

Urban Planning Committee Minutes

Monday 30 August 2004

TABLE OF CONTENTS

D1	Confirmation of Minutes of Meeting held on 9 August 2004	1488
R1	Stormwater Development Control Plan.....	1488
R2	Draft Woollahra Local Environmental Plan 1995 (Amendment No. 39) - Acid Sulfate Soils.....	1489
R3	Draft Woollahra LEP 1995 (Amendment No. 52).....	1489

Urban Planning Committee Minutes

**Minutes of the Meeting held on
Monday 30 August 2004 at 6.00pm**

Present: Councillor David Shoebridge (Chair)
Anthony Boskovitz
John Comino
Christopher Dawson
Keri Huxley (R3)
Julian Martin (R1-R3)
Isabelle Shapiro

Staff: B Daintry (A/Director – Planning & Development)
W Hatton (Director – Technical Services)
L Windle (Manager – Governance)
G Stewart (Manager – Public Infrastructure)
M Senthilvasan (Asset Management Engineer – Drainage)
D Sheils (Manager – Public Open Space)
A Lakeland (Team Leader – Strategic Planner)
L Maher (Strategic Heritage Officer)

Also in Attendance: Councillor Wilhelmina Gardner (R3)

Leave of Absence

Leave of Absence previously granted by Council: Nil

Apologies: An apology was received and accepted from the Mayor, Councillor Rundle and Leave of Absence granted.

Late Correspondence

Late correspondence was submitted to the committee in relation to Items: R1 & R3

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 9 August 2004**
Author: Les Windle – Manager Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of 9 August 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/Shapiro)

Resolved:

That the Minutes of the Urban Planning Committee Meeting of 9 August 2004 be taken as read and confirmed.

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

Item No: R1 Recommendation to Council
Subject: **Stormwater Development Control Plan**
Author: Myl Senthilvasan - Asset Management Engineer - Drainage
File No: 19 G
Reason for Report: To present proposed Development Control Plans for Stormwater and Flooding and recommend that they be exhibited for public consultation.

Note: Late correspondence was tabled at the meeting from Greg Stewart, Councils Manager Public Infrastructure.

(Comino/Shapiro)

Recommendation:

- A. THAT the Draft **Stormwater Drainage Management DCP** and the Draft **Flood Risk Management DCP** be placed on public exhibition for not less than 28 days subject to Section 7.1.6 of the Draft **Stormwater Drainage Management DCP** being amended to read as follows:

7.1.6 *What happens if an agreement to acquire an easement cannot be reached?*

Section 88K of the Conveyancing Act 1919 provides for the compulsory acquisition of easements.

You should seek legal advice on this matter, which may involve an application under Section 88K to the Supreme Court of New South Wales.

- B. THAT a further report be prepared addressing any submissions received during the exhibition period.
- C. That a further report be prepared regarding the making of a draft Local Environmental Plan to amend Clause 25 of Woollahra LEP 1995, which deals with water, wastewater and stormwater systems, so that consent to development applications may be granted upon the Council considering the adequacy of water, sewerage and stormwater drainage systems applying to the land that is proposed to be developed, including compliance with an approved Stormwater Management Plan.
- D. That the report detailing the outcomes from the exhibition period discuss any recommended consequential amendments to other Development Control Plan's requiring provisions for easements.

Item No: R2 Recommendation to Council

Subject: **Draft Woollahra Local Environmental Plan 1995 (Amendment No. 39) - Acid Sulfate Soils**

Author: George Losonci - Senior Strategic Planner

File No: 1064.G (Amend 39)

Reason for Report: To report on the public exhibition of Draft Woollahra Local Environmental Plan 1995 (Amendment No. 39)

(Comino/Shapiro)

Recommendation:

- A. THAT Draft Woollahra Local Environmental Plan 1995 (Amendment No. 39) as amended, and contained in **Annexure 3** of the report to the Urban Planning Committee meeting of 30 August 2004, be referred to the Department of Infrastructure, Planning and Natural Resources for approval by the Minister and for gazettal subject to any legal drafting alterations requested by Parliamentary Counsel.
- B. THAT the proposed amendments to the Woollahra Exempt and Complying Development DCP include an alteration to the general criteria for exempt and complying development relating to acid sulfate soils as outlined in the report to the Urban Planning Committee meeting of 30 August 2004.

Item No: R3 Recommendation to Council

Subject: **Draft Woollahra LEP 1995 (Amendment No. 52)**

Author: Libby Maher, Strategic Heritage Officer

File No: 1064 G Amend 52

Reason for Report: To report on the public exhibition of Draft Woollahra Local Environmental Plan 1995 (Amendment No. 52).

Note: Late correspondence was tabled at the meeting from Richard Mews of 8 Fairfax Road Bellevue Hill.

Note: Helen McKenzie of 16 Mona Road Darling Point, Jane Henderson of 32 Kent Road Rose Bay, Jean Wright of 9 Goomerah Crescent Darling Point, Kay Prendergast of 22 Mona Road Darling Point and Richard Mews of 8 Fairfax Road Bellevue Hill addressed the Committee.

(Huxley/Martin)

Recommendation:

- A. THAT Draft Woollahra Local Environmental Plan 1995 (Amendment No. 52), as altered and as contained in **Annexure 6** of the report to the Urban Planning Committee meeting of 30 August 2004, be referred to the NSW Heritage Office and then to the Department of Infrastructure, Planning and Natural Resources for approval by the Minister and for gazettal.
- B. THAT the amended heritage inventory sheets shown in **Annexure 5** of the report to the Urban Planning Committee meeting of 30 August 2004, be adopted by Council and used in the assessment of development applications for those subject properties.
- C. THAT the Royal Sydney Golf Club House and grounds within the immediate curtilage of the club house be nominated to the Heritage Council of NSW for inclusion on the State Heritage Register as an item of State significance.
- D. THAT recommendation A above be subject to Council's Strategic Heritage Officer undertaking an inspection of the alleged damage to the sandstone wall at No. 9 Goomerah Crescent abutting No. 26 Yarranabbe Road Darling Point and reporting to the Council Meeting on 13 September 2004 as to whether the sandstone wall should continue to be listed as a heritage item.

There being no further business the meeting concluded at 7.35pm.

We certify that the pages numbered 1485 to 1490 inclusive are the Minutes of the Urban Planning Committee Meeting held on 30 August 2004 and confirmed by the Urban Planning Committee on 13 September 2004 as correct.

Chairperson

Secretary of Committee