

**Register of Voting on Planning Items**

Meeting	Year	Date	Res No.	Subject	Action required (That/That Council...)	Planning
Council	2015	17/02/15	CM/5.2/15.02	Driving Greater Sustainable Development Outcomes in the Waverley LGA (PP-3/2013)	That Council Officers prepare a report that identifies what opportunities exist to embed Council's sustainability vision into the Waverley Local Environment Plan and Development Control Plan with particular consideration given to including appropriate sustainability metrics and incentives above and beyond existing requirements. Consideration should also be given to best practice Local Environment Plans in NSW that have successfully sought to gain environmental benefits through their LEP's (e.g. Bankstown Council).	NO DIVISION RECORDED
Council	2015	17/02/15	CM/8.2/15.02	Waverley Cemetery consideration for State and National Heritage listing (A02/0658-06)	<ol style="list-style-type: none"> <li>1. Council Investigates the issues and opportunities that should be taken into account in considering whether Council should pursue the listing of the Waverley Cemetery on the State Heritage Register, or the Register of National Estate.</li> <li>2. A report be prepared and come back Council on this.</li> </ol>	<p>UNANIMOUS DECISION</p> <p>For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltzman, Guttman-Jones, Kay, Masselos, Mouroukas, Strewé, Wy Kanak and Wakefield.</p> <p>Against the Motion: Nil.</p>
Council	2015	17/03/15	CM/7.5/15.03	Planning Agreement associated with approved development at 227-229 Old South Head Road, Bondi (DA-294/2011/B)	<ol style="list-style-type: none"> <li>1. Endorses the Planning Agreement applying to the land at 227-229 Old South Head Road, Bondi which contributes \$150,000 to Council for the upgrade of the New Street Reserve and Thomas Hogan Reserve Playground.</li> <li>2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council Seal to the documentation.</li> </ol>	NO DIVISION RECORDED
Operations	2015	31/03/15	OC/5.1/15.03(2)	West Oxford Street Precinct Plan (A13/0636-02)	<ol style="list-style-type: none"> <li>1. Notes that the West Oxford Street Design Charette produced ideas for the future of West Oxford Street. The ideas were publicly exhibited and tested in a statistically valid survey.</li> <li>2. Notes the 'West Oxford Street Design Charette Summary Report and Recommendations' prepared by the Government Architect's Office.</li> <li>3. Agrees that in consultation with Roads and Maritime Services (RMS), Sydney Buses and Transport for NSW (TfNSW) the following Public Domain and Traffic ideas from the West Oxford Street Design Charette are to be further investigated as shown on Map 1 below: <ol style="list-style-type: none"> <li>a) A new roundabout to link Syd Einfeld Drive and Grafton Street.</li> <li>b) Creating a Nelson Street shared zone with pedestrian preference (in conjunction with new roundabout).</li> <li>c) Extending Oxford Street to create a single 4-way intersection with Ocean Street and Syd Einfeld Drive.</li> <li>d) Closure of York Road between Oxford Street and Syd Einfeld Drive (in conjunction with extension of Oxford Street).</li> <li>e) Preparation of a tree planting strategy for the edges and median of Syd Einfeld Drive.</li> </ol> </li> <li>4. Agrees with the following approach that has been recommended based on the assessment of the submissions received from the public exhibition, the Government Architects Report and the ideas from the design charette teams that for the Waverley LEP 2012 (WLEP) floor space ratio and height of buildings controls: <ol style="list-style-type: none"> <li>a) No change be made to the WLEP 2012 for blocks 3b, 4, 5 and 6 as identified on Map 2 below.</li> <li>b) That any decision on whether changes to the WLEP 2012 are warranted relating to blocks 1, 2 and 3a as identified on Map 2 be deferred until the assessment of the Planning Proposal received for 194-214 Oxford Street and 2 Nelson Street has taken place. Understand that the assessment and investigations will consider use, heritage, overshadowing, wind effects, impact on the skyline, views and vistas of Centennial Park, design excellence and traffic impacts.</li> </ol> </li> <li>c) The Centennial Parklands Plan of Management is considered in the deliberations.</li> <li>5. Sends an information sheet on the Planning Proposal received for 194-214 Oxford Street and 2 Nelson Street to the residents in the surrounding area up to Denison Street, Birrell Street and Syd Einfeld Drive and send a copy to Woollahra Council.</li> <li>6. Agrees that the following strategies as shown on Map 3 below are to be further investigated: <ol style="list-style-type: none"> <li>a) Combining the traffic island and part of York Road (between Oxford Street and Syd Einfeld Drive) into a single site.</li> <li>b) Consolidating residual land at edge of Syd Einfeld with adjacent sites.</li> <li>c) Initiate the process for adjustments to Council's 'Arcades, Through Site Links and Squares' controls in the Waverley Development Control Plan 2012 to provide for various through site links, new laneways and connections.</li> </ol> </li> <li>7. Notes: <ul style="list-style-type: none"> <li>☑ Suggestions from the design teams for improvements to Centennial Park and the bus depot. Council officers will refer the documents and community engagement results to TfNSW, Roads and Maritime Services (RMS), Randwick Council and Centennial Park and Moore Park Trust (CPMPT) for their consideration in future planning.</li> <li>☑ That Council supported the angling or chamfering of the front of the bus depot to maintain views from Oxford Street into Centennial Park for any potential future development for the Oxford Street frontage of the bus depot.</li> </ul> </li> <li>8. Endorses the preparation of a community engagement plan for any of the further investigative works Council resolves to undertake.</li> <li>9. Notes the following key feedback (collated into reoccurring themes) received from the 169 submissions during the 'West Oxford Street Design Charette Summary Report and Recommendations' Public Exhibition period (Attachment 1): <ul style="list-style-type: none"> <li>☑ Future development should be limited to the existing Local Environment Plan heights and yield (60%).</li> <li>☑ Protect and retain the heritage character, low scale and village atmosphere and sense of local community (51%).</li> <li>☑ Development should not reduce sunlight from overshadowing or create a wind tunnel effect (47%).</li> <li>☑ Development and increased density in West Oxford Street will increase traffic, noise and pollution (45%).</li> <li>☑ Upgrades to the public domain and pedestrian amenity including better lighting, access, footpaths, more street planting and street trees, bike racks and seating are supported. A more walkable and safe precinct is supported (42%).</li> </ul> </li> </ol>	<p>Division</p> <p>For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltzman, Guttman-Jones, Kay and Mouroukas.</p> <p>Against the Motion: Crs Kanak, Masselos, Strewé and Wakefield.</p>

