received and accepted. The first meeting of the new working group was held on 22 November 2023. A meeting was held with Reconciliation Australia on 25 October to discuss the requirements of the Innovate RAP. A meeting was also held with the La Perouse LALC and Gujaga Foundation on 11 December to discuss their involvement and guidance in the development of Woollahra's Innovate RAP and the review of Woollahra's Aboriginal and Torres Strait Islander protocols and guidelines. As part of this discussion, Council offered support to both organisations post the Yes referendum result and identify partnership opportunities for 2024.
Deliver outcomes for reconciliation by finalising outcomes of Reflect RAP.	31 December 2023.	Complete / Achieved 	On Schedule	Council adopted the annual progress report on Council's Reflect Reconciliation Action Plan in September 2023 which demonstrated that the majority of listed actions had been completed and that Council was ready to move to the next level of Reconciliation Action Plan.- an Innovate RAP. This report along with the Annual RAP impact survey was submitted to Reconciliation Australia by 30 September, 2023.


Project / Deliverable	Due By	Status	Stage	Progress Comments
				A highlight of the period was the installation at each Council work site of a Welcome plaque consisting of Dharawal language and Jordan Ardler artwork as well as the display of Aboriginal and Torres Strait Islander flags.

**Strategy 2.2: Understand needs of our community so that we can facilitate access to support and services.**

Ref	Priority	Progress Comments
2.2.1	Collaborate with a range of services to provide support for vulnerable members of our community.	Community and Culture Staff are networking with community organisations in order to identify ways to support vulnerable individuals. For example, people experiencing loneliness are connected to support organisations such as Holdsworth or Grant programs such as Social Buddy or Yoga Walks. The team is also in the process of updating information on the website to ensure the accuracy of information and easy accessibility.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Support homeless persons in our community by: (a) continuing partnerships in homelessness network, (b) review of Homeless People Policy (c) Continuing referral of homeless persons when identified to support agencies (d) provision of advocacy as required and (e) participation in annual homeless count. (f) Supporting other vulnerable groups as identified when required (g) Training of internal and external stakeholders.	(a) Ongoing  (b) By September 2023 (c) Ongoing  (d) Ongoing  (e) February 2024 (f) Ongoing  (g) 30 June 2024.	In Progress 	On Schedule	A total of 7 referrals were made to Missionbeat during the period of July to December 2023. These referrals were made as requests for welfare checks for people sleeping rough in the local Woollahra LGA. A Community and Cultural Development Officer regularly attended the monthly Eastern Suburbs Homeless Assertive Committee (ESHAC) meetings to discuss homelessness referrals and supports in the Eastern suburbs as well as participating. Homeless Street Count for Eastern Suburbs is scheduled for 19 and 20 February 2024. Meetings have also been held in July 2023 with staff from Libraries, Customer Experience, Open Space and Trees and Regulatory Services to assist in the review of Council's Woollahra Homeless policy and procedures which are planned to be adopted in early 2024.


Ref	Priority	Progress Comments
2.2.2	Encourage and promote services and support for families, youth and children.	Council appointed Spark Strategy to assist with the development of the draft Childrens, Youth and Families Strategy and 4 year Action Plan. Extensive community consultation was undertaken from August to November 2023 with six key issues and opportunities emerging to inform the draft strategic pillars and action plan. The draft Strategy and Action Plan will be reported to Council in March 2024 for public exhibition and adoption.
2.2.3	Following adoption, administer Council's Disability Inclusion Action Plan.	Council adopted the 2022-2026 Disability Inclusion Plan (DIAP) on 27 June 2022, in accordance with NSW legislation. Strong progress has been made over the past 6 months to implement the DIAP across Council and where appropriate consulting with the Inclusion (Disability, Aged and Carers) Advisory Committee for advice from those with lived experience.



