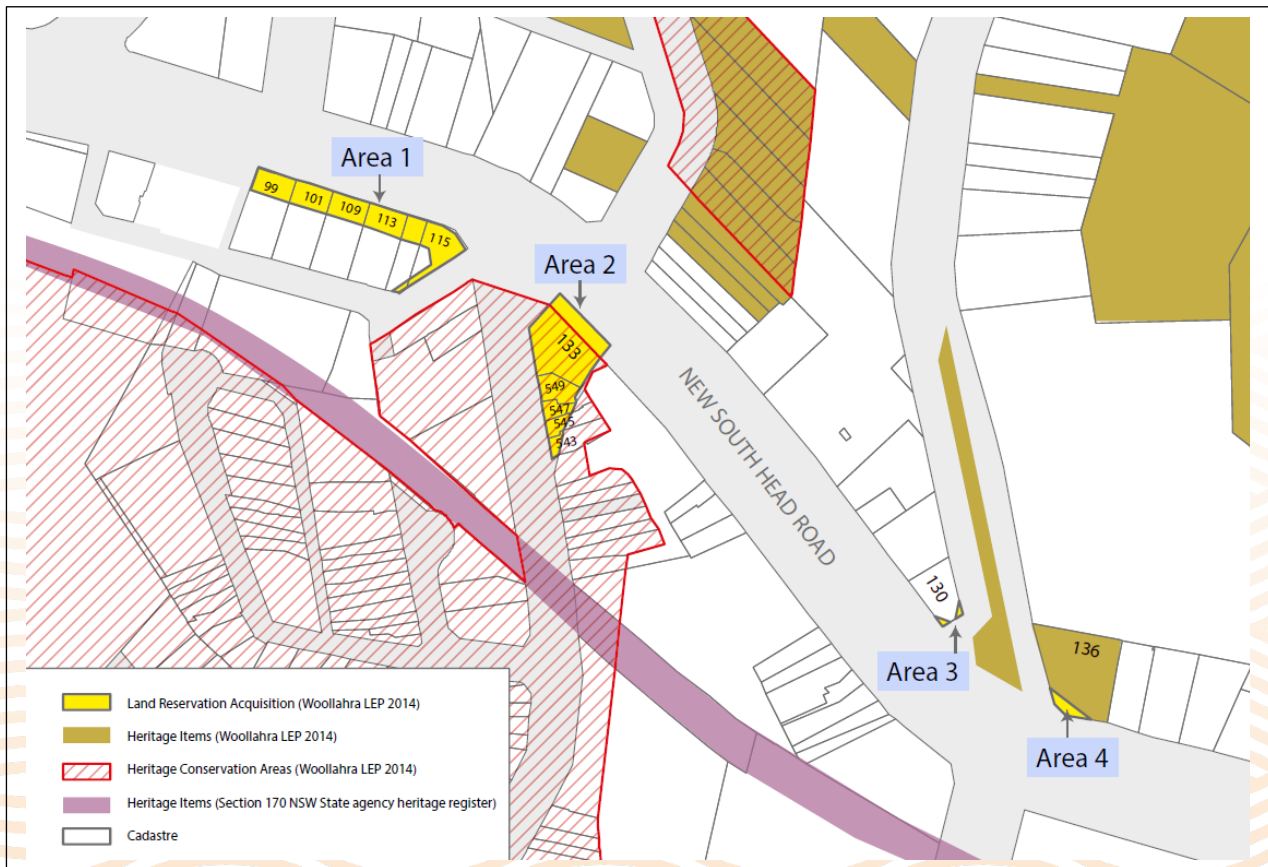


Planning Proposal



Removal of Land Acquisition Reservations in Edgecliff



Version Date:	November 2021
Division/Department:	Planning and Place/Strategic Planning
Responsible Officer:	Kelly McKellar / Emma Williamson
HPE CM Record Number:	21/148704

Table of Contents

1.	Introduction	5
1.1.	Summary.....	5
1.2.	Background	6
2.	Objectives of planning proposal	8
3.	The sites and surrounding context	8
3.1.	The sites.....	8
3.2.	Existing context	15
4.	Existing planning controls.....	19
4.1.	Woollahra Local Environmental Plan 2014	19
4.2.	Woollahra Development Control Plan 2015	20
5.	Explanation of provisions.....	20
6.	Justification	21
6.1.	Need for planning proposal.....	21
6.2.	Relationship to strategic planning framework	22
6.3.	Environmental, social and economic impact	24
6.4.	State and Commonwealth interests	25
7.	Mapping	28
8.	Community consultation.....	29
9.	Project timeline.....	30
	Schedules.....	31
	Schedule 1 – Consistency with State Environmental Planning Policies	31
	Schedule 2 – Compliance with section 9.1 directions	36
	Supporting documents (circulated separately)	42

1. Introduction

1.1. Summary

The *Woollahra Local Environmental Plan 2014* (Woollahra LEP 2014) identifies land reserved for acquisition on the Land Reservation Acquisition Map. By including these parcels (and part of parcels) in the Woollahra LEP 2014, this land may be acquired in the future by public agencies for a specific purpose.

This planning proposal seeks to amend the Land Reservation Acquisition Map under the Woollahra LEP 2014 to remove land reserved for acquisition on twelve parcels along New South Head Road and Glenmore Road in Edgecliff.

The subject sites include a heritage listed item and buildings in the Paddington heritage conservation area (HCA) under the Woollahra LEP 2014. These buildings are also identified as contributory items under Chapter C1 Paddington HCA of the *Woollahra Development Control Plan 2015* (Woollahra DCP 2015).

The subject sites also include the Cadry's building at 133 New South Head Road Edgecliff, which fulfils the criteria for local heritage listing for its historical, aesthetic, associational, rarity and representative significance. A planning proposal is being prepared seeking to list the Cadry's building as a local heritage item in Schedule 5 and the Heritage Map of the Woollahra LEP 2014.

Having land identified for acquisition (and ultimately demolition) is in conflict with the following clause of the Woollahra LEP 2014:

Clause 1.2 Aims of Plan:

(f) to conserve built and natural environmental heritage.

The removal of the land reservations will ensure that the buildings of heritage significance on the affected properties are protected from any future demolition.

Additionally, Woollahra Council has prepared the [Draft Edgecliff Commercial Centre Planning and Urban Design Strategy](#) which seeks to revitalise the Edgecliff Commercial Centre (ECC) by facilitating high-quality transit oriented development with a range of land uses including commercial, retail, community facilities and housing. In conjunction with the [Draft Edgecliff Commercial Centre Public Domain Plan](#), the draft strategy identifies potential public domain improvements such as new public spaces, urban greening, pedestrian and cycling infrastructure to guide private and public investment in the future.

The road reservations on the subject sites constrain Council's ability to invest in the long-term place making of Edgecliff, with the risk that any works undertaken by Council may be removed for unnecessary road widening purposes.