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					<p>10. Notes the following key findings from the statistically valid survey of 378 residents (Attachment 2):</p> <ul style="list-style-type: none"> <li>☑ In its current form, respondents consider the best things about West Oxford Street to be the diversity of shops (30%); the cafés and restaurants (17%); the low density (15%); the village atmosphere (9%); the heritage character (9%); and the sense of community (5%) in the area.</li> <li>☑ Respondents' major concerns centre on infrastructure and amenity: i.e. traffic flows and gridlock (34%); the run-down and 'shabby' appearance of the area (26%); the future viability of retail in the area (15%); the bus depot (its appearance, the traffic impacts of buses entering and exiting the depot) (14%); pedestrian safety (11%); the safety of shared pedestrian and bike paths (14%); and parking (12%).</li> <li>☑ Awareness and knowledge of the Precinct Plan is low with 48% aware of the plan and of those 84% only know that a plan is being developed.</li> <li>☑ The most preferred of the Traffic ideas were: <ul style="list-style-type: none"> <li>o The simplification of the intersection at Oxford Street, Ocean Street and Syd Einfield Drive (19%).</li> <li>o Relocate both the entry and the exit to the bus depot (currently on Oxford Street) to a position around the corner on York Road (18%).</li> <li>o Provide new laneways to improve walking connections both north and south of Oxford Street (17%), which also received the highest overall acceptability rating among this idea block at 66%.</li> </ul> </li> <li>☑ The two Public Domain ideas which were most preferred were: <ul style="list-style-type: none"> <li>o Providing quality plants and trees along all streets (15%).</li> </ul> </li> </ul> <p>o Creating a public forecourt near the front of bus depot and angling buildings to create a 'frame' for a future entryway to Centennial Park (11%). The acceptability rating shows this idea is acceptable to a two thirds majority (with 65% of respondents rating it as between six and ten out of ten).</p> <ul style="list-style-type: none"> <li>☑ The three most preferred Art, Culture and Heritage ideas were: <ul style="list-style-type: none"> <li>o Support local business diversity (29% rated this as most preferred).</li> <li>o Preserve heritage-listed landmarks such as the Nelson Hotel and Westgate House, as well as buildings within heritage conservation areas (22%).</li> <li>o Retain small scale shop fronts (17%).</li> </ul> </li> <li>☑ The most preferred Building Ideas were: <ul style="list-style-type: none"> <li>o Discourage large scale sites for buildings (35%). Almost three quarters (73%) of residents considered discouraging large scale buildings as acceptable.</li> <li>o Set back the bus depot frontage to allow construction of a two-to-three storey building to be used for cultural activities (22%).</li> </ul> </li> <li>☑ Residents were asked to rate their overall feelings about the project and two thirds (67%) rated their feelings as either positive (50%) or extremely positive (17%).</li> </ul>	
Council	2015	21/04/15	CM/7.3/15.04	Amended Planning Agreement associated with approved development at 33-37 Waverley Street, Bondi Junction (DA-184/2013)	<ol style="list-style-type: none"> <li>1. Endorses the Planning Agreement applying to the land at 33-37 Waverley Street, Bondi Junction which contributes \$337,092 to Council's Complete Streets Program.</li> <li>2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council Seal to the documentation.</li> </ol>	UNANIMOUS DECISION For the Motion: Crs Betts, Burrill, Clayton, Cusack, Guttman-Jones, Kay, Masselos, Mouroukas, Strewé, Wy Kanak and Wakefield. Against the Motion: Nil.
Council	2015	21/04/15	CM/8.5/15.04	B1 Neighbourhood Centre under the WLEP (2012) 100sqm gross floor area cap (PP-2/2013)	That Council officers investigate, as part of the annual review of the WLEP (2012), the implications of imposing a 100sqm gross floor area cap on retail premises for all land zoned R3 and B1 Neighbourhood Centre and retail uses in other zones under WLEP (2012). A Councillor workshop is to be included as part of the investigation; this is to ensure the small-scale character and operation of retail premises as well as the amenity of residential areas is maintained in neighbourhood centres throughout Waverley.	NO DIVISION RECORDED
Council	2015	19/05/15	CM/7.7/15.05	Bondi Pavilion Conservation Management Plan (A14/0447)	<ol style="list-style-type: none"> <li>1. Council adopts the Bondi Pavilion and Surroundings Conservation Management Plan for the purposes of: <ol style="list-style-type: none"> <li>a) Guiding future works to Bondi Pavilion and the surrounding area.</li> <li>b) Submission to the NSW Heritage Branch (Office of Environment and Heritage) for endorsement.</li> <li>c) Publishing on the Waverley Council website.</li> </ol> </li> <li>2. On page 148 of the Bondi Pavilion and Surroundings Conservation Management Plan, the following amendment is inserted after Policy 7: 'Policy 8: All physical works affecting Aboriginal heritage conservation to be undertaken in consultation with the La Perouse Local Aboriginal Land Council.'</li> </ol>	UNANIMOUS DECISION For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Masselos, Mouroukas, Strewé, Wy Kanak and Wakefield. Against the Motion: Nil.

