

MINUTES OF THE FINANCE, ETHICS
& STRATEGIC PLANNING
COMMITTEE MEETING HELD AT
WAVERLEY COUNCIL CHAMBERS
ON TUESDAY, 6 MARCH 2012

VOTING MEMBERS PRESENT

Councillor Wakefield (Chair)
Crs Betts, Cancian, Kay, Main, Sloan and Strewé.
Also Present: Crs Clayton, Goltsman and Kanak.

At the commencement of proceedings at 7.49pm those present were as listed above.

F-1203.A
Leaves of Absence and Apologies

Cr Jackson was previously granted a leave of absence by Council for this meeting.

F-1203.DI
Declarations of Interest

The Chair asked for Declarations of Interest and none were received.

F-1203.1
Investment Portfolio Reporting (A03/2211)

Cr Sloan was not present in the Chamber during the discussion and vote on this item.

Report dated 20 February 2012 from the Director, Corporate and Technical Services providing an update on the performance of Council's investment portfolio for the 2011/12 financial year to 31 January 2012.

MOTION / UNANIMOUS DECISION (Main / Strewé)

That Council:

1. Receive and note this report.
2. Note that all investments have been made in accordance with the requirements of section 625 of the Local Government Act 1993 and directions from the Minister for Local Government, including Ministerial Investment Orders and Council's Investment Policy.

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F-1203.2

State Environmental Planning Policy 65 and Residential Flat Design Code Review (A03/0118)

Cr Sloan was not present in the Chamber during the discussion and vote on this item.

Report dated 22 February 2012 from the Director, Planning & Environmental Services regarding the State Environmental Planning Policy (SEPP) 65 – Quality of Residential Flat Development and Residential Flat Design Code Review.

MOTION / UNANIMOUS DECISION (Main / Betts)

That Council receive and note this report and the submission attached to this report.

F-1203.3

New South Wales Planning System Review update (A11/0500)

Cr Sloan was not present in the Chamber during the discussion and vote on this item.

Report dated 24 February 2012 from the Director, Planning & Environmental Services providing an update on the progress of the NSW Planning System Review.

MOTION / UNANIMOUS DECISION (Main / Betts)

That Council receive and note the report.

F-1203.4

March Information Bulletin

Reports have been provided in the March Information Bulletin distributed separately with the Agenda.

MOTION / UNANIMOUS DECISION (Main / Strewe)

That the March Information Bulletin be received and noted.

F-1203.5

241-245 Oxford Street and 4-12 Waverley Street, Bondi Junction – Planning Proposal (A11/0575)

Cr Sloan was not present in the Chamber during the discussion and vote on this item.

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Report dated 23 February 2012 from the Director, Planning & Environmental Services reporting on the exhibition of the Planning Proposal for 241-245 Oxford Street and 4-12 Waverley Street, Bondi Junction.

The proposal seeks to rezone the site from B3 Commercial Core to B4 Mixed Use under the Waverley Local Environmental Plan (Bondi Junction Centre) 2010 in order to include residential development. No other planning controls, such as height or Floor Space Ratio, are proposed to be altered.

MOTION / RECOMMENDATION (Wakefield / Main)

That Council:

1. Adopt the Draft Waverley Local Environmental Plan (Bondi Junction Centre) 2010 (Amendment No. 3).
2. Forward the Draft Waverley Local Environmental Plan (Bondi Junction Centre) 2010 (Amendment No. 3) to the Department of Planning & Infrastructure for the plan to be made.
3. Amend the Draft Waverley Local Environmental Plan 2011 to zone 241-245 Oxford Street and 4-12 Waverley Street, Bondi Junction B4 Mixed Use.

Division

For the Motion: Crs Betts, Cancian, Kay, Main, Strewe and Wakefield.

Against the Motion: Nil.

