

# Urban Planning Committee Minutes

Monday 12 November 2012

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# Urban Planning Committee Minutes

**Minutes of the Meeting held on  
Monday 12 November 2012 at 6.00pm**

**Present:** His Worship the Mayor, Councillor Andrew Petrie ex-officio (Part Item D2 – Part Item R2)  
Councillors Greg Levenston (Chair)  
Ted Bennett  
Luise Elsing  
Elena Kirillova  
Katherine O'Regan  
Matthew Robertson  
Toni Zeltzer

**Staff:** Christopher Bluett (Manager – Strategic Planning)  
Allan Coker (Director – Planning & Development)  
Sara Reilly (Strategic Heritage Officer)  
Patrick Robinson (Manager Development Control)  
Les Windle (A/Director Corporate Services)

**Also in Attendance:** Councillor Anthony Boskovitz (Part Item R1 – Part Item R2)

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## **Leave of Absence**

Leave of Absence previously granted by Council: Nil

Apologies: Nil

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## **Late Correspondence**

Late correspondence was submitted to the committee in relation to Items: Nil

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## **Declarations of Interest**

Nil

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**Items Decided by this Committee using its Delegated Authority (Items D1 to D2)**

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**Item No:** D1 Delegated to Committee  
**Subject:** **Confirmation of Minutes of Meeting held on 22 October 2012**  
**Author:** Les Windle – Manager Governance  
**File No:** See Council Minutes  
**Reason for Report:** The Minutes of the Meeting of 22 October 2012 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.

**(Zeltzer/Elsing)**

**Resolved:**

That the Minutes of the Urban Planning Committee Meeting of 22 October 2012 be taken as read and confirmed.

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**Item No:** D2 Delegated to Committee  
**Subject:** **Delivery Program 2009 to 2013 & Operational Plan 2012/13 (DPOP) Quarterly Progress Report September 2012 against Goal 4 - Well Planned Neighbourhood**  
**Author:** Allan Coker - Director Planning & Development  
Chris Bluett - Manager Strategic Planning  
Patrick Robinson - Manager Development Control  
**File No:** 1229.G  
**Reason for Report:** To review the status of the Priorities and Actions in Council's Delivery Program 2009 to 2013 and Operational Plan 2012/13 for the three months ending 30 September 2012.

**(Zeltzer/Petrie)**

**Resolved:**

- A. THAT the September 2012 Quarterly Progress Report on Goal 4 (Well planned neighbourhoods) of Council's Delivery Program 2009 to 2013 and Operational Plan 2012/13 be received and noted.
- B. THAT a report be submitted to the Urban Planning Committee:
1. In relation to Action 4.1.1.32 (*Prepare a report to the Urban Planning Committee that evaluates the merits of a "Licensed Premises DCP" for the Woollahra Municipality*), by February 2013.
  2. On the decision of Gosford City Council in relation to properties affected by sea level rise.

**Items with Recommendations from this Committee  
Submitted to the Council for Decision (Items R1 to R3)**

**Item No:** R1 Recommendation to Council  
**Subject:** Woollahra DCP 2003 (Amendment 2) - Lofts over garages  
**Author:** Sara Reilly Strategic Heritage Officer  
**File No:** 1092.G  
**Reason for Report:** To report on the public exhibition of the Draft Woollahra HCA DCP 2003 (Amendment No. 2) - Lofts over garages  
 To obtain Council's approval of the Draft Woollahra HCA DCP 2003 (Amendment No. 2) – Lofts over garages

**(Robertson/Kirillova)**

**Recommendation:**

- A. That the Draft Woollahra HCA DCP 2003 (Amendment No. 2) - Lofts over garages, as contained in **annexure 3** of the report to Urban Planning Committee meeting on 13 November 2012 be approved.
- B. That the Draft Woollahra HCA DCP 2003 (Amendment No. 2) - Lofts over garages comes into effect on the date that notice of the approval is published in the Wentworth Courier.

*Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.*

***For the Recommendation***

***Against the Recommendation***

Ted Bennett  
 Luise Elsing  
 Elena Kirillova  
 Greg Levenston  
 Katherine O'Regan  
 Andrew Petrie  
 Matthew Robertson  
 Toni Zeltzer

Nil

***8/0***

**Item No:** R2 Recommendation to Council  
**Subject:** **Modification to the Definitions of ‘Height’ and ‘Existing Ground Level’ in the Woollahra Local Environmental Plan 1995**  
**Author:** Patrick Robinson – Manger Development Control  
**File No:** 1064.G (Amend. 74)  
**Reason for Report:** To remedy a problem in relation to the interpretation of the definitions of ‘height’ and ‘existing ground level’ in Woollahra LEP 1995.

(Elsing/Bennett)

**Recommendation:**

That consideration of the matter be deferred to the next Urban Planning Committee meeting with additional legal advice being obtained providing Council certainty that the recommended course of action suggested by the Manager Development Control will be applicable and resolve all issues relating to height measurement, particularly in relation to alterations and additions.

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**Item No:** R3 Recommendation to Council  
**Subject:** **Delegation and independent reviews relating to plan-making**  
**Author:** Chris Bluett - Manager Strategic Planning  
**File No:** 885.G  
**Reason for Report:** To inform Council about new a delegation and independent reviews for plan-making under Part 3 of the *Environmental Planning and Assessment Act 1979*.  
To obtain Council’s decisions to accept the plan-making delegation.

(Zeltzer/O’Regan)

**Recommendation**

- A. That the Council inform the Hon Brad Hazzard MP, Minister for Planning and Infrastructure, that it wishes to accept the delegation for the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.
- B. That the Council delegate to the position of General Manager the functions delegated to the Council by the Minister for Planning and Infrastructure in his instrument of delegation dated 14 October 2012, noting that those delegations will be sub-delegated to the position of Director Planning and Development.

*Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.*

***For the Recommendation******Against the Recommendation***

Ted Bennett  
Elena Kirillova  
Greg Levenston  
Katherine O'Regan  
Toni Zeltzer

Matthew Robertson  
Luise Elsing

***5/2***

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There being no further business the meeting concluded at 8.10pm.

***We certify that the pages numbered 2993 to 2999 inclusive are the Minutes of the Urban Planning Committee Meeting held on 12 November 2012 and confirmed by the Urban Planning Committee on 26 November 2012 as correct.***

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**Chairperson**

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**Secretary of Committee**