



Urban Planning Committee

Agenda: *Urban Planning Committee*

Date: *Tuesday 10 June 2008*

Time: *6.30pm*

Outline of Meeting Protocol & Procedure:

- The Chairperson will call the Meeting to order and ask the Committee/Staff to present apologies or late correspondence.
- The Chairperson will commence the Order of Business as shown in the Index to the Agenda.
- At the beginning of each item the Chairperson will ask whether a member(s) of the public wish to address the Committee.
- If person(s) wish to address the Committee, they are allowed four (4) minutes in which to do so. Please direct comments to the issues at hand.
- If there are persons representing both sides of a matter (eg applicant/objector), the person(s) against the recommendation speak first.
- At the conclusion of the allotted four (4) minutes, the speaker resumes his/her seat and takes no further part in the debate unless specifically called to do so by the Chairperson.
- If there is more than one (1) person wishing to address the Committee from the same side of the debate, the Chairperson will request that where possible a spokesperson be nominated to represent the parties.
- The Chairperson has the discretion whether to continue to accept speakers from the floor.
- After considering any submissions the Committee will debate the matter (if necessary), and arrive at a recommendation (R items which proceed to Full Council) or a resolution (D items for which the Committee has delegated authority).

Delegated Authority (“D” Items):

- To require such investigations, reports or actions as considered necessary in respect of matters contained with the Business Agendas (and as may be limited by specific Council resolutions).
- Confirmation of Minutes of its Meeting.
- Any other matter falling within the responsibility of the Urban Planning Committee and not restricted by the Local Government Act or required to be a Recommendation to Full Council as listed below:

Recommendation only to the Full Council (“R” Items):

- Such matters as are specified in Section 377 of the Local Government Act and within the ambit of the Committee considerations.
- Broad strategic matters, such as:-
 - Town Planning Objectives; and
 - major planning initiatives.
- Matters not within the specified functions of the Committee.
- Matters requiring supplementary votes to Budget.
- Urban Design Plans and Guidelines.
- Local Environment Plans.
- Residential and Commercial Development Control Plans.
- Rezoning applications.
- Heritage Conservation Controls.
- Traffic Management and Planning (Policy) and Approvals.
- Commercial Centres Beautification Plans of Management.
- Matters requiring the expenditure of moneys and in respect of which no Council vote has been made.
- Matters reserved by individual Councillors, in accordance with any Council policy on "safeguards" and substantive changes.

Committee Membership:

7 Councillors

Quorum:

The quorum for a committee meeting is 4 Councillors.

WOOLLAHRA MUNICIPAL COUNCIL

Notice of Meeting

5 June 2008

To: His Worship The Mayor, Councillor Geoff Rundle, ex-officio
Councillors John Comino (Chair)
 Claudia Cullen (Deputy Chair)
 Christopher Dawson
 Wilhelmina Gardner
 Keri Huxley
 Julian Martin
 David Shoebridge

Dear Councillors

Urban Planning Committee Meeting – 10 June 2008

In accordance with the provisions of the Local Government Act 1993, I request your attendance at a Meeting of the Council's **Urban Planning Committee** to be held in the **Committee Room, 536 New South Head Road, Double Bay, on Tuesday 10 June 2008 at 6.30pm.**

Gary James
General Manager

Additional Information Relating to Committee Matters

Site Inspection

Other Matters

Meeting Agenda

Item	Subject	Pages
1	Leave of Absence and Apologies	
2	Late Correspondence	
3	Declarations of Interest	

Items to be Decided by this Committee using its Delegated Authority

D1	Confirmation of Minutes of Meeting held on 26 May 2008	1
----	--	---

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

R1	Draft Woollahra Residential Development Control Plan 3002 (Amendment No. 2) – 1014.G WP/Part 2	2
----	---	---

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 26 May 2008**
Author: Les Windle, Manager – Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of Monday 26 May 2008 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.

Recommendation:

That the Minutes of the Urban Planning Committee Meeting of 26 May 2008 be taken as read and confirmed.

Les Windle
Manager - Governance

Item No: R1 Recommendation to Council
Subject: **Draft Woollahra Residential Development Control Plan 2003 (Amendment No.2)**
Author: Tom Jones - Urban Design Planner
Chris Bluett – Manager Strategic Planning
File No: 1014.G WP/Part 2
Reason for Report: To report on the exhibition of the Draft DCP
To obtain Council’s approval of the Draft DCP

Recommendation

That Draft Woollahra Residential Development Control Plan 2003 (Amendment No.2) as contained in **annexure 5** of the report to the Urban Planning Committee meeting on 10 June 2008 be approved.

