

Urban Planning Committee Minutes



Minutes: *Urban Planning Committee*

Date: *Monday 26 September 2016*

Time: *6.00pm*

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**Minutes of the Meeting held on
26 September 2016 at 6.03 pm.**

Present: Her Worship the Mayor, Councillor Toni Zeltzer ex-officio (Part Item R1)

Councillors: Katherine O'Regan (Chair)
Ted Bennett
Luise Elsing
James Keulemans
Matthew Robertson

Staff: Craig Bennett (Manager – Governance & Council Support)
Chris Bluett (Manager – Strategic Planning)
Allan Coker (Director – Planning & Development)
Peter Kauter (Manager – Placemaking)
Brendan Metcalfe (Strategic Planner)

Also in Attendance: Nil

Note: Item R1 (Public exhibition of the planning proposal for 80-84 and 90 New South Head Road) was brought forward by the Committee and dealt with immediately after Item D1 (Confirmation of Minutes) as the majority of the people in the gallery attended the meeting for this item.

Leave of Absence and Apologies

Note: Leave of absence has previously been granted to:

- Councillor Jeff Zulman for the period from 15 August 2016 to 14 November 2016
-

Late Correspondence

Nil

Declarations of Interest

Councillor Bennett declared a Non-Significant, Non-Pecuniary Interest in Item R1 (Public Exhibition of the Planning Proposal for 80-84 and 90 New South Head Road) as John Comino representing an objector is a member of the Liberal Party. Councillor Bennett does not believe that the interest will affect his deliberations on the matter or his vote. Councillor Bennett remained in the meeting, participated in the debate and voted on this matter.

Councillor Keulemans declared a Non-Significant, Non-Pecuniary Interest in Item R1 (Public Exhibition of the Planning Proposal for 80-84 and 90 New South Head Road) as John Comino representing an objector is a member of the Liberal Party. Councillor Keulemans does not believe that the interest will affect his deliberations on the matter or his vote. Councillor Keulemans remained in the meeting, participated in the debate and voted on this matter.

Councillor O'Regan declared a Non-Significant, Non-Pecuniary Interest in Item R1 (Public Exhibition of the Planning Proposal for 80-84 and 90 New South Head Road) as John Comino representing an objector is a member of the Liberal Party. Councillor O'Regan does not believe that the interest will affect her deliberations on the matter or her vote. Councillor O'Regan remained in the meeting, participated in the debate and voted on this matter.

Items to be Decided by this Committee using its Delegated Authority

Item No: D1 Delegated to Committee
Subject: **CONFIRMATION OF MINUTES OF MEETING HELD ON 22 AUGUST 2016**
Author: Sue O'Connor, Secretarial Support - Governance
File No: 16/131476
Reason for Report: The Minutes of the Urban Planning Committee of 22 August 2016 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.

(Keulemans/Bennett)

Resolved:

That the Minutes of the Urban Planning Committee Meeting of 22 August 2016 be taken as read and confirmed.

Item No: D2 Delegated to Committee
Subject: **DOUBLE BAY WORKING PARTY - REPORT ON THE MINUTES OF THE DOUBLE BAY WORKING PARTY MEETING HELD ON 6 SEPTEMBER 2016**
Author: Peter Kauter, Manager Placemaking
Approver: Allan Coker, Director - Planning & Development
File No: 16/128236
Reason for Report: To report on the activities of the Double Bay Working Party

(Keulemans/Bennett)

Resolved:

THAT the minutes of the Double Bay Working Party meeting held on 06/09/2016 as contained in Annexure 1 of this report be received and noted.

Item No: D3 Delegated to Committee
Subject: **OXFORD STREET WORKING PARTY - MINUTES OF THE OXFORD STREET WORKING PARTY MEETING HELD ON 30 AUGUST 2016**
Author: Peter Kauter, Manager Placemaking
Approver: Allan Coker, Director - Planning & Development
File No: 16/128264
Reason for Report: To report on the activities of the Oxford Street Working Party

(Elsing/Zeltzer)

Resolved:

- A. That the minutes of the Oxford Street Working Party meeting held on 30 August 2016, as contained in the Annexure to this report, be received and noted.
- B. That the Council express its appreciation to Robby Ingham for his considerable contribution to the Paddington Business Partnership and for his efforts, enthusiasm and passion towards Oxford Street and Paddington's commercial wellbeing.

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

Item No: R1 Recommendation to Council
Subject: **PUBLIC EXHIBITION OF THE PLANNING PROPOSAL FOR 80-84 AND 90 NEW SOUTH HEAD ROAD**
Author: Brendan Metcalfe, Strategic Planner
Approvers: Anne White, Acting Team Leader - Strategic Planning
 Chris Bluett, Manager - Strategic Planning
 Allan Coker, Director - Planning & Development
File No: 16/120211
Reason for Report: To report on the public exhibition of the planning proposal for 80-84 and 90 New South Head Road, Edgecliff.
 To obtain Council's approval to proceed with the finalisation of the planning proposal.

