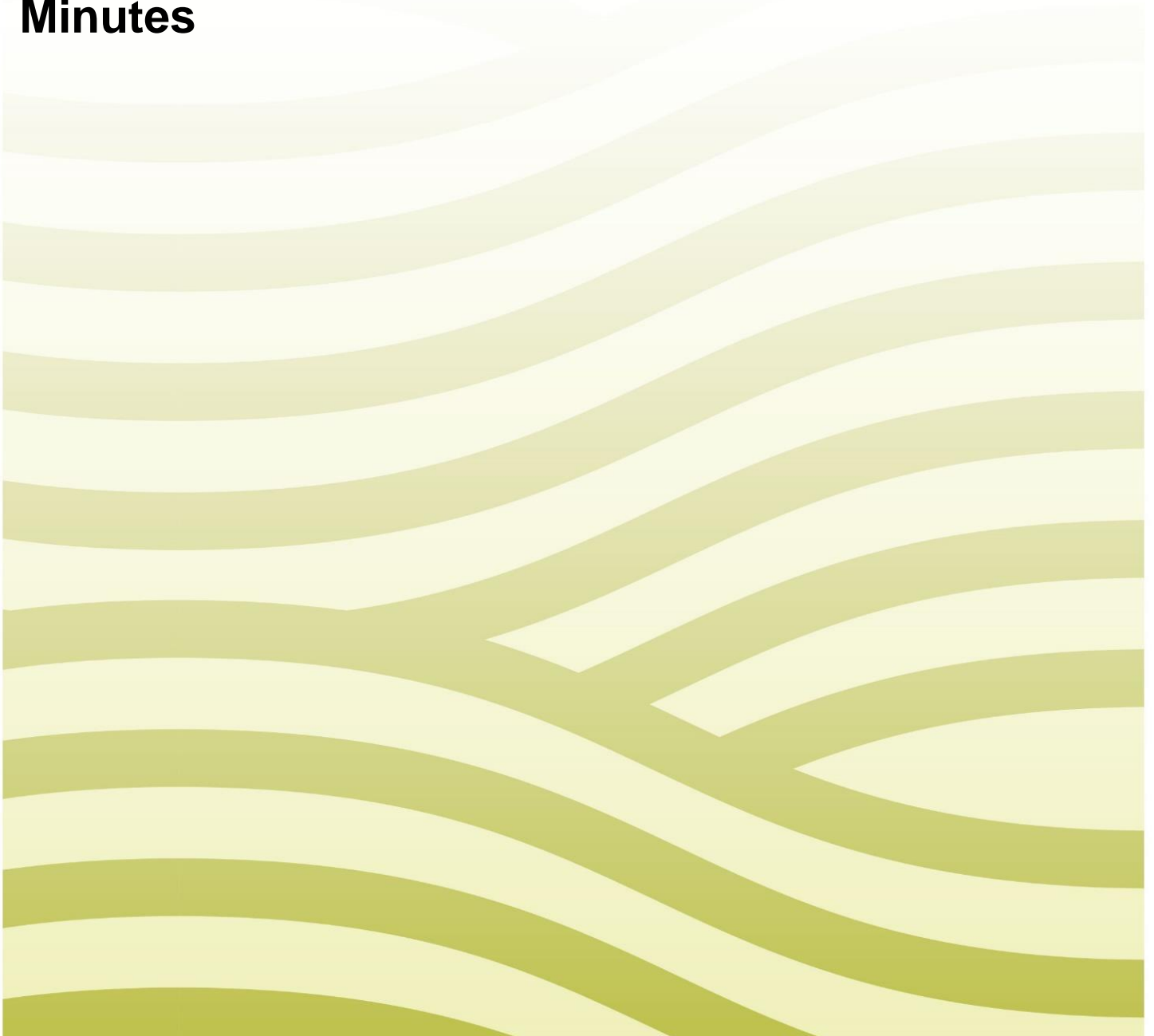




Environmental Planning Committee

Tuesday 2 April 2024
6.30pm

Minutes



Environmental Planning Committee Minutes

Tuesday 2 April 2024

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Environmental Planning Committee Minutes

Minutes of the Meeting held on 2 April 2024 at 6.30pm.

