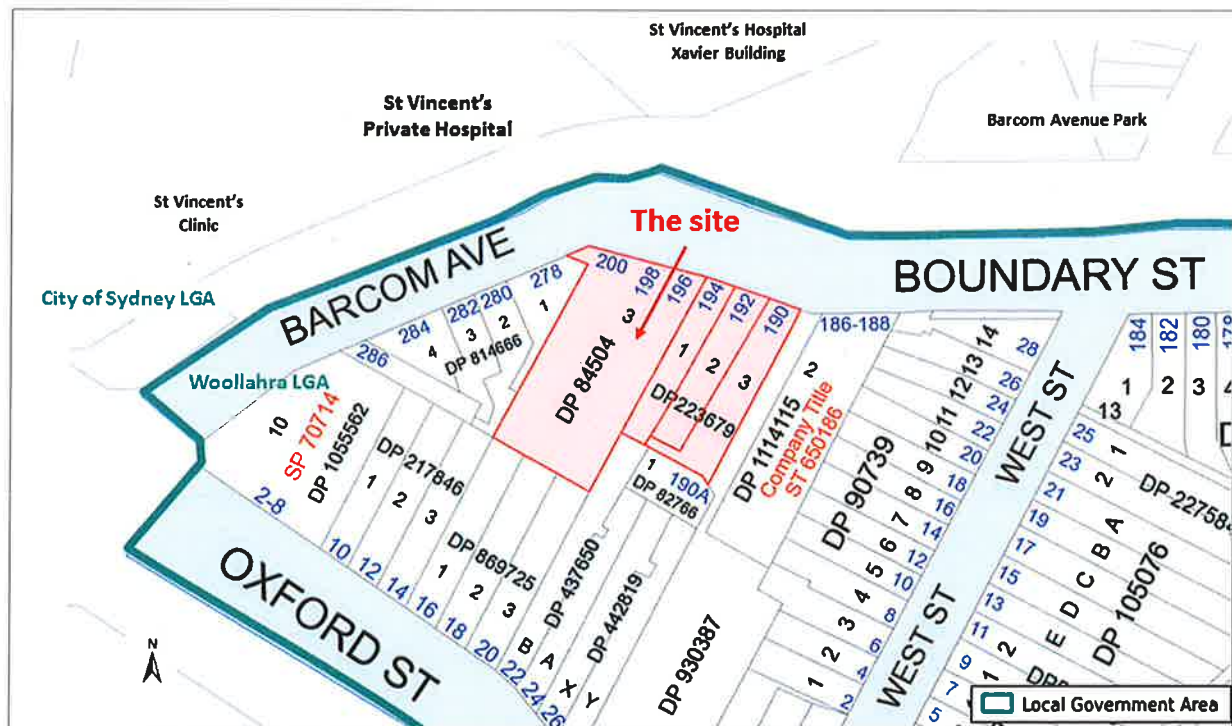




PLANNING PROPOSAL

190-200 Boundary Street, Paddington



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SECTION 1 – INTRODUCTION AND BACKGROUND

1 Summary

In December 2016 Woollahra Council received a request for a planning proposal from SJB Planning on behalf of St Vincent's Private Hospital (the applicant), for land at 190-200 Boundary Street, Paddington (the site). The documentation submitted with the request, including a planning proposal report, is included as Attachment 1.

The request seeks to amend Schedule 1 of the *Woollahra Local Environmental Plan 2014* (WLEP 2014), to permit development for the purposes of office premises, but only if they are ancillary to and associated with St Vincent's Private Hospital.

Council supports this request because it has strategic merit. At its meeting on 13 March 2017, Council resolved to:

- prepare this planning proposal supporting the permissibility of the requested uses on the site,
- forward the planning proposal to the Greater Sydney Commission requesting a gateway determination, and
- request delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.

The site is zoned R2 Low Density Residential. Office premises are permitted in the zone, but only if there is a history of lawfully commenced non-residential use on the land, and Council is satisfied the use will not have an adverse impact on adjoining land or an adverse heritage conservation impact. As there is no evidence of a previous lawfully commenced non-residential use, the proposed amendment is required to permit this use. 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* (WDGP 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.

This planning proposal is divided into 2 sections. Section 1 provides introductory and background information about the site, planning controls and development concepts. Section 2 provides the strategic justification for the planning proposal, following the guidelines in the NSW Department of Planning and Environment (DP&E) document, *A Guide to Preparing Planning Proposals* (August 2016).

2 The site and surrounding context

2.1 Location and context

The site is located on the southern side of Barcom Avenue / Boundary Street, Paddington, as shown below in Figure 1. Barcom Avenue / Boundary Street forms part of the boundary between the Woollahra and City of Sydney local government areas (LGAs). In this report, the boundary between the LGAs is shown on the maps by a green line.



Figure 1: Local area map

Surrounding development consists of:

- North: St Vincent's Hospital precinct and Barcom Avenue Park are located on the opposite side of Barcom Avenue / Boundary Street.
- South: Commercial / retail shops orientated to Oxford Street. Oxford Street forms part of the boundary between Woollahra Council and the City of Sydney local government areas.
- East: A four storey residential flat building at 186 Boundary Street. This building is separated from the site by an access handle driveway approximately 2.9m wide. The driveway provides access from Boundary Street to the rear of No. 30-36 Oxford Street, and neighbouring properties on Oxford Street.
- West: Residential terrace houses on four separately owned lots at 278-284 Barcom Avenue.

The site is highly accessible by public transport. The site is approximately one minute walk from numerous bus services along Oxford Street connecting the Sydney CBD and various eastern suburbs locations, including Bondi Junction and Bondi Beach. The site is approximately five minutes walk to Taylor Square, where numerous bus services connect the Sydney CBD and various other eastern suburbs locations such as Randwick, the University of NSW, Coogee, Maroubra and beyond. The site is approximately fifteen minutes

walk from the Sydney CBD, and also from Museum train station which connects to all locations in the City Rail network.

2.2 Site description

The site consists of four adjoining lots described below:

- 190 Boundary Street (Lot 3 DP 223679)
- 192 Boundary Street (Lot 2 DP 223679)
- 194 Boundary Street (Lot 1 DP 223679)
- 196 – 200 Boundary Street (Lot 3 DP 84504)

A cadastral map showing property information is included below as Figure 2. The site is highlighted in red.

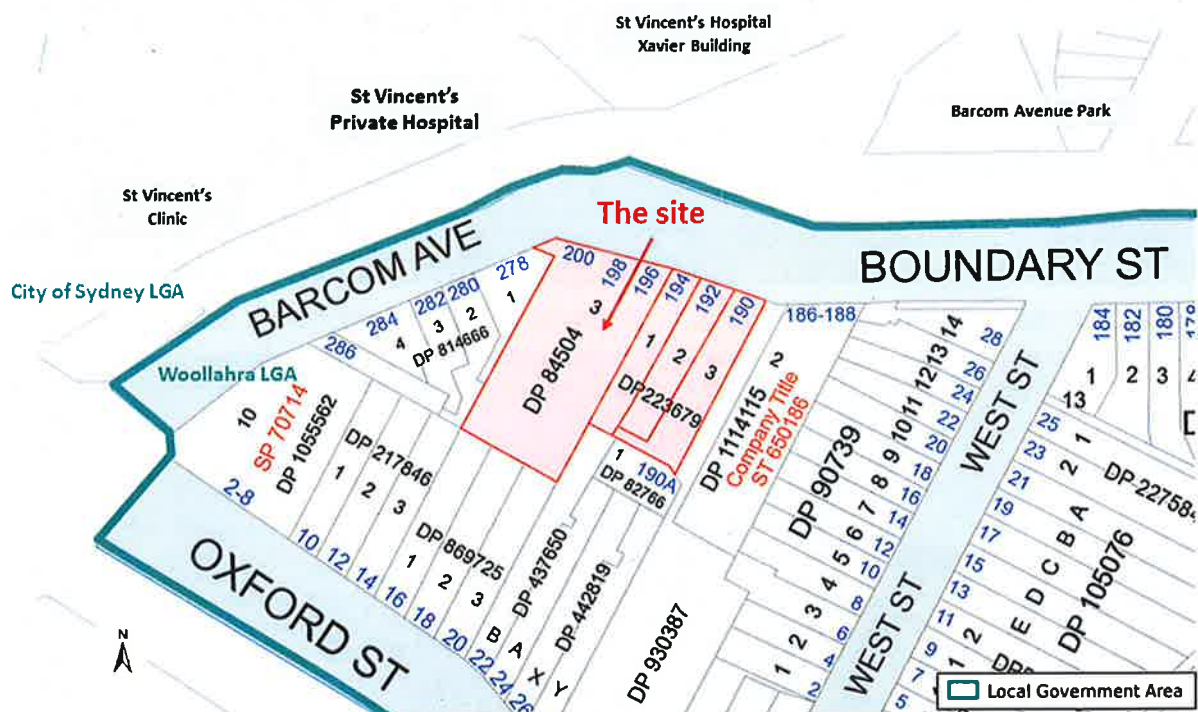


Figure 2: Cadastral map

The site has a total area of approximately 889 sqm. The site has a total frontage of approximately 34m to Barcom Avenue / Boundary Street, and a maximum depth of approximately 33.7m. The site slopes approximately 3m from the south west to the north east, and has a minimal amount of vegetation.

The site is currently developed with five terrace houses dating from the late Victorian / early Federation period. The terraces vary in size and height.

- 190-194 contains three single storey terraces. These terraces are currently used and inhabited for residential purposes.
- 196-200 contains two double storey terraces. These terraces are dilapidated and currently uninhabitable. A significant portion of the site is unbuilt on. This unbuilt portion adjoins the western and southern boundary.

Site photos of the existing development on the site are included as Figures 3 and 4.



Figure 3: Existing single storey terraces at 190-194 Boundary Street (source SJB)



Figure 4: Existing dilapidated double storey terraces at 196-200 Boundary Street (source SJB)

3 Background

3.1 Request for a planning proposal

In December 2016, Woollahra Council received a request for a planning proposal from SJB Planning on behalf of the applicant for the site. The applicant submitted the following supporting documentation with their request for a planning proposal:

- Planning proposal report prepared by SJB Planning, dated December 2016.
- Built Form & Urban Study prepared by SJB Architects, dated 9 November 2016
- Statement of Heritage Impact prepared by Cracknell and Lonergan Architects, dated 3 November 2016

The documentation submitted with the request is included as Attachment 1.

3.2 Council resolution

On 27 February 2017, Council's Urban Planning Committee considered the request for a planning proposal. The committee supported the request and made a recommendation to Council that a planning proposal be prepared and submitted to the Greater Sydney Commission for a gateway determination.

On 13 March 2017, Council resolved the following:

- A. That Council prepare a planning proposal which explains a proposed amendment to Woollahra LEP 2014, which will permit development for office premises on land at 190-200 Boundary Street, Paddington, but only if they are ancillary to and associated with St Vincent's Private Hospital.
- B. That the planning proposal described in point A above be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- C. That when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.

The Urban Planning Committee report and Council resolution are included as Attachment 2.

3.3 Preparation of the planning proposal

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

SECTION 2 – PLANNING PROPOSAL REPORT

Part 1 Objective of planning proposal

Part 1.1 Objective

The objective of the planning proposal is to facilitate the use of the site at 190-200 Boundary Street, Paddington for the purpose of an office premises, but only if they are ancillary to and associated with St Vincent's Private Hospital. It is intended that the site will remain zoned as R2 Low Density Residential and the proposed office premises use will be in addition to the current permissible uses.

It is intended that the existing built form controls applicable to the site will remain in place; no changes are proposed to those controls (including the maximum height of buildings, floor space ratio (FSR) and setback controls).

