

REGISTER OF VOTING ON PLANNING MATTERS - 2021

Meeting	Date	Report Type	Item No.	Subject	Resolution	Planning Divisions
CM	16/02/2021	Notice of Motion	CM/8.2/21.02	Development Application at 53-57 Beaumont Street, Rose Bay (DA-9/2021)	<p>1. Notes that a development application, DA-9/2021, has been lodged for the demolition of three houses at 53 to 57 Beaumont Street, Rose Bay, and for the construction of 'Seniors Housing Development' containing 11 self-contained units and basement parking comprising eight three-bedroom apartments and three four-bedroom apartments with basement parking for 20 vehicles.</p> <p>2. Further notes that the proposed development has been submitted under the State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004, which allows for multi-unit type development that would otherwise be prohibited under our Waverley LEP. The proposed development also:</p> <p>(a) Exceeds many of Council's development controls including the floor space ratio and height limit for the site.</p> <p>(b) Will result in the loss of existing established dwelling houses for another large multi-unit development that is only allowable due to the SEPP.</p> <p>(c) Has attracted a large number of objections from the local community.</p> <p>(d) Will result in an increase traffic movement and congestion in what is a narrow street with existing traffic problems.</p> <p>(e) Will adversely impact on parking in Beaumont Street.</p> <p>(f) Will adversely impact on the neighbour's privacy due to the proposed height of the development.</p> <p>3. Directs the Mayor to write to the Minister for Planning and Public Spaces expressing Council's strong opposition to the provisions of the SEPP that allow for this type of development in low-density residential areas and asking that the SEPP be reviewed and amended to ensure this type of residential accommodation is of a more appropriate scale and height that is representative of the surrounding area.</p> <p>4. Writes to the objectors and adjacent owners and informs them of this resolution.</p>	<p>Division</p> <p>For the Motion: Crs Betts, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemes, O'Neill, Wakefield and Wy Kanak.</p> <p>Against the Motion: Nil</p>
CM	16/02/2021	Notice of Motion	CM/8.3/21.02	Parking for Motorbikes and Scooters (A02/0638)	<p>1. Officers develop a motorbike/scooter parking strategy and action plan that will review current motorbike/scooter parking networks and identify opportunities to continue to support motorbikes/scooters as an alternate form of travel.</p> <p>2. Investigates the introduction of free parking within metered areas across the local government area for scooters and motorbikes, including options for but not limited to:</p> <p>(a) Ways of promoting household motorbike parking permits to increase take-up and include unit owners/renters.</p> <p>(b) Reduced costs for parking for motorbikes.</p> <p>(c) Reduced costs for fines for motor bike infringements.</p> <p>(d) Trialling the free motorbike parking option for 12 months to consider impact on revenue.</p> <p>3. Requests officers to show discretion when considering infringing motor bikes in metered areas for motor bikes and scooters until the report is provided back to Council.</p> <p>4. Investigates new areas across Waverley, particularly within Bondi Junction, Bondi Beach and North Bondi, to see where additional motorbike parking spaces can be included.</p> <p>5. Officers report back to Council by June 2021.</p>	
CM	16/02/2021	Notice of Motion	CM/8.4/21.02	Dark Skies (A21/0060)	<p>1. Identifies dark sky principles and strategies to be included in an updated Creative Lighting Strategy for our own works and on private land.</p> <p>2. Considers joining the International Dark Sky Association and establishing a Dark Sky Reserve along its coastal margins and in its parks.</p> <p>3. Considers the inclusion of dark skies actions to the upcoming Environmental Action Plan.</p>	
CM	16/02/2021	Notice of Motion	CM/8.5/21.02	Artificial Reef (A05/1443)	That Council provides a letter of support to the Gordons Bay Scuba Diving Club for the NSW Government to investigate the creation of an artificial reef near Coogee utilising an ex-Navy or similar vessel.	
CM	16/02/2021	Notice of Motion	CM/8.6/21.02	Racism Not Welcome Campaign (A02/0447)	<p>1. Councils refer the 'RacismNOTWelcome' campaign package to the Multicultural Advisory Committee (MAC) for discussion and guidance on ways to implement the 'RacismNOTWelcome' street sign and associated campaign in the Waverley local government area.</p> <p>2. In assisting the MAC, Council and its officers undertake any liaison with Inner West Council that can facilitate Waverley's involvement in the 'RacismNOTWelcome' campaign.</p> <p>3. A report come back to Council with recommended actions.</p>	

