



**Planning proposal review
83 and 83A Yarranabee Road, Darling Point**

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Introduction

The preparation of a planning proposal is the first step in preparing a local environmental plan (LEP) or an amending LEP. A planning proposal should explain the justification for making the plan, and the intended effect of the plan. The planning proposal document can be prepared by a council, a landowner or developer seeking to change the planning controls relating to a particular site.

Section 55 of the *Environmental Planning and Assessment Act 1979* (the Act) sets out what information a planning proposal is to include when submitted for a gateway determination. A planning proposal must provide enough information to determine whether there is merit in the proposed amendment proceeding to the next stage of the plan-making process.

The Department of Planning and Environment (DPE) has prepared the document titled *A guide to preparing planning proposals* (the guidelines) dated October 2012. This document is issued under section 55(3) of the Act and provides guidance on the matters that should be included in a planning proposal to satisfy the requirements of the Act.

Below is a review of the planning proposal in accordance with Section 55 of the Act and the guidelines.

Section 55(2) of the Act outlines that a planning proposal must include the following components:

PART 1: A statement of the objectives and intended outcomes of the proposed instrument.

PART 2: An explanation of the provisions that are to be included in the proposed instrument.

PART 3: The justification for those objectives, outcomes and the process for their implementation.

PART 4: Maps, where relevant, to identify the intent of the planning proposal, and the area to which it applies.

PART 5: Details of the community consultation that is to be undertaken on the planning proposal.

Once a planning proposal is approved by Council it must be submitted to the Minister for Planning (the Minister) for consideration. At this point the Council becomes responsible for the content of the planning proposal and the quality of the information provided in support of the proposal.

This Annexure contains our review of the planning proposal submitted by the applicant against the guidelines. The review identifies where:

- amendments are to be made to the planning proposal, and
- additional information is to be included in the planning proposal.

Note: The planning proposal as submitted by the applicant provided options for the amendment of Woollahra Local Environmental Plan 1995 (WLEP 1995) and Draft Woollahra Local Environmental Plan 2014 (Draft WLEP 2014).

A typical planning proposal can take approximately nine months to complete. In nine months from November 2014, Draft WLEP 2014 will have been approved by the DPE and commenced operation. An amendment to WLEP 1995 controls would not be relevant. Therefore, this review focuses on the proposal to amend the Draft WLEP 2014 planning controls.

1. Objectives or intended outcomes

Applicant's proposal

The objectives or intended outcomes are addressed on pages 16-17 of the planning proposal which is **Annexure 1** to report to the Urban Planning Committee 24 November 2014.

In summary the objective is to increase the height and floor space ratio controls and reduce the setback of the foreshore building line for a residential flat building (RFB) that apply to the 83 and 83A Yarranabee Road, Darling Point to provide for medium density residential development.

The site is located at the north of Darling Point and comprises two adjoining properties. The property at 83A Yarranabee Road is a battle-axe lot accessed by a right-of-way over 83 Yarranabee Road which is generally rectangular. The combined area of the site is 1453.6m².

WMC response

Sufficient information has been submitted.

Recommendation

No change.

2. Explanation of provisions

Applicant's proposal

The provisions are explained on page 18 of the planning proposal in **Annexure 1** which is **Annexure 1** to report to the Urban Planning Committee 24 November 2014.

The applicant is seeking to amend the height and floor space ratio (FSR) maps and insert an additional site-specific clause for the foreshore building line. The applicant's proposed controls are set out below.

Height

Draft WLEP 2014 Clause 4.3 Height of Buildings - amend the 10.5m control on the Draft WLEP 2014 Height of Buildings map from 10.5 metres in accordance with the proposed Building Height Plan in Section 7 (page 31 of **Annexure 1**) of the planning proposal.

Section 7 includes the following map showing various reduced levels (RLs) over the site:

Floor space ratio

Draft WLWP 2014 Clause 4.4 Floor space ratio - amend the clause to permit an FSR of 1.2:1 for the site.