Project / Deliverable	Due By	Status	Stage	Progress Comments
Implement 50% of DIAP actions as documented in the DIAP 2022-2026.	Six monthly updates on progress.	In Progress 	On Schedule	Significant progress has been made with the implementation of the Disability Inclusion Plan, 2022- 2026. Representation by the peak body, Disability Council of NSW at the DIAP bi- annual working group meeting on 23 November 2023, commended progress with Woollahra's DIAP. Highlights during this period included Mental Health First Aid Training held on 17 and 24 November for 15 community members and a similar course was held for Council staff with 15 attending; Path upgrade completed with access now achievable from Quarry St. to Edgecliff Centre; installation of an external ramp at Vaucluse Bowling Club & Community Facility connecting the building with external public toilets and tennis courts; Bay St. upgrade with a new wide pedestrian footpath reconstruction between Double Bay Wharf and Cross St.; 8 Woollahra Preschool children with high Support Needs are enrolled for 2024 with staff receiving training to support existing and new enrolments; Council 4 Health care permits for full time health carers were distributed;


Project / Deliverable	Due By	Status	Stage	Progress Comments
				Woollahra Libraries have incorporated AUSLAN sign language and sensory experiences into its early literacy programs and supplies Envoy devices for those with visual impairment (31 devices loaned containing 193 eaudiobooks) and Council launched its new website in October 2023, which features updated accessibility information for parks and venues.

**Strategy 3.1: Promote opportunities for innovative, creative and cultural initiatives that support the community.**

Ref	Priority	Progress Comments
3.1.2	Promote opportunities for innovative, creative and cultural initiatives that support the community.	Council has funded 10 Cultural Grant Projects in the 2023/2024 round.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Activate the Cultural Hub at Woollahra Gallery at Redleaf by delivering up to 3 cultural programs p.a. eg. Poetica petit, plein air painting workshops (delivered monthly).	30 June 2024.	Complete / Achieved 	On schedule	The Cultural Hub continues to be used as a venue for hire. Poetica Petit continues to be held between the Cultural Hub and the Gallery, depending on attendee numbers and theme of event. the Youth Photographic Award workshop was partly held in the Cultural Hub in October 2023, resulting in a small exhibition of images on display in the corridor of the Cultural Hub throughout November 2023. 2 community exhibitions were also on view to celebrate a Ukrainian Independence exhibition in July and artworks by a local school student in November 2023. A 10 week Philosophy Course was held in partnership with Workers Educational Association (WEA) Sydney, over July to September. A Partnership Agreement has been put in place to continue to provide a Philosophy Club in 10 week blocks, on a bi-annual basis. Woollahra Dementia Alliance also utilised grant funding to implement an intergenerational art event on 30 November.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Provide a diverse range of monthly art exhibitions at the Woollahra Gallery, including up to 4 exhibitions hosting community groups (depending on EOI response) and programs that focus on cultural and social issues.	30 June 2024.	In Progress 	On Schedule	Between July to December 2023 Woollahra Gallery at Redleaf hosted a total of 13 exhibitions, including the Woollahra Small Sculpture Prize, the Youth Photographic and Film Award, 9 EOI artist exhibitions, and 2 exhibitions supported by the Community Exhibitions program – 'Heart in Art' and 'After the Rain'. 'Heart in Art' was presented in partnership with First Hand Solutions and a number of remote aboriginal art centres, and 'After the Rain' was presented in partnership with Inala Disability Services. These exhibitions coincided with NAIDOC week and International Day for People with Disabilities, respectively. A total of 6,705 visitors were received between 1 July and 31 December. An expanded Artist in Residence program was devised for 2024/25, with a call out for Expressions of Interest staged between 13 December 2023 and 31 January 2024.
Maintain and expand the Public Art Collection by a minimum of 1 artwork p.a to improve accessibility of art to the local community.	30 June 2024.	In Progress 	On Schedule	The digital public art screen 'Double Vision' in Kiaora Place, Double Bay, commenced a new curated 12 month programming from 1 October 2023. The inaugural artist to be displayed for a 4-month period was James McGrath (on view until end January 2024). The state grant-funded pedestrian upgrade to Bay Street, Double Bay, allocated \$275,000 towards public art. The public art commission process was commenced in September 2023 with Curator and Project Management team appointed in December 2023. The artwork will be designed, delivered and installed by mid-2024. Maintenance of existing artworks was planned in the end of 2023 to be executed throughout 2024.

Project / Deliverable	Due By	Status	Stage	Progress Comments
(a) Develop a Arts and Culture Strategy	(a) 31 December 2023	In Progress	On Schedule	A report was presented to the inaugural meeting of Council's Arts and Culture Advisory committee on the development of the Art and Culture Strategy when it met on 21 November, 2023. A project brief and RFQ for Consultancies Services to develop the Strategy has been prepared for circulation in January 2024. The RFQ closes on 7 February 2024. It is anticipated that the draft Strategy will be presented to Council by June 2024.
(b) Implement actions identified in the Arts and Culture strategy.	(b) 30 June 2024.			