REGISTER OF VOTING ON PLANNING MATTERS - 2021

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CM	16/02/2021	Notice of Motion	CM/8.7/21.02	Race to Zero Campaign (A09/1017)	<p>1. Prepares a report on Council joining Race to Zero, a United Nations Framework Convention on Climate Change (UNFCCC) campaign, at the earliest feasible possibility. This report is to include:</p> <p>(a) The feasibility of aligning the Council's current climate and sustainability targets to the Race to Zero Starting Line criteria.</p> <p>(b) Opportunities for Council to strengthen its overall and interim net zero targets, other commitments, and actions, in line with requirements for keeping global warming to 1.5 degrees Celsius, including going carbon neutral as a priority action in 2021.</p> <p>(c) Any additional costings for actions required to meet these criteria.</p> <p>(d) Discussion on relevant partner organisation (High Level Champion) who can assess the Council's application to join the Race to Zero.</p> <p>2. Notes that the Race to Zero:</p> <p>(a) Builds upon climate emergency declarations, and represents 434 cities, 23 regions, 1,397 businesses, 74 of the world's biggest investors and 569 universities, which, including 120 countries committed to achieving net zero carbon emissions by 2050 at the latest, covers nearly 25% of global CO2 emissions and over 50% of global GDP.</p> <p>(b) Is a global campaign to rally leadership and support from businesses, cities, regions, and investors for a healthy, resilient, zero carbon recovery that prevents future threats, creates decent jobs, and unlocks inclusive, sustainable growth.</p> <p>(c) Is building momentum around the shift to a decarbonised economy ahead of COP26.</p> <p>3. Refers this resolution and background information to Council's Environmental Sustainability Advisory Committee for discussion and to Council officers for consideration in the next revision of Council's Environmental Action Plan.</p>	
CM	16/02/2021	Confidential Report	CM/11.1/21.02	CONFIDENTIAL REPORT - Bronte House Lease - Post-exhibition (A02/0250-06)	<p>1. Treats the report as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to a matter specified in section 10A(2)(d)(i) of the Local Government Act 1993. The report contains advice that would otherwise be privileged from production in legal proceedings on the ground of legal professional privilege.</p> <p>2. In accordance with section 47(4) of the Local Government Act 1993, has considered all submissions duly made to it in relation to the notification and exhibition of Council's proposal to grant a five-year lease of Bronte House.</p> <p>3. Under clause 178(1)(a) of the Local Government (General) Regulation 2005, accepts the tender submitted by Wesley and Anna Van Der Gardner for the lease of Bronte House, which, having regard to all of the circumstances, appears to Council to be the most advantageous.</p> <p>4. Grants a five-year lease of Bronte House to the successful tenderer, Wesley and Anna Van der Gardner.</p> <p>5. Authorises the General Manager to take all necessary steps to finalise and execute the lease with the successful tenderer.</p>	
CM	16/02/2021	Mayoral Minute	CM/11.2/21.02	CONFIDENTIAL MAYORAL MINUTE - Appointment of Acting General Manager and Recruitment of New General Manager (A17/0616)	<p>1. Treats this mayoral minute and attachment as confidential in accordance with section 11(3) of the Local Government Act 1993, as it relates to matters specified in sections 10A(2)(a) and 10A(2)(d)(i) of the Local Government Act 1993. In particular, the mayoral minute contains personnel matters concerning particular individuals (other than councillors) and commercial information of a confidential nature that would, if disclosed, prejudice the commercial position of the person who provided it, respectively.</p> <p>2. Engages Blackadder Associates to immediately commence the recruitment process for the position of General Manager as detailed in their proposal.</p> <p>3. Appoints a selection panel of the Mayor, Councillor Masselos, Deputy Mayor, Councillor Keenan, and Councillors Lewis, Wy Kanak and Cr Betts to manage the recruitment process.</p> <p>4. Appoints Emily Scott as Acting General Manager under section 336(1) of the Local Government Act 1993 from 5 pm on 26 February 2021 for a period of six weeks.</p> <p>5. Appoints John Clark to act as General Manager if Emily Scott is sick or otherwise absent from work on leave or business for the duration of her appointment as Acting General Manager specified in clause 4 above, with such appointment to cease upon the return to work of Emily Scott or by other resolution of Council.</p> <p>6. Appoints John Clark as Acting General Manager under section 336(1) of the Local Government Act 1993 from 5 pm on 9 April 2021 for a period of up to six weeks until such time as a new permanent appointee to the position of General Manager commences employment with Council in the role.</p> <p>7. Appoints Emily Scott to act as General Manager if John Clark is sick or otherwise absent from work on leave or business for the duration of his appointment as Acting General Manager specified in clause 6 above, with such appointment to cease upon the return to work of John Clark as the Acting General Manager or by other resolution of Council.</p> <p>CONTINUES BELOW</p>	

