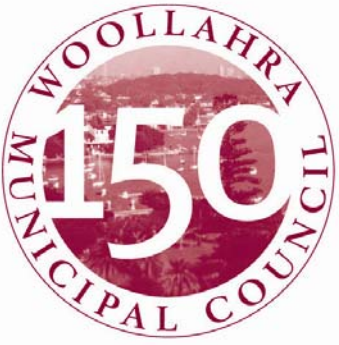


# Urban Planning Committee



**Agenda:** *Urban Planning Committee*

**Date:** *Monday 14 February 2011*

**Time:** *6.00pm*

## **Outline of Meeting Protocol & Procedure:**

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

## **Recommendation only to the Full Council (“R” Items)**

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Broad strategic matters, such as:-
  - Town Planning Objectives; and
  - major planning initiatives.
- Matters not within the specified functions of the Committee.
- Matters requiring supplementary votes to Budget.
- Urban Design Plans and Guidelines.
- Local Environment Plans.
- Residential and Commercial Development Control Plans.
- Rezoning applications.
- Heritage Conservation Controls.
- Traffic Management and Planning (Policy) and Approvals.
- Commercial Centres Beautification Plans of Management.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters reserved by individual Councillors in accordance with any Council policy on "safeguards" and substantive changes.

## **Delegated Authority (“D” Items)**

- To require such investigations, reports or actions as considered necessary in respect of matters contained within the Business Agendas (and as may be limited by specific Council resolutions).
- Confirmation of the Minutes of its Meetings.
- Any other matter falling within the responsibility of the Urban Planning Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed above.
- Statutory reviews of Council's Delivery Program and Operational Plan.

**Committee Membership:**

7 Councillors

**Quorum:**

The quorum for a committee meeting is 4 Councillors.

# WOOLLAHRA MUNICIPAL COUNCIL

## Notice of Meeting

10 February 2011

To: Her Worship The Mayor, Councillor Isabelle Shapiro ex-officio  
Councillors Chris Howe (Chair)  
Lucienne Edelman (Deputy)  
Nicola Grieve  
Ian Plater  
David Shoebridge  
Malcolm Young  
Toni Zeltzer

Dear Councillors

### **Urban Planning Committee Meeting – 14 February 2011**

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Urban Planning Committee** to be held in the **Thornton Room (Committee Room), 536 New South Head Road, Double Bay, on Monday 14 February 2011 at 6.00pm.**

Gary James  
General Manager

# **Additional Information Relating to Committee Matters**

**Site Inspection**

**Other Matters**

## Meeting Agenda

<b>Item</b>	<b>Subject</b>	<b>Pages</b>
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

### **Items to be Decided by this Committee using its Delegated Authority**

D1	Confirmation of Minutes of Meeting held on 31 January 2011	1
D2	Draft Woollahra Residential DCO (Amendment No.3) – Council Resolution to place draft document on Public Exhibition – 1064.G	2

### **Items to be Submitted to the Council for Decision with Recommendations from this Committee**

R1	Draft Woollahra Residential DCP 2003 (Amendment No.3) – 1064.G	14
R2	Draft Woollahra Site Waste Minimisation and Management Development Control Plan 2010 (Waste Not DCP) – 1002.G	65

**Item No:** D1 Delegated to Committee  
**Subject:** **Confirmation of Minutes of Meeting held on 31 January 2011**  
**Author:** Les Windle, Manager – Governance  
**File No:** See Council Minutes  
**Reason for Report:** The Minutes of the Meeting of Monday 31 January 2011 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.

**Recommendation:**

That the Minutes of the Urban Planning Committee Meeting of 31 January 2011 be taken as read and confirmed.

Les Windle  
Manager - Governance

**Item No:** D2 Delegated to Committee  
**Subject:** **Draft Woollahra Residential DCP (Amendment No. 3) - Council Resolution to place draft document on public exhibition**  
**Author:** Les Windle - Manager Governance  
**File No:** 1064.G  
**Reason for Report:** To advise on the Council resolution to place the Draft Woollahra Residential DCP (Amendment No. 3) on public exhibition as requested by the Urban Planning Committee recommendation of 31 January 2011

**Recommendation:**

That the information be noted.

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**Background:**

A report on the results of the public exhibition of the Draft Woollahra Residential DCP (Amendment No. 3) was submitted to the Urban Planning Committee on 31 January 2011. The report recommended that the Draft DCP, as exhibited, be adopted and come into effect on the date notice of the approval is published in the Wentworth Courier.

