



Urban Planning Committee

Agenda: *Urban Planning Committee*

Date: *Monday 27 June 2005*

Time: *6.00pm*

Outline Of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies 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 ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes 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.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- 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).

Delegated Authority (“D” Items):

- To require such investigations, reports or actions as considered necessary in respect of matters contained with the Business Agendas (and as may be limited by specific Council resolutions).
- Confirmation of Minutes of its Meeting.
- Any other matter falling within the responsibility of the Urban Planning Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed below:

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 matters, such as:-
 - Town Planning Objectives; and
 - major planning initiatives.
- Matters not within the specified functions of the Committee.
- Matters requiring supplementary votes to Budget.
- Urban Design Plans and Guidelines.
- Local Environment Plans.
- Residential and Commercial Development Control Plans.
- Rezoning applications.
- Heritage Conservation Controls.
- Traffic Management and Planning (Policy) and Approvals.
- Commercial Centres Beautification Plans of Management.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters reserved by individual Councillors, in accordance with any Council policy on "safeguards" and substantive changes.

Committee Membership:

7 Councillors

Quorum:

The quorum for a committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

22 June 2005

To: The Mayor, Councillor Rundle, ex-officio
Councillor David Shoebridge (Chair)
John Comino
Christopher Dawson
Keri Huxley
Julian Martin
Isabelle Shapiro
Fiona Sinclair King

Dear Councillors

Urban Planning Committee Meeting – 27 June 2005

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Urban Planning Committee** to be held in the **Committee Room, 536 New South Head Road, Double Bay, on Monday 27 June 2005 at 6.00pm.**

Gary James
General Manager

Meeting Agenda

Item	Subject	Pages
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 14 June 2005	1
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Items to be Submitted to the Council for Decision with Recommendations from this Committee

R1	Environmental Planning and Assessment Amendment (Infrastructure and other Planning Reform) Act 2005 – 696.G	2
R2	Draft Section 94 Contributions Plan 2002 (Amendment No. 1) – 136.G	33

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 14 June 2005**
Author: Les Windle, Manager – Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Tuesday 14 June 2005 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.

Recommendation:

That the Minutes of the Urban Planning Committee Meeting of 14 June 2005 be taken as read and confirmed.

Les Windle
Manager - Governance

Item No: R1 Recommendation to Council
Subject: **Environmental Planning and Assessment Amendment (Infrastructure and other Planning Reform) Act 2005**
Author: Anita Lakeland - Team Leader Strategic Planning
File No: 696.G
Reason for Report: To report on the introduction of the Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Act 2005

Recommendation:

THAT the report on the Environmental and Assessment Amendment (Infrastructure and Other Planning Reform) Act 2005 be received and noted.

1.0 Background

On 9 June 2005 the Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Bill (the Act) was passed through the NSW Parliament and received ascent on 16 June 2005. The Act will commence on a day to be set by proclamation which DIPNR advises is likely following the preparation of the regulations and guidelines.

This report provides an overview of the Act. Other than the Act itself, most of information for this overview has been taken from a transcription of the second reading of the Bill in Parliament by the Hon. Craig Knowles, M.P., Minister for Infrastructure and Planning and Minister for Natural Resources on 27 May 2005. A copy of the reading is annexed to this report (**annexure 1**). The explanatory Note for the Bill was used as a further source of information (**annexure 2**).

The object of the Act is to amend the Environmental Planning and Assessment Act 1979 (the EP&A Act) to reform land-use planning and the development assessment and approval system under that Act, particularly in respect of State infrastructure or other significant projects and land-use planning instruments.

The principal objects of the reforms are as follows:

- a) To provide a separated streamlined and integrated development assessment and approval system for major infrastructure and other projects of significance to the State (and to facilitate the delivery of critical infrastructure projects),
- b) To facilitate a strategic approach to land-use planning and to simplify and standardise landuse planning controls under environmental planning instruments,
- c) To replace existing master plan and staged development arrangements with more secure arrangements for obtaining concept or stage approval for local development,
- d) To streamline environmental assessment requirements under Part 5 for activities and approvals of public authorities that are not infrastructure or other projects referred to in paragraph (a),
- e) To enhance the enforcement powers under the EP &A Act, particularly in relation to infrastructure and other project referred to in paragraph (a).