REGISTER OF VOTING ON PLANNING MATTERS - 2021

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					<p>8. Appoints Darren Smith to act as General Manager if John Clark or Emily Scott are sick or otherwise absent from work on leave or business for the periods specified in clauses 4 and 6 above respectively, with such appointment to cease upon their return to work as Acting General Manager or by other resolution of Council.</p> <p>9. In the event that a new permanent appointee to the position of General Manager does not commence employment with Council prior to 21 May 2021, Emily Scott be appointed as Acting General Manager under section 336(1) of the Local Government Act 1993 from 5 pm on 21 May 2021 until such time as a new permanent appointee to the position of General Manager commences employment with Council in the role.</p> <p>10. Appoints John Clark to act as General Manager if Emily Scott is sick or otherwise absent from work on leave or business for the duration of her appointment as Acting General Manager specified in clause 9 above, with such appointment to cease upon the return to work of Emily Scott or by other resolution of Council.</p> <p>11. Grants all persons acting as General Manager pursuant to this resolution all functions, delegations and sub-delegations issued to the General Manager by Council at its meeting on 8 December 2020.</p> <p>12. At the conclusion of the selection process, considers a report from the Executive Manager, Human Resources, Risk and Safety, and the Executive Manager, Governance and Projects, endorsed by the selection panel, recommending the appointment of a General Manager.</p>	
OC	02/03/2021	Report	OC/5.1/21.03	Multicultural Advisory Committee - Membership (A15/0509)	<p>That Council appoints the following individuals to the Multicultural Advisory Committee for a term of two years, from March 2021 to March 2023:</p> <p>1. Community representatives/residents:</p> <p>(a) Robert Farotto. (b) Ludovico Fabiano. (c) Tito Scohel. (d) Rozy Dorias. (e) Emily Bogue. (f) Raphael Crowe. (g) Valentina Bau. (e) Rachel Tanny.</p> <p>2. Subject matter experts/service representatives:</p> <p>(a) Patricia Jenkins. (b) Lana Kofman. (c) Margaret Teed. (d) Linda Deutsch.</p>	
PD	02/03/2021	Report	PD/5.1/21.03	War Memorial Hospital - Draft Development Control Plan - Exhibition (SF21/655)	<p>That Council public exhibits the draft Site Specific Development Control Plan for the War Memorial Hospital attached to the report for a minimum period of 28 days, in accordance with section 3.43 and clause 5 of schedule 1 of the Environmental Planning and Assessment Act 1979, subject to:</p> <p>1. Any minor amendment required in the case of an amended Gateway Determination for the relevant planning proposals.</p> <p>2. Ensuring there is consistency between Figure 3 (site layout plan) and Figure 4 (open space site plan) in the draft DCP to ensure that there is appropriate setback between the Bronte Road/Birrell Street heritage-listed gateway and the five-storey building at the corner.</p>	<p>Division</p> <p>For the Motion: Crs Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemes, O'Neill, Wakefield and Wy Kanak.</p> <p>Against the Motion: Nil.</p>
PD	02/03/2021	Report	PD/5.2/21.03	Waverley Local Planning Panel - Reappointment of Members (A13/0229)	<p>1. Reappoints the Hon. Paul Stein as the Chair and the Hon. Angus Talbot and Ms Annelise Tuor as alternate Chairs of the Waverley Local Planning Panel (WLPP) up to 30 June 2021.</p> <p>2. Reappoints the following expert members to the WLPP up to 30 June 2021:</p> <p>(a) Peter Brennan (town planner, building surveyor). (b) Michael Harrison (architect). (c) Gabrielle Morrish (architect/ urban designer). (d) Jan Murrell (town planner, former Commissioner of the Land and Environment Court of NSW). (e) Annelise Tuor (town planner, heritage architect, former Commissioner of the Land and Environment Court of NSW). (f) Allyson Small (architect/community representative). (g) Sandra Robinson (town planner/community representative).</p> <p>3. Undertakes an expression of interest process for community members to nominate for membership of the WLPP for a term of three years commencing from 1 July 2021, with an officer report to come back to Council prior to 30 June 2021 recommending the appointment of preferred community members.</p> <p>4. Officers report back to Council detailing the governance and complaint handling processes for the Panel.</p>	<p>Division</p> <p>For the Motion: Crs Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemes, O'Neill, Wakefield and Wy Kanak.</p> <p>Against the Motion: Nil.</p>

REGISTER OF VOTING ON PLANNING MATTERS - 2021

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PD	02/03/2021	Report	PD/5.3/21.03	Planning Proposal - 439-445 Old South Head Road and 1 The Avenue, Rose Bay Pre-Gateway Determination Assessment (PP-3/2020)	<p>1. Not support the planning proposal for 439–445 Old South Head Road and 1 The Avenue, Rose Bay, to proceed to Gateway Determination, as the proposal lacks strategic and site-specific merit, and the proposed 25 m height and 2.5:1 floor space ratio (FSR) would:</p> <p>(a) Be out of scale with the surrounding streetscape of Old South Head Road and the prevailing medium-density scale of surrounding development set by the existing 12.5 m height and 0.9:1 FSR development standards in the Waverley Local Environment Plan.</p> <p>(b) Adversely impact the significance of the heritage item located on 443–445 Old South Head Road as it would grossly outsize it, thereby disrupting its setting and character.</p> <p>(c) Reduce residential amenity for dwellings to the south with additional overshadowing from the excessive building bulk possible under the proposed amendments.</p> <p>2. Notes that the Waverley Local Planning Panel unanimously recommended that the planning proposal not proceed to Gateway Determination, as the proposal lacks site-specific merit for the reasons outlined in the attachment to the report.</p>	<p>Division</p> <p>For the Motion: Crs Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemes, O’Neill, Wakefield and Wy Kanak.</p> <p>Against the Motion: Nil.</p>
PD	02/03/2021	Report	PD/5.4/21.03	Planning Proposal - 45-57 Oxford Street, Bondi Junction - Pre-Gateway Determination Assessment (PP-4/2020)	<p>1. Not support the planning proposal for 45–57 Oxford Street, Bondi Junction, to proceed to Gateway Determination, as the proposal lacks site-specific merit, and the proposed 26 m height and 2.5:1 floor space ratio (FSR) development standards would:</p> <p>(a) Be in conflict with the objectives of the recently adopted Waverley Local Strategic Planning Statement and Bondi Junction Urban Design Review, which identify this portion of West Oxford Street as required to retain a ‘village character’.</p> <p>(b) Overshadow and produce visual bulk/a sense of enclosure and unwarranted noise for southerly neighbours.</p> <p>(c) Be out of scale and character with the surrounding low-density streetscape to the south and west of the site, particularly along Mill Hill Road and West Oxford Street.</p> <p>(d) Diminish the character and amenity of the heritage items on the site, the directly adjoining Mill Hill Heritage Conservation Area and the contributory items within the Area by imposing such an increased scale of development where Denison Street and Mill Hill Road meet Oxford Street.</p> <p>(e) Be unnecessary given the strong merits of DA-127/2013 to achieve the intended outcome of a mixed-use transitional building under current controls.</p> <p>(f) Detrimentially reduce the availability of on-street parking.</p> <p>2. Notes that the Waverley Local Planning Panel unanimously recommended that the planning proposal not proceed to Gateway Determination, as the proposal lacks site-specific merit for the reasons outlined in the attachment to the report.</p>	<p>Division</p> <p>For the Motion: Crs Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemes, O’Neill, Wakefield and Wy Kanak.</p> <p>Against the Motion: Nil.</p>
CM	16/03/2021	Report	CM/7.8/21.03	Voluntary Planning Agreement - 80 Bronte Road, Bondi Junction (DA435/2016/B)	<p>1. Endorses the draft Planning Agreement attached to this report applying to land at 80 Bronte Road, Bondi Junction. The draft Planning Agreement offers a total monetary contribution of \$149,682.00 with \$112,261.50 (75%) to go towards the Complete Streets Program and \$37,420.50 (25%) to go to Waverley’s Affordable Housing Program, in accordance with Council’s Planning Agreement Policy 2014.</p> <p>2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.</p>	<p>Division:</p> <p>For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, O’Neill and Wakefield.</p> <p>Against the Motion: Crs Keenan and Wy Kanak.</p>
PD	13/04/2021	Report	PD/5.1/21.04	Planning Proposal - Local Strategic Planning Statement Implementation (SF20/2648)	<p>1. Supports the Local Strategic Statement Implementation planning proposal attached to the report to proceed to Gateway Determination.</p> <p>2. Notes that the matters of ‘double dipping’ at the Boot Factory and implementing a minimum lot size for secondary dwellings in Queens Park have been considered and are not included in this planning proposal.</p> <p>3. Publicly exhibits the planning proposal for a minimum of 28 days in accordance with any conditions of the Gateway Determination that may be issued by the Department of Planning, Industry and Environment (DPIE).</p> <p>4. Requests the role of local plan-making authority from the DPIE to exercise the delegations issued by the Minister under section 3.36 of the Environmental Planning and Assessment Act 1979 in relation to the making of the amendment.</p>	<p>Division</p> <p>For the Motion: Crs Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos and Nemes.</p> <p>Against the Motion: Cr Wy Kanak.</p>
PD	13/04/2021	Report	PD/5.2/21.04	Planning Proposal - Affordable Housing (A04/0302)	<p>1. Notes that the Affordable Housing Contribution Scheme was adopted by Council in December 2020.</p> <p>2. Notes that the Waverley Local Planning Panel (WLPP) has reviewed the Affordable Housing Contribution Scheme planning proposal and provided advice, as set out in Attachment 2 of the report.</p> <p>3. Notes that the updates to the planning proposal based on advice from WLPP include a proposed Waverley Local Environmental Plan 2012 clause.</p> <p>4. Adopts the amended Affordable Housing Contribution Scheme attached to the report (Attachment 3) for clarification reasons.</p> <p>5. Authorises officers to forward the planning proposal attached to the report (Attachment 1) to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.</p> <p>6. Publicly exhibits the planning proposal for a minimum of 28 days in accordance with any conditions of the Gateway Determination that may be issued by the DPIE.</p> <p>7. Requests the role of local plan-making authority from the DPIE to exercise the delegations issued by the Minister under section 3.36 of the Environmental Planning and Assessment Act 1979 in relation to the making of the amendment.</p> <p>8. Officers prepare a plain English explanation and infographic for the purposes of public exhibition to clarify the application of the proposed policy in various circumstances.’</p>	<p>Division</p> <p>For the Motion: Crs Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos and Nemes.</p> <p>Against the Motion: Cr Wy Kanak.</p>

