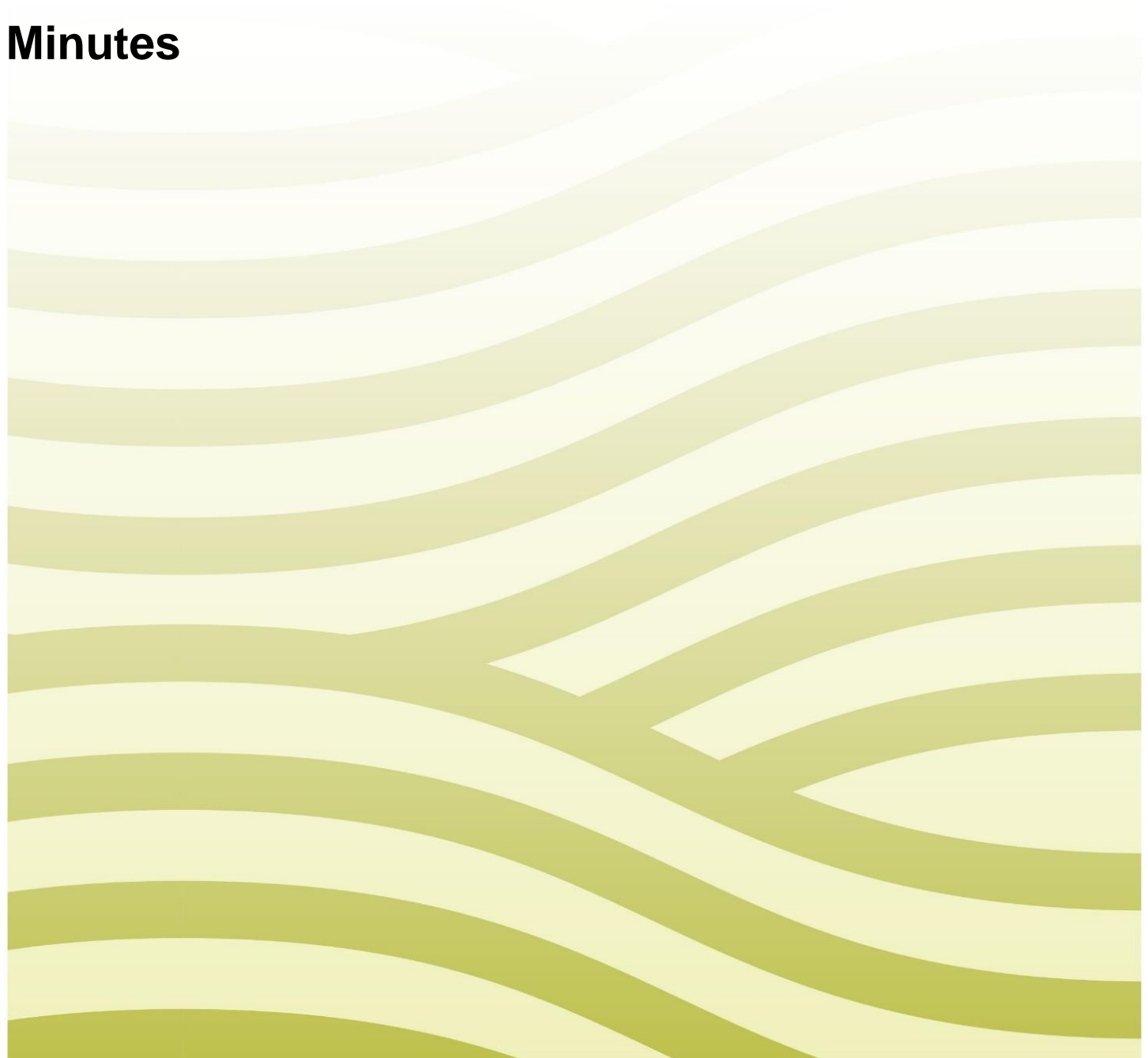




Environmental Planning Committee

Monday 1 July 2024
6.30pm

Minutes



Environmental Planning Committee Minutes

Monday 1 July 2024

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Environmental Planning Committee

Minutes of the Meeting held on 1 July 2024 at 6.32pm

Present: Councillors: Sean Carmichael (Chair)
Sarah Swan (via Zoom)
Lucinda Regan
Isabelle Shapiro (left the meeting at 8.02pm after Item R1)
Merrill Witt (via Zoom) (joined at 6.37pm during Item R1)
Susan Wynne (via Zoom)

Staff: Fiona Aghili (Strategic Planner) (via Zoom)
Jacquelyne Della Bosca (Executive Planner) (via Zoom)
Micaela Hopkins (Team Leader – Environment & Sustainability)
Scott Pedder (Director – Planning & Place)
Carolyn Nurmi (Governance Officer)
Sue O'Connor (Governance Officer)
Eleanor Smith (Executive Planner)
Charmaine Tai (Strategic Planner)
Lyle Tamlyn (Acting Team Leader - Strategic Planning)
Anne White (Manager – Strategic Planning & Place)

Also in Attendance: Nil

1. Opening

The Chair declared the Environmental Planning Committee of 1 July 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, Apologies and Attendance by Audio-Visual Link by Councillors

An apology was received from and accepted from Councillor Matthew Robertson and leave of absence granted.

