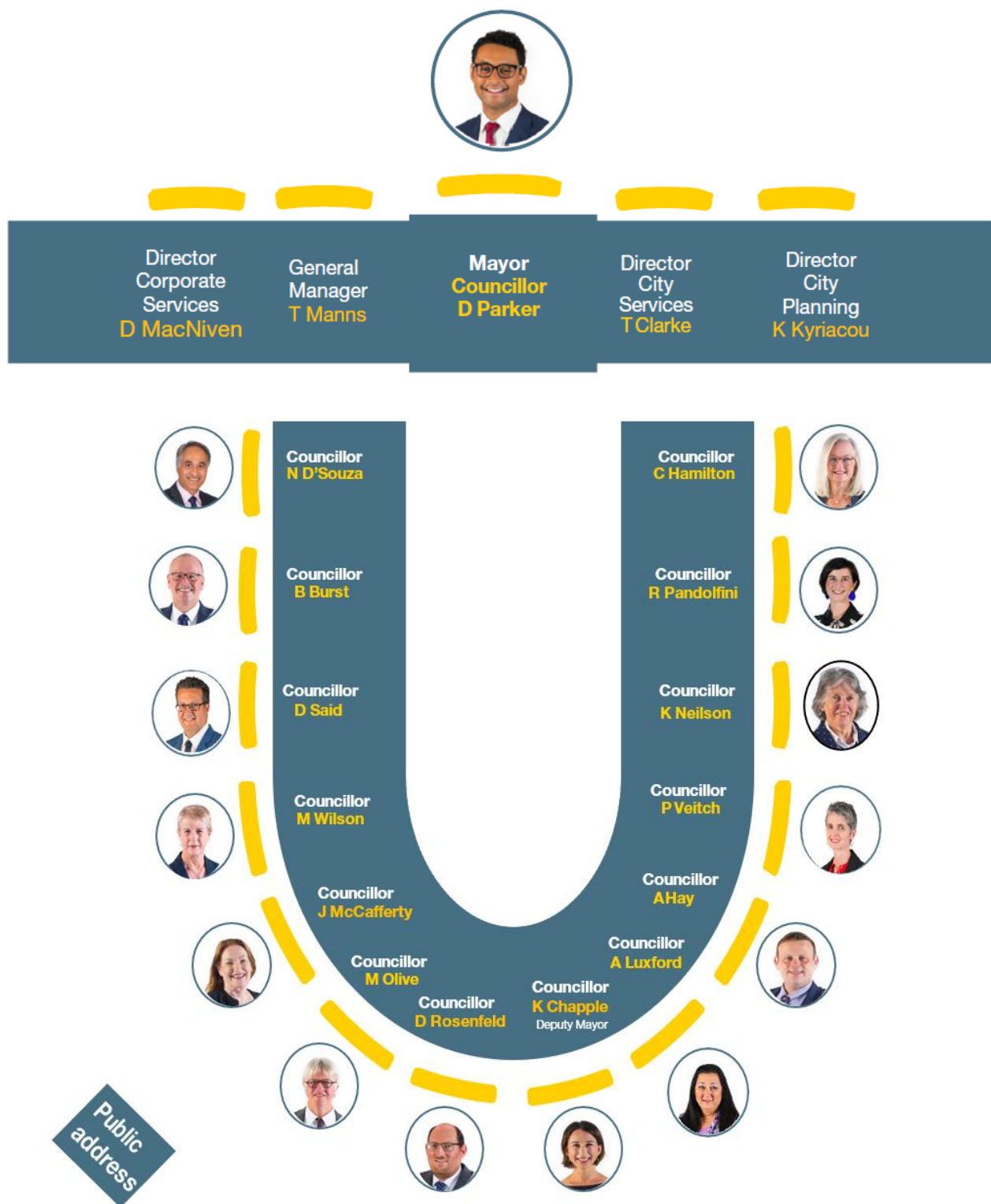


# Ordinary Council Meeting

Tuesday 22 March 2022

# Seating Plan for Council meetings



# Statement of ethical obligations

| Obligations  |   |
|--|---|
| <b>Oath [Affirmation] of Office by Councillors</b> | 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              |   |
| <b>Pecuniary interests</b>                         | <p>A Councillor who has a <b>pecuniary interest</b> 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"><li>a) at any time during which the matter is being considered or discussed, or</li><li>b) at any time during which the council is voting on any question in relation to the matter.</li></ul> |
| <b>Non-pecuniary conflict of interests</b>         | A Councillor who has a <b>non-pecuniary conflict of interest</b> 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.  |
| <b>Significant non-pecuniary interests</b>         | A Councillor who has a <b>significant</b> 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.  |
| <b>Non-significant non-pecuniary interests</b>     | A Councillor who determines that they have a non-pecuniary conflict of interest in a matter that is <b>not significant</b> 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.  |



## ORDINARY COUNCIL

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, 22 March 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 - 22 February 2022

Extraordinary Council - 28 February 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.*

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|---------|--|--|

### **Notice of Rescission Motions**

Nil.

Therese Manns  
**GENERAL MANAGER**

## Mayoral Minute No. MM6/22

**Subject:** Anthony (Tony) Waller OAM - Recognition for receiving Order of Australia Medal in recognition of outstanding service to Surf Life Saving

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### Motion:

That Council formally congratulate Anthony (Tony) Waller for receiving an Order of Australia Medal in recognition of his outstanding service to Surf Life Saving.

### Background:

Anthony (Tony) Waller was recognised for his contribution to Surf Life Saving in the 2021 Queen's Birthday Honours and was recently presented with the Order of Australia Medal at a ceremony held at Government House in Sydney.

I would like to take this opportunity to formally congratulate Tony for his outstanding service to Surf Life Saving and his important role in keeping our community safe. Tony is a Board Member of Surf Life Saving NSW as the Director of Education, Governor of the Coogee Surf Life Saving Club and former NSW Surf Lifesaver of the Year. He has been patrolling and educating volunteers for more than 40 years.

Additionally, Tony is a Fire and Rescue Superintendent and Westpac Life Saver Rescue Helicopter crewman. These roles are testament to Tony's character and his commitment to protecting and saving lives.

The work of paid and volunteer emergency service officers across the country is incredibly important and worthy of recognition. Being awarded an Order of Australia Medal in recognition of his outstanding service to Surf Life Saving is a well-deserved honour.

As such, on behalf of Randwick City Council, I propose formally congratulating Tony for his commitment and service to our community.

### Source of funding:

There is no financial implication to Council in relation to this matter.

### Attachment/s:

Nil

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**Responsible officer:** The Mayor, Cr Dylan Parker

**File Reference:** F2022/06574

MM6/22

## Mayoral Minute No. MM7/22

**Subject: 2022 Federal Election Campaign - "Don't Leave Local Communities Behind"**

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### Motion:

That Council:

- a) supports the national funding priorities of the Australian Local Government Association (ALGA), which would contribute an estimated \$6.46 billion per year to Australia's GDP and create 43,444 jobs;
- b) agrees to support and participate in the Australian Local Government Association's advocacy for their endorsed national funding priorities by writing to the local Federal Member of Parliament, all known election candidates in the local Federal electorate and the President of the Australian Local Government Association to:
  - a. express support for ALGA's funding priorities and the "Don't Leave Local Communities Behind";
  - b. identify priority local projects and programs that could be progressed with the additional financial assistance from the Federal Government being sought by ALGA; and
  - c. seek funding commitments from the members and candidates for these identified local projects and programs.

### Background:

The next Federal Election is expected to be held in May 2022.

Working together with its member state and territory associations, the Australian Local Government Association (ALGA) has developed a framework and resources for a national advocacy campaign that will run in the lead up to this election.

The "Don't Leave Local Communities Behind" campaign aims to secure funding and policy commitments to support every Australian local council and community, and ensure all Australians have an equal opportunity to share in the benefits of Australia's post-pandemic recovery.

All Australian councils have been asked to participate in this campaign to ensure a coordinated approach that will deliver the best possible outcomes.

The campaign will promote 17 priority asks in the portfolios of economic recovery, transport and community infrastructure, building resilience, circular economy and intergovernmental relations.

These priorities are based on motions passed by councils at ALGA's annual National General Assembly, and have been endorsed by ALGA's Board which is comprised of representatives from all state and territory Local Government Associations. They have been assessed by independent economists and would add around \$6.46 billion per year to Australia's Gross Domestic Product while creating 43,444 jobs.

The campaign will run for five weeks, with each week focusing on one of the five portfolio areas.

The full list of national Federal Election priorities that will be promoted through this campaign is outlined as follows:

**Economic recovery**

1. An initial injection of Financial Assistance Grants to local government of \$1.3 billion to support communities and jobs and also resolve the current practice of bringing forward two quarterly Financial Assistance Grant payments each year.
2. A commitment to return Financial Assistance Grants to at least one percent of Commonwealth taxation revenue via a phased approach.

**Transport and community infrastructure**

3. \$500 million per annum for a four-year continuation of the Local Roads and Community Infrastructure Program.
4. A strategic local roads investment program of \$300 million per annum over four years to address road transport first and last mile issues and congestion on local roads.
5. An increase in Roads to Recovery to \$800 million per annum (an additional \$300 million per annum) and the Black Spot Program to \$200 million per annum over four years, while addressing the South Australian road funding anomaly by making the additional \$20 million per annum to SA in 2021-22 and 2022-23 permanent.
6. Continuing the Stronger Regional Digital Connectivity Package at \$55 million over four years.
7. \$200 million over four years to assist councils to develop and implement innovative housing partnerships.

**Building resilience**

8. A targeted disaster mitigation program of \$200 million per annum for four years which will reduce the costs of response and recovery and strengthen community resilience.
9. A commitment to ensuring betterment funding as a core element of disaster recovery funding arrangements.
10. A commitment to include community infrastructure that is publicly accessible and owned, and local government waste, water and wastewater assets under Disaster Recovery Funding Arrangements.
11. A Local Government Climate Response Partnership Fund of \$200 million over four years to enable planning and preparation to minimise the impacts of climate change in local communities and enable councils to achieve climate neutrality as soon as practicable.
12. \$100 million per annum over four years provided directly to local governments to support the capabilities of Indigenous councils and the implementation of the Closing the Gap local/regional voice.

**Circular economy**

13. Support to provide guidance and advice to councils on how to unlock the circular economy locally, particularly in rural, regional, and remote areas.
14. Support to investigate and, if feasible, implement a national bin harmonisation program that will improve kerbside recycling, reduce contamination, and maximise opportunities for reuse.
15. \$100 million per annum over four years to fund local government circular waste innovation projects.

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**Intergovernmental relations**

16. Reinstating local government representation to the primary intergovernmental forum in Australia, the National Cabinet.

17. Ensuring local government's ongoing voting membership of other relevant Ministerial forums.

ALGA has developed free campaign resources that can be adapted and used by all councils to ensure a consistent and effective approach.

Participating in a national advocacy campaign does not preclude Council from advocating on additional local needs and issues, but it will strengthen the national campaign and support all 537 Australian local governments.

**Source of funding:**

There is no financial implication to Council at this stage.

**Attachment/s:**

Nil

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**Responsible officer:** The Mayor, Cr Dylan Parker

**File Reference:** F2022/06574

**MM7/22**

## Mayoral Minute No. MM8/22

### Subject: Financial Assistance and Donations - March to April 2022

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#### Motion:

That Council:

- a) waive the fees associated with the Can Too Foundation Learn to Swim Program to be held at Coogee Beach for up to six sessions, totaling up to \$2,681 to be funded from the 2021-22 Contingency Fund;
- b) cover the cost of \$1,220 for the provision and set-up of staging and a lectern for the Randwick Netball Season Launch on Saturday, 30 April 2022, to be funded from the 2021-22 Contingency Fund; and
- c) purchase a table of 10 tickets, at a total cost of \$2,450 to be funded from the 2021-22 Contingency Fund, to the Windgap Foundation Gala Ball being held on Friday, 20 May 2022 for interested Councillors to attend in support of the cause.

#### Background:

I have received the following requests for support for the March to April 2022 period.

##### **Can Too Foundation – Learn to Ocean Swim Program at Coogee Beach**

The Can Too Foundation has been delivering Learn to Ocean Swim and Advanced Ocean Swim programs for 16 years with over 5,312 members of the community trained to safely handle the ocean environment.

The program is delivered by professional and experienced coaches in collaboration with the Coogee Surf Life Saving Club. The training equips up to 50 local participants with the skills to read the ocean conditions and safely navigate the open water environment whilst improving fitness.

Additionally, participants aim to raise funds that go directly towards cancer research. Participants are encouraged to get sponsored and fundraise during the program. With the targets set, the organisers estimate that this group will raise approximately \$50,000 to directly fund cancer research.

The Can Too Foundation's Learn to Ocean Swim Program at Coogee Beach is currently planned to be held over six sessions for two hours each. Council's approval of the program to be held at Coogee Beach is pending the provision of an updated Water Safety Plan. It should also be noted that the number of sessions being held at Coogee Beach may be reduced due to weather conditions and this will have an impact on the total associated fees.

The program raises funds for charity and supports the health and well-being of participants and the community. I propose waiving the associated fees with running up to six sessions of the Autumn program at Coogee Beach, totaling \$2,681, in support of this worthy cause.

##### **Randwick Netball Season Launch – Saturday, 30 April 2022**

The Randwick Netball Association's Season Launch is being held on Saturday, 30 April 2022 at the Heffron Park Netball Courts to celebrate the start of the 2022 netball season.

In 2021, Council funded the provision and set-up of staging and a PA system for the purposes of ensuring the success of the Season launch event.

Council officers had been in discussion with the Randwick Netball Association regarding a permanent solution for a PA system at the Heffron Park Netball Courts, which is now in place.

The President of the Randwick Netball Association contacted me to request support for this year's Season Launch event by way of funding the provision and set-up of staging on this occasion. The cost to fund the provision and set-up of staging and a lectern total \$1,220.

The Randwick Netball Association has over 5,000 female members and have expressed their gratitude for the efforts and services that Randwick Council provide to facilitate the sport. Council's contribution would be acknowledged during the Season Launch event.

### **Windgap Foundation Gala Ball – Friday, 20 May 2022**

The Windgap Foundation has been providing a range of much needed programs and services to more than 300 families in the Randwick Council area for over 60 years. These programs and services include supported employment, accommodation, learning and life skill programs, advocacy, leisure and community participation opportunities to empower adults with intellectual disabilities.

The Windgap Foundation has requested Council's support for its biggest fundraising event of the year, the Windgap Gala Ball, being held on Friday, 20 May 2022 at Doltone House, Hyde Park.

Each year, the event raises funds which go back into the purchase of a new transport vehicle, hoists in the Windgap facilities, art programs and computers and smart boards for continued learning. This year's fundraising goal is to raise much needed funds for the continual improvement and expansion of the Windgap Foundation's programs and services, and is a very worthy cause for Council to support.

Council has purchased tickets in support of this worthy cause for a number of years. I propose purchasing a table of 10 tickets, at a total cost of \$2,450, to this year's Windgap Foundation Gala Ball for interested Councillors to attend in support.

### **Source of funding:**

The financial implication to Council is \$2,681 in-kind support and \$3,670 in cash contributions, totaling \$6,351 to be funded from the 2021-22 Contingency Fund.

### **Attachment/s:**

Nil

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**Responsible officer:** The Mayor, Cr Dylan Parker

**File Reference:** F2022/06574



## Mayoral Minute No. MM9/22

**Subject: Country Women's Association of NSW - Celebrating 100 years**

### Motion:

That Council host a Civic Reception for the Country Women's Association of NSW on Monday, 2 May 2022 in celebration of their 100<sup>th</sup> Anniversary, with association costs to be funded from the 2021-22 Contingency Fund.

### Background:

The Country Women's Association (CWA) is the largest women's organisation in Australia and aims to improve conditions for country women and children by lobbying for change, helping the local community, creating a network of support and meeting together in towns and cities.

The CWA was formed in 1922 when country women were fighting isolation and a lack of health facilities. Since that time, the members have worked to set up baby health care centres, fund bush nurses, build and staff maternity wards, hospitals, schools, rest homes, seaside and mountain holiday cottages - and much more. They have made localities into communities by providing social activities and educational, recreational and medical facilities.

This year, CWA celebrates their 100<sup>th</sup> anniversary and will be holding the Country Women's Association of NSW's 100<sup>th</sup> Annual State Conference at Royal Randwick Racecourse from 2 – 5 May 2022.

The CWA Annual State Conference is held in a different NSW town each year, and it is a privilege for Randwick to be the local government area hosting the conference on what is such significant anniversary milestone.

In past years, local councils have hosted a Civic Reception for CWA Office Bearers and local guests during the conference. The CWA has requested Council's support by hosting a Civic Reception on Monday, 2 May 2022 at 6:30pm with approximately 60 CWA members to be invited.

Randwick Town Hall has capacity and availability for the Civic Reception on the requested date. With event set-up, catering and low-key music or a performer, it is estimated that the cost of the proposed Civic Reception would be \$13,500.

Council's support will be prominently acknowledged and the Mayor will be invited to the Official Opening and Gala Event during the conference.

The Country Women's Association of NSW's Annual State Conference is being held in the Randwick Local Government Area and I propose taking this opportunity to host a Civic Reception to celebrate their achievements from the past 100 years.

### Source of funding:

The financial implication to Council for hosting the proposed Civic Reception would be approximately \$13,500 to be funded from the 2021-22 Contingency Fund.

### Attachment/s:

Nil

**Responsible officer:** The Mayor, Cr Dylan Parker

**File Reference:** F2022/06574

MM9/22

## Mayoral Minute No. MM10/22

**Subject:** Support for communities impacted by the recent floods in NSW

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### Motion:

That Council donate \$1,000, to be funded from the 2021-22 Contingency Fund, to the GIVIT NSW Flood Appeal in support of communities impacted by the recent and devastating floods in NSW.

### Background:

We have all been saddened to see how recent weather events have devastated communities across NSW and QLD.

The Prime Minister has declared a national floods emergency and the ongoing floods are on track to be one of Australia's worst-ever natural disasters. Local records for rainfall, flood levels and flood rescues have been broken.

It is understood that the Office of Local Government will be reinstating the Local Government Emergency Recovery Support Group that was established following the NSW Black Summer in 2019. This group ensured a co-ordinated response by Councils across the State wishing to support those councils impacted by natural disasters by providing staff, heavy equipment and other resources.

At the time, a number of Randwick City Council staff travelled to Bega to help with emergency response and recovery. Council's General Manager has reached out to Councils in a number of emergency declared local government areas following the flooding events.

Randwick City Council is encouraging people to donate goods, funds or time to the GIVIT NSW Flood Appeal to assist flood-affected communities. GIVIT is working with the NSW and QLD governments to manage donations of items, services and funds, and working with charities to assess and advise what critical and immediate support is needed.

The GIVIT website captures all donations online. It matches specific requests from people in need to donors able to provide the item, service or funds. 100% of publicly donated funds GIVIT receives will be used to purchase exactly what's needed by people and communities impacted by storms and flooding. GIVIT also buys locally, wherever possible, to support local businesses.

As such, I propose making a donation of \$1,000, to be funded from the 2021-22 Contingency Fund, to the GIVIT NSW Flood Appeal in support of the communities that have been impacted by the devastating recent weather events.

### Source of funding:

The financial impact to Council is \$1,000 to be funded from the 2021-22 Contingency Fund.

### Attachment/s:

Nil

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**Responsible officer:** The Mayor, Cr Dylan Parker

**File Reference:** F2022/06574

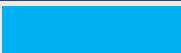
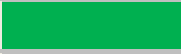

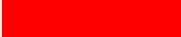
MM10/22

## General Manager's Report No. GM2/22

**Subject:      Randwick City Council Quarterly Progress Report -  
December 2021**

### Executive Summary


- This report tracks progress against the 2021-22 Operational Plan actions for the October - December 2021 quarter.
- As NSW vaccination rates increased, most of Council's operations were able to return in person. After a nearly fourth-month lockdown, the 'Randwick Council Reopening Roadmap' was developed in line with Public Health Orders. The roadmap provided the community with a clear guide of when Council facilities would become available again and what COVID safe measures would be in place.
- While Council staff in customer facing roles at reopening locations returned, others continued to work from home. Additionally, some activities and services continued to be offered online due to capacity restrictions.
- A summary of performance tracking for the 197 operational plan actions is shown in the following table.

| Status tracking summary |       |   |  |
|-------------------------|-------|---|--|
| 4                       | 2.0%  |  | Complete                                 |
| 184                     | 93.4% |  | On track or ahead of schedule            |
| 5                       | 2.5%  |  | Progressing at a slower rate             |
| 4                       | 2.0%  |  | On hold / indefinitely delayed / stopped |

### Recommendation

That the information contained in the December 2021 Quarterly Progress Report for the 2021-22 Operational Plan be received and noted.

### Attachment/s:

1.  December 2021 Quarterly Progress Report

## Purpose

The purpose of this report is to update Councillors and the community on the implementation of our annual Operational Plan. The 2021-22 Operational Plan was adopted by Council on 29 June 2021, to deliver on the final year of the 2018-22 Delivery Program.

## Discussion

The attached December 2021 Quarterly Progress Report shows achievement against planned 2021-22 activities and provides status tracking and comments for each action.

Throughout the second quarter of the 2021-22 financial year, Council operations continued to operate in line with Public Health Orders. To provide the community with a clear guide of when Council facilities would become available, and what COVID safe measures would be in place, Council developed and publicised the 'Randwick Council Reopening Roadmap'.

From Monday 11<sup>th</sup> October, Council's bush care volunteers were able to recommence and outdoor pools at the DRLC reopened to fully vaccinated and medically exempt customers. From 18<sup>th</sup> October, Council's Customer Service Centre, DRLC gym, Randwick Recycling Centre, Randwick Community Nursery, La Perouse Museum and selected community centres and halls reopened. HSC students were also able to access Council's libraries for study. From 25<sup>th</sup> October, Council's libraries and the DRLC indoor pools and learn to swim programs recommenced.

Over the quarter, the majority of Council staff in non-customer facing roles continued to work from home and some services and activities continued to be offered online due to capacity restrictions.

Despite disruptions caused by the pandemic, most projects proceeded as planned.

Some of the highlights from the December quarter included:

- Council elections occurred on Saturday, 4<sup>th</sup> December 2021. Over 70,000 community members cast their votes across Council's 5 wards. The 15 elected Councillors were sworn in at an extraordinary meeting of Council on 30<sup>th</sup> December 2021, where the election of Randwick Mayor and Deputy Mayor also occurred.
- There were approximately 2.42 million visitors to Randwick City Council beaches over the quarter, with the beach lifeguard service performing 129 rescues, preventing 5,757 incidents from occurring, conducting 6,161 regulatory actions, administering first aid on 2,754 occasions, making 2,365 surf craft warnings, and responding to 33 major incidents.
- In October, an invitation only Bali Commemoration Ceremony was held at Coogee for friends and family members of those who lost their lives in the Bali Bombings 19 years ago. The event was held under special exemption to the NSW Public Health Order (PHO).
- In lieu of Council's annual Step Out, Speak Out walk against domestic violence, a COVID safe breakfast was held. The event was attended by community members, advocates and representatives from Randwick Girls High School, Marcellin College and Waverly College.
- Coogee Sparkles, our New Year's Eve fireworks event, returned. For the first time, the fireworks were preceded by a Welcome to Country. The event was also expanded to include daytime activities like face painting, roving entertainment and music.
- The 2021-22 Footpath Construction and Renewal Program progressed. 53 projects (with a total value of \$3.01M) have been completed, and a further 12 projects valued at \$0.76M are in progress.
- Citizenship Ceremonies continued online, welcoming 722 new citizens.

- Council launched 8 community consultation programs during the period to gather feedback on the La Perouse Amenities Block Upgrade, Randwick Economic Development Strategy, Fitzpatrick Park Playground Upgrade, Maroubra Road Corridor Study, Inclusive Randwick Strategy, Ella Reserve Playground Upgrade, Maroubra Junction Urban Renewal project and the Community Strategic Plan.
- The Draft Inclusive Randwick Strategy was considered by Council at the October meeting and subsequently placed on public exhibition from 1 – 29 November 2021.
- Council received 14,281 service requests during the quarter of which 86.8% were completed within the service level agreement timeframe. 29,103 phone calls were received via the call centre.
- The library ran 102 events/programs both online and in person, with a total combined audience of 1,489.
- All (100%) of bushland sites received regeneration treatments. The total hours committed to restoration activities in the quarter was 3,750 hours.
- Council signed on to the Global Covenant of Mayors' 'Race to Zero'.
- The popular Eco Living Festival event ran from 20 September to 24 October 2021.

### 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

There are no direct financial implications for this report. Council has developed a 2021-22 budget that responds to the financial pressures of the pandemic while building a resilient Randwick and creating economic stimulus to support the local community and businesses.

### Policy and legislative requirements

In accordance with Section 404(5) of the Local Government Act 1993, Council is required to make at least two progress reports with respect to the principal activities detailed in its delivery program each year. Randwick Council currently provides these reports on a quarterly basis.

### Conclusion

The purpose of the attached December 2021 Quarterly Progress Report is to inform and update Council and the community on the progress of all actions as set out in the adopted 2021-22 Annual Operational Plan

**Responsible officer:** Emma Fitzroy, Business Strategist

**File Reference:** F2021/03001

## December 2021 Quarterly Progress Report

This report tracks progress against the 2021-22 Operational Plan actions for the October - December 2021 quarter.

All actions are presented in context of the relevant theme, outcome and direction of our Community Strategic Plan (the *Randwick City Plan*); and the 2018-2022 Delivery Programme.

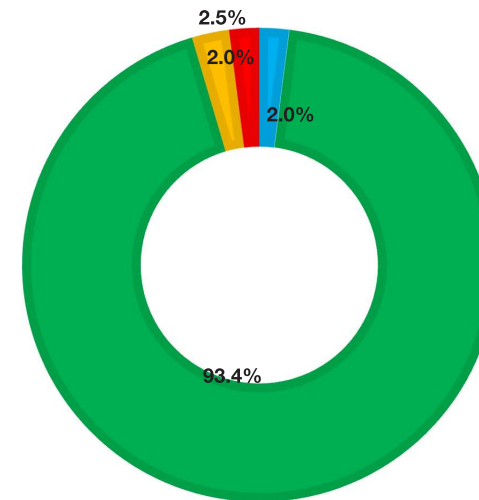
### Randwick City Plan themes

|                               |
|-------------------------------|
| Responsible management        |
| A sense of community          |
| Places for people             |
| A prospering City             |
| Moving around                 |
| Looking after the environment |

### Status of actions (summary)

|     |       |  |
|-----|-------|--|
| 4   | 2.0%  | Complete                                 |
| 184 | 93.4% | On track or ahead of schedule            |
| 5   | 2.5%  | Progressing at a slower rate             |
| 4   | 2.0%  | On hold / indefinitely delayed / stopped |

### Tracking summary for period



| 2018-22 Delivery Program<br>(4-year program)                       | 2021-22 Operational Plan<br>(1-year action)  | Comment for current period (1 October 2021 - 31 December 2021)   | Progress   | Responsible officer                                     |
|--|--|--|--|---|
| <b>1. Leadership in sustainability</b>                             |  |  |  |   |
| <b>1a. Council has a long-term vision based on sustainability.</b> |  |  |  |   |
| <b>1a.1</b>  | <b>Implement the Integrated Planning and Reporting framework including the Randwick City Plan, medium term plans and the Resourcing Strategy across the four year cycle.</b> | Update the community on Council's progress in implementing the current 4 year delivery program, and work with the community to create a new 10 year Community Strategic Plan.  | The 2020-21 Annual Report, 2017-2021 State of our City Report and 2017-2021 State of the Environment Report were endorsed at the October 2021 Council meeting.<br><br>The draft Inclusive Randwick Strategy was considered by Council at the October meeting and subsequently placed on public exhibition from 1-29 November 2021.<br><br>The first quarterly progress report tracking progress against the 2021-22 Operational Plan actions was received and noted by Council at the November 2021 meeting. | 50%<br><br>Business Strategist                          |
| <b>1a.2</b>  | <b>Ensure sound long term financial strategies underpin the Council's asset management policies and strategic vision.</b>  | Coordinate and update the Council's 10-year Long Term Financial Plan (LTFP), with particular emphasis on creating a strong and sustainable Council.  | Council's revised Long Term Financial Plan (LTFP) was presented to Council and adopted at the 1 November Extraordinary Meeting.  | 50%<br><br>Chief Financial Officer                      |
| <b>1a.3</b>  | <b>Review and incorporate the financial strategies, underpinning all short and medium term plans into the Long Term Financial Plan.</b>                                      | Manage, monitor and review Council's financial performance and position on a regular basis.  | The 2020-21 Financial Statements were signed off by the NSW Audit Office.  | 50%<br><br>Chief Financial Officer                      |
|  |  | Support those in our community facing financial hardship, particularly in relation to the pandemic, by providing options for deferring rates and annual charges.   | Financial Services staff continue to work with ratepayers to negotiate alternative payment arrangements that suit their individual financial circumstances. In the previous quarter, the interest waiver period for ratepayers was extended until 28 February 2022.<br><br>Rate collections are within LTFP benchmarks.  | 50%<br><br>Chief Financial Officer                      |
| <b>1a.4</b>  | <b>Provide for safe public places where people gather.</b>   | Ensure the CCTV infrastructure network is maintained and fit for purpose.  | The CCTV network continues to provide greater than 99% camera availability across all sites. An additional beach camera has been commissioned at Mahon Pool. Remediation of the Gordons Bay and Yarra Bay sites continues to provide enhanced functionality.   | 50%<br><br>Manager, Information Management & Technology |
|  |  | During patrolled hours, provide beach lifeguard's supervision, communication, engagement and interaction in order to ensure the safe, equitable and compliant use of Council's beaches, as well as quickly and effectively responding to a wide range of incidents and emergencies across our beaches and coastline. | The October to December quarter resulted in 2.42 million visitors to Randwick City Council's patrolled beaches, with the beach lifeguard service administering first aid on 2,754 occasions, performing 129 rescues, preventing 5,757 incidents from occurring, conducting 6,161 regulatory actions, making 2,365 surf craft warnings and responding to 33 major incidents.  | 50%<br><br>Manager, Public Safety & Aquatic Services    |



| 2018-22 Delivery Program (4-year program) |  | 2021-22 Operational Plan (1-year action)  | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer                          |
|---|--|---|--|----------|--|
| 1a.5                                      | <b>Implement the Digital Strategy to ensure Council's adoption of innovative technology which meets customer and business needs.</b> | Improve the flexibility of community facing business workflows and increase the life span of current applications by 2 years, through the implementation and adoption of an Enterprise Service Bus (ESB) solution.                | Development continued on the implementation of solution to connect the NSW Planning Portal with our development assessment processes.  | 50%      | Manager, Information Management & Technology |
|   |  | Build a data warehouse to encompass all of Council's structured data and make it available for enterprise reporting and analytics, through a business intelligence (BI) solution.   | Work continued during the period on expanding the data warehouse to support the new Human Resource Management System.  | 50%      | Manager, Information Management & Technology |
|   |  | Increase security, protection, visibility and control over network security, through the implementation of a Unified Threat Management (UTM) solution.  | Council's Solution Architect continued to scope and gather requirements for this project.  | 50%      | Manager, Information Management & Technology |
|   |  | Procure and implement a strategic asset management software solution to improve analysis and business intelligence derived from data.   | Documentation for the procurement of a suitable solution is drafted and ready for review.  | 50%      | Manager, Change Management                   |
|   |  | Implement a new Human Resource Management system which will reduce manual and repetitive tasks in the management and operation of HR and Payroll services and improve customer experience.  | The project to implement the new Human Resource Management System (HRMS) is underway. Quality assurance, organisational change management and training is progressing.   | 50%      | Manager, Change Management                   |
| 1a.6                                      | <b>Progressively update medium term plans such as the Recreation Needs Study.</b>  | Complete the suite of 10 year informing strategies by finalising the following strategies:<br>- Social Inclusion & Diversity<br>- Economic Development<br>- Integrated Transport<br>- Arts & Culture<br>- Open Space & Recreation | The Integrated Transport, Open Space & Recreation, and Arts & Culture Strategies were adopted by Council in the September 2021 quarter.<br><br>The draft Inclusive Randwick Strategy was considered by Council at the October meeting and subsequently placed on public exhibition from 1-29 November 2021.<br><br>Consultation with businesses regarding the proposed Economic Development Strategy was undertaken in October 2021. | 50%      | Business Strategist                          |

| 2018-22 Delivery Program<br>(4-year program)   | 2021-22 Operational Plan<br>(1-year action)  | Comment for current period (1 October 2021 - 31 December 2021)  | Progress | Responsible officer               |
|--|--|---|----------|-----------------------------------|
| <b>1b. Council is a leader in the delivery of social, financial and operational activities.</b>        |  |   |          |                                   |
| <b>1b.1 Demonstrate best practice and leadership in local government.</b>                              | Increase retention of new starters through the development of a recruitment framework and strategy.  | LinkedIn is still being used and continues to evolve. We have invested in the new Human Resource Management System (HRMS) solution and await provider updates on critical configuration queries.  | 50%      | Manager, Human Resources          |
|  | Review flexible working procedures, setting out a clear framework for managing flexible working.   | Analysis of the results from a recent organisational wide survey is underway. This will inform the final position and proposed working from home policy and flexible work arrangements policy.  | 50%      | Manager, Human Resources          |
|  | Increase retention of high performing staff through a formal reward and recognition initiatives program.   | Research into best practice reward and recognition offerings in similar and disparate industries is underway, with analysis continuing on the applicability to Randwick's culture, values and engagement targets.   | 50%      | Manager, Human Resources          |
|  | Enhancing the growth of our employees by embedding on the job training opportunities within the training plans of all staff.                             | Consultation with Executive on the configuration of the performance and learning modules within the new Human Resource Management System (HRMS) has resulted in a reviewed approach. This approach will require more configuration, testing and consultation with key stakeholders in Jan-Feb 2022.   | 50%      | Manager, Human Resources          |
| <b>1b.2 Contribute to protecting the Council's reputation and enhancing its positive public image.</b> | Promote Council's achievements, programs, policies and projects across online and print media  | Council published 36 online news stories in the quarter. We have increasingly embraced publishing more online news content relating to Council's projects, events and activities as a way of providing more information to the community, at a time when there is less local media.   | 50%      | Manager, Communications (Chelsea) |
|  | Promote and protect Council's image through effective use of media and online communities, including monitoring and responding to enquiries effectively. | Council received 20 media enquiries this quarter. Topics ranged from our use of the Snap Send Solve app, Randwick vaccination rates, hoarding issues in the community, Malabar Road, Maroubra, the cost of Council hosting COVID testing clinics, the removal of resident-created mountain bike trails, residents accessing the Little Bay Meriton site, Local Government elections, queries about foil boarding at our beaches, staffing issues during the Omicron surge, the shark alarm going off at Maroubra Beach and Coogee Sparkles. | 50%      | Manager, Communications           |
| <b>1b.3 Maintain a high performing workforce that is responsive to the needs of the organisation.</b>  | Develop a 'fit for purpose' capability and learning framework.   | Consultation with key stakeholders on the capability and learning framework will be undertaken in conjunction with consultation on the new Human Resource Management System (HRMS) performance module.  | 50%      | Manager, Human Resources          |
|  | Develop and implement an internal communications plan.   | Research and consultation has indicated that an internal communications plan is no longer required.   | 100%     | Manager, Human Resources          |

