

# PLANNING CERTIFICATE UNDER SECTION 10.7 (2) and (5) ENVIRONMENTAL PLANNING & ASSESSMENT ACT

Robinson Urban Planning Pty Ltd  
83 Fletcher Street  
TAMARAMA 2026

**Applicant's reference:**  
19049

Woollahra  
Municipal  
Council



ABN 32 218 483 245

Redleaf Council Chambers  
536 New South Head Road  
Double Bay NSW 2028  
Correspondence to  
General Manager  
PO Box 61  
Double Bay NSW 1360  
DX 3607 Double Bay  
records@woollahra.nsw.gov.au  
www.woollahra.nsw.gov.au  
**Telephone: (02) 9391 7000**  
**Facsimile: (02) 9391 7044**

**Certificate number:** 12  
**Certificate issue date:** 03/01/2020  
**Transaction ID:** 506891  
**Certificate fee:** \$133.00 (standard)

## DESCRIPTION OF PROPERTY

**Address:** Neild Avenue PADDINGTON NSW 2021  
**Title:** LOT: 1 DP: 633259  
**Parish:** Alexandria  
**County:** Cumberland

This planning certificate should be read in conjunction with the *Woollahra Local Environmental Plan 2014* and/or the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*. These are available on the NSW legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

The land to which this certificate relates, being the lot or one of the lots described in the corresponding application, is shown in the Council's records as being situated at the street address described on page 1 of this certificate.

It is the applicant's responsibility to confirm that the legal description of the lot to which the application relates is accurate and current. Council does not check the accuracy or currency of the information; nor does Council have the copyright to this information.

The legal description of land is obtained from NSW Land and Property Information. Applicants must verify all property and lot information with NSW Land and Property Information. The information contained in this certificate relates only to the lot described on the certificate.

Where the street address comprises more than one lot in one or more deposited plans or strata plans, separate planning certificates can be obtained upon application for the other lots. Those certificates may contain different information than is contained in this certificate.

## SECTION 10.7(2) DETAILS

In accordance with section 10.7(2) of the *Environmental Planning and Assessment Act 1979*, at the date of this certificate the following information is provided in respect of the prescribed matters to be included in a planning certificate.

### 1. NAMES OF RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS

(a) The following environmental planning instrument applies to the land:

**Woollahra Local Environmental Plan 2014 (commenced 23 May 2015)**

(b) Zone:

**R3 Medium Density Residential**

(c) **Development that may be carried out within the zone without development consent:**

**Roads**

(d) **Development that may be carried out within the zone with development consent:**

**Attached dwellings; Bed and breakfast accommodation; Boarding houses; Business premises; Centre-based child care facilities; Community facilities; Dual occupancies; Dwelling houses; Environmental protection works; Group homes; Home occupations (sex services); Hostels; Information and education facilities; Multi dwelling housing; Neighbourhood shops; Office premises; Places of public worship; Public administration buildings; Recreation areas; Residential flat buildings; Respite day care centres; Secondary dwellings; Semi-detached dwellings; Seniors housing; Shops**

Also refer to Schedule 1 of the LEP "Additional permitted uses" to see if this schedule applies to your land.

Note that:

- business premises
- a community facility
- an information and education facility
- office premises
- a public administration building, or
- a shop

are only permitted in a residential zone, subject to clause 6.6 Use of existing non-residential buildings in residential zones. Refer to clause 6.6 for the requirements.

(e) **Development that is prohibited within the zone:**

**Any development not specified in item (c) or (d) above.**

(f) Do any development standards apply to the land that set minimum land dimensions for the erection of a dwelling house on the land? If yes, what are the minimum dimensions?

**No**

- (g) Does the land include or comprise 'critical habitat' under the provisions of the local environmental plan applying to the land?

**No**

- (h) Is the land located in a heritage conservation area under the provisions of the local environmental plan applying to the land?

**Yes: Paddington Heritage Conservation Area**

- (i) Is there an item of environmental heritage situated on the land under the provisions of the local environmental plan applying to the land?

**No**

---

## **2. NAMES OF RELEVANT EXHIBITED PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS**

The following proposed environmental planning instruments, including a planning proposal for a LEP or a draft environmental planning instrument have been the subject of community consultation or on public exhibition under the *Environmental Planning and Assessment Act 1979* (unless the Director-General has notified Council that the making of the proposed instrument has been deferred indefinitely or has not been approved.)

**Properties affected: Rose Bay Uniting Church and Wesley Hall at 518a Old South Head Road, Rose Bay**

**Details:** A planning proposal has been prepared to amend the *Woollahra Local Environmental Plan 2014* to list as a heritage item the *Rose Bay Uniting Church and Wesley Hall Group – church and interiors (including moveable heritage, vestry and 1924 additions)* .

**Re-exhibition period:** Wednesday 12 June to Friday 12 July 2019.

---

**Properties affected: The Four in Hand Hotel at 105 Sutherland Street, Paddington**

**Details:** A planning proposal has been prepared to amend the *Woollahra Local Environmental Plan 2014* to list as a heritage item *The Four in Hand Hotel* at 105 Sutherland Street, Paddington .

**Exhibition period:** Wednesday 29 May to Friday 28 June 2019.

---

## **3. NAMES OF RELEVANT DEVELOPMENT CONTROL PLANS**

The following table contains a list of development control plans that have been prepared by Council under Division 6 of Part 3 of the *Environmental Planning and Assessment Act 1979* (including any made by the Council under section 72 of the Act before repeal of that section). Please check the table to see the relevancy of the plans to the land that is the subject of this certificate.

- (a) The following development control plan applies to the land:

## Woollahra Development Control Plan 2015 (commenced 23 May 2015)

---

### 4. NAMES OF RELEVANT DEVELOPMENT CONTROL PLANS PREPARED BY THE DIRECTOR GENERAL

The following development control plans have been prepared by the Director-General under Division 6 of Part 3 of the *Environmental Planning and Assessment Act 1979* (including any made by the Director-General under section 51A, before the repeal of that section).

#### **Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005**

**This DCP applies to certain land within the Woollahra Municipality being land within the Foreshores and Waterways area identified on the Sydney Regional Environmental Plan (Sydney Harbour Catchment) Foreshores and Waterways Area Map.**

---

### 5. NAMES OF RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES

Below is a list of all State environmental planning policies that apply to the Woollahra Municipality.

Depending on circumstances set down in each SEPP, the policy may be specifically applicable to the land that is the subject of this certificate. You are advised to peruse the policy for the necessary details. Refer to NSW Department of Planning and Environment.

- State Environmental Planning Policy No. 1 – Development Standards
- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- State Environmental Planning Policy No. 21 – Caravan Parks
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
- State Environmental Planning Policy No. 50 – Canal Estate Development
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 64 – Advertising and Signage
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development
- State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Coastal Management) 2018
- State Environmental Planning Policy (Concurrence) 2018
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Major Development) 2005
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007
- State Environmental Planning Policy (State and Regional Development) 2011

- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

Deemed SEPPs:

- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005  
This REP applies to all land within the Woollahra Municipality except for land at Christison Park, Vacluse as shown on the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 Sydney Harbour Catchment Map

---

## **5.A STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018**

Is the land subject to the coastal zone under *State Environmental Planning Policy (Coastal Management) 2018*?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## **6. NAMES OF PROPOSED STATE ENVIRONMENTAL PLANNING POLICIES**

The following proposed State Environmental Planning Policies have been the subject of community consultation or on public exhibition under the *Environmental Planning and Assessment Act 1979* (unless the Director-General has notified Council that the making of the proposed instrument has been deferred indefinitely or has not been approved.)

**There are currently no proposed State Environmental Planning Policies applying to the land.**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## **7. COMPLYING DEVELOPMENT**

Is the land, land on which complying development may be carried out under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* ?

### **Housing Code**

Complying development under the Housing Code may not be carried out on the land (unless the development is a detached outbuilding, detached development (other than a detached studio) or a swimming pool) because the land is within a heritage conservation area or a draft heritage conservation area.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Rural Housing Code**

Rural Housing Code is not applicable to Woollahra Local Government Area.

### **Low Rise Medium Density Housing Code**

Low Rise Medium Density Housing Code is not applicable to Woollahra Local Government Area.

### **Greenfield Housing Code**

Greenfield Housing Code is not applicable to Woollahra Local Government Area.

### **Inland Code**

Inland Code is not applicable to Woollahra Local Government Area.

### **Housing Alterations Code**

Complying development under the Housing Alterations Code may be carried out on the land.  
Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **General Development Code**

Complying development under the General Development Code may be carried out on the land.  
Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Commercial and Industrial Alterations Code**

Complying development under the Commercial and Industrial Alterations Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Commercial and Industrial (New Buildings and Additions) Code**

Complying development under the Commercial and Industrial (New Buildings and Additions) Code may not be carried out on the land (unless the development is a detached outbuilding or swimming pool) because the land is within a heritage conservation area or a draft heritage conservation area.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Container Recycling Facilities Code**

Complying development under the Container Recycling Facilities Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Subdivisions Code**

Complying development under the Subdivisions Code may be carried out on the land.  
Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Demolition Code**

Complying development under the Demolition Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Fire Safety Code**

Complying development under the Fire Safety Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

---

## **8. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS**

Has the owner (or any previous owner) of the land consented in writing to the land being subject to annual charges under section 496B of the *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act)?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council. If the information is vital for the proposed end use, then it should be verified by the applicant.

---

## **9. MINE SUBSIDENCE**

Is the land proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961* ?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## **10. ROAD WIDENING OR ROAD REALIGNMENT**

Is the land affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993; or
- (b) any environmental planning instrument; or
- (c) any resolution of the Council?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 11. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Is the land affected by a policy:

- (a) adopted by the Council that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding)?

**Yes**

**Woollahra LEP 2014, clause 6.1 (Acid sulfate soils) may require an assessment of acid sulfate soils for certain types of development located on certain land identified on the Acid Sulfate Soils Map of the LEP.**

**Woollahra DCP 2015 includes a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Applicants must consider Council's DCP as well as State legislation including the State Environmental Planning Policy No. 55 – Remediation of Land.**

- (b) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding)?

**No**

---

## 12. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION

- (a) Is development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) subject to flood related development controls?

**Yes.**

**Part or all of the subject land may be subject to flood related development controls, applicants are advised to inspect relevant flood reports and consult with Council's Technical Services Department. Further flood investigations may be required to accurately determine the nature of flooding on the site.**

- (b) Is development on the land or part of the land for any other purpose subject to flood related development controls?

**Yes.**

**Part or all of the subject land may be subject to flood related development controls, applicants are advised to inspect relevant flood reports and consult with Council's Technical Services Department. Further flood investigations may be required to accurately determine the nature of flooding on the site.**

**Note:** Words and expressions used in this item have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.



### 13. LAND RESERVED FOR ACQUISITION

Does an environmental planning instrument or proposed environmental planning instrument applying to the land make provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the *Environmental Planning and Assessment Act 1979* ?