4.1 Attendance by Audio-Visual Link

(Shapiro/Regan)

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 1 July 2024 via Audio-Visual Link:

- Councillor Swan
- Councillor Witt
- 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 Shapiro
Councillor Swan
Councillor Wynne

Against the Motion

Nil

5/0

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 3 JUNE 2024**
Author: Sue O'Connor, Governance Officer
File No: 24/95956
Purpose of the Report: The Minutes of the Environmental Planning Committee of 3 June 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.

(Wynne/Regan)

Resolved:

THAT the Minutes of the Environmental Planning Committee Meeting of 3 June 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 Shapiro
Councillor Swan
Councillor Wynne

Against the Motion

Nil

5/0

Item No: D2 Delegated to Committee
Subject: **ECOLOGICAL SUSTAINABILITY TASKFORCE MEETING MINUTES 28 MAY 2024**
Author: Micaela Hopkins, Team Leader Environment & Sustainability
Approver: Tom O'Hanlon, Director Infrastructure & Sustainability
File No: 24/101652
Purpose of the Report: To circulate the minutes of the Ecological Sustainability Taskforce meeting held on 28 May 2024.
Alignment to Delivery Program: Strategy 8.3: Prepare for and adapt to the impacts of climate change.

(Wynne/Shapiro)

Resolved:

THAT Council note the minutes of the Ecological Sustainability Taskforce meeting held on 28 May 2024.

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 Shapiro
Councillor Swan
Councillor Wynne

Against the Motion

Nil

5/0

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

Item No: R1 Recommendation to Council
Subject: **POST EXHIBITION REPORT - DRAFT DEVELOPMENT CONTROL PLAN (AMENDMENT NO. 27) - 488-492 OLD SOUTH HEAD ROAD & 30 ALBEMARLE AVENUE, ROSE BAY**
Authors: Charmaine Tai, Strategic Planner
Jacquelyne Della Bosca, Executive Planner
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 24/102488
Purpose of the Report: To report on the public exhibition of Draft Woollahra Development Control Plan 2015 (Amendment No. 27) for 488-492 Old South Head Road and 30 Albemarle Avenue, Rose Bay and to seek Council's approval for finalisation.
Alignment to Delivery Program: Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.
Note: Late correspondence was tabled by Katrina Lesnie & Melisa White.
Note: Tracy Newfield of the Rose Bay Action Group & Jacquelyn Hilmer, objectors, addressed the Committee.
Note: The Committee amended Part B and added new Part D to the Recommendation.

(Regan/Carmichael)

Recommendation:

THAT Council:

- A. Receives and notes the post exhibition report on amendments to the *Woollahra Development Control Plan 2015* applying to 488-492 Old South Head Road and 30 Albemarle Avenue, Rose Bay.
- B. Approves *Draft Woollahra Development Control Plan 2015 (Amendment No. 27)*, with amendments set out in late correspondence dated 8 July 2024, at **Attachment 1** of the report to the Environmental Planning Committee meeting of 1 July 2024, with commencement of the DCP being subject to the Department of Planning, Housing and Infrastructure approving the planning proposal for 488-492 Old South Head Road and 30 Albemarle Avenue, Rose Bay.

- C. Notes that if the proposed amendment to the *Woollahra Local Environmental Plan 2014* is not approved by the Department of Planning, Housing and Infrastructure, *Draft Woollahra Development Control Plan 2015 (Amendment No. 27)* will also not proceed, and a public notice will be published outlining the reasons for that decision.
- D. Notes the concerns of the community particularly in relation to potential streetscape and amenity impacts on Albemarle Avenue, and potential impacts on traffic and pedestrian safety arising from increased traffic, parking, delivery and servicing vehicles.

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 Shapiro
Councillor Swan
Councillor Witt
Councillor Wynne

Nil

6/0

Item No: R2 Recommendation to Council
Subject: **POST EXHIBITION REPORT - DRAFT DEVELOPMENT CONTROL PLAN (AMENDMENT NO. 26) - BASKETBALL & SPORTS COURTS CONTROLS**
Author: Eleanor Smith, Executive Planner
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 24/89724
Purpose of the Report: To report on the public exhibition of Draft Woollahra Development Control Plan 2015 (Amendment No. 26) for planning controls for basketball and sports courts, and to seek Council's approval for finalisation.
Alignment to Delivery Program: Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

Note: Councillor Shapiro left the meeting at 8.02pm.