Currently, the development of the site for the purpose of an office premises associated with St Vincent's Private Hospital is at the conceptual stage. The design for a new building at the site will be detailed as part of a future development application and should be in accordance with the current applicable built form controls.

Part 1.2 Design concept

An indicative design concept for the site was submitted by the applicant as part of the planning proposal request. The concept comprises:

- adaptive re-use of the terraces at 190-194 for offices; and
- demolition and redevelopment of the existing terraces at 196-200 for offices.

The applicant has stated in their request that the concept will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access. Additionally, car parking will not increase as the functions to be accommodated are currently occurring in the existing hospital building and car parking is already provided in the hospital building. However, they also state that there is capacity to accommodate car parking onsite with any future development if it is deemed necessary.

The detailed design of development is a matter to be considered at the development application stage, and does not affect this planning proposal.

Part 2 Explanation of provisions

Part 2.1 Existing planning controls

The planning controls that apply to the site, and are relevant to this planning proposal are described below.

Zoning

The site is zoned R2 Low Density Residential under the WLEP 2014. The land use table controls that apply to the site under WLEP 2014 are shown below.

Zone R2 Low Density Residential

1 Objectives of zone

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

2 Permitted without consent

Home occupations; Roads

3 Permitted with consent

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); Information and education facilities; Office premises; Public administration buildings; Recreation areas; Respite day care centres; Secondary dwellings; Semi-detached dwellings; Shops

4 Prohibited

Any development not specified in item 2 or 3

The zone generally permits development of low density residential uses, such as dwelling houses and dual occupancies, as well as other land uses that provide facilities or services to meet the day to day needs of residents, such as shops and child care centres.

Office premises are permitted in the zone, but only if there is a history of lawfully commenced non-residential use on the land, and Council is satisfied the office premises will not have an adverse impact on adjoining land or an adverse heritage conservation impact. These pre-requisites are detailed in clause 6.6 of the WLEP 2014 : Part 6 Additional Local Provisions. There is historical information that part of the site, specifically 200 Boundary Street, and possibly 198 Boundary Street was used, or may have been used in the past for non-residential uses, such as a scrap yard, second-hand building material sales and storage, liquid soap manufacturing and panel beating. This information is sourced from the statement of heritage impact, past editions of the Wise Directory and Council's records. However, there is no evidence of lawful commencement of these non-residential uses. Additionally, there is no historical information of non-residential uses on the remainder of the

site, being 190-196 Boundary Street. Therefore, the proposed amendment to the WLEP is required to permit this use.

Adjacent land along Oxford Street is zoned B4 Mixed Use under the WLEP 2014. The zone generally permits development of a mixture of compatible uses such as business, office, retail and residential.

The hospital land to the north, across Barcom Avenue / Boundary Street is zoned SP2 Infrastructure (Health Services Facilities) under the *Sydney Local Environmental Plan 2012* (SLEP 2012). The zone permits development for the purposes of health services facilities, including any development that is ordinarily incidental or ancillary to development for that purpose. Zoning for the site and surrounding land is shown below in Figure 5.

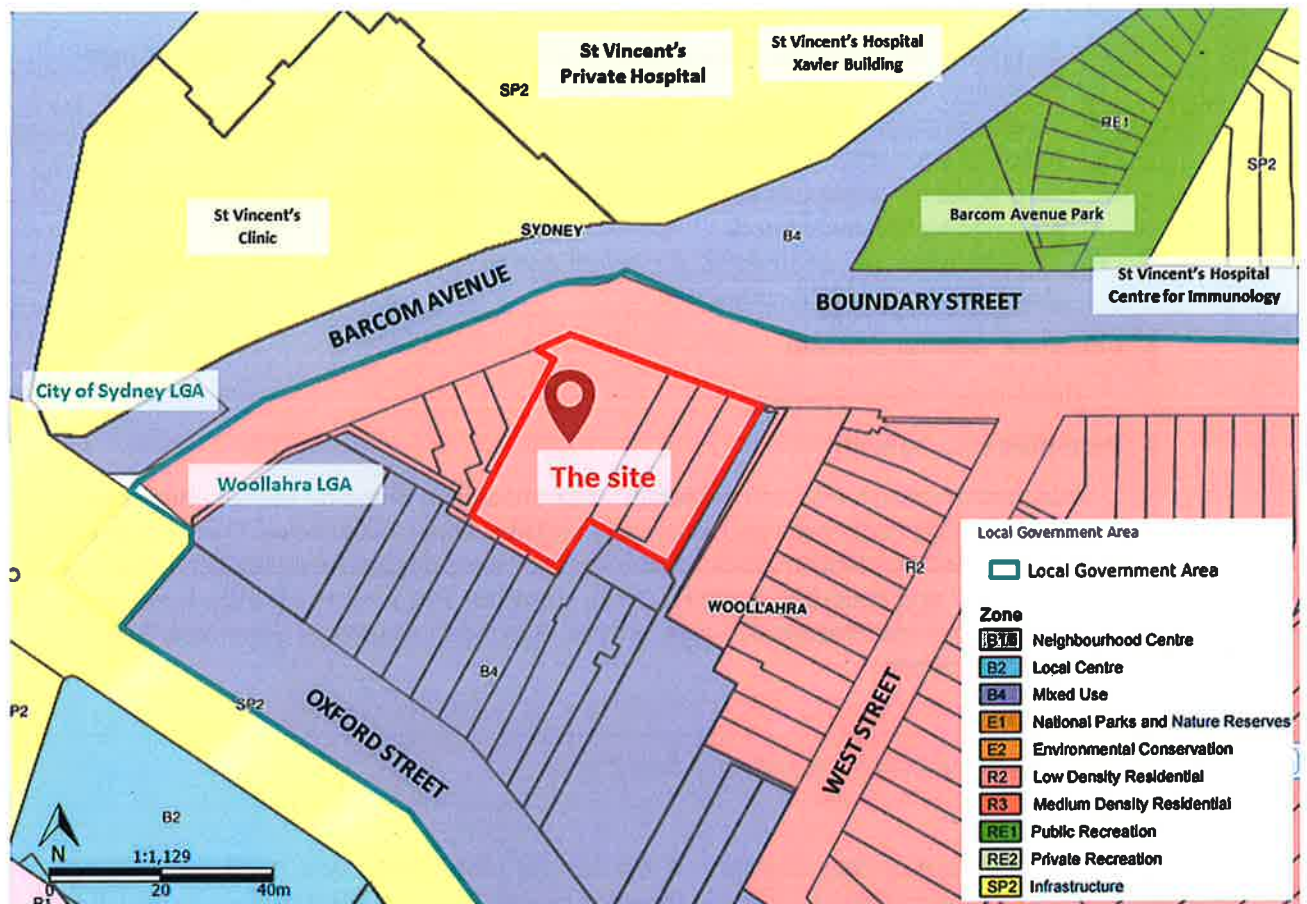


Figure 5: Existing WLEP 2014 and Sydney LEP 2012 land use zoning
(source: Department of Planning & Environment - Planning Viewer)

Heritage

The site is located within the Paddington Heritage Conservation Area under the WLEP 2014. The buildings located on the site are contributory to the character of the area. There are no heritage items located within the vicinity of the site. The location of existing heritage conservation areas and heritage items applying to the site and surrounding land is shown below in Figure 6.



Figure 6: Existing WLEP 2014 and Sydney LEP 2012 heritage conservation
(source: Department of Planning & Environment - Planning Viewer)

Land reservation acquisition

At the junction of Barcom Avenue and Boundary Street, a small portion of the site (approximately 3 square metres in size) is shown on the Land Reservation Acquisition Map of WLEP 2014 as land to be acquired for the purpose of a classified road. The Roads and Maritime Services (RMS) are identified as the relevant authority to acquire the land (clause 5.1 – Relevant acquisition authority). Council must not grant consent on that portion of the site for any development other than for the purpose of a road (clause 5.1A – Development on land intended to be acquired for public purposes). The location of land reservation acquisition area applying to the site is shown below in Figure 7.

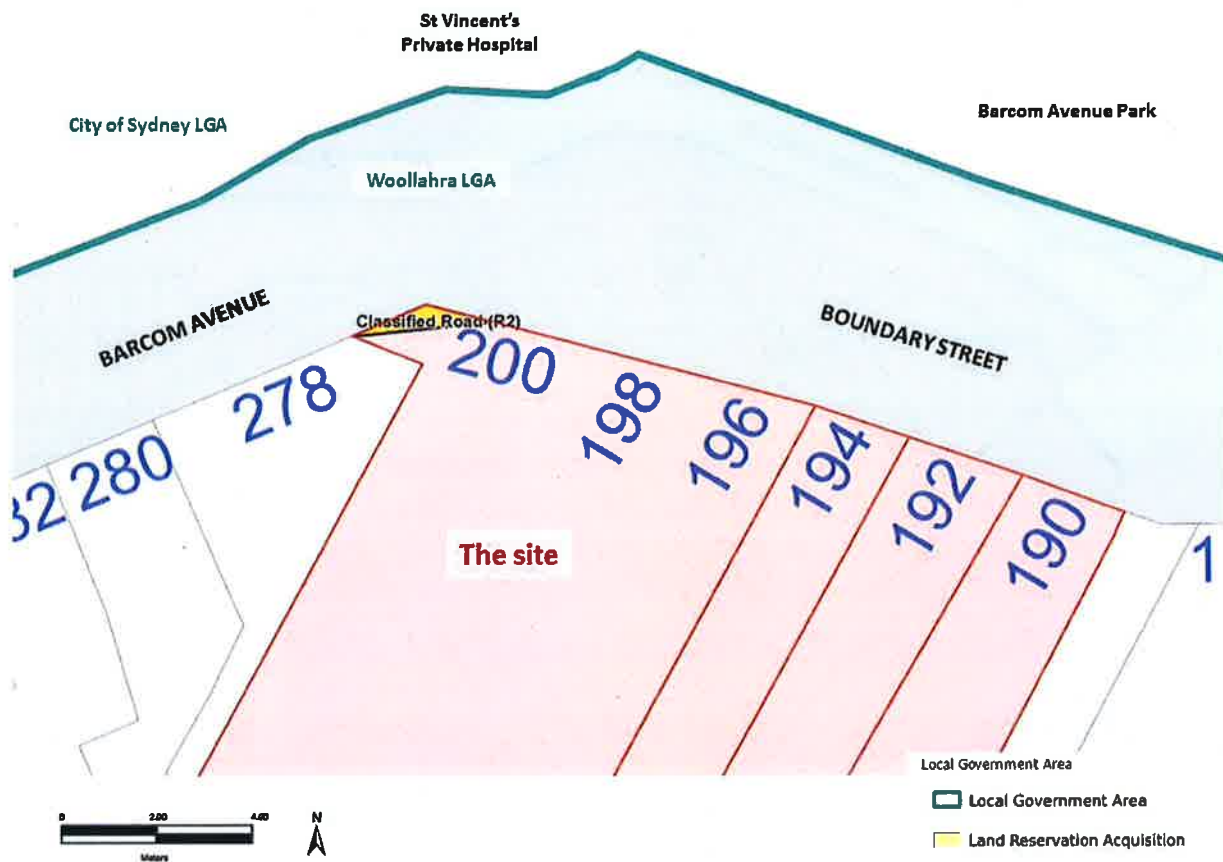


Figure 7: Existing WLEP 2014 land reservation acquisition area
(source: Woollahra Council)

Land contamination

The site may be contaminated. Historical information identified in the Statement of Heritage Impact, past editions of the Wise Directory and Council's oral history records show that the site was, or may have been, used in the past for various uses that may have contaminated the site. These past uses include a scrap yard, second-hand building material sales and storage, liquid soap manufacturing and panel beating. These uses are identified under the provisions of both *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55), and WDCP 2015 – Chapter E4: Contaminated Land, as activities that may cause contamination. The uses may be categorised under descriptions specifically referred to in the two documents as activities that may cause contamination, such as scrap yards, acid / alkaline plant and formulation, chemical manufacture and formulation, metal treatment, oil production and storage, service stations and waste storage and treatment activities.

