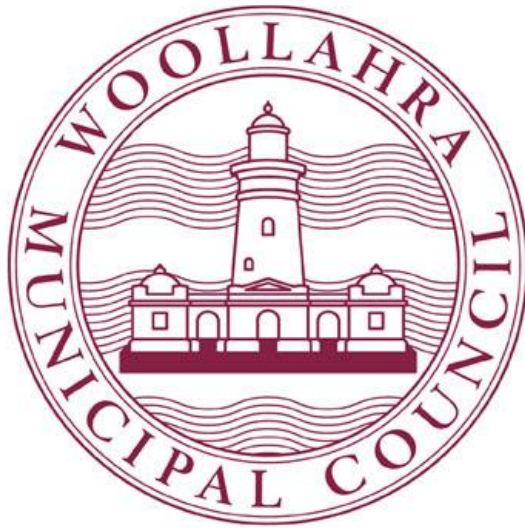




PLANNING PROPOSAL

Ian Street and Wilberforce Avenue Car Parks, Rose Bay

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Part 1 – Introduction

1.1 Background

Woollahra Council has been investigating the future of the Wilberforce Avenue and Ian Street public car parks (the sites) in Rose Bay since 1999. The existing car parks are poorly laid out, visually unattractive and do not positively contribute to the image of the Rose Bay Commercial Centre.

Since that time there have been a number of reports and investigations into the future of the sites which have included:

- the *Rose Bay Centre Urban Design Study* (exhibited 1999) which recognised that the centre lacks sufficient short term parking and improvements to the layout of the Wilberforce Street parking area is required.
- the *Rose Bay Centre Development Control Plan 2000* (in force from 4 August 2000 – since repealed) which identified the preferred urban design envelopes for the sites. These building envelopes were translated into the *Woollahra Development Control Plan 2015* which came into effect on 23 May 2015 and repealed the *Rose Bay Centre Development Control Plan 2000*.
- the adoption of the *Woollahra Section 94 Contributions Plan 2002* which seeks to fund 100 additional spaces in the redevelopment of the Ian Street car park;

More recently, in 2010 the strategic importance of the Ian Street Car Park site was reinforced when staff investigated potential locations for increased residential capacity across the Woollahra Local Government Area (Woollahra LGA). These sites were known as 'opportunity sites'.

In 2011 Council commissioned AECOM to provide information and recommendations regarding the provision of community facilities throughout the Woollahra LGA. The Woollahra Community Facilities Study (2011) found demand for a multipurpose community facility in Rose Bay of between 500m² and 750m².

In 2013 Council's Property Assets Working Party (PAWP) which comprises Councillors and staff became responsible for managing the ongoing investigations into the future use of the car parks. The PAWP minutes are reported to Council's Corporate and Works Committee.

In 2014 Council commissioned Hill PDA to review development options for the sites and consider the future use of both car park sites as a combined commercially viable package. The objective of the review was to optimise site-usage with community space, car parking, and activated street frontages. Supplementary commercial and residential uses were also considered to improve the commercial viability of these redevelopment options. In 2015 the PAWP further refined the options.

On 18 April 2016 the Corporate and Works Committee considered a report on the outcomes of the PAWP work and recommendations on actions to progress the redevelopment of the Rose Bay car parks. After considering the report (**Annexure 1**) the Corporate and Works Committee recommended in part:

- F. That Council commences the planning proposal process to rezone Ian Street and amend the height restrictions on Ian Street and Wilberforce Avenue sites.

Council adopted this recommendation on 26 April 2016 (**Annexure 2**).

On 18 July 2016 the Corporate and Works Committee considered a further report on the progress of the redevelopment of the sites. After considering the report (**Annexure 3**) the Corporate and Works Committee resolved, under its delegations:

- A. That the progress report on the redevelopment of the Rose Bay Car Parks be noted.
- B. That the planning proposal to facilitate the Rose Bay car park project provide for the following:
 - i. Wilberforce Avenue – maximum building height of 17.2m.
 - ii. Ian Street car park – maximum building height of 14.1m, FSR of 2:1 and rezoning from SP2 Infrastructure, Car Park to B2 Local Centre.

This planning proposal results from the long term investigations into options to redevelop the sites and would provide the opportunity to enhance the centre by providing:

- increased public car parking
- new retail and commercial space
- residential dwellings on part of the Ian Street Car Park
- public amenities, and
- a multi-purpose community centre.

1.2 Description of this planning proposal

The planning proposal is to change the, land use zoning, height and floor space ratio (FSR) controls in Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014) as follows:

- Ian Street Car Park:
 - rezone the land from SP2 Infrastructure (Car Park) to B2 Local Centre,
 - amend Schedule 1 to include 'residential flat building' as an additional permitted use on the site to facilitate a residential development on the site, including on part of the ground floor,
 - increase the maximum building height from 10.5m (3 storeys) to 14.1m (4 storeys),
 - apply an FSR of 2:1 (no FSR currently applies).
- Wilberforce Avenue Car Park:
 - increase the maximum building height from 14.1m (4 storeys) to 17.2m (five storeys).

This planning proposal has been prepared in accordance with section 55 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the two documents prepared by the NSW Department of Planning and Infrastructure titled *A Guide to Preparing Planning Proposals* (August 2016) and *A Guide to Preparing Local Environmental Plans* (August 2016). To support this planning proposal the following documents have been prepared and are provided as annexures:

- Rose Bay Car Parks Urban Design Study (**Annexure 4**)
- Visual Impact Assessment (**Annexure 5**)
- Geotechnical Assessment (**Annexure 6**)
- Assessment of Traffic and Parking Impact (**Annexure 7**)

1.3 Building envelopes and concepts for the sites

Council proposes to amend the planning controls for the sites to facilitate increased public car parking, provide a new multi-purpose community space of between 500m² and 750m², create new retail space and provide residential development on the Ian Street site.

Council commissioned Allen Jack+Cottier Architects (AJ+C) to model building envelopes and produce photomontages of concept buildings that could be built under the proposed controls.

On the Ian Street site, the building envelope formed under the proposed controls can accommodate a four storey building. The concept buildings illustrate a mixed use development incorporating retail and residential uses on the ground floor with residential uses on all levels above.

On the Wilberforce Avenue site, the building envelope formed under the proposed controls can accommodate a five storey building. The concept buildings illustrate a mixed use four storey development with roof top parking. The potential mix of uses includes retail on the ground level, community and commercial uses above, and car parking behind. A new public square is illustrated at street level on the Wilberforce Avenue frontage.

Figures 1-4 illustrate the following:

- Photographs of the existing site conditions,
- Photomontages which identify the building envelopes created by the proposed controls and concept buildings that could be built within those envelopes.

The photographs and photomontages show the building in context with the Centre and surrounding residential land.



Figure 1: Existing perspective of the Ian Street Car Park (source AJ+C) taken from Dover Road facing east.



Figure 2: Photomontage of the building envelope (orange line) and concept under the proposed planning controls for the Ian Street Car Park (source AJ+C)



Figure 3: Existing perspective of the Wilberforce Avenue Car Park (source AJ+C) taken from Newcastle Street facing north



Figure 4: Photomontage of the building envelope (orange line) and concept for the Wilberforce Avenue Car Park (source AJ+C Architects)

Part 2 – Existing sites and surrounding context

2.1 The sites

The sites are part of the Rose Bay Commercial Centre (the Centre) which runs east to west along New South Head Road, Rose Bay, and extends into the surrounding streets of Norwich Road, Newcastle Street, Wilberforce Avenue, Dover Road and Ian Street. Located approximately 50m south east from the waters of Rose Bay, the Centre is zoned B2 Local Centre which permits a broad range of commercial uses and residential dwellings as shop top housing.

The Ian Street Car Park is located at 16-18 Dover Road and is legally described as Lots 7 and 8 in DP 976610. Located in the eastern corner of the Centre, it adjoins residential land to its north east and south east boundaries.

The Wilberforce Avenue Carpark is located between Wilberforce Avenue and Dover Road and is legally described as Lots 8, 70 and 71 Sec A in DP4244 and Lots A and B in DP 104986. The location of the centre and the sites is shown in Figure 5. The sites and their existing subdivision pattern is shown in Figure 7.

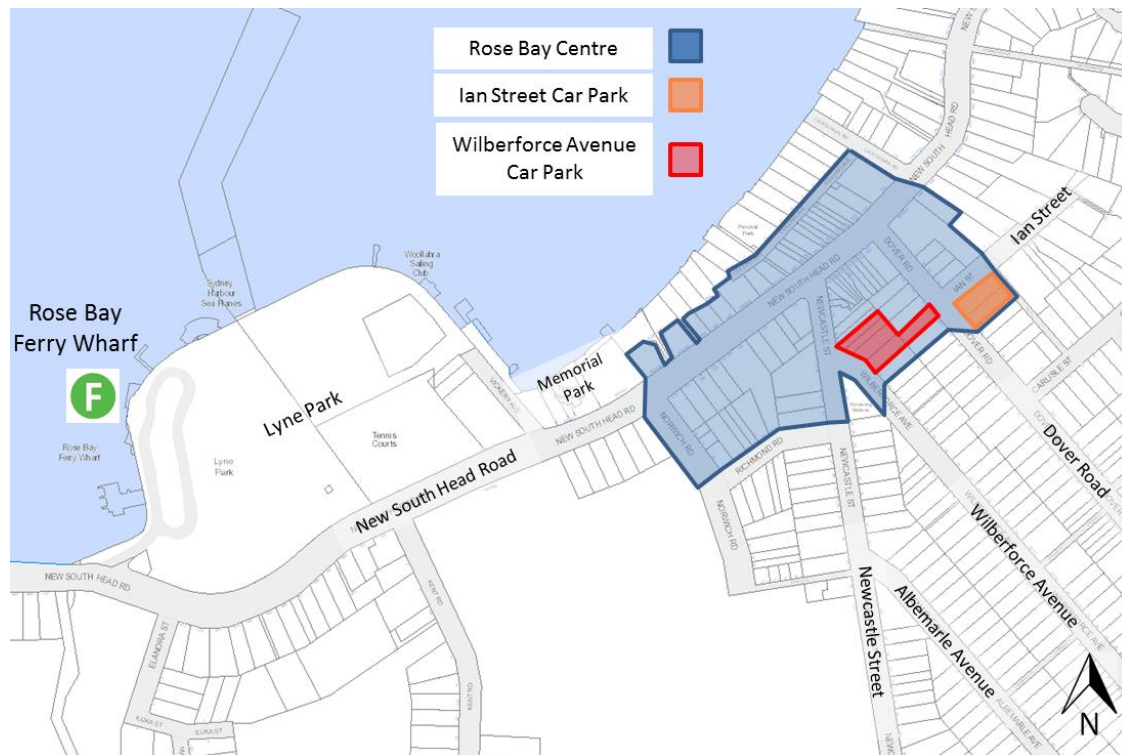


Figure 5: Local area map (refer to Figures 6 and 7 for site details)

The Ian Street Car Park is an at-grade, rectangular parking lot with capacity for 49 standard sized vehicles in two aisles. Access and egress is via Dover Road. The site is bounded by Dover Road to the west, Ian Street to the north, Ian Lane to the east and a two-storey dwelling house to the south east. Rising from west to east by approximately four metres the site contains eight mature Camphor Laurel trees around the north-west, north-east and south-east boundaries. A Jacaranda, Casuarina, Lophostemon and African Olive tree are located to the west on the Ian Street footpath adjoining the site.

The Wilberforce Avenue Car Park is a hatchet shaped at-grade car park with capacity for 95 vehicles in three aisles. The car park has three entrances, two on Wilberforce Avenue and one at Dover Road, and two exits on Wilberforce Avenue. The access to both streets creates an informal pedestrian route between through the car park. The site contains five small

Pyrus trees in between the southern and middle aisles and one established Tulipwood tree in the western corner. An aerial photograph of the sites is at Figure 6.



Figure 6: Aerial

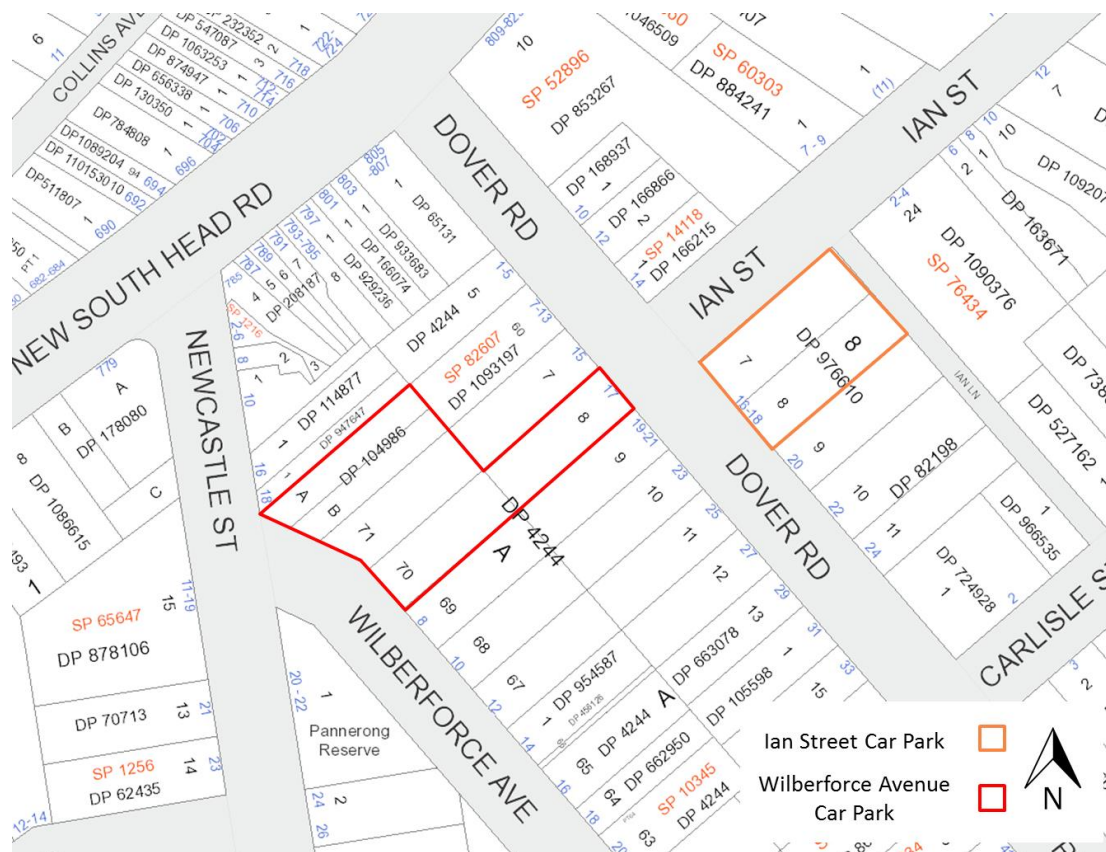


Figure 7: Sites map

The characteristics of each car park are summarised in Table 1.

