

SOUTH BONDI / TAMARAMA PRECINCT MEETING

Wednesday 28 February 2018,

Waverley Council Chambers

The meeting opened at 7.40pm

1. Welcome and apologies

The Chair, Ludovico Fabiano, welcomed residents and Councillor George Copeland to the meeting.

Mayor John Wakefield and Deputy Mayor Dominic Wy Kanak joined the meeting at 8.35pm.

2. Apologies

An apology was received from Councillor Tony Kay. Ludovico conveyed the message that Councillor Kay although he was not able to attend tonight was happy for residents to contact him for assistance with any issues they might have.

3. AGM- Election of Precinct Executive

The meeting had a quorum. Councillor Copeland took the Chair as the Returning Officer and conducted the election for new Precinct officers. The role of the different office bearers was explained prior to the election to positions.

In the absence of any other nominations Ludovico Fabiano was declared Convenor for 2018; Karin Brennan was declared Secretary for 2018; Michelle Brenner and Bernadette Crawford were declared Co-DA Representatives; Tina Matthews was declared Traffic Representative and Karin Brennan was declared Liquor Representative.

Ludovico resumed the Chair after office bearers had been declared.

4. Minutes of the meeting held 27 September 2017

The minutes of the 27 September 2017 meeting were circulated and were accepted as a true record of that meeting.

5. Matters arising from previous minutes

Ludovico circulated and read Waverley Council's Response Report presented to the February meeting (3pp report attached). Councillor Copeland queried why the report didn't come in electronic format.

The response was discussed; residents felt concerned that local democracy was being eroded and this should be taken further. It had been recommended in the Response Report that the issue should be referred to the appropriate Ward Councillors and residents asked Councillor Copeland to take the issue up on their behalf. Councillor Copeland agreed and said he will put this through to his reference group. Residents pressed the point that their major concern was to get local

democracy back. Presently the feeling was that with the current DBU system and WDAP assessment there was no representation of what residents wanted.

It was noted that Council can put a submission to the DBU, but the best option to achieve results is for affected residents to put their case.

6. Development Applications

There was no DA update.

7. Traffic Issues

The question of parking was raised. There are trailers, large vans and commercial vehicles parking in residential street taking up residents' parking spots. The legal status, the pros and cons of angle and residential parking were discussed, as well as the issue of visitors' parking.

The best option to assist with this issue would be to introduce residential parking. This would require residents to put a petition to Council requesting that residential parking be implemented. The petition requires name, address, signature and the issue put up on every page of the petition. More information and a sample petition is available on the Council's Website.

8. General Business

Garbage: There was some discussion about a resident's report that neighbours fill up her garbage bins and asked if Council could assist her with writing a letter. There is nothing Council or Precinct can do to assist in this matter. It is for the resident to approach the culprit/s and discuss the issues.

Special events: the matter of special events like 'playing out streets' was raised and discussed.

Motion:

South Bondi/Tamarama Precinct commends Council's motion to implement a pilot pedestrianisation of selected streets in Waverley. The selected streets would be closed to through traffic to allow pedestrian and play activities for several hours after school to allow pedestrian/bike riding activities on a few days during the school year. Possible dates could include Halloween, Arbor Day and Garage Sale Day; our suggested streets are Miller Street, which has a letter with 70 signatures of support, and Avoca Street which already is closed to through traffic.

This motion was passed unanimously

Dockless bikes

The matter of dockless bikes, abandoned, lying around parks, the beach and in front of dwellings, obstructing pathways and generally being an eyesore was raised and discussed. Mayor Wakefield reported that Council had been investigating this issue and was about to take some action.

Waverley Council was for bike riding and the use of public transport, but these operators were doing bike riders a disservice.

There being no further general business the meeting closed at 9.35pm.