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Council	2015	19/05/15	CM/7.8/15.05	Campbell Parade Design Review (A14/0512)	<p>1. Council notes the Campbell Parade Design Review project scope and process will be undertaken in two stages:</p> <p>a) Implementation of a Pilot Project adjacent to the Pacific Bondi development at 180-186 Campbell Parade.</p> <p>b) Design options for the remainder of Campbell Parade.</p> <p>2. Council endorses the use of a Pilot Project for a 3 year period as a means to trial new footpath seating and shade structure design and engage with the community and stakeholders.</p> <p>3. Council delegates authority to the General Manager to determine the details of the Pilot Project which involves variations from the DCP.</p> <p>4. Council delegates authority to the General Manager to finalise commercial negotiations with the applicant in regards to the Pilot Project.</p> <p>5. Council notes that a report will be presented to Council prior to the opening of the Pilot Project with proposed concept plans and policies for the remainder of Campbell Parade and a community engagement plan for the public exhibition period.</p> <p>6. Vehicle and regulatory signage posts and parking meters do not obstruct pedestrian movement between the glass balustrade and the kerb edge.</p> <p>7. Council, as a matter of urgency, consults businesses with current licences for outdoor seating on Campbell Parade about the design and intention of the Pilot Study.</p> <p>8. Council seeks advice on its capacity to waive or vary the endorsed Operational Plan fee for outdoor seating in regard to this location.</p> <p>9. Council seeks valuation of the in-kind contribution to the developer so as to arrive at a market-based decision on any reduction in rental given.</p> <p>10. If any reduction in rent is negotiated from Council's standard footpath fee, a report must come back to Council for deliberation.</p>	<p>Division</p> <p>For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Mouroukas and Strewe.</p> <p>Against the Motion: Crs Kanak, Masselos and Wakefield.</p>
Council	2015	19/05/15	CM/7.9/15.05	Annual Review of the Waverley Development Assessment Panel (WDAP) (A13/0229)	<p>1. Endorses the changes recommended to the Waverley Development Assessment Panel (WDAP) Charter, Guidelines, Code of Conduct and MOU as indicated in Attachment 1.</p> <p>2. Endorses changes to officer delegations in accordance with the WDAP Charter, as amended, as indicated in Attachment 1.</p> <p>3. Endorses the continued membership of the WDAP without change.</p> <p>4. Endorses the investigation of opportunities to further utilise the expertise of the Panel to enhance the built environment in Waverley.</p> <p>5. Endorses the investigation of having the Waverley Panel replace the JRPP for relevant development matters be investigated and discussed with the NSW State Government.</p> <p>6. Endorses that where Council projects and Council events have received Council endorsement via resolution of the Council, any subsequent development application may be determined by the Director Waverley Futures or delegate.</p> <p>7. Continues the operation of the WDAP for an additional 4 years, and provides an annual performance review to Council.</p>	<p>Division</p> <p>For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones and Mouroukas.</p> <p>Against the Motion: Crs Kanak, Masselos, Strewe and Wakefield.</p>
Council	2015	19/05/15	CM/7.10/15.05	Post-Exhibition Report on Planning Proposal to Amend Clause 6.7 ('Solar access to public places in Bondi Junction') and 'Height of Buildings Map' (PP-1/2014)	<p>1. Notes the matters raised in the submissions during the public exhibition period relating to the planning proposal to amend Clause 6.7 – 'Solar access to public places in Bondi Junction' of the Waverley Local Environmental Plan 2012.</p> <p>2. Supports the planning proposal for the following reasons:</p> <p>a) Significant solar access will be maintained for Norman Lee Place and Oxford Street Mall; and</p> <p>b) There will be no further overshadowing of Eora Park, Clementson Park, and Waverley Street Mall.</p> <p>c) It removes unintended constraints to development in key areas of Bondi Junction;</p> <p>d) New homes and jobs will be created in Bondi Junction;</p> <p>e) It allows for the development of Rowe Street and improved access to the Bondi Junction Transport Interchange;</p> <p>f) Consistency with local and State strategic policies including Waverley Together 3 and A Plan for Growing Sydney.</p> <p>3. Agrees to the following amendments to the planning proposal:</p> <p>a) Leave Norman Lee Place and Oxford Street Mall in subclause (2) of Clause 6.7 but qualify the amount of overshadowing of these places that is acceptable (to allow development up to LEP heights); and</p> <p>b) Adjust the building heights proposed for:</p> <ul style="list-style-type: none"> <li>• Spring Street as per the diagram 'Section 1 – Exhibited/proposed building height limits for sites directly north of Norman Lee Place'; and</li> <li>• Rowe Street to reflect the most appropriate building envelope for the site (a maximum of three stepped heights) as per the diagram 'Section 2 – Rowe Street Proposed Building Height Limits'.</li> </ul> <p>4. Supports making the amendments to the Waverley Local Environmental Plan 2012 outlined in the planning proposal in conjunction with Parliamentary Counsel under the delegation received from the Department of Planning and Environment.</p> <p>5. Notifies property owners of Council's decision.</p>	NO DIVISION RECORDED