This planning proposal responds to a recent resolution of Woollahra Council.

1.2. Background

The relevant acquisition authority for the land reservations on the subject sites is the *Roads and Maritime Services* (RMS), which forms part of *Transport for NSW* (TfNSW). The subject sites were previously reserved for acquisition under the Woollahra LEP 1995, and at the time the land was identified for road widening purposes as part of the 1958 Road Alignment project. This project was superseded by the Cross City Tunnel project which was completed in 2005.

Since the land was identified for realignment in 1958, important changes have occurred to traffic management and to the nature of transport across our city. Substantial improvements to public transport have been made, notably through the opening of the Eastern Suburbs railway with its two bus and rail interchanges at Edgecliff and Bondi Junction. Additionally, the Cross City Tunnel was completed superseding intentions to direct traffic through Paddington which would have been partly facilitated by the New South Head Road widening.

Since the implementation of Woollahra LEP 2014, Council has liaised with TfNSW and the *Department of Planning, Industry and Environment* (DPIE) on multiple occasions seeking support for the removal of the road reservations on the subject sites. This has included the following correspondence (copies provided in the supporting material):

- On 16 January 2020, a letter was sent from Councillor Susan Wynne, Mayor of Woollahra Council to the Hon. Robert Stokes MP, Minister for Planning and Public Spaces seeking the removal of the land reservations along New South Head Road and Glenmore Road in Edgecliff.
- On 4 February 2020, Council received a letter from Brett Whitworth, Deputy Secretary, Greater Sydney Place and Infrastructure, NSW DPIE stating that the need for removal of the land reservations will be discussed as part of the preparation of the Woollahra Local Environment Plan to give effect to the *Eastern City District Plan* and the *Woollahra Local Strategic Planning Statement 2020*.
- On 26 February 2020, a letter was sent from Councillor Susan Wynne, Mayor of Woollahra Council to the Hon Andrew Constance MP, Minister for Transport and Roads, requesting support for the removal of the land reservations prior to the release of the *Draft Edgecliff Commercial Centre Planning and Urban Design Strategy*.
- On 21 April 2020, Council received a letter from Eleni Petinos MP, Parliamentary Secretary for Transport and Roads, stating that TfNSW had no plans on removal of land acquisition at this time. The letter indicated that removing the land reservations may allow for future developments on this site, which may hinder the public transport possibilities for this key corridor.

In summary, Council have been unable to gain support from TfNSW on removing the land reservations. Furthermore, TfNSW have been unable to provide clear or compelling reasons that would prevent the removal of these land reservations.

On [15 June 2021](#), the Environmental Planning Committee (EPC) recommended listing the Cadry's building at 133 New South Head Road as a local heritage item as it fulfils the criteria for listing for its historical, aesthetic, associational, rarity and representative significance.

The EPC also recommended removing the road reservations along New South Head Road and Glenmore Road in Edgecliff as having land identified for acquisition (and ultimately demolition) is in conflict with the following clause of the Woollahra LEP 2014:

Clause 1.2 Aims of Plan:

(f) to conserve built and natural environmental heritage.

The removal of land reservations along New South Head Road and Glenmore Road will ensure that the buildings of heritage significance on the affected properties are protected from any future demolition.

On [5 July 2021](#), Woollahra Council resolved:

- A. *THAT a planning proposal be prepared to list the Cadry's building, including interiors at 133 New South Head Road, Edgecliff as a local heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.*
- B. *THAT a planning proposal be prepared to remove the land reserved for acquisition along New South Head Road and Glenmore Road in Edgecliff.*
- C. *THAT these planning proposals are referred to the Woollahra Local Planning Panel for advice.*
- D. *THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.*
- E. *THAT the heritage significance of the properties at 543-549 Glenmore Road be assessed and recommendations provided regarding the listing of these properties in Schedule 5 of the Woollahra LEP 2014 and on the State Heritage Register.*

In accordance with Council's resolution, staff prepared this planning proposal.

On [16 September 2021](#), this planning proposal was reported to the Woollahra Local Planning Panel (WLPP) where the following [advice](#) was provided to Council:

Resolved:

THAT the Woollahra Local Planning Panel advises Council to proceed with the planning proposal to amend the Woollahra Local Environmental Plan 2014 to remove the land acquisition reservation from certain sites in the Edgecliff Commercial Centre.

Reasons:

For the reasons in the report, the Panel supports the Planning Proposal to remove the land reserved for acquisition to retain the buildings of heritage significance, and to facilitate works to the public domain that have been identified in the Draft Edgecliff Commercial Centre Planning and Urban Design Strategy.

During the WLPP meeting, it was suggested that two enhancements could be made to the planning proposal. Firstly, to address the issues raised in correspondence with TfNSW regarding the need to maintain the land reservations. Secondly, by making stronger references to the *Draft Edgecliff Centre Public Domain Strategy* and subsequent implications should TfNSW seek to acquire the land.

Sections 3.2 and 6.4 of this planning proposal have been updated to reflect the issues raised during the WLPP meeting.

On [11 October 2021](#), Council's EPC considered a report on the advice of the WLPP. On [25 October 2021](#), Council resolved:

- A. *THAT Council note the advice provided by the Woollahra Local Planning Panel on 16 September 2021 for the planning proposal to amend the Woollahra Local Environmental Plan 2014 to remove the land acquisition reservations from certain sites in the Edgecliff Commercial Centre.*

- B. *THAT the planning proposal, as contained in Annexure 3 of the report to the Environmental Planning Committee meeting of 11 October 2021 be forwarded to the Department of Planning, Industry and Environment with a request for a gateway determination to allow public exhibition.*
- C. *THAT Council request the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the Environmental Planning and Assessment Act 1979.*

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).

2. Objectives of planning proposal

The objectives of the planning proposal are to remove the subject sites from the Land Reservation Acquisition Map in the Woollahra LEP 2014 and:

- Remove redundant road reservation affectations from the Woollahra LEP 2014
- To ensure that the buildings of heritage significance on the affected properties are protected from any future demolition; and
- So Council is able to invest in the long-term place making of Edgecliff.

