

Ordinary Council Meeting

Tuesday 28 June 2022

Seating Plan for Council meetings



Statement of ethical obligations

Obligations	
Oath [Affirmation] of Office by Councillors	I swear [solemnly and sincerely declare and affirm] that I will undertake the duties of the office of councillor in the best interests of the people of Randwick City and the Randwick City Council and that I will faithfully and impartially carry out the functions, powers, authorities and discretions vested in me under the Local Government Act 1993 or any other Act to the best of my ability and judgment.
Code of Conduct conflict of interests	
Pecuniary interests	<p>A Councillor who has a pecuniary interest in any matter with which the council is concerned, and who is present at a meeting of the council at which the matter is being considered, must disclose the nature of the interest to the meeting.</p> <p>The Councillor must not be present at, or in sight of, the meeting:</p> <ul style="list-style-type: none">a) at any time during which the matter is being considered or discussed, orb) at any time during which the council is voting on any question in relation to the matter.
Non-pecuniary conflict of interests	A Councillor who has a non-pecuniary conflict of interest in a matter, must disclose the relevant private interest in relation to the matter fully and on each occasion on which the non-pecuniary conflict of interest arises in relation to the matter.
Significant non-pecuniary interests	A Councillor who has a significant non-pecuniary conflict of interest in relation to a matter under consideration at a council meeting, must manage the conflict of interest as if they had a pecuniary interest in the matter.
Non-significant non-pecuniary interests	A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is not significant and does not require further action, when disclosing the interest must also explain why conflict of interest is not significant and does not require further action in the circumstances.



Notice is hereby given that an Ordinary Council meeting of Randwick City Council will be held in the Prince Henry Centre, 2 Coast Hospital Road, Little Bay on Tuesday, 28 June 2022 at 7pm

Prayer and Acknowledgement of the local indigenous people

Prayer

"Almighty God,

We humbly beseech you to bestow your blessings upon this Council and to direct and prosper our deliberations to the advancement of your glory and the true welfare of the people of Randwick and Australia. Amen"

Acknowledgement of Country

"I would like to acknowledge that we are meeting on the land of the Bidjigal and the Gadigal peoples who occupied the Sydney Coast, being the traditional owners. On behalf of Randwick City Council, I acknowledge and pay my respects to the Elders past and present, and to Aboriginal people in attendance today."

Apologies/Granting of Leave of Absences

Confirmation of the Minutes

Ordinary Council - 24 May 2022

Declarations of Pecuniary and Non-Pecuniary Interests

Address of Council by Members of the Public

Privacy warning;

In respect to Privacy & Personal Information Protection Act, members of the public are advised that the proceedings of this meeting will be recorded for the purposes of clause 5.20-5.23 of Council's Code of Meeting Practice.

Audio/video recording of meetings prohibited without permission;

A person may be expelled from a meeting for using, or having used, an audio/video recorder without the express authority of the Council.

Mayoral Minutes

MM19/22	Financial Assistance and Donations - June to July 2022	1
MM20/22	Art in Public Spaces	3

Urgent Business

General Manager's Reports

GM9/22	2022-26 Delivery Program and 2022-23 Operational Plan and Budget	5
GM10/22	2022-32 Resourcing Strategy	37
GM11/22	Recommencement of Land Negotiation Program	45

Director City Planning Reports

CP23/22	Public Notification of Voluntary Planning Agreement - 177-197 Anzac Parade, Kensington - DA/20/2021	51
CP24/22	Council Conflict of Interest Policy- Council Related Development	97
CP25/22	Community Partnerships Funding Program 2022-2023 Recommended Allocations	109
CP26/22	Variation to Development Standard - Clause 4.6 - March 2022 -June 2022	121

CP27/22	Utilisation of Randwick Town Hall and Barrett House for Arts and Cultural Purposes.....	129
CP28/22	Planning Proposal - New Local Heritage Item - 11A Marcel Avenue, Coogee, and Extension to Moira Crescent Heritage Conservation Area in RLEP 2012.	139
CP29/22	137-151 Anzac Parade, Kensington (DA/810/2021)	179
CP30/22	Letter of Offer - 137-151 Anzac Parade, Kensington (Development Application DA/810/2021).....	183

Director City Services Reports

CS24/22	Bunnerong Road/Franklin Street/Perry Street intersection, Matraville - Traffic Improvements	187
CS25/22	Cycleways & Bicycle Facilities Advisory Committee - May 2022	193

Director Corporate Services Reports

CO24/22	New Data Management Policy and Associated Guidelines	207
CO25/22	Local Government NSW - 2022 Annual Conference	245
CO26/22	Code of Meeting Practice - Results of Public Exhibition	249
CO27/22	Monthly Financial Report as at 31 May 2022	253
CO28/22	Investment Report - May 2022	261

Motion Pursuant to Notice

NM37/22	Notice of Motion from Cr Hay - 2022 Business Excellence Awards.....	275
NM38/22	Notice of Motion from Cr Hay - Amenities Room for Shaw Reserve, Kingsford	277
NM39/22	Notice of Motion from Cr D'Souza - Opposing the Proposed Construction of Public Toilets Adjacent to the Malabar Ocean Pool	279
NM40/22	Notice of Motion from Cr Hay - Vivid Sydney in Randwick 2023 and Beyond	281
NM41/22	Notice of Motion from Cr Hay - WorldPride 2023	283
NM42/22	Notice of Motion from Cr Veitch - Increasing the Uptake of Renewables and Lowering Power Bills for Renters, Apartment Dwellers and Small Businesses in the Randwick LGA	285
NM43/22	Notice of Motion from Cr Rosenfeld - Investigate Restricted Time Parking in Sections of Maroubra that are Close Proximity to Westfield Eastgardens and Pagewood Green.....	287
NM44/22	Notice of Motion from Cr Hay - Rainbow Street Rainbow	289
NM45/22	Notice of Motion from Cr Pandolfini - Activate Office Space at Bowen Library for Arts & Culture Residencies.....	291
NM46/22	Notice of Motion from Cr Hay - Rainbow St and Byrd Ave Bicycle Crossing - Extending Rainbow Street Public School Kiss and Ride Westward.....	293
NM47/22	Notice of Motion from Cr Burst - Council investigate the mix of Waste, Recycling & FOGO Bins in RCC public parks and locations	295
NM48/22	Notice of Motion from Cr Luxford - Council Support for the BINS4Blokes Health Campaign	297
NM49/22	Notice of Motion from Cr Luxford - Randwick Cemetery Maintenance	299
NM50/22	Notice of Motion from Cr Said - Meeting the demands of growing female participation in football	301

Closed Session (record of voting required)

CS26/22	Provision of Lead Consultancy Services (Landscape Architect) for the Heffron Criterium Track – Tender No T2022-16 <i>This matter is considered to be confidential under Section 10A(2) (d) Of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret.</i>
---------	---

- CS27/22 Paine Reserve Change Rooms and Amenities Design and Construct - Tender No T2022-24
This matter is considered to be confidential under Section 10A(2) (d) Of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret. (Tender/ Procurement)
- CS28/22 Dunningham Reserve Amenities Upgrade - Tender No T2022-23
This matter is considered to be confidential under Section 10A(2) (d) Of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret. (Tender / Procurement)
- CS29/22 Meeks Street Plaza Upgrade Project - Tender No T2022-12
This matter is considered to be confidential under Section 10A(2) (d) Of the Local Government Act, as it deals with commercial information of a confidential nature that would, if disclosed (i) prejudice the commercial position of the person who supplied it; or (ii) confer a commercial advantage on a competitor of the Council; or (iii) reveal a trade secret. (Tender / Procurement)
- CS30/22 Heffron Centre Update - June 2022 **(record of voting NOT required)**
This matter is considered to be confidential under Section 10A(2) (c) Of the Local Government Act, as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom the Council is conducting (or proposes to conduct) business.

Notice of Rescission Motions

Nil

Therese Manns
GENERAL MANAGER

Mayoral Minute No. MM19/22

Subject: Financial Assistance and Donations - June to July 2022

Motion:

That Council:

- a) endorses a contribution of \$500, to be funded from the 2021-22 Contingency Fund, to assist with the development and printing of a commemorative book to mark the Clovelly Bowling Club's 75th Anniversary; and
- b) waives fees totaling \$663, to be funded from the 2022-23 Contingency Fund, associated with holding the Running for Premature Babies Kids Fun Run on 21 August 2022 at Grant Reserve, Coogee.

Background:

Commemorating Clovelly Bowling Club's 75th Anniversary

The Clovelly Bowling Club was founded in 1947 by John Burrows, who was an alderman at Randwick Council representing the North Ward for two three-year terms in 1932 and 1937.

As we approach Clovelly Bowling Club's 75th Anniversary, I have been contacted regarding the commemorative book that the club is developing on their history. A 100 page draft of the commemorative book outlines the club's history, partly including John Burrows' written history of the area. The club have requested a contribution to assist with research, layout and printing of the book.

The commemorative book is a fitting way to acknowledge the significant anniversary milestone of the Clovelly Bowling Club and given the historical interest to the community of Clovelly and the whole Randwick Local Government Area, a worthy initiative to support.

Running for Premature Babies – Kids Fun Run 2022

Running for Premature Babies are holding the Annual Kids Fun Run on Sunday, 21 August 2022 at Grant Reserve, Coogee. The annual fundraising event supports the equipment needs of the Royal Hospital for Women's neonatal intensive care unit (NICU).

Running for Premature Babies has raised more than \$5 million for the Royal Hospital for Women over the past 15 years, since founder Sophie Smith's own triplets spent their short lives there following their premature birth. 21 August 2022 will mark the 16th birthday of the triplets, in whose memory Running for Premature Babies was founded.

The Kids Fun Run is a popular community event, previously having 350 local children participating. The event sees children participating in a safe, inclusive and fun environment, some of whom were born premature themselves, and some who run in memory of their own siblings lost prematurely.

The Running for Premature Babies Kids Fun Run is a worthy cause for Council to support and has been supported by Council previously. It not only raises much needed funds for the Royal Hospital for Women's NICU but also raises awareness, and celebrates all prematurely born children both living and lost.

All funds raised at the event will go towards new lifesaving equipment urgently needed by the Royal Hospital for Women.

The Mayor or the Mayor's representative will be invited to attend and address the event to acknowledge Council's support.

Source of funding:

The financial implication to Council is \$500 to be funded from the 2021-22 Contingency Fund and \$663 to be funded from the 2022-23 Contingency Fund.

Attachment/s:

Nil

Responsible officer: The Mayor, Cr Dylan Parker

File Reference: F2022/06574

MM19/22

Mayoral Minute No. MM20/22

Subject: Art in Public Spaces

Motion:

That Council:

- a) notes the Public Art Plan is being updated and implemented this year in line with Council's Arts and Culture Strategy; and
- b) considers the Inner West Council's Perfect Match Street Art program model in the development of the Public Art Plan.

Background:

Randwick City has a unique cultural identity with a mix of iconic locations, history and heritage that offers an opportunity to celebrate arts and culture in many different ways.

Council's Arts and Culture Strategy was adopted by Council in July 2021 and aims for a creative and culturally rich city, that is innovative, inclusive and recognised nationally. It includes the approach to update and implement Council's Public Art Plan by this year.

As part of the process of updating the Public Art Plan, I propose that Council looks at the Inner West Council's Perfect Match Street Art program model.

Inner West Council's Perfect Match Street Art program is a unique initiative that fosters creative expression and art in public spaces while also tackling unwanted graffiti. The program brings artists, residents, businesses, property owners and community together to collaboratively create new street artworks in public places.

Under this program, funding is available for residents, community organisations or business owners to have a street artwork painted on a wall that has been subject to recurrent unwanted graffiti or tagging. Artists can apply to be commissioned by Council to collaborate with property owners to develop concepts and create site specific works on walls across the City.

In essence, property owners are invited to find their "Perfect Match" by nominating their wall to be transformed by an artist. Artists submit their designs and ideas. Council then matches property owners with artists.

Eligibility criteria does apply to both artists and property owners as part of this model.

The aims of the program include:

- reducing illegal graffiti and tagging on walls by removing blank canvases;
- supporting and providing opportunities for artists;
- growing the City's collection of innovative contemporary street art;
- enhancing public places and environments through producing site-specific contemporary artworks with meaningful placemaking outcomes; using innovative art to highlight and reflect the City's unique places, history, stories and character;
- building relationships between artists and local residents and/or businesses, property owners and community partner organisations;
- enabling residents, businesses and surrounding communities to be involved in the selection and development of artworks at selected properties;
- providing opportunities for artists to contribute to the creative economy; and
- attracting existing and new audiences to the City through a program to celebrate the area's unique places, creativity, arts and vibrant culture.

This is a fantastic initiative with a model that is worthy of consideration as part of Council's Public Art Plan, to be updated and implemented this year.

Source of funding:

There is no financial impact to Council in relation to this matter at this stage.

Attachment/s:

Nil

Responsible officer: The Mayor, Cr Dylan Parker

File Reference: F2022/06574

MM20/22

General Manager's Report No. GM9/22

Subject: 2022-26 Delivery Program and 2022-23 Operational Plan and Budget

Executive Summary

- The draft 2022-26 Delivery Program and 2022-23 Operational Plan was placed on public exhibition from 28 April 2022 to 28 May 2022. During this time a wide range of activities were undertaken to seek community feedback.
- A total of 34 submissions were received during the exhibition period. All these submissions were logged, considered and responded to (refer to attachment 3).
- Minor changes have been made to the draft 2022-26 Delivery Program and 2022-23 Operational Plan.
- Our 2022-26 Delivery Program is a statement of commitment to the community from our newly elected council. It is a 4-year plan that outlines how Council will work towards delivering the outcomes of the 2022-2032 Community Strategic Plan (CSP), whilst still providing the ongoing services required by our community and complying with regulatory functions.
- Our 2022-23 Operational Plan is a 1-year plan that details the individual projects and actions that will be undertaken in the coming financial year to achieve the commitments made in the Delivery Program. It includes a detailed budget for the actions, our 2022-2023 Fees and Charges, and a Statement of Revenue Policy.
- Some of the many activities planned for 2022-23 are detailed below:
 - Completion of the new state of the art Heffron Centre
 - Planning and commencement of works to the Maroubra Surf Club
 - Delivery of new shade structures to the north-eastern netball courts in Heffron Park
 - Renewal of playgrounds at Alison Park, Randwick and Woomera Park, Little Bay
 - Delivery of The Spot streetscape upgrade works including undergrounding of powerlines, new planting and street furniture
 - Completion of the Meeks Street Plaza including provision of a new community lawn
 - 5000 new native and indigenous plantings to improve the connectivity of key bushland areas.
 - 400 new trees to provide habitat, shade and heat reduction benefits.
 - Completion of the design for stormwater harvesting at Coogee.
 - 3 new public art installations.
 - Delivery of the Kingsford to Centennial Park cycle way (3km) in partnership with TfNSW.
 - 6.5 km of road resurfacing
 - 3 km of footpath upgrades
 - 40 new bicycle parking spaces.
 - 5 new publicly accessible EV charging stations.
 - Provision of a wayfinding strategy for the Coastal Walk
 - Feasibility study for a dedicated Council owned youth services facility
 - Implementation of a Buy Local, Shop Local marketing campaign
- To deliver infrastructure commitments and maintain the services expected by our community, Council submitted an application to IPART to seek approval for a 2.5% increase in annual rating income. Council met all four criteria for the rate variation so it has been assumed that Council will receive approval for the 2.5% rate increase; however, confirmation of the outcome may not be received on 21 June 2022.

- The recommended Budget for 2022-23, which includes the approved 2.5% increase in rates, ensures a continued strong financial position with a net operating result for the year, before grants and contributions for capital purposes, of \$2.6M.
- The recommended Budget for 2022-23 is balanced, with a modest \$348K surplus.



Recommendation

That:

- a) the 2022-26 Delivery Program and 2022-23 Operational Plan be adopted as per the attached, and that the General Manager be authorised to make minor administrative changes if required;
- b) the Budget for 2022-23 be adopted as per the attached;
- c) the Fees and Charges be adopted for 2022-23 as per the attached;
- d) Council make and levy the ordinary Residential Rate for 2022-23 under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.144287 cents in the dollar on the land value of all rateable land within the City of Randwick being categorised as Residential;
- e) Council make and levy the ordinary Business Rate for 2022-23, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.521546 cents in the dollar on the land value of all rateable land within the City of Randwick being categorised as Business;
- f) Council make and levy the ordinary Port Botany Business rate for 2022-23, under s.494 and s.498(1)(a) and (2) of the Local Government Act 1993, as a rate of 0.831226 cents in the dollar on the land value of all rateable land within the Port Botany Business sub-category area, defined by the SP1 Special Activities zone of the Three Ports SEPP 2013;
- g) Council make and levy the Environmental Levy special Rate for 2022-23, under s.495 and s.498(1)(b) and (2) of the Local Government Act 1993, as a rate of 0.011937 cents in the dollar on the land value of all rateable land within the City of Randwick;
- h) Council make and levy the ordinary Residential minimum rate for 2022-23 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$937.90;
- i) Council make and levy the ordinary Business minimum rate for 2022-23 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$1,511.38;
- j) Council make and levy the Port Botany Business minimum rate for 2022-23 under s.548(1)(a), (2), (4) and (5) of the Local Government Act 1993, as \$1,511.38;
- k) Council make and levy the Domestic Waste Management Charge for 2022-23 under s.496 of the Local Government Act 1993, as \$637.85;
- l) Council make and levy a Domestic Waste Management Charge for an upgrade service for additional capacity for 2022-23 under s.496 of the Local Government Act 1993, as \$306.90;
- m) Council make and levy a Domestic Waste Management Availability Charge for vacant/unoccupied Residential land under s.496 of the Local Government Act 1993, as \$319.60;
- n) Council make and levy the Stormwater Management Service Charge for residential properties for 2022-23 under s.496A of the Local Government Act 1993, as \$25.00;
- o) Council make and levy the Stormwater Management Service Charge for residential strata/Company titled properties for 2022-23 under s.496A of the Local Government Act 1993, as \$12.50;

- p) Council make and levy the Stormwater Management Service Charge for business properties for 2022-23 under s.496A of the Local Government Act 1993, as \$25.00 plus an additional \$25.00 for each 350m² or part thereof by which the parcel of land exceeds 350m²;
- q) Council make and levy the Stormwater Management Service Charge for business strata/Company titled properties for 2022-23 under s.496A of the Local Government Act 1993, calculated in accordance with the land area as per business properties and then apportioned by unit entitlement subject to a minimum charge of \$5.00 per business strata lot.
- r) the interest rate on overdue rates for 2022-23 be set at the maximum rate as determined by the Minister for Local Government under s.566(3) of the Local Government Act 1993, of 6 per cent per annum;
- s) Council grant a further \$100 rebate in addition to the existing statutory \$250 pensioner concession in 2022-23 for eligible pensioners, with the additional rebate to be split \$75 to the Domestic Waste Management Charge and \$25 to the Environmental Levy; and
- t) the General Manager be delegated to make minor changes if required.

Attachment/s:

- 1. 2022-26 Delivery Program and 2022-23 Operational Plan and Budget
- 2. 2022-23 Fees and Charges
- 3.  2022-26 Operational Plan and Budget submissions and responses
- 4.  2022-26 Operational Plan and Budget PRECINCTS submissions and responses

Purpose

The purpose of this report is to:

- Address all submissions received in response to exhibition of the draft 2022-26 Delivery Program and 2022-23 Operational Plan and Budget (and associated Fees and Charges);
- Detail any recommended changes to the 2022-26 Delivery Program and 2022-23 Operational Plan and Budget; and
- Adopt 2022-26 Delivery Program and 2022-23 Operational Plan including the 2022-23 Budget and associated Fees and Charges.

Discussion

Our 2022-26 Delivery Program and 2022-23 Operational Plan are presented in one integrated document.

The Delivery Program is a statement of commitment to the community from our newly elected council that details what council intends to do to perform its functions in the coming 4-year period (2022-26) using the resources identified in the Resourcing Strategy. It outlines how Council will work towards delivering the outcomes of the 2022-2032 Community Strategic Plan (CSP), whilst still providing the ongoing services required by our community and complying with regulatory functions.

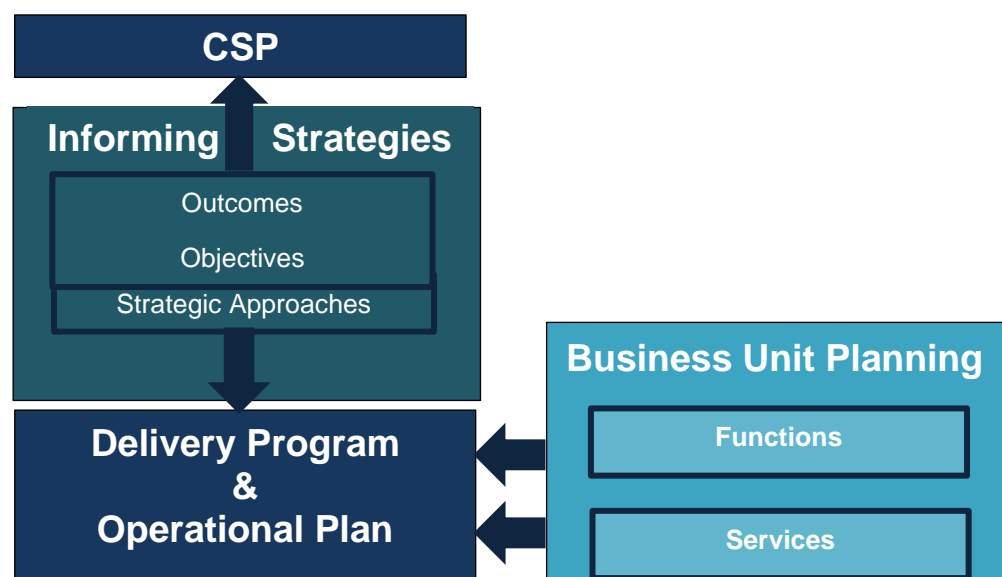
The Operational Plan is a one-year plan that spells out the detail of our 4-year Delivery Program, identifying individual projects and activities that will be undertaken in the 2022-23 financial year to achieve the commitments made in the Delivery Program. The Operational Plan includes council's annual Budget and Statement of Revenue Policy (which includes the proposed rates, fees and charges for the financial year).

Developing the 2022-26 Delivery Program and 2022-23 Operational Plan

Over the past three years, Council has completed extensive research and consultation to develop seven informing strategies. Each strategy includes outcomes, objectives and strategic approaches for delivery.

Each of the 18 business units within Council have also prepared comprehensive business unit plans mapping out their functions, processes and activities; as well as service catalogues detailing the services they provide.

As outlined in the diagram below, this work has now been combined to create this one integrated plan that covers all activities undertaken by Council to perform its functions. This includes delivering the outcomes of the Community Strategic Plan (CSP) as well as providing ongoing services and regulatory functions.



The outcomes from the Informing Strategies provide a comprehensive picture of the community's aspirations for the future across all seven areas, and the objectives provide clear measurable ways of achieving these outcomes. Together they provide the basis for our 2022-2032 Community Strategic plan.

The strategic approaches detail what Council will do to work towards achieving the outcomes and objectives over the next 10 years. These were used to help develop this 4-year delivery program and annual operational plan. Thereby ensuring that Council's actions are directly aligned with achieving our community's aspirations.

The delivery program and operational plan also includes the activities required to deliver ongoing services to our community and Council's regulatory functions.

2022-26 Delivery Program and 2022-23 Operational Plan Activities

Some of the key activities planned for 2022-23 from each strategy area are detailed below:

Environment Strategy:

- Plant at least 5000 new native and indigenous plantings to improve the connectivity of key bushland areas.
- Plant a minimum of 400 trees to provide habitat, shade and heat reduction benefits.
- Complete the design for stormwater harvesting at Coogee.
- Prepare design documentation for the Lurline Bay Coastal Walkway link.

Arts and Culture Strategy

- Consult with the community and create a cultural vision for the Randwick LGA.
- Update the Public Art Plan and provide three new public art installations.
- Develop and pilot a publicly accessible database of cultural activities (people and places) in the LGA.

Housing Strategy

- Finalise the new Comprehensive Randwick Local Environmental Plan (LEP).
- Undertake research to inform the development of the Maroubra Junction strategic centre strategy.
- Prepare, exhibit and adopt an updated Section 7.12 contribution plan.

Integrated Transport Strategy

- Partner with TfNSW in the delivery of the Kingsford to Centennial Park cycle way (3km).
- Design and construct traffic facilities to increase safety for people riding bikes or walking in 5 locations across the LGA.
- Provide 40 new bicycle parking spaces.
- Deliver 5 new publicly accessible EV charging stations.
- Develop and deliver a minimum of 4 programs targeting behaviour change to improve road safety.

Open Space and Recreation Strategy

- Prepare a wayfinding strategy for the Coastal Walk.
- Conduct a needs analysis for fenced off-leash dog facilities for suburbs with greater than 25% high density dwellings including South Coogee, Kensington and Kingsford.
- Identify suitable locations for 'play trails' to nearby playgrounds.
- Complete construction of additional splash and play facilities at the Des Renford Leisure Centre.

Inclusive Randwick

- Investigate an interactive 'what's on' website listing events and activities across the city.
- Prepare, exhibit and adopt a new Community Engagement Strategy.
- Conduct a feasibility study for a dedicated council owned youth services facility.
- Deliver at least two domestic violence awareness activities/campaigns.

Economic Development

- Design and implement a Buy Local, Shop Local marketing campaign in partnership with local networks and local businesses.
- Undertake research as part of the Comprehensive DCP review to investigate opportunities to support the night time economy and encourage a diverse mix of business and cultural activities.
- Identify and prepare 3 business cases for prioritised public space improvement or activation projects.

As part of our annual capital works program, 6.5 km of road resurfacing and 3 km of footpath upgrades are planned for 2022-23.

2022-26 Service Review Program

Our 2022-26 Delivery Program and 2022-23 Operational Plan also includes our 2022-26 Service Review Program. Through this program, we will be commencing a comprehensive review of Council services and engaging with the community and key stakeholders to develop agreed priorities and expected levels of service. The reviews will help ensure that we focus our resources where they are needed most.

Ten priority services have been identified for review in 2022-26

1. Development assessment
2. Parking patrols
3. Event management
4. Lifeguard services
5. Sports field management
6. Heritage assessments
7. Community hall management
8. Coastline waste and cleansing services
9. Tree assessments
10. Footway dining

The first 5 of these service reviews are scheduled to be completed in 2022-23.

Exhibition

The draft 2022-26 Delivery Program and 2022-23 Operational Plan & Budget was placed on public exhibition from 28 April 2022 to 28 May 2022.

During the exhibition period the following activities were undertaken:

- A YourSay Randwick website was launched on 28 April 2022
<https://www.yoursay.randwick.nsw.gov.au/budget2022-23>
 - The site included the Draft 2022-26 Delivery Program and 2022-23 Operational Plan and Budget, Draft 2022-23 Fees and Charges, four highlight videos from the Mayor and suburb highlight information sheets.
 - The site had 888 visitors during the exhibition period.
 - 1159 documents were downloaded (181 Draft 2022-26 Delivery Program and 2022-23 Operational Plan and Budget, 201 Draft Fees and Charges and the remaining 777 downloads were the suburb specific Information Sheets).
 - 25 submissions were made through YourSay.
- The public exhibition was featured in Council's weekly email bulletin Randwick News on 4 May, 11 May and listed on 18 and 25 May 2022.
- A direct email campaign was launched on 13 May 2022. Using Council's eNews database, eNews subscribers were sent a 'Budget Breakdown by Suburb' email campaign with projects relevant to their suburb of residence:

Campaign	Recipients	Opens	Clicks
Clovelly	1079	49%	6%
Coogee and South Coogee	4654	46%	3%
Kensington and Kingsford	4729	40%	3%
La Perouse, Phillip Bay and Little Bay	1527	48%	6%
Malabar	649	49%	4%
Maroubra	5580	45%	3%
Matraville and Chifley	1615	44%	5%
Randwick	6309	44%	2%

- A feature story was included in Council's SCENE magazine winter edition, which was distributed to 65,000 households in Randwick City.
- Bus shelter posters were displayed at 9 bus stops across Randwick City.
- A news item was posted on Randwick City Councils Latest News webpage.
- Exhibition materials were available online on Council's Your Say Randwick website and in hard copy at the Customer Service Centre & Council's three libraries.
- Precincts were notified of the consultation via email.
- Information sheets detailing projects by suburb were published online and were downloaded as follows:
 - Maroubra 156 downloads
 - Coogee and South Coogee 136 downloads
 - Randwick 94 downloads
 - Matraville 32 downloads
 - Kingsford and Kensington 134 downloads
 - Clovelly 93 downloads
 - La Perouse, Chifley, Phillip Bay and Little Bay 88 downloads
 - Malabar 44 downloads.
- The suburb specific information sheets (Suburbs in focus) were also printed and distributed to each household in Randwick City.
- Council's Facebook page was used to post four highlight videos from the Mayor.

Submissions

34 formal submissions (including 25 through YourSay) were received in response to the exhibition. The submissions covered a wide range of topics including rates, dog parks/areas, the coastal walkway, road reserve upgrades, town centre works, flooding/drainage issues, undergrounding of powerlines, cycle paths, park and playground upgrades, sport and recreation facilities, arts and cultural facilities and programs, community facilities, DRLC amenities, coastal amenities, roads, footpaths, traffic facilities, EV charging stations, water pollution, traffic congestion, parking, transitional housing, staffing, events and community services.

All formal submissions were logged, reviewed, and responded to. Attachment 3 provides a full list of the submissions and responses.

Continuing the approach used successfully in recent years, Council again sought input from the Precincts during the preparation phase (rather than the exhibition stage). There were 26 issues/suggestions raised by the Precincts at the initial stage, covering aspects such as: the NMI campaign, tree canopy, footpath upgrades, open space maintenance, pedestrian facilities, park and playground upgrades (including shade covers and lighting), flooding/drainage, waste, promotion of Precincts, parking facilities, Randwick Literary Institute renovation, water quality, town centre upgrades, amenity upgrades, wayfinding, road upgrades and cycle paths.

All Precinct requests were logged, reviewed, and responded to. Attachment 4 provides a full list of the Precinct requests and responses.

Recommended changes

Recommended 2022-26 Delivery Program

The following minor changes have been made to the draft 2022-26 Delivery Program:

- Minor grammatical changes have been made to the first and fourth outcomes under the Environment Strategy to align with the adopted Community Strategic Plan.
- Minor updates have been made to clarify A7.9 and A8.1 and to align the wording with the adopted Arts and Culture Strategy.
- Minor updates have been made to clarify A10, A18 and A30 and to align the wording with the adopted Community Strategic Plan.
- Missing Outcome 2 of the Open Space and Recreation Strategy has been added in above A20.
- The delivery program commitments under Inclusive Randwick have been reordered to align the commitments with the correct objectives.
- A27 has been updated to align with the adopted Economic Development strategy. The updated objective is: 'Increase number of businesses by 20% by 2032'.
- A30.2 has been updated to align with the adopted Economic Development strategy. The updated wording is: 'Continue to implement changes to the planning framework, as identified in the Night Time Economy Study, to encourage organisations to host cultural/creative experiences in retail or commercial spaces such as a shop hosting a performance, art exhibition or public talk'.
- A32.4 has been updated to align with the adopted Economic Development strategy. The updated wording is: 'Research opportunities to empower the development and attraction of businesses owned by First Nations Australians, particularly social enterprises, which employ, buy and invest locally by 2025.'
- The following note has been added at end of section 3.1 to clarify the meaning of 'satisfied' in the objectives: 'Includes survey respondents who are somewhat satisfied, satisfied or very satisfied'.

Recommended 2022-23 Operational Plan

The following minor changes have been made to the draft 2022-23 Operational Plan:

- The accountable person has been changed for items A1.5.1, A27.6.1, A27.6.2, and A27.6.3.
- A second action, A.1.5.2, has been added under A1.5.
- The target completion dates for the following actions have been brought forward to align with the corresponding delivery program commitment: A4.2.1, A4.2.2, A7.1.1, A7.5.1, A9.2.2, A9.2.3, A9.7.1 and A9.7.2.
- Minor administrative corrections have been made to indicators under B11.1.1, B14.1.1, B30.1.3 and B36.1.9.

Recommended 2022-23 Capital Works Program

No changes have been made to the draft 2022-23 Capital Works Program.

Recommended 2022-23 Budget

The following minor changes have been made to the draft 2022-23 Budget:

- Minor corrections have been made to operating expenses (increase in HR employee costs and savings in workers compensation costs).
- Minor updates have been made to ensure consistency with financial statements.
- Minor rounding corrections have been made.

Recommended 2022-23 Statement of Revenue Policy

The following minor changes have been made to the draft 2022-23 Statement of Revenue Policy:

- The 2022-23 Rating Structure table has been updated to reflect the final rates and total rate income amounts.
- The maximum interest rate on overdue rates and charges has been determined by the Minister of Local Government for 2022-23 at the rate of 6% per annum. This figure has been referenced in the section titled 'Interest charge 2022-23.'
- A minor correction has been made to the estimated number of properties receiving a pensioner concession.
- A minor correction has been made to the estimated gross yield from annual charges.

Recommended 2022-23 Fees and Charges

The following minor changes have been made to the draft 2022-23 Fees and Charges:

- The domestic waste management charge has been updated to align with the Revenue Policy;
- Compliance Cost Notice Fees - 17 ii and iii have been updated to Class 1 (from Class 10); and
- Section 603 Certificate (under s603 of the Local Government Act 1993) has increased by \$5.00 to \$90.00 as per the approved OLG determination.

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability
Direction	1a. Council has a long-term vision based on sustainability.

Resourcing Strategy implications

The recommended Delivery Program should be read in conjunction with the recommended Resourcing Strategy that is also being presented to Council for adoption at the June 2022 Council meeting.

The recommended Budget for 2022-23, which includes a 2.5% rate increase, is balanced and sustainable with a budget surplus of \$348K.

With the COVID-19 pandemic continuing throughout the world, there still exists an element of uncertainty and a level of financial sensitivity. The recommended budget has been developed based on the best information available and well considered assumptions at the time of

preparation. It is expected these assumptions will change over time and Council is positioned to proactively monitor and respond to these movements.

Policy and legislative requirements

Section 404 of the Local Government Act requires council to have a delivery program detailing 'the principal activities to be undertaken by the council to perform its functions (including implementing the strategies set out in the community strategic plan) within the resources available under the resourcing strategy'.

Section 405 of the Local Government Act requires Council to have an Operational Plan 'adopted before the beginning of each year that details the activities to be engaged in by the council during the year as part of the delivery program covering that year'

The recommended 2022-26 Delivery Program and 2022-23 Operational Plan and Budget has been prepared in accordance with section 404 and 405 of the Local Government Act 1993 and associated IP&R Guidelines.

Conclusion

To reduce duplication and increase transparency in how Council's day-to-day activities are linked with the long-term strategic plans, our 2022-26 Delivery Program and 2022-23 Operational Plan have been combined into one integrated document.

Our 2022-26 Delivery Program is a statement of commitment to the community from our newly elected council. It details what council intends to do to perform all its functions in the 4-year period using the resources identified in the Resourcing Strategy. This includes how Council will work towards delivering the outcomes of the 2022-2032 Community Strategic Plan, whilst still providing the ongoing services required by our community and complying with regulatory functions.

Our 2022-23 Operational Plan is a 1-year plan that details the individual projects and actions that will be undertaken in the financial year to achieve the commitments made in the Delivery Program. It includes a detailed budget for the actions, our 2022-2023 Fees and Charges, and a Statement of Revenue Policy.

All submissions received in response to exhibition of the draft 2022-26 Delivery Program and 2022-23 Operational Plan and Budget have been considered and responded to.

The recommended Budget for 2022-23, which includes a 2.5% rate increase, is balanced and sustainable.

Responsible officer: Emma Fitzroy, Business Strategist

File Reference: F2022/03002

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
1	I notice that there is funding invested towards the children's playgrounds in Coogee and Randwick parks. After the amount of rain this year I would rather see a sheltered area (not sail cloths) so that people can exercise under cover. Most of the children's playgrounds are in good condition and the facilities for adults should be considered eg. the shelter, more seating for the elderly to enjoy the parks away from school children and playgrounds. Also, perhaps some more strategic lighting along pathways to prevent trip hazards for the evening walkers should be considered as we have some very dark pathways around our parks.	<p>Upgrades to our playgrounds are undertaken based on asset management principles. Currently we are constructing an indoor multipurpose centre at Heffron Park and are also planning a shade structure over some of the netball courts at Heffron Park. However, there are no plans in our Open Space and Recreation Strategy to, generally, construct under cover play spaces for wet weather conditions.</p> <p>In relation to lighting of parks, we generally do not provide lighting in parks unless there is a designated walkway / path through the park.</p>
2	Please take into consideration a dog's friendly Heffron park environment. There are 17 parks in Randwick where dogs can be off-leash. Everyone is small and not secure for dogs running out to the street. At the same time, the Heffron park is unique in space, protection and a community sense and cooperation.	We will be reviewing our current provisions for off-leash dog facilities in the first quarter of the 2022-23 financial year. The review will include assessment of fenced dog parks.
3	I have looked at your draft 2022-26 Delivery Program and 2022-23 Operational Plan and Budget, and I'm shocked to discover that the plan to upgrade the central strip of Anzac Parade at the main Maroubra intersection with Maroubra Road is not included. Has this project been dropped?	We are still planning to deliver the upgrade of the central median of Anzac Parade at Maroubra Junction. The project is funded from a state government grant and is currently in planning.
4	I note council is requesting a higher than IPART rate rise AGAIN- can you confirm what the year on year has been over the past five years, as you have only just pushed through a special rate variation - is this rise on top of the special rate? what will it be when the special rate variation period finishes?	<p>In May 2019 IPART approved the continuation of the existing Environmental Levy for five years from 2019-20 to 2023-24. This levy has funded Council's Sustaining our City program since 2004 and continues to deliver important initiatives including stormwater harvesting, energy efficiency measures, extension of the award winning coastal walkway and ongoing community environmental awareness campaigns. The environmental levy is a temporary approval. This means that prior to implementing the Environmental Levy in 2019, the previous approval expired resulting in a reduction of \$4.45 million to Council's rate base. Effectively the Council's rates revenue was forced down before it was able to go up. Similarly at the expiry of the current Environmental Levy on 30 June 2024, the additional revenue will be removed from Council's rate base.</p> <p>Our Community Our Future was approved across three financial years from 2018-19 to 2020-21 and provided funding for a wide range of improvement projects and upgrades across Randwick City. The last increase under this Special rate Variation occurred in 2020-21 however the additional revenue remains part of Council's rate base.</p> <p>2018-19 7.64%*</p>

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
		2019-20 11.42%** 2020-21 5.52%* 2021-22 2.00% * Our Community Our Future ** Our Community Our Future and continuation of the Environmental Levy).
5	<p>I believe the Lurline Bay Coastal Walkway should be made a priority as it will provide a direct pedestrian connection to Maroubra. This will encourage residents to walk and participate in physical activity, which benefits people's physical wellbeing and mental health. In addition, the extension of the walkway will attract visitors to the local area, which has economic benefits to Coogee and Maroubra. It is likely to attract visitors who often choose to walk towards Bronte/Bondi from Coogee, reducing pedestrian traffic in this direction. This will create a more enjoyable coastal walking experience. Currently, the walkway comes to a stop due to a private property which I understand Council is seeking to purchase. It would be great to see Council acquire this and progress with the walkway as soon as possible.</p>	<p>The planning for the coastal walk along Lurline Bay is underway. We are currently undertaking studies of the ocean behaviour to plan the next stage of the coastal walk.</p>
6	<p>Warratah Av Randwick has been flooding many years because of poor town planning since the initial planning in 1913. The storm water drainage was not located at the lowest part of the street and result constant flooding in every major storm. I have to constantly clean the debris wash down the footpath and kerbs in front of my property at 14 Warratah Av. I have to use sand bag at front yard to avoid storm water gush down my property from the footpath.</p> <p>My neighbour at 20 Warratah Av. has talked to the engineer at council but not getting any respond on this matter. We see no funding or planning have been allocated to remediate this issue in the 2022-23 Draft. Please include this work in this draft.</p>	<p>Council has previously investigated localised stormwater improvements but found that they would not mitigate the existing flood impacts. In these instances, it is more appropriate to consider the catchment more holistically. Council is currently undertaking a Floodplain Risk Management Study and Plan for the Birds Gully and Bunnerong Road Catchment. This study and plan will outline the impacts from flooding and identify mitigation options. Upon completion of this project, we can plan any identified works.</p>
7	<p>Council needs to specifically include Waratah Avenue Randwick within its flooding and drainage Program scoping and allocate specific 2022-2023 budgeting to Waratah avenue due to the unacceptable longstanding flooding of Waratah avenue footpaths, driveways and ratepayers' residents. The reasons have been set out via emails sent to Council's engineer who has inspected the flooding and lack of drainage in Waratah but for which no written response has at yet been received.</p> <p>This has been an ongoing flooding problem due to no drains at all at the Belmore road high point of Waratah to capture rain and other water flooding the houses at the mid to low point of ave resulting in significant mould,</p>	<p>Council has previously investigated localised improvements to stormwater issues in Waratah Avenue but found that they would not mitigate the existing flood impacts. In these instances, it is more appropriate to consider the catchment more holistically. Council is currently undertaking a Floodplain Risk Management Study and Plan for the Birds Gully and Bunnerong Road Catchment. This study and plan will outline the impacts from flooding and identify mitigation options. Upon completion of this project, we can plan any identified works.</p>

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
	<p>mildew and unsafe conditions both on Council footpath and our own homes. I note a detailed flood zone and treatment plan has been recognised for Clovelly but nothing that I can see for Randwick and in particular Waratah ave. The residents have raised this with Council over many years but have just been told no funding is available. Council has increased rates and carried out insignificant non dangerous recreational spending so why is this so?</p> <p>Waratah ave residents insist that Council recognise the seriousness of the issue, and immediately include waratah ave flooding and drainage rectification within a priority Budget allocation for 2022-23.</p>	
8	<p>A few years ago we were asked to vote on initiatives to support an increase in our rates which would service the debt required to undertake these initiatives. As I recall, the highest rating initiative was placing power cables underground and removing power poles from LGA streets. The rate increase was approved, so I assume the financing was also obtained. What has happened to this initiative? It's not listed in this current plan.</p>	<p>The special rate variation outlined \$1million dollars to underground powerlines. Due to the significant funding required for this type of work, we have only proposed the undergrounding of power in town centres. The funding from the rate variation was allocated to The Spot town centre. The undergrounding of powerlines requires the reinstatement of the footpath pavement. On this basis, it is only feasible to undertake this type of work in association with a town centre upgrade. Further, the immediate constraint for trees in town centres is the shop awnings.</p>
9	<p>1. I noticed that the spending goes up every year. Of course the council rates will have to increase to finance this plan. In an economy where many people are financially struggling, I don't believe that it's a good idea to increase council rates every year. Especially since the council spends a lot of money on projects that are either not necessary or not urgent. I urge you to stick with the current rates and live within your means.</p> <p>2. Too high. Stick to the current budget and don't overspend and don't increase fees.</p>	<p>1. Careful consideration is given to the services we offer in response to community expectations and the costs associated with the services we deliver. Our costs at Council are directly impacted by changes in the cost of materials, labour and utilities. Our objective has always been to be equitable and ensuring that the Council works directly with financially affected ratepayers with flexible repayment plans. Fee reductions are currently available to community groups and charities for a number of Council services. In 2022-23 Council rates are only increasing by our endorsed Long Term Financial Plan set last year at 2.5%. An increase over and above the rate pegging would only happen if approved by IPART after public consultation and financial modelling.</p> <p>2. Careful consideration is given to the services we offer in response to community expectations which are prioritised by our Council. The Council provides a balanced budget according to these expectations and delivers these services and infrastructure as efficiently as possible.</p>
10	<p>When will you be finishing the Meeks Street Plaza? it has been a temp blocked off road for years now. Over a million has been spent on temp seating that just looks terrible. No one uses this area and it could be a great space if it is finally finished. I'm told there are approved plans for it but when will the work happen</p>	<p>The planning for Meeks Street plaza has been completed. We are currently planning the engagement of a contractor, with works anticipated to commence in July / August 2022.</p>

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
11	I hope delivery will be better than the cycle path promised now about 2 or a tad more years ago for Todman avenue in Kensington.	Council continues with the development of lower impact cycle lanes along Todman Avenue. Community consultation is due to commence in the first quarter of the 2022-23 year.
12	<p>1. Thanks for upgrading the playground at Allison park and for the other work you do. A large number of local families would love to see a basketball hoop / half court installed somewhere in Allison park - either near the playground, or at the other end near KU daycare - there are a number of excellent locations for this.</p> <p>Alternatively - or as well as the Allison Road park location, the playground on Frenchmans Road (Beilber park?) has a grass triangle that would make an excellent location for a basketball hoop - there are no other local basketball facilities near by to North Randwick- the nearest in Maroubra or Waverley. Please let me know your thoughts and if you require more consultation regarding this. My daughter also suggests monkey bars in the playground upgrade!</p> <p>2. Lastly on the 12th Feb 2021 I drew the council's attention to a dangerous drain that requires attention / repair - on the corner of Mears and Avoca st - the gap between the drain and road is very dangerous to cyclists - several times larger than a bike tyre - a severe accident will be caused by this at some point in the future.</p>	<p>1. The request for a basketball half court has been added to our list of future upgrades.</p> <p>2. The pit at this location is an RMS asset, Council has reported this issue to the RMS previously and Council Officers will report again and follow up.</p>
13	<p>1. I am curious why there is no reference to Coral Sea Park synthetic field. The budget for the installation of the field was contained in both the 2020-21 and 2021-22 operational plan and budgets. The field has not started constructed and there is no confirmed date to start the work, and if it is to start construction this year it will be during the 2022-23 year when the spending will take place, yet it is not in the budget.</p> <p>2. Why not make community sport participation free, given it would lower costs for users, and increase sport participation, which would be good for the community. Particularly given it would make a big difference to the participant and the community and makes little difference to council's revenue, given some of the wasteful expenditure that appears to take place.</p>	<p>1. The Coral Sea Park synthetic field was included in the 2021-22 capital works program. The planning for this facility has been completed and we are in the process of engaging a contractor.</p> <p>2. The charging of fees for the use of sports fields and amenities covers a range of costs related to fields maintenance, lighting maintenance, cleaning of amenities etc. Sports fields is a service above and beyond what is delivered at passive recreation parks and open spaces and, as such, fees are charged. The fees and charges for the use of the fields are endorsed by Council and in alignment with other Local Government organisations in the area.</p>
14	<p>1. Put some real \$ into arts and cultural programmes and venues. Sports investment is massive! Where is the Randwick Council dedicated arts and cultural venue? Randwick commissioned an arts & cultural strategy: implement it! No more time wasting consultation - spend the \$ on artists, programmes</p>	<p>1. Council endorsed the Arts & Culture Strategy in late 2021 and the funding to deliver the strategy will be endorsed in the next financial year (2022-23). As part of the delivery program of the Strategy there are tasks relating to looking at venues including the Randwick Town Hall, Blenheim House and Newmarket Stables. The Prince Henry Centre can be utilised, however, this</p>

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
	<p>and venues eg</p> <ul style="list-style-type: none"> - New Market stables - put \$ into making it a wonderful contemporary arts space for performance, music and visual arts. - Prince Henry Centre - there are several well equipped fantastic spaces for performance, film, video and visual arts - who is using it? When does the community of local artists get to use it? Why can't this be Randwick's contemporary art space? - Randwick Town Hall - this is an outdated and ill-equipped venue requiring serious \$ to update lighting and sound equipment to make it an attractive venue for artists, musicians. - Blenheim house - this has possibilities for small scale events - but requires serious \$ to renovate to make it work - eg walls knocked out, floors and walls redone + lighting and sound rigs for chamber music, solo gigs and visual arts. <p>2. Increase cultural grants in line with other Councils to create more 'boutique' arts events created by local artists : eg \$10,000 is inadequate to pay 4 or more artists for any significant multi-arts events - its less than industry standards and salaried Council staff should be aware of how it is woefully inadequate.</p>	<p>venue does have a revenue component as part of its Plan of Management and is utilised for a mix of corporate and community bookings. We have had arts groups apply for grant funding to cover the cost of venue hire of this venue. The Community Creative Investment program does fund artists and performers for projects delivered in Randwick City. The Newmarket Stables offer a huge opportunity for Council to offer community artists and maker spaces at that venue. The venue does need some repair work and, also a Plan of Management considering its heritage status, however, we may be able to offer some interim activations there.</p> <p>2. Thanks for you feedback, which we will consider in our annual review of the program. Our community creative grants program is designed to provide support and partial funding to creative projects, however, is not meant to be the full funding for wages and costs. The program allows other forms of funding and entry fees to also be applied, in order for these events/programs to be scaled up and viable.</p>
15	<p>1. Please see TRIM Doc D04567919 for complete submission including images</p> <p>For the second financial year in a row, I submit the following:</p> <ul style="list-style-type: none"> • I refer to the 2016-2026 Kensington Park Plan of Management and the management action plan contained in it which lists actions under Short term (1-2 years) / Medium term (3-5 years) / Long term (6-10 years) • There are a number of significant issues which continue around Kensington Park, which are summarised below • I note that again in the 22-23 Operational plan, there is no planned action/budget set aside to continue the actions outlined in the plan of management. <p>The issues in / around the park (and the associated Plan of Management actions) are:</p> <p>i) Pathways for pedestrians / walking / running</p> <ul style="list-style-type: none"> o The park is well used, including by people walking / running o Any amount of wet weather results in the park having very muddy access areas and path areas - please refer to accompanying photographs to illustrate 	<p>1. The requested works listed in your submission are included in a list of upgrades for consideration in future capital works programs.</p>

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
	<ul style="list-style-type: none"> o There is lack of proper running path, no light for exercise particularly in winter month o Action 1.8 to 1.14 in the Plan of Management would resolve this issue o I note these are all listed as short to medium term (ie years 2017 to 2021 at the latest), so these are also behind schedule o The actions should be included in the 22-23 Operational Plan ii) Landscaping / Vegetation – Western Side of park <ul style="list-style-type: none"> o The landscaping / vegetation on the Western side (adjoining Cottenham Ave) is desperately in need of redesign and replanting o Please refer to accompanying pictures to illustrate the difference in landscaping. vegetation between the Eastern and Western sides of the park o Actions 1.31 to 1.34 (or similar) would address this issue -> including a developing a consistent and coherent planting scheme o I note that these actions are a mix of short and medium term, so again these actions for the western side are behind schedule. o This should be included in the 22-23 Operational Plan. 	
2.	<p>Please see TRIM Doc D04567919 for complete submission including images</p> <p>Note: the comments below relate to Kensington Park</p> <p>iii) The carpark issues / actions identified in the Plan of Management</p> <ul style="list-style-type: none"> o Illegal parking is a significant issue at the park – please refer to accompanying photographs to illustrate o Council rangers have attended on numerous occasions and given warnings and tickets (this should be on record) o This includes restricted access for emergency and maintenance, and poses significant risk to park users who are forced to be in same zone as moving cars o There is no parking provided for people with disabilities o But the illegal parking issues will continue unless improvements to the carpark and surrounds are made o Their improvements are already listed in the plan of management, <ul style="list-style-type: none"> 1.2 and 1.3 (restrict vehicular access to park areas) 1.4 (improvements to existing car parking area) 1.5 (additional parking area – Barket St) 1.6 (time restricted parking – adjoining streets) 1.7 (install bicycle parking areas) 	<p>2. Council will examine each of the issues raised and will commence implementation as possible.</p>

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
	<p>I note these are all listed as short to medium term – ie to be carried out in short (1-2) or medium (3-5 year) term of the plan (ie years 2017 to 2021 at the latest), so these are behind schedule</p> <ul style="list-style-type: none"> o Also consider screening off the bin area and the public toilets, so that residents don't have onlook to these facilities o The actions should be included in the 22-23 Operational Plan <p>iv) Surrounding road areas – Improve the safety, accessibility, efficiency and legibility of the surrounding road network.</p> <ul style="list-style-type: none"> o Surrounding roads have become congested, speeding drivers, dangerous for the various park users (inc elderly, children, people with dogs etc) o Cottenham Ave (between Edward and Barker), and even more so Barker St are not suitable for high traffic (and high speed) areas and they are now being used as such. It appears that Cottenham Ave and Barker St is being used as a thoroughfare and it is entirely unsuitable for that purpose o I have personally witnessed numerous unsafe situations / near misses with cars / pedestrians o The actions 1.15-1.20 (or similar) would go some way to addressing the issue o I note these are all listed as short to medium term (ie years 2017 to 2021 at the latest), so these are also behind schedule o The actions should be included in the 22-23 Operational Plan 	
16	<p>One important issue has been completely overlooked in this draft, which is an OH&S issue, a privacy issue, and an issue for the elderly and disabled. The Des Renford Leisure Centre Change rooms & showers are in a terrible state of disrepair. Many of the showers are dysfunctional, with broken taps, shower heads, and doors that won't close or locks that are non-functional, and soap holders that are broken. The change rooms have been in this state of disrepair for many months, with no sign of any repairs being initiated. These issues need to be addressed as a matter of urgency. Can you please consider adding this rectification work into the draft plan or consider how these issues can be resolved as soon as possible.</p>	<p>The Des Renford Leisure Centre bathrooms are regularly frequented by patrons, with a high level of usage and the associated wear and tear. Unfortunately, there is also an element of vandalism which adds to the level of disrepair. For these reasons, regular 'Cleaning and Maintenance' audits are conducted, in addition to daily walk-throughs by DRLC staff to identify any maintenance and cleaning issues that need to be addressed. Any issues identified are immediately reported and the appropriate contractors are engaged. It should also be noted that every second shower head has been removed since the early stages of the pandemic, as a COVID-safe measure to encourage physical distancing.</p> <p>Since reopening the Centre in late September 2021, there have only been two (2) 'Customer Feedback' forms submitted in relation to the public changerooms / toilets at DRLC. Any problems raised by customers are investigated immediately and repairs organised as soon as possible. Similarly, if there are reoccurring faults (eg. fixtures breaking frequently), new solutions are found to ensure longevity and a better experience for all visitors to the Centre.</p>

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
17	<ol style="list-style-type: none"> 1. I totally and completely oppose the operational Plan and Budget It is pork barrelling and should if passed be referred to ICAC. 2. Fees and charges are extraordinary Only done for the tall poppies to afford EVs are a disaster for the environment and do not do anything for zero emission I cannot afford this nonsense. 	<ol style="list-style-type: none"> 1. Our capital programs and services in our Operational Plan is informed by the needs and requirements of the community and strategically prioritised according to an open and transparent governance process balancing with our capability to deliver and our financial capacity. 2. Almost all of the car manufacturers in the world now have phase out dates where they will cease manufacturing vehicles with internal combustion engines and will only produce electric vehicles. Transport emissions remain the fastest growing greenhouse gas emissions from internal combustion engines and generate in the order of 20% of these types of emissions. Price parity between electric and internal combustion engines are expected around 2023-24. Council is assisting where it can in transitioning toward the inevitable changes around transport and has been doing so to minimise the great disruption that a sharp and sudden change may create for our community and the transport sector in general. All the while investing in more traditional local solutions such as increased cycleways and walking facilities to facilitate a suite of local transportation solutions to cater to as many needs and lifestyles as represented in our community.
18	As a resident of Daunt Ave I have notices in the budget an "Upgrade" to our street but only at the Bunnerong Road end of the street which becomes heavily congested. I would request an upgrade of the whole street which is deteriorating. On street parking also needs to be examined as does the double white lines at the crest of the hill due to them not being straight creates a major safety hazard. A complete assessment of the street requirements needs to be done working with residents and all stakeholders.	Works planned for Daunt Avenue in the draft 2022-23 capital works budget are for resurfacing between Bunnerong Road and Paterson Street. The request to address traffic and parking issues will be referred to our Integrated Transport team to assess and report.
19	<ol style="list-style-type: none"> 1. 5 EV stations is not keeping up with demands for EV cars in eastern suburbs. Don't we want to promote EV and reduce reliance on fossil fuels. There are many companies that would be interested in providing the service. There is a perfect spot at the top of Bangor park which isn't designated as proper parking that would be a perfect spot. 2. Wheel chair access to public transport specifically buses is terrible and the shelters are nonexistent. 	<ol style="list-style-type: none"> 1. Council is pursuing the extension of electric vehicle (EV) charging facilities in the public domain, likely ahead of the 5 per year as adopted in the Integrated Transport Strategy. Randwick is also the only local Council providing sustainability rebates for EV charging stations in units as well as single dwellings. Part of our investigations include technologies that Council itself can facilitate rather than spend its own funds on. Our collaboration with Waverley and Woollahra Councils on this infrastructure is part of this process and is expected to generate additional public EV charging facilities over the short and medium terms. 2. Council has been implementing a program to upgrade bus stops for wheelchair access. This program combined with our footpath program improves accessibility generally. Unfortunately in certain locations, the topology and

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
	<p>3. Stormwater runoff into Coogee beach is terrible. I've had 3 different residents tell me they got sick after swimming in Coogee. How come none of the stormwater is treated before being dumped into Coogee beach?</p>	<p>footway configuration provide constraints that do not permit wheelchair accessibility. In relation to bus shelters, the funding required to purchase, install and maintain them is significant. Therefore, bus shelters are installed at bus stops with high passenger numbers. To offset these costs, advertising bus shelters are installed along main roads which also justify the bus shelter location due to passenger numbers. In recognition that it is not feasible to install bus shelters at each bus stop, our objective is to install a seat. Should you wish to have specific bus stops assessed for accessibility and/or a shelter, please send your request to council@randwick.nsw.gov.au.</p> <p>3. In urban environments, the extent of stormwater treatment is limited to removal of gross pollutants. This is because the high volume of stormwater being discharged during rain events is far greater than the limited capacity of treatment systems. Further, the funding of treatment is not feasible for major stormwater drains. Passive systems of water treatment such as wetlands require a substantial area which cannot be retrofitted in an urban environment. At Coogee Beach, Council is working with Sydney Water to divert the stormwater from the pipeline at the northern end of the beach into an unused sewer pipeline discharging at Dolphin Point. The planning has begun and will involve assessing whether this discharge point will have an impact on swimming areas. In the meantime, please note that swimming should be avoided for 48 hours after rain events due to pollution being washed into the stormwater system and discharged into our oceans. Swimmers should swim between the flags which are located away from the stormwater outlets.</p>
20	<p>1. Council should address the issue of the rates they charge. At 73% of its revenue the amount of rates Randwick council charges exceeds that of other councils in NSW where on average 50% of councils income is derived from rates. The high amount of rates charged in Randwick is excessive for those like myself who pay the most in rates to live in our home. If Randwick structured their rates as for example Woollahra council does by charging a flat fee to all residents for 50% of the land value and then the remaining 50% charged according to land value this would be a fairer system. The amount of rates Randwick received would be similar. It might increase the minimum rate but not excessively. It would however reduce the excessive burden for ratepayers who pay excessive amounts based on increasingly high land values but who gain. I other value than paying more to continue to live in their family home.</p> <p>The legislation provides the capacity to charge rates more equitably as does Woollahra council. It just requires Randwick council to apply it</p>	<p>1. Rating in NSW is underpinned by a capacity to pay principal that is currently based on the unimproved land value determined by the Valuer General. Council has given consideration to alternate rating models and has found that the current rating model provides maximum equity across the LGA. Council continues to advocate for changes that would provide enhanced flexibility to derive more equitable rating structures.</p> <p>Wants and needs across different Councils vary with differing demographics and economies. In response, Council's make varying strategic and operational decisions to best meet the community needs. Randwick may have a higher reliance on Rates and Charges revenue than other Councils who rely more heavily on income from parking meters, parking infringements and property rents.</p>

