Minutes

Penkivil Precinct Committee General Meeting

Monday 3rd December 2018,

The Queens Park Room, Waverley Council Chambers, Cnr Paul Street & Bondi Road.

Attendance numbers: 24 with 18 eligible to vote.

Noted attendance at commencement:

Precinct Chair, Convenor/Traffic Rep:	Bill Mouroukas
OSHR Clearway Sub-committee Member:	Levi Menaker
Council:	Cr Tony Kay
Council Officers:	Craig Woods
	Eliza Milenkovic
Police Officers:	Jacqueline Waserman
	Greg Highfield

COMMENCEMENT: Meeting started at 7:00pm

MEETING ANNOUNCEMENT – *"Convenor's eMail Group: convenorbill@gmail.com"*

APOLOGIES – Mary Goldfinch.

Lynda Hall (Secretary), Mary Doyle (DA Representative) and Cr George Copeland joined the meeting shortly following commencement.

POLICE MATTERS WITH SNR CONSTABLE JACQUELINE WASERMAN:

Excessive Motor Cycle Noise.

Bill Mouroukas advised a resident had raised this matter by eMail.

Snr Cst Waserman:

Reported that noise from vehicles is a matter for the EPA (Environmental Protection Authority).

Excessive noise from motor cycles or other vehicles on our roads is not policed.

Provided printed information on this issue from the EPA titled NSW EPA Managing Vehicle Noise which can be found at –

https://www.epa.nsw.gov.au/your-environment/noise/vehicle-noise

Stated that neighbourhood noise, under certain circumstances can be an issue for police. The EPA provides information on neighbourhood noise at –

https://www.epa.nsw.gov.au/your-environment/noise/neighbourhood-noise

Explained that police resources are limited and will prioritise call response accordingly. For example, officers will be directed to attend a matter involving violence over a noise complaint. While noise complaints are generally of the lowest priority, it is recommended that noise issues be reported to police and that complainants keep a log of repeat offences for any potential future action.

USE OF MOBILE DEVICES (Phones and Tablets) IN MOTOR VEHICLES.

Snr Cst Waserman advised that:

Unless the vehicle's engine is off, and the key removed from the ignition key hole, 5 Demerit Points apply.

Learner (L-Permit) & Provisional (P-Licence) plate drivers are not permitted at all and will be instantly disqualified.

Full Licence drivers are permitted limited use if the device is fitted to a cradle or connected to the vehicle via Bluetooth technology.

CSPC (COMMUNITY SAFETY PRECINCT COMMITTEE) MEETING 27th NOVEMBER 2018.

Bill Mouroukas attended the CSPC and reported the main points with further commentary from Snr Cst Wasserman:

- 'Steal from Motor Vehicle' has increased all over Waverley. Cars are being left unlocked.
- 'Domestic Violence' 281 incidents in 3 months. Team 4 officers DV. Average is 79 calls a month. In October 117 DV calls made to police.
- 'Drugs' selling increased arrests.
- 'Drug driving'. RDT (Random Drug Testing) is revealing problem is prolific
- 'Body worn AV Capture' now employed in local area command.
- 'Scamwatch' Website for internet and phone scam reporting.

https://www.scamwatch.gov.au/

Scamwatch is run by the ACCC (Australian Competition and Consumer Commission). It provides information to consumers and small businesses about how to recognise, avoid and report scams.

- 'ACORN' (The Australian Cybercrime Online Reporting Network) For other internet related crime, bullying etc https://www.acorn.gov.au/.

ACORN is a national policing initiative of the Commonwealth, State and Territory governments. It is a national online system that allows the public to securely report instances of cybercrime. It will also provide advice to help people recognise and avoid common types of cybercrime.

- WAVERLEY/WOOLLAHRA Local Emergency Management Plan has been developed. More information on this should be available for reporting at the February precinct meeting.
- 'Secure NSW' site - https://www.secure.nsw.gov.au/.

During an incident, this site will provide important information to the public. This includes information from the NSW Police Force (Facebook and Twitter), exclusion zones, transport arrangements, telephone numbers and more. If you have photos, videos and/or information on the incident, you will be able to securely upload and submit these online.

