



**MINUTES OF THE STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 7 NOVEMBER 2017**

Present:

| | |
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| Councillor Paula Masselos (Chair) | Lawson Ward |
| Councillor John Wakefield (Mayor) | Bondi Ward |
| Councillor Dominic Wy Kanak (Deputy Mayor) | Bondi Ward |
| Councillor Sally Betts | Hunter Ward |
| Councillor Angela Burrill | Lawson Ward |
| Councillor George Copeland | Waverley Ward |
| Councillor Leon Goltsman | Bondi Ward |
| Councillor Tony Kay | Waverley Ward |
| Councillor Elaine Keenan | Lawson Ward |
| Councillor Steven Lewis | Hunter Ward |
| Councillor Will Nemesh | Hunter Ward |
| Councillor Marjorie O'Neill | Waverley Ward |

Staff in attendance:

| | |
|-----------------|-----------------------------------|
| Cathy Henderson | Acting General Manager |
| George Bramis | Acting Director, Waverley Futures |
| Rachel Jenkin | Acting Director, Waverley Life |
| Emily Scott | Director, Waverley Renewal |
| Jane Worthy | Internal Ombudsman |

At the commencement of proceedings at 7.56 pm, those present were as listed above.

At 7.57 pm, the meeting was adjourned to reconvene immediately following the Operations and Community Services Committee Meeting.

At 10.31 pm, the meeting was reconvened following the closure of the Operations and Community Services Committee Meeting.

AT THIS STAGE IN THE PROCEEDINGS, THE FOLLOWING MOTION WAS MOVED BY CR GOLTSMAN AND SECONDED BY CR WY KANAK:

That the audio recording of this meeting be uploaded in its entirety to Council's website and made available to the public within seven days of the meeting.

THE MOTION WAS PUT AND DECLARED CARRIED.

Crs Wakefield and Nemesh were not present for the vote on this motion.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.

1. Apologies/Leaves of Absence

Apologies were received and accepted from Cr Burrill, who left during the Operations and Community Services Committee Meeting.

2. Declarations of Pecuniary and Non-Pecuniary Interests

The Chair called for declarations of interest and the following were received:

- 2.1 Cr O'Neill declared a less than significant non-pecuniary interest in Item PD/5.2/17.11 – Waverley Bowling Club – Site Compatibility Certificate, and informed the meeting that she is a member of Waverley Bowling Club.
- 2.2 Cr Keenan declared a less than significant non-pecuniary interest in Item PD/5.2/17.11 – Waverley Bowling Club – Site Compatibility Certificate, and informed the meeting that she is a member of Waverley Bowling Club.
- 2.3 Cr Lewis declared a less than significant non-pecuniary interest in Item PD/5.4/17.11 – Waverley Development Assessment Panel (WDAP) – Community Representatives, and informed the meeting that he is a friend of Allyson Small.

3. Addresses to Council by Members of the Public

There were no addresses to Council by members of the public.

4. Confirmation of Minutes

There were no minutes to confirm.

5. Reports

PD/5.1/17.11 Waverley Development Contributions Plan 2006 (Amendment No. 8) (A17/0472)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council publicly exhibits Amendment No. 8 to the Waverley Council Development Contributions Plan 2006 (attached to this report) for a period of 28 days in accordance with clause 28 of the *Environmental Planning and Assessment Regulation 2000*.

Division

For the Motion: Crs Betts, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemes, O'Neill, Wakefield and Wy Kanak.

Against the Motion: Nil.

PD/5.2/17.11 Waverley Bowling Club - Site Compatibility Certificate (A03/0149)

Cr O'Neill declared a less than significant non-pecuniary interest in this item, and informed the meeting that she is a member of Waverley Bowling Club.

Cr Keenan declared a less than significant non-pecuniary interest in this item, and informed the meeting that she is a member of Waverley Bowling Club.