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
	<p>rather than continuing with an increasing inequitable rate charging system that penalizes long term residents like myself.</p> <p>2. Rather than statues and interactive displays Randwick council needs to direct expenditure to fix the storm water outlets that flow directly into the ocean. These have been an environmental hazard for decades. Polluted storm outflows regularly contaminate our beaches and prevent safe and healthy access. Dirty Storm water flows directly into Gordon's bay and the northern end of Coogee after each rain. It's a problem that needs to be addressed. Now.</p>	<p>2. In urban environments, the extent of stormwater treatment is limited to removal of gross pollutants. This is because the high volume of stormwater being discharged during rain events is far greater than the limited capacity of treatment systems. Further, the funding of treatment is not feasible for major stormwater drains. Passive systems of water treatment such as wetlands require a substantial area which cannot be retrofitted in an urban environment. At Coogee Beach, council is working with Sydney Water to divert the stormwater from the pipeline at the northern end of the beach into an unused sewer pipeline discharging at Dolphin Point. The planning has begun and will involve assessing whether this discharge point will have an impact on swimming areas. In the meantime, please note that swimming should be avoided for 48 hours after rain events due to pollution being washed into the stormwater system and discharged into our oceans. Swimmers should swim between the flags which are located away from the stormwater outlets.</p>
21	<p>1. Matraville city centre is really run down and needs upgrade.</p> <p>2. The traffic congestion, speed limit on Bunnerong Road and pedestrian crossing next to BP petrol station on Bunnerong Road are important issues as well.</p>	<p>1. Council is currently developing a Matraville Town Centre masterplan that will drive future improvements.</p> <p>2. Bunnerong Road is a State Road and Traffic Signals are managed by Transport for NSW. Council has no legal authority to make any changes regarding these matters.</p>
22	A consideration of use of the currently empty and unused nursing home at Adina ave la perouse. It needs updating to meet up to date standards. Is next to a very popular pre school so also a perfect location for a community space!	Following an unsuccessful Expression of Interest market analysis, Council is currently undertaking a development feasibility study for the Adina Street Site. This exercise is expected to be completed in late 2022 which will inform future use and Council's intended plan for the site.
23	<p>1. There needs to be more investment from Council in the Matraville, Chieffy and Phillip Bay areas. The state of the parks, roads, infrastructure and council facilities is well under community expectation - so how is this rate and waste charge increase justified? With a very underwhelming show of support for improvement to these areas.</p> <p>2. Please invest more of this rate and charges increase in Matraville, Chieffy and Phillip Bay.</p>	<p>1. Council has developed a Community Strategic Plan supported by informing strategies that outline proposed infrastructure and recreational facilities throughout the city. These strategies set priorities over a 10-year period based on needs analysis and asset management principles.</p> <p>2. Careful consideration is given to the services we offer in response to community expectations. These investments in capital and services the Council offers are captured in various feedback mechanisms available to our community and strategically prioritised in our Council meetings.</p>

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
24	Can you please look at adding more basketball courts to your community plans, or making the netball courts multipurpose? There is so much space there to have multipurpose netball and basketball courts. It gives teen boys and girls some physical activity other than just hanging out with nothing to do. It's free, it's good for health and wellbeing.	The request for additional basketball facilities is included in our Open Space upgrade list and will be implemented progressively as we upgrade our open spaces.
25	I fully support the multi-function centre and Souths new home.	Thank you for your support of this project.
26	<p>I would like to request two additional improvements to Little Bay, Phillip Bay, La Perouse and Chifley Plans:</p> <p>a) More Dog Beaches. For example the western end of Yarra Bay Beach at Bombora Point close to the container terminal is hardly used by swimmers, OR the length or parts of Yarra /bay could be open for dog walking and swimming at various times of the day, Monday to Friday, say before 10am or after 4pm daily.</p> <p>b) More sets/benches at Little Bay. From the Coast Hospital Memorial Park to Little Bay Beach, quite a large area, there are only three benches for people to sit and enjoy the great view of the ocean and watch the whales traverse on their journeys north and south. There are many older residents at Little Bay who like to walk for exercise but also to sit with friends in the outdoors. In addition perhaps some picnic tables with benches could be added in the vicinity.</p>	Council's Open Space and Recreation Strategy includes an action to identify and trial an off-leash dog beach. It is planned to review our off-leash dog facilities and identify a beach suitable for a trial. This action is planned in the first half of 2022-23 financial year.
27	<p>1. I am writing to provide feedback on the 2022-2023 Operational Plan. I think the Open Space and Recreation Strategy is an important pillar, with its outcome of 'being a city with open space that grows and changes with the community'.</p> <p>As a resident of the West Ward, Kensington Park is our main community park and one which is very popular with the locals here. As the population continues to grow and change, I would like to see continuing investment and work in the park to ensure that it meets the changing needs of the locals. I don't see any continuing investment in the Park and surrounds over the last 3 years (including in the 22-23 Operational Plan).</p> <p>Things that I am suggesting that need investment include:</p> <p>i) Improving the landscaping on the Barker St, Edward St, and Cottenham Ave edges of Kensington Park (the landscaping around the community centre was done a few years back but the rest hasn't been addressed yet)</p>	<p>1. The suggested improvements have been added to the list of open space upgrades for consideration in future capital works programs.</p>

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
	<p>ii) Doing something about the pedestrian access points to Kensington park – which get very muddy when it rains (especially with the increasing usage that the park is getting).</p> <p>2. Addressing the increasing issue with traffic around the small streets surrounding Kensington Park (Barker/Day Ln/Edward Ave/Cottenham Ave), we are experiencing very large volumes of traffic in the mornings and evenings as people from outside the area use these small streets for their commute (diverting off of Gardeners Rd and Anzac Parade through neighbourhood streets)</p> <p>3. Addressing the illegal parking around Kensington park (in and around the grandstand mainly)</p>	<p>2. Council is planning to undertake the Kensington / West Kingsford Local Area Traffic Management study, within the 2022-23 year. This Study will propose options to address the issues referred to within this submission.</p> <p>3. Council will review the parking restrictions and signage in the park and Council's Rangers will undertake programmed patrols to enforce breaches during busy events.</p>
28	<p>1. The creation of Meek Street Plaza listed for next financial year is most welcome. The Comprehensive Planning Proposal for South Kingsford will bring high density with a sharp increase in population. Without available open space, early acquisition of land is crucial to allow for parkland with a playground and other family friendly activities, including socialising that brings a sense of community.</p> <p>2. Suggest that the "Home Library Service to residents who have difficulty getting to the library for medical or mobility reasons" on request can be extended to Seniors Groups at Seniors/Community Centres. This may in fact be resource savings by reducing distribution to individuals who also attend Senior groups.</p> <p>3. Suggest that the printed monthly copies of Randwick News What's On be resumed.</p> <p>4. A library of free online home fitness workouts via the Des Renford Leisure Centre (DRLC) website would be an asset to community members who are not able to frequent the Centre.</p> <p>5. A multipurpose youth precinct and a Council owned facility dedicated to youth services will be particularly useful for youth who cannot afford to pay for sport or may have main interests other than sport.</p>	<p>1. The Open Space and Recreation Strategy includes action to provide additional open space in the Kensington and Kingsford areas. Whilst we will review opportunities for additional open space for land managed by Council, we will be seeking to have open space created through development as well.</p> <p>2. The Home Library Service is a service available to anyone who has difficulty coming to the library for medical or mobility issues. Items are selected based on preferences and are delivered to people's homes every two weeks. If someone can attend seniors' groups, they could also visit the library and would, therefore, not be eligible for the Home Library Service.</p> <p>3. The What's On will be printed mid-June, featuring regular library events and services and there will be an Oct-Dec quarterly events What's On for all Council events.</p> <p>4. The DRLC first started producing online fitness videos during the COVID lockdown and closure of the Centre in 2020. This online service has continued throughout the pandemic, with a substantial library of workout videos being developed on both Facebook and the DRLC YouTube channel. This has resulted in a Delivery Program goal of posting regular online fitness sessions for the community to either do at home or use as motivation when visiting the DRLC gym.</p> <p>5. Following a recent Open Space and Recreation Study, Council has developed an Open Space and Recreation Strategy that will enhance the current passive and active recreational opportunities available in Randwick City. The strategy looks to add a BMX bike / pump track and include social sports into our open spaces. We are also consulting with youth groups to seek feedback into the</p>

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
	<p>6. Wi-fi access in disadvantaged areas is an essential to ensure that children/youth can do their homework, which increasingly requires internet competency</p> <p>7. Transitional/safe housing for women exposed to domestic violence is a high priority. Suggest that Council also investigates if access to support/advice/strategies/safety for women contemplating to leave an abusive situation are available in Randwick City. Women are particularly vulnerable when about to leave their violent situation.</p> <p>8. Hopefully the recent "Illegal Dumping" survey will lead to 'action' rather than further investigation. Scheduled frequent clean-ups are required in streets with Council designated parking.</p> <p>9. The Australia Day event at Kensington Park was a great success. Kingsford lost its market at the Rainbow St site in connection with the light rail. Suggest that Council considers a Farmers Market be arranged at Kensington Park in Spring, which would also provide a great opportunity for the Council Nursery to become better known and increase sale of plants.</p>	<p>Maroubra Beach Plan of Management.</p> <p>6. Thank you for your feedback and support of this approach.</p> <p>7. This is an important issue and while there is always more to do, Council remains committed to supporting women and children escaping violence. Council is a key contributor and participant in the Eastern Suburbs Domestic Violence Network. The membership of this network includes service providers, agencies and non-government organisations who work together to provide support and strategies for women escaping domestic violence. In addition, Council employs a fulltime specialist worker to provide referral support, promote awareness campaigns, provide bystander training and produce resources to assist women in finding the support they need.</p> <p>8. Council is reviewing its services to better meet the needs of our community particularly in and around higher density areas (unit blocks) and areas of high mobility. The survey was designed to help with this process. Council provides up to six free kerb side collections per residence. The annual zone collection, where we collect from every residence on a specific week across the 22 zones, is supplemented with up to five on call/booked collections to enable residents to dispose of bulky household items when it suits them. Council encourage residents to report incidents of illegal dumping using the online reporting tool or by phoning Council's Call Centre on 1300 722 542.</p> <p>9. The community has told us that they want to see markets in Randwick City and it has been set in our delivery program to consider as part of the Economic Development Strategy by 2024. We will need to scope a range of locations and conduct consultation in order to determine the best location.</p>
29	As a local resident and rate payer, I am writing to oppose both the design and the building of the new shower and toilet block at South Maroubra beach next to the Surf life Saving Club. This proposed building is excessively big, and costly. It takes up invaluable green space and parkland used by the whole community and visitors to Maroubra. Council already pushed through the building of new car parks that are an eyesore, have encouraged further traffic and pollution, and created a hazard for pedestrians, especially small children. The proposed building will occupy green space currently enjoyed by picnickers, families, dog walkers, nature lovers and more. There are already existing shower and toilet facilities that simply need a freshen up and some minor renovation. As a regular local beach user, none of the regular beach users and locals I know have requested new shower and toilet facilities. I ask if this new shower block is	The proposed amenities in Arthur Byrne Reserve have been endorsed by Council. They will provide facilities to users of Arthur Byrne Reserve, coastal walkers and users of the beach.

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
	genuinely for the use and benefit of the local community or some new deal with the nippers program that regularly floods the area with its unwelcome polluting cars visited upon us from all over Sydney? If this new project goes through, I will be immensely disappointed with Randwick Council.	
30	<ol style="list-style-type: none"> As a local resident and rate payer, I am writing to oppose both the design and the building of the new shower and toilet block at South Maroubra beach next to the Surf life Saving Club. I find those plans very upsetting and unnecessary. This proposed building is excessively big, and costly. It takes up invaluable green space and parkland used by the whole community and visitors to Maroubra. Council already pushed through the building of new car parks in the parkland that are an eyesore, have encouraged further traffic and pollution, and created a hazard for pedestrians, especially small children. The proposed building will occupy green space currently enjoyed by picnickers, families, dog walkers, nature lovers and more. There are already existing shower and toilet, those could definitely need a freshen up and need to be cleaned more regularly in summer. New ones would have the same problem. As a daily surfer at Maroubra Beach and regular local beach user, none of the regular beach users and locals I know have requested new shower and toilet facilities. Again, the existing ones just need a bit of maintenance. I ask if this new shower block is genuinely for the use and benefit of the local community or some new deal with the nippers program that regularly floods the area with its unwelcome polluting cars visited upon us from all over Sydney? If this new project goes through, I will be immensely disappointed with Randwick Council. I think there are other things like improving traffic problems, safer road crossings for pedestrians or even zebra crossings up on Broome street and on Fitzgerald way more important. 	<ol style="list-style-type: none"> The proposed amenities in Arthur Byrne Reserve have been endorsed by Council. They will provide facilities to users of Arthur Byrne Reserve, coastal walkers and users of the beach. We are unsure of the exact locations where pedestrian facilities would be required (Fitzgerald Avenue is more than 2.3km long and Broome Street is more than 1.2km long). More details are required in order to provide an appropriate response.
31	<ol style="list-style-type: none"> I am particularly concerned about footpaths. Sometimes small areas get overlooked and I am hoping these can be included in the 2022-23 program of works. <ol style="list-style-type: none"> I note that undergrounding of overhead power lines is scheduled for The Spot, but this has been mentioned for a number of years with no physical works undertaken, which would of course, mean footpaths are upgraded. My concern is Perouse Rd, west side from #54 (ice cream parlour) to #72 (post office). The footpath is in poor condition for a commercial centre. Also in The Spot, in Soudan Street, east side there is a disabled parking place next to a kiosk substation. The verge is in very poor 	<ol style="list-style-type: none"> The planning of the undergrounding of powerlines is complex, particularly in town centres. We have incorporated this initiative into the Streetscape works for the town centre. As the project scope has developed, we have identified additional funding required to complete the entire scope and have allocated funding in the proposed capital works budget.

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
	<p>condition and not maintained - I request this small area be concreted to improve access for mobility limited people.</p> <p>c. A small area overlooked is Carrington Rd, west side between Coogee Bay Road and McAnally Lane, the footpath, less than 50 metres, is in a very poor condition and an old asphalt surface.</p> <p>d. Finally on footpaths, there is a dusty patch outside of 10 Melody Street Coogee. In heavy rain there is extensive soil run-off and I request this area be concreted.</p> <p>2. Separately on access at Clovelly Beach and the Gordons Bay area - this could be improved by installing stairs at the southern end of Lowe Street onto the coastal walkway. Stairs here would provide an alternative to having to negotiate the steep incline of the coastal walkway path (Cliffbrook Parade) between Lowe and Tower Streets.</p>	<p>2. At this stage, council does not have plans to increase the access points onto the Coastal Walk around Gordons Bay. The request may be considered as part of a future Plan of Management for Clovelly and Gordons Bay.</p>
32	<p>My key comment is for provision to be made to progressively place underground the above ground wires, particularly in and around Coogee Beach. This has started with the upgrade of Coogee Bay Road. The initiative may be funded out of payment from developers who seek approval to develop proposals in the local area. Often these fees are waived by Council. Instead, they should be included and earmarked for the placement of wires underground. The effect will be to enhance the iconic status of the beach and its surrounds at no additional cost to Council.</p>	<p>Council requires the undergrounding of power lines for development;</p> <ul style="list-style-type: none"> - comprising the erection of a new mixed use or medium density residential building containing 40 or more apartments or is a substantial non- residential development; and - where there is at least one full span located immediately adjacent to the development, with no responsibility for other property connections. <p>There is no fee associated with these works for Council to waive. The works are conditioned in the development consent and are the responsibility of the developer to undertake the works. An approval for the undergrounding of the power lines is also required from Ausgrid. If Ausgrid don't deem it feasible, given the logistics and the way that the span of wires integrates with their network, then they may not agree to the undergrounding of the power lines.</p> <p>In relation to Coogee Bay Road, Council undertook those works as part of its capital works program.</p>
33	<p>1. General comments - The program of capital works for 2022-23 is modest. The reasons given (COVID related labour and supply shortages) and bad weather causing delay are noted. In addition, Council have had a substantial program of works underway / still to complete, but the Rugby League facility at Heffron Park must-should not monopolize Council staff resources beyond the current year- the diversion of Council staff to a single, sports focused, predominantly male activity of one football code is not fair to the wider community.</p> <p>2. It is not clear what the full-time equivalent staff numbers at Council are. The data provided seem to relate to actual staff numbers rather than full-time equivalent numbers.</p> <p>3. The road resurfacing and footpath (re-)construction program data just</p>	<p>1. The proposed 2022-23 capital works budget has a similar level of funding as the 2021-22 capital works program with works planned across all infrastructure asset classes.</p> <p>2. Councils Full-Time Equivalent (FTE) is a combination of our full-time and part-time employees. Each part-time employee counts as a portion of a full-time employee. Councils FTE at the time of reporting was 548.</p> <p>3. The footpath capital works program includes new footpaths and renewal of</p>

Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Submission	Council response
	<p>states the length of surface. To be meaningful, it should show what % of the infrastructure is proposed to be resurfaced (eg 3%, 5%), otherwise it is difficult for the community to appreciate how much progress is being made on asset maintenance, without referring to the separate Road Pavement Asset management plan resource strategy. In the case of roads the plan states a total surface of 2,712,915 m² – what percentage is proposed to be replaced in the 2022-23 Operational Plan, where we can see the total amount of this infrastructure is majority asphalt with an expected life of 35 years.</p> <p>4. Requests - In the 2021-22 operational plan (responses), following a request by another resident, a pedestrian refuge in Alison Road Coogee at Pauling Avenue was stated to be completed. However this has not occurred. Can Council please advise the status of this works as the construction has been outstanding for more than 10 years after approval.</p> <p>5. As a general comment, I consider Council staff are being 'too pure' in their implementation of undergrounding of overhead utility wires, funded by development contributions, which means progress is incredibly slow, more than 5 years in the case of The Spot commercial centre, although I understand a more detailed approach is required for retail commercial centres.</p> <p>A request for the Coogee commercial area is to underground remnant overhead wires in Dolphin Street and in Carr Street, both between Arden and Carr Streets, with minimal feeder lines necessary into adjoining properties or Council assets (memorial, surf club).</p>	<p>existing footpaths. The road resurfacing program includes resurfacing, localised repairs to the pavement (patching) and associated kerb and gutter repairs. The renewal works are identified as the asset reaches an 'end of life' condition. Therefore, the percentage areas may vary from year to year based on the condition variability, scope of works and road segment lengths. The length of road and footpath figures are provided for a general idea of the extent of work planned to be undertaken.</p> <p>4. Design challenges with this project now require that the matter be again reviewed by the Traffic Committee. At this time it is expected that this matter will be considered at the July meeting of Randwick Traffic Committee.</p> <p>5. The undergrounding of power lines requires significant funding. On this basis, the undergrounding of power lines has been limited to streetscape upgrades in town centres, where the visual benefits make this work more feasible. Proposals to underground power, support streetscape projects rather than driving the project. Undergrounding power as a stand-alone project is not feasible.</p>
34	<p>Sorry for the late suggestions on the upcoming budget, all for the areas around Coogee Beach.</p> <p>1. Dunningham Park, boundary onto Beach St - amenity and safety of park improved by planning a hedge next to the existing sandstone retaining wall on Beach St</p> <p>2. Pines on Arden St, between Alfreda and Dolphin St (in front on carpark) - roots causing paving to lift - I suggest planter boxes around pine trees.</p> <p>3. Open area in Goldstein Reserve, just north of main paved area leading to Coogee Beach - there is dirt "triangle" between paths, suggest the area be landscaped (planted out) as grass unlikely to grow. Plantings would help soften the clutter (bins, signs, bicycle racks etc) in this area.</p>	<p>Thank you for your submission and suggested improvements in Coogee. The matters raised will be assessed and any maintenance will be undertaken or, if works require planning, will be placed on a future works list.</p>

Precincts Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

No	Precinct	Submission	Council response
1	Bays & Beaches	<p>Allocate budget to supporting the NMI campaign, similar to Bayside Council.</p> <p>Note: This request was made at a precinct meeting and recorded in the minutes along with the following comments: 'Cr Da Rocha advised that he is putting forward a motion tomorrow for council to continue to put pressure on the government, use our green waste trucks to advertise and get the message out. Cr D'Souza agreed that the motion is very relevant and important and reinforces all we've said. He thanked Chris for everything he is doing.'</p>	<p>Council is able to continue supporting the NMI campaign to oppose the proposed incinerator within Council's existing resources and budgets. Since 2019, Council has provided ongoing support to the NMI campaign and will continue to do so into the future as per the Council resolution. Assistance to date has included helping develop a marketing campaign, assisting with managing the NMI website, creating video content, designing and printing material such as flyers, installing coreflute posters on bins and branding a Council garbage truck with the no incinerator message. In May 2022, Council flew street banners in Matraville and Little Bay to oppose the incinerator plan.</p>
2	Bays & Beaches	<p>Increase the tree canopy in Randwick. Fred Williams Reserve hasn't had new trees planted for a while. Some have died. At the end of Phillip Bay, on the big grass hill there used to be native trees but they are now all cleared. We would like trees and shrubbery for birds. Also, up the top of Yarra Bay by Centennial Park, between the cemetery and beach, right down the end is bare grass. We would like trees everywhere.</p> <p>Note: This request was made at a precinct meeting and recorded in the minutes along with the following comments: 'Councillor Said advised that council has had a policy for tree canopy for over a year and these suggestions are in line with that. Sometimes we can't put them in certain areas that are not council areas but Crown Land. Some Crown Land claims have been made and we have to be careful. Cr D'Souza said council is also considering architectural design, sustainable living and greening the environment. Charles was also wary of the need to be careful where trees were planted, giving consideration to potential fire hazard.'</p>	<p>Council is pursuing an ambitious tree-planting program in order to meet urban canopy targets set by the NSW Government. Our current efforts are supported by externally provided Greening our City grants up until the end of November 2022. We are increasing our tree-planting in streets and parks by 1,890 trees and the understory plants (grasses, shrubs and groundcovers) by 12,000. Much of this will be divided between community plantings and plantings by contractors. Individual parks will form part of our plantings but most probably where significant tree plantings can be made.</p>
3	Matraville	Improving footpath at Pillars Place (behind Woolies).	<p>More details are required in order to provide an appropriate response. The Precinct have been asked to provide more details in relation to this request.</p>
4	Matraville	Land behind the Community Hall weeding and lawn mowing.	<p>Noted, this site has been scheduled for maintenance with the relevant Open Spaces team.</p>

Precincts Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

5	Matraville	The little park connecting Pillars Pl to Woolies could also do with some regular maintenance (the garden beds look neglected).	Council officer have inspected area and the works have been scheduled with the responsible open spaces team and will carried out shortly.
6	Matraville	A pedestrian refuge on Beauchamp Rd near Eastern Rd would be very welcome too.	A pedestrian refuge was constructed in Beauchamp Road, between Eastern Road and Sharp Street, in April 2022.
7	Matraville	I have also noticed more and more people trying to cross Beauchamp Rd outside the Fire Station (there is no crossing there), rather than going across, Bunnerong, across Beauchamp and then again across Bunnerong. Is this something within the scope?	Traffic Signals and State Road matters are not delegated for action by the Council. This matter will be raised with Transport for NSW, on behalf of the local community.
8	Matraville	Better lighting for Barwon Park during winter.	The review of the lighting in Barwon Park will be added to the list of projects to be scheduled in future capital works programs.
9	Matraville	Upgrade and a cover over the children's player area in Finucane reserve and another park bench under some shade would be helpful.	The playground is already partially shaded by the adjacent trees. Additional shade by the installation of a shade structure will be considered in a future capital works upgrade. The installation of a park bench will be scheduled for installation as part of our parks upgrade program.
10	Matraville	Finucane reserve a garden along the fence some council help there would be welcome.	The reserve is maintained on a 3-week cycle along with most other open spaces within Randwick. In regard to help with a garden along the fence line, the Precinct have been asked to provide some more information.
11	Matraville	Flood along Perry Street is a long waiting unsolved problem for a long time. If the council allocate budget to install 3 pits to the south side of lowest levels of street, we believe the problem will solve. We request the Precinct to request the Council to allocate budget to this project. Thank you very much for your support for the sufferers.	Funding to address the flooding impacts along Perry Street was previously included in a past capital works program. Unfortunately, the design concepts and feasibility concluded that upgrade of the existing drainage system would not address the flooding impacts. The study found that the pipe is running full. Therefore, adding pits at this stage will not provide a benefit. Longer term, we are looking to upgrade the drainage via an alternative route. This proposal is being considered as part of the Birds Gully Bunnerong Road Floodplain Risk Management Study and Plan.
12	Randwick	Shade sails - Audit Randwick LGA playgrounds to ensure sufficient shade is provided and where existing sails are present make sure in good condition and where no shade is provided by either trees or shade sails, provide a shade sail option. See attached residents survey of playgrounds (see D04371305)	The request for shade sails at our playgrounds in the form of a playground audit is noted. Council is currently developing a plan for our playgrounds. Our objectives with playgrounds are to provide fun play for a range of age groups, include all abilities equipment and to ensure the playgrounds are safe, including sun safety. For new playgrounds, we aim to provide shade to the playground in the form of adjacent trees or shade sails. Please note, that when planning for shade, we do not aim to cover the entire playground.

Precincts Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

13	Randwick	Precinct marketing/advertising – Precincts have limited reach with our budgets. It is proposed an allocation of the RCC marketing budget be used by RCC marketing to promote increased awareness of what a precinct is and to promote attendance at meetings on all precincts behalves. A marketing plan be developed to promote followers on Facebook pages, subscriptions to email list, social media posts, stories in the print newsletter, precinct profiles in the newsletters, etc	As part of its Community Strategic Plan and Inclusive Randwick Strategy Council will be developing a communications strategy to promote Precincts to the broader Randwick City community.
14	Randwick	Investigate options for rear to kerb angled parking around shared residential/retail areas eg Frenchman's road, the Spot, St Marks Road. Residents are fighting for spots with the constant construction workers and the growth of retail/hospitality workers in the area. This may include making some exceptions to road width requirements for rear to curb parking. The residential Parking Scheme is not the solution if you want thriving businesses in the area and the construction industry pumping money into the local economy.	Council is investigating the possibility of introducing angle parking near the Frenchmans Road and The Spot localities. A report in relation to this matter is expected to be presented to the September 2022 meeting of the Traffic Committee.
15	Randwick	Randwick Literary Institute upgrade/renovation - this was approved in the IPART rate variation in 2018.	Council is considering ongoing maintenance of the building as well as heritage and conservation issues. The building is not owned by Council, it is managed by Council from NSW Lands.
16	Randwick	Clovelly water quality study – the wall stops water circulating naturally, so becomes stagnant in summer.	Council has resolved to undertake a water quality study at Clovelly. To action the resolution, we have developed a brief and will be seeking quotations from suitable consultants to undertake this work.
17	Randwick	Randwick Junction shopping centre, Belmore Rd – many studies/surveys have been done however there are still overhead wires. Suggestion is to underground powerlines to increase street tree planting opportunities – this was approved in the IPART rate variation in 2018.	The special rate variation outlined \$1million to underground powerlines. Due to the significant funding required for this type of work, we have only proposed the undergrounding of powerlines in town centres. The funding from the rate variation was allocated to The Spot town centre. The undergrounding of powerlines requires the reinstatement of the footpath pavement. On this basis, it is only feasible to undertake this type of work in association with a town centre upgrade. Further, the immediate constraint for trees in town centres is the shop awnings.
18	Randwick	Toilets near bus stop near Coogee Beach in poor state (Coogee precinct area).	We are currently in the planning phase to upgrade these facilities.
19	Randwick	Privacy screens are needed in showers at Clovelly Beach – due to queuing and social distancing everyone can see you getting changed in the change room!	Council officers have inspected the facility and the layout is in alignment with other Council facilities of a similar nature that are currently in use. The shower and change room are separated from the toilets area, the facilities have been found to be functioning normally.

Precincts Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

20	Randwick	<p>A suggestion called 'wayfinding'. Walking around the Judge St and Albi Place recently and noted pedestrian wayfinding could be improved. There is precedence for such signs - attached is photo in Brook Street for stairs leading to Bay Street Coogee. The suggestions is to improve pedestrian links and wayfinding in the Judge and Clyde Streets areas by:</p> <ul style="list-style-type: none"> • In Judge Street, at the top of the steps, sign stating "to Albi Place and XX to XX Judge Street (xx referring to house numbers)" and similar sign at the foot of the Judge St steps (corner Albi Place) for the house numbers in the southern portion of Judge Street • In Judge St, north -western end sign stating "to Pitt St" and the reverse in Pitt Street • In Judge St, north-eastern end, sign stating "to Clyde St" and the reverse in Clyde Street • In Clyde Street, northern end, sign stating "to Alison Rd" and the reverse in Alison Road. 	Wayfinding improvements will likely be an outcome of the Active Transport Strategy being developed in the coming year. The suggested locations will be specifically investigated as a component of the outcomes of the development of this Strategy.
21	Randwick	Make available to residents by stocking them in Randwick LGA supermarkets, not just in parks, to reduce the amount of non-biodegradable ones being discarded in the street.	Council has been distributing its compostable bags from a range of Council locations but more recently, following the new contract with our waste services provider, distribution is being carried out by the service contractor. They are distributing to every house and multi-unit household on a scheduled roll-out of bags over the next 12 months.
22	Randwick	<p>Improve slip roads by adding raise pedestrian thresholds in the following areas:</p> <ul style="list-style-type: none"> • Raised pedestrian threshold on pedestrian crossing on slip lane from Belmore Road into Avoca Street (in from of Captain Cook Statue) • Raised pedestrian threshold on pedestrian crossing on slip lane between Avoca Street to Cowper Street (school area) • Raised pedestrian threshold on pedestrian crossing on slip lane between Avoca Street to Frenchman's Road (school area) • Raised pedestrian threshold on pedestrian crossing on slip lane between Clovelly Road to Avoca Street (school area) • Raised pedestrian threshold and installation on pedestrian crossing across 'missing link' slip lane into St Marks Road from the main intersection of Clovelly Road and Frenchman's Road 	Proposed pedestrian improvements will likely be an outcome of the Active Transport Strategy being developed in the coming year. The suggested locations will be specifically investigated as a component of the outcomes of the development of this Strategy.

Precincts Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

23	Randwick	<p>Since 2010 Council has approved (but not funded) a pedestrian refuge in this part of Alison Rd (intersection with Pauling Ave. However there has never been any action. For some reason it keeps missing funding and as this year is nearly out could it be put into next financial year? Thank you.</p> <p>Note: This request was considered last year and the following advice was provided by Council: It is proposed to construct a pedestrian refuge in Alison Road, near Pauling Street in the 2021/2022 financial year.</p>	Design challenges with this project now require that the matter be again reviewed by the Traffic Committee. It is expected that this matter will be considered at the July 2022 meeting of the Randwick Traffic Committee.
24	Maroubra	<p>A full road resurfacing upgrade of Fitzgerald Avenue, Maroubra between Bunnerong Road and Anzac Parade to an asphalt surface in order to support the expected increased traffic flow in line with the future vision and growth for the Heffron Park area.</p> <ul style="list-style-type: none"> The Heffron Park area has grown immensely in popularity over the years with the upgrades of the netball courts and sporting facilities and will continue to grow into the future with major development of the Heffron Centre in conjunction with the Federal Government, NSW State Government and the South Sydney Rabbitohs, and also the planned new \$1.5m splash park at Des Renford Leisure Centre. Investment in the road infrastructure which supports the transport links to this area has not kept up with the pace of development. The road surface along Fitzgerald Avenue is sealed concrete sections which were put down in the 1950s and have not had a significant upgrade since this time. Sections of the road have been repaired over the years on an adhoc basis which has created an uneven surface which is both a hazard for motorists and makes for an unpleasant driving experience. For residents living along this road, it has also caused increased road traffic noise and vibration to the adjoining dwellings as vehicles travel along the uneven sections. 	<p>Fitzgerald Avenue currently has a concrete pavement which has a very long asset life. The pavement has adequate structural capacity to accept additional traffic. However, we do note that the existing concrete road has had isolated defects that have been repaired and has disadvantages compared to a flexible pavement (asphalt).</p> <p>The overlay of a concrete pavement with an asphalt wearing course results in spalling and cracking in the wearing course which reduces the wearing course life to an unsustainable level. Our current practice is that, when a concrete road reaches end of life, it is replaced by reconstructing an asphalt pavement and asphalt wearing course.</p> <p>The requests for a better road pavement along Fitzgerald Avenue are noted and have been placed on our list of future upgrades.</p>
25	Kensington	To make a proper 'Avenue' of Todman avenue and add proper cycle paths.	Council continues with the development of lower impact cycle lanes along Todman Avenue. Community consultation is due to commence in the first quarter of the 2022-23 year.

Precincts Submissions and responses – 2022-26 Delivery Program and 2022-23 Operational Plan, Budget and Fees and Charges

26	Kensington	<p>Picnic tables and attached benches in Kensington Park under trees, outside the Oval.</p> <p>At least six to eight picnic tables & benches, located around the periphery of the park, under the shady trees, would be of immense benefit to families with young children & older women, as well as young people, who use the park every day.</p> <p>Council has a target of 15000 additional dwellings for Kensington and many families now reside in high rise apartments, but there is little green space for them to enjoy in walking distance to their dwellings.</p>	The request will be assessed in detail and will be added to a list for consideration in a future capital works program.
	Clovelly	No requests received.	
	Coogee	No requests received.	
	Malabar	No requests received.	

General Manager's Report No. GM10/22

Subject: 2022-32 Resourcing Strategy

Executive Summary

- The draft 2022-2032 Resourcing Strategy was placed on public exhibition from 29 April 2022 to 27 May 2022.
- There were 78 visitors to the Your Say Randwick website, with 1 submission received after the exhibition period.
- The Resourcing Strategy is a critical enabling strategy when it comes to translating the strategic outcomes and objectives of the Community Strategic Plan into the strategic approaches that form the basis of our Delivery Program.
- This Resourcing Strategy details how Council will provide the resources required to delivery on its commitment to the community whilst maintaining the long-term sustainability of the organisation.
- The Resourcing Strategy consists of four inter-related elements:
 - Long-term Financial Planning -
 - Finance Management Strategy
 - Long-Term Financial Plan
 - Asset Management Planning -
 - Asset Management Strategy
 - Asset Management Plans
 - Asset Management Policy
 - Information Management and Technology Planning -
 - Information Management and Technology Strategy
 - Workforce Management Planning -
 - Workforce Management Strategy

Recommendation

That:

- a) the Resourcing Strategy, be adopted as per the attached, consisting of the follow:
 - a. Finance Strategy,
 - b. Long-term Financial Plan (LTFP),
 - c. Asset Management Strategy,
 - d. Asset Management Policy,
 - e. Asset Management Plans (X7) and
 - f. Information Management and Technology Strategy.
- b) the Workforce Strategy be endorsed as per the attached.
- c) the General Manager be authorised to make minor administrative changes if required.

Attachment/s:

1. Resourcing Strategy
2. Finance Strategy

GM10/22

3. Long Term Financial Plan (LTFP)
4. Asset Management Strategy
5. Asset Management Policy
6. AMP - Retaining Wall
7. AMP - Kerb Gutter
8. AMP - Stormwater Drainage
9. AMP - Roads
10. AMP - Footpath
11. AMP - Buildings
12. AMP - Open Space
13. Information Management and Technology Strategy
14. Workforce Strategy
15. [!\[\]\(687b6c142f51ac6f390f8bd444e38d03_img.jpg\) Draft Resourcing Strategy submissions and responses](#)



Purpose

The purpose of this report is to address all submissions received in response to the exhibition of the draft Resourcing Strategy and detail any changes to the 2022-203 Resourcing Strategy, prior to adoption and endorsement by Council.

Discussion

The draft 2022-2032 Resourcing Strategy was placed on public exhibition from 29 April 2022 to 27 May 2022 and there were 78 visitors to the Your Say Randwick website, with 1 submission received after the exhibition period. The 1 submission was logged, reviewed, and responded to (please see attachment) but did not result in any changes.

The Community Strategic Plan provides a vehicle for the community to express its long-term outcomes and objectives. It is a whole of community plan which extends past the role of Local Government.

We are not able to achieve the community's vision for the future at a Local Government level without the support and contribution of others. Other levels of government, agencies, stakeholders, businesses, and residents will all play a part in making it a reality.

Through its 4-year Delivery Program, Council demonstrates its commitment to progressing these long-term outcomes and objectives. This involves a variety of services, infrastructure projects, advocacy and other initiatives that are important to our community.

Of course, this commitment will not be realised without sufficient resources to carry them out.

The Resourcing Strategy is therefore a critical enabling strategy when it comes to translating the strategic outcomes and objectives of the Community Strategic Plan into the strategic approaches that form the basis of our Delivery Program.

This Resourcing Strategy details how Council will provide the resources required to delivery on its commitment to the community whilst maintaining the long-term sustainability of the organisation.

The Resourcing Strategy consists of four inter-related elements:

- Long-term Financial Planning -
 - Finance Management Strategy – under separate cover
 - Long-Term Financial Plan – under separate cover
- Asset Management Planning -
 - Asset Management Strategy – under separate cover
 - Asset Management Plans – under separate cover
 - Asset Management Policy – under separate cover
- Information Management and Technology Planning -
 - Information Management and Technology Strategy – under separate cover
- Workforce Management Planning -
 - Workforce Management Strategy – revised edition to be presented for Council endorsement at the June Ordinary meeting of Council.

The Finance Strategy and Long-Term Financial Plan must be adopted by the council.

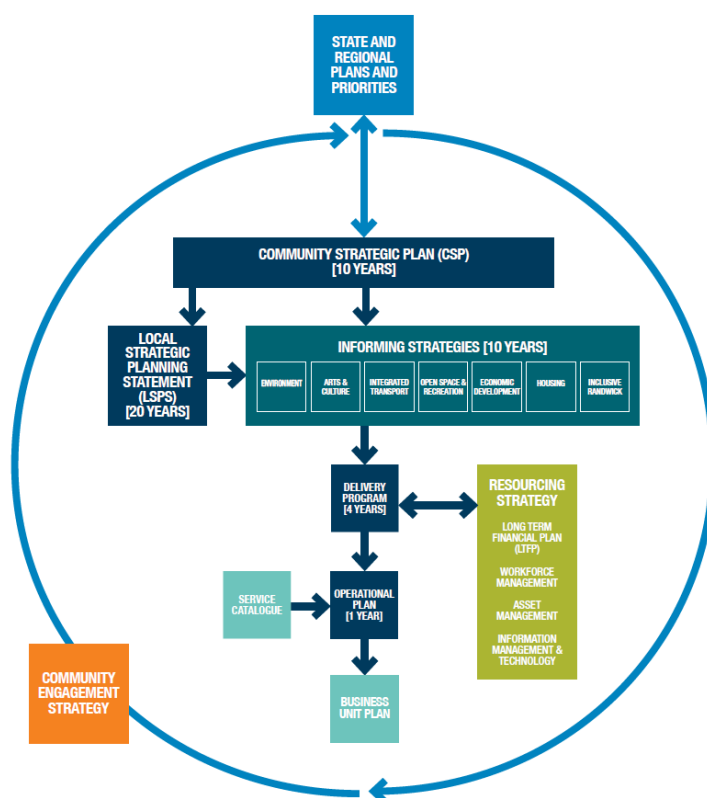
The Asset Management Policy, Asset Management Strategy and Asset Management Plans for each class of assets must be adopted by Council.

The Information Management and Technology Strategy is not a mandated component of the Resourcing Strategy, however it is a critical enabler of the Delivery Program and as such we have included this within the resourcing strategy for Randwick for adoption by Council.

The Workforce Management Strategy addresses the human resourcing requirements of the Delivery Program. Given the operational nature of this strategy, it is not required to be adopted by Council, however it is required to be submitted to Council for endorsement.

Once adopted, the attached 2022-2032 Resourcing Strategy will replace our current Resourcing Strategy and will support the Community Strategic Plan (CSP) and delivery program and operational plan as part of Council's integrated planning and reporting framework.

The following framework summarises how Randwick City plans to ensure that we are working towards achieving the community's goals.



Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability
Direction	1a. Council has a long-term vision based on sustainability. 1b. Council is a leader in the delivery of social, financial and operational activities

Resourcing Strategy implications

Council's current Resourcing Strategy was adopted on 13 February 2018 Administration and Finance Committee (*F3/18 The 20-Year Randwick City Plan*). This strategy has been reviewed

and updated for Council's consideration in accordance with Integrated Planning and Reporting Framework requirements.

The Resourcing Strategy is presented, with both the delivery program and operational plan, to the June 2022 Council Meeting. It details how Council will provide the resources required to perform its functions, including implementing the strategic approaches, whilst maintaining the long-term sustainability of the organisation. Our Resourcing Strategy considers our workforce, our finances, our data, information technology and our assets.

Policy and legislative requirements

Section 403 of the Local Government Act 1993 requires:

A council must have a long-term Resourcing Strategy for the provision of the resources required to perform its functions (including implementing the strategies set out in the Community Strategic Plan that it has responsibility for).

The new 2022-2032 Resourcing Strategy has been developed in accordance with the above requirements.

Conclusion

The Resourcing Strategy focuses in detail on matters that are the responsibility of the council and considers, in general terms, matters that are the responsibility of others. The Resourcing Strategy articulates how the council will allocate resources to deliver the objectives under its responsibility.

Responsible officer: David MacNiven, Director Corporate Services

File Reference: F2022/00050

Draft Resourcing Strategy submissions and responses

No	Submission	Council response
1	<p>I make the following comments on the draft resourcing strategies:</p> <ol style="list-style-type: none"> 1. Primarily, a focus on physical infrastructure compared to community services provision. Library, community events etc have a substantial allocation of Council outgoings each year and therefore should have their own plans developed 2. Applies a standard risk analysis approach across most of the documents, perhaps this would be better centralised to one document. 3. For the Buildings plan - I have noted a large gap of zero (or near) expenditures for the forecast 2027-2030 period and wonder why. 4. All the forecast works must be treated as such, inevitably some failed or dilapidated assets not listed in the appendixes of each of the individual strategies will occur prior to 2030 or 2031 and some of the replacements listed will be capable of deferment to a later date. This forecast nature should be noted as such in the documents, anything beyond the next budget financial year should be noted as contingent. 5. Criteria for assessing life & renewal plans not evident - in the case of roads, i understood a tool was utilised by Council. For the planned works on roads, it would be helpful to have data on the road hierarchy, regional roads with high traffic volumes deserve a higher priority. <p>Specific comments on the individual strategies:</p> <ol style="list-style-type: none"> 1. The overlap between footpaths, kerb and gutter and drainage reconstruction is evident -, nothing annoys the community more than largely duplicated works. While Council largely can't control works by utility providers (water, electricity, telecoms) for Council's own works, it may be beneficial for these strategies to be combined or at least a mapping of proposed works to ensure co-ordination of related projects. 2. Roads strategy - does not include resurfacing of Howard St Randwick between Carr St and Perouse Rd - current condition of road is poor. 3. Roads (2) - unclear where road related infrastructure such as roundabouts, pedestrian refuges and cyclepaths is included. Focus 	<ol style="list-style-type: none"> 1. This request is duly noted and will be considered in the next version of the strategy. 2. Please note Council has an Enterprise Risk Management Framework with corresponding operational risk registers per Council business department. 3. The amount of renewal for Assets are modeled based on the buildings' current condition assessment, risk assessment, capacity and level of service assessments. The forecast of buildings requiring relatively lower cost of works for renewal relates to some components of buildings when they are due. Please note that the forecast renewal works are balanced across the 10-year planning period. 4. Thank you for the valuable comments. Council notes that the nature of all forecasts are estimates based on a snapshot of the asset lifecycle and it's previous performance. The plans provide a framework for future works and it will require Council staff's continual input to manage these upcoming works. Part of the modelling involves professional judgement in line with changes over time. 5. The section in the Asset Management Plans on Lifecycle Management describes the quantifiable functions of the various asset components for each asset class. For example, road function hierarchy is one of the criteria used to develop the asset forecast models. <ol style="list-style-type: none"> 1. Council usually undertakes projects where a variety of asset classes are due within a short space of time in a single project. We call these streetscape upgrades. 2. The condition assessment of Howard Street is assessed to be fair. The road pavement is functional with only localised maintenance required under maintenance budget. 3. Traffic Facilities are a class of assets for which we plan to develop a specific Asset Management Plan. These assets will include traffic lines and signs.

Draft Resourcing Strategy submissions and responses

No	Submission	Council response
	seems to be on construction and resurfacing.	The Roads Asset Management Plan specifically refers to the Road Pavements which includes both the wearing course and the structural pavement components.
4.	Buildings - a listing of all assets, rather than those with proposed works would be helpful. While it would not be feasible for other assets such as roads or footpaths (and it is also evident, I would expect the number of buildings to be a reasonable asset to provide a full listing.	4. The appendix is specific for the forecast projects in the 10-year life of the plan. Council has elected to provide the 10-year forecast list for consistency.
5.	Buildings - I note the proposed rebuild of the Maroubra Surf Club is not included - appreciate this is a new proposal, but even the renovations previous proposed were not listed.	5. General renovation works are managed under maintenance budgets. Renovations at a cosmetic level do not necessarily increase the asset life expectancy.
6.	Buildings(2) and Open Space assets - would benefit from detail indicating if the asset is a heritage item. For the same reasons as buildings, it would be useful if a full listing of all open space assets which are heritage items is provided, regardless of whether works are forecast in the next 10 years.	6. All of the heritage items have their specific listing. Heritage item listing is included on our website. Heritage consideration is a function of design development in the planning stage. The heritage aspect is a criteria within the multi-criteria model of the asset planning function.
7.	Kerb & Gutter - I did not go through all the listings, but it seems an error for FR006526 Dudley St - Carr St to 284 Dudley - there is no 284 Dudley St.	7. It is noted that the asset ID identified is in fact "FR006326". This kerb and gutter is located at Dudley St from Carr St to the rear of 284R Carrington Rd. The information was unfortunately truncated to fit in the word document.
	I remember a period about 20 years ago (maybe more) when Council adopted a policy of providing a footpath on every street in the south ward, which was underserved by footpaths. All funding for at least 2 years was allocated to this purpose, which meant even the most minor of footpath works elsewhere in the city could not be undertaken by Council. Such a ridiculous and rigid policy should not be contemplated again.	Council has an objective to provide a footpath on one side of every street within the Randwick City Council local government area (LGA). Council has achieved this objective and is constructing a footpath on the side of the street where pedestrian demand warrants the footpath. This current approach is not limited to specific parts of the LGA.
	In summary, there must be scope for community input and engagement in the physical infrastructure plans of Council. The current process where the budget presents 'locked in' works for the next financial year and any community comments are really for consideration in the subsequent financial year (more than 18 months away, at best) could be improved. The thought of locking away the next 10 years of works is even sillier but at least the community has some forecast on Council staffs thinking, but as stated this should be considered indicative only.	Thank you for your concise summary and option. We will consider your views in the next iteration of the plans and strategy.

General Manager's Report No. GM11/22

Subject: Recommencement of Land Negotiation Program

Executive Summary

- After a Councillor briefing held in December 2017, Council's General Manager and the La Perouse Local Aboriginal Land Council (LPLALC) formally advised the Department of Planning, Industry and Environment (DPIE) of our agreement to jointly participate in the Land Negotiation Program (LNP).
- Council officers have participated in the LNP since 2018 by meeting with DPIE and LPLALC to review crown land parcels and reach a position on the potential transfer of each parcel to one of the parties.
- The Program was put on hold in late 2021 to allow for the conduct of local government elections and DPIE have requested a commitment from the new Council to recommence the Program.
- Should Council agree to re-engage with the LNP, a meeting of the LNP will be held in July to confirm the current status of negotiations and to get important feedback from the Department on the way forward.
- A Councillor briefing will then be held to go through the status of all the identified land parcels and provide Council with a detailed history of how agreement was reached on all parcels.
- If Council does not agree to continue to proceed in these negotiations, the Department has advised that it will continue with the LPLALC negotiations alone and proceed to transfer crown land based on the in-principle agreed parcels to date without input from Council and removing the requirement to withdraw land claims.

Recommendation

That Council resolve to recommence and finalise the Land Negotiation Program.

Attachment/s:

Nil

Purpose

The purpose of this report is to seek approval from the current Council to recommence and finalise the Land Negotiation Program, which commenced in February 2018.

Discussion

The Land Negotiation Program (LNP) has been initiated by the NSW Government with the aim of ensuring Crown land is held by the most appropriate landholder to achieve positive social, economic, cultural and environmental benefits for the people of NSW.

The LNP enables land that meets specified criteria to be transferred for local ownership to councils and appropriate land to be transferred to Local Aboriginal Land Councils (LALCs). The program involves voluntary negotiations between the NSW Government, the NSW Aboriginal Land Council (NSWALC), LALCs and councils.

The LNP also identifies land that should not be transferred away from the NSW Government.

Some of the goals of the LNP are as follows:

- local ownership of Crown land to advantage local communities
- reduced red tape and reduced regulatory burden on local government
- more efficient and streamlined land management
- safeguards to protect state significant land
- recognition of the importance of land to Aboriginal people

One of the major benefits of the LNP is that on successful completion of negotiation and land transfer, the LPLALC have agreed to withdraw all land claims over crown land in the Randwick local government area.

Currently there are over 38,000 outstanding land claims in NSW. In Randwick we have 192 recorded incomplete Aboriginal Land Claims, with 87.5% lodged by the LPLALC. A recent NSW Audit report estimated that it will take 22 years to process these existing unresolved land claims so the withdrawal of these land claims will save Council considerable time by not having to defend each claim individually.

The other major benefits of the LNP are that Council will become the lawful owner of a large number of crown land sites where it has invested significant financial resources into major infrastructure, as well as being able to negotiate longer lease and licence agreements with tenants without the current three year limitations imposed by land claims.

The transfer of Crown land to LALCs aligns with the legislative mandate of the Aboriginal Land Rights Act 1983 to recognise Aboriginal people as the traditional owners of land in NSW, and to recognise the enduring connection Aboriginal people have to land in NSW. This LNP also strongly aligns with Council's "Randwick City Vision 2040 Local Strategic Planning Statement" which states as one of its priorities:

"As part of Council's Statement of Reconciliation, Council is committed to supporting the growing population of Aboriginal and Torres Strait Islander residents. Council wishes to support the vision and plans of our local Aboriginal and Torres Strait community in order to close the gap on disadvantage, build stronger local and regional economies and support culturally rich and healthy communities. In order to do so, Council will work with the La Perouse Local Aboriginal Land Council and the wider local Indigenous community to support the economic self-determination of Aboriginal communities through their land holdings and explore opportunities for collaboration with Council."

There are four stages of the LNP, as follows:

1. preliminary – agreement for all parties to participate. Includes scoping of work and access to Crown land data and information.

2. assessment – each party undertakes a thorough assessment of the Crown land under consideration.
3. negotiation – negotiations between parties determine which party is best placed to own and manage land for optimum local and state benefit.
4. post-negotiation – the outcomes of the negotiations are processed as 'Aboriginal Land Agreements (ALAs)' or 'Local land Agreements (LLAs)'.

Preliminary Stage

Council submitted a joint application with the LPLALC in August 2017 following an EOI from Hon Paul Toole MP. Council and the LPLALC were notified of our successful EOI on 22 November 2017 to participate in 2017/2018 round of negotiations.

After a Councillor briefing held in December 2017, Council's General Manager and the LPLALC formally advised the Department of Planning, Industry and Environment of our agreement to jointly participate in the Land Negotiation Program (LNP).

Assessment Stage

Council's Manager Customer & Compliance, Coordinator Property and Manager Technical Services have formed the core team progressing the LNP on Council's behalf.

There are 390 parcels of crown land within the Randwick City Local Government Area covering 567.75 ha.

After taking out those parcels flagged to be retained by the State, 169 parcels of Crown Land were assessed by the team, with considerations towards Council's long term strategies and asset management plans, including;

- being cognisant of the community views on management of public open space;
- council has funded and managed a significant portfolio of infrastructure assets on crown reserves to enhance recreational and community facilities;
- public access, green links and drainage needs;
- the land interests of users and occupants/tenants;
- cultural significance of lands and financial sustainability for LPLALC;
- opportunities to secure recreation land in accordance with our land zoning in the Randwick LEP.

Key objectives in assessing land included:

- securing ownership of key operational sites;
- retain and secure ownership of existing public open space and community facilities for which Council is Crown Land Manager;
- secure additional public space to cater for future demand.

Negotiation Stage (we are here)

Over the last four years, the team has participated constructively with the Department, the LPLALC and the NSW Aboriginal Land Council. Building upon Council's commitment to National Reconciliation and building meaningful relationships with the local Aboriginal community, the process has been based on respect and trust. Of the eight LNP's currently in operation in NSW, this particular LNP is arguably the most advanced due to the constructive nature of discussions.

The program was paused by the NSW Government in November 2019 to allow for an independent review of the program. This review was completed March 2020. The program recommenced in September 2020.

The Local Government elections originally to be held in September 2021, resulted in Council's participation in the program being placed on hold.

Negotiations are now nearing the stage where final discussions can be held between the parties with recommendations then being made to Council. Prior to doing this, we seek Council's endorsement to re-engage in the LNP.

Should Council agree to re-engage with the LNP, a meeting of the LNP will be held in July to confirm the current status of negotiations and to get important feedback from the Department on the way forward, including a full public consultation process being undertaken by the Department. It is also intended to conduct a full Councilor briefing to go through the status of all the identified land parcels and provide Council with a detailed history of how agreement was reached on all parcels, prior to recommendations being made to Council.

Should Council not agree to continue in these negotiations, the Department will continue with the LPLALC negotiations alone and proceed based on the in-principle agreed parcels to date without input from Council and removing the requirement to withdraw land claims. The Department has also advised that any future local land negotiation programs are to be undertaken between the Department and LALCs **only** unless the LALCs seek to include the local Councils. This is a distinctly different in principle from the original land negotiation concept of direct negotiations with local Councils.

In essence, this is Council's one and only opportunity to participate in the decision making process for the future holding and management of all Crown Land in the Randwick LGA and to reap the community benefits of four years of land negotiations.

It is anticipated that once the LNP is recommenced, that the Program will be finalised by the end of 2022, subject to completion of agreements, as we have been advised that the Minister is intent on progressing the LNP to its conclusion as quickly as possible.

Post negotiation stage

Should Council accept the recommendations, it is expected that land parcels will be transferred to the relevant owner within twelve months of final agreement and sign off by all parties.

Crown land transferred to local councils will be classified as 'community land' as defined under the Local Government Act 1993, which means that it cannot be sold and will continue to be available to the community for social, recreational, sporting, environmental, cultural and economic purposes.

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	5. Excellence in recreation and lifestyle opportunities.
Direction	6d. A strategic land use framework provides for our lifestyle changes and for a continuing, yet steady rate of growth across our City.

Resourcing Strategy implications

The three Council staff members involved in the LNP will continue to meet with the Department and the LPLALC to progress the Program to its conclusion. It is envisaged that the vesting of many new land parcels to Council will necessitate an update to Council's Open Space & Recreation Strategy and supporting Open Space Asset Management Plan.

Policy and legislative requirements

Local Government Act 1993
Crown Lands Management Act 2018
Aboriginal Land Rights Act 1983

Randwick City Vision 2040 Local Strategic Planning Statement

Conclusion

Approval to re-engage with and finalise the Land Negotiation Program, first commenced in February 2018, will secure additional open space for future generations and provide security of tenure for Council tenants moving forward as well as aligning with Council's Reconciliation Statement.

Responsible officer: David Kelly, Manager Customer and Compliance

File Reference: F2018/00105

GM11/22

Director City Planning Report No. CP23/22

Subject: Public Notification of Voluntary Planning Agreement - 177-197 Anzac Parade, Kensington - DA/20/2021

Executive Summary

Executive Summary

- A draft Voluntary Planning Agreement (VPA) has been prepared by Marsdens Law Group on behalf of Council to provide for, and secure, public benefits in connection with the Development Consent for DA/20/2021 for the land at Nos. 177-197 Anzac Parade, Kensington.
- The draft VPA has been proposed by the Developer as per the provisions under Randwick Local Environment Plan 2012 and contains a monetary contribution of \$1,417,400 for the purposes of providing landscape upgrades including but not limited to Water Sensitive Urban Design (WSUD) works and also an estimated affordable housing contribution amount of \$4,647,392.26.
- Relevant issues relating to the timing and adequacy of the VPA have been assessed and addressed in the preparation and review of the VPA.
- A letter of offer from the Developer was reported to the Council meeting on 28 September 2021 where Council resolved to accept the terms contained in the letter of offer subject to the Court granting approval to the development and the subsequent endorsement of a VPA.
- DA/20/2021 was approved by the Court on 3 December 2021.
- In accordance with Section 7.5(1) of the Environmental Planning and Assessment Act 1979, the draft VPA was placed on public exhibition for 28 days from 29 April to 27 May 2022.
- A total of 9 submissions were received in response to the public exhibition.
- This report advises Council of the outcome of the public exhibition prior to Council entering into the VPA and recommends that Council enter into the deed with the Developer.

Recommendation

That:

- a) Council agree to enter into the Voluntary Planning Agreement in **Attachment 1** pursuant to Section 7.5 of the Environmental Planning and Assessment Act 1979; and
- b) Council authorise the General Manager to make minor drafting changes to the draft Voluntary Planning Agreement as required, prior to its execution.

Attachment/s:

1.  Voluntary Planning Agreement for 177-197 Anzac Parade Kensington

Purpose

This report provides the outcome of the public exhibition of the draft Voluntary Planning Agreement (VPA) for the approved 9 storey mixed use development comprising ground floor retail tenancies and student accommodation above containing 597 rooms, communal facilities and rooftop open space above basement parking at Nos. 177-197 Anzac Parade, Kensington, pursuant to Section 7.5(1) of the Environmental Planning and Assessment Act 1979 (EP&A Act).

Background

Community Infrastructure Plan

Council's Community Infrastructure Plan (CIC) for the Kensington and Kingsford town centres provides for infrastructure, public domain and physical facilities that support the growth and function of the town centres and benefit the existing and new population as well as the wider Randwick population. The total value of the infrastructure that would be provided for in the two town centres is approximately \$37 million.

The K2K strategy and its amending LEP was designed to allow additional height and density in the town centres and to capture that additional value through the CIC plan. The additional height and density were distributed across the town centres with the predominant height being 9 storeys and up to 17 & 18 storeys on the three key intersections. The CIC plan was a fundamental component of the overall strategy in that it allowed significant public benefits from the additional density.

The mechanism for delivery the Community Infrastructure items listed in this Plan is through a voluntary planning agreement. The contributions would be made towards landscape upgrades including Water Sensitive Urban Design (including but not limited to) along the Anzac Parade frontage.

All CIC items will be subject to further details being agreed on in terms of project scope, design and specifications. Should it become apparent that the works are not feasible or cannot be conducted at a reasonable cost to the applicant, or if Council requires a superior standard of works than proposed by the Applicant, then an equivalent monetary payment is to be made. Once the parties have negotiated a draft planning agreement it can be publicly notified in accordance with the EPA Act and the EPA Regulation. As a result of any submissions received, the agreement may be amended. The draft agreement and submissions may then be considered, and council may resolve to enter into the agreement.

Affordable Housing

The Kensington and Kingsford Town Centres affordable housing plan aims to ensure that lower income households continue to live and work locally within Randwick LGA, to facilitate a socially diverse and inclusive community; and to support the economic functions of the Randwick Education and Health Strategic Centre.

Discussion

A letter of offer provided by the Developer was reported to the Ordinary Council meeting on 28 September 2021, at which Council made the following resolution:

RESOLUTION: (Matson/D'Souza) *that Council agrees to the terms contained in the attached letter of offer subject to;*

- a) *the Court granting approval to the development; and*
- b) *the subsequent endorsement of a Voluntary Planning Agreement.*

On 3 December 2021, the Court granted development consent for the development at Nos. 177-197 Anzac Parade, Kensington.

The draft VPA contains the monetary contributions for both community infrastructure and affordable housing as required under Randwick Local Environmental Plan 2012. The developer has proposed a monetary contribution amount of \$1,417,400 (being 2,984sqm of floor space payable at a rate of \$475/sqm) for the community infrastructure and opted for the works-in-kind in lieu of the monetary contribution for the street planting & associated works abutting Anzac Parade, construction of laneway, WSUD works and heritage style seating along the laneway.

In relation to the affordable housing levy, the developer has proposed an estimated monetary contribution of \$4,647,392.26 (being 14,327sqm of floor space payable at a rate of \$370.86/sqm). It is important to note that the affordable housing contribution rate is indexed twice a year, being the first day of January and July, with reference to the most recently published median strata dwelling price in Randwick LGA, which means the final monetary contribution amount may be varied pending on the timing when the occupation certificate being issued for the approved development.

Section 7.5(1) of the EP&A Act requires that a planning agreement cannot be entered into, and a planning agreement cannot be amended or revoked, unless public notice has been given of the proposed agreement, amendment or revocation, and a copy of the proposed agreement, amendment or revocation has been available for inspection by the public for a period of not less than 28 days. Any public submission received must be considered before finalisation of the planning agreement.