The State Government's intent with this Bill is to establish greater certainty in the assessment of projects of State significance and major infrastructure projects, assisting the government's desire to afford opportunities for the private sector to participate in the delivery of infrastructure projects.

The Government's desire is to improve the climate in which to do business in the State by cutting red tape, reducing time, cost and complexity by introducing mechanisms to ensure the Government delivers quickly on its infrastructure programs – projects for roads and transport, schools, hospital upgrades, and water and energy projects, are examples.

The Act introduces a single assessment and approval system for major development and infrastructure projects, as well as implementing strategic initiatives such as the Metropolitan Strategy, replacing the current approval process which is spread across a number of pieces of legislation.

Together with the new State Environmental Planning Policy (State Significant Development) 2005 (the SEPP), the provisions contained in the Act enable the Minister to determine strategic sites, projects or programs of State significance and resolve issues associated with them.

The Act amends the EP& A Act through the introduction of new concept approvals, removes the need for up to fifteen different approvals and licences from nine separate pieces of legislation, replacing them with one assessment and approval process, removes the need for concurrences for major development, and abolishes the stop-the-clock provisions. For projects of major worth to the economy, it proposes to provide certainty at the front end of the proposal to reduce investment risk.

2.0 Overview of Act

Major private and public projects

The Act provides for a new part 3A of the EP& A Act that will replace two different assessment and approval processes for major private and public projects. The new part will apply to the following major projects: development currently identified as State significant development under the SEPP; major State Government infrastructure projects, such as projects which normally require an environmental impact statement under part 5 of the EP& A Act; and other projects, plans or programs which are “declared” by the Minister because of their economic, social or environmental planning significance to the State or region.

Environmental assessment for State significant projects will be carried out under guidelines and protocols to be developed by a new Chief Executive Officers Forum, made up of directors-general of the major regulatory agencies. These guidelines and protocols will set the rules for assessment methodology, consultation requirements and performance levels. For each project the director general of DIPNR will issue specific requirements for the assessment of the project based on the guidelines. The proponent must provide a statement of commitments to demonstrate to regulators and the community how it intends to manage the project and minimise the impacts on the environment. The Minister must be satisfied that the assessment meets the specified requirements and must seek advice from relevant agencies prior to the project's exhibition, and may ask the proponent to provide additional information. The proposal is exhibited for 30 days and the issues raised in submissions are sent to the proponent for a response. The proposal may be modified following this, but does not have to be re-exhibited.

The director general then prepares an assessment report with recommendations for the Minister on the determination of the project. Appeal rights will generally continue to apply, third party merit appeals will continue to apply if the project is listed in schedule 3 of the EP& A Act.

Integrated approvals

The new Part 3A provides for integrated approvals that will consolidate fifteen approvals under nine Acts into a single assessment process and approval given under the EP& A Act. Projects may still require licences.

Concept approvals

The Act will introduce concept approvals into the planning system for major projects. Concept approvals will have statutory force and are designed to provide up-front certainty for the proponents of those projects or programs which are either long term or complex, or where overarching strategies require statutory endorsement.

Critical infrastructure

The Act will allow the Minister to declare projects as critical infrastructure. For example, if the drought continues, work to implement the Metropolitan Water Plan will need to be accelerated. Components of that Plan may be declared critical infrastructure. A concept approval will be required for all critical infrastructure projects, but no further planning approvals. There will be no appeals against decisions on critical infrastructure and there will be no third party legal challenges under any environmental and planning statutes against those decisions.

Independent hearings and assessment panels

There will be independent hearing and assessment panels, appointed by the Minister, to provide additional expertise to resolve technical issues. The panel may comprise either an expert panel of technical experts or a panel of government agency officers. The panel is advisory and reports to the minister with its findings. The panels may provide an independent mechanism for the community to raise issues and have them considered.