Present: His Worship the Mayor, Councillor Richard Shields ex-officio (joined 6.41pm during Item R1)

Councillors: Sean Carmichael (Chair)
Sarah Swan
Lucinda Regan
Matthew Robertson via zoom (joined 6.34pm during Item D2)
Merrill Witt
Susan Wynne via zoom

Staff: Eleanor Banaag (Senior Strategic Planner)
Sagar Chauhan (Heritage Officer)
Micaela Hopkins (Team Leader – Environment & Sustainability)
Scott Pedder (Acting General Manager)
Eleanor Smith (Strategic Planner)
Kristy Wellfare (Team Leader – Heritage)
Anne White (Manager – Strategic Planning & Place)

Also in Attendance: Lynette Durr (GML) Council Consultant (Heritage) - Item R1
Shikha Swaroop (GML) Council Consultant - Item R1

1. Opening

The Chair declared the Environmental Planning Committee of 2 April 2024 open and welcomed Councillors, staff and members of the public who are watching and listening to this evenings meeting.

2. Acknowledgement of Country (Gadigal People and Birrabirragal People)

The Chair read the following Acknowledgement of Country:

I would like to acknowledge that we are here today on the land of the Gadigal and Birrabirragal people, the traditional custodians of the land. On behalf of Woollahra Council, I acknowledge Aboriginal or Torres Strait Islander people attending today and I pay my respects to Elders past, present and emerging.

3. Acknowledgement of the Sovereign of the Day (King Charles III)

The Chair read the following Acknowledgement of the Sovereign of the Day (King Charles III):

I also acknowledge King of Australia King Charles III.

4. Leave of Absence and Apologies

An apology was received from and accepted from Councillor Isabelle Shapiro and leave of absence granted.

4.1 Attendance by Audio-Visual Link

(Swan/Witt)

Resolved:

THAT in accordance with clause 5.23 of Council's Code of Meeting Practice, the Committee approves the following Councillors participation in the Environmental Planning Committee Meeting of 2 April 2024 via Audio-Visual Link:

- Councillor Robertson
- Councillor Wynne

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Councillor Carmichael
Councillor Regan
Councillor Swan
Councillor Witt
Councillor Wynne

5/0

Against the Motion

Nil

5. Late Correspondence

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

6. Disclosures of Interest

Nil

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 4 MARCH 2024**
Author: Sue O'Connor, Governance Officer
File No: 24/44292
Purpose of the Report: The Minutes of the Environmental Planning Committee of 4 March 2024 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.
Alignment to Delivery Program: Strategy 11.3: Ensure effective and efficient governance and risk management.

(Swan/Witt)

Resolved:

THAT the Minutes of the Environmental Planning Committee Meeting of 4 March 2024 be taken as read and confirmed.

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Councillor Carmichael
Councillor Regan
Councillor Swan
Councillor Witt
Councillor Wynne

Against the Motion

Nil

5/0

Item No: D2 Delegated to Committee
Subject: **ECOLOGICAL SUSTAINABILITY TASKFORCE MEETING MINUTES 12 MARCH 2024, INCLUDING CLIMATE CHANGE RISK ASSESSMENT AND ADAPTATION PLAN**
Author: Micaela Hopkins, Team Leader Environment & Sustainability
Approver: Tom O'Hanlon, Director Infrastructure & Sustainability
File No: 24/49747
Purpose of the Report: To circulate the minutes of the Ecological Sustainability Taskforce meeting held on 12 March 2024 and the Climate Change Risk Assessment and Adaptation Plan.
Alignment to Delivery Program: Strategy 8.3: Prepare for and adapt to the impacts of climate change.

(Regan/Swan)

Resolved:

THAT Council note the minutes of the Ecological Sustainability Taskforce meeting held on 12 March 2024 and the Climate Change Risk Assessment and Adaptation Plan.

Note: In accordance with Council's Code of Meeting Practice a Division of votes is recorded on this matter.

