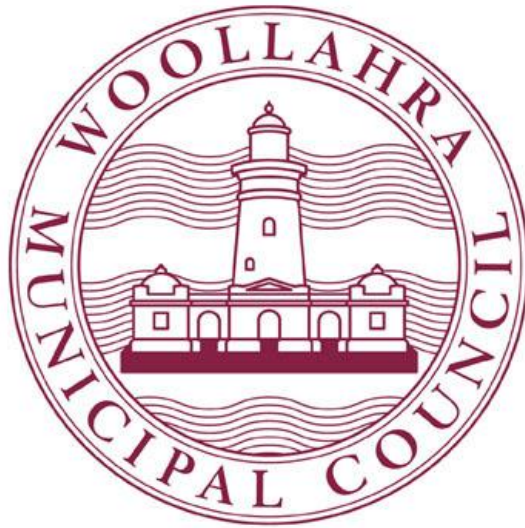




PLANNING PROPOSAL

9A COOPER PARK ROAD, BELLEVUE HILL

OCTOBER 2011

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Part 1 – Introduction

This planning proposal is made in relation to land known as 9A Cooper Park Road, Bellevue Hill being Lot 101, DP 827011.

The land is zoned 6 Open Space under Woollahra Local Environmental Plan 1995 (Woollahra LEP). It is owned by Council, and classified as 'community land' under the *Local Government Act 1993* (LGAct).

The site is 3906m² in size. It is vacant, and despite the open space zone has not been used for recreational or community purposes since 1992 when Council took ownership of the land.

The general community has not derived any public benefit from the land. The only people that have benefited are those residents who live directly adjacent to the site, and the benefit they have received is limited, and derived from the fact that the land is vacant.

The current zoning is an inequitable and inefficient use of public land.

Over the last 19 years Council has regularly tried to re-establish recreational uses on the land. However, these attempts have all been unsuccessful, despite numerous and protracted investigations with local schools and private recreation providers.

Various studies have also been undertaken to inform a decision about the future use of the land. These studies have found that the site is not suitable for open space recreation and community purposes, largely due to the location of the land, its proximity to residential uses and restricted access.

The current 6 Open Space zone is not suitable for the land.

On 25 July 2011, Council resolved to prepare a planning proposal to rezone and reclassify the land. The proposal is to rezone the land to a medium density residential zone. This is consistent with the zone of the surrounding land.



View of the site looking south to south-west



View of the site looking north to north-east

Development of the land under a medium density residential zone is compatible with the area and would generate fewer impacts (such as traffic, noise or lighting) compared to development of the land for a child care centre, sporting club or outdoor recreation facility, which are uses permitted under the current 6 Open Space zone.

Our urban design analysis identifies that the land can be redeveloped for medium density housing in a manner that will maintain reasonable solar access, privacy and views for the existing surrounding residential properties.

The rezoning will not compromise open space opportunities for the residents in the area as Cooper Park is located in the vicinity of the site and is one of the largest open space areas in the Municipality.

Reclassifying the land to operational land will establish a position for Council to sell the land. Funds from the sale of the land may then be directed to other open space, recreational or community opportunities that can be broadly accessed and enjoyed by the general community.

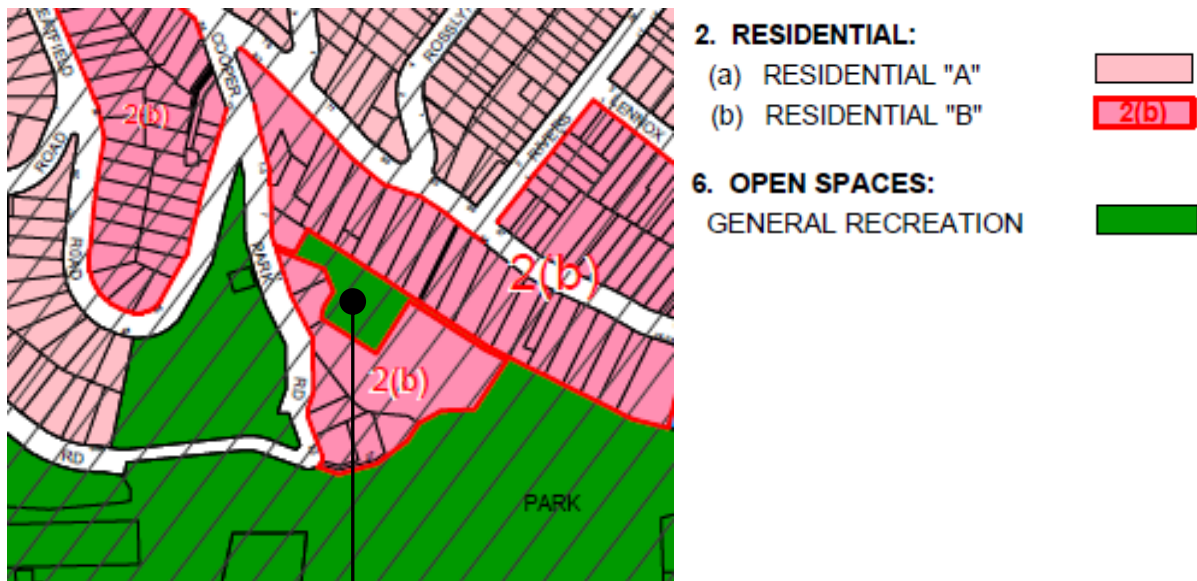
Part 2 – Site identification

The site is 3906m² and is immediately surrounded by land zoned Residential 2(b) containing a mix of residential uses ranging from dwelling houses to five storey residential flat buildings.