The provisions of both SEPP55 and WDCP 2015 require Council to consider whether the land is contaminated and if so, whether the land is suitable in its current form, or after remediation, for all the purposes which will be permitted on the land as a result of a planning proposal.

This issue is discussed in further detail in Part 3.3.

Part 2.2 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 for the purpose of office premises, but only if they are ancillary to and associated with St Vincent's Private Hospital.

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 has strategic merit and is consistent with all relevant state and local planning strategies and controls. The proposal is also consistent and sympathetic to the existing mix of development within the Paddington Heritage Conservation Area located within the vicinity of St Vincent's Hospital.

This strategic merit is justified by the proposal being consistent with the following strategies:

- NSW Government's document *A Plan for Growing Sydney* (2014) – Central subregion – Priorities for Strategic Centres.
- NSW Government's *Draft Central District Plan* (2016) – Liveability Priority 12: Support planning for health infrastructure.
- *WDCP 2015*, Chapter C1 Paddington Heritage Conservation Area.
- Council's *Community Strategic Plan, Woollahra 2025 – our community our place our plan*, in particular Goal 4 Well planned neighbourhoods.
- All relevant State Environmental Planning Policies (SEPPs).
- All relevant section 117 directions issued by the Minister for Planning.

Additionally, the strategic merit is justified by the proposal providing the following planning benefits:

- The proposal does not impact on land identified with any environmental constraints.
- The proposal will enable an economic benefit of providing the potential for additional employment in a location accessible to public transport and walking and cycling options.
- The proposal will support the functions of St Vincent's Hospital which provides a sub-regional social benefit of specialist and general health care services.

This justification is discussed in detail below.

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 for ancillary uses to St Vincent's Private Hospital.

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 of facilitating the use of the site for the purpose of an office premises in conjunction with St Vincent's Private Hospital. Currently, office premises are only permitted in the zone if there is a history of a lawfully commenced non-residential use on the land, and Council is satisfied the use will not have an adverse impact on adjoining land or an adverse heritage conservation impact (Clause 6.6 of the WLEP 2014, in Part 6 Additional Local Provisions). As there is no

evidence of a previous lawfully commenced non-residential use, the proposed amendment is required to permit this use. This planning proposal will achieve the amendment in an efficient manner by limiting the change required to the WLEP 2014, and limiting the impact of the amendment specifically to the site and under a specific circumstance, ie. office premises associated with St Vincent's Private Hospital.

Other options to achieve the objective would be more complicated than the proposed amendment. These include:

- Rezoning the site to an existing zone under the WLEP 2014 which permits development for the purposes of office premises. These zones are the business zones: B1 Neighbourhood Centre, B2 Local Centre and B4 Mixed Use.

This option is not acceptable for the site or area. The amendment would permit a range of commercial premises and similar uses on the site, such as retail premises, entertainment facilities and restricted premises. The site is not an appropriate location for these types of uses, as they are not consistent with the existing low density residential character of the immediate vicinity.

- Amending the clause 6.6 of the WLEP 2014 to allow office premises in all residential areas without the need to satisfy the tests regarding previous lawfully commenced, non-residential usage of a site and impacts on both adjoining land and heritage significant.

This option is not acceptable. The amendment would permit the use of land for office premises throughout all residential zones of the LGA. This would undermine the objectives of these zones which focus on maintaining a predominantly residential character, but with some recognition of previous non-residential uses in some parts of the LGA where this is characteristic of the area, such as heritage conservation areas.

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 3.

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

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

WDCP 2015

The planning proposal will permit development which is consistent with the objectives and desired future character for the Paddington Heritage Conservation Area, as outlined in WDCP 2015, Chapter C1 Paddington Heritage Conservation Area. The planning proposal is

consistent and sympathetic to the existing mix of development within the Paddington Heritage Conservation Area located within the vicinity of St Vincent's Hospital.

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.

The planning proposal is consistent with Theme 2 - Quality places and spaces: Goal 4 - Well planned neighbourhoods. The proposal will:

- encourage and support sustainable development by providing employment opportunities within a highly accessible location for public transport, walking and cycling, and near existing housing.
- maintain Paddington's mostly low rise (no amendment to the WLEP 2014 height control is proposed), mixed urban form, architecture and heritage.

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).

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).

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.

Land contamination

The site may be contaminated. Historical information identified in the Statement of Heritage Impact, past editions of the Wise Directory and Council's oral history records show that the site was, or may have been, used in the past for various uses that may have contaminated the site. These past uses include a scrap yard, second-hand building material sales and storage, liquid soap manufacturing and panel beating. These uses are identified under the provisions of both *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55), and WDCP 2015 – Chapter E4: Contaminated Land, as activities that may cause contamination. The uses may be categorised under descriptions specifically referred to in the two documents as activities that may cause contamination, such as scrap yards, acid / alkaline plant and formulation, chemical manufacture and formulation, metal treatment, oil production and storage, service stations and waste storage and treatment activities.

The provisions of both SEPP55 and WDCP 2015 require Council to consider whether the land is contaminated and if so, whether the land is suitable in its current form, or after remediation, for all the purposes which will be permitted on the land as a result of a planning proposal.

Given the possibility of contamination on the site, we recommend that the gateway determination include conditions to facilitate the following:

- The applicant is to undertake land contamination investigations for the site, as outlined in SEPP 55, clause 6, "Contamination and remediation to be considered in zoning or rezoning proposal".
- The findings of these investigations must be submitted to Council so that it can form part of the information placed on public exhibition.
- Council is to consult with Environmental Protection Authority (EPA) as part of the public exhibition process.

Acid sulfate soils

The site is identified on the WLEP 2014 Acid Sulfate Soils Map as Category 5. Any environmental impact of this soil type can be managed through the development application process and does not affect this proposal.

Other Environmental Effects

Any other environmental effects that might arise through the redevelopment of this site can be identified and managed through the development application process. Good design and conditions of consent will limit these effects.

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

Yes. Refer to the comments below.

Heritage

The site is located in the Paddington Heritage Conservation Area. The planning proposal and statement of heritage impact was referred to Council's Heritage Planner. Council's Heritage Planner commented that the proposed additional use of the site is sympathetic to

the existing mix of development within the vicinity of St Vincent's Hospital. No objection was raised to the proposal.

Land reservation acquisition

A small portion of the site (approximately 3 sqm in size) is shown as land to be acquired for the purpose of a classified road by the RMS. Council must not grant consent on that portion of the site for any development other than for the purpose of a road. This is a matter to be considered at the development application stage, and does not affect this proposal. However, consultation with the RMS will be undertaken as part of the public exhibition process.

Other social and economic effects

The planning proposal will have positive social and economic effects because it:

- is consistent with *A Plan for Growing Sydney* (2014), in that it will support health-related land uses and infrastructure around St Vincent's Hospital;
- is consistent with the *Draft Central District Plan* (2016) in supporting planning for health infrastructure;
- provides additional employment opportunities in an area that is well serviced by multiple transport options;
- provides an incentive for the existing owner to develop a dilapidated parcel of land which has been vacant for many years; and
- will not prevent the site from being developed for residential uses in the future.

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.

It is not anticipated that any significant infrastructure demand will result from the planning proposal. The existing services that are available to the site are suitable for the proposal and appropriate for the requirements of office premises.

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 gateway determination 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*.

The planning proposal will be 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 any relevant public agency, including the EPA and RMS,
- a letter to land owners in the vicinity of the site,
- a letter to local community groups including the Paddington Society and Paddington Business Partnership, and
- a letter to the City of Sydney Council.

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,
- the request for a planning proposal, and
- information relied upon by the planning proposal (such as investigations into land contamination and any other relevant reports).

Part 6 Project timeline

The project timeline is to be determined by Council. However, a preliminary timeline is outlined below:

Planning Proposal Stage	Estimated Completion
Urban Planning Committee recommends proceeding	27 February 2017
Council resolution to proceed	13 March 2017
Submit planning proposal to DP&E for a gateway determination	Early May 2017
Gateway determination	May 2017
Government agency consultation	June/July 2017 (28 days)
Public exhibition period	June/July 2017 (28 days)
Submissions assessment	August 2017
Council assessment of submissions to the public exhibition	August 2017
Urban Planning Committee consideration	September 2017
Council decision	September 2017
Subject to Council decision, liaise with Parliamentary Counsel to prepare LEP amendment (if delegated)	September 2017
Forward LEP amendment to DP&E for notification	October 2017
Notification of the approved LEP	October 2017

ATTACHMENTS

Attachment 1

Applicant planning proposal documentation

1. **Planning proposal report** prepared by SJB Planning, dated December 2016.
2. **Built Form & Urban Study** prepared by SJB Architects, dated 9 November 2016
3. **Statement of Heritage Impact** prepared by Cracknell and Lonergan Architects, dated 3 November 2016

Refer to documents in folder.

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Attachment 2

Urban Planning Committee report and Council resolution

Item No: R1 Recommendation to Council
Subject: **PLANNING PROPOSAL FOR 190-200 BOUNDARY STREET, PADDINGTON**
Author: Jorge Alvarez, Senior Strategic Planner
Approvers: Anne White, Acting Team Leader - Strategic Planning
Chris Bluett, Manager - Strategic Planning
Allan Coker, Director - Planning & Development
File No: 17/21512
Reason for Report: To report on a request for a planning proposal submitted to Council by St Vincent's Private Hospital for 190-200 Boundary Street, Paddington. To obtain Council's approval to prepare a planning proposal and forward it to the Greater Sydney Commission for a gateway determination.

Recommendation:

- A. That Council prepare a planning proposal which explains a proposed amendment to Woollahra LEP 2014, which will permit development for office premises on land at 190-200 Boundary Street, Paddington, but only if they are ancillary to and associated with St Vincent's Private Hospital.
- B. That the planning proposal described in point A above be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- C. That when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.

1. Summary

In December 2016 a request for a planning proposal (contained in Annexure 1) was submitted to Council by St Vincent's Private Hospital (the applicant) for land at 190-200 Boundary Street, Paddington (the site). The request seeks to amend Schedule 1 of the *Woollahra Local Environmental Plan 2014* (WLEP 2014), to permit development for the purposes of office premises, but only if the activities proposed are ancillary to and associated with St Vincent's Private Hospital.

The site is zoned R2 Low Density Residential. Office premises are permitted in the zone, but only if there is a history of lawfully commenced non-residential use on the land, and Council is satisfied the use will not have any adverse impact. As there is no evidence of this type of history, the proposed amendment is required to permit this use. The amendment will apply only to this site.

Overall, we support this request because it has strategic merit. We therefore seek a decision of the Council to:

- prepare a planning proposal; and
- forward the planning proposal to the Greater Sydney Commission (GSC) for a gateway determination. The determination will enable the planning proposal to be placed on public exhibition.

2. The site

2.1 Location and context

The site is located on the southern side of Barcom Avenue / Boundary Street, Paddington, as shown below in Figure 1. Barcom Avenue / Boundary Street forms part of the boundary between the Woollahra and City of Sydney local government areas (LGAs). In this report, the boundary between the LGAs is shown on the maps by a green line.



