

# Planning Proposal



## Local Heritage Listing

### 30 Wyuna Road, Point Piper

January 2020





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## Part 1 – Introduction

### 1.1. Background

On 26 August 2019 Council considered a Notice of Motion on the Heritage Protection of Two F. Glynn Gilling Properties and resolved:

- A. *THAT Council write to the Minister, the Hon. (Don) Donald Harwin, MLC, Special Minister of State, Minister for Public Services and Employee Relations, Aboriginal Affairs and Arts, to ask him to make an Interim Heritage Order (IHO) under section 24(1) of the Heritage Act 1977 in respect of the properties at 30 Wyuna Road, Point Piper and 46 Vaocluse Road, Vaocluse.*
- B. *THAT Council request the Director Planning & Development to prepare an urgent report to the Environmental Planning Committee which assesses the heritage significance of the property at 30 Wyuna Road, Point Piper.*
- C. *THAT part A and part B of this resolution remain confidential along with the legal advice tabled via the late correspondence from the Director Planning & Development*

On 4 November 2019, a report responding to Part B of this resolution regarding the heritage listing of the Inter-war Mediterranean style dwelling house at 30 Wyuna Road, Point Piper was presented to the *Environmental Planning Committee* and on 11 November 2019, Council resolved the following:

- A. *THAT a planning proposal be prepared to list the property at 30 Wyuna Road, Point Piper as a heritage item in Woollahra Local Environmental Plan 2014.*
- B. *THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.*
- C. *THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.*

On 5 December 2019, the matter was referred to the *Woollahra Local Planning Panel* for advice. The Panel resolved the following:

*THAT the Woollahra Local Planning Panel advises Council that it supports the planning proposal at Annexure 1 to list the Inter-war Mediterranean style dwelling house at 30 Wyuna Road Point Piper, and its interiors, as a local heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014*



## 1.2. Description of this planning proposal

This planning proposal is made in relation to an Inter-war Mediterranean style dwelling house located at 30 Wyuna Road, Point Piper.

The objective of the planning proposal is to amend the Woollahra Local Environmental Plan 2014 (Woollahra LEP 2014), to list 30 Wyuna Road, Point Piper as a heritage item in Schedule 5. Heritage listing of this property will ensure recognition of its significance, as well as protection through ensuring any future modification proposals are assessed against heritage provisions in the Woollahra LEP 2014.

This planning proposal has been prepared in accordance with section 3.33 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) and the two documents prepared by the formerly named NSW Department of Planning and Environment (now known as the NSW Department of Planning, Industry and Environment) titled *A Guide to Preparing Planning Proposals* (December 2018) and *A Guide to Preparing Local Environmental Plans* (December 2018).

The requirements for a planning proposal are provided in sections 2 to 9 as follows:

1. Existing site and surrounding context
2. Existing planning controls
3. Objective of planning proposal
4. Explanation of provisions
5. Justification
6. Mapping
7. Community consultation
8. Project timeline

## 1.3. Assessment of heritage significance

In response to Council's decision a Heritage Significance Assessment of 30 Wyuna Road, Point Piper, was prepared by Kristy Wellfare (Strategic Heritage Officer, Woollahra Council).

The assessment of heritage significance was undertaken in accordance with the document titled *Assessing heritage significance*, published by the NSW Heritage Office in 2001. There are seven criteria used in the process of assessing heritage significance:

### ***Criterion (a) – Historical significance***

An item is important in the course, or pattern of NSW's cultural or natural history (or the cultural or natural history of the local area).

### ***Criterion (b) – Associative significance***

An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area).

### ***Criterion (c) – Aesthetic/technical significance***

An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).

**Criterion (d) – Social significance**

An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.

**Criterion (e) – Research potential**

An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area).

**Criterion (f) - Rarity**

An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area).

**Criterion (g) - Representative**

An item is important in demonstrating the principal characteristics of a class of NSW's

- cultural or natural places; or
- cultural or natural environments.(or a class of the local area's cultural or natural places; or cultural or natural environments.)

Each criterion has inclusion and exclusion guidelines which are used to assist in the assessment process. If an item meets one of the seven heritage criteria at a local level, and retains the integrity of its key attributes, it can be considered to have local heritage significance. To be assessed for State significance an item will meet more than one of the seven heritage criteria at a State level, or if an item satisfies only one of the criteria, the item is of such particular significance to NSW that it should be listed.