Foreshore building line

Draft WLWP 2014 Clause 6.3 Foreshore building lines - amend the clause to allow an RFB development to be erected on the site a minimum of 18m from mean high water mark.

WMC response

Overall, increased height and floor space ratio controls and an amended foreshore building line are supported for the purposes of public exhibition, but not in the manner identified in the planning proposal.

The applicant has provided a proposed building envelope prepared by Tzannes Associates that would accommodate a 2 to 5 storey building on the site. The controls reflecting that envelope are discussed below.

Height

The applicant's proposal is to apply RLs across the site at various locations. We do not support the highly prescriptive mapping of RLs as proposed because:

- The use of RLs at various locations over a lot is inconsistent with Council's approach to mapping height in Draft WLEP 2014.
- The number of different RLs on the site is overly complex.
- The scale of the Draft WLEP 2014 Height of Building Map makes identifying the precise location of each RL impossible.
- Describing the exact location of each RL on the site with a textual description in a clause in Draft WLEP 2014 is not preferred, nor typical of Standard Instrument local environmental plans.
- The DPE has recently advised Council that the application of RLs in Draft WLEP 2014 is not supported for two sites on New South Head Road, Double Bay. Therefore, they are unlikely to support the use of RLs for this site.

Usually, Council sets a maximum building height in metres above existing ground level. A second height limit may also be applied to restrict development at the highest part of the site. The second height limit facilitates view sharing and provides a consistent streetscape.

These standard approaches for setting height limits should be applied to the planning proposal.

Using these approaches, we propose the following maximum building height controls for the site:

- A maximum building height of 15.2m and a second height of 5.7m over 83 Yarranabee Road.
- A maximum building height of part 10.5m and part 15.2m over 83A Yarranabee Road.

Explanation of the proposed provisions

On 83 Yarranabee Road, the 15.2m maximum building height is equivalent to the maximum RL of the applicant's proposal. The 5.7m second height from the highest part of the site is the equivalent to the maximum RL of the applicant's proposal as viewed from Yarranabee Road.

On 83A Yarranabee Road, the 10.5m maximum building height reflects the majority of the applicant's proposal except a small portion proposed as RL 15.1 in the south-east corner. As the exact location of the area proposed with an RL of 15.1m cannot be accurately identified using Council's usual mapping techniques it has been excluded from the property.

This is a practical approach to addressing the maximum building heights on 83A Yarranabee Road given the limitations of the Standard Instrument (see Part 4 - Mapping below).

Floor space ratio

For the purpose of exhibition we support the applicant's request for an FSR of 1.2: 1 over the site based on a 5 storey RFB.

A review of the proposed building envelope identified that the proposed FSR is suitable for a 5 storey RFB using the Standard Instrument definition of gross floor area (GFA).

The proposed FSR is appropriate in the context of the two nearest buildings on either side. It creates a transition from 85 Yarranabee Road which has an FSR of approximately 1.8:1 to 77-81 Yarranabee Road with an FSR of 0.63:1¹.

In regards to the mechanism for amending the FSR, the applicant proposed to amend Clause 4.4 of Draft WLEP 2014 by applying a site specific control for the site. This is not supported. A more practical solution is to identify an FSR of 1.2:1 on the Draft WLEP 2014 Floor Space Ratio Map (see Part 4 - Mapping below).

Foreshore building line

For the purpose of exhibition we support the applicant's request to apply an 18m foreshore building line for an RFB development on the site.

The previous DA for the site proposed an RFB with a setback 12m from mean high water mark, not 30m as specified by Draft WLEP 2014. The 12m setback increased building bulk on the foreshore and eliminated opportunities to provide areas for future planting.

The applicant has recognised that a 12m setback from mean high water mark did not maximise solar access to adjoining properties and increased the visual bulk of the building as viewed from the water and neighbouring properties.