Figure 1: Local area map

Surrounding development consists of:

- North: St Vincent's Hospital precinct and Barcom Avenue Park are located on the opposite side of Barcom Avenue / Boundary Street.
- South: Commercial / retail shops orientated to Oxford Street. Oxford Street forms part of the boundary between Woollahra Council and the City of Sydney local government areas.
- East: A four storey residential flat building at 186 Boundary Street. This building is separated from the site by an access handle driveway approximately 2.9m wide. The driveway provides access from Boundary Street to the rear of No. 30-36 Oxford Street, and neighbouring properties on Oxford Street.
- West: Residential terrace houses on four separately owned lots at 278-284 Barcom Avenue.

The site is highly accessible by public transport. The site is approximately one minute walk from numerous bus services along Oxford Street connecting the Sydney CBD and various eastern suburbs locations, including Bondi Junction and Bondi Beach. The site is approximately five minutes walk to Taylor Square, where numerous bus services connect the Sydney CBD and various other eastern suburbs locations such as Randwick, the University of NSW, Coogee, Maroubra and beyond. The site is approximately fifteen minutes walk from the Sydney CBD, and also from Museum train station which connects to all locations in the City Rail network.

2.2 Site description

The site consists of four adjoining lots described below:

- 190 Boundary Street (Lot 3 DP 223679)
- 192 Boundary Street (Lot 2 DP 223679)
- 194 Boundary Street (Lot 1 DP 223679)
- 196 – 200 Boundary Street (Lot 3 DP 84504)

A cadastral map showing property information is included below as Figure 2. The site is highlighted in red.

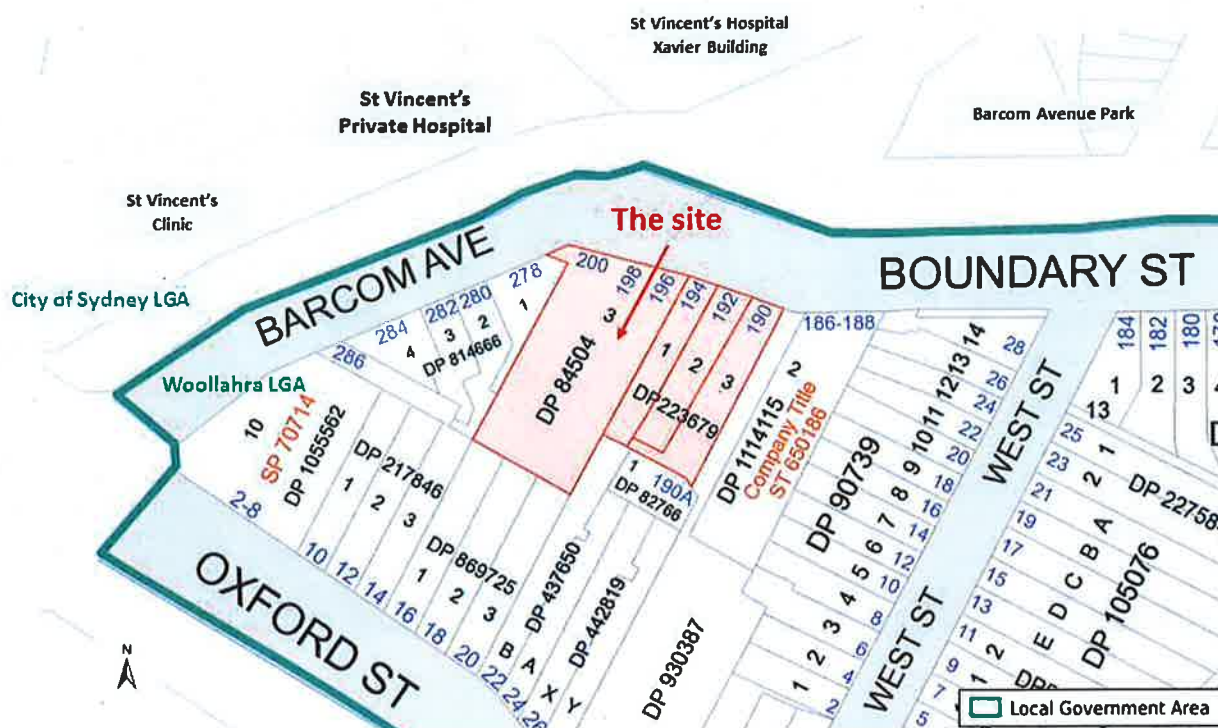


Figure 2: Cadastral map

The site has a total area of approximately 889m². The site has a total frontage of approximately 34m to Barcom Avenue / Boundary Street, and a maximum depth of approximately 33.7m. The site slopes approximately 3m from the south west to the north east, and has a minimal amount of vegetation.

The site is currently developed with five terrace houses dating from the late Victorian / early Federation period. The terraces vary in size and height.

- 190-194 contains three single storey terraces. These terraces are currently used and inhabited for residential purposes.
- 196-200 contains two double storey terraces. These terraces are dilapidated and currently uninhabitable. A significant portion of the site is unbuilt on. This unbuilt portion adjoins the western and southern boundary.

Site photos of the existing development on the site are included as Figures 3 and 4.



Figure 3: Existing single storey terraces at 190-194 Boundary Street (source SJB)



Figure 4: Existing dilapidated double storey terraces at 196-200 Boundary Street (source SJB)

3. Planning controls

The planning controls that apply to the site that are relevant to this planning proposal are described below.

3.1 Zoning

The site is zoned R2 Low Density Residential under the WLEP 2014. The zone generally permits development of low density residential uses, such as dwellings houses and dual occupancies, as well as other land uses that provide facilities or services to meet the day to day needs of residents, such as shops and child care centres. Office premises are permitted in the zone, but only if there is a history of lawfully commenced non-residential use on the land, and Council is satisfied the use will not have any adverse impact.

Adjacent land along Oxford Street is zoned B4 Mixed Use under the WLEP 2014. The zone generally permits development of a mixture of compatible uses such as business, office, retail and residential.

The hospital land to the north, across Barcom Avenue / Boundary Street is zoned SP2 Infrastructure (Health Services Facilities) under the *Sydney Local Environmental Plan 2012* (SLEP 2012). The zone permits development for the purposes of health services facilities, including any development that is ordinarily incidental or ancillary to development for that purpose.

Zoning for the site and surrounding land is shown below in Figure 5.

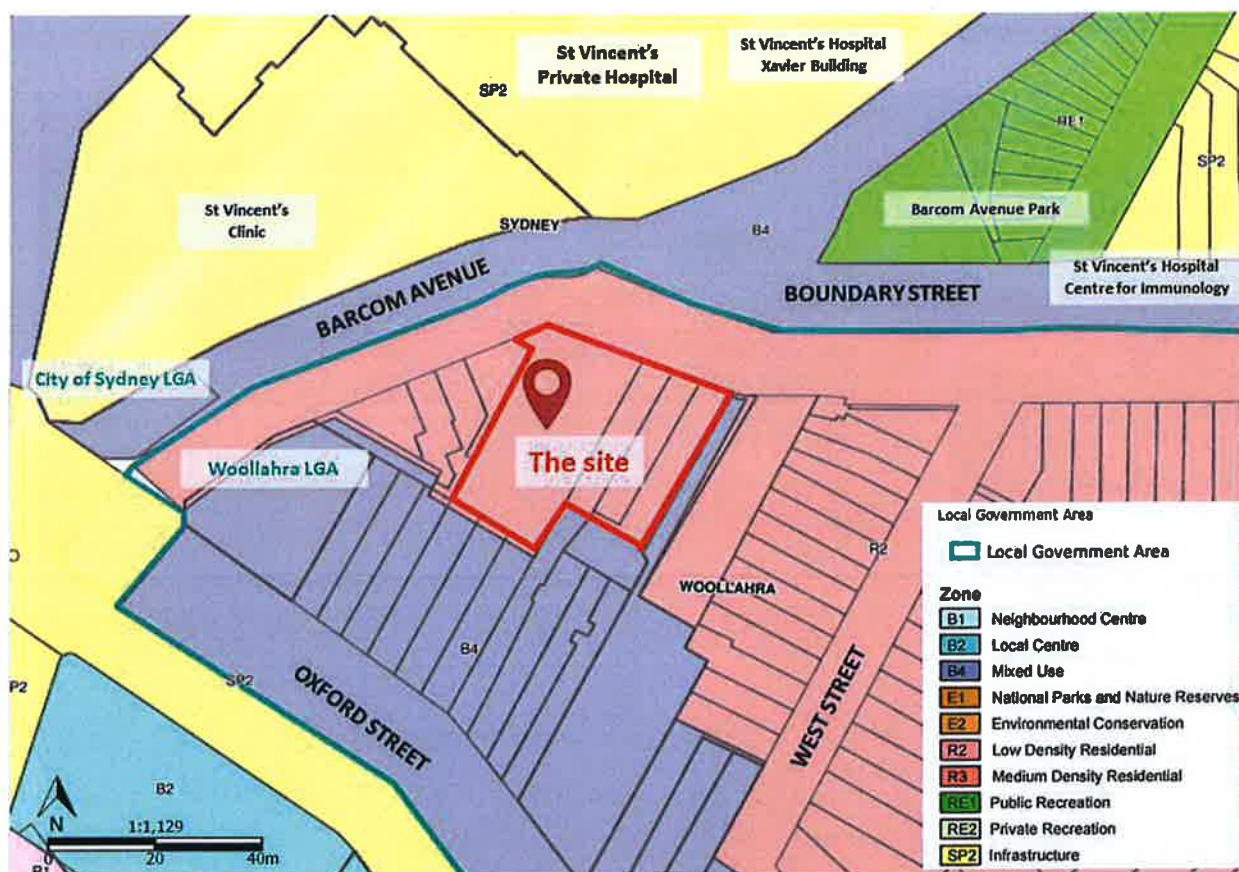


Figure 5: Existing WLEP 2014 land use zoning

(source: Department of Planning & Environment - Planning Viewer)

3.2 Heritage

The site is located within the Paddington Heritage Conservation Area under the WLEP 2014. The buildings located on the site are contributory to the character of the area. There are no heritage items located within the vicinity of the site.

Heritage development controls for the site and surrounding land are as shown below in Figure 6.

