

# Environmental Planning Committee



## Minutes

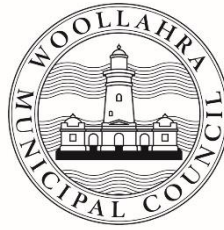
Monday 2 December 2019

# **Environmental Planning Committee Minutes**

**Monday 2 December 2019**

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**Minutes of the Meeting held on  
2 December 2019 at 6.05pm.**

Present: Her Worship the Mayor, Councillor Susan Wynne, ex-officio

Councillors: Mary-Lou Jarvis (Chair)  
Nick Maxwell  
Luise Elsing  
Matthew Robertson  
Isabelle Shapiro (D2 to R2)  
Mark Silcocks  
Toni Zeltzer

Staff: Jorge Alvarez (Strategic Planner)  
Chris Bluett (Manager – Strategic Planning)  
Allan Coker (Director – Planning & Development)  
Nick Economou (Manager – Development Control)  
Flavia Scardamaglia (Strategic Heritage Officer)  
Helen Tola (Manager – Governance & Council Support)  
Anne White (Team Leader – Strategic Planning)

Also in Attendance: Nil

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## **Leave of Absence and Apologies**

Nil

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## **Late Correspondence**

Late correspondence was submitted to the committee in relation to Item: R1

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## **Declarations of Interest**

Nil

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**Items to be Decided by this Committee using its Delegated Authority**

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**Item No:** D1 Delegated to Committee  
**Subject:** **CONFIRMATION OF MINUTES OF MEETING HELD ON 18 NOVEMBER 2019**  
**Author:** Sue O'Connor, Governance Officer  
**File No:** 19/175427  
**Reason for Report:** The Minutes of the Environmental Planning Committee of 18 November 2019 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.

(Silcocks/Maxwell)

**Resolved:**

THAT the Minutes of the Environmental Planning Committee Meeting of 18 November 2019 be taken as read and confirmed.

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**Item No:** D2 Delegated to Committee  
**Subject:** **WOOLLAHRA LOCAL PLANNING PANEL REGISTER OF PLANNING DECISIONS AND ANALYSIS**  
**Author:** Helen Tola, Manager - Governance & Council Support  
**Approver:** Nick Economou, Manager Development Control  
**File No:** 19/163097  
**Reason for Report:** Woollahra Local Planning Panel - Register of Planning Decisions and Analysis - Period 1 June 2019 to 7 November 2019.

(Maxwell/Robertson)

**Resolved:**

THAT the register of planning decisions for matters determined by the Woollahra Local Planning Panel (WLPP) for the period **1 June 2019 to 7 November 2019** be received and noted.

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**Item No:** D3 Delegated to Committee

**Subject:** **REGISTER OF CURRENT LAND AND ENVIRONMENT COURT MATTERS FOR DEVELOPMENT APPLICATIONS AND REGISTER FOR COURT PROCEEDINGS FOR BUILDING, ENVIRONMENTAL AND HEALTH CONTROL MATTERS**

**Author:** Grace Hawley, PA to Manager, Development Control

**Approvers:** Nick Economou, Manager Development Control  
Tim Tuxford, Manager - Compliance

**File No:** 19/192381

**Reason for Report:** To provide the EPC with an update of all legal matters.

(Shapiro/Silcocks)

**Resolved:**

THAT the attached register of current Land and Environment Court matters for Development Applications and for Court Proceedings for Building, Environmental and Health Control matters for the period from 1 June 2019 to 26 November 2019 be received and noted.

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

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**Item No:** R1 Recommendation to Council

**Subject:** **REQUEST FOR A PLANNING PROPOSAL FOR 294-298 NEW SOUTH HEAD ROAD AND 2-10 BAY STREET, DOUBLE BAY**

**Authors:** Jorge Alvarez, Strategic Planner  
Kelly McKellar, Acting Team Leader - Strategic Planning

**Approvers:** Anne White, Acting Manager - Strategic Planning  
Allan Coker, Director - Planning & Development

**File No:** 19/175953

**Reason for Report:** To obtain Council's approval to prepare a planning proposal for 294-298 New South Head Road and 2-10 Bay Street Double Bay, which seeks to amend the maximum building height and floor space ratio (FSR) controls in the Woollahra Local Environmental Plan 2014.  
To obtain Council's approval for the planning proposal to be referred to the Woollahra Local Planning Panel for advice.

**Motion moved by Councillor Silcocks**  
**Seconded by Councillor Elsing**

THAT Council resolve to refuse to prepare a planning proposal for the land at 294-298 New South Head Road and 2-10 Bay Street, Double Bay.

