PLANNING PROPOSAL

Dunara Reserve, Point Piper

(land between 1 Wentworth Street & 9 Dunara Gardens)

TRIM: 17/49184

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Part 1 – Introduction

1.1 Background

The planning proposal applies to Lot 11 in DP 27351 (see **Appendix 1**) which is known as Dunara Reserve (the site). The site was transferred to Council on 15 July 1957 pursuant to Section 340A of the *Local Government Act 1919* as part of the subdivision of the Dunara Estate.

The site is owned by Council and is classified as Community Land under the Local Government Act 1993 (LG Act).

The site is dedicated as a public reserve under Section 50(5) of the LG Act.

The land is zoned R2 Low Density Residential under Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014). It is not proposed to change the zoning of the land.

In 2010 staff identified a partial encroachment into the site. In response, Council adopted the following Notice of Motion on 10 June 2014:

> That a report be brought to council within the next three months assessing the land known as Dunara Reserve Point Piper, with a view to rezoning the land in order for it to be put up for sale.

On 10 August 2015 the Community and Environment Committee (C&E Committee) considered a report on options for the future use of the site (see **Appendix 2**). The report provided the history of the site, identified the extent of the encroachment from No. 9 Dunara Gardens and recommended the reclassification of the site to allow its sale. Having considered the recommendation from the C&E Committee, on 24 August 2015 Council resolved (see **Appendix 3**):

A. THAT Council prepare a planning proposal to amend Schedule 4: Classification and reclassification of public land in Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014) to reclassify the land known as Dunara Gardens from 'community land' to 'operational land' with the intention of disposing of the land.
B. THAT a further report be brought to Council on the findings of the public consultation including the public hearing and submissions.

1.2 Description of this planning proposal

The intended outcome of the planning proposal is to reclassify the site (Lot 11, DP 27351) from Community land to Operational land under the LG Act. Section 27(1) of the LG Act requires that the reclassification of public land be made by a local environmental plan.

Community land has greater restrictions than Operational land, including shorter leasing periods and it cannot be sold. Reclassifying the land to operational would allow the sale of the site.

The land is a public reserve under the LG Act. Should the reclassification proceed, it is intended that under Section 30(1) of the LG Act the local environmental plan will include a provision to the effect that the land will cease to be a public reserve on the commencement of the plan.

Part 2 – Existing site and surrounding context

2.1 The site

The site is located at the intersection of Wentworth Road and Dunara Gardens in Point Piper as shown in Figure 1, Figure 2 and Figure 3 below. Irregular in shape, the site area is approximately 402m^2 and falls approximately 4m to the southeast.

To the west, the site has a narrow access of approximately 2.7m to Wentworth Road, which provides limited pedestrian access. To the north the site adjoins Dunara Gardens, the private road to the former Dunara estate. To the east the site adjoins No.9 Dunara Gardens and to the south the site adjoins No. 1 Wentworth Street.

Figure 1: Local area map

Figure 2: Site map

Figure 3: Site aerial

The site contains a range of exotic and native trees including a mature Cook Pine which is local heritage item No 277 in Woollahra LEP 2014 (see Figure 4 & 5). There are no threatened species, populations or ecological communities.

The site contains no structures, and the size, shape and topography of the land restricts the construction of a building for community use. The small frontage to Wentworth Road (see Figure 7) provides limited access, and from the public domain it does not visually present as a piece of public land.

Despite numerous attempts to manage the site, its inaccessibility and lack of passive surveillance have resulted in the build-up of vegetation and debris over time (see Figure 6 and 8). The ongoing site maintenance to clear the debris and vegetation is a poor use of Council's resources, particularly as there is no tangible and obvious community benefit.

The site is a public reserve, but it is not used as public open space or as a public facility. Visually, it appears as a heavily vegetated space.

The site currently only offers benefits to the immediately adjoining properties. The sale of the site would allow Council to use the funds to improve services and infrastructure in the LGA, including existing usable open space in the vicinity.

