

Urban Planning Committee Minutes

Monday 30 April 2007

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Urban Planning Committee Minutes

**Minutes of the Meeting held on
Monday 30 April 2007 at 6.00pm**

Present: Her Worship the Mayor, Councillor Keri Huxley, ex-officio
Councillors Geoff Rundle (Chair)
Isabelle Shapiro (Items D2 – R4)
John Comino
Wilhelmina Gardner
David Shoebridge
John Walker

Staff: C Bluett (Manager – Strategic Planning)
A Coker (Director – Planning & Development)
L Windle (Manager – Governance)
P Kauter (Executive Planner)
T Jones Urban Design Planner

Also in Attendance: Councillor Andrew Petrie (R1 – R2)
Councillor Julian Martin (R1 – part R3)
Councillor Anthony Boskovitz (part R1)

Leave of Absence

Leave of Absence previously granted by Council: Nil

Apologies: Apologies were received and accepted from Councillor Dawson and Leave of Absence granted.

Late Correspondence

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

Declarations of Interest

Councillor Walker declared a non pecuniary interest in Item R3 (Issues encountered in Assessing Commercial Marina Developments) as he has a boat moored at a marina within the Municipality.

Councillor Martin declared, when he joined the meeting for Item R1 (Sydney Grammar School Tennis Courts rezoning), a non-pecuniary interest in the item as his son attends Sydney Grammar School.

Items Decided by this Committee using its Delegated Authority (Items D1 to D2)

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 26 March 2007**
Author: Les Windle – Manager Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of 26 March 2007 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/Gardner)

Resolved:

That the Minutes of the Urban Planning Committee Meeting of 26 March 2007 be taken as read and confirmed.

Item No: D2 Delegated to Committee
Subject: **Built Environment Principal Activity- Draft 2007-2010 Management Plan**
Author: Allan Coker – Director Planning and Development
Tim Tuxford – Manager Compliance
Brett Daintry – Manager Development Control
Chris Bluett – Manager Strategic Planning
File No: 827.G 06-09
Reason for Report: To review the principal activity of Built Environment prior to inclusion in the Draft 2007-2010 Management Plan.

(Walker/Comino)

Resolved:

That, subject to any variation to the budget, the programs and projects for the Built Environment Principal Activity be included in the draft Management Plan.

**Items with Recommendations from this Committee
Submitted to the Council for Decision (Items R1 to R4)**

Item No: R1 Recommendation to Council
Subject: **Sydney Grammar School Tennis Courts rezoning**
Author: Chris Bluett - Manager Strategic Planning
File No: 324
Reason for Report: To respond to a decision of the Council made on 16 April 2007

Note: Councillor Martin declared a non-pecuniary interest in this item as his son attends Sydney Grammar School.

Note: Mr Peter Breeze, Bursar of Sydney Grammar School addressed the Committee.

**Motion moved by Councillor Gardner
Seconded by Councillor Shoebridge**

1. That a draft local environmental plan be prepared to rezone Lot 1 DP 633259, being land owned by Sydney Grammar School located between Nield Avenue and Vialoux Avenue Paddington, from Zone No.2(b) (Residential "B" Zone) to Zone No.6 (Open Space Zone).
2. That the Department of Planning be advised that the LEP is needed:
 - a. to ensure our planning instruments reflect the existing and preferred future built environment.
 - b. to protect precious open space in the Municipality.
 - c. as there is a paucity of open space in the Municipality which has one of the highest residential densities and lowest proportion of open space per resident of any municipality.
3. That it is necessary to pursue the draft LEP at this time given the constant development pressure on open space in the Municipality.

**Amendment moved by Councillor Walker
Seconded by Councillor Comino**

That consideration of the rezoning of Lot 1 DP633259, Nield Avenue, Paddington (owned by Sydney Grammar School), be included as part of the preparation of the Woollahra Consolidated LEP.

**The Amendment was put and lost.
The Motion was adopted.**

Recommendation:

1. That a draft local environmental plan be prepared to rezone Lot 1 DP 633259, being land owned by Sydney Grammar School located between Nield Avenue and Vialoux Avenue Paddington, from Zone No.2(b) (Residential "B" Zone) to Zone No.6 (Open Space Zone).