MOTION / UNANIMOUS DECISION

Mover: Cr O'Neill

Seconder: Cr Kay

That Council writes to the Minister for Planning regarding the issue of the Site Compatibility Certificate for Waverley Bowling Club and advises that the certificate has been issued without Council being able to conduct a thorough proposal and response. Combined with a lack of community consultation, the credibility of this approach and process is significantly reduced. The certificate was issued during a time when Councillors were unable to contribute or participate in the consultation process. This certificate is of interest to Councillors, and there should have been time for them to consider and debate the issues surrounding the certificate, including:

1. Our community's concern regarding the potential loss of open space, irrespective of whether it is public or private open space
2. The application's reliance upon the relocation of the Waverley Bowling Club to the Bondi Diggers and Golf Club site in North Bondi, particularly as there is no automatic right to tenure for the Waverley Bowling Club at the Bondi Diggers and Golf Club.
3. The current development standards under *Waverley Local Environment Plan 2012* include a height of 12.5 m and a floor space ratio of 0:9:1, and were developed following consultation with the community through an extensive strategic planning process. The SSC application seeks a height of 20 m and a floor ratio of 1:87:1. Changes of this nature cannot be thoroughly assessed under this

process, particularly without Councilor and community involvement.

Division

For the Motion: Crs Betts, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemesh, O'Neill, Wakefield and Wy Kanak.

Against the Motion: Nil.

PD/5.3/17.11 Short-term Holiday Letting – Submission to State Government (A12/0147)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Goltsman

That Council:

1. Receives and notes the submission to the State Government dated 25 October 2017 (Attachment 2 to this report) on the *Short-term Holiday Letting in NSW Options Paper*.
2. Prepares an addendum to Council's submission for lodgement with the State Government that includes the following issues:
 - (a) Providing Council with better enforcement powers when complaints are made, including making formal inspections with less notice than the currently prescribed 14 days.
 - (b) Enhancing the legislation, if and where necessary, to permit Council to better address amenity impacts on neighbouring properties.
 - (c) Limiting the number of occupants for an entire home (perhaps according to the number of bedrooms) to a reasonable number and thereby constrain the amenity impact on neighbours.

Division

For the Motion: Crs Betts, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemesh, O'Neill, Wakefield and Wy Kanak.

Against the Motion: Nil.

PD/5.4/17.11 Waverley Development Assessment Panel (WDAP) - Community Representatives (A13/0229)

Cr Lewis declared a less than significant non-pecuniary interest in this item, and informed the meeting that he is a friend of Allyson Small.

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Goltsman

That Council:

1. Appoints the existing eligible community representatives of the Waverley Development Assessment Panel, Allyson Small and Sandra Robinson, to the new Local Planning Panel to take effect from 1 March 2018.
2. Advertises within the local community for additional community representatives to act as alternates

as required, and authorises the General Manager to appoint up to two new members.

Division

For the Motion: Crs Betts, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemesh, O'Neill, Wakefield and Wy Kanak.

Against the Motion: Nil.

PD/5.5/17.11 Bike-sharing - Response (A17/0445)

MOTION / UNANIMOUS DECISION

Mover: Cr Wakefield

Seconder: Cr Goltsman

That Council:

1. Treats Attachment 2 to this report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(g) of the *Local Government Act 1993*. The attachment contains advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.
2. Notes the significant public response to, and use of, bike-share schemes.
3. Notes the relatively small number of formal complaints received since commencement of operations.
4. Continues discussions with bike-share operators, neighbouring councils and the State Government about the response to dockless bike-sharing.
5. Continues to investigate the legal issues surrounding the impoundment of share-bikes.
6. Writes to the State Government requesting a co-ordinated response on bike-share operations.

Division

For the Motion: Crs Betts, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemesh, O'Neill, Wakefield and Wy Kanak.

Against the Motion: Nil.

PD/5.6/17.11 Impounding Fees - Proposed Changes (A17/0149)**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council publicly exhibits the proposed amendments to the Impounding Fees section of the Pricing Policy, Fees and Charges 2017–18 as contained in Table B of this report for a period of 28 days, in accordance with section 610F of the *Local Government Act 1993*, subject to Table B being amended to read as follows:

| Category | Unit | 2017/18 Fee or Charge \$ | GST | Pricing Policy |
|--|------------------|---------------------------------|------------|-----------------------|
| Impounding Fees | | | | |
| Item/article requires more than one person to move/lift item/article (including, but not limited to, bicycles and shopping trolleys) | Per item/article | 70.00 | Exempt | C |
| Item/article able to be moved/lifted by one person (including, but not limited to, crates) | Per item/article | 20.00 | Exempt | C |

6. Urgent Business

There were no items of urgent business.

7. Meeting Closure

THE MEETING CLOSED AT 11.08 PM.

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SIGNED AND CONFIRMED
CHAIR
6 FEBRUARY 2018