REGISTER OF VOTING ON PLANNING MATTERS - 2021

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PD	13/04/2021	Report	PD/5.3/21.04	Design and Place State Environmental Planning Policy - Submission (SF21/1404)	That Council endorses the submission to the NSW Department of Planning, Industry and Environment attached to the report on the Design and Place State Environmental Planning Policy (SEPP) Explanation of Intended Effect (EIE).	Division For the Motion: Crs Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemes and Wy Kanak. Against the Motion: Nil.
CM	20/04/2021	Report	CM/7.12/21.04	Bondi Surf Bathes Life Saving Club Conservation and Upgrade Project - Update (A19/0172)	1. Notes that the issues raised in Council resolution CM/7.9/20.10 have been resolved. 2. Lodges a development application for the Bondi Surf Bathes Life Saving Club Conservation and Upgrade Project in late April/early May 2021.	Division For the Motion: Crs Betts, Copeland, Goltsman, Keenan, Lewis, Masselos, Nemes, Wakefield and Wy Kanak. Against the Motion: Nil.
CM	25/05/2021	Report	CM/7.16/21.05	Voluntary Planning Agreement - 278-282 Birrell Street, Bondi (DA-187/2020/A)	1. Endorses the draft Planning Agreement attached to the report applying to land at 278–282 Birrell Street, Bondi, with the draft Planning Agreement offering a total monetary contribution of \$1,735,300 to Waverley’s Affordable Housing Program, in accordance with Council’s Planning Agreement Policy 2014. 2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.	Division: For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, Nemes and Wakefield. Against the Motion: Crs Keenan and Wy Kanak
PD	08/06/2021	Report	PD/5.1/21.06	Heritage Assessment Adoption	That Council: 1. Adopts the Heritage Assessment/Policy attached to the report (Attachments 1–3), including the following key recommendations: (a) New Urban Conservation Areas (UCAs): (i) Avoca Estate UCA. (ii) Bondi Road UCA. (iii) Referring the proposed Bondi O’Brien Estate UCA and Bondi Inter-War UCA to a Councillor workshop. (b) Amended Urban Conservation Area: (i) Charing Cross UCA. (ii) Yanko-Lugar Brae UCA (formerly Evans Street). (iii) Grafton Street UCA. (iv) Palmerston UCA. (c) New and amended Landscape Conservation Areas (LCAs) to their boundaries: (i) Dickson Estate LCA. (ii) South Bronte-Calga Headland LCA. (d) 47 individually listed heritage items on the updated list reviewed by Council’s Independent Heritage Expert Panel, subject to: (i) Removing 19 Ocean Street North, Bondi, from the list. (ii) Removing 309 and 311 Bondi Road, Bondi, from the list. (iii) Removing 28 and 29 Park Parade, Bondi, from the list. (iv) Referring 50–54, 56 and 58 Campbell Parade, Bondi Beach, to a Councillor workshop to consider their merit for heritage listing. (v) Updating the heritage inventory sheets for 223–227 Bronte Road/94 Carrington Road, Waverley (Lots A and B DP 332733), to list only the façade fronting Bronte Road. (e) One significant historical tree site reviewed by Council’s Independent Heritage Expert Panel. 2. Prepares a planning proposal to implement the relevant Heritage Assessment/Policy recommendations into the Waverley Local Environmental Plan 2012. *CONTINUES BELOW	Division For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, Nemes Wakefield and Wy Kanak. Against the Motion: Nil.