SEPP (State Significant Development) 2005

The Act is allied to the new SEPP (State Significant Development) 2005 and focuses the Minister's consent role on significant projects and sites while decisions on local development will be devolved to local government. The SEPP provides an approach for nominating projects and programs as well as sites. Construction projects worth \$50 million or more will now be included where the Minister considers the project necessary to deliver State or regional planning objectives. State significant developments will be assessed as projects under the new Part 3A. Similarly, the Act will remove all the provisions in part 5 of the EP& A Act relating to applications that require the Minister's consent, as these will also be handled in the new part 3A.

Regional strategies

The Government is preparing new regional strategies in priority regions to align development with population growth and infrastructure needs and to protect high value natural resources. The Act will support those reforms by providing the context for modernising the statutory plans in those regions.

Standardised LEPs

The Act provides for the standardisation and consistency of LEPs. An amended version of the standard LEP will be re-exhibited in the near future for further comment. The intent of this standard LEP template is to reduce the time taken to prepare new LEPs, reduce the number of zone categories and reduce the number of definitions across the state. The Act enhances the Minister's existing powers to issue directions to local council's to ensure state strategies are implemented and to ensure the modernisation of LEPs occurs in a reasonable timeframe. Councils will be identified as requiring a new LEP within two, three or five years.

Development control plans

The Act contains amendments to provisions relating to development control plans aimed at: rationalising the number of DCPs by generally allowing only one to apply to a site; clarifying their relationship to environmental planning instruments; enabling landowners to prepare DCPs instead of masterplans; or providing for an environmental planning instrument to specify that a number of landowners must jointly prepare a DCP before development can proceed. The provisions prevent planning authorities from stopping development by refusing to make a DCP. Developers will be able to submit a development application where council refuses or delays the making of the DCP by more than 60 days.

The Act clarifies that a development control plan may not duplicate the provisions of an environmental planning instrument, be inconsistent with an instrument or contain provisions that prevent compliance with an instrument. Councils will not be required to remake all DCPs within a set time.

The Act provides for the existing provisions in the EP& A Act for staged approvals to be augmented with the introduction of procedures for the lodgement, assessment and approval of staged development applications.

Enforcement powers of DIPNR

A new range of investigative, compliance and enforcement powers will be available to DIPNR to ensure projects approved under the new Part 3A are carried out in accordance with their conditions of approval. In particular the Act strengthens the monitoring, compliance and audit powers, and provides for offences where the monitoring or audit reporting has been inadequate, false or misleading.

3.0 Conclusion

The State Government has moved quickly with this Act as part of its planning reform agenda. Significantly, the Act provides the Minister with increased powers to intervene in developments that would otherwise be assessed at the local level. The Act will reduce local assessment and decision-making powers and remove appeal rights on critical infrastructure developments.

The implications for planning and development in Woollahra in the first instance lie in requirements to prepare a new Municipal-wide LEP based on a standard LEP model. The final nature of the model is yet to be determined. There is also a requirement to consolidate DCPs, although no timeframes are specified for this action to be carried out.

In relation to other aspects of the Bill, such as major private and public projects, concept approvals and critical infrastructure, there is a possibility for these projects to occur in Woollahra, however, it is premature to speculate the potential type or location of these developments. Notwithstanding this, the SEPP identifies the types of development that are State significant development that would be assessed under the new part 3A. Those developments that have the potential to occur in Woollahra include:

- ❑ Construction projects for residential, commercial, retail or other with a capital investment value of more than \$50 million;
- ❑ Development for the purpose of marinas or moorings or other related land or water shoreline facility that moor, berth or store vessels (excluding dinghies or other small craft) at a fixed or floating berth, at freestanding moorings, alongside jetties or pontoons that moor, berth or store 30 vessels (additional vessel numbers).
- ❑ Sporting complexes with a capital investment value of \$30 million.

Anita Lakeland
Team Leader Strategic Planning

Allan Coker
Director Planning and Development

Chris Bluett
Manager Strategic Planning

Annexure 1: Transcription of the second reading of the Bill in Parliament by the Hon. Craig Knowles, M.P., Minister for Infrastructure and Planning and Minister for Natural Resources on 27 May 2005.