The main part of the site is relatively flat as a consequence of the cut and fill associated with its previous use for bowling greens. The site inclines along the length of the north-eastern boundary and the adjoining properties at their Bellevue Road frontage are generally 8-10 metres higher than the main part of the site. At the west and south-western boundaries the land falls and affords extensive views to the south across the main valley of Cooper Park towards Bondi Junction.

Cooper Park is within easy walking distance, and the site connects with Cooper Park via an access handle at its eastern corner.

Access to the site is from a 3.3 metre access handle off Cooper Park Road between properties at 7 and 11 Cooper Park Road. Access to the site is currently constrained but can be resolved. Council's Engineers identify that a driveway and retaining walls could be constructed to permit single lane vehicle access to the site. Alternatively, other locations for site access may be also be achieved through land acquisition or establishing a right of way with an adjoining property.



Extract of zoning map

Subject land –
9A Cooper Park Road



Aerial of site and surrounds



View of access from the street



View of access from within the site



View from site to the north east of residential properties fronting Bellevue Road



View of site along the northern boundary



View south-west from the site to Bondi Junction

Part 3 – Objective of planning proposal

The objectives of the planning proposal are amend the Woollahra LEP to—

1. Rezone the land from 6 Open Space to 2(b) Residential “B” Zone (see Note below). The proposed zone is shown on the **Land Use Map**.
2. Apply a floor space ratio of 0.625:1 (there is no FSR currently applying to the land). The proposed FSR is shown on the **Density Map**.
3. Apply a height control of 9.5 metres (there is no height control currently applying to the land). The proposed height is shown on the **Height Map**.
4. Reclassify the land from “community land” to “operational land” under the LGAct. This will remove restrictions on the management of the land, including its sale.

Note:

Council resolved to rezone the land to “Zone R3 Medium Density Residential”. This is a Standard Instrument zone name. As the land is being rezoned under the Woollahra LEP, this planning proposal will use the zone name “2(b) Residential “B” Zone”.

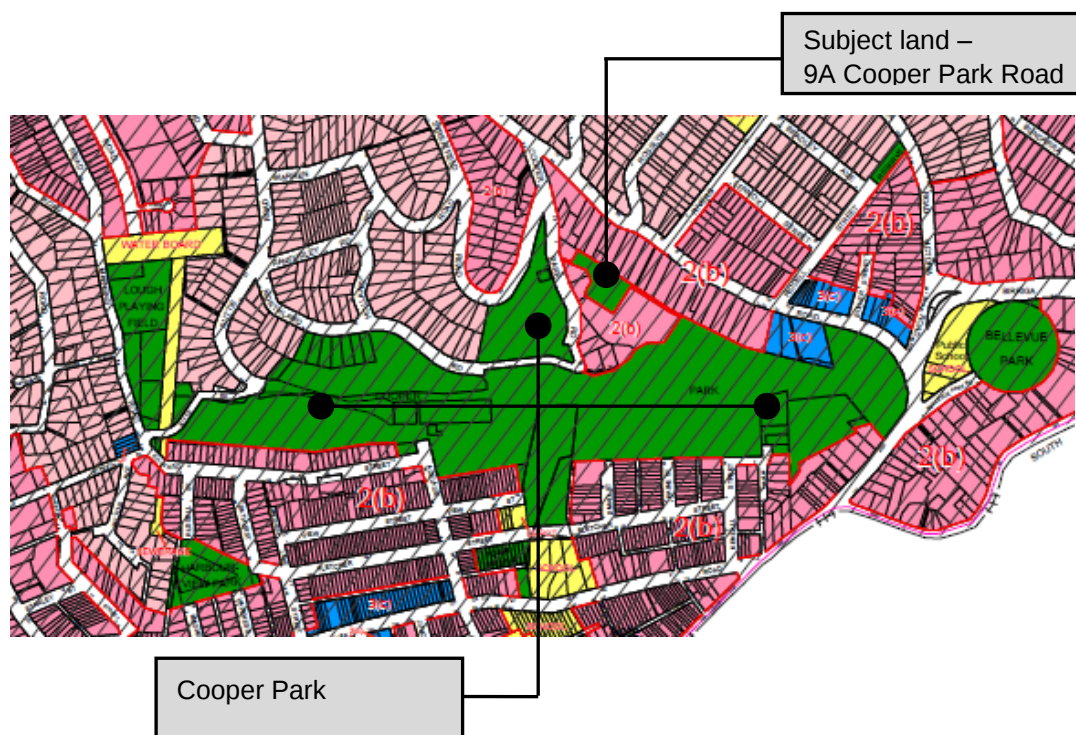
“Zone R3 Medium Density Residential” is a translation of Council’s “2(b) Residential “B” Zone”. These are consistently recognised as equivalent zones in numerous reports to Council’s Urban Planning Committee, and also on the Department of Planning and Infrastructure website.

Rezoning to 2(b) Residential “B” Zone

Rezoning the land to a residential medium density zone is compatible with the zone that applies to adjoining properties.

The rezoning from 6 Open Space will not create a significant loss in open space.

The Bellevue Hill area is well serviced by existing open space provisions at Cooper Park, as seen in the extract of the zoning map below. Cooper Park occupies an area of 17.7 hectares and contains 12 hectares of urban bushland as well as a broad range of open space and recreational opportunities such as a tennis centre, sportsfield and grassed areas.