REGISTER OF VOTING ON PLANNING MATTERS - 2021

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					<p>3. Prepares Inter-war Design Guidelines to guide future development in Urban Conservation Areas and inter-war buildings in the local government area (LGA). The Guidelines should:</p> <p>(a) Encourage the retention of core (internal and external), original and early fabric and streetscapes.</p> <p>(b) Provide appropriate colour palettes to help reinforce the heritage nature of the UCAs.</p> <p>(c) Provide guidance regarding appropriate modifications.</p> <p>4. Supports raising the profile of heritage in the LGA to reflect its status as Australia's second oldest municipality (at 162 years) and in acknowledgement of the significant levels of support for heritage expressed during the public exhibition of the draft Heritage Assessment. Initiatives could include:</p> <p>(a) Waverley's thematic history being updated regularly, and detailed histories as included in the State Heritage Inventory sheets for each of Waverley's heritage conservation areas being updated and published on Council's website.</p> <p>(b) Events, heritage walks and open days being held involving items and places of heritage significance.</p> <p>5. Supports further research on matters arising from the public exhibition of the draft Heritage Assessment as part of a future body of work, including:</p> <p>(a) Investigating obligations or incentives for owners to maintain heritage buildings to prevent demolition by neglect.</p> <p>(b) Renewed dialogue with the Heritage Office on how the insurance industry responds to conservation areas to reduce premiums for owners.</p> <p>(c) Assessing future listings as individual heritage items.</p> <p>(d) Preparing State Heritage Inventory (SHI) Sheets for new Schedule 5 list items and updating SHI sheets where they exist, and the preparation of new ones where not prepared for the Schedule 5 heritage list to reflect new research.</p> <p>(e) Assessing selected mature trees for inclusion on the significant trees register to preserve the character of the area and act as a heat sink against climate change.</p> <p>6. Supports further investigation of ways to mitigate the negative impact the Codes State Environmental Planning Policy has on heritage fabric across the LGA.</p> <p>7. Notes the requirement to prepare the next phase of historical research on how First Nations people have interacted with the area now known as Waverley.</p>	
CM	20/07/2021	Notice of Motion	CM/8.2/21.07	Waverley Local Planning Panel Decisions (A13/0414)	<p>1. Prepares a report on the decisions made by the Waverley Local Planning Panel, including:</p> <p>(a) The number of development applications considered per ward.</p> <p>(b) Reason(s) for referral to the WLPP.</p> <p>(c) Staff recommendation versus WLPP decision.</p> <p>(d) The final WLPP decision.</p> <p>(e) Appeals.</p> <p>2. Officers prepare the report to Council every six months.</p>	<p>Division</p> <p>For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemes, Wakefield and Wy Kanak.</p> <p>Against the Motion: Nil.</p>
CM	20/07/2021	Notice of Motion	CM/8.7/21.07	Mill Hill Conservation Area - Change of Zoning (A21/0367)	<p>1. Reviews the zoning classification for the Mill Hill Conservation area from R3 to R2 to better reflect the character and heritage of the local area.</p> <p>2. If feasible, amends the Waverley Local Environmental Plan to clarify which commercial projects can operate in a R3 zone and that must genuinely service the immediate community.</p> <p>3. Writes to the NSW Planning and Open Spaces Minister, Rob Stokes, local MPs Dr Marjorie O'Neil and Gabrielle Upton, and LGNSW President, Linda Scott, demanding the return of planning decisions to elected members of local councils, as residents deserve a planning system that protects them.</p> <p>4. Notes that these changes are necessary as the current planning system takes the power away from residents and locally elected representatives and gives power over planning to developers.</p> <p>5. Officers report back to Council on the matters raised in clauses 1 and 2 above.</p>	<p>Division</p> <p>For the Motion: Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.</p> <p>Against the Motion: Crs Betts, Burrill, Goltsman, Kay and Nemes.</p>