At the Committee meeting discussion was held in relation to whether the reference to the minimum height above the floor level in Control C5.8.5 should be 1.7 metres or 1.5 metres. As a consequence of this discussion the Committee adopted the following recommendation:

*That consideration of the matter be deferred and a report submitted to the next meeting of the Urban Planning Committee on the terms of the Council resolution to place the Draft Woollahra Residential DCP 2003 (Amendment No. 3) on public exhibition, particularly in relation to the window sill heights in Control C 5.8.5(4).*

**Council Resolution to place the Draft Woollahra Residential DCP (Amendment No. 3) on public exhibition**

A report was submitted to the Urban Planning Committee on 6 September 2010 titled "Obscure Glazing to Upper Floor Windows and Screening for Privacy" with the following staff recommendation:

- A. *That Council resolve to prepare an amendment to the Woollahra Residential Development Control Plan 2003, as set out in **Annexure 1** of the report to the Urban Planning Committee of 23 August 2010.*
- B. *That the Draft Woollahra Residential Development Control Plan Amendment No 3. be placed on public exhibition consistent with the requirements of the Environmental Planning and Assessment Act 1979 and Regulation.*

At the Meeting the Committee considered the following motions/amendments:

A Motion moved by Councillor Zeltzer and Seconded by Councillor Cavanagh recommending, among other changes, that the references in the Draft DCP to “1.7m above floor level” be replaced with “1.5m above floor level.”

An Amendment moved by Councillor Shoebridge and Seconded by Councillor Young that proposed a number of amendment to the Draft DCP but did not propose a change to the 1.7m Control.

An amendment moved by Councillor Howe that the staff recommendation be adopted.

Following debate, the Committee adopted the following recommendation which was submitted to the Council Meeting on 11 October 2010.

- A. *That Council resolve to prepare an amendment to the Woollahra Residential Development Control Plan 2003, as set out in **Annexure 1** of the report to the Urban Planning Committee of 23 August 2010 subject to:*
1. *Control C 5.8.5A being amended by reversing the options of 2 and 3 so that the printed option 2 becomes the new option 3 and the printed option 3 becomes the new option 2, and*
  2. *Deletion of Control C 5.8.5*
  3. *The Visual privacy controls in the Explanation Table being amended to read:  
“The visual privacy controls apply to habitable rooms. This includes rooms such as a bedroom, living room, lounge room, kitchen, dining room and the like. Maintaining visual privacy within and from these types of habitable rooms is the most important, as these are the common living areas in a dwelling.”*
- B. *That the Draft Woollahra Residential Development Control Plan Amendment No 3. be placed on public exhibition consistent with the requirements of the Environmental Planning and Assessment Act 1979 and Regulation.*

At the Council Meeting on 11 October, the Council considered the following motions/amendments:

A Motion moved by Councillor Howe and Seconded by Councillor Plater that proposed a number of amendment to the Draft DCP but did not propose a change to the 1.7m Control.

An Amendment moved by Councillor Zeltzer and Seconded by Councillor Wynne recommending, among other changes, that the references in the Draft DCP to “1.7m above floor level” be replaced with “1.5m above floor level.”

The Amendment was successful and Council adopted the following resolution:

- A. *That Council resolve to prepare an amendment to the Woollahra Residential Development Control Plan 2003, as set out in **Annexure 1** of the report to the Urban Planning Committee of 6 September 2010 subject to:*
1. *Control C 5.8.5A being amended by reversing the options of 2 and 3 so that the printed option 2 becomes the new option 3 and the printed option 3 becomes the new option 2, and*
  2. *The references to 1.7m in Control C 5.8.5A being amended to 1.5m wherever it occurs.*



- B. That the Draft Woollahra Residential Development Control Plan Amendment No 3. be placed on public exhibition consistent with the requirements of the Environmental Planning and Assessment Act 1979 and Regulation.*

After the conclusion of the Council Meeting but within the time period permitted by Council's Code of Meeting Practice a Notice of Motion of Rescission (Rescission Motion) was submitted on the Council Resolution.

The Rescission Motion was considered at the Council Meeting on 1 November 2010 and was adopted. The effect of adopting the Rescission Motion was that Council no longer had a decision on the matter and as is normal practice, the Councillors who submitted the Rescission Motion had also tendered a Notice of Motion (that was to be considered only in the event of the Rescission Motion being adopted by the Council).

