

# PLANNING PROPOSAL

636 and 638-646 New South Head Road, Rose Bay



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## SECTION 1 – INTRODUCTION AND BACKGROUND

### 1 Summary

In December 2016 Woollahra Council received a request for a planning proposal from JPR Architects (the applicant), on behalf of the owners of 636 and 638-646 New South Head Road, Rose Bay (the site). The documentation submitted with the request, including a planning proposal report prepared by JBA Urban Planning Consultants is included as Attachment 1.

The site consists of two separate lots each subject to a different land use zones. No. 636 New South Head Rd is zoned R3 Medium Density Residential, and No. 638-646 New South Head Road is zoned B2 Local Centre.

The planning proposal seeks to amend Schedule 1 of the Woollahra Local Environmental Plan 2014 (WLEP 2014) to permit development on the site (across both lots) for the purpose of a residential flat building, but only as part of a mixed use development. Commercial uses addressing New South Head Road will still be required on 638-646 New South Head Road.

Residential flat buildings are permitted in the R3 Medium Density zone, which applies to 636 New South Head Road, but are prohibited in the B2 Local Centre zone, which applies to 638-646 New South Head Road. The only form of residential use permitted in the B2 Local Centre zone is shop top housing, however, this is defined as “*one or more dwellings located above ground floor retail premises or business premises*”. Therefore, the proposed amendment is required to permit a mixed use development with a residential flat building component across both lots. The amendment will apply only to this site.

The proposal does not seek any other amendments to the WLEP 2014 or Woollahra Development Control Plan 2015 (WDCP 2015).

The proposal is consistent with all relevant state and local environmental planning instruments, strategies, plans and policies, and will not result in any adverse environmental or amenity impacts on the site or neighbouring land. The proposal is also consistent with the desired future character for the Rose Bay Centre.

This report is divided into 2 sections. Section 1 provides introductory and background information about the site, planning controls and development concepts. Section 2 provides a strategic justification for the planning proposal, following the outline for a planning proposal described in the NSW Department of Planning and Environment’s *A Guide to Preparing Planning Proposals* (August 2016).

## 2 The site and surrounding context

### 2.1 The site

The site is located on the north (bay) side of New South Head Road, Rose Bay, as shown below in Figure 1. It is located approximately 140m from Lyne Park and is partially within the Rose Bay Centre.



**Figure 1: Local area map** (the site is shown with a red outline on an aerial photograph with a WLEP 2014 zoning map overlay)

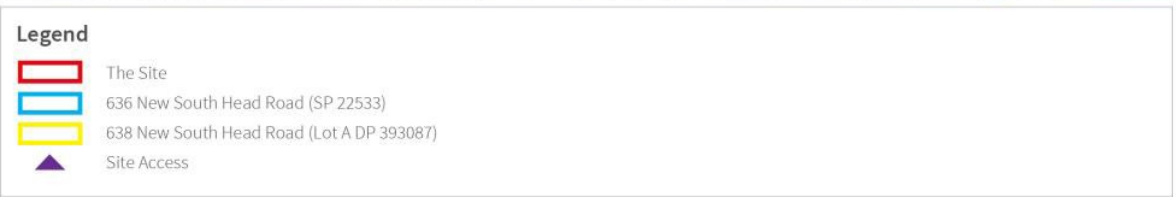
The site comprises two adjoining lots at 636 New South Head Road (SP 22533) and 638-646 New South Head Road (Lot A DP 393087). The combined area of the site is approximately 1,502m<sup>2</sup>, with a water frontage of approximately 21m to Rose Bay and a road frontage of approximately 31m to New South Head Road. The site slopes evenly approximately 2.4m down from New South Head Road to the waterfront.

No. 636 New South Head Road is a battle-axe lot with an area of approximately 791m<sup>2</sup>, a water frontage of approximately 21m to Rose Bay and an access handle with approximately 2m frontage onto New South Head Road. This lot accommodates a two storey residential flat building with 6 apartments known as “Kenmar Court”, and associated landscaping.