No

---

### 14. CONTRIBUTIONS PLAN

The following contributions plan may apply to the land:

- Woollahra Section 94A Development Contributions Plan 2011 (31 August 2011)
  - Woollahra Section 94 Contributions Plan (31 March 2003).
- 

### 15. BIODIVERSITY CERTIFIED LAND

Is the land biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*?

No

---

### 16. BIODIVERSITY STEWARDSHIP SITES

Is the land a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*?

No

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

### 17. NATIVE VEGETATION CLEARING SET ASIDES

Does the land contain a set aside area under section 60ZC of the *Local Land Services Act 2013*?

No

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

### 18. BUSH FIRE PRONE LAND

Is the land to which this certificate relates bush fire prone land?

No

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

## 19. PROPERTY VEGETATION PLANS

Is the land the subject of a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) ?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 20. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Has an order been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if Council has been notified of the order).

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 21. DIRECTIONS UNDER PART 3A

Is there a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 22. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS

Is there a current site compatibility certificate (seniors housing), of which the Council is aware ?

**No**

Are there any terms of a kind referred to in clause 18(2) of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* that have been imposed as a condition of consent to a development application granted after 11 October 2007?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 23. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

Is there a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the Council is aware ?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 24. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE HOUSING

Is there a current site compatibility certificate (affordable rental housing), of which the Council is aware ?

**No**

Are there any terms of a kind referred to in clause 17(1) or 37(1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 25. PAPER SUBDIVISION INFORMATION

Is there a development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot?

**No**

---

## 26. SITE VERIFICATION CERTIFICATE

Is there a current site verification certificate of which this council is aware?

**No**

**Note:** A site verification certificate sets out the Director-General's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*

---

## 27. MATTERS ARISING UNDER THE CONTAMINATED LAND MANAGEMENT ACT 1997

(a) Is the land (or part of the land) to which this certificate relates significantly contaminated land?

**No**

(b) Is the land to which this certificate relates subject to a management order?

**No**

(c) Is the land to which this certificate relates the subject of an approved voluntary management proposal?

**No**

(d) Is the land to which this certificate relates subject to an ongoing maintenance order?

**No**

(e) Is the land to which this certificate relates the subject of a site audit statement?

**No**

**Note:** These matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate. Section 53B requires site auditors to furnish local authorities with copies of audit statements relating to site audits for the purposes of statutory requirements.

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 28. LOOSE-FILL ASBESTOS INSULATION

Does the land include any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) listed on the register that is required to be maintained under that Division.

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 29. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(a) Is there any affected building notice in force in respect of the land?

**No**

(b) Is there any building product rectification order in force in respect of the land that has not been fully complied with?

**No**

(c) Is there any outstanding notice of intention to make a building product rectification order?

**No**

**Note:** *affected building notice* has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.

***building product rectification*** order has the same meaning as in the *Building Products (Safety) Act 2017*.

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

## SECTION 10.7(5) DETAILS

This certificate is directed to the following relevant matters affecting the land.

**Note** : When information pursuant to section 10.7(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that section.

Council draws your attention to section 10.7(6), which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this planning certificate.

---

### 1. OTHER CONTROLS FROM WOOLLAHRA LOCAL ENVIRONMENTAL PLAN 2014

- a) What is the maximum size of any lot resulting from a subdivision of land (as shown on the Lot Size Map)? Refer to clause 4.1 Minimum subdivision lot size.

**700 square metres**

- b) Is the land affected by a foreshore building line (as shown on the Foreshore Building Line Map)? Refer to clause 6.4 Limited development on foreshore areas.

**No**

---

### 2. STATE HERITAGE REGISTER ITEMS

Is the land identified under the provisions of the *Heritage Act 1977*?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

### 3. COMMONWEALTH HERITAGE LIST

Is the land identified as a Commonwealth Heritage Place under the provisions of the *Environment Protection and Biodiversity Conservation Act 1999*?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

### 4. RESOLUTION OF COUNCIL TO PREPARE A PLANNING PROPOSAL FOR A LOCAL ENVIRONMENTAL PLAN

A list of Council decisions to prepare a planning proposal for a local environmental plan is provided below. These planning proposals have not been exhibited under section 57 of the *Environmental Planning and Assessment Act 1979*.

**Property affected:** Double Bay Centre

**Date of decision:** 20 August 2018

**Relevant terms of the resolution:**

*Item No: 9.1 (R1)*

- A. THAT Council resolve to prepare a planning proposal to amend Woollahra Local Environmental Plan 2014 by introducing new provisions which protect the provision of commercial floor space in the Double Bay Centre.
- 

**Property affected:** See terms of the resolution

**Date of decision:** on 25 March 2019

**Relevant terms of the resolution:**

*Item No: 9.1 (R2)*

- A. THAT Council prepare a planning proposal to amend clause 4.1A of Woollahra LEP 2014 by inserting minimum lot size standards for manor house and multi dwelling housing (terraces).
- 

**Property affected:** See terms of the resolution

**Date of decision:** 29 April 2019

**Relevant terms of the resolution:**

*Item No: 9.1 (R3)*

- A. THAT Council prepare a planning proposal to amend Woollahra Local Environmental Plan 2014 by introducing:
1. A maximum FSR of 0.5:1 for low density residential development in the R2 Low Density Residential and R3 Medium Density Residential zones.
  2. A maximum FSR of 0.75:1 for low density residential development in the Wolseley Road, Point Piper, area as shown in *Figure 1* in the report to the Environmental Planning Committee meeting of 4 March 2019.
  3. A range of maximum FSRs as set out in the report to the Environmental Planning Committee meeting on 4 March 2019 for low density residential development on small lots in the R2 Low Density Residential Development And R3 Medium Density Residential zones.
  4. Specific objectives and other associated amendments to facilitate 1, 2 and 3.
  5. The FSRs in A1, 2 and 3 and associated changes referred to in A4 will not apply to the Paddington, Watsons Bay and Woollahra Heritage Conservation Areas.
- G. That noting our concern for development in smaller lots (400sqm or less) that Council seeks advice from the Woollahra Local Planning Panel on the best methods to apply FSR to smaller lots outlined in point A. (3).

**Property affected:** Sewerage Pumping Station, Percival Park, Rose Bay

**Date of decision:** 9 September 2019

**Relevant terms of the resolution:**

*Item No: 13.1(R1)*

- A. THAT a planning proposal be prepared to list the sewerage pumping station (SPS 46) and sandstone gate posts and metal gates in Percival Park at 13 Collins Avenue, Rose Bat as a heritage item in Woollahra Local Environmental Plan 2014.
- 

**Property affected:** See terms of resolution

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 13.1(R2)*

- A. THAT a planning proposal to amend the Flood Planning Map of Woollahra Local Environmental Plan 2014 based on the adopted Paddington Floodplain Risk Management Study and Plan 2019.
- 

**Property affected:** 30 Wyuna Road, Point Piper

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 13.3(R3)*

- 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.
- 

**Property affected:** See terms of resolution

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 13.3(R4)*

- C. THAT a planning proposal be prepared to increase the minimum lot size of attached dual occupancies in the R2 zone to 800m<sup>2</sup>.
- 

## 5. COASTAL HAZARDS

An Estuary Planning Levels Report (August 2014) by Cardno is a supporting document to the Woollahra Development Control Plan 2015.

The Estuary Planning Levels Report identifies:

- foreshore properties which may be subject to current coastal inundation risks caused by local wind and wave setup, and/or wave run-up/overtopping; and
- foreshore properties which may be subject to future coastal inundation risks caused by sea level rise.



The report recommends planning controls to minimise the effects of coastal inundation risks. The Report can be inspected at Council or on Council's website.

---

## 6. RESOLUTIONS OF COUNCIL RELATING TO HERITAGE LISTINGS OR CONTRIBUTORY ITEMS IN DEVELOPMENT CONTROL PLANS

**Properties affected:** 8A Cooper Street, Paddington

**Date of decision:** 27 November 2006

**Relevant terms of resolution:**

- E. That pending gazettal of the following properties as local heritage items in Woollahra Local Environmental Plan 1995, further investigation be undertaken to determine if a nomination to the State Heritage Register should be prepared:

<i>Cooper Street</i>	<i>Paddington</i>	<i>8A</i>	<i>House</i>
----------------------	-------------------	-----------	--------------

---

**Property affected:** 4 Dunara Gardens, Point Piper

**Date of decision:** 18 December 2006

**Relevant terms of the resolution:**

- D. That pending gazettal of the following property as local heritage item in Woollahra Local Environmental Plan 1995, further investigation be undertaken to determine if a nomination to the State Heritage Register should be prepared:

<i>Dunara Gardens</i>	<i>Point Piper</i>	<i>4</i>	<i>House</i>
-----------------------	--------------------	----------	--------------

---

**Property affected:** Cooper Park in the suburbs of Bellevue Hill and Woollahra

**Date of decision:** 27 November 2017

**Relevant terms of the resolution:**

THAT Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for Cooper Park to Urban Planning Committee to facilitate Cooper Park (and its elements) being:

1. included in the Woollahra Local Environmental Plan as a heritage item; and
2. listed as a heritage item of state significance on the NSW State Heritage Register.

---

**Property affected:** See terms of resolution

**Date of decision:** 23 April 2018

**Relevant terms of the resolution:**

*Item No: 11.1*

That Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for each of:

1. The Sydney Croquet Club building and green (having its address in Woollahra Park, O'Sullivan Road, Rose Bay); and

2. The Woollahra Golf Club clubhouse and George Grimley Pavilion (having its address in Woollahra Park at 50 O'Sullivan Road, Rose Bay)

to the relevant Council Committee to facilitate the Sydney Croquet Club building and greens and the Woollahra Gold Club clubhouse and George Grimley Pavilion (and their elements) being:

1. Included in the Woollahra Local Environmental Plan as a heritage item; and
2. Listed as a heritage item of state significance on the NSW State Heritage Register.

---

**Property affected:** See terms of resolution

**Date of decision:** 18 June 2018

**Relevant terms of the resolution:**

*Item No: 11.1*

THAT Council

- A. Request staff to undertake an assessment of heritage significance for the Rose Bay Scout Hall (former RAAF Officers' Canteen) located in Vickery Avenue, Rose Bay, and report to the Environmental Planning Committee on whether the property has sufficient heritage significance to be listed as:
- i) a local heritage item in the Woollahra Local Environment Plan 2014 (WLEP), and
  - ii) an item of State Heritage under the Heritage Act 1977.