The following Notice of Motion was included in the Council Business paper:

**Item No:** 1  
**From:** Councillors Howe, Grieve and Young  
**Date:** 28 October 2010  
**File No:** 900.G

**Note:** *In the event that the Rescission Motion is adopted by Council, the following Notice of Motion is submitted:*

- A. That Council resolve to prepare an amendment to the Woollahra Residential Development Control Plan 2003, as set out in **Annexure 1** of the report to the Urban Planning Committee of 6 September 2010 subject to:*

- 1. Control C 5.8.5A being amended by reversing the options of 2 and 3 so that the printed option 2 becomes the new option 3 and the printed option 3 becomes the new option 2, and*
- 2. Deletion of Control C 5.8.5*
- 3. The Visual privacy controls in the Explanation Table being amended to read:  
"The visual privacy controls apply to habitable rooms. This includes rooms such as a bedroom, living room, lounge room, kitchen, dining room and the like. Maintaining visual privacy within and from these types of habitable rooms is the most important, as these are the common living areas in a dwelling."*

- B. That the Draft Woollahra Residential Development Control Plan Amendment No 3. be placed on public exhibition consistent with the requirements of the Environmental Planning and Assessment Act 1979 and Regulation.*

Following adoption of the Rescission Motion the above Notice of Motion was adopted by Council. A copy of the 6 September 2010 Urban Planning Committee report and Annexure 1 is attached.

The Motion adopted by Council did not include a change to the 1.7m Control contained in the exhibited Draft DCP. The Draft DCP was exhibited in accordance with the Council's resolution of 1 November 2010.

**Conclusion:**

It is recommended that the information be noted.

Les Windle  
Manager Governance

Stephen Dunshea  
Director Corporate Services

**Annexures:**

1. 6 September 2010 Urban Planning Committee report – Obscure Glazing to upper floor windows and screening for privacy
2. Annexure 1 of the report to the Urban Planning Committee on 6 September 2010

**Item No:** R1 Recommendation to Council

**Subject:** **Draft Woollahra Residential DCP 2003 (Amendment No. 3)**

**Author:** Jacquelyne Jeffery – Team Leader Strategic Planning

**File No:** 1064.G

**Reason for Report:** To report on the public exhibition of the Draft Woollahra Residential DCP 2003 (Amendment No. 3).  
To obtain the Council’s approval of the Draft Woollahra Residential DCP 2003 (Amendment No. 3).

### **Recommendation**

- A. That the Draft Woollahra Residential DCP 2003 (Amendment No. 3) contained in **Annexure 1** of the report to the Urban Planning Committee meeting of 14 February 2011 be approved.
- B. That the Draft Woollahra Residential DCP 2003 (Amendment No. 3) come into effect on the date notice of the approval is published in the Wentworth Courier.

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This matter was submitted to the Urban Planning Committee on 31 January 2011 where the Committee deferred consideration of the matter and requested clarification of the terms of the Council resolution to place the Draft DCP on public exhibition. The report clarifying the Council resolution is also submitted to this meeting. The matter is resubmitted to the Committee for consideration.

### **1. Background**

On 11 May 2009 Council adopted the following Notices of Motion regarding development controls in the Woollahra Residential Development Control Plan 2003 (RDCP):

*Council to seek a review, in the form of a report, of the DCP controls related to privacy, with particular consideration to the appropriateness of the use of obscure glazing to upper floor bedroom windows. Additionally, the extent to which screening is used to provide privacy is also to be reviewed and whether screening contributes to bulk and scale of the proposed building.*

*Council to seek a review, in the form of a report, of the interaction or possible conflict between two controls in our planning instruments, one related to maximum street frontage for garaging and the other being the requirement for off-street parking.*

In response to the Notices of Motion amendments to the RDCP have been prepared and publicly exhibited. The amendments were to:

- clause 5.8 “Acoustic and Visual Privacy” by including new privacy controls
- clause 5.9 “Car Parking and Driveways” so that garages and parking areas do not dominate the streetscape.

## 1. Summary of amendments to the RDCP

### 1.1 Visual privacy controls—finding a balance between maintaining privacy and promoting good design outcomes and internal living amenity

Councillors identified that in the development assessment process, privacy and overlooking concerns between adjoining residential properties were often addressed by Council assessment staff through conditions on the consent for glazing of habitable windows, bedroom windows with a minimum sill height of 1.7 metres or external window screens.

Some Councillors were concerned that these conditions were ad hoc solutions to privacy concerns that often compromised good architectural outcomes and internal living amenity of the proposed development.