The proposed 18m setback:

- maintains or improves views to the harbour from adjoining buildings, including the Opera House and Harbour Bridge compared with a development which complies with the provisions of Draft WLEP 2014.
- Maintains or improves solar access to adjacent neighbours compared with a development which complies with the provisions of Draft WLEP 2014.
- Allows for more landscaping and planting on the foreshore.

¹ The FSRs of the adjoining buildings have been estimated based on the Standard Instrument definition of GFA, which differs slightly from the definition of GFA in WLEP 1995, as it excludes certain design elements from GFA, such as the thickness of external walls, balconies and staircases.

The objective of Clause 6.3 Foreshore building lines in Draft WLEP 2014 is “to ensure that development in the foreshore area will not impact on natural foreshore processes or affect the significance and amenity of the area”.

Applying an 18m foreshore building line is compatible with this objective as it:

- Will not affect foreshore process as the existing foreshore area is a stone retaining wall.
- Will not affect the significance of the area as it does not adjoin or affect views from a heritage item.

In regards to the mechanism for amending the foreshore building line control, the applicant has proposed to amend Clause 6.3 of Draft WLEP 2014 by altering the foreshore building line for RFB development on this site from 30m to 18m. This approach is not supported. A more practical solution is to identify an 18m foreshore building line on the Foreshore Building Line map of Draft WLEP 2014 and amend Clause 6.3 as required to support the change.

Recommendation

1. Amend the proposal to identify the following heights above ground level (existing) on the Height of Building map of Draft WLEP 2014:
 - A maximum building height of 15.2m and a second height of 5.7m over 83 Yarranabee Road.
 - A maximum building height of part 10.5m and part 15.2m over 83A Yarranabee Road.
2. Support the proposed FSR of 1.2:1, but amend the planning proposal to identify that the FSR will be shown on the Floor Space Ratio Map of Draft WLEP 95.
3. Amend the planning proposal to apply an 18m foreshore building line for a RFB on Foreshore Building Line map of Draft WLEP 2014 and amend Clause 6.3 Foreshore building lines to support this change.

3. Justification

The Department of Planning and Environment's document *A guide to preparing planning proposals* identifies the following 10 questions to consider when demonstrating the justification. *Our review of the planning proposal is based on the response to these 10 questions.*

Section A - Need for the planning proposal

Question 1: Is the planning proposal a result of any strategic study or report?

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

Section B - Relationship to strategic framework

Question 3: Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

a) *Does the proposal have strategic merit and:*

- *is consistent with a relevant local strategy endorsed by the Director-General*
- or*
- *is consistent with the relevant regional strategy or Metropolitan Plan*
- or*
- *can it otherwise demonstrate strategic merit, giving consideration to the relevant section 117 Directions applying to the site and other strategic considerations (e.g. proximity to existing urban areas, public transport an infrastructure accessibility, providing jobs closer to home etc.).*

b) *Does the proposal have site-specific merit and it is compatible with the surrounding land uses, having regard to the following:*

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

Question 4: Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Question 5: Is the planning proposal consistent with applicable State Environmental Planning Policies?

Question 6: Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?

Section C - Environmental, social and economic impact

Question 7: 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?

Question 8: Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Question 9: Has the planning proposal adequately addressed any social and economic effects?

Section D - State and Commonwealth interests

Question 10: Is there adequate public infrastructure for the planning proposal?

Section A – Need for the planning proposal

Question 1: Is the planning proposal a result of any strategic study or report?

Applicant's proposal

This is addressed on page 20 of the planning proposal, which identifies that the planning proposal is the result of ongoing consultation with Council to ascertain a preferred planning outcome for the site.

WMC response

The applicant previously submitted a development application (DA 485/2012) for this site which proposed a RFB setback 12m from the foreshore. The application was refused and an appeal to the Land and Environment Court with a slightly modified application was dismissed.

Council officers have met with the applicants to discuss the site and identify suitable planning outcomes for it. The applicant's planning proposal generally responds to the issues that were identified during the assessment process and subsequent appeal.

Recommendation

No change.