The draft Voluntary Planning Agreement and the Explanatory Note for the Voluntary Planning Agreement was publicly notified in the Sydney Morning Herald and on Council's website on Your Say Randwick and Randwick eNews for 28 days, from 29 April to 27 May 2022. During this time the website had:

- 343 visits
- 91 downloads of the VPA
- 35 downloads of the Explanatory Note for VPA
- 185 downloads of the Affordable Housing Plan Kensington Kingsford Town Centres
- 59 downloads of the Kensington and Kingsford Town Centres Community Infrastructure Plan

As a result of the public exhibition, a total of 9 submissions were received in relation to the draft VPA. A summary of the submissions is provided below:

No.	Issue	Comment
1	This proposal is of no benefit to existing locals facing rental or mortgage stress. Prettification of streets not a priority, a roof over the head is.	<p>The approved development will provide the following benefits to the local community:</p> <ul style="list-style-type: none"> • Providing housing needs of the local community (i.e. students and key workers). • the CIC works will provide benefit to the residents in the local and wider community. • the affordable housing contribution will ensure that lower to moderate income households continue to live and work locally within Randwick LGA.
2	The VPA is for planning around the site including the upgrade to existing pedestrian pathway to Roma Avenue from Anzac Parade, however, there is no plan to connect the	The upgrade of the pedestrian pathway from Anzac Parade to Roma Avenue will benefit the residents within the local community

No.	Issue	Comment
	upgraded pathway to the adjoining private property (i.e. 22-24 Roma Ave).	and the adjoining neighbours are capable of connecting to the pedestrian pathway if desired.
3	<p>Ensure that the development of this site is in line with Randwick Council Local strategic planning statement 2020 & Randwick Development Control Plan where low rise medium density housing and smaller subdivision lot sizes in our low density suburban areas are adhered to,</p> <p>Ensure the infrastructure around this development is upgraded to cope with the increased impact from traffic, people and businesses - which this development will bring with it once completed,</p> <p>Ensure the development adheres to the Randwick DCP - Vehicle Parking Rate.</p>	The development was approved by the Court on the basis that it met Council's strategic planning objectives and development standards in relation the K2K corridor..
4	Residents in affordable housing are usually antisocial and difficult. I don't understand why these buildings are always in the most lucrative locations, like in the Kensington town centre.	The development was approved by the Court on the basis that it would meet the needs of the local community (i.e. students and key workers).
5	The Monetary Contributions under the VPA should be higher and the Works under the VPA should be expanded and extended to provide more benefit to the community.	The monetary contribution amounts have been calculated in accordance with requirements of Council's CIC and affordable housing plans.
6	What is \$4.6 million in affordable housing equates to how many flats, 1 or 2 bedrooms and does this mean that the developers were are allowed to build taller buildings? Also \$1.2 million for community is nothing.	The affordable housing contributions are applicable to all sites within the K2K town centres as per Randwick LEP 2012. The contributions resulting from the monetary contributions are to put towards the acquisition of dwellings that would be managed in accordance with Council's Affordable Rental Housing Program, Procedures and Guidelines.
7	Council's email and website clearly show the benefit to the community but not the developer. It is unbelievable the developer would enter into an agreement that does not benefit them. The only question is whether that benefit is reasonable or is the community getting ripped off.	The K2K strategy and its amending LEP was designed to allow additional height and density in the town centres and to capture that additional value through the CIC Plan. The subject VPA relates to the delivery of the contributions which would result in significant public benefit.
8	I am very concerned that we are continuing to build high rises on top of one another in an area with limited green spaces for dog walkers, disabled people, wheelchairs, strollers, etc and where the amount of light into an apartment is limited.	As noted above, the development was approved by the Court on the basis that it met Council's strategic planning objectives and development standards in relation the K2K corridor.
9	The VPA is an opportunity for the developer to contribute to the upgrade of local amenities as well. Recommend for the VPA to include a new substation, improved Sydney water assets, a new	The VPA is limited to the provisions of contributions as per Council's CIC and Affordable Housing plans, which provides for infrastructure, public

No.	Issue	Comment
	<p>playground/green space, opportunity for reduced rent for ground level commercial in order to create a better village atmosphere and the developer provide a bond up to 6 years in the event council has to address defects caused by the development.</p> <p>2. The dollar figures in the VPA does not accommodate escalation cost. Recommend for council to put a condition into the VPA about in the event construction cost in the VPA are higher than the VPA offer then council can withhold an interim or final Occupation Certificate from being registered.</p> <p>3. The VPA does not have a local community consultation group. Recommend for council to include a condition for a local community group of minimum 5 people be involved in the review of final works in order to confirm satisfaction of the VPA works on behalf of the community.</p>	<p>domain and physical facilities that support the growth and function of the town centres.</p> <p>The monetary contribution amount is subject to indexation as per the relevant plan. Security for the works is also included in the VPA.</p> <p>All CIC works would be subject to further details in terms of project scope, design and specifications and will be reviewed by Council's assets team to ensure Council's standards are being maintained and achieved.</p>

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	4. Excellence in urban design and development.
Direction	4a. Improved design and sustainability across all development.

Resourcing Strategy implications

None.

Policy and legislative requirements

The draft Voluntary Planning Agreement has been prepared and publicly notified in accordance with the EP&A Act and meets the principles and procedures of the Local Government Act and Council's Planning Agreement Policy.

Conclusion

The draft VPA was publicly notified in accordance with Section 7.5(1) of the EP&A Act. As a result of the public exhibition, 9 submissions were received in relation to the draft VPA.

The draft VPA has been prepared, duly processed and publicly notified in accordance with the EP&A Act and meets the principles and procedures of the Local Government Act and Council's Planning Agreement Policy. Accordingly, the draft VPA may now be executed and entered into between the Developer and Council.

Responsible officer: Frank Ko, Manager Development Assessment

File Reference: DA/672/2019

CP23/22

Planning Agreement

177-197 Anzac Parade, Kensington

Randwick City Council (ABN 77 362 844 121) (**Council**)

Cedar Pacific 1 Pty Ltd (ACN 631 194 217) in its capacity as trustee for the Cedar Pacific Kensington Trust (ABN 64 282 818 206) (**Developer**)

Prepared by:

Marsdens Law Group

Level 1
49 Dumaresq Street
CAMPBELLTOWN NSW 2560

Tel: (02) 4626 5077
Fax: (02) 4626 4826
DX: 5107 Campbelltown
Ref: 43 9610



13533268_2

Table of Contents

Parties	1
Background	1
Operative Provisions	1
1 Agreement	1
2 Definitions and interpretation	1
2.1 Defined Terms.....	1
2.2 Interpretation.....	1
3 Application and operation of document	2
3.1 Planning Agreement.....	2
3.2 Application.....	2
3.3 Operation.....	2
4 Application of s7.11 and s7.12	2
4.1 Application.....	2
4.2 Section 7.24.....	2
5 Provision of Contributions	2
5.1 Affordable Housing Levy Contribution.....	2
5.2 CIC Monetary Contribution.....	2
5.3 CIC Works.....	3
5.4 Section 7.12 Off-Set Works.....	3
5.5 Indexation of Amounts payable by Developer.....	4
5.6 Works.....	4
5.7 Design and specification of Works.....	5
5.8 No credit or re-imbursements.....	6
5.9 Access to the land and location of Works.....	6
6 Completion of Works	6
6.1 Completion.....	6
6.2 Issue of Completion Notice.....	6
6.3 Inspection by Council.....	7
6.4 Rectification Notice.....	7
6.5 Works-As-Executed-Plan.....	7
7 Defects Liability	7
7.1 Defects Notice.....	7
7.2 Developer to Rectify Defects.....	8
7.3 Right of Council to Step-In.....	8
7.4 Consequence of Step-In.....	8
7.5 Costs of Council.....	8
8 Variation of scope or timing for provision of Works	8
8.1 Variation to the scope of an item of Work.....	8
8.2 Deferral of the timing of Completion of an item of the Works.....	9
9 Developer Warranties and Indemnities	10
9.1 Warranties.....	10
9.2 Indemnity.....	10
10 Security	10
10.1 Provision of Security.....	10
10.2 Replacement of Security.....	10
10.3 Council may call on Security.....	11
10.4 Top up of Security.....	11
10.5 Release of Works Securities.....	11
10.6 Release of Defects Security.....	11
10.7 Council may withhold Construction Certificate.....	11
10.8 Council may withhold Occupation Certificate.....	11
11 Registration of this document	12
11.1 Registration of this document.....	12
11.2 Obligations of Developer.....	12
11.3 Prompt Registration.....	13
11.4 Discharge from the Register.....	13
12 Assignment	13
12.1 Application.....	13
12.2 Restriction on Assignment.....	13

13533268_2

CP23/22

CP23/22

	12.3 Procedure for Assignment	13
13	Dispute Resolution.....	14
	13.1 Notice of dispute	14
	13.2 Conduct pending resolution	14
	13.3 Further steps required before proceedings.....	14
	13.4 Disputes for mediation or expert determination.....	14
	13.5 Disputes for mediation	14
	13.6 Choice of expert	15
	13.7 Directions to expert	15
	13.8 Expert may commission reports.....	16
	13.9 Expert may convene meetings.....	16
	13.10 Other courses of action	16
	13.11 Confidentiality of information provided in dispute resolution process.....	17
	13.12 Final determination of expert	17
	13.13 Costs	17
	13.14 Remedies available under the Act	17
	13.15 Urgent relief.....	18
14	Breach of this document	18
	14.1 Breach Notice.....	18
	14.2 Events of Default.....	18
	14.3 Consequences of Events of default	18
15	Termination, Rescission or Determination.....	18
	15.1 Termination	18
	15.2 Consequence of termination	18
	15.3 Determination.....	19
16	Position of Council.....	19
	16.1 Consent authority	19
	16.2 Document does not fetter discretion	19
	16.3 Severance of provisions.....	19
	16.4 No Obligations.....	19
17	Confidentiality	20
	17.1 Document not Confidential.....	20
	17.2 Other Confidential Information	20
18	GST	20
	18.1 Defined GST Terms	20
	18.2 GST to be Added to Amounts Payable.....	20
	18.3 GST Obligations to Survive Termination	21
19	General	21
	19.1 Obligation to act in good faith	21
	19.2 Legal costs	21
20	Administrative provisions	21
	20.1 Notices	21
	20.2 Entire agreement	22
	20.3 Waiver.....	22
	20.4 Cooperation.....	22
	20.5 Counterparts	22
	20.6 Amendment.....	22
	20.7 Unenforceability	22
	20.8 Power of Attorney	22
	20.9 Governing law	23
21	Trust limitation of liability	23
	21.1 Trust	23
	21.2 Limitation of liability.....	23
	21.3 Claims against Developer.....	23
	21.4 Exceptions to limitation	23
	Schedule 1– Requirements under s7.4	24
	Schedule 2 – Defined terms and Interpretation.....	25
	Part 1 - Definitions.....	25
	Part 2 - Interpretational Rules	29
	Schedule 3 – Monetary Contributions	31
	Schedule 4 – Works.....	33

13533268_2

Annexure 1 – Location Plan	34
Execution page	35

CP23/22

13533268_2

Planning Agreement 177-197 Anzac Parade, Kensington

Parties

Council	Name	Randwick City Council
	Address	30 Frances Street Randwick NSW 2031
	ABN	77 362 844 121
Developer	Name	Cedar Pacific 1 Pty Ltd (ACN 631 194 217) in its capacity as trustee for the Cedar Pacific Kensington Trust
	Address	PO Box 15145, City East 4002
	ABN	64 282 818 206

Background

- A** The Developer owns the Land.
- B** The Developer wishes to carry out the Development.
- C** The Developer has obtained the Development Consent.
- D** The Developer has agreed to make the Contributions on and subject to the terms of this document.

Operative Provisions

1 Agreement

The agreement of the parties is set out in the Operative Provisions of this document, in consideration of, among other things, the mutual promises contained in this document.

2 Definitions and interpretation

2.1 Defined Terms

In this document, words beginning with a capital letter that are defined in Part 1 of **Schedule 2** have the meaning ascribed to them in that schedule.

2.2 Interpretation

The interpretational rules contained in Part 2 of **Schedule 2** apply in the interpretation of this document.

3 Application and operation of document

3.1 Planning Agreement

Subject to clause 3.3, this document is a planning agreement:

- (1) within the meaning set out in s7.4 of the Act; and
- (2) governed by Subdivision 2 of Part 7 of the Act.

3.2 Application

This document is made in respect of the Development and applies to both the Land and the Development.

3.3 Operation

This document operates:

- (1) as a deed from the date that it is executed by both parties; and
- (2) as a planning agreement for the purpose of the Act from the date that the Development Consent becomes operative.

4 Application of s7.11 and s7.12

4.1 Application

This document does not exclude the application of section 7.11 or section 7.12 of the Act to the Development.

4.2 Section 7.24

This document does not exclude the application of s7.24 of the Act to the Development.

5 Provision of Contributions

5.1 Affordable Housing Levy Contribution

- (1) The Developer must pay the Affordable Housing Levy Contribution to Council in accordance with **Schedule 3**.
- (2) The Affordable Housing Levy Contribution is made for the purposes of this document when Council receives the full amount of the Affordable Housing Levy Contribution payable under this document:
 - (a) in cash;
 - (b) by unendorsed bank cheque; or
 - (c) by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by Council.

5.2 CIC Monetary Contribution

- (1) The Developer must pay the CIC Monetary Contribution in accordance with **Schedule 3**.

- (2) The CIC Monetary Contribution is made for the purposes of this document when Council receives the full amount of the CIC Monetary Contribution payable under this document:
- (a) in cash;
 - (b) by unendorsed bank cheque; or
 - (c) by the deposit by means of electronic funds transfer of cleared funds into a bank account nominated by Council.

5.3 CIC Works

- (1) The Developer must Complete the CIC Works in accordance with this document and in particular **Schedule 4**.
- (2) The Developer acknowledges and agrees that:
 - (a) Council, at any time prior to the approval of the detailed design of the CIC Works under clause 5.7 and for any reason, may provide written notice to the Developer that it no longer agrees with the CIC Works being carried out; or
 - (b) if the parties are not able to agree on the detailed design of the CIC Works in accordance with clause 5.7, then the Developer may serve written notice on Council advising that it will no longer undertake the CIC Works.
- (3) Upon either event referred to in paragraph (2) occurring, the provisions of paragraphs (4) and (5) below have no effect and the Developer is required to pay the Contribution Value for the CIC Works as a Monetary Contribution under this document in lieu of carrying out the CIC Works (and for the purpose of clarity the CIC Works are no longer required to be provided as a work).
- (4) Prior to Completion of the CIC Works the Developer must (at its own cost) submit to Council a report from a Quantity Surveyor confirming the value of the CIC Works (**CIC Works Value**).
- (5) The parties agree that the report provided by the Quantity Surveyor under paragraph 5.3 is final and binding on the parties, subject to any manifest error.
- (6) Upon Completion of the CIC Works, if the CIC Works Value is less than the Contribution Value for the CIC Works, the Developer must pay the difference between the CIC Works Value and the Contribution Value for the CIC Works to Council as a Monetary Contribution.
- (7) For the purpose of paragraphs (3) and (6), the relevant Monetary Contribution must be paid by the time by which the CIC Works were required to be Completed.

5.4 Section 7.12 Off-Set Works

- (1) The Developer must Complete the Section 7.12 Off-Set Works In accordance with this document and in particular **Schedule 4**.
- (2) Prior to Completion of the Section 7.12 Off-Set Works, the Developer must (at its own cost), submit to Council a report from a Quantity Surveyor confirming the GST exclusive cost of the Completed Section 7.12 Off-Set Works (**Off-Set Value**).
- (3) The parties agree that the report provided by the Quantity Surveyor under paragraph (1) is final and binding on the parties, subject to any manifest error.

- (4) Upon Completion of the Section 7.12 Off-Set Works, Council will off-set the Off-Set Value against the monetary contributions required to be paid by the Developer under condition 15 of the Development Consent, up to a maximum amount of \$340,000.

5.5 Indexation of Amounts payable by Developer

Each Contribution Value other than the CIC Monetary Contribution will be increased (with the calculation to be made as from the date the relevant Contribution is required to be provided to Council under this document) in accordance with the following formula:

$$A = B \times \frac{C}{D}$$

where:

- A** = the indexed amount;
- B** = the relevant amount as set out in this document;
- C** = the Index most recently published before the date that the relevant payment or the calculation with respect to the relevant amount is to be made; and
- D** = the Index most recently published before the commencement date of this document.

If **A** is less than **B**, then the relevant Contribution Value will not change.

5.6 Works

The Developer, at its cost, must:

- (1) obtain development consent, and any other form of consent required by a relevant Authority, for the construction and use of the Works;
- (2) carry out and complete the Works to the satisfaction of the Council by the time specified in **Schedule 4**; and
- (3) carry out and complete the Works:
 - (a) in accordance with the specifications (if any) referred to in **Schedule 4** for the relevant item of Work or the design and specifications agreed or determined to apply to an item of Work under clause 5.7;
 - (b) in accordance with any relevant development consent;
 - (c) in accordance with the requirements of, or consents issued by, any Authority;
 - (d) ensuring that:
 - (i) all necessary measures are taken to protect people, property, and the environment;
 - (ii) unnecessary interference with the passage of people and vehicles is avoided;
 - (iii) nuisances and unreasonable noise and disturbances are prevented; and
 - (iv) all relevant laws and regulations with respect to water, air, noise and land pollution (including 'pollution incidents') as defined under the

Protection of the Environment Operations Act 1997 (NSW) are complied with,

- (e) in accordance with any Australian Standards applicable to works of the same nature as each aspect of the Works; and
- (f) in a proper and workmanlike manner complying with current industry practice and standards relating to each aspect of the Works.

5.7 Design and specification of Works

- (1) The Developer must:
 - (a) consult with Council with respect to the development of the detailed design and specification with respect to each item of Works; and
 - (b) ensure that the relevant design is consistent with, and has regard to, any relevant policies of Council as identified in the Development Consent.
- (2) Before commencing construction of an item of Works, the Developer must submit to Council:
 - (a) for its approval, the detailed design and specification for that item of Works; and
 - (b) a report from a suitable qualified and experienced Quantity Surveyor which estimates the cost to complete the relevant item of Work in accordance with the detailed design.
- (3) The design and specification for the item of Works must be prepared by the Developer having specific regard to:
 - (a) the specification for that item of Works set out in column 3 of **Schedule 4**; and
 - (b) the Contribution Value of the relevant item of Works.
- (4) Within thirty (30) days of the date of the first submission referred to in paragraph (3), Council must do either of the following:
 - (a) Notify the Developer in writing of its approval of the design and specification. The Developer is then to carry out and complete the item of Works in accordance with that design and specification.
 - (b) Notify the Developer in writing that it does not approve of the design and specification and provide the Developer with reasons for this.
- (5) If Council notifies the Developer in writing that it does not approve of the design and specification, the Developer may:
 - (a) elect to amend the design and specification and submit to Council the amended design and specification in which case the approval process set out in this clause 5.7 applies to that amendment; or
 - (b) if the Developer does not agree with the modifications requested by Council, then, subject to clause 5.3, it may refer the relevant matter for dispute resolution in accordance with this document.

5.8 No credit or re-imbursements

If the Developer's actual cost of carrying out the Works are greater than the Contribution Value for those Works, the Developer is not entitled to claim credit or reimbursement, as the case may be, for the difference.

5.9 Access to the land and location of Works

- (1) The Developer must permit the Council, its officers, employees, agents and contractors to enter the land upon which the Works are being carried out at any time, upon giving reasonable prior notice, in order to inspect, examine or test any of the Works.
- (2) Council must give the Developer prior reasonable notice before it enters the land upon which the Works are being carried out and ensure that the Council and its employees comply with all reasonable directions of the Developer and all site construction requirements including without limitation all workplace health and safety requirements and reporting to a site office or site superintendent.
- (3) The Developer acknowledges and agrees that:
 - (a) access to the land upon which the Works will be carried out is subject to any statutory approval or consent required, and also any applicable Council policy, to allow those Works to be carried out;
 - (b) the Developer must obtain any such approvals or consents before commencing the Works; and
 - (c) Council will consider any application for such approval or consent at the relevant time and is not bound to grant such approval or consent.

6 Completion of Works**6.1 Completion**

For the purpose of this document an item of Works is Completed when:

- (1) the Works have been accepted as, or deemed to have been, Completed in accordance with this clause 6; and
- (2) any other obligation with respect to the relevant item of Works which must be discharged prior to the Completion of that item of Works in accordance with this document has been discharged.

6.2 Issue of Completion Notice

If the Developer considers that any particular item of Works is complete it must serve a notice on Council which:

- (1) is in writing;
- (2) identifies the particular item of Works to which it relates; and
- (3) specifies the date on which the Developer believes the relevant item of Works was completed,

(Completion Notice).

6.3 Inspection by Council

- (1) Council must inspect the Works set out in a Completion Notice within ten (10) business days of the receipt of that notice.
- (2) If Council fails to carry out an inspection required under paragraph (1) the Works referred to in the relevant Completion Notice will be deemed to be Complete and acceptable to Council.

6.4 Rectification Notice

- (1) Within twenty (20) business days of inspecting the Works set out in a Completion Notice Council must provide notice in writing (**Rectification Notice**) to the Developer that the Works set out in the Completion Notice:
 - (a) have been Completed; or
 - (b) have not been Completed, in which case the notice must also detail:
 - (i) those aspects of the Works which have not been Completed; and
 - (ii) the work Council requires the Developer to carry out in order to rectify the deficiencies in those Works.
- (2) If Council does not provide the Developer with a Rectification Notice in accordance with paragraph (1), the Works set out in the Completion Notice will be deemed to have been Completed and acceptable to Council.
- (3) Where Council serves a Rectification Notice on the Developer, the Developer must:
 - (a) rectify the Works in accordance with that notice; or
 - (b) serve a notice on the Council that it disputes the matters set out in the notice.
- (4) Where the Developer:
 - (a) serves notice on Council in accordance with paragraph (3)(b), the dispute resolution provisions of this document apply; or
 - (b) rectifies the Works in accordance with paragraph (3)(a), it must serve upon the Council a new Completion Notice for the Works it has rectified.

6.5 Works-As-Executed-Plan

Prior to Completion of an item of Work the Developer must provide to Council a full works-as-executed-plan in respect of the item of Work.

7 Defects Liability**7.1 Defects Notice**

- (1) Where any part of the Works has been Completed but those Works contain a material defect which:
 - (a) adversely affects the ordinary use and/or enjoyment of the relevant Works; or
 - (b) will require maintenance or rectification works to be performed on them at some time in the future as a result of the existence of the defect;

(**Defect**) Council may issue a defects notice (**Defects Notice**) concerning those Works but only within the Defects Liability Period.

- (2) A Defects Notice must contain the following information:
 - (a) the nature and extent of the Defect;
 - (b) the work Council requires the Developer to carry out in order to rectify the Defect; and
 - (c) the time within which the Defect must be rectified (which must be a reasonable time and not less than ten (10) business days).

7.2 Developer to Rectify Defects

- (1) The Developer must rectify the Defects contained within a Defects Notice as soon as practicable after receipt of the Defects Notice.
- (2) The Developer must follow the procedure set out in clause 6 in respect of the satisfaction of the Defects Notice.

7.3 Right of Council to Step-In

Council, at its absolute discretion, may satisfy the Defects Notice where the Developer has failed to comply with a Defects Notice but only after giving the Developer five (5) business days written notice of its intention to do so.

7.4 Consequence of Step-In

If Council elects to exercise the step-in rights granted to it under clause 7.3 then:

- (1) Council may:
 - (a) enter upon any part of the land upon which the relevant Works are being carried out that it requires access to in order to satisfy the obligations of the Developer in accordance with the Defects Notice; and
 - (b) rectify the relevant Defects in accordance with the Defects Notice; and
- (2) the Developer must not impede or interfere with Council in undertaking that work.

7.5 Costs of Council

Where Council exercises its step-in rights, it may call upon the Defects Security provided by the Developer and recover as a debt due in a court of competent jurisdiction any difference between the amount of the Defects Security and the costs incurred by the Council in rectifying the Defects.

8 Variation of scope or timing for provision of Works

8.1 Variation to the scope of an item of Work

- (1) The Developer may request that Council approve in writing a variation to the scope of any item of Work.
- (2) The scope of an item of Work is not to be varied unless Council and the Developer agree in writing to the variation.

- (3) Council may refuse to agree to a variation of an item of Work at its absolute discretion.

8.2 Deferral of the timing of Completion of an item of the Works

- (1) Notwithstanding any other provision of this document, if the Developer forms the view at any time, that:
- (a) it is unable to Complete any item of Works by the time specified in **Schedule 4**; or
 - (b) it believes that there is a risk of damage to any item of the Works if they are delivered by the time required in **Schedule 4**,
- (Deferred Works), then the Developer may seek Council's approval to defer the Completion of the relevant item of the Works by providing written notice to the Council:
- (c) identifying the relevant item of Work that the Developer proposes to defer;
 - (d) specifying the reason for the request to defer the Completion of that item of the Works; and
 - (e) identifying the anticipated time for Completion of the relevant item of Work.
- (2) The Council, acting reasonably, must give the Developer a written notice within thirty (30) business days of the date upon which the Developer serves written notice upon Council in accordance with paragraph (1) stating:
- (a) whether or not it consents to the deferral of the Deferred Works;
 - (b) the revised date for Completion required by Council; and
 - (c) any reasonable conditions Council requires with respect to the deferral.
- (3) The Developer acknowledges and agrees that:
- (a) with respect to paragraph (2)(b), Council may require the relevant item of Works to be completed before the issue of a Construction Certificate or Occupation Certificate with respect to the Development; or
 - (b) Council may require additional Security on account of that deferral provided that the amount of any such security held by Council as a result does not exceed one hundred and twenty per cent (120%) of the then estimated cost to complete the relevant item of Works as determined by the Council.
- (4) If the Council consents to the deferral of the Deferred Works, then the following applies:
- (a) The Developer must comply with any conditions required by Council under paragraph (2)(c) above.
 - (b) Provided the Developer satisfies those conditions, the Developer will not be considered to be in breach of this document as a result of a failure to achieve Completion of the relevant Deferred Works by the time for Completion specified in this document.
 - (c) The time for completion of the Deferred Works under this document is the revised date for Completion approved by Council.

9 Developer Warranties and Indemnities

9.1 Warranties

The Developer warrants to Council that:

- (1) it is legally and beneficially entitled to the Land;
- (2) it is able to fully comply with its obligations under this document;
- (3) it has full capacity to enter into this document; and
- (4) there is no legal impediment to it entering into this document, or performing the obligations imposed under it.

9.2 Indemnity

The Developer indemnifies Council in respect of any Claim that may arise as a result of the conduct of the Works until such time as a Completion Notice is issued for that item of Work but only to the extent that any such Claim does not arise as a result of the negligent acts or omissions of Council.

10 Security

10.1 Provision of Security

- (1) The Developer must deliver to Council one (1) or more Bank Guarantees to the satisfaction of the Council:
 - (a) prior to the issue of a Construction Certificate in respect of the Development, for an amount equivalent to one hundred and twenty per cent (120%) of the Contribution Value for the Works (**Works Securities**)
 - (b) prior to the Completion of an item of Work, for an amount equivalent to ten per cent (10%) of the Contribution Value of that item of Work (**Defects Security**),
 (collectively referred to as the **Security**).
- (2) The Developer may satisfy its obligations (either in whole or in part), by directing Council to retain any Security held by Council which is required to be released by Council under this document.
- (3) If the parties have agreed that the Developer is to pay Council a Monetary Contribution in lieu of carrying out any item of Work then no Security will be payable for that item of Work.

10.2 Replacement of Security

- (1) The Developer may replace any Security provided by it at any time, provided that the amount of that replacement is not less than that which is required to be provided under this document.
- (2) On receipt of a replacement Security, Council must immediately release the Security being replaced and return it to the Developer.

10.3 Council may call on Security

- (1) If the Developer commits an Event of Default then Council, without limiting any other remedies available to it, may call on any Security provided by the Developer.
- (2) If Council calls on any Security, it may use the amount so paid to it in satisfaction of any costs incurred by it in remedying the Event of Default.

10.4 Top up of Security

If Council calls on the Security, Council, by notice in writing to the Developer, may require the Developer to provide a further or replacement Security in an amount that, when added to any unused portion of any Security then held by Council, does not exceed the amount of the Security Council is entitled to hold at that time under this document.

10.5 Release of Works Securities

Unless:

- (1) Council has made or intends to make a demand against any Security provided by the Developer;
- (2) the Contributions on account of which that Security was provided have not been made;
- (3) Council is not receipt of the Defects Security for the item of Work to which the Works Securities relates; or
- (4) the Developer is in breach of this document at the relevant time,

Council, upon a written request being made by the Developer, must return the Security within ten (10) business days of such a request being made.

10.6 Release of Defects Security

Council must release and return the Defects Security or any unused part of it to the Developer no later than ten (10) business days after the last to occur of:

- (1) if no Defects Notice has been issued, the end of the Defects Liability Period; or
- (2) if one (1) or more Defects Notices have been issued, the date that all Defects have been rectified to the reasonable satisfaction of the Council in accordance with this document.

10.7 Council may withhold Construction Certificate

- (1) The Developer may only make, or cause, suffer or permit the making of, an application for a Construction Certificate in respect of the Development if, at the date of the application, the Developer is not in breach of an obligation to make a Contribution under this document that is required to be made before that Construction Certificate can be issued.
- (2) Any such Construction Certificate must not be issued until such time as:
 - (a) the breach is rectified; or
 - (b) Council calls upon the Security provided by the Developer in respect of the Contribution to which the breach relates.

10.8 Council may withhold Occupation Certificate

- (1) The Developer may only make, or cause, suffer or permit the making of, an application for an Occupation Certificate in respect of the Development if, at the date of the

application, the Developer is not in breach of an obligation to make a Contribution under this document that is required to be made before that Occupation Certificate can be issued.

- (2) Any such Occupation Certificate must not be issued until such time as:
 - (a) the breach is rectified; or
 - (b) Council calls upon the Security provided by the Developer in respect of the Contribution to which the breach relates.

11 Registration of this document

11.1 Registration of this document

The Developer acknowledges and agrees that:

- (1) this document must be registered on the title to the Land pursuant to section 7.6 of the Act; and
- (2) subject to clause 11.2, Council will undertake that registration at the cost of the Developer.

11.2 Obligations of Developer

- (1) The Developer, at its own expense, will promptly after this document comes into operation, and before the issue of any Construction Certificate for the Development, take all necessary and practical steps, and otherwise do anything that the Council reasonably requires, to procure:
 - (a) the consent of each person who:
 - (i) has an estate or interest in the Land; or
 - (ii) is seized or possessed of an estate or interest in the Land;
 - (b) the execution of any documents; and
 - (c) the production of the relevant:
 - (i) certificate(s) of title; or
 - (ii) Control of the Right to Deal (CoRD) Holder Consent(s),
 to enable the registration of this document in accordance with clause 11.1.
- (2) The Developer, at its own expense, will take all necessary and practical steps, and otherwise do anything that the Council reasonably requires:
 - (a) to allow the lodgement of this document with the Registrar-General as soon as reasonably practicable after this document comes into operation but in any event, no later than thirty (30) business days after that date; and
 - (b) to allow the registration of this document by the Registrar-General in the relevant folios of the Register for the Land as soon as reasonably practicable after this document is lodged for registration.

11.3 Prompt Registration

Provided that the Developer has complied with clause 11.2, Council must promptly thereafter lodge this document for registration by the Registrar-General in the relevant folios of the Register of the Land.

11.4 Discharge from the Register

The Council will provide a release and discharge of this document so that it may be removed from the folios of the Register for the Land (or any part of it) when:

- (1) the Developer's obligations under this document having been performed to Council's satisfaction; or
- (2) if this document is terminated or otherwise comes to an end for any other reason.

12 Assignment**12.1 Application**

This clause 12 only applies during any period when this document is not registered on the title of the Land.

12.2 Restriction on Assignment

Other than in accordance with this clause 12 the Developer may not:

- (1) Assign any part of the Land; and/or
- (2) Assign their rights or obligations under this document.

12.3 Procedure for Assignment

- (1) If the Developer:
 - (a) wishes to Assign any part of the Land; and/or
 - (b) wishes to Assign its rights or obligations under this document,
 then the Developer must:
 - (c) provide a written request to Council for the consent of Council to the relevant Assignment;
 - (d) provide Council with any evidence required by Council, acting reasonably, to satisfy Council that the third party in whose favour the Assignment is to be made (**Assignee**) is reasonably capable of performing the obligations under this document that are to be Assigned to it; and
 - (e) obtain written consent of Council to the relevant Assignment; and
 - (f) at no cost to Council, procure:
 - (i) the execution by the Assignee of an appropriate deed where the Assignee agrees to be bound by the terms of this document; and
 - (ii) the provision of all Security to Council by the Assignee that the Developer is required to provide under this document (and any

additional securities if required by Council acting reasonably) at the same time as, or prior to, entering into that deed.

- (2) As soon as reasonably practicable (or promptly following any Council meeting which may be required to consider the proposed assignment), Council must confirm whether Council consents to the proposed assignment to the Assignee.
- (3) Council is under no obligation to consider granting its consent to any request made by the Developer under paragraph (1)(c) if, at the time the request is made, the Developer is in breach of this document.

13 Dispute Resolution

13.1 Notice of dispute

- (1) If a dispute or lack of certainty between the parties arises in connection with this document or its subject matter (**Dispute**), then either party (**First Party**) must give to the other (**Second Party**) a notice which:
 - (a) is in writing;
 - (b) adequately identifies and provides details of the Dispute;
 - (c) stipulates what the First Party believes will resolve the Dispute; and
 - (d) designates its representative (**Representative**) to negotiate the Dispute.
- (2) The Second Party must, within five (5) business days of service of the notice of dispute, provide a notice to the First Party designating as its representative a person to negotiate the Dispute (the representatives designated by the parties being together, the **Representatives**).

13.2 Conduct pending resolution

The parties must continue to perform their respective obligations under this document if there is a Dispute but will not be required to complete the matter the subject of the Dispute, unless the appropriate party indemnifies the other parties against costs, damages and all losses suffered in completing the disputed matter if the Dispute is not resolved in favour of the indemnifying party.

13.3 Further steps required before proceedings

Subject to clauses 13.14 and 13.15 and except as otherwise expressly provided in this document, any Dispute must, as a condition precedent to the commencement of litigation, mediation under clause 13.5 or determination by an expert under clause 13.6, first be referred to the Representatives. The Representatives must endeavour to resolve the dispute within five (5) business days of the date a notice under clause 13.1(2) is served.

13.4 Disputes for mediation or expert determination

If the Representatives have not been able to resolve the Dispute, then the parties must agree within five (5) business days to refer the matter to mediation under clause 13.5.

13.5 Disputes for mediation

- (1) Mediation must be conducted by a mediator agreed by the parties and, if the parties cannot agree within five (5) business days, then by a mediator appointed by the President of the Law Society of New South Wales for the time being.

- (2) If the mediation referred to in paragraph (1) has not resulted in settlement of the Dispute and has been terminated, the parties may agree to have the matter determined by expert determination under clause 13.6.

13.6 Choice of expert

- (1) If the Dispute is to be determined by expert determination, this clause 13.6 applies.
- (2) The Dispute must be determined by an independent expert in the relevant field:
- (a) agreed between and appointed jointly by the parties; or
 - (b) in the absence of agreement within five (5) business days after the date that the matter is required to be determined by expert determination, appointed by the President of the Law Society of New South Wales for the time being.
- (3) If the parties fail to agree as to the relevant field within five (5) business days after the date that the matter is required to be determined by expert determination, either party may refer the matter to the President of the Law Society of New South Wales for the time being whose decision as to the relevant field is final and binding on the parties.
- (4) The expert appointed to determine a Dispute:
- (a) must have a technical understanding of the issues in dispute;
 - (b) must not have a significantly greater understanding of one party's business, functions or operations which might allow the other side to construe this greater understanding as a bias; and
 - (c) must inform the parties before being appointed of the extent of the expert's understanding of each party's business or operations and, if that information indicates a possible bias, then that expert must not be appointed except with the written approval of the parties.
- (5) The parties must promptly enter into a document with the expert appointed under this clause 13.6 setting out the terms of the expert's determination and the fees payable to the expert.

13.7 Directions to expert

- (1) In reaching a determination in respect of a dispute under clause 13.6, the independent expert must give effect to the intent of the parties entering into this document and the purposes of this document.
- (2) The expert must:
- (a) act as an expert and not as an arbitrator;
 - (b) proceed in any manner as the expert thinks fit without being bound to observe the rules of natural justice or the rules of evidence;
 - (c) not accept verbal submissions unless both parties are present;
 - (d) on receipt of a written submission from one party, ensure that a copy of that submission is given promptly to the other party;

- (e) take into consideration all documents, information and other material which the parties give the expert which the expert in its absolute discretion considers relevant to the determination of the Dispute;
 - (f) not be expected or required to obtain or refer to any other documents, information or material (but may do so if the expert so wishes);
 - (g) issue a draft certificate stating the expert's intended determination (together with written reasons), giving each party ten (10) business days to make further submissions;
 - (h) issue a final certificate stating the expert's determination (together with written reasons); and
 - (i) act with expedition with a view to issuing the final certificate as soon as practicable.
- (3) The parties must comply with all directions given by the expert in relation to the resolution of the Dispute and must within the time period specified by the expert, give the expert:
- (a) a short statement of facts;
 - (b) a description of the Dispute; and
 - (c) any other documents, records or information which the expert requests.

13.8 Expert may commission reports

- (1) Subject to paragraph (2):
 - (a) the expert may commission the expert's own advisers or consultants (including lawyers, accountants, bankers, engineers, surveyors or other technical consultants) to provide information to assist the expert in making a determination; and
 - (b) the parties must indemnify the expert for the cost of those advisers or consultants in accordance with clause 13.6(5) of this deed.
- (2) The parties must approve the costs of those advisers or consultants in writing prior to the expert engaging those advisers or consultants.

13.9 Expert may convene meetings

- (1) The expert must hold a meeting with all of the parties present to discuss the Dispute. The meeting must be conducted in a manner which the expert considers appropriate. The meeting may be adjourned to, and resumed at, a later time in the expert's discretion.
- (2) The parties agree that a meeting under paragraph (1) is not a hearing and is not an arbitration.

13.10 Other courses of action

If the mediation referred to in clause 13.5 has not resulted in settlement of the dispute, the mediation has been terminated and the parties have not agreed to refer the matter to expert determination within five (5) business days after termination of the mediation, then either party

may take whatever course of action it deems appropriate for the purpose of resolving the Dispute.

13.11 Confidentiality of information provided in dispute resolution process

- (1) The parties agree, and must procure that the mediator and the expert agree as a condition of his or her appointment:
 - (a) subject to paragraph (2), to keep confidential all documents, information and other material disclosed to them during or in relation to the mediation or expert determination;
 - (b) not to disclose any confidential documents, information and other material except:
 - (i) to a party or adviser or consultant who has signed a confidentiality undertaking; or
 - (ii) if required by Law or any Authority to do so; and
 - (c) not to use confidential documents, information or other material disclosed to them during or in relation to the mediation or expert determination for a purpose other than the mediation or expert determination.
- (2) The parties must keep confidential and must not disclose or rely upon or make the subject of a subpoena to give evidence or produce documents in any arbitral, judicial or other proceedings:
 - (a) views expressed or proposals or suggestions made by a party or the mediator or the expert during the expert determination or mediation relating to a possible settlement of the Dispute;
 - (b) admissions or concessions made by a party during the mediation or expert determination in relation to the Dispute; and
 - (c) information, documents or other material concerning the dispute which are disclosed by a party during the mediation or expert determination unless such information, documents or facts would be discoverable in judicial or arbitral proceedings.

13.12 Final determination of expert

The parties agree that the final determination by an expert will be final and binding upon them except in the case of fraud or misfeasance by the expert.

13.13 Costs

- (1) Each party must contribute equally to the costs of any mediator appointed under clause 13.5.
- (2) If any independent expert does not award costs, each party must contribute equally to the expert's costs in making the determination.

13.14 Remedies available under the Act

This clause 13 does not operate to limit the availability of any remedies available to Council under the Act.

13.15 Urgent relief

This clause 13 does not prevent a party from seeking urgent injunctive or declaratory relief concerning any matter arising out of this document.

14 Breach of this document**14.1 Breach Notice**

If the Developer breaches this document, Council may serve a notice on the Developer (**Breach Notice**) specifying:

- (1) the nature and extent of the alleged breach;
- (2) if:
 - (a) the breach is capable of being rectified other than by the payment of compensation, what Council requires the Developer to do in order to rectify the breach; or
 - (b) the breach is not capable of being rectified other than by payment of compensation, the amount of compensation Council requires the Developer to pay in order to rectify the breach, and
- (3) the time within which Council requires the breach to be rectified, which must be a reasonable time of not less than forty (40) business days.

14.2 Events of Default

The Developer commits an **Event of Default** if it:

- (1) fails to comply with a Breach Notice; or
- (2) becomes subject to an Insolvency Event.

14.3 Consequences of Events of default

Where the Developer commits an Event of Default, Council may, in addition to any rights it has at Law:

- (1) exercise the Step in Rights so as to carry out any work specified in the relevant Breach Notice; or
- (2) call on the Security to the extent of any compensation claimed in a Breach Notice and not paid by the Developer.

15 Termination, Rescission or Determination**15.1 Termination**

This document terminates in the following events:

- (1) The parties agree in writing to terminate the operation of this document at any time.
- (2) The Development Consent lapses.

15.2 Consequence of termination

Upon termination of this document:

- (1) all future rights and obligations of the parties are discharged; and
- (2) all pre-existing rights and obligations of the parties continue to subsist.

15.3 Determination

This document will determine upon the Developer satisfying all of the obligations imposed on it in full.

16 Position of Council

16.1 Consent authority

The parties acknowledge that Council is a consent authority with statutory rights and obligations pursuant to the terms of the Planning Legislation.

16.2 Document does not fetter discretion

This document is not intended to operate to fetter, in any unlawful manner:

- (1) the power of Council to make any Law; or
- (2) the exercise by Council of any statutory power or discretion,

(Discretion).

16.3 Severance of provisions

- (1) No provision of this document is intended to, or does, constitute any unlawful fetter on any Discretion. If, contrary to the operation of this clause, any provision of this document is held by a court of competent jurisdiction to constitute an unlawful fetter on any Discretion, the parties agree:
 - (a) they will take all practical steps, including the execution of any further documents, to ensure the objective of this clause 16 is substantially satisfied; and
 - (b) in the event that paragraph (1)(a) cannot be achieved without giving rise to an unlawful fetter on a Discretion, the relevant provision is to be severed and the remainder of this document has full force and effect; and
 - (c) to endeavour to satisfy the common objectives of the parties on relation to the provision of this document which is held to be an unlawful fetter to the extent that it is possible having regard to the relevant court judgment.
- (2) Where the Law permits Council to contract out of a provision of that Law or gives Council power to exercise a Discretion, then if Council has in this document contracted out of a provision or exercised a Discretion under this document, then to the extent of this document is not to be taken to be inconsistent with the Law.

16.4 No Obligations

Nothing in this document will be deemed to impose any obligation on Council to exercise any of its functions under the Act in relation to the Development Consent, the Land or the Development in a certain manner.

17 Confidentiality

17.1 Document not Confidential

The terms of this document are not confidential and this document may be treated as a public document and exhibited or reported without restriction by any party.

17.2 Other Confidential Information

- (1) The parties acknowledge that:
 - (a) Confidential Information may have been supplied to some or all of the parties in the negotiations leading up to the making of this document; and
 - (b) The parties may disclose to each other further Confidential Information in connection with the subject matter of this document.
 - (c) Subject to paragraphs (2) and (3), each party agrees:
 - (i) not to disclose any Confidential document received before or after the making of this document to any person without the prior written consent of the party who supplied the Confidential Information; or
 - (ii) to take all reasonable steps to ensure all Confidential Information received before or after the making of this document is kept confidential and protected against unauthorised use and access.
- (2) A party may disclose Confidential Information in the following circumstances:
 - (a) in order to comply with the Law, or the requirements of any Authority; or
 - (b) to any of their employees, consultants, advisers, financiers or contractors to whom it is considered necessary to disclose the information, if the employees, consultants, advisers, financiers or contractors undertake to keep the information confidential.
- (3) The obligations of confidentiality under this clause do not extend to information which is public knowledge other than as a result of a breach of this clause.

18 GST

18.1 Defined GST Terms

Defined terms used in this clause 18 have the meaning ascribed to them in the GST Law.

18.2 GST to be Added to Amounts Payable

- (1) If GST is payable on a Taxable Supply made under, by reference to or in connection with this document, the party providing the Consideration for that Taxable Supply must also pay the GST Amount as additional Consideration.
- (2) This clause does not apply to the extent that the Consideration for the Taxable Supply is expressly agreed to be GST inclusive.
- (3) Unless otherwise expressly stated, prices or other sums payable or Consideration to be provided under or in accordance with this document are exclusive of GST.

18.3 GST Obligations to Survive Termination

This clause 18 will continue to apply after expiration of termination of this document.

19 General**19.1 Obligation to act in good faith**

The parties must at all times:

- (1) cooperate and use their best endeavours to profitably and professionally give effect to their rights and obligations set out in this document;
- (2) not unreasonably delay any action, approval, direction, determination or decision which is required of them;
- (3) make approvals or decisions that are required of them in good faith and in a manner consistent with the completion of the transactions set out in this document; and
- (4) be just and faithful in their activities and dealings with the other parties.

19.2 Legal costs

The Developer agrees to:

- (1) pay or reimburse the reasonable legal costs and disbursements of Council in the negotiation, preparation, execution, exhibition, registration and stamping of this document; and
- (2) pay or reimburse the legal costs and disbursements of Council arising from the enforcement of this document including any breach or default by the Developer of its obligations under this document, provided that any such costs are reasonably incurred,

within seven (7) business days of receipt of a Tax Invoice from Council.

20 Administrative provisions**20.1 Notices**

- (1) Any notice, consent or other communication under this document must be in writing and signed by or on behalf of the person giving it, addressed to the person to whom it is to be given and:
 - (a) delivered to that person's address;
 - (b) sent by pre-paid mail to that person's address; or
 - (c) transmitted by e-mail to that person's e-mail address.
- (2) A notice given to a person in accordance with this clause is treated as having been given and received:
 - (a) if delivered to a person's address, on the day of delivery if a business day, otherwise on the next business day;
 - (b) if sent by pre-paid mail, on the third business day after posting; and

- (c) if transmitted by e-mail to a person's e-mail address and a correct and complete confirmation of receipt is received, on the day of transmission if a business day, otherwise on the next business day.
- (3) For the purpose of this clause the address of a person is the address set out in this document or another address of which that person may from time to time give notice to each other person.

20.2 Entire agreement

This document is the entire agreement of the parties on the subject matter. All representations, communications and prior agreements in relation to the subject matter are merged in and superseded by this document.

20.3 Waiver

The non-exercise of or delay in exercising any power or right of a party does not operate as a waiver of that power or right, nor does any single exercise of a power or right preclude any other or further exercise of it or the exercise of any other power or right. A power or right may only be waived in writing, signed by the parties to be bound by the waiver.

20.4 Cooperation

Each party must sign, execute and deliver all agreements, documents, instruments and act reasonably and effectively to carry out and give full effect to this document and the rights and obligations of the parties under it.

20.5 Counterparts

This document may be executed in any number of counterparts and all of those counterparts taken together constitute one and the same instrument. A party who has executed a counterpart of this document may exchange it with another party by emailing a pdf (portable document format) copy of, the executed counterpart to that other party, and if requested by that other party, will promptly deliver the original by hand or post. Failure to make that delivery will not affect the validity and enforceability of this document.

20.6 Amendment

This document may only be amended or supplemented in writing signed by the parties.

20.7 Unenforceability

Any provision of this document which is invalid or unenforceable in any jurisdiction is to be read down for the purposes of that jurisdiction, if possible, so as to be valid or enforceable, and is otherwise capable of being severed to the extent of the invalidity or enforceability, without affecting the remaining provisions of this document or affecting the validity or enforceability of that provision in any other jurisdiction.

20.8 Power of Attorney

Each attorney who executes this document on behalf of a party declares that the attorney has no notice of:

- (1) the revocation or suspension of the power of attorney by the grantor; or
- (2) the death of the grantor.

20.9 Governing law

The law in force in the State of New South Wales governs this document. The parties:

- (1) submit to the exclusive jurisdiction of the courts of New South Wales and any courts that may hear appeal from those courts in respect of any proceedings in connection with this document; and
- (2) may not seek to have any proceedings removed from the jurisdiction of New South Wales on the grounds of *forum non conveniens*.

21 Trust limitation of liability**21.1 Trust**

The Developer enters into this document only in its capacity as trustee of the Cedar Pacific Kensington Trust (**Developer Trust**) and in no other capacity.

21.2 Limitation of liability

Subject to clause 21.4, a liability arising under or in connection with this document is limited to and can be enforced against the Developer only to the extent to which it can be satisfied out of property of the Developer Trust out of which the Developer is actually indemnified for the liability. This limitation of the Developer's liability applies despite any other provision of this document and extends to all liabilities and obligations of the Developer in any way connected with any representation, warranty, conduct, omission, agreement or transaction related to this document.

21.3 Claims against Developer

Subject to clause 21.4, the parties other than the Developer may not sue the Developer in any capacity other than as trustee of the Developer Trust, including seeking the appointment of a receiver (except in relation to the property of the Developer Trust), a liquidator, an administrator or any similar person to the Developer or prove in any liquidation, administration or arrangement of or affecting the Developer (except in relation to the property of the Developer Trust).

21.4 Exceptions to limitation

The provisions of this clause will not apply to any obligation or liability of the Developer to the extent that it is not satisfied because under the trust deed establishing the Developer Trust, or by operation of law, there is a reduction in the extent of the Developer's indemnification out of the assets of the Developer Trust, as a result of the Developer's fraud, negligence, breach of trust or breach of duty.

Schedule 1– Requirements under s7.4

REQUIREMENT UNDER THE ACT	THIS PLANNING AGREEMENT
Planning instrument and/or development application – (Section 7.4(1)) The Developer has: <ul style="list-style-type: none"> (a) sought a change to an environmental planning instrument. (b) made, or proposes to make, a Development Application. (c) entered into an agreement with, or is otherwise associated with, a person, to whom paragraph (a) or (b) applies. 	<ul style="list-style-type: none"> (a) No (b) Yes (c) Not applicable
Description of land to which this agreement applies – (Section 7.4(3)(a))	<ul style="list-style-type: none"> (1) SP19239. (2) B/410791. (3) A/410791. (4) 11/7/4761. (5) 10/7/4761. (6) SP15366.
Description of change to the environmental planning instrument to which this agreement applies – (Section 7.4(3)(b))	Not applicable
Application of section 7.11 of the Act – (Section 7.4(3)(d))	Applies
Applicability of section 7.12 of the Act – (Section 7.4(3)(d))	Applies.
Consideration of benefits under this agreement if section 7.11 applies – (Section 7.4(3)(e))	Applies. See clause 4.
Mechanism for Dispute resolution – (Section 7.4(3)(f))	See clause 13.
Enforcement of this agreement (Section 7.4(3)(g))	See clause 10.
No obligation to grant consent or exercise functions – (Section 7.4(3)(9))	See clause 16.

Schedule 2 – Defined terms and Interpretation

Part 1 - Definitions

Act	means the <i>Environmental Planning and Assessment Act 1979</i> (NSW).
Affordable Housing Levy Contribution	means the Contribution so described in Schedule 3 .
Assign	as the context requires refers to any assignment, sale, transfer, disposition, declaration of trust over or other assignment of a legal and/or beneficial interest.
Authority	means (as appropriate) any: <ol style="list-style-type: none"> (1) federal, state or local government; (2) department of any federal, state or local government; (3) any court or administrative tribunal; or (4) statutory corporation or regulatory body.
Bank Guarantee	means an irrevocable and unconditional undertaking without any expiry or end date by one of the following trading banks: <ol style="list-style-type: none"> (1) Australia and New Zealand Banking Group Limited. (2) Commonwealth Bank of Australia. (3) Macquarie Bank. (4) National Australia Bank Limited. (5) St George Bank Limited. (6) Westpac Banking Corporation. (7) Any other financial institution approved by the Council, in its absolute discretion, in response to a request from the Developer.
Business Day	means a day which is not a Saturday, Sunday or a public holiday in New South Wales.
CIC Monetary Contribution	means the Contribution so described in Schedule 3 .
CIC Works	means the Contribution so described in Schedule 4 .
Claim	against any person any allegation, action, demand, cause of action, suit, proceeding, judgement, debt, damage, loss, cost, expense or liability howsoever arising and whether present or future, fixed or unascertained, actual or contingent whether at law, in equity, under statute or otherwise.
Completed	means completed in accordance with the requirements of this document.
Completion Notice	has the meaning ascribed in clause 6.2.

Confidential Information	means any information and all other knowledge at any time disclosed (whether in writing and orally) by the parties to each other, or acquired by the parties in relation to the other's activities or services which is not already in the public domain and which: <ol style="list-style-type: none"> (1) is by its nature confidential; (2) is designated, or marked, or stipulated by either party as confidential (whether in writing or otherwise); (3) any party knows or ought to know is confidential; (4) is information which may be reasonably considered to be of a confidential nature.
Construction Certificate	has the same meaning as in section 6.4(d) of the Act.
Contributions	means the Works and the Monetary Contributions.
Contribution Value	means the amount specified in Schedules 3 and Schedule 4 in the column headed "contribution value" for each item of the Contributions as indexed in accordance with this document.
Defect	has the meaning ascribed to it in clause 7.1.
Defects Notice	has the meaning ascribed to it in clause 7.1.
Defects Liability Period	means with respect to an item of Work, a period of twelve (12) months commencing on the date of Completion of the relevant item of Work.
Defects Security	has the meaning ascribed to it in clause 10.1(1)(b).
Development	means the development permitted to be undertaken in accordance with the Development Consent, consisting of the construction of a nine (9) storey mixed-use development comprising basement car parking, ground floor retail premises, a boarding house to be used for student accommodation containing 604 rooms, erection of building and tenancy signage and associated landscaping and civil works at 177-197 Anzac Parade, and the road reserve on the Anzac Parade frontage, Kensington.
Development Application	means an application for the Development Consent.
Development Consent	means the development consent issued for development application No DA/20/2021.
Dispute	has the meaning ascribed to it in clause 13.1.
Encumbrance	means an interest or power: <ol style="list-style-type: none"> (1) reserved in or over an interest in any asset; (2) arising under, or with respect to, a Bio-Banking Agreement;

- (3) created or otherwise arising in or over any interest in any asset under any mortgage, charge (whether fixed or floating), pledge, lien, hypothecation, title retention, conditional sale agreement, hire or hire purchase agreement, option, restriction as to transfer, use or possession, easement, covenant, lease, subordination to any right of any other person and any other encumbrance or security interest, trust or bill of sale; or
- (4) by way of security for the payment of a debt or other monetary obligation or the performance of any obligation.

Encumber means to grant an Encumbrance.

Final Occupation Certificate means an Occupation Certificate that is not an interim Occupation Certificate.

GST Law means *A New Tax System (Goods and Services Tax) Act 1999* (Cth) and any other Act or regulation relating to the imposition or administration of the GST.

Index Means the Consumer Price Index, All Groups, Sydney as published by the ABS in respect of the quarter ending immediately prior to the date of payment.

Insolvency Event means the happening of any of the following events:

- (1) Application which is not withdrawn or dismissed within fourteen (14) days is made to a court for an order or an order is made that a body corporate be wound up.
- (2) An application which is not withdrawn or dismissed within fourteen (14) days is made to a court for an order appointing a liquidator or provisional liquidator in respect of a body corporate or one of them is appointed, whether or not under an order.
- (3) Except to reconstruct or amalgamate while solvent, a body corporate enters into, or resolves to enter into, a scheme of arrangement, agreement of company arrangement or composition with, or assignment for the benefit of, all or any class of its creditors, or it proposes a reorganisation, moratorium or other administration involving any of them.
- (4) A body corporate resolves to wind itself up, or otherwise dissolve itself, or gives notice of intention to do so, except to reconstruct or amalgamate while solvent or is otherwise wound up or dissolved.
- (5) A body corporate is or states that it is insolvent.
- (6) As a result of the operation of section 459F(1) of the *Corporations Act 2001* (Cth) (**Corporations Act**), a body corporate is taken to have failed to comply with a statutory demand;
- (7) A body corporate is or makes a statement from which it may be reasonably deduced that the body corporate is, the subject of an event described in section 459C(2)(b) or section 585 of the *Corporations Act*.
- (8) A body corporate takes any step to obtain protection or is granted protection from its creditors, under any

applicable legislation or an administrator is appointed to a body corporate.

- (9) A person becomes an insolvent under administration as defined in section 9 of the Corporations Act or action is taken which could result in that event.
- (10) A receiver, manager or receiver and manager is appointed to the Company.
- (11) A claim is filed in a court against a person that is not defended, released or otherwise settled within twenty eight (28) days of the date of its filing at the court.
- (12) Anything analogous or having a substantially similar effect to any of the events specified above happens under the law of any applicable jurisdiction.

Land	means the "Land" set out in Schedule 1 .
Laneway	means the existing laneway between Anzac Parade and Roma Avenue, known as Roma Lane.
Law	means all legislation, regulations, by-laws, common law and other binding order made by any Authority.
Location Plan	means the plan that is attached as Annexure 1 .
Monetary Contributions	means the monetary contributions specified or described in Schedule 3 .
Occupation Certificate	has the same meaning as in section 6.4(c) of the Act.
Planning Legislation	means the Act, the <i>Local Government Act 1993</i> (NSW) and the <i>Roads Act 1993</i> (NSW).
Quantity Surveyor	means a person appointed by the Developer and approved by the Council who: <ul style="list-style-type: none"> (1) is a member of their respective professional organisation and has been for at least five (5) years; (2) practises as a quantity surveyor for works of the same nature as the relevant Works; (3) is active as a quantity surveyor at the time of his appointment; (4) has at least three (3) years experience in valuing works of the same nature as the relevant Works; and (5) undertakes to act fairly and promptly in accordance with the requirements of this document.
Rectification Notice	has the meaning ascribed to it in clause 6.4.
Section 7.12 Off-Set Works	means the Contribution so described in Schedule 4 .
Security	means collectively the Works Securities and the Defects Security.

Works means the works specified or described in **Schedule 4**.

Works Securities has the meaning ascribed to it in clause 10.1(1)(a).

Part 2 - Interpretational Rules

clauses, annexures and schedules a clause, annexure or schedule is a reference to a clause in or annexure or schedule to this document.

reference to statutes a statute, ordinance, code or other law includes regulations and other instruments under it and consolidations, amendments, re-enactments or replacements of any of them.

singular includes plural the singular includes the plural and vice versa.

Person the word "person" includes an individual, a firm, a body corporate, a partnership, joint venture, an unincorporated body or association or any government agency.

executors, administrators, successors a particular person includes a reference to the person's executors, administrators, successors, substitutes (including persons taking by novation) and assigns.

Dollars Australian dollars, dollars, \$ or A\$ is a reference to the lawful currency of Australia.

calculation of time if a period of time dates from a given day or the day of an act or event, it is to be calculated exclusive of that day.

reference to a day a day is to be interpreted as the period of time commencing at midnight and ending 24 hours later.

accounting terms an accounting term is a reference to that term as it is used in accounting standards under the Corporations Act or, if not inconsistent with those standards, in accounting principles and practices generally accepted in Australia.

reference to a group of persons a group of persons or things is a reference to any two or more of them jointly and to each of them individually.

meaning not limited the words "include", "including", "for example" or "such as" are not used as, nor are they to be interpreted as, words of limitation, and, when introducing an example, do not limit the meaning of the words to which the example relates to that example or examples of a similar kind.

next day if an act under this document to be done by a party on or by a given day is done after 4.30pm on that day, it is taken to be done on the next day.

next business day if an event must occur on a stipulated day which is not a business day then the stipulated day will be taken to be the next business day.

time of day time is a reference to Sydney time.

Headings	headings (including those in brackets at the beginning of paragraphs) are for convenience only and do not affect the interpretation of this document.
Agreement	a reference to any agreement, document or instrument includes the same as varied, supplemented, novated or replaced from time to time.
Gender	a reference to one gender extends and applies to the other and neuter gender.

