

Woollahra Municipal Council Ordinary Council Meeting

Minutes 10 February 2020

Page 37 Environmental Planning Committee Items with Recommendations from the Committee Meeting of Monday 3 February 2020 Submitted to the Council for

Determination Item No: R1 Recommendation to Council

Subject: REPORT ON THE PUBLIC EXHIBITION OF THE DRAFT WOOLLAHRA VOLUNTARY PLANNING AGREEMENT POLICY 2019

Author: Anne White, Team Leader - Strategic Planning Approvers: Chris Bluett, Manager - Strategic Planning Allan Coker, Director - Planning & Development File No: 19/208664

Reason for Report: To report on the public exhibition of the Draft Woollahra Voluntary Planning Agreement Policy 2019 and obtain Council's approval of the policy.

Note: Councillor Robertson declared a Non-Significant, Non-Pecuniary interest in relation to this Item, s Don White and Rose White made a submission in relation to the matter and they are both members of the Woollahra Greens. Councillor Robertson remained in the meeting, participated in the debate and voted on the matter.

Note: Councillor McEwin declared a Non-Significant, Non-Pecuniary interest in relation to this Item, as Don White and Rose White made a submission in relation to the matter and they are both members of the Woollahra Greens. Councillor McEwin remained in the meeting, participated in the debate and voted on the matter.

Note: Councillor Shapiro declared a Non-Significant, Non-Pecuniary interest in relation to this Item, as Leslie Berger who made a submission in relation to the matter works with Councillor Shapiro on the Jewish Board of Deputies. Councillor Shapiro remained in the meeting, participated in the debate and voted on the matter.

Note: Late correspondence was tabled by Chris Bluett, Council's Manager Strategic Planning, Allan Coker, Council's Director Planning & Development, Bruce Bland, Will Mrongovius of The Paddington Society, Roger Muller, Frank Robertson, Charlotte Feldman of Darling Point Society, Ron Grunstein, Brian O'Dowd, Malcolm Young of Double Bay Residents, Suzanne Gartner, Amanda Stewart, Hylde Rolfe of Sydney Harbour Association, Eva Santo & Yvonne Severn. Motion moved by Councillor Robertson Seconded by Councillor Elsing THAT

Council takes no further action in relation to formalising a VPA policy for the following reasons:

1. VPAs undermine existing planning controls set out in WLEP 2014 and DCP 2015, which emerged as a result of extensive community consultation. Woollahra Municipal Council Ordinary Council Meeting Minutes 10 February 2020 Page 38
2. VPAs are available to developers under the EP&A Act notwithstanding the absence of a formal policy of Council; such a policy is an advertisement to developers that Woollahra's development standards and controls can be breached for a price, posing a risk of overdevelopment.

3. VPAs will inevitably create probity issues and the optics of undermining Council's transparency in executing planning approval processes.
4. VPAs undermine merit based assessment of development applications.
5. VPAs risk Woollahra's character by empowering developers to determine future urban characteristics including public domain enhancements.
6. Rejects the rationale that the draft VPA policy forms part of a suite of financing mechanisms and that enhancement of Woollahra's public domain is impossible without contributions from developers via VPAs.
7. Notes that local resident groups including the Sydney Harbour Association, Double Bay Residents Association, Paddington Society, Rose Bay Residents Association, Darling Point Society and Harbour View Association which represent thousands of Woollahra residents have objected to Council adopting a formal VPA policy, largely for the reasons stated in this motion.
8. Not in the public interest. Amendment moved by Councillor Shields Seconded by Councillor Zeltzer A. THAT Council approve the Woollahra Voluntary Planning Agreement Policy contained at Annexure 2 of the report to the Environmental Planning Committee meeting of 3 February 2020. B. THAT the Woollahra Voluntary Planning Agreement Policy 2020 come into effect on the date of the Council's approval. Amendment was put and vote was 7 for and 7 against the Amendment. The Amendment was carried with the casting vote of The Mayor.

The Amendment became the Motion. Motion was put and vote was 7 for and 7 against the Motion. The Motion was carried on the casting vote of The Mayor, Councillor Wynne. 5/20 (Shields/Zeltzer)

Resolved:

- A. THAT Council approve the Woollahra Voluntary Planning Agreement Policy contained at Annexure 2 of the report to the Environmental Planning Committee meeting of 3 February 2020.
- B. THAT the Woollahra Voluntary Planning Agreement Policy 2020 come into effect on the date of the Council's approval.