**Strategy 5.1: Enhance council provided community facilities to foster connections between people and place and enhance quality of life.**


Ref	Priority	Progress Comments
5.1.1	Plan for community, cultural and recreational facilities to ensure they reflect community needs and aspirations.	Council's 10 Community Venues continue to be well utilised with key improvements undertaken over the July to December 2023 period including building upgrades including Vaucluse Bowling Club & Community Facility.








## Library Services

**Strategy 1.1: Provide, promote and facilitate a range of community projects, programs and events that support an inclusive, thriving and sustainable community.**

Ref	Priority	Progress Comments
1.1.1	Provide opportunities to connect people and ideas to encourage lifelong learning and quality of life.	<p>The Libraries Program and Events team delivered programs for a wide variety of audiences. This featured:</p> <ul style="list-style-type: none"> <li>• 48 Adult programs</li> <li>• 44 Seniors programs</li> <li>• 345 Children's programs</li> <li>• 32 Young Adult programs</li> </ul> <p>Highlights include two Ideas Exchange on Gender Bias in Research and Design and an Indigenous Voice the Parliament, HSC programing, the announcement of winners of the 2023 Woollahra Digital Literary Award at an Awards Ceremony on 22 November, and a sold out evening with author and broadcaster Richard Glover.</p> <p>Collection usage continues to recover post-covid with 222,482 loans in the reporting period.</p>




Project / Deliverable	Due By	Status	Stage	Progress Comments
Integrate the digital library within new and existing Library spaces by undertaking a hardware upgrade to facilitate increased awareness and patronage of the digital library.	30 June 2024.	In Progress 	On Schedule	In September Woollahra Libraries Staff visited Newcastle Libraries to investigate use of screens and interactive technology in library spaces to highlight digital collections. An RFQ has been developed to go to market for solutions. In addition to physical changes to library spaces, the new Woollahra Libraries website launched in October features improved connections to the library catalogue and digital library. A new library catalogue features carousels and other visual features to highlight collections and a combined eLibrary multi-platform search. Woollahra Libraries promotional plan was developed between October-December and will guide strategy for library digital signage, new self-check-out machines and promotion of online collections through QR coded book lists.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Community access model developed and implemented so that access hours are increased at Watsons Bay library for the community.	31 March 2024.	In Progress 	On Schedule	Model developed for Community Access to Watsons Bay Library, with site visits to other libraries (Newcastle and Yarra) with similar community access services and quotes obtained for improvements to Watsons Bay Library building: CCTV, outdoor lighting and new integrated locks for library doors. Community Consultation undertaken in November-December relating to change to Watsons Bay Hours and service model, with many conversations within the community about the project and 50 written responses received by community members.
Plan, promote and deliver a minimum of 6 diverse and inclusive events, activities and programs which respond to community needs eg. Ideas exchange, author talks, history events, Sunset session at Watsons Bay, Library bites business events, community outreach (some events are delivered monthly and others on a one off basis).	3 activities by 31 December 2023, 3 activities by 30 June 2024.	In Progress 	On Schedule	Woollahra Libraries (in partnership with Woollahra Council Community Development) hosted an evening of music and conversation with Ursula Yovich in July during Naidoc Week. In September Woollahra Libraries delivered an Indigenous Voice to Parliament Ideas Exchange with constitutional law expert Shireen Morris and Wiradjuri man Gary Field. A new youth queer book club was launched at Double Bay Library in September. Monthly sensory workshops were delivered as part of regular Book Babies programming between August and December.
Deliver ongoing support and social inclusion opportunities for Seniors including fortnightly delivery of Home Library Service and two targeted programs eg. Tech Savvy Seniors and Bus to Books.	Fortnightly delivery to housebound clients and two programs delivered 30 June 2024.	In Progress 	On Schedule	A range of programs that reflect community need were delivered. Morning Tai Chi sessions have expanded and are offered weekly at both Paddington and Double Bay Libraries. The Home Library Service has 81 members who each receive a monthly delivery. A monthly Bus to Books service for more mobile Home Library Service customers continues to be popular.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Plan, promote and deliver a minimum of 6 diverse and inclusive children's and youth programs which are positively received by the community eg. School holiday program, STEM activities, HSC workshops, children's literacy programs, children's writers and readers, Youth Week events	3 activities by 31 December 2023, 3 activities by 30 June 2024.	In Progress 	On Schedule	A range of programs were delivered for children and young people. HSC Workshops were delivered leading up to the HSC period and study enrichment and wellness promotion during HSC extended opening hours. The 1000 Books Before School program was launched on 20 August 2023 to encourage early reading literacy. Other programs including Mini Makers Club and Code Club have expanded, with the introduction of a new Code Club for more advanced students. There was a focus on writing in the Summer School Holiday Program
Deliver ongoing support and social inclusion opportunities for Seniors including fortnightly delivery of Home Library Service and two targeted programs eg. Tech Savvy Seniors and Bus to Books.	Fortnightly delivery to housebound clients and two programs delivered 30 June 2024.	In Progress 	On Schedule	A range of programs that reflect community need were delivered. Morning Tai Chi sessions have expanded and are offered weekly at both Paddington and Double Bay Libraries. The Home Library Service has 81 members who each receive a monthly delivery. A monthly Bus to Books service for more mobile Home Library Service customers continues to be popular.