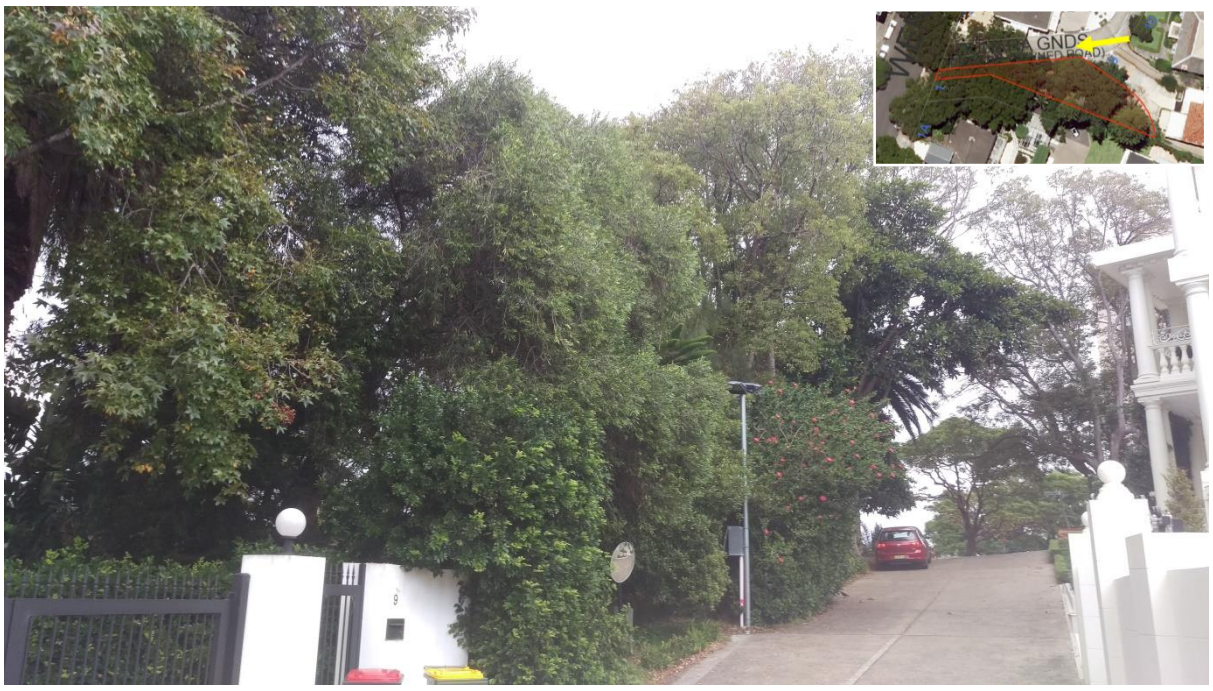

Figure 4: Existing vegetation on the site which is to the left of the roadway

Figure 5: Heritage listed mature Cook Island Pine (left) and Moreton Bay Fig (middle) on the site

Figure 6: Debris and rubbish left on the site

Figure 7: Site frontage to Wentworth Street

Figure 8: The fall of the land and rubbish left on the site

2.2 Existing context

Development around the site and on the eastern side of Wentworth Street comprises two to three storey dwelling homes. In the block bounded by Wolseley Road and Wentworth Street the scale of development varies and comprises a mix of three to thirteen storey residential flat buildings (RFBs) and two to three storey dwelling houses. A seven storey RFB is opposite the site at No.2B Wentworth Street.

Part 3 – Existing planning controls

Under the Woollahra LEP 2014 the R2 Low Density Residential zone (R2 zone) applies to the site. The R2 zone permits a range of low density residential uses such as dwelling houses and dual occupancies. A height limit of 9.5m applies to the site.

The site contains a mature Cook Pine which is local heritage item No 277 in Woollahra LEP 2014. The site is classified as Class 5 on the Acid Sulfate Soils Map. The site is subject to a minimum subdivision lot size of 675m^2.

The table below summarises the zone, maximum building height, heritage status, class of acid sulfate soils and minimum subdivision lot size under Woollahra LEP 2014.

Zone	Maximum building height (m)	Heritage Status	Acid Sulfate Soils	Minimum Subdivision Lot Size
R2 Low Density Residential	9.5m	Local heritage item No 277 - Cook Pine	Class 5	675m^2

Table 1: Woollahra LEP 2014 controls

The planning proposal does not change these controls.

Part 4 – Objectives of the planning proposal

The objective of the planning proposal is to reclassify the site from 'community land' to 'operational land' under the *Local Government Act 1993*.