	Ian Street	Wilberforce Avenue
Area	1,132m ²	2,360m ²
Number of parking spaces	49	95
Lot and DP numbers	Lots 7 and 8 in DP 976610	Lots 8, 70 and 71 Sec A DP4244, Lots A and B DP 104986

Table 1: Car park characteristics

2.2 Existing context

The surrounding built form varies considerably as shown in Figure 8.

Ian Street Car Park

To the north east of the Ian Street Car Park site across Ian Lane is a three/four storey residential flat building (RFB) containing four dwellings. On the opposite side of Ian Street is a four storey RFB and a one storey commercial dwelling at the corner of Dover Road. On the opposite side of Dover Road is Parisi's Food Hall which is two to three storeys, a one storey health consulting room in a dwelling house and a two storey dwelling house. Other notable nearby buildings include the Rose Bay Hotel which is three storeys and a mixed use commercial and residential building of four storeys which are on opposite corners of Dover Road and New South Head Road.



Figure 8: Oblique aerial of the two car parks in the Centre

Wilberforce Avenue Car Park

The Wilberforce Avenue Car Park is set between Parisi's to the south on Wilberforce Avenue and a row of two storey shops to the north on Newcastle Street. On the western side of Newcastle Street, there are two, two storey commercial buildings and a four storey mixed use building. Pannerong Reserve is to the south of the site which contains mature Camphor Laurel trees, lining the footpath adjoining Wilberforce Avenue.

2.3 Proximity to services, transport and recreation facilities

Key industries in the Centre include retail, health, accommodation and food services, and professional services¹. The Centre has two supermarkets, three banks, chemists, a broad range of restaurants and cafes and other day-to-day services that contribute to making this local centre convenient and important for residents in the area.

The Centre is well serviced by public transport with five bus routes running along New South Head Road to the CBD, being route Nos. 323, 324, 325, and L24. Connections are available from these routes at the Edgecliff Bus and Rail Interchange to district centres such as Bondi Junction.

The Rose Bay Ferry Wharf is 550m from the Centre with services to Circular Quay. The first ferry at 6:38AM and last is at 9:19PM Monday to Thursday. The last ferry on Fridays and Saturdays is 11:15PM. Ferries also run to the nearby suburbs of Double Bay and Watsons Bay.

Council has recently improved cycling routes to and nearby the Centre. A shared path to the south along Newcastle Street has recently been completed and investigations are underway to provide a 2.4km shared path to Double Bay which would connect to other cycling routes to the CBD.

The sites are in walking distance (500m) of a number of parks and recreation facilities including Lyne Park (containing tennis courts, basketball courts and sports fields), Tingira Memorial Park, Sydney Harbour, Percival Park, Pannerong Reserve and the Royal Sydney Golf Club.

The proposed planning controls would support development concepts which would support the existing commercial and retail tenancies by increasing off-street car parking, adding a community centre, public space and additional dwellings for new residents.

Providing opportunities for medium density residential development on the Ian Street site is consistent with well-established best planning practice of increasing development potential near transport nodes and shopping centres to promote sustainable and public transport oriented development. Locating new dwellings in the Centre will provide the opportunity for new residents to work in the Centre or access other jobs via public transport reducing vehicle trips.

¹ Eastern Suburbs Economic Profile (2014)

Part 3 Existing planning controls

The existing zoning, maximum building height and floor space ratio controls that apply to the sites under Woollahra LEP 2014 are set out in Table 2.

	Zone	Maximum building height (m)	Floor space ratio
Ian Street	SP2 Infrastructure (Car park)	10.5 (3 storeys)	N/A
Wilberforce Avenue	B2 Local Centre	14.1 (4 storeys)	2:1

Table 2: Existing planning controls

The B2 Local Centre zone encourages a wide range of land uses, including commercial, residential, community and tourist and visitor accommodation. In this zone, residential development above active commercial and retail ground floor uses is important in providing a mix of uses to keep the centre lively. However, the SP2 zone over the Ian Street Car Park only permits car parking.

Under the Woollahra Development Control Plan 2015, Chapter D6 Rose Bay Centre applies to the sites. The planning proposal will not alter the Woollahra Development Control Plan 2015 (the DCP) and Chapter D6 will continue to apply.

The objectives of Chapter D6 are outlined in section D6.1.3 of the DCP. The objectives include:

- O1 To retain and enhance the village atmosphere of the Rose Bay Centre.
- O5 To foster the diverse mix of uses in the Rose Bay Centre.
- O7 To improve traffic and parking management in the centre and reduce vehicle and pedestrian conflicts.

Part 4 – Objectives of planning proposal

In summary, the objectives of the planning proposal are to change the planning controls applying to the site to allow:

- Ian Street Car Park - a building up to four storeys containing a mix of commercial development, residential development and public car parking.
- Wilberforce Avenue Car Park - a building up to five storeys containing a mix of retail, community space and increased public car parking.

Part 5 – Explanation of provisions

The planning proposal is to change the, land use zoning, height and floor space ratio (FSR) controls in Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014) as follows:

- Ian Street Car Park:
 - rezone the land from SP2 Infrastructure (Car Park) to B2 Local Centre,
 - amend Schedule 1 to include 'residential flat building' as an additional permitted use on the site to facilitate a mix of residential and retail uses on the ground floor
 - increase the maximum building height from 10.5m (3 storeys) to 14.1m (4 storeys),
 - apply an FSR of 2:1 (no FSR currently applies).
- Wilberforce Avenue Car Park:
 - increase the maximum building height from 14.1m (4 storeys) to 17.2m (five storeys).

A summary of the relevant Woollahra LEP 2014 existing and proposed controls are provided in Table 3.

	Ian Street Site		Wilberforce Avenue Site	
	Current	Proposed	Current	Proposed
Zoning	SP2 Infrastructure (Car Park)	B2 Local Centre	B2 Local Centre	B2 Local Centre
Additional uses	Nil	Residential flat building as part of a mixed use development	Nil	Nil
Height (m)	10.5 (3 storeys)	14.1 (4 storeys)	14.1 (4 storeys)	17.2 (5 storeys)
FSR	-	2:1	2:1	2:1

Table 3: Existing and proposed planning controls

Part 6 – Justification

The planning proposal has strategic merit and the key reasons to amend Woollahra LEP 2014 are that:

- Council has been investigating the co-ordinated redevelopment of the two car park sites since 1999.
- The planning proposal will facilitate the redevelopment of the sites as a package to deliver a new multipurpose community facility, the need for which was identified in 2011.
- The planning proposal will enable the redevelopment of the car parks to provide additional car parking, the need for which was identified in 1999.
- The Ian Street Car Park site was identified by staff for potential planning control changes as part of a previous study in 2010. Rezoning that site to B2 Local Centre would make the site consistent with, and formalise the site as part of the Centre.
- Providing opportunities for medium density residential development on the Ian Street site is consistent with well-established best planning practice of increasing development potential near transport nodes and shopping centres to promote sustainable and public transport oriented development.
- The planning proposal aligns with Council's *Community Strategic Plan, Woollahra 2025 – our community our place our plan*. In particular Goal 4 Well planned neighbourhoods, Goal 5 Liveable places and Goal 9 Community focused economic development as it will allow redevelopment that contributes to these goals.
- The proposal will apply an FSR of 2:1 on the Ian Street Car Park site, providing gross floor area which may be used to provide residential dwellings in accordance with the NSW Government's documents *A Plan for Growing Sydney* (2014) and the *Draft Central District Plan* (2016).

Should additional residential dwellings be provided on the Ian Street Car Park site, it would assist Council to meet its dwelling target of an additional 300 dwellings by 2021 under the *Draft Central District Plan*.

- The envelopes created by the proposed maximum building height and the setbacks in Chapter D6 Rose Bay Centre of the Woollahra Development Control Plan 2015 will allow a building to be constructed on the site that can provide suitable amenity to surrounding buildings.
- The sites are well connected as they are:
 - in the Centre which is serviced by five bus routes
 - in walking distance of the Rose Bay Ferry Wharf
 - serviced by buses providing access to services and employment in the CBD, Double Bay and via connections to Bondi Junction.
 - in walking distance of recreational facilities such as parks, tennis courts, basketball courts and Sydney Harbour

These matters are further discussed below in part 6.1 to 6.3.

6.1 – Need for planning proposal

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

Yes. As identified in 1.1 Background, above, the planning proposal is the result of a number of strategic studies and reports.

Car parking

In 1999, the Rose Bay Centre Urban Design study identified that the Centre lacks sufficient short term parking, and the Woollahra Section 94 Contributions Plan (introduced in 2002) seeks to fund 100 additional public parking spaces.

AECOM Investigation into community facilities

In 2011 Council commissioned AECOM to undertake a study to provide information and recommendations regarding the provision of community facilities throughout the Woollahra Local Government Area (Woollahra LGA).

AECOM determined the need for community facilities across the LGA based on existing and future population and demographic profiles, assessing existing facilities against best practice standards and benchmarking supply against established community facility standards.

AECOM also reviewed best practice trends and models for the provision of multi-purpose community facilities in Sydney and considered the supply of community space provided by non-Council facilities in the local area and the coverage of services provided by the community sector. AECOM identified a need for a new community facility in Rose Bay between 500m² and 750m², which would provide for a range of activities including the following:

- Two or more activity rooms;
- Meeting rooms for different sized groups;
- Appropriate space for specific youth and seniors activities;
- Workshop space for art/craft activities;
- Activity room/s opening onto a fenced play area for children's activities;
- Community office space/s and reception area;
- Amenities including chair/table storage and group equipment storage;
- Universal access with reasonable compliance with Australian Standard AS 1428;
- Adequate car parking and parking/access for community bus;
- Signage and street presence highlighting the function of the facility; and
- Internal access for those with low mobility.

Council considered and noted the Woollahra Community Facilities Study 2011 at its meeting on 28 November 2011. A resolution from this meeting was that the Assets Working Party was to consider as a priority matter funding options for the provision of a community facility in Rose Bay.

Opportunity sites – Ian Street car park

In 2010, Woollahra Council responded to the NSW Government requirements to review the planning controls to increase dwelling capacity across the Woollahra LGA. Council staff identified 24 'opportunity sites' to assist in meeting housing targets set by the NSW Government in the Sydney Metropolitan Strategy and the Draft East Subregional Strategy².

² The Sydney Metropolitan Strategy City of Cities: A Plan for Sydney's Future (2005) set targets of 20,000 additional dwellings and 12,500 new jobs for the eastern region up to 2031.

These sites were focused around existing centres, including Bellevue Hill, Edgecliff, Vaucluse, Double Bay, Rose Bay, Paddington and Woollahra. Within the Centre, the Ian Street Car Park site was identified for potential redevelopment.

The proposed opportunity site planning controls and net dwelling yield of the Ian Street Car Park site are set out in Table 4.

Site Name	Zone	FSR	Height	Net Yield
Ian Street Car Park, 16-18 Dover Road, Rose Bay	B2 Local Centre	2:1	14.7m	22 dwellings

Table 4: Proposed opportunity site planning controls

The rationale for selecting the Ian Street Car Park site was that:

- The then Department of Planning required Council to review all special use zoned land and apply a Standard Instrument zone (usually a residential and or business zone).
- Rezoning the site to B2 Local Centre would have been consistent with the nearby sites that also present to the corners of the roundabout at the intersection of Ian Street and Dover Road. The B2 zone permits a range of uses on the site including public car parking and mixed use development.
- Council would ensure that any future redevelopment of the site made provision for public car parking within the site, or transferred it to another site within the Centre.

The proposed changes to the Ian Street Car Park site have strategic merit, as the site was originally identified for review in 2010 as part of the opportunity site process to increase dwelling capacity.

The proposed zoning, height and floor space ratio controls over the Ian Street Car Park are consistent with those consulted on in Council's opportunity site process. The merit of the controls is discussed further in the site specific merit Part 6.3 – *Environmental, social and economic impact* of this planning proposal.

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 objectives. A planning proposal is needed to rezone, apply a maximum FSR and amend the height on the Ian Street Car Park site to facilitate a mixed use development. The planning proposal is also required to increase the maximum building height on the Wilberforce Avenue Car Park site to facilitate a 4 storey mixed use building with roof top parking.

Floor space ratio and height controls are development standards in Woollahra LEP 2014. Changes to these standards and zoning are made through a planning proposal and a draft local environmental plan.

The Council at its meeting of 27 February 2017 has endorsed this approach. Accordingly, a planning proposal is the most appropriate way of achieving the intended outcome.

The Draft East Subregional Strategy took the Metropolitan Strategy and applied it to the Woollahra LGA. Two key elements of the Subregional Strategy were the provision of additional dwellings and increasing opportunities for new jobs. The Subregional Strategy set targets for the Woollahra LGA of 2,900 additional dwellings and 300 new jobs.