Schedule 3 – Monetary Contributions

Item	Contributions	Timing	Contribution Value
1	Affordable Housing Contribution	Prior to the issue of the Final Occupation Certificate in respect of the Development.	<p>The amount of the contribution must be calculated at the time that it is required to be paid in accordance with Clause 6.18 of the <i>Randwick Local Environmental Plan 2012</i>, the <i>Kensington and Kingsford Town Centres - Affordable Housing Plan</i> adopted by the Council on 10 December 2019 and will be calculated using:</p> <p>(1) the relevant indexed Affordable Housing Contribution Rate (being an amount of \$370.86 per square metre as at the date of this document); and</p> <p>(2) the area of residential floor space determined on the basis of the final design of the Development.</p> <p>The Affordable Housing Contribution Rate is indexed twice a year, being the first day of January and July, with reference to the most recently published median strata dwelling price in Randwick City Local Government Area.</p> <p>As at the date of this document, the Contribution Value is estimated to be \$4,647,392.26 (being 14,327 square metres of residential floor space payable at a rate of \$370.86/sqm)</p>
2	CIC Monetary Contribution	Prior to the issue of the first Occupation Certificate in respect of the Development.	<p>The amount of the contribution will be calculated at the time that it is required to be paid in accordance with Clause 6.17 of the <i>Randwick Local Environmental Plan 2012</i>, the <i>Kensington and Kingsford Town Centres – Community Infrastructure Contributions Plan</i> adopted by the Council on 10 December 2019 and will be calculated (which includes for the sake of clarity any indexation required under the abovementioned Contributions Plans using:</p> <p>(1) the relevant Community Infrastructure Contribution Rate (being an amount of \$475.00 per square metre as at the date of this document); and</p> <p>(2) the area of additional residential floor space within the Development above the maximum building height plane allowable under clause 4.3 of the RLEP determined on the basis of the final design of the Development.</p> <p>As at the date of this document, the Contribution Value is estimated to be \$1,417,400 (being 2,984 square metres of floor space payable at a rate of \$475/sqm).</p>

CP23/22

Schedule 4 – Works

Item	Item of Works	Time for Completion	Contribution Value
CIC Works			
1	Inground street planting and associated works abutting Anzac Parade as identified as area '01' on the Location Plan.	Prior to the issue of the first Occupation Certificate in respect of the Development.	\$270,000.00
2	Construction of the Laneway as identified as area '02' on the Location Plan.		
3	WSUD works as identified as area '03' on the Location Plan.		
4	Heritage seating along the Laneway as identified as area '04' on the Location Plan.		
Section 7.12 Off-Set Works			
5	Upgrade to Laneway and associated public domain works	Prior to the issue of the first Occupation Certificate in respect of the Development.	\$340,000.00

Annexure 1 – Location Plan

CP23/22



Execution page

Executed as a deed

Dated:

Signed, sealed and delivered by **Randwick City Council** by its General Manager in the presence of the witness whose signature appears below and in accordance with resolution dated

Witness (Signature)

General Manager (Signature)

Name of Witness (Print Name)

Name of General Manager (Print Name)

Signed, sealed and delivered by **Cedar Pacific 1 Pty Ltd as trustee for the Cedar Pacific Kensington Trust** in accordance with section 127(1) of the *Corporations Act 2001* (Cth) by authority of its directors.

Director/Secretary (Signature)

Director (Signature)

Name of Director/Secretary (Print Name)

Name of Director (Print Name)

Director City Planning Report No. CP24/22

Subject: Council Conflict of Interest Policy- Council Related Development

Executive Summary



- The Department of Planning and Environment (DPE) recently placed on public exhibition a proposal for addressing conflict of interest for Council related development.
- The proposal flags potential changes to the *Environmental Planning and Assessment Regulation* (EP&A Regulation), requiring councils to adopt a policy addressing how potential conflict of interest would be managed in relation to development applications (DAs) lodged by or on behalf of Council. This would apply to those circumstances where Council plays a concurrent role as applicant, consent authority and/or regulator for proposals relating council owned land, or, where council has a commercial interest in a land holding.
- Under the proposal, Council would be required to consider the adopted policy before determining a DA pertaining to council related development, and publicly communicate management strategies for addressing conflict of interest for each relevant DA on the NSW Planning Portal. The Department has prepared a sample policy that councils may choose for guidance in preparing a localised policy for addressing conflict of interest (**Attachment A**).
- This report provides an outline of the Government's proposal for addressing conflict of interest relating to council owned land, as well as key issues raised in Council's submission (**Attachment B**). Council's submission is generally supportive of a policy addressing conflict of interest, provided a standardised approach is adopted across the state, and without the requirement to prepare management approaches for each individual DA.

Recommendation

That Council:

- a) Note this report on the Government's proposal to introduce requirements for the preparation of a conflict of interest policy for council related development; and
- b) endorse the attached submission on the proposed changes.

Attachment/s:

1.  Attachment A: SAMPLE POLICY - Council Conflict of Interest
2.  Attachment B: Conflict of Interest Policy - Council Related Development - Submission by Randwick City Council

Purpose

The purpose of this report is to provide an overview of the Government's proposal for addressing conflict of interest relating to council related Development Applications (DAs), as well as key issues raised in Council's submission.

Discussion

Background

The Department of Planning and Environment (DPE) recently placed on public exhibition a proposal to assist councils in managing potential conflicts of interest for council related development. This refers to those circumstances where Council plays a concurrent role as development proponent, consent authority, and/or development regulator for DAs lodged by or on behalf of Council.

The proposal stems from recommendations of the NSW ombudsman in the report *An Inherent Conflict of Interest Councils as Developer and Regulator* (December 2021), which raises concerns that the multiple roles a council may have in relation to council related development, may raise the potential for conflict of interest. The report is underpinned by a case study of a regional council which authorised the use of a council owned building for a function prior to the issuing of an occupation certificate.

To address this issue, and to create more accountability and transparency in the development process, the Government is proposing to amend the *Environmental Planning and Assessment Regulation* (EP&A Regulation) requiring councils to:

- Adopt a formal policy setting out how potential conflicts of interest would be managed in relation to council related development;
- Consider this policy before determining any DAs that are council-related; and
- Publicly communicate any management approaches that council would implement (if any) for each applicable DA. As part of this approach, councils would be required to complete a management strategy and publish it on the NSW Planning Portal for each council related DA when it is exhibited.

To supplement the proposed changes, the Government has placed on exhibition a sample policy document which may be used by councils for guidance in preparing their own localised policy on managing conflict of interest pertaining to Council related DAs (**Attachment A**).

Council's Submission

Council's submission (**Attachment B**) raises the following issues:

- General support for having strong enforceable measures in place to address conflict of interest for council related development;
- Acknowledgement that Council already has embedded measures addressing conflict of interest including:
 - Use of the independent local planning panel since 2018 which takes decision making away from elected local government officials;
 - Application of the Code of Conduct for Council staff, requiring the disclosure of pecuniary interest in council matters;
 - Delegation of Authority requiring the referral of certain matters involving conflict of interest to the Randwick Local Planning Panel;
 - The DA Procedures Manual which details requirements for the referral of DAs to external consultants once a conflict of interest is identified; and
 - The General Manager's discretion to refer DAs to the local planning panel for determination in circumstances where an objector is a member of Council planning staff or a Councillor directly affected by a proposal, or, if the proposal has potential

significant impacts on the broader community and determination by the panel would be in the public interest.

- Support for a policy addressing conflict of interest providing that this is part of a standardised approach across NSW;
- Request for a standardised 'conflict of interest policy' template for councils to adopt across NSW, with a requirement for this to be publicised on the council website. This would preclude the requirement for councils and the public to navigate complex portal systems on an application by application basis; and
- Request that any proposed changes to the EP&A Regulation be placed on public exhibition to allow adequate scrutiny,

The draft submission has been submitted to the Department to meet the Government's exhibition timeframe. A final version of the submission will be lodged once it is endorsed by Council.

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	4. Excellence in urban design and development.
Direction	4b. New and existing development is managed by a robust framework.

Resourcing Strategy implications

The submission was prepared in-house by the Strategic Planning Department and therefore there are no financial implications.

Policy and legislative requirements

- Environmental Planning and Assessment Act 1979;
- Environmental Planning and Assessment Regulation;
- Randwick City Code of Conduct; and
- Delegations of Authority.

Conclusion

The Government is proposing to introduce a requirement for all councils to prepare a policy addressing how conflict of issue would be managed in relation to council related development. This would apply to those circumstances where Council is the applicant and consent authority or regulator for DAs pertaining to Council owned land, or where Council has a commercial interest in a land holding.

Randwick City already has a number of measures in place to address potential conflict of interest, including referrals to the local planning panel for determination, delegations of authority and procedures and processes under the DA Procedures Manual. Notwithstanding these measures, Council's submission supports the introduction of a conflict of policy provided it is part of a standardised approach across NSW and publicised on each councils' website for the purposes of transparency. The draft submission is attached for Council's consideration and endorsement.

Responsible officer: Asanthika Kappagoda, Senior Strategic Planner

File Reference: F2018/00147

Department of Planning and Environment



CP24/22

Sample policy for managing conflicts of interest for council-related development

Introduction

Councils are development regulators. But they also can be the developer, landowner or hold a commercial interest in the land they regulate. Where councils have this dual role, an inherent conflict can arise between their interests in the development and their duty as regulator.

Identifying these conflicts of interest early and finding ways to address them is crucial to good governance and allows councils to strengthen their relationship with communities and build and enhance trust.

New requirements will be introduced into the Environmental Planning and Assessment Regulation 2021 for councils to prepare and publicise a policy that sets out how they propose to manage potential conflicts of interest. In addition, councils will have to publicly communicate via the NSW Planning Portal the management approaches they propose to implement (if any) for each development subject to the policy.

Any policy prepared and adopted by a council must:

- establish management controls and/or a management strategy to address potential conflicts of interest at the different phases of the development process for the types of council-related development that it could be involved in
- outline the process through which potential conflicts of interest will be identified, the risks assessed, and appropriate management controls determined
- outline the process that will be followed to publicly communicate the management approaches for each development subject to the policy.

In some circumstances, council may determine the risks are sufficiently low and no specific controls are warranted. Where this is the case, council should still publicly communicate that fact through the NSW Planning Portal to ensure transparency.

Where a council determines for a particular class of development that the risks of a conflict of interest are very low, it may decide not to have any management controls for a specified type of development unless there is some direct involvement of a councillor or a council staff member in their private capacity. This can happen where the council is the owner of a large commercial building that has a range of shops within it, for which it receives many development applications for commercial fit outs and minor changes to the building facade. In those circumstances, the council's policy could outline that its management strategy for this class of development does not apply additional controls for conflicts of interest.

Other examples where this approach might be appropriate include development for internal alterations or additions to buildings that are not a heritage item, advertising signage, minor building structures projecting from a building façade over public land (such as awnings, verandas, bay

© State of New South Wales through Department of Planning and Environment 2022. Information contained in this publication is based on knowledge and understanding at the time of writing, April 2022, and is subject to change. For more information, please visit dpie.nsw.gov.au/copyright

Sample policy for managing conflicts of interest for council-related development



windows, flagpoles, pipes and services), and development where the council might receive a small fee for the use of their land.

While the proposed regulation changes do not mandate the use of the framework once a development consent is issued, it is best practice when developing their policies for councils to also address conflicts that may occur after it has granted development consent. This could be as simple as stating in the policy that the council will enter into a shared services arrangement with a neighbouring council in relation to this phase of the development process for any development that is the subject of the policy.

The following sample policy is to help councils develop their own conflict of interest policies for council-related development. It provides practical solutions for developing and implementing ways to manage potential conflicts at all stages of the development process.

For councils that have local planning panels, the council's policy would only need to deal with a subset of this development, as a range of development to which the policy would otherwise apply will already be referred to local planning panels.

Because each council and local government area is different and has unique local settings, councils should decide what is appropriate in their circumstances and develop a policy for managing conflicts of interest in relation to council-related development that is suitable for their local area.

CP24/22

Sample policy for managing conflicts of interest for council-related development



CP24/22

Part 1 Preliminary

(1) Name of policy

This policy is the [insert name of policy].

Note: For example, Conflicts of interest policy – dealing with council-related development throughout the development process.

(2) Aim of policy

This policy aims to manage potential conflicts of interest and increase transparency at all stages of the development process for council-related development.

(3) Scope

This policy applies to council-related development.

(4) Definitions

(1) In this policy:

application means an application for consent under Part 4 of the Act to carry out development and includes an application for a complying development certificate and an application to modify a development consent

council means [insert name of the council]

council-related development means development for which the council is the applicant developer (whether lodged by or on behalf of council), landowner, or has a commercial interest in the land the subject of the application, where it will also be the regulator or consent authority

development process means application, assessment, determination, and enforcement

the Act means the *Environmental Planning and Assessment Act 1979*.

(2) A word or expression used in this policy has the same meaning as it has in the Act, and any instruments made under the Act, unless it is otherwise defined in this policy.

(3) Notes included in this policy do not form part of the policy.

Note: Other definitions can be inserted.

Sample policy for managing conflicts of interest for council-related development



Part 2 Process for identifying and managing potential conflicts of interest

(5) Management controls and strategies

(1) The following management controls may be applied to:

- a. the **assessment** of an application for council-related development
 - insert control(s)
- b. the **determination** of an application for council-related development
 - insert control(s)
- c. the **regulation and enforcement** of approved council-related development
 - insert control(s).

Note: For example, council will enter into a shared services arrangement with a neighbouring council.

(2) The management strategy for the following kinds of development is that no management controls need to be applied:

- a. commercial fit outs and minor changes to the building façade
- b. internal alterations or additions to buildings that are not a heritage item
- c. advertising signage
- d. minor building structures projecting from a building facade over public land (such as awnings, verandas, bay windows, flagpoles, pipes, and services)
- e. development where the council might receive a small fee for the use of their land.

Notes:

1. *While councils must have a policy that sets out how they propose to deal with potential conflicts of interest for council-related development, it could implement different controls for dealing with them based on the level of risk. For example, councils could set their controls based on:*
 - a. *risk category – low, moderate, high, very high*
 - b. *types of development – non-controversial small-scale development, development of a certain value with/without a commercial interest, controversial development, or even*
 - c. *capital investment value of the proposed development.*
2. *There is a range of management controls that could be applied in particular circumstances. The following are some examples that councils could use. Note that councils are not limited to one approach and could specify more than one approach if appropriate in their local settings:*
 - a. *Assessment and determination*
 - i. *The assessment and/or determination of an application could be undertaken by council staff under delegation – this might be appropriate if the proposal is considered to be a low-level risk or non-controversial. For more controversial projects, this might only be possible if strict role separation controls are imposed.*
 - ii. *The application could also be referred for external assessment and/or determination to either:*
 1. *another council*

Sample policy for managing conflicts of interest for council-related development



2. a local planning panel if one is in place
3. a regional planning panel (may require negotiation – RPPs are not required to accept referrals)
4. a consultant.

The involvement of an external third party might be appropriate for development where council has a commercial interest in the land, or the development is seen to be a political priority for the council.

b. Regulation and enforcement

- i. Engagement of a private certifier
- ii. Publication of certificates issued under Part 6 of the Act on the NSW Planning Portal
- iii. Peer review by a neighbouring council and/or entering into a shared services arrangement with a neighbouring council
- iv. Reporting of key milestones to the full council.

3. Councils may also wish to take advantage of their audit and risk committee to provide guidance for the types of controls that could be applied in specific circumstances.

(6) Identifying whether a potential conflict of interest exists, assessment of level risk and determination of appropriate management controls

- (1) Development applications lodged with the council that are council-related development are to be referred to the general manager for a conflict-of-interest risk assessment.

Note: Council-related development is defined in section 4.

- (2) The general manager is to:

- a. assess whether the application is one in which a potential conflict of interest exists,
- b. identify the phase(s) of the development process at which the identified conflict of interest arises,
- c. assess the level of risk involved at each phase of the development process,
- d. determine what (if any) management controls should be implemented to address the identified conflict of interest (in each phase of the development process if necessary) having regard to any controls and strategies outlined in clause 5 of the policy and the outcome of the general manager's assessment of the level of risk involved as set out clause 6(2)(c) of the policy,

Note: The general manager could determine that no management controls are necessary in the circumstances.

- e. document the proposed management approach for the proposal in a statement that is published on the NSW Planning Portal.

Note: The following is an example of a statement that could be published by councils to document its proposed management approach in a particular circumstance.

Scenario

BlueStar Council is upgrading one of their assets, 'Blue River Civic Place'. Council is the landowner and the applicant and is proposing to redevelop the site into a mixed-use development with a total capital investment value (CIV) of \$4.9 million. The development application seeks approval for the construction and use of an

Sample policy for managing conflicts of interest for council-related development



additional 2 storeys on an existing 3 storey building comprising a childcare centre, commercial office spaces and partial use of the building for council's public administration.

Example management statement

Council conflict of interest management statement	
Project name	Blue River Civic Place
DA number	DA21/0001
Potential conflict	BlueStar Council is the applicant. Blue River Civic Place has an estimated capital investment value of \$4.9 million and the council expects to receive revenue through renting commercial office spaces.
Management strategy	<p>The council is managing potential conflicts of interest in this matter as follows:</p> <ul style="list-style-type: none"> • The application will be referred to the local planning panel to determine the development application. • Council development assessment staff not involved with preparing the application will assess the DA. The staff will remain separated from the project team. • A private certifier will be engaged to undertake the certification for the development. • Green Hill Council has agreed to peer review any regulatory decisions should compliance decisions be made. • Key project milestones following the development consent will be reported at a public council meeting.
Contact	Anyone with concerns about council fulfilling its obligations should report their concerns to the council.

CP24/22

Economic Policy Team
Department of Planning and Environment
economic.policy@dpie.nsw.gov.au

07 June 2022

Ref No: F2018/00147

Dear Sir/Madam,

Conflict of Interest Policy - Council Related Development

Thank you for the opportunity to make a submission on the recently exhibited proposals for managing conflict of interest for Council related development. As an overarching comment, it is agreed that effectively managing the potential for conflict between private interests and public interest is essential in maintaining a high level of transparency and accountability in the NSW planning system. Moreover, managing conflict of interest is integral in facilitating good governance, and building community trust and integrity in the development process.

The proposed changes comprise new requirements under the *Environmental Planning and Assessment Regulation* (EP&A Regulation), for the preparation and publication of a policy addressing how conflict of interest would be managed where councils have a concurrent role as applicant, consent authority and/or regulator for DAs affecting council owned land, or where a council may have a commercial interest in a land holding. Councils would be required to consider this policy before determining any council related DAs and also publicly communicate any management approaches for each individual DA on the NSW Planning Portal. These policy approaches are in response to the NSW Ombudsman's report *An inherent conflict of interest councils as developer and regulator* (December 2020) informed by a case study of a regional council and the use of a council building without suitable probity measures in place.

While having strong enforceable measures to address conflict of interest matters are acknowledged, it is important to note that there are various risk based measures in place which address conflict of interest matters at a Local Government level to manage councils' conflict of interest where councils are both development proponent and decision maker. These include the use of independent local planning panels for the majority of metropolitan councils in Sydney since March 2018, which takes decision making on council related development away from elected local government officials.

In the context of Randwick City, Council is bound by the Minister's Direction for referring certain matters to the local planning panels for determination (i.e. conflict of interest) as well as requirements under the Local Government Act 1993. In addition, there are a number of systems and policies in place that address potential conflict of interest as a risk-based response to assessing and determining council related development. These include:

- Code of Conduct for Council staff: requirements for the disclosure of pecuniary interest in council matters;
- Delegation of Authority: referral of certain matters involving conflict of interest to the Randwick Local Planning Panel; and

- DA Procedures Manual: detailed requirements for the referral of DAs to external consultants once a conflict of interest is identified.

Randwick City's General Manager also has discretion to refer applications (that do not meet the prescribed referral criteria) to the local planning panel for determination in the circumstances where an objector is a member of Council planning staff or a Councillor directly affected by a proposal, or if the proposal may have significant impacts and consideration by the panel would be in the best interests of the whole community.

Although Council already has embedded conflict of interest measures in place that are operating effectively, there is merit in adopting a standardised policy across NSW, for the purposes of certainty and transparency similar to the standard Code of Conduct and Code of Meeting Practice. It is therefore recommended that the Government develop a standard policy template for all councils to adopt across Metropolitan Sydney, with the requirement for this to be publicised on the council website. This would preclude the requirement for councils to navigate complex portal systems on an application to application basis.

Furthermore, it is requested that any proposed changes to the Regulation be placed on public exhibition to allow scrutiny and the assessment of impacts on council processes and procedures as a result of these additional governance arrangements.

Thank you for the opportunity to provide feedback on the draft policy approach for Council related DAs. If you would like to discuss any of the matters raised in this submission, please do not hesitate to contact Stella Agagiotis, Manager Strategic Planning on telephone 9093 6954.

<Insert complimentary close>



Kerry Kyriacou
Director City Planning
Kerry.Kyriacou@randwick.nsw.gov.au

Director City Planning Report No. CP25/22

Subject: Community Partnerships Funding Program 2022-2023 Recommended Allocations

Executive Summary

- The Community Partnerships Funding Program with an allocated budget of \$200,000 per annum provides not-for-profit social services financial assistance to deliver programs and activities that address the needs of disadvantaged Randwick residents.
- Applicants may request financial assistance not exceeding \$20,000.00 per year. Applicants may also apply to receive 3 recurrent years' funding not exceeding a total of \$60,000 over the three years.
- Under this funding round, the amount available for allocation is \$149,500. This is because \$50,500 is already committed to organisations who were previously approved by Council to receive recurrent funds to be paid from the Program's annual budget.
- Council received thirteen (13) applications requesting funds totaling \$210,327.60. Applications were assessed against the program's funding guidelines and assessment criteria.
- The assessment panel recommends seven (7) organisations to receive a total of \$111,490 in funding under the 2022-23 Community Partnerships Funding Program:
 - Souths Cares PBI Ltd
 - Beaches Outreach Project
 - Waverley Action for Youth Services
 - St Laurence House Incorporated
 - Lokahi Foundation
 - South Eastern Community Connect
 - Mum for Mum NCJWA Limited.
- The remaining funds of \$38,010 in the 2022-23 Community Partnerships budget are recommended to be rolled over to the 2023-24 Community Partnerships budget.

Recommendation

That Council approve the:

- a) allocation of \$111,490 to the seven successful organisations as listed above and detailed in this report;
- b) remaining community partnerships budget of \$38,010 to be rolled over to the 2023-24 Community Partnerships budget.

Attachment/s:

1.  Community Partnerships Guidelines

Purpose

The Community Partnerships Funding Program is now in its twelfth year and is one of the funding streams of the Community Investment Program. Within an allocated annual budget of \$200,000, it offers not-for-profit social service providers the opportunity to apply for financial assistance to implement and deliver projects or activities to address the social needs of disadvantaged Randwick residents.

Under the program guidelines, the maximum amount of funding applicants may apply for is \$20,000.00 per year. In addition, applicants may apply to receive 3 years recurrent funding up to a value of \$60,000, staged over three years.

Discussion

Recurrent funding

The 2022-23 funding round opened on 11 April 2022 and closed on 23 May 2022. The Program was promoted on the Council's website, through local community networks and in two public information sessions held online and in person at the Lionel Bowen Library.

In addition to the seven (7) organisations recommended to receive funding through this round, the allocated budget for the new financial year 2022-23 (\$200,000) will also fund three (3) organisations that are due to receive their recurrent funds totaling \$50,500 approved in the 2020-21 and 2021-22 rounds.

Budget allocation	\$ 200,000.00
Recurrent funding commitments (approved in 2020-21)	\$ 10,500.00
Recurrent funding commitments (approved in 2021-22)	\$ 40,000.00

<i>Total budget available for 2022-23 allocation</i>	\$ 149,500.00
--	----------------------

The Program requires and expects a high level of accountability from funding recipients. This is achieved by undertaking a robust annual reporting process for organisations receiving funding. If an organisation receiving recurrent funding is unable to meet its annual progress reporting requirements, funding for subsequent years will not be allocated, and returned to the budget. Organisations in receipt of recurrent funding are not eligible to submit another application until their funded project is completed and acquitted.

Assessment of 2022-23 Applications

The assessment process was undertaken by a panel comprising of Council officers with expertise in community services, The Mayor Cr Dylan Parker and an independent external representative from University of Sydney Student Union with experience in grants management.

Council received thirteen (13) applications requesting a total of \$210,327.60 for 2022-23 with seven of these being recommended for funding with a total budget allocation of \$111,490.

Each application was assessed against the following criteria:

1. Priority area weighting
2. Capacity to deliver
3. Outcomes alignment
4. Access and Inclusion
5. Monitoring and evaluation
6. Budget
7. Sustainability

Remaining funding

Council received thirteen (13) applications requesting funds totaling \$210,327.60 with an available budget allocation of \$149,500 and a total of \$111,490 funds recommended. This means that there is \$38,010 left over in the Community Partnerships budget.

The assessment panel have recommended applications that best met all the criteria of the program and note there are remaining funds in this financial year. The panel felt it was best to reserve vital funds, rather than allocate them to applications which did not meet the full criteria of the program, to offer a strong program in 2023.

Details of the programs not recommended for funding is provided under separate cover. The remaining funds of \$38,010 in the Community partnerships budget are recommended to be rolled over to the 2023-24 Community Partnerships budget.

A summary of the recommended funding allocation is provided below. A more detailed analysis on the recommended and non-recommended funding requests is provided under separate cover.

Organisation	Project description	Panels comments	Recommended cash funds	No. of years requested	No. of years recommended
Souths Cares PBI Ltd	The Nanga Mai Marri (Dream Big) Program is a school-to-work mentoring initiative for Aboriginal high school students in South Eastern Sydney. The program supports participants from grade 9 through to HSC completion and then provides post-school support to ensure a successful transition into tertiary education, training and/or employment.	A strong application. The project has been effective and inclusive and is highly relevant to Randwick City Council's focus on supporting young Aboriginal people.	\$20,000	3	3
Beaches Outreach Project	The project will provide an intensive casework support service for young people with complex needs. It will be a mobile street and home based service staffed by a skilled youth worker able to access and co-ordinate a range of services.	This project would help to meet Randwick City's need for youth casework services.	\$20,000	1	1
Waverley Action for Youth Services	AWSS is a peer education outreach project that aims to inform young people in Eastern Sydney and City of Sydney about sexual health, such as where to get an STI test, alcohol and other drugs (AOD) harm minimisation and mental health support.	A discrete youth-facilitated project that aligns with Randwick City's need for youth services. It is peer facilitated and also employs local young people.	\$4,490	1	1
St Laurence House Incorporated	The Life Hack Program is a program aimed at teaching homeless youth the necessary life skills to help them live independently.	A project that would support young people in Randwick who are experiencing homelessness.	\$8,000	1	1
Lokahi Foundation	Providing female victim-survivors of domestic and family abuse with on-the-ground specialised advice and support through	An important service for women who have experienced domestic and family violence. The service is based in Bondi	\$19,000	3	1

Organisation	Project description	Panels comments	Recommended cash funds	No. of years requested	No. of years recommended
CP25/22	ongoing case management.	Junction. The application is for an ongoing service rather than a three year project and it may not be as accessible to Randwick residents as other services. The panel recommends funding the project for one year. Lokahi Foundation is welcome to apply again in subsequent years.			
South Eastern Community Connect	To provide client centred practical and emotional support to community members experiencing domestic violence, at risk of or experiencing homelessness and facing barriers accessing services. The project will improve access to information and advice and provide assistance with navigating services and referral pathways.	The project would deliver an important service for people experiencing domestic and family violence who are looking for housing. SECC is not a specialist DFV service and specialist training is required to prevent harm to clients.	\$20,000	3	3
Mum for Mum NCJWA Limited	Train and manage 60 additional volunteers over 3 years. Meet rising demand from clinical and welfare services in Randwick for our organisation to deliver year-long in-home support to culturally diverse, vulnerable, isolated new mothers and address impacts of COVID on mental ill-health, family violence, financial insecurity, and social isolation.	The project would support the mental health of new mothers in Randwick City. It is relevant to the Inclusive Randwick Strategy's focus on mental health, breaking social isolation and supporting people in vulnerable circumstances.	\$20,000	3	1
	TOTAL		\$111,490		

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	2. A vibrant and diverse community.
Direction	2b. Strong partnerships between the Council, community groups and government agencies.

Resourcing Strategy implications

There is no additional financial impact, the recommended expenditure is within the allocated budget for this purpose.

Policy and legislative requirements

Community Partnerships Funding Program Guidelines.

Conclusion

The Community Partnerships Funding Program plays an important role in providing support services to disadvantaged groups living in our City. It does so by allocating funds to social service providers to help increase community capacity and deliver much needed services to disadvantaged residents in the Randwick area.

All applicants will be advised of the outcomes of their application whether they are successful or not and upon request, feedback will be provided to unsuccessful organisations.

Responsible officer: Jodi Tweed, Manager Community Development

File Reference: F2021/00139

CP25/22



**Community
Partnerships**

INVESTMENT PROGRAM

Application and Funding Guidelines



Find out more
[randwick.nsw.gov.au/
community](https://randwick.nsw.gov.au/community)

Contents

1. Introduction	1
1.1. Purpose	1
1.1. Background	1
1.2. Overview	1
2. Application and Assessment	2
2.1. Who can apply?	2
2.2. Funding priorities	2
2.3. Assessment criteria	2
2.4. Assessment Process	3
3. Funding details	4
3.1. Available funds	4
3.2. Conditions of funding	4
3.3. Funding rounds and key dates	5
4. Enquiries	5

Community Partnerships

1. Introduction

1.1. Purpose

Randwick City Council is committed to empowering our local communities through investing in ideas, initiatives, programs, and services which are inclusive, needs based, impactful and create a ‘sense of community’.

1.2. Background

Randwick City Council has been delivering financial and in-kind support to the community through its grants, donations, and subsidies programs since 2009. In 2020, Council reviewed it’s grants program and development a new ‘investment’ framework called the, *Community Investment Program*, which accommodates a broader range of applicants and funding options.

The Community Investment Program has three funding streams working towards Randwick City Council’s vision of creating ‘a sense of community’.

The three funding streams under the Community Investment Program are:

Community Investment Program		
Community Connect	Community Creative	Community Partnerships
3 funding rounds annually		One funding round annually

1.3. Overview

The Community Partnerships funding stream provides funding to not-for-profit groups and organisations to undertake programs and services designed to achieve one or more of the following outcomes:

- Assist community-based services to develop and implement relevant programs or services that address the social needs of residents within Randwick City.
- Work in partnership with Council’s Community Development team to encourage and foster the effective provision of community-based services.

2. Application and Assessment

2.1. Who can apply?

Funding is awarded to not-for-profit organisations with professional qualifications to deliver support programs and services to improve the health and well-being of disadvantaged residents in Randwick City. Only incorporated social service providers are eligible to apply for funding under this program.

Ineligible applicants include:

- State or federal Government organisations/departments
- Political parties

General exclusions

The Community Partnerships funding stream does not fund programs or services that:

- Duplicate existing programs or services, unless there is a demonstrated need for additional programs or services,
- Have already occurred (no retrospect funding),
- Are profit making programs or services that promote (directly or indirectly) profit making ventures,
- Request to attend forums, events, workshops, and conferences with no returned benefits to the Randwick community,
- Are operational expenses such as rent, ongoing staff wages, insurance, utilities, day to day general office supplies not related to the program or service being funded,
- Holding deposits (bonds) for venue hire, and

2.2. Funding priorities

All applications will be assessed against Randwick City Council's local area priorities. These priorities have been identified in Council's Social Needs Study – 2021. Please indicate in your application which key priority theme/s your service will be addressing:

- Youth services
- Mental health and wellbeing
- Domestic and family violence
- Aboriginal and Torres Strait Islander services
- Housing affordability/homelessness
- In-home support services

2.3. Assessment criteria

All applications will be assessed against the following general criteria:

- The organisation must have properly acquitted previous grants received from Randwick City Council.
- The project must clearly identify and address a 'local area priority' under funding priorities 2.2. If not, you will need to substantiate your reason for requesting funding for your program or service. The application must show that the project will be of direct benefit to a specific group or groups within our community.
- The application must show a realistic budget for the project. The project must be cost effective and achievable. A complete budget must be included in your application.

Applications with incomplete budget information will not be considered by the assessment panel.

- The funded project must provide a program or service to residents in the City of Randwick. The program or service must be conducted or located within the City of Randwick.
- The organisation or group must have the necessary skills and experience to deliver the project and a realistic activity plan.
- The application must clearly define the outcomes or goals of your project. That is, what the project should achieve to be successful. These outcomes should be specific, measurable, attainable, relevant, and time-bound (SMART).
- The organisation or group should have a realistic plan for monitoring and evaluating the project's outcomes.
- The application must consider how the project activities can be made accessible to and inclusive of residents that are often socially excluded.
- The application must include a component of in-kind or cash contribution from the organisation/group applying.
- All applicants must have an ABN number and ability to provide Council with a Tax Invoice.
- Programs and services which are to be ongoing must have the capacity to develop self-sustainability and not be reliant on ongoing funding from the Community Partnerships funding stream.

2.4. Application and Assessment Process

- Support is available for Aboriginal and Torres Strait Islander applicants to complete the application process. To access this support please call 0418 401 624 during business hours or email Sharron.Smith@randwick.nsw.gov.au.
- Applications are now submitted online through SmartyGrants. A link to the application form is available on the Community Partnerships webpage: <https://www.randwick.nsw.gov.au/community/grants-and-awards/community-investment-program/funding-program>.
- All eligible applications will be assessed by an expert assessment panel and based on the eligibility, assessment criteria and local area priorities as outlined in these Guidelines.
- All investment funding and its community impacts will be reported to Council for approval.
- The 'Community Partnership funding stream' assessment panel may include Councillors, Council staff with relevant expertise, an officer from a government agency such as Department of Community Services or Housing NSW or an officer from an adjoining Council.

3. Funding details

3.1. Available funds

- An amount not exceeding **\$20,000** per year may be requested. Funding for a program or services for up to three years is available, not exceeding **\$60,000** over the three-year period.
- Organisations may submit more than one application per funding round. However, only one program or service will be funded by Council from each funding round.
- Funding for one or three years is available for organisations to apply for.
- Recurrent funding to continue with a previously funded projects will not be considered under the terms of the Community Partnerships funding stream.
- Organisations undertaking three-year funding must submit an annual Progress Report online and include a financial statement of expenditure and detail the outcomes achieved against the contents of the project plan. This Progress Report will need to be completed before the next funding instalment is paid.
- Organisations successful in securing 3 years funding will be paid in annual instalments in advance of proposed expenditure. Annual payment will be dependent upon the approval of the annual Progress Report.
- Please be aware that there are always more requests for financial assistance than available funds.
- Randwick City Council cannot guarantee that the full amount applied for by an organisation will be offered. If this situation occurs, Council will contact the respective organisations for further discussion.

3.2. Conditions of Funding Agreement

- Randwick City Council reserves the right to require the successful organisation to enter a partnership or service arrangement. This is to ensure that identified social needs priorities are satisfactorily addressed.
- Where a service or partnership arrangement is entered, it should be jointly developed and ratified by Council and the organisation prior to the funding being made available.
- Funds provided by Council must be deposited in an account in the organisation's name and Council must be advised of the organisation's GST status.
- All publicity relating to the program or service, including any annual reporting, must acknowledge Randwick City Council's contribution.
- At the end of the funding period, and as part of the grant acquittal process, organisations will be required to complete an End of Project Report.
- Should there be any concerns regarding the completion of the funded project, the organisation is encouraged to discuss the situation with council officers with a view to putting the project back on course.
- Any unspent monies are to be returned to Randwick City Council as soon as the project has been finalised.

3.3. Funding rounds and key dates

Description	Date
Applications open	11 April
Information sessions	11 April (online). Register here . 2 May (in person). Register here .
Closing date for all applications	22 May
Assessment of applications by panel members	Early June
Report to Council	Late June
Projects start	July

4. Enquiries

All enquiries should be directed to:

Susanna Susic
 Grants and Administration Officer
 Tel: 9093 6677
 Email: susanna.susic@randwick.nsw.gov.au
 Web: <https://www.randwick.nsw.gov.au/community/grants-and-awards/community-investment-program>

Director City Planning Report No. CP26/22

**Subject: Variation to Development Standard - Clause 4.6 - March 2022
-June 2022**

Executive Summary

- The NSW Department of Planning (DOP) released a Planning Circular in 2008 advising of additional requirements councils are required to adopt in relation to SEPP 1 objections and Clause 4.6 exceptions.
- This report provides Council with the development applications determined where there had been a variation in standards under Clause 4.6 in the November 2021 to March 2022 period.

Recommendation

That the report be received and noted.

Attachment/s:

1.  SEPP 1 & Clause 4.6 Register - 17 March to 10 June 2022

Purpose

The NSW Department of Planning (DOP) released a Planning Circular in November 2008 advising councils to adopt additional procedures in relation to the administration of variations to development Standard. The additional measures are largely in response to the ICAC inquiry into Wollongong City Council. Those additional measures are:

- 1) Establishment of a register of development applications determined with variations in standards under State Environmental Planning Policy No. 1 (SEPP1) and Clause 4.6;
- 2) Requirement for all development applications where there has been a variation greater than 10% in standards under SEPP1 and Clause 4.6 to be determined by full council (rather than the general manager or nominated staff member);
- 3) Providing a report to Council on the development applications determined where there had been a variation in standards under SEPP1 and Clause 4.6; and
- 4) Making the register of development applications determined with variations in standards under SEPP1 and Clause 4.6 available to the public on Council's website.

Discussion

This report is in response to point 3 above. A table is attached to this report detailing all Clause 4.6 exceptions approved in the period between 17 March 2022 and 10 June 2022.

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	4. Excellence in urban design and development.
Direction	4b. New and existing development is managed by a robust framework.

Resourcing Strategy implications

There is no direct financial impact for this matter.

Conclusion

The NSW Department of Planning (DOP) released a Planning Circular in 2008 advising of additional requirements councils are required to adopt in relation to SEPP1 objections and Clause 4.6 exceptions. This report provides details of the relevant applications subject to these provisions for the period specified.

Responsible officer: Terry Papaioannou, Environmental Planner Officer (Technical - Research)

File Reference: F2008/00122

CLAUSE 4.6 REGISTER BETWEEN 17 MARCH 2022 – 10 JUNE 2022															
Council DA reference No.	Lot No.	DP No.	Street No.	Street name	Suburb/Town	Post-code	Category of development	EPI	Zone	Development standard to be varied	Justification of variation	Extent of variation	Concurring authority	Date DA determined	Approved by
DA/510/2021	1	939299	21	Harbourne Road	Kingsford	2032	4: Residential - New multi unit < 20 dwellings	RLEP 2012	R3 - Medium Density	Clause 4.4 - FSR = 0.75:1	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	FSR increased to 0.79:1 or 5.75%	NSW Dept of Planning	27-Apr-22	DEL
DA/664/2021	5	113489	49	Menin Road	Matraville	2036	3: Residential - New second occupancy	RLEP 2012	R2 - Low Density Residential	Clause 4.4 - FSR = 0.5:1	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	FSR increased to 0.547:1 or 9.4%	NSW Dept of Planning	13-May-22	DEL
DA/675/2021	23	972651	23	McKeon Street	Maroubra	2035	1: Residential - Alterations & additions	RLEP 2012	R3 - Medium Density	Clause 4.4 - FSR = 0.9:1	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	FSR increased to 0.929:1 or 3.2%	NSW Dept of Planning	17-May-22	DEL

CP26/22

DA/693/2021	Y	441297	4	Abbey Street	Randwick	2031	2: Residential - Single new dwelling	RLEP 2012	R3 - Medium Density	Clause 4.3 - Building height of 9.5m	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	Building height is up to 9.99m or up to 5.16%	NSW Dept of Planning	29-Apr-22	DEL
DA/91/2021	5	244471	1171	Anzac Parade	Matraville	2036	3: Residential - New second occupancy	RLEP 2012	R2 - Low Density Residential	Clause 4.4 - FSR = 0.5:1	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	FSR increased to 0.52:1 or 4.9%	NSW Dept of Planning	26-Apr-22	DEL
DA/156/2021	544	36819	64	Portland Cres	Maroubra	2034	4: Residential - New multi unit < 20 dwellings	RLEP 2012	R3 - Medium Density	Clause 4.3 - Building height of 9.5m	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	Building height is up to 9.79m or up to 3.05%	NSW Dept of Planning	14-Apr-22	RLPP

DA/668/2021	43	845721	52-56	Carr Street	Coogee	2034	1: Residential - Alterations & additions	RLEP 2012	B2 - Local Business Zone	Clause 4.3 - Building height of 12m	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	Building height remains the same as existing - 28.26m or 135.5%	NSW Dept of Planning	14-Apr-22	RLPP
DA/80/2021	4	224461	3A	Mermaid Ave	Maroubra	2035	1: Residential - Alterations & additions	RLEP 2012	R2 - Low Density Residential	Clause 4.3 - Building height of 9.5m	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	Building height is up to 10.79m or up to 13.57%	NSW Dept of Planning	12-May-22	RLPP
DA/561/2021	13	240812	16	Johnston Pde	Maroubra	2035	1: Residential - Alterations & additions	RLEP 2012	R2 - Low Density Residential	Clause 4.4 - FSR = 0.65:1	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	FSR increased to 0.69:1 or 6.6%	NSW Dept of Planning	23-May-22	RLPP

CP26/22

DA/656/2021	2	90761	54	Coogee Bay Road	Coogee	2031	1: Residential - Alterations & additions	RLEP 2012	R3 - Medium Density	Clause 4.4 - FSR = 0.9:1	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	FSR increased to 1.05:1 or 16.5% (Existing FSR - 1.03:1)	NSW Dept of Planning	26-May-22	RLPP
DA/532/2021	B	437946	59	Carrington Street	Randwick	2031	1: Residential - Alterations & additions	RLEP 2012	R2 - Low Density Residential	Clause 4.4 - FSR = 0.5:1	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	FSR increased to 0.965:1 or 93.04% (Existing FSR - 0.87:1)	NSW Dept of Planning	26-May-22	RLPP
DA/551/2021	143	36561	26	Mawson Pde	Chifley	2036	1: Residential - Alterations & additions	RLEP 2012	B1- Neighbourhood centre	Clause 4.4 - FSR = 1:1	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	FSR increased to 1.109:1 or 26% (Existing FSR - 1.26:1)	NSW Dept of Planning	09-Jun-22	RLPP

DA/793/2021	101	1029883	39-47	St Pauls Street	Randwick	2031	1: Residential - Alterations & additions	RLEP 2012	B1- Neighbourhood centre	Clause 4.4 - FSR = 1:1 Clause 4.3 - Building height of 12m	Maintains compatible scale with neighbouring buildings and does not adversely impact in terms of overshadowing, privacy and views.	FSR increased to 1.86:1 or 24% (Existing FSR 1.83:1) Building height is existing - 19.61m or 63% (Existing Height - 16.8m)	NSW Dept of Planning	09-Jun-22	RLPP
-------------	-----	---------	-------	-----------------	----------	------	---	--------------	--------------------------------	--	--	--	----------------------------	-----------	------

Director City Planning Report No. CP27/22

Subject: Utilisation of Randwick Town Hall and Barrett House for Arts and Cultural Purposes

Executive Summary

- Council at its Ordinary meeting held on 24 May 2021 resolved that a report be prepared to investigate the potential to increase the utilisation of the Randwick Town Hall (Town Hall) and Barrett House for arts and cultural activities.
- An analysis of the of the pattern of use for the Town Hall in 2019 has been undertaken including the revenue that comes from its hiring.
- This report outlines possible options for use of the Town Hall and suggests options for hanging artwork and lighting equipment that can be installed to make it optimal for arts events and a reduction in hire rates.
- An analysis of the use of Barrett House by community groups has been included as well as the cost for archiving and storing of the design posters to make space for works to be exhibited through an Expression of Interest (EO) to the arts community for use of the space.
- It is recommended that Council proceed with Option A for the hanging and lighting infrastructure; and staffing the venues through existing staff resources.

Recommendation

That Council:

- a) approves a reduction in the hire rates for the Randwick Town Hall for hirers using the facility for creative and cultural purposes at a \$500 daily hire rate Mon-Fri and a \$750 daily hire rate Sat-Sun for a period of 6 months (July – December 2022); but notes that if there is hire for other purposes the existing fees and charges would apply;
- b) allocates an amount of \$17 000 + GST towards a installing the temporary hanging system to facilitate art exhibitions in the 22/23 operational plan & budget;
- c) allocates an amount of \$15 000 + GST to archive, store and hold a future exhibition of the existing design posters at Barrett House.
- d) approves an Expression of Interest for artists to activate Barrett House as a trial use of the space.
- e) note that to implement the work outlined in this report, other deliverables on increasing utilisation of all Council venues as part of the Arts and Culture Strategy will need to be deferred pending the outcome of this trial which will inform the assessment of other venues.

Attachment/s:

1.  Temporary Art Display Walls - Options for hanging and lighting systems - June 2022

Purpose

Council at its Ordinary meeting held on 24 May 2021, resolved;

(Pandolfini/Neilson) that Council receive a report on the cost and staff resources required to provide access to Randwick Town Hall and Barrett House for arts and cultural activities and that the report:

- a) *provide consideration of the following alterations and additions for Town Hall:*
 - *temporary and moveable walls*
 - *sufficient lighting to allow for the mounting and exhibition of artwork;*
- b) *provide consideration for the removal, archiving and future exhibition of the design posters currently held at Barrett House;*
- c) *provide consideration of discounted hire rates for a period of 6 months from commencement, while Council undertakes the broader review of Council facility usage and hire fees;*
- d) *be provided in time for consideration of the 2022-23 budget.*

This report responds to the issues arising from the above considerations.

Discussion

Current pattern of usage for the Randwick Town Hall

In order to determine the potential for increased arts and cultural activities in the Town Hall, an analysis has been undertaken of the uses in 2019 (pre-pandemic) to understand its pattern of use.

Since 2019, the Town Hall (based on pre-pandemic use) has been predominantly used for internal Council use. There were 7 bookings of the Town Hall in total which included;

- Private booking for party – 4 hours
- Community Development event March (Internal) – 9 hours
- Electoral Commissioner booking 23 April – 18 May (External) – 216 hours
- Twilight Concert September (Internal) – 4.5 hours
- SES Civic Reception (Internal) – 2.5 hours
- Council HR Team event for staff (internal) – 3 hours
- Coogee Carols rehearsal (internal) – 10 hours

The total revenue raised through hire was \$56 607.50. Without the Electoral Commission booking it would have been \$8507.50.

The venue remained largely unused in 2020 and 2021 with the only bookings coming from the Electoral Commission.

There are no bookings currently scheduled at the Town Hall from July to December 2022. The Electoral Commission has booked the Town Hall from January – May 2023 for the NSW State Elections.

Costs associated with the Town Hall hire

The current fees and charges to hire the Town Hall are:

\$220/hour – non-commercial
 \$361/ hour – commercial
 \$750 – bond

There are two Civic Support Officers who are rostered to work Mon-Fri at the Town Hall and can be rostered to work on weekends. Staff costs are included in the fees with an additional nominal amount of overtime paid for weekend work.

Options for increased use of the Town Hall for arts and culture

For Council to promote the Town Hall as a possible arts and cultural venue, there will need to be engagement with various arts organisations to promote the venue as a rehearsal, performance and exhibition space. The types of events that can be held at the Randwick Town Hall are wide and varied. In the past, the venue has been used for private events such as weddings and engagement parties, community group use for talks, meetings and by the electoral commission for voting. Council has used the Town Hall for civic events such as Mayoral Receptions and Citizenship ceremonies. Council's successful Twilight Concerts have also been held at the Town Hall which is an ideal venue for live performances with the raised stage, accessibility and acoustics.

Other potential types of activities could include live music (jazz, chamber, acoustic), vintage fairs, temporary art exhibitions, talks, plays, ballroom dancing, rehearsals and drama performances. With the flexible nature of the building, kitchen, location and staging the venue is suitable for a range of arts activities. The Town Hall is well located, accessible by public transport, has disabled access and has parking.

Constraints of the building include not having an in-house audio visual set up with screen, projector or audio equipment, limited storage and at this point in time no ability to hang artwork or lighting. There are picture rails in the Town Hall however to maximise exhibition space, installing a hanging system and lighting the works would be optimal. Through a reduction in hire rates the use of the Town Hall by musicians should make it more viable for musicians to bring in equipment.

Changes required to facilitate arts and culture activities in the Town Hall

Two options have been identified that will allow the installation of moveable display walls and lighting sufficient for a temporary display of artwork. These items would be stored onsite at the Town Hall when not in use.

OPTION A – Portable Partitions

Portable Partitions quote \$5500 for 2 x 6m long freestanding partitions with hanging infrastructure, that fold away.

Lighting is an additional \$5,000 for 40 x clip LED lighting wands.

(see attachment for images)

TOTAL QUOTE: \$12,000 +GST APPROX

OPTION B – Art Hanging Systems

Art Hanging Systems, Mila wall exhibition kit, cart, hanging system and lighting system.

This system would transform the Town Hall and be invaluable for other venues. They pack away into a movable wooden crate.

(see attachment for images)

TOTAL ESTIMATE: \$40,000 +GST APPROX

Based on the use of the Town Hall with an arts and culture focus is a trial at this point in time it is recommended that the hanging system Option A is selected. This option allows temporary use, can be stored and lit and could also be moveable to other venues in the future if required.

Staff resourcing

The Town Hall does require a Council Officer to be present for all bookings, the events cannot be held without staff onsite given other access to other areas of the Town hall and Chambers.

To activate the Town Hall for the next 6 months the staffing allocation could be through existing Council staff as well as an additional budget of overtime for Civic Officers or casual staff. The hourly rate for a casual is approximately \$57/hr inclusive of all loadings and super.

Depending on the take up with the reduced hire rates and inclusion of a hanging system, following the trial Council could consider putting an EOI out to community arts organisations or arts co-op's to run and facilitate arts activations and bookings at the Town Hall. This would require further investigation and a report back to Council and could take a number of months to establish.

Barrett House

Franklin Barrett was a pioneer film maker who wrote, edited and produced silent films. His daughter Harrie Sylvia Barrett generously bequeathed their home to Randwick Council on the proviso that it be maintained as a community resource, including a permanent dedication to the work of filmmaker Franklyn Barrett to the Australian film industry.

Barrett House is a house located in North Randwick which enabled the house to be refurbished for environmental purposes and dedicated for environmental use. Currently there are two tenants who occupy one section of the house.

There are 5 regular community groups using the house for activities related to the environment. These hirers include Rhubarb Food, Organic Gardens, BikeEast, Permaculture East, Transition Randwick and Climate Action East (CASES). These hirers use the House approximately once a month and their use would not preclude art being shown at times when it is not booked.

The design posters were installed to educate the community on the environment messaging. The space constraints make it difficult for other use but does work as a sustainable demonstration house. Through the bequest the house has conditions on it enabling it to be opened to the community twice a year for cinematography use.

The House has been made available as part of the 3 council (Randwick, Woollahra and Waverley) environmental collaboration. It was refurbished at substantial cost from an external grant to become a sustainable demonstration house. This included its availability to not-for-profit environmental groups across the eastern suburbs. Extensive design and consultation created the design posters which included framing in recycled timbers.

It would be possible for artists to utilise some of the spaces as studios who could possibly connect with the environmental themes that have been founded in Barrett House.

The cost of archiving and storing the Design Panels (removed to allow for the hanging of artwork) would be in the vicinity of \$15 000.00 with an annual storage fee. The cost includes collection, documentation, storage and the curation of a future exhibition of the panels.

It is recommended that an EOI through consultation with the Arts & Culture Advisory Committee be distributed to seek interest from artists on how they might use the space to commence a program of arts activation at Barrett House in conjunction with the existing users.

The design posters can be removed and archived to make more space for art hanging, with a view to exhibit them again at some time in the future. The existing users of Barrett House have access to the building and it is not staffed and this would be the same for any artists using the space, it would not require staffing. Council would promote any art openings or workshops that were open to the community as part of the marketing.

Discounted hire rates

Currently, the hire fees for non-commercial users of the Town Hall are \$222/hour, with a 7 hour daily rate of \$1554.00. Based on this and understanding that art events such as shows and performances can require day/s of set-up it is proposed that for the next 6 months a daily rate is introduced.

It is recommended that a daily hire rate of \$500.00 a day (Mon-Fri) and \$750 (Sat-Sun) be implemented for all arts based, community users to hire the Randwick Town Hall. This would be applied even if there is commercial activity such as artwork for sale or performance tickets sold. This would only apply for users who meet the criteria of an arts or cultural purpose.

This would make the hire fee for one week (7 days) \$4000.00. It is recommended that the current bond of \$750 be retained. It is expected that the reduction in rate will not only further activate the Town Hall and support local arts providers but that the additional staff and marketing costs would be somewhat offset through higher activity.

To ensure the success of this take up Council would need to put a marketing plan together to promote the community hire to the arts community.

As the Arts & Culture Strategy is delivered, Council Officers will produce an overall marketing plan to look at promoting all of Council's venues under its cultural umbrella including La Perouse Museum, Blenheim House, Newmarket Stables & RLI.

Following the EOI for Barrett House any fee or in-kind charges for use of Barrett House would come back to Council.

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	2. A vibrant and diverse community.
Direction	2d. Our cultural diversity is appreciated and respected.

Resourcing Strategy implications

EXPENDITURE

Item	Cost	Budget allocation
Staffing costs	\$25 000.00	An additional allocation of salary funding to cover the cost of Council Civic Officers/casuals to work on weekends or out of hours. This can be funded temporarily through existing admin office/civic support budget allocation.
Hanging & lighting system installation OPTION A – Portable Partitions	\$12 000.00 + GST	To be funded through a new allocation in the budget.
Hanging & lighting system installation OPTION B – Art Hanging Systems	\$40 000.00 + GST	To be funded through a new allocation in the budget.
Barrett House – removal, archive and storage of display boards	\$15 000.00 + GST	Recommended to wait for a briefing before allocating funding.

Marketing	\$5000.00 + GST	Off-set by income received from bookings.
------------------	-----------------	---

TOTAL with Option A = \$12 000 + \$5000 = \$17 000 + GST

TOTAL with Option B = \$40 000 + \$5000 = \$45 000 + GST

TOTAL for Barrett House design boards archiving and storage = \$15 000 + GST

REVENUE

Change existing hire rate to a flat daily rate of \$500.00 Mon – Fri and \$750/day (Sat -Sun) based on one weekly booking /month	Based on an estimate of \$4000 income each month x 6 months = \$24 000.00	Recommended to allocate any funding through revenue towards off-setting staff costs for these events + additional marketing to arts & culture providers
--	---	---

TOTAL potential revenue (Town Hall) = \$24 000.00

Conclusion

Randwick Town Hall has been under utilised as a venue for the past few years with minimal bookings occurring. There is an opportunity to activate the Town Hall and support local artists and cultural providers by offering a discounted hire rate of the venue for creative and cultural use. In order to make the venue viable for art exhibitions Council could consider installing portable partitions/hanging systems and lighting for artworks.

In order to facilitate the bookings Council can utilise existing Civic Officers through the week and engage a mix of Civic Officers and casual staff for weekends. Council could also consider running an EOI to community arts groups to run the bookings and hold arts events however this would take a couple of months to facilitate and would be best to consider after the 6-month trial. There are no current bookings scheduled at the Town Hall from July – December 2022 so it is the opportune time to make use of the venue for arts and cultural purposes, to open it up to the community and support local artists and performers.

Through the reduction in hire rate and a marketing push to local arts groups the Town Hall could be utilised as a creative and cultural facility for the next 6 months using existing staff to resource it. Barrett House similarly has opportunity for artists with an environmental focus and an EOI and consultation with the Arts and Culture Advisory committee would guide the best use and staffing model for this.

Responsible officer: Katie Anderson, Manager Economic Development & Place Making

File Reference: F2004/07110

OPTION A – Portable Partitions

\$12 000.00 +GST

[Portable Room Dividers & Mobile Partitions \(portablepartitions.com.au\)](http://portablepartitions.com.au)



CP27/22

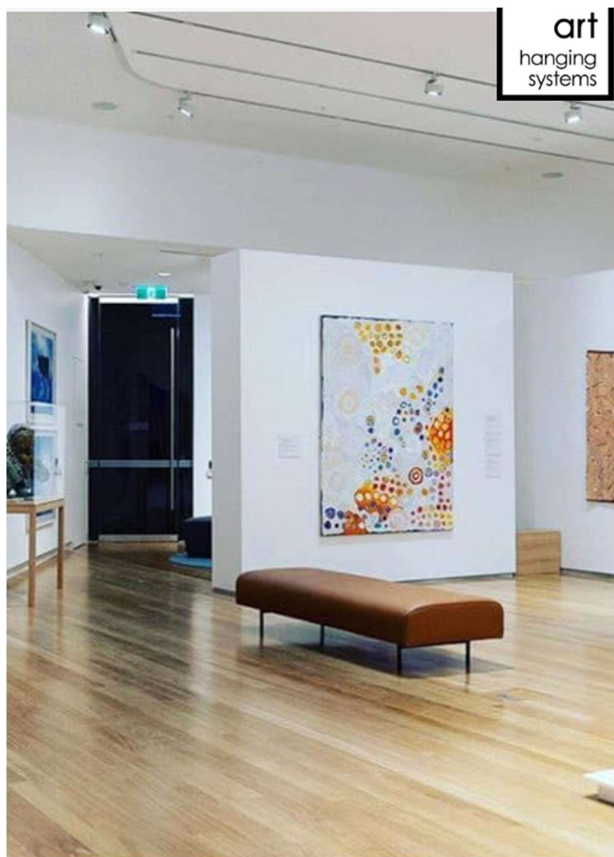


OPTION B – Art Hanging Systems

\$40 000.00 + GST

Modular Exhibition Walls | Art Hanging Systems

<https://www.youtube.com/watch?v=mD6HJu3ly0A&feature=youtu.be>





CP27/22

Director City Planning Report No. CP28/22

Subject: Planning Proposal - New Local Heritage Item - 11A Marcel Avenue, Coogee, and Extension to Moira Crescent Heritage Conservation Area in RLEP 2012.

CP28/22

Executive Summary



- Randwick City Council has prepared a draft Planning Proposal (**Attachment 1**) to recognise the heritage values of the property at 11A Marcel Avenue, Coogee. The Planning Proposal seeks to amend the Randwick Local Environmental Plan 2012 (RLEP 2012) by:
 - creating a new local heritage item at 11A Marcel Avenue, Coogee; and
 - incorporating 11A Marcel Avenue into the Moira Crescent Heritage Conservation Area (HCA) by extending the boundary of this existing HCA to include this subject site.
- The draft Planning Proposal is consistent with the recommendations outlined within the Heritage Study prepared by City Plan Heritage, dated 25 March 2022 (see **Attachment 2**) relating to heritage significance of the subject site.
- The heritage study findings and proposed amendment to Schedule 5 heritage listings under the RLEP 2012 were reported to the Randwick Local Planning Panel (RLPP) meeting on 14 April 2022. The RLPP unanimously resolved to adopt the recommendations of the heritage study and proposed RLEP 2012 amendments subject to Council's consideration of further information on the structural condition and heritage significance of the subject property from the owner (see Attachment 1).

Recommendation

That Council:

- a) consider the advice provided by the Randwick Local Planning Panel at its meeting of 14 April 2022 (**Attachment 3**) and endorse the attached draft Planning Proposal to amend Schedule 5 to include 11A Marcel Avenue, Coogee, as a local heritage item and to extend the boundary of the Moira Crescent Heritage Conservation Area (to include the subject property).
- b) forward the attached draft Planning Proposal to the Department of Planning and Environment as delegate to the Minister for Planning requesting 'Gateway Determination' under Section 3.34 of the Environmental Planning and Assessment Act 1979.
- c) exhibit the draft Planning Proposal following 'Gateway Determination' in accordance with the conditions of the Gateway Determination and bring back a report to Council detailing the results of the community consultation for final consideration by Council;
- d) authorise the Director, City Planning to make typographical, grammatical or formatting changes to the documentation prior to submission to the Department of Planning and Environment.

Attachment/s:

1. Draft Planning Proposal - 11A Marcel Avenue - Heritage Listing and Inclusion in HCA
2. Heritage Assessment - 11A Marcel Avenue - City Plan Heritage
3.  Randwick Local Planning Panel Resolution GR1/22 - 14 April 2022
4.  Heritage Data Form - 11A Marcel Avenue - City Plan Heritage

Purpose

The purpose of this report is to provide an overview of the draft planning proposal and to outline the summary of events leading to the planning proposal and a summary of the key issues including advice received from the RLPP on the merit of the proposal.