- Crime Stoppers 1800333000

TREE MANAGEMENT POLICY REVIEW WITH COUNCIL OFFICERS:

Craig Woods, Co-ordinator, Coastal & Trees Maintenance and Eliza Milenkovic Communication Officer updated meeting on the process and schedule for the review.

The current policy was adopted in 2013.

A Have Your Say community event was held, and the on-line survey has closed.

Timeline for the policy review is:

- Report to Council on consultation outcomes: December 2018
- Drafting new policy: November 2018 – February 2019
- Report to Council with draft Policy: April 2019
- **Public exhibition: 28 days April-May 2019 (THIS IS THE COMMUNITY'S OPPORTUNITY TO COMMENT ON THE FINAL RECOMMENDATIONS BEFORE COUNCIL DECIDES ON ANY CHANGES)**
- Report to Council with final Policy: May 2019

ARCHITECTURAL MAPPING PROJECT:

This Council project aims to:

- Provide an additional layer of evidence to ensure development that complements the attributes of Waverley's historic built environment, especially heritage.
- Audit existing heritage listed items.
- Identify items of heritage interest that may be subject to further investigation for listing in the Waverley Local Environment Plan 2012.
- Provide information that may inform the review of the conservation areas boundaries.

Meeting attendees were invited to mark properties of interest on maps provided by Council and note their comments. The maps will be passed on to Gabrielle Coleman, Strategic Planner Waverley Council. For further information eMail to gabrielle.coleman@waverley.nsw.gov.au

MATTERS ARISING:
MOTION [201812#1] – ADOPTION OF PREVIOUS MEETING MINUTES:
THAT, THE TABLED DOCUMENT BEING THE MINUTES OF THE PENKIVIL PRECINCT MEETING HELD ON 8th OCTOBER 2018 ARE ADOPTED AS BEING A TRUE RECORD OF THAT MEETING.
Mover, Eva Varga. Seconder, Bill Mouroukas.
Decision; Carried unanimously.

WAVERLEY COUNCIL'S RESPONSE REPORT:
The Council Response Report was tabled, read and is attached to these minutes. The noted meeting comments (below) relate to matters referred to in the report:

RE MOTION 201810#2 - Traffic Safety at King St/Bennett St intersection.
COMMENT: Cars continue to cut the corner despite road line marking having been reinstated. Three small accidents have been observed during the past six months.

RE QUESTION 201810Q1 - Congestion for Northbound vehicles in Ocean Street South at the intersection with Bondi Road.
COMMENT:
Cr Kay indicated that he had arranged an on-site meeting with Council officers to review. It was concluded at the meeting that a 7-9am 'No Right Turn' restriction into Bondi Road for north bound Ocean Street traffic weekdays and Saturdays would not be approved by the RMS, with the only solution they would support being a 'No Stopping' zone for the statutory 20ms setback from the traffic lights. If this matter was discussed by the Waverley Traffic Committee, it is likely that the whole intersection would be assessed, and 20ms 'No Stopping' setbacks implemented at all corners. This would remove valuable parking in an area of high occupancy, and was the subject of debate some years ago, when it was decided to take no action and leave the existing parking unchanged. Cr Kay recommended that this be the conclusion again.

RE QUESTION 201810Q2 - DA for 25 Kenilworth Street – Has the DA consent expired?
COMMENT: Cr Kay informed the meeting that he discussed the matter with officers who have confirmed the DA consent had expired. The concerned resident has been informed, and is very comfortable with the outcome.

RE QUESTION 201810Q5 Bennett Street potential RPS (Residential Parking Scheme).
COMMENT: Bill Mouroukas advised the meeting that as more than five years have passed since Council last surveyed the area for RPS, a petition which reflects greater than 50% support for RPS introduction by households in the area would likely trigger a formal Council survey. Bill Mouroukas offered to provide advice and guidance to any residents interested in pursuing the introduction of RPS in their local area within the precinct.

TRAFFIC:
- BOAT TRAILER PARKING.