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 of *A Plan for Growing Sydney* (2014) and the initiatives of the *Draft Central District Plan* (2016). These plans are discussed in detail in **Attachment 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 Woollahra 2025, which is Council's 15 year strategic plan for the LGA. Woollahra's future planning is based on the principle of sustainability. That is, meeting the needs of the present, without compromising the ability of future generations to meet their own social, economic, environmental and civic leadership needs.

Key themes of Woollahra 2025 are to:

- Enhance and revitalise the village atmosphere of our shopping areas, providing convenient and easy access to a range of shops and facilities.
- Provide quality places and spaces to meet the different needs of people living in the area and houses within easy distance of shopping areas, business precincts and local facilities.
- Maintain the diversity of our local economic base and encourage new business into the area that will enhance and positively impact on community life.

By changing the planning controls on the site the planning proposal will provide the opportunity to redevelop the two existing car parks and provide additional commercial, community space, public car parking and dwellings to support business in the Centre. These outcomes are consistent with themes of Woollahra 2025.

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 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 **Attachment 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. 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?

The potential environmental effects of the planning proposal are discussed below. Other environmental effects that might arise through the redevelopment of the sites would be identified through the development application process. Good design and conditions of consent will limit these effects.

The UD Study and shadow modelling demonstrates that buildings can be constructed under the proposed controls that will fit within the context of Rose Bay and that the proposed maximum building heights and FSR are suitable. The shadow modelling included in the UD Study demonstrated that solar access to nearby residential areas could be provided in accordance with Chapter D6 Rose Bay Centre of the Woollahra DCP 2015.

The View Impact Assessment demonstrates that buildings can be constructed under the proposed controls whilst providing view sharing from the private and public domain.

The Assessment of Traffic and Parking Implications concludes that the concepts prepared under the proposed controls will not have any adverse traffic impacts, will provide opportunity for improved pedestrian and cyclist amenity, and will have satisfactory circulation arrangements.

These matters are addressed separately below.

Urban Design Study

AJ+C investigated the opportunities that could be captured by redeveloping the Wilberforce Avenue Car Park and Ian Street Car Park under the proposed planning controls. The car parks present an opportunity for improving the vibrancy within the Centre as well as fulfilling Council's key objectives of increasing public car parking spaces and providing new community spaces and amenities. Both sites are located centrally and have the potential to be catalysts for the area. AJ+C produced the Rose Bay Car Parks Urban Design Study (the Study) which is attached at **Annexure 4**. The study developed concepts under the proposed controls for the car parks that would:

- Comply with the proposed height and FSR controls
- Significantly increase the number of public car parking spaces across the two car parks by a minimum of 100 to 244 spaces;
- Provide a new community centre of approximately 750m² GFA and accessible public amenities;
- Provide income-generating opportunities for the Council such as retail, commercial and/or residential development on the Ian Street Car Park.

The study includes shadow diagrams for both sites and a SEPP 65 Statement for the Ian Street Car Park site based on a concept that includes residential apartments as part of a mixed used development.

Wilberforce Avenue Car Park site envelope

For the Wilberforce Avenue Car Park the only change is to the maximum building height. The maximum building height is proposed to be increased by 3.1m from 14.1m to 17.2m. A section comparing the two maximum building heights is provided in Figure 9.

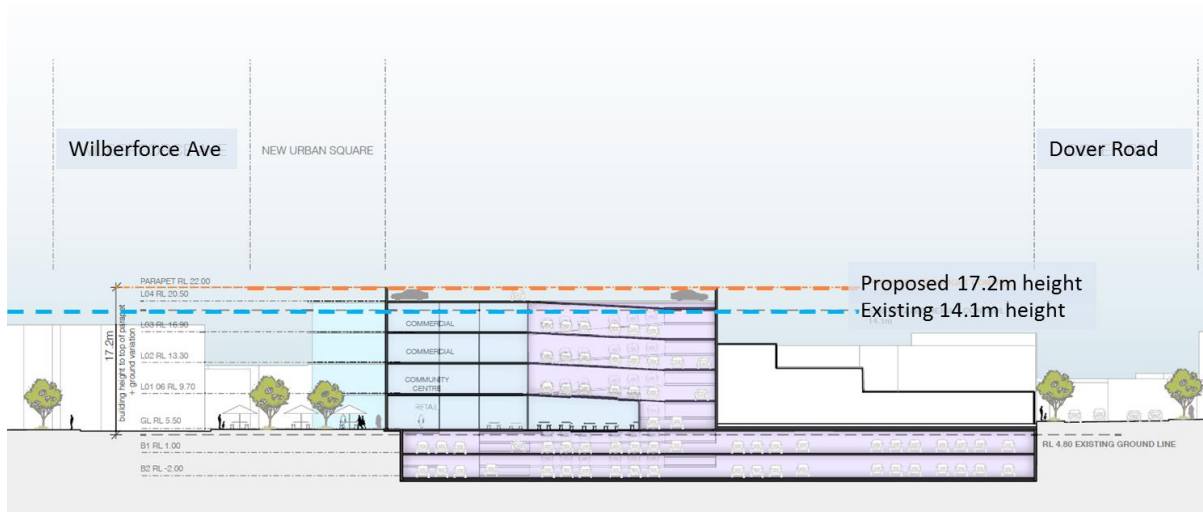


Figure 9: Section of maximum building heights between Wilberforce Avenue and Dover Road

The concept for the Wilberforce Avenue Car Park site is shown in 3D in the context of existing buildings in Figure 10.



Figure 10: 3D view of 3D massing facing north showing the concept for the site compared to existing buildings in the Centre

As identified in the figure above, the proposed increase in height on the Wilberforce Avenue Car Park site can accommodate a building of an acceptable scale and bulk in the site's central location in the Centre. The building envelope will allow a building to be constructed which is of comparable scale to other buildings in the Centre including the apartments at 11-19 Newcastle Street and Parisi's Food Hall at 19-21 Dover Road.

The minor increase to 17.2m is consistent with the maximum permissible height on Nos. 682-684 to 696 New South Head Road under clause 4.4C *Exceptions to height and floor space ratio (Area 4 – Rose Bay)* of Woollahra LEP 2014. Clause 4.4C permits a maximum building height of 17.2m (5 storeys) and FSR of 2.25:1 subject to the provision of

public domain improvements. Those improvements must include the provision of a public square.

The proposed increase in building height on the Wilberforce Avenue Car Park site which facilitates one additional storey is consistent with the village character of Rose Bay.

Ian Street Car Park site envelope

Over the Ian Street Car Park site the maximum building height is proposed to increase by 3.6m from 10.5m to 14.1m. A section comparing the two maximum building heights is provided in Figure 11.

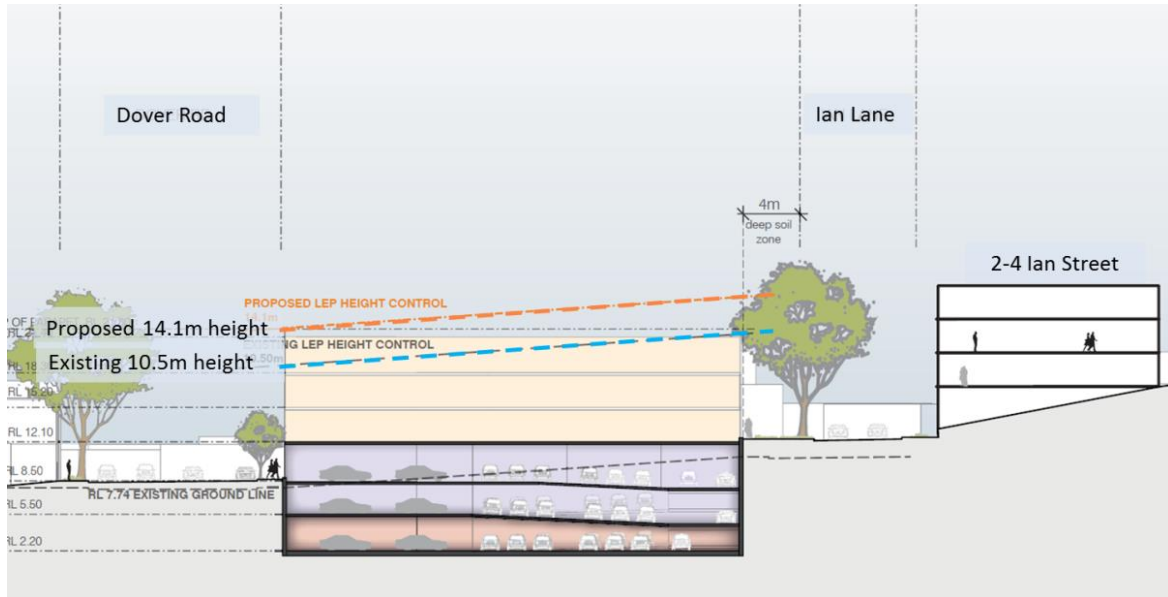


Figure 11: Section of maximum building heights between Dover Road and Ian Lane

The concept for the Ian Street Car Park site is shown in 3D in the context of existing buildings in Figure 12.

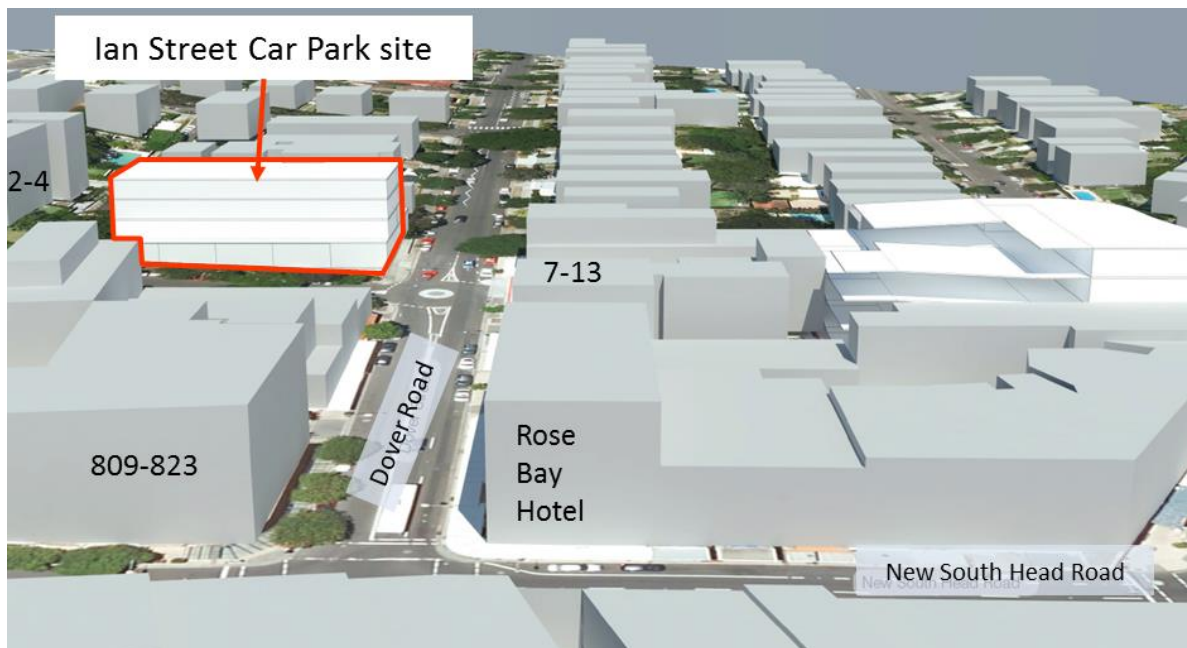


Figure 12: 3D view of the Ian Street Car Park site facing south east showing the concept for the site compared to existing buildings in the Centre

The proposed increase in building height on the Ian Street Car Park site will maintain the village character of the Centre, as it is consistent with the existing 14.1m (4 storeys) maximum building height applying to the majority of the Centre. By applying a 4m setback to Ian Lane, the mature Camphor Laurel trees can be retained.

The building envelope will allow a building to be constructed which is of comparable scale to the apartments at 2-4 Ian Street, No.7-13 Dover Road, No.809-823 New South Head Road and the Rose Bay Hotel.

Shadow assessment

AJ+C undertook shadow modelling of the concept buildings which is included in **Annexure 4** (pages 50-54).

On the Wilberforce Avenue Car Park site, at midday on 21 June the concept casts shadows on:

- the roadway between Dover Road and Wilberforce Avenue,
- Parisi's Food Hall, and
- part of Pannerong Reserve.

There is no shadowing to nearby residential properties at midday. The concept provides at least three hours of sunlight to residential properties to the south east between 9am and 3pm which is consistent with the requirements of Chapter D6 Rose Bay Centre of the Woollahra DCP 2015.

On the Ian Street Car Park Site, at midday on 21 June the concept casts shadows on Dover Road, and the garage of No.20 Dover Road.

The shadowing impacts of the building envelope created by the proposed planning controls are considered acceptable if setbacks similar to those shown in the concepts are applied. Those setbacks are consistent with the setbacks in Chapter D6 Rose Bay Centre of the Woollahra DCP 2015.

Privacy and State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development principles

Privacy

Any redevelopment on the Ian Street Car Park site containing apartments must be designed in accordance with *State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development* (SEPP 65) and its companion document the Apartment Design Guide (ADG). Consistency with these guidelines ensures that distances and treatments of windows and balconies will protect the acoustic and visual privacy of surrounding residences.

Under SEPP 65, Clause 6A (*Development control plans cannot be inconsistent with the Apartment Design Guide*) sets out the relationship between certain provisions contained in Parts 3 and 4 of the ADG and provisions in a development control plan. Clause 6A makes the objectives, design criteria and guidelines for visual privacy in Part 3 of the ADG prevail over Woollahra Development Control Plan 2015 (Woollahra DCP 2015).

However, the provisions of the Woollahra DCP 2015 which require adequate acoustic privacy to be provided to occupants of neighbouring residential properties will continue to apply. For example, apartments must be designed to ensure adequate acoustic separation and privacy to new dwellings and mechanical or air conditioning equipment must not create offensive noise.