**Strategy 3.1: Promote opportunities for innovative, creative and cultural initiatives that support the community.**

Ref	Priority	Progress Comments
3.1.1	Provide innovative and high quality library and local history services.	Woollahra Libraries currently has 26,129 active Library members who are regularly accessing library services. There were 279, 432 visits this period equating to 5.2 visits per capita and a total of 222,482 loans measuring 4.1 per capita. Fortnightly newsletters were sent to 14,608 subscribers, 2,845 facebook followers and 1,269 instagram followers. Woollahra Libraries has 100 active volunteers engaged in assisting with various tasks including the Tech Connect program and monitoring the slide. The Local history team researched 7 community nominations for the Woollahra Council plaques scheme and during this period installed three plaques honouring Cora Gooseberry, Mark Sheldon and Gisella Scheinberg OAM.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Refresh of most referenced content for library web page to meet customer experience and satisfaction.	31 October 2023.	In Progress 	On Schedule	Between August and October, Woollahra Libraries staff worked on redesign and content review of new Woollahra Libraries website, launched in October. Further revision and redesign of Children's and Youth Programs pages and Local History forthcoming in 2024 (both will be projects for new recruits).
(a) Deliver a local history research service including increased digitally accessible content and (b) Celebration of heritage through the Woollahra Plaques scheme.	(a) Ongoing, 30 June 2024. (b) 4 plaques installed by 30 June 2024.	In Progress 	On Schedule	A Local History research service continues to be delivered, with a total of 74 Local History enquiries completed between July and December. The Local history team researched 7 community nominations for the Woollahra Council plaques scheme and during this period and installed three plaques honouring Cora Gooseberry, Mark Sheldon and Gisella Scheinberg OAM. Recruitment commenced in December for a new Digital Innovation Officer, with a preferred candidate due to commence in January 2024. The focus of this new role is to optimise integration of digital collections for better discoverability, including a strategic focus on the Local History Collection.
Deliver a vibrant, relevant and creative digital and physical collection that meets community demand measured by circulation per capita exceeding state median (4.63).	30 June 2024.	In Progress 	On Schedule	Woollahra Libraries continues to provide a relevant collection for the community. The online collection recorded 82,079 loans from July –Dec 2023 compared to 555,93 loans for the same period the previous year, showing a significant increase in usage of 48%. Hoopla was added to an expanding collection of digital resources in November. Hoopla is an all in one digital platform offering a wide range of eBooks, eAudiobooks, films, TV series, music, comics and magazines. Hoopla has recorded a total of 175 checkouts in November and December, with ongoing promotion planned for the new year.

## Customer Experience & Engagement

### Strategy 3.1: Promote opportunities for innovative, creative and cultural initiatives that support the community.




Ref	Priority	Progress Comments
3.1.2	Promote opportunities for innovative, creative and cultural initiatives that support the community.	We welcomed a new Events Coordinator position in October and new events policies, procedures and strategy are on track for delivery later this year.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Agreed deliverables of event service review implemented for year one:		In Progress	On Schedule	(a) Event Coordinator role commenced in October 2023.
(a) Employment of event specialist	(a) 30 September 2023			(b) Review of event policies and procedures is underway, in consultation with other business areas
(b) Review of policies and procedures	(b) 31 March 2024			(c) Plans are underway to create an events calendar on our website
(c) Include event management resources for community events on Council's website	(c) 30 June 2024			(d) Event Strategy is on track for delivery by June 2024.
(d) Development of Event Strategy.	(d) 30 June 2024.			