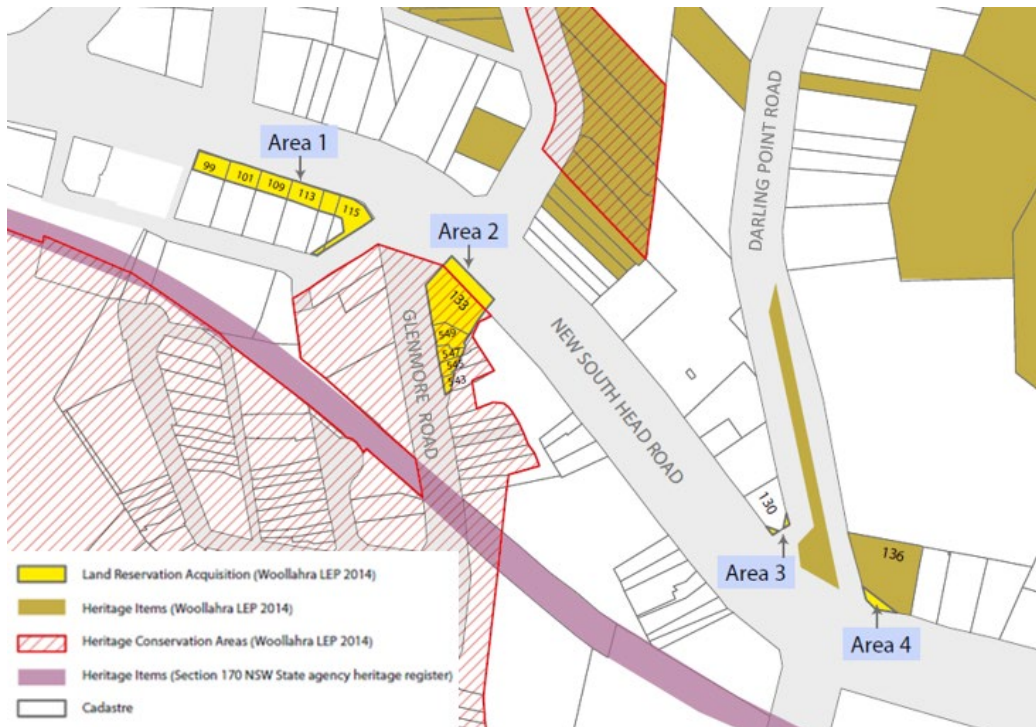
3. The sites and surrounding context

3.1. The sites

This planning proposal is made in relation to twelve parcels of land which are described below:

1. Part 99 New South Head Road Edgecliff (Lot A DP: 341458)
2. Part 101 New South Head Road Edgecliff (SP 11555)
3. Part 109 New South Head Road Edgecliff (SP 12507)
4. Part 113 New South Head Road Edgecliff (SP 71681).
5. Part 115 New South Head Road Edgecliff (Lot 9 DP: 15833, Lot 10 DP 15833)
6. 133 New South Head Road Edgecliff (Lot 1 DP 255233)
7. 549 Glenmore Road Edgecliff (Lot 37 DP 255233)
8. Part 547 Glenmore Road Edgecliff (Lot 36 DP 255233)
9. Part 545 Glenmore Road Edgecliff (Lot 35 DP 255233)
10. Part 543 Glenmore Road Edgecliff (Lot 34 DP 255233)
11. 130 New South Head Road Edgecliff (Lot A DP 176247)
12. 136 New South Head Road Edgecliff (Lot 1 DP 663495)

The land reservations on the subject sites are grouped into four areas as shown in the Figure 1 below. The property description and heritage significance of each area is detailed in the following sections.



Cadastral image of the land reservations in Edgecliff (Source: Woollahra Maps 2020)

3.1.1. Area 1

This area includes five properties as listed below:

1. Part 99 New South Head Road Edgecliff (Lot A DP 341458)
2. Part 101 New South Head Road Edgecliff (SP 11555)
3. Part 109 New South Head Road Edgecliff (SP 12507)
4. Part 113 New South Head Road Edgecliff (SP 71681)
5. Part 115 New South Head Road Edgecliff (Lot 9 DP 15833, Lot 10 DP 15833)

The location of the subject sites within this area is shown edged red in the aerial image provided at **Figure 2**. The yellow hatched area indicates the land reservations as per the Land Reservation Acquisition Map in the Woollahra LEP 2014. Photographs of the subject sites depicting existing conditions are provided at **Figures 3 and 4**.



99-113 New South Head Road include four Inter War residential flat buildings (three storeys with ground floor garages). The buildings contribute to the streetscape of New South Head Road (see **Figure 3**). 115 New South Head Road is a car service centre.



3.1.2. Area 2

This area includes five properties as listed below:

1. 133 New South Head Road Edgecliff legally as (Lot 1 DP 255233)
2. 549 Glenmore Road Edgecliff as (Lot 37 DP 255233)
3. Part 547 Glenmore Road Edgecliff as (Lot 36 DP 255233)
4. Part 545 Glenmore Road Edgecliff as (Lot 35 DP 255233)
5. Part 543 Glenmore Road Edgecliff as (Lot 34 DP: 255233)

The location of the subject sites within this area is shown edged red in the aerial image provided at **Figure 5**. The yellow hatched area identifies the land reservations as per the Land Reservation Acquisition Map in the Woollahra LEP 2014. Photographs of the subject sites depicting existing conditions are provided at **Figures 6 to 8**.



All five properties in this area are located in the Paddington HCA and are contributory items in the Woollahra DCP 2015.

133 New South Head Road Edgecliff is a three-storey former pub in the Paddington HCA, popularly known as the 'Cadry's' building. The Assessment of Heritage Significance (June 2021) recommended the listing of this building as an item of local heritage significance for its historical, aesthetic, associational, rarity and representative significance. Council staff have prepared a planning proposal to list the Cadry's building as a local heritage item in Schedule 5 and on the Heritage Map of the Woollahra LEP 2014. This matter is being progressed separately.

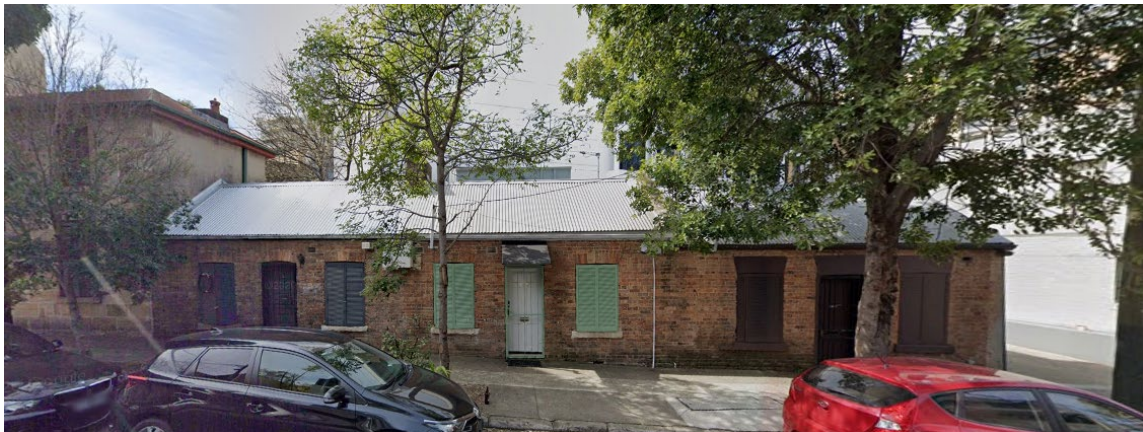
543-547 Glenmore Road, Edgecliff include a group of three single storey timber workers' cottages. 549 Glenmore Road, Edgecliff is a two-storey sandstone workers cottage (see **Figures 7 & 8**). On 5 July 2021 Council resolved that the cottages at 543-549 Glenmore Road should be investigated to determine whether these buildings fulfil the criteria for heritage listing