Council	2015	19/05/15	CM/8.3/15.05	Planning proposal to change zoning of 109–113 Macpherson Street, Bronte, under the WLEP (2012) (PP-4/2013)	That Council, as part of its annual review of the WLEP, investigates changing the zoning of 109–113 Macpherson Street, Bronte, from B1 Neighbourhood Centre to R3 medium density residential, to be consistent with the adjoining zoning; and which should also consider including a new clause under Part 6, Additional Provisions, that requires the ground floor use of any future development on the land at 109-113 Macpherson Street to be retained as an RSL club. In the instance that an RSL club is no longer financially viable for the site, the ground floor use is to revert to a use permissible in the R3 zone.	NO DIVISION RECORDED
Operations	2015	7/07/15	OC/5.1/15.07	253-255 Oxford Street, Bondi Junction - Section 96 modification application for the approved mixed use building (DA-539/2013/B)	That Council advises the Joint Regional Planning Panel that it endorses the recommendation contained with the Development Assessment Report listed as Attachment 1 for the Section 96 modification application for the approved mixed use building at 253-255 Oxford Street, Bondi Junction.	NO DIVISION RECORDED

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Operations	2015	7/07/15	OC/5.5/15.07	Waverley Cemetery Heritage Listing (A15/0174)	<ol style="list-style-type: none"> <li>1. Council nominates Waverley Cemetery for listing on the State Heritage Register.</li> <li>2. Should Waverley Cemetery be listed on the State Heritage Register, Council nominates Waverley Cemetery for inclusion on the National Heritage List.</li> </ol>	<p>UNANIMOUS DECISION</p> <p>For the Motion: Crs Betts, Clayton, Cusack, Goltsman, Guttman-Jones, Kay, Masselos, Mouroukas, Wy Kanak and Wakefield.</p> <p>Against the Motion: Nil.</p>
Council	2015	21/07/15	CM/8.1/15.07	Planning Proposal – 105 Wellington Street, Bondi Beach (PP-5/2013/1)	<ol style="list-style-type: none"> <li>1. Notes the announced Determination of the Planning proposal at close of business on Friday 10 July 2015.</li> <li>2. Notes the original motion proposed that Council: <ol style="list-style-type: none"> <li>(a) Continues to encourage the Minister for Planning and the Secretary of the Planning Department to refuse the Planning Proposal for 105 Wellington Street.</li> <li>(b) Pursues all options for the potential acquisition of the site through, but not limited to: <ol style="list-style-type: none"> <li>(i) A potential purchase of the property through private treaty and/or</li> <li>(ii) Investigating the acquisition of the property through the compulsory acquisition provisions of the Land Acquisition (Just Terms Compensation) Act 1991 (NSW).</li> </ol> </li> </ol> </li> <li>3. Writes to the Minister for Planning and the Environment and the Secretary of the Department of Planning and Environment to express its deepest disappointment that the planning proposal to rezone 105 Wellington Street, Bondi Beach, from RE2 Private Recreation to R3 Medium Density Residential was approved on 10 July 2015 given that: <ol style="list-style-type: none"> <li>(a) This rezoning of open space will result in the loss of important scarce community and recreation land in Waverley.</li> <li>(b) The rezoning is not necessary as Waverley is already meeting its housing targets.</li> <li>(c) 81% of the 583 public submissions made on the proposal opposed the rezoning.</li> </ol> </li> <li>4. Investigates all options for the potential acquisition of the site and pursues rezoning of the site from R3 Medium Density Residential to RE1 Public Recreation.</li> <li>5. Requests that Council officers prepare a briefing paper on the implications and issues associated with the acquisition and rezoning of the site, and for this paper to be discussed at a Councillor workshop to be held on 28 July 2015.</li> <li>6. Circulates the letter to the Minister for Planning from the Honourable Gabrielle Upton, Member for Vacluse, supporting Council’s position, to Councillors, the Wentworth Courier, the Sydney Morning Herald and the Daily Telegraph.</li> </ol>	<p>UNANIMOUS DECISION</p> <p>For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Kay Masselos, Mouroukas, Wy Kanak and Wakefield.</p> <p>Against the Motion: Nil.</p>
Operations	2015	4/08/15	OC/5.1/15.08	Clarification Report - Waverley Development Assessment Panel (WDAP) Charter (A13/0229)	<ol style="list-style-type: none"> <li>1. Amends the Waverley Development Assessment Panel (WDAP) Charter adopted 19 May 2015 to: <ol style="list-style-type: none"> <li>i. Insert the correct version of “Matters referred to the Panel” section as detailed in Attachment 1 to this report which includes the addition of the following words to the “Review of Panel/DCC Decisions” section of the Charter: <p>“Applications for review of decisions made by the Panel and the Development Control Committee where:</p> <ol style="list-style-type: none"> <li>a) In the case of Section 82a reviews of refusals, all applications determined by the Panel or Development Control Committee: and</li> <li>b) In the case of Section 96 modifications of conditions of a determination made by the Panel or Development Control Committee, where the condition required a design or other change relating to a development standard or unresolved objection”.</li> </ol> </li> </ol> </li> <li>2. Amends Section 4.1 of the proposed Charter contained in Attachment 1 to read as follows: <p>“Development Applications for Class 1 and 10 buildings that receive 4 or more unresolved objections.”</p> </li> <li>3. Requests a report be presented to a Council meeting in June 2016 which provides detailed information on referrals to the Waverley Development Assessment Panel.</li> </ol>	<p>Division</p> <p>For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Kay and Mouroukas.</p> <p>Against the Motion: Crs Kanak, Masselos and Strewe.</p>

