



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, 1 AUGUST 2023**

Present:

Councillor Steven Lewis (Chair)	Hunter 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 Ludovico Fabiano	Waverley Ward
Councillor Leon Goltsman	Bondi Ward
Councillor Michelle Gray	Bondi Ward
Councillor Tony Kay	Waverley Ward
Councillor Tim Murray	Waverley Ward
Councillor Dominic Wy Kanak	Bondi Ward

Staff in attendance:

Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Tara Czinner	Director, Corporate Services
Fletcher Rayner	Director, Planning, Sustainability and Compliance
Annette Trubenbach	Acting Director, Community, Culture and Customer Experience

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

Crs Burrill, Fabiano, Goltsman, Kay and Wy Kanak and 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

Apologies were received from Cr Will Nemesh.

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 M B Cusack – PD/5.1/23.08 – War Memorial Hospital (Edina Estate) – Development Control Plan – Adoption.
- 3.2 G Fielden (on behalf of Uniting) – PD/5.1/23.08 – War Memorial Hospital (Edina Estate) – Development Control Plan – Adoption.
- 3.3 H Tanner – PD/5.1/23.08 – War Memorial Hospital (Edina Estate) – Development Control Plan – Adoption.
- 3.4 G Vaughan – PD/5.1/23.08 – War Memorial Hospital (Edina Estate) – Development Control Plan – Adoption.
- 3.5 C Bowes – PD/5.1/23.08 – War Memorial Hospital (Edina Estate) – Development Control Plan – Adoption.
- 3.6 V Milson – PD/5.1/23.08 – War Memorial Hospital (Edina Estate) – Development Control Plan – Adoption.
- 3.7 S Hely (on behalf of Charing Cross Precinct) – PD/5.1/23.08 – War Memorial Hospital (Edina Estate) – Development Control Plan – Adoption.

4. Confirmation of Minutes

PD/4.1/23.08 Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 4 July 2023 (SF23/18)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis

Seconder: Cr Gray

That the minutes of the Strategic Planning and Development Committee meeting held on 4 July 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports

PD/5.1/23.08 War Memorial Hospital (Edina Estate) - Development Control Plan - Adoption (SF21/655)

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

The Council:

1. Notes:

- (a) That the Conservation Management Plan prepared by the architect Hector Abrahams:
 - (i) Details the historical significance of the site as an outstanding example of private philanthropy and its conversion to a war memorial hospital, which should be preserved and not obscured.
 - (ii) The aspects of the site that are of rare aesthetic significance should be preserved, including four Victorian houses and stables, private streetscape, Victorian and 1920s landscape planting and features, 1930s hospital and chapel.
 - (iii) The mansion tower and Norfolk pines should be preserved as landmarks in the surrounding areas.
- (b) The significance of the historic gates at the corner of Bronte Road and Birrell Street, and that the draft Development Control Plan (DCP) preserves continued public access via these gates at a minimum of nine daylight hours per day, as well as setbacks from the street frontage that will provide opportunities for landscaping, including mature tree planting.
- (c) That the Edina Estate contains 20 trees listed on Council's Significant Tree Register. Of these trees, one magnolia grandiflora tree, which is located on the boundary of the proposed building zone, may be impacted along with a significant fig near the existing tennis court.
- (d) That the War Memorial gardens are part of an important, continuous ecological corridor that spans from Waverley Oval to Centennial Park.
- (e) The 30% deep planting requirement within the draft DCP.
- (f) The *Waverley Local Environmental Plan* requires at least 10% of the gross floor area of 99–117

Birrell Street be used for the purposes of affordable housing.

2. Adopts the Waverley Development Control Plan 2022, Part E7 – Edina Estate, attached to the report, subject to the following amendments:
 - (a) Page 41 of the agenda, clause 6.4.1, ‘Significant Fabric, Views, Spaces and Relationships’ – Add the following additional controls:
 - (i) Ensure that the design of the central building is such that the significant fig near the existing tennis court is retained, along with the significant magnolia grandiflora, and their wellbeing preserved.
 - (ii) Maximise the protection of significant trees on the site and their corresponding tree protection zones.
3. Urgently seeks a further report from the General Manager on the cost to engage an independent report from a level 5 arborist to assess all trees on the War Memorial site to identify any additional trees, and their corresponding tree protection zones, that should be placed on Waverley’s Significant Tree Register or the Waverley DCP.
4. Urgently seek a meeting with the Minister for Heritage, the Hon Penny Sharpe, to urgently place the War Memorial site on the State Heritage Register.
5. Writes to all those who made submissions advising them of Council’s decision.

THE MOVER OF THE MOTION ACCEPTED THE ADDITION OF NEW CLAUSES 2(b) AND 6.

AMENDMENT (RULED OUT OF ORDER)

Mover: Cr Wy Kanak

That clause 4 be amended to read as follows:

‘Urgently seek a meeting with the Minister for Heritage, the Hon Penny Sharpe, to urgently place the War Memorial site on to the State Heritage Register, and that no development application for the site be considered until a State Heritage listing is formally made.’