The proposed planning controls create building envelopes that can maintain the privacy of existing nearby dwellings by having regard to controls or guidance on privacy in SEPP 65, the ADG and the Woollahra DCP 2015. Privacy would be addressed as part of a future development application on the site.

SEPP 65 Principles

Based on the concept for the Ian Street Car Park site, AJ+C prepared a SEPP 65 Statement focusing on the nine Design Quality Principles:

- Principle 1: Context and Neighbourhood Character
- Principle 2: Built Form and Scale
- Principle 3: Density
- Principle 4: Sustainability
- Principle 5: Landscape
- Principle 6: Amenity
- Principle 7: Safety
- Principle 8: Housing Diversity and Social interaction
- Principle 9: Aesthetics

The Statement (page 50 of **Annexure 4**) suitably addresses the Design Quality Principles, demonstrating that it is possible to construct a building under the proposed controls that:

- is in context with surrounding development,
- has a scale and density suitable for the site,
- provides amenity to new dwellings in the development and surrounding buildings in terms of access to sunlight, natural ventilation, outlook, visual and acoustic privacy, and
- provides a mix of apartment sizes to increase housing diversity.

Visual impact assessment

As the proposed building envelopes have the potential to affect views, a visual impact assessment was prepared by Architectus modelling views from the private and public domain (**Annexure 5**). Particular attention has been given to views from:

- the apartments in the building at 2-4 Ian Street, Rose Bay,
- the public domain in Blake Street in Dover Heights,
- New South Head Road near Kambala School in Rose Bay, and
- Sydney Harbour.

The views were constructed using a 3D model of the terrain and buildings in and around the Centre provided by AAM Group, with significant vegetation inserted based on a survey prepared by S J Dixon Surveyors Pty Ltd. The proposed maximum building heights and concepts prepared by AJ+C were inserted into the model to examine views to and over these sites.

Views from the private domain

The analysis identifies that the proposed increase in maximum building height on the Ian Street Car Park Site and associated concept plans may affect views from No. 2-4 Ian Street which adjoins the site to the north, as shown in Figure 13.



Figure 13: The Ian Street Car Park site and 2-4 Ian Street.

In the residential flat building at 2-4 Ian Street (Strata Plan 76434) view sharing was assessed from the four locations shown in Figure 14.



Figure 14: View modelling locations in 2-4 Ian Street.

Location	Lot / Apartment Number	Location description
1	4	Terrace
2	7	Balcony
3	9	Balcony
4	8	Terrace

Table 5: Location and description of where views were modelled

The analysis of private views was conducted in accordance with the view sharing principles set out in *Tenacity v Warringah Council (1004) NSWLEC 140* which has established a four step assessment of view sharing. The steps are as follows:

1. The assessment of the views affected
2. Consideration from what part of the property the views are obtained
3. The extent of the impact
4. The reasonableness of the proposal that is causing the impact

Locations 1, 2 and 3

Locations 1, 2 and 3 have been considered together due to the similar nature of the views.

1. The assessment of the views affected

The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

The views from these apartments are partial views of the surrounding area which are obscured by the established camphor laurel trees on the Ian Street Car Park. These trees would obscure any view of the Sydney CBD or Harbour Bridge. Based on surveys and the 3D model it is possible, that there are some water views of Sydney Harbour from Lots 7 and 9. However, the existing mature trees between the harbour and the lots may obscure these views.

2. Consideration from what part of the property the views are obtained

The second step is to consider from what part of the property the views are obtained. For example, the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

The views are over the side boundary of 2-4 Ian Street across the Ian Street Car Park to the west as shown in Figure 15 in red. The views were modelled from a standing position at 1.55m above the estimated height of the balcony or terrace of lots 4, 7 and 9.

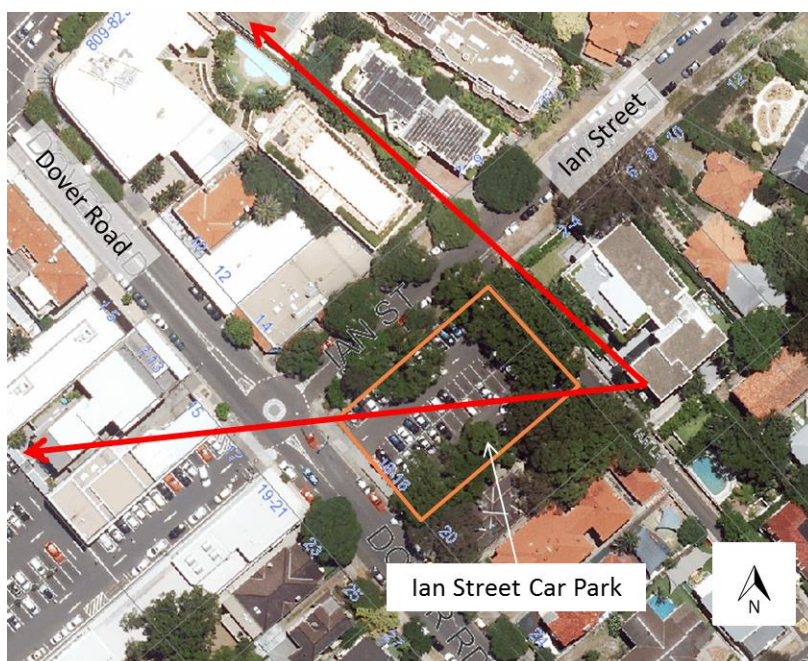


Figure 15: Direction and location of views

3. The extent of the impact

The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

The extent of the impact is considered to be minor due to the:

- existing trees on the Ian Street Car Park which obscure the views from lots 4, 7 and 9 over the Ian Street Car Park
- current maximum building height permitting a 3 storey building to be constructed on the site which would affect views

4. The reasonableness of the proposal that is causing the impact

The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

The planning proposal is considered reasonable as the proposed increase of 3.6m over the Ian Street Car Park site will not result in significant additional view loss from lots 4, 7 and 9 and view sharing will be achieved towards Sydney Harbour. On the Ian Street Car Park site, the mature camphor laurels obscure views over the site and would obscure a building constructed under the existing and proposed controls. As the site is part of the Rose Bay Commercial Centre, it is reasonable to expect development on it at a scale that is consistent with the rest of the Centre.

Location 4 – Lot 8 of SP76434

1. The assessment of the views affected

The first step is the assessment of views to be affected. Water views are valued more highly than land views. Iconic views (e.g. of the Opera House, the Harbour Bridge or North Head) are valued more highly than views without icons. Whole views are valued more highly than partial views, e.g. a water view in which the interface between land and water is visible is more valuable than one in which it is obscured.

The views from the terrace of Lot 8 to the west would include a regional view toward Bellevue Hill and views to the northwest of the Sydney CBD, Sydney Harbour and the Sydney Harbour Bridge which is considered an iconic view. The view of the Harbour Bridge would be a partial view, as Point Piper would interrupt views of the southern pylons and approach to the bridge, although most of the main span of the bridge would be visible.

2. Consideration from what part of the property the views are obtained

The second step is to consider from what part of the property the views are obtained. For example, the protection of views across side boundaries is more difficult than the protection of views from front and rear boundaries. In addition, whether the view is enjoyed from

standing or sitting position may also be relevant. Sitting views are more difficult to protect than standing views. The expectation to retain side views and sitting views is often unrealistic.

The view is over Ian Street and the side boundary of 2-4 Ian Street across the Ian Street Car Park to the west as shown in Figure 16 in red. The view was modelled from a standing position at 1.55m above the estimated height of the terrace of lots 8. There would also be views from the inside the dwelling possibly from seated and standing positions.

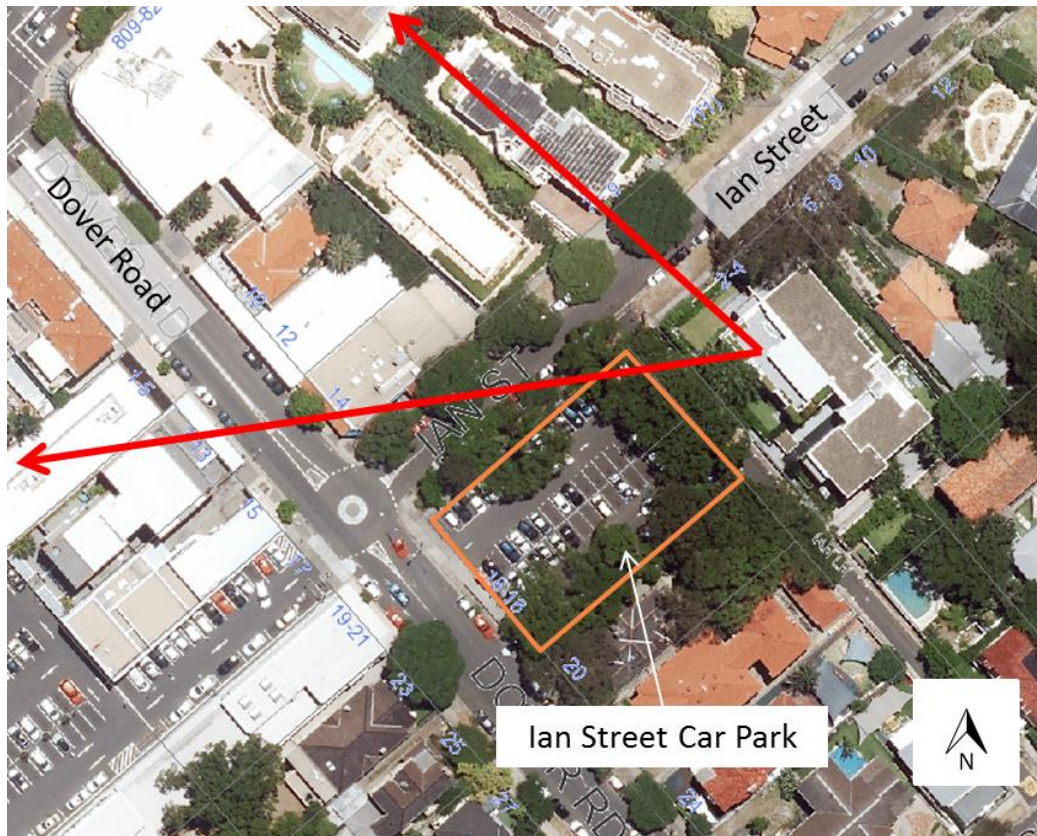


Figure 16: Direction and location of view

3. The extent of the impact

The third step is to assess the extent of the impact. This should be done for the whole of the property, not just for the view that is affected. The impact on views from living areas is more significant than from bedrooms or service areas (though views from kitchens are highly valued because people spend so much time in them). The impact may be assessed quantitatively, but in many cases this can be meaningless. For example, it is unhelpful to say that the view loss is 20% if it includes one of the sails of the Opera House. It is usually more useful to assess the view loss qualitatively as negligible, minor, moderate, severe or devastating.

The extent of the impact is considered to be minor due to the:

- iconic views of the CBD and Harbour Bridge being uninterrupted by the building envelope created by the proposed maximum building height
- existing trees on the Ian Street Car Park obscuring part of the view over the Ian Street Car Park
- current maximum building height permitting a 3 storey building to be constructed on the site which would affect views

4. The reasonableness of the proposal that is causing the impact

The fourth step is to assess the reasonableness of the proposal that is causing the impact. A development that complies with all planning controls would be considered more reasonable than one that breaches them. Where an impact on views arises as a result of non-compliance with one or more planning controls, even a moderate impact may be considered unreasonable. With a complying proposal, the question should be asked whether a more skilful design could provide the applicant with the same development potential and amenity and reduce the impact on the views of neighbours. If the answer to that question is no, then the view impact of a complying development would probably be considered acceptable and the view sharing reasonable.

The planning proposal is considered reasonable as the proposed increase of 3.6m over the Ian Street Car Park site will not result in significant additional view loss from lot 8 and view sharing will be achieved towards Sydney Harbour. The Ian Street Car Park site is part of the Rose Bay Commercial Centre and it is reasonable to expect development and change in the Centre.

Views from the public domain

Views from the public domain were assessed by creating photomontages of views in three locations:

- Blake Street in Dover Heights,
- New South Head Road near Kambala in Rose Bay, and
- from 500m out in Rose Bay on Sydney Harbour.

The photomontages demonstrated that from all three locations the envelope created by the proposed planning controls and the concepts created by AJ+C were negligible or barely visible as shown in Figures 17, 18 and 19.



Figure 17: Extract of view from Blake Street, Dover Heights (Source Architectus)



Figure 18: Extract of view from New South Head Road near Kambala (Source Architectus)



Figure 19: Extract of view from Rose Bay (Source Architectus)

View impacts from the public domain are considered to be acceptable, as:

- The view of the proposed building envelopes retain views to Sydney Harbour from Blake Street, Dover Heights
- The proposed Ian Street envelope is hidden when viewed from New South Head Road near Kambala school and from Sydney Harbour
- The proposed envelopes do not project beyond the existing tree line when viewed from Sydney Harbour
- The proposed envelopes fit within the context of existing development in Rose Bay.

Assessment of Traffic and Parking Implications

Transport and Traffic Planning Associates prepared an Assessment of Traffic and Parking Implications (**Annexure 7**) based on the concept buildings prepared by AJ&C. They conclude that the proposed planning control changes and potential development will:

- not have any adverse traffic implications
- will have suitable and appropriate parking provisions

- will have satisfactory access and circulation arrangements
- will provide the opportunity for improved pedestrian and cyclist connectivity
- will not have any adverse impact on public transport services

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

For the reasons discussed above, the planning proposal will have positive social and economic effects. In summary, these include:

- Increasing the development potential of the sites in a local centre near transport nodes which will promote sustainable and public transport oriented development.
- Facilitating the redevelopment of the Wilberforce Avenue Car Park which will provide more public parking to support the existing businesses in the Centre. The redevelopment will also facilitate a new community facility which will meet demand which has been identified in the Community Facilities Study (2011).
- Facilitating the redevelopment of the Ian Street Car Park site which will provide opportunities for additional dwellings which will assist with meeting the housing targets of the Draft Central District Strategy.
- Additional dwellings in this locality will increase the population and provide economic support to local businesses.
- The creation of job opportunities:
 - while a future building is being constructed,
 - in the commercial components of future development.
- Additional residential apartments will increase housing supply and potentially increase affordability.
- Greater housing choice in a development that can include a mix of apartment sizes.