Part 5 – Explanation of provisions

The proposed amendments are limited to Schedule 4 of the Woollahra LEP 2014. No mapping amendments are required. The proposed amendments are identified below.

Insert the following entry into Schedule 4:

Schedule 4 Classification and reclassification of public land
Part 2 Land classified, or reclassified, as operational land – interests changed.

Column 1	Column 2	Column 3
Locality	Description	Any trusts etc. not discharged
Dunara Reserve, Point Piper	Lot 11, DP 27351	Nil

Note: Governors approval is required to remove the Public Reserve Status from the land

Part 6 – Justification

6.1 – Need for planning proposal

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

The planning proposal is the result of a Council resolution for the reclassification to accommodate the sale of the site. The site is an underutilised piece of public land that does not benefit the wider community. A report was prepared in 2015 which recommended the reclassification of the land to enable its sale (see **Appendix 2**).

Appendix 1 provides the required information to reclassify land through an LEP in accordance with the Department of Planning and Environment's LEP Practice Note PN 16-001.

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

Yes. The site is currently classified as community land and therefore Council is not able to develop, sell, exchange or dispose of the land under the provisions of the Local Government Act 1993. Section 27(1) of the Local Government Act 1993 requires that the reclassification of public land be made by a local environmental plan.

A planning proposal is the only way to reclassify the land.

6.2 – 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 and actions of *A Plan for Growing Sydney* (2014) and the initiatives of the *Draft Central District Plan* (2016). These plans are discussed in detail in **Schedule 1**.

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

Yes. The planning proposal is consistent with Council's Community Strategic Plan (Woollahra 2025: Our community, our place, our plan) and Council's Resourcing Strategy.

The proposed reclassification reflects the use of the site. Funds raised from the disposal of the site will facilitate the upgrade of open space elsewhere in the LGA, consistent with the effective and efficient management of Council assets.

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

Yes. The planning proposal is consistent with other applicable *State Environmental Planning Policies* (refer to **Schedule 2**).

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 **Schedule 3**).

6.3 – 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. The planning proposal is not likely to adversely impact threatened species, populations or ecological communities or their habits. The land is located within a developed urban area and contains a mix of exotic and native vegetation species. The site does not contain threatened species, populations or ecological communities.

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

No. There are no likely negative environmental effects associated with the planning proposal. The reclassification is of a minor nature only.

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

Yes. The planning proposal has adequately addressed social and economic effects. In summary, these are:

- removing the risk of maintaining, managing and making the site safe for public use,
- allowing Council greater flexibility to manage its assets,
- using the funds from the sale of the site to upgrade open space elsewhere in the LGA.

6.4 – State and Commonwealth interests

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

Yes. The existing services that are available are suitable for the proposal and appropriate for the future use of the site. The site is located in an area which is already serviced by water, sewer, electricity, gas and telephone services. The site is in proximity to regular and frequent public transport services.

The planning proposal will not result in increased demand for public infrastructure.

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

The proposed reclassification is minor in nature. Council is of the view that the planning proposal does not warrant consultation with public authorities. However, any or authorities identified by the Greater Sydney Commission and Department of Planning and Environment will be consulted during the public exhibition of the planning proposal.

Part 7 – Mapping

The planning proposal is limited to amendments to the written instrument only and no mapping changes are proposed.

Part 8 – Community consultation

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

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

Public notification of the exhibition will comprise:

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

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.
- Information relied upon by the planning proposal such as relevant Council reports.

Public hearing

In accordance with Section 29 of the *Local Government Act 1993* and Section 57 of the *Environmental Planning and Assessment Act 1979*, Council must arrange a public hearing following the public exhibition of the planning proposal. The purpose of the public hearing is to allow members of the community to make further submissions on the proposed reclassification to an independent party. The independent party will then report to Council on these submissions prior to Council making a determination on the planning proposal.