A copy of the assessment prepared by Kristy Wellfare (Strategic Heritage Officer, Woollahra Council), which includes the assessment against all criteria, is attached separately.

Table 1 below provides a summary of the assessment of the heritage significance of 30 Wyuna Road, Point Piper against the seven criteria, at the local and State levels.

*Table 1: NSW Heritage assessment criteria summary*

Criteria		Meets criteria for heritage listing and grading of significance	
		Local	State
<b>(a)</b>	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)	✓	✗
<b>(b)</b>	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)	✓	✗
<b>(c)</b>	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)	✓	✗
<b>(d)</b>	An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons	✗	✗

Criteria		Meets criteria for heritage listing and grading of significance	
		Local	State
(e)	An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)	✓	x
(f)	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)	✓	x
(g)	<p>An item is important in demonstrating the principal characteristics of a class of NSW's</p> <ul style="list-style-type: none"> <li>• cultural or natural places; or</li> <li>• cultural or natural environments.</li> </ul> <p>or a class of the local area's</p> <ul style="list-style-type: none"> <li>• cultural or natural places; or</li> <li>• cultural or natural environments.</li> </ul>	✓	x

#### 1.4. Statement of heritage significance

*30 Wyuna Road is a rare, intact example of an Inter-war Mediterranean style dwelling house innovatively designed by prominent architect F. Glynn Gilling of Joseland & Gilling for a constrained suburban site within the former Point Piper Estate.*

*The dwelling house is a fine example of its type and includes original interior and exterior design detailing that is representative of the key elements of the Inter-war Mediterranean style. The informal massing of smooth rendered walls beneath a hipped tiled roof, formal entrance treatment, classical motifs and columns, sweeping main stair with wrought iron balustrades and window detailing are skilfully combined to create a light and restrained residence that is carefully situated within its landscape setting.*

*Demonstrative of its importance, 30 Wyuna Road is featured in the publication "Domestic architecture in New South Wales, Australia: illustrating the work of F. Glynn Gilling" by E. Lindsay Thompson. This book includes works by F. Glynn Gilling that are described as "the cream of F. Glynn Gilling's domestic work which, incidentally, comprises some of the finest houses in New South Wales". The property has a moderate degree of technical significance through the opportunity to research methods of Inter War detailing first hand. 30 Wyuna Road, Point Piper is of local heritage significance for historical, aesthetic, associative, rarity and representative significance, and has research significance potential.*

(29 October 2019: Kristy Wellfare, Strategic Heritage Officer: Heritage Significance Assessment, p. 78-79)



The heritage assessment/inventory sheet provides the following recommendations:

### **1.5. Recommended heritage listing**

*The assessment recommends the listing of 30 Wyuna Road, Point Piper and its interiors as a local heritage item in Schedule 5 of Woollahra LEP 2014. The report concluded that 30 Wyuna Road, Point Piper does not meet the threshold for State heritage listing.*

### **1.6. Recommended management**

*It is recommended to manage the Inter-war Mediterranean style dwelling house at 30 Wyuna Road, Point Piper and its significant components in accordance with the Woollahra LEP 2014 and Burra Charter Principles.*

*It is recommended that all future proposals for modifications to the building should respect the form and style of the building. All remaining intact fabric on the external facades and intact interiors such as the first floor level bathroom should be retained and conserved.*

*There should be no additions or alterations to the Wyuna Road elevations, and the exterior colour scheme, including white stucco walls and woodwork and green Roman tile roof should be retained. It is recommended that a detailed internal and external photographic record be made and lodged with Woollahra Council and the Local Historical Association.*

*The impact of future works on the heritage significance of the building are to be assessed against the relevant heritage provisions of the Woollahra LEP 2014 and in accordance with the Heritage Council of NSW publication 'Statements of Heritage Impact' as contained in the NSW Heritage Manual. Proposed works are to be guided by the conservation principles and guidelines of the Australia ICOMOS Charter for the Conservation of Places of Cultural Significance (Burra Charter) 2013.*