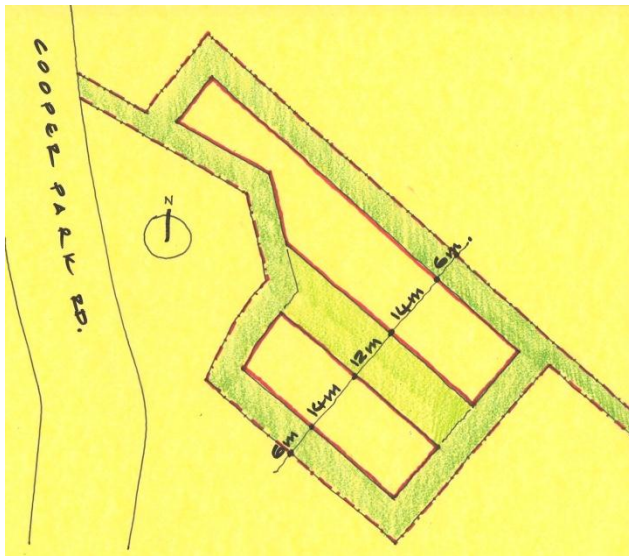


Floor space ratio

An FSR of 0.625:1 is appropriate for the local context, and will provide good urban design outcomes for the site and minimise impacts on surrounding residents.

The FSR is based on a 2 storey pitched roof form on the site and a building footprint that provides 6 metre boundary setbacks (to address overlooking and overshadowing of adjoining properties), a 12 metre on-site building separation with a 14 metre building depth (to address internal amenity), a 20% building articulation zone.

The proposed FSR of 0.625:1 is the same as applies to surrounding land at 7, 11, 17 & 17A Cooper Park Road, but less than the FSR of 0.75:1 that applies to adjoining land with frontage to Bellevue Road.



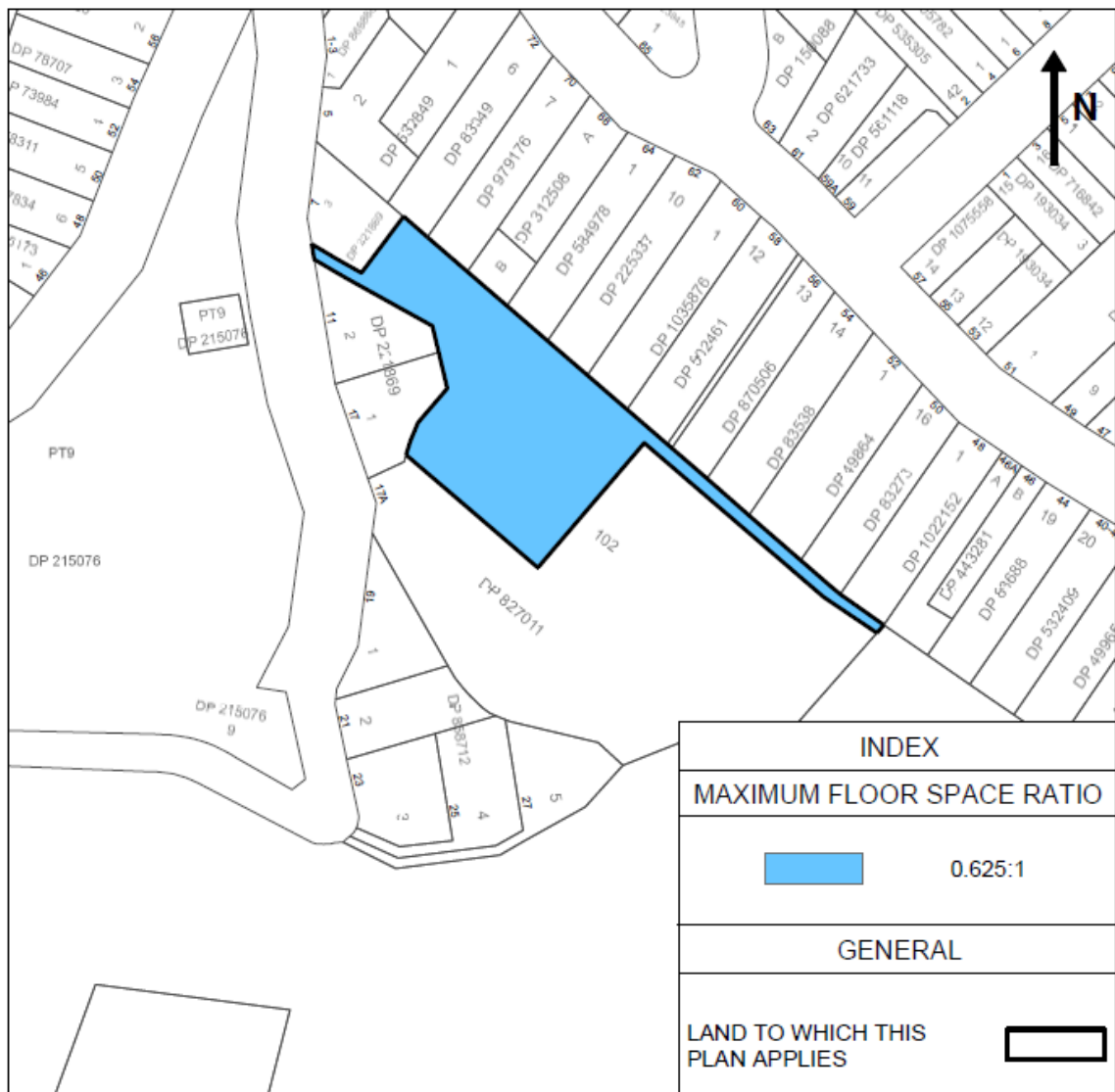
Building height

If the land is rezoned a maximum height of 9.5 metres will be applied. This height will provide for a built form that reflects the scale of residential development in the area.

