



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 NOVEMBER 2023

Present:

| | |
|--|---------------|
| Councillor Paula Masselos (Mayor) (Acting Chair) | 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 Elaine Keenan | Lawson Ward |
| Councillor Steve Lewis | Hunter 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 | Director, Assets and Operations |
| Tara Czinner | Director, Corporate Services |
| Fletcher Rayner | Director, Planning, Sustainability and Compliance |
| Ben Thompson | Director, Community, Culture and Customer Experience |

At the commencement of proceedings at 8.28 pm, those present were as listed above, with the exception of Cr Lewis who arrived at 8.48 pm during item PD/5.3/23.11.

Crs Fabiano, Goltsman, Keenan, Lewis, Murray, Nemesh and Wy Kanak attended the meeting by audio-visual link.

Due to the chair, Cr Lewis being unable to chair the Committee, the Committee elected Cr Masselos as acting chair of the Committee for this meeting.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer:

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.

The Chair read the following Acknowledgement of Indigenous Heritage:

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

There were no apologies.

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 P Seidler – PD/5.2/23.11 – Planning Proposal – 34 Flood Street, Bondi – Post-Exhibition.
- 3.2 E Whitney (on behalf of Meriton) – PD/5.2/23.11 – Planning Proposal – 34 Flood Street, Bondi – Post-Exhibition.

4. Confirmation of Minutes

PD/4.1/23.11 Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 5 September 2023 (SF23/18)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Kay

That the minutes of the Strategic Planning and Development Committee meeting held on 5 September 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

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

5. Reports

PD/5.1/23.11 Draft Planning Agreement Policy (Amendment No. 5) - Exhibition (SF23/1066)

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Publicly exhibits the draft Planning Agreement Policy (Amendment No. 5) attached to the report.
2. Officers prepare a report to Council following the exhibition period.

AMENDMENT

Mover: Cr Betts

Seconder: Cr Kay

That clause 1 be amended to read as follows:

‘Publicly exhibits the draft Planning Agreement Policy (Amendment No. 5) attached to the report, subject to the following amendments:

- (a) Page 25 of the agenda, clause 2.5 – Delete the third dot point: “When there are no obvious infrastructure upgrades in the vicinity of a development or where these are already being funded as part of the LTFP.”
- (b) Page 25 of the agenda, clause 2.5 – Delete the fifth dot point: “When a developer or community feedback supports greater funds being used for AH.”

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

For the Amendment: Crs Betts, Burrill, Kay, Goltsman and Nemesh.

Against the Amendment: Crs Fabiano, Gray, Keenan, Masselos, Murray and Wy Kanak.

THE MOTION WAS THEN PUT AND DECLARED LOST.

Division

For the Motion: Crs Fabiano, Gray, Keenan, Masselos, Murray

Against the Motion: Crs Betts, Burrill, Kay, Goltsman, Nemesh and Wy Kanak.

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

PD/5.2/23.11 Planning Proposal - 34 Flood Street, Bondi - Post-Exhibition (PP-1/2023)

Council dealt with this item in closed session.

MOTION

Mover: Cr Gray

Seconder: Cr Keenan

That Council:

1. Forwards the planning proposal attached to the report (Attachment 1) to list 34 Flood Street,

Bondi (Lot 1 DP 1094020), as a local heritage item in the *Waverley Local Environmental Plan 2012* (WLEP), and the submissions received during public exhibition, to the Department of Planning and Environment (DPE) with a recommendation to proceed to finalisation and gazettal.

2. Requests the DPE to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979* to amend the WLEP.
3. Notifies the owner of 34 Flood Street of Council's decision.

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

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

UNANIMOUS DECISION

That Council:

1. Forwards the planning proposal attached to the report (Attachment 1) to list 34 Flood Street, Bondi (Lot 1 DP 1094020), as a local heritage item in the *Waverley Local Environmental Plan 2012* (WLEP), subject to officers considering the emails and attachments referred to in the representations from members of the public, and the submissions received during public exhibition, to the Department of Planning and Environment (DPE) with a recommendation to proceed to finalisation and gazettal.
2. Requests the DPE to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979* to amend the WLEP.
3. Notifies the owner of 34 Flood Street of Council's decision.