Accordingly, for the reasons stated elsewhere in this report and summarised above, the planning proposal will have positive social and economic benefits and it is in the public interest.

6.4 – State and Commonwealth interests

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

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

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

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

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

Transport for NSW and Roads and Maritime Services and any other government departments required 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

An extract of the current and proposed land use zoning, FSR and height controls are shown in figures 20- 25. The proposed Woollahra LEP 2014 maps are provided at **Attachment 3**.

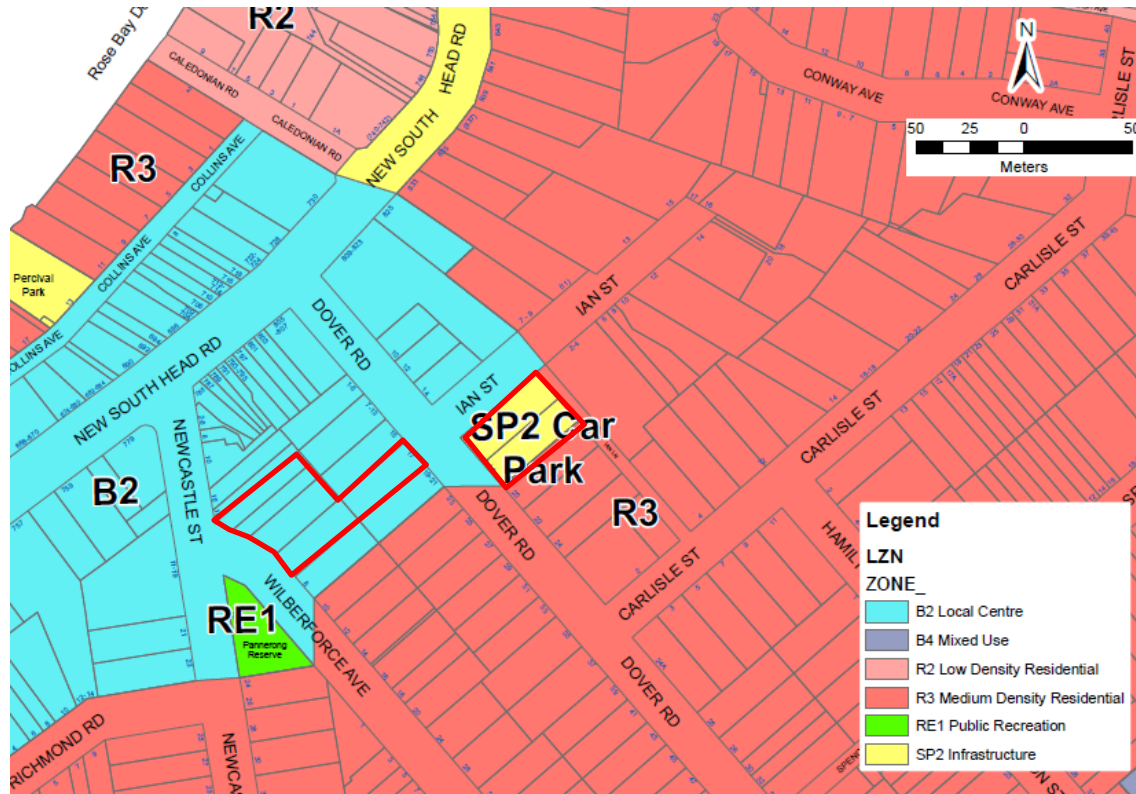


Figure 20: Current zoning Map

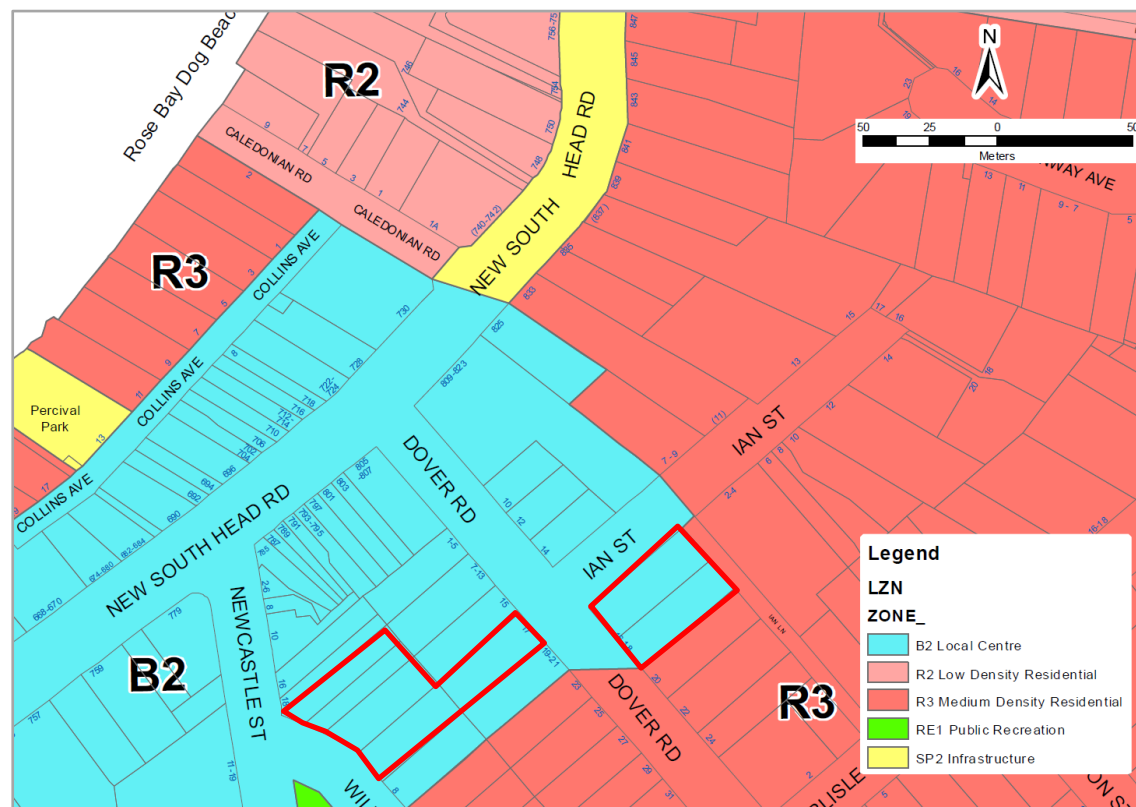


Figure 21: Proposed Zoning Map

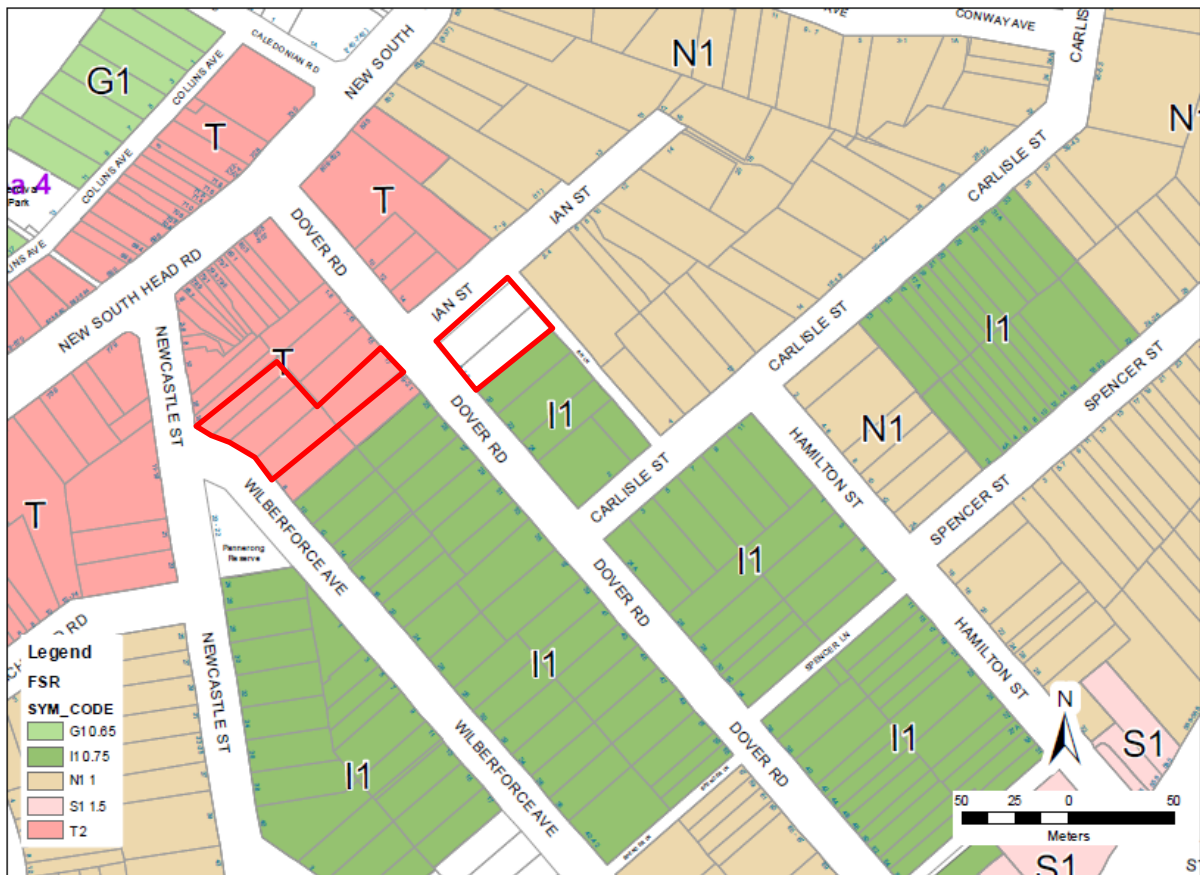


Figure 22: Current FSR Map

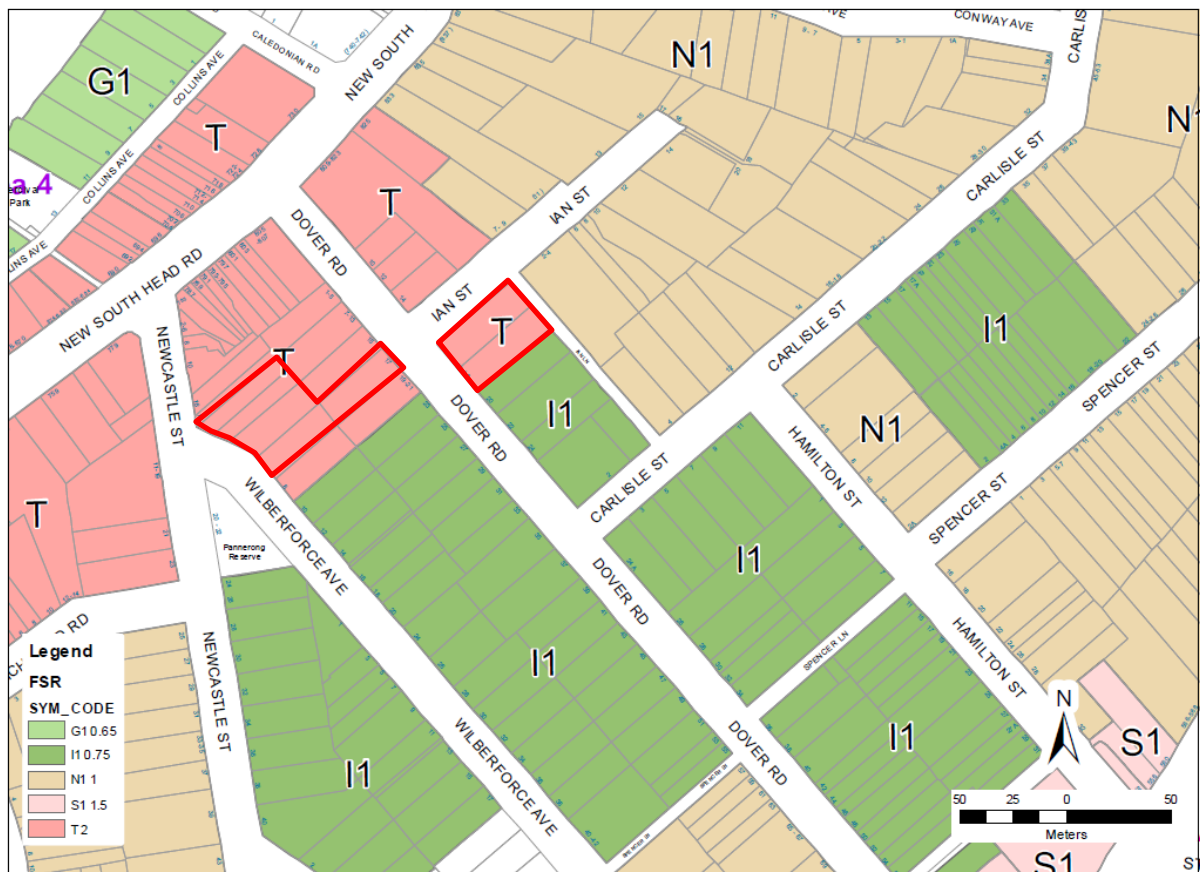


Figure 23: Proposed FSR Map

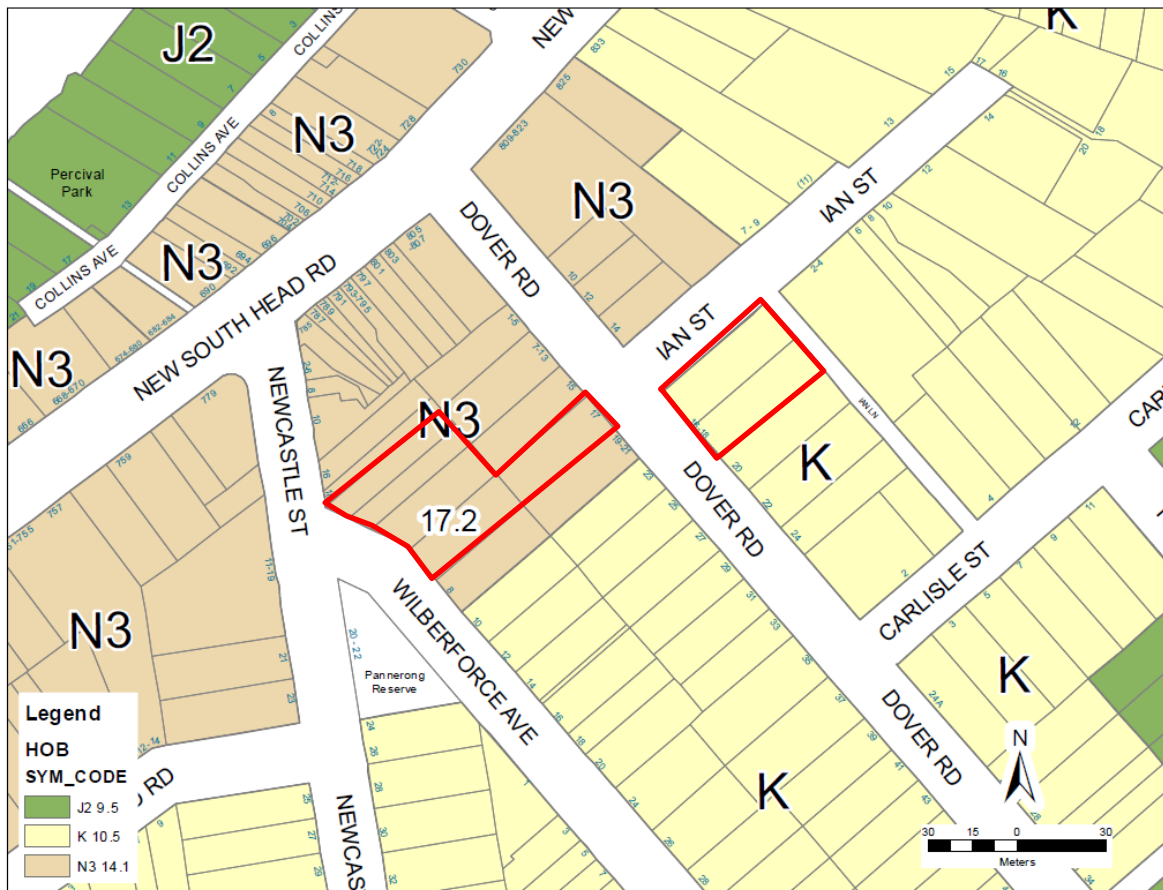


Figure 24: Current Height Map

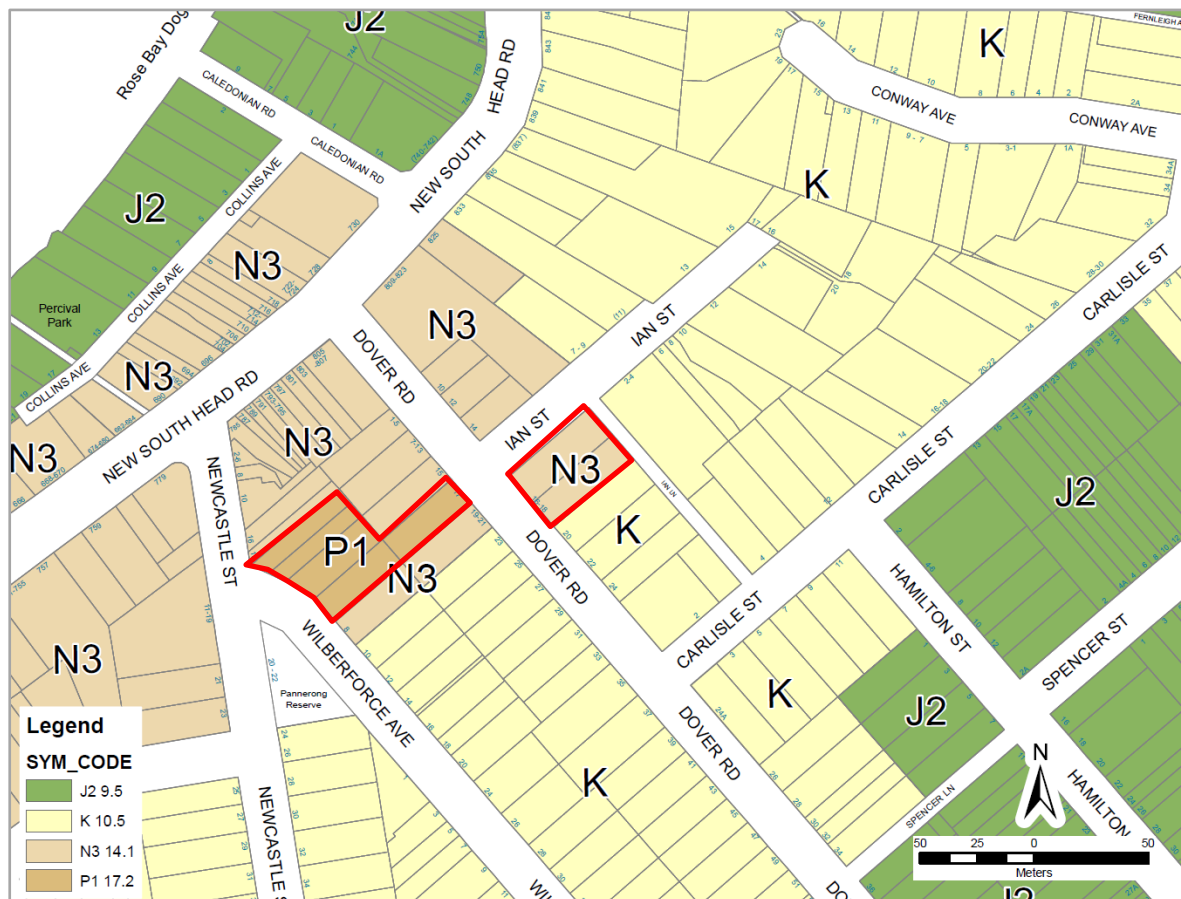


Figure 25: Proposed Height Map

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, which will include every landowner in the Centre.
- local community groups such as the Rose Bay Chamber of Commerce and the Rose Bay Residents' Association.

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 the view analysis and relevant Council reports).

Part 9 – Project timeline

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

Plan-making step	Estimated completion
Urban Planning Committee recommends proceeding	February 2017
Council resolution to proceed	February 2017
Gateway determination	April 2017
Completion of technical assessment	None anticipated
Government agency consultation	May 2017
Public exhibition period	May 2017
Submissions assessment	June 2017
Council assessment of planning proposal post exhibition	July 2017
Council decision to make the LEP amendment	August 2017
Council to liaise with Parliamentary Counsel to prepare LEP amendment	September 2017
Forwarding of LEP amendment to Greater Sydney Commission and Department of Planning and Environment for notification	October 2017
Notification of the approved LEP	November 2017

Attachments

Attachment 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 planning proposal will help meet this goal by facilitating the redevelopment of Council's car parks. This redevelopment will increase commercial and residential development in an established business centre, increasing parking supply and supporting existing businesses.
2. A city of housing choice, with homes that meet our needs and lifestyles	The planning proposal will help meet this goal by facilitating additional housing in an existing commercial centre which has access to multiple services, recreation facilities and bus and ferry transportation. Providing more dwellings in the Centre will increase housing supply and provide greater housing choice.
3. A great place to live with communities that are strong, healthy and well connected	The planning proposal will help meet this goal by providing capacity for residential development in an existing local centre which will encourage walking and reduce vehicle trips. The Centre is in proximity to a range of recreational areas and activities, with safer cycling facilities being planned and constructed. The changes to the Wilberforce Avenue Car Park site will facilitate the construction of a new community space in Rose Bay, where residents can come together and community services provided.
4. A sustainable and resilient city that protects the natural environment and has a balanced approach to the use of land and resources	The planning proposal is consistent with this goal as the site is not located on land with conservation value and does not form part of a green corridor.

Planning principles	Comment on consistency
Principle 1: Increasing housing choice around all centres through urban renewal in established areas	The planning proposal is consistent with this principle as it provides potential for additional residential development in an existing centre.
Principle 2: Stronger economic development in strategic centres and transport gateways	The planning proposal is consistent with this principle as it will facilitate increased public car parking which will support existing businesses in the Centre. The sites are well located to take advantage of jobs in the Centre and have good public transport links to access jobs and services in other nearby strategic centres such as the CBD, Bondi Junction and the Randwick Health and Education Precinct.
Principle 3: Connecting centres with a networked transport system	The sites are located in an existing centre and have good connectivity as they are in walking distance of: • five bus routes which provide direct access to services and employment in the CBD and Double Bay and via connections to Bondi Junction • the Rose Bay Ferry Wharf • recreational facilities such as parks, tennis courts, basketball courts and Sydney Harbour New employees or residents can use the existing public transport system to access the CBD, surrounding centres and other transport systems.
Directions A set of 22 directions is listed for the four goals of <i>A Plan for Growing Sydney</i> . 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 2.1 Accelerate housing supply across Sydney	The planning proposal is consistent with this direction as it increases the development potential of the Ian Street Car Park site, enabling redevelopment which may provide additional housing.