(Regan/Swan)

Recommendation:

THAT Council:

- A. Notes the post exhibition report on *Draft Woollahra Development Control Plan 2015 (Amendment No. 26)* on proposed controls for basketball and sports courts.
- B. Approves Draft Woollahra Development Control Plan 2015 (*Amendment No. 26*) at **Attachment 1** of the report to the Environmental Planning Committee of 1 July 2024 as exhibited.

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 Swan
Councillor Witt

Councillor Wynne

4/1

Item No: R3 Recommendation to Council
Subject: **REVIEW OF LOCAL PLANNING CONTROLS TO STRENGTHEN PROVISIONS FOR SENIORS HOUSING DEVELOPMENT**
Author: Jacquelyne Della Bosca, Executive Planner
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 23/79383
Purpose of the Report: To respond to a Council resolution requesting additional planning provisions to address seniors housing.
To obtain Council's approval to exhibit an amendment to the Woollahra Development Control Plan 2015.
Alignment to Delivery Program: Strategy 4.3: Sustaining diverse housing choices in planned locations that enhance our lifestyles and fit in with our local character and scenic landscapes.

Note: The Committee added new Part C to the Recommendation.

(Swan/Regan)

Recommendation:

THAT Council:

- A. Receives and notes the report on the review of local planning provisions to identify opportunities to strengthen controls for seniors housing development.
- B. Resolves to exhibit *Draft Woollahra Development Control Plan 2015 (Amendment No.32)* as contained at **Attachment 1** of the report to the Environmental Planning Committee of 1 July 2024.
- C. Review and report back to Environmental Planning Committee on the application and use of the excavation controls for Seniors Housing Developments within 2 years, or sooner if it is identified that the variation is being misapplied and is inconsistent with the intent.

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 Swan
Councillor Witt
Councillor Wynne

Nil

5/0

Item No: R4 Recommendation to Council
Subject: **HOUSING DELIVERY UPDATE - JULY 2024**
Authors: Fiona Aghili, Strategic Planner
Lyle Tamlyn, Acting Team Leader Strategic Planning
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 24/54217
Purpose of the Report: The purpose of this report is to provide an update on housing delivery in the Woollahra Local Government Area.
Alignment to Delivery Program: Strategy 4.1: Encourage and plan for sustainable, high quality planning and urban design outcomes.

Note: The Committee added new Parts B (i to vii) and C to the Recommendation and original Part B became D.

(Regan/Swan)

Recommendation:

THAT Council:

- A. Receives and notes the annual report on housing delivery provided to the Environmental Planning Committee of 1 July 2024.
- B. Request the Mayor write to the NSW Premier, the Hon. Chris Minns MP, the NSW Minister for Planning and Public Spaces, the Hon. Paul Scully MP, the Member for Vaucluse and Member for Sydney explaining:
 - i. That Woollahra Council exceeded its housing target by 82% for the period 2016 to 2021 but was given no carry-over credit;
 - ii. That Woollahra Council has already delivered 60.8% of its net new dwelling target of 500 for 2021-2026;
 - iii. That Woollahra Council is the 7th densest municipality in NSW (77.8% of its dwellings are medium or high density compared to 46% for Greater Sydney);
 - iv. That the previous state government repeatedly advised Woollahra Council that no new significant state infrastructure will be provided to support additional density in the municipality;
 - v. On 29 May 2024, the NSW Government released a new five year completion target of 1,900 new dwellings to be delivered for the period of July 2024 to June 2029 in the Woollahra Local Government Area;
 - vi. The 1,900 new dwelling target does not include our strategy documents, the *Edgecliff Commercial Centre Planning and Urban Design Strategy* and the *Double Bay Centre Planning and Urban Design Strategy* which will produce up to 615 and 300 net additional dwellings respectively; and
 - vii. That due to the high level of development activity over the past decade, Woollahra Council regularly receives complaints from the community regarding traffic congestion, lack of parking, inadequate public transport options, pressure on public parks and community facilities and loss of local character and heritage.
- C. Thanks planning staff for their diligence in collecting and reporting on housing delivery information.
- D. Requests staff to report the next housing delivery update to the Environmental Planning Committee and Council in August 2025.

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 Swan
Councillor Witt
Councillor Wynne

Nil

5/0

There being no further business the meeting concluded at 8.40pm.

We certify that the pages numbered 366 to 374 inclusive are the Minutes of the Environmental Planning Committee Meeting held on 1 July 2024 and confirmed by the Environmental Planning Committee on 5 August 2024 as correct.

Chairperson

Secretary of Committee