

Development Control Committee Minutes

Monday 2 April 2007

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Development Control Committee Minutes

**Minutes of the Meeting held on
Monday 2 April 2007 at 6.00pm**

Present: The Mayor, Councillor Keri Huxley, ex-officio
Councillors John Comino (Chair)
Claudia Cullen
Anthony Boskovitz (Item R1)
Christopher Dawson
Tanya Excell
Andrew Petrie
Geoff Rundle

Staff: B Daintry (Manager – Development Control)
George Fotis (Team Leader)
D Booth (Senior Assessment Officer)
Les Windle (Manager – Governance)

Session One: 6.00pm to 7.30pm

Also in Attendance: Councillor Julian Martin (part Item D4)

Leave of Absence

Leave of Absence previously granted by Council: Nil

Apologies: Nil

Late Correspondence

Late correspondence was submitted to the committee in relation to Items: D2 & R1

Declarations of Interest

Councillor Petrie advised in relation to item R1 (St Peters Anglican Church Hall, 331 Old South Head Road, Watsons Bay) that he did not have a conflict of interest in the matter however wanted to declare that he was married in the Church and his two children were christened in the Church.

Items Decided by this Committee using its Delegated Authority (Items D1 to D4)

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 19 March 2007**
Author: Les Windle, Manager - Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 19 March 2007 were previously circulated. In accordance with the guidelines for Committees' operations it is now necessary that those Minutes be formally taken as read and confirmed.

(Cullen/Petrie)

Resolved:

That the Minutes of the Development Control Committee Meeting of 19 March 2007 be taken as read and confirmed.

D2 DA813/2005 – 22 Fairfax Road, Bellevue Hill – Demolition of existing building & construction of new three storey RFB – 23/12/2005

Note: Ms Jennifer Hill on behalf of the owner and Mr Duncan Fairweather of 18 Fairfax Road Bellevue Hill on behalf of objectors addressed the meeting.

Note: Late correspondence was tabled by Thomass Wong – Senior Assessment Officer, Garry & Michele Charny, Rocky Lagudi, Anne Gorman, Kenneth Chapman, Clara & David Lewis, Sebastien Priddle, Faye Rothwell, Tony Liddy, Lyn Keep, Susan Harvey, Mel Rogan, Susan Choi, Pixie Yule, Michael & Bunny Gardiner-Hill, Bill Best, Rob Thomas, Charles Arve, Kathy Young, Alby White, Neil Moody and Rafael Barini.

Note: The Committee added additional reasons 3 and 4 for refusal.

(Huxley/Excell)

Resolved: Pursuant to Section 80(1) of the Environmental Planning and Assessment Act, 1979

THAT Council, as the consent authority, refuse development consent to Development Application No. 813/2005 for demolition of existing building and construction of new three storey residential flat building on land at 22 Fairfax Road, Bellevue Hill, for the following reasons:

1. Due to the absence of a downstream drainage easement to facilitate a gravity drainage system, the proposal does not provide for adequate site drainage and is therefore unsatisfactory with regard to the provisions of Clause 25 (2) of Woollahra LEP 1995.
2. The proposal is not in the public interest with respect to the impact upon the local heritage item.

3. Insufficient evidence has been provided by the applicant to conclusively determine that the loss of the existing building will not result in the loss of a building with significant heritage significance. In particular, the applicant has not conclusively demonstrated that:
 - the building was not designed by Maurice Halligan
 - it is not a good example of his work
 - the building is not uncommon amongst Arts and Crafts buildings in the Municipality
 - the original fabric of the building cannot be restored.
4. The removal of the heritage item will have a deleterious effect on the streetscape.

D3 Development Assessment & Determinations 2000 to 2006 – 885.G Performance

(Petrie/Comino)

Resolved:

1. That this report be received and noted.
2. That the Committee expresses its appreciation to the Manager Development Control and his staff for their work with respect to this report and in dealing with the complexities of the development assessment process.
3. That a supplementary report be brought back to the Committee with the results of the McKinley examination of the DA assessment and referral process.

D4 Register of Current Land and Environment Court Appeals for Building and Development Applications

(Petrie/Excell)

Resolved:

THAT the attached register of current Land and Environment Court Appeals for Building and Development Applications be received and noted.

**Items with Recommendations from this Committee
Submitted to the Council for Decision (Items R1)**

R1 DA755/2005 – 331 Old South Head Road, Watsons Bay – Alterations & additions to St Peters Anglican Church Hall – 5/12/2005

Note: Councillor Petrie advised that he did not have a conflict of interest in this matter however wanted to declare that he was married in the Church and his two children were christened in the Church.

Note: In accordance with Council's meeting procedures this matter has been called to full Council by Councillor Shoebridge for the reason that it proposes very significant amendments to a key historic landmark in Woollahra and has large potential impacts on the surrounding environment.

Note: Late correspondence was tabled by David Booth – Senior Assessment Officer, Vic Alhadeff, The Watsons Bay Residents Group, Peter Curtis, Molly Joffe, Peter Poland–Woollahra History & Heritage Society Inc, Robert Dulhunty, Jane Robinson–Anglican Parish of Watsons Bay (2 pieces) & Robert Staas - NBR&P Heritage.

Note: This Item was considered as the first item on the agenda.

**Motion moved by Councillor Petrie
Seconded by Councillor Excell**

That consideration of Development Application No. 755/2005 for alterations and additions to St Peters Church Hall on land at 331 Old South head Road, Watsons Bay be deferred and considered at the Development Control committee meeting to be held on Monday 23 April 2007.

**Amendment moved by Councillor Boskovitz
Seconded by Councillor Comino**

That this matter be referred to a site inspection meeting to be held on Wednesday 11 April 2007 and that any interested members of the public who are unable to attend the site inspection meeting be permitted to address the Development Control Committee meeting on 23 April 2007.

**The Amendment was put and lost.
The Motion was adopted.**

Recommendation

That consideration of Development Application No. 755/2005 for alterations and additions to St Peters Church Hall on land at 331 Old South head Road, Watsons Bay be deferred and considered at the Development Control committee meeting to be held on Monday 23 April 2007.

There being no further business the meeting concluded at 7.30pm.

We certify that the pages numbered 660 to 666 inclusive are the Minutes of the Development Control Committee Meeting held on 2 April 2007 and confirmed by the Development Control Committee on 23 April 2007 as correct.

Chairperson

Secretary of Committee