549 Glenmore Road

Edgecliff (Google Maps 2019)



three single storey timber workers' cottages at 543-547 Glenmore Road

Edgecliff (Source: Google Maps 2019)

3.1.3. Area 3

This area includes 130 New South Head Road Edgecliff (Lot A DP: 176247) which is shown on the map in Figure 9 in red outline. The yellow area depicts the land reservations on this site as per the Land Reservation Acquisition Map in the Woollahra LEP 2014. A photograph of the subject site is provided at **Figure 10**. The site is not a heritage item or located in a HCA in the Woollahra LEP 2014.



3.1.4. Area 4

This area comprises 136 New South Head Rd (Lot 1 DP 663495) which is located on the corner of Darling Point Road and New South Head Road. The location of the subject site is shown in the aerial image provided at **Figure 11**. The yellow area depicts the land reservations on this site as per the Land Reservation Acquisition Map in the Woollahra LEP 2014. A photograph of the subject site is provided at **Figure 12**.

136 New South Head Road is listed as Local Heritage Item 'Item 238' *'two-storey historic bank building and interiors'* in the Woollahra LEP 2014¹. The former Commonwealth Bank building is an Art Deco style building constructed in 1940 on the site of an earlier bank, which was reconstructed to accommodate the expansion of Darling Point Road. It is a significant building as an exemplar of the style and for its strong architectural response to its corner location, which makes it a landmark building.



Figure 12: Street view of 136 New South Head Road Edgecliff (Source: Google Maps 2021)

¹ The concrete balustrade and retaining wall located at the intersection of Darling Point Road and New South Head Road is a Local Heritage Item in Woollahra LEP 2014. Whilst it is not identified on the Land Reserved for Acquisition Map, given its location within the southernmost tip between Areas 3 and 4 as identified in **Figure 11** above, this item is also at risk from any road widening activities carried out in this part of New South Head Road.

3.2. Existing context

3.2.1. Metropolitan context

The subject sites are located in the suburb of Edgecliff and are approximately 4km east of the Sydney CBD. The site is within the urban residential area under the Eastern City District Plan.

3.2.2. Local context

The subject sites are located in the Edgecliff Commercial Centre (ECC). The ECC is located along New South Head Road generally from the intersection of New Beach Road in the west to the intersection with Ocean Avenue in the east. **Figure 13** below identifies the subject properties within the ECC.



The ECC's access to the Edgecliff train station and bus interchange and proximity to the Sydney CBD makes it a good location for promoting transit oriented development (TOD) supported by well-designed public spaces and a vibrant local economy.

Woollahra Council has prepared the [Draft Edgecliff Commercial Centre Planning and Urban Design Strategy](#), which establishes a vision for the ECC and provides recommendations on planning controls, urban design, public domain and transport to guide future development in the ECC.

In conjunction with the [Draft ECC Public Domain Plan](#), this strategy seeks to revitalise the ECC by creating a clear and coordinated framework to facilitate development that:

- provides high quality transit oriented development with a suitable mix of uses that supports community needs,
- displays design excellence,
- upgrades and activates the public domain,
- enhances active transport,
- provides affordable housing, and
- contributes to the delivery of community infrastructure that meets a range of community needs now and in the future.

Supporting this aim, the Strategy requires that any increased density is accompanied by community infrastructure and public domain improvements to support the long term liveability and sustainability of the ECC. This includes new public spaces, community facilities, affordable housing, urban greening, pedestrian and cycling infrastructure and improved access to public transport (**Figures 14 – 17** below).

A number of these public domain improvement projects are located along the kerbs on either side of New South Head Road which are currently affected by the land reservations discussed above. These include:

- Linear park on the southern side of New South Head Road
- Cycling infrastructure including a cycleway to the Edgecliff station
- Enhancements to pedestrian infrastructure (such as paving, street furniture, signage)
- Public art elements
- Urban greening elements (such as street trees, green walls)
- Smart City elements (such as Electric Vehicle charging, Smart lighting and Wifi)

These road reservations constrain Council's ability to invest in the long-term place making of Edgecliff, with the risk that any works undertaken by Council may be removed for unnecessary road widening purposes.



Figure 14: Current view of the path along New South Head Road, Edgecliff (Source: Woollahra Council 2021).



Figure 15: Proposed view of the potential linear park along New South Head Road, Edgecliff as illustrated in the Draft ECC Public Domain Strategy (Source: Woollahra Council 2021).



Figure 16: Current view of the path along New South Head Road, Edgecliff (Source: Woollahra Council 2021).



Figure 17: Proposed view of the potential shared path along New South Head Road, Edgecliff as illustrated in the Draft ECC Public Domain Strategy (Source: Woollahra Council 2021).

4. Existing planning controls

4.1. Woollahra Local Environmental Plan 2014

The subject sites are subject to the planning controls of the Woollahra LEP 2014. The current provisions that apply to the land under the Woollahra LEP 2014 are summarised as follows:

Table 1: Summary of current planning provision under Woollahra LEP 2014.

Subject site	Zone	Maximum building height	Maximum Floor Space Ratio	Heritage
Part 99 New South Head Rd	B4 Mixed Use	14.5 m	1.5:1	N/A
Part 101 New South Head Rd	B4 Mixed Use	14.5 m	1.5:1	N/A
Part 109 New South Head Rd	B4 Mixed Use	14.5 m	1.5:1	N/A
Part 113 New South Head Rd	B4 Mixed Use	14.5 m	1.5:1	N/A
Part 115 New South Head Rd	B4 Mixed Use	14.5 m	1.5:1	N/A
133 New South Head Rd	B4 Mixed Use	12m	1.5:1	C8 Paddington heritage conservation area
549 Glenmore Rd	B4 Mixed Use	9.5m	1.5:1	
Part 547 Glenmore Rd	B4 Mixed Use	6.5m	0.5:1	
Part 545 Glenmore Rd	B4 Mixed Use	6.5m	0.5:1	
Part 543 Glenmore Rd	B4 Mixed Use	6.5m	0.5:1	
130 New South Head Rd	B4 Mixed Use	20.5m	2:1	N/A
136 New South Head Rd	B4 Mixed Use	14.5m	1.5:1	Local Heritage Item - Item no. 238 Building and interiors

As shown in Table 1 above, all twelve sites are in the B4 Mixed Use Zone. The objectives of the B4 Mixed Use zone are as follows:

- To provide a mixture of compatible land uses.
- To integrate suitable business, office, residential, retail and other development in accessible locations so as to maximise public transport patronage and encourage walking and cycling.