### Strategy 10.1: Encourage inclusive community participation and build respectful relationships through engagement and input into decision making.

Ref	Priority	Progress Comments
10.1.1	Support council through provision of resources, education and tools and communicate opportunities for engagement.	We launched our new website in October 2023, welcoming a fresh new design, additional features and enhanced accessibility features. Website visitation grew by 32%. Social media growth has been steady with Facebook reach up 11% and our paid content is performing well. Our enews continues to perform well with a 55% open rate and 9% click-through- which far exceeds industry benchmarks. The most popular content has been around local upgrades, walks, local history and trees. We held 13 Citizenship Ceremonies across 8 dates with 402 new citizens and their guests.



Ref	Priority	Progress Comments
		There were 40,441 visits to our Your Say Woollahra website (158% increase from 2022) and 3,875 registered users (174% increase from 2022).




Project / Deliverable	Due By	Status	Stage	Progress Comments
Community and Engagement team facilitate IAP2 Training of 5 staff by an accredited trainer to increase skills and confidence with engagement strategy and delivery.	30 June 2024.	In Progress 	On Schedule	We exceeded the target of 10% growth to Your Say Woollahra website in 2023 (158% increase in site visit from 2022). We will not be running IAP2 training specifically during 2024, but we will be running a full day (beginner) and half day (refresher) community engagement training sessions for interested staff in March 2024. Managers were given the opportunity to nominate people from their team to attend.
Consultation with departments on key engagement projects to include in an annual Calendar to be shared with ELT and with teams.	Reviewed and updated every 6 months by December 2023.	In Progress 	On Schedule	The annual engagement calendar has been updated, in consultation with key business areas. The calendar has been shared with Directors and Managers, beginning January 2024.
Implementation of Communication and Engagement strategy.	31 December 2023.	In Progress 	On Schedule	We have continued to implement actions to help us achieve the objectives listed in the Community Engagement Strategy. We have selected methods of engagement to reach as many people as possible in the community, a good example of this was the Children and Families Strategy consultation, where we consulted with key stakeholder groups, held pop-ups in locations and at times convenient to young people and families, and opportunities for digital engagement. Our communications and engagement around the Urban Forest Strategy consultation demonstrated our commitment to presenting information to the community in plain English, in accessible formats (we summarised the key points of the Strategy onto one page), and using visual communication (infographics and short animated video).

Project / Deliverable	Due By	Status	Stage	Progress Comments
Promote community engagement opportunities through Your Say Woollahra and other Calendar of Engagement to ensure planning and resource allocation and best experience for customers. (New engagement projects are posted monthly).	Ongoing, 30 June 2024.	In Progress 	On Schedule	During July-December 2023 there were 8 new projects posted on Your Say Woollahra, which attracted 447 submissions from the community. In total there were 13, 249 site visits and 142 new users registered for an account (bringing the total number of users to 3,777 users). The most popular projects were the Customer Experience Strategy, Children, Youth and Families Strategy and Draft Urban Forest Strategy.


**Strategy 11.1: Build an efficient organisation that places customers and the community at the heart of service delivery.**

Ref	Priority	Progress Comments
11.1.1	Drive customer design throughout council to improve customer experience	Customer Satisfaction survey was run in July and August 2023. The results will be presented to the Finance, Community & Services and Environmental Planning Committees 5 February 2024. A Customer Effort Score is now on iConcierge and we are reporting monthly on the results.


Project / Deliverable	Due By	Status	Stage	Progress Comments
Undertake Customer experience performance measures including (a) Customer Satisfaction Score to inform service improvements throughout Council. (b) Net Promotor Score, (c) Customer Effort Score	(a) July 2023 (b) April 2024 (c) February 2024	In Progress 	On Schedule	The annual CSAT survey was conducted from 6 July until 15 October 2023. ELT were briefed on the results on November 22, 2023.
Up to 30 staff to attend a one day workshop on tools and engagement mechanisms to improve Customer Experience across Council services.	31 March 2024.	In Progress 	Preparations	The next group of managers and Coordinators will be identified and workshops are scheduled for April 2024