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

Applicant's proposal

This is addressed on page 21, which identifies that a planning proposal is required to:

- ▶ amend the foreshore building line and increase the maximum allowable FSR for the site, and
- ▶ increase the maximum building height over part of the site.

The applicant suggests that the planning proposal controls will improve the relationship between buildings on the site and neighbouring properties.

WMC response

A planning proposal is the best means of achieving the objectives and is needed to change the height, floor space ratio and foreshore building line controls for the site.

A planning proposal provides an open and transparent process. It allows the public to provide comments during a public exhibition.

Recommendation

No change.

Section B – Relationship to strategic framework

Question 3: Is the planning proposal consistent with the objectives and actions of the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

- a) *Does the proposal have strategic merit and:*
- *is consistent with a relevant local strategy endorsed by the Director-General, or*
 - *is consistent with the relevant regional strategy or Metropolitan Plan, or*
 - *can it otherwise demonstrate strategic merit, giving consideration to the relevant section 117 Directions applying to the site and other strategic considerations (e.g. proximity to existing urban areas, public transport an infrastructure accessibility, providing jobs closer to home etc.).*

Applicant's proposal

This is addressed on page 21 and 22 of the planning proposal, and identifies that the planning proposal is consistent with the Sydney Metropolitan Plan to 2036 and Draft East Subregional Strategy.

WMC response

In December 2010, the NSW Government released 'The Metropolitan Plan for Sydney to 2036' (Metropolitan Plan). The Metropolitan Plan replaced the Sydney Metropolitan Strategy City of Cities: A Plan for Sydney's Future (2005). The Metropolitan Plan draws on the strengths and principles of the Metropolitan Strategy. It is a single integrated plan for Sydney and incorporates the Sydney Metropolitan Transport Plan (2010).

The Metropolitan Plan estimates that between 2006 and 2036 Sydney's population will grow by 1.7 million people to 6 million people. While Sydney's population is growing, the average household size is falling, creating demand for smaller and more affordable homes. As a result, Sydney will need 770,000 additional homes by 2036 - a 46% increase on the city's current 1.68 million homes. The location, size and type of new housing must reflect the population's changing needs. In addition, Sydney's growth will require 760,000 more jobs closer to home.

The Metropolitan Plan is divided into Strategic Directions, including Housing Sydney's Population. This direction provides a strategic approach to housing growth with an emphasis on achieving the most efficient use of existing urban areas where small, medium and large centres enjoy good access to services, jobs and public transport. Relevant objectives of the Housing Strategic Direction are:

- D1. To ensure an adequate supply of land and sites for residential development;
- D2. To produce housing that suits our expected future needs;
- D3. To improve housing affordability;
- D4. To improve the quality of new housing development and urban renewal.

The subject site is zoned R3 Medium Density under Draft WLEP 2014 and includes RFBs as a permissible use. Increasing residential density in this location is consistent with the aims of the Metropolitan Plan.

The Draft East Subregional Strategy (2007) takes the Metropolitan Strategy and applies it to the Woollahra LGA. Two key elements of the Subregional Strategy are the provision of additional dwellings and increasing opportunities for new jobs.

The Metropolitan Strategy set targets of 20,000 additional dwellings and 12,500 new jobs for the eastern region up to 2031. Targets set for the Woollahra LGA are 2,900 additional dwellings and 300 new jobs.

The proposal will help facilitate additional residential development to meet the dwelling target and is consistent with the other Draft East Subregional Strategy actions. Initiative C2.1 of the Subregional Strategy is to focus residential development within centres and corridors with access to public transport and local services. The site is within walking distance of bus and ferry services. Collectively these services provide access to the nearby centres of Edgecliff and Double Bay and other centres further afield, supporting initiative C2.1.

The planning control changes for the subject site will increase the dwelling capacity of the site. The subject site could increase the existing density from two dwellings under the current Draft WLEP 2014 controls to five dwellings under the proposed controls.