F-1203.6

Waverley Planning Review 2011 (A07/1581-04)

Report dated 20 February 2012 from the Director, Planning & Environmental Services regarding the public exhibition of the Waverley Planning Review including the Draft Waverley Local Environmental Plan (LEP) 2011 and Draft Waverley Development Control Plan (DCP) 2011. The report also recommends adoption of this plan, subject to certain amendments.

MOTION / RECOMMENDATION (Wakefield / Sloan)

That:

1. Council adopt the Draft Waverley Local Environmental Plan 2011 as exhibited, subject to the following minor amendments:
 - (a) Zone all Educational Establishments and Places of Public Worship SP2 Infrastructure.

- (b) Amend objective (a) in Clause 1.2(2) to read “To promote and co-ordinate a range of commercial, retail, residential, tourism, entertainment, cultural and community uses to service the local and wider community”.
- (c) Amend objective (g) in Clause 1.2(2) to read “To identify and conserve the cultural, environmental, natural, aesthetic, social and built heritage of the Waverley local government area”.
- (d) Amend the fourth objective in the RE1 Public Recreation zone to read “To facilitate and manage public access to and along the coastline for all – the old, the young, the infirm and the disabled.”
- (e) Include the following objectives in the B1 Neighbourhood Centre zone:
 - To ensure that non-residential uses do not result in adverse impacts to the amenity of existing and future residential premises.
 - To strengthen the viability of Waverley’s existing business centres as places of vitality for investment, employment and cultural activity.
- (f) Amend objective (d) in Clause 4.3(1) Height of Buildings to read as follows:

“To ensure that buildings are compatible with the height, bulk and scale of the existing character of the locality and positively complement and contribute to the physical definition of the street network and public spaces”.
- (g) Amend objective (c) in Clause 4.4(1) Floor Space Ratio to read as follows:

“To ensure that buildings are compatible with the bulk, scale, streetscape and existing character of the locality”.
- (h) Amend objective (d) in Clause 4.4(1) Floor Space Ratio to read as follows:

“To establish limitations on the overall scale of development to preserve the environmental amenity of neighbouring properties and minimise the adverse impacts on the amenity of the locality”.
- (i) That the road reserve at the intersection of Francis Street and Bondi Road be rezoned to RE1 Public Recreation and R3 Medium Density Residential to better align with the zoning of adjoining properties.
- (j) Adjust the boundaries of the E2 Environmental Conservation Zone running along the length of the coastline to exclude the sands of the beaches.
- (k) Zone the War Memorial Hospital site and the properties fronting Bronte Road SP2 Infrastructure – Health Service Facility.

- (l) Alter the zone boundary between the RE1 Public Recreation zone and SP2 Infrastructure – Water Supply Systems zone in Waverley Park to remove the encroachment on the Public Reserve in accordance with the boundary agreed to by Sydney Water.
- (m) Zone the site of Council's Administration Building in Waverley Park SP2 Infrastructure – Public Administration Building with a floor space ratio of 2:1 and a maximum building height of 20m to reflect the existing situation.
- (n) Zone the electricity substation on Lot 69 in DP 591989 in Waverley Park adjacent to Paul Street SP2 Infrastructure (Electricity Distribution).
- (o) Zone the accessway between 55 and 57 Murray Street, which leads to the upper end of Bronte Park, RE1 Public Recreation.
- (p) Zone the accessway between 2 Wonderland Avenue and 31 Carlisle Street, which provides access from the intersection of Wonderland Avenue and Dellview Street to Tamarama Park, RE1 Public Recreation.
- (q) Zone the Diamond Bay Bowling Club RE1 Public Recreation.
- (r) Zone the Bondi Bowling Club RE1 Public Recreation.
- (s) Zone the site used for Community purposes – Youth Centre, Baby Clinic and Day Nursery – in Wairoa Avenue RE1 Public Recreation.
- (t) Remove the projected flood planning areas for the years 2050 and 2100 from the Flood Planning Maps and amend Clause 6.3 Flood Planning accordingly to delete reference to the projected flood planning areas.
- (u) Amend the description of Item I82 in Schedule 5 referring to Hotel Bondi to read 178A Campbell Parade, being Lot 1 DP 1130125.
- (v) Amend the size of a Secondary Dwelling expressed as a percentage of the Principal Dwelling in Clause 5.4(9) of the LEP to 30%.
- (w) List Exhibition Homes and Exhibition Villages as prohibited in zones B1 Neighbourhood Centre and B4 Mixed Use Developments in the Land Use Table.
- (x) List Warehouses or Distribution Centres as prohibited in zone B4 Mixed Use Development in the Land Use Table.
- (y) List Shop Top Housing as prohibited in zone R2 Low Density Residential in the Land Use Table.