REGISTER OF VOTING ON PLANNING MATTERS - 2021

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CM	17/08/2021	Mayoral Minute	CM/6.3/21.08	Infrastructure Contributions Reforms (SF21/3571)	<p>1. Notes:</p> <p>(a) That the NSW Government introduced the Environmental Planning and Assessment Amendment (Infrastructure Contributions) Bill 2021 into Parliament on 22 June 2021 and subsequently referred it to the Upper House Portfolio Committee No. 7 – Planning and Environment on 24 June 2021 for inquiry and report by 10 August 2021.</p> <p>(b) That the Bill introduces a major overhaul of the infrastructure contributions system in NSW and has far and wide-ranging deleterious implications for Council and our community.</p> <p>(c) That infrastructure contributions are made by developers to help fund public infrastructure that is required as a direct or indirect result of new development. This is based on a longstanding impactor/beneficiary-pays principle of the existing planning system; i.e. new development makes a contribution towards the cost of infrastructure that will meet the additional demand it generates and benefits from.</p> <p>(d) That councils rely on developer contributions to fund new infrastructure to support population growth. This includes local roads, pedestrian and cycle networks, local water and sewage utilities, stormwater and water management, buildings and facilities, public domains, parks and open spaces, recreation, cultural, family and community services and facilities, and a range of other infrastructure vital to local communities and important for creating liveable communities.</p> <p>(e) Local Government NSW’s (LGNSW) opposition to the Bill, given that ‘the implementation of the recommendations will have far reaching financial implications for councils and communities.’</p> <p>(f) The lack of broad consultation on the Bill and the attempt to expedite its passage by making it a cognate Bill of the NSW budget Appropriation Bills, therefore avoiding the level of scrutiny this warrants.</p> <p>(g) That LGNSW’s submission states that ‘local government does not feel confident the reforms will create a fair and equitable system that does not make councils worse off.’</p> <p>(h) The government’s decision to tie reform of the rate peg to cater for population growth to reductions in infrastructure (developer) contributions.</p> <p>(i) That preliminary estimates indicate that Council could stand to lose up to \$40 million over the duration of our Long Term Financial Plan, or an average of \$4 million per year.</p> <p>2. Undertakes financial forecasting to determine the likely impact on Council over the duration of the current Long Term Financial Plan.</p> <p>3. Works with the Southern Sydney Regional Organisation of Councils to undertake regional financial forecasting to understand the cumulative financial impact across the region.</p> <p>4. Calls on the NSW Government to:</p> <p>(a) Withdraw the Bill from Parliament.</p> <p>(b) Undertake further consultation with the local government sector on any proposed reforms to the infrastructure contributions system</p> <p>(c) Decouple the Independent-Pricing-and-Regulatory-Tribunal-led review of the rate peg to include population growth from the infrastructure contributions reforms.</p> <p>5. Writes to the Premier, the Hon. Gladys Berejiklian MP; the Treasurer, the Hon. Dominic Perrottet MP; the Minister for Planning and Public Spaces, the Hon. Rob Stokes MP; the Minister for Local Government, the Hon. Shelley Hancock MP; the Hon. Gabriel Upton, Member for Vaucluse; and Dr Marjorie O’Neill, Member for Coogee, seeking their support in the withdrawal of the Bill.</p> <p>6. Writes to the Shadow Treasurer, the Hon. Daniel Mookhey MLC; the Shadow Minister for Planning and Public Spaces, Mr Paul Scully MP; the Shadow Minister for Local Government, Mr Greg Warren MP; Mr David Shoebridge MLC (The Greens); the Hon. Robert Borsak MLC (Shooters, Fishers and Farmers Party); the Hon. Mark Latham MLC (Pauline Hanson’s One Nation); the Hon. Emma Hurst MLC (Animal Justice Party); the Hon. Fred Nile MLC (Christian Democratic Party – Fred Nile Group); Mr Justin Field MLC (Independent); Portfolio Committee Chair, Ms Cate Faehmann MLC (The Greens); Portfolio Committee Deputy Chair, the Hon. Mark Pearson MLC (Animal Justice Party); and Committee members, the Hon. Catherine Cusack MLC (Liberal Party), the Hon. Shayne Mallard MLC (Liberal Party), the Hon. Ben Franklin MLC (The Nationals), the Hon. Rose Jackson MLC (Australian Labor Party), and the Hon. Adam Searle MLC (Australian Labor Party) seeking their support in securing the withdrawal of the Bill from the NSW Parliament and outlining Council’s concerns with the Bill.</p> <p>7. Alerts the local media to the threat of future ratepayer funds being expended rather than developer levies for new infrastructure brought about by increased development under the proposed legislation, and shares and promotes these messages via its digital and social media channels and via its networks.</p> <p>8. Affirms its support to LGNSW to continue advocating on our behalf to protect local government from any amendments to infrastructure contributions that leave councils and communities forced to use ratepayer funds on new infrastructure made necessary by new development, currently the responsibility of developers.</p> <p>9. Participates in any joint council initiatives to fight these reforms.</p> <p>10. Investigates challenging, via the appropriate legal mechanism, the failure of due process by the State Government in providing insufficient time for Council to make a submission.</p> <p>11. Delegates authority to the General Manager, in consultation with the Mayor, to undertake further action if needed.</p>	<p>Division</p> <p>For the Motion: Crs Burrill, Copeland, Kay, Keenan, Lewis, Masselos, Nemesh, Wakefield and Wy Kanak.</p> <p>Against the Motion: Crs Betts and Goltzman</p>

