



**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 DECEMBER 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 Steven Lewis	Hunter 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 7.34 pm, those present were as listed above.

Crs Burrill, Goltsman, Gray, Keenan and Lewis attended the meeting by audio-visual link.

Due to the chair, Cr Lewis, being unable to chair the meeting, 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 Acting Chair read the 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

Apologies were received from Cr Tim Murray, Cr Will Nemesh and Cr Dominic Wy Kanak.

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 B Mouroukas – PD/5.6/23.12 – Strata Parking Area Agreements

ITEMS BY EXCEPTION**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Fabiano

That the recommendations for the following items be adopted as recommended in the business paper:

PD/4.1/23.12 Confirmation of Minutes – Strategic Planning and Development Committee Meeting – 7 November 2023

PD/5.4/23.12 Housing Advisory Committee Meeting – 29 August 2023 – Minutes.

PD/5.8/23.12 Tamarama Park and Beach Plan of Management – Adoption.

4. Confirmation of Minutes

PD/4.1/23.12 Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 7 November 2023 (SF23/18)

MOTION / UNANIMOUS DECISION

Mover: Cr Masselos

Seconder: Cr Fabiano

That the minutes of the Strategic Planning and Development Committee meeting held on 7 November 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

5. Reports

PD/5.1/23.12 Planning Proposal - Council Advertising on Public Domain Assets (PP-2/2023)

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Forwards the planning proposal attached to the report (Attachment 1) on Council advertising on public domain assets to the Department of Planning and Environment (DPE) for Gateway determination for the purposes of public exhibition.
2. Publicly exhibits the planning proposal in accordance with any conditions of the Gateway determination that may be issued by the DPE.
3. Requests and accepts, if offered, the role of the planning proposal authority from 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 *Waverley Local Environmental Plan 2012*.
4. Notes that Council will determine the location of multi-functional communication panels as part of a separate process.

THE MOVER OF THE MOTION ACCEPTED AMENDMENTS TO CLAUSES 1 AND 4.

UNANIMOUS DECISION

That Council:

1. Forwards the planning proposal attached to the report (Attachment 1) on Council advertising on public domain assets to the Department of Planning and Environment (DPE) for Gateway determination for the purposes of public exhibition, subject to the following amendment:
 - (a) Page 27 of the agenda, part 2, 'Signage – Council communications panels advertising' – Add the following new clause 8: 'Must not include any political advertising.'
2. Publicly exhibits the planning proposal in accordance with any conditions of the Gateway determination that may be issued by the DPE.
3. Requests and accepts, if offered, the role of the planning proposal authority from 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 *Waverley Local Environmental Plan 2012*.

- Notes that Council will determine the location of multi-functional communication panels as part of a separate process and that the request for tender documentation will detail specifications, including location, size and content, which will come to Council for approval prior to inviting tenders from the open market.

Division

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

Against the Motion: Nil.

PD/5.2/23.12 Planning Proposal - Dwelling Density (PP-3/2023)

A notice of motion to rescind this resolution has been submitted with the General Manager. The rescission motion will be considered at the Council meeting on 12 December 2023.

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

- Forwards the planning proposal attached to the report (Attachment 1) to prevent the loss of residential density in R3 Medium Density Residential and R4 High Density Residential zones to the Department of Planning and Environment (DPE) for Gateway determination for the purposes of public exhibition.
- Publicly exhibits the planning proposal in accordance with any conditions of the Gateway determination that may be issued by the DPE.
- Requests and accepts, if offered, the role of the planning proposal authority from 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 *Waverley Local Environmental Plan 2012*.

FORESHADOWED MOTION (LAPSED)

Mover: Cr Betts

That Council defers this item to a Councillor briefing in early 2024 for consideration of the planning proposal and to discuss how it fits into Council's strategic vision.

THE MOTION WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

- Forwards the planning proposal attached to the report (Attachment 1) to prevent the loss of residential density in R3 Medium Density Residential and R4 High Density Residential zones to the Department of Planning and Environment (DPE) for Gateway determination for the purposes of public exhibition.
- Publicly exhibits the planning proposal in accordance with any conditions of the Gateway determination that may be issued by the DPE.

3. Requests and accepts, if offered, the role of the planning proposal authority from 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 *Waverley Local Environmental Plan 2012*.

Division

For the Motion: Crs Fabiano, Gray, Keenan, Lewis and Masselos.

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

PD/5.3/23.12 Subsidised Lease Program (A23/0388)**MOTION / UNANIMOUS DECISION**

Mover: Cr Gray

Seconder: Cr Keenan

That Council:

1. Officers prepare a draft policy on the implementation of the Subsidised Lease Program.
2. Notes that the Subsidised Lease Program would complement and not compete with other more conventional approaches to increasing affordable housing stock.

PD/5.4/23.12 Housing Advisory Committee Meeting - 29 August 2023 - Minutes (SF23/4556)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Fabiano

That Council notes the minutes of the Housing Advisory Committee meeting held on 29 August 2023 attached to the report.

PD/5.5/23.12 Clause 4.6 Variations to Development Standards - Quarterly Report - July-October 2023 (A23/0244)**MOTION**

Mover: Cr Gray

Seconder: Cr Keenan

That Council notes:

1. The clause 4.6 variations to development standards for the period 1 July 2023 to 31 October 2023 attached to the report.
2. That from 1 November 2023, the Department of Planning and Environment (DPE) no longer requires councils to report clause 4.6 variations to development standards or submit quarterly reports, as this information will be extracted directly from the NSW Planning Portal and published by the DPE for all NSW councils.

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Notes:
 - (a) The clause 4.6 variations to development standards for the period 1 July 2023 to 31 October 2023 attached to the report.
 - (b) That from 1 November 2023, the Department of Planning and Environment (DPE) no longer requires councils to report clause 4.6 variations to development standards or submit quarterly reports, as this information will be extracted directly from the NSW Planning Portal and published by the DPE for all NSW councils.
2. Officers continue to report on clause 4.6 variations to development standards to Council on a quarterly basis.

PD/5.6/23.12 Strata Parking Area Agreements (A16/0667)**MOTION / UNANIMOUS DECISION**

Mover: Cr Kay
Seconder: Cr Betts

That Council:

1. Defers this item to a Councillor briefing in the first half of 2024.
2. Officers review and update the draft Guidelines on Strata Parking Area Agreements attached to the report to include a fee structure and calculation methodology.
3. Officers prepare a draft pro forma agreement and operational policy and procedure to be followed by Council staff and strata managers.
4. Notes the document tabled at the meeting titled 'Some Suggested Operational Aspects for a Strata Parking Enforcement Scheme at Waverley Council.'

B Mouroukas addressed the meeting.

PD/5.7/23.12 Urban Greening and Cooling Strategy - Adoption (A23/0489)**MOTION / DECISION**

Mover: Cr Masselos
Seconder: Cr Keenan

That Council adopts the Urban Greening and Cooling Strategy attached to the report.

The motion was declared carried on the casting vote of the chair.

PD/5.8/23.12 Tamarama Park and Beach Plan of Management - Adoption (A21/0475)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Fabiano

That Council:

1. Notes the feedback on the draft Tamarama Park and Beach 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 Tamarama Park and Beach 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. Meeting Closure**THE MEETING CLOSED AT 8.40 PM.**

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SIGNED AND CONFIRMED
CHAIR
6 FEBRUARY 2024