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Council	2015	20/10/15	CM/7.6/15.10	Planning Agreement Policy 2014 (Amendment No. 1) (A15/0046)	<p>1. Notes the key purpose of this amendment to the Planning Agreement Policy 2014 is to identify and capture the increase in value arising from a Planning Proposal in order to fund public infrastructure needs.</p> <p>2. Notes that the proposed amendments relating to a Planning Proposal are consistent with the principles which have been applied to Planning Agreements negotiated for development applications, with the latter providing certainty for the community and development industry.</p> <p>3. Further notes that this is the first time a detailed Planning Agreement methodology has been proposed for Planning Proposals, and it would be valuable to advertise the draft amendments to generate community and industry feedback for Council's consideration of issues that may arise.</p> <p>4. Adopts for the purpose of exhibition the Planning Agreement Policy 2014 (Amendment No. 1) for a period of 28 days, subject to the following:</p> <p>a) Amend Section 4.3 by replacing the second paragraph with new wording as follows: 4.3 Public comment on planning agreements The Council encourages the public to make submissions on planning agreements. This will allow the Council to better understand local needs and permit fine tuning of the planning obligations set out in any planning agreement. In the case of development applications, the planning agreement is usually advertised separate to the development application once satisfactory negotiations have taken place. In the case of planning proposals, the planning agreement will be advertised at the same time as the planning proposal during the formal exhibition period.</p> <p>b) Amend the wording under Section 5.3.1 to read as follows: The Council will generally require a planning agreement to provide that the developer's obligations must be met prior to the issuing of any construction certificate related to the subject development application.</p> <p>c) Amend the wording under Section 5.3.2(a) to read as follows: If the proponent of the planning proposal is also the development applicant and continues to develop the site, then the developer's obligations must be met prior to the issuing of any construction certificate related to the subject development application.</p> <p>d) Amend the note under Section 5.3.2(a) to read as follows: Note: There may be a significant time gap between the gazettal of the planning proposal and the issuing of a construction certificate for any subsequent development of the subject site. Timing must be a key consideration during the negotiation of the planning agreement terms.</p> <p>e) Council officers are to further investigate during the public exhibition period, in relation to Section 5.3, the timing requirements for when a developer contribution is to be made to Council to ensure that the value of the public benefit reflects the market at the time when a construction certificate is issued for any subsequent development of the subject site.</p>	<p>Division</p> <p>For the Motion Crs Betts, Burrill, Cusack, Goltsman, Guttman-Jones, Kanak, Kay, Masselos, Mouroukas, Strewé and Wakefield.</p> <p>Against the Motion Nil.</p>
Council	2015	17/11/15	CM/7.8/15.11	Proposed Bondi Junction Section 94A Levy Variation (A15/0472)	<p>That Council:</p> <p>1. Defers endorsement of the proposal to increase the Section 94A levy from 1% to 4% within the Bondi Junction Centre subject to further consideration of the following matters:</p> <p>(a) Removal of development types that may be unreasonably impacted upon by the increased levy such as single dwelling houses, dual occupancies and the like.</p> <p>(b) Additional research into appropriate thresholds, and the potential and reasonableness for adopting a tiered levy system that may more fairly reflect the cost of development.</p> <p>(c) Investigate the potential to extend the levies raised in Bondi Junction to all of Waverley.</p> <p>(d) Determine impact from Section 96 development applications in terms of adjustment of Section 94A development contributions.</p> <p>(e) Further examine other Councils who have achieved an increased levy variation in order to determine if the tier system Waverley is proposing to adopt is appropriate.</p> <p>(f) Any other matters relevant to the proposed levy variation.</p> <p>2. Reports back to the December 2015 Council meeting.</p> <p>3. Notes that this deferral will not impact the proposed timetable for public exhibition in February 2016.</p>	<p>UNANIMOUS DECISION</p> <p>For the Motion: Crs Betts, Burrill, Cusack, Goltsman, Guttman-Jones, Kay Masselos, Mouroukas, Wy Kanak and Wakefield.</p> <p>Against the Motion: Nil.</p>
Council	2015	15/09/15	CM/9.1/15.09	Mirvac Development at 18–22 Ocean Street and 30 Wellington Street, Bondi (CCB-105/2015)	<p>That:</p> <p>1. Council continues, and pursues to the fullest, an investigation of the compliance issues of the Mirvac development on Wellington Street and Ocean Street North. The issues to be addressed include:</p> <p>(a) Dust and noise emanating from the site.</p> <p>(b) Traffic and loading aspects.</p> <p>(c) General adherence to the approval.</p> <p>(d) Resident liaison.</p> <p>(e) That a request be made to install a reticulated water spray.</p> <p>2. The Director, Waverley Futures, writes to the developer and to the Private Certifier, informing them of Council's decision and requesting access by Council to the site as needed.</p> <p>3. Council gives consideration to other planning instruments and regulations to ensure the continued public amenity.</p>	<p>UNANIMOUS DECISION</p> <p>For the Motion: Crs Betts, Burrill, Clayton, Cusack, Goltsman, Guttman-Jones, Kay, Masselos, Mouroukas, Strewé, Wy Kanak and Wakefield.</p> <p>Against the Motion: Nil.</p>