| 2018-22 Delivery Program (4-year program)  | 2021-22 Operational Plan (1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer              |
|--|--|--|----------|----------------------------------|
| <b>1b.4 Provide good governance and administrative support for the Council and organisation.</b> | Ensure the effective and efficient administration of Council meetings (and Local Government Election 2021) for the benefit of Councillors and the community.   | Three (3) ordinary meetings and one (1) extraordinary Council meeting were held during the quarter. The 26 October and 1 November Council meetings were held online and the 23 November and 30 December Council meetings were held at the Prince Henry Centre (Little Bay) due to COVID-19 restrictions. There was no disruption to meetings, the ability of the public to address meetings or public access to meetings during this time.<br><br>The Local Government elections were held on 4 December 2021 and the first meeting of the new Council was held on 30 December 2021. The first meeting of the new Council was an extraordinary meeting primarily for oath taking and the election of a Mayor and Deputy Mayor. | 50%      | Manager, Customer & Compliance   |
|  | Ensure compliance with the Government Information (Public Access) Act 2009 and assist the community in obtaining access to appropriate Council information/documents.  | 385 Informal Access to Information requests were processed during the quarter, with 360 (93.5%) processed within two (2) working days. Four (4) formal GIPA Applications were processed during the quarter. All formal applications were processed within the legislated 20 working days.  | 50%      | Manager, Customer & Compliance   |
|  | Maintain transparency and accountability in the purchasing of goods and services and ensure compliance with purchasing procedures.   | Transparency and accountability was maintained with procedures, processes, templates and reviews to ensure compliance with purchasing procedures. Procurement training and user assistance is ongoing.   | 50%      | Manager, Customer & Compliance   |
|  | Manage Council's Insurance Renewal program.  | Insurance Renewals will be undertaken over the March/April 2022 period as per standard practice.   | 50%      | Manager, Customer & Compliance   |
|  | Manage Council's Claims Management program.  | Council's claims management program is performing well and is on track.  | 50%      | Manager, Customer & Compliance   |
|  | Monitor and evaluate performance of the Randwick Local Planning Panel in accordance with NSW Department of Planning Industry and Environment Guidelines.   | The quarterly report for the Randwick Local Planning Panel has been submitted to the Department of Planning, Industry and Environment.   | 50%      | Manager, Development Assessments |
| <b>1b.5 Effectively and efficiently manage financial operations, systems and information.</b>    | Provide timely financial information, advice and reports to the community, the Council, senior management and staff.   | The Financial Statements have been signed off by the NSW Audit Office.<br><br>Quarterly budget reviews, Investment, and Cashflow Reports for September were prepared and reported as required.   | 50%      | Chief Financial Officer          |
|  | Ensure all Financial Services' processes and procedures are timely and accurate in providing a high level of service to internal and external customers regarding rating, debtors, accounts payable, payroll, investments and cash management. | All financial services policies, procedures and legislative requirements were complied with. Key financial functions include rates, debtors, accounts payable, GST, FBT, investments, payroll and cash management.<br><br>The reviewed Investment Policy was adopted by AIRC at their November 2021 meeting.   | 50%      | Chief Financial Officer          |

| 2018-22 Delivery Program<br>(4-year program)   | 2021-22 Operational Plan<br>(1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer            |
|--|---|--|----------|--------------------------------|
| <b>Effectively and efficiently manage financial operations, systems and information.</b> | Ensure the accurate levy, and collection of rates and charges, and provide appropriate payment options, including BPAY, Direct Debit, Australia Post, web based and in person.                                      | The pandemic necessitated the development of a bespoke and sensitive approach to account management communications. This approach continues to provide better than expected recovery results whilst maintaining an emphasis on customer focus.<br><br>Council continues to work with ratepayers that may be experiencing financial hardship and to develop payment arrangements that are tailored to individual financial circumstances. Council's pandemic relief interest waiver application process first adopted in July 2021 was extended in September 2021 to run for 8-months to 28 February 2022 (an extension on the original 4-months to 31 October 2021). | 50%      | Chief Financial Officer        |
|  | Maximise returns of the Council's investment portfolio while minimising risk.   | Interest rates are at historical lows with the official RBA cash rate remaining at 0.1% at the end of the December quarter. Council's investments are maintained in accordance with the adopted Policy. Investment Returns and Cashflows are monitored daily and have exceeded benchmarked and budgeted returns.<br><br>The Investment Reports for September and October were adopted by Council at the October and November ordinary meetings.  | 50%      | Chief Financial Officer        |
|  | Manage outstanding debtors, ensuring overdue rates and annual charges remain below 15% and repayment plans are developed bringing Council's ratio back to benchmark within 3 years.                                 | COVID-19 impacted collections in the 2019-20 financial year and the 2020-21 year. At the end of these years, the outstanding rates percentages were 4.84% and 3.8% respectively. These results were better than expected and below the metro benchmark of 5%.<br><br>Payment of the second instalment due on 30 November 2021 has been paid at a reasonable rate, with payments only slightly (<0.5%) behind the pre-COVID 4-year average trend. Routine missed Instalment notices were issued in December 2021 for the second instalment with 16% fewer missed instalment notices issued than for the same notice in 2020-21.                                       | 50%      | Chief Financial Officer        |
|  | Deliver sound and practical short and medium-term forecasting and reporting, with robust data, efficient transaction processing, and effective management of risk, including: uncertainty and sensitivity analysis. | Monthly financial reports are prepared for Council in conjunction with quarterly budget reviews. The Long Term Financial Plan (LTFP) was adopted at the November Ordinary Council Meeting. The Quarterly Budget Review Statement for October was adopted at the November Ordinary Council meeting.   | 50%      | Chief Financial Officer        |
| 1b.6   | <b>Be recognised as providing quality internal and external customer service and call centre services.</b>  | Develop a Customer Service Framework.<br><br>Development of the Customer Service Framework is on track.<br><br>Council received 14,281 service requests during the December quarter of which 86.8% were completed within the service level agreement timeframe. 29,103 phone calls were received via the call centre during this period of which 3.8% were abandoned. Council's target is to have fewer than 5% abandoned calls on average.  | 50%      | Manager, Customer & Compliance |

| 2018-22 Delivery Program<br>(4-year program) | 2021-22 Operational Plan<br>(1-year action)  | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer                          |
|--|--|--|----------|--|
| 1b.7   | <b>Continue to improve and implement business process systems and information technology infrastructure.</b> | Increase internal customer satisfaction in the delivery of information management and technology support functions to other business units of Council.   | 50%      | Manager, Information Management & Technology |
|  |  | During the reporting period IM&T continued to refine the operations of the FreshService product and expanded its use to the Human Resources Department as part of a rollout across Corporate Services departments.   |          |  |
|  |  | In the quarter 4989 requests were lodged with IM&T Services for support or service delivery. Of these, 252 customers completed the voluntary survey, with 246 rating the service very good and 6 rating the service as good. There were no ratings of bad or very bad during the reporting period.   |          |  |
|  |  | Perform a Penetration Test on Council's IM&T architecture and present the findings to the Audit, Risk and Improvement Committee alongside a remediation plan to address any vulnerabilities found.   | 50%      | Manager, Information Management & Technology |
|  |  | Reports were tabled at Council's Audit, Risk and Improvement Committee (ARIC) meeting in November for the penetration test and business email compromise simulation. Remediation actions identified in the report have been completed for all critical findings and plans are in place for all other findings. Staff training in cyber security has been undertaken. IMT has also responded to the Apache Log4J vulnerability with minor system changes and scans of Council's environment undertaken to ensure that Council was not vulnerable to the identified issue.   |          |  |
|  |  | Optimise the availability of Council's core infrastructure (datacentre and networks) during core business hours.   | 50%      | Manager, Information Management & Technology |
|  |  | No outages were experienced in the core infrastructure during the reporting period. Planned works were undertaken at the Administration Centre out of hours to replace end of life networking equipment, with 15 new switches installed.   |          |  |
|  |  | Optimise Council's application portfolio through appropriate consolidation and transition of legacy systems and reduction of duplication.  | 50%      | Manager, Information Management & Technology |
|  |  | Application optimisation activities conducted during the period include (a) upgrade of Council's recordkeeping software (Content Manager); (b) deployment of new Teams Telephony systems to Council's smaller sites; (c) decommissioning of out of date database server infrastructure as recommended by the penetration testing report; (d) selection of a new customer contact centre platform - Genesys; (e) selection and implementation of a new data visualisation tool AirTable for rapid customer data management; (f) upgrade of The Things Network LoRa system for smart city devices to a new version; and (g) continued work on the Human Resource Management System integration with other Council systems. |          |  |
|  |  | Upgrade audio-visual communication technologies to support flexible staff working arrangements.  | 50%      | Manager, Information Management & Technology |
|  |  | During the quarter, the fit out of meeting rooms with Microsoft Teams collaboration equipment in the Administration Centre neared completion. IM&T are now focussing on meeting rooms at other sites including the Depot, Lionel Bowen Library, Prince Henry Centre and Sustainability Centre. Initial design has commenced on adding hybrid meeting arrangements to Council Chambers.   |          |  |
|  |  | Review and rationalise Council's data holdings including online, physical, tape and archive through the adoption of an Information Management Lifecycle approach.  | 50%      | Manager, Information Management & Technology |
|  |  | During the reporting period, Council's legacy tape holdings were written off and destroyed securely. Design commenced on transitioning from a full tape backup approach to cloud based backups and rationalisation of the volume of data being backed up. Approximately 60 Council shared mailboxes were rationalised. Analysis commenced on the requirements for a future customer relationship management system through the examination of both shared mailboxes and online forms. Analysis of Council's public website holdings was conducted to inform proposed rationalisation of unused content.  |          |  |
|  |  | Undertake a review of governance practices in the Information Management and Technology Services Department to establish an adopted governance framework.  | 50%      | Manager, Information Management & Technology |
|  |  | Work continued on Council's Application Management Policy suite.   |          |  |

| 2018-22 Delivery Program (4-year program)   | 2021-22 Operational Plan (1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer                          |
|---|--|--|----------|--|
| <b>1b.8 Provide a safe and healthy environment for employees, contractors and the community.</b>  | Implement policies and procedures to support a culture of health and safety.   | Work Health and Safety Policies and Procedures were reviewed, amended and implemented as required throughout this quarter.   | 50%      | Manager, Customer & Compliance               |
|   | Effectively manage workers compensation and return to work.  | Workers compensation claims and injury management was undertaken in line with Council's Return to Work Program, which is compliant with SIRA's return to work guidelines.  | 50%      | Manager, Customer & Compliance               |
|   | Draft and implement a Wellbeing Plan.  | Wellbeing plans were developed in response to specific and current wellbeing issues identified to be relevant for Council.   | 50%      | Manager, Customer & Compliance               |
|   | Coordinate appropriate health checks relevant to effective business operations.  | Council's annual skin check program proceeded in December for outdoor staff only. Due to a scheduling issue, the provider had to delay some scheduled skin checks for indoor staff to March 2022.  | 50%      | Manager, Customer & Compliance               |
|   | Adopt and implement the new Drug and Alcohol Policy.   | This policy review has been put on hold, due to the continuing pandemic and associated challenges that this presents in implementation of an amended Alcohol and Other Drugs Program which introduces random testing.  | 0%       | Manager, Customer & Compliance               |
| <b>1b.9 Support the community and organisation through the improvement and expansion of online systems and GIS mapping.</b>                 | Standardise the delivery of all spatial data and information services.   | Council continued to move data into the GIS system, including the transfer of data relating to waste services and sustainability. The transfer of data from legacy property systems QEFile and DBSearch also continues.  | 50%      | Manager, Information Management & Technology |
| <b>1c. Continuous improvement in service delivery based on accountability, transparency and good governance.</b>                            |  |  |          |  |
| <b>1c.1 Apply the four-year Continuous Improvement Strategy within the organisation.</b>  | Develop an effective Performance Management Framework through community consultation, research, strategic planning and business unit planning.   | A service catalogue listing all the services and regulatory functions provided by Council was prepared during the quarter. This information is an important part of Business Unit Planning and is a critical part of building a comprehensive performance management framework that addresses all of Council's functions (i.e. delivering the outcomes of the community strategic plan AND delivering the day to day services and regulatory functions needed by our community). | 50%      | Business Strategist                          |
| <b>1c.2 Implement a systematic and structured approach to obtaining feedback from customers and managing existing data and information.</b> | Undertake regular customer satisfaction surveys and consultation activities to obtain feedback to help inform Council's activities.  | Council launched 8 community consultation programs during this period to gather feedback from the community on the La Perouse Amenities Block Upgrade, Randwick Economic Development Strategy, Fitzpatrick Park Playground Upgrade, Maroubra Road Corridor Study, Inclusive Randwick Strategy, Ella Reserve Playground Upgrade, Maroubra Junction Urban Renewal project and the Community Strategic Plan.  | 50%      | Manager, Communications                      |
| <b>1c.3 Proactively manage enterprise risks within Council's integrated risk management system.</b>   | Implement Council's Enterprise Risk Management Framework which sets out Council's prioritisation and integration of Risk Management into the business and incorporates Council's risk appetite and tolerances. | Work continues with all business areas to support implementation of risk management against each area's Business Unit Plan and associated completion of operational risk registers.  | 50%      | Manager, Customer & Compliance               |
|   | Inform the Audit, Risk and Improvement Committee (ARIC) of risks identified in Council's Enterprise Risk Management Framework to establish and implement internal audit priorities.                            | In the December quarter, work continued on identifying risks across all business units. These risks will be used to establish and implement additional internal audit priorities. A report on progress was presented to the Audit, Risk and Improvement Committee.   | 50%      | Manager, Customer & Compliance               |

| 2018-22 Delivery Program<br>(4-year program)   | 2021-22 Operational Plan<br>(1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer                         |
|--|---|--|----------|---|
| <b>2. A vibrant and diverse community</b>  |   |  |          |   |
| <b>2a: Meet the needs of our diverse community and provide equitable access to social services and infrastructure.</b> |   |  |          |   |
| <b>2a.1</b>  | <b>Maintain a current understanding of our community's needs, and up to date information to support planning and program development.</b> | Lead local services participation and partnerships, identifying emerging needs, service gaps and opportunities across target groups.   | 50%      | Manager, Community Development              |
|  |   | <p>The Eastern Suburbs Domestic Violence Network responded to expert consultations regarding the needs of children and families experiencing family violence. Council supported the implementation of bystander training for a small number of Domestic and Family Violence (DFV) workers, supported implementation of Step Out Speak Out Morning tea to raise awareness of DFV, and commenced planning for 2nd community campaign with male influencers to stop DFV.</p> <p>The Eastern Sydney Youth Services Network (ESYSN) worked closely with services to gain an understanding and build strategies around the effects of lockdown on Young People in the LGA.</p> <p>Council held two regional community consultations to help inform the development of Council's new Disability Inclusion Action Plan (DIAP) for 2022 - 2026. A total of 15 mini focus groups were held during October and November with local services and people with lived experience to check existing regional strategies and develop new access and inclusion actions for the updated DIAP.</p> <p>The City of Sydney and Eastern Sydney Ageing and Disability Interagency meeting held in October showcased service provider presentations on innovative approaches to care, and responded to key issues such as adapting to sector changes and reforms, opportunities and local solutions and moving forward with re-engaging clients in the challenging time of COVID. A partnership was established with Waverley and Woollahra Council's to deliver a networking event for local services during Mental Health Month in October and for the implementation of the annual Suicide Prevention Awareness Walk in September.</p> |          |   |
|  |   | Undertake a Social Needs Study to investigate and identify current and future social needs of the community.   | 100%     | Manager, Community Development              |
| <b>2a.2</b>  | <b>Provide high levels of accessibility to the Council's community facilities and infrastructure.</b>                                     | Ensure that a range of user groups (hirers and class attendees) have fair and equitable access to our major multi-purpose centres (Prince Henry Centre, Randwick Community Centre, the Randwick Literary Institute and La Perouse Museum).   | 50%      | Manager, Economic Development & Placemaking |
|  |   | Ensure that user groups (hirers and class attendees) have fair and equitable access to all remotely managed community centres (9 venues).  | 50%      | Manager, Customer & Compliance              |

| 2018-22 Delivery Program<br>(4-year program)   | 2021-22 Operational Plan<br>(1-year action)  | Comment for current period (1 October 2021 - 31 December 2021)  | Progress | Responsible officer            |
|--|--|---|----------|--------------------------------|
| <b>2a.3 Support the different groups in the community to improve access to services and recreational activities.</b> | Ensure Library culturally and linguistically diverse (CALD) collections reflect demographics and community needs in Randwick City.         | In the December quarter we lent a total of 5326 items from our Chinese, French, Greek, Polish, Russian and Spanish Culturally and Linguistically Diverse (CALD) Collections to customers. CALD books and materials for children are in higher demand, with a total of 1828 items lent in this quarter.  | 50%      | Manager, Randwick City Library |
|  | Provide a range of culturally and linguistically diverse (CALD) programs and activities for a diverse community.                           | Smartphone and Tablet Basic Training for Chinese Speaking Seniors, English as a Second Language Book Club and English conversation classes (online only) continued during the December quarter. The library delivered 13 events/programs specifically for a culturally and linguistically diverse audience with a combined audience of 62.  | 50%      | Manager, Randwick City Library |
|  | Provide a range of age appropriate library collection items, programs and activities that are accessible and inclusive.                    | The library ran 102 events/programs both online and in person/face-to-face, with a total combined audience of 1,489. 49 events/programs were held for children and youth with a 663 combined audience, 52 events or programs were held for adults/seniors with a combined audience of 798 and 13 events/programs were held specifically for a culturally and linguistically diverse audience with a combined audience of 62.  | 50%      | Manager, Randwick City Library |
|  | Assist people to understand consumer directed care and to exercise choice and control in choosing support services (disability and other). | <p>Convened the City of Sydney and Eastern Sydney Ageing and Disability Interagency meetings in this reporting period and showcased service provider presentations on innovative approaches to care, success stories, issues in regards to clients accessing and navigating services and systems, and social isolation and loneliness.</p> <p>Worked with Prof. Melissa Norberg and the Catholic Care's Hoarding and Squalor Resource Unit on establishing a 'Declutter Buddy' program for people living in Randwick City who are impacted by problematic hoarding and clutter disorders.</p> <p>Assisted Holdsworth Community with the Department of Communities and Justice (DCJ) social funding application which aims to reduce social isolation for older people living in social housing in the Southern Suburbs of Randwick.</p> <p>Supported the Eastern Sydney Digital Working group, City of Sydney and Eastern Sydney Abuse of Older Persons Collaborative, Eastern Sydney CHSP Forum to assist services to move forward with COVID and re-engage client's who have physically and mentally declined as an unintended consequence of the pandemic.</p> <p>Provided 15 complex referrals for vulnerable and isolated residents to support services both formal and informal and also to specialist homeless and hoarding and squalor services during this reporting period. Assisted over 50 older residents and Carers from CALD backgrounds to access services for social support activities, exercise and strength programs, community transport and gardening and lawn mowing services.</p> <p>Circulated sector news, service updates, information and relevant research to Interagency members to assist clients to better understand and navigate complex service systems and to exercise choice and control as both consumers and citizens.</p> | 50%      | Manager, Community Development |



| 2018-22 Delivery Program (4-year program) |   | 2021-22 Operational Plan (1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer            |
|---|---|--|--|----------|--------------------------------|
|   | <b>Support the different groups in the community to improve access to services and recreational activities.</b>   | Work with local residents and/or their carers to improve their ability to negotiate within the service delivery system and to access relevant community services.  | <p>Provided referrals, advice and support to residents and local service providers on at least 40 occasions during this reporting period to assist older people, people with disabilities and their allies to access support services both formal and informal. Assisted residents to renegotiate with services to increase levels of service provision to better meet their needs.</p> <p>Circulated information and resources to local residents, community groups and services to notify them of new and culturally appropriate programs to ensure isolated older people, people with a disability, and isolated Carers remain socially connected &amp; healthy during COVID.</p> <p>Supported Junction Neighbourhood Centre and the Eastern Sydney Digital Inclusion Working Group to progress tech savvy training for digitally disadvantaged and isolated older people, Carers and people with a disability living in housing estates in South Coogee and South Maroubra.</p> <p>Supported the Eastern Suburbs Homelessness Assertive-Outreach Collaboration (ESHAC) to progress planning for the annual Eastern Suburbs Homelessness Street Count. This year the Count will be hosted by Randwick City Council and will be held on 21st February. Worked with the ESHAC to ensure that people with disabilities, both physical and less visible, receive assertive outreach in order to engage with services.</p> | 50%      | Manager, Community Development |
| 2a.4                                      | <b>Provide improved opportunities for local Aboriginal and Torres Strait Islander people to access support services including employment, family support and recreational activities.</b> | Assist local Aboriginal organisations to plan and deliver nationally significant events such as NAIDOC Week and Reconciliation activities.   | Commenced planning for Survival Day concert and Koojay Corroboree.   | 50%      | Manager, Community Development |
|   |   | Ensure that the programs and activities delivered via the Lexo Hub address the identified needs of local First Nations people.   | Promoted COVID booster vaccination campaign to the Aboriginal community residing in the LGA.   | 50%      | Manager, Community Development |
|   |   | Support community-based support agencies to plan and deliver services; and provide information to government program funding providers to assist them in meeting the needs of at-risk and/or vulnerable residents. | Staff continue to work collaboratively with service partners; however, the ongoing pandemic has reduced the ability for external partners to provide direct services. A limited number of targeted programs continue to operate including the food security program, COVID vaccination and testing clinic, referral support and support with access to MyGov and Service NSW for at risk residents.  | 50%      | Manager, Community Development |
| 2a.5                                      | <b>Implement the social inclusion plan (An Inclusive Randwick) to reduce disadvantage and address regional gaps in service provision.</b>   | Partner with the Eastern Sydney Youth Services Network (ESYSN) to implement programs and activities that support local young people and their families.  | The ESYSN met once in the period with 26 local youth service representatives attending. This meeting covered a number of emerging issues as well as presentations on the Sector Transformation Fund and the South East Sydney District Allocations Hub. Other areas of focus included gathering insight from services on how young people are faring with lockdown and what the ESYSN will be focusing on in 2022.   | 50%      | Manager, Community Development |

| 2018-22 Delivery Program<br>(4-year program) |   | 2021-22 Operational Plan<br>(1-year action)  | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer            |
|--|---|--|--|----------|--------------------------------|
|  | <b>Implement the social inclusion plan (An Inclusive Randwick) to reduce disadvantage and address regional gaps in service provision.</b> | Develop programs designed to connect and engage socially-isolated seniors within the comfort and security of their own homes.  | <p>Held two online regional community consultations in October and November to assist Council to update their Disability Inclusion Action Plan for 2022 - 2026. The consultations were attended by older people, people with disabilities and their carers, and local service providers.</p> <p>Held fifteen mini focus groups to review existing regional strategies and identify new access and inclusion actions for Council's Disability Inclusion Action Plan for 2022 -2026. The focus groups were attended by people with lived experience of disability both physical and less visible, older people and Carers, as well as key service providers. Additional consultations will be held with members of the Aboriginal community in February and March.</p> <p>Designed three online wellbeing sessions on 'Coping with change in challenging times' and 'Dealing with grief and loss' to be delivered online in February and March. These sessions seek to ensure the safety of vulnerable target groups including older people, Carers and people with chronic illness who may also be transport disadvantaged.</p> <p>Designed a range of information sessions and activities to be delivered in person and online to ensure access and inclusion for socially isolated Seniors. These sessions will be delivered throughout March and April and will cover topics such as Elder abuse, Death literacy, Advance Care Planning and Paranormal Prince Henry.</p> <p>Continued to support the Eastern Sydney Digital Inclusion Working Group and Junction Neighbourhood Centre to safely deliver digital literacy sessions to isolated and excluded older people living in social housing in South Coogee and South Maroubra.</p> <p>Worked in collaboration with the City of Sydney and Eastern Sydney Abuse of Older Persons Collaborative on developing an online webinar on raising awareness of the different forms of elder abuse, referral pathways and to encourage help-seeking behaviour. The webinar will be delivered in April during Seniors Week.</p> <p>Circulated and promoted information on available online community and RCC programs, activities and support to members of the Ageing and Disability Interagency and residents.</p> <p>Worked with other Council's to assist them to replicate online sessions such as Dealing with Grief and Loss and Understanding Anxiety and Depression to further provide outreach to residents living beyond the Randwick LGA.</p> | 50%      | Manager, Community Development |
| 2a.6   | <b>Implement grants programs in accordance with the Council's guidelines to enhance services that meet community needs.</b>               | Administer our Community Investment Program including the funding streams: Community Connect, Community Creative, Community Partnerships, Community Contributions and Community Sustainable. | Delivered the October Round of Community Creative and Community Connect in this reporting period.  | 50%      | Manager, Community Development |
|  |   | Administer the Randwick ClubGrants NSW on behalf of participating clubs.   | In the previous quarter, Council administered the club grants program with participating clubs. A total of \$330,820 was distributed to community organisations.   | 100%     | Manager, Community Development |

| 2018-22 Delivery Program<br>(4-year program)  | 2021-22 Operational Plan<br>(1-year action)  | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer                         |
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| <b>2b: Strong partnerships between the Council, community groups and government agencies</b>  |  |  |          |   |
| <b>2b.1 Provide support for resident precinct committees, local chambers of commerce and combined service clubs.</b>  | Attend meetings and provide information and support for Resident Precinct Committees, local business associations, and combined service clubs on request.                              | All economic development information requests were addressed. Precinct and RSL Club meetings were attended when required.  | 50%      | Manager, Economic Development & Placemaking |
|   | Provide meaningful and relevant opportunities for community participation through face to face engagement activities such as Precinct meetings and other opportunities.                | 15 Precinct meetings were held over the quarter, with most being held online via Zoom. Council staff attended some precinct meetings to present on Council projects including the Clovelly Road Pocket Park Project and the La Perouse Amenities Upgrade. An onsite pop-up was held at Maroubra Junction for the Maroubra Junction Urban Renewal project.  | 50%      | Manager, Communications                     |
|   | Host four Precinct Coordination Committee Meetings.  | One Precinct Coordination Committee meeting was held online in November 2021. A presentation on managing social media was provided by Council's Manager Communications.  | 50%      | Manager, Communications                     |
| <b>2b.2 Partner and implement joint projects with community groups and government agencies to achieve improved service coordination and value for money outcomes in the region.</b> | Continue to manage and activate the Lexo Hub facility in providing accessible space for community service providers for the delivery of health, wellbeing and social welfare services. | Staff continue to oversee operation of The Hub@Lexo and work collaboratively with external service providers and partners. Due to the ongoing COVID situation, face to face interactions were by appointment only and were limited to emergency needs. The Hub staff continued to work with Kirketon Road Centre (KRC) to deliver a weekly COVID vaccine clinic for housing residents and people experiencing homelessness.  | 50%      | Manager, Community Development              |
|   | Actively engage in the Interagency Group for the 're-enablement' of services and agencies that support Randwick City.  | Supported implementation of two Eastern Suburbs Domestic Violence Network meetings and associated 16 days of activism against gender based violence activities.<br><br>Participated in the Inner Eastern Sydney Child Family Interagency meeting and steering committee.<br><br>Co-convened the City of Sydney and Eastern Sydney Ageing and Disability Interagency October meeting, showcasing service provider presentations, innovative approaches and adapting to sector changes and reforms.<br><br>Supported the implementation of the Eastern Sydney Community Home Support Forum and City of Sydney and Eastern Sydney Abuse of Older Person's collaborative in November.<br><br>Supported and participated in the Randwick Waverley Community Transport Board meeting and Eastern Sydney Digital Inclusion Working Group to help re-engage clients and assist isolated residents in accessing critical support programs and services, both formal and informal, and in-person and online.<br><br>Worked with Waverley and Woollahra Council on developing mental health networking activities for services providers in Eastern Sydney and on the Suicide Prevention Awareness Walk in September to raise awareness of suicide prevention in Randwick City and existing support services. | 50%      | Manager, Community Development              |
|   | Work with the La Perouse Aboriginal Land Council to identify areas for partnership to support our local First Nations people.  | Continued to facilitate discussions with the La Perouse Local Aboriginal Land Council to identify programs and projects that support current Aboriginal concerns. Co-chaired the La Perouse Non Government Network meeting.  | 50%      | Manager, Community Development              |

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|---|--|---|--|----------|--------------------------------|
|   | <b>Partner and implement joint projects with community groups and government agencies to achieve improved service coordination and value for money outcomes in the region.</b> | Partner with key community service providers to deliver: primary and early intervention programs which may include domestic and family violence; youth and family programs; aged and disability programs; and multi-cultural campaigns and activities.  | <p>Partnered with the Eastern Suburbs Domestic Violence Network to hold bystander training for Domestic and Family Violence (DFV) workers. Supported implementation of 'Step Out Speak Out Walk' and the 'Dress for Success' installation, that was on display at the Bowen Library foyer for a 16 day period.</p> <p>Participated in the UTS DFV prevention working party for the 'Now that's Strength' community campaign.</p> <p>Implemented a Christmas donation and small morning tea event (COVID scaled down) for residents in South Maroubra housing estate.</p> <p>Continued promotion of the parenting calendar, including delivery of parenting workshops.</p> <p>Delivered the Lifestyle Lunch on 'Coping with change in challenging times', developed three online seminars on 'Coping with change in challenging times' and 'Dealing with grief and loss' to be held in February and March.</p> <p>Worked with Department of Communities and Justice (DCJ) and St Vincent's Homeless Health Service to develop a Lifestyle Lunch on raising awareness of local homeless services.</p> <p>Planned for the 2022 annual Eastern Sydney Homeless Street Count. Randwick Council will be hosting the event this year on 21st February.</p> <p>Worked with Belinda Mason Trust and Blur Projects to develop 'UNSEEN', an exhibition of art works by women experiencing hidden homelessness that will be exhibited at Bowen Library Gallery from May to June 2022.</p> <p>Supported Macquarie University with the development of the 'Clutter Buddies' 16-week program for residents living with problematic hoarding or clutter disorders.</p> | 50%      | Manager, Community Development |
|   |  | Participate in a range of contracts for goods and services run by industry aggregators e.g. SSROC, LGP and Procurement Australia.   | Participated in the Southern Sydney Regional Organisation of Councils (SSROC) tender for Ready Mixed Concrete. Utilised the new LGP Professional Services contract.  | 50%      | Manager, Customer & Compliance |
| 2c: New and upgraded community facilities that are multipurpose and in accessible locations |  |   |  |          |                                |
| 2c.1  | <b>Implement the Community Facilities Plan as per identified priorities.</b>   | Plan for community facilities under the Our Community Our Future Program such as the Southern Suburbs Youth Facility, Snape Park Amenities Upgrade and Coogee Beach Bus Shelter. Also plan for and construct toilet facilities such as the Malabar Pool Amenities and Dunningham Reserve Amenities. | Feasibility planning is in progress for Southern Suburbs Youth Facility, Snape Park Amenities, Coogee Bus Shelter, Malabar Pool Amenities, Burrows Park Amenities and Heffron Park Criterium. Planning has also started on Dunningham Reserve Amenities.   | 50%      | Coordinator, Major Projects    |

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| <b>2d: Our cultural diversity is appreciated and respected.</b>                       |   |   |          |   |
| <b>2d.1 Implement A Cultural Randwick City.</b>                                       | Deliver Council's annual program of cultural events.                                    | <p>Planning for Twilight Concerts 2022. At least 4 concerts will occur over 12 months, commencing in March 2022 with 'Twilight Concerts in the Park for Earth Hour'.</p> <p>An open day was held at Blenheim House to display architectural plans for adaptive reuse of the building which included entertainment in the pocket park.</p>   | 50%      | Manager, Economic Development & Placemaking |
| <b>2d.2 Deliver and/or sponsor a range of events to promote a sense of community.</b> | Support community groups in their delivery of events that promote a sense of community. | <p>In October, an invitation only Bali Commemoration Ceremony was held at Coogee for friends and family members of those who lost their lives in the Bali Bombings 19 years ago. The event was held under a special exemption to the NSW Public Health Order.</p> <p>As NSW was still under stay at home orders, the Randwick Garden Awards were launched in September, judged in November and celebrated virtually in December, recognising local private, professional and community gardens across Randwick.</p> <p>In November, the annual Step Out Speak Out Walk, held in partnership with the NSW Police to raise awareness about Domestic Violence Against Women, was converted into a small invited breakfast hosted by local school representatives for key members of the community and relevant organisations.</p> <p>In December, a range of activities were programmed in place of the usual Christmas events, including Christmas Tree Wraps and Decorations, Chalk Art, online carols videos, pop-up postcards photo installation, and roving entertainment. An extensive pop-up music program across the LGA commenced in mid-December (delayed due to COVID restrictions).</p> <p>Several playgrounds were opened in November and December, providing an opportunity for local children to enjoy the new/updated facilities as well as a free ice cream and entertainment.</p> <p>Online citizenship ceremonies continued over October - December welcoming 722 new citizens.</p> <p>Coogee Sparkles, the New Year's Eve fireworks event returned with the addition of a selection of entertainment programmed during the day including children's activities like face painting, roving entertainment and music. For the first time, the fireworks were preceded by a Welcome to Country, and accompanied by a recorded DJ music track played over the Surf Lifesavers' announcement system.</p> | 50%      | Manager, Economic Development & Placemaking |

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| <b>3. An informed and engaged community</b>   |   |   |          |                                |
| <b>3a. Effective communication methods and technology are used to share information and provide services.</b>                     |   |   |          |                                |
| <b>3a.1 Provide information to the community on the Council's services and activities using effective communications methods.</b> | Develop and implement effective and targeted communications plans and products for the Council and its services and activities.           | During this quarter we enacted 14 Communications plans. Priorities included the third phase of FOGO (continued promotion of and education), recruiting Bushcare volunteers, promoting the Step Out Speak Out Walk, Coogee Sparkles, the Christmas program, the pop up music program, summer events and activities, Marine and Coastal summer program, Local Government elections, Coral Sea Park upgrade, the Waratah Plaza upgrade, support for the Sydney Film Festival, Alfresco Randwick and encouraging entries for the Women's Art Prize.   | 50%      | Manager, Communications        |
|   | Produce high quality graphics to support and enhance the Council's business.  | Council designed 563 items across social, digital and print channels in the last quarter. This included consultation material for Fitzpatrick Park, La Perouse amenities, Ella Reserve, Maroubra Road corridor study and Maroubra Oasis. We produced a summer edition of SCENE magazine. There were a range of COVID communications and 6 editions of Staff News. We designed the State of Our City Report, State of the Environment Report and Annual Report. We produced a range of material for events and activations across Summer in Randwick City, Christmas in Randwick, Coogee Sparkles, Step out Speak Out, Marine and Coastal Discovery Program and the FOGO Summer campaign. We also produced the waste calendar for the 21 different zones.                                | 50%      | Manager, Communications        |
|   | Manage and use Council's banner poles as an outdoor communication medium.   | Throughout the quarter we installed four street banner campaigns. Our street banners celebrated the Eco Living Fair, the Library 70th anniversary and the festivities of Christmas.   | 50%      | Manager, Communications        |
|   | Produce appropriate video content for use on Council's digital channels.  | 17 videos were produced in-house: 10 Questions with Mayor Parker, Randwick re-opens, Recycling Centre re-opens, 2021 Sports Award winners, official opening of Pioneers Park, Coogee SLSC renovation, Lifeguard tutorial video, a tour of La Perouse Museum watch tower, Step Out Speak Out, 30 second video promoting Council for the Visla Pro surf event, Staff Christmas video, FOGO festive season video with Alex and Costa, the hazard reduction burn at Randwick Environment Park, 2021 Garden Award winners, Mayor's Christmas video and summer beach tips from Lifeguards Blake and Brad. The top three performing videos on social media were the Coogee SLSC tour (3.3k views) Macquarie Watchtower tour (2.4k views) and the Mayor promoting Coogee Sparkles (1.8k views). | 50%      | Manager, Communications        |
|   | Research and write quality speeches for Council representatives as required.  | The following speeches were prepared for the Mayor: Council Sports Awards, UNSW Cook Book launch, NSW Volunteer of the Year Award, Blak Markets, BikeEast's Cycling Without Age program launch, Architecture Talk and Council's annual Step Out Speak Out Breakfast.  | 50%      | Manager, Communications        |
|   | Produce regular print and electronic newsletters to inform and engage the community about Council activities, events and projects.        | Our newsletter continues to be a favourite way to learn about Council programs and events, as its open rate remains high, reaching 39% in December, with a click through rate around 17%. The three most popular stories for the quarter were: 10 things you didn't know you could FOGO (2848 clicks); Everything you need to know to vote (2381); Meet the new Mayor (1283 clicks).  | 75%      | Manager, Communications        |
|   | Promote and disseminate information to vulnerable people and communities to improve access to services, support and inclusion activities. | Continued to distribute information to support services, interagencies and networks, and individuals to support access to important services for marginalised and vulnerable community members.<br><br>Held Disability Inclusion Action Plan (DIAP) consultations with marginalised community members who had lived experience. Two regional community consultation sessions were held online and fifteen mini-focus groups were held with a range of community organisations and people with lived experience.   | 50%      | Manager, Community Development |