No. 638-646 New South Head Road is an irregular rectangular shape with an area of approximately 711m<sup>2</sup> and a frontage of approximately 29m to New South Head Road. This lot accommodates a petrol station and is located within the Rose Bay Centre.

An aerial photo of the site is included as Figure 2. Site photos of the existing development on the site are included as Figures 3 and 4.





**Figure 2: Site aerial photograph** (source: JBA and Nearmap)





**Figure 3: Existing petrol station at 638-646 New South Head Road**



**Figure 4: Existing residential flat building at 636 New South Head Road viewed from beach area at Rose Bay**



## 2.2 Existing context

The site is located near the northwest corner of the Rose Bay Centre. The centre is located along New South Head Road, which is an arterial road connecting Rushcutters Bay and Vaucluse (effectively connecting the Sydney CBD with South Head at Watsons Bay).

The Rose Bay Centre is a mixed use local centre with two supermarkets, three banks, chemists, a broad range of restaurants and cafes and other day-to-day services that contribute to making the centre the most convenient and important for residents from the eastern half of the Woollahra Local Government Area (LGA). Key industries in the centre include retail, accommodation and food services, health care, arts and recreation, and education (source: Eastern Suburbs Economic Profile (2014)).

The built form of development surrounding the site includes predominantly mixed use retail / business and residential development, commercial buildings and residential flat buildings. These are generally low scale being 2-3 storeys, although notable exceptions include the 7-8 storey mixed use development and residential flat building neighbouring the site to the west, at 624-634 and 624A New South Head Road. Site photos of the existing development surrounding the site are included as Figures 5 and 6.



**Figure 5: Existing development to the south of the site on New South Head Road, showing examples of typical nearby 2-3 storey mixed use and residential flat buildings (source: JBA)**



**Figure 6 – Existing development to the southwest of the site at 624-634 and 624A New South Head Road, showing notable exceptions to typical development in nearby development**  
(source: JBA)

The site is well serviced by public transport with five bus routes running along New South Head Road to the CBD, being route Nos. 323, 324, 325, and L24. Connections are available from these routes at the Edgecliff Bus and Rail Interchange to district centres such as Bondi Junction. The Rose Bay Ferry Wharf is 550m from the centre with services to Circular Quay, Double Bay and Watsons Bay. Woollahra Council has recently improved cycling facilities to make cycling to and from the centre safer and more convenient.

The site is within walking distance of recreation facilities including Lyne Park which has tennis courts, basketball courts, sporting fields. The site fronts onto Sydney Harbour and Rose Bay beach, providing access to a range of recreational activities such as sailing, kayaking, paddle boarding and other water sports.

Providing opportunities for additional mixed use development incorporating retail / business and residential development on the site is consistent with the well-established best planning practice of increasing development potential near transport nodes and shopping centres to promote sustainable and public transport oriented development.

## **3 Background**

### **3.1 Mixed use development application**

Development application (DA) 212/2015 was approved on 18 July 2016 for the demolition of the existing petrol station, remediation of the site and construction of a mixed use development comprising 10 residential apartments, ground floor retail, and 15 basement car spaces. This development application applies to 638-646 New South Head Road only.

### **3.2 Seniors housing development application**

Development application 377/2016 for a seniors housing development was submitted to Woollahra Council on 6 September 2016. At the time of preparing this report a planning assessment report recommending conditional approval was on the agenda to be considered by Council's Development Control Committee on 6 February 2017. The development application will then be determined by the Sydney Central Planning Panel on 16 February 2017. The development application proposes a single building across both lots consisting of 9 seniors housing apartments, 2 retail tenancies fronting New South Head Road, 2 commercial tenancies at ground floor and 19 basement car spaces. The applicant stated in their request that the development application was lodged to provide the landowners with an alternative development option should this planning proposal not be supported.