- (z) List Depots as a use permissible with consent to the RE1 Public Recreation zone.
 - (aa) Zone 145 Bronte Road B1 Neighbourhood Business and remove from the Land Reservation Map.
 - (bb) Zone the whole of the site being 315-317 Bronte Road SP2 Infrastructure.
 - (cc) Remove 30 Murray Street, Bronte from Schedule 5 and the Heritage Map.
 - (dd) Amend the description of Item I178 in Schedule 5 being 67-69 Denison Street to read Lot 3 DP 1118259 Strata Plan 79674, and remove Lots 1 and 2 DP 1118259.
 - (ee) Amend Subclause 4.4(3) to remove reference to the bold blue line and apply the provision to the R2, R3 and R4 Residential zones, and amend the Floor Space Ratio map accordingly.
 - (ff) Amend Clause 4.4A to replace reference to “Area B” with the words “bold purple line” as the means of identifying application of Clause 4.4A.
 - (gg) Zone the portion of the Scarba House site fronting Wellington Street, being Lot 2 DP 212809, R3 Medium Density Residential with a Floor Space Ratio of 1:1 and Maximum Building Height of 15m due to concerns expressed by the local community in relation to the impacts of a possible new development proposal on the site.
 - (hh) Zone the site on the corner of Old South Head Road and Bondi Road R3 Medium Density Residential with a Floor Space Ratio of 0.9:1 and a Maximum Building Height of 12.5m in order to maintain the current planning controls for the site due to concerns expressed by the local community in relation to impacts caused by traffic congestion, overlooking, overshadowing, parking problems, loss of views and wind shearing generated by a future high density development on the site.
 - (ii) Zone the land on the northern side of Macpherson Street and the northeastern side of Leichhardt Street R2 Low Density Residential with a Floor Space Ratio of 0.5:1 and Maximum Building Height of 8.5m, reflecting the existing situation, due to concerns expressed by the local community.
2. Council proceed with the making of the Draft Waverley Local Environmental Plan 2011 to effect the reclassification of the properties listed in Schedule 4 from Community to Operational land.

3. The Draft Waverley Local Environmental Plan 2011 be forwarded to the Minister for Planning in accordance with Section 68 of the Environmental Planning and Assessment Act 1979 with a request that the plan be made.
4. The Department of Planning and Infrastructure be advised that a Public Hearing in accordance with the provisions of Section 68 of the Act is not required as the matters raised in the submission are not of such significance as to warrant a Public Hearing.
5. Stakeholders be invited to enter into discussions to prepare site specific controls for the Bronte RSL Club Sub-branch site and War Memorial Hospital site.
6. The owners of the War Memorial Hospital site be invited to discuss the height and Floor Space Ratio controls for the site, and the matter be reported back to Council in the future.
7. The Heritage Inventory Sheet for Scarba House be reviewed to ensure that the curtilage around the heritage item and landscaped grounds is appropriate, and that any future development will not undermine the heritage significance of the site.
8. Council officers meet with officers of the Department of Planning & Infrastructure to investigate the opportunity to rezone roads in the future to either SP2 Infrastructure or that lower order zones take priority and that the outcomes of the meeting be reported to Council or incorporated into the first amendment of the gazetted Waverley LEP 2011.
9. Council officers commence, as soon as practical, the preparation of a set of Amendments to be submitted after gazettal of the changes to the Waverley LEP indicated herein.
10. The recently commissioned independent Urban Design Review of Bondi Junction be input into the Amendments indicated in Clause 9.
11. A heritage assessment be prepared for the Bronte Plateau (north) area.
12. All people who made submissions be advised of Council's decision.
13. Council staff involved in the preparation of the Waverley Planning Review 2011 be thanked for their efforts.