Part 9 – Project timeline

Plan-making step	Estimated completion
Gateway determination	July 2017
Completion of technical assessment	None required
Government agency consultation	July 2017
Public exhibition period	July 2017
Submissions assessment	August 2017
Planner's report on public exhibition	August 2017
Public hearing	September 2017
Preparation of Chairpersons Report	October 2017
Council decision to make the LEP amendment	November 2017
Submission of the draft LEP to Greater Sydney Commission and Department of Planning and Environment for plan making.	December 2017
Notification of the approved LEP	January 2018

Schedules

Schedule 1
Consistency with *A Plan for Growing Sydney* and the *Draft Central District Plan*

A Plan for Growing Sydney (December 2014)	
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 in the Central Subregion.	
Goal	**Comment on consistency**
1. A competitive economy with world-class services and transport.	The reclassification of the site will allow Council greater flexibility to manage the site by allowing the sale of the land. Revenue generated from the sale of the site could be set aside for future public open space acquisition or embellishment.
2. A city of housing choice, with homes that meet our needs and lifestyles.	The site is currently zoned R2 Low Density Residential which permits a range of dwellings with consent. No changes are proposed to the planning controls, and therefore the development potential of the site is unchanged.
3. A great place to live with communities that are strong, healthy and well connected.	Should the site be sold the revenue generated could be used for public open space upgrades throughout the LGA such as the Redleaf foreshore upgrade, Rose Bay Pedestrian Trail and Guilfoyle Park upgrade.
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources	The site is a liability for Council as it is not used for recreational or other public purposes or is it discernible as a public space, yet, it requires ongoing maintenance and rubbish removal. The site is not suitable for active or passive recreation, due to the slope, dimensions, size and extensive vegetation. Should the site be sold, development on the site would need to address the planning controls that apply to the site.

Planning principles	**Comment on consistency**
Principle 1: Increasing housing choice around all centres through urban renewal in established areas	The planning proposal does not alter the development potential of the site. The site is not in a centre but is in an established residential area.
Principle 2: Stronger economic development in strategic centres and transport gateways	The site is not in a strategic centre or transport gateway.
Principle 3: Connecting centres with a networked transport system	The planning proposal will not have an impact on transport systems as the development potential of the site is unchanged.
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 1.11 Deliver infrastructure	The reclassification of the site will allow Council greater flexibility to manage the site by allowing the sale of the land. Revenue generated from potential sales could be set aside for future public open space acquisition or embellishment.
Direction	**Comment on consistency**
Direction 3.2 Create a network of interlinked, multipurpose open and green spaces across Sydney Direction 3.3: Create healthy built environments	The planning proposal will enable Council to take a strategic approach by broadening the options for the management of the site. Should the site be sold, improvements to other recreation areas can be carried out which will benefit a broader section of the community.
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	There are no specific priorities for the Central sub-region identified for this site.

Draft Central District Plan (November 2016)

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 District Plan gives effect to the four goals of *A plan for growing Sydney* through the priorities and actions expressed 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.	The planning proposal is not relevant to this priority.
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 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.	The planning proposal is not relevant to this priority

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 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.	The planning proposal is not relevant to this priority.
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 Department of Planning and Environment's medium population growth scenario • the accessibility of different types of retail and commercial floor space to communities • opportunities to allow retail and 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	The planning proposal is not relevant to this priority.

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 *A Plan for Growing Sydney*), 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.	The planning proposal is not relevant to this priority.
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.	The planning proposal will not alter the development potential of the site.
Liveability Priority 2: **Deliver housing diversity** Relevant planning authorities should to 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.	The planning proposal will not alter the development potential of the site.
Liveability Priority 3: **Implement the Affordable Rental Housing Target** Building on Action 2.3.3 of *A Plan for Growing Sydney,* 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 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 Department of Planning and Environment.	Not applicable. The planning proposal does not apply to land in a new urban renewal or greenfields area.

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.	
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: o neighbourhoods with good walking and cycling connections particularly o to schools o social infrastructure such as public libraries or child care o urban agriculture, community and roof gardens for productive food systems.	Should the site be sold or leased long-term, the revenue generated could be used for public open space upgrades in the LGA such as the Redleaf foreshore upgrade, Rose Bay Pedestrian Trail and Guilfoyle Park upgrade. These facilities are in proximity to the residents of the whole of Point Piper.
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.	Should the site be sold or leased long-term, the revenue generated could be used to fund the construction of the Rose Bay Pedestrian Trail or a new shared path which is being investigated to connect Rose Bay to Double Bay and other cycling routes to the Sydney CBD.
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.	The site contains a mature Cook Pine which is local heritage item No 277 in Woollahra LEP 2014. The site is also in the vicinity of the following heritage items in Woollahra LEP 2014: • Cook Pine and Moreton Bay Fig at 1 Wentworth Street which are heritage item No 285 • House, interiors and grounds at 4 Dunara Gardens. "Dunara" house and interiors at 10 Dunara Gardens is heritage item No 276 in Woollahra LEP 2014, and is also listed on the *Heritage Act - State Heritage Register.* Reclassification of the land will not impact on the significance of these items.
Liveability Priority 8: **Foster the creative arts and culture**	The planning proposal is not relevant to this priority.