Staff reviewed the privacy controls in response to the Notion of Motion. There was considerable deliberation amongst the Committee about the best approach for achieving a reasonable balance between maintaining privacy and promoting good architectural design outcomes and internal living amenity.

Options for new privacy controls were reported to the Urban Planning Committee on 1 February, 8 March and 6 September 2010. The key issues of deliberation related to whether the new privacy controls should apply to bedrooms, and if the minimum window sill height should be 1.5 metres, 1.6 metres or 1.7 metres.

On 1 November 2010 Council resolved to amend the privacy controls in clause 5.8 of the RDCP. The proposed controls are set out in the Draft RDCP Amendment No. 3 (refer to **Annexure 1** clause 2.1 and 2.3). The amendment establishes the following:

- Visual privacy controls apply to all habitable rooms. This includes rooms such as a bedroom, living room, lounge room, kitchen and dining room.
- A hierarchical control framework for addressing privacy and overlooking which establishes that some solutions are preferred over other solutions.  
In this hierarchy, a well considered house layout and design that offsets windows from the windows of the adjoining property is the preferred approach for addressing privacy. Architectural devices such as external screening should be considered next, while using glazed fixed windows and windows with high sills to achieve privacy are the least preferred options and should only be considered in limited circumstances when all other solutions for addressing privacy have been reasonably exhausted.
- Minimum height for sill and glazed windows of 1.7 metres.
- Where architectural devices such as external louvres or planter boxes are used to address privacy, these must be integrated with the overall design of the building and contribute to its architectural merit. Such devices should not detrimentally impact on bulk and scale or impact on significant views from adjoining or adjacent properties.

A copy of the reports to the Urban Planning Committee is provided at **Annexure 2**.

## **1.2 Off-street car parking requirements and street frontage controls—ensuring that parking areas and driveways do not dominate the streetscape**

The review of the controls relating to car parking and driveways focuses on the conflict between two controls in the RDCP, one related to maximum street frontage for garaging and the other being the requirement for off-street parking.

The issue is that all single dwelling houses are required to provide two off-street car parking spaces. However, other controls in the RDCP limit the width of the site that can be occupied by car parking to ensure that garages, car parking structures and driveways do not dominate the streetscape. These street frontage controls provide that no more than 30% of the frontage is occupied where the lot width is 20 metres or more, and no more than 40% of the frontage is occupied where the lot width is 20 metres or less.

It is often difficult or impossible for an applicant to provide the two parking spaces and also meet the street frontage requirements. Further, the RDCP does not indicate which control prevails when this conflict occurs.

The consequence has been that Council has received a number of applications for double garages that occupy more than 40% of the lot frontage. This can produce unsatisfactory streetscape outcomes because the streets become dominated by garages and parking areas.

A review of the RDCP controls was necessary to remove the conflict between the off-street parking controls and the maximum street frontage controls. The matter was reported to the Urban Planning Committee on 8 February 2010, and on 22 February 2010 Council resolved to amend the off-street parking controls in clause 5.9 of the RDCP.

The proposed controls are set out in the Draft RDCP Amendment No. 3 (refer to **Annexure 1** clause 2.2). The amendment clarifies that the controls which set the maximum street frontage that can be occupied by garages prevail over the numerical requirements for off-street parking.

A copy of the report to the Urban Planning Committee is provided at **Annexure 3**.

## **2. Public exhibition**

The Draft DCP incorporated the amendments to both the visual privacy controls and to the off-street car parking requirements and street frontage controls. It was placed on exhibition from Wednesday 17 November to Friday 24 December 2010. A copy of the exhibited Draft DCP is attached at **Annexure 1**.

The public exhibition was carried out in accordance with the manner required by the *Environmental Planning and Assessment Act 1979* (the Act), and the *Environmental Planning and Assessment Regulations 2000* (the Regulation).

Notice of the public exhibition was placed in the *Wentworth Courier* weekly during the exhibition period. We also notified The Paddington Society, Double Bay Residents' Association, Rose Bay Residents' Association and others who each submitted late correspondence to the Council meeting of 1 November 2010 on the privacy controls.

The exhibition took place in the Council's main offices in Double Bay, within the Customer Service area. Copies of the Draft DCP were available free of charge. The Draft DCP and supporting material were also placed on Council's website during the exhibition period.

### **3. Submissions**

Prior to the exhibition, Council received six letters on the privacy controls as late correspondence to its meeting on 1 November 2010. These letters gave support for applying privacy controls to bedrooms, which was the subject of a rescission motion. At that meeting Council carried the rescission motion, resolving to apply the privacy controls to bedrooms.

