

Planning Team Report

36 and 638-646	New South Hea	d Road, Rose Ba	ay (Approximately 10 D	Dwellings and 8 Jobs)		
Proposal Title :	636 and 638	3-646 New South He	ead Road, Rose Bay (Appro	eximately 10 Dwellings and 8 Jobs)		
Proposal Summ		The planning proposal seeks to amend Schedule 1 of Woollahra LEP 2014 to allow mixed us development at 636 and 638-646 New South Head Road, Rose Bay.				
PP Number ;	PP_2017_W	OOLL_001_00	Dop File No :	17/04488		
roposal Details		A. 11				
Date Planning Proposal Receiv	08-Mar-2017 red :		LGA covered :	Woollahra		
Region :	Metro(CBD)		RPA :	Woollahra Municipal Council		
State Electorate	: VAUCLUSE		Section of the Act :	55 - Planning Proposal		
LEP Type :	Spot Rezonir	ıg				
Location Detail	s					
Street :	636 New South H	ead Road				
Suburb :	Rose Bay	City :		Postcode :		
Land Parcel :	SP 22533					
Street :	638-646 New Sou	th Head Road				
Suburb :	Rose Bay	City :		Postcode :		
Land Parcel :	Lot A DP 393087					
DoP Planning	Officer Contact	Details				
Contact Name :	Mary Su					
Contact Number	93732807					
Contact Email :	mary.su@pla	nning.nsw.gov.au				
RPA Contact	Details					
Contact Name :	Jorge Alvare	Z				
Contact Number	93917073					
Contact Email :	jorge.alvarez	@woollahra.nsw.go	ov.au			
DoP Project M	anager Contact	Details				
Contact Name :						
Contact Number	•;					
Contact Email :						

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Growth Centre :		Release Area Name :	
Regional / Sub Regional Strategy :		Consistent with Strategy	
MDP Number :		Date of Release :	
Area of Release (Ha)		Type of Release (eg Residential / Employment land) :	
No. of Lots :	0	No. of Dwellings (where relevant) :	10
Gross Floor Area :	0	No of Jobs Created :	8
The NSW Governmen Lobbyists Code of Conduct has been complied with :	nt Yes		
If No, comment :	has not met any lobby	anning and Environment's Code of Pra neetings with lobbyists has been com rists in relation to this proposal, nor h n other Department officers and lobby	plied with. Sydney Region East
Have there been meetings or communications with registered lobbyists? :	Νο	· · · · · · · · · · · · · · · · · · ·	ins proposal.
f Yes, comment :			
upporting notes			
nternal Supporting Notes :	The site consists of two No. 636 New South Hea South Head Road is zo	o separate lots each subject to a diffe ad Rd is zoned R3 Medium Density Re ned B2 Local Centre.	erent land use zone <i>.</i> esidential, and No. 638-646 New
	approximately 2m front	Head Road is a battle-axe lot with an e of approximately 21m to Rose Bay a tage onto New South Head Road. This uilding with 6 apartments known as " g.	and an access handle with
	approximately / mmz al	outh Head Road is an irregular rectan nd a frontage of approximately 29m to trol station and is located within the F	New South Head Road This
	buildings. These are gen include the 7-8 storey m	opment surrounding the site includes sidential development, commercial bu nerally low scale being 2-3 storeys, al nixed use development and residentia 24-634 and 624A New South Head Ro	ildings and residential flat though notable exceptions I flat building pointbouring
ternal Supporting btes :			a wa .
uacy Assessment			

		se Bay (Approximately 10 Dwellings and 8 Jobs)				
Comment :		The objective of the planning proposal is to permit development on the site (across both lots) for the purpose of a residential flat building, but only as part of a mixed use development.				
Explanation of p	rovisions provided - s55	(2)(b)				
Is an explanation o	f provisions provided? Yes					
Comment :	permitted use at 636 a	The planning proposal seeks to amend Schedule 1 of WLEP 2014 to include additional permitted use at 636 and 638-646 New South Head Road, Rose Bay to allow residential flat buildings as part of a mixed use development.				
	The planning proposa	al includes the following draft clause:				
	Use of certain land at	Use of certain land at 636-646 New South Head Road, Rose Bay (1) This clause applies to land at 636 and 638-646 New South Head Road Rose Bay, being Lot A, DP 393087 and SP22533.				
		(2) Development for the purpose of a residential flat building is permitted with development consent, but only as part of a mixed use development.				
	Department recomme	The drafting of the clause will be subject to Parliamentary Counsel Opinion. The Department recommends as a condition of Gateway to remove the example clause and provide a plain English explanation of the intended planning outcomes.				
Justification - s5	5 (2)(c)					
a) Has Council's str	rategy been agreed to by the D	irector General? No				
b) S.117 directions	identified by RPA :	1.1 Business and Industrial Zones				
* May need the Dire	ector General's agreement	2.1 Environment Protection Zones				
		2.3 Heritage Conservation 3.1 Residential Zones				
		3.4 Integrating Land Use and Transport				
		4.1 Acid Sulfate Soils				
		4.3 Flood Prone Land				
		6.1 Approval and Referral Requirements				
		6.2 Reserving Land for Public Purposes				
		6.3 Site Specific Provisions 7.1 Implementation of A Plan for Growing Sydney				
Is the Director G	eneral's agreement required?					
c) Consistent with S	Standard Instrument (LEPs) Or	der 2006 :				
d) Which SEPPs ha	ave the RPA identified?	SEPP No 55—Remediation of Land SEPP No 65—Design Quality of Residential Flat Development SREP (Sydney Harbour Catchment) 2005				
e) List any other matters that need to be considered :	0	6. 1				
Have inconsistencie	es with items a), b) and d) bein	g adequately justified? Yes				
If No, explain :		sal provides justification for the inconsistency with S.117 direction				
	does not seek to sig	sal applies to land within a flood prone area. Given the proposal nificantly increase development on site the Secretary can be consistency is of minor significance.				