Project / Deliverable	Due By	Status	Stage	Progress Comments
Undertake a customer effort score assessment on iConcierge to further drive the development of the app to improve customer experience.	31 December 2023.	In Progress 	On Schedule	The customer effort score is now calculated on the finalisation of all CRM's. A report is prepared for ELT monthly and the score is reported on. Further enhancements resulting from Customer feedback will be implemented in first quarter of 2024.
Implement a Customer Experience Strategy to drive a customer first approach across council	31 December 2023.	In Progress 	On Schedule	The Customer Experience Strategy was endorsed by Council in December 2023 and will be published on our website in January 2024.
Develop Customer experience dashboard by automating data collection to enable data to be used real time to inform service improvements.	31 December 2023.	In Progress 	Preparations	Each Manager has identified and committed to delivering a customer experience project to be commenced by 30 June.

Ref	Priority	Progress Comments
11.1.2	Transform Council's business, by optimising the use of technology to support effective business processes and customer journeys.	Testing has been completed and a new online parking form has commenced and we anticipate the form will go live on our website by March 2024.

Project / Deliverable	Due By	Status	Stage	Progress Comments
Website is rebuilt and redesigned to improve functionality and quality of content to increase customer satisfaction and engagement.	31 October 2023.	In Progress 	On Schedule	Our new website launched in October 2023 with improved functionality for customers and refreshed content. One of the new features is the 'What's Near Me' function, which allows customers to search for information relevant to where they live – including local playgrounds, venues, events, waste collection dates and Councillor contacts. We are also trialling the use of new accessibility software UserWay to improve the experience for people with sight, hearing and reading difficulties.



Project / Deliverable	Due By	Status	Stage	Progress Comments
Successful implementation of 6 priority online forms including payments.	3 by 31 December 2023, 3 by June 2024.	In Progress 	Preparations	Council has been working on the transition to online parking permits with new online payment to be tested in February 2024. The ability to apply for parking permits online will pave the way for the other 5 transactions to be delivered through online payment by June 2024.

### Workload and Productivity

The following table shows the Service results for the reporting period.




Service	FY 2021/22 (average)	1st Qtr 2022/23	2nd Qtr 2022/23	3rd Qtr 2022/23	4th Qtr 2022/23	FY 2022/23 (average)	1st Qtr 2023/24	2nd Qtr 2023/24	YTD FY 2023/24 (average)
DAs and CDCs processed by Customer Service staff	<b>302</b>	331	335	245	321	<b>308</b>	281	293	<b>287</b>
Calls answered by Customer Service staff	<b>18,498</b>	16,675	16,665	17,495	15,314	<b>16,537</b>	16,173	16,412	<b>16,293</b>
Service standard for call answered	<b>96%</b>	95%	94%	93%	92%	<b>94%</b>	96%	95%	<b>96%</b>
Visitor permits and Daily permits issued by Customer Service staff	<b>4,159</b>	5,300	5,870	6,005	5,270	<b>5,611</b>	5,680	6,560	<b>6,120</b>
Parking permits issued by Customer Service staff	<b>1,271</b>	1,255	1,375	1,482	1,026	<b>1,285</b>	1,349	1,328	<b>1,339</b>



## Woollahra Preschool

### Strategy 2.2: Understand needs of our community so that we can facilitate access to support and services.

Ref	Priority	Progress Comments
2.2.2	Encourage and promote services and support for families, youth and children.	Woollahra Preschool provides an 80 place centre for children aged 3-5 years and provides an exceeding standard of care. The Preschool continues to support children with special needs with a dedicated Special Inclusion Support Teacher.

Project / Deliverable	Due By	Status	Stage	Progress Comments
A quarterly intergenerational program delivered between Woollahra Preschool and Holdsworth Community.	30 June 2024.	In Progress 	On Schedule	In partnership with Holdsworth Community, two intergenerational activities were held in July and August 2023 at Woollahra Preschool with elderly clients of Holdsworth interacting with the preschool children.
Continue working in partnership with the Gujaga Foundation to deliver a weekly community language program to children in Woollahra Preschool.	Ongoing, 30 June 2024.	In Progress 	On Schedule	The Dharawal Language Program, through the Gujaga Foundation commenced in July 2022 twice per week and has continued throughout the year. This is an ongoing program and strongly supported by the children, their parents and staff. Parents are actively engaged in learning the Dharawal language and culture through Preschool enewsletters and using the Gujaga Foundation app. Every morning, each class does an Acknowledgement of Country.
Support children with special needs as funded by State Government, so that they are appropriately cared for and resourced by Woollahra Preschool.	30 June 2024.	In Progress 	On Schedule	12 children with additional needs attended Woollahra Preschool in 2023. Funding was received for 7 of the children from Dept of NSW Education – Inclusion Support Funding, which allows for employment of a full time Special Inclusion Support teacher. Meetings are held each quarter with parents of the children and Allied health professionals to review progress and set goals.