Annexure 2: Environmental Planning and Assessment Amendment (Infrastructure and Other Planning Reform) Bill 2005

Item No: R2 Recommendation to Council
Subject: **Draft Section 94 Contributions Plan 2002 (Amendment No. 1)**
Author: George Losonci, Senior Strategic Planner
File No: 136.G
Reason for Report: To report on the public exhibition of Draft Woollahra Section 94 Contributions Plan 2002 (Amendment No. 1)

Recommendation:

- A. THAT Draft Woollahra Section 94 Contributions Plan 2002 (Amendment No. 1), as exhibited and as contained in **Annexure 1** of the report to the Urban Planning Committee meeting of 27 June 2005, be approved.
- B. THAT JBA Planning Consultants be advised that consideration of monetary contributions or works in kind required under *Woollahra Section 94 Contributions Plan 2002* will need to be assessed and determined for all applications to modify DA 2003/055 and for all new applications for the Kiaora Lands site. All relevant section 94 monetary contributions or works in kind provided via DA 2003/955 will form part of the assessment.

1.0 BACKGROUND

On 14 March 2005, Council's Urban Planning Committee considered a report regarding the *Woollahra Section 94 Contributions Plan 2002* (the Plan). This report recommended, amongst other things, that a draft contributions plan be prepared to show the adjusted boundary of the Double Bay Commercial Centre which incorporates the newly zoned commercial properties, which forms part of the Kiaora Lands development site.

In relation to this matter, Council, at its meeting of 29 March 2005 considered the Urban Planning Committee's recommendation and resolved the following:

- B. That a draft contributions plan be prepared to amend Figure 3.1 in the Woollahra Section 94 Contributions Plan 2002 to show the adjusted boundaries of the Double Bay Commercial Centre.*

2.0 PREPARATION OF AMENDMENT TO WOOLLAHRA SECTION 94 CONTRIBUTIONS PLAN 2002

In accordance with Part B of Council's resolution, preparation of the amendment to the *Woollahra Section 94 Contributions Plan 2002* commenced in the manner set out in the *Environmental Planning and Assessment Act 1979* (the Act) and *Environmental Planning and Assessment Regulation 2000* (the Regulation). The following statutory steps were undertaken during the plan preparation and exhibition process.

2.1 The Environmental Planning and Assessment Regulation 2000

Part 4 of the Regulation (clauses 26-30) stipulates the requirements for the preparation, exhibition and public participation of the draft contributions plan.

Under part 4 of the Regulation, clause 32 stipulates that Council may amend a contributions plan by a subsequent contributions plan.

2.2 Public Exhibition

Draft Woollahra Section 94 Contributions Plan 2002 (Amendment No.1) was exhibited in the manner required by the Act and the Regulation. The exhibition occurred at the Council's Customer Services area over the period Wednesday, 27 April 2005 to Friday, 27 May 2005. The content of the exhibited draft Plan is attached as **Annexure 1**.

Details of the exhibition were notified in the *Wentworth Courier* editions of 27 April, 4 May, 11 May, 18 May and 25 May 2005.

The owners of the properties affected by the draft Plan were informed of Council's decision and invited to participate in the public consultation process associated with the exhibition.

Following the exhibition of *Draft Woollahra Section 94 Contributions Plan 2002 (Amendment No.1)*, one submission was received. The submission was made by JBA Urban Planning on behalf of Woolworths Ltd and Solotel Pty Ltd, who are the principal owners of the subject properties affected by the amendment to the existing Contributions Plan.

2.3 Summary of submission

The submission from JBA Urban Planning (**Annexure 2**) raised a number of issues, each of which is addressed below.

- (i) **The proposed amendment to the S. 94 Plan means that future development within any part of the Kiaora Lands site may be required to make contributions to parking and civic improvements (if it meets the above criteria).**

Development consent was granted on 12 October 2004 for the staged demolition of all the buildings on the Kiaora Lands site and staged construction of a mixed-use development comprising six buildings ranging in height between three and six storeys over two levels of basement parking (DA 955/2003/1).

