



WAVERLEY  
COUNCIL

**MINUTES OF THE STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING  
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON  
TUESDAY, 2 APRIL 2019**

**Present:**

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 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 Marjorie O'Neill	Waverley Ward

**Staff in attendance:**

Peter Monks	Acting General Manager
Rachel Hensman	Acting Director, Waverley Life
Emily Scott	Director, Waverley Renewal
Jane Worthy	Internal Ombudsman

*At the commencement of proceedings at 7.30 pm, those present were as listed above.*

**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 Nemesh.

Cr Burrill was previously granted leave of absence by Council for this meeting.

**2. Declarations of Pecuniary and Non-Pecuniary Interests**

The Chair called for declarations of interest and none were received.

**3. Addresses by Members of the Public**

3.1 H Somerville – PD/5.4/19.04 – Bronte Beach Village Upgrade - Review of Environmental Factors.

3.2 E Somerville – PD/5.4/19.04 – Bronte Beach Village Upgrade – Review of Environmental Factors.

3.3 H More (on behalf of The Bogey Hole Café) – PD/5.4/19.04 – Bronte Beach Village Upgrade – Review of Environmental Factors.

3.4 B Landsberg – PD/5.4/19.04 – Bronte Beach Village Upgrade – Review of Environmental Factors.

3.5 A resident – PD/5.4/19.04 – Bronte Beach Village Upgrade – Review of Environmental Factors.

3.6 J Bryden (on behalf of the applicant) – PD/5.8/19.04 – Planning Proposal – 96–122 Ebley Street, Bondi Junction – Final Assessment and Recommendation.

**4. Confirmation of Minutes**

**PD/4.1/19.04 Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 5 March 2019 (SF19/327)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos  
Seconder: Cr Keenan

That the minutes of the Strategic Planning and Development Committee Meeting held on 5 March 2019 be

received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

## 5. Reports

### **PD/5.1/19.04 Draft Smart Waverley Strategy 2023 (A16/0562)**

#### **MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council endorses the Draft Smart Waverley Strategy 2023 attached to this report for public exhibition.

### **PD/5.2/19.04 Thomas Hogan Reserve Ecological Restoration Action Plan (SF18/1471)**

#### **MOTION / UNANIMOUS DECISION**

Mover: Cr Copeland

Seconder: Cr O'Neill

That Council:

1. Adopts the Thomas Hogan Reserve Ecological Restoration Action Plan attached to this report as a guiding document for the restoration and rehabilitation of Thomas Hogan Reserve.
2. Proceeds with the staged, progressive restoration and revegetation of Thomas Hogan Reserve over a 15-year period, as outlined in the Ecological Restoration Action Plan.
3. Investigates the establishment of a wild playground/nature classroom.

### **PD/5.3/19.04 Knowledge and Innovation Hub Steering Group - Appointment of Industry Experts (A18/0001)**

#### **MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council appoints the following industry experts to the Waverley Innovation and Knowledge Hub Steering Group:

1. Sarah Martin.
2. Anton Nemme.
3. Liane Rossler.
4. James Zaki.

**PD/5.4/19.04 Bronte Beach Village Upgrade - Review of Environmental Factors (A16/0755)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes that Andrew Robinson Planning Services (ARPS) was engaged by Council to provide a Review of Environmental Factors (REF) and LK Planning was engaged to complete a review of the REF and a review of the submissions received from the community during the REF community consultation process.
2. Notes that the recommendations relating to safeguards and mitigation measures made in the REF and expanded on by LK Planning will be implemented within construction documentation, including but not limited to:
  - (a) Construction works are proposed to be undertaken between April 2019 and October 2019 to avoid disruption during the 'warmer months'.
  - (b) Council's Development Control Plan relating to footpath seating to be updated to ensure outdoor seating associated with cafés/restaurants in the designated area of Bronte Road, Bronte, will not expand as a result of widening the footpath, and that footpath seating widths at Bronte Road, Bronte, be standardised to a maximum width of 2.1 m from the property boundary.
3. Notes that the General Manager is satisfied that:
  - (a) Council has complied with its duty under section 5.5 of the *Environmental Planning and Assessment Act 1979* (EP&A Act) to examine and take into account to the fullest extent possible all matters affecting or likely to affect the environment by reason of the activity.
  - (b) An environmental impact statement is not required under section 5.7 of the EP&A Act because the result of the examination under section 5.5 is that the activity is not likely to significantly affect the environment.
  - (c) Authorised works can proceed.
4. Amends the final design prior to issuing for construction as follows:
  - (a) All proposed cabbage tree palms to be removed and replaced with suitable low plantings.
  - (b) All seating to be removed in the public plaza located between the pedestrian crossing and the park and replaced with bike rings and/or low plantings.
  - (c) The relocated pedestrian crossing is not to be a raised threshold.
  - (d) Note the safety concerns of speeding traffic along Bronte Road. Therefore, traffic calming is to be investigated along Bronte Road from Macpherson Street to the Bronte Beach shopping centre, and the intersection to Pacific Street and Bronte Road, giving consideration to existing Council resolutions on the provision of a pedestrian footpath through this location.
5. Undertakes a further noise study during the peak summer period, and mitigation measures be implemented by Council if levels exceed those previously undertaken.

6. Investigates the installation of a slimline bus shelter on the northern side of the bus terminus.
7. Investigates drop-off parking for the Bronte Village in Bronte Road or the Cutting.
8. Investigates measures to prevent pedestrians, while using the pedestrian crossing, walking in the road by cutting across to the east to directly access the park entry.