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|---|--|--|--|----------|--|
| 3a.2                                      | <b>Ensure that the Council's website provides an accessible and usable interface between the Council and the community.</b>          | Continue to ensure compliance with web content accessibility standards.                                      | Council continued to monitor compliance of its public facing website assets with relevant accessibility standards. Council is currently implementing Google dynamic translation services for all webpages to improve accessibility in a range of languages.  | 50%      | Manager, Information Management & Technology |
|   |  | Simplify the means of capturing data from customers.   | New online forms have been commissioned to improve customer data collection using Council's ePathway platform. In the quarter, parking permit application and renewal forms have been developed to transform these processes from paper based to electronic. These high volume transactional forms will be marketed by the Integrated Transport and Communications teams in the next quarter. Further analysis of forms is underway in the waste management, bookings, footway dining and booked cleanup areas.  | 50%      | Manager, Information Management & Technology |
|   |  | Ensure that the Library subsite and social media channels provide timely, engaging and relevant information. | <p>There were 97,189 page views within the library's subsite.</p> <p>17 news articles were published on the library sub-site to keep the community updated in a timely manner. Articles included library service updates (reopening roadmap, Click &amp; Collect), library service and resource reminders, event updates, summer school holiday program information, and a 70th anniversary feature.</p> <p>All 117 events delivered in the September quarter were promoted online and via the library's social media channels.</p> <p>We posted 142 Facebook posts (average daily reach 527) and 18 Instagram posts featuring service updates, live online events and general information for the community.</p> <p>Nine EDMs (electronic direct mail items) were dispatched in the December quarter, five of these featured information relating to easing restrictions both for general and specific membership types and the library's reopening plan, the other three detailed new events and related news.</p> <p>As at end December quarter the library had 45,136 eNewsletter subscribers.</p> | 50%      | Manager, Randwick City Library               |
| 3a.3                                      | <b>Implement technological solutions that support the development of services and resources and meet the needs of the community.</b> | Continue to provide innovative hardware, software and web solutions to library customers and staff.          | <p>eMagazine access was improved by direct connection via SIP2, allowing user access via their Library ID and password, rather than creating a separate account.</p> <p>New Library members now have an option of applying for a card free membership when joining the library through use of the library app to store their details.</p> <p>Some additional filters were enabled for items in the library app, allowing users to narrow their searches. These cover the major collections and library locations.</p> <p>We improved the way we lend Overdrive / Libby items in the catalogue. When members choose to download, they will logon and then be prompted to either stream or download a copy of the title they borrowed.</p>   | 50%      | Manager, Randwick City Library               |

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| <b>3b. The community has increased opportunities to participate in decision-making processes.</b>   |   |  |          |                                |
| <b>3b.1 Develop opportunities for community input into the Council's decision-making processes.</b> | Use social media to help the community be part of the decision-making process, respond promptly to enquiries and to connect with the community about Randwick City's projects, events and activities. | Through social media we reached an average of 203,140 people each month, posting a total of 223 times across the quarter. Our support of Eco Living Online was strong, approximately doubling the amount of times we usually post on both Instagram and Facebook for the month. Our most popular posts across the quarter were: Disability Action Plan (paid post on FB reaching 20K people); Coogee Sparkles is back (reaching 14.2k) and posting about a local hail storm (reaching 17k people). | 50%      | Manager, Communications        |
|   | Develop and implement consultation plans to support the delivery of Council's projects.   | Council launched 8 community consultation programs during this period to gather feedback from the community on the La Perouse Amenities Block Upgrade, Randwick Economic Development Strategy, Fitzpatrick Park Playground Upgrade, Maroubra Road Corridor Study, Inclusive Randwick Strategy, Ella Reserve Playground Upgrade, Maroubra Junction Urban Renewal project and the Community Strategic Plan.  | 50%      | Manager, Communications        |
|   | Audit and review the function of Council's Advisory Committees, including Terms of Reference, objectives and vision.  | Discussions about the format of Advisory Committees are underway, with plans being incorporated into relevant action plans. This project is ongoing as part of the Inclusive Randwick Strategy.  | 50%      | Manager, Community Development |



| 2018-22 Delivery Program<br>(4-year program)                              | 2021-22 Operational Plan<br>(1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)                                  | Progress  | Responsible officer                     |
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| <b>4. Excellence in urban design and development</b>                      |   |   |   |   |
| <b>4a. Improved design and sustainability across all development.</b>     |   |   |   |   |
| <b>4a.1</b>   | <b>Require a high standard of design quality and sustainability in new development in line with Council's policies.</b> | Undertake research to inform development of the updated comprehensive Development Control Plan. | Over the quarter, we have continued to review, analyse and research issues including urban design, flooding and environmental sustainability for input into the Comprehensive DCP.  | 50%<br>Manager, Strategic Planning      |
| <b>4a.2</b>   | <b>Promote and recognise design excellence and sustainability through events or other activities.</b>                   | Initiate and facilitate the Architecture Talks 2021 event.                                      | We successfully hosted the second Architecture Talk in November 2021 to showcase 3 winning designs from the Randwick Architecture Awards held in 2020. Recordings of talks held in 2021 have been uploaded on Council's website.  | 100%<br>Manager, Strategic Planning     |
| <b>4b. New and existing development is managed by a robust framework.</b> |   |   |   |   |
| <b>4b.1</b>   | <b>Develop and implement effective processes and strategies to manage the impact of new and existing development.</b>   | Determine DAs efficiently and in accordance with the provisions of the LEP and DCP.             | Statistics for the quarter are detailed below:<br>Applications Lodged: 307<br>Applications Determined: 234<br>36.68% of DAs were determined within 40 days<br>52.30% of DAs were determined within 60 days<br>The net median is 60.59 days  | 50%<br>Manager, Development Assessments |
| <b>4b.2</b>   | <b>Monitor provisions of the LEP and DCP to ensure relevancy and delivery of good design outcomes.</b>                  | Report and exhibit new housing investigation areas as part of the draft comprehensive LEP.      | Council officers finalised a report to Council on the Gateway Determination from DPIE in October 2021. Council resolved to seek request for review of conditions (including timing for exhibition and finalisation of report) on the Comprehensive Planning Proposal. Council officers submitted a request for review to DPIE in November 2021. | 50%<br>Manager, Strategic Planning      |

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| <b>5. Excellence in recreation and lifestyle opportunities</b>   |   |  |  |  |
| <b>5a: Maximise opportunities for residents and visitors to enjoy both active and passive open space uses.</b> |   |  |  |  |
| <b>5a.1</b>  | <b>Progressively update plans of management, in accordance with an established priority list and the Recreation Needs Study, focusing on active and passive recreation opportunities.</b> | Undertake high priority Plans of Management for Coastal and Beachside reserves (including Coogee Beach and Clovelly Beach).  | The Maroubra Beach Plan of Management is being developed. A consultant has been engaged and stage 1 consultation has been completed. The stage 2 consultation plan has been prepared and is being implemented. A draft of the Generic Plan of Management has reached 85% completion.   | 50%<br>Manager, Technical Services               |
| <b>5a.2</b>  | <b>Continue work towards creating a continuous Coastal Walkway from Clovelly to Botany Bay as detailed in the Recreation Needs Study.</b>   | Design and document a coastal walkway route around Lurline Bay.  | Project will commence in April 2022.   | 0%<br>Manager, Technical Services                |
| <b>5b: Facilitate a range of sporting and leisure activities.</b>  |   |  |  |  |
| <b>5b.1</b>  | <b>Introduce and maintain a diverse range of programs to increase attendances at Des Renford Leisure Centre from year to year.</b>  | Deliver fitness programs that meet the community's needs, and explore alternative delivery methods to address environmental factors that serve as barriers to people exercising. | The closure of the DRLC gym and aerobics program due to COVID-19 continued until 18 October. Throughout the closure the team at DRLC provided excellent online and virtual programs to the community. Since reopening, the DRLC gym and aerobics team have resumed delivering professional, COVID-safe facilities and programs to patrons.   | 50%<br>Manager, Public Safety & Aquatic Services |
|  |   | Continue to review and maintain DRLC facilities to ensure the Centre remains an industry leader.   | DRLC was maintained to a high standard throughout the COVID closure, with pool plant & filtration equipment remaining operational, carpet being replaced throughout the Centre, as well as major maintenance work on the Training Pool. Since reopening patrons have benefited from these improvements, in addition to the ongoing cleaning and maintenance schedule the DRLC team continues to conduct. | 50%<br>Manager, Public Safety & Aquatic Services |

| 2018-22 Delivery Program (4-year program)         |  | 2021-22 Operational Plan (1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer              |
|---|--|--|--|----------|----------------------------------|
| 5b.2  | Implement open space plans of management with a focus on multi-uses such as the Heffron Park Plan of Management. | Process applications for activities on public land incorporating relevant assessment criteria and complying with service level agreements. | Event applications were assessed and approved within service levels.   | 50%      | Manager, Technical Services      |
|   |  | Implement actions arising from the Open Space & Recreation Strategy 2021.  | Bundock Park and Kokoda Park playgrounds were completed. The planning of Fitzpatrick Park and Coral Sea Park playgrounds has been substantially completed.<br><br>The planning for a new synthetic sports field at Coral Sea Park was completed and will be reported to the March 2022 Council meeting.<br><br>Cycling facilities are planned for on road and on shared paths within parks. Pop up pedal parks have been implemented.<br><br>Upgrades are being planned at DRLC.<br><br>General park upgrades including new seats, signs and water fountains have been installed to improve our open spaces generally.<br><br>The planning for the upgrade of the criterion at Herron Park has commenced.<br><br>Planning for the rehabilitation of Malabar and Mahon rock pools is underway.<br><br>Master Planning is underway for Maroubra Beach coastal reserves.<br><br>Work on the development of the Generic Plan of Management for community land was substantially completed. | 50%      | Manager, Technical Services      |
|   |  | Construction of new outdoor gyms at Snape Park and Barwon Park.  | Project is in design phase.  | 5%       | Manager, Infrastructure Services |
|   |  | Upgrade of the playground at Fitzpatrick Park, Kensington.   | Consultation of the concept playground design was completed and will assist in finalising the design.  | 65%      | Manager, Technical Services      |
|   |  | Construct a new synthetic field at Coral Sea Park.   | The design and community consultation phases are complete. The project has proceeded through a public tender.  | 60%      | Manager, Infrastructure Services |
|   |  |  |  |          |                                  |
| 5c: Create new open space as opportunities arise. |  |  |  |          |                                  |
| 5c.1  | Advocate for public access to the remaining Commonwealth land at Malabar Headland.                               | Negotiate with Commonwealth and State Governments for community access to Malabar Headland.  | Continued to liaise and monitor public access arrangements to the headland with Commonwealth and State Agencies.   | 50%      | Manager, Strategic Planning      |
| 5c.2  | Plan and advocate for public open space and connections in major urban renewal and infrastructure projects.      | Review major proposals to optimise delivery of open space and recreation opportunities.  | Council officers made two submissions to the expansion of the Hospital/UNSW campus providing comments in relation to widening along the High Street frontage to improve the public domain for pedestrians and cyclists. Council's Strategic Planners and Transport Officers attended a number of meetings to discuss options for widening the shared pathway. Council was advised in late December 2021 that the hospital expansion CCC and SCH1 redevelopment were approved subject to conditions including requirement for further improvements being designed to enable east-west connections through the main hospital campus in conjunction with Council.   | 50%      | Manager, Strategic Planning      |

| 2018-22 Delivery Program (4-year program)   |   | 2021-22 Operational Plan (1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)  | Progress | Responsible officer            |
|---|---|--|---|----------|--------------------------------|
| 5c.3  | Optimise the urban interface with the Light Rail.   | Finalise the documentation and construction of the Waratah Avenue Street Plaza.  | Following consultation undertaken in the last quarter, the design of the public plaza has progressed to 85% complete.   | 75%      | Manager, Technical Services    |
| <b>5d: Library programs, resources and facilities provide innovative and inspirational opportunities for education and leisure.</b> |   |  |   |          |                                |
| 5d.1  | Improve and develop library facilities, services and resources ensuring their ongoing relevance to the community. | Continue to provide innovative programs and services for children and families.  | 49 events/programs were held for children and youth with a combined audience of 663. Babies and Bop (0-3 yrs.) and Kids' Club (3-5yrs) transitioned from online to in person at the library from mid November. Christmas craft events for both young and the young at heart were delivered in the lead up to the holiday season.  | 50%      | Manager, Randwick City Library |
|   |   | Acquire new physical and digital items for the Library collection that are reflective of community trends, meet user expectations and are relevant to the community.       | Development of the collection continued during the COVID lockdown period (which covered part of the December quarter), with orders being placed with library suppliers based on recommendations and requests from library customers. There were 2847 new physical items received into the collection and 2362 new items were catalogued and available for loan.<br><br>There was a review of the popular adult fiction collections, removing titles which were read out or less successful, creating more space for newly arrived material after lockdown.<br><br>Although customers appear to be spending less time in the library branches searching the shelves, the number of titles with multiple holds placed for collection has been consistently higher than pre-lockdown levels, averaging a 14% increase. | 50%      | Manager, Randwick City Library |
|   |   | Ensure that all facilities, services and resources of Randwick City Library meet community demand, expectations and relevance through a high level of patronage and usage. | The library resumed services after COVID lockdown on 25 October 2021 for fully vaccinated customers.<br><br>Across the Library Service during the October to December 2021 report period, there were 146,531 loans, 48,776 visits and 1,625 new memberships recorded. There were 17,791 eBook loans, 13,601 eAudio loans, and 11,990 eMagazine loans. The Library's film streaming service had 3,821 films played. There were 8,294 total wifi sessions, and 4,721 sessions for public PC usage. Study room bookings were not available during the reporting period. Self-checker usage at Lionel Bowen and Margaret Martine Libraries was 49,053 for both loan and renewal.  | 50%      | Manager, Randwick City Library |
|   |   | Continue to develop and deliver programs supporting digital learning and social inclusion for seniors.   | The following programs were delivered online to encourage social integration and opportunities for lifelong learning for all adults, some were specifically hosted for senior library members: Author talks, Ukulele strumming session, Writing for Pleasure and Tai Chi. Smartphone and Tablet Basic Training for Chinese Speaking Seniors also continued. Talking Tech events featured practical and fun topics including 'Accessibility Options on Computers and Smart Devices' and 'Fun Online Games for Grown Ups'. A special Talking Tech focused on how to manage your digital COVID vaccination status was held late October.   | 50%      | Manager, Randwick City Library |

| 2018-22 Delivery Program (4-year program) |  | 2021-22 Operational Plan (1-year action)  | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer            |
|---|--|---|--|----------|--------------------------------|
|   | <b>Improve and develop library facilities, services and resources ensuring their ongoing relevance to the community.</b> | Provide regular and pop-up community outreach through the Spark Library Outreach vehicle and activities such as the School Visit program.     | The library held a Spark in the Park special event during December as part of a Sustainability community day. The event was attended by 150 people.  | 50%      | Manager, Randwick City Library |
|   |  | Continue to improve physical facilities of Randwick City Library by enhancing the façade of Lionel Bowen Library.                             | Investigation into alternative material for the facade elements is complete. The designer is finalising the specifications for Tender.   | 50%      | Manager, Randwick City Library |
|   |  | Replace carpets on level 2 at Lionel Bowen Library.   | Carpets will be replaced in the first half of 2022.  | 50%      | Manager, Randwick City Library |
|   |  | Activate The Third Space, a lifelong learning space on Level 3 of the Lionel Bowen Library, and implement a plan of activities and workshops. | The Third Space fit out has progressed with cabinetry, display space, storage and rolling furniture installed/added to the room in this quarter. The 3D printers have been relocated permanently to the space and programs have been continuing online with some in-person events in December. The Makerspace Programs Officer has continued program development and research for the final fit out to ensure it is fit for purpose and to create a defined aesthetic.   | 50%      | Manager, Randwick City Library |
|   |  | Produce an integrated, community-focused marketing plan and calendar of events for the library that reflects community needs and interests.   | A five stage event management process has been developed and rolled out internally. Changes in key library services staff and the ongoing pandemic has delayed further development of the annual marketing plan.<br><br>Post event surveys for the new Tai Chi online and Spark in the Park initiatives indicated that the community value these new additions to the program. Therefore, they will continue as part of the library's regular and ongoing program of events.   | 50%      | Manager, Randwick City Library |
| 5d.2                                      | <b>Continue to provide a community hub for education and leisure activities.</b>   | Provide the community with facilities and opportunities through the library for lifelong learning and social integration.                     | When restrictions eased the Babies and Bop and Kids' Club transitioned from online to in person at the library from mid November.<br><br>A special online Storytime event with Jackie French ran as part of the Eco Living Festival online.<br><br>The library held a Spark in the Park special event during December as part of a Sustainability community day. The event was attended by approximately 150 people.<br><br>The following programs continued online to encourage social integration and opportunities for lifelong learning: Book Chat, Author Talks, Ukulele strumming session, Writing for Pleasure, Talking Tech, Smart Phone and Tablet training for Chinese speaking adults, English conversation classes, Cult Classic book club, Quirky Movie Club and Crafternoon on Fridays (all ages) and Monday Makers (12 - 16yr olds). Authors featured in the NSW Public Library Author Talks program included Charlotte Wood, Clare G Coleman, Michael Connelly, Costa Georgiadis and Fiona McIntosh. | 50%      | Manager, Randwick City Library |

| 2018-22 Delivery Program<br>(4-year program)   | 2021-22 Operational Plan<br>(1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress  | Responsible officer |                                  |
|--|---|--|---|---------------------|----------------------------------|
| 6. A liveable City   |   |  |   |                     |                                  |
| 6a: Our public infrastructure and assets are planned, managed and funded to meet the community expectations and defined levels of service. |   |  |   |                     |                                  |
| 6a.1   | Continue asset management planning to deliver infrastructure assets that ensure intergenerational equity and meet Council's obligations as the custodian of our community's assets. | Continue to collect and collate asset management data to ensure accurate and timely decisions in support of best management of Council's assets. | Open space asset data collection has been completed. The briefs for footpath data and road pavement data have been completed.   | 50%                 | Manager, Technical Services      |
| 6a.2   | Conduct programmed infrastructure and asset maintenance management in accordance with adopted service levels.   | Implement the Road Rehabilitation Program as part of the Capital Works Program.  | The program has commenced and is progressing as per schedule.   | 50%                 | Manager, Technical Services      |
|  |   | Maintain drainage infrastructure (kerb and gutter, drainage pits and gross pollutant traps).   | Road Services completed 52 drainage requests, at 98% within the SLA, and 77 clear culvert/pit requests at 71% within SLA during the quarter. All gross pollutant traps were inspected monthly and cleaned three times. 128t of pollutants were removed.   | 50%                 | Manager, Infrastructure Services |
|  |   | Maintain open space areas (parks, sports fields, gardens, streetscapes and cemeteries).  | Scheduled maintenance within parks, sports fields and other public areas has been affected by the pandemic, with staff and contractors either being close contacts or positive cases. Wet weather has also affected service levels, increasing the rate of plant growth and restricting maintenance efforts. Open Spaces Services completed 397 requests from the community regarding a variety of issues including nature strips, park maintenance, water services and streetscape gardens, 75% of these requests were completed within the nominated service level timeframe. | 50%                 | Manager, Infrastructure Services |
|  |   | Maintain building facilities (amenity buildings, community centres, boardwalks and park furniture).  | The Trades section has completed 76% of logged maintenance requests within the SLA for all buildings, libraries, community centres, park facilities, open space fencing and open space/street furniture. 212 requests were completed during the December quarter.   | 50%                 | Manager, Infrastructure Services |
|  |   | Maintain road pavement infrastructure (pot holes and large surface repairs, line markings and signage infrastructure).                           | Road Services completed 45 road pavement repairs at 96% within SLA, 158 pothole requests at 87% within SLA, 248 sign requests at 100% within SLA and 57 line marking requests at 95% within SLA during the quarter.   | 50%                 | Manager, Infrastructure Services |
|  |   | Maintain and repair footpaths, including the rectification of uneven surfaces.   | Road Services completed 199 footpath repairs at 97% within SLA and 26 kerb and gutter repairs at 100% within SLA during the quarter.  | 50%                 | Manager, Infrastructure Services |
|  |   | Implement the Building Capital Maintenance Program.  | The Trades section is on track to complete 100% of the Capital Maintenance Program for 2021-22  | 50%                 | Manager, Infrastructure Services |
|  |   | Implement the Footpath Construction and Renewal Program, including access kerb ramps, as part of the Capital Works Program.                      | The 2021-22 Footpath Construction and Renewal Program is progressing well. 53 projects (with a total value of \$3.01M) have been completed, and a further 12 projects valued at \$0.76M are in progress.  | 50%                 | Manager, Infrastructure Services |
|  |   | Manage Council's Property Portfolio.   | Tenanted buildings are held under a lease or licence agreement which details responsibility for asset maintenance. Reactive repair requests are recorded through Smartclient Pathways Customer Request Management (CRM) system.   | 50%                 | Manager, Customer & Compliance   |

| 2018-22 Delivery Program (4-year program)  | 2021-22 Operational Plan (1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)  | Progress | Responsible officer                         |
|--|--|---|----------|---|
| 6a.3 Implement and complete major projects in the Our Community Our Future Program.  | Commence construction of the Heffron Centre under the Our Community Our Future program.  | Works are progressing well on site, although encountering some minor rain delays. All bulk excavation works are complete as to the in-ground structural piling. Ground floor slabs have been commenced and detailed excavation of the Showcase Field is underway.   | 50%      | Manager, Infrastructure Services            |
| 6a.4 Prepare and implement a Smart City Strategy for the delivery of improved services and take advantage of technological opportunities.                                      | Continue to investigate opportunities to improve lighting across the Randwick LGA and use new technologies such as intelligent lighting to improve on efficiency in our indoor and outdoor facilities including parks, playgrounds, beaches and all buildings owned/operated by Council. | The replacement of legacy lighting with LED street lights has been completed. New lighting technologies including solar lighting have been assessed and included in projects where deemed suitable.   | 75%      | Manager, Technical Services                 |
| 6a.5 Consider opportunities for the restoration of the La Perouse Museum and improved access.  | Manage the restoration of the La Perouse Museum (including the master plan and re-build).  | The La Perouse Museum Upgrade Project continues with the feasibility stage and consultation with the Aboriginal community.  | 50%      | Manager, Economic Development & Placemaking |
| <b>6b: Our centres, beaches, streets and other public places are safe, inviting, clean and support a recognisable image of our City.</b>                                       |  |   |          |   |
| 6b.1 Conduct public place cleaning in accordance with adopted service levels.  | Ensure business centres, public places and beaches are cleaned to agreed service levels.   | Waste and Cleansing services have continued to meet scheduled cleaning of public spaces at beaches and business centres, and we continue to provide increased cleaning and sanitisation of high traffic areas in CBD's and beachside areas.   | 50%      | Manager, Waste & Cleansing Services         |
| <b>6c: The safety of our community is paramount and is acknowledged and supported through proactive policies, programs and strategies.</b>                                     |  |   |          |   |
| 6c.1 Implement actions identified in the Council's crime prevention and community safety plan (A Safer Randwick City) to reduce anti-social behaviour and foster a safer city. | Monitor and maintain infrastructure at risk of vandalism within Randwick City.   | Graffiti removed during the quarter was 1683.5 sq metres. This is a slight increase over the previous quarter.  | 50%      | Manager, Waste & Cleansing Services         |
|  | Collaborate with the community, key service providers and agencies to reform the Community Drug Action Team (CDAT) and deliver harm minimisation programs and awareness raising projects.  | Harm minimisation programs have been incorporated into Community Development programs.  | 50%      | Manager, Community Development              |
|  | Develop partnerships with police, government agencies, community organisations and individuals to promote community safety and inhibit the causes of crime and anti-social behaviour.  | Council staff have attended all meetings of the Eastern Beaches Liquor Accord and UNSW Crime Prevention Partnership. Council officers continue to liaise with NSW Police on operational matters as required.<br><br>Community Development officers continue to work in partnership with key agencies to raise awareness of local issues, help individuals to understand impacts of crime and anti-social behaviour and provide information on how to access help. | 50%      | Manager, Community Development              |

| 2018-22 Delivery Program (4-year program) |   | 2021-22 Operational Plan (1-year action)  | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer                       |
|---|---|---|--|----------|---|
| 6c.2                                      | <b>Educate the public on surf and water safety.</b>   | Implement surf and water safety education programs to a minimum of 20 schools, and continue to develop online delivery options to increase accessibility.     | The recent COVID lockdown and continued restrictions have significantly halted the RCC Beach Lifeguard Service's ability to deliver the surf and water safety program in schools.<br><br>Over the December quarter, the beach lifeguards continued frequent interactions with visitors at the three patrolled beaches in the LGA, in order to enhance safety along the coastline.  | 20%      | Manager, Public Safety & Aquatic Services |
|   |   | Grow the library of pre-recorded water safety tutorials in various languages, further expanding Council's current water safety offering.                      | Prior to the beach season commencing in September, the beach lifeguard team continued to gather information and video footage that will be put towards new online content to help educate beach users on how to enjoy Randwick City Council's beaches safely.  | 50%      | Manager, Public Safety & Aquatic Services |
| 6c.3                                      | <b>Implement effective regulatory and compliance services and programs to maximise public health and safety in Randwick City.</b> | Implement a food safety inspection program, and other regulatory programs.  | Council's food business inspection program has recently recommenced following the lifting of COVID restrictions with 66 food business inspections carried out in the period.<br><br>In the October to December quarter, Council's Environmental Health, Building and Compliance officers actioned 355 customer service requests; issued 60 notices/orders; determined 209 local approvals applications; processed 515 fire safety statements/certificates and carried out 57 fire safety inspections and 34 swimming pool barrier inspections. | 25%      | Manager, HB&RS                            |
|   |   | Maintain bacterial and chemical parameters at Des Renford Leisure Centre (DRLC) in compliance with NSW Health guidelines for pool and recycled water quality. | During the October to December quarter, the DRLC pools remained operational with water quality being tested daily and maintained at all times. DRLC pools remained 100% compliant with NSW Health guidelines for pool water quality during this period.  | 50%      | Manager, Public Safety & Aquatic Services |
| 6c.4                                      | <b>Implement the Road Safety Action Plan.</b>   | Implement road safety behavioural projects to address pedestrian safety, speeding and drink driving.  | Implementation of the Road Safety Action Plan is ongoing, with a number of activities completed.   | 50%      | Manager, Integrated Transport             |



| 2018-22 Delivery Program<br>(4-year program)  | 2021-22 Operational Plan<br>(1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer            |
|---|---|--|----------|--------------------------------|
| <b>6d: A strategic land use framework provides for our lifestyle changes and for a continuing, yet steady rate of growth across our City.</b>     |   |  |          |                                |
| <b>6d.1</b>   | <b>Review and implement the strategic land use framework in line with urban renewal projects, Regional and District Plans.</b>                        | Complete housing investigation areas and residential zone reviews as identified in the Housing Strategy.<br><br>Housing Investigation Areas including urban design studies contained within the Comprehensive Planning Proposal were reviewed by DPIE and a Gateway Determination was issued in September 2021.<br><br>A report was taken to Council on the Gateway Determination from DPIE in October 2021. Council resolved to seek request for review of conditions including timing for exhibition and finalisation of report on the Comprehensive Planning Proposal. Council officers submitted a request for review to DPIE in November 2021.  | 50%      | Manager, Strategic Planning    |
| <b>6d.2</b>   | <b>Continually monitor and update the strategic land use framework for continual improvement.</b>   | Exhibit and complete the comprehensive LEP review.<br><br>In October, Council resolved to request a review of certain Gateway conditions on the Comprehensive Planning Proposal. A request for review was submitted to DPIE in November 2021.  | 50%      | Manager, Strategic Planning    |
| <b>6d.3</b>   | <b>Ensure equitable and timely implementation of the s94A Contributions Plan and monitor the work program to enhance infrastructure and services.</b> | Prepare and exhibit an updated Infrastructure Contributions Plan.<br><br>In November, the General Manager and Council officers met with DPIE in relation to the impacts of the proposed Infrastructure reforms, particularly in relation to K2K Infrastructure schemes.<br><br>In December, Council made a second submission on the NSW Govt Infrastructure Bill, raising a number of concerns about the proposed changes and implications for planned infrastructure delivery.<br><br>The Infrastructure Contributions Plan draft works schedule and funding spreadsheet is being updated based on priorities identified in Council's Informing Strategies.   | 50%      | Manager, Strategic Planning    |
| <b>6e: Enhance housing diversity, accessibility and adaptability to support our diverse community.</b>  |   |  |          |                                |
| <b>6e.1</b>   | <b>Provide for enhanced adaptability and accessibility of housing.</b>  | Continue to provide the Home Maintenance and Modification program.<br><br>335 home maintenance jobs were completed this quarter. Numbers are still down from previous quarters due to COVID.   | 50%      | Manager, Community Development |
| <b>6e.2</b>   | <b>Update and implement Council's Affordable Housing Strategy and Action Plan to facilitate new and retain existing affordable housing.</b>           | Prepare and exhibit an Affordable Housing Plan for urban renewal areas.<br><br>A draft Affordable Housing Scheme has been prepared for Housing Investigation Areas. The draft scheme is scheduled to be placed on public exhibition in early 2022 with the Comprehensive Planning Proposal.<br><br>Review and update the Affordable Housing Policy and Transitional Housing programs to include greater flexibility and different approaches to hardship through investigating different housing models.<br><br>The updated Transitional Housing program and procedures were adopted by Council at the September 2021 meeting. A Request for Expressions of Interest was issued in September for managing the Transitional Housing private rental model program on behalf of Council.<br><br>In the December quarter, the Women's Housing Company was selected by Council to manage the Transitional housing private rental model program and will begin implementation in January 2022. | 50%      | Manager, Strategic Planning    |
| <b>6f: Undertake commercial centre reviews to ensure ongoing economic viability of the centres and consistency with District Plan objectives.</b> |   |  |          |                                |
| <b>6f.1</b>   | <b>Undertake an ongoing program of comprehensive commercial centre reviews.</b>   | Exhibit and finalise updated LEP provisions for the Randwick Junction Town Centre.<br><br>Continued engagement with stakeholders/landowners within Randwick Junction. Fine grain urban design and heritage analysis, 3D modelling, local transport study and economic analysis currently underway.   | 50%      | Manager, Strategic Planning    |

| 2018-22 Delivery Program<br>(4-year program)   | 2021-22 Operational Plan<br>(1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer                         |
|--|---|--|----------|---|
| <b>7. Heritage that is protected and celebrated</b>  |   |  |          |   |
| <b>7a: Our heritage is recognised, protected and celebrated.</b>   |   |  |          |   |
| <b>7a.1 Local and cultural history is recognised, known, preserved and celebrated (through events, media, etc).</b>                    | Promote local and cultural services and collections through a range of programs and presentations that enhance community interpretations of heritage.               | The Library's 70th Anniversary was launched. Due to the lockdown the celebration was quieter than originally planned. Street flags and street posters were on display across the LGA. A multichannel digital campaign, including social media content and an enewsletter, invited the community to watch a six-minute video featuring seven decades of Randwick City Library highlights. Many lifelong library members generously contributed their own library memories to add to the celebration.<br><br>104 local studies enquiries were answered during this period plus 12 corporate requests. 14 in person appointments were held. Ancestry.com had 6980 searches conducted and Find My Past had 3680. | 50%      | Manager, Randwick City Library              |
|  | Investigate the creation of a downloadable mobile app for self-guided heritage walking tours around the Randwick LGA.   | Research into finding a suitable app continues, with some potential candidates identified.   | 50%      | Manager, Randwick City Library              |
|  | Facilitate access to heritage documents and resources through the Portfolio Digital Asset Management System.  | The Local Studies team received a large number of donations this reporting period. 157 donated assets were digitised and imported into the Portfolio database awaiting metadata records.<br><br>There were 864 views via the Randwick Photo Gallery.   | 50%      | Manager, Randwick City Library              |
|  | Digitise the historic Building Application books 1919-1952.   | The first 17 volumes of the Building Application books have now been digitised by Pascoes Digital.   | 50%      | Manager, Randwick City Library              |
| <b>7a.2 Prepare and implement management and maintenance plans for heritage properties owned by Council.</b>                           | Manage Council's heritage monuments, murals and properties.   | Heritage DA advice is ongoing as required. A total of 50 heritage DA referrals and 8 heritage exemption requests were dealt with during the quarter.   | 50%      | Manager, Strategic Planning                 |
| <b>7a.3 Implement, monitor and review our City's heritage planning provisions to ensure suitable conservation and adaptive re-use.</b> | Exhibit and finalise the Randwick Heritage Review as part of the Comprehensive LEP review.  | Heritage consultants are preparing detailed heritage statements for potential listing of heritage items in the Comprehensive LEP. Once complete, these will be reported to Council and placed on public exhibition as required by the Gateway Determination conditions issued by DPIE.   | 50%      | Manager, Strategic Planning                 |
| <b>7a.4 Manage the La Perouse Museum to enhance access to and information about local heritage.</b>                                    | Research, develop and implement exhibitions, programs and education events through the La Perouse Museum to maximise public access to local and regional histories. | The La Perouse Museum was opened to the public on 18 October, following easing of COVID restrictions. A new travelling exhibition '1x4' was launched in the quarter, and a number of public programs were delivered.   | 50%      | Manager, Economic Development & Placemaking |
| <b>7a.5 Implement Council's Heritage Conservation policies in the assessment process.</b>  | Implement measures to improve efficiency in the assessment of heritage applications.  | Efficiency improvements implemented in the quarter include streamlining of heritage exemption applications and development applications that are in the vicinity of a heritage item.   | 50%      | Manager, Strategic Planning                 |