Note: Councillor Bennett declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. Councillor Bennett does not believe that the interest will affect his deliberations on the matter or his vote. Councillor Bennett remained in the meeting, participated in the debate and voted on this matter.

Note: Councillor Keulemans declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. Councillor Keulemans does not believe that the interest will affect his deliberations on the matter or his vote. Councillor Keulemans remained in the meeting, participated in the debate and voted on this matter.

Note: Councillor O'Regan declared a Non-Significant, Non-Pecuniary Interest in this Item as John Comino representing an objector is a member of the Liberal Party. Councillor O'Regan does not believe that the interest will affect her deliberations on the matter or her vote. Councillor O'Regan remained in the meeting, participated in the debate and voted on this matter.

Note: John Schultz, Chairman of Strata Plan 54114 and representing the owners of 100 New South Head Road, Dr Langford, the owner of unit 401, 100 New South Head Road, John Comino, representing the owners of the Terraces on Mona Road, Darling Point, Chris Howe, representing the Cadry brothers and the Strata of the building on the corner of New South Head Road and New Beach Road and Kristy Hodgkinson, Director of Hamptons Property Services on behalf of the applicant addressed the Committee.

**Motion moved by Councillor Elsing
Seconded by Councillor Bennett**

- A. THAT Council endorse the planning proposal for 80-84 and 90 New South Head Road, Edgecliff to Woollahra Local Environmental Plan 2014 as exhibited subject to removing the 20.5m height control from 90 New South Head Road and applying a Reduced Level of 38.4 referenced to Australian Height Datum which reduces the maximum building height by up to 7.27m.
- B. THAT the revised planning proposal be forwarded to the Minister for Planning in accordance with section 58(2) of the *Environmental Planning and Assessment Act 1979*.
- C. THAT subject to the Minister for Planning not directing that further community consultation is required, that Council proceed with the planning proposal and exercise its delegation authorised by the Director, Metropolitan (CBD) Planning Services, Department of Planning and Environment, on 15 September 2015, to carry out the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979*.

Amendment moved by Councillor Zeltzer

- A. THAT Council endorse the planning proposal for 80-84 and 90 New South Head Road, Edgecliff to Woollahra Local Environmental Plan 2014 as exhibited subject to:
 - i. removing the 20.5m height control from 90 New South Head Road and applying a Reduced Level of 38.4 referenced to Australian Height Datum which reduces the maximum building height by up to 7.27m and;
 - ii. reducing the maximum building height for 80-84 New South Head Road from 7 storeys to 6 storeys.
- B. THAT the revised planning proposal be forwarded to the Minister for Planning in accordance with section 58(2) of the *Environmental Planning and Assessment Act 1979*.
- C. THAT subject to the Minister for Planning not directing that further community consultation is required, that Council proceed with the planning proposal and exercise its delegation authorised by the Director, Metropolitan (CBD) Planning Services, Department of Planning and Environment, on 15 September 2015, to carry out the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979*.

The Amendment lapsed for want of a seconder.

Amendment moved by Councillor Robertson

- A. THAT Council proceed with the planning proposal for 80-84 and 90 New South Head Road, Edgecliff to Woollahra Local Environmental Plan 2014 as exhibited.
- B. THAT Council exercise its delegation authorised by the Director, Metropolitan (CBD) Planning Services, Department of Planning and Environment, on 15 September 2015, to carry out the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979*.

The Amendment lapsed for want of a seconder.

The Motion was put and carried.

(Elsing/Bennett)

Recommendation:

- A. THAT Council endorse the planning proposal for 80-84 and 90 New South Head Road, Edgecliff to Woollahra Local Environmental Plan 2014 as exhibited subject to removing the 20.5m height control from 90 New South Head Road and applying a Reduced Level of 38.4 referenced to Australian Height Datum which reduces the maximum building height by up to 7.27m.
- B. THAT the revised planning proposal be forwarded to the Minister for Planning in accordance with section 58(2) of the *Environmental Planning and Assessment Act 1979*.
- C. THAT subject to the Minister for Planning not directing that further community consultation is required, that Council proceed with the planning proposal and exercise its delegation authorised by the Director, Metropolitan (CBD) Planning Services, Department of Planning and Environment, on 15 September 2015, to carry out the functions of the Greater Sydney Commission under section 59 of the *Environmental Planning and Assessment Act 1979*.

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

For the Motion

Councillor Bennett
Councillor Elsing
Councillor Keulemans
Councillor O'Regan

Against the Motion

Councillor Robertson
Councillor Zeltzer

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There being no further business the meeting concluded at 7.38pm.

We certify that the pages numbered 2743 to 2750 inclusive are the Minutes of the Urban Planning Committee Meeting held on 26 September 2016 and confirmed by the Urban Planning Committee on 10 October 2016 as correct.

Chairperson

Secretary of Committee