**Register of Voting on Planning Items**

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Operations	2015	6/10/15	OC/5.1/15.10	Waverley Local Environmental Plan 2012 – Housekeeping Amendment (A15/0397)	<p>1. Officers prepare a planning proposal that seeks the following amendments to Waverley Local Environmental Plan 2012, as detailed in this report:</p> <p>(a) Introduction of a new design excellence clause to improve the sustainability, functionality, amenity and aesthetic appearance of buildings.</p> <p>(b) Additional consideration of view loss in the objectives of Clause 5.6 – Architectural roof features.</p> <p>(c) Additional consideration of view loss in the objectives of Clause 4.3 – Height of buildings.</p> <p>(d) Amends the objectives of the B1 Neighbourhood Centre zone to ensure any proposed non-residential use or building is of the small-scale intensity envisaged under the centres hierarchy.</p> <p>(e) Amends Schedule 5 – Environmental Heritage as follows:</p> <p>(i) Remove 21 Brown Street, Bronte, from Schedule 5 as a development application was approved for the demolition of the item.</p> <p>(ii) Update the property address for 16–26 Mill Hill Road, Bondi Junction, to 16 Mill Hill Road, Bondi Junction.</p> <p>(iii) Switch the heritage map identifiers for items at 252–254 Bronte Road, Waverley, and 245–277 Bronte Road, Waverley.</p> <p>(iv) Update the property address for 32–34 Wallangra Road, Dover Heights, to 34 Wallangra Road, Dover Heights.</p> <p>(f) Reclassify drainage reserve of the laneway at 2–8 Dickson Street, Bronte, from community to operational.</p> <p>(g) Amends Clause 4.3 – Height of buildings objective (1)(d) to replace the word ‘existing’ with ‘desired future’.</p> <p>(h) Amends Clause 4.4 – Floor Space Ratio objective (1)(c) to replace the word ‘existing’ with ‘desired future’.</p> <p>2. Seeks a Gateway Determination from the Department of Planning and Environment.</p> <p>3. Accepts the role of Relevant Planning Authority in order to manage the public exhibition process.</p> <p>4. Places the planning proposal on public exhibition in accordance with the conditions of the Gateway Determination.</p>	<p>UNANIMOUS DECISION</p> <p>Division</p> <p>For the Motion Crs Betts, Cusack, Goltsman, Guttman-Jones, Kay, Masselos, Mouroukas, Strewé and Wakefield.</p> <p>Against the Motion Nil.</p>
Operations	2015	6/10/15	OC/5.2/15.10	Draft Waverley Development Control Plan 2012 – Amendment No. 4 (A15/0330)	<p>That Council exhibits the Draft Waverley Development Control Plan 2012 (Amendment No. 4) and Draft Waverley Guidebook for semi-detached residences for a period of 28 days, in accordance with section 74C of the Environmental Planning and Assessment Act 1979 (EP&amp;AA 1979) and clause 18 of the Environmental Planning and Assessment Regulations 2000 (Regulations 2000), subject to the following:</p> <p>A. Amend Transport Section B8 as follows:</p> <p>1. Replace the current Parking Provision Zones map with the Parking Provision Zones Map (Figure 7) tabled at the Operations Committee Meeting on 6 October 2015.</p> <p>2. Replace the current Tables 1 and 2 in Section 8.1 Parking Rates with the Parking Rates Tables 1 and 2 tabled at the Operations Committee Meeting on 6 October 2015.</p> <p>3. Amend the last two sentences of the introductory paragraph in Section 8.1 Parking Rates to read ‘Based on this, Waverley is divided into two Parking Provision Zones. These zones are summarised in Table 1 and the Parking Zone Map in Figure 7.’</p> <p>4. Delete control (e) in Section 8.1.1 Car Parking, and change the numbering for the controls that follow.</p> <p>5. Add the following sentence to the end of the introductory paragraph in Section 8.1 Parking Rates:</p> <p>‘Note the parking rates and controls relating to dwelling house development are contained in WDCP Part C1 Lower Density Housing Development.’</p> <p>6. Council officers redraft the following statements into a single clause, and add this clause to Section 8.1.1 Car Parking – Controls (d):</p> <p>(i) Providing fewer spaces than required by the development controls for parking rates:</p> <p>The number of parking spaces required by the parking rates contained in Table 2 may not always be achievable on a site depending on the site and its context. Particular site design requirements such as setbacks, landscaping, solar access and streetscape controls, or site and building constraints such as the physical and topographical nature of the site, may take precedence over the numeric parking rates in this section.</p> <p>Council will generally only support variations to the car parking standards where the applicant can demonstrate that the development is unlikely to create significant additional demand for on-street car parking in surrounding streets.</p> <p>(ii) Providing more spaces than required by the development controls for parking rates:</p> <p>Where an application proposes to provide more than the number of parking spaces as required by the parking rates contained in</p>	<p>NO DIVISION RECORDED</p>

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					<p>Table 2, justification is to be provided and must address matters such as, but not limited to:</p> <ul style="list-style-type: none"> <li>i. Impacts of any increased building bulk on the streetscape.</li> <li>ii. Compliance with landscape area requirements.</li> <li>iii. Impacts of any increased building bulk on the amenity of adjoining properties in terms of: <ul style="list-style-type: none"> <li>• Overshadowing.</li> <li>• Loss of views.</li> <li>• Built form bulk and scale.</li> </ul> </li> <li>iv. Impacts of any additional excavation on: <ul style="list-style-type: none"> <li>• Land form.</li> <li>• Structural integrity of buildings and structures on adjoining land.</li> <li>• Stability of land on the subject site and adjoining sites.</li> </ul> </li> <li>v. Impacts from any increase in hard surface driveways and the building footprint on the availability of water-permeable ground spaces.</li> </ul> <p>(iii) When a development application seeks to vary the car parking provisions, the car parking which is to be provided needs to firstly give priority to residential car parking followed by visitor parking, and then commercial parking (i.e. business, office, retail).