| 2018-22 Delivery Program<br>(4-year program)  | 2021-22 Operational Plan<br>(1-year action)  | Comment for current period (1 October 2021 - 31 December 2021)   |  | Progress | Responsible officer                         |
|---|--|--|--|----------|---|
| 8. A strong local economy   |  |  |  |          |   |
| 8a. Vibrant business, commercial, and industrial sectors that provide ongoing and diverse employment opportunities and serve the community. |  |  |  |          |   |
| 8a.1  | Review and update the Economic Development Strategy.   | Develop and adopt a new Economic Strategy.   | Work continued on the draft Economic Development Strategy. The strategy will be considered by Council at the February 2022 Council meeting.  | 50%      | Manager, Economic Development & Placemaking |
| 8a.2  | Implement a range of strategies to support the development of vibrant business and commercial centres. | Investigate and scope a range of activations specifically designed for each main town centre to support new and existing business and increase town centre vibrancy. | A number of activations were held over Christmas and Summer including a pop-up music program, chalk art and roving performers.   | 50%      | Manager, Economic Development & Placemaking |
|   |  | Develop a design for the intersection of Clovelly Road and Carrington Road in accordance with the Clovelly Road Masterplan.  | The concept design was completed and consultation undertaken with TfNSW, Ausgrid and other relevant agencies. Work on the final concept design has been substantially completed.   | 50%      | Manager, Technical Services                 |
|   |  | Commence implementation of recommendations from the Matraville Streetscape Improvements Study.   | Concept options for the Masterplan are being developed.  | 50%      | Manager, Technical Services                 |
|   |  | Commence implementation of recommendations from the Maroubra Junction Masterplan.  | Community consultation was completed in the previous quarter, and a background study has been prepared to assist with development of concept options.  | 50%      | Manager, Technical Services                 |
|   |  | Develop a new Urban Elements manual that outlines town centre improvements that reflect the unique characteristics of each town centre.                              | Project will commence in April 2022.   | 0%       | Manager, Technical Services                 |
| 8b. Provide guidance to the specialised Hospital and University centre.   |  |  |  |          |   |
| 8b.1  | Work with institutions to develop strategic plans for Hospital and University precincts.               | Support the implementation of the Randwick Collaboration Place Strategy.   | Council officers met with Health Infrastructure to advocate for improvements to the hospital expansion proposal, including east-west connections along High Street.<br><br>Two State Significant applications for the Hospital/UNSW Translation Hub were approved in December 2021 with conditions requiring Council to be consulted in relation to a number of items including a pedestrian bridge, streetscape design, pedestrian management, and an Integrated Transport Working group. | 50%      | Manager, Strategic Planning                 |

| 2018-22 Delivery Program<br>(4-year program)   |  | 2021-22 Operational Plan<br>(1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)                        | Progress | Responsible officer                         |
|--|--|---|---|----------|---|
| <b>8c. Develop and strengthen effective partnerships with key locally based organisations.</b> |  |   |   |          |   |
| 8c.1   | Implement the adopted recommendations of the Economic Development Strategy in relation to partnerships with locally based organisations. | Undertake main street programming in partnership with locally based organisations.                            | Program under development.  | 25%      | Manager, Economic Development & Placemaking |
| 8c.2   | Consider online opportunities to enhance communication partnerships on economic development.   | Investigate online opportunities to enhance communication partnerships on economic development.               | Appropriate online opportunities under investigation.                                 | 50%      | Manager, Economic Development & Placemaking |
| <b>8d. Tourism's role in the local economy is acknowledged.</b>                                |  |   |   |          |   |
| 8d.1   | Implement the adopted recommendations of the Economic Development Strategy in relation to tourism.                                       | Continue to collaborate with key stakeholders to enhance tourism product development and increase visitation. | Discussions are underway regarding plans for appropriate tourism product development. | 25%      | Manager, Economic Development & Placemaking |

| 2018-22 Delivery Program<br>(4-year program)   | 2021-22 Operational Plan<br>(1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress   | Responsible officer           |
|--|---|--|------------|-------------------------------|
| <b>9. Integrated and accessible transport</b>  |   |  |            |                               |
| <b>9a: A network of safe and convenient walking paths and cycle ways linking major land uses and recreation opportunities.</b> |   |  |            |                               |
| <b>9a.1</b>  | <b>Review, improve and implement facilities for cyclists as detailed within the Randwick Bicycle Plan.</b>  | <p>Implement appropriate projects as nominated by the Council's Cycleways and Bicycle Facilities Advisory Committee, as well as pedestrian and bike rider improvement projects.</p> <p>TfNSW have appointed a primary contractor to deliver Council's Kingsford to Centennial Park walking and cycling improvements project. We continue to work closely with TfNSW on detailed aspects of this project. Construction is scheduled to commence early 2022.</p> <p>Council officers are also working closely with Greater Sydney Parklands (GSP) on the delivery of new walking and riding paths along the southern edge of Queens Park. While most of this project is contained within the Waverley LGA, upon GSP land, some elements (including footpaths, ramps and parking areas) are within the Randwick Council area. This project is approximately 60% complete and is progressing well.</p> <p>Early planning continues for the Anzac Parade paths project.</p> | <b>50%</b> | Manager, Integrated Transport |
| <b>9a.2</b>  | <b>Continue to use the footpath program to improve and develop facilities for people who are walking and identify opportunities for pedestrian improvements through the preparation and implementation of pedestrian and mobility plans for our commercial centres.</b> | <p>Design and construct pedestrian refuges throughout the LGA to improve the safety of pedestrians.</p> <p>Fifteen of the remaining 24 federally funded pedestrian safety projects were completed by the end of the December quarter. Final design work on the remaining projects is progressing well. Council is working closely with TfNSW regarding any variations required to the design of these projects.</p>  | <b>50%</b> | Manager, Integrated Transport |
| <b>9b: The community is informed, educated and encouraged to use sustainable transport.</b>                                    |   |  |            |                               |
| <b>9b.1</b>  | <b>Implement Council's Energy Savings Plan and Local Greenhouse Action Plan to reduce reliance on private motor vehicles.</b>   | <p>Continue to monitor and report on vehicle emissions for Council's fleet; and investigate and advocate for opportunities to utilise energy efficient transport for Council.</p> <p>131,752 litres of fuel used across passenger and plant fleet (24% decrease on previous Q2) resulting in 344 tonnes of CO2-e.</p> <p>Public electric vehicle charging station installed by JOLT / Ausgrid in Goodwood St, Kensington.</p>  | <b>50%</b> | Manager, Sustainability       |
| <b>9b.2</b>  | <b>Continue to show leadership in this area with Council's vehicle and transport choices.</b>   | <p>Engage with Council staff for increased take-up of e-bikes and vehicles and facilitate sustainable transportation choices including walking, cycling and public transport.</p> <p>Supported a community 'Cycle Skills Program' at the Prince Henry Centre in December.</p>  | <b>50%</b> | Manager, Sustainability       |

| 2018-22 Delivery Program<br>(4-year program)   |  | 2021-22 Operational Plan<br>(1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer           |
|--|--|---|--|----------|-------------------------------|
| <b>9c: Advocate and/or plan for integrated local and regional transport improvements, including high capacity transport such as light/standard rail.</b> |  |   |  |          |                               |
| 9c.1   | Advocate for the extension of the light rail system to Maroubra Junction, improved east-west public transport services and improved bus network. | Advocate for improved public transport services.  | We continue to liaise with TfNSW regarding bus service improvements.   | 50%      | Manager, Integrated Transport |
| 9c.2   | Participate in working groups and monitor the State Government's implementation of light rail.   | Continue to liaise with Transport for NSW regarding any post implementation issues given the completion of the Light Rail Project.                    | There are minimal changes being made to light rail facilities. The service is working well.  | 50%      | Manager, Integrated Transport |
| <b>9d: Residential amenity is protected by appropriate traffic management.</b>   |  |   |  |          |                               |
| 9d.1   | Implement traffic control strategies to protect residential amenity.   | Manage and implement actions arising from the Traffic Committee processes.  | The on-going roll-out of the remaining 24 federally funded pedestrian safety projects has progressed well; each having been endorsed by the Traffic Committee.   | 50%      | Manager, Integrated Transport |
| 9d.2   | Implement regulatory parking patrol and enforcement programs to ensure appropriate enforcement of the NSW Road Rules.                            | Undertake parking patrols and implement the Road Rules in business centres, school zones, beachside locations and other restricted parking locations. | Council Rangers and Parking Officers undertake regular patrols of business centres, beachside locations, school zones and other restricted parking locations and undertake appropriate regulatory action. In the October to December quarter, Council Officers have also investigated 1016 parking related customer requests.                                | 50%      | Manager, HB&RS                |
| <b>9e: Parking is managed to balance convenience against reduced car reliance.</b>   |  |   |  |          |                               |
| 9e.1   | Enhance parking opportunities for residents through appropriate management of the Resident Parking Scheme.                                       | Manage the 'area based' Residential Parking Scheme.   | A Resident Parking Survey was undertaken in the proposed MB1 (Maroubra Beach) area. The results of this survey will be reported to the February 2022 Traffic Committee meeting.<br><br>We have also activated the much improved 'on-line' application processes for Resident Parking Scheme customers. This improves the customer experience and efficiency. | 50%      | Manager, Integrated Transport |
| 9e.2   | Develop a strategic approach to the overall management of parking – especially within our commercial centres.                                    | Complete a review of kerbside usage in two town/local centres.  | The first commercial centre parking surveys have been prepared. They are scheduled for implementation in early 2022.   | 50%      | Manager, Integrated Transport |
|  |  | Complete a parking management study of the Randwick Collaboration Area (RCA) with RCA partners.   | No activities have commenced on this project. Scheduled to commence in the March 2022 quarter.   | 0%       | Manager, Integrated Transport |

| 2018-22 Delivery Program (4-year program)   | 2021-22 Operational Plan (1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress   | Responsible officer              |
|---|--|--|------------|----------------------------------|
| <b>10. A healthy environment</b>  |  |  |            |                                  |
| <b>10a: Council's programs and partnerships foster sustainable behavioural changes and outcomes.</b>                            |  |  |            |                                  |
| <b>10a.1</b>  | <b>Develop, implement and review programs aimed at improving the City's resilience.</b>  | Provide resources and engage community sectors, householders and business owners in programs to respond to Climate Change and conservation of natural resources.<br><br>The Eco Living Festival event ran from 20 September - 24 October 2021 with Conserving Resources and Climate Change the two key themes covered with speakers, workshops, presentations and movies.<br><br>Sustainability Rebates continued for residents and businesses across 12 different energy and water saving items. There was greatly renewed interest following the Eco Living Festival, with an additional 60 rebate applications received from residents. Leverage in residential investment continues to be ten dollars for each rebate dollar provided by Council.<br><br>PermaBee volunteers managed to assist at the Randwick Community Centre over October and November with approx. 60 participants (including 8 workshops held online for others not returning on-site). | <b>50%</b> | Manager, Sustainability          |
| <b>10a.2</b>  | <b>Expand external partnerships supporting Council's resilience initiatives e.g. UNSW MOU.</b>   | Expand and increase partnerships with community and business, UNSW and other partners across the Randwick Collaboration Precinct to bring down emissions of greenhouse gases, reduce waste and meet adopted environmental targets.<br><br>Council's Sustainability Team is currently working with UNSW on an 'Interdisciplinary Partner Project' about Net Zero Emissions.<br><br>Plastic Free Randwick's new Coordinator (from the Boomerang Alliance with Commonwealth funding), commenced with a 'soft' launch via introductory letter delivered to approx. 3,700 local cafes, restaurants and food outlets and a number of presentations to Precinct Committees.<br><br>Partnership established with Adamama for PermaBees and community education activities as part of increased activation of Randwick Community Centre.  | <b>50%</b> | Manager, Sustainability          |
| <b>10a.3</b>  | <b>Continue the development, implementation and review of the 3-Council collaboration project with Waverley and Woollahra Councils to reduce resource consumption across the region.</b> | Continue implementing the 3-Council Regional Environment Program initiatives including Compost Revolution, Solar my Schools, and Solar my Club; and identify new opportunities to engage and collaborate with the community to reduce resource consumption.<br><br>Energy Smart Cafes are being trialled across 9 eastern suburbs cafes including 3 in Randwick.   | <b>50%</b> | Manager, Sustainability          |
| <b>10b: Policies and programs are developed and implemented in response to environmental risks and their potential impacts.</b> |  |  |            |                                  |
| <b>10b.1</b>  | <b>Develop and implement a long term resilience framework for Randwick.</b>  | Investigate the integration of resilience across relevant programs and policies.<br><br>Resilient Sydney workshops continue to be attended by staff from Community Development, Infrastructure Services and Sustainability.  | <b>50%</b> | Manager, Sustainability          |
| <b>10b.2</b>  | <b>Develop and implement environmental strategies for remediation of contaminated Council/public land.</b>   | Continue ongoing remediation works and monitoring activities at Chifley Reserve, Heffron Park, Pioneer Park and Purcell Park.<br><br>Pioneers Park natural turf field (Field #1) is complete and ready for use by the general public. Chifley reserve continues to be monitored for off-gassing as per the Remediation Action Plan (RAP) Operational Plan. The Purcell Park Remediation Project was completed in December 2020 and the site has been certified as remediated. Ongoing RAP Operational Management continues for Heffron, Purcell and Chifley Parks.   | <b>50%</b> | Manager, Infrastructure Services |

| 2018-22 Delivery Program<br>(4-year program)   | 2021-22 Operational Plan<br>(1-year action)  | Comment for current period (1 October 2021 - 31 December 2021)  | Progress | Responsible officer              |
|--|--|---|----------|----------------------------------|
| <b>10b.3 Implement recommendations contained in the NSW Government's Floodplain Development Manual and relevant floodplain management studies carried out for Randwick City.</b> | Continue Floodplain Management studies and Floodplain Risk Management Plan implementation actions as per Council's schedule.           | The Lurline Bay, Matraville, Malabar and Yarra Bay flood study was adopted. The Clovelly catchment flood study was endorsed by Council for public exhibition.   | 50%      | Manager, Technical Services      |
| <b>10b.4 Administer and implement Council's Tree Preservation policy to preserve our urban forest.</b>   | Complete customer service requests for pruning/removal of Council street trees, incorporating relevant environmental risk assessments. | 94 Tree Applications for private trees were received and processed. 627 Service Requests were received in the quarter with 97% completed within the SLA.  | 50%      | Manager, Technical Services      |
| <b>10b.5 Administer and coordinate Council's Climate Change Adaptation and Mitigation Plan.</b>  | Develop criteria for Council's response to the climate emergency declaration.  | Randwick's Eco Living Festival (20 September - 24 October 2021) provided a major focus on Climate Change activation.<br><br>Council signed on to 'Race to Zero' with Global Covenants of Mayors.  | 50%      | Manager, Sustainability          |
| <b>10c: Bushland, open spaces and biodiversity are protected and enhanced for future generations.</b>  |  |   |          |                                  |
| <b>10c.1 Implement and monitor Randwick's regulatory responsibilities especially in relation to the enhancement of our native and indigenous flora and fauna.</b>                | Implement the Bush Regeneration and Revegetation Program including threatened species management and development of green corridors.   | All (100%) of bushland sites have received bush regeneration treatments. The total hours committed to restoration activities this quarter has been 3,750 hours. Bushcare activities have recommenced according to COVID Safe plans which have been developed by Council and comply with current Public Health Orders. | 50%      | Manager, Infrastructure Services |
|  | Implement the Biosecurity Act and provide advice on invasive flora and fauna.  | Council continues to manage weeds on public land in a risk based manner and provides information and advice to the community through educational materials.   | 50%      | Manager, Infrastructure Services |
| <b>10c.2 Implement annual tree planting programs in accordance with Council's Street Tree Masterplan to continue to increase our tree canopy cover across our City.</b>          | Implement annual street tree planting programs.  | Tree plantings in parks and streets continued via contractors following up on Request a Tree forms submitted by Randwick residents.<br><br>Just under 600 new trees have now been planted as part of the 'Greening Our City' grant program, along with just under 6,000 groundcovers, shrubs and grasses.             | 50%      | Manager, Sustainability          |



| 2018-22 Delivery Program<br>(4-year program)  | 2021-22 Operational Plan<br>(1-year action)  | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer                 |
|---|--|--|----------|-------------------------------------|
| <b>10d: Waste is managed sustainably to ensure highest level of resource recovery.</b>  |  |  |          |                                     |
| <b>10d.1</b>  | <b>Develop and implement Council's Resource Recovery Strategy to minimise the level of waste going to land-fill.</b> | Monitor and improve Food Organics and Garden Organics (FOGO) collection and processing services across all residential properties in the City. | 50%      | Manager, Waste & Cleansing Services |
|   |  | Develop and implement programs to improve waste and recycling services in social housing properties.   | 50%      | Manager, Waste & Cleansing Services |
|   |  | Develop and implement a new Recycling Processing contract.   | 50%      | Manager, Waste & Cleansing Services |
| <b>10d.2</b>  | <b>Implement and review actions identified in Council's Litter and Illegal Dumping Management Plan.</b>              | Develop and implement community engagement programs to reduce illegal dumping and litter.  | 50%      | Manager, Waste & Cleansing Services |
| <b>10d.3</b>  | <b>Develop and implement community engagement programs on waste and recycling.</b>                                   | Develop and implement community engagement programs to reduce recycling and FOGO contamination.  | 50%      | Manager, Waste & Cleansing Services |
| <b>10e: A total water cycle management approach including water conservation, re-use and water quality improvements is adopted.</b> |  |  |          |                                     |
| <b>10e.1</b>  | <b>Develop and implement projects to improve water conservation and efficiency across Council and the Community.</b> | Implement water conservation initiatives in the operation of Council's amenities.  | 50%      | Manager, Infrastructure Services    |
|   |  | Implement water conservation in Council's amenities as part of the Capital Works delivery programs.  | 50%      | Manager, Infrastructure Services    |
|   |  | Investigate and implement stormwater, rainwater and wastewater harvesting opportunities within Randwick City.                                  | 50%      | Manager, Infrastructure Services    |

| 2018-22 Delivery Program<br>(4-year program)                             | 2021-22 Operational Plan<br>(1-year action)   | Comment for current period (1 October 2021 - 31 December 2021)   | Progress | Responsible officer            |
|--|---|--|----------|--------------------------------|
| <b>10f: Energy conservation and efficiency programs are implemented.</b> |   |  |          |                                |
| <b>10f.1</b>   | <b>Develop and implement projects to improve energy conservation and efficiency across Council and the Community.</b> | Continue implementing energy and water saving rebates for residents and business owners to contribute towards achieving Randwick's target of 60% reduction in greenhouse gas emissions.  | 50%      | Manager, Sustainability        |
|  |   | Investigate options to increase Council's procurement of renewal energy.   | 50%      | Manager, Customer & Compliance |
| <b>10f.2</b>   | <b>Investigate and implement renewable energy projects across Randwick City.</b>                                      | <p>The Street Lighting Improvement Program led by Southern Sydney Regional Organisation of Councils (SSROC) is being expanded to main roads (as well as the remaining compact fluorescent lamps (CFLs) on residential roads). This program is believed to already be the largest LED deployment in Australia and is saving councils millions each year in reduced energy and maintenance charges. If the forthcoming proposal is accepted by councils, it should take total LED deployments to more than 95% of all Ausgrid lighting over the next few years.</p> <p>In the December quarter (Q2), Council used 5,897 GJ of electricity (16% less than last Q2), of which 6% was sourced from its rooftop solar panels and an additional 30% was sourced from its renewable energy power purchase agreement, making the total renewables percentage 36%. Council also consumed 1,214 GJ of gas (14% less than last Q2). In total, Councils use of electricity and gas was 7,111 GJ (16% less than last Q2). The total emissions from energy for Q2 was 1,117 tCO2-e (21% less than last Q1).</p> | 50%      | Manager, Sustainability        |

## General Manager's Report No. GM3/22

### Subject: Portfolio Committee Terms of Reference

#### Executive Summary

- At its February 2022 Ordinary Council meeting, Council endorsed the creation of seven (7) portfolio committees to align with the new informing strategies, including:
  - Arts & Culture
  - Economic Development
  - Environment
  - Inclusive Randwick
  - Integrated Transport
  - Open Space & recreation
  - Housing
- A Draft Terms of Reference for the seven (7) committees has now been drafted for Council adoption.
- Council has determined its Councillor representatives and Chairpersons for six (6) of the seven (7) committees.

#### Recommendation

That Council

- a) adopt the attached Draft Terms of Reference for the following portfolio advisory committees:
  - Arts & Culture
  - Economic Development
  - Environment
  - Inclusive Randwick
  - Integrated Transport
  - Open Space and Recreation
  - Housing.
- b) determine the Chair and membership for the Housing Portfolio Advisory Committee.

#### Attachment/s:

1.  Draft Arts and Culture Portfolio Committee Terms of Reference
2.  Draft Economic Development Portfolio Committee Terms of Reference
3.  Draft Environment Portfolio Committee Terms of Reference
4.  Draft Housing Portfolio Committee Terms of Reference
5.  Draft Inclusive Randwick Portfolio Committee Terms of Reference
6.  Draft Integrated Transport Portfolio Committee Terms of Reference
7.  Draft Open Space & Recreation Portfolio Committee Terms of Reference

## Purpose

At its February 2022 Ordinary meeting, Council resolved as follows:

*(Hamilton/Veitch) that:*

a) Council establish six new portfolio advisory committees as follows:

- Arts & Culture
- Economic Development
- Environment
- Inclusive Randwick
- Integrated Transport
- Open Space & Recreation.
- Housing (to be comprised of any interested councillors).

The purpose of this report is to adopt the Terms of Reference for Councils Portfolio Advisory Committees and to determine the membership of the Housing Portfolio Committee.

## Discussion

It is best practice for each new Council to consider its committee structure prior to determining its membership. Council considered its committee structure at its February 2022 Ordinary Council meeting and resolved to form seven (7) new portfolio advisory committees, including:

- Environment Strategy
- Arts and Culture Strategy
- Integrated Transport
- Open Space and Recreation Strategy
- Inclusive Randwick Strategy
- Economic Development Strategy.
- Housing.

By aligning Council committees to the strategic direction of Council, this will ensure our efforts are best placed to meet our goals.

Draft Terms of Reference have now been developed to define the purpose and structure of the committees to allow for their commencement.

As per the February Council meeting, the purpose of these portfolio advisory committees would be as follows:

1. **Leadership** - To provide Councillors with experience in Chairing a meeting through a portfolio approach.
2. **Informed decision making** - To increase knowledge across Council in focused areas aligned to Council strategy.
3. **Performance** - To receive updates and monitor performance in relation to Council's outcomes and objectives of the focus area.
4. **Community consultation and recognition** – To allow additional public participation in decision making and to recognise community achievements.
5. **Stakeholder Relationships** – To enhance stakeholder relationships by identifying and involving key stakeholders.

It is important to note that these committees are be advisory in nature and not decision-making bodies. **All decisions should be made in a Council meeting environment.**

## Membership

At the February Ordinary Council meeting, Chairpersons and members were determined for each committee except for the Housing Portfolio Committee.

The Housing strategy was adopted in February 2020 and is the only informing strategy which has been created based upon legislative requirements to inform the Randwick Local Environmental Plan 2012 review and the Randwick Development Control Plan 2013 review.

Much of the work leading to the review of the 2012 LEP review has now been completed and briefings continue to be held as new information emerges. The review of Council's Development Control Plan (DCP) will also be a specific project and not an ongoing piece of work.

All Councillors are encouraged to participate in presentations and discussions regarding both the LEP and DCP.

### Meeting schedule

Committee nights would be held between 6 and 9pm on the 1<sup>st</sup> and 5<sup>th</sup> Tuesday (where applicable) of the month, each of the six (6) recommended committees would be scheduled to meet quarterly. To accommodate this, two committees may be held on the same night (one after the other).

To ensure the success of the committees, it is suggested that the agenda is prioritised and chaired to accommodate a duration of 1.5 hours. This is conscious of the available time commitments of Councillors and staff.

### 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 are no resourcing implications. The creation of these committees should streamline briefing sessions and individual Councillor enquiries, thus making best use of resources.

### Policy and legislative requirements

Nil.

### Conclusion

The Draft Terms of Reference define the purpose and structure for the new portfolio committees, allowing for their commencement.

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**Responsible officer:** Therese Manns, General Manager

**File Reference:** F2005/00775

## ARTS AND CULTURE PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Arts and Culture Portfolio Advisory Committee (ACPAC)

#### 2. AIMS

The Arts and Culture Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Council's Arts and Culture Strategy, including:

**A creative and culturally rich city, that is innovative, inclusive and recognised nationally.**

- Establish a strong cultural identity for the Randwick LGA which is inclusive of our diverse communities and recognizes the contributions of First Nations people by 2031.

**Everyone can develop, express and enjoy creativity throughout their life.**

- Increase the number of places by 20% that are available for people to participate in art and culture by 2031.
- Increase attendance at Council's arts and cultural programmes, events and venues by 10% by 2031.

#### 3. OBJECTIVES

The Arts and Culture Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Arts and Culture Strategy.
- To oversee performance in relation to the outcomes and objectives of the Arts and Culture Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Arts and Culture Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.

#### 5. MEMBERSHIP

The committee will consist of seven (7) Councillors and two (2) Council staff.

A Council elected member shall assume the role of Chairperson for all meetings except where that person is an apology in which case the Committee will appoint an alternative Chairperson for that meeting.

The two Council staff members will provide secretariat support and provide information to the committee as required.

#### Sub-Committees

Sub-Committees have a specific purpose that is defined by the Portfolio Advisory Committee and used by Council to obtain expert or subject matter advice on complex matters.

The Committee shall appoint such sub-committees as it considers necessary provided that all actions of such sub-committees are approved or confirmed by the Council or Committee, in consultation with the Mayor and General Manager.

Sub-Committees should not be developed solely for the purposes of community consultation/engagement.

### **6. TENURE OF MEMBERSHIP**

The tenure of membership will be a maximum of two years as determined by Council.

### **7. PROCEDURES AND PROCEEDINGS**

The Committee's quorum shall be a minimum of four Council elected members. Should a minimum of four councillors not be able to attend a scheduled meeting, the meeting will be postponed to a later date.

It is acknowledged that Councils informing strategies do not operate in isolation. Where the committee would like to discuss another strategy action which has synergy with the Arts and Culture strategy, a joint meeting of two or more committees may be held.

### **8. NOTICE OF MEETINGS**

Members of the Committee shall receive at least ten working days written notice of the meeting date.

An agenda will be provided within five (5) working days of the meeting.

The agenda will state the time and duration of the meeting. The Chairperson is responsible for ensuring the meeting does not extend past the notified end time, without the acceptance of all committee members.

If the business of the meeting is unfinished by the notified end time and the committee does not resolve to extend the meeting, the chairperson must defer the remaining items of business to the next meeting of the Committee.

### **9. MINUTES OF THE MEETINGS**

Minutes of the meeting will be made available to any interested residents for inspection and will be published on Councils website.

### **10. SPECIAL MEETING**

Should the need arise for a special meeting to consider an urgent matter, a special meeting to consider only that particular urgent matter may be called by one of the two staff members.

### **11. ATTENDANCE AT MEETINGS**

Members may, in consultation with the Committee, request that an invitation be extended to a particular individual to attend a future meeting as a visitor, when it is considered that the visitor may be in a position to contribute to the proceedings.

All Councillors are welcome to attend the committee meetings.

**12. CODE OF CONDUCT**

Members will abide by Councils Code of Conduct, which sets out the requirements of conduct for committee members in carrying out their functions.

**13. AMENDMENTS TO TERMS OF REFERENCE**

These Terms of Reference shall only be amended by a resolution by Randwick City Council.



## ECONOMIC DEVELOPMENT PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Economic Development Portfolio Advisory Committee (EDPAC)

#### 2. AIMS

The Economic Development Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Economic Development Strategy.

#### 3. OBJECTIVES

The Economic Development Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Economic Development Strategy.
- To oversee performance in relation to the outcomes and objectives of the Economic Development Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Economic Development Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.

#### 5. MEMBERSHIP

The committee will consist of seven (7) Councillors and two (2) Council staff.

A Council elected member shall assume the role of Chairperson for all meetings except where that person is an apology in which case the Committee will appoint an alternative Chairperson for that meeting.

The two Council staff members will provide secretariat support and provide information to the committee as required.

#### Sub-Committees

Sub-Committees have a specific purpose that is defined by the Portfolio Advisory Committee and used by Council to obtain expert or subject matter advice on complex matters.

The Committee shall appoint such sub-committees as it considers necessary provided that all actions of such sub-committees are approved or confirmed by the Council or Committee, in consultation with the Mayor and General Manager.

Sub-Committees should not be developed solely for the purposes of community consultation/engagement.

#### **6. TENURE OF MEMBERSHIP**

The tenure of membership will be a maximum of two years as determined by Council.

#### **7. PROCEDURES AND PROCEEDINGS**

The Committee's quorum shall be a minimum of four Council elected members. Should a minimum of four councillors not be able to attend a scheduled meeting, the meeting will be postponed to a later date.

It is acknowledged that Councils informing strategies do not operate in isolation. Where the committee would like to discuss another strategy action which has synergy with the Economic Development strategy, a joint meeting of two or more committees may be held.

#### **8. NOTICE OF MEETINGS**

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All Councillors are welcome to attend the committee meetings.

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Members will abide by Councils Code of Conduct, which sets out the requirements of conduct for committee members in carrying out their functions.

#### **13. AMENDMENTS TO TERMS OF REFERENCE**

These Terms of Reference shall only be amended by a resolution by Randwick City Council.

## ENVIRONMENT PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Environment Portfolio Advisory Committee (EPAC)

#### 2. AIMS

The Environment Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Environment Strategy, including:

##### Biodiversity Conservation

- Increase by 60%, the number of native and indigenous plantings across Randwick City by 2030.

##### Climate Change

- Achieve a 60% reduction in greenhouse gas emissions across Randwick City by 2030, while acknowledging the importance of aspiring to a 100% greenhouse gas emissions target for the same timeframe.

##### Conserve Resources

- Increase residential recycling to 70% across Randwick City and divert 75% waste from landfill by 2025.
- Reduce the consumption of energy and water across Randwick City per capita by 30% by 2030.

##### Coastal Protection

- 100% of Randwick Beaches achieve a "Good" or "Very Good" result as monitored and reported in the NSW Governments Beachwatch water quality program.
- Ensure community satisfaction of the coastal experience is retained above 80% in surveys conducted from 2020 onwards.

#### 3. OBJECTIVES

The Environment Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Environment Strategy.
- To oversee performance in relation to the outcomes and objectives of the Environment Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Environment Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.

#### 5. MEMBERSHIP

The committee will consist of seven (7) Councillors and two (2) Council staff.

A Council elected member shall assume the role of Chairperson for all meetings except where that person is an apology in which case the Committee will appoint an alternative Chairperson for that meeting.

The two Council staff members will provide secretariat support and provide information to the committee as required.

##### Sub-Committees

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Sub-Committees should not be developed solely for the purposes of community consultation/engagement.

#### 6. TENURE OF MEMBERSHIP

The tenure of membership will be a maximum of two years as determined by Council.

#### 7. PROCEDURES AND PROCEEDINGS

The Committee's quorum shall be a minimum of four Council elected members. Should a minimum of four councillors not be able to attend a scheduled meeting, the meeting will be postponed to a later date.

It is acknowledged that Councils informing strategies do not operate in isolation. Where the committee would like to discuss another strategy action which has synergy with the Environment strategy, a joint meeting of two or more committees may be held.

#### 8. NOTICE AND DURATION OF MEETINGS

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#### 9. MINUTES OF THE MEETINGS

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**10. SPECIAL MEETING**

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**11. ATTENDANCE AT MEETINGS**

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All Councillors are welcome to attend the committee meetings.

**12. CODE OF CONDUCT**

Members will abide by Councils Code of Conduct, which sets out the requirements of conduct for committee members in carrying out their functions.

**13. AMENDMENTS TO TERMS OF REFERENCE**

These Terms of Reference shall only be amended by a resolution by Randwick City Council.

## HOUSING PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Housing Portfolio Advisory Committee (HPAC)

#### 2. AIMS

The Housing Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Housing Strategy.

#### 3. OBJECTIVES

The Housing Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Housing Strategy.
- To oversee performance in relation to the outcomes and objectives of the Housing Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Housing Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.

#### 5. MEMBERSHIP

The committee will consist of seven (7) Councillors and two (2) Council staff.

A Council elected member shall assume the role of Chairperson for all meetings except where that person is an apology in which case the Committee will appoint an alternative Chairperson for that meeting.

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Sub-Committees should not be developed solely for the purposes of community consultation/engagement.

## **6. TENURE OF MEMBERSHIP**

The tenure of membership will be a maximum of two years as determined by Council.

## **7. PROCEDURES AND PROCEEDINGS**

The Committee's quorum shall be a minimum of four Council elected members. Should a minimum of four councillors not be able to attend a scheduled meeting, the meeting will be postponed to a later date.

It is acknowledged that Councils informing strategies do not operate in isolation. Where the committee would like to discuss another strategy action which has synergy with the Housing strategy, a joint meeting of two or more committees may be held.

## **8. NOTICE OF MEETINGS**

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## INCLUSIVE RANDWICK PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Inclusive Randwick Portfolio Advisory Committee (IRPAC)

#### 2. AIMS

The Inclusive Randwick Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Inclusive Randwick Strategy, including:

**A resilient city where people are engaged, informed, connected and feel ‘a sense of community’ and belonging.**

- The percentage of residents who feel they are part of their community will remain above the metro benchmark through to 2031.
- Increase the percentage of residents who are satisfied with the information they receive, and community consultation conducted by the Council by 2031.

**A city where people can access social support and amenities whatever their ability and wherever they live.**

- Increase by 10% the number of people who feel their social needs are being met by 2031.
- Increase participation in social programs/services provided in partnership with Council for our disadvantaged communities by 2026.

**A city dedicated to the individual and collective health, wellbeing and safety of the community.**

- An overall stabilisation or improvement in safety, health and wellbeing indicators.

#### 3. OBJECTIVES

The Inclusive Randwick Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Inclusive Randwick Strategy.
- To oversee performance in relation to the outcomes and objectives of the Inclusive Randwick Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Inclusive Randwick Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.



## 5. MEMBERSHIP

The committee will consist of seven (7) Councillors and two (2) Council staff.

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## 7. PROCEDURES AND PROCEEDINGS

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It is acknowledged that Councils informing strategies do not operate in isolation. Where the committee would like to discuss another strategy action which has synergy with the Inclusive Randwick strategy, a joint meeting of two or more committees may be held.

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## INTEGRATED TRANSPORT PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Integrated Transport Portfolio Advisory Committee (ITPAC)

#### 2. AIMS

The Integrated Transport Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Integrated Transport Strategy, including:

**A transport network where sustainable transport options are the preferred choice for people.**

- Increase the active transport mode share to 35% by 2031.
- Reduce the proportion of private vehicle trips from the 2018-19 baseline of 58% to 45% by 2031.
- Achieve an ownership rate of over 5,000 electric or hybrid vehicles by 2031.

**A safe, efficient and sustainable road network that balances the needs of movement and place to ensure roads are used for their intended purpose.**

- Achieve a 50% reduction in casualties on the road network from a 2018 baseline of 269 incidents by 2031.

**A parking system that caters to the needs of residents, freight delivery, visitors and workers.**

- Effectively manage parking to achieve a maximum 85% peak occupancy for time limited parking by 2031.

#### 3. OBJECTIVES

The Integrated Transport Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Integrated Transport Strategy.
- To oversee performance in relation to the outcomes and objectives of the Integrated Transport Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Integrated Transport Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.

## 5. MEMBERSHIP

The committee will consist of seven (7) Councillors and two (2) Council staff.

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## 6. TENURE OF MEMBERSHIP

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## 7. PROCEDURES AND PROCEEDINGS

The Committee's quorum shall be a minimum of four Council elected members. Should a minimum of four councillors not be able to attend a scheduled meeting, the meeting will be postponed to a later date.

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## OPEN SPACE AND RECREATION PORTFOLIO ADVISORY COMMITTEE

### TERMS OF REFERENCE

#### 1. NAME

The Advisory Committee shall be known as the Open Space and Recreation Portfolio Advisory Committee (OSRPAC)

#### 2. AIMS

The Open Space and Recreation Portfolio Advisory Committee has been established to oversee the delivery of the outcomes and objectives identified in Councils Open Space and Recreation Strategy, including:

##### **Open space grows and changes with the community**

- Every home in Randwick City will have open space of 1000m<sup>2</sup> within 800m by 2031.

##### **Our community is healthy and active**

- Maintain a community satisfaction rating for coastal open spaces, coastal walkways, playgrounds and parks of 97%

##### **Everyone has the opportunity to participate in sport and recreation**

- 75% or above satisfaction with new open space and recreation facilities within 2 years of implementation.