- To provide active ground floor uses to create vibrant centres.
- To provide for development of a scale and type that is compatible with the amenity of the surrounding residential area.
- To ensure that development is of a height and scale that achieves the desired future character of the neighbourhood.

The Woollahra LEP 2014 identifies these properties potentially containing **Class 5** acid sulfate soils.

The following subject sites are within a flood planning area:

- Part 115 New South Head Rd (LOT: 10 DP: 15833)
- Part 547 Glenmore Rd (LOT: 36 DP: 255233)
- Part 545 Glenmore Rd (LOT: 35 DP: 255233)
- Part 543 Glenmore Rd (LOT: 34 DP: 255233)

4.2. Woollahra Development Control Plan 2015

The *Woollahra Development Control Plan 2015* (Woollahra DCP 2015) applies to the subject sites and its surrounds. Any development proposals either on the site or on adjoining sites are required to address any relevant Woollahra DCP 2015 controls.

Chapter C1 Paddington HCA of the Woollahra DCP 2015 applies to certain sites as identified in Table 1 above. Paddington is a unique urban area which possesses historical, aesthetic, technical and social significance at a national and state level. Chapter C1 provides detailed controls on development in the Paddington HCA with regards to built form, open space and public domain.

Chapter D2 Mixed Use Centres - D2.2 New South Head Road Corridor of the Woollahra DCP 2015 establishes the desired future character and objectives for sites zoned B4 Mixed Use in the ECC. *Chapter D3 General Controls for Neighbourhood and Mixed Use Centres* of the Woollahra DCP 2015 contains general controls for twelve centres, zoned either B1 Neighbourhood Centre or B4 Mixed Use. It applies to all subject sites.

This Planning Proposal is generally consistent with the specified character statement and desired future character of the Mixed Use Centre and will not impact on its continued application.

5. Explanation of provisions

The proposed outcome will be achieved by amending the Woollahra LEP 2014 to amend the Land Reservation Acquisition Map (Sheet LRA_003) of the Woollahra LEP 2014 to remove the land reservations on New South Head Road and Glenmore Road in Edgecliff which are identified as Classified Road (B4).

6. Justification

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

- Will remove redundant road reservation affectations from the Woollahra LEP 2014.
- Will provide ongoing protection and recognition of the heritage significance of the affected properties
- Will allow Council to invest in the long-term place making of Edgecliff.
- Is consistent with the applicable section 9.1 Ministerial Directions.
- Is consistent with the relevant objectives of *A Metropolis of Three Cities* and the planning priorities of the *Eastern City District Plan*.
- Is consistent with the Standard Instrument and all other applicable *State Environmental Planning Policies*.
- Is consistent with the vision and planning priorities of the *Woollahra Local Strategic Planning Statement (LSPS) 2020*.
- Is consistent with Council's Community Strategic Plan – *Woollahra 2030*.

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 an endorsed local strategic planning statement, strategic study or report?

Yes, the planning proposal is the result of the [Draft Edgecliff Commercial Centre Planning and Urban Design Strategy](#) (draft strategy). The draft strategy seeks to revitalise the ECC by facilitating high-quality transit oriented development with a range of land uses including commercial, retail, community facilities and housing. In conjunction with the [Draft Edgecliff Commercial Centre Public Domain Plan](#), the draft strategy identifies potential public domain improvements such as new public spaces, urban greening, pedestrian and cycling infrastructure to guide private and public investment in the future.

The road reservations on the subject sites constrain Council's ability to invest in the long-term place making of Edgecliff, with the risk that any works undertaken by Council may be removed for unnecessary road widening purposes. The removal of road reservations will ensure that Council is able to deliver the public domain improvements as identified in the draft strategy.

This planning proposal is also the result of the *Assessment of Heritage Significance* (June 2021) for the Cadry's building which assessed the heritage significance of the Cadry's building at 133 New South Head Road Edgecliff and recommended that it is listed as a local heritage item in the Woollahra LEP 2014.

The removal of land reservations along New South Head Road and Glenmore Road will ensure that the buildings of heritage significance on the affected properties, including the Cadry's building, are protected from future demolition.

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

The objective of the planning proposal is to ensure that the buildings of heritage significance on the affected properties are protected from future demolition and Council is able to invest in the long-term place making of Edgecliff.

Amending the Land Reservation Acquisition Map (Sheet LRA_003) of the Woollahra LEP 2014 to remove the land reservations on New South Head Road and Glenmore Road in Edgecliff is the best means of achieving this objective.

However, if the planning proposal was not supported the alternative options would be to:

- Undertake heritage listing of 133 New South Head Road without amending the Woollahra LEP 2014 to remove the identified land reservations. This is not the preferred approach as it is in conflict with the following clause of the Woollahra LEP 2014:
Clause 1.2 Aims of Plan:
(f) to conserve built and natural environmental heritage.
- Seek public domain improvements in the ECC without amending the Woollahra LEP 2014 to remove the identified land reservations. This is not the preferred approach as it would risk future demolition of public domain works on the lands reserved for road widening purposes.

It is considered that this planning proposal is the most appropriate way of achieving the intended outcome.

6.2. Relationship to strategic planning framework

3. Will the planning proposal give effect to the objectives and actions of the applicable regional 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 planning priorities and actions of the *Eastern City District Plan* (2018), as discussed below.

Greater Sydney Region 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'.

The removal of the land reservations will provide ongoing protection and recognition of the heritage significance of the subject sites.

Eastern City District Plan

The planning proposal is generally consistent with the directions, planning priorities and actions of the *Eastern City District Plan*, particularly Planning Priority E6 and Action 20:

Planning Priority E6 Creating and renewing great places and local centres, and respecting the District's heritage

Action 20 Identify, conserve and enhance environmental heritage by:

- a. engaging with the community early in the planning process to understand heritage values and how they contribute to the significance of the place*
- b. applying adaptive re-use and interpreting heritage to foster distinctive local places*
- c. managing and monitoring the cumulative impact of development on the heritage values and character of places.*

This planning proposal seeks to conserve the environmental heritage of the Woollahra LGA. Conserving, interpreting and celebrating Woollahra's heritage values will lead to a better understanding of history and respect for the experiences of diverse communities.

This planning proposal also seeks to remove barriers to Council projects to create great places in the ECC. The removal of the land reservations will allow Council to invest in undertaking public domain improvements across the ECC to improve the centre's liveability and sustainability.

4. Will the planning proposal give effect to a council's endorsed local strategic planning statement, or another endorsed local strategy or strategic plan?

Yes. The planning proposal is consistent with the *Woollahra Local Strategic Planning Statement 2020* and Council's Community Strategic Plan, *Woollahra 2030 – our community, our place, our plan* (Woollahra 2030).