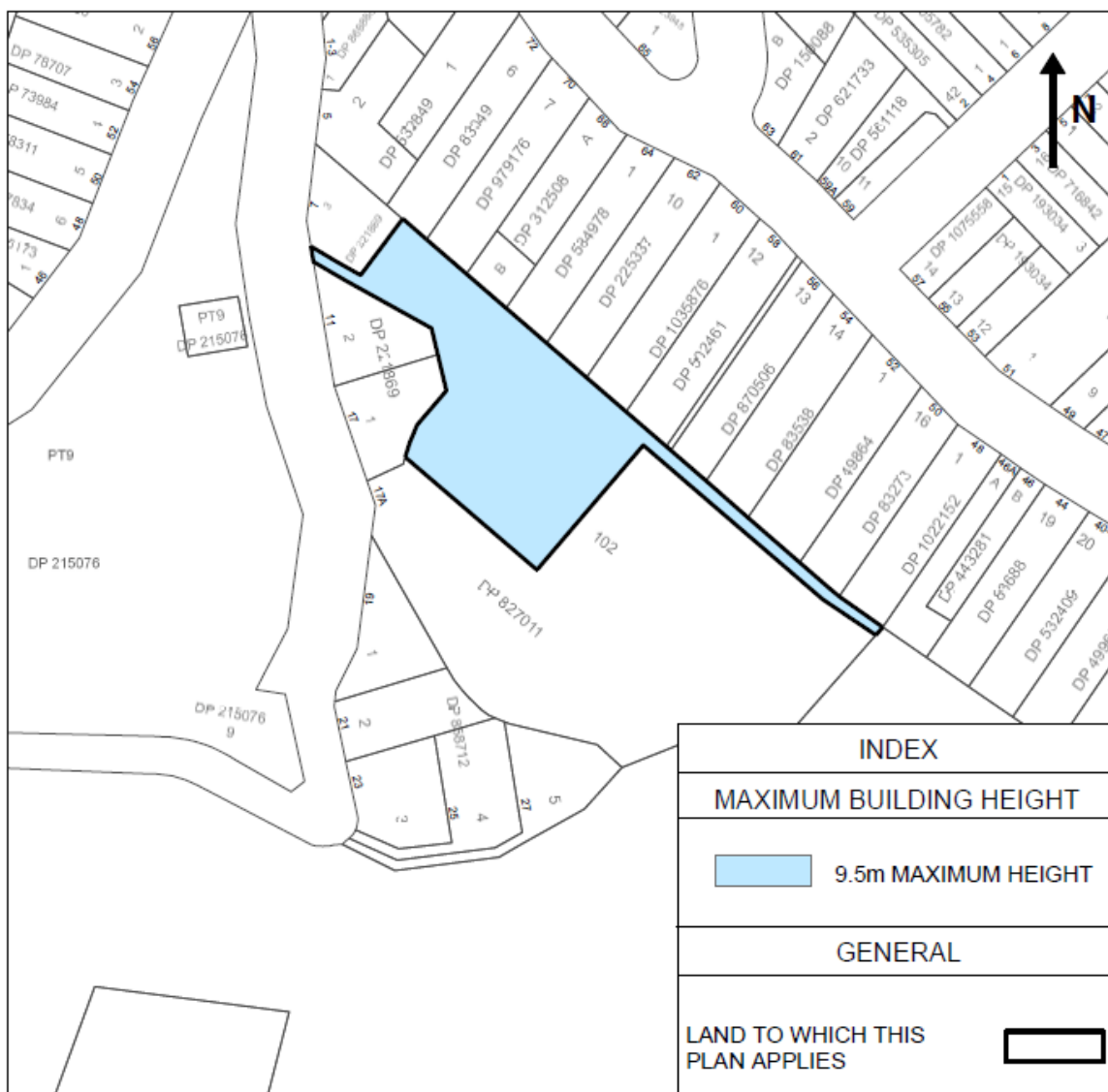
A 9.5 metre height limit will also allow solar access to existing adjoining buildings. It will also provide for view corridors from properties on Bellevue Road, as most are elevated and will be able to look over any two storey development on the site. There may be some impact on the near view to Cooper Park but this would not be unreasonable, and the distant views to Bondi Junction will generally be retained.



Residential properties fronting Bellevue Road which are elevated above land at 9A Cooper Park Road



PLANNING PROPOSAL		
Density Map		
DRAWN BY	Brendan Metcalfe	STATEMENT OF RELATIONSHIP WITH OTHER PLANS Amends Woollahra Local Environmental Plan 1995 PLAN NUMBER PP_2011_WOOLL_00X_XX
PLANNING OFFICER	Jacquelyne Della Bosca	
DATE	10 November 2011	
DEPT	Strategic Planning	NOTIFIED ON THE NSW LEGISLATION WEBSITE
FILE No. CCL.	1064.G. (Amendment 71)	CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATION GENERAL MANAGER DATE



PLANNING PROPOSAL			
Height Map			
DRAWN BY	Brendan Metcalfe	STATEMENT OF RELATIONSHIP WITH OTHER PLANS Amends Woollahra Local Environmental Plan 1995 PLAN NUMBER PP_2011_WOOLL_00X_XX	
PLANNING OFFICER	Jacquelyne Della Bosca		
DATE	10 November 2011		
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FILE No. CCL.	1064.G. (Amendment 71)	CERTIFIED IN ACCORDANCE WITH THE ENVIRONMENTAL PLANNING AND ASSESSMENT ACT 1979 AND REGULATION	
		GENERAL MANAGER	DATE

Part 4 – Justification

Section A – Need for the planning proposal

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

Yes, the planning proposal is a consequence of findings associated with the preparation of Council's new comprehensive local environmental plan, the Woollahra Principal LEP.

A major requirement of the new LEP is the creation of opportunities for additional dwellings and jobs. This is a State Government requirement set out in the "Draft East Subregional Strategy".

In trying to achieve the dwelling target, planning staff identified 24 sites across the Municipality where investigations indicated there is opportunity to change the current planning controls to increase development potential and as a result, dwelling yield.