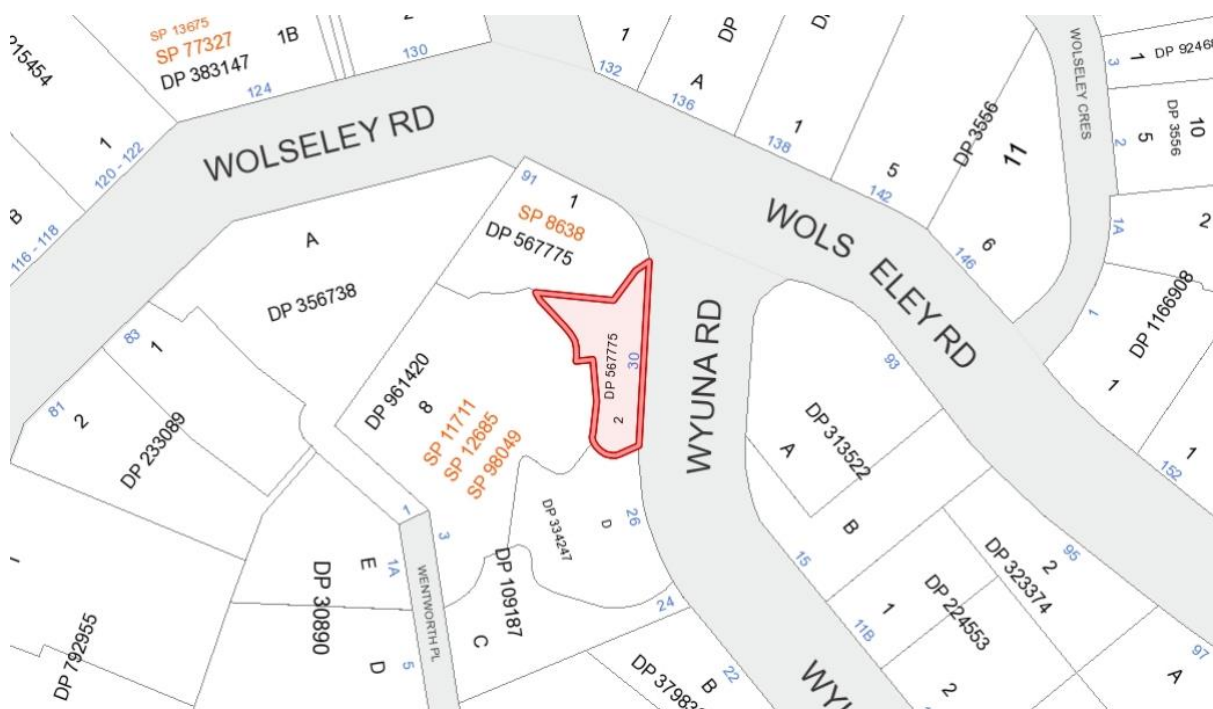


Figure 2: Cadastral map of 30 Wyuna Road, Point Piper with the site outlined in red. (Source: Woollahra Council GIS Maps)



Figure 3: Aerial map indicating the location of nearby heritage items as listed under Schedule 5 of the Woollahra LEP 2014. 30 Wyuna Road is outlined in red. (Source: Woollahra Council GIS Maps)

## 2.2. Existing context

The site and the neighbouring sites are zoned R2 Low Density Residential in the Woollahra LEP 2014. The Objectives for the R2 zone are:

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

## Part 3 – Existing planning controls

The site is subject to existing planning controls within the Woollahra LEP 2014, relating to land zoning, height of building, minimum lot size and acid sulfate soils. These are as follows:

	Land Use Zone	Height of Building	Minimum Lot Size	Acid Sulfate Soils
<b>30 Wyuna Road, Point Piper</b>	R2: Low Density Residential	9.5m	675m <sup>2</sup>	Class 5

The dwelling house at 30 Wyuna Road and its interiors are not currently listed as a State or local heritage item, and therefore are not subject to the controls outlined in Clause 5.10 (Heritage Conservation) in the Woollahra LEP 2014.

## Part 4 – Objectives of planning proposal

The objective of the planning proposal is to amend Part 1 (Heritage items) under Schedule 5 (Environmental Heritage) of the Woollahra LEP 2014, to list the house at 30 Wyuna Road, Point Piper and its interiors as a local heritage item. Heritage listing of this property will ensure recognition of its significance, as well as protection through ensuring any future modification proposals are assessed against heritage provisions in the Woollahra LEP 2014.

## Part 5 – Explanation of provisions

The planning proposal seeks the following amendments to Woollahra LEP 2014:

- Insert a listing for *House and interiors* at 30 Wyuna Road, Point Piper, in Part 1 (Heritage Items) of Schedule 5 (Environmental Heritage). The exact wording of the amendment will be determined by the Parliamentary Counsel prior to the making of the LEP.
- Amend the Heritage Map (Sheet HER\_002) to identify a heritage item on the site of the 30 Wyuna Road, Point Piper.