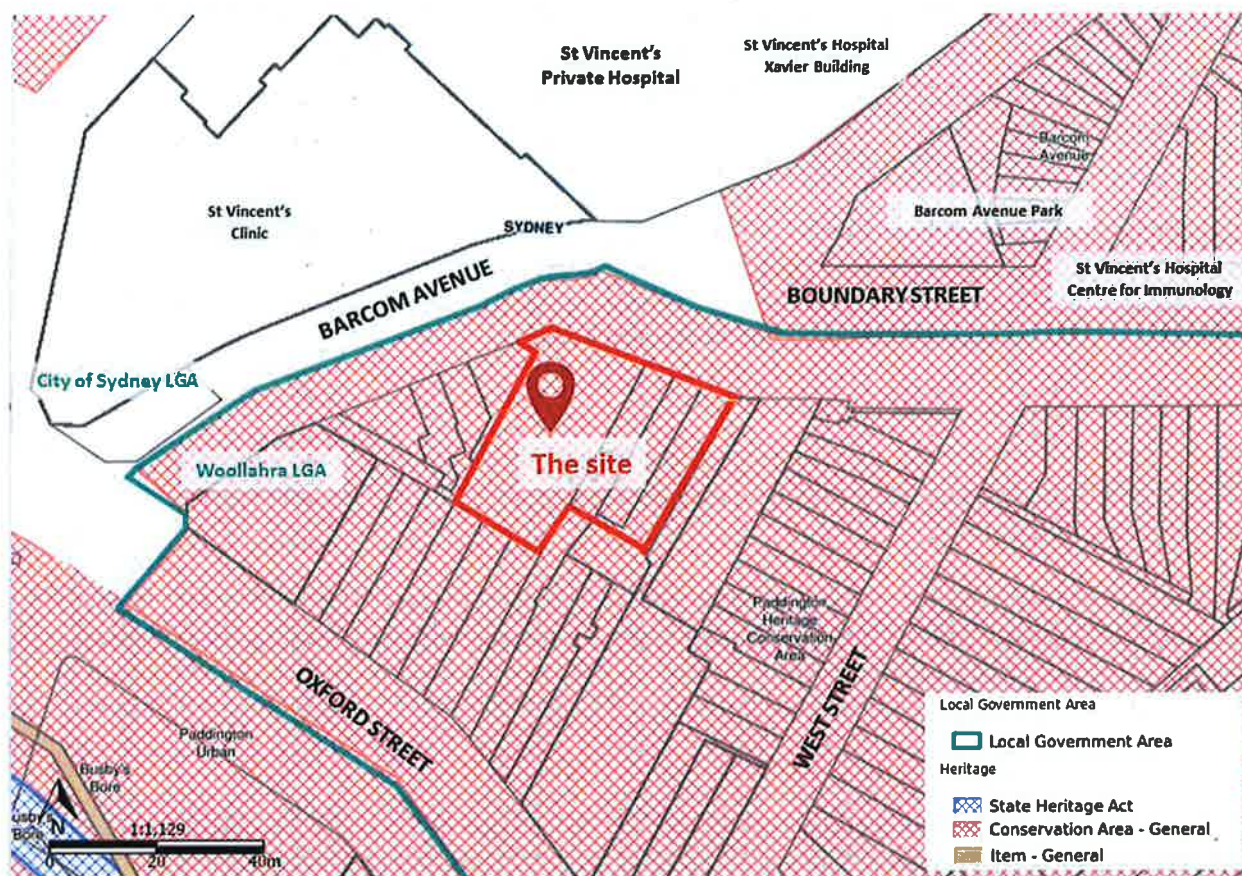


Figure 6: Existing WLEP 2014 heritage conservation
(source: Department of Planning & Environment - Planning Viewer)

3.3 Land reservation acquisition

At the junction of Barcom Avenue and Boundary Street, a small portion of the site (approximately 3m² in size) is shown on the Land Reservation Acquisition Map of WLEP 2014 as land to be acquired for the purpose of a classified road. The Roads and Maritime Services (RMS) are identified as the relevant authority to acquire the land (*clause 5.1 – Relevant acquisition authority*). Council must not grant consent on that portion of the site for any development other than for the purpose of a road (*clause 5.1A – Development on land intended to be acquired for public purposes*). This is a matter to be considered at the development application stage, and does not affect this request. However, we will consult with RMS as part of the public exhibition process.

3.4 Contamination

Information from Council's records identifies that 194-200 Boundary Street may have been used as a scrap yard in the past. This use is identified as an activity that may cause contamination under the provisions of both *State Environmental Planning Policy No. 55 – Remediation of Land* (SEPP 55), and *Woollahra Development Control Plan 2015* (WDCP 2015) – Chapter E4: Contaminated Land.

The provisions of both of these documents require Council to consider whether the land is contaminated and if so, whether the land is suitable in its current form, or after remediation, for all the purposes which will be permitted on the land as a result of a planning proposal. The onus is on the applicant to demonstrate to Council that the site is, or can be made, suitable for the proposed land use. However, the applicant has not provided any information regarding contamination.

Given the possibility of contamination on the site, we recommend that the applicant undertake contamination investigations consistent with the provisions of SEPP 55. The results of these investigations would be placed on public exhibition as supporting information to the planning proposal, should it progress through the gateway (see Part 6).

4. The planning proposal request

The objective of the planning proposal request is to permit development on the site for the purposes of office premises, but only if the activities proposed are ancillary to and associated with St Vincent's Private Hospital.

The site is zoned R2 Low Density Residential. Office premises are permitted in the zone, but only if there is a history of lawfully commenced non-residential use on the land, and Council is satisfied the use will not have any adverse impact. As there is no evidence of this type of history, the proposed amendment is required to permit this use. The amendment will apply only to this site.

4.1 Proposed controls

The request seeks to amend Schedule 1 of the WLEP 2014. Schedule 1 identifies additional permitted uses on certain sites within the Woollahra LGA. An additional clause (Clause 15) is proposed as follows:

15 Use of certain land at 190-200 Boundary Street, Paddington

- (1) This clause applies to land at 190-200 Boundary Street, Paddington, being Lots 1, 2 and 3 in DP 223679 and Lot 3 in DP 84504.
- (2) Development for the purpose of a place of an office premise is permitted with development consent but only if the consent authority is satisfied that the activities proposed are ancillary to and associated with St Vincent's Private Hospital.

This is a simple and effective way of resolving the land use permissibility issue to achieve the objective of the planning proposal. The planning proposal does not seek to amend any other provision of the WLEP 2014.

4.2 Design concept

An indicative design concept for the site was submitted by the applicant as part of the planning proposal request. The concept comprises:

- adaptive re-use of the terraces at 190-194 for offices; and
- demolition and redevelopment of the existing terraces at 196-200 for offices.

The applicant has stated in their request that the concept will not accommodate medical facilities, treatment rooms, clinical facilities or the like, so will not generate public use or access. Additionally, car parking will not increase as the functions to be accommodated are currently occurring in the existing hospital building and car parking is already provided in the hospital building. However, they also state that there is capacity to accommodate car parking onsite with any future development if it is deemed necessary.

We note the design concept, however, the detailed design of development is a matter to be considered at the development application stage, and does not affect this request.

5. Review of the request for a planning proposal

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. The Department of Planning and Environment (the Department) has prepared the document titled *A guide to preparing planning proposals* dated August 2016 (the guidelines) to help applicants meet the requirements of the Act. Council staff have reviewed the applicant's request and found that it was submitted in the form of a report which has regard to Section 55 of the Act and the guidelines.

If the request is supported by Council, the planning proposal documentation will be prepared with regard to Section 55 of the Act and the guidelines. The applicant's request will be submitted to the GSC as part of the planning proposal.

5.1 Strategic merit

We have identified that the request has strategic merit and therefore we can provide in principle support. The strategic merit is justified by being consistent with the following strategies and concepts:

- NSW Government's document *A Plan for Growing Sydney* (2014) – Central subregion – Priorities for Strategic Centres (p.111). The request will support health-related land uses and infrastructure around St Vincent's Hospital.
- NSW Government's *Draft Central District Plan* (2016) – Liveability Priority 12: Support planning for health infrastructure (p.124). The request gives due consideration to the need to support the co-location of ancillary commercial uses to complement an existing health precinct.
- *WDCP 2015*, Chapter C1 Paddington Heritage Conservation Area. The request is consistent and sympathetic to the existing mix of development within the Paddington Heritage Conservation Area located within the vicinity of St Vincent's Hospital.
- Council's *Community Strategic Plan, Woollahra 2025 – our community our place our plan*, in particular Goal 4 Well planned neighbourhoods. The request will:
 - encourage and support sustainable development by providing employment opportunities within a highly accessible location for public transport, walking and cycling, and near existing housing.
 - maintain Paddington's mostly low rise (no amendment to the WLEP 2014 height control is proposed), mixed urban form, architecture and heritage.
- State Environmental Planning Policies (SEPPs). The request is consistent with the provision of all relevant SEPPs.

- The Minister for Planning's relevant section 117 directions. The request is consistent with the following directions:
 - 2.3 Heritage conservation: The request will not prevent the conservation of any items, areas, objects and places of environmental heritage significance and indigenous heritage significance.
 - 3.1 Residential zones: The request will not prevent the site from being developed for residential uses.
 - 3.4 Integrated land use and transport: The request will provide the opportunity to deliver employment generating development in a transport accessible location.
 - 6.3 Site specific provisions: The request does not introduce unnecessarily restrictive site specific controls to the WLEP 2014.
- The request is not on land identified with any environmental constraints.
- The request will enable an economic benefit of providing the potential for additional employment in a location accessible to public transport and walking and cycling options.
- The request will support the functions of St Vincent's Hospital which provides a sub-regional social benefit of specialist and general health care services.

This opinion is not intended to represent a position regarding the merits of a future development application for the site.

5.2 Site-specific merit

As the site is located in the Paddington Heritage Conservation Area, the request was referred to Council's Heritage Planner. Council's Heritage Planner commented that the additional use request is sympathetic to the existing mix of development within the vicinity of St Vincent's Hospital. No objection was raised to the request.

This opinion is not intended to represent a position regarding the merits of a future development application for the site.

6. Options for proceeding

There are two options for responding to the request:

- prepare a planning proposal and submit it to the GSC, or
- notify the applicant that the request is not supported.

Option 1: Prepare a planning proposal and forward it to the GSC requesting a gateway for determination. This is our preferred approach.

Council will forward the planning proposal to the GSC requesting a gateway determination under section 58(2) of the Act. The GSC, or delegate, will then issue a gateway determination specifying whether the planning proposal is to proceed and, if so, in what circumstances. The gateway determination will confirm the information and consultation required before the planning proposal can be publicly exhibited.

To address the matters regarding contamination in the planning proposal we will ask the GSC to apply a condition to the gateway determination to facilitate the following:

- The applicant is to undertake site contamination investigations as outlined in clause 6 of SEPP 55.
- The findings of these investigations must be lodged with Council so that it can form part of the information placed on public exhibition.

Under section 59 of the Act, if a planning proposal is of local significance only Council can seek the delegation of the plan-making steps. This planning proposal is considered to have local significance only, and we would seek the delegation of the plan-making steps. This delegation will be to the position of General Manager, and sub-delegated to the position of Director Planning and Development, provided in Council's resolution of 29 November 2012. Delegation of a planning proposal removes duplication and streamlines the plan-making process.

Option 2: Notify the applicant that the request is not supported.

In the event that Council does not support the request or does not indicate its support within 90 days, the applicant can ask the Department for a pre-gateway review. Under this review mechanism, the Sydney Central Planning Panel will undertake an independent review of the planning proposal. This is not our recommended approach.

7. Next steps

If the Urban Planning Committee supports the recommendation and it is endorsed by Council, the planning proposal will be prepared and submitted to the GSC requesting a gateway determination under section 58(2) of the Act. The GSC, or delegate, will then issue a gateway determination specifying whether the planning proposal is to proceed and, if so, in what circumstances. The gateway determination will confirm the information and consultation required before the planning proposal can be publicly exhibited.

The public exhibition will be undertaken in accordance with the requirements of the Act and the *Environmental Planning and Assessment Regulation 2000*. The gateway determination will nominate the minimum required exhibition period. We recommend that the planning proposal is exhibited for a minimum of 28 days, should the gateway determination express a lesser period.

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 relevant public authorities;
- a letter to land owners in the vicinity of each site;
- a letter to local community groups including the Paddington Society and Paddington Business Partnership.

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

- the planning proposal, in the form approved by the gateway determination;
- the gateway determination;
- the request for a planning proposal; and
- any other relevant reports or documents.

Submissions to the exhibition will be reported to the Urban Planning Committee for Council's further consideration.

8. Identification of income

When a planning proposal is not initiated by Council, under section 11 of the *Environmental Planning and Assessment Regulation 2000* we can request payment of all costs and expenses incurred in relation to the planning proposal. The Delivery Program 2013-2017 and Operational Plan 2016/17 sets out the fees and charges for preparing a planning proposal. The applicant is responsible for all costs associated with the planning proposal as required by the adopted fees and charges. The applicant has paid the fee for stage 1 (up to gateway determination) of a major planning proposal.