A commercial agreement between Woolworths Ltd, Solotel Pty Ltd and Woollahra Council in respect of the development was signed on 27 March 2004. The commercial agreement includes provision for Woolworths Ltd/Solotel Pty Ltd to make significant public domain improvements in lieu of Section 94 Contributions in return for the right to develop the land. As the commercial agreement is based on development of the whole masterplan site, the public domain improvements agreed under the commercial agreement replace all S. 94 contributions (other than those agreed in relation to recreation and administration).

Response

On the 7 September 2004, Council's Strategic and Corporate Committee considered a lengthy report regarding the development application for the redevelopment of the Kiaora Lands development site (DA 2003/955).

During the assessment of the development application, in relation to the issue of section 94 contributions, it was assessed that the proposal,

“...not to require a monetary contribution for civic improvements for either the residential, retail or commercial components of the development. The value of the civic improvements to be provided as part of the proposed development would be well in excess of the monetary contribution able to be levied for civic improvement works under the Section 94 Plan.”

In regards to civic improvements, it was assessed that,

“the civic improvements proposed as part of the development proposal were not considered to satisfy the demand for open space and recreation facilities in the Municipality. As such, a waiver of the open space and recreation facilities contribution on the ground of material public benefit is not considered to be justified.”

In addition, the proposed development was assessed as

“providing an excess of car parking spaces when compared to Council’s requirements.”

Consequently, a condition of consent was imposed requiring the payment of section 94 contributions for open space, recreation facilities and an administrative component only.

The draft Plan has been prepared in response to the adjusted boundary of the Double Bay Commercial Centre resulting from the newly zoned commercial properties, gazetted in February 2004 under Woollahra LEP 1995 (Amendment No. 44). This land was rezoned after the preparation and commencement of the existing *Woollahra Section 94 Contributions Plan 2002*.

A commercial agreement (Umbrella Agreement) between Woollahra Council and Kiaora Lands Pty Ltd, signed on 26 March 2004, is separate to the implementation of the *Woollahra Section 94 Contributions Plan 2002*. Any future application for the Kiaora Lands site, whether it be a development application or a section 96 application to modify a development consent, or an application under section 82A of the Act to review a determination, would need to be assessed against the relevant planning instruments and policy documents. The Umbrella Agreement does not prevent or override the Council's obligations as a consent authority.

- (ii) **The current Section 94 Plan acknowledges the existence of the Kiaora Lands proposal and states (p: 26) that:**

“Public facilities related to the Kiaora Lands component of development may be provided as works in kind or another material public benefit.”

In accordance with the above clause, the commercial agreement for the developer ensures that the development provides public facilities for the whole masterplan site in lieu of S.94 contributions.

Response

The Umbrella Agreement includes a clause and annexure on public domain works. There is no reference in the clause or its annexure to the *Woollahra Section 94 Contributions Plan 2002* or to the works being in lieu of section 94 contributions.

The Umbrella Agreement makes specific reference to the role of Council as a planning and consent authority. Clause 3.3 of the Umbrella Agreement - *No fetter on Council's discretion* - states in part (a):

“Nothing in this deed, including in particular clause 3.2 (Council's Obligations), shall in any way fetter the Council in connection with the exercise of its powers or duties as a consent or other statutory authority or bind the Council to granting of any rezoning, development consent, reclassification, road level change, road closure or other action.”

This clause is important because it acknowledges the separate and continuing role of Council as a planning and consent authority. In properly exercising its planning and consent authority roles, the Council concluded that a monetary contribution for civic improvement works in Double Bay was not required because of the substantial public domain works set out in the development application.

Any future application for the Kiaora Lands site, whether it be a development application or a section 96 application to modify a development consent, or an application under section 82A of the Act to review a determination, would need to be assessed against the relevant planning instruments and policy documents. The Umbrella Agreement does not prevent or override the Council's obligations as a consent authority.

(iii) Section 94 contributions in respect of recreation and administration costs for the whole masterplan site were also agreed as part of the consent. Condition C8 of DA 2003/955/1 relates to the total S.94 Contribution.

Response

In accordance with the development consent for DA 2003/955 a total section 94 contribution of \$152,924.44 is required to be paid towards the provision of recreational facilities and administration of the Plan.