Accordingly, the planning proposal is consistent with the objectives of the Metropolitan Strategy, Metropolitan Plan and the initiatives of the Subregional Strategy.

Recommendation

No change

b) Does the proposal have site-specific merit and is it compatible with the surrounding land uses, having regard to the following:

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

Applicant's proposal

This question was not addressed in the planning proposal.

WMC response

The proposal is compatible with the natural environment as it does not seek to alter any controls which will affect known significant environmental values, hazards or resources.

The proposal is compatible with the existing uses and the surrounding land uses. The planning proposal does not seek a change to the residential zoning and will facilitate an RFB development which is consistent with the existing land uses of the two nearest properties to the west and three nearest properties to the east.

The proposal will not require any additional infrastructure and is within walking distance of bus and ferry services.

Recommendation

The planning proposal should include information to address Question 3 b).

Question 4: Is the planning proposal consistent with a council's local strategy or other local strategic plan?

Applicant's proposal

This is addressed on page 22 of the planning proposal, and identifies that the planning proposal is consistent with Woollahra Community Strategic Plan, *Woollahra 2025 - our community, our place, our plan*.

WMC response

Woollahra 2025 is Council's 15 year strategic plan for the LGA. Woollahra's future planning is based on the principle of sustainability. That is, meeting the needs of the present, without compromising the ability of future generations to meet their own social, economic, environmental and civic leadership needs.

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

The planning proposal will enable additional dwellings near the services, facilities and transport offered in the Edgecliff Commercial Centre and is therefore consistent with Council's Community Strategic Plan.

Recommendation

No change.

Question 5: Is the planning proposal consistent with applicable State Environmental Planning Policies?

Applicant's proposal

This is addressed on page 22-25 of the planning proposal, which is considered consistent with relevant State Environmental Planning Policies (SEPPs).

WMC response

The planning proposal has been assessed against four key relevant SEPPs and one deemed SEPP. Based on this assessment, Council has concluded that the planning proposal is consistent with all applicable SEPPs.

SEPP 65 - Design Quality of Residential Flat Development 2002

This is addressed on page 24 of the planning proposal.

Description of SEPP: This SEPP aims to improve the quality of design of residential flat development across NSW through the application of design principles.

Assessment: SEPP 65 will apply to the proposed development on the subject site. The planning proposal does not propose any changes to this requirement.

SEPP (Building Sustainability Index: BASIX) 2004

This is addressed on page 24 of the planning proposal.

Description of SEPP: This SEPP operates in conjunction with *EP&A Amendment (Building Sustainability Index: BASIX) Regulation 2004* to implement consistent building sustainability provisions across NSW.

Assessment: Requirements for a BASIX certificate will apply to the subject site as part of any development application for the site and the planning proposal does not propose any changes to this requirement.

SEPP 32 Urban Consolidation (Redevelopment of Urban Land) 1991

This is addressed on page 23 of the planning proposal.

Description of SEPP: This SEPP aims to ensure the NSW Government's urban consolidation objectives are met in all urban areas throughout the State. The policy focuses on the redevelopment of urban land that is no longer required for the purpose it is currently zoned or use, and encourages local councils to pursue their own urban consolidation strategies to help implement the aims and objectives of the policy.

Assessment: The planning proposal is consistent with the aims of this SEPP. It involves the intensification of residential development in an existing medium density zone which will provide new dwellings near public transport services.

SEPP 55 - Remediation of Contaminated Land

This is addressed on page 23 of the planning proposal.

Description of SEPP: This SEPP introduces planning controls for the remediation of contaminated land across NSW. The policy states that land must not be developed if it is unsuitable for a proposed use because it is contaminated. If the land is unsuitable, remediation must be undertaken before the land is developed.

Assessment: SEPP 55 will apply to the proposed development on the subject site. The planning proposal does not propose any changes to this requirement.

Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005

This is addressed on page 25 of the planning proposal.