2. That the Department of Planning be advised that the LEP is needed:
 - a. to ensure our planning instruments reflect the existing and preferred future built environment.
 - b. to protect precious open space in the Municipality.
 - c. as there is a paucity of open space in the Municipality which has one of the highest residential densities and lowest proportion of open space per resident of any municipality.
3. That it is necessary to pursue the draft LEP at this time given the constant development pressure on open space in the Municipality.

Item No: R2 Recommendation to Council
Subject: **Draft Woollahra Local Environmental Plan 1995 (Amendment No. 61)**
Author: Peter Kauter, Executive Planner
File No: 1064.G (Amend 61)
Reason for Report: To report on the public exhibition of Draft Woollahra Local Environmental Plan 1995 (Amendment No. 61)

Note: Ms D Hampshire of New South Head Road, Rose Bay, Mr J Madden, Principal of Cranbrook School and Justice Handley, President of the School Council addressed the Committee.

(Shoebridge/Walker)

Recommendation:

- A. THAT Draft Woollahra Local Environmental Plan 1995 (Amendment No. 61) as contained in **Annexure 3** of the report to the Urban Planning Committee meeting of 30 April 2007 be referred to the Department of Planning for approval by the Minister and for gazettal, subject to any legal drafting alterations requested by Parliamentary Counsel and subject to Clause 37 (Savings and transitional provisions) being amended by adding the words “and any other consent granted consistent therewith” after the word “force”.
- B. The issues raised in the submission by Cranbrook School are not considered to be of such significance that they should be the subject of a public hearing under Section 68(1) of the *Environmental Planning and Assessment Act 1979*

Item No: R3 Recommendation to Council
Subject: **Issues Encountered in Assessing Commercial Marina Developments**
Author: Peter Kauter, Executive Planner
File No: 900.G
Reason for Report: Response to Notice of Motion

Note: Councillor Walker declared a non pecuniary interest in this item as he has a boat moored at a marina within the Municipality.

(Huxley/Shoebridge)

Recommendation:

That the information contained in the report by the Executive Planner on the Notice of Motion regarding issues encountered by Council in assessing commercial marina developments in the Municipality be noted.

Item No: R4 Recommendation to Council
Subject: **Report on Notices of Motion: Roof Terraces; Mechanical Parking Installations; and Air Movement Systems**
Author: Tom Jones, Urban Design Planner
File No: 1014.G WP/Part 2
Reason for Report: To respond to a council resolution (28 August 2006) regarding roof terraces, mechanical parking installations and air conditioners.

(Shoebridge/Huxley)

Recommendation:

1. That a draft development control plan be prepared and exhibited to amend the Residential Development Control Plan 2003 in the manner set out in **Annexure 2** of the report to the Urban Planning Committee on 30 April 2007 subject to the following amendments:
 - a. The note to Figure 5.8.5 to include the words “provided at least half of the separation is on the applicants land and the development otherwise complies with all other planning controls” at the end of the first sentence.
 - b. Control C5.5.7 to read “Awnings and coverings on roof terraces, if provided, must be within the height and other planning controls and must ensure the sharing of views.”
 - c. Control C5.9.18 to read “Council will only permit mechanical parking devices such as car lifts, turntables and stackers in situations where the topography does not allow for a non-mechanical parking arrangement, or where no other alternative for on site parking is available.”
 - d. Inclusion of an additional Control to read “All consents to provide an ongoing obligation to keep all mechanical parking devices in working order.”
 - e. Control C5.9.20 to read “A report from a suitably qualified traffic consultant is required for all applications using mechanical parking installations relating to the parking of more than 2 cars. The report should address: waiting time, maximum number of car movements and other relevant information required in assessing the application and the number of on-site waiting spaces required. Waiting spaces must not obstruct the driveway.

There being no further business the meeting concluded at 7.33pm.

We certify that the pages numbered 828 to 835 inclusive are the Minutes of the Urban Planning Committee Meeting held on 30 April 2007 and confirmed by the Urban Planning Committee on 14 May 2007 as correct.

Chairperson

Secretary of Committee