#### 3. OBJECTIVES

The Open Space and Recreation Portfolio Advisory Committee has been established with the following purpose:

- To ensure informed decision-making by increasing knowledge across Council in those services, facilities, initiatives and infrastructure covered within the Open Space and Recreation Strategy.
- To oversee performance in relation to the outcomes and objectives of the Open Space and Recreation Strategy.
- To consider opportunities for community involvement.
- To recognise community achievements that have contributed to the reaching of Open Space and Recreation Strategy outcomes and objectives.
- To enhance stakeholder relationships by identifying and involving key stakeholders.

#### 4. DETERMINATIONS

The committee shall be an advisory body. The committee has no delegated decision-making power from Council.

#### 5. MEMBERSHIP

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The tenure of membership will be a maximum of two years as determined by Council.

### **7. PROCEDURES AND PROCEEDINGS**

The Committee's quorum shall be a minimum of four Council elected members. Should a minimum of four councillors not be able to attend a scheduled meeting, the meeting will be postponed to a later date.

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## Director City Planning Reports No. CP7/22

### Subject: Infrastructure Contributions Bill

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#### Executive Summary


- This report summarises the submission on the Infrastructure Contributions Bill forwarded to the Department of Planning & Environment (DPE) in December 2021.
- Due to the overlap of the exhibition period with the caretaker period in December 2021, DPE has advised that a Council endorsed submission may be made one week after the first meeting of the new Council in 2022.
- The key matters raised in the submission relate to:
  - financial implications (losses for Council);
  - proposed Regional Infrastructure Contributions;
  - local contribution reforms;
  - new land value contributions mechanism;
  - deferral of infrastructure contribution payments from developers; and
  - reduction in the timing for councils to review their local strategic planning statements (LSPS) from 7 years to 5 years.
- It is recommended that Council endorse the attached submission and forward it to the DPE with any further amendments as may be considered appropriate.

#### Recommendation

That Council:

- a) endorse the attached submission to the NSW Government on the proposed Infrastructure Contributions reforms; and
- b) submit the final submission with any additions or amendments to the Department of Planning and Environment.

#### Attachment/s:

1.  Draft RCC Infrastructure Bill Submission 2021

## Purpose

The purpose of this report is to inform Council of the infrastructure reforms package proposed by the NSW Government and to outline the matters raised in the submission (attached) prepared by Council officers, which was forwarded to the Department in mid-December 2021. Given the overlap of the exhibition period with the caretaker period in December 2021, the Department advised that a council endorsed submission may be made one week after the first meeting of the new Council in 2022.

The reforms including the Infrastructure Bill was placed on exhibition from late October until mid-December 2021. The legislative changes will include amendments to the EP&A Act, 1979, policy instruments and practice notes.

The Department intends to reform the infrastructure contributions system by July 2022.

## Background

Section 7.12 (former s.94A) of the Environmental Planning and Assessment Act 1979 (EP&A Act) authorises Council to impose as a condition of consent, a fixed levy based on the cost of development, when a development consent or complying development certificate is issued. Funds collected under this framework are used to provide for additional or improved public facilities to meet expected demands arising from new development.

Councils existing s.7.12 Contributions Plan 2015 applies across Randwick City (except for two areas being the Kensington and Kingsford Town Centres (K2K) which has a separate s.7.12 Infrastructure Plan and the Bundock Street Department of Defence Area which has a s.7.11 Plan). The Plan which is progressively updated in line with capital work priorities, provides an efficient, clear and effective approach to requiring developer contributions from applicants. The Plan's levy framework is expressed as a flat percentage rate commensurate with the cost of works (ranging from 0.5-1%). It sets a 5-10 year scenario for the implementation of a schedule of capital works covering a range of items from public domain improvements, road upgrades, and public art installations, to new multipurpose facilities, bushland regeneration and dune restoration. The K2K Infrastructure Contribution Plan levy provides for a maximum of 2.5% of cost of works and was prepared alongside the K2K Planning Proposal (adopted by Council in December 2019).

### Infrastructure reforms

The proposed infrastructure reforms stem from the NSW Productivity Commissioner's package of recommendations to deliver a "fair, transparent, consistent and certain system".

The Infrastructure Bill was originally introduced in Parliament in June 2021 and was subsequently referred to the Legislative Council Portfolio Committee No.7 – Planning and Environment for inquiry. The report handed down by the Committee on 10 August 2021 recommended that the Bill not proceed until the draft regulations have been released for consultation and the reviews into the rate pegging system, benchmarking and the essential works list have been published by the Independent Pricing and Regulatory Tribunal.

The Minister for Planning and Public Spaces committed to modifying the reform package and work with councils to ensure that no council will be worse off. The NSW Government undertook further modelling and amended the reform package in November 2021.

### Meeting with Department of Planning

Council officers met with the Department on 30 November 2021 to discuss the impacts of the proposed reforms on the contributions framework applying to Randwick City. Council officers were assured that the existing Kingsford and Kensington Town Centres (K2K) scheme would not be impacted by the proposed reforms. Council officers will continue to liaise with the Department to ensure that the proposed legislation protects the existing contributions scheme for the K2K corridor to enable the delivery of planned infrastructure in line with expected growth.

## Discussion

The attached submission addresses the following aspects of the proposed reforms:

- Proposed Regional Infrastructure contributions

The reforms propose to replace the existing 'special infrastructure contributions framework (SICs), with a new *regional infrastructure contributions* framework (RICs) to fund regional infrastructure such as public open space, affordable housing, public transport, and roads. New development in the Greater Sydney region will be required to contribute \$12,000 per dwelling house, \$10,000 for other types of residential development (eg per unit in a residential flat building) and \$30 per m<sup>2</sup> for commercial floor space).

The attached submission seeks a commitment from the NSW Government that the collection of funds for regional infrastructure must be allocated and delivered within the sub-regional district in which they are collected, in accordance with the district infrastructure priorities outlined in the relevant district plans as well as local plans and strategies. For Randwick this is the Eastern District Plan, the local contributions plans and resourcing strategies.

There is further concern that councils will have limited opportunity to influence expenditure and that there should be a high level of transparency around expenditure of these funds. The proposal to implement two tiers of infrastructure contributions (local and regional) would place an added cost impost for small scale development applicants (e.g., 'mums and dads') who are seeking improvements to their homes.

- Local Contributions – s.7.12 Plans

The proposal to replace the current percentage of construction cost approach with a "fixed levy" based on the number of additional dwellings or proposed commercial floor space raises a number of issues including the added complexity of the new approach and the creation of uncertainty in its implementation.

Within the eastern suburbs the highest levy of \$15,000 per new dwelling or \$6,000 per additional bedroom for alterations and additions is proposed. The NSW Productivity Commissioner's Final Report (November 2020) indicates that the maximum s.7.12 levy be increased from 1% to 3% for residential development. It is considered that the reforms would be better altered by simply amending the current maximum levy from 1% to 3% of construction costs.

- Financial implications

Council officer's analysis of the potential implications of the proposed contributions framework within Randwick City indicates that this will result in financial losses (see below under Resourcing Strategy Implications). Given that the majority of DAs in Randwick City are for alterations and additions, in many instances, applications will be exempt from paying a contribution if there is no increase in bedrooms numbers or if the plans mislabel other uses for bedrooms (to avoid paying the levy e.g study rooms, gyms etc). The submission highlights the long term financial implications for Council and the ability to appropriately address and respond to future social, environmental and economic needs of local communities.

- Land value contributions

The proposed 'land value contribution' charge is a new approach that will enable value capture resulting from rezoning or development, namely for greenfield urban release areas. It allows councils to require all landowners in an identified precinct *within a contributions plan* to pay a 'land value contribution' charge based on no more than 20% of the value of that land. The charge is imposed when the land is rezoned and collected when the land is sold. The scheme is an optional alternative to collecting 7.11 contributions for land acquisitions. It's also important to note that the relevant value is not the market value but the value of the land for rating purposes as determined by the NSW Valuer General.

Whilst supportive of the proposed new mechanism for value capture (where a portion of the windfall gain resulting from awarding development rights such as through rezoning is captured), this contributions framework should extend to all urban renewal precincts and not just greenfield sites given that wind fall gains are achieved through new infrastructure and rezoning across Sydney. Further detail is sought from the NSW Government on this mechanism.

- Deferral of contribution payments

A key concern raised in the attached submission is that the draft Bill proposes to extend the timing of development contributions payments to the occupation certificate (OC) stage beyond the COVID 19 pandemic period. Prior to the COVID 19 pandemic, payment of s7.12 levies were required at the construction certificate stage. Formalising the existing temporary COVID arrangements will have flow on effects on the timing of infrastructure delivery by councils. The deferral in payment to the OC stage in many instances, can result in payment delays over several years, with consequential impacts on the timely provision of essential community infrastructure. It also places the burden on existing rate payers with infrastructure costs to support new developments until the payments are made.

- Review of Local Strategic Planning Statements (LSPS)

Council raises concern in relation to the amendment that will bring forward the timing for review of LSPSs from 7 years to "at least every 5 years". The current provisions allow councils to undertake reviews as required within a 7- year window (or earlier if possible) and with consideration to Council's Integrated Planning and Reporting Framework. Councils were not consulted about this change and there is no rationale provided for it.

## Strategic alignment

The relationship with the City Plan is as follows:

| Outcome/Direction | Delivery Program actions   |
|-------------------|--|
| Outcome 6         | 6. A liveable city.  |
| Direction         | 6a. Our public infrastructure and assets are planned, managed and funded to meet the community expectations and defined levels of service. |

## Resourcing Strategy implications

Councils have consistently raised concerns with the NSW Government that the proposed infrastructure reforms will result in councils being left financially worse off. Council's financial modelling estimates that over 10 years Council will be worse off by **\$9,305,000**. This has been calculated by subtracting the expected income of **\$39,216,000** under the proposed reforms from the projected income of **\$48,521,000** over 10 years. Council's modelling takes into account increased housing and commercial activity identified through Council's Local Strategic Planning Statement (LSPS) and Housing Strategy. The Department's new rates are based on new dwellings, additional bedrooms, co-living rooms and commercial floor space rates which do not appear to equate to an overall 3% contribution rate as recommended by the NSW Productivity Commissioner.

## Policy and legislative requirements

Environmental Planning and Assessment Act, 1979

S.7.12 Development Contributions Plan

S.7.12 Development Contributions Plan: Kensington and Kingsford Town Centres

Long Term Financial Plan.

## Conclusion

Whilst a robust, streamlined and efficient infrastructure funding system is fundamental to supporting local community infrastructure needs, stimulating development, supporting economic growth and for job creation, Council officer's submission emphasises that the reforms must ensure that councils do not end up financially worse off. Furthermore, it is noted that the Minister has recently committed to ensuring no council is worse off, however this should be backed up by clear evidence demonstrated through economic modelling for each LGA taking into account unique circumstances.

Given the various delays in the infrastructure reforms package to date, it is appropriate that the NSW Government be requested to delay commencement of reforms for at least another six months from the intended commencement date of 1 July 2022. It is also considered that proposed transition periods for councils to implement those reforms within their local contributions plans should therefore be delayed.

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**Responsible officer:** Stella Agagiotis, Manager Strategic Planning  
Ordinary Council at its meeting on 22 February 2022 resolved that the matter be deferred to the meeting to be held on 22 March 2022.

**File Reference:** F2004/08420



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Randwick NSW 2031  
  
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ABN: 77 362 844 121

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[www.randwick.nsw.gov.au](http://www.randwick.nsw.gov.au)

Follow us here



Ms Kate Speare  
Director- Infrastructure Funding Policy  
Department of Planning, Industry and  
Environment  
Locked Bag 5022  
Parramatta NSW 2124

17 December 2021

Ref No: F2004/06124

Sent via email: [infrastructure.contributions@planning.nsw.gov.au](mailto:infrastructure.contributions@planning.nsw.gov.au).

Dear Ms Speare,

#### **Randwick City Council Submission – Infrastructure Contributions Bill**

Randwick City Council welcomes the opportunity to comment on the latest stage of the NSW infrastructure contributions reforms. This submission has been made by Council officers and is not the endorsed Council submission. A further submission may be made in late February 2022 following the reporting of this submission to Council.

The exhibited changes include operational and administrative detail on the reforms including the following:

- detailed framework for State infrastructure contributions (Regional Infrastructure Contributions);
- a draft *Environmental Planning and Assessment Regulation (Infrastructure Contributions) 2021*;
- the Practice Note Review: Policy Paper and updated Ministerial Directions
- detailed framework for land use value contribution; and
- changes to how local infrastructure contributions are made.

Over the last year, Council has made a number of submissions on the reforms raising concerns that several measures appear to be unidirectional and focussed on the development industry, with limited consideration to the variable market conditions and unique characteristics at the local level which have a bearing upon infrastructure funding and delivery. While a robust, streamlined, and viable infrastructure funding system is necessary for facilitating good development and economic outcomes, the reforms must ensure that councils do not end up financially worse off nor result in cost shifting from developers to ratepayers.

Furthermore, it is noted that the Minister has recently committed to ensuring no council is worse off, however this should be backed up by clear evidence demonstrated through economic modelling for each LGA taking into account unique circumstances. As it stands the reforms are likely to have significant implications on the ability for councils to fund and deliver essential infrastructure necessary to meet the needs of new development, and the broader community.

It is noted that the Bill introduced in Parliament in June 2021 was referred to the Legislative Council Portfolio Committee No.7 – Planning and Environment for inquiry. The report handed down by the Committee on 10 August 2021 recommended that the Bill not proceed until the draft regulations have been released for consultation and the reviews into the rate pegging system, benchmarking and the essential works list have been published by the Independent Pricing and Regulatory Tribunal.

In relation to commencement of the new reforms, the updated Bill requires contribution plans approved before 1 July 2022 to be reviewed and re-made prior to 1 July 2024. Councils will be able to apply for an extension to this deadline. Any plans made after 1 July 2022 must be reviewed in line with the new Regulations and reviewed every 4 years.

The following comments outline concerns and implications of the latest suite of reforms from a local government perspective.

### Regional Infrastructure Contributions

The reforms propose to replace the existing ‘special infrastructure contributions’ framework (SICs), with a new *regional infrastructure contributions* framework (RICs) to fund regional infrastructure such as public open space, affordable housing, public transport, and roads.

The RIC (Base Contribution) has been determined by the property type and the region that the development occurs in, with all new development in the Greater Sydney region required to contribute \$12,000 per dwelling house, \$10,000 for other types of residential development (eg per unit in a residential flat building) and \$30 per m<sup>2</sup> for commercial floor space).

While the need for a mechanism to fund regional level infrastructure is well understood and acknowledged, the following concerns are raised:

- There is no certainty that the funds would be spent in the districts in which they are collected. Given the broad geographic spread of the Greater Sydney region, the RIC framework would result in the dispersal of valuable infrastructure funding from areas of great demand (such as increasingly dense inner city areas) to undefined ‘regional projects’ that have little or no correlation with the development area where contributions are collected. In this context, the RIC framework effectively constitutes a transfer of income from local communities to the State, to the detriment of the delivery of local infrastructure. It is our contention that the collection of funds for regional infrastructure must be allocated and delivered within the district in which they are collected, in accordance with the district infrastructure priorities outlined in the relevant district plans as well as local plans and strategies. These matters must be embedded in legislation so there is certainty for both proponents and the community that regional infrastructure levies are directed appropriately on a district basis;
- There is limited opportunity for councils and local communities to truly influence how and where RIC funds are allocated. Although the latest changes provide clarity that councils can nominate regional infrastructure projects for RIC funding, there is no certainty that these identified projects would be approved. Moreover, the nomination process would be resource intensive for Local Government, in terms of preparing business cases outlining project benefits, economic justification, and value for money. Concerningly the reforms do not appear to have sufficient checks and balances in place to address the perception of politically motivated decisions on where funds would be distributed;
- Regional infrastructure contributions should be subject to the same high level of scrutiny as local infrastructure contribution plans where councils are required to detail the type, location, estimated cost and timeframe for local infrastructure delivery, together with public exhibition requirements. The State Government should be required to meet the



same level of transparency, and accountability as Local Government with respect to how it plans on spending regional contributions;

- A regional charge on top of the local development contributions levy would place an added cost impost for small scale development applicants (e.g., ‘mums and dads’) who are seeking improvements to their homes;
- There needs to be state level commitment to the timing of contributions to ensure that RIC levies collected are spent on projects in a timely manner and this should be embedded in the legislation.
- Implementing two tiers of infrastructure contributions will be an added complexity to local contributions processes. It would be an added administrative burden for councils (e.g., checking, verifying and levying two types of infrastructure charges, providing advice to applicants). Furthermore, the onus would be on councils for the most part to undertake messaging to the local community and other stakeholders about the changes to the contributions regime. This again highlights the importance of Government commitment towards resourcing and guidance for councils in the implementation of the new charge.

#### **Local Contributions – 7.12 Plans**

The reforms propose to replace the current percentage of construction cost approach with a “fixed levy” based on the number of additional dwellings or commercial floor space in a development or additional bedrooms resulting from alterations and additions. The levies vary on a geographical basis with the Eastern suburbs required to pay the highest levy of \$15,000 per new dwelling or \$6,000 per additional bedroom for alterations and additions. The NSW Productivity Commissioner’s Final Report (November 2020) indicates that the maximum s.7.12 levy be increased from 1% to 3% for residential development. This is in recognition of the increasing costs of providing infrastructure in infill areas. However, the proposed scheme as provided under the draft regulations does not achieve the outcome anticipated by the NSW Productivity Commissioner.

The current s.7.12 development contributions framework, calculated as a fixed percentage based on the cost of works sliding scale, has been in operation in Randwick City for a number of years providing a system that is simple, easy to understand and manageable. The advantages of the s.7.12 infrastructure framework is widely recognised and tested over time, allowing for the timely collection and allocation of funds for delivering infrastructure as a direct consequence of development. In our experience, the s.7.12 framework is efficient and less costly to administer and to update compared to s.7.11 contributions plans and provides a good balance between flexibility for Council and certainty for proponents.

#### **Financial implications**

Council officers have conducted an in-depth analysis of the potential implications of the proposed contributions framework based on the provisions of the draft regulations. The analysis assessed the developer contributions paid to Council through development applications and complying development certificates over a two-year period ranging from 1<sup>st</sup> January 2019 to 31<sup>st</sup> December 2020. The rationale behind the timeframe was to include one ordinary year prior to COVID-19 as well as the year of the 2020 lockdown. The contributions received for all development over this period was **\$5,633,824**. This amount was extrapolated to **\$48,521,000** over 10 years based on the estimated value of increased housing and commercial activity identified through Council’s Local Strategic Planning Statement (LSPS) and Housing Strategy. In contrast, the contribution amount that would be achieved under the proposed infrastructure contribution scheme would only provide Council **\$39,216,000** in funds over this period, which is largely due to the rates applied for new dwellings, additional bedrooms, co-living rooms and commercial floor space rates which do not equate to an overall 3% contribution rate as recommended by the NSW Productivity Commissioner.



The proposed income from the S7.12 component of the Kensington to Kingsford (K2K) Infrastructure Contributions Scheme based on a 2.5% rate is estimated to be **\$28,708,665** over a ten-year period whilst the K2K Community Infrastructure Contributions Plan (CIC) over a ten-year period is estimated to be **\$35,024,572** which would provide funds well in excess of that provided under the proposed scheme. Based on an analysis of development applications submitted to Council in the K2K precinct, the combined contributions from the CIC and s7.12 plan would be considerably more than contributions pursuant to the rates per new dwelling, co living rooms and commercial floor space provided for under the new s7.12 regime and well in excess of the 3% recommended by the NSW Productivity Commissioner. This highlights that Council would be financially worse off should the new s7.12 framework replace the K2K infrastructure funding framework and essential infrastructure envisaged in the K2K Planning Strategy would not be able to be delivered.

In a meeting with DPIE on 30 November 2021, Council officers were assured that the existing K2K scheme would not be impacted by the proposed reforms. Council is appreciative of this commitment and would like the opportunity to have further discussions with DPIE to ensure that the existing contributions scheme for the K2K corridor continues to operate and can deliver the planned infrastructure in line with expected growth.

There are substantial concerns that the abandonment of the percentage based approach may have far reaching financial implications for inner city councils such as Randwick City. In particular, the following issues are noted:

- Concerns are raised that the new fixed rate approach may undermine Randwick City's own local infrastructure schemes and result in rate payers being financially worse off. The local infrastructure schemes for the Kensington and Kingsford Town Centres (K2K) is case in point. This legislated scheme comprises three components: a new s. 7.12 Plan (2.5% of capital investment value), a Community Infrastructure Contribution (CIC) (based on a per square metre rate on the proposed uplift) and an Affordable Housing Plan based on 3% (rising to 5%) of new residential floor space. This three-tiered approach has been underpinned by rigorous modelling and feasibility testing to ensure equitable outcomes in terms of infrastructure funding and delivery to support expected growth, while ensuring a financially viable project for proponents.
- Council's analysis indicates that financial losses and the consequently benefits for the broader community given that the majority of DAs in Randwick City are for alterations and additions. In many instances, applications will be exempt from paying a contribution if there is no increase in bedrooms numbers. Therefore, any changes that may erode councils' income from contributions will have long term financial implications and the ability to appropriately address and respond to social, environmental and economic needs of local communities. To address this issue, it is recommended that the levy be based on the capital investment value or per m<sup>2</sup> rate for additional gross floor area as proposed for commercial floor space which is considered to be a fairer and clearer mechanism to implement.
- In relation to alterations and additions, concerns are raised that applicants could easily circumvent the requirement to pay a levy for additional bedrooms by seeking development consent for media rooms, studies, family rooms and the like which could be readily converted into a bedroom thereafter. It is therefore likely that Council will incur further losses.
- It is recommended that the NSW Productivity Commissioner's recommended 3% of capital investment value be applied to existing infrastructure plans/framework as this both meets the intentions of the reforms and is simpler and easier to administer. Councils should be given the option of maintaining a fixed percentage charge rather than rates as proposed.

### Land Value Contributions

The draft Bill introduces a new 'land value contribution' charge as a mechanism to enable value capture resulting from rezoning or development, namely for greenfield sites. It allows councils to require all land owners in an identified precinct within a contributions plan to pay a 'land value contribution' charge based on a percentage of land area of value. The charge is imposed when the land is rezoned and collected when the land is sold.

Council is supportive of the proposed new mechanism for value capture, noting that it addresses the issue of capturing a portion of the windfall gain resulting from awarding development rights such as through rezoning. Value sharing is a reasonable and equitable approach, allowing the wider community to also benefit from infrastructure investment, site rezoning or development approvals for a high value or more intensive land use and additional development rights to a land owner, which are not available to all land owners. While the new land value contribution is a step in the right direction, a number of issues are raised for consideration:

- The land value contributions framework should extend to all urban renewal precincts and not just greenfield sites given that wind fall gains are achieved through new infrastructure and rezoning across Sydney. The K2K urban renewal area is case in point. The roll out of the City to South East Light Rail and increases in heights and FSRs in Kensington and Kingsford town centres has resulted in large increases in land value along the light rail alignment. There has been no mechanism to capture part of the land value gain that vendors have solely benefited from uplift along this corridor. The proposed land values contributions framework in this context would have allowed the community to have a share in infrastructure investment and rezoning that have increased the land values for land owners along this corridor.

In terms of administration, this new framework requires the vendor or purchaser to apply for a *land value contribution certificate* from council. The council then determines the contribution in accordance with the regulations and the contributions plan concerned.

While the new land value contribution is a step in the right direction, a number of issues are raised for consideration:

- The draft Bill is light on detail on how the value capture charge would be administered and implemented. Clarification is sought on how the funds received would be utilised and allocated i.e what types of infrastructure projects would be funded and in which area? It is prudent that any value capture charges received from land sales within the LGA be spent on infrastructure projects within the local or district area, and this should be mandated within the legislation;
- The draft Bill should explicitly state that the land value contribution must be an additional contribution to the local development contributions;
- The value capture mechanism is a new approach to incorporate into council's development contributions and infrastructure funding framework. As such, there would be an added administrative burden from developing the land contributions area framework and implementing the charge, as well as preparing and issuing land value certificates. It is integral that Government commits adequate resourcing, support and technical assistance if councils are to transition into this new framework.

### Deferral of Payment of Contributions

The draft Bill proposes to extend the timing of payment of development contributions to the occupation certificate (OC) stage beyond the COVID 19 pandemic period. This would formalise

the existing temporary arrangements whereby applicants have until the issuing of an occupation certificate in which to pay the development contribution levies. Prior to the COVID 19 pandemic, payment of s7.12 levies were required at the construction certificate stage.

One of the risks with delaying the payment of contributions to Council, is the flow on effects on the timings of infrastructure delivery. The deferral in payment to the OC stage in many instances, can result in payment delays over several years, with consequential impacts on the timely provision of essential community infrastructure. It also places the burden on existing rate payers with infrastructure costs to support new developments until the payments are made.

A further risk is that there is likely to be added pressure for private certifiers to issue occupation certificates prior to the payment of contributions. Council has recently been undertaking audits of CDC applications that have not paid contributions and have recovered over \$500,000 over a period of 12-18 months. Chasing unpaid contributions not only places a significant burden on councils, but more importantly is an inefficient use of resources. This change will no doubt make it harder for councils to recover income and this process requires urgent improvement including a well-designed automated system for collecting contributions that prevents issuing of certificates until contributions are paid.

It is further recommended that a level of flexibility be retained in the legislation for councils to determine the timing for the payment of s7.12 levies, rather than the blanket timeline imposed by the State Government which itself is an overreach of power. This would allow councils the opportunity to better plan for infrastructure projects and align anticipated s7.12 income streams with capital works delivery programs.

#### **Review of local strategic planning statement (LSPS)**

Council raises concern in relation to the amendment that will bring forward the timing for review of LSPSs from 7 years to "at least every 5 years". The current provisions allow councils to undertake reviews as required within a 7- year window (or earlier if possible) and with consideration to Council's Integrated Planning and Reporting Framework.

The amendment is considered unnecessary and is likely to create resource implications for councils.

If you would like to discuss or clarify any matters contained in this submission, please contact Stella Agagiotis Council's Manager Strategic Planning on 9093 6954.

Yours sincerely



**Therese Manns**

**General Manager**

## Director City Planning Report No. CP8/22

**Subject: Waste Education Resourcing**

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### Executive Summary

- Council's waste education and sustainability teams have been consolidated to ensure a more consistent and coordinated approach to the delivery of strategic actions and approaches adopted in our Environment Strategy, especially those under the 'Conserving Resources' and 'Climate Change' outcomes.
- The waste education work program, funded via Council's waste levy, supports the wide range of behavioural change and community engagement programs related to, FOGO, littering, illegal dumping, household bin contamination, recycling and recovery of green waste and dropping off of difficult waste items at Randwick Recycling Centre.
- External funding provided from the NSW Government's Better Waste and Recycling program has been funding Council's two Waste and Resource Recovery Project Officers who deliver these various programs for many years. However, this external funding is ending on 30 June 2022.
- Council will continue to advocate for an extension of the funding. However, there is a need to fund these positions on an ongoing basis from the domestic waste levy to enable ongoing implementation of waste recovery and recycling priorities adopted in Council's 2020 Environment Strategy.

### Recommendation

That Council:

- a) endorses \$350,000 of waste levy funding in the 2022/23 financial year for the continuing delivery of waste education and behavioural change programs particularly related to strategic approaches approved and adopted in the Randwick 2020 Environment Strategy; and;
- b) notes the cessation of external funding provided for staffing purposes, approves \$210,000 of waste levy funding to enable the ongoing employment of two Waste and Resource Recovery Project Officers from 1 July 2022.

### Attachment/s:

Nil

CP8/22

## Purpose

Council's 2020 Environment Strategy provides approximately 33 strategic approaches or actions intended to deliver on 6 targets or objectives responding to the expectations across our community in relation to 4 key outcomes areas or themes, namely:

- Biodiversity Conservation
- Climate Change
- Conserving Resources
- Coastal Protection.

In light of Council's overarching Environment Strategy, Council's sustainability and waste education teams have been consolidated into the Sustainability Department to ensure greater coordination and more seamless delivery of the behavioural change outcomes, strategic actions and approaches established to meet the agreed targets and outcomes determined in the Environment and related Informing Strategies. While consolidating these staffing resources into the one team, budget allocations and accountability are provided separately from our existing waste levy and our current environmental levy programs, in accordance with NSW Government statutory requirements.

The expiry of the NSW Government's Better Waste and Recycling funding on 30 June 2022 will cease the external funding of Council's two Waste and Resource Recovery Project Officers who have been delivering our various waste recovery engagement programs for the last 4 years.

With the cessation of external funding, Council will need to decide on the continuation of waste education program. Council will continue to advocate for an extension of the funding. However, if this is not forthcoming, to continue waste education at existing service levels, funding of \$210,000 will be required to fund two positions.

It is recommended that this be funded from the existing waste levy program to ensure ongoing implementation of waste recovery and recycling priorities adopted in our 2020 Environment Strategy. It should be noted in making this recommendation, that there is currently a review of Domestic Waste Management Charges being undertaken by IPART that may result in stipulations as to what can or cannot be funded from Councils domestic waste levy. Council is currently preparing a submission to this review and will call for waste education to be continued to be funded from the levy.

Should Council not resolve to fund the positions, the current level of waste education is not able to be sustained. The budget below establishes how waste levy resources are allocated to the various programs aimed at delivering improved waste education outcomes. Although located within Sustainability, the work program deliverables of strategic waste education staff will continue to focus on and support the wide range of behavioural change programs related to FOGO, littering, illegal dumping, household bin contamination, recycling and recovery of green waste etc.

These resource areas fall within the strategic approaches of Council's 2020 Environment Strategy and will be integrated across the full range of behavioural change programs aimed at achieving reduced consumption of resources as well as opportunities for circularity as per current circular economy principles. Included in this budget are the staffing costs for the ongoing employment of the two Waste and Resource Recovery Project Officers.

## Proposed Waste Education budget

The breakdown of this \$350,000 waste education budget (see below) is aligned with relevant strategic actions identified within our Environment Strategy and aligns with priorities of our previous Waste Management Plan and Education Strategy (budget allocations include appropriate levels of marketing and promotion of the waste management issue identified).

| Budget item   | Annual Budget   | Alignment with actions and outcomes   |
|---|---|---|
| <b>Randwick Recycling Centre</b> includes:<br>Recycling Centre tours<br>Recycle SMART   | <b>\$42,000</b>   | <b>Strategic approach(es):</b> 3.2; 3.3<br>Increase recovery of difficult waste items at Perry Street Recycling Centre.   |
| <b>Kerbside Waste avoidance</b> includes:<br>Illegal dumping<br>Bower repair w'shops<br>Mattresses  | <b>\$40,000</b>   | <b>Strategic approach(es):</b> 3.2. 3.3<br>Increase correct disposal practices and uptake of non-scheduled booking service for residents to reduce littering and illegal waste incidents.   |
| <b>Community Events</b> including:<br>Clean Up Australia<br>Spot Festival<br>Chemical Clean Out<br>National Garage Trail Sale<br>Eco Living<br>National Recycling Week      | <b>\$20,000</b>   | <b>Strategic approach(es):</b> 3.2; 3.3; 3.4; 3.5; 3.6; 3.11 to:<br>Increase community understanding and participation in Council's range of waste services, particularly recycling, green waste and FOGO services as well as residential drop-off of difficult waste items to our Perry Street Recycling Centre.   |
| <b>UNSW partnership</b> includes:<br>'O' week<br>ARC events / support<br>Illegal dumping & litter around student accomm.  | <b>\$15,000</b>   | <b>Strategic approach(es):</b> 3.2; 3.3<br>Improve understanding of and participation in the range of Council's waste recovery and kerbside collection programs for students returning to UNSW and living within Randwick.  |
| <b>Special waste streams</b> / items including:<br>Single-use plastics<br>Litter<br>Compost Revolution<br>FOGO – households<br>FOGO – cafes<br>Workshops e.g. cloth nappies | <b>\$208,000</b><br>(\$35,000)<br>(\$16,000)<br>(\$55,000)<br>(\$80,000)<br>(\$16,000)<br>(\$6,000) | <b>Strategic approach(es):</b> 3.2; 3.4; 3.5; 3.6<br>Engaging residents, visitors, schools and businesses in solutions related to specific waste streams including: single-use plastics, litter, composting and FOGO (also incorporates community workshops and processes to address contamination and 'reverse' contamination in red-, yellow- and green-lidded bins.                              |
| <b>Circular Economy</b> principles and implementation including relevant SDGs   | <b>\$25,000</b>   | <b>Strategic approach(es):</b> 3.11<br>Facilitate and support improved understanding, application and integration across Council and in conjunction with our community on the 'circularity' opportunities related to waste avoidance and recovery for Council's events, activities and initiatives, particularly those supportive of a circular economy and relevant sustainable development goals. |



| Budget item   | Annual Budget    | Alignment with actions and outcomes  |
|---|------------------|--|
| <b>Staffing</b><br>2 ongoing Waste and Resource Recovery Project Officers | <b>\$210,000</b> | <b>Ongoing implementation of priorities and programs of our Environment Strategy</b> |

### 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.                     |
| Outcome 10        | 10. A healthy environment.  |
| Direction         | 10d. Waste is managed sustainably to ensure highest level of resource recovery. |

### Resourcing Strategy implications

While ongoing funding of waste education priorities and programs is funded via Council's domestic waste levy, an additional allocation from this levy is sought for the ongoing employment of the two existing Waste and Resource Recovery Project Officers. These positions have been funded externally for the last 4 years from the NSW Government's Better Waste and Recycling Program which now expires on 30 June 2022.

A current review of local government waste levies is underway by the Independent Pricing and Regulatory Tribunal (IPART) whose final report may have further implications on Councils' waste levy spending.

Waste education is critical to behavioural change, and indirectly positively impacts Council's financial position, for example, reduced contamination and increased shift to FOGO results in reduced landfill levy and processing fees.

### Policy and legislative requirements

- Waste Avoidance and Resource Recovery Act 2001
- Randwick City Plan
- Randwick 2020 Environment Strategy
- Waste Management Plan
- Waste Education Plan.

### Conclusion

Consolidation of teams responsible for our waste and sustainability behavioural change programs will enable greater coordination, alignment and support for the achievement of the adopted objectives and targets in Council's 2020 Environment Strategy. This will also support stronger community messaging of the actions required to conserve our resources and respond to Climate Change.

While Council's waste recovery and avoidance programs have come to the fore recently through the rapid and positive impact of our FOGO roll-out and implementation to all residents, Council

has demonstrated strong leadership across this area through other initiatives such as the comprehensive drop-off of difficult waste items at our Randwick Recycling Centre.

The ongoing employment of our two Waste and Resource Recovery Project Offices will enable Randwick's continuation of leadership and practical implementation across the full range of waste priorities and programs adopted in Council's 2020 Environment Strategy.

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**Responsible officer:** Peter Maganov, Manager Sustainability

**File Reference:** F2012/00263



## Director City Planning Report No. CP9/22

### Subject: Development Complaints Register

#### Executive Summary

- This report relates to the possible creation of register or report that would be available to the public, which contains details of building and development related complaints and associated actions.
- NSW Fair Trading is the regulator and accreditation body for Building Certifiers in NSW, and they publish the outcomes of disciplinary action taken against registered certifiers.
- The NSW Fair Trading is provided with a specific power to keep and publish a register of prohibition orders, stop work orders and building rectification orders given by the NSW Building Commissioner - Council has no such power.
- Council obtained legal advice on the proposed register from Lindsay Taylor Lawyers dated 13 October 2021, which states that Council is bound by NSW privacy laws which prevent the disclosure (publishing) of any personal details of persons alleged to have carried out unauthorised development.
- The legal advice concludes that Council may maintain a register containing details of matters that have been the subject to civil or criminal court proceedings and also provide the details in its annual report. However, the content of such a register or report would be very limited having regard to the legal advice and it would not be able to contain any personal or private information of individuals or premises.