**Amendment moved by Councillor Robertson  
Seconded by Councillor Zeltzer**

THAT consideration of the planning proposal for 294-298 New South Head Road and 2-10 Bay Street, Double Bay be deferred for the purpose of allowing for discussions to occur between Council and the applicant in relation height, FSR to ensure the proposal is compliant with the Double Bay Commercial Centre Building Envelope Review.

**Amendment was withdrawn**

**Amendment by Councillor Shapiro  
Seconded by Councillor Zeltzer**

- A. THAT Council resolve to prepare a planning proposal for land at 294-298 New South Head Road and 2-10 Bay Street, Double Bay (the subject site), which seeks to amend *Woollahra Local Environmental Plan 2014* in the following manner:
- i. Amend the maximum building height control from 14.7m to 21.5m across the entire site.
  - ii. Amend the maximum floor space ratio (FSR) control from part 2.5:1/part 3:1 to 3:1 across the entire site.
  - iii. Include a minimum non-residential FSR control of 1.3:1 to be provided as part of the maximum 3:1 FSR control, and
  - iv. Subject to it being compliant with the Double Bay Commercial Centre Building Envelope Review for the property at 294-298 New South Head Road and 2-10 Bay Street, Double Bay the as per figure 18 shown on page 107 of the Environmental Planning Agenda of 2 December 2019.
- B. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- C. THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.

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

**(Shapiro/Zeltzer)**

**Recommendation:**

- A. THAT Council resolve to prepare a planning proposal for land at 294-298 New South Head Road and 2-10 Bay Street, Double Bay (the subject site), which seeks to amend *Woollahra Local Environmental Plan 2014* in the following manner:
- Amend the maximum building height control from 14.7m to 21.5m across the entire site.
- i. Amend the maximum floor space ratio (FSR) control from part 2.5:1/part 3:1 to 3:1 across the entire site.
  - ii. Include a minimum non-residential FSR control of 1.3:1 to be provided as part of the maximum 3:1 FSR control, and
  - iii. Subject to it being compliant with the Double Bay Commercial Centre Building Envelope Review for the property at 294-298 New South Head Road and 2-10 Bay Street, Double Bay the as per figure 18 shown on page 107 of the Environmental Planning Agenda of 2 December 2019.

- B. THAT the planning proposal be referred to the Woollahra Local Planning Panel for advice.
- C. THAT the advice of the Woollahra Local Planning Panel be reported to the Environmental Planning Committee.

*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 Jarvis  
Councillor Maxwell  
Councillor Shapiro  
Councillor Zeltzer

***Against the Motion***

Councillor Elsing  
Councillor Robertson  
Councillor Silcocks

***4/3***

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**Item No:** R2 Recommendation to Council

**Subject:** **POTENTIAL AMENDMENTS TO THE PADDINGTON HERITAGE CONSERVATION AREA CONTROLS TO INSERT NUMERICAL CONTROLS FOR PAVILIONS AND LINKING STRUCTURES**

**Author:** Flavia Scardamaglia, Strategic Heritage Officer

**Approvers:** Anne White, Acting Manager - Strategic Planning  
Allan Coker, Director - Planning & Development

**File No:** 19/188088

**Reason for Report:** To report on Council's decision requesting staff to identify potential controls for the maximum height of pavilions and dimensions for linking structures.

**Note:** Late correspondence was tabled by Keri Huxley.

**Note:** Keri Huxley addressed the Committee.

**(Robertson/Zeltzer)**

**Recommendation:**

- A. THAT Council note the report to the Environmental Planning Committee meeting of 2 December 2019 which contains potential options to address the inclusion of numerical controls for pavilion and linking structures in the Paddington Heritage Conservation Area controls.
- B. THAT a meeting of the Paddington Heritage Conservation Area Working Party is convened by mid-February 2020 to discuss potential amendments to the numerical controls for pavilions and linking structures and to give consideration to how the controls should apply to one and two storey terraces.



*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 Elsing  
Councillor Jarvis  
Councillor Maxwell  
Councillor Robertson  
Councillor Shapiro  
Councillor Silcocks  
Councillor Zeltzer

Nil

***7/0***

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There being no further business the meeting concluded at 7.45pm.

**We certify that the pages numbered 728 to 735 inclusive are the Minutes of the Environmental Planning Committee Meeting held on 2 December 2019 and confirmed by the Environmental Planning Committee on 3 February 2020 as correct.**

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**Chairperson**

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**Secretary of Committee**