

# Environmental Planning Committee



## Minutes

Monday 6 May 2019

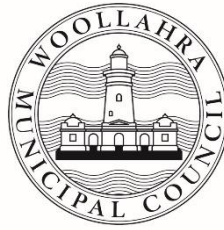


# **Environmental Planning Committee Minutes**

**Monday 6 May 2019**

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**Minutes of the Meeting held on  
6 May 2019 at 6:04pm.**

**Present:** His Worship the Mayor, Councillor Peter Cavanagh, ex-officio

**Councillors:** Susan Wynne (Chair)  
Mary-Lou Jarvis  
Nick Maxwell  
Matthew Robertson  
Toni Zeltzer

**Staff:** Jorge Alvarez (Senior Strategic Planner)  
Chris Bluett (Manager – Strategic Planning)  
Allan Coker (Director – Planning & Development)  
Stephen Kuhn (Property Officer)  
Zubin Marolia (Manager – Property & Projects)  
Helen Tola (Manager – Governance & Council Support)

**Also in Attendance:** Councillor Isabelle Shapiro (Item R1 in part)  
Councillor Anthony Marano (Item R1 in part)

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**Note:** Councillor Susan Wynne and Councillor Toni Zeltzer, acknowledged the passing of the late Tom Jones.

## **Leave of Absence and Apologies**

Apology were received and accepted from Councillors Luise Elsing and Mark Silcocks and leave of absence granted.

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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 15 APRIL 2019**

**Author:** Sue O'Connor, Governance Officer

**File No:** 19/60568

**Reason for Report:** The Minutes of the Environmental Planning Committee of 15 April 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.

(Jarvis/Zeltzer)

**Resolved:**

THAT the Minutes of the Environmental Planning Committee Meeting of 15 April 2019 be taken as read and confirmed.

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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:** **DRAFT NIGHT-TIME ECONOMY AND FOOTWAY DINING POLICIES**

**Authors:** Allan Coker, Director - Planning & Development  
Jacquelyne Della Bosca, Executive Planner  
Zubin Marolia, Manager - Property & Projects

**Approvers:** Allan Coker, Director - Planning & Development  
Tom O'Hanlon, Director - Technical Services

**File No:** 19/53973

**Reason for Report:** To resubmit the report on the Night Time Economy so that it can be considered in conjunction with the Draft Footway Dining Policy and the Draft Footway Dining Guidelines.

**Note:** Late correspondence was tabled by Councillors Zeltzer, Councillor Silcocks, Tresna Karras (3 pieces) & Alex Oliver.

**Note:** Tresna Karras, James Burns, Alex Cameron Manager of Pelicanos, Greg Kelly, Katherine O'Regan, President of the Sydney East Chamber of Commerce, Vil Karras, Jamie Malouf and Justin Malouf of the Oaks Hotels, Matthew Levins and Nicholas Gazel address the Committee.

(Zeltzer/Jarvis)

**Recommendation:**

- A. THAT Council notes the report to the Environmental Planning Committee meeting of 6 May 2019 on the Draft Night-time Economy Policy, the Draft Footway Dining Policy and the Draft Footway Dining Guidelines.
- B. THAT Council resolve to prepare amendments to the Woollahra DCP 2015 as set out in Annexures 4, 5 and 6 to this report.
- C. THAT Council resolve to concurrently exhibit the following documents regarding the night-time economy and the approval and operation of footway dining:
- i. Draft Night-time Economy Policy at **Annexure 1**
  - ii. The Draft Footway Dining Guidelines as set out in **Annexure 2** subject to the addition of the following wording '*All footway Dining Approvals allowing for the service of alcohol on the footway will require the service of a meal with any alcohol served to seated patrons*' after the words '*The primary purpose of the outdoor dining area is for Restaurant purposes*' on page 3 of the Guidelines.
  - iii. The Draft Footway Dining Policy as set out in **Annexure 3** subject to the addition of the following wording '*All footway Dining Approvals allowing for the service of alcohol on the footway will require the service of a meal with any alcohol served to seated patrons*' from page 8 of the Policy and placed under the heading 'Objectives' on page 3 of Policy and included in the Policy Statement on page 2.
  - iv. proposed amendments to Woollahra DCP 2015 as set out in **Annexures 4, 5 and 6**, consistent with the requirements in the *Environmental Planning and Assessment Act 1979*.
  - v. proposed additions to the DA Guide as set out in **Annexures 7 and 8**.
- D. THAT Council improves the connection with the Local Area Command and key stakeholders so that issues of anti-social behaviour and drug use can be better addressed.