</p> <p>B. Amend other sections of the Draft Waverley Development Control Plan 2012 (Amendment No. 4) and 'Draft Waverley Guidebook for semi-detached residences' as follows:</p> <ol style="list-style-type: none"> <li>1. Amend Control (a) of Section 1.1.2 in Part C1 'Lower Density Housing Development' to read 'For a building with a pitched roof the maximum external wall height is 7 m above existing natural ground level (refer to Figure 1), except as determined in Control (b) below.'</li> <li>2. Amend Control 1.5.1 (d) of Section 1.5 in Part C1 'Lower Density Housing Development' to read 'In the unlikely situation that the proposed first floor addition projects forward of the existing ridgeline or apex of a hipped roof, and this proposal can be substantiated on design, streetscape, and impact reasons, the width of additions is to be limited and to retain substantial elements and extent of the existing roof form contiguous with the attached residence (refer to Figure 9).'</li> <li>3. Amend the title of the 'Draft Waverley Guidebook for semi-detached residences' to 'Draft History of Semi-detached Dwelling Designs in Waverley' and update the reference to this document in the introduction of DCP Part C1 Section 1.5 accordingly.</li> <li>4. Delete the current introduction of the 'Draft History of Semi-detached Dwelling Designs in Waverley' and replace with 'This document considers the design of semi-detached residences in the Waverley Municipality with specific references to the historical evolution of different semi forms, and is to be considered when designing first floor additions to semi forms.'</li> </ol>	
Council	2015	20/10/15	CM/7.6/15.10	Planning Agreement Policy 2014 (Amendment No. 1) (A15/0046)	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the key purpose of this amendment to the Planning Agreement Policy 2014 is to identify and capture the increase in value arising from a Planning Proposal in order to fund public infrastructure needs.</li> <li>2. Notes that the proposed amendments relating to a Planning Proposal are consistent with the principles which have been applied to Planning Agreements negotiated for development applications, with the latter providing certainty for the community and development industry.</li> <li>3. Further notes that this is the first time a detailed Planning Agreement methodology has been proposed for Planning Proposals, and it would be valuable to advertise the draft amendments to generate community and industry feedback for Council's consideration of issues that may arise.</li> <li>4. Adopts for the purpose of exhibition the Planning Agreement Policy 2014 (Amendment No. 1) for a period of 28 days, subject to the following: <ol style="list-style-type: none"> <li>a) Amend Section 4.3 by replacing the second paragraph with new wording as follows: <p>4.3 Public comment on planning agreements The Council encourages the public to make submissions on planning agreements. This will allow the Council to better understand local needs and permit fine tuning of the planning obligations set out in any planning agreement. In the case of development applications, the planning agreement is usually advertised separate to the development application once satisfactory negotiations have taken place.</p> <p>In the case of planning proposals, the planning agreement will be advertised at the same time as the planning proposal during the formal exhibition period.</p></li> </ol> </li> <li>b) Amend the wording under Section 5.3.1 to read as follows: <p>The Council will generally require a planning agreement to provide that the developer's obligations must be met prior to the issuing of any construction certificate related to the subject development application.</p> </li> <li>c) Amend the wording under Section 5.3.2(a) to read as follows: <p>If the proponent of the planning proposal is also the development applicant and continues to develop the site, then the developer's obligations must be met prior to the issuing of any construction certificate related to the subject development application.</p> </li> <li>d) Amend the note under Section 5.3.2(a) to read as follows: <p>Note: There may be a significant time gap between the gazettal of the planning proposal and the issuing of a construction certificate for any subsequent development of the subject site. Timing must be a key consideration during the negotiation of the planning agreement terms.</p> </li> <li>e) Council officers are to further investigate during the public exhibition period, in relation to Section 5.3, the timing requirements for when a developer contribution is to be made to Council to ensure that the value of the public benefit reflects the market at the time when a construction certificate is issued for any subsequent development of the subject site.</li> </ol>	<p>Division</p> <p>For the Motion Crs Betts, Burrill, Cusack, Goltsman, Guttman-Jones, Kanak, Kay, Masselos, Mouroukas, Strewé and Wakefield.</p> <p>Against the Motion Nil.</p>

**Register of Voting on Planning Items**

Meeting	Year	Date	Res No.	Subject	Action required (That/That Council...)	Planning
Council	2015	17/11/15	CM/7.8/15.11	Proposed Bondi Junction Section 94A Levy Variation (A15/0472)	<p>That Council:</p> <ol style="list-style-type: none"> <li>Defers endorsement of the proposal to increase the Section 94A levy from 1% to 4% within the Bondi Junction Centre subject to further consideration of the following matters:                             <ol style="list-style-type: none"> <li>Removal of development types that may be unreasonably impacted upon by the increased levy such as single dwelling houses, dual occupancies and the like.</li> <li>Additional research into appropriate thresholds, and the potential and reasonableness for adopting a tiered levy system that may more fairly reflect the cost of development.</li> <li>Investigate the potential to extend the levies raised in Bondi Junction to all of Waverley.</li> <li>Determine impact from Section 96 development applications in terms of adjustment of Section 94A development contributions.</li> <li>Further examine other Councils who have achieved an increased levy variation in order to determine if the tier system Waverley is proposing to adopt is appropriate.</li> <li>Any other matters relevant to the proposed levy variation.</li> </ol> </li> <li>Reports back to the December 2015 Council meeting.</li> <li>Notes that this deferral will not impact the proposed timetable for public exhibition in February 2016.</li> </ol>	<p>UNANIMOUS DECISION Division</p> <p>For the Motion Crs Betts, Burrill, Cusack, Goltsman, Guttman-Jones, Kanak, Kay, Masselos, Mouroukas and Wakefield. Against the Motion Nil.</p>