The proposed amendment to the *Woollahra Section 94 Contributions Plan 2002*, once approved, would not affect the current consent to DA 2003/955 issued on 12 October 2004, nor would the applicant be required to pay any additional contribution, unless an assessment of an application to modify DA 2003/955 or an assessment of a new development application concluded that an additional contribution was required based on landuse intensification and demand for additional public amenities and public services.

(iv) Woolworths/Solotel request that Council confirm (in writing) that the current S.94 Contributions, Works in Kind and Material Public Benefits agreed in respect of the future development (i.e. the whole masterplansite) at Kiaora Lands will be taken into consideration by Council, and treated in the manner of a ‘credit’ against any otherwise payable monetary S.94 Contribution, calculated in accordance with Council’s S.94 Contributions Plan, as amended, should any modifications to the development or new development be proposed in the future.

Response

The submission has asked for confirmation in writing that the current works in kind "agreed" in respect of the future Kiaora Lands development be treated as a credit against otherwise payable monetary contributions under section 94 of the Act in the event of an amended application or new development. This is not a matter that fits within the context of the subject amendment to the *Woollahra Section 94 Contributions Plan 2002*. Decisions regarding payment of monetary contributions or the provision of works in kind under section 94 of the Act were taken as part of the assessment and determination of the development application (DA 2003/955).

Therefore, any consideration of the type requested in the submission is more relevant to the assessment of future development applications for the Kiaora Lands site and should be dealt with at that time. In such cases it would be a matter for an applicant to submit a request about previous contributions or provision of works in kind for Council's consideration when section 94 matters are being assessed.

- (v) **Woolworths Ltd/Solotel Pty Ltd request that the following sentence be inserted into the revised S. 94 Plan:**

“All contributions related to the Kiaora Lands component of development may be provided as works in kind or another material public benefit.”

Response

Clause 3.14 of *Woollahra Section 94 Contributions Plan 2002* contains provision for circumstances where payment of the full contribution would not be appropriate because of the development history of the property or the extent to which a development proposal would achieve an adopted planning objective or some other planning benefit. In these circumstances, Council may reduce or waive the contribution that would otherwise be required.

In addition, under clause 4.8.4 the Plan, a provision exists whereby public facilities related to Kiaora Lands may be provided as works in kind or another material public benefit. All other contributions which would be provided by the developer as ‘works in kind’ or another ‘material public benefit’ can be argued on a merits based assessment under the current plan.

The submission refers to an agreement in principle by the Council that contributions for the Kiaora Land development may be provided in the form of ‘works in kind’ or ‘material public benefit’ rather than by payment of monetary contributions. It is considered that this alteration should not be supported for the following reasons:

- The existing Umbrella Agreement does not bind the Council to only considering public amenities and public services in the form of physical works.
- The Umbrella Agreement does not fetter the Council from exercising its duties as a consent authority and therefore from making independent assessments and determinations of other applications for the Kiaora Lands site, which may be lodged by persons other than Kiaora Lands Pty Limited.

2.4 Consideration of SEPPs, REPs and Ministerial directions

There are no relevant State or Regional Environmental Plans applicable to the proposed amendment. In addition, there are no Ministerial directions that have been issued with respect to the proposed amendment.

3.0 CONCLUSION

Preparation of the draft *Woollahra Section 94 Contributions Plan (Amendment No. 1)* has been undertaken in the manner required by the Act and the Regulation. Issues raised in the submission on behalf of the principal owners/developers of the Kiaora Lands development site have been addressed and for reasons detailed in this report, no alterations to the draft Plan are recommended.

It is recommended that the draft *Woollahra Section 94 Contributions Plan (Amendment No. 1)* be approved by Council and that a notice be prepared for the local newspaper in accordance with the requirements of the Regulations confirming Council's adoption of the amendment to its Contributions Plan.

George Losonci
Senior Strategic Planner

Anita Lakeland
Team Leader – Strategic Planning

Annexures

1. Draft Woollahra Section 94 Contributions Plan 2002 (Amendment No. 1) – exhibited version.
2. Submission from JBA Urban Planning dated 27 May 2005.