

Urban Planning Committee Minutes



Minutes: *Urban Planning Committee*

Date: *Monday 10 October 2016*

Time: *6.00pm*

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Table of Contents

Item	Subject	Pages
D1	Confirmation of Minutes of Meeting held on 26 September 2016	3027
R1	Revised planning proposal for 374 and 376-382 New South Head Road. Double Bay (SC2873).....	3027



**Minutes of the Meeting held on
10 October 2016 at 6.00pm.**

Present: Her Worship the Mayor, Councillor Toni Zeltzer ex-officio

Councillors: Katherine O'Regan (Chair)
Ted Bennett (Deputy Chair)
Luise Elsing
James Keulemans
Matthew Robertson (Part Item R1)

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

Also in Attendance: Councillor Andrew Petrie

Note: The Deputy Chair chaired the meeting for Item D1. The Chair arrived at 6.04 pm. and chaired the remainder of the meeting.

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.
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Late Correspondence

Late correspondence was submitted to the committee in relation to item: R1.

Declarations of Interest

Councillor Keulemans declared a Non-Significant, Non-Pecuniary Interest in Item R1 (Revised Planning Proposal for 374 and 376-382 New South Head Road, Double Bay) as he knows Mr Lesli Berger from Fivex Pty Ltd. 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 Bennett declared a Non-Significant, Non-Pecuniary Interest in Item R1 (Revised Planning Proposal for 374 and 376-382 New South Head Road, Double Bay) as he knows Mr Lesli Berger from Fivex Pty Ltd. Councillor Bennett 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 (Revised Planning Proposal for 374 and 376-382 New South Head Road, Double Bay) as she knows Mr Lesli Berger from Fivex Pty Ltd. 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.

Councillor Petrie declared a Non-Significant, Non-Pecuniary Interest in Item R1 (Revised Planning Proposal for 374 and 376-382 New South Head Road, Double Bay) as he is a friend of Mr Lesli Berger from Fivex Pty Ltd. and he knows members of the Double Bay Residents' Association. Councillor Petrie does not believe that the interests will affect his deliberations on the matter or his vote. Councillor Petrie 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 26 SEPTEMBER 2016**
Author: Sue O'Connor, Secretarial Support - Governance
File No: 16/139582
Reason for Report: The Minutes of the Urban Planning Committee of 26 September 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 26 September 2016 be taken as read and confirmed.

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

Item No: R1 Recommendation to Council
Subject: **REVISED PLANNING PROPOSAL FOR 374 AND 376-382 NEW SOUTH HEAD ROAD. DOUBLE BAY (SC2873)**
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: 16/134983
Reason for Report: To resubmit the planning proposal for 374 and 376-382 New South Head Road, Double Bay.
 To recommend the deferral of the revised planning proposal until the review of planning controls for Double Bay is complete.

Note: Councillor Keulemans declared a Non-Significant, Non-Pecuniary Interest in this Item as he knows Mr Lesli Berger from Fivex Pty Ltd. 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 Bennett declared a Non-Significant, Non-Pecuniary Interest in this Item as he knows Mr Lesli Berger from Fivex Pty Ltd. 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 O'Regan declared a Non-Significant, Non-Pecuniary Interest in this Item as she knows Mr Lesli Berger from Fivex Pty Ltd. 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: Councillor Petrie declared a Non-Significant, Non-Pecuniary Interest in this Item as he is a friend of Mr Lesli Berger from Fivex Pty Ltd. and he knows members of the Double Bay Residents' Association. Councillor Petrie does not believe that the interest will affect his deliberations on the matter or his vote. Councillor Petrie remained in the meeting, participated in the debate and voted on this matter.

Note: Late correspondence was submitted by the Double Bay Residents' Association and Council's Strategic Planner, Mr Brendan Metcalfe.

Note: Mr Malcolm Young, Vice President of the Double Bay Residents' Association, Mr Phillip Jacobs, a resident of the Cosmopolitan (2-22 Knox Street), Mr Mark Silcox, resident of 19 Court Road, Double Bay and Tony Moody, Consultant Planner along with Lesli Berger from Fivex Pty Ltd. the owner of the properties (and applicant), addressed the Committee.

**Motion moved by Councillor Elsing
Seconded by Councillor Robertson**

That consideration of the revised planning proposal for 374 and 376-382 New South Head Road, Double Bay, as reported to the Urban Planning Committee of 23 May 2016, remain deferred until the review of planning controls in the Double Bay Centre is complete.

**Amendment moved by Councillor Keulemans
Seconded by Councillor Bennett**

- A. THAT the revised planning proposal for land at 374 and 376-382 New South Head Road, Double Bay, submitted by Eeles Trelease Pty Ltd Architects in association with Tony Moody, Consultant Planner and Hill Thallis Architecture + Urban Planning Pty Ltd on behalf of the owner Fivex Pty Ltd, as contained in the report to the Urban Planning Committee on 10 October 2016, be submitted to the Minister for Planning requesting a gateway determination to allow public exhibition.
- B. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.
- C. THAT the applicant meet all costs associated with the preparation and completion of the planning proposal, as set out in the Council's fees and charges.

**The Amendment was put and carried.
The Amendment became the Motion.
The Motion was put and carried.**

(Keulemans/Bennett)**Recommendation:**

- A. THAT the revised planning proposal for land at 374 and 376-382 New South Head Road, Double Bay, submitted by Eeles Trelease Pty Ltd Architects in association with Tony Moody, Consultant Planner and Hill Thallis Architecture + Urban Planning Pty Ltd on behalf of the owner Fivex Pty Ltd, as contained in the report to the Urban Planning Committee on 10 October 2016, be submitted to the Minister for Planning requesting a gateway determination to allow public exhibition.
- B. THAT when requesting a gateway determination for the planning proposal, the Council seek delegation of the plan-making steps under section 59 of the *Environmental Planning and Assessment Act 1979*.
- C. THAT the applicant meet all costs associated with the preparation and completion of the planning proposal, as set out in the Council's fees and charges.

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 Keulemans
Councillor O'Regan

Against the Motion

Councillor Elsing
Councillor Robertson

3/2

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

We certify that the pages numbered 3023 to 3029 inclusive are the Minutes of the Urban Planning Committee Meeting held on 10 October 2016 and confirmed by the Urban Planning Committee on 31 October 2016 as correct.

Chairperson

Secretary of Committee