The planning proposal is consistent with Planning Priority 5 of the Woollahra Local Strategic Planning Statement:

Planning Priority 5 Conserving our rich and diverse heritage

In particular Actions 28 and 30 of this planning priority seek to ensure that heritage is conserved and that the LEP and DCP reflect the evolving nature of heritage:

28. Continue to proactively conserve and monitor heritage in the Municipality including:

- reviewing and updating provisions in Woollahra Local Environmental Plan 2014 and Woollahra Development Control Plan 2015*
- sustainably managing visitation to our heritage conservation areas and destinations*
- promoting a high standard of urban design in both the public and private domain that respects and communicates with heritage and our heritage conservation areas*
- supporting implementation of legislation for Aboriginal Heritage.*

30. 'Undertake further theme-based Municipality-wide studies, with consideration for the fact that heritage is constantly evolving.'

The planning proposal is also consistent with Council's Community Strategic Plan, Woollahra 2030. Notably, the planning proposal meets the following strategy within Goal 4 (Well planned neighbourhoods) under the theme Quality places and spaces:

4.3 Protect our heritage, including significant architecture and the natural environment

This planning proposal seeks to conserve the environmental heritage of Woollahra LGA. Conserving, interpreting and celebrating Woollahra's heritage values will lead to a better understanding of history and respect for the experiences of diverse communities.

This planning proposal also seeks to remove barriers to Council projects to create great places in the ECC. The removal of the land reservations will allow Council to invest in undertaking public domain improvements across the ECC to improve the centre's liveability and sustainability.

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**).

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**).

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 other likely environmental effects expected to arise as a result of the planning proposal. Measures to remove land reservations are unlikely 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?

The planning proposal seeks to conserve the environmental heritage of the Woollahra LGA. Conserving, interpreting and celebrating Woollahra's heritage values will lead to a better understanding of history and respect for the experience of diverse communities.

The planning proposal also seeks to remove barriers to Council's projects to create great places in the ECC. The removal of the land reservations will allow Council to invest in undertaking public domain improvements across the ECC to improve the centre's liveability and sustainability.

It is also understood that the planning proposal may have positive economic implications for private landowners. Being identified on the Land Reservation Acquisition Map has economic implications to the owners of the affected properties should they be seeking to make

improvements to their land, and raise finances. Removing the road reservations will remove this redundant and unnecessary affectation.

Should TfNSW, as the relevant acquisition authority, seek to acquire the residential properties located in the area reserved for acquisition, it is anticipated that this would involve significant costs, estimated to be a minimum of \$100,000,000².

Furthermore, the land owner/s may seek to require TfNSW to acquire the land. Clause 5.1 of the Woollahra LEP 2014 identifies that the relevant acquisition authority may be required to acquire the land if the landholder will suffer hardship if there is any delay in the land being acquired. Section 23(1) of the *Land Acquisition (Just Terms Compensation) Act 1991* (LA Act 1991) provides that the owner may require the relevant authority to acquire the land if:

- (a) *the land is designated for acquisition by that authority for a public purpose; and*
- (b) *the owner considers that he or she will suffer hardship if there is any delay in the acquisition of the land under this Act.*

Section 24(2) of the LA Act 1991 outlines that an owner of land suffers hardship if:

- (a) *the owner is unable to sell the land, or is unable to sell the land at its market value, because of the designation of the land for acquisition for a public purpose, and*
- (b) *it has become necessary for the owner to sell all or any part of the land without delay—*
 - (i) *for pressing personal, domestic or social reasons, or*
 - (ii) *in order to avoid the loss of (or a substantial reduction in) the owner's income.*

Maintaining the designation of the land for acquisition is likely to result in adverse economic outcomes for the land owners should they seek to sell the land or raise finances.

6.4. State and Commonwealth interests

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

The planning proposal will not create any additional demand on public infrastructure.

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

As identified in Part 1 above, Council has liaised with TfNSW on multiple occasions seeking support for the removal of the road reservations on the subject sites.

² *The indicative acquisition cost has been determined using the median sales price for the March 2021 quarter in the Woollahra LGA, being \$1,640,000 for strata-titled dwellings and \$4,287,000 for non-strata titled dwellings (NSW Government Communities & Justice Rent & Sales Report). It only considers the cost of acquiring the residential properties. The estimated cost of acquiring the commercial properties at 115 New South Head Road, 133 New South Head Road, 130 New South Head Road, and 136 New South Head Road has not been included in the indicative acquisition cost. The indicative acquisition cost does not take into account the potential economic impact to the current land owners, of the land reservation affectation applying to the subject sites.*

In summary, Council have been unable to gain support from TfNSW on removing the land reservations. However, TfNSW have not provided clear or compelling reasons to justify maintaining these land reservations.

11.1 Current TfNSW plans and strategies

Council has not been provided with any current strategy or plan from TfNSW to indicate that the subject land may need to be acquired for traffic or road upgrades now or in the future. TfNSW have not provided any evidence to suggest that the land would be required to achieve its vision for the public transport corridor in which the land reserved for acquisition is located.

In 2019, TfNSW briefed Council on its road network plan 47 (Darlinghurst to Bondi) which provides an indicative strategic vision for the road network over the next 20 years (RNP 47). It is noted that RNP 47 is an internal planning document produced by TfNSW and is not publicly available. However, Council staff have been provided a designated copy of the plan and are satisfied that the objectives of this planning proposal support the strategic vision and objectives set out in RNP 47 and would not preclude the realisation of any identified strategies.

At the time this planning proposal is being prepared, TfNSW advised Council that there has been no further progression of any opportunities identified in RNP 47.

Removing the land reservations will enable Council to implement the public domain improvements identified in the [Draft Edgecliff Commercial Centre Planning and Urban Design Strategy](#) and the [Draft Edgecliff Commercial Centre Public Domain Plan](#).

These proposed public domain improvements are integral to both Council's and TfNSW's strategic vision and desired future character along the subject section of New South Head Road.

The public domain improvements contained in Council's plans for the ECC will provide enhanced opportunities for walking and other forms of active transport along New South Head Road through provision of pedestrian lane upgrades, a bidirectional shared path and linear park.

Council's proposed public domain improvements do not require the demolition of any existing building structures. The improvements have been designed to meet the needs of the current and future population which is predicted to increase as a result of the anticipated residential growth in the ECC.

The current land reservation affectations may enable TfNSW to demolish the buildings on the affected sites if they were to be acquired. Demolition of existing structures for road-related works would be an adverse outcome for all sites resulting in the loss of residential dwellings, buildings of heritage significance, landmark corner buildings, a heritage item, and a proposed heritage item.

