

Heritage listing - Yarranabbe Park and Rushcutters Bay Sea Wall

Proposal Title : **Heritage listing - Yarranabbe Park and Rushcutters Bay Sea Wall**

Proposal Summary : **This planning proposal seeks to heritage list Yarranabbe Park and Rushcutters Bay Park sea wall.**

PP Number : **PP_2016_WOOLL_002_00** Dop File No : **16/01572**

Proposal Details

Date Planning Proposal Received : **05-Jan-2016** LGA covered : **Woollahra**

Region : **Metro(CBD)** RPA : **Woollahra Municipal Council**

State Electorate : **VAUCLUSE** Section of the Act : **55 - Planning Proposal**

LEP Type : **Policy**

Location Details

Street :
Suburb : City : Postcode :
Land Parcel : **Various**

DoP Planning Officer Contact Details

Contact Name : **Wayne Williamson**
Contact Number : **0292286585**
Contact Email : **wayne.williamson@planning.nsw.gov.au**

RPA Contact Details

Contact Name : **Amelia Parkins**
Contact Number : **0293917062**
Contact Email : **amelia.parkins@woollahra.nsw.gov.au**

DoP Project Manager Contact Details

Contact Name :
Contact Number :
Contact Email :

Land Release Data

Growth Centre : Release Area Name :
Regional / Sub Consistent with Strategy :
Regional Strategy :

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MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg

:

Residential /

Employment land) :

No. of Lots : 0

No. of Dwellings : 0

(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of

Conduct has been

complied with :

If No, comment :

The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with. Metropolitan (CBD) has not met any lobbyists in relation to this proposal, nor has the Director been advised of any meetings between other Department officers and lobbyists concerning this proposal.

Have there been

No

meetings or

communications with

registered lobbyists? :

If Yes, comment :

Supporting notes

Internal Supporting
Notes :

Rushcutters Bay Park and Yarranabbe Park are located on the foreshores of Rushcutters Bay on Sydney Harbour. The interface between the foreshore and the harbour at Darling Point is defined by the seawall and park which have facilitated access to the harbour since the early 1900s.

Rushcutters Bay Park is located in both Sydney City Council and Woollahra LGAs. The boundary is marked by a stormwater drainage channel.

The portion of Rushcutters Bay Park in the City of Sydney LGA is already heritage listed with the description "Rushcutters Bay Park and pumping station including grandstand, Rey Bartley Oval and picket fence, seawall and landscaping".

The seawall is constructed from large sandstone blocks with a rounded upper profile. The blocks are approximately 1m wide.

The sandstone seawall originally extended along the harbour edge continuously from Yarranabbe Park to Rushcutters Bay Park. The existing seawall has been breached in a number of locations between Yarranabbe Park and Rushcutters Bay Park to allow for the marina activities at D'Albora Marina and Sir David Martin Reserve.

In the 1880s the Rushcutters Bay foreshores, including land now known as Yarranabbe Park, was reclaimed by extending the land about 200m into the bay. At this time construction of the stormwater channel and seawall began and was completed during the 1890s.

Council is seeking delegation to carry out plan-making functions under section 59 of the Environmental Planning and Assessment Act 1979 (the EP&A Act). Delegation is considered appropriate as the matter is of local significance.

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objectives of the planning proposal are:**

- 1. to recognise the local heritage significance of the seawall;**
- 2. to provide statutory protection of the seawall as a local heritage item;**
- and**
- 3. to provide for the conservation of the seawall.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposal seeks to list Yarranabbe Park and Rushcutters Bay Park seawall in Schedule 5 Environmental Heritage in the Woollahra Local Environmental Plan 2014.**

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? **No**

b) S.117 directions identified by RPA :

2.3 Heritage Conservation

* May need the Director General's agreement

4.1 Acid Sulfate Soils

6.2 Reserving Land for Public Purposes

7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? **No**

c) Consistent with Standard Instrument (LEPs) Order 2006 : **Yes**

d) Which SEPPs have the RPA identified?

SEPP No 1—Development Standards

SEPP No 19—Bushland in Urban Areas

SEPP No 21—Caravan Parks

SEPP No 30—Intensive Agriculture

SEPP No 32—Urban Consolidation (Redevelopment of Urban Land)

SEPP No 33—Hazardous and Offensive Development

SEPP No 50—Canal Estate Development

SEPP No 55—Remediation of Land

SEPP No 64—Advertising and Signage

SEPP No 65—Design Quality of Residential Flat Development

SEPP No 70—Affordable Housing (Revised Schemes)

SEPP (Building Sustainability Index: BASIX) 2004

SEPP (Exempt and Complying Development Codes) 2008

SEPP (Housing for Seniors or People with a Disability) 2004

SEPP (Infrastructure) 2007

SEPP (Major Projects) 2005

SREP (Sydney Harbour Catchment) 2005

SEPP (Affordable Rental Housing) 2009

e) List any other matters that need to be considered :

Have inconsistencies with items a), b) and d) being adequately justified? **No**

If No, explain :

The proposal is not considered to be inconsistent with any SEPPs and section 117 Directions.