REGISTER OF VOTING ON PLANNING MATTERS - 2021

Meeting	Date	Report Type	Item No.	Subject	Resolution	Planning Divisions
CM	17/08/2021	Report	CM/7.11/21.08	Planning Proposal - Waverley War Memorial Hospital - Campus Site (PP-1/2017)	<p>That Council:</p> <ol style="list-style-type: none"> Supports the planning proposal to amend the Waverley Local Environmental Plan 2012 in respect of 125 Birrell Street, Waverley. Officers review the following matters and update the draft Site Specific Development Control Plan (DCP) prior to it being adopted for exhibition: <ol style="list-style-type: none"> The Conservation Management Plan design principles are used to provide guidance to ensure that the heritage significance of Edina and the gardens are respected in any future development. Inclusion of a development standard or objective to ensure that the DCP maintains or exceeds the existing mature tree canopy and habitat corridor available on the site in any future development. The main entry gates to the site at the corner of Birrell Street and Bronte Road are conserved and the site will be accessible to the public via these gates, and that pedestrian accessibility through the site will be improved. Setbacks and proposed building footprints for future buildings consider the location of existing mature trees on the site and minimise the loss of mature landscaping where possible. Minimise the potential adverse impacts of parking and traffic generation associated with the proposal on the surrounding street network. Forwards the submissions and exhibition report to the Department of Planning, Industry and Environment (DPIE), and requests that the following matters be taken into consideration in the postGateway assessment: <ol style="list-style-type: none"> The inclusion of a site-specific clause in the Waverley Local Environmental Plan 2012 for the subject site to prohibit the application of the State Environmental Planning Policy (Housing for Seniors and People with a Disability) on the R3 Medium Residential portion of the land. The inclusion of a site-specific clause in the Waverley Local Environmental Plan 2012 that seeks to ensure the provision of a minimum amount of floor space for the purposes of a residential aged care facility. A request for consideration of options for rehousing existing residents in a sensitive and considered way, including giving preference to existing residents in the future development. Officers, in any future development application, give consideration to rehousing existing residents. Officers discuss the potential inclusion of social impact mitigation provisions with the applicant to be included in the planning proposal, Site Specific DCP or any other planning instrument. Requests the DPIE to exercise the delegations issued by the Minister under section 59 of the Environmental Planning and Assessment Act 1979 in relation to the making of the amendment. Writes to property owners to provide an update on the Conditional Gateway Determination. Requests the Mayor to write to the Hon. Don Harwin, Minister for the Arts (and the minister responsible for heritage), to express Council's concern that Heritage NSW believes that the War Memorial Hospital site is not considered a priority for State Heritage Register listing and that the 	<p>Division</p> <p>For the Motion: Crs Betts, Burrill, Copeland, Kay, Keenan, Lewis, Masselos, Lewis, Nemesh and Wakefield.</p> <p>Against the Motion: Cr Wy Kanak.</p>
CM	17/08/2021	Report	CM/7.12/21.08	Voluntary Planning Agreement - 12 Burge Street, Vacluse (SF21/3706)	<p>That Council:</p> <ol style="list-style-type: none"> Endorses the draft Planning Agreement attached to this report applying to land at 12 Burge Street, Vacluse, offering a total monetary contribution of \$61,200 to go towards Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation. 	<p>Division</p> <p>For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh and Wakefield.</p> <p>Against the Motion: Crs Keenan and Wy Kanak.</p>
CM	17/08/2021	Report	CM/7.13/21.08	Voluntary Planning Agreement - 97 Glenayr Avenue, Bondi Beach (SF21/3457)	<ol style="list-style-type: none"> Endorses the draft Planning Agreement attached to the report applying to land at 97 Glenayr Avenue, Bondi Beach, offering a total monetary contribution of \$541,860, with \$406,395 (75%) to go towards Biddigal Reserve design upgrades including a playground, landscaping, paving and seating, and \$135,465 (25%) to go to Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation. 	<p>Division</p> <p>For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos, Nemesh and Wakefield.</p> <p>Against the Motion: Crs Keenan and Wy Kanak.</p>
CM	17/08/2021	Report	CM/7.15/21.08	Council Chambers Refurbishment - Feasibility Study Outcome (SF21/3221)	<p>That Council:</p> <ol style="list-style-type: none"> Endorses option three—major refurbishment including complete removal of pre-1960s structure—for the Council Chambers building refurbishment project, as set out in the attachment to the report. Officers prepare a report to Council with the Review of Environmental Factors (REF), including planning detailed design for option three and consideration of car parking. Includes an increase of \$5.8 million to the project budget for the refurbishment of the Council Chambers building in the Long Term Financial Plan 6.0. 	<p>Division</p> <p>For the Motion: Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak.</p> <p>Against the Motion: Crs Betts, Burrill, Goltsman, Kay and Nemesh.</p>
CM	17/08/2021	Notice of Motion	CM/8.2/21.08	Short-stay, Hotel, Motel, Boarding House and Guest House Accommodation - Management Plans (A21/0390)	<ol style="list-style-type: none"> Council investigates amending the Waverley Development Control Plan and Waverley Local Environmental Plan 2012 to require a management plan for all short-stay, hotel, motel, boarding house and guest house applications. The management plan include details of: <ol style="list-style-type: none"> Control of patrons as they enter and exit the premises. Use of common areas. External lighting hours of operations. Full-time on-site staff and security staff. Patron parking requirements. Waste management. 	<p>Division</p> <p>For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Keenan, Kay, Lewis, Masselos, Nemesh, Wakefield and Wy Kanak.</p> <p>Against the Motion: Nil.</p>