Mapping Provided - s55(2)(d)

Is mapping provided? No

Comment :

Comment :

The planning proposal does not seek to amend any WLEP 2014 maps.

Community consultation - s55(2)(e)

Has community consultation been proposed? Yes

Public consultation will be undertaken in accordance with the Gateway determination. Council recommends the planning proposal be exhibited for a minimum of 28 days.

Additional Director General's requirements

Are there any additional Director General's requirements?

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 : May 2015

Comments in relation	The Woollahra LEP 2014 was gazetted in May 2015.
to Principal LEP :	and gazottod in May 2015.

Assessment Criteria

Need for planning proposal :	The planning proposal is not a result of any strategic study or report. A planning proposal is the best means to achieve the intended outcomes and objectives to facilitate the redevelopment of the site.
Consistency with strategic planning framework :	The planning proposal is consistent with the goals and objectives of A Plan for Growing Sydney and the draft Central District Plan.
Environmental social economic impacts :	ENVIRONMENTAL There are no critical habitat areas, threatened species, populations or ecological communities or their habitats present on the subject land.
*	CONTAMINATION The lot at 638-646 New South Head Road is currently operating as a petrol / service station. The lot is currently identified on the NSW Environment Protection Authority (EPA) Contaminated Land Register as significantly contaminated land and the subject of a management order.
	An Environment Site Assessment prepared in January 2012 by JBS Environmental for 638-646 New South Head Road concluded that:
	 sources of contamination on the site contain constituents related to the storage and handling of petroleum products;
	 the contamination is most likely restricted to the site's current use as a service station and associated workshop;

• the highest levels of impact are generally present in the eastern and north-eastern portions of the site; and

• a Remedial Action Plan for development of the site be prepared and implemented.

An Environment Site Assessment prepared in April 2016 by Consulting Earth Scientists for 636 New South Head Road concluded that:

contamination is comparatively low and localised;

• there is no significant risk to current site users or ecological receptors; and

• any potential impacts to future construction workers or residents of the proposed development can be addressed by the implementation of a Remedial Action Plan.

A Remedial Action Plan was prepared in June 2016 by Consulting Earth Scientists for the entire site. The plan concludes that if its recommendations are implemented, the site will be suitable for the proposed development concept.

FLOODING

The site is identified as a Flood Planning Area under WLEP 2014. The planning proposal did not include a flood assessment but suggested flood protection planning and management be assessed in detail with future redevelopment of the site. However given that the proposal seeks to increase the number of residential dwellings on site the Department suggests a flood assessment be conducted as a condition of Gateway to assess if the site is appropriate for redevelopment and will meet flooding requirements. The Gateway also recommends consultation with the Office of Environment and Heritage.

SOCIAL AND ECONOMIC

The planning proposal will facilitate the development of new residential apartments within and adjoining a local centre near transport nodes, providing the opportunity for sustainable and public transport oriented development. The proposal will also provide for the additional housing mix and potential to increase the local population and provide economic support to local businesses. The planning proposal will not generate any negative social or economic impacts.

Assessment Process

Proposal type :	Routine	3	Community Consultation Period :	28 Days
Timeframe to make LEP :	9 months		Delegation :	RPA
Public Authority Consultation - 56(2)(d)	Office of Environmen	it and Heri	tage	
Is Public Hearing by the	PAC required?	No		
(2)(a) Should the matter	r 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 :

Existing infrastructure servicing the precinct has the capacity to accommodate future development. It is expected that these services would be upgraded by the developer, where required, to support the proposed development.

Documents

Document File Name	DocumentType Name	Is Public
Planning proposal - 636 and 638-646 New South Head Road, Rose Bay.pdf	Proposal	Yes
Request for Gateway Determination.pdf	Proposal Covering Letter	Yes

Planning Team Recommendation

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

- S.117 directions:
- **1.1 Business and Industrial Zones** 2.1 Environment Protection Zones 2.3 Heritage Conservation 3.1 Residential Zones 3.4 Integrating Land Use and Transport 4.1 Acid Sulfate Soils 4.3 Flood Prone Land 6.1 Approval and Referral Requirements 6.2 Reserving Land for Public Purposes 6.3 Site Specific Provisions 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. Prior to community consultation, the planning proposal is to be updated as follows: (a) remove the draft clause and include a plain English explanation of the intended planning outcomes; and (b) include a Flood Assessment for the subject site. The report is to be placed on public

- 2. The planning proposal be publicly exhibited for a period of not less than 28 days.
- 3. Council is to consult with:
 - Office of Environment and Heritage

exhibition along with the planning proposal.

4. A public hearing is not required.

5. The planning proposal is to be finalised within 9 months from the date of the gateway determination.

Supporting Reasons : The planning proposal is supported because it facilitates the redevelopment of the site and the delivery of housing that meets the needs of the local population, whilst maintaining consistency with the desired future character for the Rose Bay area.

636 and 638-646 New South Head Road, Rose Bay (Approximately 10 Dwellings and 8 Jobs)				
Signature:	laca -			
Printed Name:	MARTIN COOPEL Date: 4.04.2017			