Bill Mouroukas informed the meeting that Waverley Council had established a 'HAVE YOUR SAY' portal on this matter which would conclude at 5pm on 4th December 2018. See: https://haveyoursay.waverley.nsw.gov.au/changes-to-parking-laws-for-boat-trailers
The State Government has introduced legislation that allows NSW councils to 'opt-in' to have the authority to impound boat trailers (and the boats they carry) if they have been parked on residential streets without moving for a period of time.
The report will advise Council on the consultation outcomes to assist in its determination on whether to implement the provisions of the new Act.
If the new Boat Impounding Law is implemented in all or any part of the Waverley LGA, the Council would be able to commence the process to ensure that unattended boat trailers parked in the same spot for more than 28 days are moved or impounded, subject to a further 15 days Council warning notification not being acted upon. Hence, reported and unmoved boat trailers would not get impounded until, at the very earliest, one and a half months after Council receives the initial complaint. This process would occur in any 'declared area' within the Waverley LGA for the purposes of the boat trailer legislation.
MEETING COMMENTS:
BW-"I pay money to have my vehicles licenced. This is a water area but there is nowhere to put my boat. There is no provision for boat owners."
DS-"People are missing the point. The problem is people who live outside the area. I [Waverley Ratepayer] *cannot get a permit for my boat. This should be part of the RPS* [Residential Parking Scheme] *to allow boat trailer parking."*
AG-"Residents have the right to park at the beach. We should have the right to park our own boat in the area we live."
Cr Kay advised the meeting that the NSW State Government has very recently decided to prevent Residential Permits for boat trailers, equating to the policy that had been in existence by Waverley and other councils for some years.

- RMS OSHR (OLD SOUTH HEAD ROAD) CLEARWAY.
  Cr Kay reported that the Council funded independent traffic consultant's report on the RMS proposal to introduce a clearway along Old South Road, between Curlewis Street and Syd Einfeld Drive, 6am-7pm weekdays and 9am-6pm weekends and public holidays had been completed, and lodged with the RMS. The conclusion of the report indicates that there is unlikely to be any benefit in travel times by removing the parking in Old South Head Road, between Flood Street and Victoria Road. Council officers are waiting for the RMS to respond before preparing a report for Council consideration.

- RECENT TRAFFIC COMMITTEE ITEMS:
  TC/V.03/18.11, Ocean Street North, Bondi - Removal of 'No Parking' Zone.
  "That Council removes the existing 'No Parking: 6pm-10pm Mon-Fri; 8am-10pm Sat-Sun - Wedding & Funeral Vehicles Excepted' portion of the restrictions outside No. 34A Ocean Street North, Bondi."
  RESULT: Yet to be determined by Council.

  TC/C.06/18.10, Ocean Lane, Bondi - 'Trucks Prohibited' Restrictions.
  "That Council installs 'Trucks Prohibited' signage with supplementary 'Vehicles Over 6.5m' signage at both ends of Ocean Lane, Bondi at the intersections with Ocean Street South and Bennett Street. "
  RESULT: Determined by Council 20th November as recommended.

TC/C.02/18.09 Ewell Street, Bondi - Resident Parking.

"That Council, based on the low response rate to the resident parking survey:

1. Does not introduce a resident parking scheme into Ewell Street, Bondi.
2. Reviews the request for resident parking restrictions in Ewell Street in the event a new petition is received which includes additional streets in the vicinity of Ewell Street.
3. Officers notify the chief petitioner accordingly."

RESULT: This matter was deferred by Cr O'Neill at the Council meeting. No further information was found on Council's website. Cr O'Neill was not present to update the precinct as to the status of the matter. Crs Kay and Copeland, both present, could not provide an explanation for the deferral or any further information.

DEVELOPMENT APPLICATIONS:

Mary Doyle advised the meeting that no DA of significant precinct interest had come to her attention.

RENAME PENKIVIL PRECINCT:

The meeting continued discussion on this item from the August and October 2018 meetings.

At the October meeting four potential names were suggested for consideration:

Mary Doyle moved a motion the Precinct name be changed to 'Waverley Park Precinct'. Bill Mouroukas as chair asked Mary Doyle to withdraw as he wanted to see a show of hands on each existing suggestion. Mary Doyle agreed to withdraw.