---

**Property affected:** 2A Cooper Street, Double Bay

**Date of decision:** 29 October 2018

**Relevant terms of the resolution:**

*Item No: 9.1 (R1)*

- D. THAT Council support the nomination to list Gaden House at 2A Cooper Street, Double Bay as a heritage item on the State Heritage Register and submit it to the Office of Environment and Heritage.

---

**Property affected:** See terms of resolution

**Date of decision:** 8 April 2019

**Relevant terms of the resolution:**

*Item No: 11.2*

THAT Council requests staff to undertake an assessment of heritage significance for the following properties located in Rose Bay, NSW;

- i) St Andrews Scots Presbyterian Church, corner of Dover Rd and Carlisle Street, Rose Bay;
- ii) Old School Hall, Rose Bay Public School, Albermarle Ave, Rose Bay; and
- iii) McAuley Catholic School and outbuildings (formerly Christian Brothers College Rose Bay),

and report to the Environmental Planning Committee on whether these items have sufficient heritage significance to be listed as:

- i) a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP); and/or
- ii) an item on the State Heritage Register under the Heritage Act 1977.

---

**Property affected:** See terms of resolution

**Date of decision:** 8 April 2019

**Relevant terms of the resolution:**

*Item No: 11.3*

THAT Council

- B. Requests staff to commission a report to investigate potential heritage significance of places of worship in the Woollahra Local Government area in order to identify items of heritage significance at either a local or State level, with a view to having those identified items listed as;
- (a) a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP); and/or
  - (b) an item on the State Heritage Register under the Heritage Act 1977.
- 

**Property affected:** 3 Trelawney Street, Woollahra

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 16.3*

THAT Council proceeds urgently to assess Trelawney Court at number 3 Trelawney Street, Woollahra with a view to a local heritage listing.

---

**Property affected:** See terms of resolution

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 16.4*

- A. Notes the detailed report on Californian Bungalows presented to the Urban Planning Committee on 22 June 2015.
  - B. Notes the recommendation to Council on 22 June 2015 to prepare a planning proposal to list 16 Bunyula Road, 6 March Street, 165 O'Sullivan Road, 44 Russell Street, 5A Vivian Street, Bellevue Hill and 10 Parsley Bay, Vaucluse as heritage items in Schedule 5 of the Woollahra LEP 2014.
  - C. Requests the Director of Planning to review the above mentioned recommendation and provide an updated recommendation to Council on the merit of heritage listing the properties mentioned above.
  - D. Requests staff to prepare a report on arts and crafts buildings, including any examples of outstanding significance recommended for listing in Schedule 5 of the Woollahra LEP.
- 

**Property affected:** See terms of resolution

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 16.5*

THAT Council:

- A. Request staff to report to the Environmental Planning Committee on how the detailed controls for Inter-War residential flat buildings found in B3.8.7 of the Woollahra DCP 2015 can be applied to the Paddington, Woollahra and Watsons Bay Heritage Conservations Areas.
- B. Notes community concern about the recent demolition of interwar residential flat buildings at 12 and 16 William Street, Double Bay, and 75 and 77 O'Sullivan Road, Bellevue Hill, and requests staff to provide commentary on the most effective means of protecting from

demolition interwar buildings located in all zones across the municipality, including if appropriate the invocation of LEP provisions.

---

## **7. DRAFT WATSONS BAY FLOOD RISK MANAGEMENT STUDY AND PLAN (MAY 2016)**

The Draft Watsons Bay Flood Risk Management Study and Plan (May 2016) has been prepared in accordance with the NSW Floodplain Development Manual. The Draft Plan aims to provide solutions to existing flooding problems and ensure that new development is compatible with the flood hazard and does not create additional flooding problems.

The Woollahra Local Environmental Plan 2014 maps land that is identified as flood planning area, and is therefore subject to the controls in Cl 6.3 flood planning. The Draft Plan includes additional properties in Watsons Bay that are in the flood planning area.

These properties are: **14-16, 18-25 Cliff Street; 1-2, 43 Cove Street; HMAS Watson (Lot 3 DP 605078); 1-2, 6-7, 11-12, 10-24 Marine Parade; 31, 33 Pacific Street; Robertson Park (22 Military Road); 2 Short Street; Sydney Harbour National Park (Lot 1, 2 DP 605078) and 25 Victoria Street.**

The Draft Plan includes the following properties that are not identified as flood planning area: **1, 3, 5, 7 Victoria Street and 29 Cliff Street.**

The report can be inspected at Council or on Council's website. For further information contact Council's engineer.

---

## **8. PADDINGTON FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN (July 2019)**

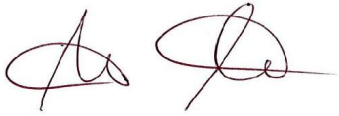
At the meeting of 9 September 2019, Council adopted the *Paddington Floodplain Risk Management Study and Plan* dated July 2019

The Study and Plan was prepared in accordance with the NSW Floodplain Development Manual. The Study and Plan aims to provide solutions to existing flooding problems and ensure that new development is compatible with flood hazard and does not create additional flooding problems.

The *Woollahra Local Environmental Plan 2014* maps land that is identified as flood planning area, and is therefore subject to the controls in Cl 6.3 flood planning. The Study and Plan includes additional properties in the Paddington area that are in the flood planning area.

The *Woollahra Local Environmental Plan 2014* maps will be updated, based on the information contained in the adopted Study and Plan.

**Should the applicant require further information about any other matter please contact Council's Planning and Development Division.**

Two handwritten signatures in red ink. The first signature is a stylized 'A' followed by a horizontal line. The second signature is a stylized 'G' followed by a horizontal line.

Anne White  
per:  
**Gary James**  
**General Manager**

# PLANNING CERTIFICATE UNDER SECTION 10.7 (2) and (5) ENVIRONMENTAL PLANNING & ASSESSMENT ACT

Sandra Robinson  
83 Fletcher Street  
TAMARAMA  
NSW 2026

**Applicant's reference:**  
19049

Woollahra  
Municipal  
Council



ABN 32 218 483 245

Redleaf Council Chambers  
536 New South Head Road  
Double Bay NSW 2028  
Correspondence to  
General Manager  
PO Box 61  
Double Bay NSW 1360  
DX 3607 Double Bay  
records@woollahra.nsw.gov.au  
www.woollahra.nsw.gov.au  
**Telephone: (02) 9391 7000**  
**Facsimile: (02) 9391 7044**

**Certificate number:** 2372  
**Certificate issue date:** 08/10/2020  
**Transaction ID:** 541914  
**Certificate fee:** \$133.00 (standard)

## DESCRIPTION OF PROPERTY

**Address:** Neild Avenue PADDINGTON NSW 2021  
**Title:** LOT: 1 DP: 311460  
**Parish:** Alexandria  
**County:** Cumberland

This planning certificate should be read in conjunction with the *Woollahra Local Environmental Plan 2014* and/or the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*. These are available on the NSW legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

The land to which this certificate relates, being the lot or one of the lots described in the corresponding application, is shown in the Council's records as being situated at the street address described on page 1 of this certificate.

It is the applicant's responsibility to confirm that the legal description of the lot to which the application relates is accurate and current. Council does not check the accuracy or currency of the information; nor does Council have the copyright to this information.

The legal description of land is obtained from NSW Land and Property Information. Applicants must verify all property and lot information with NSW Land and Property Information. The information contained in this certificate relates only to the lot described on the certificate.

Where the street address comprises more than one lot in one or more deposited plans or strata plans, separate planning certificates can be obtained upon application for the other lots. Those certificates may contain different information than is contained in this certificate.

## SECTION 10.7(2) DETAILS

In accordance with section 10.7(2) of the *Environmental Planning and Assessment Act 1979*, at the date of this certificate the following information is provided in respect of the prescribed matters to be included in a planning certificate.

### 1. NAMES OF RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS

(a) The following environmental planning instrument applies to the land:

**Woollahra Local Environmental Plan 2014 (commenced 23 May 2015)**

(b) Zone:

**RE2 Private Recreation**

(c) Development that may be carried out within the zone without development consent:

**Nil**

(d) Development that may be carried out within the zone with development consent:

**Centre-based child care facilities; Community facilities; Environmental facilities; Environmental protection works; Information and education facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads**

**Also refer to Schedule 1 of the LEP "Additional permitted uses" to see if this schedule applies to your land.**

(e) Development that is prohibited within the zone:

**Any development not specified in item (c) or (d) above.**

(f) Do any development standards apply to the land that set minimum land dimensions for the erection of a dwelling house on the land? If yes, what are the minimum dimensions?

**No**

(g) Does the land include or comprise 'critical habitat' under the provisions of the local environmental plan applying to the land?

**No**

(h) Is the land located in a heritage conservation area under the provisions of the local environmental plan applying to the land?

**Yes: Paddington Heritage Conservation Area**

(i) Is there an item of environmental heritage situated on the land under the provisions of the local environmental plan applying to the land?

**No**

---

## 2. NAMES OF RELEVANT EXHIBITED PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

The following proposed environmental planning instruments, including a planning proposal for a LEP or a draft environmental planning instrument have been the subject of community consultation or on public exhibition under the *Environmental Planning and Assessment Act 1979* (unless the Director-General has notified Council that the making of the proposed instrument has been deferred indefinitely or has not been approved.)

---

### **Planning proposal for the heritage listing of Cooper Park (excluding Cooper Park North), Bellevue Hill**

**Details:** A planning proposal has been prepared to amend the *Woollahra LEP 2014* to list Cooper Park (excluding Cooper Park North), Bellevue Hill as a heritage item.

**Exhibition period:** *Monday 29 June to Friday 14 August 2020*

---

### **Planning proposal for the heritage listing of the Sewage Pumping Station (SPS 46) at 13 Collins Avenue, Rose Bay**

**Details:** A planning proposal has been prepared to amend the *Woollahra LEP 2014* to list the Sewage Pumping Station (SPS 46), including interiors and moveable heritage, and sandstone gate posts and metal gates, as a heritage item.

**Exhibition period:** *Monday 29 June to Friday 14 August 2020*

---

### **Planning proposal to implement the Paddington Floodplain Risk Management Study and Plan (FRMSP) 2019**

**Details:** A planning proposal has been prepared to update the Flood Planning Maps in the *Woollahra LEP 2014*. The FRMSP has identified that 837 additional properties in the Paddington, Edgecliff and Woollahra area should be identified on the *Woollahra LEP 2014* Flood Planning maps.

**Exhibition period:** *Monday 29 June to Friday 14 August 2020*

---

### **Planning proposal for the heritage listing of 30 Wyuna Road, Point Piper**

**Details:** A planning proposal has been prepared to amend the *Woollahra LEP 2014* to list 30 Wyuna Road, Point Piper, including its interiors, as a heritage item.