## Part 6 – Justification

The planning proposal has strategic merit. The key reason for amending the Woollahra LEP 2014 is that the heritage listing of 30 Wyuna Road, Point Piper will ensure its recognition as a rare piece of Inter-war architecture, as well as its ongoing protection.

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. The planning proposal is the result of the recommendations found in the heritage assessment report/Heritage Inventory Sheet, prepared by Kristy Wellfare (Strategic Heritage Officer, Woollahra Council). The report concluded that 30 Wyuna Road, Point Piper meets the criteria for listing as a local heritage item. The report recommended that:

*The Interwar Mediterranean style dwelling house at 30 Wyuna Road, Point Piper on Lot 2 in DP 567775 be added to the heritage schedule of the Woollahra LEP 2014 as an item of local heritage significance. This is to be based on the attached Heritage Inventory sheet. It is to be described as: House and interiors.*

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

Yes. The objective of the planning proposal is to amend the Woollahra LEP 2014, to list 30 Wyuna Road, Point Piper and its interiors, as a heritage item. The best, and only, means of achieving this objective is through the planning proposal process.

Heritage listing will provide ongoing protection and recognition of the heritage significance of the item. Options, such as adding site-specific objectives and controls to *Woollahra Development Control Plan 2015*, or including heritage conservation conditions to a potential development consent will not provide the same level of heritage protection and recognition.

### 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 relevant objectives of the *Greater Sydney Region Plan: A Metropolis of Three Cities* (2018) and the relevant actions of the *Eastern City District Plan* (2018), as discussed below.

#### Greater Sydney Regional Plan: A Metropolis of Three Cities

The planning proposal is consistent with the directions and objectives of *Greater Sydney Region Plan: A Metropolis of Three Cities*, particularly Objective 13: Environmental heritage is identified, conserved and enhanced.

Identifying 30 Wyuna Road, Point Piper as a local heritage item, will allow the appropriate conservation of the property into the future.

## **Eastern City District Plan**

The planning proposal is generally consistent with the actions of the *Eastern City District Plan*, particularly actions 20 and 63 by:

- Identifying, conserving and enhancing the environmental heritage of the local area through:
  - engaging with the community early to understand heritage values
  - enhancing the interpretation of heritage to foster distinctive local places
  - managing the cumulative impact of development on the heritage values and character of places
- Identifying and protecting scenic and cultural landscapes.

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

Yes. The planning proposal is consistent with the Council's Community Strategic Plan titled *Woollahra 2030 – our community, our place, our plan*. Notably, the planning proposal meets the following strategy within Goal 4 (Well planned neighbourhood) under the theme Quality places and spaces:

*4.3 Protect local heritage and residential amenity, including protection of significant architecture and the natural environment.*

The planning proposal is also consistent with the *Draft Woollahra Local Strategic Planning Statement* (endorsed by Council for exhibition 9 September 2019). In particular, the planning proposal is consistent with Planning Priority 5 under the theme of Liveability:

*Planning Priority 5 Conserving our rich and diverse heritage*

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

Yes. The planning proposal is consistent with the *Standard Instrument – Principal Local Environmental Plan* and all other applicable State Environmental Planning Policies (refer to **Schedule 1** below).

### **6. Is the planning proposal consistent with applicable Ministerial Directions (s.9.1 directions)?**

Yes. The planning proposal is consistent with applicable section 9.1 directions (refer to **Schedule 2** below).



### 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?**

No. There are no likely environmental effects that would arise as a result of the planning proposal. Protection of the item, will be required when development is proposed for 30 Wyuna Road, Point Piper and its interiors, or if there is development proposed in its vicinity. Protection measures are not likely to result in environmental harm and will be managed through the development assessment process.

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

Yes. The heritage assessment / inventory sheet measured 30 Wyuna Road, Point Piper and its interiors against the criteria for 'cultural significance' as defined in the Australia ICOMOS Burra Charter, as meaning the aesthetic, historic, scientific, social or spiritual value for past, present or future generations.