Bill Mouroukas as chair called for a SoH (Show of Hands) on each of the suggested names, revealing the following support with some abstaining:

- Bondi Heights Precinct 8
- Bondi Central Precinct 3
- Bondi Hill Precinct 0
- Waverley Park Precinct 9

At this point in time, Eva Varga and Julia Attard informed the meeting that they had to leave as the meeting was running over time. They asked that their support for naming the precinct 'Waverly Park' be recorded in the SoH that followed their departure.

Following their departure, the meeting, by mutual agreement, granted this request.

Bill Mouroukas stated that he supported the top two names, and therefore would abstain in the next SoH. The Chair called for a SoH on each of the two most supported names from the previous SoH, being Bondi Heights and Waverley Park, revealing the following support with some abstaining:

- Bondi Heights Precinct 8
- Waverley Park Precinct 7 (Including the votes of Eva Varga and Julia Attard)

As a result of the second SoH, the following motion to change the name of the precinct was put:

MOTION [201812#2]– RENAME PENKIVIL PRECINCT TO BONDI HEIGHTS PRECINCT:

THAT, THE NAME OF THE COMMUNITY PRECINCT KNOWN AS PENKIVIL/WAVERLEY PRECINCT BE CHANGED TO BONDI HEIGHTS PRECINCT.

Mover; Bill Mouroukas. Seconder; Lynda Hall.

Decision; Carried.

CONVENOR'S NOTE

As at writing, the motion was forwarded to Waverley Council' s Community Liaison Officer for processing. The process includes ratification by a meeting of the Combined Precincts. My understanding is that once this has been done the name change will come into effect.

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PROPOSED PRECINCT SYSTEM RESTRUCTURE:

Bondi Beach Precinct has proposed there be a restructure to Waverley's Precinct System. As of 3rd December 2018, four restructure models have been offered. Bill Mouroukas tabled hard copies of the proposed models. In the limited time available to consider the matter, there was a general feeling of concern over the proposed changes.

CONVENOR'S NOTE

At the Combined Precincts Meeting held on 6th December 2018, all four models were withdrawn following feedback from precinct representatives across Waverley. The Convenor of Bondi Beach Precinct in consultation with other precinct representatives, presented a fifth model. Unless withdrawn beforehand, this fifth model will be a subject for discussion at the February Penkivil/Waverley Precinct meeting.

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GENERAL BUSINESS:

MOTION [201810#2]– FLOOD LANE CONVEX MIRRORS

THAT, CONVEX MIRRORS BE PLACED AT THE END OF EACH LANE THAT INTERSECTS WITH FLOOD LANE.

Mover; Eliane Symon. Seconder; Dominic Sidoti.

Decision; Carried unanimously.

REQUEST TO COUNCIL [201812R1] – DA-264/2018, 47-53 BON ACCORD AVENUE.

BON ACCORD RESIDENTS REPORTED THAT THE SKIP ASSOCIATED WITH THIS DA IS IN A DANGEROUS POSITION. COULD COUNCIL PLEASE REVIEW THIS? – Raised by a number of meeting attendees.

QUESTIONS TO COUNCIL ARE RAISED BY ONE OR MORE MEETING ATTENDEES. THEY DO NOT CONVEY A FORMAL POSITION OF THE PRECINCT MEETING AS A WHOLE. HOWEVER, A RESPONSE FROM COUNCIL IS REQUESTED.

QUESTION TO COUNCIL [201812Q1] – RPS TRADES PERMIT EXPIRY.

What should I do with my RPS permit for Trades that are about to expire? – Raised by Bob Williamson.

QUESTION TO COUNCIL [201812Q2] – PROPOSED BOAT TRAILER PARKING RULES.

Will campers and caravans also be subject to the same rules? – Raised by Bill Mouroukas on behalf of Linda Bloomfield.

MEETING DATES FOR 2019:

Monday 4 February (NEXT MEETING)	Monday 5 August
Monday 8 April	Monday 30 September
Monday 3 June (AGM)	Monday 2 December

MEETING CLOSURE:

The meeting closed at 9:40pm.

Cr Marjorie O'Neill was not in attendance for this meeting.