#### Recommendation

That Council:

- a) maintains a register which contains the results of non-compliant development related civil and criminal litigation determined by Court proceedings, that is limited in accordance with the legal advice provided by Lindsay Taylor Lawyers dated 13 October 2021 and excludes personal or private information, and
- b) continues to publish, in its Annual Report, the results of non-compliant development related civil and criminal litigation determined by Court proceedings (which excludes personal or private information).

#### Attachment/s:

1.  Lindsay Taylor Lawyers - Complaints Register Advice

## Purpose

At its Ordinary Meeting Held on the 23 November 2021, it was resolved:

*“(Matson/Neilson) that Council:*

- a) brings back a report proposing a complaints register based on the advised restrictions outlined in points 28 to 55 of the legal advice obtained from Lindsay Taylor Lawyers on this issue, and*
- b) publishes in its Annual Report the results of non-compliant development related civil and criminal litigation determined in Court proceedings.”*

It is the purpose of this Report to address “a)” of the above resolution.

Council currently publishes the results and costs of both criminal and civil development control litigation in its annual report.

## Discussion

By way of background information, the above resolution of Council was the result of the Director City Planning Report No. CP87/21 (DCPR) to Council in November 2021, subsequently prepared following the earlier resolution of Council to develop online complaints register. In this regard, Council, at its Ordinary Meeting Held on the 29 June 2021, resolved:

*“(Matson/Neilson) that Council recognises the failings of some private certifiers in local building projects and responds by maintaining a publicly accessible online compliance register listing all complaints, investigations and orders and directives issued by Officers during the construction period of any development consent up to the issuing of the occupation certificate and issues an annual report on the contents of that register.”*

In considering if Council could lawfully establish the ‘online compliance register’ proposed by the above resolution, Council officers obtained legal advice from Lindsay Taylor Lawyers dated 13 October 2021 (Legal Advice). It is this Legal Advice that is referred to in the DCPR 87/21 and the resulting resolution now the subject of this Report.

A copy of the Legal Advice is attached to this Report.

Council’s current resolution proposes a [development] complaints register based on the limitations or restrictions contained at paragraphs 28 to 55 of the Legal Advice. The relevant paragraphs of the Legal Advice are distilled below:

- There is a legitimate argument that a limited complaints register is consequential to Council’s development enforcement functions at [28]-[29].
- Such a register must be confined to the results of concluded civil and criminal proceedings against corporations only (no details of individuals permitted) at [30].
- Council is not able to disclose (publish) personal details in complaints register at [31]-[38].
- A register should not be based on complaints or investigations that have not been the subject of a Court determination [39]-[48]
- Risks and limitations with publishing Penalty Notice and Development Control Order details at [49]-[55].

Notwithstanding that it is possible to publish a register having regard to paragraphs 28 to 55 of the Legal Advice, the register would only be able to provide details of Court determined cases and not building and development complaints and investigations, which have not been determined in a Court-of-law. Consequently, a register compiled on this ‘restricted’ basis would have limited utility, as the vast majority of regulatory matters are addressed via the issue of Penalty Notices (fines), Notices or Orders, rather than Court proceedings.

In this regard, the impetus for the proposed register was to provide information to identify to the public details of building and development related complaints made to Council, details of building and development investigations undertaken by Council and/or the details of Orders given to persons

for allegedly breaching the development control provisions of *Environmental Planning and Assessment Act 1979*. The content of the register created on this basis, as articulated in the Legal Advice, would either be unlawful or would potentially expose Council to a claim for defamation or libel.

As such, it would be necessary to limit the scope of such a register to Court determined matters and publish the contents of the register in Council's Annual Report absent of defendant or respondent details in accordance with the Legal Advice.

### 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 are no resource implications with this matter.

### Policy and legislative requirements

*Environmental Planning and Assessment Act 1979*  
*Local Government Act 1993*  
*Privacy and Personal Information Protection Act 1998.*

### Conclusion

Publicly available offender, name and shame and disciplinary registers are not a novel concept in NSW. For example, the NSW Food Authority publishes details of both Penalty Notices issued by councils and details of finalised prosecutions taken by councils for offences against the *Food Act 2003*. NSW Fair Trading publish the outcomes of disciplinary action taken against building certifiers under the *Building and Development Certifiers Act 2018*, and publish stop work orders, prohibition orders and building rectification orders given by the NSW Building Commissioner under the *Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020*.

However, unlike the *Environmental Planning and Assessment Act 1979*, each piece of the abovementioned legislation has explicit provisions that permit the publishing of this information (see ss.133 & 133A of the *Food Act 2003*, s. 102 of the *Building and Development Certifiers Act 2018*, s. 62 of the *Residential Apartment Buildings (Compliance and Enforcement Powers) Act 2020*).

As such, in the absence of explicit statutory authority, Council would only be able to create and maintain a limited 'development legal action register' in the limited form as provided for by paragraphs 28 to 55 of the Legal Advice by Lindsay Taylor Lawyers dated 13 October 2021.

**Responsible officer:** Allan Graham, Coordinator Regulatory Services

**File Reference:** F2021/06146

**Confidential**

13 October 2021

Our ref: RAN21002

Your ref:

The General Manager  
Randwick City Council  
30 Frances Street  
RANDWICK NSW 2031

Attention: Allan Graham

**Email**

Dear Madam,

**Creation of a Register of Complaints and Compliance Actions  
during the Construction Phase of Developments**
**Introduction**

- 1 A number of Councillors are concerned over the quality of service provided by some private certifiers in regards to their oversight role of the construction phase of development projects, and the level of non-compliance conditions of development consent by builders.
- 2 On 29 June 2021, Council passed the following resolution (**Resolution**):  
*"That Council recognises the failings of some private certifiers in local building projects and responds by maintaining a publicly accessible online compliance register listing all complaints, investigations and orders and directives issued by Officers during the construction period of any development consent up to the issuing of the occupation certificate and issues an annual report on the contents of that register."*
- 3 We assume that the proposed register would list the names of any individuals or companies that are the subject of a complaint, or subject to an investigation, or civil or criminal enforcement action in respect of a development project. The register may also include the address where the development project was carried out.
- 4 The register could potentially include information relating to owners of the property, builders and subcontractors, and private certifiers.

**Advice requested**

- 5 Council has requested our advice in respect of whether or not it can maintain a register in accordance with the Resolution (**Register**).

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### Summary of Advice

- 6 At common law, the doctrine of ultra vires requires that administrative action not be taken in excess of the grant of statutory power.
- 7 The *Environmental Planning and Assessment Act 1979 (EPA Act)* does not expressly empower Council to maintain the Register (or a similar register), and issue an annual report in respect of the Register.
- 8 On balance, we consider that the publication of the Register and issuance of an annual report is consequential to Council's enforcement functions under the EPA Act, *Local Government Act 1993 (LG Act)* and *Criminal Procedure Act 1986 (CP Act)*, or that it is permissible under s24 of the LG Act.
- 9 However, the contents of the Register should:
  - 9.1 only include details about concluded civil and criminal proceedings that Council has taken against companies, and
  - 9.2 not include information about individuals, or information regarding complaints in respect of, or investigations into, individuals or companies.
- 10 This is because if Council publishes the names of individuals in the Register or the annual report it will be in breach of the *Privacy and Personal Information Protection Act 1998 (PPIP Act)*.
- 11 Further, if Council publishes information relating to complaints made against, or investigations into a person or corporation on the Register, then there is a risk that the person or company may have an action in defamation or libel against Council.
- 12 Council may choose to publish information about penalty notices or development control orders issued to companies under the EPA Act. However, it should note that there is a risk (albeit a lesser risk) that the company may have an action in defamation or libel if it can establish that it did not contravene the EPA Act which resulted in the penalty notice or order being issued.
- 13 This is ultimately a decision for Council, notwithstanding this risk.
- 14 If Council does, then it should only publish this information after the appeal periods for penalty notices and development control orders have lapsed.

### Does Council have the power to maintain the Register and annual report?

*Does Council have a statutory power to create the Register and issue the annual report?*

- 15 The basic doctrine of ultra vires at common law requires that administrative action not be taken in excess of the grant of statutory power (*London County Council v A-G* [1902] AC 165; *Attorney-General (UK) v Smethwick Corp* [1932] 1 Ch 562).
- 16 The EPA Act does not expressly empower Council to maintain the Register (or similar register), and issue an annual report in respect of the Register.
- 17 This is to be contrasted with the other legislation, such as the *Protection of the Environment Operations Act 1997* and the *Building and Development Certifiers Act 2018*. These Acts require specified agencies to maintain public registers that include details about regulatory action, such as the results of any prosecutions taken, and the details of any penalty notices or warnings issued under those Acts.
- 18 However, some administrative action may be within power as an activity incidental to or consequential upon the statutory grant of power.

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- 19 Under the LG Act, Council has the functions conferred or imposed on it by or under any other Act or law (s22). A council may do all such things as are “supplemental” or “incidental” to, or “consequential” on, the exercise of its functions (s23).
- 20 Council’s functions under the EPA Act relevantly include investigating potential breaches of the Act and issuing penalty notices and development control orders for suspected breaches of the Act. Council’s function to commence criminal or civil proceedings for an offence against the EPA Act is conferred by the LG Act and the CP Act (*Zhang v Woodgate and Lane Cove Council* [2015] NSWLEC 10).
- 21 It is arguable that maintaining a Register that records details of these matters and issuing an annual report is “consequential” to these functions of Council.
- 22 This term is not defined under the LG Act, and we are not aware of any case law considering the meaning of this term in the context of the LG Act. The ordinary meaning should be applied, which is “*of the nature of a consequence; following as an effect or result, or as a logical conclusion or inference; consequent; resultant*” (Macquarie Dictionary). The term is to be given its widest import (*The City of Sydney v Streetscape Projects (Australia) Pty Ltd and Anor* [2011] NSWSC 1214 at 200).
- 23 Subject to our discussion below, we consider it arguable that it is a logical conclusion that Council will publish information to notify the public of the investigation and enforcement action it takes to ensure the community is aware of that action and to deter non-compliance with the EPA Act.

*Does Council have a power to publish the Register under s24 of the LG Act?*

- 24 Alternatively, Council can arguably rely on s24 of the LG Act to publish the Register and issue an annual report. Section 24 provides that:  
*“A council may provide goods, services and facilities, and carry out activities, appropriate to the current and future needs within its local community and of the wider public, subject to this Act, the regulations and any other law.”*
- 25 This provision is drafted in the widest terms, and is entirely permissive and no way prescriptive (*Parramatta City Council v R & R Fazzolari Pty Ltd* (2008) 162 LGERA 1; [2008] NSWCA 132 at [134]).
- 26 In *Regional Express Holdings Pty Ltd v Dubbo City Council (No 3)* (2014) 212 LGERA 41; [2014] NSWLEC 87, it was held that the provision of an airport security screening service that was for the health and safety of the community and wider public was permissible under s24.
- 27 It could be argued that the publication of the Register is a service that Council is providing to the local community and the wider public to (again) ensure the community is aware of the action Council has taken in respect of potential breaches of the EPA Act and to demonstrate that Council takes its enforcement obligations seriously. It further deters non-compliance with the EPA Act within the community.

*Conclusion*

- 28 On balance, we consider that if the Register or annual report were challenged for being ultra vires, a court would likely be persuaded that they are consequential to Council’s enforcement functions under the EPA Act, LG Act and CP Act, or that they are permissible under s24 of the LG Act.
- 29 However, the contents of the Register should be limited in accordance with our following advice.

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**What regulatory action should Council include on the complaints register?**

- 30 For the reasons discussed below, the Register should:
- 30.1 only include details about concluded civil and criminal proceedings that Council has taken against companies, and
  - 30.2 not include information about individuals, or information regarding complaints in respect of, or investigations into, individuals or companies.

*The Register should only include details about companies, and not individuals*

- 31 To ensure that Council complies with the requirements of the PPIP Act, the Register should only include details about companies, and not individuals.
- 32 The PPIP Act regulates Council's collection, use and disclosure of "*personal information*".
- 33 "*Personal information*" is defined under s4 of the PPIP Act to mean:
- "[I]nformation or an opinion (including information or an opinion forming part of a database and whether or not recorded in a material form) about an individual whose identity is apparent or can reasonably be ascertained from the information or opinion."*
- 34 The supply of an individual's name, even in a document which does not contain further information about the person has been held to be "*personal information*" (*WL v Randwick City Council* [2007] NSWADTAP 58 at [21]–[22]).
- 35 Accordingly, the publication of any individual's name and/or their address where the building work has been carried out on the Register would be "*personal information*" for the purposes of the PPIP Act.
- 36 Under s18 of the PPIP Act, Council can only disclose this personal information if:
- 36.1 the disclosure is directly related to the purpose for which the information was collected, and Council has no reason to believe that the individual concerned would object to the disclosure, or
  - 36.2 the individual concerned is reasonably likely to have been aware, or has been made aware in accordance with section 10, that information of that kind is usually disclosed on the Register, or
  - 36.3 Council believes on reasonable grounds that the disclosure is necessary to prevent or lessen a serious and imminent threat to the life or health of the individual concerned or another person.
- 37 The publication of an individual's name or address on the Register would not meet any of these requirements permitting disclosure.
- 38 Council does not have to comply with s18 in the circumstances set out under s23(5), which relevantly includes when the disclosure is "*authorised or required by... other statutory instrument*". Given Council does not have the statutory power to create the Register, or publish an individual's name on the Register, this exception does not apply. None of the other exceptions under this provision apply in the circumstances.

*The Register should not include information about complaints or investigations, and should only include information about concluded civil or criminal proceedings*

- 39 We consider that if Council publishes information relating to complaints made against, or investigations into a person or corporation on the Register, then there is a risk that

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- the person or company may have an action in defamation, or libel against Council (we note that corporations with more than 10 employees cannot sue in defamation).
- 40 The fact that a complaint has been made, or Council investigated an individual or company does not mean that the individual or company has breached the EPA Act.
- 41 Allegations about a person will be defamatory where they tend, in the minds of ordinary reasonable people, to injure that person's reputation (*Radio 2UE Sydney Pty Ltd v Chesterton* (2009) 238 CLR 460 at [4]-[7]).
- 42 In order to succeed in a claim for defamation or libel, the plaintiff must prove that the act of the defendant has caused the defamatory material to be comprehended by somebody other than the plaintiff, thereby causing damage to the plaintiff's reputation (see *Dow Jones & Co Inc v Gutnick* (2002) generally and particularly at [26]-[27]).
- 43 There is a risk that members of the public could comprehend that an individual or company listed on the Register because a complaint was made against them or they have been investigated, has breached the EPA Act. Such an imputation may cause damage to the reputation of the individual or company.
- 44 This risk would arguably increase the more times a complaint or investigation is recorded in the Register against an individual or corporation.
- 45 Division 2 of Part 4 of the *Defamation Act 2005* (**Defamation Act**) creates a series of statutory defences to an action in defamation.
- 46 The most common defences are those of:
- 46.1 justification, namely that the defamatory imputations carried by the matter of which the plaintiff complains are substantially true (s25 of the Defamation Act), and
- 46.2 contextual truth, namely the matter carried one or more imputations that are substantially true (contextual imputations), and any other defamatory imputations do not further harm the reputation of the plaintiff because of the substantial truth of the contextual imputations (s26 of the Defamation Act).
- 47 Similar defences apply to an action for libel.
- 48 Council would be unlikely to establish these defences to a claim for defamation or libel made by an individual or company unless there has been a separate determination by a court that the individual or company has breached the EPA Act.
- 49 An individual or company that is issued a penalty notice or development control order may also have a claim in defamation or libel, if they can establish that they did not commit the breach that resulted in the issuance of the penalty notice or development control order.
- 50 In regards to penalty notices, the payment of the notice is not to be regarded as an admission of liability (s22A of the *Fines Act 1996*), and a person may pay a penalty notice even when they dispute any wrongdoing.
- 51 The risk will arguably be less than in respect of the publication of information relating to complaints and investigations. Council must meet a burden of proof before issuing a penalty notice or development control order, which would assist in supporting that any imputation that the person has breached the EPA Act is in fact true.
- 52 However, the risk that a person may have a claim in defamation or libel cannot be excluded.
- 53 It is ultimately a decision for Council whether it publishes information about penalty notices or development control orders issued to companies, notwithstanding this risk.

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- 54 If it does, then Council should only publish this information after the appeal periods for penalty notices and development control orders have lapsed.
- 55 We thank you for your instructions in this matter. If you would like to discuss any aspect of this advice or require any further assistance, please do not hesitate to contact Anna Sinclair on 02 8235 9713 or Dr Lindsay Taylor on 02 8235 9701.

Yours Sincerely,

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## Director City Planning Report No. CP10/22

### Subject: Randwick Comprehensive Planning Proposal - Gateway Review Decision

#### Executive Summary







- This report is to advise of the outcome of the Gateway Determination Review and Alteration for the Randwick Comprehensive Planning Proposal (Planning Proposal) submitted to the Department of Planning and Environment (the Department) on 7 November 2021.
- Council requested the removal of three key elements from the Gateway Determination. These conditions relate to short term rental accommodation; local character statements and rezoning of 1903R Botany Road, Matraville. Two other gateway conditions relating to the timing of the exhibition and the final reporting of the planning proposal were altered by the Department following Council's request.
- The Department referred Council's request for Gateway Review of the three matters to the Independent Planning Commission (Commission) Panel for advice. Council officers briefed the Panel on these matters in late January. Attached to this report is Council's submission to the IPC which outlines the justification for inclusion of these matters.
- The Commission Panel review supported one of the three items. In line with the Panel advice, the Department has now amended the Gateway Determination. The condition requiring the deletion of the proposed rezoning of 1903R Botany Road, Matraville has now been removed. However, the request to remove conditions requiring the deletion of the 90 days Short Term Rental Accommodation (STRA) exempt development provision and the local character exempt development provision was not supported.
- Council has no further avenue in which to seek reinstatement of two planning matters within the Planning Proposal which will be placed on public exhibition for 6 weeks. The Planning Proposal and supporting documents have been amended to ensure compliance with the original Gateway Determination and the subsequent Alteration of Gateway Determinations.





#### Recommendation

That Council:

- a) note the outcome of the Gateway Review requiring an amendment to the Planning Proposal prior to public exhibition; and
- b) authorise the Director City Planning to make the required amendments to the Planning Proposal prior to public exhibition.

#### Attachment/s:

1.  Gateway Determination
2.  Link to Department of Planning and Environment Gateway Determination Report
3.  Link to Ordinary Council Meeting Report - 26 October 2021
4.  Randwick City Council Gateway Review Submission – Conditions 1(b), 1(c), 1(d)
5.  Randwick City Council Gateway Alteration Submission – Conditions 8 and 9
6.  Gateway Alteration – Conditions 8 and 9

7.  [↓](#) Department of Planning and Environment Gateway Review Justification Assessment
8.  [↓](#) Randwick City Council Additional Material Submitted to the Independent Planning Commission Panel
9.  [↓](#) Independent Planning Commission Panel Gateway Determination Advice Report
10.  [↓](#) Gateway Alteration – Condition 1(d)

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## Purpose

The purpose of this report is to advise of the outcome of the Gateway Determination Review and Alteration for the Comprehensive Planning Proposal (Planning Proposal) submitted to the Department of Planning and Environment (the Department) on 7 November 2021, and to advise Council of the implications of the Department's decision.

The report also outlines the next steps in the planning proposal process, including amending the Planning Proposal and supporting documents to ensure compliance with the original Gateway Determination and the subsequent Alteration of Gateway Determinations to enable public exhibition of the Planning Proposal.

## Discussion

### Background

On 12 September 2021, the Department issued a Gateway Determination for the Planning Proposal, subject to a number of conditions. These conditions required the removal of key elements of the Planning Proposal, and placed timeframes for certain stages of the process, including public exhibition as follows:

- Condition 1.b) required the deletion of the proposed exempt development provision for non-hosted short-term rental accommodation.
- Condition 1.c) required the deletion of the proposed local character provision, mapping and local character statements.
- Condition 1.d) required the deletion of the proposed rezoning of the land at 1903R Botany Road, Matraville.
- Condition 8 requiring the commencement of public exhibition within in 2 months of the Gateway Determination.
- Condition 9 required reporting back to Council for a final recommendation no later than 9 months of the Gateway Determination.

At the Ordinary Council meeting on 26 October 2021, Council endorsed the submission of a Gateway Review objecting to the above conditions.

On the 7 November 2021, Council submitted a formal Gateway Review and Gateway Alteration to the Department requesting removal or amendment of the above Gateway Conditions.

An overview of key dates, milestones and documents of the Planning Proposal process to date is outlined below.

- **1 June 2021** - the Planning Proposal was first reported to Councillors at the Extra Ordinary Council meeting. Five separate reports were prepared covering various elements of the Planning Proposal.

At this meeting, Council endorsed the submission of the Planning Proposal to the Department for Gateway Approval and endorsed the public exhibition of the Planning Proposal once Gateway Approval is provided (subject to conditions).

- **30 June 2021** - the Planning Proposal was submitted to the then Department of Planning, Industry and Environment (now the Department of Planning and Environment) for Gateway Approval.
- **12 September 2021** - the Department issued a Gateway Determination for the Planning Proposal, subject to a number of conditions. These conditions required the removal of key elements of the Planning Proposal, and placed timeframes for certain stages of the

process, including public exhibition. The Gateway Determination and Gateway Determination Report are at Attachment 1 and 2 to this report.

- **26 October 2021** - Council endorsed the submission of a Gateway Review at its Ordinary Council meeting. The Council report is at Attachment 3 to this report.
- **7 November 2021** - Council submitted a formal Gateway Review and Gateway Alteration to the Department requesting removal or amendment of five Gateway Conditions. The Gateway Review and Gateway Alteration submission documents are at Attachment 4 and 5.
- **14 December 2021** - Council received an Alteration of Gateway Determination from the Department supporting the requested amendments to Conditions 8 and 9. The Gateway Alteration is at Attachment 6.
- **14 December 2022** - the Department issued a referral to the Independent Planning Commission (the Commission) requesting a review of the Gateway Determination and relevant conditions and the preparation of advice concerning the merits of Council's Gateway Review request. The Departments Gateway Review Justification Assessment is at Attachment 7.
- **28 January 2022** - Council officers attended a virtual meeting with members of the Commission Panel to present Council's position and answer questions from the Panel. Following this meeting, additional material was provided to the Panel to further justify Council's position. Materials provided to the Commission Panel are at Attachment 8.
- **16 February 2022** - Council received notice that the Commission had finalised the advice for the Gateway determination review and forwarded said advice to the Department. The Commission Panels Gateway Determination Advice Report is at Attachment 9.
- **2 March 2022** - Council received an Alteration of Gateway Determination from the Department to respond to the Gateway review advice received from the Commission. The Alteration of Gateway Determination is at Attachment 10.

### Gateway Alteration (timing of exhibition and final reporting)

#### The Gateway Determination included the below conditions:

- *Condition 8 The planning proposal must be exhibited no later than 2 months from the date of the Gateway determination.*
- *Condition 9 The planning proposal must be reported to council for a final recommendation no later than 9 months from the date of the Gateway determination.*

Council raised a number of concerns with these conditions, primarily relating to the timing of the exhibition period and the need to prepare detailed consultation materials to undertake meaningful engagement.

Council submitted a Gateway Alteration requesting changes to these conditions. The request was supported by a revised timeline that reflected Council's project implementation schedule.

**Council received an** Alteration of Gateway Determination from the Department, which approved the following 2 changes suggested by Council:

- The deletion of Condition 8 which requires the commencement of public exhibition 2 months after Gateway Determination (i.e 12 November 2021).
- The replacement of Condition 9 relating to a final Council recommendation no later than 9 months after Gateway Determination to read: *'The planning proposal must be reported to council for a final recommendation no later than end of June 2022.'*

The Gateway Alteration enables Council to proceed with our preferred timeline and ensure sufficient and meaningful consultation around the Planning Proposal is undertaken.

## Gateway Review

### The Gateway Determination included the below conditions:

- *Condition 1(b) Remove the proposed exempt development provision for non-hosted short-term rental.*
- *Condition 1(c) Remove the proposed local character provision, mapping and local character statements.*
- *Condition 1(d) Remove the proposed rezoning of the land at 1903R Botany Road, Matraville from RE1 Public Recreation to RE2 Private Recreation.*

Council formally opposed the deletion of these conditions via a Gateway Review, submitted to the Department on 7 November 2021. Council's justification is provided in Attachment 4.

In response to the Gateway Review, the Department issued a referral to the Independent Planning Commission and requested a review of Council's Gateway Review. The Commission conducted an assessment of the Gateway Determination in light of Council and the Department's justifications and found that the condition requiring the deletion of the rezoning of 1901R Botany Road, Matraville should be removed from the Gateway Determination. However, the Commission supported the Department's position regarding the short term rental accommodation (STRA) and local character conditions and supported the removal of these provisions from the Planning Proposal.

Following the Commission's advice, the Department issued an Alteration of Gateway Determination. The Gateway determination has been altered to respond to the Gateway review advice received from the Independent Planning Commission to delete condition 1.d) in order to allow rezoning of the site at 1903R Botany Road, Matraville, as well as after consideration of additional information that Council provided to the Commission during the Gateway review process.

An overview of the Department and Commissions justification is outlined in the following sections of this report and is summarised in the Table below.

| Gateway condition  | Council Gateway Review               | Independent Planning Commission                       | DPE Alteration of Gateway Determination (final)            |
|--|--------------------------------------|---|--|
| Condition 1(b) - removal of STRA provision                                   | Oppose condition to remove provision | Support Gateway condition (remove provision from CPP) | Condition 1(b) retained – provision to be deleted from CPP |
| Condition 1(c) - removal of Local Character provision                        | Oppose condition to remove provision | Support Gateway condition (remove provision from CPP) | Condition 1(c) retained – provision to be deleted from CPP |
| Condition 1(d) – <b>removal of rezoning of 1903R Botany Road, Matraville</b> | Oppose condition to remove rezoning  | Oppose Gateway condition (retain in CPP)              | Condition 1(d) deleted by DPE– rezoning to remain in CPP   |

### Departments Gateway Review Justification Assessment

In response to Council's request for a Gateway Review, the Department submitted a Gateway Review Justification Assessment (Attachment 7) to the Commission which outlined their justification for the removal of the three conditions from the Planning Proposal.

#### *Condition 1(b) Short-Term Rental Accommodation*

The Department acknowledged Council's concerns, however maintained that the Gateway condition should remain. The report outlines a number of reasons for this approach.

Reference is made to the recently introduced state-wide planning approach for short-term rental accommodation (STRA) that came into effect on the 1 November 2021 via the *State Environmental Planning Policy (Housing) 2021* (Housing SEPP). The Housing SEPP includes exempt development provisions that allows a dwelling to be rented for 180 days in a 365 day period. The Department's report notes that the SEPP exempt provisions override any local provisions and apply across the State. Therefore, Council's proposal to reduce the short term rental period to 90 days (within the RLEP 2012) is inconsistent with this state-wide approach.

The report goes on to state that evidence around the negative social and economic effects of the 180 day limit is necessary to justify a departure. A similar comment was also noted by the Randwick Local Planning Panel on 13 April 2021. The report further noted that as the new 180 day exempt development provision had only recently commenced, the impact of the new policy would not yet be known.

The report also made reference to the introduction of the new STRA premises Register and Code of Conduct. In this regard, the Department maintains that many of the negative effects of STRA used as justification by Council for the 90 day approach will be mitigated by the introduction of the Register and Code of Conduct. The Department maintained that the register has been set up as a key tool to collect data (that currently does not exist) and will provide information to help government better understand the economic impacts of STRA, including on the rental market, so that informed decisions can be made about future regulatory settings.

Finally, the Department did not consider Council's use of Action 2.7 of the Randwick Housing Strategy, which calls for a limit on STRA, as appropriate justification for the change, as the Department's approval for the Housing Strategy specifically noted that Action 2.7 was not supported.

### **Condition 1(c) Local Character**

The Department again acknowledged Council's justifications however believed that the condition should be retained. The Department's report identified one primary reason, being that LEPs are not the correct pathway for implementing local character controls. The Department acknowledged that while a planning circular, discussion paper and explanation of intended effect (EIE) was released to facilitate the introduction of local character into LEPs, mixed feedback was received in response to the EIE, which led the Department to put the project on hold. As a result, there is currently no Department-endorsed statutory pathway to include local character in LEPs. The Department advised that part of Council's justification for the inclusion of local character areas relies upon the Department's Local Character Policy which was not endorsed. The Department also advised that they do not support local character as a basis to exclude areas from the application of the *State Environmental Planning Policy (Exempt and Complying Development Codes)* (Codes SEPP), as no other council has been granted an exclusion on these grounds.

### **1(d) Rezoning of 1903R Botany Road, Matraville**

The Department maintained that the removal of this condition should be retained and outlined several reasons to support this stance.

The Department did not agree with Council's opinion that the rezoning would not result in a net loss of existing and/or potential public open space, both across the LGA and for the locality. The Department notes that while Council does not wish to maintain the public open zone at this time, this position may change in the future to support the open space and recreational needs of the existing and future population.

The Department maintained that the rezoning would go against Priority 11 of the NSW Premier's Priorities, being to increase the proportion of homes within an easy walk of quality green space. It is noted that the Premier's Priorities have since been placed on hold, following the change in Planning Minister. Reference was also made to the proposed rezoning being inconsistent with



three Ministerial Directions, being 2.6 *Contamination of land*, 4.1 *Acid sulfate soils*, and 6.2 *Reserving land for public purposes*.

Finally, the report also made reference to inconsistency with some of the objectives, outcomes, actions or planning priorities of the Randwick Open Space and Recreation Strategy 2021, Randwick City Open Space and Recreation Needs Study (Draft)(December 2020), Eastern City District Plan and Randwick City Council's Local Strategic Planning Statement.

### **Commission's Gateway Determination Advice Report**

Following considering the justifications from the Department and Council, including additional information provided by Council to the IPC at its virtual meeting in January, the IPC came to a decision and finalised their advice on 16 February 2022. In their report (Attachment 9), the Commission advised that condition 1(b) and 1(c) of the Gateway Determination should be retained and condition 1(d) should be removed.

#### ***Condition 1(b) Short-Term Rental Accommodation***

The Commission found that while there is merit in Council's argument, they could not support the proposed 90-day limit as it is inconsistent with the recently adopted Housing SEPP and the advice provided by the Randwick Local Planning Panel. Additionally, the Commission found that exemptions to the provisions are premature given the recent adoption of the Housing SEPP and the Department's intention to register and monitor STRA.

#### ***Condition 1(c) Local Character***

The Commission again acknowledged the considerable work Council had undertaken, however ultimately supported the Department's stance. Specifically, the Commission stated that they are of the opinion that allowing an exemption from the Codes SEPP (Housing Code and Low Rise Housing Diversity Code) for Local Character Areas would set an undesirable precedent and undermine the aims of the policy. Additionally, the Commission pointed out that at present, there is no Department-endorsed statutory pathway to include Local Character in the LEP and that inclusion in a Development Control Plan (DCP) would be a preferred alternative.

#### ***1(d) Rezoning of 1903R Botany Road, Matraville***

The Commission agreed with the views of Council and provided the advice that condition 1(d) should be deleted. In the reasoning for this stance, the Commission outlined that the land currently does not make a significant contribution to the local open space network and in the future, it is unlikely to be connected to Randwick's green grid. The Commission also notes that the current site access arrangements and the site itself do not support its use as a public open space. Finally, the Commission agreed with Council's view that the rezoning of the land to RE2 Private Recreation may facilitate the redevelopment of the site for a use that would serve the recreational and social needs of the community.

### **Final DPE Alteration of Gateway Determination**

The Department issued an Alteration of Gateway Determination on the 2 March 2022. The Gateway Determination has been altered to respond to the Gateway review advice received from the Independent Planning Commission to delete condition 1.d) in order to allow rezoning of the site at 1903R Botany Road, Matraville, as well as after consideration of additional information that Council provided to the Commission during the Gateway review process.

Considering the deletion of condition 1.d), a new condition has been included to require a preliminary contamination investigation study be undertaken for the site at 1903R Botany Road, Matraville in accordance with section 9.1 Ministerial Direction 2.6 – Remediation of Contaminated Land, prior to finalisation of the Planning Proposal. Condition 5 (public authority consultation) has also been amended to require consultation with the Environment Protection Authority. A contamination investigation will be sought from the landowner during the public exhibition stage, noting that previous investigations have been carried out on the adjoining land and submitted with the DA to Council (in 2016) for subdivision into industrial allotments.



The Alteration of Gateway Determination does not include any amendments with regard to condition 1(b) STRA or condition 1(c) local character and as such, the deletion of these conditions as per the original Gateway Determination remains. As the Gateway Review process is complete, Council has no further avenue in which to seek reinstatement of two planning matters within the Planning Proposal.

## **Implications for Randwick**

### **Comprehensive Planning Proposal**

#### ***Amendments required***

Following finalisation of the Gateway Review and issuing of the Alteration of Gateway Determination, Council is now required to update the Comprehensive Planning Proposal in line with the Department's findings and the original Gateway Determination. As per conditions 1(b) and 1(c) of the original Gateway Determination, the unsupported STRA and local character provisions must be removed from the Planning Proposal and supporting documentation prior to the public exhibition.

In light of the above, the Planning Proposal will be amended to delete all discussion of and reference to the proposed STRA 90 day exempt development provision and the proposed local character provision. Relevant supporting documentation, including the three draft Local Character Statements will also be removed as attachments to the Planning Proposal.

As the Commission and the Department supported Councils request to remove condition 1(d) in relation to the proposed rezoning of the land at 1903R Botany Road, Matraville, the rezoning of 1903R Botany Road will not be removed from the Planning Proposal and will be included in the Planning Proposal and supporting documents as it goes on public exhibition.

### **Short term rental accommodation**

Despite the removal of the proposed STRA exempt development provision from the Comprehensive Planning Proposal, opportunity remains for Council to pursue a 90 day limit for non-hosted STRA within the Randwick LGA.

In its Gateway Review Justification Assessment report, the Department noted that any change to the STRA policy may be pursued through a separate process and supported by appropriate studies to justify and demonstrate the need for this aspect.

Council's Strategic Planning Unit recently contacted the Henry Halloran Trust at the University of Sydney to discuss the issue of STRA and housing affordability. The Trust expressed an interest studying the impacts of STRA on housing affordability in Randwick City Council. Contact has also been made with Shelter, NSW's peak advocacy body for affordable housing, to receive support on this matter. The interest from academia and advocacy groups demonstrates that this is not an issue without merit and as such, Councils Strategic Planning Unit will continue to investigate opportunities for further studies in this regard.

Further to the above, Council can also utilise the Department's STRA register and their future STRA review which is scheduled for 2024 to support any future application. With this supporting information, Council may consider a future planning proposal to seek exemption from the 180 day limit in the Housing SEPP and include a 90 day limit within the RLEP 2012, should further evidence and research warrant such a departure.

### **Local character**

Despite the removal of the proposed local character provision from the Comprehensive Planning Proposal, opportunity remains for Council to pursue the inclusion of Local Character Statements within the DCP in order to ensure local character is a key consideration during the design and assessment of future developments.

Numerous councils across NSW have gone down this path and included local character in their development control plans or are investigating its inclusion. For instance, the City of Sydney has relied on 'Locality Statements' within their DCP since 2012 to ensure that development is consistent with the character statement and supporting principles for the locality area, in addition to the requirements within other sections of this DCP. North Sydney Council incorporates 'Area Character Statements', Wollongong City Council includes 'Character Statements' and Waverley and Canada Bay councils are currently investigating the inclusion of local character statements in their DCP. This existing and proposed use of local character statements within local government policy and development controls still remains a viable option for ensuring local character is considered in developments.

