

Register of Voting on Planning Matters

Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council):	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 For the Motion: Crs Betts, Goltsman, Gray, Kay, Lewis, Masselos, Murray and Nemesh.</p> <p>Against the Motion: Crs Fabiano, Keenan and Wy Kanak.</p>
CM	15/03/2022	Report	CM/7.6/22.03	Planning Proposal - Draft Waverley Local Environmental Plan 2022 (A18/0594)	<p>That Council:</p> <p>1. Supports the planning proposal attached to the report to repeal the Waverley Local Environmental Plan 2012 and establish the Waverley Local Environmental Plan 2022, subject to deleting the reference that supports the introduction of the previously proposed land acquisition map (last paragraph of section 2.4, page 87 of Attachment 4 of the report).</p> <p>2. Notes that the War Memorial Hospital Complex is proposed to be listed as a Heritage Conservation Area in the heritage planning proposal.</p> <p>3. Notes the matters raised in the submissions made on the public exhibition of the draft Waverley Local Environmental Plan 2022 planning proposal.</p> <p>4. Forwards the submissions, planning proposal and exhibition report to the Department of Planning and Environment, and requests that they take the post-exhibition changes into consideration in the post-Gateway assessment, as set out in Table 1 of the report.</p> <p>5. Requests the Department of Planning and Environment 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 new Local Environmental Plan.</p> <p>6. Notifies property owners of Council's decision.</p> <p>7. Notes that despite the 10-week consultation period for the Waverley Local Environmental Plan 2022, the 10 weeks occurred during the time of the Council caretaker period, the Council elections of 2021, as well as the six-week Christmas school holiday period, hampering community engagement and the consultation period.</p>	<p>Division For the Motion: Crs Burrill, Goltsman, Gray, Kay, Lewis, Masselos and Murray.</p> <p>Against the Motion: Crs Fabiano, Keenan and Wy Kanak.</p>
CM	15/03/2022	Report	CM/7.7/22.03	Planning Proposal - Charing Square - Post-Exhibition (PP-1/2020)	<p>1. Does not support the planning proposal to amend the Waverley Local Environmental Plan 2012 in respect of 203–231 Bronte Road and 94–98 Carrington Road, Waverley for the following reasons:</p> <p>(a) Primarily the proposal lacks strategic merit:</p> <p>(i) It does not align with the Council endorsed Our Liveable Places Centres Strategy, which identifies that any LEP floor space ratio or height increase is inappropriate for the Charing Cross centre.</p> <p>(ii) The site is too small to warrant strategic merit—only one landowner (the proponent) supports this planning proposal, with the other three landowners not supportive, meaning this planning proposal effectively only applies to the Whitten Family land. This was a key reason the State Planning Panel refused the original planning proposal and the Department of Planning and Environment (DPE) and the community have also raised this matter.</p> <p>(b) The proposal also lacks site-specific merit regarding the following matters, which are considered to be secondary issues:</p> <p>(i) Heritage disruption: the general scale is inappropriate for the Charing Cross Heritage Conservation Area.</p> <p>(ii) Waste, parking and traffic issues: the management of these issues is significantly affected by the lack of a single, coordinated development across all sites subject to this planning proposal.</p> <p>(iii) Residential amenity issues: overshadowing, visual bulk, noise, view loss and overlooking are concerns for neighbours.</p> <p>(iv) Staging issues: other landowners affected by the proposal are strongly against the proposal. As such, it is unlikely that the redevelopment of all sites would occur and that the proposed public benefits of a large and functional public square and through site link would be delivered.</p> <p>(c) Despite highlighting the aforementioned reasons numerous times with the proponent throughout the post-Gateway determination process, there was little to no co-operation on these issues and no amendments made to the scheme. Any deferral or further extension of time will not resolve the strategic merit issue and is also unlikely to resolve site-specific merit issues.</p> <p>2. Notes the submissions received during public exhibition from the community and agencies.</p> <p>3. Exercises the delegations issued by the Minister under section 3.36 of the Environmental Planning and Assessment Act 1979 and decide not to make the proposed local environmental plan.</p>	<p>Division For the Motion: Crs Burrill, Fabiano, Goltsman, Gray, Kay, Keenan, Lewis, Masselos, Murray and Wy Kanak.</p> <p>Against the Motion: Nil.</p>

