

BONDI WARD
BONDI PRECINCT

Waverley Council Response Report to Motions from November 2022 Bondi Precinct meeting

Meeting Date	Motion	Council Officer Response	Directorate	Status
2 November 2022	<p>Motion 1</p> <p>Bondi Precinct welcomes the Council's decision to discontinue the Destination Hall Street proposal and thanks the Precinct Councillors (Clr Michelle) Gray and (Clr Dominic) Wy Kanak for attending the last meeting and taking note of its [the meeting's] opposition to the proposal.</p> <p>Complying Development Certificate (CDCs) & Overdevelopment</p> <p>The meeting then discussed difficulties residents had experienced with CDCs and what happened when there were clear and serious breaches to CDCs.</p> <p>The discussion highlighted one non-complying CDC in the Bondi Precinct, and the problems neighbours had experienced dealing with the development and obtaining any clarity over who could assist when breaches occurred.</p> <p>One resident said the process for getting in touch with Council officers was frustrating even when there had been clear breaches to a CDC.</p>	<p>RE: Complying Development Certificate (CDCs) & Overdevelopment</p> <p>Council resolution from meeting held 15 December 2022 re CDCs</p> <p>Notices of Motions CM/8.1/22.11 53 Francis Street, Bondi Beach - Complying Development and Private Certification (CD-85/2022) MOTION / UNANIMOUS DECISION Mover: Cr Wy Kanak Seconder: Cr Murray That Council</p> <ol style="list-style-type: none"> 1. Notes that community members emailed Council in June 2022 complaining about a complying development certificate (CDC) issued by a privately appointed registered certifier for 53 Francis Street, Bondi Beach. 2. Notes the issues raised by Mr Lee Wright in representations to the Bondi Precinct and Councillors about the CDC and private certifier process at 53 Francis Street. 3. Notes the Precinct motions in relation to the stop work order at 53 Francis Street. 4. Places the information provided by Mr Wright, the community and the Precinct in dealing with 53 Francis Street on file for future reference. 5. Notes the recent Local Government NSW (LGNSW) 2022 conference resolution posed by Council's motion to LGNSW on the topic of complying development and private certification. 6. Updates its website to provide information on the complying development certificate process, including links to the NSW Fair Trading website on how to make complaints about registered certifiers. <p>L Wright addressed the meeting.</p> <p>Council officers are currently working on implementing the above. More information to come in the coming weeks.</p>	Planning, Sustainability & Compliance	Action in progress

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	<p>Another resident told the meeting he was still unaware what was happening next door to his home despite months of inquiry.</p> <p>Clr Masselos said she would take up the matter.</p>			
2 November 2022	<p>Motion 2 Bondi Precinct resolves to write to the new director, Planning, Sustainability and Compliance, outlining residents' concerns over Complying Development Certificates (CDCs), how they operate and what role Council officers can play if they are breached to protect residents from unlawful and non-complying developments.</p> <p>BP seeks a meeting with the director and Ward Councillors to discuss how to be more effective in dealing with breaches.</p>	<p>Precinct Convenor Di Robinson has contacted new Director Fletcher Rayner on 7 February 2022.</p>	Precinct	Complete – awaiting a response.
2 November 2022	<p>Motion 3 Bondi Precinct resolves to write to the executive manager of Infrastructure, seeking an update on</p>	<p>Precinct Convenor Lynne Cossar has written to the Executive Manager of Infrastructure Nikolaos Zervos who responded on Monday 7 February.</p> <p>Executive Manager has advised there will likely be another update in May 2023.</p>	Precinct	Complete

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	<p>the Local Area Traffic Study and the methodology that will be used in its compilation.</p> <p>Bondi Precinct restates its interest in being involved in the process from the beginning.</p>			
2 November 2022	<p>Motion 4</p> <p>Bondi Precinct strongly supports the retention of tree canopy in Bondi and urges Council to support residents who host large trees on their properties which benefit the entire community. This includes by waiving the tree permit application for pruning trees, providing access to Council arborists for advice and assistance in green waste removal.</p>	<p>Motion was forwarded to the Executive Manager of Open Spaces and Recreation as well as the Director of Assets and Operations.</p> <p>At the 6 December Strategic Planning Meeting, the Tree Policy was adopted, with some amendments. http://waverley.infocouncil.biz/Open/2022/12/PD_20221206_MIN_677.PDF</p> <p>DECISION That Council: 1. Adopts the Tree Management Policy attached to the report (Attachment 1), subject to the following amendments: (a) Page 47 of the agenda, clause 5.5.1, Pruning and Maintenance – Add the following paragraph at the end of the clause: ‘Council will consider tree pruning to retain a previously established view and there is a history of the identified tree(s) being pruned to restore pre-existing views.’ (b) Page 48 of the agenda – Add a new clause 5.6.4, Dead Trees, to read as follows: ‘Generally, where a tree has died, it will be removed and replaced with a tree of similar or suitable species.’ (c) Page 48 of the agenda, clause 5.7.2, Offset Planting – Amend to read as follows:</p>	Assets and Operations	Finalised