Discussion

Background

On 21 December 2021, a Development Application (DA/798/2021) was received for the demolition of a Residential Flat Building consisting of five units, storage and laundry area with a double brick garage on the western side of the allotment at 11A Marcel Avenue, Coogee. The DA was placed on public exhibition between mid-December 2021 and mid-February 2022. A significant number of submissions from the community raised objections to the proposed demolition on the grounds that the existing building, potentially, is heritage significant. Two expert heritage assessments prepared on behalf of local residents were submitted to Council essentially supporting the heritage significance of the property and recommending its heritage protection. Preliminary investigations were commenced by Council to evaluate the heritage significance of the property.

At the Council Meeting on 22 February 2022, Council resolved as follows:

“(Neilson/Hamilton) that Council officers urgently undertake a preliminary heritage assessment of the building at 11A Marcel Ave, Coogee to determine if it is, or is likely to be found, on further inquiry and investigation, to be of local heritage significance.”

In February 2022, in view of the concerns raised in the submissions, and having regard to Council's resolution, the DA was referred to heritage consultants, City Plan Heritage, for an assessment of the heritage significance of the property.

On 25 February 2022, City Plan Heritage provided Council with a Heritage Assessment of No 11A Marcel Avenue (which the Assessment refers to by its historical name, “Denison Hall”) finding, among other things, that:

“11a Marcel Avenue meets three of the seven Significance Assessment criteria at the Local level and is one of the Inter-War flat buildings that presents the characteristics of the Californian bungalow idiom applied to residential flat buildings.”

Accordingly, City Plan Heritage recommended in the Assessment that:

1. *11a Marcel Avenue is nominated for inclusion as a heritage item under Part 1 (Heritage items) of Schedule 5 attached to Randwick Local Environmental Plan 2012.*
2. *The boundary of the Moira Crescent Conservation Area is amended to include all the allotments offered for sale as part of the fourth subdivision of the Bishopscourt Estate as shown in Deposited Plan 13810 held by NSW Land Registry Services.*

On 4 March 2022, in view of City Plan Heritage's recommendation, Council, under delegated authority, placed an Interim Heritage Order (IHO) on the building and site at 11A Marcel Avenue Coogee (Lot 51 DP318884). The IHO became effective from Friday, 4 March 2022 for a period of 6 months following notification of the IHO in the Government Gazette (Government Gazette No. – Planning and Heritage). The IHO protects the item from harm given its potential heritage significance and its immediate threat of demolition as proposed under development application No DA/798/2021. The IHO is consistent with the provisions of the Heritage Act 1977 and the Heritage Guidelines.

On 14 April 2022, the Planning Proposal matter was referred to the Randwick Local Planning Panel meeting for assessment. The Panel resolved to support the Planning Proposal in principle. The resolution is as follows:

*That the Randwick Local Planning Panel advises Council that based on the information provided to date, it supports the inclusion of a 11A Marcel Avenue, Coogee (Lot 51 DP318884) within Schedule 5 - Part 1 – **Heritage Items** and extension of the boundary of the Moira Crescent Heritage Conservation Area (Schedule 5- Part 2 – **Heritage Conservation Areas**) of Randwick LEP 2012. However, the Panel recommends that Council also consider further information on the structural condition and heritage significance from the owner, which the owner's representative has indicated will be provided within four (4) weeks of the date of the Panel's meeting.*

REASON:

The Panel has visited or is familiar with the site, considered the submissions (oral and written) and reviewed the planning proposal report prepared by Council officers including the heritage assessment prepared by City Plan Heritage. The Panel notes the owner's representative requests that they be given the opportunity to provide a heritage assessment and report on structural condition.

The Panel considers that based on the information before it, the planning proposal should proceed to Gateway. However, Council's decision on this should not occur until Council has all relevant information before it, including the owner's submission(s).

On 28 April 2022, a Class 1 application for appeal was lodged in the Land and Environment Court by the owner of 11A Marcel Avenue, Coogee, on 28 April 2022, pursuant to 30(1) of the Heritage Act 1977 (NSW) (Heritage Act) against the making of the IHO by Randwick City Council over the subject property. Statement of Facts and Contention are pending and have yet to be filed by the applicant.

Reports submitted by applicant

On 18 May 2022, in line with the RLPP resolution, Council received the following submissions from the property owners:

- Heritage Report by Urbis Pty Limited
- 2 x Engineers Report by NB Engineers and Acumen Engineers Consulting Australia Pty Limited
- Geotechnical Report by WITT Consulting Pty Limited
- Concept Sketches by Antoniades Architects
- Photographic Record

On 31 May 2022, Council's heritage consultant and officers met with representatives of the owners of 11A Marcel Avenue and their heritage consultant on-site which provided an opportunity to view the property and hear/discuss the owner's concerns regarding the property as detailed in the above-listed submissions.

On 16 June 2022, in line with the RLPP's recommendation, Council's heritage consultant has considered the owner's submissions and, based on the site meeting, advised Council as follows:

- The owner's heritage assessment that the subject property does not meet any of the seven criteria for determining heritage significance (as contained in the Heritage NSW guidelines) is not supported. Council's heritage consultant maintains that the property at 11A Marcel Avenue meets the significance criteria for criteria A (historic), and C (aesthetic), G (representativeness) when assessed in accordance with the "Assessing Heritage Significance" Guidelines prepared by the NSW Heritage Office. Additionally, the owner's heritage assessment that the property has merit for inclusion in the adjoining Moira Crescent Heritage Conservation Area is noted and supported. Accordingly, the property should be protected and conserved as a heritage item and included in the Moira Crescent HCA.
- With proper architectural design and heritage planning, there is still opportunity for redevelopment on the site involving additions to the rear of the site and the existing building while protecting and respecting the heritage fabric and significance of the existing building.

- While geotechnical and engineering issues are not matters that are relevant to the assessment of heritage significance under NSW Heritage Office Guidelines, redevelopment of the site that includes protection and conservation of the existing building will provide an opportunity to address the engineering, drainage and geotechnical issues raised in the owner's submission. In this regard, Council's heritage consultant advises that:

*"Structural integrity and condition of an item is a matter for consideration during a development where a suitably qualified structural engineer with experience in heritage buildings would be invaluable to ensure the most appropriate methodologies are employed to minimise fabric removal while ensuring the structural issues are rectified. **The subject building is capable of being made structurally sound with appropriate heritage conservation approach including sympathetic alterations and additions, which are detailed further below.**"*

It should be noted also that, at the site inspection, it was observed that deterioration was largely confined to the basement and rear of the building and this has been noted in Council's heritage consultant's advice.

On 10 June 2022, Heritage Data Forms and Statement of Significance (see **Attachment 4**) were prepared by City Plan Heritage and provided to Council as part of the Planning Proposal. The Data Forms contain, among other things, specific recommendations supporting redevelopment opportunities for the subject site while providing for the existing building to be retained and conserved.

Site description and context

The property that is the subject of the heritage study is located on the southern side of Marcel Avenue, Randwick (Figure 1). The street address is given as 11A Marcel Avenue, Randwick and is described as Lot 51 in Deposited Plan 318884.

The site is bounded on the northeast by Marcel Avenue, on the southeast by a single storey residence (15 Marcel Avenue), to the southwest by single storey residence (28 Ritchard Avenue) and to the northwest by a three-storey apartment building (11 Marcel Avenue). The two storey residential flat building on the site contains five units, designed in the Californian Bungalow style constructed in 1929.

The surrounding context is characterised by a variety of lot and building sizes, featuring a mix of Federation and Inter-War buildings comprising single and multi-dwelling residences, and some contemporary infill development fronting Marcel Avenue and further east along Moira Crescent.



Image 1: Aerial photograph of the subject property (11A Marcel Avenue, Coogee) outlined in 'red'.



Image 2: General view of the main façade, looking westwards

Planning Process

A planning proposal is the first step to commence changes to the planning provisions relating to land. It is a formal application that sets out the objectives, intended outcomes, and justification for the proposed changes, and also details the community consultation to be undertaken.

The NSW Environmental Planning and Assessment Act 1979 (EP&A Act) and Regulations set out the process for amending the planning provisions (heritage) relating to land in NSW. Changes to the planning provisions can only be made via a formal amendment to the Randwick LEP.

Gateway Determination

If Council resolves to proceed with the subject Planning Proposal, it will be forwarded to the Minister for Planning for a 'Gateway Determination'. The 'Gateway Determination' is essentially a checkpoint for planning proposals, and enables those proposals that are not well founded, or not in the public interest to be stopped early in the process before significant resources are committed in carrying out technical studies or investigations.

The Minister's 'Gateway Determination' will stipulate whether the subject Planning Proposal should proceed, whether it needs to be resubmitted, the timeframe for its completion (usually nine months from the date of the Determination), the community consultation requirements and State/Commonwealth agency requirements and whether a public hearing is needed.

Exhibition and Making of Amendments

Following the 'Gateway Determination', the Planning Proposal will be formally placed on public exhibition for comment. The final LEP and accompanying maps which amend the Council's principal planning instrument (i.e. the RLEP 2012) are made by the Minister for Planning (and notified on the NSW legislation web site) in accordance with the EP&A Act. Certain LEPs which are of local significance can be finalised by Council via delegation from the Minister (this is determined at the Gateway stage).

Local Planning Framework

Randwick Local Environmental Plan 2012

The property that is proposed as an item of local heritage significance and for inclusion within an extension to the Moira Crescent Heritage Conservation Area is 11A Marcel Avenue, Coogee. The property is currently zoned R3 Medium Density Residential under RLEP 2012 with a maximum height limit of 12 metres and FSR of 0.9:1.

The existing zoning and development standards currently applying to the sites are not proposed to change as a result of the Planning Proposal.

The Planning Proposal

The draft Planning Proposal (**Attachment 1**) has been prepared for submission to the DPE seeking the Gateway Determination. The purpose of the Planning Proposal is to amend the RLEP 2012 Schedule 5 Part 1 – Heritage Items and associated maps to include 11A Marcel Avenue, Coogee as a heritage item.

The planning proposal also will seek to incorporate 11A Marcel Avenue, Coogee as part of the extension to the Moira Crescent Heritage Conservation Area.

Inclusion of this item in the schedule is pursuant to Clause 5.10 – Heritage Conservation of the Randwick LEP which sets out the objectives and requirements to be considered as part of development assessment.

Provided below (Image 3) is a map illustrating the new Heritage Conservation Area boundary and identified existing local heritage items and proposed item of local heritage significance.

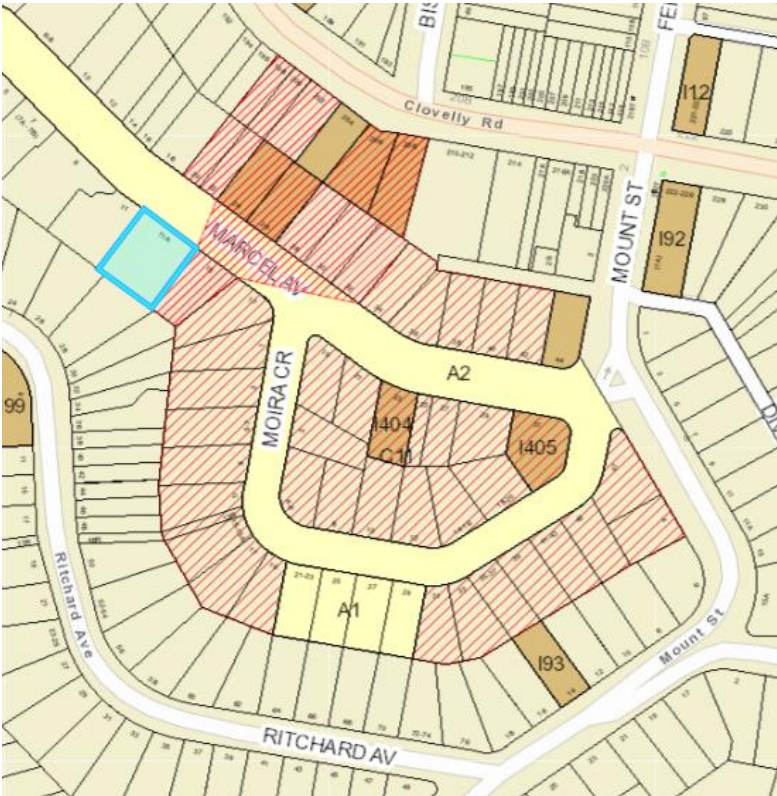


Image 3: Proposed new Heritage Conservation Area showing existing and proposed heritage items with 11A Marcel shaded ble

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	7. Heritage that is protected and celebrated.
Direction	7a. Our heritage is recognised, protected and celebrated.

Resourcing Strategy implications

Costs are associated with legal fees to oppose the appeal against the interim heritage order for 11A Marcel Avenue, Coogee. The costs associated with preparation of the Planning Proposal including heritage assessment is accommodated within Council’s operational budget.

Policy and legislative requirements

Heritage Conservation section 5.10 of the *Randwick Local Environment Plan 2012*, State and National registers have been considered by the consultant in the development of the Study.

The relevant planning priorities and actions of the Randwick Local Strategic Planning Statement (LSPS) and the Housing strategy in relation to this work are contained in the draft Planning Proposal and summarised in Tables 1 and 2 below:

Table 1: Relationship to the LSPS

LSPS action	LEP update
4.1 Undertake a Heritage Study of Randwick City to identify additional heritage items and HCAs including boundary adjustments where necessary.	Consistent <ul style="list-style-type: none"> A stand-alone Planning Proposal is being prepared to list 11A Marcel Avenue and extend the boundary of the Moira Crescent Heritage Conservation Area under Schedule 5 of the Randwick LEP consistent with heritage advice received by Council.

Table 2: Relationship to the Housing Strategy

Housing Strategy action	LEP update
5.4 Undertake a Heritage review of Randwick City to identify additional heritage items and HCAs including boundary adjustments where necessary.	Consistent <ul style="list-style-type: none"> A stand-alone Planning Proposal to list 11A Marcel Avenue and extend the boundary of the Moira Crescent Heritage Conservation Area under Schedule 5 of the Randwick LEP consistent with heritage advice received by Council.

As detailed in the Table 3 below, the Planning Proposal is consistent with the following Ministerial Directions:

- Implementation of Regional Plans (Direction 1.1)
- Heritage Conservation (Direction 3.2)
- Residential zone (Direction 6.1)

Table 3: Relationship to Ministerial Directions

Direction	Comment
1. Focus area 1: Planning Systems	
1.1. Implementation of Regional Plans	Consistent. The Planning Proposal is in accordance with the following state plans issued by the Greater Sydney Commission:

Direction	Comment
	<p>a) Greater Sydney Region Plan - A Metropolis of Three Cities</p> <p>b) Eastern City District Plan</p> <p>The Planning Proposal is consistent with the aims and objectives of these publications because it is consistent with Priority E6 Objective 13 <i>Environmental heritage is identified, conserved and enhanced.</i></p> <p>The Planning Proposal is consistent with the aims and objectives of these publications for the following reasons:</p> <p>a) It implements the findings of the independent heritage assessment which indicates that the property meets three (3) of the criteria for heritage significance</p> <p>b) The proposed heritage listing of the property will ensure the site will continue to contribute to the heritage streetscape and Moira Crescent HCA.</p> <p>c) It supports conservation of an existing Interwar Residential Flat Building consistent with the values of residents within the community.</p>
1.2. Development of Aboriginal Land Council land	N/A
1.3. Approval and referral requirements	N/A
1.4. Site specific provisions	N/A
Focus area 1: Planning Systems – Place based	
1.5. Parramatta Road Corridor Urban Transformation Strategy	N/A
1.6. Implementation of North West Priority Growth Area Land Use and Infrastructure Implementation Plan	N/A
1.7. Implementation of Greater Parramatta Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A

Direction	Comment
1.8. Implementation of Wilton Priority Growth Area Interim Land Use and Infrastructure Implementation Plan	N/A
1.9. Implementation of Glenfield to Macarthur Urban Renewal Corridor	N/A
1.10. Implementation of Western Sydney Aerotropolis Plan	N/A
1.11. Implementation of Bayside West Precincts 2036 Plan	N/A
1.12. Implementation of Planning Principles for the Cooks Cove Precinct	N/A
1.13. Implementation of St Leonards and Cros Nest 2036 Plan	N/A
1.14. Implementation of Greater Macarthur 2040	N/A
1.15. Implementation of Pyrmont Peninsula Place Strategy	N/A
1.16. North West Rail Link Corridor Strategy	N/A
1.17. Implementation of the Bays West Place Strategy	N/A
2. Focus Area 2: Design and Place	N/A
3. Focus Area 3: Biodiversity and Conservation	
3.1. Conservation Zones	N/A
3.2. Heritage Conservation	Consistent. The Planning Proposal will explain and justify the conservation of the building and integrity of the Moira Crescent HCA.
3.3. Sydney Drinking Water Catchments	N/A
3.4. Recreation Vehicle Areas	N/A
4. Focus area 4: Resilience and Hazards	
4.1. Flooding	N/A
4.2. Coastal Management	N/A
4.3. Planning for Bushfire Protection	N/A
4.4. Remediation of Contaminated Land	N/A
4.5. Acid Sulfate Soils	N/A
4.6. Mine Subsidence and Unstable Land	N/A
5. Focus Area 5: Transport and Infrastructure	
5.1. Integrating Land Use and Transport	N/A

Direction	Comment
5.2. Reserving Land for Public Purposes	N/A
5.3. Development Near Regulated Airports and Defence Airfields	N/A
5.4. Shooting Ranges	N/A
6. Focus area 6: Housing	
6.1. Residential Zones	<p>Consistent.</p> <p>This Direction is applicable as the Planning Proposal affects land in residential zones. The site is zoned R3 Medium Density Residential and the existing residential flat building containing 5 units is permissible on the site. The proposal to list the property as a heritage item would not reduce the provision of housing on the site. The Planning Proposal is consistent as it maintains the residential use of the property whilst protecting its conservation as a heritage item and its contribution to the Moira Crescent HCA.</p>
6.2. Caravan Parks and Manufactured Home Estates	N/A
7. Focus Area 7: Industry and Employment	
7.1. Business and Industrial Uses	N/A
7.2. Reduction in non-hosted short-term rental accommodation period	N/A
7.3. Commercial and Retail Development along the Pacific Highway, North Coast	N/A
8. Focus area 8: Resources and Energy	
8.1. Mining, Petroleum Production and Extractive Industries	N/A
9. Focus area 9: Primary Production	
9.1. Rural Zones	N/A
9.2. Rural Lands	N/A
9.3. Oyster Aquaculture	N/A
9.4. Farmland of State and Regional Significance on the NSW Far North Coast	N/A

Conclusion

The Planning Proposal seeks to amend Schedule 5 of the RLEP 2012 to recognise 11A Marcel Avenue, Coogee as a local heritage items and incorporate the subject property within the Moira Crescent Heritage Conservation Area via an extension to this HCA boundary.

The advice of the RLPP has been addressed in the preparation of the Planning Proposal and this report to Council as detailed in the Background section of this report above.

The preparation of the Planning Proposal should be supported on the following basis:

- The subject property has been demonstrated to meet the NSW Heritage Council assessment criteria for local heritage listing based on its historical, aesthetic and representative significance. These properties collectively represent the Interwar Period and/or retain features of the Interwar character which contribute to the heritage significance of the proposed extended heritage conservation area.
- The planning proposal is consistent with several key strategic directions on heritage conservation articulated in the state and local strategic planning framework including:
 - Eastern City District Plan Planning Priority E6 – Creating and renewing great places and local centres, and respecting the District's heritage
 - Randwick Local Environment Plan 2012 Clause 5.10 – Heritage Conservation objectives and controls which aim to conserve the environmental heritage of Randwick
 - Randwick City Plan Strategic directions/outcomes which focus on protecting and celebrating local heritage (Outcome 7, Direction 7a)
 - Ministerial Directions which require that Planning Proposals contain provisions to facilitate the conservation of heritage
- The proposed new heritage item and extended heritage conservation area will have positive social effects for the local community through the retention and conservation of buildings with historical value and which represent the historical development of the area.

The assessment of the heritage significance of 11A Marcel Avenue prepared by City Plan Heritage demonstrates that the properties meet the NSW Heritage Council's criteria for historic, aesthetic and representative significance and is worthy as an item of local heritage significance.

In view of the above, it is recommended that:

- the proposed Planning Proposal be supported;
- the proposed items be placed on the heritage schedule (Schedule 5, Part 1) of the Randwick LEP; and
- The Moira Crescent Heritage Conservation Area boundary be extended to include the subject property at 11A Marcel Avenue and placed on the heritage schedule (Schedule 5, Part 2) of the Randwick LEP.

Responsible officer: David Ongkili, Coordinator Strategic Planning

File Reference: F2016/00475

FOR ACTION

RANDWICK LOCAL PLANNING PANEL (PUBLIC)

14/04/2022

TO: Manager Strategic Planning (Agagiotis, Stella)

Subject: Planning Proposal - 11A Marcel Avenue, Coogee
Target Date: 5/05/2022
Notes:
Document No.: D04535937
Report Type: Report
Item Number: GR1/22

RESOLUTION:

That the Randwick Local Planning Panel advises Council that based on the information provided to date, it supports the inclusion of a 11A Marcel Avenue, Coogee (Lot 51 DP318884) within Schedule 5 - Part 1 – **Heritage Items** and extension of the boundary of the Moira Crescent Heritage Conservation Area (Schedule 5- Part 2 – **Heritage Conservation Areas**) of Randwick LEP 2012. However, the Panel recommends that Council also consider further information on the structural condition and heritage significance from the owner, which the owner's representative has indicated will be provided within four (4) weeks of the date of the Panel's meeting.

REASON:

The Panel has visited or is familiar with the site, considered the submissions (oral and written) and reviewed the planning proposal report prepared by Council officers including the heritage assessment prepared by City Plan Heritage. The Panel notes the owner's representative requests that they be given the opportunity to provide a heritage assessment and report on structural condition.

The Panel considers that based on the information before it, the planning proposal should proceed to Gateway. However, Council's decision on this should not occur until Council has all relevant information before it, including the owner's submission(s).

CARRIED UNANIMOUSLY.

[Open Item in Minutes](#)

This action sheet has been automatically been produced by Administrative Services using **InfoCouncil**, the agenda and minutes database.

Heritage Data Form

CP28/22

ITEM DETAILS					
Name of Item	Denison Hall				
Other Name/s Former Name/s					
Item type (if known)	Built				
Item group (if known)	Residential building (Private)				
Item category (if known)	Apartments				
Area, Group, or Collection Name					
Street number	11A				
Street name	Marcel Avenue				
Suburb/town	Coogee	Postcode	2034		
Local Government Area/s	City of Randwick				
Property description	Lot 51 in Deposited Plan 318884 (Parish of Alexandria, County of Cumberland)				
Location - Lat/long	Latitude	-33.911905	Longitude	151.25214	
Location - AMG (if no street address)	Zone		Easting	9692782.298	Northings
					4418658.389
Owner	Private				
Current use	Residential				
Former Use	Residential				
Statement of significance	<p>Denison Hall at 11A Marcel Avenue, Coogee, is of local heritage significance for its historical, aesthetic and representative values as evidence of the suburbanisation of Randwick during the early twentieth century and the Inter-war flat buildings constructed throughout metropolitan Sydney. The site was purchased from the fourth subdivision of the Bishops court Estate by Alfred Henry Padey, a local builder. He commenced construction of Denison Hall in late 1928, completing it during 1930 in line with the covenant attached to the fourth Bishops court Estate subdivision requiring all buildings to be "... constructed of brick and/or stone and that the roof of such main building shall be of slate and/or tile and that each such main building shall be erected at a cost of not less than Eight hundred pounds..."</p> <p>The building demonstrates the key and intact external and internal characteristics of the Inter-war California Bungalow architectural style applied to a flat building. Features of note include projecting window frames, geometric patterned lead light glazing, grouped posts, and street-facing gable. The interiors of units within the Denison Hall flat building remain intact with original Inter-War decorative detailing including plaster moulded ceilings, cornices, window and door joinery with original hardware, and leadlight glazed screen joinery in the living room. The scale, materiality and detailing of Denison Hall are consistent with those exhibited by buildings contributing and forming the established character of the Moira Street Conservation Area.</p>				
Level of Significance	State		Local <input checked="" type="checkbox"/>		

Heritage Data Form

CP28/22

DESCRIPTION						
Designer	Unknown					
Builder/ maker	Alfred Henry Padey					
Physical Description	<p>Site Description The site is rectangular in plan, with a sandstone shelf running east-west forming a level area near Marcel Avenue. The southwest section of the site is an open grassed area located at a lower level and retaining wall with a level section immediately adjacent to Marcel Avenue. The rear of the site drops downwards to the gully now occupied by Ritchard Street. The site contains a freestanding two-storey residential building with a basement level located under the southwest section of the building.</p> <p>Denison Hall Denison Hall is a two-storey flat building with a half basement level, containing five apartments. It is of brick cavity construction with hipped roof finished with terra cotta tiles. The main entrance is accessed via a flight of concrete steps with metal balustrades and is flanked by four dwarf columns supporting a small gable roof. The main façade is articulated with four curved balcony balustrades and recessed balconies.</p> <p>The building demonstrates the characteristics of the Californian Bungalow idiom applied to an Inter-war flat building featuring timber framed doors and casement windows, including examples of lead light panels in windows and doors in the main façade and side elevations. The freestanding brick building was constructed in 1929 accommodating two apartments on each of the upper levels, both floors accessed via a stair from Marcel Avenue, and a half basement level containing a separate apartment accessed separately from the east elevation. Two garages and a driveway adjoining the northwest elevation of the building.</p> <p>The main elevation is set back from Marcel Avenue, with a front garden area contained by a sandstone retaining wall and the façade of the flats.</p> <p>CPH has been provided with access, on 31st May 2022, to Unit 2 on the ground floor, which is noted as being a typical unit with the remainder of the units featuring the same detailing and finishes. It was evident that the internal detailing, layout, timber door and window joinery including hardware, plaster decorative ceilings/cornices and timber screen with leadlight glazing detail to living room date from the original construction of the units presenting the characteristic Inter-War Californian bungalow architectural elements.</p> <p>Roof and subfloor spaces were not inspected by CPH.</p>					
Physical condition and Archaeological potential	<p>Generally, in a good to fair condition. There are some structural issues at the rear and lower ground floor due to likely lack of ongoing maintenance and foundation displacement as per the structural report by Acumen Engineers (dated 12 April 2022)</p> <p>The site contains sandstone blocks forming a retaining wall running east-west through the middle of the allotment appear to have been sourced in 1925 from the building materials salvaged from Bishopscourt and its stables. The area that Denison Hall is constructed was part of the Bishopscourt Estate and may contain remnants of the structures or outbuildings that were in existence at the time. However, the Denison Hall site has low archaeological potential apart from the sandstone blocks retaining wall.</p>					
Construction years	Start year	1928	Finish year	1929	Circa	<input checked="" type="checkbox"/>
Modifications and dates	Minor changes to the rear lower ground floor unit and to the rear.					
Further comments						

Heritage Data Form

CP28/22

HISTORY	
Historical notes	<p>Pre- European Occupation</p> <p>Early European accounts dating from 1788 indicate at least 1500 people lived in the area between Botany Bay and Broken Bay. The region was made up of 29 clans, forming the Eora nation, with the area in and around Coogee being the traditional land of the Bidjigal and Gadigal people. There was some interaction between tribal groups with the women moving to the country of their husband, while maintaining ties with the country of their birth.</p> <p>The pre-European environment vegetation overlays sandstone, sloping downwards to Coogee Bay from the north-south ridge formed by Avoca Street and Frenchmans Road. The late eighteenth century vegetation included Sydney blue gums and blackbutts along the ridges, with Xanthorrhoeas (grass trees), Banksias, Mealeucas, and ferns closer to the water. The vegetation and immediate coastline provided a source of food and raw material plant resources for Aboriginal communities in the area.</p> <p>Bishopscourt</p> <p>In 1856 Sir William Denison, the Governor of the Colony granted two parcels of land at Coogee to The Bishop of Sydney in lieu of four acres at Grose Farm previously granted in 1851 to be set apart for an Episcopal Residence for the Bishop of Sydney and his successors.</p> <p>The Reverend Frederic Barker arrived in Sydney on the 25 May 1855, and was installed as the Bishop of Sydney in St Andrew's temporary cathedral six days later. Having visited Simeon Pearce at Randwick he garnered support to exchange the land at Grose Farm for 56 acres of land at Randwick, for the construction of an Episcopalian palace.</p> <p>The land was granted to Frederic Barker, the second Anglican Bishop of Sydney, in 1856 and Barker immediately commissioned the architect John Frederick Hilly to design a two-storey stone residence. By January 1857 the building had advanced to a stage where Hilly, now in partnership with George Allan Mansfield, invited tenders '...for the carpentry (sic) and joinery for a first-class Family Residence'.</p> <p>In 1886 Parliament passed an Act allowing the Church of England Property Trust Diocese of Sydney to sell and lease portions of the Bishopscourt Estate and by 1900 a small number of residential allotments had been sold to, in part, offset the costs of building additions and maintaining the large estate.</p> <p>The residence was enlarged, and a chapel added by Blacket Brothers during the episcopate of Bishop Barry, and further additions were undertaken by Cyril Blacket for Archbishop Saumarez at his own expense.</p> <p>Extensive repairs to white ant damage were carried out in 1909 including painting and decorating works. Archbishop Wright had spent over £4,000 in repairs and additions to the property during his short residency.</p> <p>The house had been occupied by four Anglican Bishops, namely:</p> <ul style="list-style-type: none"> • Bishop Frederic Barker (1859-1881) • Bishop Alfred Barry (1884-1889) • Bishop William Saumarez Smith (1890-1909) • Bishop John Charles Wright (1909-1911) <p>In 1910, the Bishopscourt Estate at Randwick was offered for sale, but having failed to sell in its entirety, was subdivided into smaller suburban allotments.</p> <p>Samuel Gordon, a Shirt Manufacturer purchased the house in September 1910 and the remaining land for £7,000. NSW Land Registry documents indicate the land transfer to Gordon was registered in December 1910. Gordon was one of a syndicate who purchased Bishopscourt with the intention of subdividing the property, however following the untimely death of Samuel Gordon in February 1911,</p>

Heritage Data Form

	<p>his Executors, Maurice Gordon, and William Henry Cordeaux, sold the property to the Sisters of the Good Samaritan in December 1911, renaming it Mount St Michael's Novitiate.</p> <p>A fire believed to have been caused by a spark from the chimney igniting a section of timber shingle roof broke out on 23 February 1924, resulting in the destruction of the top floor which accommodated the nun's living quarters. The occupants were temporarily housed at their Convent at Glebe NSW. The Novitiate was demolished and by June 1925 salvaged building fabric, including 2000 perch second-hand stone, 1000 yards of stone flagging and 100,000 machine bricks were cleared and offered for sale.</p> <p>Subdivision and Suburbanisation</p> <p>Although there had been subdivisions of allotments from the Bishops court Estate during the later nineteenth century, the first major subdivision was undertaken in 1899, and the second subdivision carried out in 1919 when Hardie and Gorman, Auctioneers, offered thirty-two business and residential sites for sale.</p> <p>The third subdivision of residential allotments offered was offered for sale in November 1925, realising sales in excess of £22,000, and advertisements at that time anticipated further sales held on 20 February 1926 to be equally successful due to the:</p> <p><i>'...charm of this locality lies in its elevated position, practically every allotment enjoying an uninterrupted and expansive ocean, coast-line, and district view; Its convenience to surfing beaches and new road construction on the estate brings the famous Coogee Beach, now established as one of the most popular of our seaside resorts, is within handy reach.</i></p> <p><i>A good service of trams runs to the Estate from the city and railway, and the surroundings make the area an ideal residential quarter, particular care having been given by the vendors to the general lay-out of the estate in keeping with modern town-planning ideas.</i></p> <p>Denison Hall</p> <p>Alfred Henry Padey, a builder, purchased the Lot 52 and part of Lot 51 of the fourth subdivision of Bishops court in October 1928, having previously purchased Lot 61 in January 1928. Padey had moved to Randwick the early 1920s and established a building company, following the dissolution of his partnership in 1918 with James Flood in Orange NSW. In 1922 he obtained approval from Randwick Council to construct a cottage in Marcel Avenue. This date coincides with his purchase of Lot 47 (shown in DP9644) from the second subdivision of the Bishops court Estate, and the construction of his family residence.</p> <p>The Sands Directory indicates Padey had completed a house, 'Normanhurst', in Marcel Avenue and was residing there by 1925. He was the contractor for several buildings in the area, and in 1928 the Daily Telegraph noted he was constructing four flats and 2 cottages in Marcel Avenue. Padey appears to have started construction of Denison Hall in about December 1928, completing the building in 1929. The designer of the building is unknown but attributed to Alfred Padey.</p> <p>On 25 February 1937, Padey purchased Lot 50, adjoining his northwest boundary. Following Alfred's death in January 1948 the subject site (lot 52 and part Lot 51 in DP 13810), together with Lot 50 passed to his son, Alfred Norman Padey. Padey sold the neighbouring building (Lot 50 in DP13810) to in 1950 retaining a 'right of footway' adjacent to Denison Halls.</p> <p>Alfred sold the flats to George Scarf Investments Pty Ltd in December 1961. That company sold the subject site to Theo Castrisos, and in 1979 the property was transferred to the current owners Theo Castrisos and Sophia Castrisos as joint tenants.</p>
--	--

THEMES

National historical theme	State historical theme	Local historical themes
Building settlements, towns and cities	Accommodation	Suburbanisation: subdivision of nineteenth century estates.

Heritage Data Form

CP28/22

Developing Australia's cultural life	Creative endeavour	Architectural style in Randwick: Inter-War Flat Building Style.
--------------------------------------	--------------------	--

APPLICATION OF CRITERIA	
Historical significance SHR criteria (a)	<p>Denison Hall at 11A Marcel Avenue, Coogee, has historical significance as part of the fourth subdivision of the Bishopscourt Estate in 1926 and as evidence of the suburbanisation of Randwick in the first half of the twentieth century.</p> <p>The scale, materiality, and setbacks of Denison Hall reflect the building covenant attached to land sold as part of the fourth subdivision of the Bishopscourt Estate requiring all buildings to be "... constructed of brick and/or stone and that the roof of such main building shall be of slate and/or tile and that each such main building shall be erected at a cost of not less than Eight hundred pounds..." and contributes to the identified heritage significance of the Moira Crescent Conservation Area. Denison Hall is representative of the Inter-war residential development and the 1920s boom in flat construction throughout metropolitan Sydney.</p> <p>Denison Hall meets the threshold for listing as a heritage item at the Local level under Criterion (a).</p>
Historical association significance SHR criteria (b)	<p>The site has some tenuous associations with previous owners of the area, including the Anglican Property Trust Diocese of Sydney and the Bishops of Sydney (1856 to 1911) and the Sisters of the Good Samaritan (1914 to 1924). The site containing 11a Marcel Avenue Randwick was purchased in 1928 by Alfred Henry Padey, a local builder and resident of Marcel Avenue. Padey, constructed Denison Hall Flats as a source of rental income, retaining the block until his death in 1948 when it was transferred to his son.</p> <p>Despite the association of the property with the Padey family for over thirty years, 11a Marcel Avenue does not meet the threshold for listing as a heritage item at the Local level under Criterion (b).</p>
Aesthetic significance SHR criteria (c)	<p>Despite minor changes, Denison Hall demonstrates the characteristics of the Californian Bungalow idiom applied to an Inter-war flat building including projecting window frames, geometric patterned lead light glazing, grouped posts, and street-facing gable. The interiors of units within the Denison Hall flat building remain intact with original Inter-War decorative detailing including plaster moulded ceilings, cornices, window and door joinery with original hardware, and leadlight glazed screen joinery in the living room. Its scale and materiality are compatible and consistent with the one and two storey residential flat buildings within the Moira Crescent Heritage Conservation Area.</p> <p>Denison Hall demonstrates the characteristic of Inter-war flat buildings within Randwick LGA and meets the threshold for listing as a heritage item at the Local level under Criterion (c).</p>
Social significance SHR criteria (d)	<p>The research conducted to date does not reveal any special association with a community group or groups.</p> <p>Denison Hall does not meet the threshold for listing under Criterion (d).</p>
Technical/Research significance SHR criteria (e)	<p>The site contains sandstone blocks forming a retaining wall running east-west through the middle of the allotment appear to have been sourced in 1925 from the building materials salvaged from Bishopscourt and its stables. The area that Denison Hall is constructed was part of the Bishopscourt Estate and may contain remnants of the structures or outbuildings that were in existence at the time. However, the Denison Hall site has low archaeological potential apart from the sandstone blocks retaining wall.</p> <p>Therefore, Denison Hall does not meet the threshold for listing under Criterion (e).</p>
Rarity SHR criteria (f)	<p>11a Marcel Avenue is of a typical example of an Inter-War flat building seen in the local area and therefore it is not rare in this regard.</p> <p>11a Marcel Avenue does not meet the threshold for listing as a heritage item at the Local level under Criterion (f).</p>
Representativeness SHR criteria (g)	<p>Despite minor modifications, Denison Hall demonstrates the characteristics of Inter-war flat buildings constructed throughout Randwick LGA featuring intact decorative elements of the Californian bungalow architectural style both internally and externally.</p>

Heritage Data Form

Integrity	In our opinion 11a Marcel Avenue meets the threshold for listing as a heritage item at the Local level under Criterion (g).
	Denison Hall retains a high degree of fabric integrity both externally and internally with all units on the ground and upper floors maintaining their original Inter-War decorative detailing and finishes.

HERITAGE LISTINGS

Heritage listing/s	Nominated for listing on Part 1 of Schedule 5 of the Randwick LEP 2012 and for inclusion within the boundaries of the Moira Crescent Heritage Conservation Area
--------------------	---

INFORMATION SOURCES

Include conservation and/or management plans and other heritage studies.

Type	Author/Client	Title	Year	Repository
Report	Attenbrow, V.	'Pre-colonial Aboriginal land and resource use in Centennial, Moore and Queens Parks -assessment of historical and archaeological evidence for Centennial Parklands', Conservation Management Plan, p2.	January, 2002	Unknown
Newspaper	Sydney Morning Herald	'Bishopscourt', p.12	4 January 1926	Trove
Newspaper	Empire Newspaper	'Advertising', p.7	10 January 1857	Trove
Newspaper	Sydney Morning Herald	'Real Estate', p.13	25 November 1910	Trove
Newspaper	Sydney Morning Herald	'Advertising', p.23	3 June 1925	Trove
Newspaper	The Labor Daily	'Bishopscourt Estate', p.7	12 February 1926	Trove
Archival Record	Unknown	Vol. 2494, fol.79	undated	NSW Land Registry Services
Newspaper	The Daily Telegraph	p.21	26 September 1928	Trove
Newspaper	Wellington Times	Local Jottings, p.4	1 August 1907	Trove
Archival Record	Unknown	Vol. 4263, Fol. 250.	undated	NSW Land Registry Services
Archival Record	Unknown	DP 9644	undated	NSW Land Registry Services
Archival Record	Unknown	DP 13587	undated	NSW Land Registry Services
Archival Record	Unknown	DP 13810	undated	NSW Land Registry Services
Archival Record	Unknown	Vol. 4216, Fol. 53	undated	NSW Land Registry Services
Archival Record	Unknown	Vol. 2494, Fol. 79	undated	NSW Land Registry Services
Archival Record	Unknown	Vol. 24, Fol. 10	undated	NSW Land Registry Services
Archival Record	Unknown	Vol. 4069, Fol. 26	undated	NSW Land Registry Services
Report	Acumen Engineers	Interim Report	12 April 2022	Randwick City Council

RECOMMENDATIONS

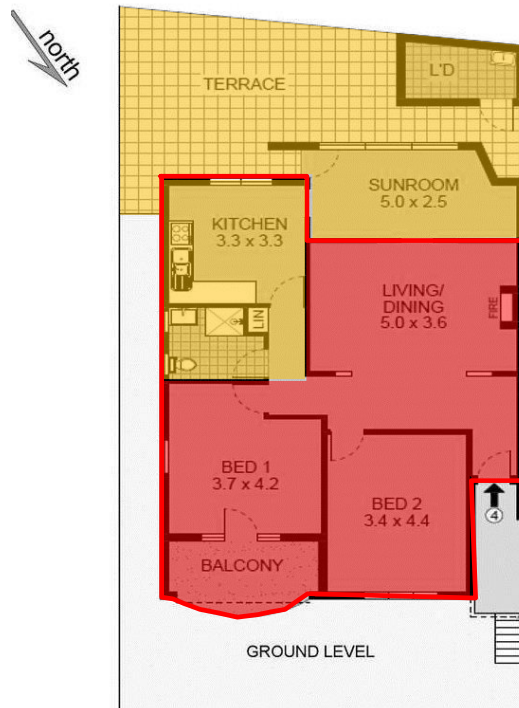
Recommendations	<ul style="list-style-type: none"> 11a Marcel Avenue is nominated for inclusion as a heritage item under Part 1 (Heritage items) of Schedule 5 attached to Randwick Local Environmental Plan 2012.
-----------------	---

Heritage Data Form

CP28/22

- The boundary of the Moira Crescent Conservation Area (HCA) is to be amended to include 11A Marcel Avenue in order to combine all the allotments offered for sale as part of the fourth subdivision of the Bishops court Estate as shown in Deposited Plan 13810 held by NSW Land Registry Services, in addition to the recommended extension by Extent for the HCA.
- The building should be retained and conserved.
- Alterations and additions to the rear of the building including extension to the rear to improve amenity and floorspace of the units in accordance with the controls of the Randwick LEP & DCP in a sympathetic and compatible manner may be allowable. Similarly, if required the street boundary fence of the site may be increased in height in a compatible manner for compliance with BCA standards. Such extension must be in line with the Council's controls and heritage best practice guidelines. Refer to the marked-up floor plan of Unit 1 for areas of significance.
- A Heritage Assessment and Heritage Impact Statement should be prepared for the building prior to any major works being undertaken.
- Archival and photographic recording, in accordance with Heritage Council guidelines, should be undertaken before major changes.

Significance ranking of areas and configuration of Denison Hall that should be considered in any future alterations and additions to the building. (Source: CPH mark-up on Realestate.com plan)



Key to the plan:

Spaces & configuration of High significance with limited tolerance for change:



Spaces & configuration that can be modified & refurbished including kitchen & bathroom fittings:



Heritage Data Form

CP28/22

SOURCE OF THIS INFORMATION			
Name of study or report	Randwick Heritage Review	Year of study or report	2022
Item number in study or report			
Author of study or report	City Plan Heritage		
Inspected by	Kerime Danis, City Plan Heritage		
NSW Heritage Manual guidelines used?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>	
This form completed by	City Plan Heritage	Date	June 2022

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Bishop's Court, Randwick photographed by Joseph Bishoff in the 1870s.				
Image year	1870	Image by	Mitchell Library, SLNSW, SPF/345 (IE1226957)	Image copyright holder	State Library of NSW



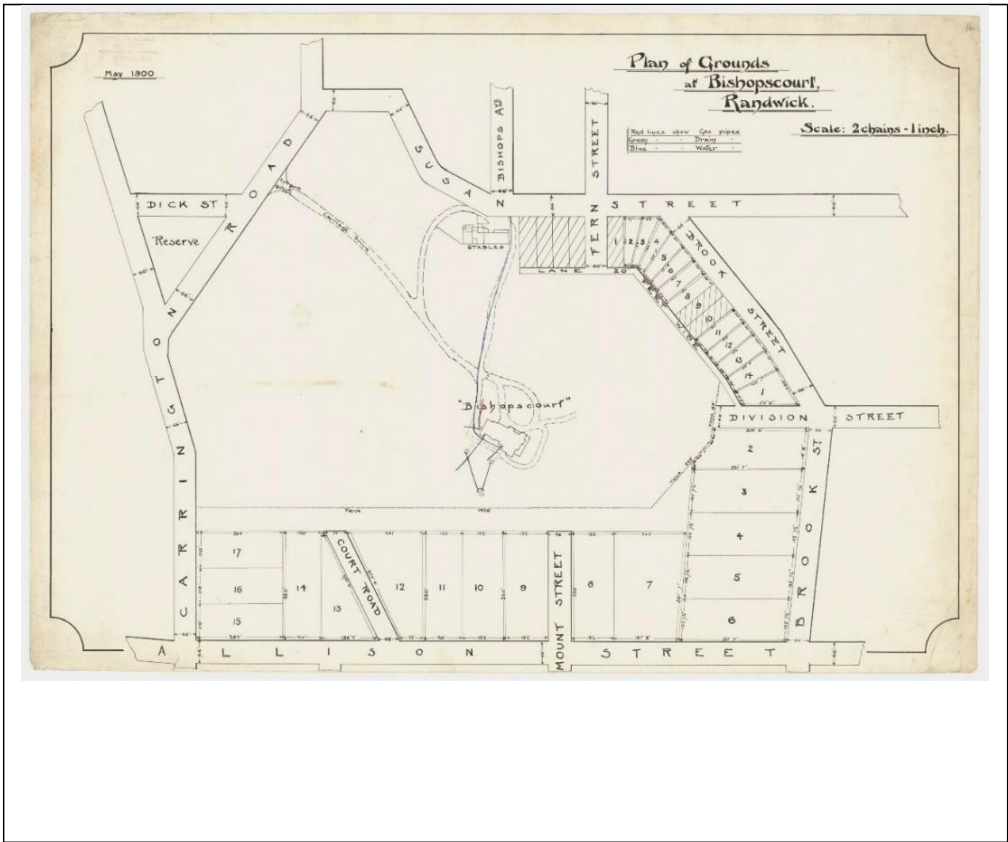
CP28/22

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Plan of Bishops court grounds showing the location of the residence, stables, and carriage loop				
Image year	1900	Image by	Mitchell Library, SLNSW, PXD 200/vol. 2 IE13084561.	Image copyright holder	State Library of NSW

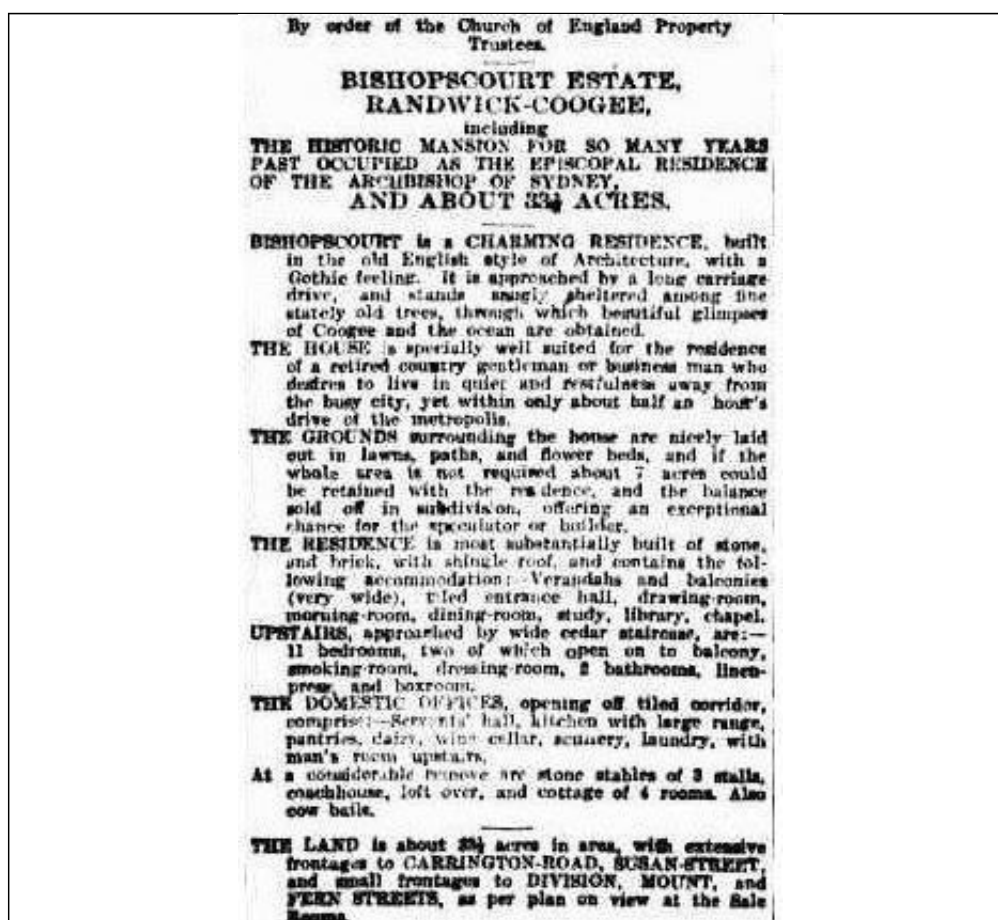


Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Advertisement for the sale of the BishopsCourt Estate.				
Image year	1910	Image by	Sydney Morning Herald	Image copyright holder	Trove



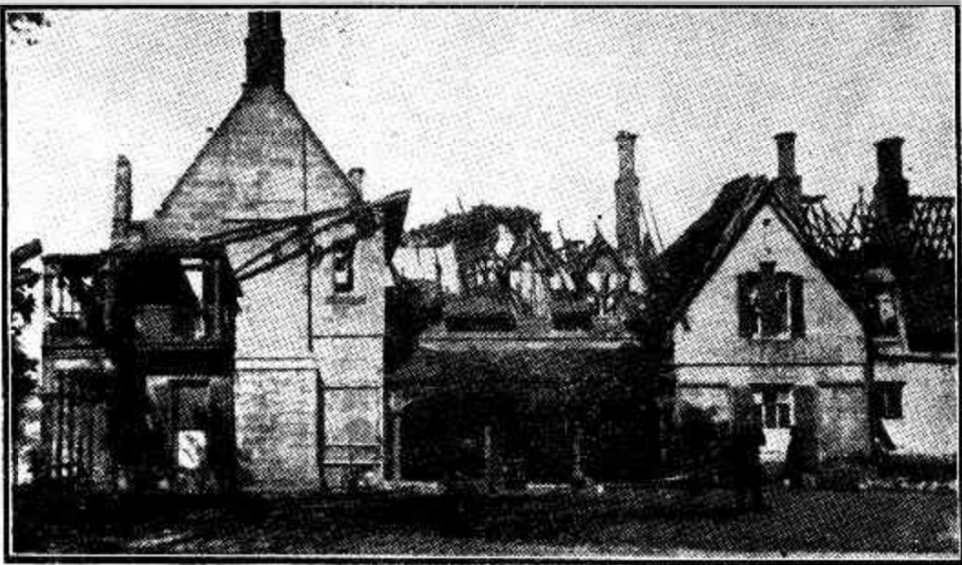
CP28/22

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Ruins of the Good Samaritan Convent.				
Image year	1924	Image by	Freeman's Journal	Image copyright holder	Trove

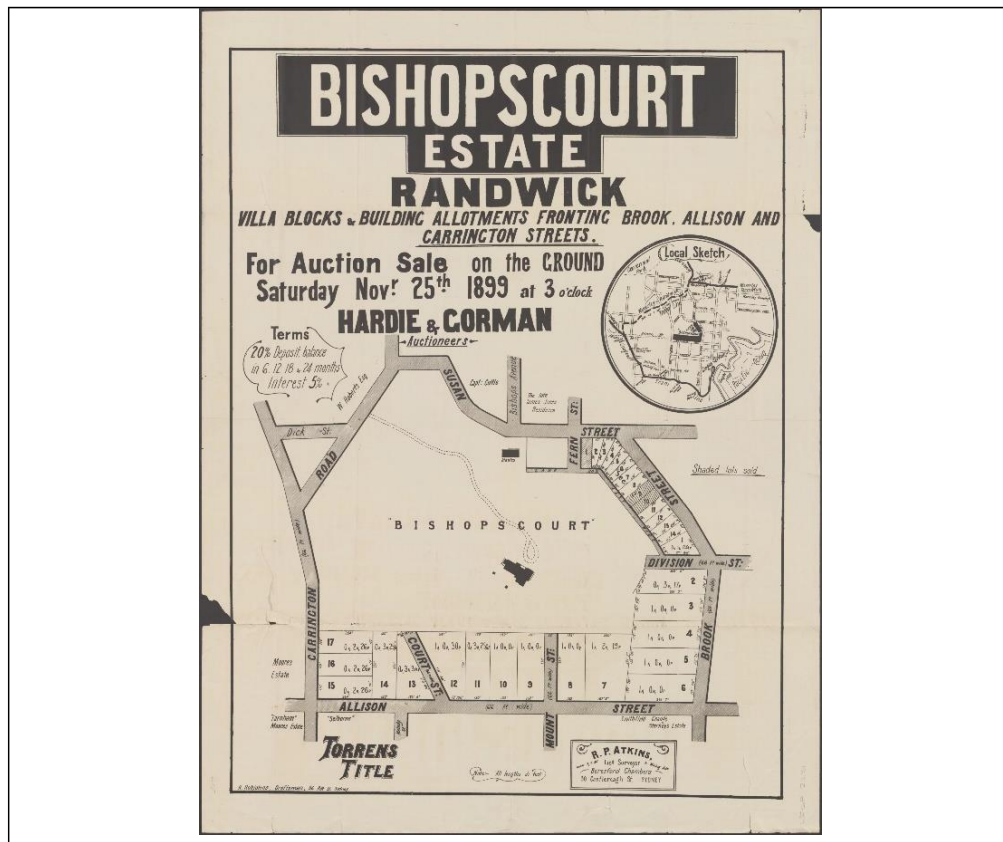


Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Diagram showing the first subdivision of Bishopscourt Estate				
Image year	1899	Image by	Mitchell Library, SLNSW, IE9070649	Image copyright holder	State Library of NSW



Heritage Data Form

CP28/22

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Sales notice for the second subdivision of Bishopscourt Estate, 1919.				
Image year	1919	Image by	Mitchell Library, SLNSW, IE907794	Image copyright holder	State Library of NSW

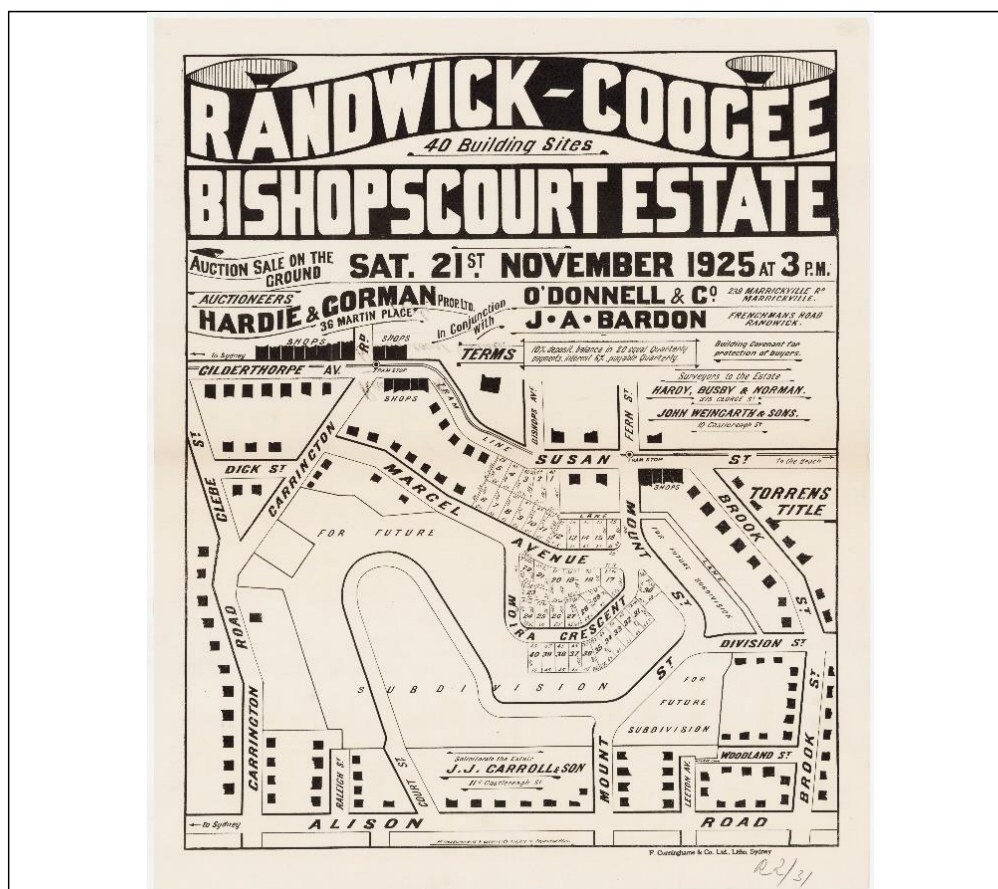


Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Sales notice for the third subdivision of Bishopscourt Estate, 1925.				
Image year	1925	Image by	Mitchell Library, SLNSW IE9071398	Image copyright holder	State Library of NSW



Heritage Data Form

CP28/122

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Sales notice for the fourth subdivision of Bishopscourt Estate, 1927.				
Image year	1927	Image by	Mitchell Library, SLNSW, IE9072023	Image copyright holder	State Library of NSW

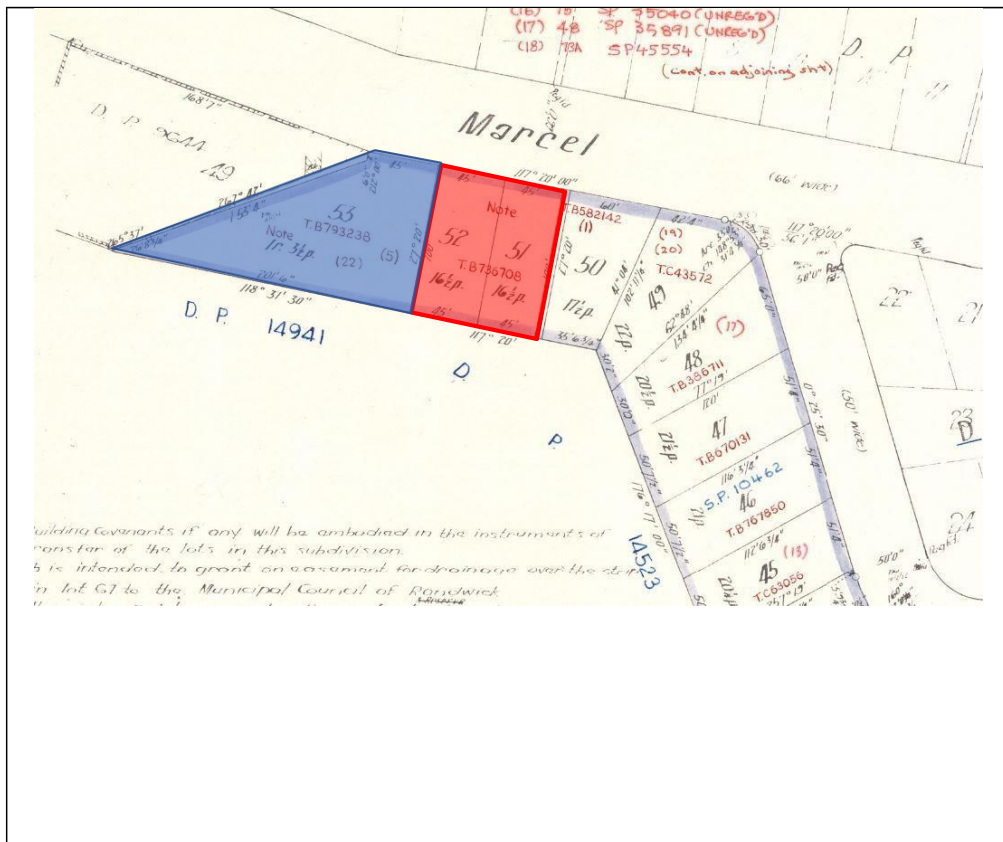


Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Detail from Deposited Plan 13810 showing the land (lot 52 and part lot 51) purchased by AH Padey on 23 October 1928. Lot 53 (shaded blue) was acquired by AH Padey in February 1937).				
Image year	1928	Image by	NSW Land Registry Services.	Image copyright holder	NSW Land Registry Services.



