



New South Wales

Woollahra Local Environmental Plan 2014 (Amendment No 33)

under the

Environmental Planning and Assessment Act 1979

The following local environmental plan is made by the local plan-making authority under the *Environmental Planning and Assessment Act 1979*.

AMANDA HARVEY

As delegate for the Minister for Planning and Public Spaces

Woollahra Local Environmental Plan 2014 (Amendment No 33)

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1 Name of plan

This plan is *Woollahra Local Environmental Plan 2014 (Amendment No 33)*.

2 Commencement

This plan commences on the day on which it is published on the NSW legislation website.

3 Land to which plan applies

This plan applies to the land to which *Woollahra Local Environmental Plan 2014* applies.

4 Maps

The maps adopted by *Woollahra Local Environmental Plan 2014* are amended or replaced, as the case requires, by the maps approved by the local plan-making authority on the making of this plan.

Schedule 1 Amendment of Woollahra Local Environmental Plan 2014

- [1] **Clause 1.2 Aims of Plan**
Insert “and enhance” after “conserve” in clause 1.2(2)(f).
- [2] **Clause 1.2(2)(g)**
Insert “and enhance” after “protect”.
- [3] **Clause 1.2(2)(n) and (o)**
Insert after clause 1.2(2)(m)—
 (n) to encourage the retention and planting of trees and other vegetation as part of development and minimise the urban heat island effect,
 (o) to mitigate the effects of climate change.
- [4] **Clause 1.8A, heading**
Omit “provision”. Insert instead “provisions”.
- [5] **Clause 1.8A, note**
Omit the note.
- [6] **Clause 1.8A(2)**
Insert at the end of the clause—
 (2) The amendments made to this plan by *Woollahra Local Environmental Plan 2014 (Amendment No 33)*, other than new clause 6.10, do not apply to a development application made, but not finally determined, before the commencement of the amendments.
- [7] **Land Use Table**
Insert at the end of item 1 wherever occurring in Zones R2 and R3—
 • To ensure development conserves and enhances tree canopy cover.
- [8] **Land Use Table, Zones E1, MU1, SP2, SP3 and RE2**
Insert at the end of item 1 wherever occurring—
 • To encourage the retention and planting of trees and other vegetation as part of development to minimise the urban heat island effect and to improve microclimates.
- [9] **Clause 4.4 Floor space ratio**
Insert “, tree canopy cover” after “planting” in clause 4.4(1)(a)(iii).
- [10] **Clause 4.4(2A)**
Omit the subclause.
- [11] **Clause 4.4E**
Insert after clause 4.4D—

4.4E Exceptions to floor space ratio—dwelling houses, dual occupancies and semi-detached dwellings in Zones R2 and R3

- (1) The objectives of this clause are as follows—
 - (a) to ensure the bulk and scale of development is compatible with the desired future character of the area,
 - (b) to minimise adverse environmental effects on the use or enjoyment of adjoining properties and the public domain,
 - (c) to ensure development makes adequate provision for deep soil planting, tree canopy cover and private open space.
- (2) This clause applies to land in the following zones—
 - (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential.
- (3) The maximum floor space ratio for a dual occupancy, dwelling house or semi-detached dwelling is—
 - (a) for land identified as “Area 6” on the Floor Space Ratio Map—0.75:1, or
 - (b) for other land—the floor space ratio specified for the lot size in the table to this subclause.

Lot size	Maximum floor space ratio
<150m ²	1.05:1
≥150m ² <200m ²	0.95:1
≥200m ² <250m ²	0.85:1
≥250m ² <300m ²	0.75:1
≥300m ² <350m ²	0.65:1
≥350m ² <400m ²	0.55:1
≥400m ²	0.5:1

- (4) This clause does not apply to a dual occupancy, dwelling house or semi-detached dwelling in the Paddington, Watsons Bay or Woollahra heritage conservation areas identified on the Heritage Map.

[12] Part 6 Additional local provisions

Insert after clause 6.8—

6.9 Tree canopy cover in Zones R2 and R3

- (1) The objective of this clause is to conserve and enhance tree canopy cover.
- (2) This clause applies to land in the following zones—
 - (a) Zone R2 Low Density Residential,
 - (b) Zone R3 Medium Density Residential.
- (3) Development consent must not be granted to development on the land unless the consent authority has considered whether the development—
 - (a) incorporates planning and design measures to enable the retention and planting of trees to minimise the urban heat island effect, and

- (b) will avoid, minimise or mitigate adverse impacts on the existing tree canopy.
- (4) This clause does not apply to the Paddington, Watsons Bay or Woollahra heritage conservation areas identified on the Heritage Map.

6.10 Development in local centres

- (1) The objectives of this clause are as follows—
 - (a) to ensure the scale and function of development in local centres are appropriate for the location,
 - (b) to ensure development in local centres is compatible with the desired future character and amenity of surrounding residential areas.
- (2) This clause applies to land identified as “Area K” on the Land Zoning Map.
- (3) Development consent must not be granted to development on the land unless the consent authority has considered—
 - (a) the impact of the development on—
 - (i) the amenity of surrounding residential areas, and
 - (ii) the desired future character of the local centre, and
 - (b) whether the development is consistent with the hierarchy of centres.

[13] Dictionary

Insert in alphabetical order—

green infrastructure means the network of green spaces, natural systems and semi-natural systems, including waterways, bushland, tree canopy and green ground cover, parks and open spaces—

- (a) that supports sustainable communities, and
- (b) is strategically planned, designed and managed to support a good quality of life in an urban environment.

urban heat island effect means the effect resulting from conditions that contribute to high temperatures in urban areas, including—

- (a) the use of roads, car parks, pavements, roofs, walls and other hard and dark surfaces, and
- (b) activities that generate heat, including waste air from mechanical cooling systems, and
- (c) a reduction of green infrastructure.