The sites, called "opportunity sites", were reported to the Urban Planning Committee on 14 December 2009.

Land at 9A Cooper Park Road was one of these opportunity sites. We identified that the land should be rezoned to R3 Medium Density Residential and reclassified to operational land under the Draft Woollahra Principal LEP.

On 14 December 2009 Council resolved to consult with the owners of the opportunity sites, to inform considerations of the planning changes, before including the changes in the Draft Woollahra Principal LEP for exhibition.

In June and July 2010 we undertook targeted consultation with owners and local residents on the changes proposed to the opportunity sites. Submissions received to the proposed rezoning of 9A Cooper Park Road were reported to the Urban Planning Committee on 2 May 2011.

Council's resolution of 16 May 2011 was:

- A. That the proposed planning changes for Opportunity Site 8, *9A Cooper Park Road, Bellevue Hill*, as identified in Column 3 of the Table to the report to Urban Planning Committee of 2 May 2011, be included in the Draft Woollahra Principal Local Environmental Plan for public exhibition.
- B. That it be noted that, subject to the land reclassification and rezoning proceeding, a further report will be presented to the Corporate and Works Committee addressing how the proceeds from any future sale of the land are committed to public open space, recreation and community facility projects.
- C. That Council staff investigate the encroachments identified in the Late Correspondence from Council's Director Planning and Development.

Table to the report of the Urban Planning Committee of 2 May 2011:

	<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
	Current controls in WLEP 95	Proposed controls in opportunity site consultation June /July 2010	Recommended controls for Draft WLEP exhibition
Zone	6 Open Space	R3 Medium Density Residential	R3 Medium Density Residential
Floor space ratio	–	0.75:1	0.625:1
Height	–	9.5m	9.5m
Classification of land	Community land	Operational land	Operational land

Further to this, Council received a letter from the Department of Planning and Infrastructure dated 22 June 2011 stating that it is willing to consider a staged approach to the delivery of additional housing opportunity sites in Woollahra.

This approach was suggested because Council's process for identifying additional housing opportunities was impeding the completion of the Principal LEP by the June 2012 timeframe. The Department suggested that planning proposals could be prepared for specific opportunity sites following completion of the Principal LEP.

The Department's advice was reported to the Urban Planning Committee on 11 July 2011. Council's resolution of 25 July 2011 was:

- A. That the Council advise the Department of Planning and Infrastructure that it would prefer to proceed with a staged approach to the delivery of additional housing opportunity sites in Woollahra through planning proposals as suggested in the Department's letter of 22 June 2011.
- B. That the Council defer consideration of the remaining opportunity sites or other sites that have or may be brought to the Council's attention until gazettal of the Principal LEP, unless strong and supportable planning reasons are brought forward.
- C. That a planning proposal be prepared for 9A Cooper Park Road, Bellevue Hill incorporating the changes endorsed by the Council in Part A of its resolution of 16 May 2011 relating to the site.

The Urban Planning Committee reports and Council resolutions referred to in this section are provided at the end of this Planning Proposal as supplementary material.

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

Yes, the planning proposal is the best approach for dealing with the proposed rezoning and reclassification of 9A Cooper Park Road in terms of transparency and timeliness.

Rezoning and reclassifying the land in a planning proposal separate to the process for the Draft Woollahra Principal LEP will ensure that the changes proposed to 9A Cooper Park Road are the focus of any exhibition and consultation.

We seek to provide an open and transparent process, and the preferred approach for achieving this is through a planning proposal that is separate to the Principal LEP.

A separate planning proposal will also help Council address this issue in a timely manner, providing certainty to the community about the future of the land and avoiding delays which may be associated with completing the Principal LEP.

3. Is there a net community benefit?

Yes, there is net community benefit to proceeding with the planning proposal.

The general community has not received any benefit from this public asset since 1992 when Council took ownership of land. The only people that have benefited from the land are those residents who live directly adjacent to the site, and the benefit they have received is limited, and derived from the fact that the land is vacant.

The land has proven to be unsuitable for open space, recreational and community purposes. A more prudent use of land at 9A Cooper Park Road should be found.

The proposed rezoning and reclassification will give Council the option to sell the land and direct the monies to open space, recreational or community opportunities that can be broadly accessed and enjoyed by the general community.

Additional information required to reclassify land, as set out in LEP Practice Note PN 09-003 *Classification and reclassification of public land through a local environmental plan*, is provided in **Attachment 1**.

Section B – Relationship to strategic planning framework

4. Is the planning proposal consistent with the objectives and actions contained within the applicable regional or sub-regional strategy (including the Sydney Metropolitan Strategy and exhibited draft strategies)?

The planning proposal is consistent with the objectives and actions contained in the Sydney Metropolitan Strategy and the Draft East Subregional Strategy, specifically in relation to providing opportunities for new housing.

5. Is the planning proposal consistent with the local council's Community Strategic Plan, or other local strategic plan?

The planning proposal reflects Council's Delivery Program and Operational Plan 2011-2012: Goal 11 *Well Managed Council*.

Council is responsible for effectively managing finances and assets. The general community has not received any benefit from land at 9A Cooper Park Road being in public ownership.

Various studies have been undertaken to help inform a decision about the future use of the land. These studies have overwhelmingly found that the site is not suitable for open space recreation and community purposes.