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		<p>‘When permission is granted to remove a tree or trees on private land and there is insufficient planting space on site to accommodate a mature tree(s) of similar dimensions, the applicant will be asked to contribute to offset tree planting on public land in accordance with the Pricing Policy, Fees and Charges. Refer to the Tree Management Guidelines, Section 5 “Trees on Private Land”, sub-section “Offset tree planting” for further details.’</p> <p>2. Adopts the Tree Management Guidelines attached to the report (Attachment 2), subject to the following amendments:</p> <p>Minutes of Strategic Planning and Development Committee Meeting 6 December 2022</p> <p>This is page 10 of the Minutes of the Strategic Planning and Development Committee Meeting held on 6 December 2022</p> <p>(a) Page 67 of the agenda, Exempt Vegetation – In the last paragraph, delete ‘DCP’ and add ‘Guideline’.</p> <p>(b) Page 67 of the agenda, Exempt Vegetation – In the second dot point of the last paragraph, delete ‘5m’ and add ‘five (5) metres’.</p> <p>(c) Page 67 of the agenda, Exempt Vegetation – In the last paragraph, amend the first dot point to read as follows:</p> <p>‘Pruning of a hedge (refer to Definitions) by no more than 20 per cent of its height and width in any 12-month period.’</p> <p>(d) Page 69 of the agenda, Offset Tree Planting – In the paragraph at the top of page, amend the second sentence to read as follows:</p>		

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		<p>‘Generally, for every tree removed, the replacement of three (3) off-site trees will be required with pot size dependent on the canopy spread of the tree(s) to be removed as assessed by Council.’</p> <p>(e) Page 69 of the agenda, Offset Tree Planting – In the paragraph at the top of the page, delete the last two sentences and add:</p> <p>‘The applicant will be charged an offset planting fee that includes the purchase, supply, planting and a 12-month maintenance program for the tree(s) as per Council’s Pricing Policy, Fees and Charges.’</p> <p>3. Publicly exhibits the following changes to the Pricing Policy, Fees and Charges for 28 days with officers preparing a report to Council following the exhibition period:</p> <p>(b) Section 31, Trees – Add a new entry to read as follows:</p> <p>‘Pensioner concession of 75% discount for Offset Tree Planting’.</p> <p>(b) Section 31, Trees – Amend the ‘Offset Tree Planting’ entry to read as follows:</p> <p>‘Offset Tree Planting Private Trees/Tree Permits, including purchase, supply, planting and a 12- month maintenance program’.</p> <p>Residents were invited to have their say on changes to Tree Related Prices at https://haveyoursay.waverley.nsw.gov.au/pricing-policy-2023. This closed Tuesday 21 February.</p>		
2 November 2022	<p>Motion 5</p> <p>BP registers its opposition to Council’s decision to authorise Diner en Blanc on Bondi Beach and Bondi Precinct opposes private functions on the public land of Bondi Beach.</p>	<p>Motion was forwarded to Manager, Events.</p> <p>Manager has noted that Diner en Blanc is not an annual event. The one-time event was approved by Council.</p>	Community, Culture & Customer Experience	Finalised

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2 November 2022	<p>Action from General Business</p> <p>3. A resident told the meeting of an issue for residents near the Beach Road Hotel. He said the hotel's bottle shop was now permitted to operate until midnight, so patrons were leaving the hotel, buying a case of beer, and a pizza across the road, and sitting and eating and drinking in the surrounding streets until the early hours.</p> <p>The resident said the takeaway food venues were staying open beyond their operating hours, regularly until 2 am. The matter was referred to Council.</p>	<p>Matter was forwarded to Compliance team for investigation. Council and the local police have been undertaking patrols of late-night trading at this venue.</p> <p>Council will be issuing a Compliance Order for breached hours of operation to the pizza shop. This business was issued with a Notice of Intent on 16 October 2022 for the same breach.</p> <p>Council will now be enforcing the regulations and DA conditions whenever there is a breach.</p> <p>Please note, the bottle shop has consent to operate on a Saturday night until 11pm and 10pm on Sunday and closes before the Hotel.</p> <p>Mayor Masselos has also raised this matter with the Police Commander.</p>	Planning, Sustainability & Compliance	Finalised
2 November 2022	<p>Action from General Business</p> <p>4. A resident reported an issue with owners cleaning up after their dogs at Bondi Beach and Tamarama Beach, and volleyballers regularly having to clean up dog poo before they can use the beaches. It was requested that Council rangers patrol Tamarama Beach and Bondi</p>	<p>Matter was forwarded to Council Rangers who will increase patrol in these areas and to the Communications team to increase awareness about responsible dog ownership.</p>	Planning, Sustainability & Compliance + Community, Culture & Customer Experience.	In progress

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	Beach regularly to check that dog owners are cleaning up after their dogs and fining them when they're not. The matter was referred to Council.			
2 November 2022	5. Concerns were raised by a resident about the speed of traffic near the intersection of Francis Street and Wellington Street. Request for consideration of 40kmh zone and pedestrian crossing, so pedestrians can move more safely, particularly enroute to Bondi Primary School, near Bondi Road. The matter was referred on.	<p>Matter was forwarded to Senior Manager, Traffic and Transport.</p> <p>Manager has noted that there are no plans to install a pedestrian crossing at this location at this stage.</p> <p>Council has long term plans to investigate an area wide 40 km/hr speed limit north of Bondi Road, this will require a council resolution to proceed.</p> <p>In the upcoming months, Council is implementing a 40 km/hr area south of Bondi Road.</p>	Assets & Operations	Finalised