Direction	Comment on consistency
Direction 2.2 Accelerate urban renewal across Sydney – Providing homes close to jobs	The planning proposal is consistent with this direction as the sites are located in a centre which has good public transport links to the Sydney Central Business District, Double Bay Commercial Centre, the Edgecliff Commercial Core and nearby specialised centres in Bondi Junction and Randwick. Jobs and services are available in all of these centres.
Direction 2.3: Improve housing choice to suit different needs and lifestyles Direction 3.1: Revitalise existing suburbs	The planning proposal is consistent with these directions as it proposes to increase the development potential of the Ian Street Car Park site enabling redevelopment. Should additional residential apartments be constructed on the site they would increase housing choice in an established urban area. The redevelopment of the Wilberforce Avenue Car Park can increase off-street parking, provide new retail areas and a new community space which was identified as a priority in the AECOM Community Facilities Study in 2011. The concept shown in this planning proposal includes a new outdoor public space which the Centre lacks. These investments will enhance and revitalise the existing centre.
Direction 3.3: Create healthy built environments	The planning proposal is consistent with this direction as the land is in a centre with access to numerous local services, shops, recreational spaces, cycleways and public transport. This promotes healthy activities such as walking or cycling to these locations as part of daily activities and promotes physical activity.
Direction 4.1 Protect our natural environment and biodiversity	The planning proposal is consistent with this direction as the subject sites are located in an existing urban environment and the planning proposal does not apply to sensitive land or land with high 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 planning proposal is consistent with the priorities of the subregion as it: • will facilitate the redevelopment of the Wilberforce Avenue Car Park site to provide more public parking which will support the existing centre. • will increase the development potential of the Ian Street Car Park site allowing urban renewal. • does not apply to land with high conservation value.

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.	During the preparation of the planning proposal development concepts for each site have been prepared. The concepts show enhanced walkability of the centre by creating a shared-zone between Dover Road and Wilberforce Avenue. Urban amenity would be enhanced through the delivery of a new public space on Wilberforce Avenue. The redevelopment of the Wilberforce Avenue Car Park will facilitate increased commercial and community uses, whilst increasing car parking in the Centre which will service existing businesses. The rezoning of the Ian Street Car Park site would formalise the car park site as part of the existing centre, for which it currently provides parking. The proposed planning control amendments

	facilitate redevelopment of the sites to provide additional off-street public parking which will support existing and future commercial uses in the Centre. The planning proposal also seeks to apply an FSR of 2:1 over the Ian Street Car Park site which will provide new opportunities for commercial floor space.
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 will enable the redevelopment of the Wilberforce Avenue Car Park site and Ian Street Car Park site. On the Wilberforce Avenue Site, Council has identified that future development should provide a new community space of between 500m² and 750m². The concept for this site includes up to 811m² of internal space for community use which could be used for a range on activities, including a creative hub or for public health initiatives. The concept for the Ian Street Car Park site includes additional residential development which would increase housing choice within the Centre and give access to local employment opportunities. The concepts prepared for the Ian Street Car Park site include ground floor commercial space which can be used for a range of activities including small-scale innovation and creative industries.

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 Centre has a range of retail, business and community uses that serve the needs of people who live in Rose Bay, Vaucluse and Watsons Bay.

Generally, the Centre's maximum FSR is 2:1 and maximum building height is 14.1 (4 storeys). Considering development potential under these controls, there are many underdeveloped sites containing one and two storeys buildings. For example, along the northern side of New South Head Road there are 18 one and two storey buildings and in Newcastle Street an additional seven underdeveloped two storey buildings.

There is no specific job target for the Woollahra LGA, but the Centre has capacity to provide more jobs under the existing controls. The planning proposal would augment this capacity by changing the planning controls to provide an additional 2,265m² of gross floor area over the Ian Street Car Park site which may be used for a range of uses.

The concept for the Wilberforce Avenue Car Park includes new commercial development a new shared zone which would improve walkability and circulation in the Centre and a new urban space.

The transition to lower intensity uses is addressed in part 6.3 *Environmental, social and economic impact* of the planning proposal. The proposed controls ensure that buildings constructed on the sites will maintain the amenity of the surrounding residential and commercial areas consistent with the desired future character in Woollahra DCP 2015.