Council	2015	15/12/15	CM/7.1/15.12	Waverley Local Environmental Plan 2012 – Planning Proposal for 194-204 Oxford Street & 2 Nelson Street, Bondi Junction (PP-1/2015)	<p>Does not support the planning proposal at 194-204 Oxford Street and 2 Nelson Street, Bondi Junction for the following reasons:</p> <ol style="list-style-type: none"> <li>The proposed height will result in the overdevelopment of the site and present an unacceptable built form scale, particularly to Oxford Street, in an area that borders the Mill Hill Conservation area.</li> <li>The proposal will result in unacceptable overshadowing of the public domain and Centennial Park.</li> <li>The proposal may set a precedent for adjoining sites seeking additional height and floor space.</li> <li>The proposal is not in the public interest of the West Oxford Street Precinct.</li> <li>The proposal is in excess of the current LEP height limit of 15m and the FSR of 1.5:1</li> </ol>	<p>UNANIMOUS DECISION Division</p> <p>For the Motion Crs Betts, Burrill, Clayton, Goltsman, Guttman-Jones, Kay, Masselos, Mouroukas, Strewé, Wakefield and Wy Kanak. Against the Motion Nil.</p>
Council	2015	15/12/15	CM/7.2/15.12	Proposed Bondi Junction Section 94A Levy Variation (A15/0472)	<ol style="list-style-type: none"> <li>Council endorses the principle of pursuing a submission to the Department of Planning and Environment to seek approval for increasing the legislated maximum Section 94A levy from 1% to 4% for specific developments with a value greater than \$250,000 in Bondi Junction. This will generate additional funding to pay for community infrastructure improvements in Bondi Junction.</li> <li>Council notes councillors' issues have been addressed through:                             <ol style="list-style-type: none"> <li>excepting dwelling houses, dual occupancies, attached dwellings, semi-attached dwellings, and secondary dwellings from the specific developments that will be applied the 4% levy variation.</li> <li>ensuring that the 4% levy will only apply to the portion of development value greater than \$250,000.</li> </ol> </li> <li>The draft submission to the Department of Planning and Environment at Attachment A to this report and the associated proposed amendments to the Waverley Council Development Contributions Plan 2006 be advertised for public comment for 28 days in February 2016.</li> <li>The outcome of the public exhibition period be reported back to Council for consideration and adoption, prior to the submission being forwarded to the Department of Planning and Environment.</li> <li>On page 123 of the paper under Table 1, the word "single" is inserted into the sentence so it now reads "the following types of single developments are not subject to the Bondi Junction S94 A Levy.</li> </ol>	<p>UNANIMOUS DECISION Division</p> <p>For the Motion Crs Betts, Burrill, Clayton, Goltsman, Guttman-Jones, Kay, Masselos, Mouroukas, Strewé, Wakefield and Wy Kanak. Against the Motion Nil.</p>



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Meeting	Year	Date	Res No.	Subject	Action required (That/That Council...)	Planning
Council	2015	15/12/15	CM/7.3/15.12	Waverley Development Control Plan 2012 - Amendment No. 4 (A15/0330)	<p>That Council adopts the Draft Waverley Development Control Plan 2012 (Amendment No. 4) in accordance with Section 21 of the Environmental Planning and Assessment Regulation 2000 subject to the following amendments:</p> <p>1. 8.1 Parking Rates (page 178)                      Note that parking rates and controls relating to dwelling house development are contained in WDCP Part C1 Dwelling House, Dual Occupancy, Secondary Dwelling, Semi-Detached Dwelling and Terrace Development.</p> <p>2. 1.1.2 External Wall Height (page 185)                      Controls                      (a) For a building with a pitched roof the maximum wall height is 7m above existing ground level (refer to Figure 1), except as determined in Control (b) below.</p> <p>3. 1.4 Streetscape and Visual Impact (page 193)                      Controls                      (b) New windows are to complement the style and proportions of the existing dwelling when viewed from the street.</p> <p>4. 1.4 Streetscape and Visual Impact (page 193)                      Controls                      (c) New development as well as alterations and additions to existing dwellings are to maintain the established character of the building in terms of significant landscaping. Existing ground levels and significant landscaping is to be maintained where possible.</p> <p>5. 1.5 Dual Occupancy Development (page 195)                      Controls                      (d) A detached dual occupancy must provide a minimum 5.5m courtyard area between each dwelling (refer to Figure 5).</p> <p>6. 1.14 Laneway Development (page 217)                      1.7.1 General design provisions                      (n) Single width garage doors where possible should incorporate an adjacent pass door for pedestrian usage (refer to Figure 8).</p> <p>7. Figure 8 shall be amended to include an image of a pass door as referred to in Sub Section 1.14 Laneway Development, Clause 1.7.1 (n). (page 218)</p>	<p>DIVISION</p> <p>For the Motion: Crs Betts, Burrill, Clayton, Goltzman, Guttman-Jones, Kanak, Kay, Masselos, Mouroukas and Strewe.</p> <p>Against the Motion: Cr Wakefield.</p>