ATTACHMENT:

RESPONSE REPORT Penkivil/Waverley Precinct

WAVERLEY COUNCIL RESPONSE REPORT TO PENKIVIL PRECINCT MEETING 3 DECEMBER 2018

Waverley Council Response Report to Penkivil Precinct meeting 3 December 2018
8 October 2018 MOTION [201810#2] – REGARDING COUNCIL MOTION TO INVESTIGATE OVERNIGHT PARKING IN WELLINGTON PLACE CAR PARK.
THAT, COUNCIL SENDS TO THE PENKIVIL PRECINCT CONVENOR, A SOFT COPY OF THE REPORT REFERRED TO IN THE COUNCIL MEETING PAPERS IN ITEM 'CM/8.9/18.08'. THIS SHOULD BE DONE AS SOON AS IT BECOMES PUBLICALLY AVAILABLE AND PRIOR TO BEING CONSIDERED AT THE COUNCIL MEETING TO AFFORD TIME FOR INTERESTED MEMBERS OF THE PRECINCT TO OFFER FEEDBACK TO COUNCILLORS.
RESPONSE: The report referred to in the Council resolution below is not complete, and it will go to Council in 2019.
CM/8.9/18.08 Investigate Overnight Parking in Wellington Place Car Park (A02/0146)
That Council:
1. Notes the report to Council's Operations Committee on 4 March 2014, and the resolution of the Committee for the matter to be deferred.
2. Officers further investigate the operation of the Wellington Place Car Park, Bondi and its relationship to the adjoining property at 46-48 Ocean Street (north), including document research and consultation with Housing NSW and the residents of 46-48 Ocean Street, to determine:
(a) Any conditions in the original development consent or elsewhere for:
i. overnight parking to not be permitted from 10pm - 8am.
ii. no resident parking being permitted.
(b) How overnight parking and/or resident parking could be facilitated in relation to existing conditions of consent, and whether any conditions of consent need to be varied or deleted.
(c) Whether extended hours of operation are warranted for the car park, and what may be the up-take of users for overnight parking.
3. Officers prepare a report for Council consideration.
8 October 2018 MOTION [201810#2]– Traffic Safety at King St/Bennett St intersection
THAT, IN ORDER TO DETER CAR DRIVERS FROM CUTTING THE CORNER, A TRAFFIC CONTROL MEASURE BE PUT IN PLACE AT THE END OF KING STREET ON THE INTERSECTION WITH BENNETT STREET.
RESPONSE: This motion was referred to the Manager Transport and Development who advises that an officer has inspected the intersection of Bennett Street and King Street, Bondi and advises double centreline markings in King Street at Bennett Street were removed/covered over as a result of road resheeting works and have not been reinstated on completion of the work. The missing double lines in King Street may be contributing to some drivers not keeping fully to the correct side of the roadway when turning right from Bennett Street.
An instruction has been forwarded to Council's maintenance staff to have missing linemarking at the intersection reinstated.
Having regard to observations being undertaken in recent times at the intersection and there being no recoded crashes relating to right turn movements from Bennett Street, additional traffic control measures are considered not warranted.
Should drivers be observed to be travelling on the incorrect side of the centre lines in King Street after repainting of the centrelines, residents should report the matter to the Traffic Sergeant at Waverley Police Station for patrolling by NSW Police.
8 October 2018 QUESTION TO COUNCIL [201810Q1] – CONGESTION FOR NORTHBOUND VEHICLES IN OCEAN STREET SOUTH AT THE INTERSECTION WITH BONDI ROAD
WEEKDAY MORNING PEAK HOUR TRAFFIC CONGESTION IS WORSENING FOR NORTHBOUND TRAFFIC IN OCEAN STREET SOUTH AT THE BONDI ROAD INTERSECTION, SUCH THAT VEHICLES WANTING TO TURN LEFT OR PROCEED INTO OCEAN STREET NORTH ARE BLOCKED BY RIGHT TURN VEHICLES. WOULD COUNCIL CONSIDER INSTALLING A 'NO RIGHT-HAND TURN' CONTROL FOR NORTH BOUND OCEAN STREET SOUTH TRAFFIC THAT OPERATES BETWEEN 7AM TO 9AM WEEKDAYS?