The studies are:

- Recreational Needs Assessment and Strategy by Stratcorp Consulting (2006)
- Property Assets Study by Michael Collins and Associates (2007)
- Report on optimal use for 9A Cooper Park Road by Michael Collins and Associates (2008)
- Woollahra Child Care Study and Site Assessment: Delivery Options Analysis by MacroPlan Australia (2010)

The Recreational Needs Assessment and Strategy identified that land at 9A Cooper Park Road is "poorly located and undersized for any significant community use or development (enhancement)" (p70) and that Council should "review land holding and assess options for asset management, development or divestment....[and] utilise potential revenue for acquisition of more appropriate open space and/or to fund improvements to existing reserves." (p4)

The Property Assets Study by land economics and property consultants, Michael Collins and Associates (MCA), also identified that the land has serious accessibility issues and is underutilised. A workshop MCA held with Councillors acknowledged that the site is not suited for a community facility, and that the Councillors' preferred option was to sell the site or have a long term lease attached to it.

In response to the outcome of this workshop, MCA was engaged to do a feasibility analysis of 9A Cooper Park Road. MCA identified that a 99 year lease is not appropriate due to market aversion to leasehold tenure, but found that sale of the land would be favourably received by the market.

We also have advice that the site is not suitable for use as a childcare centre. MacroPlan Australia recently completed a review of childcare needs across the Municipality, looking at the types of childcare in demand now and in the future.

The study identified that 9A Cooper Park Road is not a suitable site for a childcare centre for the following reasons: poor access, unsuitable site location and elevation, low capacity to establish as a community hub, and high potential for community opposition.

In addition, Council's Technical Services Division has recently looked at the suitability of the land for a community garden; this is a use that the landowners immediately adjoining the land support. Technical Services identify that the land does not comply with Council's

Community Gardens Policy (2008) site selection criteria and is not suitable for a community garden.

Council supports community gardens in high density areas where people typically do not have backyards or room for gardens. The land at 9A Cooper Park Road does not meet this critical requirement. It also fails to meet the following site selection criteria:

- A site area of approximately 750m²
- Soil quality
- Accessibility to public transport
- Close proximity to supporting infrastructure such as car parking

Council has clear evidence that there is limited potential for establishing a viable recreational use on the site as envisaged by the current 6 Open Space zone.

These findings are consistent with the impediments Council has encountered in its efforts to re-establish recreational uses on the land over the last 19 years. The land should be rezoned to reflect and acknowledge these findings.

6. Is the planning proposal consistent with state environmental planning policies?

The planning proposal is consistent with applicable State environmental planning policies.

7. Is the planning proposal consistent with Ministerial Directions (s.117 directions)?

The planning proposal is consistent with applicable section 117 directions (refer to **Attachment 2**).

Section C – Environmental, social and economic impact

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

The proposal is not likely to adversely affect critical habitats or threatened species, populations or ecological communities, or their habitats.

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

Contamination

It is likely that the site contains contaminated fill because during the 1930s and 1940s the land was used as a quarry and rubbish dump for ash.

In 2008 a report by Geotechnique provided a contamination assessment and classification of soils for a limited part of the site. The report found that the site contains contaminants and

the topsoil and fill materials would need to be removed from the site if the land was used for more sensitive purposes (such as for a park or residential uses).

A more detailed site assessment is warranted but we expect, given the residential uses immediately adjoining the site, that the land can be remediated so that it can be used for the range of uses permitted under the proposed 2(b) Residential zone.

To be satisfied of this, Council is engaging consultants to undertake a detailed investigation consistent with the Department's *Managing Land Contamination Planning Guideline*. A copy of the detailed investigation report will be included as supporting material to the exhibition of the planning proposal.

Impacts of rezoning on adjoining residents

Use of the land for medium density housing is likely to create less impact than if the land was redeveloped for a community or recreational use currently permitted under the current 6 Open Space zone. For example, use of the land for sporting or community activities would generate greater traffic and noise impacts than a residential development.

Furthermore, the built form controls we are recommending are relatively low scale—being a maximum building height of 9.5 metres and maximum FSR of 0.625:1.

The controls will provide for a two storey pitched roof housing form that is compatible and reflects the scale of residential development in the area. Supplemented by setback and landscaping controls in the DCP, these controls will provide the adjoining residential properties with reasonable protection from encroachment, decreased amenity or loss of privacy.

In addition, any future development applications for residential development would be subject to detailed assessment and may include view line diagrams and overshadowing diagrams to demonstrate how potential impacts are addressed.

10. How has the planning proposal adequately addressed any social and economic effects?

The planning proposal provides social and economic benefits to the community.

As identified in Part 4 of this document, rezoning and reclassifying the land will provide a net community benefit. The land is worth in the order of \$1,310,000 as valued by the Valuer General with base date 1 July 2009.

Funds from a future sale of the land will be directed to open space, recreational or community opportunities that can be broadly accessed and enjoyed by the general community.

Section D – State and Commonwealth interests

11. Is there adequate public infrastructure for the planning proposal?

Yes, the current level of public infrastructure for electricity, water, gas, sewer and public transport servicing this area has capacity to cope with the demand that would be generated from development of 9A Cooper Park Road for medium density housing.

The site is located within an established residential area. The land is 3906m² and we are proposing an FSR of 0.625:1. Redevelopment of the land at this FSR will not result in intensive development and will not have a substantial impact on public infrastructure.

Notwithstanding, we will consult public utility and service providers during the exhibition of the planning proposal, as required.

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

This section will be completed following consultation with public authorities identified in the gateway determination.

Part 5 – Community consultation

Land owners in the immediate vicinity of 9A Cooper Park Road were notified in June and July 2010 of the proposed planning changes when the land was identified as an opportunity site for the new Principal LEP. At that time a number of residents directly adjoining the site voiced strong opposition to the proposed changes.

We therefore recommend that the planning proposal is exhibited for at least 28 days, as we expect there will be significant localised interest in this matter.

The exhibition material will address matters identified in LEP Practice Note PN 09-003 *General requirements for classification or reclassification of land through local environmental plans and planning proposals*¹.