9. Conclusion

The planning proposal request seeks to amend Schedule 1 of the *Woollahra Local Environmental Plan 2014* (WLEP 2014), to permit development for the purposes of office premises, but only if the activities proposed are ancillary to and associated with St Vincent's Private Hospital.

The site is zoned R2 Low Density Residential. Office premises are permitted in the zone, but only if there is a history of lawfully commenced non-residential use on the land, and Council is satisfied the use will not have any adverse impact. As there is no evidence of this type of history, the proposed amendment is required to permit this use. The amendment will apply only to this site.

We support this request because it has strategic merit. We therefore recommend that Council:

- prepare a planning proposal; and
- forward the planning proposal to the GSC for a gateway determination. The determination will enable the planning proposal to be placed on public exhibition.

Annexures

1. Request for a planning proposal [↓](#)

Urban Planning Committee

Items with Recommendations from the Committee Meeting of Monday 27 February 2017 Submitted to the Council for Determination

Item No: R1 Recommendation to Council
Subject: PLANNING PROPOSAL FOR 190-200 BOUNDARY STREET, PADDINGTON
Author: Jorge Alvarez, Senior Strategic Planner
Approvers: Anne White, Acting Team Leader - Strategic Planning
Chris Bluett, Manager - Strategic Planning
Allan Coker, Director - Planning & Development
File No: 17/21512
Reason for Report: To report on a request for a planning proposal submitted to Council by St Vincent's Private Hospital for 190-200 Boundary Street, Paddington. To obtain Council's approval to prepare a planning proposal and forward it to the Greater Sydney Commission for a gateway determination.

Motion moved by Councillor Robertson
Seconded by Councillor Cavanagh

That Council refuse the Planning Proposal at 190-200 Boundary Street, Paddington for the following reasons:

1. Detrimental impacts on the Paddington Heritage Conservation Area (including the loss of heritage built fabric).
2. The loss of R2 zoned land available for residential housing in the Paddington area.

Amendment moved by Councillor O'Regan
Seconded by Councillor Keulemans

- A. That Council prepare a planning proposal which explains a proposed amendment to Woollahra LEP 2014, which will permit development for office premises on land at 190-200 Boundary Street, Paddington, but only if they are ancillary to and associated with St Vincent's Private Hospital.
- B. That the planning proposal described in point A above be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- C. That when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.

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

(O'Regan/Keulemans)**28/17 Resolved:**

- A. That Council prepare a planning proposal which explains a proposed amendment to Woollahra LEP 2014, which will permit development for office premises on land at 190-200 Boundary Street, Paddington, but only if they are ancillary to and associated with St Vincent's Private Hospital.
- B. That the planning proposal described in point A above be forwarded to the Greater Sydney Commission requesting a gateway determination to allow public exhibition.
- C. That when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.

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

For the Motion

Councillor Bennett
Councillor Keulemans
Councillor Levenston
Councillor O'Regan
Councillor Petrie
Councillor Wynne

Against the Motion

Councillor Cavanagh
Councillor Elsing
Councillor Marano
Councillor Robertson

6/4

Attachment 3

Consistency with *A Plan for Growing Sydney (2014)* and *Draft Central District Plan (2016)*

<i>A Plan for Growing Sydney (December 2014)</i>	
This plan contains: ▪ A vision for Sydney ▪ 4 goals, 3 planning principles and 22 directions ▪ Priorities for Sydney's 6 subregions. The site is located with the Central Subregion.	
Goal	Comment on consistency
1. A competitive economy with world-class services and transport	Consistent. The planning proposal will help meet this goal by providing additional employment opportunities adjacent to an established hospital precinct. The precinct is located in an established area with good public transport accessibility.
2. A city of housing choice, with homes that meet our needs and lifestyles	Consistent. The planning proposal will not impede the development of housing or housing choice.
3. A great place to live with communities that are strong, healthy and well connected	Consistent. The planning proposal will provide the opportunity to development office premises, and potentially additional jobs within an area that includes residential and non-residential uses. This may lead to local jobs close to home, which will assist in enhancing and strengthening the health and connectedness of the local community.
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources	Consistent. The planning proposal will not impede sustainability or the protection of the natural environment.

Planning principles	Comment on consistency
Principle 1: Increasing housing choice around all centres through urban renewal in established areas	Consistent. The planning proposal will not impede development options for housing on the site, adjoining land or around a centre in an established area.

Planning principles	Comment on consistency
Principle 2: Stronger economic development in strategic centres and transport gateways	Consistent. The planning proposal will support health-related land uses and infrastructure around St Vincent's Hospital. The proposal will also provide additional flexibility in development options for the site, which is well located to take advantage of good public transport links.
Principle 3: Connecting centres with a networked transport system	Consistent. The planning proposal will not impede the provision of efficient public transport links to commercial centres.

Directions

A set of 22 directions is listed for the four goals of A Plan for Growing Sydney. Each direction has been considered, but many are not related to this planning proposal. The relevant planning directions are addressed below.

Direction	Comment on consistency
Direction 1.7: Grow strategic centres – providing more jobs closer to home	Consistent. The planning proposal will provide additional flexibility in development options for the site, by permitting office premises. The site is located in Paddington, an area with a substantial amount of housing. Therefore, the proposal will provide opportunities for locating jobs close to homes.
Direction 1.10: Plan for education and health services to meet Sydney's growing needs	Consistent. The planning proposal will provide additional flexibility in development options for the site, by permitting office premises associated with St Vincent's Private Hospital. Therefore, the proposal may assist in planning for the expansion of health facilities to service Sydney's growing population.
Direction 3.1: Revitalise existing suburbs	Consistent. The planning proposal will provide additional flexibility in the development options for the site, by permitting office premises associated with St Vincent's Private Hospital. This will encourage the redevelopment and revitalisation of a vacant site with dilapidated buildings.

Direction	Comment on consistency
Direction 4.1 Protect our natural environment and biodiversity	Consistent. The planning proposal applies to land located in an existing urban environment and does not apply to sensitive land or land with significant natural conservation values.
Central Subregion priorities	Comment on consistency
The priorities for the Central Subregion are: • A competitive economy • Accelerate housing supply, choice and affordability and build great places to live • Protect the natural environment and promote its sustainability and resilience The priority for the City East strategic centre is to: • Support health-related land uses and infrastructure around St Vincent's hospital.	Consistent. The planning proposal is consistent with the priorities of the subregion and the City East strategic centre as it: • will provide the opportunity to develop the site with office premises associated with St Vincent's Private Hospital, potentially creating additional jobs and adding to the competitiveness of the economy; • is in proximity to existing transportation infrastructure, services and recreation; and • will permit development which is consistent and sympathetic to the existing mix of development within the Paddington Heritage Conservation Area located within the vicinity of St Vincent's Hospital; and • will support health-related land uses and infrastructure around St Vincent's Hospital.

Draft Central District Plan

The *Draft Central District Plan* (2016) (the District Plan) sets out a vision, priorities and actions for the development of the Central District of Greater Sydney. The four goals of *A Plan for Growing Sydney* are addressed in the District Plan in three themes:

- A productive city (Goal 1)
- A liveable city (Goals 2 and 3)
- A sustainable city (Goals 3 and 4)

Each theme contains priorities which must be addressed during the preparation of a planning proposal. The consistency of this planning proposal with these priorities is addressed in this table.

A productive city

District priorities	Comment on consistency
Productivity Priority 1: Creating opportunities for the growth of commercial floor space Relevant planning authorities need to consider the mechanisms to protect and enhance opportunities for the growth of commercial floor space. When planning strategic and district centres, relevant planning authorities should consider Productivity Priority 3 (Section 3.5), as well as strategies to: • enhance the urban amenity and walkability of centres • promote the diversification of complementary commercial activities • maintain a commercial core for employment activities in targeted locations • support the economic viability of office development.	Consistent. While the planning proposal does not apply to a site within a strategic or district centre, it will provide the opportunity to develop commercial floor space on the site.
Productivity Priority 2: Support the growth of innovation and creative industries The relevant planning authority should investigate opportunities to support the growth of innovation and creative industries. Consideration should be given to the full spectrum of activities from high-end global businesses to small start-ups. This may be achieved through a range of	Not applicable. The planning proposal will not impede the integration of arts and cultural outcomes, or creative hubs under existing development standards and controls.

A productive city	
District priorities	Comment on consistency
mechanisms and strategies including: • providing flexibility in appropriate zones for the co-location of creative industries in desirable locations with access to transport and ancillary uses such as retail, cafes and restaurants • incentivising opportunities for the provision of affordable space for creative and start-up businesses. Councils and State agencies should also consider opportunities to grow innovation and creative industries by: • providing affordable space for creative hubs on government-owned land and/or in large-scale government-led urban renewal projects • enhancing synergies and connectivity between health and education facilities • supporting increased opportunities for a diversity of housing choices including price points close to work opportunities.	
Productivity Priority 3: Manage growth and change in strategic and district centres and, as relevant, local centres When undertaking planning for strategic, district and local centres, the relevant planning authority should consider: • opportunities for existing centres to grow and new centres to be planned to meet forecast demand across a range of retail business types, including: the need to reinforce the suitability of centres for retail and commercial, encouraging a competitive market • the commercial requirements of retailers and commercial operators such as servicing, location, visibility and accessibility • the use of B3 Commercial Core Zones in strategic centres, and where appropriate, in district centres to reinforce and support the operation	Consistent. The site is not located in an identified centre. The planning proposal will not impede the growth and change of any centre under existing development standards and controls.

A productive city	
District priorities	Comment on consistency
and viability of non-residential uses, including local office markets. When preparing strategic plans, the relevant planning authority needs to demonstrate how its planning for centres has considered strategies to: • deliver on the strategic and district centre's job targets • meet the retail and service needs of the community • facilitate the reinforcement and/ or expansion of allied health and research activities • promote the use of walking, cycling and integrated public transport solutions • provide urban spaces such as meeting places and playgrounds • respond to the centre's heritage and history • promote community arts • reflect crime prevention through environmental design (CPTED) principles such as safety and management • manage the transition between higher intensity activity in and around a centre and lower intensity activity that frames the centre.	
Productivity Priority 4: Prioritise the provision of retail floor space in centres When preparing retail and commercial strategies to inform local planning, the following matters should be considered: • existing and future supply and demand for retail floor space within the District, based on the DP&E's medium population growth scenario • the accessibility of different types of retail and commercial floor space to communities • opportunities to allow retail and	Not applicable. The planning proposal will not impede the preparation of retail and commercial strategies to inform local planning.

A productive city	
District priorities	Comment on consistency
- commercial activities to innovate the impacts of new retail and commercial proposals to enhance the viability and vitality of existing and planned centres - the need for new retail development to reinforce and enhance the public domain - the net social, economic and environmental implications of new supply within different locations	
Productivity Priority 5: Protect and support employment and urban services land Relevant planning authorities should take a precautionary approach to rezoning employment and urban services lands, or adding additional permissible uses that would hinder their role and function. The exception being where there is a clear direction in the regional plan (currently <i>A Plan for Growing Sydney</i>), the District Plan or an alternative strategy endorsed by the relevant planning authority. Any such alternative strategy should be based on a net community benefit assessment (i.e. analysis of the economic, environmental and social implications) of the proposed exception, taking account of a District-wide perspective in accordance with Action P5. How these matters are taken into account is to be demonstrated in any relevant planning proposal.	Consistent. The planning proposal will not impede or hinder the role and function of employment and urban services land.