For the Motion

Against the Motion

Councillor Carmichael
Councillor Regan
Councillor Robertson
Councillor Swan
Councillor Witt
Councillor Wynne

Nil

6/0

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

Item No: R1 Recommendation to Council
Subject: **PLANNING PROPOSAL TO LIST EIGHT LOCAL HERITAGE ITEMS AND ONE HERITAGE CONSERVATION AREA IN AND AROUND THE EDGECLIFF COMMERCIAL CENTRE - ADVICE OF THE WOOLLAHRA LOCAL PLANNING PANEL**

Authors: Eleanor Banaag, Senior Strategic Heritage Officer
Kristy Welfare, Team Leader Heritage

Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place

File No: 23/192929
Purpose of the Report: To provide Council with the advice of the Woollahra Local Planning Panel. To obtain Council's approval to proceed with the planning proposal to list eight local heritage items and one heritage conservation area in, and around, the Edgecliff Commercial Centre in Schedule 5 and on the Heritage Map of the Woollahra Local Environmental Plan 2014.

Alignment to Delivery Program: Strategy 4.2: Conserving our rich and diverse heritage.

Note: Late correspondence was tabled by Amrit Bahra, Menaka Qvist & Toby Raphael, R Cooper & Nicholas Venet, Kathleen Prendergast & Bill Bracey (2 pieces).

Note: Amrit Bahra, Menaka Qvist & Toby Raphael, addressed the Committee.

Note: Councillor Richard Shields left the meeting, the time being 7.09pm.

Note: Councillor Susan Wynne left the meeting, the time being 7.10pm.

Note: Councillor Susan Wynne returned to the meeting, the time being 7.11pm.

Note: Councillor Richard Shields returned to the meeting, the time being 7.13pm.

Note: The Committee amended Part B (i) and added new Part D to the Recommendation.

Note: The Committee resolved to facilitate a site visit of 4 & 6-8 Oswald Street, Darling Point.

(Swan/Robertson)

Recommendation:

THAT Council:

- A. Note the advice provided by the Woollahra Local Planning Panel from 20 October 2023 regarding the planning proposal to list local heritage items and one heritage conservation area in, and around, the Edgecliff Commercial Centre.
- B. Endorse the planning proposal as contained at **Attachment 1** of the report to the Environmental Planning Committee of 2 April 2024 to list the following eight local heritage items and one heritage conservation area in Schedule 5 and on the Heritage Map of the *Woollahra Local Environmental Plan 2014* (subject to the removal of 4 Oswald Street/Lot 12, DP 3893 from the planning proposal) and resolves to forward this to the Department of Planning, Housing and Infrastructure with a request for Gateway Determination to allow public exhibition:
 - i. 'Guzman House', including interiors at 6–8 Oswald Street, Darling Point (Lot 3, DP 1197166).
 - ii. 'Winston House', including interiors at 20 New South Head Road, Edgecliff (SP 20728, SP 31826).
 - iii. 'Portland Hall', including interiors and gardens at 48 New South Head Road, Edgecliff (Lot 1, DP 82089; Lot 1, DP 1107185; Lot 1, DP 921798).
 - iv. 'Cobham', including interiors and gardens at 166 New South Head Road, Edgecliff (SP 90371).
 - v. 'Brantwood Court', including interiors and gardens at 168 New South Head Road, Edgecliff (SP 11580)
 - vi. 'Brantwood Hall', including interiors and gardens at 170 New South Head Road, Edgecliff (SP 86720)
 - vii. Victorian Georgian Terrace group – three cottages at 543–547 Glenmore Road, Edgecliff (Lots 34, 35 and 36, DP 255233).
 - viii. Phoenix Palms in Oswald Street Reserve, Oswald Street, Darling Point (Road Reserve).
 - ix. The Brantwood Heritage Conservation Area, comprising five buildings between 164-180 New South Head Road, Edgecliff:
 - a. 164 New South Head Road (SP 16897)
 - b. 166 New South Head Road (SP 90371)
 - c. 168 New South Head Road (SP 11580)
 - d. 170 New South Head Road (SP 86720)
 - e. 172-180 New South Head Road (SP 10535)
- C. Requests the Minister for Planning and Public Spaces (or delegate) authorise Council as the local plan-making authority in relation to the planning proposal, to make the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- D. Requests staff to organise a Councillor site visit for the property at 4 and 6-8 Oswald Street, Darling Point to allow Council to make a decision as to how to proceed with the heritage listing of 4 Oswald Street, Darling Point.