### **3.3 Pre-planning proposal application consultation**

A pre-application planning proposal meeting was held with Woollahra Council officers on 8 June 2016 to discuss the proposed planning control changes for the site. At the meeting, options to address the constraints to residential development arising from the definition of shop top housing were discussed. A number of issues relating to proposed amendments to the height and floor space ratio development standards were also discussed. The proposed height and floor space ratio amendments are no longer being sought by the applicant.

### **3.4 Preparation of planning proposal**

This planning proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the two documents prepared by the NSW Department of Planning and Environment titled *A Guide to Preparing Planning Proposals* (August 2016) and *A Guide to Preparing Local Environmental Plans* (August 2016).

The applicant submitted the following supporting documentation with their request for a planning proposal:

- **Planning proposal report** prepared by JBA Urban Planning Consultants, dated December 2016 (Ref: 15940).
- **Survey plans** prepared by Project Surveyors. Drawing No. Survey 1-3 (Drawing No.: B2059-REVA).
- **Environmental site assessment** prepared by JBS Environmental Pty Ltd, dated January 2012 (Ref: JBS41261-15373 (Rev 1)).
- **Environmental site assessment report** (636 New South Head Road, Rose Bay) prepared by Consulting Earth Scientists, dated 29 April 2016 (Report ID: CES160201-DYL-AB).
- **Remediation action plan** (636 and 638-646 New South Head Road, Rose Bay, NSW) prepared by Consulting Earth Scientists, dated 27 June 2016 (Reference No. CES160201-DYL-AE).
- **Interim advice No.2** Review of Revised ESA 636 New South Head Road, Rose Bay: prepared by ZOIC Environmental Pty Ltd, dated 21 June 2016.
- **Interim advice No.3** Review of RAP for 638-648 [sic] New South Head Road, Rose Bay, NSW: prepared by ZOIC Environmental Pty Ltd, dated 17 August 2016.



## SECTION 2 – PLANNING PROPOSAL REPORT

### Part 1 Objective of planning proposal

#### Part 1.1 Objective

The objective of this planning proposal is to permit development on the site (across both lots) for the purpose of a residential flat building, but only as part of a mixed use development.

#### Part 1.2 Development concept

An indicative development concept for the site is illustrated in Figure 6, and comprises:

- ground floor retail and commercial tenancies at 638-646 New South Head Road, orientated to New South Head Road, with residential apartments above and behind;
- ground floor and upper level residential apartments on at the rear of the retail / business tenancies and on 636 New South Head Road, orientated to Rose Bay; and
- basement car parking in a common basement across the site for both residential and commercial/retail uses, accessed by a single driveway.

### Part 2 Explanation of provisions

#### Part 2.1 Existing planning controls

The site is subject to two separate land use zones under WLEP 2014 as shown in Figure 5 and described below and in Table 1:

- 636 New South Head Rd is zoned R3 Medium Density Residential. The zone generally permits development of medium and high density residential uses, as well as other associated land uses that provide facilities or services to meet the day to day needs of residents. Permitted uses include business premises, residential flat buildings and shops (not including food and drink premises such as cafes and restaurants).
- 638-646 New South Head Road is zoned B2 Local Centre. The zone generally permits development of a range of retail, business, office, entertainment and community uses that serve the needs of people who live in, work in and visit the local area. It also aims to provide active ground floor uses to create vibrant centres. Shop top housing is the only form of residential development permitted. The only form of residential use permitted in the B2 Local Centre zone is shop top housing, however, this is defined as *“one or more dwellings located above ground floor retail premises or business premises”*.



**Figure 5: Existing WLEP 2014 land use zoning (site shown by yellow outline)**

The zoning controls that apply to the sites under WLEP 2014 are set out in Table 1 below.