Division

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

Against the Motion: Nil.

P Seidler and E Whitney (on behalf of Meriton) addressed the meeting.

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

PD/5.3/23.11 Housing State Environmental Planning Policy - Submission (SF23/4362)

MOTION

Mover: Cr Masselos
Seconder: Cr Keenan

That Council approves the submission to the NSW Department of Planning and Environment attached to the report (Attachment 4) on proposed amendments to the Housing State Environmental Planning Policy relating to in-fill affordable housing.

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council approves the submission to the NSW Department of Planning and Environment attached to the report (Attachment 4) on proposed amendments to the Housing State Environmental Planning Policy relating to in-fill affordable housing, subject to officers considering Councillors' feedback at the meeting.

PD/5.4/23.11 Eastern Suburbs Electric Vehicle Infrastructure Strategy - Adoption (A11/0853)

MOTION / DECISION

Mover: Cr Gray
Seconder: Cr Keenan

That Council:

1. Adopts the Eastern Suburbs Electric Vehicle Infrastructure Strategy attached to the report.
2. Notes that the strategy will also be reported to Randwick City Council and Woollahra Municipal Council for approval.

PD/5.5/23.11 Waverley Park Plan of Management - Adoption (SF23/3536)

MOTION / UNANIMOUS DECISION

Mover: Cr Gray
Seconder: Cr Fabiano

That Council:

1. Notes the feedback on the draft Waverley Park Plan of Management received during public exhibition, as set out in the report, and that no substantial changes have been required to the draft Plan of Management as a result of the consultation.
2. Adopts the Waverley Park Plan of Management attached to the report (Attachment 1) in accordance with section 40 of the *Local Government Act 1993* and section 3.23(6) of the *Crown Lands Management Act 2016*.

6. Urgent Business

There was no urgent business.

7. Closed Session

PD/7/23.11 Closed Session

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
Seconder: Cr Fabiano

That:

1. Council moves into closed session to deal with the matters listed below, which are classified as

confidential under section 10A(2) of the *Local Government Act* for the reasons specified:

PD/5.2/23.11 Planning Proposal - 34 Flood Street, Bondi - Post-Exhibition

This matter is considered to be confidential in accordance with section 10A(2)(c) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business.

PD/7.1/23.11 CONFIDENTIAL REPORT - Boot Factory and Mill Hill Community Centre and Tamarama Surf Life Saving Club - Project Update

This matter is considered to be confidential in accordance with section 10A(2)(d)(i) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.

2. Pursuant to sections 10A(1), 10(2) and 10A(3) of the *Local Government Act*, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under section 10A(2) of the *Local Government Act*.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the *Local Government Act*.

At 9.06 pm, Council moved into closed session.

PD/7.1/23.11 CONFIDENTIAL REPORT - Boot Factory and Mill Hill Community Centre and Tamarama Surf Life Saving Club - Project Update (A23/0385)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos
 Seconder: Cr Keenan

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(d)(i) of the *Local Government Act 1993*. The report contains commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who supplied it.
2. Notes the project update on the Boot Factory and Mill Hill Community Centre (including Norman Lee Place) and Tamarama Surf Life Saving Club, as set out in the report.
3. Notes that the quarterly budget review (Q1) will detail the proposed funding strategy to address the financial impacts of the projects.
4. Holds an urgent Councillor briefing to discuss the proposed Q1 funding strategy.

8. Resuming in Open Session

PD/8/23.11 Resuming in Open Session

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

That Council resumes in open session.

At 9.30 pm, Council resumed in open session.

Resolutions from closed session made public

In accordance with clause 14.21 of the Waverley Code of Meeting Practice, when the meeting resumed in open session the chair announced the resolutions made by Council while the meeting was closed to members of the public and the media.

9. Meeting Closure

THE MEETING CLOSED AT 9.32 PM.

.....
SIGNED AND CONFIRMED
CHAIR
5 DECEMBER 2023