

Urban Planning Committee Minutes

Monday 31 January 2005

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Urban Planning Committee Minutes

**Minutes of the Meeting held on
Monday 31 January 2005 at 6.00pm**

Present: Councillor David Shoebridge (Chair)
John Comino
Christopher Dawson
Keri Huxley
Julian Martin
Isabelle Shapiro – at C&E meeting, arrived during item R1
Fiona Sinclair King

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

Also in Attendance: Nil

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 Item: R1

Declarations of Interest

The Chair advised that the Mayor would not be attending the Committee meeting because of the pecuniary interest he has in item R1, as he is the adjoining owner of the subject property.

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 13 December 2004**
Author: Les Windle – Manager Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of 13 December 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.

(Comino/Huxley)

Resolved:

That the Minutes of the Urban Planning Committee Meeting of 13 December 2004 be taken as read and confirmed.

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

Item No: R1 Recommendation to Council
Subject: **Clause 25(2) Woollahra LEP 1995**
Author: Chris Bluett - Manager Strategic Planning
File No: 1064.G
Reason for Report: To respond to a decision of the Council made on 13 September 2004.
To respond to legal advice from the Council's lawyers and to issues arising from a recent appeal in the Land and Environment Court relating to Nos.20-22 Roslyndale Avenue, Woollahra.

Note: Late correspondence was tabled at the meeting by the Director Planning Development.

(Comino/Huxley)

Recommendation:

That the report to the Urban Planning Committee of 31 January 2005 about clause 25(2) of Woollahra LEP 1995 **be deferred** pending the outcome of the Land and Environment Court proceedings with respect to No 20-22 Roslyndale Avenue, Woollahra, and a further report then submitted to a future meeting of the Committee so that the committee can be provided with the following additional information:

1. Detailed advice on the minimum legal and/or physical requirements to satisfy clause 25(2).
2. Details of all undetermined applications affected by clause 25(2), including details of how they are affected.

3. Should Council want to retain clause 25 (2), including with amendments, details of how it could be managed to minimise delays and costs.
 4. The outcome of the Land and Environment Court proceedings with respect to No 20-22 Roslyndale Avenue, Woollahra.
 5. The effects of retaining the existing clause 25(2) on applicants, including the legal and practical capacity to obtain satisfaction of clause 25(2), prior to a determination of a DA.
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There being no further business the meeting concluded at 6.45pm.

We certify that the pages numbered 60 to 64 inclusive are the Minutes of the Urban Planning Committee Meeting held on 31 January 2005 and confirmed by the Urban Planning Committee on 14 February 2005 as correct.

Chairperson

Secretary of Committee