*H Somerville, E Somerville, H More (on behalf of The Bogey Hole Café), B Landsberg and a resident addressed the meeting.*

**PD/5.5/19.04 South Bronte Community Centre and Amenities - Concept Design (A14/0508)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Endorses the South Bronte Community Centre and Amenities concept design attached to this report for the purposes of public exhibition for a period of 28 days.
2. Notes that, following the public exhibition period, a further report will be prepared for Council summarising the consultation process, key feedback and recommending revision to concept design, as necessary.

**PD/5.6/19.04 Building Futures Program - Matched Grant Funding for Round 2 (A17/0658)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council supports, in principle, the following matched grant funding program, subject to the adoption of the 2019–20 budget for the Building Futures program:

1. Round 2 matched grant funding of up to \$5,000 each for 10 buildings to undertake energy saving upgrades in the 2019–20 financial year.
2. Matched grant funding of up to \$5,000 each for two participating buildings of Building Futures Round 1 to implement solar in the 2019–20 financial year.

**PD/5.7/19.04 Short-term Rental Accommodation - Exemption from the Codes SEPP (A12/0147)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Prepares a submission to the Minister for Planning and Environment seeking:
  - (a) Council's inclusion in the Ministerial Direction '3.7 Reduction in non-hosted short-term rental

accommodation period', reducing the period that 'entire homes' can be leased as short-term rental accommodation from 180 days to 90 days per year.

- (b) A registration process and fee in the legislation.
  - (c) A review of the compliance process to enable Councils to take effective action against owners of short-term rental accommodation (STRA) whose tenants impact upon the amenity of local residents.
  - (d) A regulatory requirement for STRA platforms such as AirBnB to monitor compliance with the new direction, as Councils are unable to accurately establish how long premises have been renting out a room or a house.
2. Prepares a planning proposal seeking a reduction in the number of days entire homes can be listed on short-term rental accommodation, if Council is successful in being added to the Ministerial Direction.

**Division**

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

**Against the Motion:** Nil.

**PD/5.8/19.04 Planning Proposal - 96-122 Ebley Street, Bondi Junction - Final Assessment and Recommendation (PP-1/2016)**

**MOTION (WITHDRAWN)**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Refuses the planning proposal lodged by CityPlan Services to amend the Waverley Local Environment Plan 2012 (WLEP) in respect of 96–122 Ebley Street, Bondi Junction, for the following reasons:
  - (a) The proposed rezoning is inconsistent with the Bondi Junction Commercial Centre Review, Eastern City District Plan, Waverley Community Strategic Plan and Local Strategic Plan, as it contributes to the loss of commercial floorspace potential within Bondi Junction.
  - (b) The planning proposal does not protect capacity for job targets in 2036, therefore undermining the economic role of the centre.
  - (c) The planning proposal would undermine Bondi Junction's role as a Strategic Centre.
  - (d) The planning proposal would create a precedent for the further loss of the limited B3 Commercial Core zone in Bondi Junction.
  - (e) The proposed rezoning will cause solar access issues for surrounding residential and would impede future development of the key commercial Westfield site to the north.
2. Advises the Department of Planning and Environment (DPE) and the applicant of Council's decision.

**FORESHADOWED MOTION**

Mover: Cr Betts

That Council defers this matter to a Councillor workshop to discuss changes made by officers on the position of Council in this report since the previous resolution.

AT THIS STAGE IN THE PROCEEDINGS, THE MOVER OF THE ORIGINAL MOTION WITHDREW THE MOTION.

THE FORESHADOWED MOTION NOW BECAME THE MOTION AND WAS PUT AND DECLARED CARRIED.

**MOTION / DECISION**

Mover: Cr Betts

Seconder: Cr Goltsman

That Council defers this matter to a Councillor workshop to discuss changes made by officers on the position of Council in this report since the previous resolution.

**Division**

**For the Motion:** Crs Betts, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, O'Neill and Wakefield

**Against the Motion:** Cr Wy Kanak.

*J Bryden (on behalf of the applicant) addressed the meeting.*

**PD/5.9/19.04 Bondi Junction Office Market Report (SF19/1480)****MOTION / DECISION**

Mover: Cr Wakefield

Seconder: Cr Wy Kanak

That Council:

1. Notes the annual Office Market Report produced annually by the Property Council of Australia now includes Bondi Junction.
2. Uses the findings to inform the preparation of the draft Local Strategic Planning Statement (LSPS) and subsequent actions regarding commercial floor space.

**6. Urgent Business****PD/6.1/19.04 Planning Proposal - 194–214 Oxford Street and 2 Nelson Street, Bondi Junction (PP-1/2015)**

*Council resolved to deal with this matter as an item of urgent business.*

**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Wakefield

That the Mayor urgently write to the new Minister for Planning and Public Spaces, the Hon Robert Stokes MP, requesting:

1. That the Minister take back his delegation from the Department of Planning and Environment with respect to the planning proposal for 194–214 Oxford Street and 2 Nelson Street, Bondi Junction.

2. The Minister's refusal of the planning proposal for 194–214 Oxford Street and 2 Nelson Street, Bondi Junction.
3. An urgent meeting with the Minister to present Council's objections to this proposed development.

**Division**

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

**Against the Motion:** Nil.

**7. Meeting Closure**

**THE MEETING CLOSED AT 9.26 PM.**

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**SIGNED AND CONFIRMED**  
**CHAIR**  
**7 MAY 2019**