RESPONSE: This question was referred to the Manager Transport and Development who advises any changes to the way vehicles enter onto or exit from the carriageway of a State Road under RMS control, such as Bondi Road, must be referred to the RMS.
Council, under the current delegation given to it by the RMS, does not give authority to Council to determine such matters. Contact should be made with the following officer from the RMS for further advice:
Ben Borger, Network & Safety Officer
CBD and East Precinct, Network Sydney, CBD Coordination Office Level 44, 680 George Street Sydney, 2000 Email: Benjamin.Borger@rms.nsw.gov.au
8 October 2018 QUESTION TO COUNCIL [201810Q2] – DA FOR 25 KENILWORTH STREET – HAS THE DA CONSENT EXPIRED?
REGARDING 25 KENILWORTH STREET, APPROVAL FOR THE DEVELOPMENT APPLICATION AT THIS ADDRESS WAS GRANTED OVER 5 YEARS AGO. WORK HAS NOT SUBSTANTIALLY COMMENCED SO WHY IS THE DA STILL ACTIVE?
HOW HAS COUNCIL DETERMINED THAT THIS DA CONTINUES TO BE VALID?
RESPONSE: Cr Kay agreed to ensure a Merit Request was lodged and to follow up this matter with Council officers so that Mr Goldfinch could receive a response. The Community Liaison Coordinator contacted Clr Kay who advised that this matter was in hand.
8 October 2018 QUESTION TO COUNCIL [201810Q3] – CONGESTION IN BIRRELL STREET AT THE INTERSECTION WITH BENNETT STREET.
THERE IS FREQUENT BANKING OF CARS IN BIRRELL STREET ON AND THROUGH THE INTERSECTION AT BENNETT STREET DURING TRAFFIC LIGHT CHANGE CYCLES, THEREBY PREVENTING TRAFFIC MOVEMENT FROM BENNETT STREET. WOULD COUNCIL CONSIDER ARRANGING THE INSTALLATION OF A CAMERA AT THIS INTERSECTION?
RESPONSE: This motion was referred to the Manager Transport and Development who advises that the operation of traffic signals and any changes to their operation such as installing cameras remains the responsibility of the RMS and NSW Police. Contact should be made with the following officer from the RMS for further advice: Ben Borger, Network & Safety Officer CBD and East Precinct, Network Sydney CBD Coordination Office, Level 44, 680 George Street Sydney, 2000 Email: Benjamin.Borger@rms.nsw.gov.au
8 October 2018 QUESTION TO COUNCIL [201810Q4] – COST OF PARKING AT 'RETURN & EARN' (CONTAINER RECYCLING) BONDI BEACH.
THE COST OF PARKING ST THE RETURN AND EARN IS ABOUT EQUIVALENT TO WHAT I GET FROM RETURNING CANS. PERHAPS THERE CAN BE A COUPLE OF RETURN AND EARN SPACES NEXT TO THE MACHINE? THE RETURN AND EARN IS AT THE PUBLIC CAR PARK AT THE NORTH SIDE OF THE BEACH NEAR THE BACK OF THE PAVILION.
RESPONSE: This is a matter for the Waverley Traffic Committee to determine if parking control signs are considered appropriate for installation near the Return and Earn facility. As the facility is in a public carpark with metered parking restrictions, installing free parking as implied by the Precinct Committee will impact on Council's car parking revenue.
Further follow up on this request will be done and an update will be provided to the Penkivil Precinct.
8 October 2018 QUESTION TO COUNCIL [201810Q5] – BENNETT STREET POTENTIAL RPS
WHEN WAS THE MOST RECENT RPS SURVEY THAT INCLUDED BENNETT STREET CARRIED OUT BY COUNCIL?
RESPONSE: Bennett Street was last included in a resident parking survey in 2011. Please find attached a report prepared by former employee, Kate McCabe, to the CHESP Committee in October 2011 for resident parking in Bennett and other streets. It was resolved by Council to not proceed with a resident parking scheme in Bennett Street due to a low response rate and lack of support from those who did respond.
The following is an extract from the attached CHESP report relating to Bennett Street:
"In the breakdown of responses by street it is clear that there is a lack of support for the introduction of resident parking in most of the streets surveyed, as shown in:
Bennett Street response rate of 16.2%, 62.5% of respondents opposed to resident parking."