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 all land owners in the vicinity of the site previously notified as part of the opportunity site consultation for the new Principal LEP, and
- a letter to persons that made a submission to the exhibition of this opportunity site

Other consultation, such as meetings with the adjoining residents may be held.

As the proposal involves reclassification of land, a public hearing will be convened after the planning proposal has been exhibited. The public hearing will held consistent with requirements of the *Local Government Act 1993*, *Environmental Planning and Assessment Act 1979* and Regulation.

¹ *General requirements for classification or reclassification of land through local environmental plans and planning proposals* identified in LEP Practice Note PN 09-003 are provided in this Planning Proposal at Parts 1, 3, 4 and Attachment 1.

Attachment 1
Additional information provided consistent with
LEP Practice Note PN 09-003

Reclassification of 9A Cooper Park Road, Bellevue Hill from Community to Operational land	
Property Address	9A Cooper Park Road, Bellevue Hill
Real property description	Lot 101, DP 827011 The subject land is affected by: 1. Reservations and conditions in the Crown Grant(s) 2. J93990 Right of carriageway 3. K195966 Right of carriageway Refer to the Certificate of Title, Second Schedule, for details provided at the end of this Table.
File reference	620.G 9A Cooper Park Road, Bellevue Hill
Owner of Land	Woollahra Municipal Council
Nature of Ownership	Council owns the land in fee simple
Reasons for the planning proposal (including the merits of the proposal)	As set out in Part 1-5 of the Planning Proposal
Current Classification	Community land
Proposed Classification	Operational land
Reason why the land is being reclassified	Land is proposed to be rezoned to a medium density residential zone, with a view that the land may be disposed. A classification of community land is inconsistent with the residential zoning and would restrict sale of the land.
When interest in the land was first acquired	The land was transferred to Council in 1992
Nature of Holding	Fee simple (Free Hold)

Reclassification of 9A Cooper Park Road, Bellevue Hill from Community to Operational land

Reason Council acquired an interest in the land	In 1992 the ownership of land known as 9A Cooper Park Road was transferred to Council in fee simple. This occurred concurrent with the subdivision of 9 Cooper Park Road into 9A and 17A Cooper Park Road and the rezoning of the land from Special Uses 5(a) to Open Space 6(a) and Residential 2(b) respectively. The land was not acquired as a dedication under section 94 of the EP&A Act through the development application process. However, the transfer of land to Council for open space was directly associated with the rezoning, subdivision and redevelopment of 17A Cooper Park Road for medium density housing. This association is expressed in the aims and objectives of the site specific development control plan for 9 Cooper Park Road, Bellevue Hill which “excludes the land from the application of the Woollahra Section 94 Contributions Plan for the development involving 27 or less dwellings, this on the basis of dedication of part of the site for public open space”. The approved development on 17A Cooper Park Road was for less than 27 dwellings, therefore, in accordance with the DCP additional contributions were not applied. There is no legal requirement for Council to retain land for open space. However, to maintain the spirit of the land transfer proceeds from any future sale of the land at 9A Cooper Park Road will be committed to public open space, recreation and community facility projects so that the general public will benefit from the sale of the land.
Details of any agreement over the land	Nil. There are no management agreements with third parties.
Details of interest in the land proposed to be extinguished	Nil. There are no interests to be distinguished.
Reasons why such interests are to be extinguished	N/A. There are no interests to be extinguished.
Magnitude of any financial gain or loss as a result of the reclassification	The magnitude of financial gain as a result of reclassification is subject to valuation but is expected to be in the order of \$1,310,000 as valued by the Valuer General with base date 1 July 2009.
Asset management objectives being pursued	By disposing the subject land Council will free up funds to provide or upgrade other recreational or community facilities, which will benefit the broader community.
Whether there has been an agreement to sell or lease the land	Nil. There is no agreement to sell the land.

**Espreon Online Information System
NSW LPI Title Search**LAND AND PROPERTY INFORMATION NEW SOUTH WALES - TITLE SEARCH
-----FOLIO: 101/827011

SEARCH DATE	TIME	EDITION NO	DATE
21/10/2011	2:16 PM	3	17/2/1994

LAND

LOT 101 IN DEPOSITED PLAN 827011
AT BELLEVUE HILL
LOCAL GOVERNMENT AREA WOOLLAHRA
PARISH OF ALEXANDRIA COUNTY OF CUMBERLAND
TITLE DIAGRAM DP827011

FIRST SCHEDULE
-----THE COUNCIL OF THE MUNICIPALITY OF WOOLLAHRA (T I62716)SECOND SCHEDULE (3 NOTIFICATIONS)

- 1 RESERVATIONS AND CONDITIONS IN THE CROWN GRANT(S)
- 2 J939900 RIGHT OF CARRIAGEWAY VAR WIDTH AFFECTING THAT PART OF THE LAND ABOVE DESCRIBED SHOWN SO BURDENED IN THE TITLE DIAGRAM
- 3 E195966 RIGHT OF CARRIAGEWAY APPURTENANT TO THE LAND ABOVE DESCRIBED AFFECTING THE PIECE OF LAND SHOWN AS SITE OF PROPOSED RIGHT OF WAY WITHIN LOT 3 IN DP221869

NOTATIONS

NOTE: THE CERTIFICATE OF TITLE FOR THIS FOLIO OF THE REGISTER DOES NOT INCLUDE SECURITY FEATURES INCLUDED ON COMPUTERISED CERTIFICATES OF TITLE ISSUED FROM 4TH JANUARY, 2004. IT IS RECOMMENDED THAT STRINGENT PROCESSES ARE ADOPTED IN VERIFYING THE IDENTITY OF THE PERSON(S) CLAIMING A RIGHT TO DEAL WITH THE LAND COMPREHENDED IN THIS FOLIO.
UNREGISTERED DEALINGS: NIL

*** END OF SEARCH ***

anthony sheedy

PRINTED ON 21/10/2011

Espreon hereby certifies that the information contained in this document has been provided electronically by the Registrar-General in accordance with Section 95B(2) of the Real Property Act, 1900.