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CM	15/03/2022	Report	CM/7.8/22.03	Planning Proposal - Employment Zones Reform (A21/0539)	<p>1. As part of the State Government's Employment Zones Reform, endorses the translation of the following zone changes:</p> <p>(a) Existing B1 Neighbourhood Centre zone to E1 Local Centre.</p> <p>(b) In the Bondi Junction Strategic Centre only, existing B3 Commercial Core to E2 Commercial Centre and existing B4 Mixed Use to MU1 Mixed Use.</p> <p>(c) Existing B4 Mixed Use centres at Bondi Beach, Bondi Road, Charing Cross, Curlewis Street (Old South Head Road end), Rose Bay North and Rose Bay South to E1 Local Centre.</p> <p>2. Endorses the changes in land use tables and zone objectives, as set out in the report.</p> <p>3. Notes the mandatory Department of Planning and Environment proposed changes in land use tables and zone objectives, as set out in the report.</p> <p>4. Directs the community via Council's website, social media platforms, media release and adverts in local papers to the NSW Government ePlanning Portal to ensure that the community is informed of the change and can make submissions to the NSW Government, noting that the change is led by the NSW Government, that there will be no change to development standards of height and floor space ratio, and that the Development Control Plan 2012 character chapter E3 Local Villages will remain.</p> <p>5. As part of a future planning proposal, investigates further changes to zoning and development standards in Bondi Junction to emphasise commercial office and jobs to reinforce Bondi Junction's status as the primary commercial centre for the Eastern Suburbs and the classification as a Strategic Centre in the Eastern City District Plan.</p> <p>6. Notes that the Employment Zones Reform framework is not supported by Council officers in principle as it reduces the ability to establish a clear centre hierarchy and undermines the findings of Waverley's Our Liveable Places (OLP) Centres Strategy and the changes proposed under the LSPS Implementation Planning Proposal (draft comprehensive Waverley Local Environmental Plan 2022).</p> <p>7. Informs all Precinct committees of the changes.</p>	<p>Division For the Motion: Crs Burrill, Fabiano, Goltzman, Gray, Kay, Keenan, Lewis, Masselos and Murray.</p> <p>Against the Motion: Cr Wy Kanak.</p>
PD	05/04/2022	Report	PD/5.1/22.04	Mill Hill Heritage Conservation Area Rezoning (A21/0431)	<p>1. Proceeds with the rezoning of the Mill Hill Heritage Conservation Area from R3 Medium Density Residential to R2 Low Density Residential.</p> <p>2. After further investigation, implements all necessary changes to the permitted uses in the R2 Low Density Residential Zone in the Waverley Local Environmental Plan 2012.</p>	<p>For the Motion: Crs Betts, Burrill, Fabiano, Gray, Keenan, Lewis, Masselos and Murray.</p> <p>Against the Motion: Crs Goltzman and Nemesh.</p>
PD	05/04/2022	Report	PD/5.3/22.04	Planning Proposal - Waverley Heritage Policy Implementation (A20/0261)	<p>1. Notes that the Waverley Heritage Policy was first adopted by Council on 8 June 2021.</p> <p>2. Notes that Council requested further consideration of the following matters:</p> <p>(a) Western boundary for the O'Brien Estate Urban Conservation Area (UCA).</p> <p>(b) Western boundary for the Bondi Basin UCA (formerly named the Inter-War UCA).</p> <p>(c) Group local listing for 50–58 Campbell Parade.</p> <p>3. Adopts the amended Heritage Policy with the inclusion of the following amendments:</p> <p>(a) Add a group local listing for 50–58 Campbell Parade.