No further submissions were received from those that made late correspondence.

No submissions were received to the exhibition of the Draft DCP. We do not recommend any changes to the exhibited Draft DCP.

### **4. Conclusion**

The Draft DCP was prepared and exhibited in the manner required by the Act and Regulation. No submissions were received.

We recommend the approval of the Draft DCP as exhibited. The plan will then come into effect on the date notice of the approval is published in the Wentworth Courier.

Chris Bluett  
Manager Strategic Planning

Jacquelyne Jeffery  
Team Leader Strategic Planner

### **Annexures**

1. Draft Woollahra Residential DCP 2003 (Amendment No. 3)
2. Reports to the Urban Planning Committee on the visual privacy controls—1 February, 8 March and 6 September 2010
3. Report to the Urban Planning Committee on the off-street car parking requirements and street frontage controls—22 February 2010

**Item No:** R2 Recommendation to Council

**Subject:** **Draft Woollahra Site Waste Minimisation and Management Development Control Plan 2010 (Waste Not DCP)**

**Author:** Peter Kauter – Executive Planner

**File No:** 1002.G

**Reason for Report:** To report on the public exhibition of the Draft Site Waste Minimisation and Management Development Control Plan 2010 (Waste Not DCP).  
To obtain the Council's approval of the Draft Site Waste Minimisation and Management Development Control Plan 2010 (Waste Not DCP).

### **Recommendation**

- A. That the Draft Site Waste Minimisation and Management DCP 2010 (Waste Not DCP) contained in annexure 5 of the report to the Urban Planning Committee meeting of 14 February 2011 be approved.
- B. That the Site Waste Minimisation and Management DCP 2010 (Waste Not DCP) come into effect on the date notice of the approval is published in the Wentworth Courier.

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### **1. Background**

This matter was reported to the Urban Planning Committee on 11/10/10 and on 1/11/10 the Council resolved:

*A. That the Draft Waste Not Development Control Plan as contained in annexure 2 of the report considered by the Urban Planning Committee on 11/10/10 be placed on public exhibition subject to part 2.3.1 being amended to read as follows:*

#### *2.3.1 Development Generally*

*A SWMMP must be submitted for all types of development including demolition, construction and ongoing use of the site/premises; including local development, integrated development and designated development (as defined by the Environmental Planning and Assessment Act and Amendments). More details are required in SWMMPs for larger and more complex developments. The amount of supporting information and diagrams also increases.*

*An SWMMP must be submitted with the DA . The Council may allow an exception where both a DA and a CC are required for a particular development. In those cases a preliminary SWMMP\* will be required with the DA and the final to Council for approval prior to the CC being issued. . Maximum waste minimisation and management benefits are achieved when the SWMMP is considered from the earliest stages of the development. It is for this reason that SWMMPs will generally be required with the earliest approval application.*

*\* A Preliminary SWMMP need not include details for Demolition (All Types of Development) and Construction (All Types of Development) regarding Reuse Recycling Disposal of waste generated, see Annexure 1, pages 2 and 3.*

*B. That a report on the submissions received following the exhibition of the draft Waste Not DCP be prepared and presented to the Urban Planning Committee.*

**Annexure 1** is a copy of the report to the Urban Planning Committee on 11/10/10.

## **2. Public exhibition**

The Draft Plan was placed on exhibition from 24/11/10 to 22/12/10. A copy of the exhibited Draft Plan is attached at **annexure 2**.

The exhibition took place in the Council's main offices in Double Bay, within the Customer Service area. Copies of the Draft Plan were available free of charge. A copy of the Draft Plan and explanatory material was placed on the Council's website for the duration of the exhibition period. Notice of the public exhibition was placed in the Wentworth Courier editions of 24/11/10, 1/12/10, 8/12/10 and 15/12/10.

The public exhibition was carried out in accordance with the manner required by the *Environmental Planning and Assessment Act 1979* (the Act), and the *Environmental Planning and Assessment Regulations 2000* (the Regulation).

## **3. Submissions**

Three submissions were received.

3.1 The first submission was from Adrian Gilderdale, Council's Assessment Officer with Team South West. The matters raised in this submission suggest increasing the size of household recycle bins to maximise recycling and trialling the recycling of larger items and recycling in the public domain, e.g. in recreational and commercial areas.