Background

On 30 April 2007 the Urban Planning Committee considered a report on roof terraces, mechanical parking installations and air movement systems (**annexure 1**.) The Council resolved on 14 May 2007:

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.

In response to the decision, the draft DCP was prepared and placed on public exhibition. This report provides details of the exhibition process and submissions received.

Public exhibition process

Exhibition of Draft Residential DCP 2003 (Amendment No.2) [the Draft DCP] occurred over the period 29 June 2007 to 10 August 2007. Documents were exhibited in the Council's Customer Services foyer and on the Council's website. Notices were placed in the Council's advertising page of the Wentworth Courier on 27 June, 4 July, 11 July, 18 July, 25 July, 1 August and 8 August 2007. A copy of the exhibited Draft DCP is provided as **annexure 2**.

Summary and consideration of submissions

Three written submissions on the content of the Draft DCP have been received. One submission was received from a resident group, one from a resident and one from an architect. Copies of the submissions are attached as **annexure 3**. A summary of each submission, with responses to the issue, is provided in **annexure 4**.

After reviewing the submissions, a number of minor alterations are recommended.

Clause in Draft DCP/control/proposed alteration	Reason for alteration
<p>2.1.1 Control 5.3.5 Roof terraces and associated structures will only be considered where their size, location and design is such that they do not impose or have unreasonable impacts on adjoining properties (refer to Part 5.5 Views and Part 5.8 Visual and Acoustic Privacy) <u>meet the requirements of clause 5.5 Views and clause 5.8 Visual and Acoustic Privacy, in particular C5.5.7 of clause 5.5 and C5.8.6, C5.8.9 and C5.8.10 of clause 5.8).</u></p>	<p>Remove contradictory phrases and provide consistency with the language used in other proposed controls.</p>
<p>2.1.4 Control 5.8.10 Lighting <u>installations</u> on roof terraces must be:</p> <ul style="list-style-type: none"> ▪ contained within the roof terrace area and <u>located</u> at a low level so that the light source is not visible from neighbouring properties ▪ <u>appropriately shaded and fixed in a non-adjustable manner so that light is projected downwards onto the floor surface of the terrace.</u> <p>The lighting of roof terraces must be designed in compliance with <u>Australian Standard 4382-1997 Control of obtrusive effects of outdoor lighting.</u></p>	<p>Clarify the location of lighting installations. Reinforce intention for containment of lighting. Provide full description of Australian Standard.</p>
<p>2.1.6 Control 5.10.11 (new 5.10.12) 5.10.11 External condensers and air conditioning units are to be located and screened in order to minimise noise impacts on neighbours. <u>In this regard noise emissions must not exceed the background noise level when measured at the boundary of the development site.</u></p> <p><u>Note: The provisions of the <i>Protection of the Environment Operations Act 1997</i> and the <i>Protection of the Environment Operations (Noise Control) Regulation 2008</i> have overriding effect if offensive noise arises from the condensers and units.</u></p>	<p>Provide consistency with current development application assessment practises and conditions of development consent. Provide separate controls for external condensers and air conditioning units. Recognise overarching statutory requirements relating to offensive noise.</p>

Clause in Draft DCP/control/proposed alteration	Reason for alteration
C5.10.12 External condensers and air conditioning condenser units should not be visible from the public domain nor should they have a greater visual or amenity impact on the streetscape or the neighbours than they have on the occupants of the site.	

An altered version of the Draft DCP is provided in **annexure 5**.

Conclusion

Public exhibition of the Draft DCP has occurring in the manner required by the Act and Regulation. After assessing submissions several minor alterations to the exhibited Draft DCP are recommended. These alterations do not substantially change the Draft DCP in an important way to make it a different plan to the one exhibited. Therefore, we consider the alterations do not need to be re-exhibited.

Tom Jones
Urban Design Planner

Chris Bluett
Manager Strategic Planning

ANNEXURES

1. Report to Urban Planning Committee 30 April 2007
2. Exhibited Draft Residential DCP 2003 (Amendment No.2)
3. Submissions
4. Summary table of submissions and comments on submissions.
5. Altered Draft Residential DCP 2003 (Amendment No.2)