**Exhibition period:** *Monday 06 July to Friday 21 August 2020*

---

### **Planning proposal for the heritage listing of seven pubs in Paddington**

**Details:** A planning proposal has been prepared to amend the *Woollahra LEP 2014* to list the following seven pubs, including interiors, as heritage items:

- i. Bellevue Hotel at 157-159 Hargrave Street, Paddington;
- ii. Grand National Hotel at 33 Elizabeth Street (161 Underwood Street), Paddington;
- iii. Imperial Hotel at 252 Oxford Street, Paddington;



- iv. London Tavern Hotel at 85 Underwood Street, Paddington;
- v. The Paddington (former Paddington Arms Hotel) at 384 Oxford Street, Paddington;
- vi. Paddington Inn Hotel at 338 Oxford Street, Paddington; and
- vii. Unicorn Hotel at 102-106 Oxford Street, Paddington.

**Exhibition period: *Wednesday 26 August to Friday 25 September 2020***

---

**Planning proposal for the heritage listing of the Rose Bay Scout Hall at 3 Vickery Avenue, Rose Bay**

**Details:** A planning proposal has been prepared to amend the *Woollahra LEP 2014* to list the Rose Bay Scout Hall, including interiors, as a heritage item.

**Exhibition period: *Wednesday 9 September to Friday 23 October 2020***

---

**Planning proposal for the heritage listing of 46 Vaucluse Road, Vaucluse**

**Details:** A planning proposal has been prepared to amend the *Woollahra LEP 2014* to list 46 Vaucluse Road, Vaucluse, including interiors, as a heritage item.

**Exhibition period: *Wednesday 16 September to Friday 30 October 2020***

---

### **3. NAMES OF RELEVANT DEVELOPMENT CONTROL PLANS**

The following table contains a list of development control plans that have been prepared by Council under Division 6 of Part 3 of the *Environmental Planning and Assessment Act 1979* (including any made by the Council under section 72 of the Act before repeal of that section). Please check the table to see the relevancy of the plans to the land that is the subject of this certificate.

(a) The following development control plan applies to the land:

**Woollahra Development Control Plan 2015 (commenced 23 May 2015)**

---

### **4. NAMES OF RELEVANT DEVELOPMENT CONTROL PLANS PREPARED BY THE DIRECTOR GENERAL**

The following development control plans have been prepared by the Director-General under Division 6 of Part 3 of the *Environmental Planning and Assessment Act 1979* (including any made by the Director-General under section 51A, before the repeal of that section).

**Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005**

**This DCP applies to certain land within the Woollahra Municipality being land within the Foreshores and Waterways area identified on the Sydney Regional Environmental Plan (Sydney Harbour Catchment) Foreshores and Waterways Area Map.**

---

### **5. NAMES OF RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES**

Below is a list of all State environmental planning policies that apply to the Woollahra Municipality.

Depending on circumstances set down in each SEPP, the policy may be specifically applicable to the land that is the subject of this certificate. You are advised to peruse the policy for the necessary details. Refer to NSW Department of Planning and Environment.

- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- State Environmental Planning Policy No. 21 – Caravan Parks
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
- State Environmental Planning Policy No. 50 – Canal Estate Development
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 64 – Advertising and Signage
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development
- State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Coastal Management) 2018
- State Environmental Planning Policy (Concurrence) 2018
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Major Development) 2005
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

Deemed SEPPs:

- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005  
This REP applies to all land within the Woollahra Municipality except for land at Christison Park, Vaucluse as shown on the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 Sydney Harbour Catchment Map

---

## **5.A STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018**

Is the land subject to the coastal zone under *State Environmental Planning Policy (Coastal Management) 2018*?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## **6. NAMES OF PROPOSED STATE ENVIRONMENTAL PLANNING POLICIES**

The following proposed State Environmental Planning Policies have been the subject of community consultation or on public exhibition under the *Environmental Planning and Assessment*

*Act 1979* (unless the Director-General has notified Council that the making of the proposed instrument has been deferred indefinitely or has not been approved.)

**There are currently no proposed State Environmental Planning Policies applying to the land.**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## **7. COMPLYING DEVELOPMENT**

Is the land, land on which complying development may be carried out under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* ?

### **Housing Code**

Complying development under the Housing Code may not be carried out on the land (unless the development is a detached outbuilding, detached development (other than a detached studio) or a swimming pool) because the land is within a heritage conservation area or a draft heritage conservation area.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Rural Housing Code**

Rural Housing Code is not applicable to Woollahra Local Government Area.

### **Low Rise Housing Diversity Code**

Complying development under the Low Rise Housing Diversity Code may not be carried out on the land (unless the development is a detached outbuilding, detached development (other than a detached studio) or a swimming pool) because the land is within a heritage conservation area or a draft heritage conservation area.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Greenfield Housing Code**

Greenfield Housing Code is not applicable to Woollahra Local Government Area.

### **Inland Code**

Inland Code is not applicable to Woollahra Local Government Area.

### **Housing Alterations Code**

Complying development under the Housing Alterations Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **General Development Code**

Complying development under the General Development Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

**Commercial and Industrial Alterations Code**

Complying development under the Commercial and Industrial Alterations Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

**Commercial and Industrial (New Buildings and Additions) Code**

Complying development under the Commercial and Industrial (New Buildings and Additions) Code may not be carried out on the land (unless the development is a detached outbuilding or swimming pool) because the land is within a heritage conservation area or a draft heritage conservation area.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

**Container Recycling Facilities Code**

Complying development under the Container Recycling Facilities Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

**Subdivisions Code**

Complying development under the Subdivisions Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

**Demolition Code**

Complying development under the Demolition Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

**Fire Safety Code**

Complying development under the Fire Safety Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

---

## 8. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

Has the owner (or any previous owner) of the land consented in writing to the land being subject to annual charges under section 496B of the *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act)?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council. If the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 9. MINE SUBSIDENCE

Is the land proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961* ?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 10. ROAD WIDENING OR ROAD REALIGNMENT

Is the land affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993; or
- (b) any environmental planning instrument; or
- (c) any resolution of the Council?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 11. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Is the land affected by a policy:

- (a) adopted by the Council that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding)?

**Yes**

**Woollahra LEP 2014, clause 6.1 (Acid sulfate soils) may require an assessment of acid sulfate soils for certain types of development located on certain land identified on the**

### **Acid Sulfate Soils Map of the LEP.**

**Woollahra DCP 2015 includes a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Applicants must consider Council's DCP as well as State legislation including the State Environmental Planning Policy No. 55 – Remediation of Land.**

- (b) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding)?

**No**

---

## **12. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION**

- (a) Is development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) subject to flood related development controls?

**Yes.**

**Part or all of the subject land may be subject to flood related development controls, applicants are advised to inspect relevant flood reports and consult with Council's Technical Services Department. Further flood investigations may be required to accurately determine the nature of flooding on the site.**

- (b) Is development on the land or part of the land for any other purpose subject to flood related development controls?

**Yes.**

**Part or all of the subject land may be subject to flood related development controls, applicants are advised to inspect relevant flood reports and consult with Council's Technical Services Department. Further flood investigations may be required to accurately determine the nature of flooding on the site.**

**Note:** Words and expressions used in this item have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

---

## **13. LAND RESERVED FOR ACQUISITION**

Does an environmental planning instrument or proposed environmental planning instrument applying to the land make provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the *Environmental Planning and Assessment Act 1979* ?

**No**

#### 14. CONTRIBUTIONS PLAN

The following contributions plan may apply to the land:

- Woollahra Section 94A Development Contributions Plan 2011 (31 August 2011)
  - Woollahra Section 94 Contributions Plan (31 March 2003).
- 

#### 15. BIODIVERSITY CERTIFIED LAND

Is the land biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*?

No

---

#### 16. BIODIVERSITY STEWARDSHIP SITES

Is the land a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*?

No

---

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

#### 17. NATIVE VEGETATION CLEARING SET ASIDES

Does the land contain a set aside area under section 60ZC of the *Local Land Services Act 2013*?

No

---

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

#### 18. BUSH FIRE PRONE LAND

Is the land to which this certificate relates bush fire prone land?

No

---

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

## 19. PROPERTY VEGETATION PLANS

Is the land the subject of a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) ?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 20. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Has an order been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if Council has been notified of the order).

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 21. DIRECTIONS UNDER PART 3A

Is there a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 22. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS

Is there a current site compatibility certificate (seniors housing), of which the Council is aware ?

**No**

Are there any terms of a kind referred to in clause 18(2) of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* that have been imposed as a condition of consent to a development application granted after 11 October 2007?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 23. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS



Is there a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the Council is aware ?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## **24. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE HOUSING**

Is there a current site compatibility certificate (affordable rental housing), of which the Council is aware ?

**No**

Are there any terms of a kind referred to in clause 17(1) or 37(1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## **25. PAPER SUBDIVISION INFORMATION**

Is there a development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot?

**No**

---

## **26. SITE VERIFICATION CERTIFICATE**

Is there a current site verification certificate of which this council is aware?

**No**

**Note:** A site verification certificate sets out the Director-General's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*

---

## **27. MATTERS ARISING UNDER THE CONTAMINATED LAND MANAGEMENT ACT 1997**

(a) Is the land (or part of the land) to which this certificate relates significantly contaminated land?

**No**

(b) Is the land to which this certificate relates subject to a management order?

**No**

(c) Is the land to which this certificate relates the subject of an approved voluntary management proposal?

**No**

(d) Is the land to which this certificate relates subject to an ongoing maintenance order?

**No**

(e) Is the land to which this certificate relates the subject of a site audit statement?

**No**

**Note:** These matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate. Section 53B requires site auditors to furnish local authorities with copies of audit statements relating to site audits for the purposes of statutory requirements.

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 28. LOOSE-FILL ASBESTOS INSULATION

Does the land include any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) listed on the register that is required to be maintained under that Division.

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 29. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(a) Is there any affected building notice in force in respect of the land?

**No**

(b) Is there any building product rectification order in force in respect of the land that has not been fully complied with?

**No**

(c) Is there any outstanding notice of intention to make a building product rectification order?

**No**

**Note:** *affected building notice* has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.

***building product rectification*** order has the same meaning as in the *Building Products (Safety) Act 2017*.

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

## SECTION 10.7(5) DETAILS

This certificate is directed to the following relevant matters affecting the land.

Note : When information pursuant to section 10.7(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that section.

Council draws your attention to section 10.7(6), which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this planning certificate.

---

### 1. OTHER CONTROLS FROM WOOLLAHRA LOCAL ENVIRONMENTAL PLAN 2014

- a) What is the maximum size of any lot resulting from a subdivision of land (as shown on the Lot Size Map)? Refer to clause 4.1 Minimum subdivision lot size.