</p> <p>(b) Amend the western boundaries of the O'Brien Urban Conservation Area and the Bondi Basin Urban Conservation Area (as shown in Attachment 1 – Proposed Heritage Maps).</p> <p>(c) Any further amendments listed under clause 6 below.</p> <p>4. Endorses the inclusion of the entire Waverley War Memorial Hospital site bounded by Birrell, Bronte, Church and Carrington Road as a local Heritage Conservation Area for inclusion as part of the planning proposal.</p> <p>5. Notes the Waverley Local Planning Panel's advice on the Waverley Heritage Policy Implementation planning proposal attached to the report (Attachment 2).</p>	<p>For the Motion: Crs Fabiano, Gray, Keenan, Lewis, Masselos and Murray.</p> <p>Against the Motion: Crs Betts, Burrill, Goltzman, Kay and Nemesh.</p>
PD	05/04/2022	Report	PD/5.5/22.04	20 Illawong Avenue, Tamarama (SF22/866)	<p>1. Supports a planning proposal for the property at 7B and 5 Tamarama Street (legal description being Strata Plan 1737) to rezone the land from R3 to R2, with a maximum height of 8.5 m and FSR of 0.5:1 to match the surrounding R2 zone.</p> <p>2. Forwards the planning proposal to the Department of Planning and Environment (DPE) for Gateway Determination.</p>	<p>For the Motion: Crs Betts, Burrill, Fabiano, Goltzman, Gray, Kay, Keenan, Lewis, Masselos, Murray and Nemesh.</p> <p>Against the Motion: Nil.</p>

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Meeting	Date	Report Type	Item No.	Subject	Resolution (That Council):	Planning Divisions
CM	12/04/2022	Report	CM/7.10/22.04	Planning Proposal - War Memorial Hospital - Birrell Street Sites - 99-117 Birrell Street, Waverley (PP-2/2020)	<p>1. Does not support the planning proposal to amend the Waverley Local Environmental Plan 2012 in respect of 99-117 Birrell Street, Waverley, as exhibited.</p> <p>2. Notes that Uniting does not own all of the properties at 99-117 Birrell Street and that the residents who live in the area have lodged objections to the planning proposal.</p> <p>3. Requests the Department of Planning and Environment (DPE), as the Local Plan Making Authority, to consider the following matters if the DPE proceeds to support the planning proposal in the post-Gateway assessment:</p> <ul style="list-style-type: none"> (a) Floor space ratio (FSR) not to exceed 1:1. (b) Height of building (HOB) not to exceed 12 m. (c) The site is excluded from the Affordable Housing SEPP bonus provisions relating to FSR and HOB. (d) A mechanism is provided to achieve a minimum of 10% affordable housing on the site in line with Council's endorsed Affordable Housing Contribution Scheme. (e) Existing residents are rehoused within the Eastern Suburbs region to ensure there is no dislocation from their local community. (f) Inclusion of social impact mitigation provisions as part of the process. <p>4. Notes that the Development Control Plan (DCP) continues to be reviewed and will be finalised by Council following the finalisation and gazettal of the planning proposal and will incorporate matters including:</p> <ul style="list-style-type: none"> (a) The Conservation Management Plan design principles, to provide guidance to ensure that the heritage significance of Edina and the gardens are respected in any future development. (b) A development standard or objective to ensure that the DCP protects, maintains or exceeds the existing mature tree canopy, including minimising the reduction in aggregate tree canopy and habitat corridor available on the site in any future development. (c) The main entry gates to the site and their curtilage 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. (d) 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. (e) Minimise the potential adverse impacts of parking and traffic generation associated with the proposal on the surrounding street network. <p>5. Forwards the submissions and exhibition report to the DPE.</p> <p>6. Writes to all those who made submissions advising them of Council's decision.</p>	Division For the Motion:Crs Betts, Burrill, Fabiano, Gray, Goltzman, Kay, Keenan, Lewis, Masselos, Murray and Nemesh. Against the Motion:Nil.
