



Environmental Planning Committee

Monday 5 February 2024
6.30pm

Minutes



Environmental Planning Committee Minutes

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Environmental Planning Committee

Minutes of the Meeting held on Monday 5 February 2024 at 6.30pm.

Present: Councillors: Sean Carmichael (Chair)
Sarah Swan (Joined meeting during Item R1 at 6.34pm)
Lucinda Regan
Isabelle Shapiro
Merrill Witt
Susan Wynne

Staff: Eleanor Banaag (Senior Strategic Heritage Officer)
Petrina Duffy (Coordinator Strategy & Performance)
Michaela Hopkins (Team Leader – Environment & Sustainability)
Wai Wai Liang (Strategic Planner)
Carolyn Nurmi (Governance Officer)
Sue O'Connor (Governance Officer)
Richard Pearson (Development Manager) (via Zoom)
Scott Pedder (Director – Planning & Place)
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 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 Robertson and leave of absence granted.

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 DECEMBER 2023**
Author: Sue O'Connor, Governance Officer
File No: 23/224488
Purpose of the Report: The Minutes of the Environmental Planning Committee of 4 December 2023 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.

(Regan/Shapiro)

Resolved:

THAT the Minutes of the Environmental Planning Committee Meeting of 4 December 2023 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 Witt
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 - PLANNING PROPOSAL FOR 136 - 148 NEW SOUTH HEAD ROAD, EDGECLIFF**
Authors: Wai Wai Liang, Strategic Planner
Chinmayi Holla, Strategic Planner
Lyle Tamlyn, Acting Team Leader Strategic Planning
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 23/200934
Purpose of the Report: To report on the public exhibition of the planning proposal for 136 – 148 New South Head Road, Edgecliff.
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 Leon Cohen & Sharon Hurwitz.

Note: Councillor Shapiro left the meeting, the time being 6.40pm.

Note: Councillor Shapiro returned to the meeting, the time being 6.54pm.

(Swan/Wynne)

Recommendation:

THAT Council:

- A. Notes the matters raised during the public exhibition of the planning proposal for 136-148 New South Head Road, Edgecliff.
- B. Forwards the submissions, post exhibition report and amended planning proposal for 136-148 New South Head Road to the Department of Planning, Housing and Infrastructure as the local plan-making authority, with a request that the Minister (or delegate) makes the local environmental plan under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

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 Shapiro
Councillor Swan
Councillor Wynne

Against the Motion

Councillor Regan
Councillor Witt

4/2

Item No:	R2 Recommendation to Council
Subject:	POST-EXHIBITION REPORT - VOLUNTARY PLANNING AGREEMENT FOR 136-148 NEW SOUTH HEAD ROAD, EDGECLIFF
Author:	Richard Pearson, Development Manager
Approver:	Tom O'Hanlon, Director Infrastructure & Sustainability
File No:	23/218390
Purpose of the Report:	To provide an update of the exhibition of a VPA
Alignment to Delivery Program:	Strategy 5.1: Enhance council provided community facilities to foster connections between people and place and enhance quality of life.

Note: The Committee added new Part C & amended Part D of the Recommendation.

(Wynne/Shapiro)

Recommendation:

THAT Council:

- A. Note the report which provides an analysis of submissions received on the draft Voluntary Planning Agreement (VPA).
- B. Note that no changes to the draft Voluntary Planning Agreement (VPA) are proposed.
- C. Prior to the next meeting of Council on the 12 February 2024, request that staff obtain further advice from our lawyers to ensure there are no concerns about the interpretation of certainty in Schedule 1.
- D. Subject to the advice identified in Part C, authorise the General Manager to enter into the Voluntary Planning Agreement (VPA) prior to gazettal of the Planning Proposal.

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 Shapiro
Councillor Swan
Councillor Wynne

Against the Motion

Councillor Regan
Councillor Witt

4/2

Item No: R3 Recommendation to Council
Subject: **POST EXHIBITION REPORT - PLANNING PROPOSAL TO LIST THE ST GEORGE GREEK ORTHODOX CHURCH, ROSE BAY AS A LOCAL HERITAGE ITEM**
Authors: Eleanor Banaag, Senior Strategic Heritage Officer
Kristy Welfare, Acting Team Leader Heritage
Approvers: Anne White, Manager Strategic Planning & Place
Scott Pedder, Director Planning & Place
File No: 23/231325
Purpose of the Report: To report on the public exhibition of the planning proposal to list the St George Greek Orthodox Church, Rose Bay as a local heritage item.
Alignment to Delivery Program: Strategy 4.2: Conserving our rich and diverse heritage.

(Swan/Wynne)

Recommendation:

THAT Council:

- A. Finalise the planning proposal at **Attachment 1** of the report to the Environmental Planning Committee of 5 February 2024 to list the *St George Greek Orthodox Church and war memorial complex and setting, including interiors and moveable relics* at 90-92 Newcastle Street, Rose Bay (Lots 15 & 16, Sec D, DP 5092) as a local heritage item in Schedule 5 and on the Heritage Map of the *Woollahra Local Environmental Plan 2014*.
- B. Make the local environmental plan under section 3.36(2) of the *Environmental Planning and Assessment Act 1979*.

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 Regan
Councillor Swan
Councillor Witt
Councillor Wynne

Against the Motion

Councillor Carmichael
Councillor Shapiro

4/2

Item No: R4 Recommendation to Council
Subject: **DELIVERY PROGRAM 2022/23 - 2025/26 & OPERATIONAL PLAN 2023/24 PROGRESS REPORT - DECEMBER 2023**
Author: Petrina Duffy, Coordinator Strategy & Performance
Approvers: Sue Meekin, Director Corporate Performance
Tom O'Hanlon, Director Infrastructure & Sustainability
Scott Pedder, Director Planning & Place
Patricia Occelli, Director Community & Customer Experience
File No: 24/13267
Purpose of the Report: To review the status of the Priorities and Actions in Council's Delivery Program 2022/23 – 2025/26 and Operational Plan 2023/24 for the six months ending 31 December 2023.
Alignment to Delivery Program: Strategy 11.1: Build an efficient organisation that places customers and the community at the heart of service delivery.

(Swan/Regan)

Recommendation:

THAT Council receives and notes the December 2023 Progress Report on Council's Delivery Program 2022/23 to 2025/26 and Operational Plan 2023/24 be received and noted.

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 Shapiro
Councillor Swan
Councillor Witt
Councillor Wynne

Against the Motion

Nil

6/0

There being no further business the meeting concluded at 8.08pm.

We certify that the pages numbered 1 to 7 inclusive are the Minutes of the Environmental Planning Committee Meeting held on 5 February 2024 and confirmed by the Environmental Planning Committee on 4 March 2024 as correct.

Chairperson

Secretary of Committee