AMENDMENT (Cancian / Main)

That the Motion be adopted subject to Clause 1(m) be amended to now read as follows:

“Zone the site of Council’s Administration Building in Waverley Park RE1 Public Recreation zone.”

THE AMENDMENT WAS PUT AND DECLARED LOST.

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THE MOTION WAS THEN PUT AND DECLARED CARRIED.

Division

For the Motion: Crs Betts, Kay, Main, Sloan, Strewe and Wakefield.

Against the Motion: Cr Cancian.

S Ibrahim, A Samuel, J Rudolph and Patrick Drummond addressed the meeting in relation to Specific Issue No. L1 – Zoning of Properties on the Corner of Bondi Road and Old South Head Road.

G Chapman addressed the meeting in relation to Specific Issue No. L2 – Zoning of Properties on Bondi Road between Waverley Crescent and Ben Eden Street.

K Bryant (Executive of the Benevolent Society), L Zeilic and K Bryers addressed the meeting in relation to Specific Issue No. L3 – Proposed Zoning of Scarba House Site.

B Nash and A Betros addressed the meeting in relation to Specific Issue No. L4 – Proposed Zoning of 117-133 Hall Street, Bondi Beach to R3 with an FSR of 0.6:1 and Height of 9.5m.

D Hynes addressed the meeting in relation to Specific Issue No. L6 – Bronte (including Bronte RSL Sub-Branch Site).

J Harrison addressed the meeting in relation to Specific Issue No. L7 – Zoning of Macpherson and Leichhardt Streets (including St Catherine's School).

S McDonald and M Grayson addressed the meeting in relation to Specific Issue No. L8 – Bondi Junction Issues.

F-1203.7

Waverley Weed Management Strategy (A12/0117)

Report dated 21 February 2012 from the Director, Planning & Environmental Services providing Council with a draft Weed Management Policy for the Waverley Local Government Area.

MOTION / RECOMMENDATION (Strewe /Main)

That Council:

1. Receive and note this report and adopt the tabled Waverley Weed Management Policy.
2. Receive and note the Certificate of Authority form and resolve to appoint nominated officers as Inspectors under Section 41 of the Noxious Weed Act 1993.

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3. Allocate \$10,000 from the 2012/2013 Waste and Sustainability Improvement Payment funds to enable weed mapping of the Waverley Local Government Area.
4. Develop a Weed Management Strategy to provide the framework for weed management across the Waverley Local Government Area.
5. Continue to support actions relating to biodiversity and weed management under the Environmental Action Plan 2.
6. Continue to support the Sydney Regional Weeds Committee and seek funding for weed control under the Weed Action Plan program.
7. Endorse the Environmental Action Plan funding for a Weeds Management / Biodiversity Officer to manage the program.

F-1203.RM SUBMISSION OF RESCISSION MOTIONS

Note from the General Manager: Rescission motions must be submitted to the General Manager, or in the absence of the General Manager a member of Council's Governance Unit, and announced before the close of the meeting. The date and time of receipt will be noted on all rescission motions.

Rescission motions received before 10am on the next working day following the meeting will stay action to implement Council's decision until the rescission motion has been determined. This is in line with section 372 of the Local Government Act and Council's Code of Meeting Practice.

Rescission motions received after 10am on the next working day following the meeting may not stay action on implementing Council's decision.

Rescission motions will generally be dealt with at the next Council meeting.

The Chair called for the submission of any rescission motions and none were received.

THE MEETING CLOSED AT 9.43PM.

**SIGNED AND CONFIRMED
20 MARCH 2012**

MAYOR