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Mapping is adequate**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Public consultation will be undertaken in accordance with the Gateway determination. Council suggests an exhibition period of 28 days.**

PROJECT TIMELINE

Council has provided an indicative project timeline with a completion date of May 2016. The Department considers a 9 month project timeline for completion is adequate.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date : **January 2015**

Comments in relation to Principal LEP : **The Woollahra LEP 2014 was notified in January 2014.**

Assessment Criteria

Need for planning proposal : **The planning proposal is the result of a decision of the Council to investigate the heritage significance of Yarranabbe Park and Rushcutters Bay Park seawall.**

The study found that the physical fabric of the seawall provides evidence of a large scale, late 19th century NSW Government reclamation initiative for the purpose of public recreation. The seawall has aesthetic significance as a landmark element along the foreshore which complements the natural beauty of Rushcutters Bay.

The planning proposal is the best means of achieving the objectives because statutory protection for the seawall as a local heritage item can only be obtained in a local environmental plan.

Woollahra Council has identified opportunity sites immediately south of Rushcutters Bay Park at 2-14 New South Head Road and 73-79 New South Head Road, Edgecliff. It is not envisaged that redevelopment of these sites would have a significant impact on Rushcutters Bay Park and the heritage listing of the seawall would not impact on the development potential of these sites.

It is noted that Council did not use an independent heritage consultant to investigate the potential heritage significance of Yarranabbe Park and Rushcutters Bay Park seawall. It is also noted that City of Sydney has already heritage listed a portion of Rushcutters Bay Park. In this instance, there is potential heritage value in this location and the proposal

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should proceed to public exhibition.

Consistency with strategic planning framework :

The proposal is consistent with the relevant objectives and actions contained in A Plan for Growing Sydney as it will recognise and protect part of Sydney's heritage and has been conducted using best practice guidelines.

The proposal is consistent with the Council's Community Strategic Plan - Woollahra 2025 – our community, our place, our plan. Notably, the proposal meets Goal 4 (Well planned neighbourhood) under the theme Quality places and spaces.

Environmental social economic impacts :

The proposal does not apply to land, or is in the vicinity of land, that has been identified as containing critical habitats or threatened species, populations or ecological communities, or their habitats.

There are no likely environmental effects arising from listing the Yarranabbe Park and Rushcutters Bay Park seawall as a local heritage item.

It is not anticipated that the planning proposal will have any negative social and economic effects which need to be addressed as part of the proposal.

Assessment Process

Proposal type : Routine Community Consultation Period : 28 Days

Timeframe to make LEP : 9 months Delegation : RPA

Public Authority Consultation - 56(2)(d) : Office of Environment and Heritage

Is Public Hearing by the PAC required? No

(2)(a) Should the matter proceed ? Yes

If no, provide reasons :

Resubmission - s56(2)(b) : No

If Yes, reasons :

Identify any additional studies, if required. :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? No

If Yes, reasons :

Documents

Document File Name	DocumentType Name	Is Public
Cover Letter - Sea wall planning proposal.pdf	Proposal Covering Letter	Yes

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Planning proposal - Local heritage listing Yarranabbe
Park and Rushcutters Bay Park seawall.pdf

Proposal

Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions: **2.3 Heritage Conservation**
 4.1 Acid Sulfate Soils
 6.2 Reserving Land for Public Purposes
 7.1 Implementation of A Plan for Growing Sydney

Additional Information : **It is recommended that the planning proposal proceed, subject to the following conditions:**

- 1. The planning proposal be publicly exhibited for a period of not less than 28 days.**
- 2. Council is to consult with Office of Environment and Heritage.**
- 3. A public hearing is not required.**
- 4. The planning proposal is to be finalised within 9 months from the date of the gateway determination.**

Supporting Reasons : **The proposal seeks to provide heritage protection in a location that already has several heritage listings. The heritage listing of Yarranabbe Park and Rushcutters Bay Park seawall should preserve these potentially significant items, while not impacting on the future growth of the immediate area.**

Signature:



Printed Name:

Sandy Shewell

Date:

28.1.16