Description of the deemed SEPP: This SEPP aims to establish a balance between promoting a prosperous working harbour, maintaining a healthy and sustainable waterway environment and promoting recreational access to the foreshore and waterways. It establishes planning principles and controls for the catchment as a whole which must be considered during the preparation of environmental planning instruments.

Assessment: The planning proposal is consistent with the planning principles of the SEPP. The relevant principle being that development that is visible from the waterways or foreshores is to maintain, protect and enhance the unique visual qualities of Sydney Harbour².

The planning proposal responds to the site's context and proposes a transition from the 7m foreshore setback of 85 Yarranabee Road to the 30m setback of 77-81 Yarranabee Road. This approach will limit the bulk of development as viewed from the harbour and provide an opportunity for greater foreshore landscaping compared to existing development on the site.

The 10.5m height limit on 83A Yarranabee Road adopted by Council in WLEP 2014 is retained on the foreshore. On 83 Yarranabee Road, the proposed 15.2m control allows for a development that steps up the site, but is limited by a second height of 5.7m at the highest part of the site which retains and enhances views from the surrounding area to the harbour.

Recommendation

No change.

² The Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 definition: Sydney Harbour includes all tidal bays, rivers and their tributaries connected with or leading to Sydney Harbour, and all waters bounded by mean high water mark and lying to the west of a line running between the southernmost point of North Head and the northernmost point of South Head.

Question 6: Is the planning proposal consistent with applicable Ministerial Directions (s.117 Directions)?

Applicant's proposal

This is addressed on pages 26-28 of the planning proposal.

WMC response

The planning proposal is consistent with applicable Ministerial directions as outlined below.

| No. | Title | Comment |
|--|------------------------------------|--|
| Housing, Infrastructure and Urban Development | | |
| 3.1 | Residential Zones | <p>Applicable - consistent.</p> <ul style="list-style-type: none"> ► Draft WLEP 2013 does not reduce the amount of land zoned for residential purposes. ► The planning proposal will provide opportunities for additional residential units within the Woollahra LGA. ► Urban consolidation will increase the supply of housing in a location that will utilise existing public transport infrastructure and services. ► The site adequately serviced by sewer, water, gas and electricity. |
| 3.4 | Integrating Land Use and Transport | <p>Applicable - consistent.</p> <ul style="list-style-type: none"> ► The proposal is located within walking distance of bus and ferry services which connect to the local area and broader region. |
| Housing, Infrastructure and Urban Development | | |
| 4.1 | Acid sulfate soils | <p>Applicable - consistent.</p> <ul style="list-style-type: none"> ► The site is classified as Class 2 Acid sulfate soils. ► Existing acid sulfate soils provisions will not be altered by the planning proposal and will apply to any future development which might intensify the use of the land. |
| Local plan making | | |
| 6.1 | Approval and referral requirements | <p>Applicable - consistent.</p> <ul style="list-style-type: none"> ► The proposal does not include provisions that require development applications to be referred externally and is not related to designated development. |
| 6.2 | Reserving land for public purposes | <p>Applicable - consistent.</p> <ul style="list-style-type: none"> ► The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes. |

| No. | Title | Comment |
|------------------------------|---|--|
| 6.3 | Site specific provisions | Applicable - consistent. ▶ The planning proposal does not propose a rezoning or include additional land uses for the land. |
| Metropolitan Planning | | |
| 7.1 | Implementation of the Metropolitan Plan for Sydney 2036 | Applicable - consistent. ▶ As outlined above in Part 3, Section B, pages 10 and 11. |

Recommendation

No change.

Section C – Environmental, social and economic impact

Question 7: 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?

Applicant's proposal

These are addressed on page 29 of the planning proposal.

WMC response

There are no identified critical habitats or threatened species, population or ecological communities or their habitats identified within the subject site or adjoining sites, and therefore no likelihood of adverse results.

Recommendation

No change.

Question 8: Are there any other likely environmental effects as a result of the planning proposal and how are they proposed to be managed?

Applicant's proposal

These are addressed on page 29 of the planning proposal.