A Liveable City	
District priorities	Comment on consistency
Liveability Priority 1: Deliver Central District's five-year housing targets To deliver these five-year housing targets, councils need to: • plan to provide sufficient capacity and monitor delivery of the five-year housing targets • liaise with the Commission to identify barriers to delivering additional housing in accordance with the targets.	Consistent. The planning proposal will not impede the ability of the site to be developed for housing to meet the district plan's five year housing target for Woollahra Council of 300 dwellings.
Liveability Priority 2: Deliver housing diversity Relevant planning authorities should consider the needs of the local population base in their local housing strategy and how to align local planning controls that: • address housing diversity that is relevant to the needs of the existing and future local housing market • deliver quality design outcomes for both buildings and places.	Not applicable. The planning proposal does not form part of a local housing strategy. Additionally, the proposal will not impede the planning for housing diversity or quality design outcomes.
Liveability Priority 3: Implement the Affordable Rental Housing Target Building on Action 2.3.3 of <i>A Plan for Growing Sydney</i>, when preparing planning proposals or strategic plans for new urban renewal or greenfield areas, the relevant planning authority will include an Affordable Rental Housing Target as a form of inclusionary zoning. A target of 5% to 10% of new floor space will be applied at the rezoning stage so that it can factored into the development equation: • within areas that have been shown, via a local housing strategy, or another form of appropriate research, to have current or future need for affordable rental housing • to applicable land within new urban	Not applicable. The planning proposal does not apply to land in a new urban renewal or greenfields area.

A Liveable City	
District priorities	Comment on consistency
renewal or greenfield areas (government and private) subject to development feasibility assessed at a precinct scale • to all new floor space (above the existing permissible floor space) • in addition to local and State development contributions and cognisant of any public or private subsidy for affordable rental housing provision • to provide a range of dwelling types including one, two and three+ bedroom homes • in accordance with any relevant guidance developed by the Commission and DP&E. The Affordable Rental Housing dwellings will be secured by the relevant planning authority and passed onto a registered Community Housing Provider to manage, further developing this emerging sector of the economy. In this regard, we encourage the NSW Government to bring forward its own land to maximise affordable housing and Affordable Rental Housing.	

A Liveable City	
District priorities	Comment on consistency
Liveability Priority 4: Increase social housing provision Relevant planning authorities and the Department of Family and Community Services (and the Land and Housing Corporation) should collaborate to optimise housing and community diversity outcomes on sites of social housing concentration. Subject to appropriate consultation, feasibility considerations and environmental assessment, relevant planning authorities should translate optimal outcomes for social housing sites into land use controls.	Not applicable. The site does not contain any social housing.
Liveability Priority 5: Facilitate the delivery of safe and healthy places Relevant planning authorities should: • facilitate the development of healthy and safe built environments • consider the inclusion of planning mechanisms such as floor space bonuses to incentivise the provision of: - neighbourhoods with good walking and cycling connections particularly to schools - social infrastructure such as public libraries or child care - urban agriculture, community and roof gardens for productive food systems.	Consistent. The planning proposal will not impede the planning or delivery of healthy and safe environments under existing development standards and controls.
Liveability Priority 6: Facilitate enhanced walking and cycling connections Relevant planning authorities should facilitate enhanced walking and cycling outcomes by giving due consideration to the delivery of district and regional connections and walkable neighbourhoods.	Not applicable. The planning proposal will not impede the planning or delivery of walking and cycling facilities.

A Liveable City	
District priorities	Comment on consistency
Liveability Priority 7: Conserve heritage and unique local characteristics Relevant planning authorities should: • require the adaptive re-use of historic and heritage listed buildings and structures in a way that enhances and respects heritage values • protect Aboriginal, cultural and natural heritage and places, spaces and qualities valued by the local community.	Consistent. The planning proposal will allow office uses which can be partly accommodated within the adaptive re-use of existing buildings and partly within new development. The adaptive re-use of buildings and new buildings will need to meet the guidelines and controls within Part 6.1 of the WDCP 2015.
Liveability Priority 8: Foster the creative arts and culture Relevant planning authorities should: • integrate arts and cultural outcomes into urban development through planning proposals that nurture a culture of art in everyday local spaces and enhance access to the arts in all communities • give due consideration to the inclusion of planning mechanisms that would incentivise the establishment and resourcing of creative hubs and incubators and accessible artist-run spaces.	Consistent. The planning proposal will not impede the integration of arts and cultural outcomes, or creative hubs under existing development standards and controls.
Liveability Priority 9: Share resources and spaces Relevant planning authorities should consider the delivery of shared local facilities such as community hubs, cultural facilities and public libraries as multifunctional shared spaces.	Not applicable. The planning proposal will not impede the delivery of shared local facilities under existing development standards and controls.

A Liveable City	
District priorities	Comment on consistency
Liveability Priority 10: Support innovative school planning and delivery Relevant planning authorities should give due consideration to: • innovative land use and development approaches, including: - using travel management plans, that identify travel options, to reduce car use - enabling the development and construction of schools as flexible spaces, so they can facilitate shared use and change over time to meet varying community need • the inclusion of planning mechanisms that would incentivise the: - development of new schools as a part of good quality and appropriate mixed use developments - the shared use of facilities between schools and the local community including playing fields and indoor facilities, so they can meet wider community needs.	Not applicable. The planning proposal does not apply to land which is currently used or proposed to be used for educational establishments. The Department of Education has advised that they do not anticipate the need for any new schools in the Woollahra LGA in foreseeable future.
Liveability Priority 11: Provide socially and culturally appropriate infrastructure and services Relevant planning authorities should: • collaborate with Federal and State agencies and service providers to integrate local and District social infrastructure for Aboriginal residents including preschools, child care and aged care services • include appropriate planning mechanisms to incentivise the provision of these services required by local communities where appropriate.	Not applicable. A need for additional services and facilities to service Woollahra's Aboriginal population has not been identified.

A Liveable City	
District priorities	Comment on consistency
Liveability Priority 12: Support planning for health infrastructure Relevant planning authorities should give due consideration to the need to support the co-location of ancillary uses that complement health precincts, including: • residential aged care facilities • housing for health workers • visitor and short-term accommodation • health and medical research activities • child care • non-critical patient care • commercial uses that are complementary to and service the health precinct Consideration should also be given to the protection of health precincts and super precincts from residential encroachment into key employment areas.	Consistent. The planning proposal will provide the opportunity to develop the site with office premises associated with and ancillary to St Vincent's Private Hospital. This use will complement and service the St Vincent's Hospital health precinct.
Liveability Priority 13: Support planning for emergency services Relevant planning authorities must consider the operational and locational requirements of emergency services.	Not applicable. Council will consult with NSW State Emergency Services, NSW Police, NSW Ambulance and Fire & Rescue NSW as part of the public exhibition of the planning proposal. However, it is not anticipated that any additional provision will be required.
Liveability Priority 14: Support planning for cemeteries and crematoria Relevant planning authorities should give consideration to the need and locational requirements of cemeteries and crematoria.	Not applicable. Cemeteries and crematoria are not permissible anywhere in the Woollahra LGA under Woollahra LEP 2014, nor does the planning proposal propose to permit them.

A sustainable City	
District priorities	Comment on consistency
Sustainability Priority 1: Maintain and improve water quality and waterway health The Office of Environment and Heritage and the Environment Protection Authority have developed a risk-based framework to assist decisions that maintain, improve or restore water quality in the strategic planning process to help meet the NSW Water Quality and River Flow Objectives. Relevant planning authorities and managers of public land should: • adopt the Office of Environment and Heritage and the Environment Protection Authority's framework to determine the appropriate stormwater and wastewater management targets that contribute to maintaining or improving water quality and waterway health to meet the community's values • consider more water sensitive approaches to managing stormwater to meet the water quality and quantity targets, including harvesting and re-use of water and management of riparian corridors • develop mechanisms to allow offsetting between sub-catchments and facilitate cost-effective opportunities to meet the management targets for whole catchments and water quality objectives for receiving waters • while management targets are being established, ensure that the quality of stormwater and wastewater from public land and new development in established urban areas maintains or improves the health of waterways, in line with community values and expectations of how waterways will be used.	Consistent. The planning proposal applies to developed land in an area comprised of a mix of residential and non-residential uses. The planning proposal will not impede opportunities to appropriately manage or improve stormwater and wastewater quality and waterway health. A detailed assessment of these issues can be undertaken as part of a development application.
Sustainability Priority 2: Protect and conserve the values of Sydney Harbour When preparing strategic plans, relevant	Not applicable. The planning proposal is not a strategic plan. Additionally, the proposal does not apply to land adjoining or with access to any

A sustainable City	
District priorities	Comment on consistency
planning authorities around Sydney Harbour should consider opportunities to: • conserve and interpret Aboriginal and European heritage • protect and enhance aquatic and terrestrial biodiversity (also see Section 5.5) • enhance access to and along the foreshore and provide connected green space around the foreshore (also see Section 5.6) • manage demand for and the design of essential maritime facilities within the natural and built environment.	foreshore area.
Sustainability Priority 3: Enhance access to Sydney Harbour foreshore and waterways Councils around Sydney Harbour should work with Roads and Maritime Services to revise foreshore and waterway access strategies for Sydney Harbour. These strategies should consider ways to manage competing demands placed on Sydney Harbour including: • protection of flora and fauna • public access to the foreshore and waterway • growth in boat ownership • changes in boat size • demand for moorings, marinas, dinghy storage and other boat support infrastructure • demand for on-street boat parking	Not applicable. The planning proposal does not apply to land adjoining or with access to any foreshore area or waterway.
Sustainability Priority 4: Avoid and minimise impacts on biodiversity Efforts to protect biodiversity values should be based on avoiding and minimising adverse impacts to biodiversity, as far as practicable. Only when impacts cannot be avoided or minimised, should consideration be given to offsetting those impacts.	Not applicable. The planning proposal applies to an existing developed site. There are no known critical habitat areas, threatened species, populations or ecological communities or their habitats present on the site.
Sustainability Priority 5: Align strategic planning to the vision for	Consistent. The planning proposal will not impede the

A sustainable City	
District priorities	Comment on consistency
the Green Grid Consistent with Action 3.2.1 of <i>A Plan for Growing Sydney</i>, relevant planning authorities should consider opportunities to support the delivery of the Central District Green Grid. This could include consideration of how land use zones can be applied, how new development is designed, or where voluntary planning agreements and agreements for dual use of open space and recreational facilities could contribute to delivering the Green Grid.	delivery of any known priority projects which support the long term vision for Sydney's Green Grid identified in the Draft Central District Plan.
Sustainability Priority 6: Maximise benefits to the public from the innovative use of golf courses When new opportunities to examine the future use of golf courses arise, relevant planning authorities should consider how golf courses could be managed to provide greater public benefits to communities in a way that responds to local needs for green space and recreation.	Not applicable. The planning proposal does not apply to a golf course or propose any changes to the use of golf courses.
Sustainability Priority 7: Protect, enhance and extend the urban canopy When making strategic plans, relevant planning authorities should consider tree canopy cover in land release and established urban areas, with a focus on providing shade to streets. Councils should include green cover and shade tree planting along major transport corridors in local infrastructure investment planning, development control and urban design.	Not applicable. The planning proposal will not impede the option for addition vegetation on the site.
Sustainability Priority 8: Improve protection of ridgelines and scenic areas The scenic qualities of landscapes are already recognised and considered in some areas of Greater Sydney, as part of the strategic planning and development process. All councils should identify and map areas with high scenic value and develop	Consistent. The planning proposal does not apply to land on a ridgeline or scenic area. The planning proposal will not alter the height or FSR controls for the site, and will therefore not alter the potential bulk and scale of development on the site. The visual amenity of future development can be assessment as

A sustainable City	
District priorities	Comment on consistency
strategies, planning and development controls that protect important scenic landscapes and vistas of them. Planning and development controls should prohibit opportunities for development on ridgelines that would diminish their scenic quality.	part of a development application.
Sustainability Priority 9: Support opportunities for District waste management When making plans, relevant planning authorities should: • use appropriate land use zones to minimise the potential for conflict with the operation and expansion of existing waste facilities • protect precincts that have functioning waste management facilities from encroachment by residential and other sensitive development • consider ways to encourage design measures such as fully enclosing waste facilities to minimise dust, odours and noise impacts to mitigate the risks and potential impacts on surrounding communities • consider opportunities to support co-location of waste management facilities with other activities that produce or reuse waste materials.	Not applicable. The planning proposal does not apply to land that is or will be used for district waste management.
Sustainability Priority 10: Mitigate the urban heat island effect Relevant planning authorities should consider where the urban heat island effect is experienced, and the location of vulnerable communities and use strategic plans to reduce impacts from extreme heat.	Not applicable. The planning proposal applies to developed land in an area of mixed residential and non-residential uses. The planning proposal will not amend the height and FSR controls on the site and therefore will not increase the site's development capacity in terms of bulk, scale or density, or its capacity to add to urban heat island effects.