CM	12/04/2022	Report	CM/7.11/22.04	Voluntary Planning Agreement - 18-20 Allens Parade, Bondi Junction (SF22/811)	<p>1. Endorses the draft planning agreement attached to the report applying to land at 18–20 Allens Parade, Bondi Junction, offering a total monetary contribution of \$81,400, with \$61,050 (75%) to be allocated to public domain upgrades in Bondi Junction east or the Bronte Road, Bondi Junction, centre and \$20,350 (25%) to be allocated to the Waverley 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>	Division For the Motion:Crs Betts, Burrill, Gray, Goltzman, Kay, Lewis, Masselos, Murray and Nemesh. Against the Motion:Crs Fabiano and Keenan.
CM	17/05/2022	Report	CM/7.7/22.05	Voluntary Planning Agreement - 154 Ramsgate Avenue, North Bondi (SF22/1000)	<p>1. Endorses the draft planning agreement attached to the report applying to land at 154 Ramsgate Avenue, North Bondi, offering a total monetary contribution of \$260,862, with \$195,646.50 (75%) to be allocated to Bondi Park works, including upgrades to Biddigal Reserve, sea walls and/or the ocean pools, and \$65,215.50 (25%) to be allocated to the Waverley Affordable Housing Program (25%) in accordance with Council's Planning Agreement Policy.</p> <p>2. Authorises the Mayor and General Manager to sign and execute the agreement and affix the Council seal to the documentation.</p>	Division For the Motion:Crs Goltzman, Gray, Kay, Lewis, Masselos and Murray. Against the Motion:Crs Fabiano, Keenan and Wy Kanak.
CM	21/06/2022	Report	CM/7.7/22.06	87-99 Oxford Street and 16-22 Spring Street, Bondi Junction - Classification of Land - Post-exhibition (SF18/2505)	<p>1. Classifies Lots 128, 129, 131, 132 and 133 in SP 104421, also known as Suites 1,2,4,5 and 6 of 87-99 Oxford Street and 16-22 Spring Street, Bondi Junction, as operational land.</p> <p>2. Executes the order attached to the report to impose a restrictive covenant on the subject land, in accordance with section 88D of the Conveyancing Act 1919.</p>	Division For the Motion:Crs Betts, Burrill, Fabiano, Goltzman, Gray, Keenan, Lewis, Masselos, Murray and Nemesh. Against the Motion:Crs Wy Kanak.

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PD	05/07/2022	Report	PD/5.1/22.07	Planning Proposal - 34-36 Flood Street, Bondi (PP-1/2022)	<p>1. Does not support the planning proposal set out in the report to amend the Waverley Local Environmental Plan 2012 in respect of 34–36 Flood Street, Bondi, Lot 1 DP 1094020, as the proposal lacks strategic merit and involves a change in Council's long-established policy in relation to SP2 Infrastructure Zones.</p> <p>2. Investigates the strategic merit of amending the current zoning of SP2 Infrastructure 'Educational Establishment' to a more appropriate zoning that represents the existing uses and considers potential future uses on the site in a future housekeeping planning proposal.</p>	Division For the Motion:Crs Betts, Burrill, Fabiano, Goltzman, Kay, Keenan, Lewis, Masselos, Murray, Nemesh and Wy Kanak. Against the Motion:Nil.
PD	05/07/2022	Report	PD/5.2/22.07	Planning Agreement Policy 2014 (Amendment No. 4) - Adoption (SF21/4528)	<p>That Council adopts the Planning Agreement Policy 2014 (Amendment No. 4) and Public Benefit Register attached to the report, subject to the following amendments:</p> <p>1. The removal of all proposed amendments within the Planning Agreement Policy 2014 (Amendment No.4) relating to the General Manager exercising their delegation to endorse planning agreements so that VPAs continue to be endorsed by the elected Council post-exhibition.</p> <p>2. Adjusting the Public Benefit Register to include suitable works subject to overview and approval by the elected Council.</p> <p>3. Mandated VPA payments associated with planning proposals continue to be paid by developers at gazettal.</p>	Division For the Motion:Crs Betts, Burrill, Fabiano, Goltzman, Kay, Keenan, Lewis, Masselos, Murray and Nemesh. Against the Motion:Cr Wy Kanak.