**Table 1: Existing WLEP 2014 zoning controls**

636 New South Head Rd	638-646 New South Head Road
<b>Land use zones</b>	
R3 Medium Density Residential	B2 Local Centre
<b>Objectives of zone</b>	
<ul style="list-style-type: none"> <li>• To provide for the housing needs of the community within a medium density residential environment.</li> <li>• To provide a variety of housing types within a medium density residential environment.</li> <li>• To enable other land uses that provide facilities or services to meet the day to day needs of residents.</li> <li>• To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.</li> </ul>	<ul style="list-style-type: none"> <li>• To provide a range of retail, business, entertainment and community uses that serve the needs of people who live in, work in and visit the local area.</li> <li>• To encourage employment opportunities in accessible locations.</li> <li>• To maximise public transport patronage and encourage walking and cycling.</li> <li>• To attract new business and commercial opportunities.</li> <li>• To provide active ground floor uses to create vibrant centres.</li> <li>• To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area.</li> <li>• To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.</li> </ul>
<b>Development permitted without consent</b>	
Roads	Roads
<b>Development permitted with consent</b>	
Attached dwellings; Bed and breakfast accommodation; Boarding houses; Business premises; Child care centres; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Group homes; Home occupations (sex services); Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Office premises; Places of public worship; Public administration buildings; Recreation areas; Residential flat buildings; Respite day care centres; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shops	Amusement centres; Boarding houses; Building identification signs; Business identification signs; Car parks; Child care centres; Commercial premises; Community facilities; Educational establishments; Entertainment facilities; Environmental facilities; Environmental protection works; Function centres; Home occupations (sex services); Information and education facilities; Light industries; Medical centres; Passenger transport facilities; Places of public worship; Public administration buildings; Recreation areas; Recreation facilities (indoor); Registered clubs; Respite day care centres; Restricted premises; Service stations; Sex services premises; Shop top housing; Tourist and visitor accommodation; Veterinary hospitals
<b>Prohibited development</b>	
Any development not permitted with or without consent	Any development not permitted with or without consent

## Part 2.2 Permissibility of development

While the uses proposed in the development concept are independently permissible on each site, this form of development in an integrated mixed use form is prohibited because:

- 638-646 New South Head Road is zoned B2 Local Centre, in which the only form of permissible residential accommodation is 'shop top housing'.
- 'Shop top housing' is defined in the WLEP 2014 as "one or more dwellings located above ground floor retail premises or business premises".
- The Land and Environment Court has clarified that the definition requires **all** residential apartments to be located above ground floor retail or business premises. A development which incorporates both ground and upper level apartments would not satisfy the definition (e.g., *Hrsto v Canterbury City Council* [2014] NSWLEC 121).
- The indicative development concept incorporates a mixed use development across both lots as described in section 4.2 above. In this configuration, the apartments could not be characterised as 'shop top housing' and would therefore be prohibited at 638-646 New South Head Road.
- While the ground level apartments are proposed to be situated wholly within 636 New South Head Road, which is zoned R3 Medium Density Residential, the development will be an integrated mixed use development.

An amendment to the permissible uses on the site is required to permit development for the purpose of a residential flat building on the part of the site zoned B2 Local Centre (638-646 New South Head Road). The applicant requested the permissibility of the group term "residential accommodation" on the site. However, Council considers that the "residential accommodation" group term would permit too broad a range of residential land uses on the site. The "residential accommodation" group term includes various residential uses such as "dual occupancies", "hostels" and "multi-dwelling housing", as well as "shop top housing". The permissibility of some of these uses is inconsistent with the objectives of each of the two zones of the site. For example, the development of "dual occupancies" and "hostels" is inconsistent with the objectives of the B2 Local Centre zone, which are primarily aimed at permitting retail and commercial uses. Similarly, the development of "shop top housing" is inconsistent with the objectives of the R3 Medium Density zone, which are primarily aimed at permitting medium density housing not incorporated within a mixed use development.