**No minimum lot size applies**

- b) Is the land affected by a foreshore building line (as shown on the Foreshore Building Line Map)? Refer to clause 6.4 Limited development on foreshore areas.

**No**

---

### 2. STATE HERITAGE REGISTER ITEMS

Is the land identified under the provisions of the *Heritage Act 1977*?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

### 3. COMMONWEALTH HERITAGE LIST

Is the land identified as a Commonwealth Heritage Place under the provisions of the *Environment Protection and Biodiversity Conservation Act 1999*?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

### 4. RESOLUTION OF COUNCIL TO PREPARE A PLANNING PROPOSAL FOR A LOCAL ENVIRONMENTAL PLAN

A list of Council decisions to prepare a planning proposal for a local environmental plan is provided below. These planning proposals have not been exhibited under section 57 of the *Environmental Planning and Assessment Act 1979*.

**Property affected:** Double Bay Centre

**Date of decision:** 20 August 2018

**Relevant terms of the resolution:**

*Item No: 9.1 (R1)*

- A. THAT Council resolve to prepare a planning proposal to amend Woollahra Local Environmental Plan 2014 by introducing new provisions which protect the provision of commercial floor space in the Double Bay Centre.
- 

**Property affected:** See terms of the resolution

**Date of decision:** 29 April 2019

**Relevant terms of the resolution:**

*Item No: 9.1 (R3)*

- A. THAT Council prepare a planning proposal to amend Woollahra Local Environmental Plan 2014 by introducing:
1. A maximum FSR of 0.5:1 for low density residential development in the R2 Low Density Residential and R3 Medium Density Residential zones.
  2. A maximum FSR of 0.75:1 for low density residential development in the Wolseley Road, Point Piper, area as shown in *Figure 1* in the report to the Environmental Planning Committee meeting of 4 March 2019.
  3. A range of maximum FSRs as set out in the report to the Environmental Planning Committee meeting on 4 March 2019 for low density residential development on small lots in the R2 Low Density Residential Development And R3 Medium Density Residential zones.
  4. Specific objectives and other associated amendments to facilitate 1, 2 and 3.
  5. The FSRs in A1, 2 and 3 and associated changes referred to in A4 will not apply to the Paddington, Watsons Bay and Woollahra Heritage Conservation Areas.
- G. That noting our concern for development in smaller lots (400sqm or less) that Council seeks advice from the Woollahra Local Planning Panel on the best methods to apply FSR to smaller lots outlined in point A. (3).
-

**Property affected:** See terms of resolution

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 13.3(R4)*

- C. THAT a planning proposal be prepared to increase the minimum lot size of attached dual occupancies in the R2 zone to 800m<sup>2</sup>.
- 

**Property affected:** Rose Bay Scout Hall (3 Vickery Avenue, Rose Bay)

**Date of decision:** 24 February 2020

**Relevant terms of the resolution:**

*Item No: 13.1(R2)*

- A. THAT a planning proposal be prepared to list the *Rose Bay Scout Hall (including interiors)* as a heritage item in *Woollahra Local Environmental Plan 2014*.
- 

**Property affected:** Sydney Croquet Club, Rose Bay

**Date of decision:** 6 April 2020

**Relevant terms of the resolution:**

*Item No: 13.1(R1)*

- A. THAT a planning proposal be prepared to list the *Sydney Croquet Club (clubhouse, moveable heritage items and lawns)* as a heritage item in *Woollahra Local Environmental Plan 2014*.
- 

## 5. COASTAL HAZARDS

An Estuary Planning Levels Report (August 2014) by Cardno is a supporting document to the Woollahra Development Control Plan 2015.

The Estuary Planning Levels Report identifies:

- foreshore properties which may be subject to current coastal inundation risks caused by local wind and wave setup, and/or wave run-up/overtopping; and
- foreshore properties which may be subject to future coastal inundation risks caused by sea level rise.

The report recommends planning controls to minimise the effects of coastal inundation risks. The Report can be inspected at Council or on Council's website.

## 6. RESOLUTIONS OF COUNCIL RELATING TO HERITAGE LISTINGS OR CONTRIBUTORY ITEMS IN DEVELOPMENT CONTROL PLANS

**Properties affected:** 8A Cooper Street, Paddington

**Date of decision:** 27 November 2006

**Relevant terms of resolution:**

- E. That pending gazettal of the following properties as local heritage items in Woollahra Local Environmental Plan 1995, further investigation be undertaken to determine if a nomination to the State Heritage Register should be prepared:

*Cooper Street                      Paddington                      8A                      House*

**Property affected:** 4 Dunara Gardens, Point Piper

**Date of decision:** 18 December 2006

**Relevant terms of the resolution:**

- D. That pending gazettal of the following property as local heritage item in Woollahra Local Environmental Plan 1995, further investigation be undertaken to determine if a nomination to the State Heritage Register should be prepared:

*Dunara Gardens                      Point Piper                      4                      House*

**Property affected:** See terms of resolution

**Date of decision:** 23 April 2018

**Relevant terms of the resolution:**

*Item No: 11.1*

That Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for each of:

1. The Sydney Croquet Club building and green (having its address in Woollahra Park, O'Sullivan Road, Rose Bay); and
2. The Woollahra Golf Club clubhouse and George Grimley Pavilion (having its address in Woollahra Park at 50 O'Sullivan Road, Rose Bay)

to the relevant Council Committee to facilitate the Sydney Croquet Club building and greens and the Woollahra Gold Club clubhouse and George Grimley Pavilion (and their elements) being:

1. Included in the Woollahra Local Environmental Plan as a heritage item; and
2. Listed as a heritage item of state significance on the NSW State Heritage Register.

**Property affected:** See terms of resolution

**Date of decision:** 8 April 2019

**Relevant terms of the resolution:**

*Item No: 11.2*

THAT Council requests staff to undertake an assessment of heritage significance for the following properties located in Rose Bay, NSW;

- i) St Andrews Scots Presbyterian Church, corner of Dover Rd and Carlisle Street, Rose Bay;

- ii) Old School Hall, Rose Bay Public School, Albermarle Ave, Rose Bay; and
- iii) McAuley Catholic School and outbuildings (formerly Christian Brothers College Rose Bay),

and report to the Environmental Planning Committee on whether these items have sufficient heritage significance to be listed as:

- i) a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP); and/or
- ii) an item on the State Heritage Register under the Heritage Act 1977.

---

**Property affected:** See terms of resolution

**Date of decision:** 8 April 2019

**Relevant terms of the resolution:**

*Item No: 11.3*

THAT Council

- B. Requests staff to commission a report to investigate potential heritage significance of places of worship in the Woollahra Local Government area in order to identify items of heritage significance at either a local or State level, with a view to having those identified items listed as;
  - (a) a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP); and/or
  - (b) an item on the State Heritage Register under the Heritage Act 1977.

---

**Property affected:** 3 Trelawney Street, Woollahra

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 16.3*

THAT Council proceeds urgently to assess Trelawney Court at number 3 Trelawney Street, Woollahra with a view to a local heritage listing.

---

**Property affected:** See terms of resolution

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 16.4*

- A. Notes the detailed report on Californian Bungalows presented to the Urban Planning Committee on 22 June 2015.
- B. Notes the recommendation to Council on 22 June 2015 to prepare a planning proposal to list 16 Bunyula Road, 6 March Street, 165 O'Sullivan Road, 44 Russell Street, 5A Vivian Street, Bellevue Hill and 10 Parsley Bay, Vaucluse as heritage items in Schedule 5 of the Woollahra LEP 2014.
- C. Requests the Director of Planning to review the above mentioned recommendation and provide an updated recommendation to Council on the merit of heritage listing the properties mentioned above.
- D. Requests staff to prepare a report on arts and crafts buildings, including any examples of outstanding significance recommended for listing in Schedule 5 of the Woollahra LEP.

---

**Property affected:** See terms of resolution

**Date of decision:** 11 November 2019



**Relevant terms of the resolution:**

*Item No: 16.5*

THAT Council:

- A. Request staff to report to the Environmental Planning Committee on how the detailed controls for Inter-War residential flat buildings found in B3.8.7 of the Woollahra DCP 2015 can be applied to the Paddington, Woollahra and Watsons Bay Heritage Conservations Areas.
- B. Notes community concern about the recent demolition of interwar residential flat buildings at 12 and 16 William Street, Double Bay, and 75 and 77 O'Sullivan Road, Bellevue Hill, and requests staff to provide commentary on the most effective means of protecting from demolition interwar buildings located in all zones across the municipality, including if appropriate the invocation of LEP provisions.

---

**Property affected:** 133 New South Head Road, Edgecliff

**Date of decision:** 10 February 2020

**Relevant terms of the resolution:**

*Item No: 16.2*

THAT Council requests our heritage staff research the property located at 133 New South Head Road Edgecliff known as the Cadry's Building, to see if it is worthy of a permanent heritage listing.

---

## **7. DRAFT WATSONS BAY FLOOD RISK MANAGEMENT STUDY AND PLAN (MAY 2016)**

The Draft Watsons Bay Flood Risk Management Study and Plan (May 2016) has been prepared in accordance with the NSW Floodplain Development Manual. The Draft Plan aims to provide solutions to existing flooding problems and ensure that new development is compatible with the flood hazard and does not create additional flooding problems.

The Woollahra Local Environmental Plan 2014 maps land that is identified as flood planning area, and is therefore subject to the controls in Cl 6.3 flood planning. The Draft Plan includes additional properties in Watsons Bay that are in the flood planning area.

These properties are: **14-16, 18-25 Cliff Street; 1-2, 43 Cove Street; HMAS Watson (Lot 3 DP 605078); 1-2, 6-7, 11-12, 10-24 Marine Parade; 31, 33 Pacific Street; Robertson Park (22 Military Road); 2 Short Street; Sydney Harbour National Park (Lot 1, 2 DP 605078) and 25 Victoria Street.**

The Draft Plan includes the following properties that are not identified as flood planning area: **1, 3, 5, 7 Victoria Street and 29 Cliff Street.**

The report can be inspected at Council or on Council's website. For further information contact Council's engineer.

## **8. PADDINGTON FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN (July 2019)**

At the meeting of 9 September 2019, Council adopted the *Paddington Floodplain Risk Management Study and Plan* dated July 2019

The Study and Plan was prepared in accordance with the NSW Floodplain Development Manual. The Study and Plan aims to provide solutions to existing flooding problems and ensure that new development is compatible with flood hazard and does not create additional flooding problems.

The *Woollahra Local Environmental Plan 2014* maps land that is identified as flood planning area, and is therefore subject to the controls in Cl 6.3 flood planning. The Study and Plan includes additional properties in the Paddington area that are in the flood planning area.

The *Woollahra Local Environmental Plan 2014* maps will be updated, based on the information contained in the adopted Study and Plan.