WMC response

There are no likely environmental effects that cannot be managed through the development assessment process. Further information will be requested as part of any development application lodged for the site as deemed appropriate.

Recommendation

No change.

Question 9: Has the planning proposal adequately addressed any social and economic effects?

Applicant's proposal

This is addressed on page 29 of the planning proposal.

WMC response

It is not anticipated that the planning proposal will have any negative social and economic effects which need to be addressed as part of the proposal.

Recommendation

No change.

Section D – State and Commonwealth interests

Question 10: Is there adequate public infrastructure for the planning proposal?

Applicant's proposal

This is addressed on page 29 of the planning proposal which states that the existing services are suitable for the proposal and appropriate for the requirements of a medium to high density residential use.

WMC response

The planning proposal relates to a proposed development with an established area. It is considered that adequate public infrastructure for the development exists.

Recommendation

No change.

Question 11: What are the view of state and Commonwealth public authorities consulted in accordance with the gateway determination

Applicant's proposal

This is addressed on page 30 of the planning proposal which identifies that consultation will be undertaken following the issuing of a gateway determination.

WMC response

As the site is located adjacent to Sydney Harbour, we recommend that Roads and Maritime Services are consulted as part of the public exhibition.

Recommendation

Include a reference to consultation with Roads and Maritime Services in the consultation material.

4. Mapping

A guide to preparing planning proposals identifies that planning proposals should be supported by relevant and accurate mapping.

Applicant's proposal

No maps were included in the planning proposal.

WMC response

Maps should be prepared for this planning proposal for the purpose of exhibition. The relevant maps are:

1. Floor Space Ratio - Draft WLEP 2014
2. Floor Space Ratio - Proposed
3. Height of Buildings Map - Draft WLEP 2014
4. Height of Buildings Map - Proposed
5. Foreshore Building Line Map - Draft WLEP 2014
6. Foreshore Building Line Map - Proposed

Recommendation

The six maps identified are to be incorporated into the planning proposal for the purposes of public exhibition.

5. Community consultation

Applicant's proposal

This is addressed on page 32 of the planning proposal which identifies that the planning proposal is considered to be a low-impact planning proposal³ and that a likely exhibition period would be 14 days.

WMC response

If Council resolves to progress the planning proposal we recommend an exhibition period of 28 days minimum.

The public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2000*.

Public notification of the exhibition will comprise:

- ▶ a weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period,
- ▶ a notice on Council's website,
- ▶ a letter to land owners in the vicinity of the site.

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, and
- ▶ the gateway determination, and
- ▶ all information relied upon by the planning proposal (such as Council reports).

Recommendation

Include a suggested exhibition period of a minimum of 28 days.

³ Low impact planning proposal means a planning proposal that in the opinion of the person making the Gateway determination is consistent with the pattern of surrounding land use zones and/or land uses, is consistent with the strategic planning framework, presents no issues with regard to infrastructure servicing, is not a principle LEP, and does not reclassify public land.

6. Project timeline

Applicant's proposal

This is addressed on page 34 of the planning proposal.

WMC response

The applicant's timeline does not include the estimated months for each step of the planning proposal process. The indicative project timeline for completion of the planning proposal is as follows:

| Plan-making step | Estimated completion |
|---|---|
| Urban Planning Committee recommends proceeding | November 2015 |
| Council resolution to proceed | December 2015 |
| Gateway determination | February 2015 |
| Completion of technical assessment | None anticipated |
| Government agency consultation | March - April 2015 (28 days) |
| Public exhibition period | |
| Submissions assessment | May 2015 |
| Council assessment of planning proposal post exhibition | June 2015 |
| Submission of planning proposal to the DPE finalising the LEP | N/A - proposal to subject to delegation |
| Council decision to make the LEP amendment (if delegated) | July 2015 |
| Forwarding of LEP amendment to DPE for notification | July 2015 |
| Notification of the approved LEP | August 2015 |

Recommendation

Council's indicative project timeline is included in the planning proposal.