

Urban Planning Committee Minutes

Monday 1 November 2004

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Urban Planning Committee Minutes

**Minutes of the Meeting held on
Monday 1 November 2004 at 6.05pm**

Present: Councillor David Shoebridge (Chair)
John Comino
Christopher Dawson
Keri Huxley
Isabelle Shapiro
Fiona Sinclair King (D2-R2)

Staff: C Bluett (Manager – Strategic Planning)
A Coker (Director – Planning & Development)
L Windle (Manager – Governance)
A Lakeland (Team Leader – Strategic Planner)
L Thom (Heritage Officer)

Also in Attendance: Councillor Andrew Petrie (R1-R2)
Councillor Wilhelmina Gardner (part R2)
Councillor Tanya Excell (R2)

Leave of Absence

Leave of Absence previously granted by Council: Nil

Apologies:

Apologies were received and accepted from the Mayor, Councillor Rundle and Councillor Martin and Leave of Absence granted.

Late Correspondence

Late correspondence was submitted to the committee in relation to Items: R1 & R2

Declarations of Interest

Nil

Items Decided by this Committee using its Delegated Authority (Items D1 to D3)

Item No: D1 Delegated to Committee
Subject: **Confirmation of Minutes of Meeting held on 11 October 2004**
Author: Les Windle – Manager Governance
File No: See Council Minutes
Reason for Report: The Minutes of the Meeting of 11 October 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.

(Huxley/Comino)

Resolved:

That the Minutes of the Urban Planning Committee Meeting of 11 October 2004 be taken as read and confirmed.

Item No: D2 Delegated to Committee
Subject: **Built Environment Principal Activity – Quarterly Management Plan Review**
Author: Allan Coker – Director Planning and Development
File No:
Reason for Report: To review the status of services, for the Management Plan principal activity of Built Environment for the three months ending 30 September 2004

(Shapiro/Comino)

Resolved:

- A. That the status of projects for the Built Environment Principal Activity be noted.
 - B. That variations to projects be agreed subject to adoption of the relevant budget variations included in the separately reported quarterly financial review.
 - C. That a high priority be placed on the following additional projects:
 - Zoning of properties in the Five Ways, Paddington (Notice of Motion dated 9 July 2001)
 - Policy on roof terraces (Notice of Motion dated 9 August 2004)
 - Review of the Rose Bay Car Park Masterplan
 - The Residential Strategy Review.
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Item No: D3 Delegated to Committee
Subject: **Review of Outstanding Notices of Motion**
Author: Les Windle - Manager Governance
File No: 900.G
Reason for Report: For the Committee to review the status of the outstanding Notices of Motion concerning matters that fall within the responsibility of the Urban Planning Committee.

(Sinclair King/Comino)

Resolved:

That the status of the outstanding Notices of Motion concerning matters that fall within the responsibility of the Urban Planning Committee be noted.

**Items with Recommendations from this Committee
Submitted to the Council for Decision (Items R1 to R2)**

Item No: R1 Recommendation to Council
Subject: **Discussion Paper - Standard Provisions for Local Environmental Plans in NSW**
Author: Anita Lakeland - Team Leader Strategic Planning
File No: 696.G
Reason for Report: To report on the Discussion Paper – Standard Provisions for Local Environmental Plans in NSW.
To gain endorsement for Woollahra Council’s submission relating to the Discussion Paper.

Note: Late correspondence was tabled at the meeting from The Vaucluse Progress Association.

Note: Mr Michael Rolfe from The Vaucluse Progress Association addressed the meeting.

Note: This matter was referred to the Council meeting of 1 November 2004 as a Matter of Urgency and adopted.

(Comino/Sinclair King)

Recommendation:

- A. That Council endorse the submission relating to the *Discussion Paper – Standard Provisions for Local Environmental Plans in NSW* as contained in **Annexure 2** of the report to the Urban Planning Committee meeting on 1 November 2004 subject to an amendment to the submission to request the removal of “restaurant” from the definition of “refreshment room”.
- B. That the Committee’s recommendation proceed to the Council meeting on 1 November 2004 as a matter of urgency.

Item No: R2 Recommendation to Council

Subject: **Potential heritage item investigation in Bellevue Hill, Rose Bay [North] and Darling Point**

Author: Chris Bluett - Manager Strategic Planning

File No: 1080.G [BH]

Reason for Report: To respond in part to the Council's decision of 23 September 2002 requiring an update on the Tanner Study.
To make recommendations on the actions for potential heritage items.
To respond to the Council's decision of 11 October 2004.

Note: Late correspondence was tabled by Woollahra History & Heritage Society Inc., City Plan Heritage, Rose Bay Residents Association Inc, Richard Mews and Cracknell & Lonergan Architects Pty Limited.

