



WAVERLEY COUNCIL

**MINUTES OF THE STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING
HELD BY VIDEO CONFERENCE/AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD,
BONDI JUNCTION ON TUESDAY, 2 MARCH 2021**

Present:

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

Staff in attendance:

Emily Scott	Acting General Manager
John Clark	Director, Customer Service and Organisation Improvement
Tony Pavlovic	Director, Planning, Environment and Regulatory
Shane Smith	Acting Director, Community, Assets and Operations
Karen Mobbs	General Counsel
Darren Smith	Chief Financial Officer
Evan Hutchings	Executive Manager, Governance and Projects

At the commencement of proceedings at 7.30 pm, those present were as listed above, with the exception of Crs O'Neill and Wakefield, who both arrived at 7.35 pm at the commencement of item PD/5.1/21.03.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Acting General Manager 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 Betts.

2. Declarations of Pecuniary and Non-Pecuniary Interests

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

- 2.1 Cr Wy Kanak declared a less than significant non-pecuniary interest in item PD/5.2/21.03 – Waverley Local Planning Panel – Reappointment of Members and informed the meeting that he knows some of the people recommended for reappointment to the Panel.

3. Addresses by Members of the Public

- 3.1 A Ciano (on behalf of Uniting) – PD/5.1/21.03 – War Memorial Hospital – Draft Development Control Plan – Exhibition.

4. Confirmation of Minutes

PD/4.1/21.03 Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 1 December 2020 (SF21/281)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis
Seconder: Cr Masselos

That the minutes of the Strategic Planning and Development Committee Meeting held on 1 December 2020 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports

PD/5.1/21.03 War Memorial Hospital - Draft Development Control Plan - Exhibition (SF21/655)

MOTION

Mover: Cr Lewis

Seconder: Cr Wakefield

That Council public exhibits the draft Site Specific Development Control Plan for the War Memorial Hospital attached to the report for a minimum period of 28 days, in accordance with section 3.43 and clause 5 of schedule 1 of the *Environmental Planning and Assessment Act 1979*, subject to any minor amendment required in the case of an amended Gateway Determination for the relevant planning proposals.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO THE MOTION.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council public exhibits the draft Site Specific Development Control Plan for the War Memorial Hospital attached to the report for a minimum period of 28 days, in accordance with section 3.43 and clause 5 of schedule 1 of the *Environmental Planning and Assessment Act 1979*, subject to:

1. Any minor amendment required in the case of an amended Gateway Determination for the relevant planning proposals.
2. Ensuring there is consistency between Figure 3 (site layout plan) and Figure 4 (open space site plan) in the draft DCP to ensure that there is appropriate setback between the Bronte Road/Birrell Street heritage-listed gateway and the five-storey building at the corner.

Division

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

Against the Motion: Nil.

A Ciano (on behalf of Uniting) addressed the meeting.

PD/5.2/21.03 Waverley Local Planning Panel - Reappointment of Members (A13/0229)

Cr Wy Kanak declared a less than significant non-pecuniary interest in this item and informed the meeting that he knows some of the people recommended for reappointment to the Panel.

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Reappoints the Hon. Paul Stein as the Chair and the Hon. Angus Talbot and Ms Annelise Tuor as alternate Chairs of the Waverley Local Planning Panel (WLPP) up to 30 June 2021.
2. Reappoints the following expert members to the WLPP up to 30 June 2021:
 - (a) Peter Brennan (town planner, building surveyor).

- (b) Michael Harrison (architect).
 - (c) Gabrielle Morrish (architect/ urban designer).
 - (d) Jan Murrell (town planner, former Commissioner of the Land and Environment Court of NSW).
 - (e) Annelise Tuor (town planner, heritage architect, former Commissioner of the Land and Environment Court of NSW).
 - (f) Allyson Small (architect/community representative).
 - (g) Sandra Robinson (town planner/community representative).
3. Undertakes an expression of interest process for community members to nominate for membership of the WLPP for a term of three years commencing from 1 July 2021, with an officer report to come back to Council prior to 30 June 2021 recommending the appointment of preferred community members.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 4.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION:

That Council:

1. Reappoints the Hon. Paul Stein as the Chair and the Hon. Angus Talbot and Ms Annelise Tuor as alternate Chairs of the Waverley Local Planning Panel (WLPP) up to 30 June 2021.
2. Reappoints the following expert members to the WLPP up to 30 June 2021:
 - (a) Peter Brennan (town planner, building surveyor).
 - (b) Michael Harrison (architect).
 - (c) Gabrielle Morrish (architect/ urban designer).
 - (d) Jan Murrell (town planner, former Commissioner of the Land and Environment Court of NSW).
 - (e) Annelise Tuor (town planner, heritage architect, former Commissioner of the Land and Environment Court of NSW).
 - (f) Allyson Small (architect/community representative).
 - (g) Sandra Robinson (town planner/community representative).
3. Undertakes an expression of interest process for community members to nominate for membership of the WLPP for a term of three years commencing from 1 July 2021, with an officer report to come back to Council prior to 30 June 2021 recommending the appointment of preferred community members.
4. Officers report back to Council detailing the governance and complaint handling processes for the Panel.

Division

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

Against the Motion: Nil.

PD/5.3/21.03 Planning Proposal - 439-445 Old South Head Road and 1 The Avenue, Rose Bay - Pre-Gateway Determination Assessment (PP-3/2020)

MOTION / DECISION

Mover: Cr Lewis

Seconder: Cr Wy Kanak

That Council:

1. Not support the planning proposal for 439–445 Old South Head Road and 1 The Avenue, Rose Bay, to proceed to Gateway Determination, as the proposal lacks strategic and site-specific merit, and the proposed 25 m height and 2.5:1 floor space ratio (FSR) would:
 - (a) Be out of scale with the surrounding streetscape of Old South Head Road and the prevailing medium-density scale of surrounding development set by the existing 12.5 m height and 0.9:1 FSR development standards in the Waverley Local Environment Plan.
 - (b) Adversely impact the significance of the heritage item located on 443–445 Old South Head Road as it would grossly outsize it, thereby disrupting its setting and character.
 - (c) Reduce residential amenity for dwellings to the south with additional overshadowing from the excessive building bulk possible under the proposed amendments.
2. Notes that the Waverley Local Planning Panel unanimously recommended that the planning proposal not proceed to Gateway Determination, as the proposal lacks site-specific merit for the reasons outlined in the attachment to the report.

Division

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

Against the Motion: Nil.

PD/5.4/21.03 Planning Proposal - 45-57 Oxford Street, Bondi Junction - Pre-Gateway Determination Assessment (PP-4/2020)

MOTION / DECISION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Not support the planning proposal for 45–57 Oxford Street, Bondi Junction, to proceed to Gateway Determination, as the proposal lacks site-specific merit, and the proposed 26 m height and 2.5:1 floor space ratio (FSR) development standards would:
 - (a) Be in conflict with the objectives of the recently adopted Waverley Local Strategic Planning

Statement and Bondi Junction Urban Design Review, which identify this portion of West Oxford Street as required to retain a 'village character'.

- (b) Overshadow and produce visual bulk/a sense of enclosure and unwarranted noise for southerly neighbours.
 - (c) Be out of scale and character with the surrounding low-density streetscape to the south and west of the site, particularly along Mill Hill Road and West Oxford Street.
 - (d) Diminish the character and amenity of the heritage items on the site, the directly adjoining Mill Hill Heritage Conservation Area and the contributory items within the Area by imposing such an increased scale of development where Denison Street and Mill Hill Road meet Oxford Street.
 - (e) Be unnecessary given the strong merits of DA-127/2013 to achieve the intended outcome of a mixed-use transitional building under current controls.
 - (f) Detrimentially reduce the availability of on-street parking.
2. Notes that the Waverley Local Planning Panel unanimously recommended that the planning proposal not proceed to Gateway Determination, as the proposal lacks site-specific merit for the reasons outlined in the attachment to the report.

Division

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

Against the Motion: Nil.

6. Urgent Business

There were no items of urgent business.

7. Meeting Closure

THE MEETING CLOSED AT 8.13 PM.

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SIGNED AND CONFIRMED
CHAIR
13 APRIL 2021