"Residential flat building" is defined in the WLEP 2014 as "a building containing 3 or more dwellings, but does not include an attached dwelling or multi dwelling housing". Permitting this use on 638-646 New South Head Road would facilitate the objective of the planning proposal without compromising the objectives of either of the two zones that apply to the site.

## Part 2.3 Proposed controls

The planning proposal seeks to amend Schedule 1 of the WLEP 2014. Schedule 1 identifies additional permitted uses on certain sites within the Woollahra LGA. It is proposed to add an additional clause to the schedule to permit development on the site (across both lots) for the purpose of a residential flat building, but only as part of a mixed use development.



This is a simple and effective way of resolving the land use permissibility issue to achieve the desired outcome of the planning proposal.

The planning proposal does not seek to amend any other provision of the WLEP 2014.

## Part 3 Justification

The planning proposal is consistent with the existing and desired future character of the Rose Bay Centre in that it provides the opportunity for additional flexibility in:

- development of commercial and residential uses within a mixed use development, in accordance with the NSW Government's documents A Plan for Growing Sydney (2014) and the Draft Central District Plan (2016);
- development to enhance the village atmosphere within and adjoining the Rose Bay centre. This is in accordance with Council's *Community Strategic Plan, Woollahra 2025 – our community our place our plan*, in particular Goal 4 Well planned neighbourhoods and Goal 5 Liveable places;
- residential development options which are consistent with the objectives and desired future character for the Rose Bay Centre, as outlined in WDCP 2015, Chapter D6 Rose Bay Centre;
- development outcomes on land which:
  - are within and adjoining an established local centre, the Rose Bay Centre,
  - are accessible to multiple forms of public transport, including bus and ferry services, which provides direct access to services and employment in the CBD, Bondi Junction and Double Bay, and
  - are in walking distance of recreational facilities such as parks, tennis courts, basketball courts and Sydney Harbour.
- development outcomes for the site, without adversely impacting the amenity neighbouring land or the local environment.

### Part 3.1 Need for planning proposal

#### 1. Is the planning proposal a result of any strategic study or report?

No. The planning proposal is the result of the land owners' intention to develop the site as a whole and to remove any ambiguity over land use permissibility.

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

Yes. This planning proposal is the best means of achieving the objective. Four other options were nominated by the applicant in their request for a planning proposal, but these options were not considered to achieve the objectives of the proposal.

The JBA planning proposal report, included as Attachment 1, provides a more detailed discussion of the following five options to facilitate the development concept:

- Option 1: Rezone 638-646 New South Head Road to R3 Medium Density Residential. This option will not meet the objective of the proposal as it will not permit mixed use development across both lots.
- Option 2: Rezone 636 New South Head Road to B2 Local Centre. This option will not meet the objective of the proposal as it will not permit the development of a residential flat building at ground level on either lot.
- Option 3: Amend the B2 Local Centre zoning table. This option will not meet the objective of the proposal as it will not restrict the permitted land use amendment to this site only.
- Option 4: No Planning Proposal. This option will not meet the objective of the proposal as it will not permit residential development at ground level on 638-646 New South Head Road.
- Option 5: Schedule 1 amendment (this Planning Proposal). This option will meet the objective of the proposal.

### Part 3.2 Relationship to strategic planning framework

#### 3. Is the planning proposal consistent with the objectives and actions contained within the applicable regional, subregional strategy or district plan or strategy (including exhibited draft plans or strategies)?

Yes. The planning proposal is consistent with the objectives of *A Plan for Growing Sydney* and the initiatives of the *Draft Central District Plan (2016)*. These plans are discussed in detail in Attachment 2.

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

Yes. The planning proposal is consistent with Woollahra 2025 and the WDCP 2015.

#### **Woollahra 2025**

The planning proposal is consistent with Woollahra 2025, which 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.