A sustainable City	
District priorities	Comment on consistency
Sustainability Priority 11: Integrate land use and transport planning to consider emergency evacuation needs Relevant planning authorities should coordinate with Transport for NSW and the State Emergency Service to consider land use and local road planning, so that it is integrated with emergency evacuation planning and takes into account the cumulative impact of growth on road evacuation capacity.	Not applicable. The planning proposal will not amend the height and FSR controls on the site and therefore will not increase the site's development capacity in terms of density or traffic generation.
Sustainability Priority 12: Assist local communities develop a coordinated understanding of natural hazards and responses that reduce risk The Commission, the NSW Government and local councils will continue to adopt a range of tools and resources and implement actions to adapt to climate change and reduce risks to public and private assets. We will also explore ways to coordinate, improve and communicate information about risks associated with climate change to local communities.	Not applicable. The planning proposal will not affect the ability of the Commission, the NSW Government and Woollahra Council to adopt tools and resources and implement actions to adapt to climate change and reduce risks to public and private assets.

Attachment 4

Consistency with state environmental planning policies

State environmental planning policy	Comment on consistency
SEPP No 1 – Development Standards	Not applicable.
SEPP No.14 – Coastal Wetlands	Not applicable.
SEPP No 19 – Bushland in Urban Areas	Not applicable.
SEPP No 21 – Caravan Parks	Not applicable.
SEPP No 26 – Littoral Rainforests	Not applicable.
SEPP No 30 – Intensive Agriculture	Not applicable.
SEPP No 32 – Urban Consolidation (Redevelopment of Urban Land)	Applicable. The planning proposal does not contradict or hinder the application of this SEPP.
SEPP No 33 – Hazardous and Offensive Development	Applicable The planning proposal does not contradict or hinder the application of this SEPP.
SEPP No 36 – Manufactured Home Estates	Not applicable.
SEPP No 39 – Spit Island Bird Habitat	Not applicable.
SEPP No 44 – Koala Habitat Protection	Not applicable.
SEPP No 47 – Moore Park Showground	Not applicable.
SEPP No 50 – Canal Estate Development	Not applicable.
SEPP No 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable.
SEPP No 55 – Remediation of Land	Applicable Clause 6 of SEPP 55 requires the consent authority to be satisfied that the site is, or can be made, suitable for the proposed use of the land. The proposal seeks to amend the WLEP 2014 provisions to allow the use of the site as an office premises, and this clause must be considered in the planning proposal. The site may be contaminated. Historical information identified in the statement of heritage impact, past editions of the Wise

State environmental planning policy	Comment on consistency
	Directory and Council's oral history records show that the site was, or may have been, used in the past for various uses that may have contaminated the site. These past uses include a scrap yard, second-hand building material sales and storage, liquid soap manufacturing and panel beating. These uses are identified under the provisions of both SEPP55 as activities that may cause contamination. The uses may be categorised under descriptions specifically referred to in the two documents as activities that may cause contamination, such as scrap yards, acid / alkaline plant and formulation, chemical manufacture and formulation, metal treatment, oil production and storage, service stations and waste storage and treatment activities. Given the possibility of contamination on the site, we recommend that the gateway determination include conditions to facilitate the following: • The applicant is to undertake land contamination investigations for the site, as outlined in SEPP 55, clause 6, "Contamination and remediation to be considered in zoning or rezoning proposal". • The findings of these investigations must be submitted to Council so that it can form part of the information placed on public exhibition. • Council is to consult with Environmental Protection Authority (EPA) as part of the public exhibition process. Any future DA for the site will also be subject to the standard assessment requirements under SEPP 55. The planning proposal does not contradict or hinder the application of this SEPP.
SEPP No 59 – Central Western Sydney Regional Open Space and Residential	Not applicable.
SEPP No 62 – Sustainable Aquaculture	Not applicable.

State environmental planning policy	Comment on consistency
SEPP No 64 – Advertising and Signage	Applicable Future redevelopment of the site as facilitated by this planning proposal may include signage. This signage will be subject to separate future development applications, which will include assessment against this SEPP. This planning proposal does not contradict or hinder application of this SEPP.
SEPP No 65 – Design Quality of Residential Apartment Development	Applicable The planning proposal seeks to amend the WLEP 2014 provisions to allow the use of the site as an office premises. Future redevelopment of the site for the purpose of an office premises as facilitated by this planning proposal will not require assessment against this SEPP. This planning proposal does not contradict or hinder application of this SEPP.
SEPP No 70 – Affordable Housing (Revised Schemes)	Applicable This planning proposal does not contradict or hinder application of this SEPP.
SEPP No 71 – Coastal Protection	Not applicable.
SEPP (Affordable Rental Housing) 2009	Not applicable.
SEPP (Building Sustainability Index: BASIX) 2004	Applicable The planning proposal does not contradict or hinder the application of this SEPP.
SEPP (Exempt and Complying Development Codes) 2008	Applicable The planning proposal is not inconsistent with the SEPP.
SEPP (Housing for Seniors or People with a Disability) 2004	Applicable The planning proposal does not contradict or hinder the application of this SEPP.
SEPP (Infrastructure) 2007	Applicable The planning proposal does not contradict or hinder the application of this SEPP.
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	Not applicable.

State environmental planning policy	Comment on consistency
SEPP (Kurnell Peninsula) 1989	Not applicable.
SEPP (Major Development) 2005	Not applicable.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Not applicable.
SEPP (Miscellaneous Consent Provisions) 2007	Not applicable.
SEPP (Penrith Lakes Scheme) 1989	Not applicable.
SEPP (Rural Lands) 2008	Not applicable.
SEPP (Transitional Provisions) 2011	Not applicable.
SEPP (State and Regional Development) 2011	Not applicable.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable.
SEPP (Sydney Region Growth Centres) 2006	Not applicable.
SEPP (Three Ports) 2013	Not applicable.
SEPP (Urban Renewal) 2010	Not applicable.
SEPP (Western Sydney Employment Area) 2009	Not applicable.
SEPP (Western Sydney Parklands) 2009	Not applicable.

Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies	Comment on consistency
SREP No 8 (Central Coast Plateau Areas)	Not applicable
SREP No 9 - Extractive Industry (No 2 - 1995)	Not applicable
SREP No 16 – Walsh Bay	Not applicable
SREP No 20 - Hawkesbury- Nepean River (No 2 - 1997)	Not applicable
SREP No 24 - Homebush Bay Area	Not applicable

Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies	Comment on consistency
SREP No 26 – City West	Not applicable
SREP No 30 - St Marys	Not applicable
SREP No 33 - Cooks Cove	Not applicable
SREP (Sydney Harbour Catchment) 2005	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. The planning proposal applies to land within the Sydney Harbour Catchment and the Foreshores and Waterways Area. The planning principles of the SREP (Sydney Harbour Catchment) 2005 have been considered during its preparation.

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Attachment 5

Compliance with section 117 directions

Compliance with section 117 directions		
Direction		Applicable/comment
1	Employment and resources	
1	Business and industrial zones	Not applicable. This direction applies when a relevant planning authority prepares a planning proposal that will affect land within an existing or proposed business or industrial zone (including the alteration of any existing business or industrial zone boundary). The proposal relates to residential zoned land and will not diminish or affect the amount of business zoned land available in the Woollahra LGA.
1.2-1.5	Directions 1.2-1.5	Not applicable. These directions are not relevant to the Sydney metropolitan area.
2	Environment and heritage	
2.1	Environment protection zones	Not applicable.
2.2	Coastal protection	Not applicable.
2.3	Heritage conservation	Consistent. The WLEP 2014 contains provisions that facilitate the conservation of the items referred to in sub-clauses (4) (a)-(c) of this direction. The planning proposal does not affect those provisions and any future development at the site will be subject to those provisions. Furthermore, the proposal will permit development which is consistent and sympathetic to the existing mix of development within the Paddington Heritage Conservation Area located within the vicinity of St Vincent's Hospital.
2.4	Recreation vehicle areas	Not applicable.
2.5	Application of E2 and E3 Zones and Environmental Overlays in Far North Coast LEPs	Not applicable. The planning proposal does not apply to land in the Far North Coast.

Compliance with section 117 directions		
Direction		Applicable/comment
3	Housing, infrastructure and urban development	
3.1	Residential zones	Consistent. The planning proposal will provide additional employment opportunities (even if only minimal) within a residential zone, but will not impede the potential of the site or adjacent sites to be developed for residential purposes.
3.2	Caravan parks and manufactured home estates	Not applicable.
3.3	Home occupations	Consistent. The proposal does not alter the permissibility of home occupations in the zone.
3.4	Integrating land use and transport	Consistent. The planning proposal will provide the opportunity to develop additional employment uses in an accessible transport location.
3.5	Development near licensed aerodromes	Not applicable.
3.6	Shooting ranges	Not applicable.
4	Hazard and risk	
4.1	Acid sulfate soils	Consistent. The site is identified on the WLEP 2014 Acid Sulfate Soils Map as Category 5. Any environmental impact of this soil type can be managed through the development application process and does not affect this planning proposal.
4.2	Mine subsidence and unstable land	Not applicable.
4.3	Flood prone land	Consistent. The site is not within an identified Flood Planning Area and the planning proposal will not affect this.
4.4	Planning for bushfire protection	Consistent. The site is not on land identified Bushfire Prone and the planning proposal will not affect this.

Compliance with section 117 directions		
Direction		Applicable/comment
5	Regional planning	
5.1 - 5.9	Strategies 5.1-5.9	Not applicable. These strategies do not apply to the Woollahra LGA.
5.10	Implementation of Regional Plans	Not applicable.
6	Local plan making	
6.1	Approval and referral requirements	Consistent. The planning proposal is consistent with this Ministerial Direction.
6.2	Reserving land for public purposes	Consistent. A small portion of the site is shown as land to be acquired for the purpose of a classified road by the RMS. Council must not grant consent on that portion of the site for any development other than for the purpose of a road. This is a matter to be considered at the development application stage, and does not affect this planning proposal.
6.3	Site specific provisions	Consistent. This planning proposal does not introduce unnecessarily restrictive site specific controls and instead offers greater flexibility to achieve an alternative development outcome on the site. The proposal does not seek to impose any development standards or requirements in addition to those already contained in the WLEP 2014.
7	Metropolitan Planning	
7.1	Implementation of A Plan for Growing Sydney (Dec 2014)	Consistent. Consistent. This planning proposal is consistent with this direction and does not hinder implementation of <i>A Plan for Growing Sydney</i> (2014).
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable.