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.	
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.	The planning proposal is not relevant to this priority.

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.
	The planning proposal is not relevant to this priority.

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.	The planning proposal is not relevant to this priority.
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.	The sites is not located in the vicinity of a major health precinct identified in the *Draft Central District Plan*. Co-locating ancillary services is not relevant to this planning proposal.

Liveability Priority 13: **Support planning for emergency services** Relevant planning authorities must consider the operational and locational requirements of emergency services.	The planning proposal is not relevant to this priority as the development potential of the site is unaltered.
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.	The planning proposal is not relevant to this priority.
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.	Woollahra Council has installed a range of initiatives across the LGA to improve water quality and waterway health. These include rainwater harvesting, stormwater harvesting and water quality projects. The planning proposal does not alter the development potential of the site and any future development on the site would be subject to controls to improve water quality and waterway health, including: 1) Water Sensitive Design e.g. reusing rainwater, as required by Woollahra DCP 2015, 2) run-off particulate targets as required by Woollahra DCP 2015. 3) Regular street sweeping by Council to remove organic and inorganic waste from entering waterways.
Sustainability Priority 2: **Protect and conserve the values of Sydney Harbour** When preparing strategic plans, relevant 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.	The planning proposal is not on land adjoining Sydney Harbour nor does it alter the development potential of the site.
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:	The planning proposal does not apply to foreshore land.

• 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	
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.	The site does not contain any critical habitat areas, threatened species, populations or ecological communities or their habitats. Accordingly, the proposal will not have any impact in this regard.
Sustainability Priority 5: **Align strategic planning to the vision for the Green Grid** Consistent with Action 3.2.1 of *A Plan for Growing Sydney*, 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.	The site is a public reserve, yet it does not function as accessible open space due to its configuration, topography and heavy vegetation. The site provides no linkages to public open space or is there potential for linkages due to the presence of surrounding residential development.
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.	The reclassification does not alter the development potential of the site. Should the site be sold, any future development would need to address chapter E3 *Tree Management* in the Woollahra Development Control Plan 2015. One of the key objectives is to promote, maintain and conserve the leafy character of the Woollahra Municipality. Woollahra Council's Street Tree Master Plan (2014) also applies. One of the key objectives of the Street Tree Master Plan is to maintain and increase the number of trees and overall canopy coverage.
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 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.	Although the site is located on a ridgeline, the planning proposal does not alter the development potential of the site. Any development on the site would need to address the controls identified in Sustainability Priority 7 above.

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.	The Office of Environment and Heritage identified the site as having potential to have an annual temperature change of -0.25 to 0.25 between 1-3pm in their mapping. As the site is in a low density residential area, and located near Sydney Harbour the risk of an urban heat island effect is low.
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.	The planning proposal is not relevant to this priority.
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.	No natural hazards have been identified for the site.

Schedule 2
Consistency with state environmental planning policies

State environmental planning policy	Comment on consistency
SEPP No 1 – Development Standards	Not applicable
SEPP N0.14 – Coastal Wetlands	Not applicable
SEPP No 19 – Bushland in Urban Areas	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 21 – Caravan Parks	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 26 – Littoral Rainforests	Not applicable
SEPP No 30 – Intensive Agriculture	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 33 – Hazardous and Offensive Development	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 36 – Manufactured Home Estates	Not applicable
SEPP No 44 – Koala Habitat Protection	Not applicable
SEPP No 47 – Moore Park Showground	Not applicable
SEPP No 50 – Canal Estate Development	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 52 – Farm Dams and Other Works in Land and Water Management Plan Areas	Not applicable

State environmental planning policy	Comment on consistency
SEPP No 55 – Remediation of Land	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy. The site has not been identified as being contaminated.
SEPP No 62 – Sustainable Aquaculture	Not applicable
SEPP No 64 – Advertising and Signage	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 65 – Design Quality of Residential Apartment Development	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 70 – Affordable Housing (Revised Schemes)	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 71 – Coastal Protection	Not applicable
SEPP (Affordable Rental Housing) 2009	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Building Sustainability Index: BASIX) 2004	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Exempt and Complying Development Codes) 2008	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Housing for Seniors or People with a Disability) 2004	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.

