



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, 5 JULY 2022**

Present:

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| Councillor Steven Lewis (Chair) | Hunter Ward |
| Councillor Ludovico Fabiano (Deputy Chair) | Waverley Ward |
| Councillor Paula Masselos (Mayor) | Lawson Ward |
| Councillor Elaine Keenan (Deputy Mayor) | Lawson Ward |
| Councillor Sally Betts | Hunter Ward |
| Councillor Angela Burrill | Lawson Ward |
| Councillor Leon Goltsman | Bondi Ward |
| Councillor Tony Kay | Waverley Ward |
| Councillor Tim Murray | Waverley Ward |
| Councillor Will Nemesh | Hunter Ward |
| Councillor Dominic Wy Kanak | Bondi Ward |

Staff in attendance:

| | |
|------------------|-------------------------------------------------------------|
| Emily Scott | General Manager |
| Sharon Cassidy | Acting Director, Assets and Operations |
| Meredith Graham | Acting Director, Community, Culture and Customer Experience |
| Mitchell Reid | Acting Director, Planning, Sustainability and Compliance |
| Richard Sheridan | Acting Director, Corporate Services |

At the commencement of proceedings at 8.21 pm, those present were as listed above.

Crs Fabiano, Goltsman, Kay, Keenan and Nemesh attended the meeting by audio-visual link.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The 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 from Cr Michelle Gray.

2. Declarations of Pecuniary and Non-Pecuniary Interests

- 2.1 Cr Lewis declared a less than significant non-pecuniary interest in item PD/5.1/22.07 – Planning Proposal – 34-36 Flood Street, Bondi, and informed the meeting his firm has previously provided legal advice to Meriton on matters unrelated to the planning proposal.

3. Addresses by Members of the Public

- 3.1 M Lennartz (on behalf of the proponent, Karimbla Properties (No. 10) Pty Ltd) – PD/5.1/22.07 – Planning Proposal – 34-36 Flood Street, Bondi.

4. Confirmation of Minutes

PD/4.1/22.07 Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 3 May 2022 (SF21/6065)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Murray

That the minutes of the Strategic Planning and Development Committee meeting held on 3 May 2022 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports

PD/5.1/22.07 Planning Proposal - 34-36 Flood Street, Bondi (PP-1/2022)

Cr Lewis declared a less than significant non-pecuniary interest in this item and informed the meeting that his firm has previously provided legal advice to Meriton on matters unrelated to the planning proposal.

MOTION

Mover: Cr Lewis
Seconder: Cr Masselos

That Council:

1. Does not support the planning proposal set out in the report to amend the *Waverley Local Environmental Plan 2012* in respect of 34–36 Flood Street, Bondi, Lot 1 DP 1094020, as the proposal lacks strategic merit and involves a change in Council's long-established policy in relation to SP2 Infrastructure Zones.
2. Investigates the strategic merit of amending the current zoning of SP2 Infrastructure 'Educational Establishment' to a more appropriate zoning that represents the existing use on the site in a future housekeeping planning proposal.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 2.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION

That Council:

1. Does not support the planning proposal set out in the report to amend the *Waverley Local Environmental Plan 2012* in respect of 34–36 Flood Street, Bondi, Lot 1 DP 1094020, as the proposal lacks strategic merit and involves a change in Council's long-established policy in relation to SP2 Infrastructure Zones.
2. Investigates the strategic merit of amending the current zoning of SP2 Infrastructure 'Educational Establishment' to a more appropriate zoning that represents the existing uses and considers potential future uses on the site in a future housekeeping planning proposal.

Division

For the Motion: Crs Betts, Burrill, Fabiano, Goltsman, Kay, Keenan, Lewis, Masselos, Murray, Nemesh and Wy Kanak.

Against the Motion: Nil.

M Lennartz (on behalf of the proponent, Karimbla Properties (No. 10) Pty Ltd), addressed the meeting.

PD/5.2/22.07 Planning Agreement Policy 2014 (Amendment No. 4) - Adoption (SF21/4528)

MOTION

Mover: Cr Lewis
Seconder: Cr Masselos

That Council adopts the Planning Agreement Policy 2014 (Amendment No. 4) and Public Benefit Register attached to the report, subject to the following amendments:

1. Voluntary planning agreements (VPAs) continue to be endorsed by the elected Council post-exhibition, as per the Planning Agreement Policy 2014 (Amendment No. 3).
2. Adjusting the Public Benefit Register to include suitable works subject to overview and approval by the elected Council.
3. Mandated VPA payments associated with planning proposals continue to be paid by developers prior to gazettal.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 1.

AMENDMENT (WITHDRAWN)

Mover: Cr Nemesh

Seconder: Cr Kay

That clause 3 be deleted.

THE MOVER OF THE MOTION THEN ACCEPTED AN AMENDMENT TO CLAUSE 3.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council adopts the Planning Agreement Policy 2014 (Amendment No. 4) and Public Benefit Register attached to the report, subject to the following amendments:

1. The removal of all proposed amendments within the Planning Agreement Policy 2014 (Amendment No.4) relating to the General Manager exercising their delegation to endorse planning agreements so that VPAs continue to be endorsed by the elected Council post-exhibition.
2. Adjusting the Public Benefit Register to include suitable works subject to overview and approval by the elected Council.
3. Mandated VPA payments associated with planning proposals continue to be paid by developers at gazettal.

Division

For the Motion: Crs Betts, Burrill, Fabiano, Goltsman, Kay, Keenan, Lewis, Masselos, Murray and Nemesh.

Against the Motion: Cr Wy Kanak.

PD/5.3/22.07 Sustainability Expert Advisory Panel - Community Membership (A10/0022)

MOTION / UNANIMOUS DECISION

Mover: Cr Keenan

Seconder: Cr Murray

That Council defers this item to the next Committee meeting so that officers can rectify an administrative error and update the report.

6. Urgent Business

There were no items of urgent business.

7. Meeting Closure

THE MEETING CLOSED AT 9.04 PM.

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SIGNED AND CONFIRMED
CHAIR
2 AUGUST 2022