Note: Mr Peter Poland from the Woollahra History and Heritage Society Inc, M/s Jennifer Turner from the Rose Bay Residents Association, Mr Michael Rolfe, speaking as an architect, Mr James Phillips, Heritage Consultant for 9 Bellevue Gardens, Bellevue Hill, Mr Chris Wright from 8B Bellevue Gardens, Bellevue Hill, Mr Peter Schwartz of 98B Bellevue Road, Bellevue Hill, Mr Stephen Davies representing 98B Bellevue Road, Bellevue Hill, Mr Robert Herz of 206A Victoria Road Bellevue Hill, Mr Nick Dacres-Manning from 9 Bellevue Gardens, Bellevue Hill, M/s Maritza Estimiou on behalf of her father Mr Charles Estimiou from 17 Ian Street, Rose Bay, Mr Richard Mews from 8 Fairfax Road Bellevue Hill and Mr Theo Damianakis of 593 New South Head Road, Rose Bay addressed the Committee.

Motion moved by Councillor Comino and Seconded by Councillor Sinclair King

That the recommendation be adopted subject to the following amendments:

- (1) 17 Ian Street, Rose Bay being deleted from recommendation A(i)
- (2) Recommendations B, C and D being amended so that Council “notes” the heritage inventory sheets instead of “adopting” the heritage inventory sheets and that the heritage inventory sheets be “considered” instead of “used” in the assessment of development applications.
- (3) Inclusion of an additional condition “H” relating to 25 Hamilton Street, Rose Bay.
- (4) Inclusion of an additional condition “I” relating to acknowledging and recognising the submissions made to then Committee.

The Motion was put and lost on the casting vote of the Chairperson.

(Shoebridge/Sinclair King)

Recommendation:

- A. THAT a draft local environmental plan be prepared to amend Woollahra Local Environmental Plan 1995 in the following manner:
- (i) by including the following properties as heritage items in Schedule 3:

<i>Bellevue Gardens,</i>	<i>Bellevue Hill</i>	<i>7,8,9</i>	<i>Quarried rock face</i>
			<i>(at the rear)</i>
<i>Bellevue Park Road,</i>	<i>Bellevue Hill</i>	<i>1A</i>	<i>‘Ben Ledi’, house and grounds</i>

<i>Bellevue Road,</i>	<i>Bellevue Hill</i>	<i>98B</i>	<i>Shops and residential flat building, original shopfronts</i>
<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>40</i>	<i>'Dalkeith', residential flat building, garages, stone paving, brick and stone retaining walls and stairs</i>
<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>40A</i>	<i>'Exeter', residential flat building, garages, stone paving, brick and stone retaining walls and stairs</i>
<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>40B</i>	<i>'Warrington', residential flat building, garages, stone paving, brick and stone retaining walls and stairs</i>
<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>81</i>	<i>'Cumberland', residential flat building, dwarf brick walls, paving and grounds</i>
<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>81A</i>	<i>'Westmoreland', residential flat building, dwarf brick walls, paving and grounds</i>
<i>Bundarra Road,</i>	<i>Bellevue Hill</i>	<i>7</i>	<i>'Bundarra', house and grounds</i>
<i>Eastbourne Road,</i>	<i>Darling Point</i>	<i>15</i>	<i>'Kendall Lodge', house and grounds</i>
<i>Fairfax Road,</i>	<i>Bellevue Hill</i>	<i>10</i>	<i>House and grounds</i>
<i>Fairfax Road,</i>	<i>Bellevue Hill</i>	<i>12</i>	<i>'Lincluden', residential flat building, sandstone retaining wall and balustrade</i>
<i>Fairfax Road,</i>	<i>Bellevue Hill</i>	<i>22</i>	<i>'Chislehurst', residential flat building and grounds</i>
<i>Ian Street,</i>	<i>Rose Bay</i>	<i>17</i>	<i>'Coorong', house and grounds</i>
<i>New South Head Rd,</i>	<i>Rose Bay</i>	<i>593</i>	<i>'The Chilterns', residential flat building and grounds</i>
<i>O'Sullivan Road,</i>	<i>Bellevue Hill</i>	<i>275</i>	<i>Residential flat building and grounds</i>
<i>O'Sullivan Road,</i>	<i>Bellevue Hill</i>	<i>277</i>	<i>Residential flat building and grounds</i>
<i>Spencer Street,</i>	<i>Rose Bay</i>	<i>23</i>	<i>House and grounds</i>
<i>Victoria Road,</i>	<i>Bellevue Hill</i>	<i>165</i>	<i>Residential flat building and grounds</i>
<i>Victoria Road,</i>	<i>Bellevue Hill</i>	<i>167</i>	<i>Residential flat building and grounds</i>
<i>Victoria Road,</i>	<i>Bellevue Hill</i>	<i>206A</i>	<i>'Glamis', residential flat building, front boundary wall, entry link and grounds</i>