---

**Should the applicant require further information about any other matter please contact Council's Planning and Development Division.**



Anne White  
per:  
**Craig Swift-McNair**  
**General Manager**

# PLANNING CERTIFICATE UNDER SECTION 10.7 (2) and (5) ENVIRONMENTAL PLANNING & ASSESSMENT ACT

Robinson Urban Planning Pty Ltd  
83 Fletcher Street  
TAMARAMA 2026

**Applicant's reference:**  
19049

Woollahra  
Municipal  
Council



ABN 32 218 483 245

Redleaf Council Chambers  
536 New South Head Road  
Double Bay NSW 2028  
Correspondence to  
General Manager  
PO Box 61  
Double Bay NSW 1360  
DX 3607 Double Bay  
records@woollahra.nsw.gov.au  
www.woollahra.nsw.gov.au  
**Telephone: (02) 9391 7000**  
**Facsimile: (02) 9391 7044**

**Certificate number:** 13  
**Certificate issue date:** 03/01/2020  
**Transaction ID:** 506891  
**Certificate fee:** \$133.00 (standard)

## DESCRIPTION OF PROPERTY

**Address:** Neild Avenue PADDINGTON NSW 2021  
**Title:** LOT: 2 DP: 547260  
**Parish:** Alexandria  
**County:** Cumberland

This planning certificate should be read in conjunction with the *Woollahra Local Environmental Plan 2014* and/or the *Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005*. These are available on the NSW legislation website at [www.legislation.nsw.gov.au](http://www.legislation.nsw.gov.au)

The land to which this certificate relates, being the lot or one of the lots described in the corresponding application, is shown in the Council's records as being situated at the street address described on page 1 of this certificate.

It is the applicant's responsibility to confirm that the legal description of the lot to which the application relates is accurate and current. Council does not check the accuracy or currency of the information; nor does Council have the copyright to this information.

The legal description of land is obtained from NSW Land and Property Information. Applicants must verify all property and lot information with NSW Land and Property Information. The information contained in this certificate relates only to the lot described on the certificate.

Where the street address comprises more than one lot in one or more deposited plans or strata plans, separate planning certificates can be obtained upon application for the other lots. Those certificates may contain different information than is contained in this certificate.

## SECTION 10.7(2) DETAILS

In accordance with section 10.7(2) of the *Environmental Planning and Assessment Act 1979*, at the date of this certificate the following information is provided in respect of the prescribed matters to be included in a planning certificate.

### 1. NAMES OF RELEVANT ENVIRONMENTAL PLANNING INSTRUMENTS

(a) The following environmental planning instrument applies to the land:

**Woollahra Local Environmental Plan 2014 (commenced 23 May 2015)**

(b) Zone:

**RE2 Private Recreation**

(c) **Development that may be carried out within the zone without development consent:**

**Nil**

(d) **Development that may be carried out within the zone with development consent:**

**Centre-based child care facilities; Community facilities; Environmental facilities; Environmental protection works; Information and education facilities; Kiosks; Recreation areas; Recreation facilities (indoor); Recreation facilities (outdoor); Registered clubs; Respite day care centres; Roads**

**Also refer to Schedule 1 of the LEP "Additional permitted uses" to see if this schedule applies to your land.**

(e) **Development that is prohibited within the zone:**

**Any development not specified in item (c) or (d) above.**

(f) Do any development standards apply to the land that set minimum land dimensions for the erection of a dwelling house on the land? If yes, what are the minimum dimensions?

**No**

(g) Does the land include or comprise 'critical habitat' under the provisions of the local environmental plan applying to the land?

**No**

(h) Is the land located in a heritage conservation area under the provisions of the local environmental plan applying to the land?

**Yes: Paddington Heritage Conservation Area**

(i) Is there an item of environmental heritage situated on the land under the provisions of the local environmental plan applying to the land?

**No**

---

## 2. NAMES OF RELEVANT EXHIBITED PROPOSED ENVIRONMENTAL PLANNING INSTRUMENTS

The following proposed environmental planning instruments, including a planning proposal for a LEP or a draft environmental planning instrument have been the subject of community consultation or on public exhibition under the *Environmental Planning and Assessment Act 1979* (unless the Director-General has notified Council that the making of the proposed instrument has been deferred indefinitely or has not been approved.)

**Properties affected: Rose Bay Uniting Church and Wesley Hall at 518a Old South Head Road, Rose Bay**

**Details:** A planning proposal has been prepared to amend the *Woollahra Local Environmental Plan 2014* to list as a heritage item the *Rose Bay Uniting Church and Wesley Hall Group – church and interiors (including moveable heritage, vestry and 1924 additions)* .

**Re-exhibition period:** Wednesday 12 June to Friday 12 July 2019.

---

**Properties affected: The Four in Hand Hotel at 105 Sutherland Street, Paddington**

**Details:** A planning proposal has been prepared to amend the *Woollahra Local Environmental Plan 2014* to list as a heritage item *The Four in Hand Hotel* at 105 Sutherland Street, Paddington .

**Exhibition period:** Wednesday 29 May to Friday 28 June 2019.

---

## 3. NAMES OF RELEVANT DEVELOPMENT CONTROL PLANS

The following table contains a list of development control plans that have been prepared by Council under Division 6 of Part 3 of the *Environmental Planning and Assessment Act 1979* (including any made by the Council under section 72 of the Act before repeal of that section). Please check the table to see the relevancy of the plans to the land that is the subject of this certificate.

(a) The following development control plan applies to the land:

**Woollahra Development Control Plan 2015 (commenced 23 May 2015)**

---

## 4. NAMES OF RELEVANT DEVELOPMENT CONTROL PLANS PREPARED BY THE DIRECTOR GENERAL

The following development control plans have been prepared by the Director-General under Division 6 of Part 3 of the *Environmental Planning and Assessment Act 1979* (including any made by the Director-General under section 51A, before the repeal of that section).

**Sydney Harbour Foreshores and Waterways Area Development Control Plan 2005**

**This DCP applies to certain land within the Woollahra Municipality being land within the Foreshores and Waterways area identified on the Sydney Regional Environmental Plan (Sydney Harbour Catchment) Foreshores and Waterways Area Map.**

## 5. NAMES OF RELEVANT STATE ENVIRONMENTAL PLANNING POLICIES

Below is a list of all State environmental planning policies that apply to the Woollahra Municipality.

Depending on circumstances set down in each SEPP, the policy may be specifically applicable to the land that is the subject of this certificate. You are advised to peruse the policy for the necessary details. Refer to NSW Department of Planning and Environment.

- State Environmental Planning Policy No. 1 – Development Standards
- State Environmental Planning Policy No. 19 – Bushland in Urban Areas
- State Environmental Planning Policy No. 21 – Caravan Parks
- State Environmental Planning Policy No. 33 – Hazardous and Offensive Development
- State Environmental Planning Policy No. 50 – Canal Estate Development
- State Environmental Planning Policy No. 55 – Remediation of Land
- State Environmental Planning Policy No. 64 – Advertising and Signage
- State Environmental Planning Policy No. 65 – Design Quality of Residential Apartment Development
- State Environmental Planning Policy No. 70 – Affordable Housing (Revised Schemes)
- State Environmental Planning Policy (Affordable Rental Housing) 2009
- State Environmental Planning Policy (Building Sustainability Index: BASIX) 2004
- State Environmental Planning Policy (Coastal Management) 2018
- State Environmental Planning Policy (Concurrence) 2018
- State Environmental Planning Policy (Educational Establishments and Child Care Facilities) 2017
- State Environmental Planning Policy (Exempt and Complying Development Codes) 2008
- State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004
- State Environmental Planning Policy (Infrastructure) 2007
- State Environmental Planning Policy (Major Development) 2005
- State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007
- State Environmental Planning Policy (Miscellaneous Consent Provisions) 2007
- State Environmental Planning Policy (State and Regional Development) 2011
- State Environmental Planning Policy (Vegetation in Non-Rural Areas) 2017

Deemed SEPPs:

- Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005  
This REP applies to all land within the Woollahra Municipality except for land at Christison Park, Vaucluse as shown on the Sydney Regional Environmental Plan (Sydney Harbour Catchment) 2005 Sydney Harbour Catchment Map

---

### 5.A STATE ENVIRONMENTAL PLANNING POLICY (COASTAL MANAGEMENT) 2018

Is the land subject to the coastal zone under *State Environmental Planning Policy (Coastal Management) 2018*?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## **6. NAMES OF PROPOSED STATE ENVIRONMENTAL PLANNING POLICIES**

The following proposed State Environmental Planning Policies have been the subject of community consultation or on public exhibition under the *Environmental Planning and Assessment Act 1979* (unless the Director-General has notified Council that the making of the proposed instrument has been deferred indefinitely or has not been approved.)

**There are currently no proposed State Environmental Planning Policies applying to the land.**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## **7. COMPLYING DEVELOPMENT**

Is the land, land on which complying development may be carried out under the *State Environmental Planning Policy (Exempt and Complying Development Codes) 2008* ?

### **Housing Code**

Complying development under the Housing Code may not be carried out on the land (unless the development is a detached outbuilding, detached development (other than a detached studio) or a swimming pool) because the land is within a heritage conservation area or a draft heritage conservation area.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Rural Housing Code**

Rural Housing Code is not applicable to Woollahra Local Government Area.

### **Low Rise Medium Density Housing Code**

Low Rise Medium Density Housing Code is not applicable to Woollahra Local Government Area.

### **Greenfield Housing Code**

Greenfield Housing Code is not applicable to Woollahra Local Government Area.

### **Inland Code**

Inland Code is not applicable to Woollahra Local Government Area.

### **Housing Alterations Code**

Complying development under the Housing Alterations Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **General Development Code**

Complying development under the General Development Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Commercial and Industrial Alterations Code**

Complying development under the Commercial and Industrial Alterations Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Commercial and Industrial (New Buildings and Additions) Code**

Complying development under the Commercial and Industrial (New Buildings and Additions) Code may not be carried out on the land (unless the development is a detached outbuilding or swimming pool) because the land is within a heritage conservation area or a draft heritage conservation area.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Container Recycling Facilities Code**

Complying development under the Container Recycling Facilities Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Subdivisions Code**

Complying development under the Subdivisions Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Demolition Code**

Complying development under the Demolition Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.

### **Fire Safety Code**

Complying development under the Fire Safety Code may be carried out on the land. Development standards apply.

Refer to the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 for full details.