Key themes of Woollahra 2025 are to:

- Enhance and revitalise the village atmosphere of our shopping areas, providing convenient and easy access to a range of shops and facilities.
- 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.
- Maintain the diversity of our local economic base and encourage new business into the area that will enhance and positively impact on community life.

The planning proposal will enhance the village atmosphere within and adjoining the Rose Bay centre by permitting additional flexibility in residential options for the site while retaining the requirement to provide retail, business, office and other types of non-residential uses.

### **WDCP 2015**

The planning proposal will permit development which is consistent with the objectives and desired future character for the Rose Bay Centre. These are outlined in WDCP 2015, Chapter D6 Rose Bay Centre.

The WDCP 2015 seeks to develop the Rose Bay Centre into a high quality medium density urban village with a balanced mix of retail, commercial, residential and leisure uses, which cater primarily for the needs of the local community.

The planning proposal is consistent with this concept and the following relevant specific objectives for the centre:

O1 To retain and enhance the village atmosphere of the Rose Bay Centre.

The planning proposal will:

- Encourage contiguous ground floor retail frontage and preserve the 'small shop' character of the centre, to ensure liveliness of the centre, by maintaining a retail / business use to New South Head Road.
- Promote coherent building scale and high quality development, by maintaining the existing building envelopes of the site and permitting new development to replace an ageing petrol / service station.

O5 To foster the diverse mix of uses in the Rose Bay Centre.

The planning proposal will enhance the existing diverse mix of uses that characterise Rose Bay by permitting additional flexibility in residential options within a mixed use development on the site.

### **5. 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 Attachment 3).

### **6. Is the planning proposal consistent with applicable Ministerial Directions (s.117 directions)?**

Yes. The planning proposal is consistent with applicable section 117 directions (refer to Attachment 4).

### Part 3.3 Environmental, social and economic impact

**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?**

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.

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

Yes. Refer to the comments below.

#### **Contamination**

The lot at No. 638-646 New South Head Road is currently developed and operating as a petrol / service station. The lot is currently identified on the NSW Environment Protection Authority (EPA) Contaminated Land Register as:

- “significantly contaminated land” (declaration No. 20121102), and
- the subject of a management order (order No. 20131405)

Environmental site investigations were conducted on the site in accordance with the provisions of *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55). A Remedial Action Plan was prepared to manage the environment effects of contamination on the site (refer to Attachment 1). The site investigations concluded that, if the Remedial Action Plan is implemented, the site will be suitable for the proposed land uses. A summary of the environmental site investigations is included below.

An **Environment Site Assessment** prepared in January 2012 by JBS Environmental for 638-646 New South Head Road concluded that:

- sources of contamination on the site contain constituents related to the storage and handling of petroleum products;
- the contamination is most likely restricted to the site’s historical use as a service station and associated workshop;
- the highest levels of impact are generally present in the eastern and north-eastern portions of the site; and
- a Remedial Action Plan for development of the site be prepared and implemented.

An **Environment Site Assessment** prepared in April 2016 by Consulting Earth Scientists for 636 New South Head Road concluded that:

- contamination is comparatively low and localized;
- there is no significant risk to current site users or ecological receptors; and
- any potential impacts to future construction workers or residents of the proposed development can be addressed by the implementation of a Remedial Action Plan.



A **Remedial Action Plan** was prepared in June 2016 by Consulting Earth Scientists for the entire site. The plan concludes that if its recommendations are implemented, the site will be suitable for the proposed development concept.

Council has consulted with the EPA regarding contamination and remediation issues on the site. The EPA advised that they are currently working with the owners of the site, their environmental consultants and the site auditor to resolve the remediation issues raised by the management order. The EPA has advised that the removal of soil contamination from the site during redevelopment can address any residual risks, allowing for the completion of the management order following validation.

