



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, 7 FEBRUARY 2023**

Present:

Councillor Steven Lewis (Chair)	Hunter Ward
Councillor Paula Masselos (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 Will Nemes	Hunter Ward
Councillor Dominic Wy Kanak	Bondi Ward

Staff in attendance:

Emily Scott	General Manager
Sharon Cassidy	Director, Assets and Operations
Tara Czimmer	Director, Corporate Services
Fletcher Rayner	Director, Planning, Sustainability and Compliance
Ben Thompson	Director, Community, Culture and Customer Experience

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

Crs Burrill, Goltsman, Gray and Kay 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 Elaine Keenan (Deputy Mayor).

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 J Weirick – PD/5.1/23.02 – 34-36 Flood Street, Bondi – Interim Heritage Order.

4. Confirmation of Minutes

PD/4.1/23.02 Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 6 December 2022 (SF21/6065)

MOTION / DECISION

Mover: Cr Lewis
Seconder: Cr Murray

That the minutes of the Strategic Planning and Development Committee meeting held on 6 December 2022 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports

PD/5.1/23.02 34-36 Flood Street, Bondi - Interim Heritage Order (A23/0045)

MOTION

Mover: Cr Masselos

Seconder: Cr Fabiano

That Council:

1. Notes that on 5 July 2022, Council refused a spot rezoning request for 34–36 Flood Street, Bondi to rezone the site from SP2 Infrastructure to R3 Medium Density Residential.
2. Notes that the NSW Department of Planning and Environment provided provisional Gateway approval for the spot rezoning of the site, in spite of Council’s refusal.
3. Approves the submission on the planning proposal for 34–36 Flood Street, Bondi, attached to the report (Attachment 1) to the Department of Planning and Environment.
4. Lodges the interim heritage order attached to the report (Attachment 2) for 34–36 Flood Street with Heritage NSW.
5. Engages an independent heritage expert to undertake a heritage assessment of the site’s synagogue, which was designed by Harry Seidler.
6. Officers prepare a report to Council on whether the building should be nominated for inclusion in schedule 5 (heritage items) of the Waverley Local Environmental Plan 2012 and the State Heritage Register.

AMENDMENT

Mover: Cr Kay

Seconder: Cr Burrill

That:

1. Clause 3 be amended to read as follows:

‘Approves the submission on the planning proposal for 34–36 Flood Street, Bondi, attached to the report (Attachment 1) to the Department of Planning and Environment, subject to the following amendment:

- (a) Page 25 of the agenda – Amend the statement of significance to read as per the statement on page 38 of the agenda, incorporating the amendment in clause 4 below.’

2. Clause 4 be amended to read as follows:

‘Lodges the interim heritage order attached to the report (Attachment 2) for 34–36 Flood Street with Heritage NSW, subject to the following amendment:

- (a) Page 38 of the agenda, paragraph 6 of the statement of significance – Amend to read as follows:

“Subsequent additions and change of interiors to the building have served to maintain its historic function and role in the Orthodox community. Recent unsympathetic additions to the street frontage detract from the buildings aesthetic and streetscape qualities but are at distance from the core building and able to be removed, should the use of the buildings

change in the future and the security blast wall not be required.”

THE AMENDMENT WAS PUT AND DECLARED CARRIED UNANIMOUSLY.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 7.

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

UNANIMOUS DECISION

That Council:

1. Notes that on 5 July 2022, Council refused a spot rezoning request for 34-36 Flood Street, Bondi to rezone the site from SP2 Infrastructure to R3 Medium Density Residential.
2. Notes that the NSW Department of Planning and Environment provided provisional Gateway approval for the spot rezoning of the site, in spite of Council’s refusal.
3. Approves the submission on the planning proposal for 34–36 Flood Street, Bondi, attached to the report (Attachment 1) to the Department of Planning and Environment, subject to the following amendment:
 - (a) Page 25 of the agenda – Amend the statement of significance to read as per the statement on page 38 of the agenda, incorporating the amendment in clause 4 below.
4. Lodges the interim heritage order attached to the report (Attachment 2) for 34–36 Flood Street with Heritage NSW, subject to the following amendment:
 - (a) Page 38 of the agenda, paragraph 6 of the statement of significance – Amend to read as follows:

‘Subsequent additions and change of interiors to the building have served to maintain its historic function and role in the Orthodox community. Recent unsympathetic additions to the street frontage detract from the buildings aesthetic and streetscape qualities but are at distance from the core building and able to be removed, should the use of the buildings change in the future and the security blast wall not be required.’
5. Engages an independent heritage expert to undertake a heritage assessment of the site’s synagogue, which was designed by Harry Seidler.
6. Officers prepare a report to Council on whether the building should be nominated for inclusion in schedule 5 (heritage items) of the Waverley Local Environmental Plan 2012 and the State Heritage Register.
7. Officers note the information presented by Emeritus Professor James Weirick in his address to the meeting in the report referred to in clause 6 above.

J Weirick addressed the meeting.

6. Urgent Business

There was no urgent business.

7. Meeting Closure

THE MEETING CLOSED AT 8.03 PM.

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SIGNED AND CONFIRMED
CHAIR
7 MARCH 2023