The assessment found that 30 Wyuna Road and its interiors hold heritage significance at the local level. Table 1 below provides a summary of the heritage assessment:

*Table 2: NSW Heritage assessment criteria summary*

Criteria		Meets criteria for heritage listing and grading of significance	
		Local	State
(a)	An item is important in the course, or pattern, of NSW's cultural or natural history (or the cultural or natural history of the local area)	✓	x
(b)	An item has strong or special association with the life or works of a person, or group of persons, of importance in NSW's cultural or natural history (or the cultural or natural history of the local area)	✓	x
(c)	An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area)	✓	x
(d)	An item has strong or special association with a particular community or cultural group in NSW (or	x	x

Criteria		Meets criteria for heritage listing and grading of significance	
		Local	State
	the local area) for social, cultural or spiritual reasons		
(e)	An item has potential to yield information that will contribute to an understanding of NSW's cultural or natural history (or the cultural or natural history of the local area)	✓	x
(f)	An item possesses uncommon, rare or endangered aspects of NSW's cultural or natural history (or the cultural or natural history of the local area)	✓	x
(g)	<p>An item is important in demonstrating the principal characteristics of a class of NSW's</p> <ul style="list-style-type: none"> <li>• cultural or natural places; or</li> <li>• cultural or natural environments.</li> </ul> <p>or a class of the local area's</p> <ul style="list-style-type: none"> <li>• cultural or natural places; or</li> <li>• cultural or natural environments.</li> </ul>	✓	x

#### 6.4. State and Commonwealth interests

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

Yes. The planning proposal involves the local heritage listing of 30 Wyuna Road in Point Piper and does not involve amendments to the planning controls that will facilitate intensified development.

Currently, the two-storey residential dwelling has access to adequate public infrastructure such as water, sewer, electricity and telephone services. The site's closest access to transport services is on New South Head Road.

There is no significant infrastructure demand that will result from the planning proposal. The existing services that are available to the site are suitable for the proposal of a local heritage listing in a residential zone.

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

Should the planning proposal proceed to public exhibition, consultation with the relevant public authorities will be carried out. These authorities will include, but are not limited to:

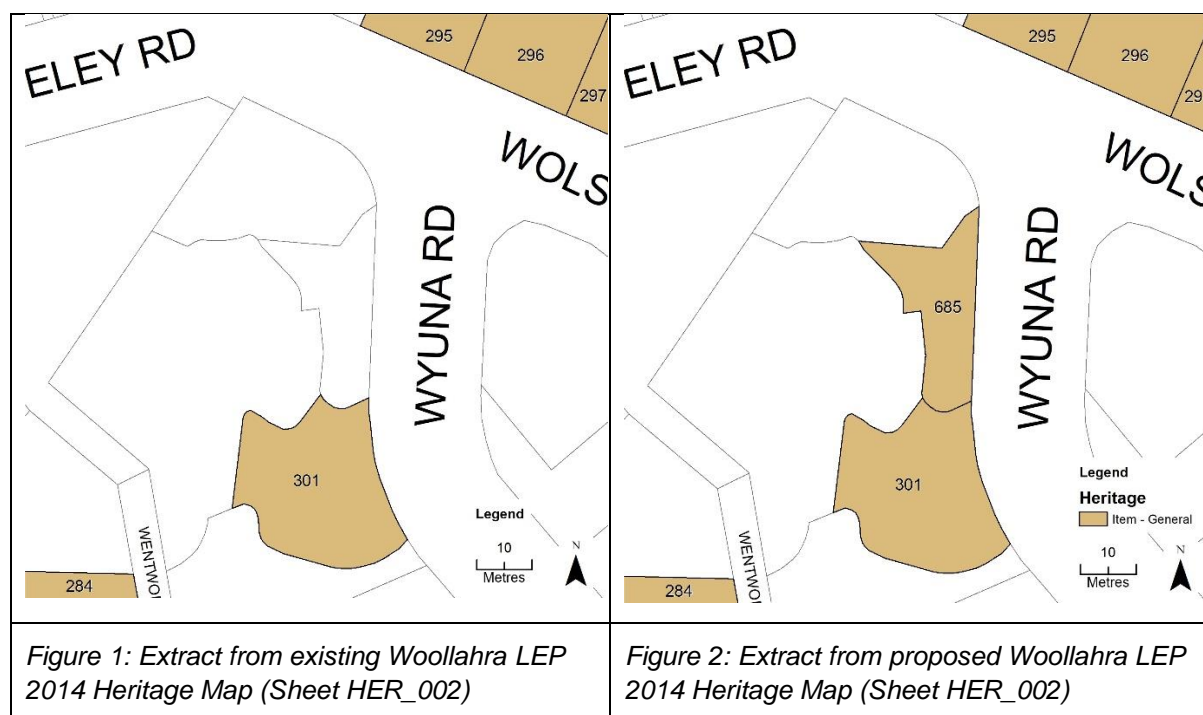
- Heritage NSW, Department of Premier and Cabinet
- NSW Heritage Council
- The National Trust of NSW

Further consultation will take place with any other authorities identified by the Gateway Determination.