(ii) by including the following properties as heritage item groups in Schedule 3:

<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>40</i>	<i>'Dalkeith', residential flat building, garages, stone paving, brick and stone retaining walls and stairs</i>
<i>and</i>			
<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>40A</i>	<i>'Exeter', residential flat building, garages, stone paving, brick and stone retaining walls and stairs</i>
<i>and</i>			
<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>40B</i>	<i>'Warrington', residential flat building, garages, stone paving, brick and stone retaining walls and stairs</i>

<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>81</i>	<i>'Cumberland', residential flat building, dwarf brick walls, paving and grounds</i>
<i>and</i>			
<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>81A</i>	<i>'Westmoreland' residential flat building, dwarf brick walls, paving and grounds</i>
<i>O'Sullivan Road,</i>	<i>Bellevue Hill</i>	<i>275</i>	<i>Residential flat building and grounds</i>
<i>and</i>			
<i>O'Sullivan Road,</i>	<i>Bellevue Hill</i>	<i>277</i>	<i>Residential flat building and grounds</i>
<i>Victoria Road,</i>	<i>Bellevue Hill</i>	<i>165</i>	<i>Residential flat building and grounds</i>
<i>and</i>			
<i>Victoria Road,</i>	<i>Bellevue Hill</i>	<i>167</i>	<i>Residential flat building and grounds</i>

(iii) by deleting the following property from the list of heritage items in Schedule 3:

<i>Ian St</i>	<i>Rose Bay</i>	<i>15</i>	<i>House</i>
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(iv) by including the following properties in a heritage conservation area:

<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>76</i>
<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>78</i>
<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>81</i>
<i>Birriga Road,</i>	<i>Bellevue Hill</i>	<i>81A</i>

as shown on the map labelled 'Birriga Road Heritage Conservation Area' within the report to the Urban Planning Committee meeting on 1 November 2004.

(v) by including the following properties in a heritage conservation area:

<i>Victoria Road,</i>	<i>Bellevue Hill</i>	<i>165</i>
<i>Victoria Road,</i>	<i>Bellevue Hill</i>	<i>167</i>
<i>Victoria Road,</i>	<i>Bellevue Hill</i>	<i>169-171</i>
<i>Victoria Road,</i>	<i>Bellevue Hill</i>	<i>175</i>
<i>Victoria Road,</i>	<i>Bellevue Hill</i>	<i>177</i>
<i>Victoria Road,</i>	<i>Bellevue Hill</i>	<i>179</i>

as shown on the map labelled 'Victoria Road Heritage Conservation Area' within the report to the Urban Planning Committee meeting on 1 November 2004.

B. THAT Council notes the individual heritage inventory sheets for those properties in Bellevue Hill and Rose Bay prepared by Colin Brady, Architect, Town Planner, Heritage Specialist and amended by Council's Strategic Heritage Officer and that they be considered in the assessment of development applications for those properties.

C. THAT Council notes the individual heritage inventory sheet prepared by Mark Robinson, Architect, Town Planner, Heritage Specialist and amended by Council's Strategic Heritage Officer and that it be considered in the assessment of development applications for the following property:

<i>Eastbourne Road,</i>	<i>Darling Point</i>	<i>15</i>	<i>'Kendall Lodge', house and grounds</i>
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- D. THAT Council notes the individual heritage inventory sheet prepared by Council's Strategic Heritage Officer and that it be considered in the assessment of development applications for the following property:
- Bellevue Park Road, Bellevue Hill 1A 'Ben Ledi', house and grounds*
- E. THAT the Woollahra Council Heritage Inventory Sheets for each property nominated in A be forwarded to the NSW Heritage Council for their information.
- F. THAT the owners of those properties listed in recommendation A above be advised of the Council's decision and informed of the opportunity to participate in the public consultation process associated with the exhibition of the draft LEP.
- G. THAT the Council note the properties contained in annexure 1 of the report to the Urban Planning Committee meeting of 1 November 2004 that have been eliminated from the Tanner list as potential heritage items. Note: This information was initially contained in annexure 3 of the report to the Urban Planning Committee meeting of 27 September 2004.
- H. THAT 25 Hamilton Street, Rose Bay be further investigated for heritage listing and reported back to the Urban Planning Committee and that the property owner be advised accordingly.
- I. THAT Council acknowledges and recognises the submissions before the Committee and directs Council staff to review the heritage listings and inventory sheets in light of those submissions with the review to be undertaken during the exhibition process.

There being no further business the meeting concluded at 8.35pm.

We certify that the pages numbered 1978 to 1986 inclusive are the Minutes of the Urban Planning Committee Meeting held on 1 November 2004 and confirmed by the Urban Planning Committee on 15 November 2004 as correct.

Chairperson

Secretary of Committee