*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 Robertson  
Councillor Wynne  
Councillor Zeltzer

***Against the Motion***

Nil

***5/0***

**Item No:** R2 Recommendation to Council

**Subject:** **PROPOSED AMENDMENTS TO WOOLLAHRA LEP 2014 AND WOOLLAHRA DCP 2015 TO INCORPORATE CONTROLS FOR LOW RISE MEDIUM DENSITY HOUSING TYPES**

**Authors:** Jorge Alvarez, Senior Strategic Planner  
Anne White, Team Leader - Strategic Planning

**Approvers:** Chris Bluett, Manager - Strategic Planning  
Allan Coker, Director - Planning & Development

**File No:** 19/62511

**Reason for Report:** To report the advice made to Council by the Woollahra Local Planning Panel. To obtain Council's approval to proceed with the planning proposal to amend Woollahra Local Environmental Plan 2014 by inserting controls for low rise medium density housing.  
To obtain Council's approval to proceed with a draft development control plan to amend Woollahra Development Control Plan 2015 by inserting controls for low rise medium density housing.

(Robertson/Zeltzer)

**Recommendation:**

- A. THAT Council note the advice provided by the Woollahra Local Planning Panel on 18 April 2019.
- B. THAT Council note that the planning proposal attached at **Annexure 1** has been amended in accordance with advice provided by the Woollahra Local Planning Panel on 18 April 2019, by including, in section 5.1, a reference to the study undertaken to establish the minimum lot sizes for land uses in the new standard instrument LEP for Woollahra (Woollahra LEP 2014).
- C. THAT the altered planning proposal described above be forwarded to the Department of Planning and Environment (as the delegate for the Minister for Planning), requesting a gateway determination to allow public exhibition.
- D. THAT Council request the Minister for Planning authorise Council as the local plan-making authority in relation to the planning proposal, to allow it to make the local environmental plan, under section 3.36 of the *Environmental Planning and Assessment Act 1979*.
- E. THAT Council publically exhibit the draft development control plan to amend various sections of the *Woollahra Development Control Plan 2015*, to insert references to manor houses and multi dwelling housing (terraces), as described in **Annexure 2** of the report to the Woollahra Local Planning Panel on 18 April 2019.

*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 Robertson  
Councillor Wynne  
Councillor Zeltzer

***Against the Motion***

Nil

***5/0***

**Item No:** R3 Recommendation to Council  
**Subject:** **STRATEGIC PLANNING DEPARTMENT PROJECTS AND STAFF RESOURCING**  
**Author:** Chris Bluett, Manager - Strategic Planning  
**Approver:** Allan Coker, Director - Planning & Development  
**File No:** 19/63356  
**Reason for Report:** To respond to a decision of the Council made on 8 April 2019.

**(Robertson/Jarvis)**

**Recommendation:**

THAT consideration of this report be deferred until the next meeting of the Environmental Planning Committee.

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There being no further business the meeting concluded at 8.44pm.

**We certify that the pages numbered 235 to 241 inclusive are the Minutes of the Environmental Planning Committee Meeting held on 6 May 2019 and confirmed by the Environmental Planning Committee on 20 May 2019 as correct.**

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**Chairperson**

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**Secretary of Committee**