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Against the Motion

Councillor Carmichael
Councillor Regan
Councillor Robertson
Councillor Shields
Councillor Swan
Councillor Witt
Councillor Wynne

Nil

7/0

Item No: R2 Recommendation to Council
Subject: **HERITAGE SIGNIFICANCE ASSESSMENT OF COOPER PARK GARAGE AT 104 MANNING ROAD, DOUBLE BAY**
Authors: Sagar Chauhan, Temp Heritage Officer
Kristy Welfare, Team Leader Heritage
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 24/21279
Purpose of the Report: To respond to a Council resolution of 14th June 2022 to undertake an assessment of the potential heritage significance of Cooper Park Garage at 104 Manning Rd, Double Bay
Alignment to Delivery Program: Strategy 4.2: Conserving our rich and diverse heritage.
(Wynne/Robertson)

Recommendation:

THAT Council:

- A. Note the recommendations contained in the Assessment of Heritage Significance prepared at **Attachment 1** of the Environmental Planning Committee report to 2 April 2024, which concludes that 'Cooper Park Garage,' at 104 Manning Rd Double Bay does not meet the threshold for listing as a heritage item in Schedule 5 of the Woollahra Local Environmental Plan 2014.
- B. Take no further action to progress listing of Cooper Park Garage, Double Bay in the Woollahra Local Environmental Plan 2014.
- C. Note that this resolution (initiated by a Notice of Motion) is now closed.

Note: In accordance with section 375A of the Local Government Act a Division of votes is recorded on this planning matter.

For the Motion

Against the Motion

Councillor Carmichael
Councillor Regan
Councillor Robertson
Councillor Shields
Councillor Swan
Councillor Witt
Councillor Wynne

Nil

7/0

Item No: R3 Recommendation to Council
Subject: **PROPOSED LOCAL PLANNING CONTROLS FOR BASKETBALL AND SPORTS COURTS**
Author: Eleanor Smith, Executive Planner
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 24/35176
Purpose of the Report: To respond to a resolution requesting staff to investigate new controls for basketball courts.
Alignment to Delivery Program: Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

**Motion moved by Councillor Wynne
Seconded by Councillor Swan**

THAT Council take no further action on proposed local planning controls for basketball and sports courts.

**Foreshadowed Motion advised by Councillor Regan
Seconded by Councillor Witt**

THAT Council:

- A. Receive and note the report on proposed local planning controls for basketball and sports courts.
- B. Resolve to exhibit *Draft Woollahra Development Control Plan 2015 (Amendment No. 26)* as contained at **Attachment 1** of the report to the Environmental Planning Committee of 2 April 2024, subject to making the terminology consistent by referring to “sports courts”.

The Motion was put and lost.

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 Swan
Councillor Wynne

Against the Motion

Councillor Carmichael
Councillor Regan
Councillor Robertson
Councillor Shields
Councillor Witt

2/5

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

(Regan/Witt)

Recommendation:

THAT Council:

- A. Receive and note the report on proposed local planning controls for basketball and sports courts.

- B. Resolve to exhibit *Draft Woollahra Development Control Plan 2015 (Amendment No. 26)* as contained at **Attachment 1** of the report to the Environmental Planning Committee of 2 April 2024, subject to making the terminology consistent by referring to “sports courts”.

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 Carmichael
Councillor Regan
Councillor Robertson
Councillor Shields
Councillor Witt

Against the Motion

Councillor Swan*
Councillor Wynne

5/2

Note*: ***Councillor Swan abstained from the vote and is recorded as voting against the Motion.***

There being no further business the meeting concluded at 8.21pm.

We certify that the pages numbered 137 to 146 inclusive are the Minutes of the Environmental Planning Committee Meeting held on 2 April 2024 and confirmed by the Environmental Planning Committee on 6 May 2024 as correct.

Chairperson

Secretary of Committee