While DCP controls do not carry as much statutory weight as LEP controls, they still form an important part of the development assessment framework. As outlined in section 4.15(1) of the *Environmental Planning and Assessment Act 1979*, matters for consideration for consent authorities when assessing and determining a development application include consideration of any development control plan relevant to the site or development. Further, Council's Development Application Guide specifically states that a development application must include a discussion on compliance with relevant Council's Development Control Plan.

As such, if Council wishes to implement the local character work, the Randwick DCP would be an effective pathway to institute local character within the current planning framework and ensure developments follow, and respect, the character of their locality. Council's Strategic Planning Unit is expected to begin a comprehensive review of the Randwick DCP mid-2022. This review provides an opportunity to include the local character work in the DCP.

The removal of the proposed local character provision from inclusion within the LEP prevents Council's from seeking an exemption from the Housing Code and Low Rise Diversity Housing Code (Code SEPP) for the three coastal local character areas. Council has been pursuing an exemption to these codes to prevent the use of the complying development pathway for dwellings and dual occupancies and provide additional rigor to the assessment of development applications for these types of development submitted within coastal areas. It is noted that both the Department and the Commission did not support Council's proposed exemption, noting that no other Council had been granted an exemption on the basis of local character, and that an exemption would set an undesirable precedent and undermine the aims of the policy. Notwithstanding Council will continue to monitor the application of the Code SEPP within these coastal areas and advocate for a new land exemption under Clause 1.19 *Land on which complying development may not be carried out*.

## Public Exhibition

**Public exhibition of the planning proposal will be for a 6 week period.** *The purpose of the consultation is to inform the community, landowners, state agencies and other stakeholders about the draft updates to the LEP, and receive feedback on its contents including recommended rezonings and planning controls. A detailed Consultation Plan and strategy has been prepared to guide the public exhibition to ensure meaningful engagement with the community, alignment with Councils adopted Community Consultation Principles and Planning Guide and compliance with legislative requirements.*

**The objectives of the Consultation Plan for the Comprehensive Planning Proposal are to:**

- To ensure key aspects of the Proposal are clearly expressed through the preparation of explanatory material and other engagement tools
- To provide the community with the opportunity to contribute to the Planning Proposal.
- To engage in a genuine and open dialogue with the community and take onboard suggestions and feedback.

**Components of the community engagement include:**

- Addressed mailout to each household in the LGA including a letter and brochure outlining proposed changes

- Tailored Your Say Randwick web page including:
  - Information Sheets detailing each of the key changes proposed
  - Interactive mapping
  - Videos explain proposed changes
  - Frequently Asked Questions
- Drop in sessions held at Royal Randwick and Maroubra Junction shopping centres and the Kensington Park Community Centre
- Telephone and intercept surveys
- Promotion by Councils Communications Team including social media channels, media releases, eNews
- Bus shelter posters and digital display screens at Council locations
- Advertisements in the Sydney Morning Herald, The Beast Magazine and Eastern Suburbs Life Magazine
- Tailored briefing sessions for Precincts, internal Council units and other key stakeholders.

### Strategic alignment

The relationship with the City Plan is as follows:

| Outcome/Direction | Delivery Program actions   |
|-------------------|--|
| Outcome           | 6. A liveable city.  |
| 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 costs associated with the development of this work is in accordance with the 2019-20, 2020-21 and 2021-22 budget allocations. The Comprehensive Planning Proposal was completed in house by Strategic Planning officers with assistance from Consultant Strategic Planners.

### Policy and legislative requirements

Relevant policies and legislation in relation to the Comprehensive Planning Proposal are:

- *Environmental Planning and Assessment Act 1979*
- *Environmental Planning and Assessment Regulation 2000*
- *Sydney Region Plan – A Metropolis of Three Cities*
- *Eastern City District Plan*
- *Randwick Local Strategic Planning Statement*
- *Randwick Local Environmental Plan 2012*
- *Randwick Housing Strategy*.

### Conclusion

On 12 September 2021, the Department issued a Gateway Determination for the Planning Proposal, subject to a number of conditions. These conditions required the removal of key elements of the Planning Proposal, and placed timeframes for certain stages of the process, including public exhibition.

Council submitted a formal Gateway Review and Gateway Alteration to the Department requesting removal or amendment of five Gateway Conditions. Council's Gateway Review and

Gateway Alteration submissions have been reviewed and assessed by the Department and the Independent Planning Commission.

Council's Gateway Review submission was partially supported. The condition requiring the deletion of the rezoning of 1903R Botany Road, Matraville has been removed by the Department. However, the request to remove conditions requiring the deletion of the 90 days STRA exempt development provision and the local character exempt development provision was not supported. Council's Strategic Planning Unit will continue to pursue the STRA and local character provisions through further studies and policy amendments.

The Comprehensive Planning Proposal has been updated in line with the Department's findings and the original Gateway Determination. The Planning Proposal and relevant supporting documentation has been amended to remove the unsupported provisions, being the proposed STRA 90 day exempt development provision and the proposed local character provision. As a result, the amended Planning Proposal complies with all other original Gateway Determination conditions and subsequent Alteration of Gateway Determination issued by the Department. The Proposal can now be placed on public exhibition.

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**Responsible officer:** Natasha Ridler, Coordinator Strategic Planning

**File Reference:** F2021/00188



Planning,  
Industry &  
Environment

CP10/22

## Gateway Determination

**Planning proposal (Department Ref: PP-2021-4267)** for a comprehensive review of the Randwick Local Environmental Plan (LEP) 2012 to align with the strategic directions of the Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS), implement the findings and recommendations of other local strategies and studies, and consider landowner rezoning requests and miscellaneous amendments.

I, the Executive Director, Eastern Harbour City at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Randwick Local Environmental Plan 2012 to align with the strategic directions of the Eastern City District Plan and Randwick LSPS, implement the findings and recommendations of other local strategies and studies, and consider landowner rezoning requests and miscellaneous amendments should proceed subject to the following conditions:

1. The planning proposal and supporting documentation are to be revised prior to public exhibition to address the following:
  - a) Include information relating to the Department's Employment Zones Reform Framework by either:
    - i. Incorporating relevant details, such as land use permissibility, intended changes to the local provisions and mapping, and explaining the translation and implementation of the Framework so that it could be readily incorporated in the LEP at finalisation; or
    - ii. Including an advisory referencing the Employment Zones Reform work noting the proposed translation of employment zones as it relates to the proposed amendments.
  - b) Remove the proposed exempt development provision for non-hosted short-term rental accommodation.
  - c) Remove the proposed local character provision, mapping and local character statements.
  - d) Remove the proposed rezoning of the land at 1903R Botany Road, Matraville from RE1 Public Recreation to RE2 Private Recreation.
  - e) Provide further justification for the proposed heritage items, including a detailed assessment against the NSW Heritage Office Guideline, *Assessing Heritage Significance*, 2001 and a statement of significance for each new item; and provide an explanation for the expanded boundary of the Moira Crescent Heritage Conservation Area.
  - f) Provide further commentaries to address consistency with section 9.1 Direction – 3.4 Integrating Land Use and Transport, to be informed by Council's *Local Transport Study* (for the Housing Investigation Areas)

upon completion. The Study is to be exhibited with the planning proposal.

- g) Provide commentaries to address consistency with section 9.1 Direction – 4.1 Acid Sulfate Soils as it relates to all sites identified on the Acid Sulfate Soils map.
  - h) Provide commentaries to address consistency with section 9.1 Direction – 4.3 Flooding (issued 14 July 2021) as it relates to the Housing Investigation Areas.
  - i) Provide commentaries to address consistency with section 9.1 Direction – 6.2 Reserving Land for Public Purposes as it relates to the Randwick Racecourse Light Rail Stabling Facility.
  - j) Confirm the floor space ratios (FSRs) for the West Randwick and Kingsford South Housing Investigation Areas (HIAs) and correct any discrepancies between the planning proposal and urban design reports. Confirm that the feasibility analysis for the Draft Affordable Housing Plan relates to the accurate FSRs.
  - k) Explain whether development costs, such as developer contributions, rates, land taxes and construction costs, have been factored into the feasibility analysis that informs the Draft Affordable Housing Plan for the HIAs.
  - l) Clarify the term 'maker spaces' and the type of uses it would encompass.
2. Prior to finalisation, the planning proposal is to be revised to:
- a) For the Housing Investigation Areas, undertake further testing to ensure the proposed FSRs can be accommodated in the proposed height standards, while achieving appropriate built form, landscape, and amenity outcomes. The testing is also to demonstrate the future built forms are capable of satisfying the Apartment Design Guide, including solar access to future development and adjoining properties. The above specifically relates to the Kensington North, Arthur Street, Magill Street and Kingsford South HIAs.
  - b) Consider the merit of rezoning the existing commercial uses at 632-634 Anzac Parade, Kingsford (within the Kingsford South HIA) from a residential to business zone.
  - c) Where the development potential for the HIAs are revised post-exhibition, undertake an updated feasibility analysis and amend the draft Affordable Housing Plan and the planning proposal accordingly.
3. Prior to community consultation, consultation is required with the Commonwealth Department of Infrastructure, Transport, Regional Development and Communications or its delegate in accordance with section 9.1 Ministerial Direction – 3.5 Development Near Regulated Airports and Defence Airfields.

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4. Public exhibition is required under section 3.34(2)(c) and schedule 1 clause 4 of the Act as follows:
  - (a) the planning proposal must be made publicly available for a minimum of **28 days**; and
  - (b) the planning proposal authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 6.5.2 of *A guide to preparing local environmental plans* (Department of Planning and Environment, 2018).
5. Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:
  - Commonwealth Department of Agriculture, Water and Environment,
  - Environment, Energy and Science (EES) Group of the Department of Planning, Industry and Environment,
  - Centennial Park and Moore Park Trust,
  - Randwick Racecourse Trust,
  - Transport for NSW,
  - Land and Housing Corporation,
  - La Perouse Local Aboriginal Land Council,
  - Heritage NSW,
  - Sydney Water Corporation,
  - Ausgrid,
  - Sydney Airport Corporation, Airservices Australia and the Civil Aviation Safety Authority (CASA),
  - Bayside Council,
  - Waverley Council, and
  - Woollahra Municipal Council.

Each public authority/organisation is to be provided with a copy of the planning proposal and any relevant supporting material and given at least 21 days to comment on the proposal.

6. A public hearing is not required to be held into the matter by any person or body under section 3.34(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).
7. Given the nature of the planning proposal, Council is not authorised to be the local plan-making authority to make this plan.
8. The planning proposal must be exhibited no later than 2 months from the date of the Gateway determination.
9. The planning proposal must be reported to council for a final recommendation no later than 9 months from the date of the Gateway determination.

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10. The time frame for completing the LEP is to be **12 months** following the date of the Gateway determination.

12 September 2021



**Malcolm McDonald**  
Executive Director, Eastern Harbour  
City  
Greater Sydney, Place and  
Infrastructure  
Department of Planning, Industry and  
Environment

**Delegate of the Minister for Planning  
and Public Spaces**

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CP10/22

RANDWICK CITY COUNCIL

# Gateway Review Submission Comprehensive Planning Proposal

05 November 2021



1300 722 542  
[randwick.nsw.gov.au](http://randwick.nsw.gov.au)

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## Executive Summary

This submission supports Randwick City Council's request for a Gateway Review of the Gateway Determination dated 12 September 2021 for the Comprehensive Planning Proposal.

The Comprehensive Planning Proposal (the Planning Proposal) has been prepared to update the Randwick Local Environmental Plan 2012 in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages Councils to undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS).

Council is requesting that the Gateway Determination be reconsidered, amended and re-issued. We contend that certain conditions outlined in this submission imposed have not been adequately substantiated and will have consequences on the local character, liveability and affordability of Randwick City.

Council requests removal or amendment of the following Gateway Conditions for the reasons summarised below:

- Condition 1.b) relating to the removal of the proposed exempt development provision for non-hosted short-term rental accommodation. This condition would reduce residential amenity and impact on the available rental stock and increased rents in the long term in the coastal and inner-eastern city areas of Randwick City.
- Condition 1.c) relating to the removal of the proposed local character provision, mapping and local character statements. The LEP is the appropriate statutory mechanism to include local character and the condition is inconsistent with the Department's own policy development since 2018 and is also inconsistent with Council's endorsed LSPS and Housing Strategy.
- Condition 1.d) relating to the removal of the proposed rezoning of the land at 1903R Botany Road, Matraville. The rezoning of the site to RE2 would continue to support the recreational needs of the community and appropriately reflects the private ownership of the site.
- Condition 8 relating to the commencement of public exhibition within in 2 months of the Gateway Determination. A Gateway Alteration is requested to commence public exhibition in February 2022 to allow appropriate time for the preparation of exhibition materials and additional consultant studies, and to prevent exhibition coinciding with the end of year holiday period and other major Council activities.
- Condition 9 relating to reporting back to Council for a final recommendation no later than 9 months of the Gateway Determination. A Gateway Alteration is requested to allow reporting to Council at the end of June 2022 to align with the scheduled Council meeting dates.

This submission justifies our request to review the Gateway Determination to ensure that the Planning Proposal provides for the protection of local character, residential amenity and housing affordability of Randwick City.

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## Introduction

On 12 September 2021, the Department of Planning, Industry and Environment issued a Gateway Determination for the Randwick Comprehensive Planning Proposal (Department Ref: PP\_2021\_4267).

The Planning Proposal seeks to amend the the Randwick Local Environmental Plan (LEP) 2012 to align with the strategic directions of the Eastern City District Plan and Randwick LSPS, implement the findings and recommendations of other local strategies and studies, and consider landowner rezoning requests and miscellaneous amendments.

Council received a copy of the Gateway Determination on 13 September 2021. On 26 October 2021, Council endorsed the submission of the Gateway Review at its Ordinary Council meeting.

The Gateway Determination Review is in response to the following conditions:

- Condition 1.b) Short term rental accommodation
- Condition 1.c) Local character provision
- Condition 1.d) 1903R Botany Road, Matraville
- Conditions 8 and 9 Planning proposal timeline.

Except for the conditions listed above, the remaining conditions of the Gateway Determination are noted and accepted by Council.

It is understood that amendments to Conditions 8 and 9 may be considered via a Gateway Alteration process, rather than a formal Gateway Review. Recent discussions with the Department have indicated that this administrative amendment process could be utilised to amend Conditions 8 and 9, provided adequate timeframes for review by Parliamentary Counsel is allowed for and the final LEP completion date of 12 September 2022 can be met.

The Gateway Alteration process is preferable to Council for Conditions 8 and 9, however as feedback regarding the support of this Alteration had not been received at the time of submission, Conditions 8 and 9 have been included within this Review for completeness.

## Gateway Conditions Requested to be Removed or Amended

### Short-term rental accommodation

#### ***Condition 1.b) Remove the proposed exempt development provision for non-hosted short-term rental accommodation***

In line with the LSPS and Housing Strategy, Council proposed a new exempt development provision to limit the number of days non-hosted short-term rental accommodation (STRA) can operate in a calendar year to 90 days. The objective of this provision is to minimise impacts on the supply of rental housing, residential amenity, and local character.

The provision sought an exemption from clause 12(b) (Exempt Development – Non Hosted Short Term Accommodation) of the draft State Environmental Planning Policy (Short Term Rental Accommodation 2019) which imposes a 180 day threshold. These provisions commenced across most of NSW on 1 November 2021 in the Affordable Rental Housing (ARH) SEPP 2009.

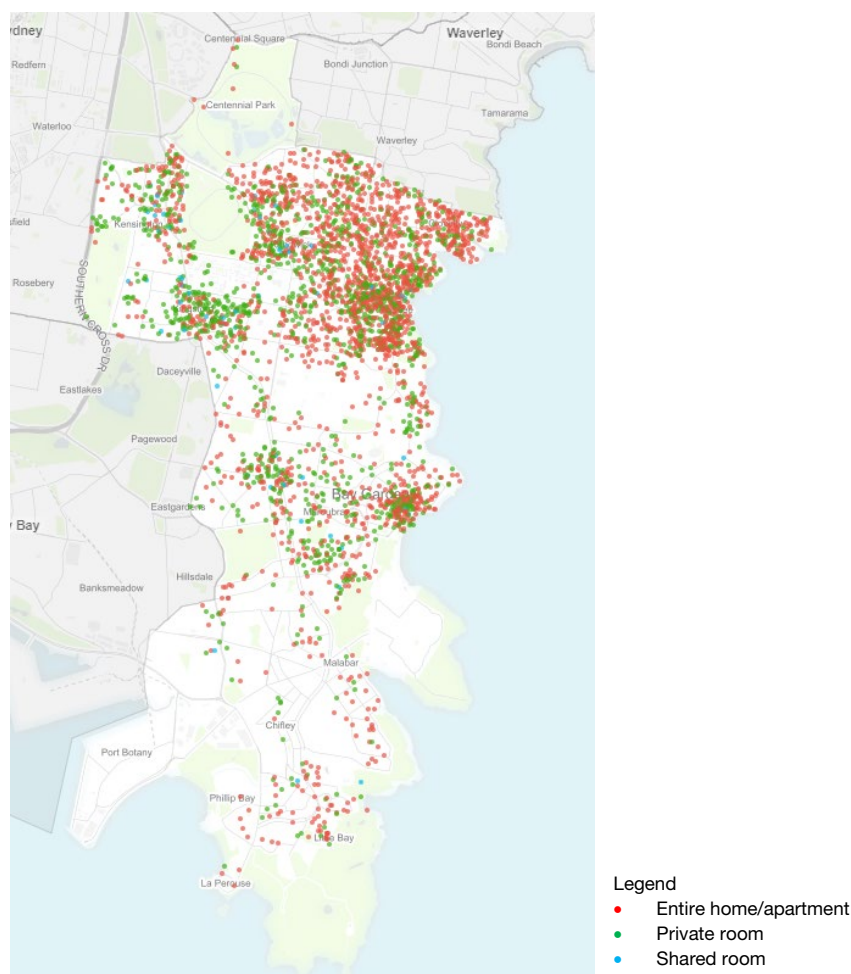
The Department's approval does not include support for the introduction of alternate thresholds on STRA exempt provisions. The Department's Gateway Determination report does not provide explanation as to why the change to the day limit was not supported, beyond the inconsistency with the state-wide approach under the ARH SEPP. This approach was confirmed with representatives of the Department in a meeting on 13 October whereby it was noted that the Department's assessment of Council's proposed STRA provision was largely based on inconsistency with State-wide policy, rather than a merit based assessment of the justification provided within the draft Planning Proposal.

#### **Gateway Review justification**

Council maintains the position that local governments should decide what is the appropriate amount of STRA in their local area, and that any potential STRA cap should be considered on a case by case basis, noting that Randwick City has some of the highest numbers of STRA listings in the state (pre Covid 19).

As outlined in Council's Housing Strategy, approximately 3,346 STRA listing were provided on the Airbnb website in 2019. Of those listings, 59.6% are entire homes/apartments, 38.5% are private rooms only and 1.9% are shared rooms (Inside Airbnb). As illustrated in Figure 1 below, the listings were predominantly concentrated around the northern and coastal areas of the Randwick LGA including the suburbs of Randwick, Clovelly, Coogee and Maroubra.

Research by the Australian Housing and Urban Research Institute (October 2018) suggests that Airbnb is having an impact on the number of new rental bonds lodged in coastal areas of Sydney. This indicates that fewer properties are available for long term rental, which may be contributing to unaffordability. In 2015 there were 929 listings across the LGA with an average cost of \$258 per night. By 2018 there were 3,060 listings (the 3rd highest of any Sydney LGA) with an average cost of \$256/night. At least 312 of these Airbnb listings were from hosts who simultaneously operate 10 or more Airbnb's within the LGA.



**Figure 1: Location of Airbnb listing 2018 (Inside Airbnb)**

The recent amendments to the ARH SEPP places a limit on non-hosted STRA premises of 180 days a year. However, data from 2018 showed that on average, Airbnb rentals in the Randwick LGA were available for rent for 148 days a year. This 148-day figure suggests that the 180 day limit will unlikely contribute to an overall reduction in STRA properties in the Randwick LGA. A 90 day limit, allows STRA operators to rent their dwellings on a short term basis over the peak summer period (or any period of their choosing) whilst ensuring a 275 day (9 month) period for medium term renters, minimising the impact of STRA on housing supply and encouraging permanent, medium term occupation.

It is acknowledged that there is a need for the provision of STRA, particularly within the Randwick Collaboration Area. The new ARH SEPP provisions state that where a host is not present and the booking is for 21 or more consecutive days, the booking will not count towards the 180 day limit. Visitors to Randwick City staying for 21 or more consecutive days are usually on work related travel (e.g business travellers, visiting academics, doctors) or are visiting relatives, students or hospital patients. This 21 day exemption to the policy is an important part

of the policy framework which will continue to apply to Randwick City even if a 90 day operating maximum to non-hosted STRA is granted.

The number of STRA listings also impacts on residential amenity within the Randwick LGA. Randwick City Council compliance and enforcement teams have long received submissions from members of the community expressing frustration with the noise, inappropriate activity and general community disruption from STRA occupants. While the mandatory Code of Conduct may go some way to addressing these issues, a 90 day limit will also help to relieve the impacts of STRA on residential amenity, local character and community in Randwick City, limiting these impacts to a restricted period.

#### **Recommendation**

The Gateway requirement to remove the proposed exempt development provision for non-hosted short-term rental accommodation would reduce residential amenity and impact on the available rental stock and increased rents in the long term in the coastal and inner-eastern city areas of Randwick City. On this basis, it is recommended that Gateway Condition 1.b) be removed.

## Local character

### **Condition 1.c) Remove the proposed local character provision, mapping and local character statements**

The Planning Proposal seeks to amend Randwick Local Environmental Plan 2012 to introduce a new Local Character clause (consistent with the draft clause exhibited by the Department in November 2020) and associated LEP Maps for three coastal Local Character Areas (LCAs) being:

- Northern Coast Local Character Area
- Southern Coast Local Character Area
- The Bays Local Character Area.

The Gateway Determination report states that given ‘mixed feedback’ on the local character clause exhibited in 2020, a decision on the inclusion of local character in LEPs has not yet been made, and there is currently no Department-endorsed statutory pathway to include local character in LEPs. It goes on to state that local character areas may be included in Council’s Development Control Plan (DCP). In a recent meeting with the Department on this matter, it was raised that a Gateway Review of the local character provision would pre-empt the final decision by the State Government as to how local character would be dealt. It was also noted that the Department’s assessment of Councils proposed local character provision was largely based on inconsistency with State-wide policy and lack of statutory mechanism, rather than a merit based assessment of the justification provided within the draft Planning Proposal.

Council has undertaken considerable work on local character since its introduction by the Department. In January 2018, the Department released a Planning System Circular relating to local character that provided advice on how the planning system will deliver development that considers the context and local character of the surrounding area. The Department also released the Local Character and Place Guideline and the Discussion Paper – Local Character Overlays in February 2019.

In accordance with the planning priorities and actions of the endorsed Randwick LSPS and Randwick Housing Strategy, Council prepared and released for community consultation 11 draft Local Character Statements in 2019/2020. The draft Local Character Statements were prepared using community input from the Vision 2040: Shaping our Future consultation undertaken in 2019 and are consistent with the Local Character and Place Guideline.

In November 2020, the Department released the Draft Local Character Clause for comment. The Draft Local Character Clause would allow councils to insert a reference to local character in their LEP via a Local Character Statement and map. The intent of the clause was to achieve consistency in the way local character is considered through the planning proposal process, and the way it is included in LEP amendments. The Draft Local Character Clause exhibition material also included a criteria that outlines the information required to apply for an exemption to the Low Rise Housing Diversity Code within LCAs mapped in an LEP.

### **Gateway Review justification**

The Gateway Determination condition to remove local character from the Planning Proposal is contrary to Council’s strategic planning framework and contrary to the Department’s policy development on local character. Based on the information released by the Department on local character since 2018, Council has investigated significant time and resources into preparing this work over the last 2.5 years. The local character statements proposed for inclusion in the LEP are consistent with the Department’s own Local Character and Place Guideline and the Draft Local Character Clause. Information from the Department’s website clearly demonstrates the value in recognising local character provisions in planning decisions:



*The NSW Government has heard that communities would like local character consideration to be elevated in NSW planning decision making. The NSW Government is actively seeking to encourage neighbourhoods' people are proud to live in, where the community collaborates with local and state governments to share what they value about their area.*

*The Local Character and Place Guideline aims to support councils and communities to consider and nurture the unique identity of a place, while at the same time meeting the needs of a changing NSW. This guideline provides tools to help define existing character and set a desired future character that aligns with the strategic direction for an area.*

Council has developed a strong local character methodology that has been underpinned by two rounds of community consultation undertaken in 2019 and 2020. Council has placed high priority on integrating local character within the local planning framework. At the strategic level, local character has been embedded in the endorsed LSPS and Housing Strategy. The LSPS was 'made' on 26 March 2020 following assurance from the Greater Sydney Commission, while the Housing Strategy was approved by the Department on 23 June 2021. A planning priority in the LSPS is to work with the Department to seek an exclusion from the State Policy (Exempt and Complying Development Codes) 2008. Removing the local character areas from the housing section of the Policy would mean that proposals would be subject to a merit assessment rather than the complying development pathway.

The Department's Housing Strategy approval letter was received approximately 1 week before the Planning Proposal was reported to Council (1 June 2021) and included a number of conditions in relation to local character. The approval letter states that "should Council wish to exclude limited areas from the Low Rise Housing Diversity Code (LRHDC) this may be achieved through the application of local character areas under the LEP". It also states that Council will need to provide a comprehensive evidence base in relation to the delivery of medium density housing. This evidence base, consistent with the Department's criteria outlined in Local Character Provision – Explanation of Intended Effect (November 2020) has been undertaken by officers and was reported to Council in April 2021. Key points in relation to this matter area outlined below.

- As demonstrated through the Vision 2040 consultation and the public exhibition of draft statements, the community strongly values the coastal area of Randwick City, particularly its open spaces and environmental qualities. Council's comprehensive local character analysis support this and demonstrates that there is a strong coastal character within the three LCAs that must be protected.
- Approximately 60% of all residential zoned land in the three proposed LCAs is within Council's Foreshore Scenic Protection Area, which demonstrates the scenic qualities and need for merit assessment in the DA process to ensure that views are maintained, and new development is consistent with the coastal character.
- Council's analysis demonstrates that the Northern Coast, Southern Coast and The Bays LCAs account for approximately 15.2% of all development applications (DAs) and 13.3% of all complying development certificates (CDCs) approved in Randwick City in the last 5 years.
- Since the *Low Rise Housing Diversity Code* (Part 3B of the Codes SEPP) came in effect in Randwick City in July 2020, there have been 12 CDCs issued for low rise housing (up to April 2021). All 12 of these were for attached dual occupancy development and one of these fell within the Southern Coast LCA and none in the other two LCAs.
- An exemption from the *Low Rise Housing Diversity Code* would not prohibit the application of other relevant sections of the Code SEPP for certain types of development within the LCAs, including alterations and additions to existing residential dwellings, commercial premises alterations including new fitouts and installation of swimming pools.

- The residential zoned land within the 3 LCAs accounts for approximately 13% of all residential zoned land in the LGA. As such, the Code would still apply to approximately 87% of all residentially zoned land within the LGA.

Council's local character work is not intended to limit development, but rather ensure that future development is consistent with the desired future character as set out in the draft statements. Character principles that set the desired future character of these areas have been developed in consultation with the community. It is intended that the character principles will be supported by a subsequent DCP chapter to be prepared as part of the upcoming DCP review. While the Gateway Determination report states that councils can include local character in their DCPs, this will not carry the statutory weight that they would if they were included in the LEP as proposed. By embedding local character in the LEP, the statements become a key consideration for development proposals. Furthermore, the importance of character in designing places is embedded in the NSW Government's recent Draft Design and Place SEPP. This draft SEPP supports a place based approach to ensure high quality neighbourhoods.

No timeframe is provided in the report as to whether local character will be supported in LEPs at a later date. Given that Council has been undertaking its work on local character for 2.5 years (in collaboration with the Department) it is unsatisfactory to expect Council to wait until a final decision is made by the Department, which would then require another standalone Planning Proposal to implement local character into the LEP.

#### **Recommendation**

This Gateway condition to remove local character from the Planning Proposal is inconsistent with the Department's own policy development since 2018 and is inconsistent with the endorsed LSPS and Housing Strategy. The Housing Strategy was approved a week before the Planning Proposal was reported to Council and supported Council proceeding to include local character in the LEP.

Council contends that the LEP is the appropriate statutory mechanism to include local character and it is on this basis that the Gateway condition 1.c) be removed.

### 1903R Botany Road, Matraville

#### **Condition 1.d) Remove the proposed rezoning of the land at 1903R Botany Road, Matraville from RE1 Public Recreation to RE2 Private Recreation**

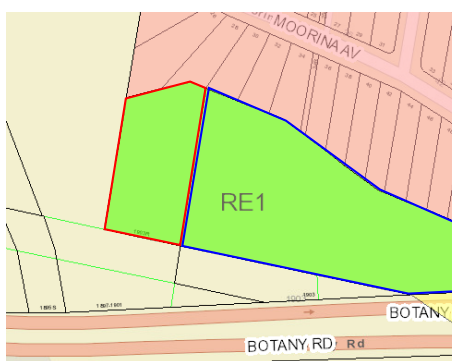
The site at 1903R Botany Road, Matraville is the subject of a rezoning request submitted under the Planning Proposal. The site is a vacant lot with no public road access, located near Botany Road in Matraville. The lot is adjacent to the Port Botany industrial area and the Bunnerong Creek waterway runs directly through the north section of the lot. A Council owned parcel of land of approximately 10,000m<sup>2</sup> is located immediately to the east of the site.

The current and previous landowners have in the past offered the site to Council for purchase in accordance with clause 5.1 of RLEP, however in June 2019, Council confirmed that it is not in a position to purchase the land. Given that Council is unable to purchase the land, the owners requested that the land be rezoned to reflect the private ownership of the site.



**Figure 2: Site location Aerial Map (Near Maps)**

Red = subject site / Blue = Council owned RE1 land



**Figure 3: Existing Zoning Map**

The request contained in the Planning Proposal was to rezone the site from RE1 Public Recreation to RE2 Private Recreation (subject to an assessment provided under State Environmental Planning Policy No.55 – Remediation of Land). The rezoning request was submitted under the justification that the land is in private ownership, is not intended or currently used for public recreation and Council does not intend to purchase the site.

The Department's approval does not include support for this rezoning request and removal of this request has been listed as a condition of gateway. According to the Department's Gateway Determination report, there is insufficient justification in the proposal to demonstrate that:

- The rezoning would not result in a net loss of existing and/or potential public or publicly-accessible open space, both across the LGA and for the locality; and
- there is no longer a need for Council to acquire the site for the purposes of local open space to support the open space and recreation needs for existing and future population.

The Department also expressed that this element of the Planning Proposal is inconsistent with the Eastern City District Plan, Randwick LSPS, Randwick Open Space and Recreation Needs Study, as well as a number of Ministerial Directions. Further, in a recent meeting held with the Department concerning this matter, it was noted that the issue of protecting public open space from being rezoned is a priority of the Minister across the State, and is not unique to Randwick City.

### Gateway Review justification

Council questions the Department's position that the site would not serve the recreational needs of the existing and future population if it is zoned RE2 Private Recreation. The objectives of the RE2 Private Recreation zone support the provision of a range of recreational settings and activities, as well as use of land for private open space and recreational purposes. As the site is currently in private ownership, with no immediate changes in ownership foreseen, the rezoning to RE2 Private Recreation is considered appropriate to facilitate the provision of private recreation facilities within Randwick City.

The provision of private recreation land is particularly important given the recent loss of private recreational areas made possible through State Environmental Planning Policy (Housing for Seniors or People with a Disability) 2004 (Seniors Housing SEPP). For instance, the site of the former Maroubra Bowling Club at 481- 499 Malabar Road, Maroubra is one of the few remaining pockets of RE2 zoned land. This 10,850m<sup>2</sup> site is being redeveloped into seniors housing, transforming the site's primary use from recreation to residential. Unlike the Maroubra Bowling club site, the conversion of the site at 1903 Botany road to seniors housing would not be possible under the Seniors Housing SEPP as the SEPP only applies to land that is used for an *existing registered club* (being a club that existed prior to the adoption of the Seniors Housing SEPP).

Current site access arrangements do not readily support the use of the site as publicly accessible open space. The site has no formal road access and sits adjacent to an established industrial precinct and road reserve. Pedestrian access is provided to the northern portion of the Council owned public open space immediately to the east of the site via Moorina Avenue. This access is via a drainage reserve and is not formalised. The site at 1903R Botany Road is fenced on all boundaries, with no pedestrian access available from Botany Road or the neighbouring Council owned site.

In May 2017 the Land and Environment Court approved the subdivision of the industrial land immediately to the west of the site, which is under the same ownership as the subject site. Approval was granted for subdivision, site remediation and landscape works, and includes provision for a right of way to the subject site via a newly created internal road approved as part of the subdivision DA. Recent discussions with the land owner/applicant revealed they are currently investigating potential uses for the site, including an aquatic centre or child care centre. It is noted that these uses are subject to feasibility and ongoing discussions with potential operators, as well as future development assessment. Notwithstanding, they are uses compatible with the RE2 Private Recreation zone and would support the recreational and/or social needs of the existing and future population, even if they are privately owned and operated.

The site currently acts as a buffer between the industrial land to the west and residential land located along Moorina Avenue. This buffer is maintained under the Land and Environment Court approval noted above, which requires a riparian corridor along Bunnerong Creek to be approved by the Department of Primary Industries. Under the NSW *Water Management Act 2000*, setbacks (riparian zones) are required on waterfront land, up to 40m from the waterway bank to form a transition zone between the terrestrial environment and the water course. This riparian zone would ensure that that site will continue to act as an appropriate buffer between uses.

The Randwick City Open Space and Recreation Needs Study (December 2020) found that the Malabar, La Perouse and Chifley zone which covers the subject site is well placed to cater for existing and future populations with approximately 32.1m<sup>2</sup> of Council owned and managed open space per person based on population projections to 2031. The Study does identify areas of Randwick LGA where public open space is deficient for existing and future populations, in particular the northern portions of the LGA where housing growth is planned. As such Council

will be focusing on provision of open space in areas forecast to decline, in line with expected housing growth. The walkable catchment analysis does identify some areas of Matraville that are not within 400m walking distance to an open space area of >0.1ha that is accessible at all times. However as the large portion of Council owned RE1 land immediate to the east of the site will remain, and given the subject site is not currently accessible to pedestrians, the rezoning of this land will not reduce open space access for the residents of Matraville and Chifley.

**Recommendation**

The subject site is not currently accessible to pedestrians or vehicles and is of poor quality. The rezoning to RE2 Private Recreation would facilitate the redevelopment of the site for a use that would service the recreational and social needs of the community while reflecting the private ownership of the land. On this basis, it is recommended that Gateway Condition 1.d) be removed.

### Planning Proposal Timing

**Condition 8** *The planning proposal must be exhibited no later than 2 months from the date of the Gateway determination*

**Condition 9** *The planning proposal must be reported to council for a final recommendation no later than 9 months from the date of the Gateway determination.*

Conditions 8 and 9 of the Gateway Determination set out timeframes for the next stages of the Planning Proposal process and include dates for the completion of stages, based on the date of the Gateway Determination, being 12 September 2021 as follows.

- Condition 8 requires commencement of public exhibition no later than 2 months from the date of the Determination, being 12 November 2021.
- Condition 9 requires reporting to Council for a final recommendation no later than 9 months from the date of Determination, being 12 June 2022.