## Part 7 – Mapping

The planning proposal amends the Woollahra LEP 2014 Heritage Map (Sheet HER\_002) by applying an “Item – General” classification to 30 Wyuna Road, Point Piper.

Extracts of the existing and proposed heritage maps are shown in **Error! Reference source not found.** and Figure 2.



## Part 8 – Community consultation

### 8.1. Consultation with landowner

Consultation with the land owner on the contents of the Assessment of Heritage Significance was not carried out prior to the EPC meeting of 4 November 2019. This was due to the confidential nature of the original Council resolution of 26 August 2019 and due to the threat to the dwelling house arising from:

- The notification of intention to issue a Complying Development Certificate for the demolition of all structures on the site and the construction of a new dwelling house, and
- The ‘Deemed refusal’ appeal in the NSW Land and Environment Court regarding DA2019/252.

The owners and applicant team were informed of the EPC meeting of 4 November 2019 where the Assessment of Heritage Significance was considered. The applicant’s heritage consultant Mr Stephen Davies, who prepared the Heritage Impact Statement to accompany

DA 2019/252 attended the meeting and spoke in support of the recommendation for local heritage listing.

In progressing the planning proposal, consultation with the owner will be undertaken consistent with Act and the *Environmental Planning and Assessment Regulation 2000*.

## **8.2. Public exhibition**

Public exhibition will be undertaken in accordance with the requirements of the Act, the *Environmental Planning and Assessment Regulation 2000*, the *Woollahra Community Participation Plan* and the conditions in the Gateway Determination.

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 the land owner of the site.
- a letter to land owners in the vicinity of the site
- local community groups.

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

- the planning proposal, in the form approved by the gateway determination.
- the gateway determination.
- information relied upon by the planning proposal (such as relevant Council reports).

## Part 9 – Project timeline

As Council is authorised to exercise the functions of the Minister for Planning under section 3.36 of the *Environmental Planning and Assessment Act 1979*, the proposed timeline for completion is as follows:

Plan-making step	Estimated completion
Council Notice of Motion	November 2019
Environmental Planning Committee recommends proceeding	November 2019
Council resolution to proceed	November 2019
Local Planning Panel provides advice	December 2019
Environmental Planning Committee recommends proceeding	February 2020
Council resolution to proceed	February 2020
Gateway determination	May 2020
Completion of technical assessment	Usually none required
Government agency consultation	June 2020
Public exhibition period	June 2020
Submissions assessment	July 2020
Environmental Planning Committee considers assessment of planning proposal post exhibition	August 2020
Council decision to make the LEP amendment	August 2020
Council to liaise with Parliamentary Counsel to prepare LEP amendment	September 2020
Forwarding of LEP amendment to Greater Sydney Commission and Department of Planning and Environment for notification	October 2020
Notification of the approved LEP	October 2020

## Schedules

### Schedule 1 – Consistency with state environmental planning policies

State environmental planning policy	Comment on consistency
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 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 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 55 – Remediation of Land	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
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.



<b>State environmental planning policy</b>	<b>Comment on consistency</b>
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 (Aboriginal Land) 2019	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 (Coastal Management) 2018	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Concurrences and Consents) 2018	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Educational Establishments and Childcare Facilities) 2017	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 (Gosford City Centre) 2018	Not applicable.
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.