---

## 8. ANNUAL CHARGES UNDER LOCAL GOVERNMENT ACT 1993 FOR COASTAL PROTECTION SERVICES THAT RELATE TO EXISTING COASTAL PROTECTION WORKS

Has the owner (or any previous owner) of the land consented in writing to the land being subject to annual charges under section 496B of the *Local Government Act 1993* for coastal protection services that relate to existing coastal protection works (within the meaning of section 553B of that Act)?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council. If the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 9. MINE SUBSIDENCE

Is the land proclaimed to be a mine subsidence district within the meaning of section 15 of the *Mine Subsidence Compensation Act 1961* ?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 10. ROAD WIDENING OR ROAD REALIGNMENT

Is the land affected by any road widening or road realignment under:

- (a) Division 2 of Part 3 of the Roads Act 1993; or
- (b) any environmental planning instrument; or
- (c) any resolution of the Council?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 11. COUNCIL AND OTHER PUBLIC AUTHORITY POLICIES ON HAZARD RISK RESTRICTIONS

Is the land affected by a policy:

- (a) adopted by the Council that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding)?

**Yes**

**Woollahra LEP 2014, clause 6.1 (Acid sulfate soils) may require an assessment of acid sulfate soils for certain types of development located on certain land identified on the Acid Sulfate Soils Map of the LEP.**

**Woollahra DCP 2015 includes a policy on contaminated land which may restrict the development of the land. This policy is implemented when zoning or land use changes are proposed on lands which have previously been used for certain purposes. Applicants must consider Council's DCP as well as State legislation including the State Environmental Planning Policy No. 55 – Remediation of Land.**

- (b) adopted by any other public authority and notified to the Council for the express purpose of its adoption by that authority being referred to in planning certificates issued by the Council, that restricts the development of the land because of the likelihood of land slip, bushfire, tidal inundation, subsidence, acid sulfate soils or any other risk (other than flooding)?

**No**

---

## **12. FLOOD RELATED DEVELOPMENT CONTROLS INFORMATION**

- (a) Is development on the land or part of the land for the purposes of dwelling houses, dual occupancies, multi dwelling housing or residential flat buildings (not including development for the purposes of group homes or seniors housing) subject to flood related development controls?

**Yes.**

**Part or all of the subject land may be subject to flood related development controls, applicants are advised to inspect relevant flood reports and consult with Council's Technical Services Department. Further flood investigations may be required to accurately determine the nature of flooding on the site.**

- (b) Is development on the land or part of the land for any other purpose subject to flood related development controls?

**Yes.**

**Part or all of the subject land may be subject to flood related development controls, applicants are advised to inspect relevant flood reports and consult with Council's Technical Services Department. Further flood investigations may be required to accurately determine the nature of flooding on the site.**

**Note:** Words and expressions used in this item have the same meanings as in the instrument set out in the Schedule to the *Standard Instrument (Local Environmental Plans) Order 2006*.

---

## **13. LAND RESERVED FOR ACQUISITION**

Does an environmental planning instrument or proposed environmental planning instrument applying to the land make provision in relation to the acquisition of the land by a public authority, as referred to in section 27 of the *Environmental Planning and Assessment Act 1979* ?

**No**

#### 14. CONTRIBUTIONS PLAN

The following contributions plan may apply to the land:

- Woollahra Section 94A Development Contributions Plan 2011 (31 August 2011)
  - Woollahra Section 94 Contributions Plan (31 March 2003).
- 

#### 15. BIODIVERSITY CERTIFIED LAND

Is the land biodiversity certified land under Part 8 of the *Biodiversity Conservation Act 2016*?

**No**

---

#### 16. BIODIVERSITY STEWARDSHIP SITES

Is the land a biodiversity stewardship site under a biodiversity stewardship agreement under Part 5 of the *Biodiversity Conservation Act 2016*?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

#### 17. NATIVE VEGETATION CLEARING SET ASIDES

Does the land contain a set aside area under section 60ZC of the *Local Land Services Act 2013*?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

#### 18. BUSH FIRE PRONE LAND

Is the land to which this certificate relates bush fire prone land?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

## 19. PROPERTY VEGETATION PLANS

Is the land the subject of a property vegetation plan approved under Part 4 of the *Native Vegetation Act 2003* (and that continues in force) ?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 20. ORDERS UNDER TREES (DISPUTES BETWEEN NEIGHBOURS) ACT 2006

Has an order been made under the *Trees (Disputes Between Neighbours) Act 2006* to carry out work in relation to a tree on the land (but only if Council has been notified of the order).

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 21. DIRECTIONS UNDER PART 3A

Is there a direction by the Minister in force under section 75P (2) (c1) of the Act that a provision of an environmental planning instrument prohibiting or restricting the carrying out of a project or a stage of a project on the land under Part 4 of the Act does not have effect?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 22. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR SENIORS

Is there a current site compatibility certificate (seniors housing), of which the Council is aware ?

**No**

Are there any terms of a kind referred to in clause 18(2) of *State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004* that have been imposed as a condition of consent to a development application granted after 11 October 2007?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 23. SITE COMPATIBILITY CERTIFICATES FOR INFRASTRUCTURE, SCHOOLS OR TAFE ESTABLISHMENTS

Is there a valid site compatibility certificate (infrastructure) or site compatibility certificate (schools or TAFE establishments), of which the Council is aware ?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 24. SITE COMPATIBILITY CERTIFICATES AND CONDITIONS FOR AFFORDABLE HOUSING

Is there a current site compatibility certificate (affordable rental housing), of which the Council is aware ?

**No**

Are there any terms of a kind referred to in clause 17(1) or 37(1) of *State Environmental Planning Policy (Affordable Rental Housing) 2009* that have been imposed as a condition of consent to a development application in respect of the land?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 25. PAPER SUBDIVISION INFORMATION

Is there a development plan adopted by a relevant authority that applies to the land or that is proposed to be subject to a consent ballot?

**No**

---

## 26. SITE VERIFICATION CERTIFICATE

Is there a current site verification certificate of which this council is aware?

**No**

**Note:** A site verification certificate sets out the Director-General's opinion as to whether the land concerned is or is not biophysical strategic agricultural land or critical industry cluster land – see Division 3 of Part 4AA of *State Environmental Planning Policy (Mining, Petroleum Production and Extractive Industries) 2007*

---

## 27. MATTERS ARISING UNDER THE CONTAMINATED LAND MANAGEMENT ACT 1997

(a) Is the land (or part of the land) to which this certificate relates significantly contaminated land?

**No**

(b) Is the land to which this certificate relates subject to a management order?

**No**

(c) Is the land to which this certificate relates the subject of an approved voluntary management proposal?

**No**

(d) Is the land to which this certificate relates subject to an ongoing maintenance order?

**No**

(e) Is the land to which this certificate relates the subject of a site audit statement?

**No**

**Note:** These matters are prescribed by section 59 (2) of the *Contaminated Land Management Act 1997* as additional matters to be specified in a planning certificate. Section 53B requires site auditors to furnish local authorities with copies of audit statements relating to site audits for the purposes of statutory requirements.

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 28. LOOSE-FILL ASBESTOS INSULATION

Does the land include any residential premises (within the meaning of Division 1A of Part 8 of the *Home Building Act 1989*) listed on the register that is required to be maintained under that Division.

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

## 29. AFFECTED BUILDING NOTICES AND BUILDING PRODUCT RECTIFICATION ORDERS

(a) Is there any affected building notice in force in respect of the land?

**No**

(b) Is there any building product rectification order in force in respect of the land that has not been fully complied with?

**No**

(c) Is there any outstanding notice of intention to make a building product rectification order?

**No**

**Note:** *affected building notice* has the same meaning as in Part 4 of the *Building Products (Safety) Act 2017*.

***building product rectification*** order has the same meaning as in the *Building Products (Safety) Act 2017*.

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

## SECTION 10.7(5) DETAILS

This certificate is directed to the following relevant matters affecting the land.

**Note** : When information pursuant to section 10.7(5) is requested the Council is under no obligation to furnish any of the information supplied herein pursuant to that section.

Council draws your attention to section 10.7(6), which states that a Council shall not incur any liability in respect of any advice provided in good faith pursuant to sub-section (5). The absence of any reference to any matter affecting the land shall not imply that the land is not affected by any matter not referred to in this planning certificate.

---

### 1. OTHER CONTROLS FROM WOOLLAHRA LOCAL ENVIRONMENTAL PLAN 2014

- a) What is the maximum size of any lot resulting from a subdivision of land (as shown on the Lot Size Map)? Refer to clause 4.1 Minimum subdivision lot size.

**No minimum lot size applies**

- b) Is the land affected by a foreshore building line (as shown on the Foreshore Building Line Map)? Refer to clause 6.4 Limited development on foreshore areas.

**No**

---

### 2. STATE HERITAGE REGISTER ITEMS

Is the land identified under the provisions of the *Heritage Act 1977*?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

### 3. COMMONWEALTH HERITAGE LIST

Is the land identified as a Commonwealth Heritage Place under the provisions of the *Environment Protection and Biodiversity Conservation Act 1999*?

**No**

**Disclaimer:** This statement is based on information supplied by a third party public authority. The accuracy of this information has not been verified by Woollahra Council and if the information is vital for the proposed end use, then it should be verified by the applicant.

---

### 4. RESOLUTION OF COUNCIL TO PREPARE A PLANNING PROPOSAL FOR A LOCAL ENVIRONMENTAL PLAN

A list of Council decisions to prepare a planning proposal for a local environmental plan is provided below. These planning proposals have not been exhibited under section 57 of the *Environmental Planning and Assessment Act 1979*.



**Property affected:** Double Bay Centre

**Date of decision:** 20 August 2018

**Relevant terms of the resolution:**

*Item No: 9.1 (R1)*

- A. THAT Council resolve to prepare a planning proposal to amend Woollahra Local Environmental Plan 2014 by introducing new provisions which protect the provision of commercial floor space in the Double Bay Centre.
- 

**Property affected:** See terms of the resolution

**Date of decision:** on 25 March 2019

**Relevant terms of the resolution:**

*Item No: 9.1 (R2)*

- A. THAT Council prepare a planning proposal to amend clause 4.1A of Woollahra LEP 2014 by inserting minimum lot size standards for manor house and multi dwelling housing (terraces).
- 

**Property affected:** See terms of the resolution

**Date of decision:** 29 April 2019

**Relevant terms of the resolution:**

*Item No: 9.1 (R3)*

- A. THAT Council prepare a planning proposal to amend Woollahra Local Environmental Plan 2014 by introducing:
1. A maximum FSR of 0.5:1 for low density residential development in the R2 Low Density Residential and R3 Medium Density Residential zones.
  2. A maximum FSR of 0.75:1 for low density residential development in the Wolseley Road, Point Piper, area as shown in *Figure 1* in the report to the Environmental Planning Committee meeting of 4 March 2019.
  3. A range of maximum FSRs as set out in the report to the Environmental Planning Committee meeting on 4 March 2019 for low density residential development on small lots in the R2 Low Density Residential Development And R3 Medium Density Residential zones.
  4. Specific objectives and other associated amendments to facilitate 1, 2 and 3.
  5. The FSRs in A1, 2 and 3 and associated changes referred to in A4 will not apply to the Paddington, Watsons Bay and Woollahra Heritage Conservation Areas.
- G. That noting our concern for development in smaller lots (400sqm or less) that Council seeks advice from the Woollahra Local Planning Panel on the best methods to apply FSR to smaller lots outlined in point A. (3).