REGISTER OF VOTING ON PLANNING MATTERS - 2021

Meeting	Date	Report Type	Item No.	Subject	Resolution	Planning Divisions
CM	17/08/2021	Notice of Motion	CM/8.3/21.08	Bondi Pavilion - Aboriginal Keeping Place (A15/0272)	That: 1. Council officers, in discussion with the Reconciliation Action Plan (RAP) Advisory Committee, prepare a feasibility report on the process to establish, design and operate an Aboriginal Keeping Place at Bondi Pavilion to celebrate aspects of ancient and modern Aboriginal First Nations culture, heritage and cultural artefacts specific to the Bondi/Eastern Suburbs area, such as the Bondi points. 2. The Feasibility Report include, together with the RAP, consultation with museums and galleries, such as the Australian Museum which has an extensive collection of Bondi points, to investigate a process to physically display boondiboondi Bondi-connected Aboriginal heritage items at Bondi Pavilion to supplement the information provided through the virtual stories to be featured after the Bondi Pavilion makeover is completed. 3. Should physical display not be feasible, Council considers including photography or 3D imaging of Bondi points to be priority-featured in the Bondi Story Room visual archive and investigates featuring content about Bondi points and other Indigenous artefacts alongside language translations, stories and cultural history to provide ongoing cultural learning for all who use and visit Bondi Pavilion.	Division For the Motion: Crs Copeland, Keenan, Lewis, Masselos, Wakefield and Wy Kanak. Against the Motion: Crs Burrill, Betts, Goltsman and Nemesh
CM	26/10/2021	Report	CM/7.6/21.10	Draft Waverley Local Housing Strategy Implementation and Delivery Plan (A19/0332)	1. Requests a variation to the Department of Planning, Industry and Environment (DPIE) conditions as follows: (a) There are no Council-led planning proposals to increase density on Curlew Street and/or Bondi Road. (b) Proponent-led planning proposals will continue to be considered. 2. Seeks a 'Gateway Review' at the Independent Planning Commission (IPC) for the Waverley Affordable Housing Contributions Scheme Planning Proposal to: (a) Challenge DPIE's rejection of the Waverley Affordable Housing Contributions Scheme. (b) Advocate to the DPIE to review its Guideline for Developing an Affordable Housing Contribution Scheme to be more in line with the Environmental Planning and Assessment Act. 3. Endorses the draft Waverley Local Housing Strategy Implementation and Delivery Plan attached to the report for submission to the DPIE.	Division For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemesh, Wakefield and Wy Kanak. Against the Motion: Nil.
CM	26/10/2021	Report	CM/7.7/21.10	Voluntary Planning Agreement - 157-159 Military Road, Dover Heights (DA316/2015/B)	1. Endorses the draft Planning Agreement attached to the report applying to land at 157-159 Military Road, Dover Heights, offering a total monetary contribution of \$54,320, with \$40,740 (75%) to be allocated to the upgrade and improvement of parks and reserves in Dover Heights, specifically the coastal fence upgrade project, and \$13,580 (25%) to be allocated to Waverley's Affordable Housing Program, in accordance with Council's Planning Agreement Policy 2014. 2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.	Division For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Lewis, Masselos and Nemesh. Against the Motion: Crs Keenan and Wy Kanak.
CM	23/11/2021	Report	CM/7.9/21.11	Temporary Outdoor Dining (A21/0513)	1. Endorses the temporary outdoor dining initiative as set out in the report as part of the Alfresco Restart Package announced by NSW Government, with the addition of Spring Street, Bondi Junction, as a preferred location. 2. Charges no fee for applications for temporary outdoor dining permits lodged with Council for the trial period. 3. Charges the normal footpath lease fee that applies under Council's Pricing Policy, Fees and Charges. 4. Notes that the use of the footpath for temporary outdoor dining is exempt under the State Environmental Planning Policy (Exempt and Complying Development Codes) 2008 and there is nonnotification requirement. 5. Officers prepare a report to Council following the conclusion of the initiative in April 2022.	Division For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemesh and Wakefield. Against the Motion: Cr Wy Kanak.
CM	23/11/2021	Urgent Business	CM/10.1/21.11	Clifftop Walkway Upgrade - Amendments (DA-378/2021)	1. Amends DA-378/2021 in respect of Eastern Reserve as follows: (a) Delete the proposed 1.5 metre wide concrete pedestrian path extending from the bottom of Oceanview Avenue into the reserve. (b) Delete the timber bench seating with sandstone paving and sandstone block retaining wall at the end of the proposed path from the bottom of Oceanview Avenue. (c) Relocate the accessible seating to the eastern end of Oceanview Avenue. (d) Maintain the access to Eastern Reserve from George Street while ensuring that the remnant vegetation and nearby Aboriginal archaeological site are protected. 2. Directs officers to amend the proposed vegetation planting identified in DA-378/2021 as follows: (a) The proposed new low vegetation adjoining the clifftop coastal fence be no wider than 1 metre. (b) Remove reference to all tree planting of heath-leaved banksia and scrub she-oak to the northwest of Eastern Reserve and replace with low vegetation. (c) The proposed native vegetation on the western boundary of Eastern Reserve be no wider than 1.5 metres. 3. Informs residents of these modifications. 4. Officers consider widening the boardwalk between Kimberley Street and Craig Avenue from 2 metres to 2.5 metres. 5. Officers investigate widening the rest of the boardwalk from 2 metres to 2.5 metres, with a report to come back to Council with cost implications and a funding source. 6. Officers investigate increasing the size of the viewing platform, as provided in the plans, with a report to come back to Council with cost implications and a funding source.	Division For the Motion: Crs Betts, Burrill, Copeland, Goltsman, Kay, Keenan, Lewis, Masselos, Nemesh and Wy Kanak. Against the Motion: Nil.

REGISTER OF VOTING ON PLANNING MATTERS - 2021

Meeting	Date	Report Type	Item No.	Subject	Resolution	Planning Divisions
CM	15/02/2022	Report	CM/7.18/22.02	Voluntary Planning Agreement - 16A and 16B Llandaff Street, Bondi Junction (SF21/5338)	<p>1. Endorses the draft planning agreement attached to this report applying to land at 16A and 16B Llandaff Street, Bondi Junction, offering a total monetary contribution of \$727,168, with \$181,792 (25%) to be allocated to the Waverley Affordable Housing Program and \$545,376 (75%) to be allocated to Waverley Street Mall upgrades and creative interventions, including repaving, creative lighting and outdoor media installations pursuant to the Creative Lighting Strategy, the Arts and Culture Plan and Strategic Asset Management 5, in accordance with Council's planning agreement Policy 2014.</p> <p>2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.</p>	<p>Division</p> <p>For the Motion: Crs Betts, Goltsman, Gray, Kay, Lewis, Masselos, Murray and Nemes.</p> <p>Against the Motion: Crs Fabiano, Keenan and Wy Kanak.</p>