THE AMENDMENT WAS RULED OUT OF ORDER ON THE GROUNDS THAT COUNCIL IS BOUND TO ASSESS ANY DEVELOPMENT APPLICATION LODGED AT THE SITE.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Notes:
 - (a) That the Conservation Management Plan prepared by the architect Hector Abrahams:
 - (i) Details the historical significance of the site as an outstanding example of private philanthropy and its conversion to a war memorial hospital, which should be preserved and not obscured.
 - (ii) The aspects of the site that are of rare aesthetic significance should be preserved, including four Victorian houses and stables, private streetscape, Victorian and 1920s

landscape planting and features, 1930s hospital and chapel.

- (iii) The mansion tower and Norfolk pines should be preserved as landmarks in the surrounding areas.
 - (b) The significance of the historic gates at the corner of Bronte Road and Birrell Street, and that the draft Development Control Plan (DCP) preserves continued public access via these gates at a minimum of nine daylight hours per day, as well as setbacks from the street frontage that will provide opportunities for landscaping, including mature tree planting.
 - (c) That the Edina Estate contains 20 trees listed on Council's Significant Tree Register. Of these trees, one magnolia grandiflora tree, which is located on the boundary of the proposed building zone, may be impacted along with a significant fig near the existing tennis court.
 - (d) That the War Memorial gardens are part of an important, continuous ecological corridor that spans from Waverley Oval to Centennial Park.
 - (e) The 30% deep planting requirement within the draft DCP.
 - (f) The *Waverley Local Environmental Plan* requires at least 10% of the gross floor area of 99–117 Birrell Street be used for the purposes of affordable housing.
2. Adopts the Waverley Development Control Plan 2022, Part E7 – Edina Estate, attached to the report, subject to the following amendments:
- (a) Page 41 of the agenda, clause 6.4.1, 'Significant Fabric, Views, Spaces and Relationships' – Add the following additional controls:
 - (i) Ensure that the design of the central building is such that the significant fig near the existing tennis court is retained, along with the significant magnolia grandiflora, and their wellbeing preserved.
 - (ii) Maximise the protection of significant trees on the site and their corresponding tree protection zones.
 - (b) Page 41 of the agenda, clause 6.4.1(g), 'Significant Fabric, Views, Spaces and Relationships' – Amend the second sentence to read as follows: 'This must include the use of the gates as a pedestrian access to the site.'
3. Urgently seeks a further report from the General Manager on the cost to engage an independent report from a level 5 arborist to assess all trees on the War Memorial site to identify any additional trees, and their corresponding tree protection zones, that should be placed on Waverley's Significant Tree Register or the Waverley DCP.
4. Urgently seek a meeting with the Minister for Heritage, the Hon Penny Sharpe, to urgently place the War Memorial site on the State Heritage Register.
5. Writes to all those who made submissions advising them of Council's decision.
6. Officers circulate the amended DCP to Councillors before it is published on Council's website.

Division

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

Against the Motion: Cr Wy Kanak.

M B Cusack, G Fielden (on behalf of Uniting), H Tanner, G Vaughan, C Bowes, V Milson and S Hely (on behalf of Charing Cross Precinct) addressed the meeting.

PD/5.2/23.08 Draft Eastern Suburbs Electric Vehicle Infrastructure Strategy - Exhibition (A11/0853)

MOTION / UNANIMOUS DECISION

Mover: Cr Gray
Seconder: Cr Keenan

That Council:

1. Publicly exhibits the draft Eastern Suburbs Electric Vehicle Infrastructure Strategy attached to the report for a minimum of 28 days.
2. Officers prepare a report to Council following the exhibition period.
3. Notes that Randwick City Council and Woollahra Municipal Council will also be exhibiting the strategy.

Cr Kay was not present for the vote on this item.

PD/5.3/23.08 Waverley Local Planning Panel - Community Membership (A13/0229)

MOTION / UNANIMOUS DECISION

Mover: Cr Murray
Seconder: Cr Fabiano

That Council appoints the following community representatives to the Waverley Local Planning Panel (WLPP) up to 30 July 2026:

1. Clare Edwards.
2. Sam Marshall.
3. Jesse Lockhart-Krause.
4. Geoffrey Lee Denman.

PD/5.4/23.08 Clause 4.6 Variations to Development Standards - Quarterly Report - April-June 2023 (A23/0244)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis
Seconder: Cr Wy Kanak

That Council notes the clause 4.6 variations to development standards for the period 1 April 2023 to 30 June 2023 attached to the report.

6. Urgent Business

There was no urgent business.

7. Meeting Closure

THE MEETING CLOSED AT 9.02 PM.

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SIGNED AND CONFIRMED
CHAIR
5 SEPTEMBER 2023