<b>State environmental planning policy</b>	<b>Comment on consistency</b>
SEPP (Infrastructure) 2007	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Koala Habitat Protection) 2019	Not applicable
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	Not applicable
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Penrith Lakes Scheme) 1989	Not applicable
SEPP (Primary Production and Rural Development) 2019	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
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 (State Significant Precincts) 2005	Applicable  There are currently no identified state significant sites located in the Woollahra Municipality.
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	There are currently no potential urban renewal precincts in the Woollahra Municipality which are identified in the SEPP.
SEPP (Vegetation in Non-Rural Areas) 2017	Applicable  Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Western Sydney Employment Area) 2009	Not applicable

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

<b>Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies</b>	<b>Comment on consistency</b>
SREP No 8 (Central Coast Plateau Areas)	Not applicable
SREP No 9 - Extractive Industry (No 2 - 1995)	Not applicable
SREP No 16 – Walsh Bay	Not applicable
SREP No 20 - Hawkesbury- Nepean River (No 2 - 1997)	Not applicable
SREP No 24 - Homebush Bay Area	Not applicable
SREP No 26 – City West	Not applicable
SREP No 30 - St Marys	Not applicable
SREP No 33 - Cooks Cove	Not applicable
SREP (Sydney Harbour Catchment) 2005	<p>Applicable</p> <p>Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.</p> <p>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.</p> <p>The site is in the Foreshores and Waterways Area, and is consistent with the principles of clause 13 Foreshores and Waterways Area.</p>

**Schedule 2 –  
Compliance with section 9.1 directions**

Note any inconsistencies that are considered to be minor here for DPE and in the introduction to the PP and 6.2 question 6.

<b>Planning proposal – Compliance with section 9.1 directions</b>		
<b>Direction</b>		<b>Applicable/comment</b>
<b>1</b>	<b>Employment and resources</b>	
1	Business and industrial zones	Not applicable. The land is not zoned for business or industry.
1.2-1.5	Directions 1.2-1.5	Not applicable. These directions are not relevant to the Sydney metropolitan area.
<b>2</b>	<b>Environment and heritage</b>	
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	Applicable. Consistent. Heritage listing of the <i>House and interiors</i> at 30 Wyuna Road, Point Piper will provide ongoing protection and recognition of the heritage significance of the item.
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.
<b>3</b>	<b>Housing, infrastructure and urban development</b>	
3.1	Residential zones	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.
3.2	Caravan parks and manufactured home estates	Not applicable. The planning proposal does not affect caravan parks and manufactured home estates.

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
3.3	Home occupations	Not applicable. The planning proposal does not affect home occupations in dwelling houses.
3.4	Integrating land use and transport	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.
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.
<b>4</b>	<b>Hazard and risk</b>	
4.1	Acid sulfate soils	Applicable and consistent. Existing acid sulfate soils provisions will not be altered by the planning proposal.
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	Applicable. Consistent. Existing flood planning provisions will not be altered by the planning proposal.
4.4	Planning for bushfire protection	Not applicable. The planning proposal does not apply to land mapped as bushfire prone land.
<b>5</b>	<b>Regional planning</b>	
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	<p>Applicable. The planning proposal is consistent with the objectives of the <i>Greater Sydney Regional Plan: A Metropolis of Three Cities</i>, particularly Objective 13: Environmental heritage is identified, conserved and enhanced.</p> <p>Heritage listing of the <i>House and interiors</i> at 30 Wyuna Road, Point Piper will provide ongoing protection and recognition of the heritage significance of the item.</p> <p>Refer to Section 6.2 of this report and direction 7.1 of this table.</p>

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
<b>6</b>	<b>Local plan making</b>	
6.1	Approval and referral requirements	Applicable. Consistent. The planning proposal does not contain a provision which is contrary to the operation of this direction.
6.2	Reserving land for public purposes	Not applicable. The planning proposal does not create, alter or reduce existing zonings or reservations of land for public purposes.
6.3	Site specific provisions	Not applicable. The planning proposal does not allow a particular development to be carried out.
<b>7</b>	<b>Metropolitan Planning</b>	
7.1	Implementation of <i>A Metropolis of Three Cities</i> (March 2018)	Applicable. The planning proposal is consistent with the objectives of <i>A Metropolis of Three Cities</i> , particularly Objective 13: Environmental heritage is identified, conserved and enhanced.  Heritage listing of the <i>House and interiors</i> at 30 Wyuna Road, Point Piper will provide ongoing protection and recognition of the heritage significance of the item.  Refer to section 6.2 of this report and direction 5.10 of this table.
7.2	Implementation of Greater Macarthur Land Release Investigation	Not applicable.
7.3	Parramatta Road Corridor Urban Transformation Strategy	Not applicable.



## **Supplementary material (separately attached)**

- **Assessment of Heritage Significance for 30 Wyuna Road, Point Piper** – Kristy Welfare (Strategic Heritage Officer, Woollahra Council) – 29 October 2019
- **Environmental Planning Committee Report (4 November 2019)**