These matters relate to recycling associated with the ongoing use of premises. Recycling is a key component of achieving the stated aims of the DCP. The DCP applies to DAs, complying development certificates (CDCs) and CCs. Appendix C of the DCP, indicative bin sizes, provides information to assist with the design of waste storage areas. We rely on the expertise of our Waste Services section as to the most appropriate size for recycling bins. In terms of bin size the provisions of the DCP require storage areas to be designed to facilitate storage and servicing of bins. The DCP would not restrict our ability to change the size of bins used for household recycling if such a change was considered to be beneficial. Similarly the DCP would not prevent the trialling or different methods of recycling.

No changes to the Draft DCP are necessary in response to this submission, however, it will be referred to the attention of our Waste Services section.

3.2 The second submission was from Michael Rolfe, President Sydney Harbour Association, see **annexure 3**. This submission raises 2 matters:

- specific problems associated with expanded polystyrene packaging and
- implementation of the note to cl.4.1.4 which relates to the responsibility of dwelling occupants to move bins to collection points no earlier than the evening before collection day and to return them no later than the evening of collection day.

The provisions of part 4 of the DCP cover the ongoing management of waste which would include polystyrene packaging. The DCP does not include management measures for any specific domestic waste types. Polystyrene falls within the general waste stream and therefore the general provisions



of the DCP for this type of waste would apply. Also, the Model Waste Not DCP prepared by the Department of Environment Climate Change and Water (DECCW) is consistent with our Draft DCP in that it does reference the management of specific types of domestic waste.

The note to cl.4.1.4 reinforces our current approach to the placement of bins on the street for waste collection and their removal afterwards. The enforcement provisions of the Act and Regulations should serve as an additional deterrent and therefore improve implementation.

3.3 The third submission was received from Rosemary McDonald, 75a Queen Street, Woollahra, see **annexure 4**. This submission raises two main issues relating to the mixed use area of Queen Street, Moncur Street and neighbouring streets and lanes:

- noise disruption to residents when waste is collected in the early hours of the morning
- smell and vermin problems associated with commercial food waste

Ms McDonald asks that we seriously consider the collection of commercial waste in the evenings before 10pm as a means of solving both problems.

The Draft DCP contains provisions in part 4.4 Mixed Use Developments (Residential/Non-Residential) to protect residential amenity. There is also a provision in part 4.3 for the handling of meat, seafood and poultry waste from commercial premises. Appendix G also contains criteria for the location and design of commercial waste and recycling storage areas which take into consideration impacts on neighbouring properties in terms of noise generated by collection vehicles and odours.

The Draft DCP does not address the times for collection of waste from commercial premises. As the Draft DCP applies to the assessment of individual development proposals the question of evening collections raises broader issues which would require investigation by our Waste Services section. If adopted the DCP would not prevent introducing evening collections for commercial waste should, following proper investigation, it be considered appropriate.

Ms McDonald's submission will be referred to the attention of our Waste Services section. Changes to the Draft DCP are not considered to be necessary.

#### **4. Proposed changes to the exhibited Draft DCP**

Some changes have been made to the exhibited Draft DCP to correct minor errors and to account for more recent changes to planning legislation (deleted text is shown ~~striketrough font~~ and new text is shown underline font in annexure 5).

Also, **Appendix C: Indicative Bin Sizes** has been replaced. This is because the Draft DCP as exhibited included Appendix C from the Model DCP (stamped 'superseded' in annexure 5). However, some of the bin sizes in the appendix to the exhibited DCP are different to what we actually use. We also use crates and non-wheelie bins in Paddington and bulk bins which were not shown in the appendix to the exhibited DCP.

No changes are considered to be necessary in response to matters raised in submissions.

## 5. Conclusion

The Draft Plan was prepared and exhibited in the manner required by the Act and Regulations. Three submissions were received. Having considered all submissions we recommend the approval of the Draft Plan as exhibited, subject to minor changes as shown at **annexure 5**.

The plan will then come into effect on the date notice of the approval is published in the Wentworth Courier.

Peter Kauter  
Executive Planner

Chris Bluett  
Manager-Strategic Planning

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## Annexures

4. Report to Urban Planning Committee meeting held on 11/10/10
5. Draft Site Waste Minimisation and Management Development Control Plan 2010 (Waste Not DCP) as exhibited
6. Letter dated 3/12/10 from Sydney Harbour Association
7. Letter dated 18/12/10 from Rosemary McDonald
8. Draft Site Waste Minimisation and Management Development Control Plan 2010 (Waste Not DCP)

**POLITICAL DONATIONS DECISION MAKING FLOWCHART  
FOR THE INFORMATION OF COUNCILLORS**