RESPONSE REPORT SOUTH BONDI

Waverley Council Response Report presented to the February 2018 meeting

Date	Motion	Response
<p>27 September 2017</p>	<p>Motion: South Bondi/ Tamarama Precinct asks Council to recognise the current Community consultation process is chronically flawed and is destroying our local community. We ask Council to advocate on the following issues:</p> <ul style="list-style-type: none"> • Against developers paying for their own private certifiers – conflict of interest • Two week window for consultation is insufficient • Lack of empowerment - effecting undesirable public amenity • Lack of local government community empowerment is devaluing the public interest of the local community • That the 8 Jackaman Street situation be a case study for similar developments in our local community. <p>The motion was passed unanimously</p>	<p>The Executive Manager, Shaping Waverley advises the South Bondi/Tama Precinct that these issues are relevant to all of Waverley and that any resolution for advocacy on a policy question such as this needs to be a decision of Council. I cannot advocate to the state government on behalf of a Precinct Committee. Resolutions seeking Council support for advocacy need to be Council decisions and should be referred to the appropriate Ward Councillors who can then decide if they want to raise the matter as a motion.</p> <p>Having said all that, I agree that the issue of Private Certification has led to a number of poor development outcomes and the sentiments expressed by the Precinct are consistent with Council’s submissions to the state government.</p> <ul style="list-style-type: none"> • Against developers paying for their own private certifiers – conflict of interest <p>State legislated changes introduced in 2008 through the State Environmental Planning Policy (Exempt and Complying Development Codes) or Codes SEPP provide the opportunity for applicants to engage Private Certifiers to oversee the construction phase of a development. This aspect is outside of Council control since it is State legislation.</p> <ul style="list-style-type: none"> • Two week window for consultation is insufficient <p>The Environmental Planning and Assessment Regulations 2000 dictate the timeframe for the notification period of 14days of development application, which is reiterated in Council’s Development Control Plan.</p> <p>The State government allows applicants to appeal an application if it has not been determined within 40days from lodgement. Subsequently, the timeframes of the notification period are prescribed by State legislation and intended to provide sufficient time for neighbour notification to occur prior to the date an appeal can be made.</p> <ul style="list-style-type: none"> • Lack of empowerment - effecting undesirable public amenity

		<p>I'm not sure I fully understand this point, however if the concern relates to the use of Private Certifiers providing Complying Development Certificates (CDC) for applicants with little to no consultation of the local community, this is a result of state government legislation as noted in motion 1 above. Council has consistently advocated that the provision of CDC's is a flawed process as there are numerous examples of Private Certifiers issuing CDC's incorrectly. Council will continue to identify incorrectly issued CDC's where possible and advocate for changes to the CDC process to minimise undesirable impacts on public amenity.</p> <ul style="list-style-type: none">• Lack of local government community empowerment is devaluing the public interest of the local community <p>See above.</p> <ul style="list-style-type: none">• That the 8 Jackaman Street situation be a case study for similar developments in our local community. <p>This application relates to the demolition of a dwelling for the construction of a dual occupancy development. The initial application was refused and the applicant has lodged a S82A Review of the decisions that is currently under assessment. The site is not heritage listed nor located in a heritage conservation area, though the street does exhibit an intact streetscape and the existing dwelling on site does have period character. Council controls regulate the type of development permissible in areas such as this and the applicant has lodged a DA that will be assessed having regard to those controls. As the site is not heritage listed, the applicant/owner has the ability to lodge a DA, seek demolition of the building, and apply for a dual occupancy development which is permissible in the zone. The controls that apply to Dual Occupancy development are contained within the Waverley DCP 2012. An annual review of the DCP is undertaken by Council. This draft plan is publicly exhibited and submissions from the community are welcome at this time. Precincts are always notified when the draft DCP is on exhibition.</p>
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<p>16 February 2018</p>	<p>Emailed request for information about parking for Strata buildings.</p>	<p>Changes to the Strata Schemes Management Act 2015 and the Local Government Act 1993 gave Councils the authority to enter into parking area agreements with Owners Corporations to enforce parking restrictions in Strata areas.</p> <p>At the August 2017 meeting resolved to trial Strata/Community parking area agreements for 6 months.</p> <p>Despite receiving some initial interest from several Owners Corporations, so far only two Strata Companies and Owner's Corporations have requested further information.</p> <p>As yet no one has requested an agreement.</p> <p>Likely sticking points (as were highlighted in the investigation process) are:</p> <ul style="list-style-type: none"> • Before an owners corporation can enter into an agreement with Council a special By-law must be passed by a 75% majority • All costs of signage are to be borne by the owners corporation • All vehicles will be treated equally regardless of ownership • Council required independent access to secure parking areas <p>I have attached a copy of the pack we sent to interested parties for your information.</p> <p>So, the answers to your questions are:</p> <p><i>Does Council enters in agreements with Strata buildings re illegal parking?</i> <i>We can but haven't yet</i></p> <p><i>If such an agreement exists do they issue fines for illegal parking?</i> <i>Yes fines would be issued to illegally parked cars.</i></p>
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February 2018