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	By changing the land use zone applying to the Ian Street Car Park site, the planning proposal will facilitate increased retail floor space in an existing centre. Chapter D6 Rose Bay Centre of Woollahra DCP 2015 identifies that the ground floor of development should contain a retail frontage to activate the street, provide vitality and enhance the urban quality of the Centre. The objectives of the planning proposal are to facilitate the redevelopment of the Council owned car parks, which will provide opportunities for commercial facilities whilst increased car parking will support existing and proposed retail activities. The planning proposal will maintain and enhance opportunities to provide retail and commercial services in the Centre.
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.	The planning proposal does not rezone commercial or industrial employment land. The planning proposal will provide the opportunity to redevelop two Council owned sites and increase public off-street parking supply to support commerce in the Centre.

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 applies to land in a business zone which can provide housing and jobs together and is near employment generating uses, local services and public transport. The concept for the Ian Street Car Park includes residential dwellings as shop-top housing which would contribute to Woollahra's five year dwelling target of 300.
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.	In the 2011 census, compared with Greater Sydney, the Woollahra LGA had a lower than average proportion of the population in the range of 0-24 years old and a higher than average proportion of the population in ages 60-85+. This demonstrates a need to provide more apartments to cater for older residents who wish to age in place as they downsize from family homes. The proposed planning control changes will provide the capacity for more apartments on the Ian Street Car Park site. Opportunities for quality design outcomes for both buildings and places are provided by: - The proposed building envelopes created by the maximum building height controls and Chapter D6 Rose Bay Centre of the Woollahra DCP 2015, - The guidelines within <i>State Environmental Planning Policy No 65 – Design Quality of Residential Apartment Development</i> and its supporting document the <i>Apartment Design Guide</i>.
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	Not applicable. The planning proposal does not apply to land in a new urban renewal or greenfields area.

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. 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 sites do 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.	The proposed planning controls will facilitate redevelopment of the sites to enhance the Centre and provide new community facilities.
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.	As outlined in 2.3 above, the Centre will soon have a shared-path connecting it to the south via Newcastle Street and a new shared path is being investigated to connect to Double Bay and other cycling routes to the 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 planning proposal does not affect land in a heritage conservation area or land that contains heritage items. The proposed building envelopes are consistent with the desired future character of the Centre and will not detract from the significance of the Rose Bay Hotel or other heritage items in or nearby the Centre.
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.	The redevelopment of the Wilberforce Avenue Car Park site will provide a multi-purpose community centre with flexible spaces to enable the provision of artistic and cultural programs and activities. Council supports and encourages public art opportunities and this proposal presents an ideal opportunity to incorporate public art in the public domain/facility.

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 will facilitate the redevelopment of the Wilberforce Avenue Car Park site. The proposal aims to provide a multi-purpose community centre of up to 750m² in response to a need identified in the Community Facilities Study 2011. The community facility would provide accessible spaces for the provision of community and cultural programs/activities in response to the needs and aspirations of the community.
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 does not apply to land which is currently used or proposed to be used for educational establishments. The Bellevue Hill Public School is currently completing a development which will increase capacity to 1000 students. The Department of Education has advised that they do not anticipate the need for any new schools in the Woollahra LGA in the 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.	A need for additional services and facilities to service Woollahra's Aboriginal population has not been identified.

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 are not located in the vicinity of a major health precinct identified in the <i>Draft Central District Plan</i>. 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.	Woollahra's target of 300 additional dwellings over five years identified in the <i>Draft Central District Plan</i> does not require additional emergency services. However, 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.
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.	Cemeteries and crematoria are not permissible anywhere in the Woollahra LGA under Woollahra LEP 2014, nor does the planning proposal propose to permit them. Cemeteries and Crematoria NSW advise that due to land value, the provision of cemeteries in the Central District is unlikely and they do not object to the planning proposal proceeding.

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. Any development under the proposed planning controls will be subject to the following controls to improve water quality and waterway health. 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, In Rose Bay other measures to improve waterway health include: 1) Downstream gross pollutant trap to remove organic and inorganic waste from entering Rose Bay, 2) Regular monitoring of water quality at Rose Bay and reporting of results via a web-based portal (Beachwatch). 3) Regular beach cleaning by Council (and volunteers). 4) 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.	Although the planning proposal is not on land adjoining Sydney Harbour, the potential impact of the proposed building envelope on views from the harbour has been considered and has been addressed in part 6.3 <i>Environmental, social and economic impact</i> of the planning proposal.
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	The planning proposal does not apply to foreshore land.
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 planning proposal applies to two existing car parks. 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.

Sustainability Priority 5: Align strategic planning to the vision for 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.	The planning proposal applies to land in an existing commercial centre and will not affect the delivery of priority projects which support the long term vision for Sydney's Green Grid identified in the <i>Draft Central District Plan</i>. Part of the Wilberforce Avenue Car Park site has been identified as a future cycling route as part of the Woollahra Council's Cycling Strategy (2009). The concept for the Wilberforce Avenue site would enhance the cycleway network in this area by providing a new share zone improving cycling in and around the Centre.
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 planning proposal will facilitate the redevelopment of two at-grade car parking areas. The concept for the Ian Street Site includes a setback to retain mature camphor laurel trees on the north east of the site and street trees on the north west of the site which shade Ian Street and Ian Lane as shown in Figure 11 of the planning proposal. The Council's architectural consultants, Allen Jack + Cottier, applied the setback following Council completing a Preliminary Arboricultural Assessment for that site. In addition, a development under the proposed controls will need to address chapter E3 <i>Tree Management</i> 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 and enhance key cultural and commercial centres, like the Centre.
Sustainability Priority 8: Improve protection of ridgelines and scenic areas The scenic qualities of landscapes are already	Not applicable. The planning proposal does not apply to land on a ridgeline or in a scenic area.

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.	
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 concepts that accompany the planning proposal for the Ian Street Car Park site include landscaping on part of the building and the retention of many established trees on that site. In addition, the selection of new trees will need to take into consideration the ability for each species to mitigate the urban heat island effect in accordance with Woollahra Council's Street Tree Master Plan (2014)
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.	Woollahra's target of 300 additional dwellings over five years identified in the <i>Draft Central District Plan</i> does not require additional emergency services. However, 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.

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.	Woollahra Council's Rose Bay Floodplain Risk Management Study and Plan (2014) list new urban development as an opportunity to minimise risk of flooding along New South Head Road. Development under the proposed controls will need to consider designs that minimise the flood risk (e.g. water sensitive design).
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Attachment 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 planning proposal will facilitate development which is permissible under the existing zoning of the Wilberforce Avenue site. The rezoning of the Ian Street Car Park site will enable a broad range of uses including residential. A Preliminary Contamination and Acid Sulphate Soils Assessment has been prepared for the site. It notes that: 1. No contamination notices have been issued for the subject sites by the New South Wales Environment Protection Agency or for any adjoining land. 2. Prior to being car parks, the only other previous use identified for the sites was residential. Our preliminary investigation concludes that contamination is unlikely. Future development applications will be required to undertake appropriate investigations and, if necessary, remediation will occur.
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. See section 6.3 of the planning proposal for more information.

State environmental planning policy	Comment on consistency
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.
SEPP (Infrastructure)	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.

State environmental planning policy	Comment on consistency
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
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. 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 sites are 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.

Attachment 3
Compliance with section 117 directions

Planning proposal – Rose Bay Car Parks Compliance with section 117 directions		
Direction		Applicable/comment
1	Employment and resources	
1	Business and industrial zones	The planning proposal rezones the Ian Street Car Park site from SP2 Infrastructure (Car Park) to B2 Local Centre. This will encourage employment growth in the Centre by providing an opportunity for increased commercial development in the Centre. Enabling the redevelopment of the Wilberforce Avenue Car Park will increase public car parking supply and create a new community facility which will support the vitality and viability of the Centre.
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	The site does not contain a heritage item and is not within a heritage conservation area. The proposed building envelopes will provide a desired future character that will not detract from the significance of the Rose Bay Hotel or other heritage items in or nearby the Centre.
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 will create an opportunity to broaden the range of housing available in Rose Bay and the Woollahra LGA, through a mixed use development on the Ian Street Car Park site.

**Planning proposal – Rose Bay Car Parks
Compliance with section 117 directions**

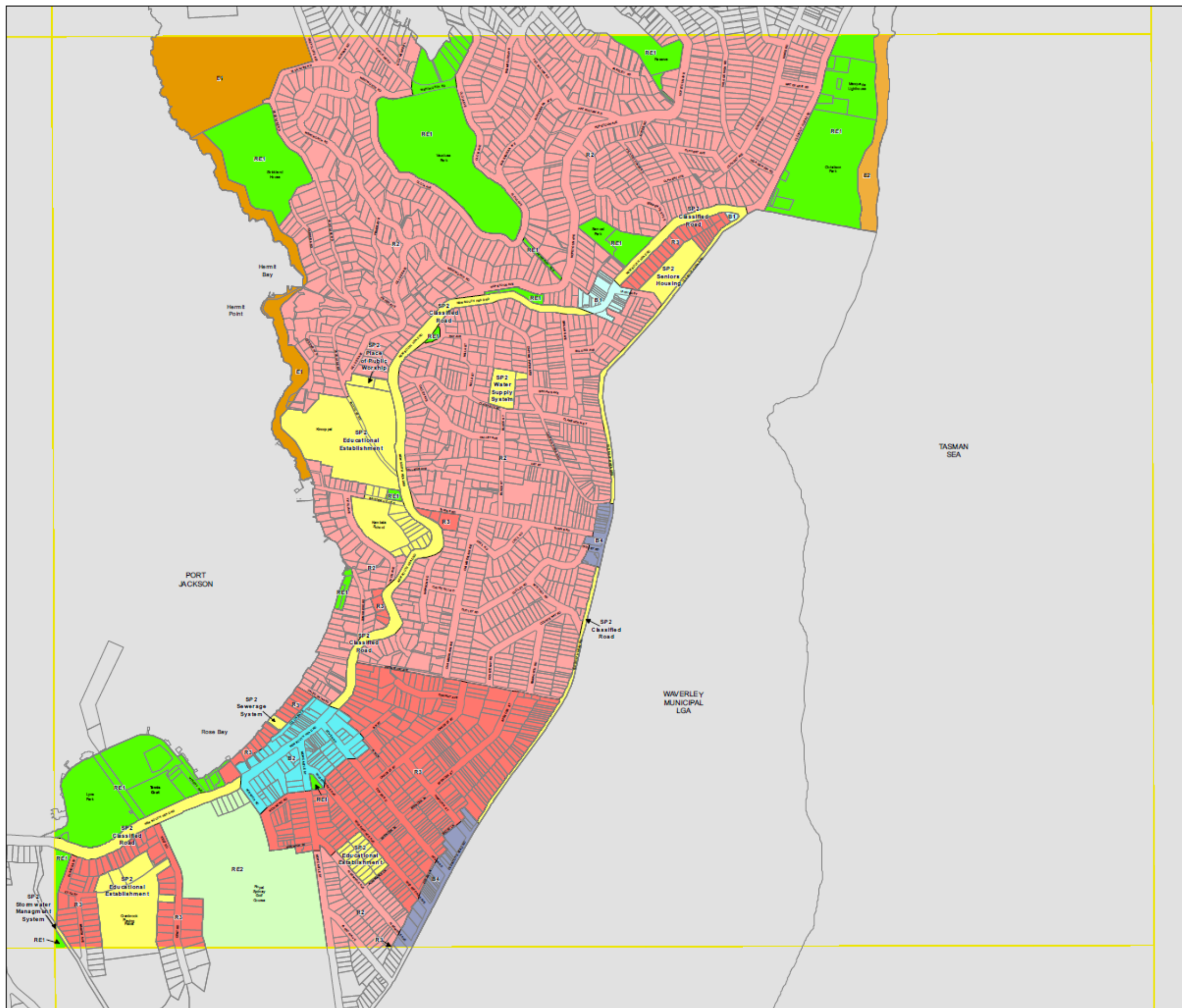
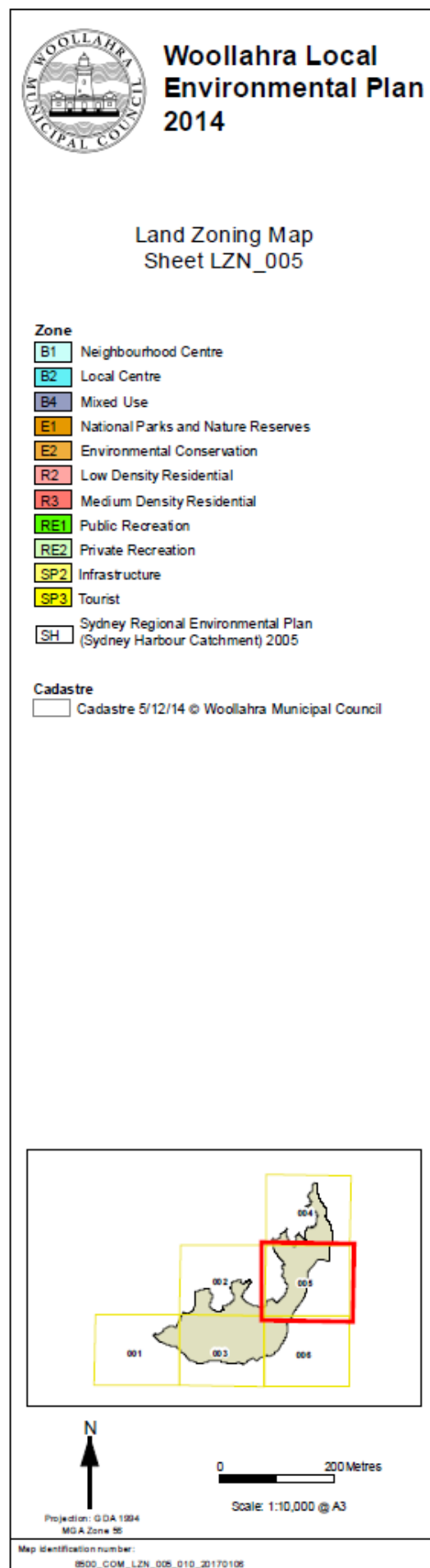
Direction		Applicable/comment
		The subject site is well placed to efficiently use existing infrastructure and services as it is near public transport facilities that will support connections to employment and services, both within the Centre and further afield. The proposal will also facilitate the redevelopment of public parking to increase parking supply in the Centre. Should the planning proposal result in an amendment to Woollahra LEP 2014, the proposed controls can facilitate development that is consistent with the principles of SEPP 65 and the Apartment Design Guide. The concept buildings under the proposed controls will have minimal impact on the natural environment as the sites and are currently used as car parks and the surrounding land is already developed. The proposal is therefore consistent with this direction.
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.
3.4	Integrating land use and transport	Consistent. The planning proposal is consistent with the aims, objectives and principles of <i>Improving Transport Choice – Guidelines for planning and development</i> (DUAP 2001), and <i>The Right Place for Business and Services – Planning Policy</i> (DUAP 2001) as: • The sites are located in a centre which is accessible by public transport, walking and cycling and supported by many existing businesses and services. • The sites are located on two bus routes along Dover Road, with three more services available on New South Head Road, which is approximately 100m away. The sites are approximately 550 metres from the Rose Bay ferry wharf from which frequent public transport services provide ferry and bus connections within the Woollahra LGA and beyond. The proximity of these transport services will encourage public transport use. • The bulk and scale of the proposed controls is consistent with the context, and the site's location in a town centre
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.