Council's Environmental Health Officer has reviewed development application 377/2016 for a seniors housing and recommended the inclusion of a number of development consent conditions to ensure effective remediation of the site. The conditions include engagement of a site auditor accredited under the *Contaminated Land Management Act 1997* to review and determine the appropriateness of the site investigations and the Remediation Action Plan, and provide a Site Audit Statement and Site Audit Report to this effect. While the environmental effects of contamination form part of the assessment of the planning proposal, Council considers that these environmental effects can be best managed at the development application stage, through appropriate conditions of consent.

Therefore, in accordance with SEPP 55 (Clause 6), Council is satisfied that, after remediation, the site will be suitable for mixed use retail / business and residential uses, and that the site can be effectively remediated before it is used for these purposes.

### **Flood Assessment**

A flood study was prepared by AKY Civil Engineering for the approved development application 377/2016 for a seniors housing development application on the site. The study concludes that the permanent and mechanical flood protection devices proposed for the development would ensure flood protection and flood risk management generally in accordance with the WDCP 2015. The study is included as Attachment 5.

Council's Environmental Health Officer reviewed the flood study and raised no objection to the proposed development, subject to the inclusion of a number of development consent conditions. The conditions include the preparation of a Flood Risk Management Plan on the basis of a 1:100 year Flood Level and the Estuary Planning Level, as determined by the flood study.

While the environmental effects of flooding form part of the assessment of the planning proposal, Council considers that these environmental effects can be best managed at the development application stage, through appropriate conditions of consent. Therefore, Council is satisfied that the site will be suitable for mixed use retail / business and residential uses in terms of flood management.

### **Other Environmental Effects**

Any other environmental effects, not related to contamination or flooding, that might arise through the redevelopment of this site and future uses would be identified through a development application. Good design and conditions of consent will limit these effects.

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

Yes. The planning proposal will have positive social and economic effects, in that it provides the additional flexibility in residential development outcomes, which will allow:

- the opportunity for additional residential development within and adjoining a local centre near transport nodes, providing the opportunity for sustainable and public transport oriented development;
- the opportunity for additional housing mix and affordability and differing apartment sizes;
- the potential to increase the local population and provide economic support to local businesses; and
- additional incentive to redevelop the site to replace an ageing petrol/service station and residential flat building.

**Part 3.4 State and Commonwealth interests**

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

Yes. The site is connected to water, sewer, electricity and telephone services. The site is in proximity to regular and frequent public transport services which have capacity to accommodate increased demand.

There is no significant infrastructure demand that will result from the planning proposal. The existing services that are available to the subject sites are suitable for the proposal and appropriate for the requirements of a local centre.

Notwithstanding, we will consult with public utility and public services providers during the public exhibition.

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

Council will consult with all government departments required by the Department of Planning and Environment during the public exhibition of the planning proposal, including Transport for NSW, RMS and EPA.

## Part 4 Mapping

The planning proposal does not require any amendments to the WLEP 2014 maps.

## Part 5 Community consultation

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

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

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,
- a letter to the land owner, and
- a letter to any relevant public agency, including the EPA and RMS.

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, and
- information relied upon by the planning proposal (such as the contamination report and any other relevant reports).

## Part 6 Project timeline

As Council is authorised to exercise the functions of the Minister for Planning under section 59 of the *Environmental Planning and Assessment Act 1979*, the proposed timeline for completion is as follows:

Plan-making step	Estimated completion
Urban Planning Committee recommends proceeding	February 2017
Council resolution to proceed	March 2017
Gateway determination	May 2017
Additional technical assessment required by Gateway determination	Unknown
Government agency consultation	June/July 2017
Public exhibition period	June/July 2017
Submissions assessment	August 2017
Council assessment of planning proposal post exhibition	August 2017
Urban Planning Committee recommends proceeding	September 2017
Council decision to make the LEP amendment (if delegated)	September 2017
Council to liaise with Parliamentary Counsel to prepare LEP amendment (if delegated)	September 2017
Forwarding of LEP amendment to Department of Planning and Environment for notification	October 2017
Notification of the approved LEP	October 2017