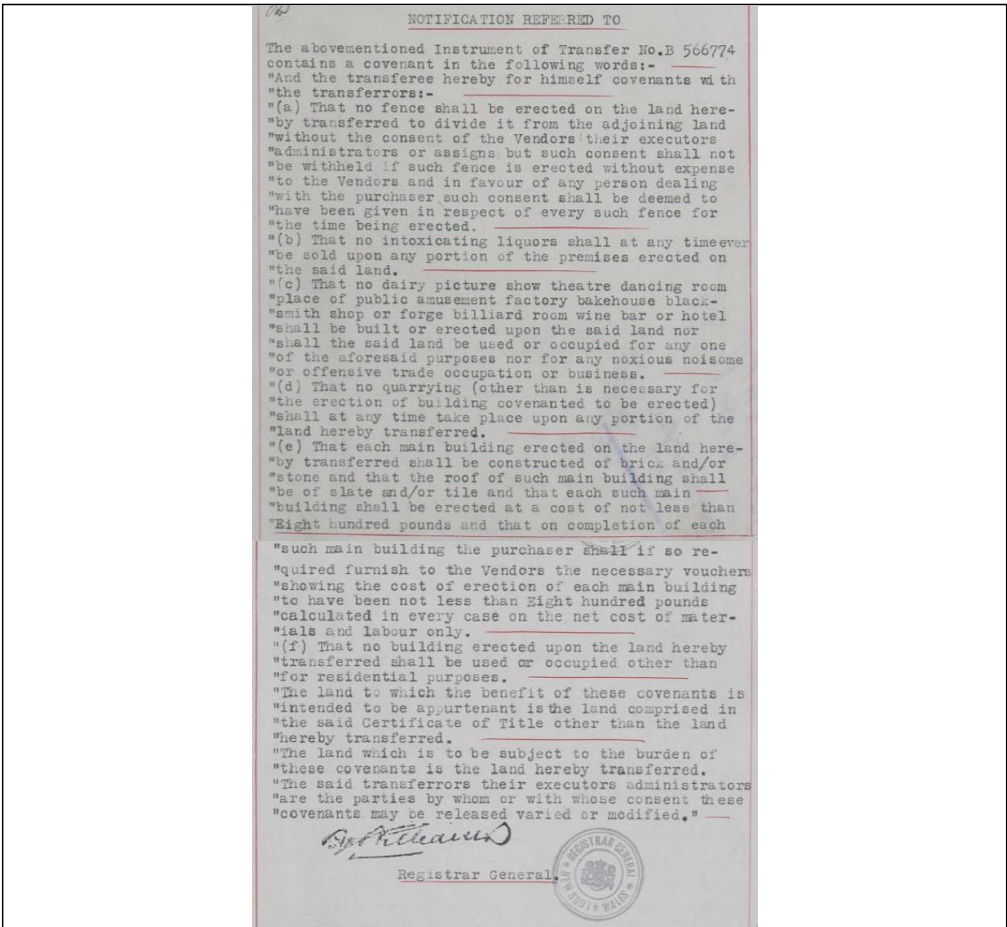
CP28/22

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Covenant attached to the Fourth subdivision of the Bishops Court Estate - Certificate of Title Volume 4069, Folio 26				
Image year	2022	Image by	NSW Land Registry Service	Image copyright holder	NSW Land Registry Service

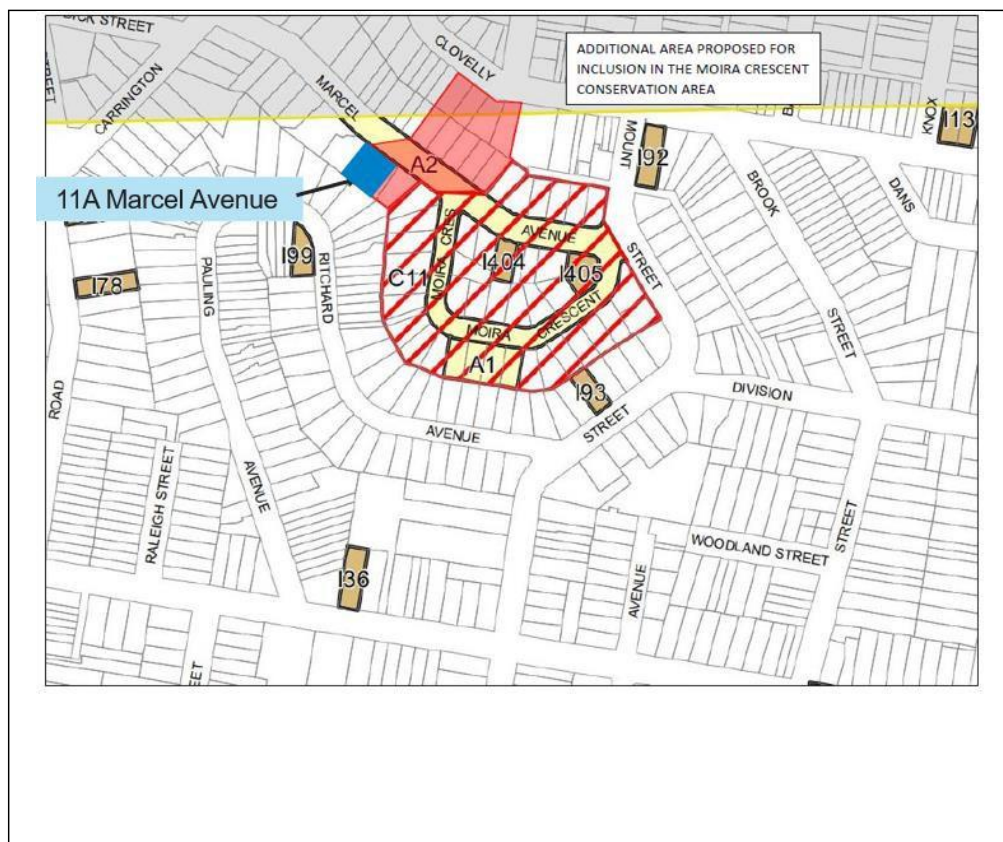


Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Recommended extension to Moira Crescent Heritage Conservation Area boundaries. The striped area shows the existing extent of the Moira Crescent HCA. The shaded area in pink to the west is the proposed extension area for the HCA recommended by Extent in Stage 2. The area shaded in blue is the area covered by 11A Marcel Avenue and recommended further extension by City Plan Heritage.				
Image year	2022	Image by	City Plan Heritage	Image copyright holder	Randwick City Council



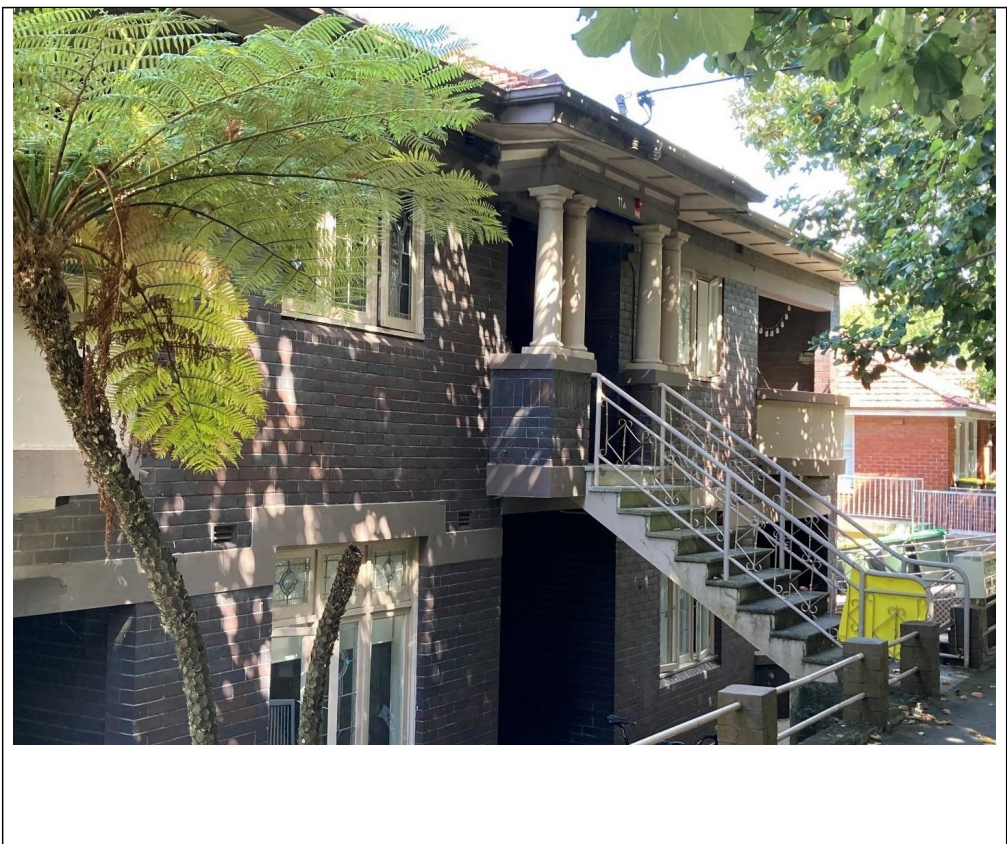
CP28/22

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	General view of the facade of the existing building.				
Image year	2022	Image by	City Plan Heritage	Image copyright holder	Randwick City Council

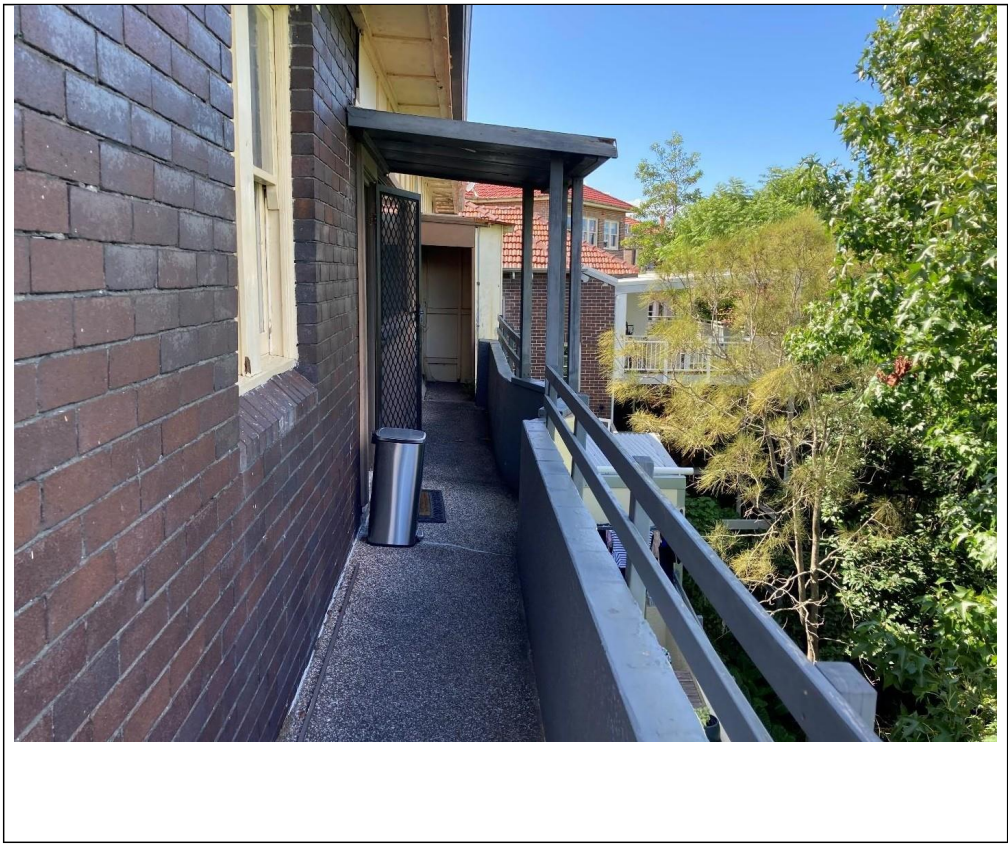


Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	View of the balcony located along the rear elevation of the top level unit, looking southwest.				
Image year	2022	Image by	City Plan Heritage	Image copyright holder	Randwick City Council



CP28/22

Heritage Data Form

CP28/22

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Detail of typical curved balcony and the decorative leadlight glazed casement windows on the front façade of Denison Hall, view looking south.				
Image year	2022	Image by	City Plan Heritage	Image copyright holder	Randwick City Council



Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	View of the existing driveway and garages located to the northwest of the flat building.				
Image year	2022	Image by	City Plan Heritage	Image copyright holder	Randwick City Council



CP28/22

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Rear Elevation of the flat building showing the western half of the elevation.				
Image year	2022	Image by	City Plan Heritage	Image copyright holder	Randwick City Council



Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	Interior of Unit 2 showing an original 1929 screen with polished joinery that was painted in July 2020. It appears that the polished screen remain intact in other units as seen in Realestate.com images.				
Image year	2022	Image by	City Plan Heritage	Image copyright holder	Randwick City Council



CP28/22

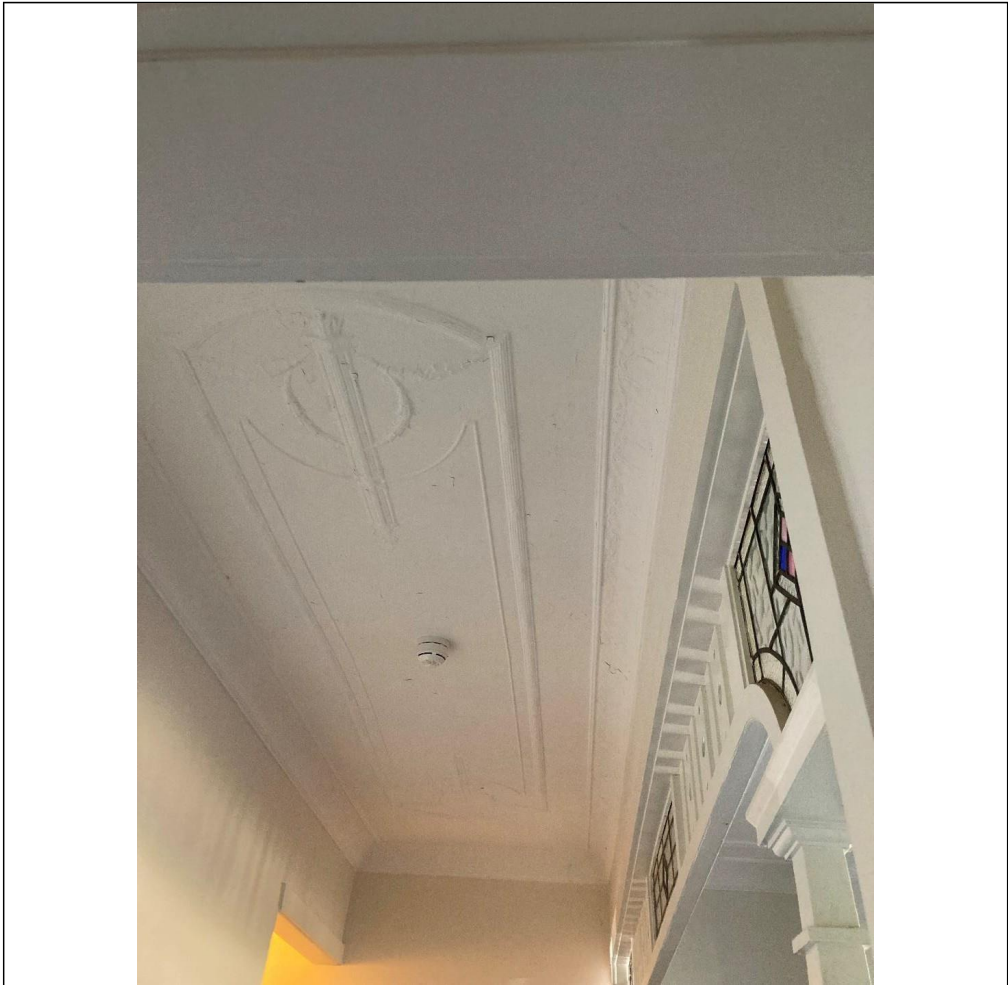
CP28/22

Heritage Data Form

IMAGES - 1 per page

Please supply images of each elevation, the interior and the setting.

Image caption	A typical decorative plaster ceiling and cornice within the main entrance corridor of the unit, which extends across all rooms and bathroom of in different patterns in generally intact form and noted to be the same for all units of Denison Hall				
Image year	2022	Image by	City Plan Heritage	Image copyright holder	Randwick City Council



Director City Planning Report No. CP29/22

Subject: 137-151 Anzac Parade, Kensington (DA/810/2021)

Executive Summary

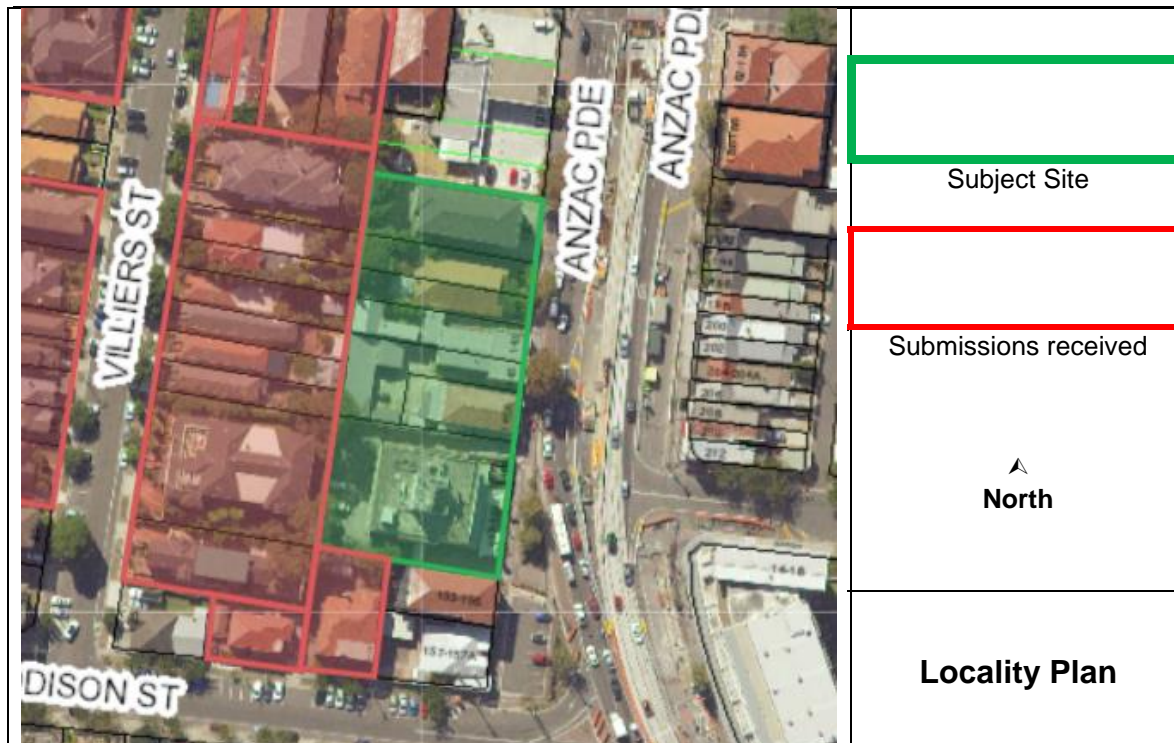
Proposal:	Integrated Development Application for demolition of existing structures and construction of a nine (9) storey mixed use building comprising commercial and residential.
Ward:	West Ward
Applicant:	The Trust for Toga Addison Unit Trust
Owner:	Toga Addison Unit Trust Pty Ltd
Cost of works:	\$65,333,547.00

Recommendation

That Council receive and note the determination meeting date set by the Sydney Eastern City Planning Panel and the status assessment of the development application for DA/810/2021 in relation to 137-151 Anzac Parade, Kensington.

Attachment/s:

Nil



1. Executive summary

Council is in receipt of a development application seeking consent for an integrated development application for demolition of existing structures, site remediation, and construction of a nine (9)

storey mixed use development comprising ground floor commercial/retail premises and 142 dwellings on floors above, 2 levels of basement parking with vehicular access from Anzac Parade, tree removal, associated landscape and public domain works.

A letter of offer is required to be made to Council to satisfy the provisions of Council's Community Infrastructure Contributions (CIC) Plan which provides for the delivery of infrastructure through the means of a Voluntary Panning Agreement (VPA). The affordable housing contributions are provided for under a separate plan and stipulate the required rate of either a monetary contribution or the dedication of apartments in new development. A report in relation to the letter of offer is also included in the I business paper for the June Ordinary Council meeting.

The subject site comprises seven (7) separate allotments to be amalgamated as part of the proposed development. The consolidated site is collectively known as 137-151 Anzac Parade, Kensington and is occupied by a number of developments. The site is a regular shape with a combined primary frontage of approximately 91m to Anzac Parade to the east and a total area of 3914m².

The Sydney Eastern City Planning Panel (SECPP) is the consent authority for the Development Application pursuant to Section 4.7, of the Environmental Planning and Assessment Act 1979 and schedule 7 of the State Environmental Planning Policy (State and Regional Development) 2011 (or subsequently Schedule 6 of the new State Environmental Planning Policy (Planning Systems) 2021), as the development is general development with a capital investment value over \$30 million, and is defined as Regionally Significant Development.

The Development Application is scheduled to be determined by the SECPP on 7 July 2022. Due to the restricted timeframes for the assessment and reporting of the application to the SECPP, the final assessment report is unable to be provided prior to the Ordinary Council meeting on 28 June 2022. The purpose of this report is to advise Council of the status of the assessment and upcoming determination meeting date for the application and for Council to consider whether it wishes to make a submission.

2. Issues

Background and History

The site was subject to a previous Development Application in 2020, being DA/428/2020. Development Application DA/428/2020 sought consent for an integrated development application for demolition of existing structures, site remediation, and construction of a 10 storey mixed use development comprising ground floor commercial / retail and 149 residential units, 2 level basement parking with vehicular access from Anzac Parade, tree removal, associated landscape and public domain works (variation to building height of the RLEP 2012). The application was appealed under Class 1 in the NSW Land and Environment Court. The appeal was dismissed on 01 October 2021. The application was primarily refused due to not exhibiting design excellence which was largely a result of the proposed street wall and the visual presentation and building mass of the Anzac Parade frontage. The proposed development is similar in concept, with revised elevations and street wall in an attempt to address the LEC refusal.

Public Exhibition and Notification

The development application was subject to public exhibition in accordance with Council's Community Participation Plan involving an advertisement on Council's website, a site notification attached to the subject site and written notice to surrounding property owners. As a result of the notification process, a total of five (5) unique submissions, comprising four (4) objections and one (1) submission in favour of the proposal, were received. Of the four (4) objections received, one (1) contained a petition signed by fifty-one (51) persons. The issues raised in these submissions included the following:

- Solar access and overshadowing;
- Visual and acoustic privacy;
- Traffic generation and parking;
- Intended use of the rear laneway;
- Built form and building height;

- Stormwater management;
- Dewatering;
- Heritage considerations;
- Sewerage infrastructure;
- Construction works and geotechnical issues;
- Impacts upon trees, including destabilising of existing trees.

The submissions have been considered in the assessment of the application and appropriate conditions would be imposed where applicable to address concerns.

Design Excellence and Built Form

In response to concerns raised by Council's Design Excellence Advisory Panel (DEAP), amended plans which revised the Anzac Parade frontage were provided. Additionally, a response to DEAP concerns was provided including justification in relation to inconsistencies with the block controls pursuant to the Kensington and Kingsford RDCP 2020.

The deviation from the building envelope under the DCP is primarily in relation to the inability to amalgamate with the adjoining site to the south. The proposal as submitted provides three (3) rear wings across the subject site. A comparison between two (2) and three (3) wings was undertaken to determine the most appropriate response to the site in the absence of the southern site, with the three (3) wings providing better amenity for the proposed apartments and allowing significant breaks in the built form to minimise the building mass as viewed from the rear.

The proposed street wall heights of four (4) and five (5) storeys are supported by the DEAP in order to further articulate the extensive building façade fronting Anzac Parade. A minor variation is sought to the upper level setback to Anzac Parade of 1m, with a 4.5m setback proposed and a 5.5m setback stipulated under the DCP block controls.

The proposed development complies with the applicable FSR provisions, however, seeks a variation to the maximum height for the purpose of the roof top structures associated with the rooftop terrace, lift and plant screening. It should be noted that the proposal complies with the provisions in relation to the maximum number of storeys permitted, proposing a maximum of nine (9) storeys and therefore the proposal is not inconsistent with the desired future character in this regard. A clause 4.6 variation written request has been submitted by the Applicant to demonstrate that the proposed height exceedance shall not have any discernible or detrimental impacts upon the visual impact of the development or upon the amenity of surrounding developments with regards to solar access, privacy or views. The clause 4.6 request has been assessed in accordance with the relevant statutory requirements.

Amenity Impacts

The proposed development is generally consistent with the relevant provisions and objectives of the Apartment Design Guide (ADG) and the State Environmental Planning Policy 65 – Design Quality of Residential Apartment Development.

Concerns have been raised in submissions regarding the impacts upon surrounding properties with particular regards to solar access/overshadowing, visual and acoustic privacy, and visual amenity. The concerns raised in submissions have been considered in the context of the anticipated level of development under the Kensington and Kingsford RDCP 2020, noting the area is under transition, and the relevant amenity provisions within the new DCP and contained within the ADG. The application was referral to Council's Environmental Health Officer who has considered the acoustic implications of the proposed development, and privacy measures shall be imposed where necessary to minimise any visual and acoustic privacy impacts upon adjoining properties.

Referral Comments

At the time of preparing the Council report, several referral comments were outstanding, however are imminent for the finalisation of the application ahead of the determination meeting on 7 July 2022. Notwithstanding, it is not considered that any fundamental issues shall arise from the referral Officers, noting the similarities of the subject application and previous development application and ability to resolve any concerns by way of condition of consent.

3. Conclusion

The Development Application is scheduled to be determined by the SECPP on 7 July 2022. SECPP have specific requirements in relation to the submission of the Assessment report to the Panel, including that the Panel must be the first person(s) to review the assessment prior to being made publicly available. Due to the restricted timeframes for the assessment and reporting of the application, the final assessment report was unable to be reported to the June Council meeting. It is anticipated that the final assessment report shall be made publicly available the week prior to the meeting on 30 June 2022. The purpose of this report is to advise Council of the status of the application and for Council to consider whether it wishes to make a submission.

Responsible officer: Angela Manahan, Executive Planner

File Reference: DA/810/2021

Director City Planning Report No. CP30/22

**Subject: Letter of Offer - 137-151 Anzac Parade, Kensington
(Development Application DA/810/2021)**

Executive Summary


- Development Application DA/810/2021 – 137-151 Anzac Parade, Kensington is scheduled to be determined by the Sydney Eastern City Planning Panel on 07 July 2022. The development proposes demolition of existing structures, site remediation, and construction of a nine (9) storey mixed use development comprising ground floor commercial/retail premises and 142 dwellings on floors above, 2 levels of basement parking with vehicular access from Anzac Parade, tree removal, associated landscape and public domain works (variation to building height).
- A letter of offer is required to be made to Council to satisfy the provisions of Council's Community Infrastructure Contributions (CIC) Plan which provides for the delivery of infrastructure through the means of a Voluntary Planning Agreement (VPA). The affordable housing contributions are provided for under a separate plan and stipulate the required rate of either a monetary contribution or the dedication of apartments in new development.
- The Applicant has advised Council that a dedication of housing stock equating to 528m², which is equivalent to the required rate of affordable housing contributions (i.e. 3%), will be included as part of the VPA.
- Should Council accept this offer, and the Sydney Eastern City Planning Panel grant approval to the subject application, it would form the basis of a deferred commencement condition requiring a formal VPA to be publicly exhibited and subsequently agreed to by Council.

Recommendation

That Council agrees to the terms contained in the attached letter of offer subject to;

- a) the Sydney Eastern City Planning Panel granting approval to the development; and
- b) the subsequent endorsement of a Voluntary Planning Agreement.

Attachment/s:

1.  Appendix 27 - Community Infrastructure & Affordable Housing Offer

Purpose

This report provides relevant details to Council in the form of a “letter of offer” (attached) from the Applicant with regards to the following Development Application:

- DA/810/2021, 137-151 Anzac Parade, Kensington

The letter of offer is required to be made to Council to satisfy the provisions of Council’s Community Infrastructure Contributions Plan which provides for the delivery of infrastructure through the means of a Voluntary Planning Agreement. The subject application is to be determined by Sydney Eastern City Planning Panel on 07 July 2022. The proposed development seeks to benefit from the alternative height and floor space ratio provisions applicable by providing community infrastructure contributions in accordance with the provisions of clause 6.17 of Randwick Local Environmental Plan 2012. The letter of offer confirms the Applicant’s offer to Council to enter into a VPA to provide the community infrastructure. As such, Council is required to determine its position on this offer prior to the determination of the development application. Should Council accept this offer and the SECPP grant approval, the letter of offer would form the basis of a deferred commencement condition requiring a formal Voluntary Planning Agreement to be publicly exhibited and subsequently agreed to by Council. Further, the infrastructure items in the letters of offer would be subject of further detail in terms of scope, design and specification.

Discussion

Community Infrastructure Plan

Council’s Community Infrastructure Plan for the Kensington and Kingsford town centres provides for infrastructure, public domain and physical facilities that support the growth and function of the town centres and benefit the existing and new population as well as the wider Randwick population. The total value of the infrastructure that would be provided for in the two town centres is approximately \$37 million. The CIC of this development would be approximately \$1,433,464.00.

The K2K strategy and its amending LEP was designed to allow additional height and density in the town centres and to capture that additional value through the CIC plan. The additional height and density were distributed across the town centres with the predominant height being 9 storeys and up to 17 & 18 storeys on the three key intersections. The CIC plan was a fundamental component of the overall strategy in that it allowed significant public benefits from the additional density. Should Council not consistently apply its CIC plan, then the weight that would be placed on it would be significantly diminished by a consent authority in determining future development applications.

The mechanism for delivery the Community Infrastructure items listed in this Plan is through a voluntary planning agreement. The contributions would be made towards landscape upgrades including water sensitive urban design (including but not limited to) the Anzac Parade frontage.

This item will be subject to further details being agreed on in terms of project scope, design and specifications. Should it become apparent that the works are not feasible or cannot be conducted at a reasonable cost to the applicant, or if Council requires a superior standard of works than proposed by the Applicant, then an equivalent monetary payment is to be made. Once the parties have negotiated a draft planning agreement it can be publicly notified in accordance with the EPA Act and the EPA Regulation. As a result of any submissions received, the agreement may be amended. The draft agreement and submissions may then be considered, and council may resolve to enter into the agreement.

Affordable Housing

The Kensington and Kingsford Town Centres affordable housing plan aims to ensure that lower income households continue to live and work locally within Randwick LGA, to facilitate a socially diverse and inclusive community; and to support the economic functions of the Randwick Education and Health Strategic Centre. The letter of offer contains the affordable housing contributions which will also be subject to applicable conditions in the consent. The Affordable Housing Contribution rate for the subject development is \$370.86 (effective from 1 July to 31 December 2021) per sqm. It is intended that the dedication of housing stock equating to a total area of 528m² would be dedicated to Council rather than as a monetary contribution.

Status of the Application

The development application proposes demolition of existing structures, site remediation, and construction of a nine (9) storey mixed use development comprising ground floor commercial/retail premises and 142 dwellings on floors above, 2 levels of basement parking with vehicular access from Anzac Parade, tree removal, associated landscape and public domain works.

The assessment of the application is in the final stages, with the application due to be determined by Sydney Eastern City Planning Panel on 07 July 2022. It is considered that the proposed development is largely consistent with the relevant planning controls and standards applicable to the development, however the SECPP as the consent authority will ultimately determine whether the merits of the proposal warrant approval. It should be noted that should Council not agree to the letter offer and the SECCP approves the application, the SECCP cannot step into the shoes of Council and agree to the letter of offer. This means that the CIC contributions will not be provided to Council.

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	4. Excellence in urban design and development.
Direction	4a. Improved design and sustainability across all development.

Resourcing Strategy implications

N/A

Conclusion

The letter of offer is required to be made to Council to satisfy the provisions of Council's Community Infrastructure Contributions Plan which provides for the delivery of infrastructure through the means of a Voluntary Panning Agreement. The initial step in the process in order to deliver the CIC is for the applicant to make an offer to Council outlining their willingness to enter into a VPA to provide the Community Infrastructure, which will then form the basis of the formal VPA. The offer identifies that works-in-kind and a monetary contribution will be provided in accordance with the Kensington and Kingsford Town Centres Community Infrastructure Contributions Plan 2019. In order to facilitate the formal VPA and for the application to proceed to determination, it is recommended that Council accept the letter of offer (attached).

Responsible officer: Angela Manahan, Executive Planner

File Reference: DA/810/2021

Director City Services Report No. CS24/22

**Subject: Bunnerong Road/Franklin Street/Perry Street intersection,
Matraville - Traffic Improvements**

Executive Summary

- The community has long raised concerns about the safety of Transport for NSW's (TfNSW) Bunnerong Road/Perry Street/Franklin Street intersection.
- In response to these concerns TfNSW implemented some changes in March 2018.
- The changes implemented by TfNSW have resulted in reported, significant, delays to north-south traffic flows, which are of concern to many community members.
- Council has produced early designs, to address these concerns. These designs, which have received approval in principle from TfNSW, alter road space allocation at the intersection and propose changes to the traffic signals.
- The proposed road space allocation would remove some existing landscape elements – including seven banner poles and six palm trees.
- Next steps include further detailed design (~\$100,000) and implementation (~\$350,000).
- It is recommended that if Council wishes to proceed with the next steps to take this matter up with the Minister and Transport for NSW, seeking the required funding to accommodate the changes proposed at this TfNSW intersection.

Recommendation

That Council:

- a) Approach Transport for NSW seeking funding allocation for both the detailed design (~\$100,000) and/or implementation of the proposed changes (~\$350,000) at this intersection; and
- b) Upon receipt of funding from Transport for NSW, proceed with the final detailed design and implementation of traffic changes proposed at the Transport for NSW managed Bunnerong Road/Perry Street/Franklin Street intersection

Attachment/s:

Nil

Purpose

The purpose of this report is to update Councillors on the current situation regarding a proposed upgrade to the traffic signals operating at the Matraville intersection of Bunnerong Road/Perry Street/Franklin Street (the subject intersection).

Discussion

Responsibilities

The subject intersection involves:

1. A State Road - being Bunnerong Road, and
2. Traffic Control Signals (TCS)

Both State Road matters and TCS matters (on public roads) are not legally delegated to Councils. Councils have no legal authority to take action at such sites. The agency responsible for State Road matters and Traffic Control Signals matters is Transport for NSW (TfNSW).

History

Given a number of near misses and at least one reported incident, members of the Matraville community had sought, over some years, that the operation of the traffic signals at the subject intersection be improved to maximise safety: especially for pedestrians.

In late 2015 a resident attendee of the Traffic Committee enquired as to the status of the proposed traffic signal arrows for the intersection of Bunnerong Road/Franklin Street/Perry Street, Matraville. He considered that each manoeuvre at the intersection should be controlled by arrows.

In December 2015, the RMS (the predecessor to TfNSW) advised Randwick Traffic Committee that traffic signal improvement design works would soon be undertaken. The scope of proposed works included:

1. A dedicated right turn lane with signal arrows to be installed for vehicles travelling south along Bunnerong Road to turn right into Perry Street.
2. A dedicated right turn lane with signal arrows to be installed for vehicles travelling north along Bunnerong Road to turn right into Franklin Street.
3. A dedicated left turn lane with signal arrows to be installed for vehicles travelling east along Perry Street to turn left onto Bunnerong Road. With the exception of buses, who may proceed straight through to Franklin Street.
4. Providing pedestrian protection phasing along all 4 pedestrian crossings. Meaning that vehicles wanting to turn whilst the pedestrian phasing is running allow pedestrians to cross will be held with a red light until the pedestrian crossing phase has ended.

The changes, implemented in response to the community's concerns, were introduced by mid-March 2018. The red turning arrows were introduced to better protect pedestrians from vehicles turning left, or right, across their line of direction. The dedicated right-turn only lanes were introduced to remove the likelihood of rear-end collisions occurring when, for example, a 'straight-ahead' vehicle collides with the rear of a 'right-turn' vehicle.

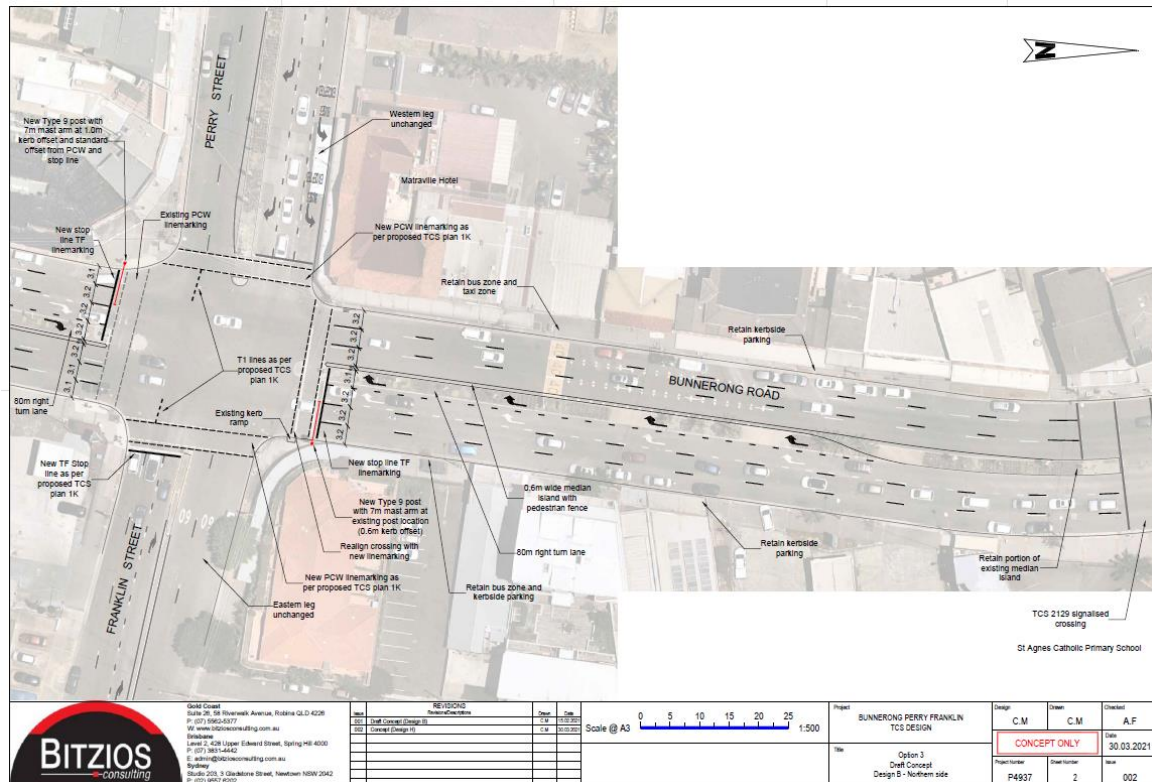
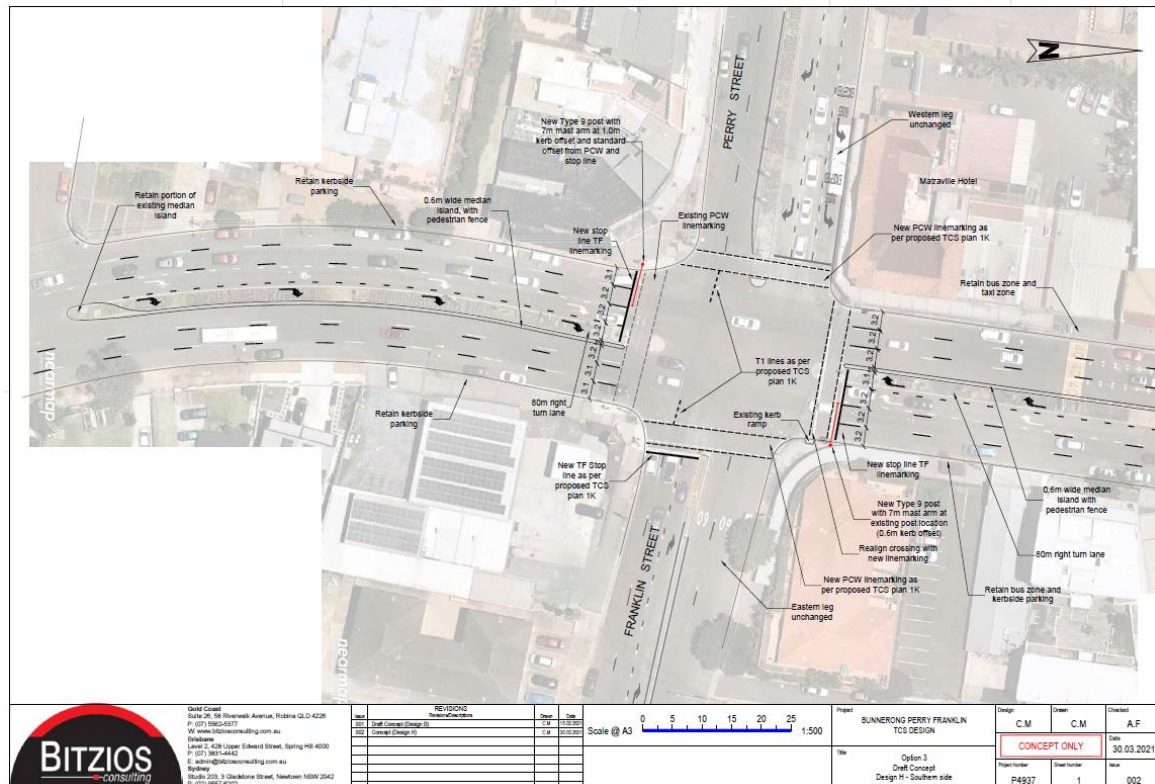
Since the implementation of the changed traffic conditions, there have been strong community concerns raised stating that the new arrangements have introduced significant delays for motorists passing through the intersection. This is attributed to the north/south right-turn lanes reducing the straight-ahead through capacity of Bunnerong Road, by about 30%.

In response to the community's strong concerns about these induced delays, Cr Danny Said sought, and arranged for, the Council to investigate options to reduce the delays at the subject intersection.

Council Proposal

Traffic signal design is a complex and specialised process requiring particular expertise. Issues which need to be examined include road geometry, turning movement swept-paths, forecast traffic flows (out to 2031), proposed traffic signal phasing, planning of locations of traffic signal posts and mast-arms (overhead signals) etc... Accordingly, the Council engaged the services of an

appropriate consultancy. The consultants worked through the concerns in detail and formulated a road layout, and signal operations, which utilises the area currently occupied by the central Bunnerong Road median island, as a dedicated right-turn lane - see following TCS plan developed by the Consultants.



It should be noted that the proposal to shift the two Bunnerong Road right turn bays, into the central median area, will result in the removal of a 200m length of landscaped area. These landscaped lengths of median islands currently contain some seven banner flag poles,

approximately 200m² of low-level planting and six existing palm trees. These elements were long sought by the local community – in order to soften the Matraville Town Centre landscape and to create a better sense of place.

Current Status

In brief, the status of the project is as follows:

- Agreement-in-principle of concept documentation has been received from TfNSW for the proposed works (with some minor conditions/queries)
- Draft detailed TCS plans have been prepared for the proposed scheme
- TfNSW has requested full detailed design package for them to review/approve (incl. civil drawings, review of environmental factors, etc.)

Next Steps

24 May 2022, the Council resolved, as follows:

That Council:

- a) *notes that Bunnerong Road is a State Road and under the care and control of TfNSW; and*
- b) *write to TfNSW expressing safety concerns and congestion issues at the Bunnerong Road/Franklin Street/Perry Street intersection and request they urgently consider the immediate implementation of the agreed engineering reports provided by Council's integrated transport staff in March 2021.*

(Veitch/Said)

As previously indicated, to move forward with this project, TfNSW has requested a fully detailed design package for them to review/approve (incl. civil drawings, review of environmental factors, etc). The estimated cost to prepare such a package is approximately \$100,000 and the very early estimate of the costs to implement/construct the proposed changes is approximately \$350,000 - \$400,000.

Summary

The Council has undertaken extensive design work (~\$20,000) upon an intersection which is not a 'Council intersection'. The subject intersection is the responsibility of Transport for NSW. In order to progress this project an additional \$100,000 is required – to produce the required, fully-detailed, design package. The next step, once the detailed design is finalised, submitted, and approved by TfNSW, would be implementation/construction. The approximate construction costs for this TfNSW intersection are \$350,000.

Strategic alignment

The relationship with the City Plan is as follows:

- **Outcome:** Integrated and accessible transport
 - **Direction:** Advocate and/or plan for integrated local and regional transport improvements, including high-capacity transport such as light/standard rail

Resourcing Strategy implications

It should be noted that Council is currently managing numerous significant projects on Council managed roads, including:

- Anzac Parade / Franklin Street (south) traffic signal installation
- Kingsford to Centennial Park Walking and Cycling Improvements project
- Design work on the Anzac Parade Walking and Cycling Paths project
- Anzac Parade / Pine Avenue pedestrian safety improvements
- Todman Avenue re-line marking and bicycle facilities
- Maroubra Road Corridor Study
- Darley Road / Govett Street pedestrian / bicycle facilities
- McKeon Street trial closure – including Fenton Street angle parking
- Kensington / West Kingsford traffic study
- Parking management reviews – especially near summer 'hot spots'.

- Black Spot funding submissions to TfNSW
- Marine Parade traffic signals (at McKeon Street)

should a decision be made to progress with this project, staff resources from the above-mentioned works will need to be reallocated.

To support the required project funding need, It is suggested that Council approach Transport for NSW, or the Transport Minister, with a request that this proposal be funded from Transport for NSW funds.

Policy and legislative requirements

The Council has no delegated authority to implement any changes to State Roads or to Traffic Control Signals on public roads. Such authority remains with Transport for NSW.

Conclusion

Following the submission of Council commissioned designs, the proposed improvements to the Bunnerong Road/Perry Street/Franklin Street intersection have been approved in principle by TfNSW. It is suggested that Council approach Transport for NSW, or the Transport Minister, with a request that this proposal be funded from Transport for NSW funds.

Responsible officer: Tony Lehmann, Manager Integrated Transport

File Reference: F2020/00761

Director City Services Report No. CS25/22

Subject: Cycleways & Bicycle Facilities Advisory Committee - May 2022


Executive Summary

- The Council's Cycleways and Bicycle Facilities Advisory Committee meets quarterly to examine issues relating to bike riding and cycling facilities.
- The May 2022 meeting of the Advisory Committee was attended by Councillors, representatives of BIKEast, members of the community, and Council staff.

Recommendation

That the minutes of the Cycleways and Bicycle Facilities Advisory Committee Meeting held on 18 May 2022, be received, and noted.

Attachment/s:

1.  MINUTES - CABFAC May 2022

Purpose

The Advisory Committee considered numerous matters of importance to local bicycle riders and the Minutes from the Committee's meeting, held on 18 May 2022, are attached.

Discussion

Refer to Minutes - Cycleways and Bicycle Advisory Committee Meeting – 18 May 2022, which is attached.

The following dates have been confirmed for committee meetings in the next 12 months:

- Wednesday 17 August at 6:30pm
- Wednesday 16 November 7:30am
- Wednesday 15 February 2023 at 6.30pm
- Wednesday 17 May 2023 at 7:30am.

The times will be re-confirmed following a survey of the CABFAC committee regular members regarding preferred time moving forward.

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	9. Integrated and accessible transport.
Direction	9b. The community is informed, educated and encouraged to use sustainable transport.

The outcomes of this report also align with the following Strategic Approaches identified within Council's Integrated Transport Strategy (adopted 27/07/2021):

- 1.1 Update the 2015 Bicycle Route Construction Priority List and develop an Active Transport Plan for the LGA by 2023.
- 1.2 Provide an additional 30km of safe cycling routes by 2031, prioritising fully separated bicycle lanes where possible, in locations informed by our Bicycle Route Construction Priority plan and the TfNSW Principal Bicycle Network plan.
- 1.5 Implement measures to increase safety for people riding bikes or walking in 5 locations each year until 2031, with priority given to identified crash sites.
- 1.8 Provide 200 new bicycle parking spaces across our beaches, local centres and key destinations across the LGA by 2027.

Resourcing Strategy implications

Any proposals for expenditure arising from the Advisory Committee's recommendations are either covered by existing funding allocations or would be the subject of separate reports to the Council for funding.

Policy and legislative requirements

The Cycleways and Bicycle Facilities Advisory Committee is set up to advise on bicycle infrastructure related matters. It was established from a Council Resolution on 10 October 2017.

Terms of reference:

1. Report to the Council;
2. Enhance consultation between Council and the bike riding community;
3. Advance implementation of the planned and funded cycleways in the Randwick local government area;
4. Review and provide advice on proposed Council bike related capital works projects;
5. Participate in the yearly draft budget process by recommending appropriate bike related projects;
6. Be consulted by Council on cycleway and bike facility issues involving significant planning proposals and Development applications before Council;
7. Regularly review and propose updating of the Randwick Council bike plan in line with the strategic direction of priority cycleways as detailed within "Sydney's Cycling Future"; and
8. Help advance a Regional Cycle Strategy with neighbouring Councils.

(Council resolution references 172/17 & 87/18)

Conclusion

The Cycleways and Bicycle Facilities Advisory Committee is a positive forum for the consideration of matters important to bicycle riders. The Committee's recommendations are supported, and it is considered that they should be endorsed by the Council.

Responsible officer: Jay Lee-Pieterse, Senior Sustainable Transport Officer

File Reference: F2018/00158

Cycleways and Bicycle Facilities Advisory Committee

Minutes

7:30am Wednesday 18th May 2022 (*remote meeting*)

Contents

Terms of reference	2
1. Acknowledgement of Country	2
2. Attendance and apologies	2
3. Declarations of pecuniary or non-pecuniary interests	3
4. Matters arising from Minutes of previous meetings	3
5. Items for consideration	3
5.1. Update on temporary and permanent cycleways	3
5.2. Kingsford to Centennial Park Cycleway	4
5.3. TfNSW Walking and Cycling Program	5
5.4. Darley Road / Govett Street – Pedestrian Refuge	5
5.5. Bike Bypass Links of the High Street LR Terminus	5
5.6. Maroubra Road Corridor Study	6
5.7. Active Transport Plan / Bicycle Route Construction Priority	6
5.8. Alison Road/ Wansey Road bike path – Landscape maintenance	6
5.9. Paine Reserve shared paths	7
5.10. Alison Road (between Darley Road and Doncaster Avenue)	8
5.11. Malabar Road / Edgecliffe Avenue intersection – Cycle improvements	8
5.12. Clovelly Road / Centennial Avenue – Pedestrian refuge	9
5.13. Bicycle related events	9
5.14. Update Re funding available in Reserves	9
5.15. Proposed committee dates 2022/23	9
6. Urgent matters or matters for future investigation	10

Terms of reference

The following information is provided so that you may be aware of the structure and operation of the Cycleways and Bicycle Facilities Advisory Committee.

Randwick Council resolved to establish a Cycleway and Bicycle Facilities Advisory Committee with the following terms of reference:

1. Report to the Council;
2. Enhance consultation between Council and the bike riding community;
3. Advance implementation of the planned and funded cycle ways in the Randwick local government area;
4. Review and provide advice on proposed Council bike related capital works projects;
5. Participate in the yearly draft budget process by recommending appropriate bike related projects;
6. Be consulted by Council on cycle way and bike facility issues involving significant planning proposals and Development applications before Council;
7. Regularly review and propose updating of the Randwick Council bike plan in line with the strategic direction of priority cycleways as detailed within "Sydney's Cycling Future"; and
8. Help advance a Regional Cycle Strategy with neighbouring Councils

(Council resolution references 172/17 & 87/18)

1. Acknowledgement of Country

The Chair will ask for a volunteer to acknowledge the lands upon which this meeting is being held:

"I would like to acknowledge that we are meeting on the land of the Bidjigal and the Gadigal peoples; being the traditional owners who, for thousands of years, occupied and cared for vast areas along the Sydney Coast.

On behalf of the participants of this meeting I acknowledge and pay my respects to the Elders past, present and emerging, and also to those Aboriginal people participating today."

2. Attendance and apologies

In attendance

Councillor Philipa Veitch	RCC	Ms Jay Lee-Pieterse	RCC
Councillor Michael Olive	RCC	Mr Sri Sritharan	RCC
Councillor Kathy Neilson	RCC	Mr Tony Lehmann	RCC
Mr Dick Van Den Dool	BIKEast	Mr Reza Ahmed	RCC
Mr Lee Roberts	BIKEast	Mr Jesse Grazotis	RCC
Ms Kate Lewis	TfNSW	Mr David Appleby	RCC
Ms Laetitia Desmons	TfNSW		
Mr Paul Chilcott	Resident		

Apologies: Jimmy Hope, Alison Turnbull, Kym Chapple

3. Declarations of pecuniary or non-pecuniary interests

4. Matters arising from Minutes of previous meetings

5. Items for consideration

5.1. Update on temporary and permanent cycleways

Progress on plans of funding and implementation regarding cycleways in the Randwick LGA (temporary (pop-up) and permanent):

Todman Avenue Cycleway Project

Council resolved in late 2020 to discontinue scoping of the pop-up cycleway option on Todman Avenue due to design challenges and safety concerns. In the meantime, Council has been working with a transport consultant to investigate more permanent cycleway line-marking opportunities, along a significant length of Todman Avenue. The proposed design explores the introduction of a kerb side running lane for bike riders traveling southeast (from South Dowling St toward the Lenthall Street intersection).

Council has since received the final plans and opinion of probable cost from the consultants. This will be tabled on the meeting. The plans will also be referred forwarded to BIKEast for information following the meeting.

Subsequently a community consultation process will be undertaken.

Mr Lehmann presented the current concept plan for Todman Avenue line-marking project. Various discussion and comments were made including City of Sydney's concerns (through lessons learned) over shared bike and bus stop interfaces.

Further discussions occurred over the reason why the one directional cycleway is not aligned to go behind the 90-degree parking westbound. Mr Lehmann clarified this is due to issues with overhanging parked vehicles and current surface condition within this area (tree root uplift and various damages).

The concept plan will be forwarded to BIKEast for review.

High Street pop-up cycleway

The High Street pop-up cycleway officially opened in March 2021. Ridership has been steady, and Transport for NSW are providing regular updates to Council to monitor numbers.

Queens Park permanent cycleway

Construction is now complete and the cycleway is well utilised by the community. There are some minor footpath works and relocation of Traffic Control Box outstanding east of the site (Darley Road and Carrington Road intersection). Officers from TfNSW, Randwick City Council and Waverly Council met on site 6th May 2022. The official opening is expected to occur early June, however no dates have been set to date.

It is understood that the total cost of this project (730m of cycleway) is approximately \$3.75m.



Kingsford to Centennial Park Cycleway

Please see **Item 5.2**, below, detailing the current status of this project.

Anzac Parade Walking and Cycling Paths

The request for Quotation (RFQ) for a lead design consultant, to deliver the concept and detail design for 'Anzac Parade Bikeway – Mid A' (as identified in the Bicycle Construction Priority Routes) has now closed. Council officers are currently reviewing the submissions from the participating consultants to provide recommendations. We intend to complete the procurement and engage a lead consultant for the project by June 2022.

Councillor Veitch requested further clarification on the extent of the Anzac Parade Cycleway project. Mr Lehmann advised the project will be completed in stages with the first phase being from Stuart St to Fitzgerald Ave. Following the completion of stage one the design and implementation of the cycleway will continue until La Perouse.

South Coogee to Kingsford walking and cycling streetscape (Bundock Street)

Council has submitted a grant application for South Coogee to Kingsford Cycleway Project (as highlighted in section 5.3). The grant application seeks for one or both of the following:

1. Funding to complete detail design.
2. Funding for full construction of the project.

The detail design currently 70% complete.

BIKEast has also requested an update regarding the parking controls being implemented on Bundock Street and the pedestrian protection and its impact on the Bundock Street Cycleway project. Council Manager Tony Lehmann will provide an update at the meeting on the matter.

Mr Lehmann updated the committee on the parking signage changes that have occurred within Bundock Street – "No Parking Tuesdays, Motor Vehicles Excepted". This will result in the relocation of the existing parked trailers within the street.

Recommendation:

That the information be received.

5.2. Kingsford to Centennial Park Cycleway

(Doncaster Avenue, Houston Road, General Bridges Circuit, Sturt Street permanent cycleway)

Council officers are working with Transport for NSW (TfNSW) through the early construction phase of the project. TfNSW, the project delivery agency, has awarded the contract to a tier one construction company. Advanced services investigation and early construction work has commenced.

The TfNSW project manager, Ms Angela Greenlees, has agreed to provide the CABFAC with a briefing and update on the current progress of the project.

Ms Greenlees provided a verbal update and answered questions put to her. Some of the items discussed included:

- Works up to Ascot Street and Doncaster Ave will soon be complete and the construction is working toward Allison Road.
- Section 1 of construction identified above is due to be completed toward the end of this year to early next year.
- Tree removal works will occur soon due to conflicts with proposed infrastructure. The tree removals will be replaced with new mature trees with direction and advice from Council Officers.

Councillor Veitch have requested for further information from TfNSW on the processes in place to respond to community complaints. Ms Greenlees informed the committee of a few noise related complaints which were raised at the initial stages of construction. Letterbox drop has been done to the local residents impacted. A copy of all letters has been sent to the Council. Councillor Veitch have requested a copy of the letters to be forward by Council Officers.

Recommendation:

That the information be received.

5.3. TfNSW Walking and Cycling Program

BIKEast has requested an update on the submitted grant applications. Grant application submissions have been made in February for various Active Transport projects listed below. Council Officers have contacted TfNSW on the update to the grant program and have been informed that the announcements are imminent.

- Preparation of an Active Transport Plan / Strategy
- Anzac Parade – Mid A – (Fitzgerald Avenue to Sturt Street) – Detailed / Construction Design
- Todman Avenue – Implementation
- Bundock Street and Sturt Street – Design finalisation
- Fitzgerald Avenue - Hillsdale to Maroubra Beach – Construction
- Randwick to Coogee – Design

Council officers will keep the CABFAC informed of the progress / outcomes of these submissions.

Council Officer have provided an update on the status of the submissions by the Council to the TfNSW lead Walking and Cycling Grant.

Recommendation:

That the information be received.

5.4. Darley Road / Govett Street – Pedestrian Refuge

Council Officers are currently finalising concept design options for an improved pedestrian / bike rider refuge and for other changes to the intersection. Once finalised, the Council will consult with local residents, Centennial Parklands and BIKEast. The Council intends to deliver the project in the first quarter of next financial year.

Mr Lehmann have updated the Committee on the “Left turn in only to Centennial Park” concept plan. Council Officers will reach out to Centennial Park representatives to discuss the proposed changes followed by community consultation and detail plan. Council will inform the committee on updates to the project.

Recommendation:

That the information be received.

5.5. Bike Bypass Links of the High Street LR Terminus

Council has been consistent in its response to development applications / documentation for the Randwick Hospitals' Campus by recommending the installation of a shared path on the southern side of High Street between Botany Street and Randwick Junction. Following Council's submission and detailed recommendations on widening the footpath provision of a shared way on High Street, the Department's assessment concluded that the existing

footpath is adequate for pedestrians and land dedication and amendments to enable the provision of a wider path or shared way cannot reasonably be required in this case.

However, conditions are recommended to ensure further improvements to connections through the hospital campus are given consideration by the applicant (NSW Health) in conjunction with Council. An Integrated Transport Working Group is to be established between NSW Health and Council to ensure the adequate transport planning for the overall masterplan of the Prince of Wales Hospitals' Campus, and in particular, integration of east-west and north-south bicycle and pedestrian routes.

Subsequently, Council Officers have corresponded with NSW health to set up an initial Integrated Transport Working Group meeting to discuss bicycle and pedestrian options within the site. Council officers will update CABFAC following the meeting on the key action items discussed.

BIKEast have expressed the importance of establishing the North/South and East/West as a key outcome for the proposed masterplan of Prince of Wales Hospital Campus. Council Officers will follow up with NSW Health to set up an initial Integrated Transport Working Group meeting to discuss outcomes for bicycle and pedestrian connectivity within the site and surrounding context.

Recommendation

That the information be received.

5.6. Maroubra Road Corridor Study

Maroubra Road Corridor Study Stage 3 is currently underway. This stage will finalise the preferred design option as a concept plan with the final report and undertake further community consultation. Subsequently, the final report and design will be reported to the Council, together with cost estimates for the preferred design option.

Mr Lehmann advised that project is investigating provisions for active transport within the road on kerb side. Mr Lehmann highlighted the spatial challenges of including a cycleway west of the corridor (from Anzac Parade) which will require further investigation. The east of the corridor (from Anzac Parade junction) has more favourable conditions for a separated cycleway which is being further explored by the engaged consultant.

Recommendation:

That the information be received.