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## 2023 Customer Satisfaction (CSAT) Survey Overview

- The CSAT survey was run from 6 July until 15 October 2023. The Council services included were Communications, Development Applications, Roads, Waste Services, Customer Service, Parks and Libraries.
- Respondents provided satisfaction scores out of 10, which indicated how various services influenced their overall satisfaction, and offered suggestions for improving the customer experience.
- Promotion channels included digital screens, banners, flyers in rates notices, e-signature messages, Mayoral Column, Social Media, E-Newsletters and Woollahra News.
- Survey responses were analysed for key insights.
- The Executive Leadership Team and managers were briefed on the survey findings.

### Survey Findings

#### Overall Customer Satisfaction with Council's performance:

- The CSAT Score for 2023 was 6.5/10 based on an average of 180 customer satisfaction ratings submitted.

#### 2023 Vs 2022 CSAT ratings:

- 201 customers provided a rating in 2022 and the CSAT score was 6.7.
- We saw an increase in the neutral rating (5 & 6) in 2023. A rating of 5 or 6 is often considered neutral because it indicates moderate satisfaction. The respondents who give neutral ratings are considered crucial to sway in future surveys because they are in a position where their experience can be influenced positively or negatively.

#### CSAT score, top 3 suburbs with the highest number of respondents:

- Paddington: 48 respondents, CSAT score 5.6
- Woollahra: 33 respondents, CSAT score 6.7
- Bellevue Hill: 19 respondents, CSAT score 6.7
- These findings align with the population distribution in Woollahra LGA, as per the 2021 census, where Paddington had the highest population, followed by Bellevue Hill then Woollahra.

#### Demographic overview of survey respondents:

- Over 65 year olds formed the largest respondent group at 37%, while the under 18 age group had minimal representation at 1%.
- The 50-64 age group, constituting 18% of the Woollahra LGA population (as per the 2021 census) exhibited strong representation with 36% of survey respondents.
- The 35-49 age group, representing about 20% of the population, accounted for 19% of survey respondents.
- The 20-34 age group, constituting around 21% of the population, had the lowest participation at 3% in the survey.
- In terms of the respondent's connection to Woollahra LGA, 72% live in, 13% work in, 9% invest in, and 6% visit the area.

#### How Council services impacted rating:

- Top 3 services with positive impact were Libraries, Parks and Waste Services
- Top 3 services with negative feedback were Roads, Communications and Development Applications.

#### Positive Sentiments and Opportunities for Improvement:

##### Libraries

- Feedback highlighted appreciation for the library's friendly and helpful staff, well-organised spaces, and flexible administrative processes. There was praise for the selection, design, and facilities. Community engagement and events were recognised, and the library's role as a space for relaxation, study, and community engagement across age groups. Positive mentions of knowledgeable staff, and commended for being well-run, well-stocked, and providing excellent

customer service, along with appreciation for its accessible locations, trading hours, and service availability.

- Some concern regarding library's fees for overdue books and item reservations and the allocation of ratepayers' funds, with suggestions to optimise spending more efficiently.

#### **Customer Service**

- Comments highlighted the efficiency of the service, quick issue resolution and pleasant interactions. Staff members were praised for being friendly, knowledgeable, and helpful. Accessibility and convenience were noted positively as well as ease of processing applications. The responsive email acknowledgment system and prompt interactions received appreciation. Overall, there were consistent positive mentions of staff being helpful, courteous, and professional.
- Comments regarding slow response times, and a lack of follow-up from the council, with concerns about accountability in email communication. Difficulty in accessing services, particularly for busy professionals, suggestion for more convenient online alternatives for processes such as obtaining residents parking stickers. Criticisms included the handling of issues like abandoned vehicles and other regulatory services.