**Property affected:** Sewerage Pumping Station, Percival Park, Rose Bay

**Date of decision:** 9 September 2019

**Relevant terms of the resolution:**

*Item No: 13.1(R1)*

- A. THAT a planning proposal be prepared to list the sewerage pumping station (SPS 46) and sandstone gate posts and metal gates in Percival Park at 13 Collins Avenue, Rose Bat as a heritage item in Woollahra Local Environmental Plan 2014.
- 

**Property affected:** See terms of resolution

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 13.1(R2)*

- A. THAT a planning proposal to amend the Flood Planning Map of Woollahra Local Environmental Plan 2014 based on the adopted Paddington Floodplain Risk Management Study and Plan 2019.
- 

**Property affected:** 30 Wyuna Road, Point Piper

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 13.3(R3)*

- 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.
- 

**Property affected:** See terms of resolution

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 13.3(R4)*

- C. THAT a planning proposal be prepared to increase the minimum lot size of attached dual occupancies in the R2 zone to 800m<sup>2</sup>.
- 

## 5. COASTAL HAZARDS

An Estuary Planning Levels Report (August 2014) by Cardno is a supporting document to the Woollahra Development Control Plan 2015.

The Estuary Planning Levels Report identifies:

- foreshore properties which may be subject to current coastal inundation risks caused by local wind and wave setup, and/or wave run-up/overtopping; and
- foreshore properties which may be subject to future coastal inundation risks caused by sea level rise.

The report recommends planning controls to minimise the effects of coastal inundation risks. The Report can be inspected at Council or on Council's website.

---

## 6. RESOLUTIONS OF COUNCIL RELATING TO HERITAGE LISTINGS OR CONTRIBUTORY ITEMS IN DEVELOPMENT CONTROL PLANS

**Properties affected:** 8A Cooper Street, Paddington

**Date of decision:** 27 November 2006

**Relevant terms of resolution:**

- E. That pending gazettal of the following properties as local heritage items in Woollahra Local Environmental Plan 1995, further investigation be undertaken to determine if a nomination to the State Heritage Register should be prepared:

<i>Cooper Street</i>	<i>Paddington</i>	<i>8A</i>	<i>House</i>
----------------------	-------------------	-----------	--------------

---

**Property affected:** 4 Dunara Gardens, Point Piper

**Date of decision:** 18 December 2006

**Relevant terms of the resolution:**

- D. That pending gazettal of the following property as local heritage item in Woollahra Local Environmental Plan 1995, further investigation be undertaken to determine if a nomination to the State Heritage Register should be prepared:

<i>Dunara Gardens</i>	<i>Point Piper</i>	<i>4</i>	<i>House</i>
-----------------------	--------------------	----------	--------------

---

**Property affected:** Cooper Park in the suburbs of Bellevue Hill and Woollahra

**Date of decision:** 27 November 2017

**Relevant terms of the resolution:**

THAT Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for Cooper Park to Urban Planning Committee to facilitate Cooper Park (and its elements) being:

1. included in the Woollahra Local Environmental Plan as a heritage item; and
2. listed as a heritage item of state significance on the NSW State Heritage Register.

---

**Property affected:** See terms of resolution

**Date of decision:** 23 April 2018

**Relevant terms of the resolution:**

*Item No: 11.1*

That Council requests staff to prepare and submit a report including a heritage assessment and draft heritage inventory sheet for each of:

1. The Sydney Croquet Club building and green (having its address in Woollahra Park, O'Sullivan Road, Rose Bay); and

2. The Woollahra Golf Club clubhouse and George Grimley Pavilion (having its address in Woollahra Park at 50 O'Sullivan Road, Rose Bay)

to the relevant Council Committee to facilitate the Sydney Croquet Club building and greens and the Woollahra Gold Club clubhouse and George Grimley Pavilion (and their elements) being:

1. Included in the Woollahra Local Environmental Plan as a heritage item; and
2. Listed as a heritage item of state significance on the NSW State Heritage Register.

---

**Property affected:** See terms of resolution

**Date of decision:** 18 June 2018

**Relevant terms of the resolution:**

*Item No: 11.1*

THAT Council

- A. Request staff to undertake an assessment of heritage significance for the Rose Bay Scout Hall (former RAAF Officers' Canteen) located in Vickery Avenue, Rose Bay, and report to the Environmental Planning Committee on whether the property has sufficient heritage significance to be listed as:
- i) a local heritage item in the Woollahra Local Environment Plan 2014 (WLEP), and
  - ii) an item of State Heritage under the Heritage Act 1977.

---

**Property affected:** 2A Cooper Street, Double Bay

**Date of decision:** 29 October 2018

**Relevant terms of the resolution:**

*Item No: 9.1 (R1)*

- D. THAT Council support the nomination to list Gaden House at 2A Cooper Street, Double Bay as a heritage item on the State Heritage Register and submit it to the Office of Environment and Heritage.

---

**Property affected:** See terms of resolution

**Date of decision:** 8 April 2019

**Relevant terms of the resolution:**

*Item No: 11.2*

THAT Council requests staff to undertake an assessment of heritage significance for the following properties located in Rose Bay, NSW;

- i) St Andrews Scots Presbyterian Church, corner of Dover Rd and Carlisle Street, Rose Bay;
- ii) Old School Hall, Rose Bay Public School, Albermarle Ave, Rose Bay; and
- iii) McAuley Catholic School and outbuildings (formerly Christian Brothers College Rose Bay),

and report to the Environmental Planning Committee on whether these items have sufficient heritage significance to be listed as:

- i) a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP); and/or
- ii) an item on the State Heritage Register under the Heritage Act 1977.

---

**Property affected:** See terms of resolution

**Date of decision:** 8 April 2019

**Relevant terms of the resolution:**

*Item No: 11.3*

THAT Council

- B. Requests staff to commission a report to investigate potential heritage significance of places of worship in the Woollahra Local Government area in order to identify items of heritage significance at either a local or State level, with a view to having those identified items listed as;
- (a) a local heritage item in the Woollahra Local Environmental Plan 2014 (WLEP); and/or
  - (b) an item on the State Heritage Register under the Heritage Act 1977.
- 

**Property affected:** 3 Trelawney Street, Woollahra

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 16.3*

THAT Council proceeds urgently to assess Trelawney Court at number 3 Trelawney Street, Woollahra with a view to a local heritage listing.

---

**Property affected:** See terms of resolution

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 16.4*

- A. Notes the detailed report on Californian Bungalows presented to the Urban Planning Committee on 22 June 2015.
  - B. Notes the recommendation to Council on 22 June 2015 to prepare a planning proposal to list 16 Bunyula Road, 6 March Street, 165 O'Sullivan Road, 44 Russell Street, 5A Vivian Street, Bellevue Hill and 10 Parsley Bay, Vaucluse as heritage items in Schedule 5 of the Woollahra LEP 2014.
  - C. Requests the Director of Planning to review the above mentioned recommendation and provide an updated recommendation to Council on the merit of heritage listing the properties mentioned above.
  - D. Requests staff to prepare a report on arts and crafts buildings, including any examples of outstanding significance recommended for listing in Schedule 5 of the Woollahra LEP.
- 

**Property affected:** See terms of resolution

**Date of decision:** 11 November 2019

**Relevant terms of the resolution:**

*Item No: 16.5*

THAT Council:

- A. Request staff to report to the Environmental Planning Committee on how the detailed controls for Inter-War residential flat buildings found in B3.8.7 of the Woollahra DCP 2015 can be applied to the Paddington, Woollahra and Watsons Bay Heritage Conservations Areas.
- B. Notes community concern about the recent demolition of interwar residential flat buildings at 12 and 16 William Street, Double Bay, and 75 and 77 O'Sullivan Road, Bellevue Hill, and requests staff to provide commentary on the most effective means of protecting from

demolition interwar buildings located in all zones across the municipality, including if appropriate the invocation of LEP provisions.

---

## **7. DRAFT WATSONS BAY FLOOD RISK MANAGEMENT STUDY AND PLAN (MAY 2016)**

The Draft Watsons Bay Flood Risk Management Study and Plan (May 2016) has been prepared in accordance with the NSW Floodplain Development Manual. The Draft Plan aims to provide solutions to existing flooding problems and ensure that new development is compatible with the flood hazard and does not create additional flooding problems.

The Woollahra Local Environmental Plan 2014 maps land that is identified as flood planning area, and is therefore subject to the controls in Cl 6.3 flood planning. The Draft Plan includes additional properties in Watsons Bay that are in the flood planning area.

These properties are: **14-16, 18-25 Cliff Street; 1-2, 43 Cove Street; HMAS Watson (Lot 3 DP 605078); 1-2, 6-7, 11-12, 10-24 Marine Parade; 31, 33 Pacific Street; Robertson Park (22 Military Road); 2 Short Street; Sydney Harbour National Park (Lot 1, 2 DP 605078) and 25 Victoria Street.**

The Draft Plan includes the following properties that are not identified as flood planning area: **1, 3, 5, 7 Victoria Street and 29 Cliff Street.**

The report can be inspected at Council or on Council's website. For further information contact Council's engineer.

---

## **8. PADDINGTON FLOODPLAIN RISK MANAGEMENT STUDY AND PLAN (July 2019)**

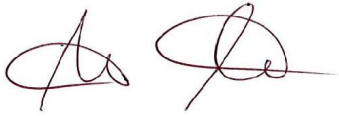
At the meeting of 9 September 2019, Council adopted the *Paddington Floodplain Risk Management Study and Plan* dated July 2019

The Study and Plan was prepared in accordance with the NSW Floodplain Development Manual. The Study and Plan aims to provide solutions to existing flooding problems and ensure that new development is compatible with flood hazard and does not create additional flooding problems.

The *Woollahra Local Environmental Plan 2014* maps land that is identified as flood planning area, and is therefore subject to the controls in Cl 6.3 flood planning. The Study and Plan includes additional properties in the Paddington area that are in the flood planning area.

The *Woollahra Local Environmental Plan 2014* maps will be updated, based on the information contained in the adopted Study and Plan.

**Should the applicant require further information about any other matter please contact Council's Planning and Development Division.**

Two handwritten signatures in red ink. The first signature is a stylized 'A' followed by a horizontal line. The second signature is a stylized 'G' followed by a horizontal line.

Anne White  
per:  
**Gary James**  
**General Manager**