*Any entries preceded by an asterisk do not appear on the current edition of the Certificate of Title.
Warning: The information appearing under notations has not been formally recorded in the register.

Search of Folio: DP 101/827011 Date: 21-10-11 Time: 14:16:34.467

WOOLLAHRA COUNCIL

Account

3wool391

PLAN FORM 2

FOR THE COUNTY OF WISCONSIN

PLANNING DEPARTMENT

DATE: 12-12-1912

BY: [Signature]

FOR: [Signature]

RE: [Signature]

12-12-1912

PLAN OF SUBDIVISION OF LOT A

IN D.P. 221849

WISCONSIN

PLANNING DEPARTMENT

DATE: 12-12-1912

BY: [Signature]

FOR: [Signature]

RE: [Signature]

12-12-1912

PLAN OF SUBDIVISION OF LOT A

IN D.P. 221849

WISCONSIN

PLANNING DEPARTMENT

DATE: 12-12-1912

BY: [Signature]

FOR: [Signature]

RE: [Signature]

12-12-1912

PLAN OF SUBDIVISION OF LOT A

IN D.P. 221849

WISCONSIN

PLANNING DEPARTMENT

DATE: 12-12-1912

BY: [Signature]

FOR: [Signature]

RE: [Signature]

12-12-1912

THIS negative is a photograph made as a permanent record of a document in the custody of the Register General this day 22nd December 1912

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Attachment 2

Compliance with section 117 directions

Planning proposal – 9A Cooper Park Road, Bellevue Hill Compliance with section 117 directions		
Direction		Applicable/comment
1	Employment and resources	
1.1	Business and industrial zones	Not applicable: does not affect land within an existing or proposed business or industrial zone.
1.2-1.5	Strategies 1.2-1.18	Not applicable: these directions are not relevant to Sydney metropolitan area
2	Environment and heritage	
2.1	Environment protection zones	Not applicable: does not apply to land identified for environmental protection.
2.2	Coastal protection	Not applicable: does not apply to land within the coastal zone.
2.3	Heritage conservation	Not applicable: does not apply an item of environmental heritage, nor does it seek to amend any existing heritage provisions.
2.4	Recreation vehicle areas	Not applicable: does not apply to an area of significant conservation, nor will it not allow the land to be developed for a recreation vehicle area.
3	Housing, infrastructure and urban development	
3.1	Residential zones	The planning proposal is consistent with all matters in 3.1(4): - the rezoning for medium density residential will broaden housing choice - the land will make use of existing infrastructure - the land is in an established residential area - urban design analysis has identified that the land can be redeveloped for medium density housing in a manner that will maintain reasonable solar access, privacy and views for the existing surrounding residential properties. The planning proposal is consistent with all matters in 3.1(5): - that land is adequately serviced in terms of electricity, water and sewer - vehicular access to the site is currently restricted, but can be resolved through engineering solutions and/or acquisition arrangements.

Planning proposal – 9A Cooper Park Road, Bellevue Hill
Compliance with section 117 directions

Direction		Applicable/comment
3.2	Caravan parks and manufactured home estates	Not applicable: does not allow caravan parks and manufactured home estates.
3.3	Home occupations	The planning proposal will not affect provisions of any relevant environmental planning instrument which permits home occupations to be carried out in dwelling-houses without the need for development consent.
3.4	Integrating land use and transport	The planning proposal applies to land that is located in an established residential area serviced by existing bus routes.
3.5	Development near licensed aerodromes	Not applicable: does not apply to land near a licensed aerodrome.
3.6	Shooting ranges	Not applicable: direction is not relevant to Sydney metropolitan area
4	Hazard and risk	
4.1	Acid sulfate soils	The planning proposal applies to land identified as Class 5 on Council's Acid Sulfate Soils Planning Map. This is the lowest risk category and intensification of land uses on the site are not likely to disturb acid sulfate soils. Existing acid sulfate soils provisions in the Woollahra LEP will not be altered by the planning proposal.
4.2	Mine subsidence and unstable land	Not applicable: does not apply to land within a proclaimed Mine Subsidence District or to land identified as unstable.
4.3	Flood prone land	The planning proposal does not apply to land within the flood planning area. The planning proposal will not create, remove or alter a zone or a provision that affects flood prone land.
4.4	Planning for bushfire protection	Not applicable: does not apply to land mapped as bushfire prone land.
5	Regional planning	
5.1 5.8	Strategies 5.1-5.8	Not applicable.
6	Local plan making	
6.1	Approval and referral requirements	The planning proposal will not result in provisions requiring concurrence, consultation or referral to a Minister or public authority or the identification of development as designated development.

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Compliance with section 117 directions

Direction		Applicable/comment
6.2	Reserving land for public purposes	The planning proposal does not apply to land currently identified as reserved for acquisition, nor does it seek to apply a reservation. The planning proposal applies to land currently owned by Council and zoned 6 Open Space. The rezoning will not compromise open space opportunities for the residents in the area as Cooper Park is located in the immediate vicinity of the site and is one of the largest open space areas in the Municipality.
6.3	Site specific provisions	The planning proposal does not seek to apply restrictive site specific planning controls.

Supplementary material

Reports to the Urban Planning Committee

- UPC report and Council resolution 14 December 2009
- UPC report 2 May 2011 and Council resolution 16 May 2011
- UPC report 11 July 2011 and Council resolution 25 July 2011