#### **Parks**

- Respondents appreciate the well-maintained condition of parks like Rushcutters Bay Park, Trumper Park, Cooper Park, and Lyne Park. Positive feedback emphasised the importance of green spaces and trees, and recognised the Council's efforts to organise walks and educate the community. The prompt response to service requests, courteous phone interactions, and quick attention to issues, such as trimming trees were also commended by several respondents.
- Some dissatisfaction with park maintenance, concerns like overgrown weeds, and cleanliness issues. Complaints about dog-related issues, suggestions for stricter leash enforcement and fines through dog scanners. Some mentioned challenges in dealing with the Council, noting difficult staff interactions and concerns about inadequate resources for park maintenance.

#### **Waste Services**

- There is appreciation for the efficient green waste collection service, praised for its flexibility in handling large amounts of green waste. The overall reliability of waste collection services received positive feedback. The Council's prompt response to reported issues such as missed bin collection was commended. Respondents recognise the efficiency and responsiveness in addressing concerns or disruptions in waste collection and also highlighted the reliability of the contractors.
- Complaints around noise and environmental impact from garbage trucks, particularly early morning collection times and spillage. Concerns raised about bin placement and mess and the need for better clean-up practices. Public bin management was mentioned suggesting solutions for overflow issues. Requests for street cleaning more frequently, with attention to gutters. Issues with large waste collection resulting in unlawful dumping were noted.

#### **Roads**

- Positive feedback received for recent road repairs and upgrades and fixing of potholes.
- Concerns about road maintenance, delays in filling potholes, and dissatisfaction with repair processes.

#### **Communications**

- Positive feedback regarding timely and informative updates via mail, email, Woollahra News and library eNews, keeping residents informed about Woollahra activities and events and praised for being helpful and accessible. Comments about the community engagement approach being proactive, involving residents through requests for their opinions via surveys.
- Concerns included difficulty navigating the council's website, issues with the Council app, and a perception of lacking substance in certain communication channels. It's important to note that the survey was conducted before the launch of the new website.

#### **Development Applications**

- Positive feedback noted the ease and efficiency of payment for development applications, and straightforward processes. Some respondents expressed satisfaction with helpful telephonists and customer service.
- Frustration with the lengthy processing time for development applications. Disapproval highlighted regarding the approval of controversial developments. Complaints regarding lack of transparency in

the development application system, raising concerns about insufficient community input, decision-making favouring developers, and a perceived absence of consideration for residents' interests.

### **Actions to improve Customer Satisfaction**

- We have developed a Customer Experience Strategy that will drive a customer first approach across council and ensures accountability of actions.
- We will be reviewing our complaint management policy and procedures to ensure customer feedback is captured, analysed and this information informs our service improvements.
- Monthly reports from the Woollahra Council app are now part of the regular communication to the Executive Leadership Team, providing valuable insights.
- Additional training for staff on the Woollahra Council app will be implemented and we will emphasise the significance of closing the loop in customer interactions by ensuring customers are informed of the outcome upon request finalisation.
- Woollahra Council app improvements will include the ability to add comments once the Customer Request Management (CRM) is lodged, enhancing the platform's functionality.
- The telephone system is being replaced with Microsoft Teams, which will increase accountability, functionality and mobility for all calls.
- A post-call survey will be implemented for the call centre, ensuring continuous improvement in customer interactions.
- We are automating the renewal process for certain permits, notably parking permits. We have identified a priority list of the top 5 transactions, aiming to streamline the online completion of these processes, ensuring customers obtain permits quickly and more efficiently.
- A website upgrade has been undertaken which has enhanced the customer experience and has increased functionality.
- Council conducted an LGA-Wide review of dog controls. This review proposed changes to existing dog controls across a range of our parks, reserves and beaches to reflect the current needs of the community, with this being reported to Council in the coming months.
- Monthly reporting of pothole requests will be completed to monitor customer sentiment and identify problem streets.
- In line with the recent Development Assessment service review and subsequent resolutions of Council, a Customer Experience initiative will be introduced to improve communication during the Development Application process. At designated stages within the application process the DA assessment officer will proactively reach out to applicants. A customer survey will also be implemented on DA approval.
- Managers have participated in Customer Experience workshops and they have developed a Customer Experience measure within their respective business areas. These measures will be implemented by 30 June 2024.
- In a move towards data-driven decision-making, Customer Experience dashboards are being developed to inform service improvements across Council and to empower managers with easy access to key data.
- The approved Special Rate Variation will see an increase in our open space maintenance staff to allow us to provide greater and more frequent levels of maintenance resulting in better maintained parks and reserves.



## Political Donations: Matters to be considered by Councillors at Council and/or Committee Meetings