**Planning proposal – Rose Bay Car Parks
Compliance with section 117 directions**

Direction		Applicable/comment
4	Hazard and risk	
4.1	Acid sulfate soils	Consistent. A preliminary site investigation included laboratory analysis of soil retrieved from boreholes. Upon completion of the onsite investigation and laboratory analysis it is concluded that acid sulphate soils are not present on the sites and an acid sulphate soils management plan is not required. Existing acid sulfate soils provisions in Woollahra LEP 2014 will not be altered by the planning proposal and will apply to any future development which might intensify the use of the land. A copy of the geotechnical assessment is provided at Annexure 6
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 applies to land within a flood prone area. The concepts for each site show that it is possible to have a ground floor level above the 100 year average recurrence interval level for each site.
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.

**Planning proposal – Rose Bay Car Parks
Compliance with section 117 directions**

Direction		Applicable/comment
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 planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes carried out by public authorities.
6.3	Site specific provisions	Consistent. The planning proposal proposes an additional permitted use on the Ian Street Car Park site to enable residential flat building development on the ground floor, but only as part of a mixed use development. This change does not impose any development standards or requirements in addition to those already contained in Woollahra LEP 2014.
7	Metropolitan Planning	
7.1	Implementation of <i>A Plan for Growing Sydney</i> (Dec 2014)	Consistent. The planning proposal will facilitate additional residential development in proximity to public transport, shops, services and employment.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable.





Woollahra Local Environmental Plan 2014

Floor Space Ratio Map Sheet FSR_005

Maximum Floor Space Ratio (n:1)

A1	0.21	N1	1
A2	0.37	N2	1.04
B1	0.4	O	1.1
B2	0.43	P	1.25
C	0.46	Q	1.3
D1	0.5	R1	1.4
D2	0.52	R2	1.42
D3	0.53	S1	1.5
F1	0.6	S2	1.55
F2	0.63	S3	1.68
G1	0.65	S4	1.7
G2	0.68	T	2
H	0.73	U	2.5
I1	0.75	V	3
I2	0.77	X	4
L	0.9		

Refer to Clause 4.4A

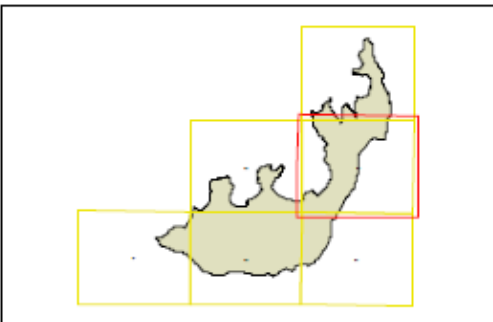
Refer to Clause 4.4B

Refer to Clause 4.4C

Refer to Clause 4.4D

Cadastre

Cadastre 5/12/14 © Woollahra Municipal Council

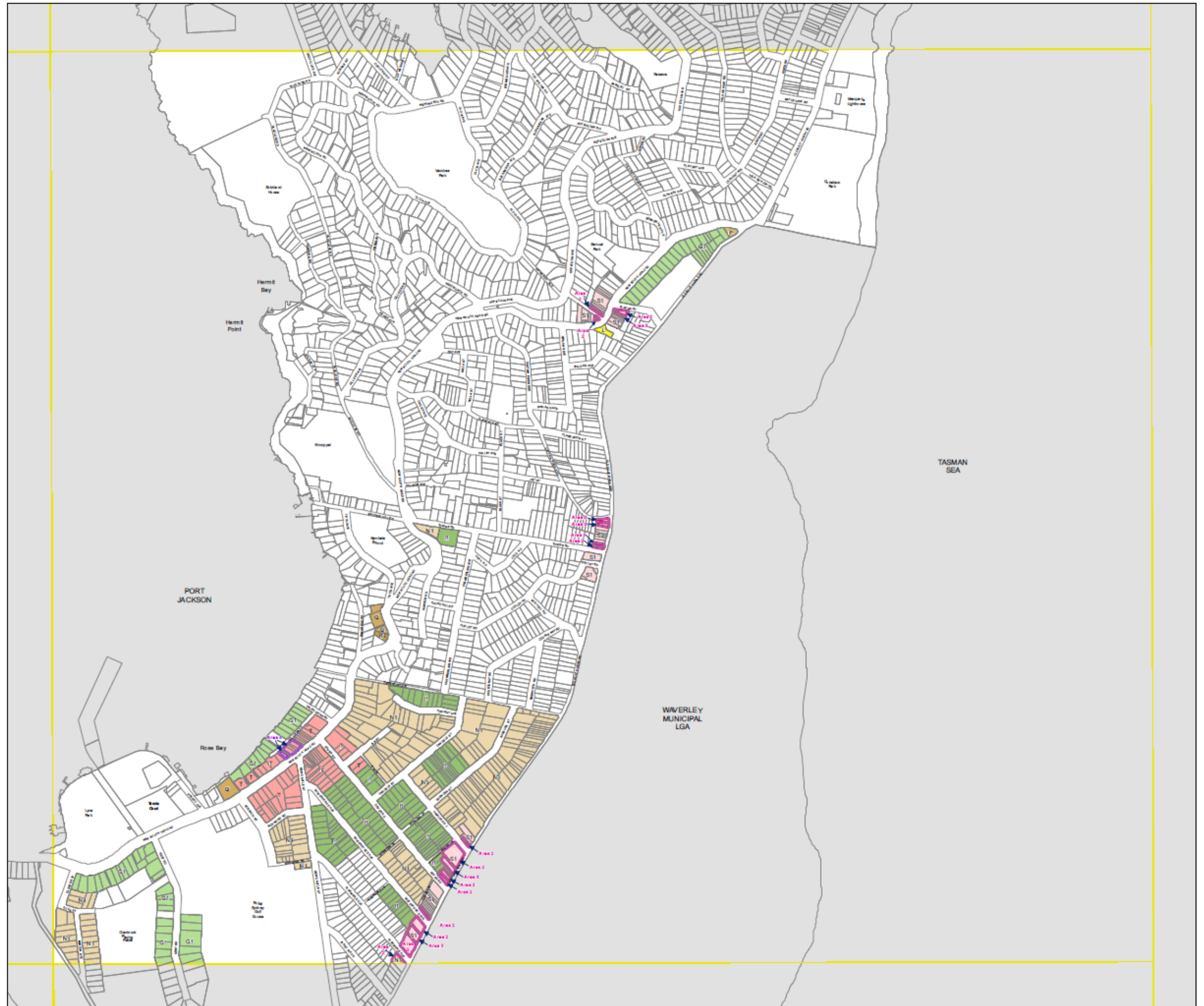


0 200Metres

Scale: 1:10,000 @ A3

Projection: GDA 1994
MGA Zone 55

Map identification number:
8500_COM_FSR_005_010_20170108





Woollahra Local Environmental Plan 2014

Height of Buildings Map Sheet HOB_005

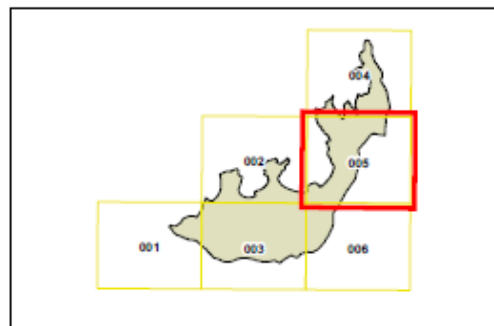
Maximum Building Height (m)

C	5	N4	14.5
E	6	N5	14.7
F	6.5	Q1	15
G	7	Q2	16.5
H	7.5	P1	17.2
I1	8	P2	17.5
I2	8.2	P3	18
J1	9	P4	18.1
J2	9.5	Q1	19
K	10.5	Q2	19.5
L1	11	Q3	20.5
L2	11.5	R1	21.5
M	12	R2	22.5
N1	13	T	26
N2	13.5	U	34
N3	14.1		

- Refer to Clause 4.3A
- Refer to Clause 4.3B
- Refer to Clause 4.4C

Cadastre

Cadastre 5/12/14 © Woollahra Municipal Council

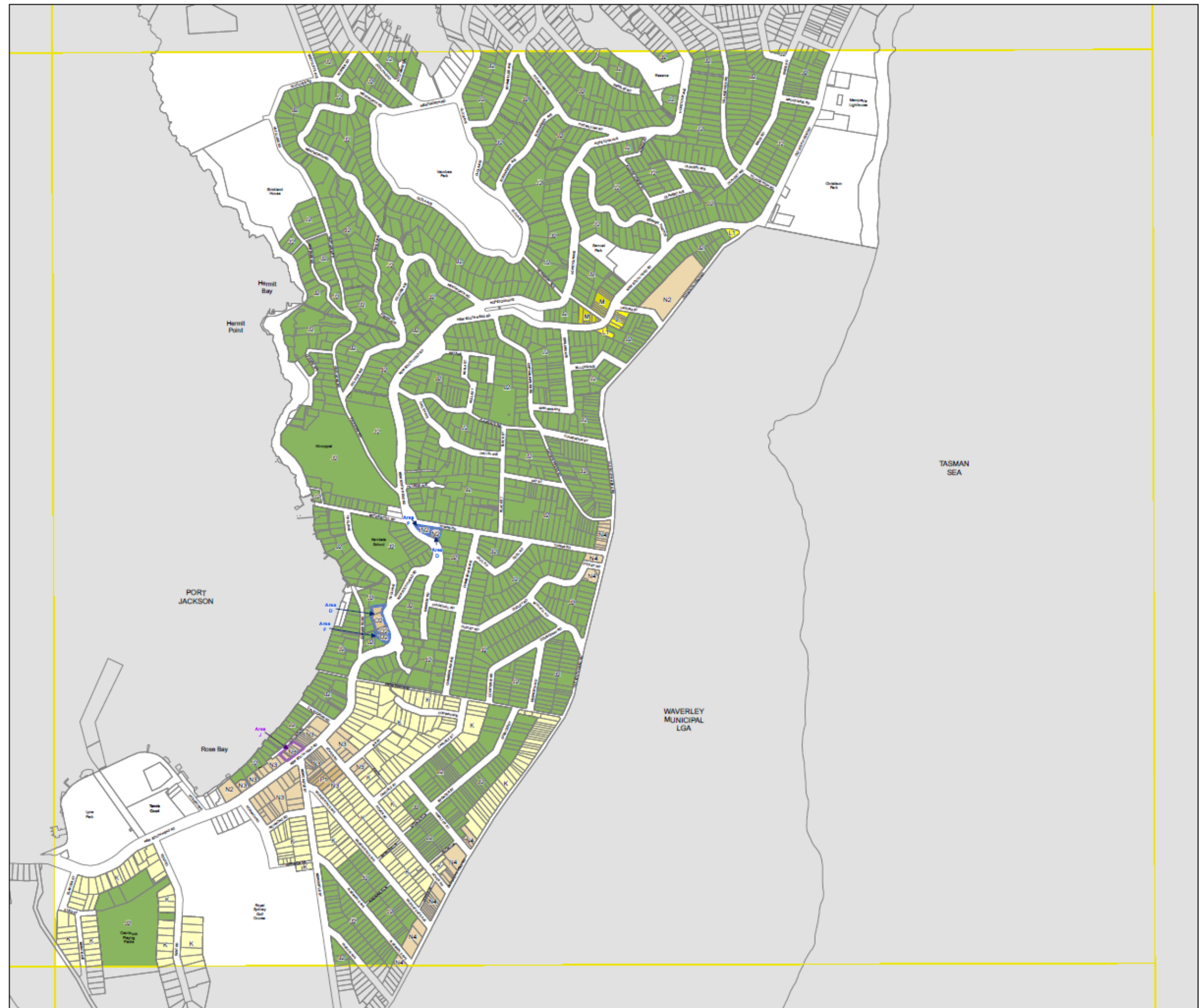


0 200 Metres

Scale: 1:10,000 @ A3

Projection: GDA 1994
MGA Zone 56

Map identification number:
8500_COM_HOB_005_010_20170106



Supplementary material

Annexure 1 – Report to the Urban Planning Committee of 13 February 2017

Annexure 2 – Council resolution of 27 February 2017

Annexure 3 – Report to Corporate and Works of 18 of July 2016

Annexure 4 – Report to the Corporate and Works of 18 April 2016

Annexure 5 – Council resolution of 26 April 2016

Annexure 6 – Rose Bay Car Parks Urban Design Study

Annexure 7 – Visual impact assessment

Annexure 8 – Geotechnical Assessment

Annexure 9 – Assessment of Traffic and Parking Impact report