5.7. Active Transport Plan / Bicycle Route Construction Priority

As an outcome of the Randwick City Council Integrated Transport Strategy (adopted 2021), Council has committed to deliver the Active Transport Plan by year 2023. The project is expected to commence in the second half 2022.

The validation of bicycle route construction priority list and associated consultation will be incorporated within the 'Active Transport Plan'. The study will undertake a detailed data assessment including existing cycle networks, gaps, trends and demands to assist in the formulation of the Active Transport Strategy. The strategy will validate existing and / or proposed new bicycle routes to develop a clear action plan over the next 10 years.

Council officers are currently undertaking internal workshops to formulate scope and program to deliver the Active Transport Plan.

As outlined in section 5.3, Council has submitted a Grant Application for the Active Transport Plan and still awaiting results (due for announcement May 2022).

Recommendation:

That the information be received.

5.8. Alison Road/ Wansey Road bike path – Landscape maintenance

At the last meeting it was reported that there were issues with the existing trees, vegetation and plantings along Alison Road and Wansey Road becoming overgrown, severely narrowing the paths. BIKEast sought clarity from RCC if further maintenance works will be undertaken to maintain width of these paths.

Following the concerns raised, the Council's maintenance team trimmed the vegetation off the path in April. Furthermore, a contractor is engaged to remove the inappropriate large shrubs (as installed by ACCIONA as part of the light rail project) that are planted in the garden median between the footpath and the road. Following the removal of these shrubs, Council will consider replanting with a more appropriate species.

BIKEast has requested for further maintenance of the tree and shrub overgrowth on the cycleway next to the light rail line along Alison Road and (especially) leaf litter on the path on Wansey Road. Council will work with the maintenance team to undertake further maintenance works as specified. Council will undertake re-planting works along the path.

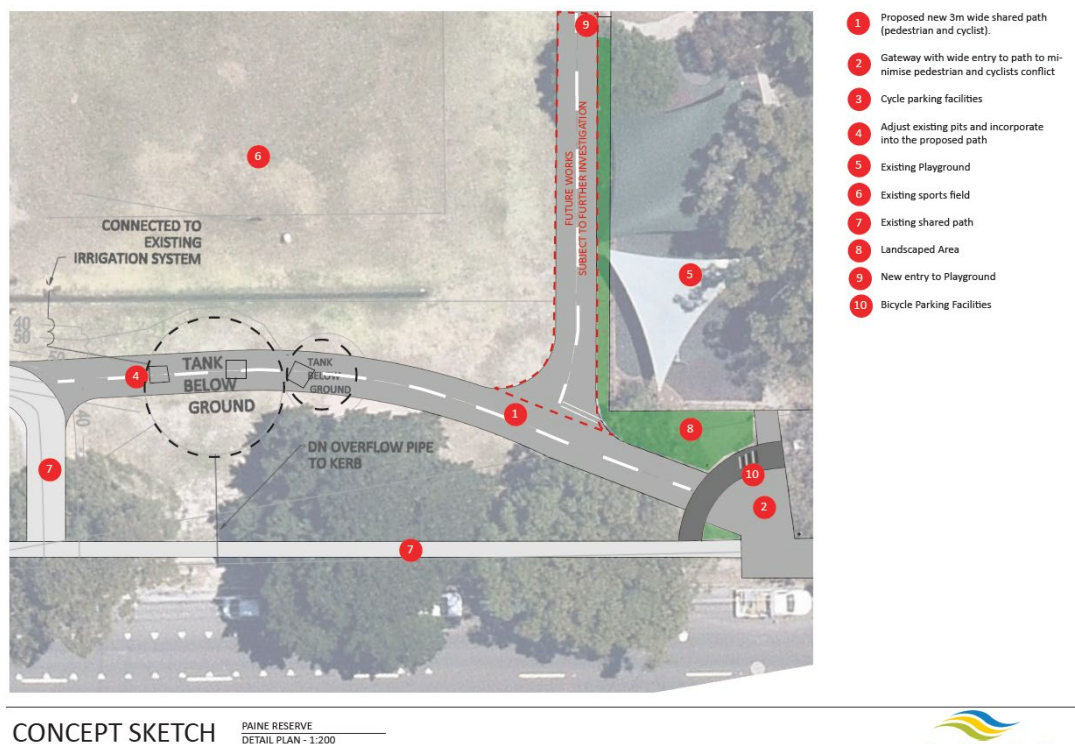
The removal of the taller shrubs is to be undertaken by a private contractor and is currently at the tender phase. Works will be completed once a contractor has been awarded the works. The leaf litter issue will inherently be resolved once these shrubs have been removed.

Recommendation:

That the information be received.

5.9. Paine Reserve shared paths

With regard to the proposed shared path in Paine Reserve, the preferred alignment for the shared path has been developed and handed over to Council's project design team for detailed design and construction. A particular focus of this project is ensuring the constructability of the proposed path alignment over existing services, tree roots and having regard to the load bearing capacity of two underground water recycling tanks. Council Officers are currently finalising the civil design drawings. Construction contractors are likely to be engaged early June.



Council Officers informed the committee that the Construction drawing set is currently being finalised. A tree on the west corner of the site have been identified for removal due to damages caused by recent weather event. There are several constraints within the site due to existing services and underground recycling tanks which is being resolved by the Council. The construction for the path is to occur by mid-June 2022.

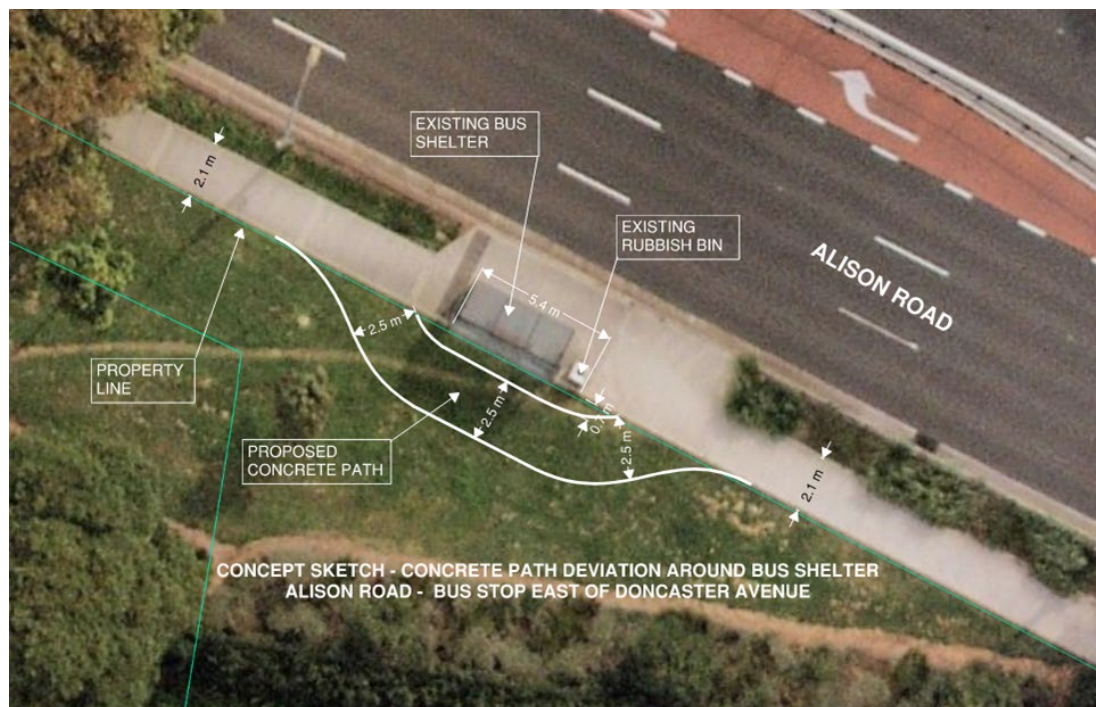
Recommendation:

That the information be received.

5.10. Alison Road (between Darley Road and Doncaster Avenue)

It is understood that the land behind the localised pinch point at the bus shelter is Greater Sydney Parklands (GSP) land and a long term lease has been granted to Transport for NSW. The concept design shown below requires encroachment into the lands to the south. Further investigation of the process of seeking permission to install a shared path around the existing bus shelter will be required. The Council is currently seeking to confirm the landowners to seek the permission for the proposed encroachment.

Council Officers have since observed that the existing concrete path widths vary between 1.7m near Doncaster Avenue and 2.5m near the Light Rail depot access, with majority of the footpath being 2.1m wide. There may be additional work required to upgrade the footpath to align with TfNSW and Austroads Standards for a shared path width which is 2.5m. Further information will be provided by Council Officers based on outcomes from the meeting with landowners.



Recommendation:

That the information be received.

5.11. Malabar Road / Edgecliffe Avenue intersection – Cycle improvements

Councillor Olive and local residents have raised concerns over vehicle-cyclist conflicts within the Malabar Road and Edgecliffe Avenue intersection. Motorists making right turns from Edgecliffe Avenue onto Malabar Road during morning peak cannot properly see cyclists and oncoming traffic. This is due to the sightlines being visually impeded by cars parked on the southbound side of Malabar Road, as you look north. It causes the residents of Seaside Parade, lower Liguria Street and Edgecliffe Avenue to push their vehicles onto the green cycle lane to get a better view of oncoming traffic.

Councillor Olive have raised concerns over sightlines leading to vehicle/ cycle conflict within the Malabar Road and Edgecliffe Avenue intersection. Various options were discussed to mitigate the issue including omission of a parking spot, stop sign at Edgecliffe Ave and realignment of the painted cycleway. Mr Lehmann agreed the realignment of the painting cycleway option will be further investigated by Council

Officers to allow for more space of stopped vehicles along Edgecliffe Avenue, allowing for better sightlines. A concept plan will be prepared and presented in the August CABFAC meeting.

Recommendation:

That the information be received, and the matter be discussed at the meeting.

5.12. Clovelly Road / Centennial Avenue – Pedestrian refuge

A local resident has raised concerns that the recently installed pedestrian refuge makes no accommodation for west bound turn from Clovelly Road into Centennial Avenue. He notes that Centennial Avenue is a valuable shortcut, avoiding the need to negotiate busy traffic light intersections further on including Avoca and Darley Road.

Following receipt of these concerns it was noted that westbound bike riders can either cross using the refuge, or pass the refuge, pull out into the space beyond the refuge and wait in the middle of the road for a gap in the opposing traffic, to then turn right. Whilst waiting in that space, they are protected from behind from traffic from the rear.

Discussion took place over enhancing safety for cyclists right turning cyclists for westbound cyclists along Clovelly Rd. Subsequently, it was agreed by the committee that the newly built pedestrian refuge sufficiently protects right turning cyclists as into Centennial Avenue. This is due to the pedestrian refuge acting as a physical barrier for east and west bound traffic.

Recommendation:

That the information be received.

5.13. Bicycle related events

A resident has requested that Council consider promotion of active transport by hosting an annual 2-hour festive ride though closed off roadways in Randwick; with co-operation from BIKEast and sport cycling communities.

There are no current events similar to this, however, the Council does support guided bike rides (undertaken by BIKEast) in association with our annual Eco Living Fair.

It should be noted that the traffic control required for the closure of many streets for a 2 hour period will be at significant cost (some tens of thousands of dollars).

It is considered this matter should be discussed at the CABFAC meeting.

Mr Lehmann is in favour of the concept although the event will require logistical resources and significant funding for traffic management to close down roads for an event. He also stated events of this nature often raised concerns from the local residents who will be impacted by noise and lack of access to their property. BIKEast have noted BIKEast is frequently involved in guided cycle commutes for commuters over 18.

Recommendation:

That the information be received and the matter be discussed at the meeting.

5.14. Update Re funding available in Reserves

The Council has available just over \$1M in Reserves, which through the budget review process, can be allocated to cycling projects and as they are developed.

Mr Lehmann updated the Committee on the available funding.

Recommendation:

That the information be received.

5.15. Proposed committee dates 2022/23

The following dates have been confirmed for committee meetings in the next 12 months:

- Wednesday 17 August at 6:30pm
- Wednesday 16 November 7:30am
- Wednesday 15 February 2023 at 6.30pm

- Wednesday 17 May 2023 at 7:30am.

BIKEast has requested that we revisit the 7:30am start for the CABFAC meeting. Council to undertake a survey of the CABFAC committee regular members regarding the preferred time moving forward. Mr Lehmann confirmed the meeting will still be held via Microsoft Teams.

Recommendation:

That the schedule shown for future CABFAC meetings is noted and endorsed.

6. Urgent matters or matters for future investigation

CS25/22

Director Corporate Services Report No. CO24/22

Subject: New Data Management Policy and Associated Guidelines











Executive Summary

- Council has a legislative requirement to maintain accurate and complete records of decisions made, customer records and other records essential to the performance of functions under the *Local Government Act 1993*.
- Council has an existing Records Management Policy which addressed recordkeeping for both electronic and physical files. Technology has evolved and a broader approach is required to cover transactional system data.
- The new Data Management Policy and four associated guidelines will replace the current Records Management Policy.
- The four associated guidelines include:
 1. Records Management Guideline
 2. Metadata Management Guideline
 3. Master Data Management Guideline
 4. Data Quality Guideline.
- The policy and guidelines have been reviewed by stakeholders and are aligned with Council's strategic business unit planning and governance frameworks.

Recommendation

That the Data Management Policy and four associated Guidelines be endorsed.

Attachment/s:

1.   Data Management Policy (Administrative)
2.   Records Management Guideline
3.   Metadata Management Guideline
4.   Master Data Management Guideline
5.   Data Quality Guideline

Purpose

To seek endorsement of the new Data Management Policy and the four associated guidelines.

Discussion

The Data Management Policy and the four associated guidelines are aligned to the seven Activities of the Data Management process within the IM&T Business Unit Plan, as follows:

- **Quality** – Establishment of practices to ensure that data is fit for intended uses in operations, decision making and planning.
- **Metadata** – Establishment of classification and description systems to organise larger datasets through providing "data about data" to facilitate data governance and lifecycle management.
- **Master Data** – The method used to define and manage the critical data of an organisation to provide, with appropriate integration, a single point of reference.
- **Capture** – The activities undertaken to collect data through manual or electronic means which will be used for fulfilling certain purposes.
- **Manage** – Activities undertaken to govern data throughout its lifecycle (including sentencing of data).
- **Store** – Establishment of appropriate technological approaches to storing data in such a way that it can be accessed in a timely and repeatable manner.
- **Preserve** – The acts necessary to conserve and maintain both the safety and integrity of data.

The Data Management Policy and the four guidelines have been reviewed by staff in the Enterprise Content Management (ECM) Section and other stakeholders. Council's Business Units were engaged through information sessions and all feedback has been taken into consideration.

The Data Management Policy and guidelines replace the current Records Management Policy. Once the policy and guidelines are adopted by Council, they will continue to be communicated to the business.

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability
Direction	1c. Continuous improvement in service delivery based on accountability, transparency and good governance.

Resourcing Strategy implications

There is no financial impact that results from the new policy and guidelines.

Policy and legislative requirements

The Data Management Policy and the four associated guidelines are in accordance with the *State Records Act 1998*.

Conclusion

The new Data Management Policy and four associated guidelines replace the current Records Management Policy. The policy and guidelines are directly aligned to the Data Management Process and related activities of the IM&T Business Unit Planning.

Responsible officer: George Panagiotopoulos, Leader Enterprise Content Management

File Reference: F2020/00372

CO24/22

CO24/22

CORPORATE SERVICES

Data Management Policy

Adoption Date:
Click or tap to enter a date.

Review Date:
25 February 2022

Version:
2

Responsible Department:
**Information Management &
Technology**

TRIM Document Number:
D04010824



Contents

Introduction	3
Purpose	3
Goals	3
Benefits	4
Scope	4
Governance	4
Document Control	5
Principles	5
Relevant Information	5
Responsibilities	5

CO24/22

Introduction

This policy applies to all structured and unstructured content relating to council activities and business transactions created by Randwick City Council staff, customers, contractors and external consultants irrespective of the system in which they are stored.

Purpose

1. Outline and articulate the strategy for data management and enterprise content management across Randwick City Council (Council). This document will provide the direction needed and form part of the governance framework for data management and enterprise content management
2. Ensure the business requirements and data quality expectations of key data stakeholders are met throughout the data management lifecycle including design, acquisition, distribution, maintenance, automation, continuous improvement and disposal
3. Ensure the business requirements of stakeholders are met throughout the enterprise content management lifecycle including: capture, store, manage, deliver and preserve
4. Ensure the management of information is compliant with legislative requirements to maximise the benefits and minimise risks
5. Establish Council's data management principles and align these principles with the Information Management and Technology Governance Framework
6. Ensure an enterprise-wide approach to consistent enterprise content management
7. Improve trust and confidence in the reliability, integrity and quality of Council's data and information resources
8. Ensure all procedures and practices concerning ECM are in accordance with this policy

Goals

Deliver cost effective and quality content capture, storage, delivery, preservation, compliance and enterprise-wide quality data through legislative, best practice and standards adherence, maximising the value of business decision making, through effective data governance.

Benefits

1. Improved Customer Service – providing customers with a unified view of complete, accurate and relevant information at each customer contact point. Increasing the effectiveness of customer relationship management initiatives and allowing them access to information when required
2. Improved Business Efficiency – improving business decisions by providing a consistent, reliable, timely and accurate view of information and improve the understanding and accessibility of the information presented
3. Lower Administration Costs – reduction in maintenance and operational costs by consolidation of isolated information and content silos, and streamlining and automating processes. Reducing staff time spent maintaining duplicate data stores, validating data and reconciling data between duplicate data stores
4. Legal Compliance – increase in the ability to facilitate regulatory compliance and legal discovery
5. Minimise Risk – ensuring appropriate records management functionality to achieve compliance with legislation and information standards including the classification, retention and disposal of records. Minimise security breaches through information access controls and audit capabilities
6. Enhanced Useability - collaborating with stakeholders in the planning, development and implementation of ECM processes, procedures and technologies to best meet their business needs
7. Reduced Information Management Overheads – reducing the number of fragmented and siloed business applications to be supported and maintained. Reducing the infrastructure required to store and backup duplicate data stores
8. Accessibility and Usability – better managed and organised data is more easily leveraged to new and unforeseen purposes through increased data accessibility and usability

Scope

The data management and enterprise content management frameworks must support industry best practice processes and provide as a minimum the following activity capability:

1. Capture - the activities undertaken to collect data through manual or electronic means which will be used to fulfil certain purposes
2. Store - establishment of appropriate technological approaches to storing data in such a way that it can be accessed in a timely and repeatable manner
3. Manage - activities undertaken to govern data throughout its lifecycle (including sentencing of data)

4. Deliver - establish a secure, responsive, user centred, on-brand, single point of access to all information
5. Preserve - the acts necessary to conserve and maintain both the security and integrity of data. This also includes the disposal of data in accordance with prescribed retention periods
6. Data Management Governance - describing and directing the people, processes and artefacts that are mission-critical to ensuring that Council's data is understood, secure, maintained, managed, accessible and enriched as a valuable resource in support of decision-making
7. Data Quality Management - establishing data quality rules, controls and responsibilities to manage all aspects of data quality throughout the data management lifecycle involving the design, security, acquisition, distribution, maintenance, continuous improvement and disposal of data
8. Metadata Management - establishing the metadata standards, controls and responsibilities to manage the capture, maintenance and accessibility of metadata
9. Master Data Management - establishing and defining the core business data entities of the enterprise and modelling those entities and their relationships to provide meaningful and quality assured information for analysis, presentation, decision making and ultimately a business intelligence capability

Governance

This policy is governed by the Data Stewardship Group.

Document Control

1. Only the Manager Information Management and Technology (IM&T) can approve amendments to this policy
2. Approved amended documents must be submitted to Manager Customer and Compliance to place the document on the Policy, Guidelines and Procedures/Work Instructions Register

Principles

1. One Data Dictionary - Council has one Dictionary of Data that clearly defines the meaning and etymologies of each Data Concept

2. Information is an Asset - there is a growing recognition of information as a strategic business asset, which has value to Council and is managed accordingly
3. Information is Shared - users have access to the information necessary to perform their duties; therefore, information is shared and accessible across the Council
4. Single System of Record - there shall be a single application identified as being the owner for each Data Entity. This shall be the only application allowed to update this data
5. Risk Based Information Security and Audit - information shall be secured and auditable based upon the threats and risks associated with loss, damage or exposure of that information in accordance with the agreed security classification of that information by the business

Relevant Information

Context

This policy fits within the Council's Information Management and Technology – Governance Framework.

Responsibilities

1. Nominated 'Senior Responsible Officer' – is the Director Corporate Services under the State Records Act 1998 (NSW) who has strategic and managerial responsibility for records and information management
2. Managers (Director/Manager) – Directors/Managers are responsible for promoting awareness of the value of quality information to the performance of the Council and recognising the important contribution of the data stewardship role
3. Manager IM&T – The Manager IM&T is responsible for ensuring the Information Management and Technology business unit provides and supports an Enterprise Architecture that enables the achievement of the Enterprise Content Management principles and capability
4. Leader Enterprise Content Management is responsible for the implementation of this policy and associated guidelines
5. Data Stewardship Working Group – is primarily responsible for:
 - Data Quality Management and Metadata Management within Council;
 - Maintaining the RCC Master Data Dictionary; and
 - Ensuring business processes are aligned with the principles of Data Management.

6. All Council Staff – all staff have a responsibility to contribute to the achievement and maintenance of data and information quality expectations set by the Data Stewardship Working Group

Other related documents

- Information Management and Technology Strategy
- Identity Management Policy (Administrative)
- Data Management Policy (Administrative)
- Application Management Policy (Administrative)
- Enterprise Architecture Strategic Principles
- IM&T - Service Catalogue
- Master Data Management Guideline
- Data Quality Management Guideline
- Metadata Management Guideline
- Data Stewardship Working Group Terms of Reference
- Records Management Guideline
- Web Management Guideline
- Spatial Management Guideline
- Back-Up, Recovery and Archive Guideline
- RCC Master Data Dictionary
- Records Management for Councillors Policy (D03488539)

Relevant Legislation

- Privacy and Personal Information Protection Act 1998
- Government Information (Public Access) Act 2009
- State Records Act 1998
- Health Records Information Privacy Act 2002
- Environmental Planning & Assessment Act 1979
- Work Health & Safety Act 2011
- Evidenced Act 1995
- Electronic Transactions Act 2000
- Digital Recordkeeping Compliance
- Other legislation as applicable
- Copyright Act 1968 (Clth) Definitions

The following definitions are relevant to this policy:

Term	Definition
Enterprise Content Management (ECM)	Enterprise Content Management (ECM) is the strategies and technologies deployed to capture, store, manage, deliver and preserve unstructured information or content.
Unstructured Information and content	Information or content with no identifiable structure and open to interpretation e.g. Documents, images, emails, video, photos, drawings, plans, CCTV footage.
Enterprise Architecture	The construct of IT Infrastructure, Applications and Databases that effectively and efficiently enables the delivery of Information Management Services.
Structured content	Structured data is highly organised and easily understood by machine language. e.g. names, dates, addresses and geolocations.

Term	Definition
Data Management	The development, execution and supervision of plans, policies, programmes and practices that control, protect, deliver and enhance the value of data and information resources.
Data	Data consists of disconnected numbers, words and symbols relating to the events and processes of an organisation.
Information	Information is data communicated in a meaningful way.
Data Entity	A concept that describes a collection of data elements, attributes and relationships in a structured manner that represents the organisation's understanding and use of a particular business subject or object.
Business Applications	A computer software program designed to apply the capabilities of a computing platform to one or more specific business purposes.
All Staff	Applies to all Randwick City Council (RCC) permanent, temporary and casual staff and staff employed under a RCC employment contract; including contractors, agency staff and/or consultants.
Actor	Represent a user that interacts with one or more products (information, application or hardware).
Life-cycle	The life-cycle of business records and information from creation to its preservation in archives or disposal.
Retention and Disposal	The process of identifying the length of time a record should be kept for before it can be destroyed or purged by an organisation.
Data Quality	The business expectation of data defined in terms of dimensions such as accuracy, completeness, currency, consistency, integrity, topology and compliance with naming conventions and data dictionaries.
Master Data	The core data entities of an organisation that are fundamental to the operation of the business and are shared across organisational departments.
Master Data Dictionary	A glossary of terms, definitions and descriptions representing key data elements that construct the organisation's master data entities.
Metadata	Data regarding the characteristics of any data item, such as its name, location, perceived importance, quality or value to RCC, and its relationships to other data items that RCC has deemed worth managing.

CO24/22



FOLLOW US ONLINE



1300 722 542
council@randwick.nsw.gov.au
www.randwick.nsw.gov.au

Randwick City Council
30 Frances Street
Randwick NSW 2031

INFORMATION MANAGEMENT & TECHNOLOGY

Records Management Guideline

17 February 2021

CO24/22

Contents	Introduction	3
	Management Directive	3
	Scope	3
	Actions & Responsibilities	4

Introduction

The purpose of this Guideline is to advise all Randwick City Council employees of their legal obligations in relation to records management.

This is an internal document. Please do not distribute to customers or parties outside of Randwick City Council (Council).

Management Directive

Council has a legislative requirement to ensure full and accurate corporate records of all activities and decisions of Council are created, captured, managed and disposed of appropriately.

Council's records are an essential and fundamental component of its corporate memory. They are an important asset that assist ongoing operations and provide crucial evidence of business actions that the business and staff undertake over time. Council is committed to establishing recordkeeping best practice and systems to ensure the creation, maintenance, protection and destruction of records with distinctive characteristics.

Compliance with the provisions of this guideline is mandatory.

Scope

This guideline applies to all Council permanent, temporary and casual staff and staff employed under a Council employment contract; including contractors, agency staff and/or consultants.

This guideline applies to all corporate records that the Council produces, as defined by the State Records Act 1998:

A **record** is defined as recorded information in any form, including data in computer systems, created or received and maintained by the Council in the transaction of business and kept as evidence of, and support for, Council's business activities and the good conduct of its affairs.

Recordkeeping is the process of making and maintaining complete, accurate and reliable evidence of business transactions in the form of recorded information.

This guideline applies to all aspects of recordkeeping including:

1. Capture – The activities undertaken to collect data through manual or electronic means which will be used for fulfil certain purposes

2. Manage – Activities undertaken to govern data throughout its lifecycle (including sentencing of data)
3. Store - Establishment of appropriate technological approaches to storing data in such a way that it can be accessed in a timely and repeatable manner
4. Preserve – The acts necessary to conserve and maintain both the safety and integrity of data

Actions & Responsibilities

General Manager

- must ensure that Council makes and keeps full and accurate records (State Records Act 1998) of its activities and have regard to any relevant policy, standards and guidelines made by the State Archives and Records Authority of New South Wales about the making and keeping of public records
- is accountable for the creation, management, appraisal, retention and disposal of its public records to ensure the accountability, legal, administrative, financial and research needs of the Government and the community are met
- must ensure the maintenance of proper standards in the creation, keeping and management of public records under their control

Managers are responsible for:

- Promoting awareness of all council staff's legal obligations in relation to records management

All Council staff are required to:

- complete any mandatory records management and EDRMS online training as close to the day of commencement
- comply with appropriate policies and guidelines and utilise the standard forms and supplies authorised by Information Management in carrying out their work
- make and keep full and accurate corporate records of their business activities, including records of all decisions and actions made in the course of their official business
- ensure that all corporate records are saved into RCC's recordkeeping EDRMS
- ensure the safe custody and preservation of records in their possession. No employee shall dispose of any records of Council without proper authorisation from Information Management and Technology
- ensure that on departure from Council, all tasks in Council's recordkeeping EDRMS system are completed or forwarded to another staff member for action

Information Management and Technology (IMT) Group will be responsible for:

- Monitoring compliance with appropriate policies and guidelines across the Council
- Establishing and maintains an appropriate business classification scheme, thesauri, and metadata schema
- Monitoring the unstructured data in RCC's EDRMS
- Ensuring that all staff are aware of their recordkeeping responsibilities
- Ensuring all relevant records are retained and disposed of in accordance with legislative requirements and government standards
- Ensuring that full and accurate records are kept in a useable format for as long as they are required
- Providing appropriate training and support
- Ensuring Council's vital records are identified, documented, managed, reviewed and protected to ensure business continuity

Associated Documents

- POL-1003 Enterprise Content Management (ECM) Policy
- POL-1002 Data Management Policy
- Enterprise Architecture Principles
- GL-1003-009 Backup, Recovery and Archive
- GL-1002-004 Data Quality Management Guideline
- GL-1002-005 Data Quality Management Guideline
- Privacy and Personal Information Protection Act 1998
- Government Information Act 2009
- State Records Act 1998

Document Control

- Leader Enterprise Content Management (ECM) can approve amendments to this guideline
- Please forward any requests to change the content of this document to the Leader ECM

- Approved amended documents must be submitted to Manager customer and Compliance to place the document on the Policy, Guidelines and Procedures/Work Instruction Register

Version History

Version	Date	Comments
1	17 February 2021	Related to the Data Management Policy
2	10 May 2021	

CO24/22



Randwick City Council
30 Frances Street
Randwick NSW 2031

1300 722 542
council@randwick.nsw.gov.au
www.randwick.nsw.gov.au

FOLLOW US ONLINE



CO24/22

INFORMATION MANAGEMENT & TECHNOLOGY

Metadata Management Guideline

17 February 2021

Contents

Introduction	3
Management Directive	3
Scope	4
Actions & Responsibilities	4

CO24/22

Introduction

The purpose of this guideline is to advise all Randwick City Council employees of their obligations in relation to managing metadata.

This is an internal Council document. Please do not distribute to customers or parties outside of Randwick City Council (Council).

Management Directive

Council seeks to establish a central metadata repository with standards, controls and responsibilities to manage the capture and accessibility of metadata.

The benefits of metadata management include:

- Improved awareness and understanding of Council's master data
- Better management of Council's information assets
- To limit liability by preventing data from being inappropriately used
- To enable discovery and retrieval of data, content and records
- Creation, capture, retention and preservation of metadata ensures records are regarded as authentic evidence
- Meeting legislative requirements as specified in the NSW Recordkeeping Metadata Standard

Compliance with the provisions of this guideline is mandatory.

Scope

This guideline applies to all Council permanent, temporary and casual staff and staff employed under a Randwick City Council employment contract, including contractors, agency staff and/or consultants.

This guideline applies to all corporate information assets and includes

- Structured and unstructured data managed in accordance with the Data Management Policy and related Guidelines

The guideline applies to all aspects of metadata management including:

1. Standards – A metadata classification scheme and metadata attribute standard will be established, based on ISO/IEC 11179 – 3 (Registry metamodel and basic attributes) and AGLS Metadata Standard (AS 5044-2010) an application profile of the Dublin Core (ISO 15836) for online content
2. Capture – Wherever possible, metadata will be captured close to the point at which an information asset is created or received and will be captured into the source system or application that manages the information asset and will accrue over time to preserve the authenticity of the record
3. Storage - Metadata will be extracted from source systems and application databases to be registered as metadata items in a central metadata repository which is based on ISO/IEC 11179 – 1 (Metadata Registries – Part 1; Framework)
4. Access – Metadata will be provided to users through a searchable data dictionary to enable access to and understanding of the corporate information asset being described. Wherever possible, metadata will also be accessible when the corporate information asset is accessed from the corporate data warehouse
5. Archived/Deleted - Metadata that relates to an archived or deleted record needs to be retained so that there would be a reference to that record, even though the record itself no longer exists. (IS 31 Retention and Disposal of Public Records)

Actions & Responsibilities

All Council Staff are required to:

- Follow appropriate work processes to accurately and completely create and capture metadata in relation to information assets that they create or receive and to inform the Data Stewardship Working Group when they become aware of new information asset types that will require metadata capture.

Data Stewardship Working Group is responsible for:

- Establish processes to enable and control the capture of metadata in source systems or applications that manage corporate information assets

- Establish and monitor data quality standards for metadata items registered in the central metadata repository
- Register metadata items directly into the central metadata repository where automated registration processes for corporate information assets are not provided
- Promote awareness of the value and availability of metadata for improving the use and understanding of corporate information assets

Information Management and Technology will be responsible for:

- Establish a metadata classification scheme and metadata standard based on ISO/IEC 11179 – 3 (Registry metamodel and basic attributes) and AGLS Metadata Standard (AS 5044-2010) an application profile of the Dublin Core (ISO 15836) for online content
- Establish and maintain a central metadata repository based on ISO/IEC 11179 – 1 (Metadata Registries – Part 1; Framework) and AGLS Metadata Standard (AS 5044-2010) an application profile of the Dublin Core (ISO 15836) for online content
- Provide a searchable master data dictionary generated from the central metadata repository
- Develop and implement Extract, Transform and Load (ETL) processes to register and maintain metadata items automatically in the central metadata repository based on metadata stored in source systems and application databases

Associated Documents

- Data Management Policy
- Enterprise Architecture Principles
- Data Quality Guideline
- Master Data Management Guideline
- Records Management Guideline
- Data Stewardship Working Group Terms of Reference
- AGLS Metadata Standard (AS 5044-2010) an application profile of the Dublin Core (ISO 15836) for online content
- International Standard ISO/IEC 11179 – 1 (Metadata Registries – Part 1; Framework)

- International Standard ISO/IEC 11179 – 3 (Registry metamodel and basic attributes)

Document Control

- Leader Enterprise Content Management (ECM) can approve amendments to this guideline
- Please forward any requests to change the content of this document to the Leader ECM
- Approved amended documents must be submitted to Manager Customer and Compliance to place the document on the Policy, Guidelines and Procedures/Work Instructions Register

Version History

Version	Date	Comments
1	17 February 2021	Related to the Data Management Policy
2	10 May 2021	

CO24/22



Randwick City Council
30 Frances Street
Randwick NSW 2031

1300 722 542
council@randwick.nsw.gov.au
www.randwick.nsw.gov.au

FOLLOW US ONLINE



INFORMATION MANAGEMENT & TECHNOLOGY

Master Data Management Guideline

17 February 2021

Contents	Introduction	3
	Management Directive	3
	Scope	3
	Actions & Responsibilities	4

Introduction

The purpose of this guideline is to advise all Randwick City Council (Council) employees of their obligations in relation to managing master data.

This is an internal Council document. Please do not distribute to customers or parties outside of Council.

Management Directive

Council seeks to maintain the core business data of the organisation and to model this data and its' relationships to provide meaningful and quality assured information for analysis, presentation and ultimately effective decision-making purposes.

Compliance with the provisions of this guideline is mandatory.

Scope

This guideline applies to all Council permanent, temporary and casual staff and staff employed under a Council employment contract; including contractors, agency staff and/or consultants.

This guideline applies to all core data and interrelated data that are deemed to be part of the following master data sets:

- Customers – People or business/organisations that request or receive Council services or deal with Council for the purpose of complying with State Government legislation or Council regulations, local laws or the planning scheme
- Property and Land – Legally recognised areas of land or volumes of space with location and extents defined on a cadastral survey plan
- Assets – Physical resources owned and managed by Council that are expected to provide future economic or community benefit
- Financial – Council funds, investments, debts and financial Instruments managed by the organisation on behalf of Council

- Environmental – Natural resources managed or controlled by Council including fauna, flora, waterways and habitats
- Employees – People employed by Council to contribute labour and expertise for specific projects and jobs
- Spatial – The location of real world features on, above or below the earth's surface and the graphical representation of those features by projection of the geographical location onto a two or three dimensional model

Actions & Responsibilities

All Council Staff are responsible for:

- The accuracy and completeness of the creation and maintenance of master data to a standard that achieves defined business quality expectations

Data Stewardship Working Group will be responsible for:

- Defining and describing master data entities, data items, data elements and attributes required to describe, analyse and report on master data sets
- Defining quality expectations for master data entities, data items, data elements and attributes in accordance with the Data Quality Management Guideline
- Identifying a source application that is the single source for each master data item, element and attribute
- Identifying and leading the implementation of enhancements to the data creation and maintenance processes for master data to achieve data quality expectations
- Identifying business applications that are secondary creators or consumers of master data
- Promoting awareness of the value and availability of master data for improving the analysis and reporting of business operations

Information Management and Technology (IMT) Group will be responsible for:

- Identifying the master data sets of the Council
- Developing and maintaining a master data model that conceptually represents all master data and the relationships

- Where feasible, developing and implementing processes to integrate the master data source with business application databases and to make master data available for analysis and reporting purposes

Associated Documents

- Data Management Policy
- Enterprise Architecture Principles
- Data Quality Guideline
- Metadata Management Guideline
- Records management Guideline
- Data Stewardship Working Group Terms of Reference

Document Control

- Leader Enterprise Content Management (ECM) can approve amendments to this guideline
- Please forward any requests to change the content of this document to the Leader ECM
- Approved amended documents must be submitted to Manager Customer and Compliance to place the document on the Policy, Guidelines and Procedures/Work Instructions Register

Version History

Version	Date	Comments
1	17 February 2021	Related to the Data Management Policy
2	10 May 2021	

CO24/22



Randwick City Council
30 Frances Street
Randwick NSW 2031

1300 722 542
council@randwick.nsw.gov.au
www.randwick.nsw.gov.au

FOLLOW US ONLINE



INFORMATION MANAGEMENT & TECHNOLOGY

Data Quality Guideline

17 February 2021

CO24/22

Contents	Introduction	3
	Management Directive	3
	Scope	3
	Actions & Responsibilities	4

Introduction

The purpose of this guideline is to advise all Randwick City Council employees of their obligations in relation to assessing, maintaining and improving the quality of critical and shared data assets.

This is an internal Council document. Please do not distribute to customers or parties outside of Randwick City Council (Council).

Management Directive

Randwick City Council seeks to establish trusted high-quality data, enabling confident decision-making, informing policy development, promoting data reuse, and supporting service delivery. Providing a broad set of minimum requirements to be applied to all critical and shared data assets provides a solid foundation for a consistent approach to measure, communicate and improve quality of data across Council.

Scope

This guideline applies to all Council permanent, temporary and casual staff and staff employed under a Council employment contract; including contractors, agency staff and/or consultants.

This guideline applies to all data assets and includes:

- Structured data managed in accordance with the Data Management Policy and related Guidelines

The benefits of sharing quality data include:

- enables timely and informed decisions
- maximises accountability and transparency
- allows collaboration between Randwick City Council and the public
- helps to avoid the rework and duplication of additional data collection

- allows users to question data

This guideline is intended for business data owners and has been developed to assist Business Units to assess, measure and describe the quality of their data.

Seven data dimensions should be applied across Council to determine data quality:

1. Accuracy - the degree in which the data correctly portrays the real-world situation in which it was originally designed to measure
2. Completeness - the extent the data is complete, i.e. is it 100% complete (if 100% is required)? This dimension also reflects the ability to determine what data is missing, and whether omissions are acceptable
3. Representative - the relevance of data and the extent to which it meets the defined purpose which initiated its collection or creation
4. Timeliness/Currency - how quickly data can be made available when required, and the delay between the reference period (period to which data refers, such as a financial year) and the release of information
5. Collection - Data collection methods must be appropriate depending on the type of data being collected
6. Consistency - the data is collected, grouped, structured and stored in a consistent and standardised way
7. Fit for Purpose - Data is considered fit for purpose when it is appropriate for its intended use

Actions & Responsibilities

All Council Staff are required to:

- Follow appropriate work processes in accurately assessing, maintaining and improving the quality of critical and shared data assets.

Data Stewardship Working Group is responsible for:

- Development and execution of management plans
- Development of data quality statements for all critical and shared data assets

- Conducting data quality assessments using the data quality assessment tool

Information Management and Technology will be responsible for:

- Assisting and supporting the development of management plans, assessments and development of data quality statements
- Ensuring deviations from current plans and processes are documented
- Confirming the status of data quality statements for all critical and shared data assets in the department's information asset register
- Ensuring processes meet internal data quality standards, guidelines and policies

Associated Documents

- Data Management Policy
- Enterprise Architecture Principles
- Metadata Management Guideline
- Master Data Management Guideline
- Records Management Guideline
- Data Stewardship Working Group Terms of Reference

Document Control

- Leader Enterprise Content Management (ECM) can approve amendments to this guideline
- Please forward any requests to change the content of this document to the Leader ECM
- Approved amended documents must be submitted to Manager Customer and Compliance to place the document on the Policy, Guidelines and Procedures/Work Instructions Register

Version History

Version	Date	Comments
1	17 February 2021	Related to the Data Management Policy
2	10 May 2021	

CO24/22



Randwick City Council
30 Frances Street
Randwick NSW 2031

1300 722 542
council@randwick.nsw.gov.au
www.randwick.nsw.gov.au

FOLLOW US ONLINE



Director Corporate Services Report No. CO25/22

Subject: Local Government NSW - 2022 Annual Conference

Executive Summary

- The Annual Conference of Local Government NSW (LGNSW) will be held in the Hunter Valley from Sunday 23 October to Tuesday 25 October 2022.
- Council's voting delegates for this conference need to be determined.
- Councillors are encouraged to submit motions by 15 August 2022, for inclusion in the 23 August 2022 Council meeting business paper.

Recommendation

That:

- a) Councillors interested in attending the 2022 Annual Conference of Local Government NSW (LGNSW) advise the General Manager as soon as possible;
- b) Council determines its nine (9) voting delegates for the 2022 LGNSW Annual Conference; and
- c) proposed motions for the 2022 LGNSW Annual Conference be submitted by 15 August 2022 (12 noon) at the latest to allow submission to the August 2022 Council meeting for consideration and submission to LGNSW within the requested timeline (being by 29 August 2022).

Attachment/s:

Nil

CO25/22

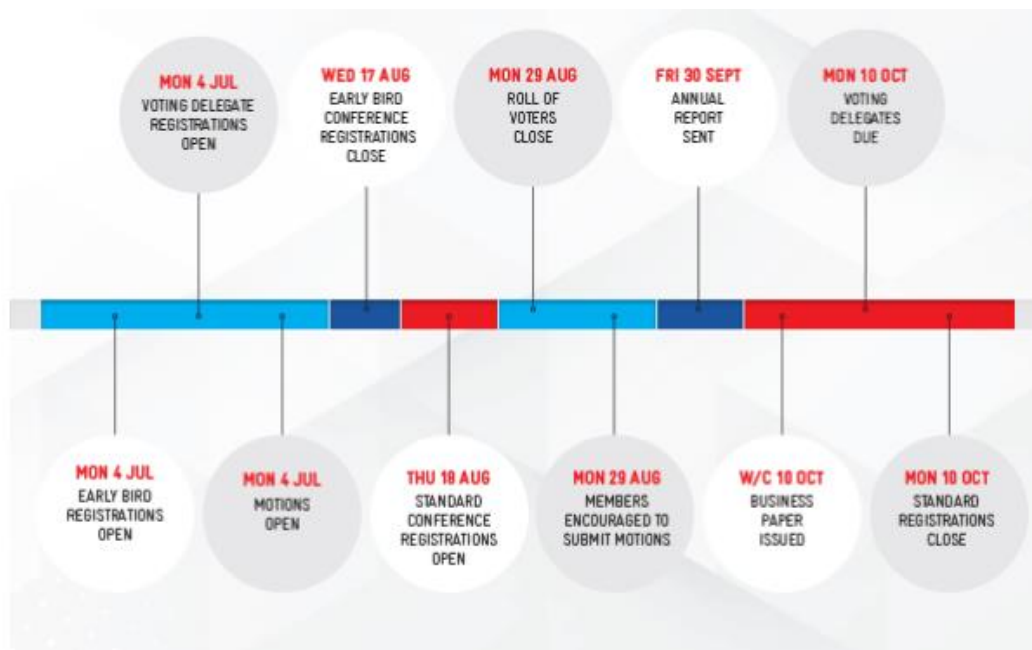
Purpose

The purpose of this report is to advise Councillors of the details for this year's LGNSW Annual Conference.

Discussion

As the main policy-making event for the local government sector, this Conference is Council's opportunity to help set the advocacy agenda for the year ahead. Motions passed at Conference become Resolutions, which LGNSW actions on councils' behalf as part of the local government sector's advocacy program.

Key dates



Voting delegates

Randwick City Council is allocated 9 voting delegates for the Annual LGNSW Conference.

Council is required to advise LGNSW of its voting delegates by 10 October 2022.

Council determined that its 9 voting delegates for the 2022 LGNSW Special Conference would consist of 3 ALP, 3 Greens and 3 Liberal Councillors.

Council is able to nominate an unlimited number of non-voting observers.

Motions

Proposed motions should be strategic, affect members state-wide and introduce new or emerging policy issues and actions.

Councillors are encouraged to review the Action Reports from previous conferences and the existing principles and positions of LGNSW as set out in the Policy Platform before submitting motions for the 2022 Conference. More information is available [here](#).

Councillors are encouraged to submit motions by 15 August 2022 (12 noon) for inclusion in the August Council meeting business paper and in order to meet the LGNSW deadline (being 29 August 2022).

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability
Direction	1c. Continuous improvement in service delivery based on accountability, transparency and good governance.

Resourcing Strategy implications

The costs associated with Councillors' attendance at the 2022 Annual Conference of LGNSW has been allowed for in the 2022-23 Budget.

Policy and legislative requirements

Councillor Expenses & Facilities Policy.

Conclusion

The Councillor Expenses and Facilities Policy permits all Councillors to attend this conference.

Councillors are encouraged to submit any proposed motions to the August Council meeting as LGNSW have requested that motions be submitted by 29 August 2022, where possible.

Responsible officer: Julie Hartshorn, Coordinator Administration

File Reference: F2004/06645

Director Corporate Services Report No. CO26/22

Subject: Code of Meeting Practice - Results of Public Exhibition

Executive Summary

- Council's Code of Meeting Practice requires amending to bring it in-line with;
 - the Office of Local Government's Guide to webcasting council and committee meetings (March 2020).
 - the 2021 Model Meeting Code and, in particular, provide for online attendance at Council meetings.
- An amended Code of Meeting Practice which provides for the above points must be adopted by 30 June 2022.
- The draft Code of Meeting Practice was reported to the 24 May 2022 Council meeting where Council resolved to amend clause 8.2 to include 'Questions on Notice' following 'Notices of Motion'
- The amended draft Code was on public exhibition from 27 May 2022 to 24 June 2022 and during that time one (1) submission was received.
- The Code is open for public comment until 11 July 2022 and if further submissions are received following this Council meeting, a report addressing the submissions will be presented to the July Council meeting for consideration.

Recommendation

That the Code of Meeting Practice (including the amendments made at the Council meeting of 24 May 2022) be adopted.

Attachment/s:

1. Code of Meeting Practice - 28 June 2022

CO26/22

Purpose

To adopt an amended Code of Meeting Practice that complies with the Office of Local Government's Guide to webcasting council and committee meetings (March 2020) and the 2021 Model Meeting Code.

An amended Code of Meeting Practice which provides for the above points must be adopted by 30 June 2022.

Discussion

The Draft (amended) Code of Meeting Practice (as endorsed at the 24 May 2022 Council meeting) was on public exhibition from 27 May 2022 until 24 June 2022 and is open for submissions until 11 July 2022 (in accordance with the requirements of Section 362 of the Local Government Act). During the public exhibition period the draft Code was available on the [Your Say page](#) of Council's website and was also advertised in the Randwick eNews publication.

One (1) submission was received during the exhibition period, via the Your Say page of Council's website. Details of the submission and the response are as follows:

Table of submissions

No	Submission	Response
1	Sadly this draft is so complicated and time consuming to read I predict the 'share your thoughts' people will be extremely low and unfortunately I for one am learning that Randwick council does not listen to even the small amount of residents who take the time and effort to participate in "your say".	Council's Code is based on the OLG Model Meeting Code. Although the Code is complex it is required to be publicly exhibited in accordance with the requirements of the Local Government Act.

The draft Code is open for public comment until 11 July 2022 and if further submissions are received following this Council meeting, a report addressing the submissions will be presented to the July Council meeting for consideration.

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability
Direction	1c. Continuous improvement in service delivery based on accountability, transparency and good governance.

Resourcing Strategy implications

The configuration of the Council Chambers is not currently suited to best practice audio/visual experience for virtual attendance by Councilors/staff.

Council staff are currently exploring options to refit the Council Chambers, including obtaining heritage assessments. A report will be provided to Council in due course with recommendations including costings.

In the interim, Council meetings will continue at the Prince Henry Centre.

Policy and legislative requirements

- Local Government Act 1993
- Local Government (General) Regulation 2021
- Office of Local Government - Model Code of Meeting Practice for local councils in NSW
- Office of Local Government - Guide to webcasting council and committee meetings.

Conclusion

It is recommended that the Code of Meeting Practice (including the amendments made at the Council Meeting of 24 May 2022) be adopted.

Responsible officer: Julie Hartshorn, Coordinator Administration

File Reference: F2004/06570

CO26/22

Director Corporate Services Report No. CO27/22

Subject: Monthly Financial Report as at 31 May 2022




Executive Summary

- Monthly Financial Reports are produced as a means of monitoring the financial performance of the Council and ensuring that all appropriate financial controls are being adhered to.
- Council's liquidity remains sound as at 31 May 2022, with capacity to meet short term obligations as they fall due.
- Council's Chief Financial Officer, as the Responsible Accounting Officer, advises that the projected financial position is satisfactory.

Recommendation

That the Monthly Financial Report as at 31 May 2022 be received and noted.

Attachment/s:

1.  Monthly Financial Statements -Income Statement- May 2022
2.  Monthly Financial Statements -Balance Sheet- May 2022
3.  Monthly Financial Statements-Cash Flow Statement - May 2022

Purpose

Section 202 of Local Government (General) Regulation 2005 requires that the responsible accounting officer of a council must:

- a) establish and maintain a system of budgetary control that will enable the Council's actual income and expenditure to be monitored each month and to be compared with the estimate of the council's income and expenditure, and
- b) if any instance arises where the actual income or expenditure of the Council is materially different from its estimated income or expenditure, report the instance to the next meeting of the council.

Discussion

This report provides the financial results of the Council as at 31 May 2022.

- **Income Statement** (Attachment 1):

The Income Statement summarizes the Council's financial performance year to date (YTD). The income statement presents the financial results for a stated period. The statement quantifies the amount of revenue generated and the expenses incurred by the Council as well as any resulting net surplus or deficit.

2021-22 Financial Performance Summary

	Original 2021-22 Budget (\$'000)	2021-22 May YTD (\$'000)
Income from continuing operations	\$180,919	\$167,271
Expenses from continuing operations	\$164,939	\$145,475
Net operating result for 2021-22	\$15,980	\$21,796
Net operating result before Capital Grants and Contribution for 2021-22	\$3,636	\$10,354

Council's net operating result before Capital Grants and Contribution at end of May is \$6.7M ahead of the original budget. The majority is attributable to the timing of payments for Waste Services and payments normally made at the end of the financial year.

The Waste Services business unit are progressing with Cleanaway managing performance issues and related invoice payments. These outstanding invoices and related credits are being reconciled by Waste Management and provisions are being made for payment in June 2022. All outstanding payments for waste services have been budgeted for.

Invoices that will be processed by financial year end include:

- Waste materials processing, approximately \$800k for the May (Suez Recycling)
- NSW Fire and SES levy final quarter, \$659k (NSW Revenue)
- Domestic waste collection, approximately \$3.2M for February to May invoices. February to April invoices have not been paid due to queries raised with contractor and Council has not been billed for May (Cleanaway)

Employee costs are at 87.5% of the current budget as at the end of May. The year-to-date actual spend for May is at \$64.6M compared to a budget of \$73.8M.

Due to low unemployment and skills shortages in key areas, Council has experienced vacancies in some roles for varying periods throughout the year. At the same time, due to emerging demands throughout the pandemic, additional staff have been required in some areas. As a result, we anticipate at year end there could be immaterial year end budget savings in salaries and wages.

- **Balance Sheet Statement** (Attachment 2):

A Balance Sheet is a statement of the financial position of the Council that lists the assets, liabilities, and equity at a particular point in time. In other words, the balance sheet illustrates a Council's net worth. The balance sheet provides a snapshot of the finances (what it owns and owes) as of a specific date.

- **Cash Flow Statement** (Attachment 3):

The cash flow statement is a financial statement that shows how cash moves in and out of a Council's accounts via three main channels: operating, investing, and financing activities. The sum of these three segments is called net cash flow. The cash flow statement measures how well the Council manages its cash position, meaning how well the council generates cash to pay its debt obligations and fund its operating expenses.

During May 2022, Council processed the first loan repayment of \$1.871M for the \$33.5M TCorp loan received in November 22. The principal and interest components were \$1.5M and \$371k respectively.

The current ratio is a liquidity ratio that measures Council's ability to pay short-term obligations or those due within one year. The current ratio as at 31st May 2022 is 3.62 compared to 2.49 as at 30th June 2021. The Council's target is a ratio equal to or greater than 1.5 based on the Long-Term Financial Plan. Our current ratio exceeds this target and indicates Council's liquidity remains sound at the end of May 2022. Together with a positive net operating result before Capital Grants and Contribution of \$10.3M, the financial position of the Council remains satisfactory.

Performance Ratio Summary

	Industry Benchmark	Original 2021-22 Budget	May 2022 YTD actual
Operating Performance Ratio	$\geq 0.00\%$	1.97%	6.64%
Own Source Operating Revenue Ratio	$\geq 60.00\%$	89.17%	87.33%
Unrestricted Current Ratio	> 1.5	1.63	3.29
Rates, Annual Charges, Interest & Extra Charges Outstanding Percentage	$< 5.00\%$	3.81%	4.77%

Heffron Centre Project

As at 31 May 2022, the Heffron Centre Project is showing \$18M actual expense from an approved budget for the financial year 2021-22 of \$47.5M. To date the project is on budget with circa \$3.2M contingency remaining.

DRLC

Des Renford Leisure Centre revenue budget have declined by \$2.14m from the original budget of \$7.6m due to the center's shutdown during lockdown. The declines in revenue is primarily made up of reductions in memberships, learn to swim programs and admission fees.

Des Renford operations had a staged reopening commencing in Oct 2021. As of 31 May 2022, total users' fees and charges is \$3.8M together with 370K other revenue from DRLS Kiosk sales, totaling approximately \$4.2M.

Council is expecting another \$1M revenue during June, with total revenue for the 21/22 financial year to be approximately \$5.3M. The current budget is \$5.46M.

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability

Resourcing Strategy implications

The adopted March 2022 Quarterly Budget Review indicates the 2021-22 projected budget has a total surplus of \$832k through careful financial management, prioritisation of expenditure and strong financial governance.

Policy and legislative requirements

Section 202 of Local Government (General) Regulation 2005.

Conclusion

The Council's Chief Financial Officer, as the Responsible Accounting Officer, advises that the projected financial position is satisfactory.

Responsible officer: Stephen Wong, Chief Financial Officer

File Reference: F2021/00364



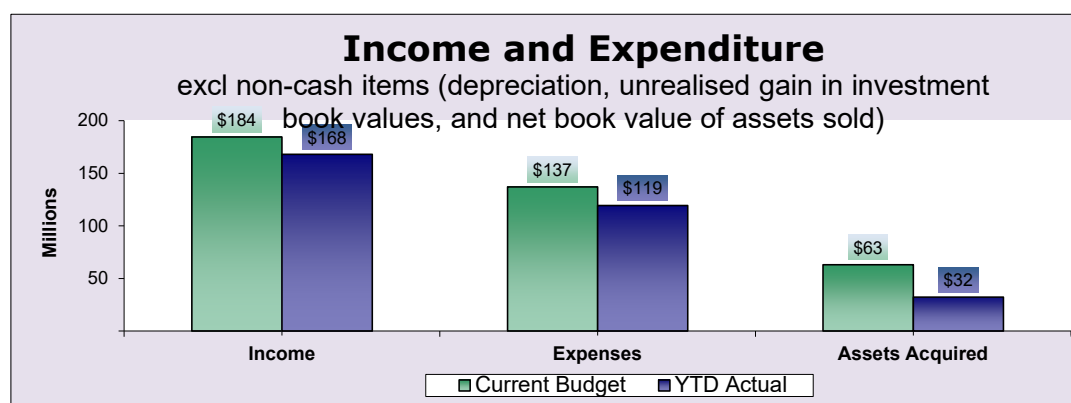
INCOME STATEMENT

as at 31 May 2022

% OF YEAR EXPIRED
AT 31 May 2022

92%

	Original Budget (\$'000s)	Current Budget (\$'000s)	YTD Actuals (\$'000s)	% Spent or Earned
EXPENSES FROM CONTINUING OPERATIONS				
Employee Costs	73,925	73,829	64,600	87.5%
Borrowing Costs	565	565	372	65.8%
Materials and Contracts	57,195	57,369	49,915	87.0%
Depreciation and Amortisation	28,406	28,406	26,039	91.7%
Other Operating Expenses	4,848	5,143	3,691	71.8%
Loss on Disposal of Infrastructure Assets	-	-	858	
Total Expenses from Continuing Operations	164,939	165,311	145,475	88.0%
INCOME FROM CONTINUING OPERATIONS				
Rates and Annual Charges	131,977	132,268	121,997	92.2%
User Charges and Fees	19,575	17,214	15,128	87.9%
Interest	842	816	469	57.5%
Other Revenues	5,627	4,998	5,331	106.7%
Other Income	3,338	2,415	2,569	106.4%
Operating Grants and Contributions	7,215	7,967	9,756	122.4%
Capital Grants and Contributions	12,344	18,720	11,442	61.1%
Gain on Disposal of Plant & Fleet Assets	-	-	579	
Total Income from Continuing Operations	180,919	184,397	167,271	90.7%
Net Operating Result - Surplus/(Deficit)	15,980	19,086	21,797	
FUNDING STATEMENT				
SOURCE OF FUNDS				
Surplus/(Deficit) from Operations - Accrual	15,980	19,086	21,797	114.2%
Add Back Non-Funded Transactions included in Operations above				
- Depreciation	28,406	28,406	26,039	91.7%
- Sales of Assets (Book Value)	1,266	1,266	937	74.1%
- Transfer from Internal Reserves	23,844	29,056	27,710	95.4%
- Transfer from External Reserves	10,149	16,088	1,437	8.9%
- Unrealised Gain/(Loss) on Market Value of Investments	-	-	645	
- Special Contribution	18,884	6,561	7,369	112.3%
- Loan Borrowings	19,000	27,000	33,500	124.1%
Net Funds Available	117,529	127,461	119,434	93.7%
Assets Acquired	85,751	63,041	32,340	51.3%
Transfer to Internal Reserves	8,773	39,638	22,612	57.0%
Transfer to External Reserves	16,188	20,840	9,584	46.0%
Total Funds Applied	113,823	126,630	66,041	52.2%
Total Funds Surplus/(Deficit)	3,706	832	53,393	



CO27/22



Randwick City Council
a sense of community

BALANCE SHEET

at 31 May 2022

	Actual as at 31 May 2022 (\$'000s)	Actual as at 30 June 2021
CURRENT ASSETS		
Cash, Cash Equivalents & Investments	154,047	95,706
Receivables	6,637	10,491
Inventories	647	644
Other	49	825
TOTAL CURRENT ASSETS	161,381	107,666
NON-CURRENT ASSETS		
Investments	8	8
Receivables	592	592
Infrastructure, Property, Plant & Equipment	1,874,166	1,869,269
Right of Use Asset	235	235
TOTAL NON-CURRENT ASSETS	1,875,000	1,870,104
TOTAL ASSETS	2,036,381	1,977,769
CURRENT LIABILITIES		
Borrowing	3,061	-
Payables & Prepayments	20,293	21,427
Provisions	21,235	21,756
TOTAL CURRENT LIABILITIES	44,588	43,184
NON-CURRENT LIABILITIES		
Borrowing	28,934	-
Income Received in advance	7,369	893
Lease Liabilities	242	242
Provisions	722	722
TOTAL NON-CURRENT LIABILITIES	37,267	1,857
TOTAL LIABILITIES	81,856	45,041
NET ASSETS	1,954,525	1,932,729
Retained Earnings	870,069	848,272
Revaluation Reserves	1,084,457	1,084,457
TOTAL EQUITY	1,954,525	1,932,729



STATEMENT OF CASH FLOW

at 31 May 2022

	Actual as at 31 May 2022 (\$'000)	Actual as at 30 June 2021 (\$'000)
Cash Flows from Operating Activities		
Receipts:		
Rates & Annual Charges	126,083	130,088
User Charges & Fees	13,378	20,939
Investment & Interest Revenue Received	747	919
Grants & Contributions	29,713	19,117
Bonds, Deposits & Retention amounts received	1,617	1,627
Other	7,754	17,209
Payments:		
Employee Benefits & On-Costs	(65,222)	(65,953)
Materials & Contracts	(50,187)	(62,970)
Borrowing Costs	(372)	(6)
Bonds, Deposits & Retention amounts refunded	(1,160)	(1,525)
Other	(4,137)	(10,403)
Net Cash provided (or used in) Operating Activities	58,212	49,042
Cash Flows from Investing Activities		
Receipts:		
Sale of Investment Securities	78,145	70,848
Sale of Infrastructure, Property, Plant & Equipment	1,119	1,340
Payments:		
Purchase of Investment Securities	(139,339)	(67,200)
Acquisition of term deposits		(7,900)
Purchase of Infrastructure, Property, Plant & Equipment	(32,340)	(39,411)
Net Cash provided (or used in) Investing Activities	(92,416)	(42,323)
Cash Flows from Financing Activities		
Receipts:		
Proceeds from Borrowings	33,500	-
Payments:		
Repayment of Borrowings	(1,505)	-
Net Cash Flow provided (used in) Financing Activities	31,995	0
Net Increase/(Decrease) in Cash & Cash Equivalents	(2,209)	6,719
plus: Cash & Cash Equivalents - beginning of year	18,331	11,612
Cash & Cash Equivalents - end of the period/year	16,122	18,331
 plus: Investments on hand	 137,924	 77,375
Total Cash, Cash Equivalents & Investments	154,046	95,706

CO27/22

Director Corporate Services Report No. CO28/22

Subject: Investment Report - May 2022


Executive Summary

- This report outlines Council's investment portfolio and performance as at 31 May 2022.
- All investments have been made in accordance with the Act, Regulations and Council's Investment Policy.
- For the month of May, the portfolio provided a solid return of +0.09% (actual) or +1.11% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of +0.03 % (actual) or +0.41% p.a. (annualised).
- Cashflow will continue to be monitored closely, as central bank begins withdrawing some of the extraordinary monetary support that was put in place to help the Australian economy during the pandemic. Investments will be managed to ensure liquidity to meet operational requirements

Recommendation

That the Investment Report for May 2022 be received and noted.

