

Item No: R3 Recommendation to Council
Subject: **PLANNING PROPOSAL - HERITAGE LISTING OF 'SUNNY BRAE, INCLUDING INTERIORS' AT 40 FITZWILLIAM ROAD, VAUCLUSE**
Authors: Flavia Scardamaglia, Strategic Heritage Officer
Anne White, Manager - Strategic Planning
Approver: Scott Pedder, Director - Planning & Place
File No: 22/39605
Purpose of the Report: To update Council on the site visit which was conducted on 7 March 2022. To obtain Council's approval to proceed with the planning proposal to list 'Sunny Brae, including interiors' at 40 Fitzwilliam Road, Vaucluse as a local heritage item in Schedule 5 and on the Heritage Map of Woollahra Local Environmental Plan 2014.
Alignment to Delivery Program: Strategy 4.3: Protect our heritage, including significant architecture and the natural environment.

Note: Late correspondence was tabled by Graham Brooks of GBA Heritage, Stephen Davies of Urbis.

Note: Councillor Shapiro declared a Non-Significant, Non-Pecuniary interest in this Item as Councillor Shapiro knows one of the neighbours who have submitted late correspondence. Councillor Shapiro remained in the meeting, participated in debate and voted on the matter.

**Motion moved by Councillor Shapiro
Seconded by Councillor Carmichael**

- A. THAT the planning proposal, as contained in **Attachment 1** of the report to the Environmental Planning Committee meeting of 4 April 2022 be forwarded to the Department of Planning and Environment with a request for a gateway determination to allow public exhibition, subject to adopting the inventory listing proposed by the late correspondence submitted by Stephen Davies of Urbis (i.e. page 17 to 23 deleting any reference to views from the property).
- B. THAT Council request 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*.

**Amendment moved by Councillor Grieve
Seconded by Councillor Zeltzer**

- A. THAT the planning proposal, as contained in **Attachment 1** of the report to the Environmental Planning Committee meeting of 4 April 2022 be forwarded to the Department of Planning and Environment with a request for a gateway determination to allow public exhibition.
- B. THAT Council request 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*.

The Amendment was put and carried.

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

For the Amendment

Councillor Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Amendment

Councillor Carmichael
Councillor Shapiro
Councillor Shields

11/3

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

(Grieve/Zeltzer)

5/22 Resolved:

- A. THAT the planning proposal, as contained in **Attachment 1** of the report to the Environmental Planning Committee meeting of 4 April 2022 be forwarded to the Department of Planning and Environment with a request for a gateway determination to allow public exhibition.
- B. THAT Council request 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*.

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 Cavanagh
Councillor Elsing
Councillor Grieve
Councillor Jarvis
Councillor Price
Councillor Regan
Councillor Robertson
Councillor Shapiro
Councillor Shields
Councillor Swan
Councillor Witt
Councillor Wynne
Councillor Zeltzer

Against the Motion

Nil

14/0