Council has not been provided with any TfNSW plans or strategies that identify the land reserved for acquisition is required for any transport need, whether that be active transport, footways or road widening. If such plans or strategies have been prepared, Council should have been provided with copies during consultation with TfNSW to ensure that the draft strategies for the ECC are integrated with those plans.

11.2 Heritage implications

On 26 February 2020, Council issued a letter to TfNSW advising that the process was underway to assess the heritage significance of the Cadrys building at 133 New South Head Road, Edgecliff with a view to listing it as a local heritage item in the Woollahra LEP 2014 if it met the relevant criteria.

Since that time, a heritage assessment report has been prepared identifying that the site fulfils the criteria for local heritage listing. At the time of preparing this planning proposal, a separate planning proposal has been prepared seeking to list the Cadry's building as a local heritage item in Schedule 5 and the Heritage Map of the Woollahra LEP 2014.

On 5 July 2021, Council resolved that the cottages at 543-549 Glenmore Road should be investigated to determine whether these buildings fulfil the criteria for local heritage listing.

Additionally, on 16 September 2021, the WLPP resolved to advise Council that the planning proposal for the Cadry's building should be amended to also include the building at 549 Glenmore Road, Edgecliff.

It is also noted that the site at 136 New South Head Road, Edgecliff is already listed as a local heritage item in Schedule 5 of the Woollahra LEP 2014.

It is inconsistent with Council's planning policies and best-practice planning for heritage items to be subject to land reservation affectations.

In summary, TfNSW and RMS have not provided Council with evidence to justify the retention of the current land reservation affectation on the subject sites.

7. Mapping

The planning proposal seeks to amend the Land Reservation Acquisition Map (Sheet LRA_003) of the Woollahra LEP 2014 to remove the land reservations on New South Head Road and Glenmore Road in Edgecliff which are identified as Classified Road (B4).

An extract of the existing Land Reservation Acquisition map is shown in Figure 18.

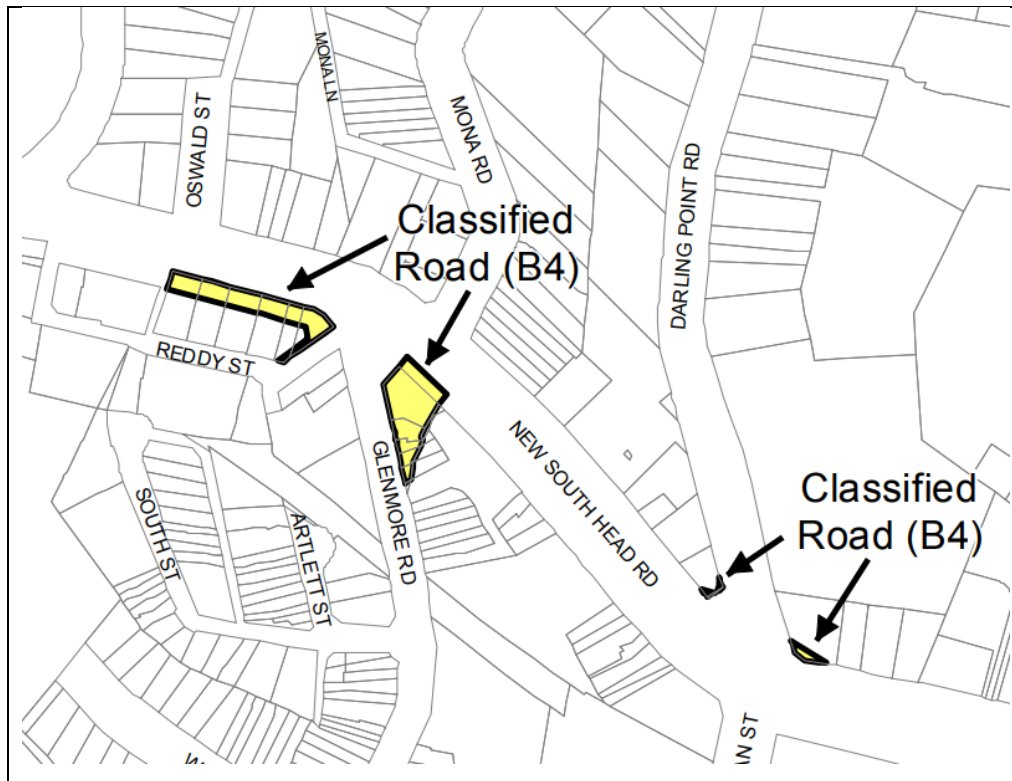


Figure 18: Extract from existing Woollahra LEP 2014 Land Acquisition Map (Sheet LRA_003)

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*, also having regard to other relevant plans and guidelines including the *Woollahra Community Participation Plan 2019* and *Local Environmental Plans – a guide to preparing local environmental plans* (2018) and any conditions of the Gateway Determination.

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

Public notification of the exhibition will comprise:

- weekly notice in the local newspaper (the Wentworth Courier) for the duration of the exhibition period, when a hardcopy version of that newspaper is being published.
- a notice on Council's website.
- a letter to land owners in the vicinity of each site, which will include every landowner in the ECC.
- notice to local community, resident and business 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 (subject to the offices being accessible to the public in line with current Public Health Orders):

- the planning proposal, in the form approved by the gateway determination.
- the gateway determination.
- information relied upon by the planning proposal.
- Woollahra LEP 2014.
- Section 9.1 Directions.

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 follows³:

Plan-making step	Estimated completion
Environmental Planning Committee (EPC) recommends proceeding	15 June 2021
Council resolution to proceed	5 July 2021
Woollahra Local Planning Panel (WLPP) provides advice	16 September 2021
Advice of WLPP to EPC	11 October 2021
Council resolution to proceed	25 October 2021
Gateway determination	December 2021
Completion of technical assessment	Usually none required
Government agency consultation	As required by Gateway Determination
Public exhibition period	February 2022
Submissions assessment	March 2022
Council assessment of planning proposal post exhibition	April 2022
Council decision to make the LEP amendment	May 2022
Council to liaise with Parliamentary Counsel to prepare LEP amendment	June 2022
Forwarding of LEP amendment to Greater Sydney Commission and Department of Planning and Environment for notification	July 2022
Notification of the approved LEP	August 2022

³ It is anticipated that DPIE will require agreement from TfNSW prior to issuing a gateway determination for public exhibition to commence. Securing this agreement may take some time and it is noted this may delay the timeframe for the estimated completion of subsequent plan-making steps.

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 seek to rezone land and will not affect the application of the SEPP for the purpose of promoting the remediation of contaminated land and reducing the risk of harm to human health or any other aspect of the environment.
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.