Attachment/s:

1.  Certificate by Responsible Accounting Officer - May 2022

CO28/22

Purpose

The Local Government (General) Regulation requires a written report to be provided to the Ordinary meeting of the Council giving details of all monies invested and a certificate as to whether, or not, the investments have been made in accordance with the Act, the regulations and the Council's Investment Policy.

Discussion

As at 31 May 2022, Council held investments with a market value of \$151.712 million. The portfolio value increased during May by ~\$4.647 million. The increase is representative of a positive cash flow for the month reflecting the net effect of revenue receipts, rates, grants and miscellaneous payments, offset by capital works expenditure and other operational payments.

The size of the investment portfolio varies significantly from month to month because of cash flows for the period. Cash outflows (expenditure) are typically relatively stable from one month to another. Cash inflows (income) are cyclical and are largely dependent on the rates instalment due dates and the timing of grant payments including receipt of the Financial Assistance Grants.

The investment portfolio as at 31 May 2022 is ~\$52.89 million more than the same time last year or \$19.38 million more excluding the loan funds. This represents a stable cash flow. The additional funds result from an accumulative increase of funds received since April 2021 to date where inflows exceeded outflows. The increased inflows are mainly from rates, grant and contributions received as well as effective debt management action, while outflows during the current financial year are less than the previous year.

Cashflow continues to be closely monitored, ensuring that there is enough cash in the business to operate on a day-to-day basis and:

- Ensure that Council maintains a balanced operating result,
- Ensure that payments are received on time to control debtors; and
- Manage and financing capital projects.

At the RBAs last meeting on 7 June 2022 the RBA decided to:

- Increase the cash rate target by 50 basis points to 85 basis points.

The Reserve Bank of Australia judged that *"the resilience of the economy and the higher inflation mean that this extraordinary support is no longer needed", given that:*

- The Australian economy is resilient, growing by 0.8 per cent in the March quarter and 3.3 per cent over the year;
- Inflation in Australia has increased significantly and expected to increase further;
- The labour market is strong with unemployment rate at 3.9 per cent, which is the lowest rate since 1974; and
- Interest rates remains at a very low level.

The Board expects to take further steps in the process of normalising monetary conditions in Australia over the months ahead. This will require:

- A further lift in interest rates over the period ahead; and
- Continue to close monitor the incoming information and evolving balance of risks as it determines the timing and extent of future interest rate increases.

On Call Funds

On call funds are held to meet Council's immediate cash flow requirements. The balance of available on call funds was increased to cover the shortfall in income over the pandemic period in 2020. The on-call funds balance has now gradually been reduced as the economic outlook improves and will be monitored and reviewed in line with anticipated operational requirements.

The on-call balance at month end is \$13.788 million or 9.09% of the total portfolio.

Investment	Rating	Balance - 1 May 2022	Movement	Balance - 31 May 2022	Interest Rate
CBA	AA-	\$7,976,331	\$1,236,261	\$9,212,592	0.45%
Macquarie Bank	A+	\$7,072,102	-\$2,496,568	\$4,575,535	0.60%

Term Deposits

- At month end, the portfolio included \$111.50 million in term deposits.
- Term Deposits made up 73.49% of the total investment portfolio.
- Two term deposits totaling \$2.50 million matured in May 2022.
- During May, five new term deposits totaling \$8.50 million were placed.
- As at the end of May, the term deposit portfolio was yielding 1.10% p.a. (up 14bp from the previous month).

A	Rating	Balance 1 May 2022	Movement	Balance 31 May 2022	Date Invested	Maturity Date	Interest Rate
ICBC	A	\$2,000,000	0	\$2,000,000	21/09/2020	19/09/2022	0.85%
ICBC	A	\$1,000,000	0	\$1,000,000	13/11/2020	09/11/2022	0.82%
ICBC	A	\$1,500,000	0	\$1,500,000	03/12/2020	07/12/2022	0.70%
ICBC	A	\$1,500,000	0	\$1,500,000	11/02/2021	29/03/2023	0.62%
ICBC	A	\$2,000,000	0	\$2,000,000	11/02/2021	31/06/2023	0.65%
ICBC	A	\$2,000,000	0	\$2,000,000	01/03/2021	22/6/2022	0.55%
ING	A	\$2,000,000	0	\$2,000,000	15/04/2021	29/6/2022	0.45%
NAB	AA-	\$1,000,000	0	\$1,000,000	26/08/2021	06/07/2022	0.31%
NAB	AA-	\$1,000,000	0	\$2,000,000	27/08/2021	14/09/2022	0.35%
CBA	AA-	\$2,000,000	0	\$2,000,000	30/08/2021	20/07/2022	0.39%
CBA	AA-	\$1,500,000	-\$1,500,000	0	31/08/2021	04/05/2022	0.36%
NAB	AA-	\$1,500,000	0	\$1,500,000	31/08/2021	13/09/2023	0.65%
NAB	AA-	\$1,500,000	0	\$1,500,000	01/09/2021	20/09/2023	0.65%
CBA	AA-	\$1,500,000	0	\$1,500,000	01/09/2021	31/09/2022	0.42%
CBA	AA-	\$1,000,000	0	\$1,000,000	02/09/2021	27/07/2022	0.39%
CBA	AA-	\$2,000,000	0	\$2,000,000	03/09/2021	12/10/2022	0.41%
ICBC	A	\$2,000,000	0	\$2,000,000	09/09/2021	18/09/2024	0.94%
ICBC	A	\$1,500,000	0	\$1,500,000	27/09/2021	27/09/2023	0.60%
CBA	AA-	\$1,500,000	0	\$1,500,000	27/09/2021	19/10/2022	0.36%
WBC	AA-	\$1,000,000	0	\$1,000,000	21/10/2021	2/11/2022	0.46%
CBA	AA-	\$2,000,000	0	\$2,000,000	1/11/2021	19/04/2023	0.99%
ICBC	AA-	\$1,000,000	0	\$1,000,000	10/11/2021	3/12/2025	1.70%
CBA	AA-	\$1,000,000	0	\$1,000,000	10/11/2021	9/12/2026	1.88%
CBA	AA-	\$2,000,000	0	\$2,000,000	11/11/2021	13/12/2023	1.22%
CBA	AA-	\$1,500,000	0	\$1,500,000	11/11/2021	20/12/2023	1.27%
CBA	AA-	\$2,000,000	0	\$2,000,000	11/11/2021	27/12/2023	1.31%

CO28/22

CBA	AA-	\$1,500,000	0	\$1,500,000	11/11/2021	03/01/2024	1.29%
CBA	AA-	\$2,000,000	0	\$2,000,000	11/11/2021	10/01/2024	1.29%
CBA	AA-	\$2,000,000	0	\$2,000,000	11/11/2021	23/12/2024	1.64%
CBA	AA-	\$1,500,000	0	\$1,500,000	11/11/2021	31/12/2024	1.65%
CBA	AA-	\$2,000,000	0	\$2,000,000	11/11/2021	08/01/2025	1.65%
CBA	AA-	\$1,500,000	0	\$1,500,000	11/11/2021	15/01/2025	1.66%
CBA	AA-	\$2,000,000	0	\$2,000,000	11/11/2021	22/01/2025	1.66%
CBA	AA-	\$2,000,000	0	\$2,000,000	12/11/2021	31/12/2022	0.70%
WBC	AA-	\$2,000,000	0	\$2,000,000	12/11/2021	18/01/2023	0.63%
CBA	AA-	\$1,500,000	0	\$1,500,000	12/11/2021	25/01/2023	0.74%
CBA	AA-	\$2,000,000	0	\$2,000,000	12/11/2021	01/02/2023	0.76%
CBA	AA-	\$1,500,000	0	\$1,500,000	12/11/2021	15/03/2023	0.84%
CBA	AA-	\$2,000,000	0	\$2,000,000	18/11/2021	12/04/2023	0.85%
ICBC	A	\$1,500,000	0	\$1,500,000	18/11/2021	26/04/2023	0.83%
ICBC	A	\$2,000,000	0	\$2,000,000	18/11/2021	14/6/2023	0.95%
ICBC	A	\$1,500,000	0	\$1,500,000	18/11/2021	21/06/2023	0.96%
ICBC	A	\$1,000,000	0	\$1,000,000	18/11/2021	05/07/2023	1.00%
NAB	AA-	\$2,000,000	0	\$2,000,000	26/11/2021	15/06/2022	0.40%
NAB	AA-	\$1,000,000	-\$1,000,000	0	02/12/2021	11/05/2022	0.44%
NAB	AA-	\$1,000,000	0	\$1,000,000	02/12/2021	13/07/2022	0.52%
NAB	AA-	\$1,000,000	0	\$1,000,000	02/12/2021	04/12/2022	0.52%
NAB	AA-	\$2,000,000	0	\$2,000,000	02/12/2021	05/04/2023	0.80%
ICBC	A	\$2,000,000	0	\$2,000,000	02/12/2021	05/07/2023	1.00%
ICBC	A	\$2,000,000	0	\$2,000,000	02/12/2021	11/10/2023	1.10%
NAB	AA-	\$2,000,000	0	\$2,000,000	02/12/2021	18/10/2023	1.05%
ICBC	A	\$2,000,000	0	\$2,000,000	02/12/2021	24/01/2024	1.36%
NAB	AA-	\$2,000,000	0	\$2,000,000	17/02/2022	22/6/2022	0.44%
NAB	AA-	\$2,000,000	0	\$2,000,000	31/02/2022	12/07/2023	1.20%
ICBC	A	\$2,000,000	0	\$2,000,000	31/02/2022	12/07/2023	1.20%
NAB	AA-	\$2,000,000	0	\$2,000,000	01/03/2022	11/01/2023	0.79%
NAB	AA-	\$2,000,000	0	\$2,000,000	01/03/2022	26/10/2022	0.65%
NAB	AA-	\$2,000,000	0	\$2,000,000	01/03/2022	19/07/2023	1.15%
ICBC	A	\$2,000,000	0	\$2,000,000	09/03/2022	25/10/2023	1.74%
CBA	AA-	\$1,500,000	0	\$1,500,000	20/04/2022	26/07/2023	2.44%
CBA	AA-	\$1,500,000	0	\$1,500,000	20/04/2022	04/10/2023	2.60%
ICBC	A	\$1,000,000	0	\$1,000,000	20/04/2022	24/04/2024	3.13%
CBA	AA-		\$2,000,000	\$2,000,000	02/05/2022	03/05/2023	2.71%
CBA	AA-	0	\$2,000,000	\$2,000,000	02/05/2022	01/11/2023	3.08%
CBA	AA-	0	\$1,500,000	\$1,500,000	24/05/2022	08/02/2022	1.89%

Suncorp	AA-	0	\$1,500,000	\$1,500,000	24/05/2022	08/02/2023	2.60%
CBA	AA-	0	\$1,500,000	\$1,500,000	31/05/2022	22/03/2023	2.78%
Total		\$105,500,000	\$6,000,000	\$111,500,000			

Floating Rate Notes (FRNs)

- The portfolio includes \$24.844 million in floating rate notes, making up 16.38% of the total portfolio.
- FRNs are classified as “held for trading” and are required to be reported at the latest indicative market valuations at month end.
- The indicative market value of the FRNs as at the 31 May 2022 decreased by ~\$75 thousands. Over May, amongst the senior major banks FRNs physical credit securities marginally tightened by up to 25-30bp at the long-end of the curve.
- There is no new floating rate note placed during May.
- Council will continue to look at opportunities and new issuances as they become available, and switch if viable.

Investment	Rating	Purchase Price	Indicative Value 31 May 2022	Date Invested	Maturity Date	Interest Rate
Macquarie Bank	A+	\$2,000,000	\$1,995,492	07/08/2019	07/08/2024	90D BBSW + 80 bpts
Citibank	A+	\$1,000,000	\$999,930	14/11/2019	14/11/2024	90D BBSW + 88 bpts
NAB	AA-	\$2,000,000	\$1,997,436	21/01/2021	21/01/2025	90D BBSW + 77 bpts
Macquarie Bank	A+	\$2,000,000	\$1,992,804	12/02/2020	12/02/2025	90D BBSW + 84 bpts
UBS	A+	\$1,300,000	\$1,295,767	30/7/2020	30/07/2025	90D BBSW + 87 bpts
Bank of China	A	\$1,000,000	\$999,900	18/08/2020	18/08/2023	90D BBSW + 80 bpts
UBS	A+	\$3,000,000	\$2,942,379	26/02/2021	26/02/2026	90D BBSW + 50 bpts
CBC	A	\$1,000,000	\$993,682	11/03/2021	11/03/2024	90D BBSW + 58 bpts
ICBC	A	\$1,700,000	\$1,668,067	18/06/2021	18/06/2026	90D BBSW + 66 bpts
NAB	AA-	\$3,100,000	\$3,033,006	24/08/2021	24/08/2026	90D BBSW + 41 bpts
Suncorp	A+	\$1,750,000	\$1,704,031	15/09/2021	15/9/2026	90D BBSW + 48 bpts
CBA	AA-	\$1,500,000	\$1,480,992	14/1/2022	14/1/2027	90D BBSW + 77 bpts
Suncorp	AA-	\$1,800,000	\$1,767,006	25/1/2022	25/1/2027	90D BBSW + 78 bpts
Rabobank Australia Branch	A+	\$2,000,000	\$1,973,580	27/1/2022	27/1/2027	90D BBSW + 73 bpts
Total		\$25,150,000	\$24,844,072			

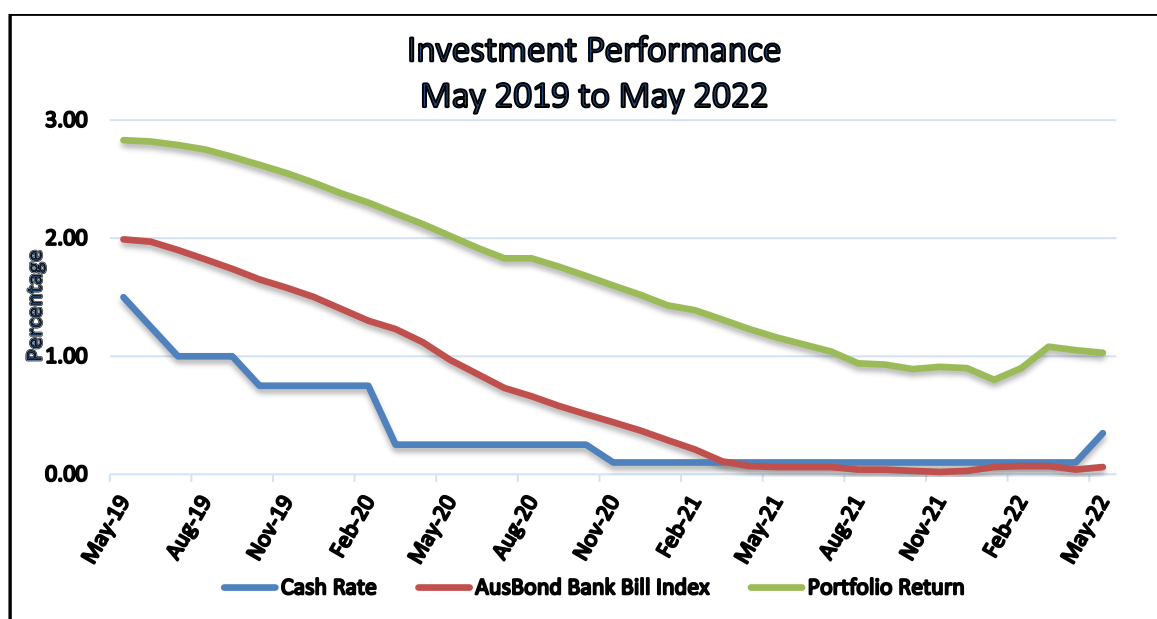
Fixed Bonds

In August 2021, Council purchased at discount \$1.8 million (face value) of the AAA rated covered fixed bond with ING Bank Australia. An attractive fixed coupon rate of 1.10% will be paid on a semi-annual basis on the \$1.8 million face value. The indicative value is the value Council would receive at 31 May if it were to consider selling this investment prior to its maturity date. Selling prior to maturity would only be considered if a capital gain resulted, while holding to maturity ensures a return of the full amount invested along with quarterly interest payments over the life of the investment.

Investment	Rating	Purchase Price	Indicative Value 31 May 2022	Date Invested	Maturity Date	Interest Rate
ING Bank	AAA	\$1,597,486	\$1,579,833	19/08/2021	19/08/2026	1.10%
Total		\$1,597,486	\$1,579,833			

Performance

The following graph shows the investment returns achieved against the AusBond Bank Bill Index and the official Reserve Bank of Australia (RBA) cash interest rate for the period May 2019 to May 2022.



For the month of May, the total portfolio of term deposits (T/Ds) and floating rate notes (FRNs) provided a solid return of +0.09% (actual), or +1.11% p.a. (annualised) outperforming the benchmark AusBond Bank Index return of +0.03% (actual) and +0.41% p.a. (annualised). The outperformance continues to be driven by a combination of deposits that were originally invested longer than 6 months, as well as the higher yielding FRNs locked in at attractive margins and sold prior to maturity, realising small capital gains and boosting returns.

Over the past year, the combined term deposit and FRN portfolio returned +0.90% p.a., outperforming bank bills by 0.85% p.a. The overall return remains solid given deposit rates have again surpassed their all-time lows following the RBA's successive interest rate cuts over the past 2 years.

The performance for the month ending 31 May 2022 is summarised below.

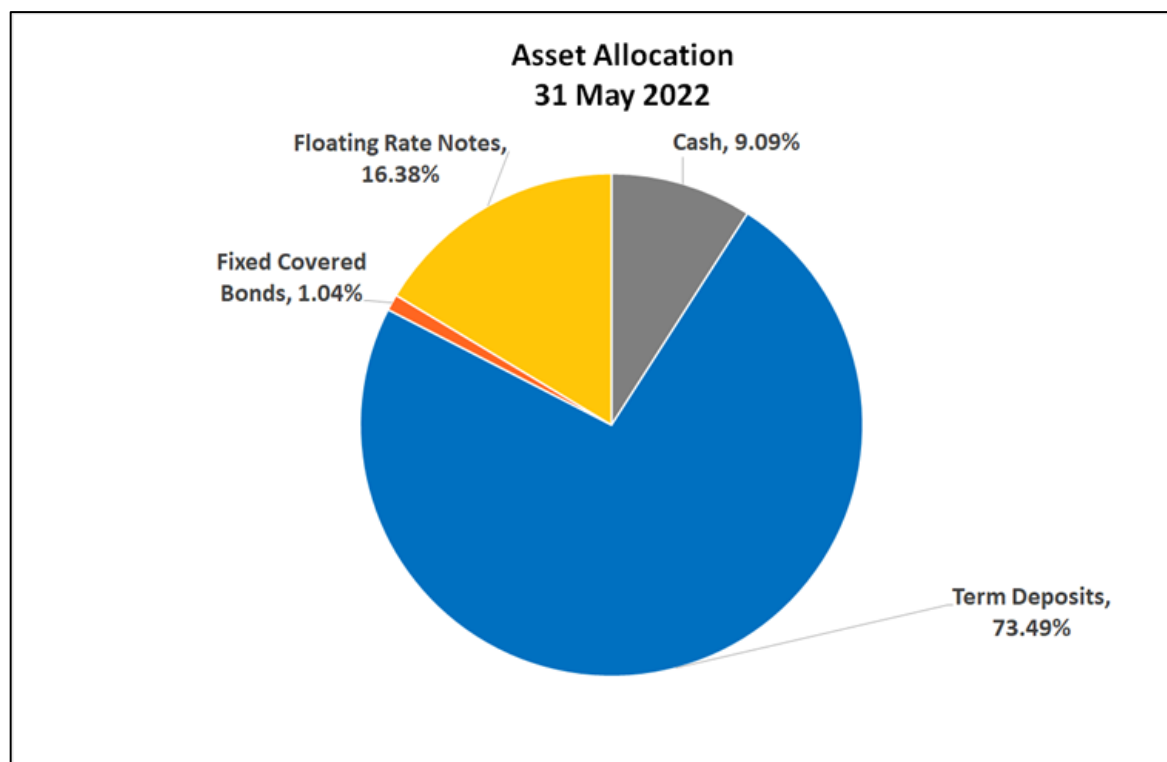
Performance	1 month	3 months	6 months	FYTD	1 year	2 year
Official Cash Rate	0.03%	0.05%	0.07%	0.11%	0.12%	0.14%
AusBond Bank Bill Index	0.03%	0.02%	0.04%	0.05%	0.05%	0.06%
Council's T/D Portfolio	0.09%	0.23%	0.44%	0.68%	0.73%	0.94%
Council's FRN Portfolio	0.12%	0.27%	0.45%	1.15%	1.26%	1.23%

Council's Bond Portfolio	0.09%	0.28%	0.55%	-	-	-
Council's Portfolio	0.09%	0.24%	0.44%	0.83%	0.90%	1.03%
Outperformance	0.06%	0.22%	0.41%	0.78%	0.85%	0.97%

Council's Portfolio and Compliance

Asset Allocation

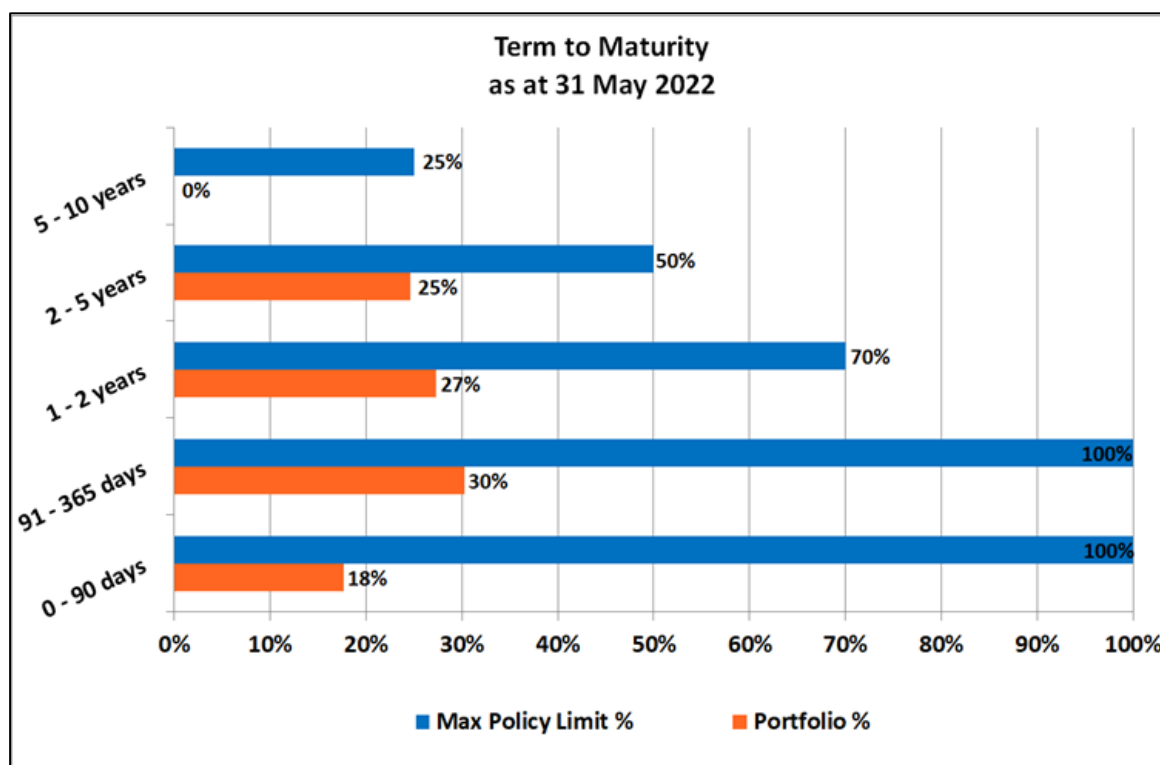
Most of the portfolio is spread between term deposits (73.49%) and senior floating rate notes (16.38%). The remainder of the portfolio is held in the overnight cash accounts with CBA and Macquarie Bank (9.09%) and the "AAA" rated fixed covered bond (1.04%). The FRNs add additional liquidity and are generally accessible within 2-3 business days. FRNs are also dominated by the higher rated ADIs which allows Council to maintain a bias towards the higher rated banks.



Term to Maturity

The portfolio remains diversified from a maturity perspective with a spread of maturities out to 5 years. Medium-term (2-5 years) assets account for around 25% of the total investment portfolio.

Compliant	Horizon	Invested	%	Min Limit	Max Limit
✓	0-90 days	\$26,788,127	17.66%	10%	100%
✓	91-365 days	\$46,000,000	30.32%	20%	100%
✓	1-2 years	\$41,493,582	27.35%	0%	70%
✓	2-5 years	\$37,430,323	24.67%	0%	50%
✓	5-10 years	0	0%	0%	25%



The investment portfolio is regularly reviewed to maximise investment performance and minimise risk. Comparisons are made between existing investments with available products that are not part of the Council's portfolio. Independent advice is sought on new investment opportunities.

Credit Quality

As at the end of May, applying the long term S&P ratings only, Council is now compliant across all individual counterparties. The investment portfolio is entirely directly to assets rated "A" or higher, as per Council's adopted policy framework.

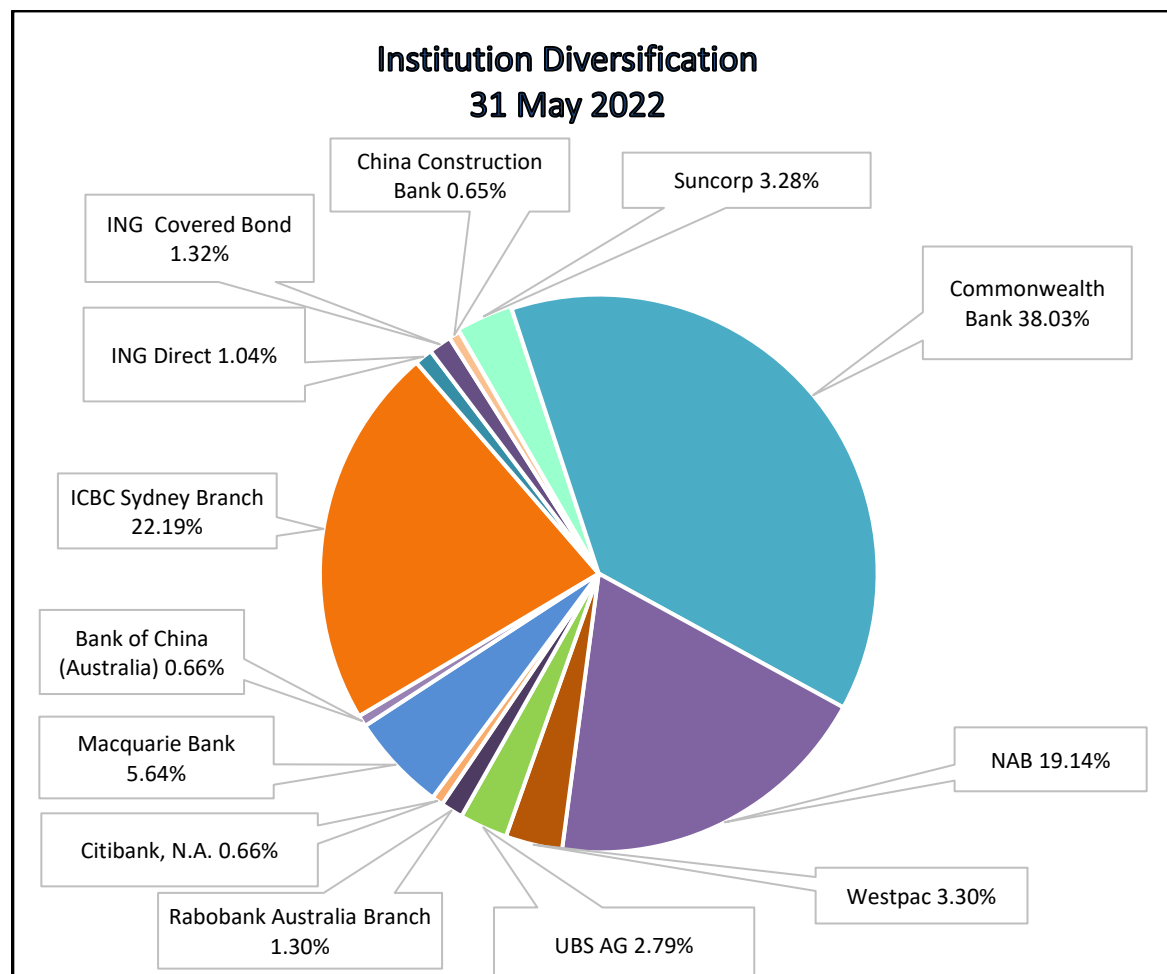
Compliant	Rating	Invested	Invested	Max. Limit	Available
✓	AAA Category	\$1,579,833	1.04%	100%	\$150,132,199
✓	AA Category	\$96,695,063	63.74%	100%	\$55,016,969
✓	A Category	\$53,437,136	35.22%	80%	\$67,932,490
✓	Unrated ADIs	\$0.00	0.00%	0.00%	\$0

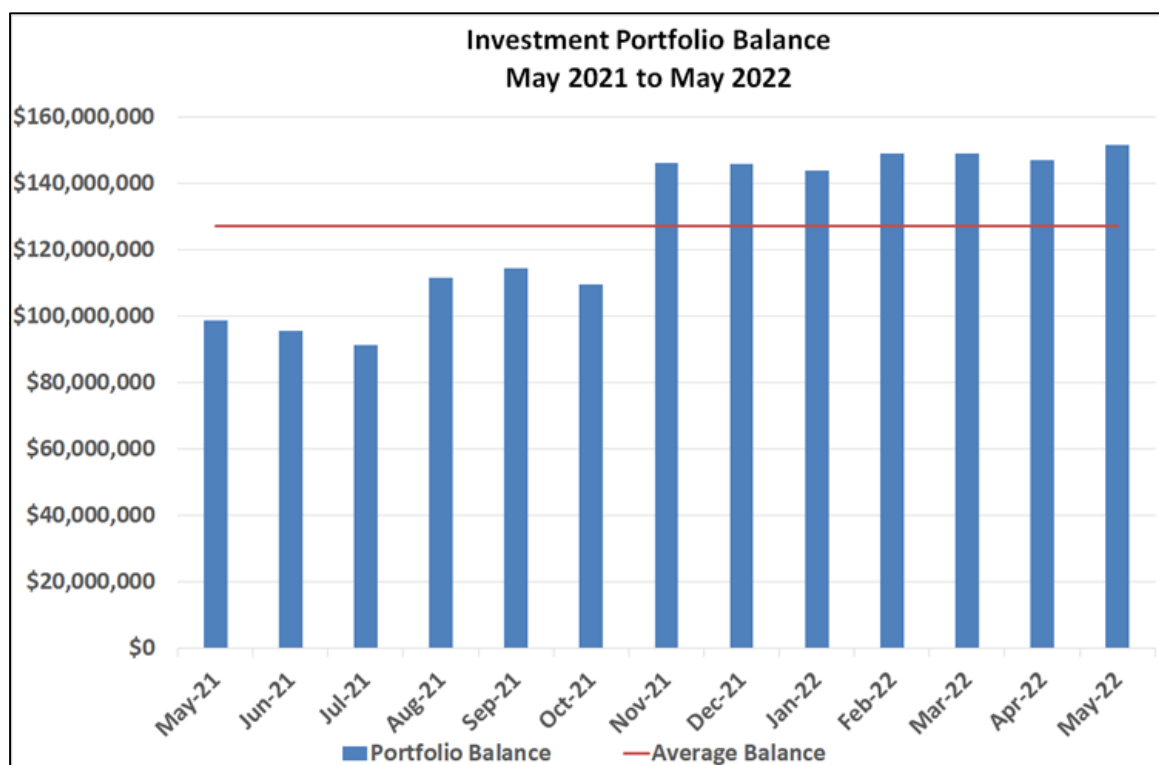
Counterparty

The table below shows the individual counterparty exposures against Council's current investment policy based on long term S&P ratings

Compliant	Issuer	Rating	Invested	%	Max. Limit	Available
✓	ING Bank	A	\$2,000,000	1.32%	25%	\$35,928,008
✓	Rabobank Australia Branch	A+	\$1,973,580	1.30%	25%	\$35,954,428

✓	CBA	AA-	\$57,693,584	38.03%	40%	\$2,991,229
✓	NAB	AA-	\$29,030,442	19.14%	40%	\$31,654,371
✓	Westpac	AA-	\$5,000,000	3.30%	40%	\$55,684,813
✓	Citibank	A+	\$999,930	0.66%	25%	\$36,928,078
✓	UBS	A+	\$4,238,146	2.79%	25%	\$33,689,862
✓	Bank of China	A	\$999,900	0.66%	25%	\$36,928,108
✓	Macquarie Bank	A+	\$8,563,831	5.64%	25%	\$29,364,177
✓	Suncorp	A+	\$4,971,037	3.28%	25%	\$55,713,776
✓	ICBC Sydney	A	\$33,668,067	22.19%	25%	\$4,259,941
✓	China Construction Bank	A	\$993,682	0.65%	25%	\$36,934,326
✓	ING Covered Bond	AAA	\$1,597,833	1.04%	40%	\$59,104,980





Restricted Funds (*Local Government Act 1993 s 409*)

Councils restricted and unrestricted funds as at 31 May 2022 are shown below. Unrestricted Cash is the cash that is readily available or convertible to cash for Councils' day to day management. The restricted cash is either externally or internally restricted. Externally restricted cash can only be spent as permitted in line with legislative responsibilities and/or contractual obligations, while internally restricted cash is to be spent on Council specific funding commitments as per the operational plan and adopted Council budget.

Investment Portfolio Balance as at 31 May 2022		\$151,712,031.88
Restricted Cash	Internal	\$49,594,849.49
	External	\$45,103,305.69
Unrestricted Cash		\$57,013,876.70
Total Restricted & Unrestricted		\$151,712,031.88

Loan Funds

The total loan funds were drawn down on 10 November 2021 for \$33.5 million at 2.22%. The loan funded the following:

- \$14.5M Capital Works
 - \$6.7M of Building Works which included Blenheim House, La Perouse Museum, Malabar Pool, Dunningham Reserve, Burrows Park and Southern Suburbs Youth Facilities
 - \$5.5M of Parks Projects which included Playground upgrade, Coral Sea Park, Coastal Walkways, Snape Park outdoor gym, and Pioneers Park
 - \$3.8M of Roads Projects which include drainage capital works and footpath construction
- \$19.5M for the Heffron Centre Project

The payment frequency is semi-annually with the first loan repayment due on the 10 May 2022. The repayment total is for \$1,877,039.92 of which \$371,850.00 is interest. There are no further loan repayments this financial year.

The current interest rates offered on term deposits currently have far exceeded our cost of funds in obtaining the \$33.5m loan. Indicative term deposit rates offered currently at CBA are as follows:

- For 1 Year – 3.68%
- For 2 Years – 4.10%
- For 3 Years – 4.23%
- For 4 Years – 4.31%
- For 5 Years – 4.38%

As such, the Council is at a notionally advantageous position in earning interest income on our loan. In addition, the delay in the use of loan funds with the deferral of capital works projects into the next financial year enables the council to invest these surplus funds in the short to medium term investment offerings.

Strategic alignment

The relationship with the City Plan is as follows:

Outcome/Direction	Delivery Program actions
Outcome	1. Leadership in sustainability
Direction	1a. Council has a long-term vision based on sustainability.

Resourcing Strategy implications

The budget provision for investment income is \$642,409. Income received to 31 May 2022 is \$879,898 representing 136.97% of the budget year to date. Historically low interest rates in conjunction with the government term funding facility which provided deposit-taking institutions with low-cost borrowings impacted returns during the first half of the financial year. Inclusion of loan funds into the portfolio since November has resulted in improved returns over recent months due to the increased portfolio balance and currently interest rates on our deposits.

Policy and legislative requirements

Council is authorised by Section 625 of the Local Government Act to invest its surplus funds. Funds may only be invested in the form of investment notified by Order of the Minister dated 12 May 2011. The Local Government (General) Regulation prescribes the records that must be maintained in relation to Council's Investment Policy

Conclusion

Funds are invested with the aim of achieving budgeted income in the 2021-22 financial year and outperforming the AusBond Bank Bill Index over a 12-month period.

All investments as at 31 May 2022 have been made in accordance with the Local Government Act, the regulations and Council's Investment Policy.

Responsible officer: Xinyu Zhang, Financial Accountant

File Reference: F2016/06527

Randwick City Council

Investments

for the period ending 31 May 2022

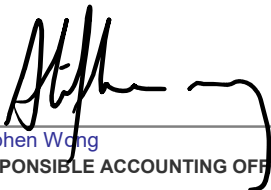
Certificate by Responsible Accounting Officer

made pursuant to Clause 212(1)(b) of the Local Government (General) Regulations 2005

I hereby certify that all investments as at 31 May 2022 have been made in accordance with Council's Investment Policy (adopted Sept 2021).

I hereby certify that all investments as at 31 May 2022 meet the requirements of section 625 of the Local Government Act 1993 including the Ministerial Investment Order (2011).

I hereby certify that all investments as at 31 May 2022, and this investment report, meet the requirements of clause 212 of the Local Government (General) Regulation 2005.



Stephen Wong
RESPONSIBLE ACCOUNTING OFFICER

14 June 2022

Date

C028/22

Motion Pursuant to Notice No. NM37/22

Subject: Notice of Motion from Cr Hay - 2022 Business Excellence Awards

Motion:

That Council:

- a) thanks the Events Team for organising a wonderful and successful evening; and
- b) prepare a report to make the Business Excellence Awards an annual event.

Background:

The Randwick Business Excellence awards are a brilliant opportunity to celebrate local businesses for the vibrancy they bring to the local community.

One local business operator that I had spoken to had been a finalist award every year the awards were held, but when displayed side by side had gaps in the years, as the event is not annual.

By holding the award annually, it affirms Randwick Council's commitment to supporting local businesses, and better acknowledge the work they do.

Source of funding: To be determined

Attachment/s:

Nil

Submitted by: Councillor Hay, West Ward

File Reference: F2021/00449

NM37/22

Motion Pursuant to Notice No. NM38/22

Subject: Notice of Motion from Cr Hay - Amenities Room for Shaw Reserve, Kingsford

Motion:

That:

- a) Randwick Council prepare a report on the feasibility of an amenities room in Shaw Reserve, Kingsford;
- b) as Shaw Reserve is frequented by small children, and is in a rather small area, the report should include the feasibility of including a Parents Room including baby changing facilities but attempt to keep the footprint small;
- c) the report considers if a disabled toilet can be included in the facility, while keeping the footprint small; and
- d) the report should also comment on whether an additional upgrade to playground equipment, landscaping or plant life is appropriate at this time.

Background:

Shaw Reserve is a humble community park in North-East Kingsford. It is frequented by local families who are often live in an apartment block.

An amenities block will allow greater flexibility for local families to enjoy respite in their local park. The Park does not regularly attract large numbers of visitors, multiple toilets should not be necessary.

Source of funding:

To be determined.

Attachment/s:

Nil

Submitted by: Councillor Hay, West Ward

File Reference: F2019/00243

NM38/22

Motion Pursuant to Notice No. NM39/22

Subject: Notice of Motion from Cr D'Souza - Opposing the Proposed Construction of Public Toilets Adjacent to the Malabar Ocean Pool

Motion:

That Council consider the views of over four hundred local residents who are strongly opposed to the proposed construction of public toilets adjacent to the Malabar Ocean Pool.

Background:

I have been approached by local residents with a petition of over 400 signatures opposing the installation of public toilets adjacent to the Malabar Ocean Pool.

They are very concerned that this will result in antisocial behaviour in this area. As a representative of my local community, it is important that I represent the views of my local South Ward residents in ensuring their voices are heard by Council.

Attachment/s:

Nil

Submitted by: Councillor D'Souza, South Ward

File Reference: PROJ/10961/4

NM39/22

Motion Pursuant to Notice No. NM40/22

Subject: Notice of Motion from Cr Hay - Vivid Sydney in Randwick
2023 and Beyond

Motion:

That as part of Council's event review that Council consider exploring partnerships with Vivid Sydney to be a satellite location for the event.

Attachment/s:

Nil

Submitted by: Councillor Hay, West Ward

File Reference: F2012/00347

NM40/22

Motion Pursuant to Notice No. NM41/22

Subject: Notice of Motion from Cr Hay - WorldPride 2023

Motion:

That:

- a) Randwick City Council contact the organisers of Sydney WorldPride 2023, to discuss options for partnerships including holding events during the WorldPride Festival;
- b) as part of Randwick Council's event review Council consider exploring partnerships with World Pride Sydney.

Background:

WorldPride will incorporate all the beloved Sydney Gay and Lesbian Mardi Gras events, plus a broad festival offering across arts, sport, theatre, concerts, parties, First Nations programming and a human rights conference.

Sydney will be alive & vibrant, celebrating our diversity and the LGBTQIA+ community Sydney World Pride, 17th February - 5 March 2023. More details here: <https://sydneyworldpride.com>

The event has been called the largest event hosted in Sydney since the 2000 Olympics, and will bring with it tourism and global attention. Randwick City should play a part with a view to rebuild our local tourism opportunities.

The 2022 Mardi Gras celebrations were cancelled due to extreme weather and the event was planned to be held outdoors. We can potentially host an event twice as good in 2023 to make up for the lost opportunity in 2022.

Contact should also be made with local businesses and community groups that wish to engage in the festival.

Multiple locations across Randwick City would make suitable hosting venues and can be discussed with the organisers of WorldPride as suitable locations. This includes the Coogee Beach Rainbow, which sets an inclusive and celebratory place to be one possible centre stage of the celebrations.

Source of funding:

To be determined.

Attachment/s:

Nil

Submitted by: Councillor Hay, West Ward

File Reference: F2022/00803

NM41/22

Motion Pursuant to Notice No. NM42/22

Subject: Notice of Motion from Cr Veitch - Increasing the Uptake of Renewables and Lowering Power Bills for Renters, Apartment Dwellers and Small Businesses in the Randwick LGA

Motion:

That Council:

- a) notes its target of achieving a 60% reduction in greenhouse gas emissions across Randwick City by 2030 from a 2018 baseline, and its acknowledgement of the importance of achieving a 100% greenhouse gas emissions reduction target for the same timeframe (2020 Environment Strategy, Objective 2);
- b) notes that only 15.6% of dwellings in the Randwick LGA have installed solar PV compared to an average of 27.7% statewide, placing Randwick in the lower end of NSW Councils in terms of the number of residents taking up solar panels (<http://pv-map.apvi.org.au/>);
- c) notes that 73.5% of the dwellings the Randwick LGA are medium or high density, and that 44.3% of residents (over 69,000) rent their home. These households and businesses fall into the category of 'locked-out' renewable energy users. They face barriers such as split incentives (residential and commercial tenants), unsuitable roofs, or high levels of complexity (apartment dwellers). They are unable to directly participate in the switch to on-site renewables and are effectively locked out of saving money through cheaper power bills;
- d) notes that an increasing number of councils (including Inner West, City of Sydney, Darebin, Moreland, Lismore, Byron and Shoalhaven Shire councils) are investigating or have embarked on community energy projects or similar to help deliver affordable renewables to their residents;
- e) investigate options for increasing the uptake of affordable renewables for apartment dwellers, residential and commercial tenants and small businesses, including consideration of community energy projects, onsite and offsite renewables and storage (such as solar gardens or solar banks), apartment and precinct microgrids and project linked Power Purchase Agreements (PPAs);
- f) write to SSROC; LGP (Local Government Procurement); the Cities Power Partnership; the NSW Minister for Local Government the Hon. Wendy Tuckerman MP, the NSW Minister for Energy and the Environment the Hon. Matt Kean MP; and the Federal Minister for Climate Change and Energy the Hon. Chris Bowen MP to explore opportunities for information sharing, partnerships and funding; and
- g) receive a report detailing the feasibility, options and recommendations that may arise out of points e and f.

Background:

<https://www.smh.com.au/environment/climate-change/tenants-and-apartment-owners-to-benefit-from-new-solar-power-scheme-20211213-p59h5e.html>

<https://www.abc.net.au/news/science/2021-12-14/solar-gardens-cheap-renewables-savings-renters-apartments/100690556>

https://www.randwick.nsw.gov.au/_data/assets/pdf_file/0003/268482/Renewable-Energy-Roadmap-100-Renewables-Final.PDF

https://www.randwick.nsw.gov.au/_data/assets/pdf_file/0006/308616/Environment-Strategy.pdf

<https://www.environment.nsw.gov.au/resources/communities/cpa-community-energy-how-to.pdf>

<https://www.innerwest.nsw.gov.au/live/environment-and-sustainability/at-council/response-to-climate-change/climate-and-renewables-strategy>

<https://cpagency.org.au/wp-content/uploads/2019/07/Regional-Community-Energy-Program-Brief.pdf>

<https://cpagency.org.au/resources/>

https://opus.lib.uts.edu.au/bitstream/10453/129516/1/SASG_summary_report%20final%201.3.pdf

<https://pv-map.apvi.org.au/>

Attachment/s:

Nil

Submitted by: Councillor Veitch, West Ward

File Reference: F2019/00324

Motion Pursuant to Notice No. NM43/22

Subject: Notice of Motion from Cr Rosenfeld - Investigate Restricted Time Parking in Sections of Maroubra that are Close Proximity to Westfield Eastgardens and Pagewood Green

Motion:

That:

- a) Council request a report with regards to the possibility of installing restricted time parking, with a residential parking scheme, on the following 3 Maroubra streets that are in close proximity to Westfield Eastgardens and Pagewood Green;
 - i. Hinkler St (between Ulm St and Bunnerong Rd);
 - ii. Cobham St (from the corner of Bunnerong Rd and Cobham St stretching to 48 Cobham St on the Northern side and 29 Cobham St on the Southern side); and
 - iii. Eastern side of Bunnerong Rd (between Kingsford St and Cobham St)
- b) with regards to c), as Bunnerong Rd is a state road under the care and control of TfNSW, council also will write to that body with the findings of the report that concern this road.
- c) the report will include feedback from impacted residents in the areas mentioned.

Background:

There have been issues with regards to parking on the parts of streets that are in very close proximity to Westfield Eastgardens and Pagewood Green since;

- 1) Westfield Eastgardens introduced paid parking
- 2) The Pagewood Green development completed the first stages of their project

Residents in the area have raised this issue and have mentioned that most parking is taken by either shoppers or by tradesman working on the next stages of the Pagewood Green project. This results in little on street parking for residents in these areas.

In addition, on Bunnerong Rd there are several properties without driveways where residents are parking a distance from their properties as a result.

In other suburbs, as well as in other parts of Maroubra, there is restricted time parking near major shopping centres and built-up areas and it is needed in this area as well.

Attachment/s:

Nil

Submitted by: Councillor Rosenfeld, Central Ward

File Reference: F2005/00750

NM43/22

Motion Pursuant to Notice No. NM44/22

Subject: Notice of Motion from Cr Hay - Rainbow Street Rainbow

Motion:

That:

- a) Randwick Council write a report into the feasibility of building an artwork of a rainbow on or near Rainbow Street, to be built as a temporary structure that stands between 17th February - 5 March 2023 and allowing for a reasonable timeframe before and after for the construction and dismantlement.
- b) the report should specifically consider the feasibility of a large sculpture at the western end of Rainbow Street in Kingsford in or around the Rainbow Street parking lot. The report should also consider keeping the program cheap and cheerful.

Background:

The Sydney World Pride festival will be held 17th February - 5 March 2023, which will include the Mardi Gras festival. To celebrate 45 years of Mardi Gras, the organisers are hoping to have 45 rainbows across Sydney. Coogee already provides one painted rainbow on the Coogee Beach promenade, allowing room for another suburb to contribute one Rainbow.

I favour a temporary construction, as it will keep the costs lower, and the rainbow on Coogee beach is already permanent. An event-only rainbow would also allay resident concerns about a permanent change to the location. Additionally, there were safety concerns regarding the rainbow that was painted on the road at the corner of Oxford and Flinders Streets (Taylor Square).

Building the rainbow at the western end of Rainbow Street could also be a centre of other community events to be held in the Rainbow Street parking lot, Meeks Street Plaza and other locations within Kingsford. A well crafted rainbow could be a boost to tourism and media exposure in the Kingsford area.

Source of funding:

To be determined.

Attachment/s:

Nil

Submitted by: Councillor Hay, West Ward

File Reference: F2012/00347

NM44/22

Motion Pursuant to Notice No. NM45/22

Subject: Notice of Motion from Cr Pandolfini - Activate Office Space at Bowen Library for Arts & Culture Residencies

Motion:

That Council: Activate the approximately 95sq metre / 8 small, contained offices on level 3 at the Bowen Library for Arts & Culture Residencies for up to 6-month rollout and trial, including;

- a) Council to set a reasonable, nominal weekly fee / bond to be paid by residents;
- b) Design a call EOI for artists and writers to hold residencies at the Lionel Bowen Library for a period of up to 6 months;
- c) Promote the EOI for local artists and writers to use the 8 office spaces during library hours as a creative area for writers and artists working predominantly in dry art forms;
- d) Artists & Writers to be selected in collaboration with Randwick City Library staff to ensure the suitability of the applicants and integration of library programs;
- e) At the end of their residency period artists to hold some form of public workshop for the community for example a talk or showing of works they have been making throughout the period. To be coordinated by Randwick City Library program coordinators and the artists and writers;
- f) Residency program to be administered by Randwick City Library staff; and
- g) Increase the hours of a temporary administrative staff member for one or two days a week to manage the space for 6 months cost \$6,000-\$12,000 potentially covered by the nominal residency rates. This would allow for significant interaction between the library program and artists / writers, documentation and assessment of the residencies and organising and facilitation of artist / writer led events. All important elements for a successful program that can be used to support future funding from State and Federal Government.

Background:

Randwick Council has written into its strategic approach an arts and culture strategy for the next 10 years due to an acknowledgement that there is the need to nurture increased arts and cultural activities in Randwick.

Thriving arts and culture, like all industries, requires an ecology where creatives both emerging and established, community and professional have space and support to practice, produce and share work. Randwick council has numerous new arts and culture spaces for the community in the pipeline, however very few spaces that can be used currently.

Randwick arts and culture needs additional venues and spaces in all of our city centres. Spaces that can be used for grant proposals, spaces that aren't prohibitive to hire.

Randwick Council is currently sitting on an extensive amount of public usage buildings that aren't accessible. There are plans underway to audit the council building usage but this doesn't offer any immediate solutions.

The third floor of the Bowen Library was a HACC (Home and Community Care) funded project and completed in 2004. The third floor comprises numerous spaces that are hired out and used by community groups and activities.

Since the opening of the floor, the larger office area has been occupied by SUPS works, The Benevolent Society, The Sunnyfield Association, Omega Environmental Pty Ltd, Job Futures Pty Ltd and more recently Learning Links.

The large meeting rooms have been booked by many community groups for meetings, events and light exercise, senior citizens activities and events.

There is one space however that in recent years, it has become increasingly difficult for the Randwick council property manager to locate a Commonwealth Home Support Program (CHSP) and Disability service provider that would be suitable to occupy the office space and has therefore recommended that the space is offered temporarily for artist & writer residencies.

The space is approximately 95sqm and is self-contained. Within the space there are approximately 6 - 8 office spaces as well as a communal area, toilets and a small kitchenette. Images to be distributed.

The Lionel Bowen Library is a thriving community hub, where many, many community groups meet and utilise the expertly organised programs to engage an extremely broad range of members of the community. The library currently utilises and activates all of its space efficiently.

There is the opportunity here to create a very interactive residency program and the trial can illustrate how connection between artists and writers and the community can flourish.

Artists and writers already interact with the library through the multitudinous programs, for example Slam poetry events, writing competitions, and exhibitions (which are generally booked 1 year in advance).

This trial residency program would be designed to work in harmony with all of the vibrant activations that already take place within the library.

Attachment/s:

Nil

Submitted by: Councillor Pandolfini, North Ward

File Reference: F2021/00258

Motion Pursuant to Notice No. NM46/22

**Subject: Notice of Motion from Cr Hay - Rainbow St and Byrd Ave
Bicycle Crossing - Extending Rainbow Street Public School
Kiss and Ride Westward**

Motion:

That:

- a) Randwick Council prepare a report into the existing bicycle crossing from Paine Reserve Randwick to Byrd Ave Kingsford (see picture), to determine options to improve visibility and safety while cyclists are crossing the street.
- b) the report also consider extending the Rainbow Street Public School "Kiss and Ride" area westward, perhaps to the end of the bicycle crossing area, and be submitted to the Traffic Committee for evaluation.

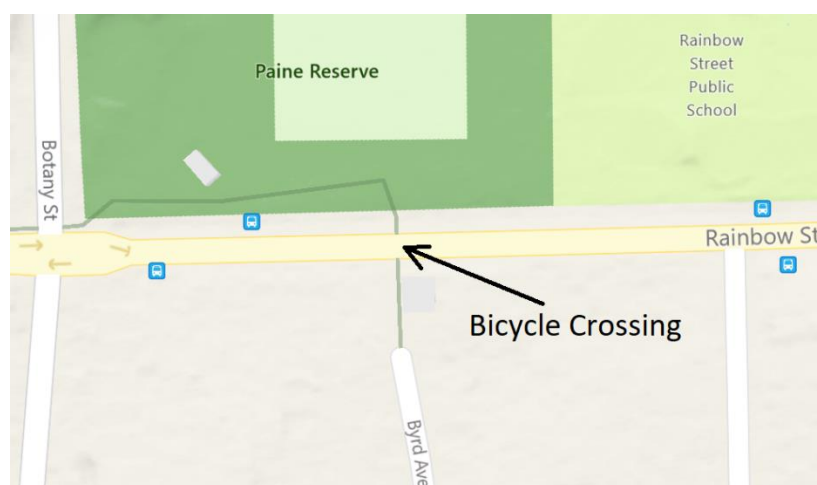
Background:

Rainbow Street is a busy road, which has a necessary link in the bicycle network crossing it. I have strong concerns about the suitability of crossing the street in that location. If parked cars are near, the visibility for a cyclist patiently waiting is quite low. Some traffic calming techniques and improved visibility could improve the situation dramatically.

Rainbow Street Public School has a current enrolment of 475, and capacity for 1000, thanks to some construction completed around four years ago. Given that Randwick Public School and Kensington Public School are at capacity, Rainbow Street Public School is forecast to have a rapid growth in enrolments.

Currently, the Rainbow Street Public School Kiss and Ride zone has only enough space for six cars. This makes it difficult to manage with 475 students, let alone 1000. There are alternate proposals for pickup locations. Allowing further pickups east along Rainbow Street would require a bus stop being relocated.

Pickups from the rear of the school at the intersection of Young & Fennelly Streets would require a wider footpath and perhaps a wider street. There is also concern that Young & Fennelly Streets form a blind spot. Even if only a temporary measure, extending the pickup zone westward would be of great assistance to the parents of Rainbow Street Public School.



Source of funding:

To be determined.

Attachment/s:

Nil

Submitted by: Councillor Hay, West Ward

File Reference: F2012/00347

NM46/22

Motion Pursuant to Notice No. NM47/22

Subject: Notice of Motion from Cr Burst - Council investigate the mix of Waste, Recycling & FOGO Bins in RCC public parks and locations

Motion:

That Council:

- a) investigate the mix of waste bins, recycling bins and marked FOGO bins in public parks and locations across RCC and recommend an increase in yellow recycling and FOGO bins or a mix change; and
- b) report back within 60 days on a strategy and any cost implications.

Background:

FOGO has been a great success in the Randwick City Council Area. We have done a great job with FOGO and recycling space, but now is the opportunity to continue our recycling and circular economy path. More recycling bins and FOGO bins alongside the red general waste.

I was recently with family and friends at La Perouse and we had fish and chips, packed in food grade cardboard, paper napkins & recyclable wooden cutlery. When we finished our meal, I realised there was no yellow recycling bin or a marked FOGO bin. So our recyclable waste simply went into a red general waste bins.

Source of funding:

Source of funding TBC.

Attachment/s:

Nil

Submitted by: Councillor Burst, South Ward

File Reference: F2019/00906

NM47/22

Motion Pursuant to Notice No. NM48/22

Subject: Notice of Motion from Cr Luxford - Council Support for the BINS4Blokes Health Campaign

Motion:

That Council introduce one incontinence product disposal bin into each toilet cubicle in the most frequently used male toilet blocks across the Randwick local government area.

Background:

BINS4Blokes is a men's health campaign and initiative of the Continence Foundation of Australia, supported by a number of Australia's leading men's health and health professional organisations. 1.34 million boys and men across Australia experience incontinence.

The campaign encourages providers of toilets in public spaces to include disposal bins for incontinence products in male toilets. These providers include local governments, business owners, shopping centres or sporting stadiums.

Attachment/s:

Nil

Submitted by: Councillor Luxford, West Ward

File Reference: F2012/00347

NM48/22

Motion Pursuant to Notice No. NM49/22

Subject: Notice of Motion from Cr Luxford - Randwick Cemetery Maintenance

Motion:

That council investigate the upkeep and maintenance of Randwick Cemetery and damage being done to gravesites.

Attachment/s:

Nil

Submitted by: Councillor Luxford, West Ward

File Reference: F2008/00300

NM49/22

Motion Pursuant to Notice No. NM50/22

Subject: Notice of Motion from Cr Said - Meeting the demands of growing female participation in football

Motion:

That Council

1. instigates the following in the 2022-2023 budget. (note: funds for drainage work already allocated)
 - a) ESFA has a seat on the Sports Committee;
 - b) the budget for the upgrade of Heffron 46 be increased to accommodate a premium natural grass pitch;
 - c) a 1.2m fence around the pitch;
 - d) lights at 200 Lux for training and safety;
 - e) seek Federal and State grant funding;
 - f) seek grant funding from Football NSW and Football Australia; and
 - g) this pitch be dedicated for female teams.
2. brings back a report on the following for future budget allocation;
 - a) an amenities building (change rooms, public amenities, first aid, kiosk, community room, storage) in the vicinity of the field 46 similar to the amenities building at Chifley Oval which provides facilities for two sports Baseball and Football. This amenities block would provide long overdue safe and clean public amenities to Netball participants adjacent to field 46, and therefore creating a safe environment for the two sports with the largest female participation in the LGA.

Background:

Female participation in Football is expected to grow in volumes with the advent of the Women's World Cup being held in Australia and New Zealand in 2023. We need to prepare for this growth immediately by providing safe, world class facilities.

Female focused facilities in this area of Heffron Park will also provide long overdue public amenities to Netball and Football players alike, who combined have approximately 7000 female participants.

Attachment/s:

Nil

Submitted by: Councillor Said, South Ward

File Reference: F2004/07111

NM50/22