
Urban Planning Committee Minutes

Monday 12 July 2004

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Urban Planning Committee Minutes

**Minutes of the Meeting held on
Monday 12 July 2004 at 6.00pm**

Present: Councillor David Shoebridge (Chair)
Anthony Boskovitz (at C&E Committee 6.10pm – 6.55pm)
John Comino (at C&E Committee 6.05pm – 6.55pm)
Keri Huxley
Julian Martin
Isabelle Shapiro

Staff: C Bluett (Manager – Strategic Planning)
A Coker (Director – Planning & Development)
L Windle (Manager – Governance)
B Daintry (Manager – Development Control)
A Lakeland (Team Leader – Strategic Planning)

Also in Attendance: Nil

Leave of Absence

Leave of Absence previously granted by Council: Dawson

Apologies: Nil

Late Correspondence

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

Declarations of Interest

Nil

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

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 15 June 2004**
Author: Les Windle – Manager Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of 15 June 2004 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.

(Martin/Shapiro)

Resolved:

That the Minutes of the Urban Planning Committee Meeting of 15 June 2004 be taken as read and confirmed subject to the record of Apologies being amended to show that Councillor Martin had tendered an apology for the meeting.

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

Item No: R1 Recommendation to Council
Subject: **Review of Woollahra Development Control Plan Exempt & Complying Development**
Author: Anita Lakeland – Team Leader Strategic Planning
File No: 1064.G (Amend 53)
Reason for Report: To report on the review and proposed amendments to *Woollahra Development Control Plan- Exempt and Complying Development* and *Woollahra Local Environmental Plan 1995*.
To obtain a decision to prepare a draft development control plan and draft local environmental plan.

(Shapiro/Huxley)

Recommendation:

- A. That under section 54 of the *Environmental Planning and Assessment Act 1979*, Council resolve to prepare a draft local environmental plan to amend *Woollahra Local Environmental Plan 1995* by:
- altering clause 25B to facilitate the proposed amendments to *Woollahra Development Control Plan- Exempt and Complying Development*; and
 - allowing development for the purpose of filming with the consent of Council; and
 - inserting a new definition for filming.

- B. That under clause 22 of the *Environmental Planning and Assessment Regulation 2000*, Council resolve to prepare a development control plan to amend Woollahra *Development Control Plan - Exempt and Complying Development* as detailed in the report and annexures 2 and 3 to the Urban Planning Committee on 12 July 2004, subject to the following alterations to annexure 2:

Exempt development

(i) Advertising structures and signs – window shop front

Reinstate the third criterion with amendments to read:
“Balance of glass shopfront must remain transparent.”

(ii) Ancillary landscaping development

Amend the eighth criterion to read:
“The areas must not be developed or used for the parking of vehicles/boats etc.”

(iii) Building alterations, repair and maintenance (internal)

Insert the following criteria:

Heritage conservation areas

In addition to the general criteria above:

- Must not involve removal of original lath and plaster or pressed metal ceilings and cornices.
- Must not involve removal of original fireplaces and fireplace surrounds.
- Must not involve removal of structural walls.

(iv) Building alterations, repair and maintenance (external)

Amend the first criterion for heritage conservation areas to read
“Must not involve the rendering of stone, face brickwork or tiles.”

Insert the following criterion for heritage conservation areas:

- Must not involve the removal of tiles, other than broken tiles that are being repaired or replaced with new tiles, in the same material and similar pattern and style.

(v) Driveways over private land

Reinstate the fourth and fifth (deleted) criteria relating to driveway width and length.

(vi) Fences – side and rear

Amend the first criterion for heritage items and heritage conservation areas to read:
“Must be the replacement of a timber paling fence with a timber paling fence.”

(vii) Rainwater tanks

Insert immediately before the criteria for heritage items and heritage conservation areas, the following note:

Note: “Offensive noise” has the same meaning as defined in the *Protection of the Environment Operations Act 1997*, being:

offensive noise means noise:

- (a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:

- (i) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or
 - (ii) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or
- (b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

(viii) Security doors, screens and grills

Amend the development type to read:
“Security screens and grills”

Insert the following criterion for heritage conservation areas:

- Must allow a clear sighting of the door and window.

(ix) Skylights

Insert the following general criterion:

- Must be constructed with non-reflective materials.

Insert the following criterion for heritage conservation areas:

- Must not require an opening in a decorative pressed metal or plaster ceiling.

(x) Solar water heaters

Insert the following general criterion:

- Must be located behind the front building line and not visible from the public domain.

(xi) Swimming pool and spa pool fences

Amend the first criterion to read:

“Swimming pool and spa pool fences must comply with the Swimming Pools Act 1992 and AS 1926-1986.”

Complying development

(i) Fences – side and rear

Amend the applicable zones/areas to read:

“Residential zones (excluding heritage items; heritage conservation areas; corner allotments; and land adjoining a public space”

(ii) Pergolas

Reinstate heritage conservation areas as an exclusion within applicable zones and areas column

Delete heritage conservation area heading and criteria within complying development criteria column

(iii) Satellite dishes (residential)

Within the complying development criteria column: delete the heritage conservation area heading and associated sentence; delete the second criterion for ground mounted satellite dishes.

Relocate the criteria for heritage conservation areas within the general and ground mounted criteria.

(iv) **Satellite dishes (commercial)**

Insert the following general criterion:

- Must not be visible from the public domain.

Definitions

(i) Insert the following definitions:

Offensive noise means noise:

- (a) that, by reason of its level, nature, character or quality, or the time at which it is made, or any other circumstances:
 - (iii) is harmful to (or is likely to be harmful to) a person who is outside the premises from which it is emitted, or
 - (iv) interferes unreasonably with (or is likely to interfere unreasonably with) the comfort or repose of a person who is outside the premises from which it is emitted, or
- (b) that is of a level, nature, character or quality prescribed by the regulations or that is made at a time, or in other circumstances, prescribed by the regulations.

Public domain means all land which is owned by a public authority and includes roads, footpaths, laneways, alleyways and parks.

(ii) Amend the definition of heritage item to read:

Heritage item means the item defined under the definition specified in Woollahra LEP 1995 and the allotment or allotments of land on which the item is located.

C. THAT the report to the Urban Planning Committee after the public exhibition include:

- (i) recommendations for:
 - environmental criteria for air handling systems
 - criteria and conditions for swimming pools and spa pools aimed to regulate matters including pool size and water evaporation.
- (ii) discussion on amending the complying development condition for hours of building work with a 7.30 am or later commencement time on Saturday.

There being no further business the meeting concluded at 7.53pm.

We certify that the pages numbered 1111 to 1117 inclusive are the Minutes of the Urban Planning Committee Meeting held on 12 July 2004 and confirmed by the Urban Planning Committee on 26 July 2004 as correct.

Chairperson

Secretary of Committee