State environmental planning policy	Comment on consistency
SEPP No 65 – Design Quality of Residential Apartment Development	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP No 70 – Affordable Housing (Revised Schemes)	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the operation of this policy.
SEPP (Aboriginal Land) 2019	Not applicable. No land within the Woollahra LGA is identified on the Land Application Map of the SEPP.
SEPP (Activation Precincts) 2020	Not applicable. No land within the Woollahra LGA is identified as an Activation Precinct.
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 Child Care Facilities) 2017	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 (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.
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) 2020	Not applicable. The Woollahra LGA is not specified in Schedule 1 of SEPP (Koala Habitat Protection) 2021.
SEPP (Koala Habitat Protection) 2021	Not applicable. The Woollahra LGA is not listed in Schedule 1.
SEPP (Kosciuszko National Park - Alpine Resorts) 2007	Not applicable
SEPP (Kurnell Peninsula) 1989	Not applicable
SEPP (Major Infrastructure Corridors) 2020	Not applicable. No future corridors are identified within the Woollahra LGA.
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 (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.

State environmental planning policy	Comment on consistency
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 precincts located in the Woollahra LGA.
SEPP (Sydney Drinking Water Catchment) 2011	Not applicable. No land within the Woollahra LGA is identified on the Land Application Map.
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 LGA 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 Aerotropolis) 2020	Not applicable. No land within the Woollahra LGA is identified on the Land Application Map.
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

Sydney Regional Environmental Plans – now deemed State Environmental Planning Policies	Comment on consistency
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 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.</p>

Schedule 2 – Compliance with section 9.1 directions

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
1	Employment and resources	
1.1	Business and industrial zones	Applicable Consistent. The planning proposal does not contain a provision, which is contrary to the objective of this direction. The planning proposal does not seek to rezone business or industrial land or reduce permissible floor space in these zones.
1.2-1.5	Directions 1.2-1.5	Not applicable. These directions are not relevant to the Sydney metropolitan area.
2	Environment and heritage	
2.1	Environment protection zones	Not applicable. The planning proposal does not apply to land within an environmental protection zone or land identified for environmental protection.
2.2	Coastal management	Not applicable. The planning proposal does not apply to land within the coastal zone.
2.3	Heritage conservation	Applicable. Consistent. The removal of land reservations along New South Head Road and Glenmore Road in Edgecliff will provide ongoing protection and recognition of the heritage items and the Paddington heritage conservation area.
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.
2.6	Remediation of contaminated land	Applicable Consistent. The planning proposal does not rezone or permit a change of use of the land in the Woollahra LGA. The planning proposal does not contain a provision which is contrary to the objective of this direction.

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
3	Housing, infrastructure and urban development	
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 or manufactured home estates.
3.3	Home occupations	Revoked 9 November 2020.
3.4	Integrating land use and transport	Applicable Consistent. The planning proposal does not contain a provision which is contrary to the aims, objectives and principles of: <ul style="list-style-type: none"> • <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).
3.5	Development near regulated airports and defence airfields	Applicable Consistent. The planning proposal does not change the zone, permissible uses of development standards such as Height of Buildings for any land in the Woollahra LGA. The planning proposal does not contain a provision which is contrary to this direction.
3.6	Shooting ranges	Not applicable. The planning proposal does not apply to land adjacent to or adjoining an existing shooting range.
3.7	Reduction in non-hosted short term rental accommodation period	Note applicable. The planning proposal does not apply to land in the Byron Shire Council.
4	Hazard and risk	
4.1	Acid sulfate soils	Applicable Consistent. The existing acid sulfate soils provisions in the Woollahra LEP 2014 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.

Planning proposal – Compliance with section 9.1 directions		
Direction		Applicable/comment
4.3	Flood prone land	Applicable Consistent. The planning proposal will not rezone flood liable land or affect the application of controls that ensure that development on flood liable land will not result in risk to life or damage to property.
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	Applicable Consistent. The planning proposal is consistent with the relevant objectives in the <i>Greater Sydney Region Plan: A Metropolis of Three Cities</i> (2018) and the relevant priorities and actions of the <i>Eastern City District Plan</i> (2018) as discussed in Section 5.2 of this report.
5.11	Development of Aboriginal Land Council land	Not applicable. There is no land in the Woollahra LGA identified on the Land Application Map of SEPP (Aboriginal Land) 2019.
6	Local plan making	
6.1	Approval and referral requirements	Applicable Consistent. The planning proposal does not contain a provision which is contrary to this direction.

**Planning proposal –
Compliance with section 9.1 directions**

Direction		Applicable/comment
6.2	Reserving land for public purposes	<p>Applicable. Inconsistent.</p> <p>The objectives of Direction 6.2 Reserving land for Public Purposes are:</p> <ul style="list-style-type: none"> (a) To facilitate the provisions of public services and facilities by reserving land for public purposes. (b) To facilitate the removal of reservations of land for public purposes where the land is no longer required for acquisition. <p>The road reservations in Edgecliff were originally identified for road widening purposes as part of the 1958 Road Alignment project. This project was superseded by the Cross City Tunnel project which was completed in 2005, superseding intentions to direct traffic through Paddington which would have been partly facilitated by the New South Head Road widening.</p> <p>TfNSW has not provided any current strategies, plans or justification to identify that the subject land is required for acquisition. Council has requested clarification from TfNSW on multiple occasions (detailed in section 1.2 above), however, it remains unclear as to why the land acquisition reservations cannot be removed.</p> <p>The objectives of this planning proposal seek to achieve objective (b) of Direction 6.2. However, since TfNSW, as the relevant public authority, has not provided approval for the removal of the land acquisition reservations, the planning proposal is inconsistent with this Direction.</p> <p>Despite this inconsistency, the planning proposal presents sufficient justification, based on available evidence, to demonstrate that the land is no longer required for acquisition and the affectations can be removed.</p>
6.3	Site specific provisions	<p>Applicable</p> <p>Consistent. The planning proposal does not apply to a specific site or a particular development.</p>

**Planning proposal –
Compliance with section 9.1 directions**

Direction		Applicable/comment
7	Metropolitan Planning	
7.1	Implementation of <i>A Metropolis of Three Cities</i> (March 2018)	Revoked 9 November 2020.
7.2 – 7.13	Directions 7.2 – 7.13	Not applicable. These strategies do not apply to the Woollahra LGA.



Figure 19: Land Reservation Acquisition Map (Sheet LRA_003)

Supporting documents (circulated separately)

- 1. Letter from Mayor Wynne to Robert Stokes MP dated 16 January 2020**
- 2. Letter from NSW DPIE to Mayor Wynne dated 4 February 2020**
- 3. Letter from Mayor Wynne to Andrew Constance MP dated 26 February 2020**
- 4. Letter from Eleni Petinos MP to Mayor Wynne dated 21 April 2020**
- 5. Woollahra Local Planning Panel report 16 September 2021 (annexures removed)**
- 6. Woollahra Local Planning Panel advice 16 September 2021**
- 7. Environmental Planning Committee report 11 October 2021 (annexures removed)**
- 8. Council resolution 25 October 2021**