State environmental planning policy	Comment on consistency
SEPP (Infrastructure) 2007	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	Not applicable
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Major Development) 2005	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Mining, Petroleum Production and Extractive Industries) 2007	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Miscellaneous Consent Provisions) 2007	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
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	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
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

State environmental planning policy	Comment on consistency
SEPP (Western Sydney Parklands) 2009	Not applicable

Sydney Regional Environmental Plans – 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
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. Therefore, the planning principles under Part 2, clause 13 Sydney Harbour Catchment of the SREP have been considered during its preparation. The planning proposal is consistent with the principles. The site is not land in the Foreshores and Waterways Area, therefore the principles of clause 13 Foreshores and Waterways Area are not applicable to this planning proposal.

Schedule 3
Compliance with section 117 directions

Planning proposal – Dunara Reserve Compliance with section 117 directions		
Direction		**Applicable/comment**
1	**Employment and resources**	
1	Business and industrial zones	Not applicable. The planning proposal does not apply to land in business or industrial zones.
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. The planning proposal does not apply to land within an environmental protection zone or land identified for environmental protection.
2.2	Coastal protection	Not applicable. The planning proposal does not apply to land within the coastal zone.
2.3	Heritage conservation	Consistent. The planning proposal does not alter the development potential of the site or propose changes to a heritage listing.
2.4	Recreation vehicle areas	Not applicable. The planning proposal does not apply to sensitive land or land with significant conservation values. It will not allow land to be developed for a recreation vehicle area.
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.
3	**Housing, infrastructure and urban development**	
3.1	Residential zones	The planning proposal does not affect the development potential of the land. The reclassification of the site will allow Council to dispose of the site which could be consolidated with other adjoining residential land on which low density residential uses are permitted with consent.
3.2	Caravan parks and manufactured home estates	Consistent. The planning proposal does not relate to caravan parks or manufactured home estates.
3.3	Home occupations	Not applicable. The planning proposal does not affect home occupations in dwelling houses.

Planning proposal – Dunara Reserve Compliance with section 117 directions		
Direction		**Applicable/comment**
3.4	Integrating land use and transport	Consistent. The planning proposal does not alter the development potential of the site.
3.5	Development near licensed aerodromes	Not applicable. The planning proposal does not apply to land near a licensed aerodrome.
3.6	Shooting ranges	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.
4	**Hazard and risk**	
4.1	Acid sulfate soils	Consistent. The planning proposal does not alter the development potential of the site.
4.2	Mine subsidence and unstable land	Not applicable. The planning proposal does not apply to land within a proclaimed Mine Subsidence District or to land identified as unstable.
4.3	Flood prone land	Consistent. The planning proposal does not apply to land in a flood planning area.
4.4	Planning for bushfire protection	Not applicable. The planning proposal does not apply to land mapped as bushfire prone land.
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. No regional (or district) plan applies to the Woollahra LGA.
6	**Local plan making**	
6.1	Approval and referral requirements	Consistent. The proposal does not include provisions that require development applications to be referred externally and is not related to designated development.
6.2	Reserving land for public purposes	Consistent. The land is public reserve under the LG Act. Should the reclassification proceed, it is intended that under Section 30(1) of the LG Act the local environmental plan will include a provision to the effect that the land will cease to be a public reserve on the commencement of the plan.
6.3	Site specific provisions	Consistent. The planning proposal does not propose any site specific provisions.

Planning proposal – Dunara Reserve Compliance with section 117 directions		
Direction		**Applicable/comment**
7	**Metropolitan Planning**	
7.1	Implementation of *A Plan for Growing Sydney* (Dec 2014)	Consistent. The reclassification of the site will allow Council to assess options for asset management or divestment. Revenue generated from potential sales could be set aside for future public open space acquisition or embellishment.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable.

Supplementary material

Appendix 1 – Information checklist for proposals to classify or reclassify public land through an LEP taken from practice note 16-001

Appendix 2 – Report to the Community and Environment Committee of 10 August 2015

Appendix 3 – Council resolution of 24 August 2015