### Gateway Review justification

Council raises concern with Condition 8 requiring public exhibition commence in mid-November 2021. While an end of year public exhibition period was initially considered for the Planning Proposal (see timeline below) a number of matters have arisen that present risks to an end of year exhibition as follows:

- The Planning Proposal includes significant changes to the existing planning controls that need to be communicated clearly and effectively to the residents and stakeholders of Randwick City. A detailed Community Consultation Plan has been prepared that reflects this. Given the level of consultation required, additional time is needed to develop and prepare effective communication materials and resources. This is critical to ensure successful and meaningful community consultation.
- The uncertainty of Covid-19 restrictions has required the development of additional materials that the community can engage with online. Additional time is required to develop and prepare these online communication materials and resources. This is critical to ensure successful and meaningful community engagement with all members of the community.
- A number of the Gateway conditions have required additional consultant studies to be undertaken. Additional time is required to ensure these studies are prepared and completed with adequate time to include the outcomes of these studies within the consultation materials.
- While the Gateway Determination requires a minimum exhibition period of 28 days, Council typically prefers to exhibit significant planning proposals for 6 weeks. A 6-week consultation period that commences in mid-November would be carried out in the lead up to the end of year holidays, and would conclude during the Christmas holiday period. This timing conflict would result in lower levels of engagement with the community and is not in line with Councils Community Consultation Principles and Planning Guide, which places a moratorium on consultation activities within the end of year holiday period.
- Ideally, significant public exhibition periods do not coincide with other major Council activities. The re-scheduling of local government elections means that the public exhibition period would be carried out in the lead up to local government elections, and the election date on 4 December would coinciding with the public exhibition period.

Council also raises concern with Condition 9 requiring reporting to Council for a final recommendation by 12 June 2022. The adopted 2022 Schedule of Council meetings lists the June Council meeting for 28 June, 16 days after the 12 June deadline. A review of this condition

is therefore sought to allow for the final recommendation to be reported to the June Council meeting.

### Recommendation

A revised project timeline has been developed that outlines amended timeframes for the public exhibition and final recommendation of the Planning Proposal (Table 1). Council contends that the amendment of timing for the exhibition and final reporting will not hinder the requirement that the LEP be completed no later than 12 months of the Determination (12 September 2022). It is on this basis that Council recommends Conditions 8 and 9 are amended to align with the revised timeline outlined in Table 1.

Recent discussion with the Department have revealed that it is possible for the Department to alter the Gateway Determination without a Gateway Review, but via a Gateway Alteration. This administrative amendment process could be utilised to amend Conditions 8 and 9, provided adequate timeframes for review by Parliamentary Counsel is allowed for and the final LEP completion date of 12 September 2022 can be met.

The Gateway Alteration process is preferable to Council, however as feedback regarding the support of this Alteration had not been received at the time of submission, Conditions 8 and 9 have been included within this Review for completeness.

**Table 1: Revised Planning Proposal Timeline**

| No. | Step  | Original timeframe      | DPIE timeframe    | Revised timeframe              |
|-----|---|-------------------------|-------------------|--------------------------------|
| 1   | Council request for Gateway Determination                         | June 2021               | -                 | June 2021                      |
| 2   | Gateway Determination   | August / September 2021 | 12 September 2021 | September 2021                 |
| 3   | Completion of required technical information and report           | October 2021            | -                 | <b>October / November 2021</b> |
| 4   | Public consultation of Planning Proposal                          | October / December 2021 | 12 November 2021  | <b>February 2022</b>           |
| 5   | Government Agency consultation                                    | October 2021            | -                 | <b>February 2022</b>           |
| 6   | Public Hearing following public consultation of Planning Proposal | November 2021           | N/A               | <b>N/A</b>                     |
| 7   | Consideration of submissions                                      | January 2022            | -                 | <b>March/April 2022</b>        |
| 8   | Report to Council on submission to public exhibition              | March 2022              | 12 June 2022      | <b>28 June 2022</b>            |
| 9   | Referral to Parliamentary Counsel and notify DPIE                 | May 2022                | -                 | <b>July 2022</b>               |
| 10  | Plan is made  | June 2022               | 12 September 2022 | <b>12 September 2022</b>       |

---

## Conclusion

Council has undertaken a comprehensive planning review to guide the future growth and development of Randwick City in a manner that protects residential amenity, housing availability and affordability and preserves local character.

The Planning Proposal has been prepared to update the Randwick Local Environmental Plan 2012 to ensure it aligns with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and Randwick LSPS.

A number of Gateway Determination conditions imposed have not been adequately substantiated and will have consequences on the local character, liveability and affordability of Randwick City.

Condition 1.b) would result in unacceptable residential amenity and impact on the available rental stock and increased rents in the long term as a result of the prevalence of non-hosted STRA within the Randwick LGA.

Council contents that the LEP is the appropriate statutory mechanism to include local character, and that Condition 1.c) is inconsistent with the Department's own policy development since 2018, is inconsistent with the endorsed LSPS and Housing Strategy.

The rezoning of the site at 1903R Botany Road, Matraville to RE2 would continue to support the recreational needs of the community and appropriately reflects the private ownership of the site. As such, Council request Condition 1.d) be deleted.

A Gateway Alteration is requested to commence public exhibition in February 2022 to allow appropriate time for the preparation of exhibition materials and additional consultant studies, and to prevent exhibition coinciding with the end of year holiday period and other major Council activities. The Alteration also requests Condition 9 be amended to allow reporting to Council at the end of June 2022 to align with the scheduled Council meeting dates.



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RANDWICK CITY COUNCIL

# Gateway Alteration Submission Comprehensive Planning Proposal

05 November 2021



1300 722 542  
[randwick.nsw.gov.au](http://randwick.nsw.gov.au)

CP10/22

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## Executive Summary

This submission supports Randwick City Council's request for a Gateway Alteration of the Gateway Determination dated 12 September 2021 for the Comprehensive Planning Proposal.

The Comprehensive Planning Proposal (the Planning Proposal) has been prepared to update the Randwick Local Environmental Plan 2012 in accordance with the policy approach of the State Government's Standard Instrument LEP, which encourages Councils to undertake a comprehensive update of planning instruments to ensure they are in line with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS).

Council requests the amendment of the following Gateway Conditions for the reasons summarised below:

- Condition 8 relating to the commencement of public exhibition within in 2 months of the Gateway Determination. A Gateway Alteration is requested to commence public exhibition in February 2022 to allow appropriate time for the preparation of exhibition materials and additional consultant studies, and to prevent exhibition coinciding with the end of year holiday period and other major Council activities.
- Condition 9 relating to reporting back to Council for a final recommendation no later than 9 months of the Gateway Determination. A Gateway Alteration is requested to allow reporting to Council at the end of June 2022 to align with the scheduled Council meeting dates.

This submission justifies our request to amend the above Gateway Determination conditions.

A separate Gateway Review has been submitted concurrently in response to Condition 1.b) Short term rental accommodation, Condition 1.c) Local character provision and Condition 1.d) 1903R Botany Road, Matraville.

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## Introduction

On 12 September 2021, the Department of Planning, Industry and Environment issued a Gateway Determination for the Randwick Comprehensive Planning Proposal (Department Ref: PP\_2021\_4267).

The Planning Proposal seeks to amend the the Randwick Local Environmental Plan (LEP) 2012 to align with the strategic directions of the Eastern City District Plan and Randwick LSPS, implement the findings and recommendations of other local strategies and studies, and consider landowner rezoning requests and miscellaneous amendments.

Council received a copy of the Gateway Determination on 13 September 2021. On 26 October 2021, Council endorsed the submission of the Gateway Review at its Ordinary Council meeting. In response to this Resolution, Council requests the amendment of the following Gateway Conditions, via a Gateway Alteration:

- Conditions 8 – timing of public exhibition
- Condition 9 – timing of final reporting to Council.

Recent discussions with the Department have indicated that the Gateway Alteration process could be utilised to amend Conditions 8 and 9, provided adequate timeframes for review by Parliamentary Counsel is allowed for and the final LEP completion date of 12 September 2022 can be met. This submission justifies our request to amend the above Gateway Determination conditions.

A separate Gateway Review has been submitted concurrently in response to the following conditions:

- Condition 1.b) Short term rental accommodation
- Condition 1.c) Local character provision
- Condition 1.d) 1903R Botany Road, Matraville.

Except for the conditions listed above, the remaining conditions of the Gateway Determination are noted and accepted by Council.

## Gateway Conditions Requested to be Amended

### Planning Proposal Timing

**Condition 8** *The planning proposal must be exhibited no later than 2 months from the date of the Gateway determination*

**Condition 9** *The planning proposal must be reported to council for a final recommendation no later than 9 months from the date of the Gateway determination.*

Conditions 8 and 9 of the Gateway Determination set out timeframes for the next stages of the Planning Proposal process and include dates for the completion of stages, based on the date of the Gateway Determination, being 12 September 2021 as follows.

- Condition 8 requires commencement of public exhibition no later than 2 months from the date of the Determination, being 12 November 2021.
- Condition 9 requires reporting to Council for a final recommendation no later than 9 months from the date of Determination, being 12 June 2022.

### Gateway Review justification

Council raises concern with Condition 8 requiring public exhibition commence in mid-November 2021. While an end of year public exhibition period was initially considered for the Planning Proposal (see timeline below) a number of matters have arisen that present risks to an end of year exhibition as follows:

- The Planning Proposal includes significant changes to the existing planning controls that need to be communicated clearly and effectively to the residents and stakeholders of Randwick City. A detailed Community Consultation Plan has been prepared that reflects this. Given the level of consultation required, additional time is needed to develop and prepare effective communication materials and resources. This is critical to ensure successful and meaningful community consultation.
- The uncertainty of Covid-19 restrictions has required the development of additional materials that the community can engage with online. Additional time is required to develop and prepare these online communication materials and resources. This is critical to ensure successful and meaningful community engagement with all members of the community.
- A number of the Gateway conditions have required additional consultant studies to be undertaken. Additional time is required to ensure these studies are prepared and completed with adequate time to include the outcomes of these studies within the consultation materials.
- While the Gateway Determination requires a minimum exhibition period of 28 days, Council typically prefers to exhibit significant planning proposals for 6 weeks. A 6-week consultation period that commences in mid-November would be carried out in the lead up to the end of year holidays, and would conclude during the Christmas holiday period. This timing conflict would result in lower levels of engagement with the community and is not in line with Council's Community Consultation Principles and Planning Guide, which places a moratorium on consultation activities within the end of year holiday period.
- Ideally, significant public exhibition periods do not coincide with other major Council activities. The re-scheduling of local government elections means that the public exhibition period would be carried out in the lead up to local government elections, and the election date on 4 December would coincide with the public exhibition period.

Council also raises concern with Condition 9 requiring reporting to Council for a final recommendation by 12 June 2022. The adopted 2022 Schedule of Council meetings lists the June Council meeting for 28 June, 16 days after the 12 June deadline. A review of this condition is therefore sought to allow for the final recommendation to be reported to the June Council meeting.

### Recommendation

A revised project timeline has been developed that outlines amended timeframes for the public exhibition and final recommendation of the Planning Proposal (Table 1). Council contends that the amendment of timing for the exhibition and final reporting will not hinder the requirement that the LEP be completed no later than 12 months of the Determination (12 September 2022). It is on this basis that Council recommends Conditions 8 and 9 are amended to align with the revised timeline outlined in Table 1.

Recent discussion with the Department have revealed that it is possible for the Department to alter the Gateway Determination without a Gateway Review, but via a Gateway Alteration. This administrative amendment process could be utilised to amend Conditions 8 and 9, provided adequate timeframes for review by Parliamentary Counsel is allowed for and the final LEP completion date of 12 September 2022 can be met.

**Table 1: Revised Planning Proposal Timeline**

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| 7   | Consideration of submissions                                      | January 2022            | -                 | <b>March/April 2022</b>        |
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| 10  | Plan is made  | June 2022               | 12 September 2022 | <b>12 September 2022</b>       |

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## Conclusion

Council has undertaken a comprehensive planning review to guide the future growth and development of Randwick City in a manner that protects residential amenity, housing availability and affordability and preserves local character.

The Planning Proposal has been prepared to update the Randwick Local Environmental Plan 2012 to ensure it aligns with the strategic directions and planning priorities of the Greater Sydney Region Plan (A Metropolis for Three Cities), Eastern City District Plan and Randwick LSPS.

A Gateway Alteration is requested to amend Condition 8 to commence public exhibition in February 2022 to allow appropriate time for the preparation of exhibition materials and additional consultant studies, and to prevent exhibition coinciding with the end of year holiday period and other major Council activities. The Alteration also requests Condition 9 be amended to allow reporting to Council at the end of June 2022 to align with the scheduled Council meeting dates.

A separate Gateway Review has been submitted concurrently in response to Condition 1.b) Short term rental accommodation, Condition 1.c) Local character provision and Condition 1.d) 1903R Botany Road, Matraville.



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Planning,  
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Environment

## Alteration of Gateway Determination

**Planning proposal (Department Ref: PP-2021-4267)** for a comprehensive review of the Randwick Local Environmental Plan (LEP) 2012.

I, Director, Eastern and South Districts at the Department of Planning, Industry and Environment, as delegate of the Minister for Planning and Public Spaces, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 12 September 2021 for the proposed comprehensive review of the Randwick Local Environmental Plan (LEP) 2012 as follows:

1. Delete:

“condition 8”

2. Delete:

“condition 9”

and replace with:

a new condition 9: “The planning proposal must be reported to council for a final recommendation no later than end of June 2022.”

Dated 14 day of December 2021.

A handwritten signature in black ink, appearing to be 'LR'.

**Laura Locke**  
Director, Eastern and South Districts  
Eastern Harbour City  
Department of Planning, Industry and  
Environment

**Delegate of the Minister for Planning and  
Public Spaces**

PP-2021-4267 (IRF21/4694)

CP10/22

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**Planning,  
Industry &  
Environment**

## GATEWAY REVIEW Justification Assessment

**Purpose:** To request that the Independent Planning Commission review the Gateway determination, consider the information provided by Council and provide advice regarding the merit of the review request.

|                                |   |
|--------------------------------|---|
| <b>Dept. Ref. No:</b>          | GR-2021-12  |
| <b>LGA</b>                     | Randwick City Council   |
| <b>LEP to be Amended:</b>      | Randwick Local Environmental Plan 2012  |
| <b>Address/ Location:</b>      | Various sites and LGA wide  |
| <b>Proposal:</b>               | Randwick Comprehensive Planning Proposal (PP-2021-4267)   |
| <b>Review request made by:</b> | <input checked="" type="checkbox"/> The Council<br><input type="checkbox"/> A proponent   |
| <b>Reason for review:</b>      | <input type="checkbox"/> A determination has been made that the planning proposal should not proceed.<br><input type="checkbox"/> A determination has been made that the planning proposal should be resubmitted to the Gateway.<br><input checked="" type="checkbox"/> A determination has been made that has imposed requirements (other than consultation requirements) or makes variations to the proposal that the proponent or council thinks should be reconsidered. |

### Background information

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| <b>Details of the planning proposal</b> | <p><b>Planning proposal</b></p> <p>The planning proposal (<b>Attachment A</b>) is a review of the Randwick Local Environmental Plan (LEP) 2012 to align with the strategic directions of the Eastern City District Plan and Randwick Local Strategic Planning Statement (LSPS), and implement the findings and recommendations of other local strategies and studies. It also responds to landowners' rezoning requests and includes miscellaneous amendments.</p> <p>Relevant to the Gateway review request, the planning proposal sought to:</p> <ul style="list-style-type: none"> <li>introduce a new exempt development provision in the LEP to limit the number of days that non-hosted short-term rental accommodation (STRA) can operate in a calendar year to a maximum of 90 days.</li> <li>introduce a local character overlay (clause, mapping and definition) to give effect to three Local Character Areas being, The Bays, Northern Coast and Southern Coast.</li> <li>rezone the site at 1903R Botany Road, Matraville from RE1 Public Recreation to RE2 Private Recreation in response to a landowner's request.</li> </ul> <p><b>Site description</b></p> <p>Relevant to the Gateway review request, there is one specific site at 1903R Botany Road, Matraville, while the rest of the conditions under review relate to broader areas or are LGA wide.</p> |
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# 1903R Botany Road, Matraville

The planning proposal and Gateway review request include a site at 1903R Botany Road, Matraville, legally described as Lot 1 DP 219847 (**Figure 1**). The site is privately owned however is zoned RE1 Public Recreation and nominated for acquisition by Council under the Land Reservation Acquisition Map and clause 5.1 of the Randwick LEP. The exact area of the site is not specified in the proposal but is estimated to be approximately 3,355 sqm.

The site is vacant/undeveloped and is surrounded by Port Botany industrial uses (IN1 General Industrial; west and south), low scale residential (R2 Low Density Residential; north) and land zoned for public open space (RE1 Public Recreation; east) (**Figure 2**). Bunnerong Creek runs through the northern part of the lot.

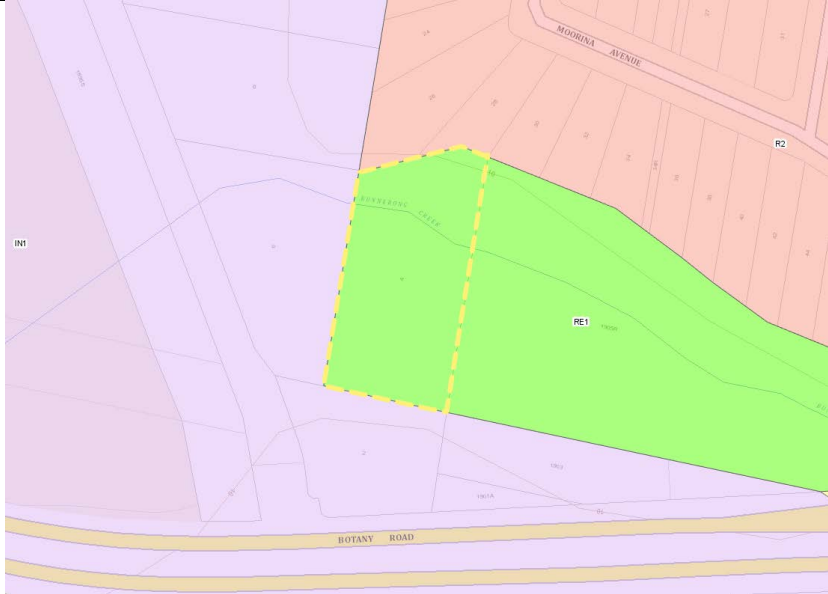
The planning proposal states that the site is mapped as containing Class 4 acid sulfate soils and that there may be potential soil and groundwater contamination on the site, which should be investigated prior to finalising any rezoning.



**Figure 1:** Aerial view showing 1903R Botany Road, Matraville in blue outline (Base source: Nearmap)

The owner of the site also owns the adjoining land to the west which includes an easement for access.

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|  |  <p><b>Figure 2:</b> Land zoning map showing 1903R Botany Road, Matraville in yellow outline<br/>(Source: ePlanning Spatial Viewer)</p>   |
| <b>Reasons for Gateway determination</b> | <p>On 12 September 2021, a Gateway determination (<b>Attachment B</b>) was issued by the Department subject to several conditions. The Gateway determination included conditions requiring the planning proposal and supporting documentation to be revised prior to public exhibition (conditions 1. a) – l)), including to remove the following provisions in the proposal as they were not supported:</p> <ul style="list-style-type: none"> <li>1.b) - Remove the proposed exempt development provision for non-hosted short-term rental accommodation.</li> <li>1.c) - Remove the proposed local character provision, mapping and local character statements.</li> <li>1.d) - Remove the proposed rezoning of the land at 1903R Botany Road, Matraville from RE1 Public Recreation to RE2 Private Recreation.</li> </ul> <p>The reasons for these Gateway conditions are outlined later in this report as part of the Department's assessment.</p> <p>There were also conditions (2. a) – c)) requiring various revisions to the planning proposal prior to finalisation. These conditions are not subject to the Gateway review request by Council.</p> <p>As outlined in the Department's Gateway assessment report (<b>Attachment C</b>), the Gateway determination was issued on the basis that the planning proposal:</p> <ul style="list-style-type: none"> <li>• is consistent with the Eastern City District Plan, Council's local strategic plans and studies, and relevant State Environmental Planning Policies (SEPPs);</li> <li>• will give effect to the priorities and actions in the Randwick LSPS and Local Housing Strategy (LHS);</li> <li>• will contribute to housing supply that is more diverse and affordable;</li> <li>• will promote heritage conservation, design excellence, a diverse and vibrant local economy, and liveable and socially connected places;</li> <li>• will introduce provisions to promote environmental sustainability; and</li> </ul> |

|  |   |
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|  | <ul style="list-style-type: none"> <li>the proposed rezoning of 1903R Botany Road, Matraville, is not supported and a Gateway condition was imposed to remove this.</li> </ul> <p><b>Gateway alteration request</b></p> <p>On 10 November 2021, Council submitted a Gateway alteration request to amend Conditions 8 and 9 to extend the timeframes for exhibition and reporting (to Council for a final recommendation) of the planning proposal. Council does not propose any change to the overall timeframe for completing the LEP (12 months from Gateway determination, being 12 September 2022).</p> <p>The Gateway alteration was approved and issued on 15 December 2021 (<b>Attachment Gateway Alteration</b>).</p> |
|--|---|

### Council's views

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| <b>Details of justification</b> | <p>On 5 November 2021, the Department received Council's Gateway review request (<b>Attachment Form</b> and <b>Attachment Request</b>). The request is in response to conditions 1.b) - d) imposed on the planning proposal as part of the Gateway determination.</p> <p>A summary of Council's Gateway review request justification for each condition is provided below. The full justification is provided in <b>Attachment Request</b>.</p> <p><b>Review of condition 1.b) - Short-term rental accommodation (STRA)</b></p> <p>The review request seeks to delete Gateway condition 1.b) – <i>'Remove the proposed exempt development provision for non-hosted short-term rental accommodation.'</i> Council considers this condition <i>'would reduce residential amenity and impact on the available rental stock and increased rents in the long term in the coastal and inner-eastern city areas of Randwick City'</i>.</p> <p>Council raises the following reasons in support of a reduced non-hosted STRA day limit:</p> <ul style="list-style-type: none"> <li>Council has a high number of STRA listings (the Local Housing Strategy indicates that there were 3,346 listings on Airbnb in the LGA – 59.6% entire homes/apartments, 38.5% private rooms only and 1.9% are shared rooms – Source, Inside Airbnb 2019).</li> <li>Council considers a 90-day non-hosted STRA limit is more appropriate than the 180-day limit in the Affordable Rental Housing SEPP.</li> <li>The limit is in line with its LSPS and Housing Strategy.</li> <li>Concern around the impact on available medium-term rental stock and increased rents.</li> <li>Concern around amenity and compliance issues from STRA occupants.</li> </ul> <p><b>Review of condition 1.c) - Local character</b></p> <p>The review request seeks to delete Gateway condition 1.c) – <i>'Remove the proposed local character provision, mapping and local character statements.'</i></p> <p>Council raises the following matters in support of their request:</p> <ul style="list-style-type: none"> <li>The local character provisions are consistent with Council's LSPS, Housing Strategy (endorsed by the Department) and the Department's policy on local character.</li> <li>Council has invested significant time and financial resource developing their local character work, including community consultation.</li> </ul> |
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|   | <ul style="list-style-type: none"> <li>The LSPS includes a priority for working with the Department to seek an exclusion from the SEPP (Exempt and Complying Development Codes) 2008 to remove the local character areas from the housing section of the policy.</li> <li>The proposal is for three local character areas which only comprise 13% of residential zoned land in the LGA, leaving a significant amount of land outside of the local character areas.</li> <li>Transferring the local character provisions to the DCP will not carry the same statutory weight of the LEP.</li> </ul> <p><b>Review of condition 1.d) - Rezoning of 1903R Botany Road, Matraville</b></p> <p>The review request seeks to delete Gateway condition 1.d) – <i>'Remove the proposed rezoning of the land at 1903R Botany Road, Matraville from RE1 Public Recreation to RE2 Private Recreation.'</i> Council considers the rezoning <i>'would continue to support the recreational needs of the community and appropriately reflects the private ownership of the site.'</i></p> <p>Council raises the following justifications in support of the rezoning:</p> <ul style="list-style-type: none"> <li>the land is currently in private ownership and is not intended or currently used for public recreation.</li> <li>the site is not currently accessible to pedestrians or vehicles, is of poor quality and has a waterway running through it.</li> <li>Council has confirmed to current and previous landowners, most recently in June 2019, that it is not in a position to purchase the site.</li> <li>Council's Open Space and Recreation Needs Study (2020) found that the area is well placed to meet the needs of the existing and future population, and the adjoining RE1 land will remain and cater for the needs of the nearby population.</li> </ul> |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
| <b>Material provided in support of application/proposal</b> |   |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
|   | <p>Council has provided the following documents to support its Gateway Review request:</p> <table border="1"> <tr> <td><b>Attachment Request</b></td><td>Gateway Review Submission/Justification, November 2021</td></tr> <tr> <td><b>Attachment Form</b></td><td>Gateway Review Request Application Form</td></tr> <tr> <td><b>Attachment Proposal</b></td><td>Planning Proposal</td></tr> <tr> <td><b>Attachment Gateway Alteration</b></td><td>Gateway Alteration</td></tr> <tr> <td><b>Attachment A</b></td><td>Planning Proposal Timeline</td></tr> <tr> <td><b>Attachment B</b></td><td>LEP Clauses and Schedules [of] Changes</td></tr> <tr> <td><b>Attachment C</b></td><td>LEP Map Changes</td></tr> <tr> <td><b>Attachment D</b></td><td>SEPP Compliance Table</td></tr> <tr> <td><b>Attachment E</b></td><td>Ministerial Directions Compliance Table</td></tr> <tr> <td><b>Attachment F</b></td><td>Data Sheets Neighbourhood Centres and Rezoning Requests</td></tr> <tr> <td><b>Attachments G(1) – (3)</b></td><td>Draft Local Character Statements for Northern Coast, Southern Coast and The Bays</td></tr> <tr> <td><b>Attachment H(1)</b></td><td>Heritage Studies Edgumbe Estate HCA and Randwick Junction Heritage Items</td></tr> </table>  | <b>Attachment Request</b> | Gateway Review Submission/Justification, November 2021 | <b>Attachment Form</b> | Gateway Review Request Application Form | <b>Attachment Proposal</b> | Planning Proposal | <b>Attachment Gateway Alteration</b> | Gateway Alteration | <b>Attachment A</b> | Planning Proposal Timeline | <b>Attachment B</b> | LEP Clauses and Schedules [of] Changes | <b>Attachment C</b> | LEP Map Changes | <b>Attachment D</b> | SEPP Compliance Table | <b>Attachment E</b> | Ministerial Directions Compliance Table | <b>Attachment F</b> | Data Sheets Neighbourhood Centres and Rezoning Requests | <b>Attachments G(1) – (3)</b> | Draft Local Character Statements for Northern Coast, Southern Coast and The Bays | <b>Attachment H(1)</b> | Heritage Studies Edgumbe Estate HCA and Randwick Junction Heritage Items |
| <b>Attachment Request</b>                                   | Gateway Review Submission/Justification, November 2021  |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
| <b>Attachment Form</b>                                      | Gateway Review Request Application Form   |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
| <b>Attachment Proposal</b>                                  | Planning Proposal   |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
| <b>Attachment Gateway Alteration</b>                        | Gateway Alteration  |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
| <b>Attachment A</b>   | Planning Proposal Timeline  |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
| <b>Attachment B</b>   | LEP Clauses and Schedules [of] Changes  |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
| <b>Attachment C</b>   | LEP Map Changes   |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
| <b>Attachment D</b>   | SEPP Compliance Table   |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
| <b>Attachment E</b>   | Ministerial Directions Compliance Table   |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
| <b>Attachment F</b>   | Data Sheets Neighbourhood Centres and Rezoning Requests   |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
| <b>Attachments G(1) – (3)</b>                               | Draft Local Character Statements for Northern Coast, Southern Coast and The Bays  |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |
| <b>Attachment H(1)</b>                                      | Heritage Studies Edgumbe Estate HCA and Randwick Junction Heritage Items  |                           |  |                        |   |                            |                   |                                      |                    |                     |                            |                     |  |                     |                 |                     |                       |                     |   |                     |   |                               |  |                        |  |



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|  | <b>Attachments H(2) and (3)</b> | Randwick Heritage Study Volume 1 – Heritage Conservation Review and Volume 2 – Community Nominations  |
|  | <b>Attachments I(1) – (5)</b>   | Urban Design Analysis Report for West Randwick Housing Investigation Area (HIA), Kensington North HIA, Arthur Street HIA, Magill Street HIA and Kingsford South HIA |
|  | <b>Attachment J</b>             | Draft Affordable Housing Plan – Housing Investigation Areas   |

## Assessment summary

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| <b>Department's assessment</b> | <p><b>Condition 1.b) - Short-term rental accommodation (STRA)</b></p> <p>The Department notes the justification provided by Council for the Gateway review request on the STRA condition. However, the Department's position remains unchanged on the condition. The key matters are considered below.</p> <p><u>Variation from the state-wide approach to STRA</u></p> <p>A state-wide planning policy for STRA in NSW has been recently introduced. The new provisions were endorsed and made by the NSW Government on 9 April 2021 and commenced on 1 November 2021. The provisions are intended to create a consistent state-wide approach to managing this growing segment of the tourism industry. The policy amended the then State Environmental Planning Policy (Affordable Rental Housing) 2009 (ARH SEPP) and the <i>Environmental Planning and Assessment Regulation 2000</i> (EP&amp;A Regulation). The provisions, amongst others, allow for non-hosted STRA in a dwelling for 180 days in any 365-day period within Greater Sydney. These STRA provisions have been transferred to the new Housing SEPP, which replaces the ARH SEPP amongst others, and commenced on 26 November 2021.</p> <p>The planning proposal's proposed exempt development provision for non-hosted STRA seeks to reduce the cap from 180 days to 90 days per year. As advised in the Department's Gateway determination assessment report, the ARH SEPP (or any replacement SEPP) will prevail over the LEP to the extent of any inconsistency, rendering any proposed LEP amendment redundant. Aside from this, the Department does not consider the proposed STRA provision to be adequately justified or required to support the planning proposal.</p> <p>The Department's Housing Policy team who oversee the STRA policy were consulted on this aspect of the proposal both during the Gateway assessment stage, and again as part of the Gateway review. The Housing Policy team do not support the reduced non-hosted STRA provision and their comments have been incorporated into this assessment.</p> <p>The Department notes the 180-day limit for non-hosted STRA in Greater Sydney was set by the Government after extensive stakeholder consultation and careful consideration of the impacts of STRA on the overall rental market. Further, having a consistent approach creates the right economic circumstances for investment and builds a common understanding across the community about how the positive and negative impacts of STRA will be managed.</p> <p><u>Application and impact of proposed day limit</u></p> <p>Council has not provided any detailed information to explain the economic and social impacts of the existing non-hosted STRA 180-day limit provision. The provision recently commenced on 1 November 2021 so the impact would not yet be expected to be known. This is an issue that was also recognised by the Randwick Local</p> |
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|  | <p>Planning Panel (LPP), who considered this aspect of the planning proposal on 13 April 2021.</p> <p>The Randwick LPP did not support the change to the day limit for non-hosted STRA and stated <i>'the Panel does not consider that there is sufficient evidence at this stage to justify a different day limit.'</i> The LPP advised Council that <i>'the implementation of the proposed limit should be monitored for at least 12 months so that a better understanding of the implications on rental accommodation is provided.'</i></p> <p>The Department concurs with the LPP statements. Overall, it is considered that Council has not demonstrated the need, nor provided an adequate justification of why a local approach is necessary to manage the potential impacts of STRA in the LGA.</p> <p><u>STRA Premises Register and Code of Conduct</u></p> <p>Part of the recent STRA policy included an amendment to the EP&amp;A Regulation to create a new Government-run online mandatory STRA premises register. This is intended to ensure compliance with new fire safety standards, track the day limits of each STRA dwelling and provide details to assist councils with monitoring STRA in their LGAs.</p> <p>The register has been set up as a key tool to collect data (that currently does not exist) and will provide information to help government better understand the economic impacts of STRA, including on the rental market, so that informed decisions can be made about future regulatory settings. The intention is that the policy should run as is, and any future amendments would in part be based on the evidence that the register has collected.</p> <p>Council in its justification report, raised a comment around noise, amenity impacts and compliance issues arising from STRA. However, no details (statistics and particulars) on complaints relating to STRA are provided. There is a mandatory Code of Conduct titled <i>'Code of Conduct for the Short-term Rental Accommodation Industry'</i> in place made by the NSW Department of Customer Service which commenced on 18 December 2020. The Code imposes obligations on booking platforms, hosts, letting agents and guests relating to operation of STRA.</p> <p>In August 2020, major STRA booking platform Airbnb introduced a global ban on parties and events at Airbnb listings and prohibition of gatherings of more than 16 people. The ban applies to all future bookings on Airbnb and will remain in effect indefinitely until further notice according.<sup>1</sup> Breach of the policy may result in guests and/or hosts being suspended or removed from the platform.</p> <p>Relevant properties must be registered before they can be advertised or offered for short-term rental. The Code creates minimum standards of behaviour and requirements for all industry participants. In its Gateway review request, Council itself acknowledged the Code, stating that <i>'...the mandatory Code of Conduct may go some way to addressing these issues [noise, inappropriate activity and general community disruption from occupants]'</i>.</p> <p><u>Randwick Local Housing Strategy (LHS)</u></p> <p>Council states in its justification that the proposed provision to limit the number of days for non-hosted STRA is in line with its Local Housing Strategy. However, the Department's letter of approval for the Randwick LHS dated 23 June 2021, advises that the LHS action (Action 2.7) for a 90-day threshold on STRA in the LEP is not</p> |
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<sup>1</sup> [www.airbnb.com.au/help/article/2704/party-and-events-policy](https://www.airbnb.com.au/help/article/2704/party-and-events-policy)

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|  | <p>supported and therefore, not endorsed as part of the LHS approval. The provision is therefore inconsistent with the LHS approval.</p> <p><u>Justification and evidence</u><br/>Any change to the STRA policy may be pursued through a separate process and supported by appropriate studies to justify and demonstrate the need for this aspect. The current planning proposal did not include an appropriate evidence base, such as economic and social impact assessments. The Gateway review request includes some figures on the number, types and average nightly cost of STRA listings in Randwick, however these data are at a high level and outdated as they were drawn from 2015, 2018 and 2019. As such the figures do not account for any impacts or trends on the STRA sector from the COVID-19 pandemic.</p> <p><u>Recommendation</u><br/>The Department's position is unchanged and it is recommended that the Gateway condition remain.</p> <p><b>Condition 1.c) - Local character provision/overlay</b><br/>The planning proposal seeks to implement three proposed local character statements in response to planning documents released by the Department (see details below).<br/><br/>The Department notes the justification provided by Council in the Gateway review request on the local character condition. However, the Department's position remains unchanged on the condition. Key matters are considered below.</p> <p><u>Uncertainty regarding approval of the Department's local character provision</u><br/>As mentioned by Council, the Department has been considering and outlining the tools available to councils to incorporate the consideration of local character into strategic planning since 2018. Local character overlays were first identified as a mechanism for embedding local character into the planning framework in January 2018 in Planning System Circular PS 18-001 '<i>respecting and enhancing local character in the planning system.</i>' In 2019, the Department released a <i>Local Character and Place Guideline and Discussion Paper – Local Character Overlays</i>, which further explored a proposed approach for introducing local character overlays into the Standard Instrument LEP but was not finalised.</p> <p>As advised in the Gateway determination report, from November 2020 to January 2021 the Department exhibited an <i>Explanation of Intended Effect [EIE] – Local Character Provision</i> for a standardised approach to local character through a proposed local character model clause in the Standard Instrument LEP. The local character provision would allow a council to adopt a map overlay and a local character statement. The local character statement would describe an area's existing character and set out its desired future character.</p> <p>Submissions from the EIE exhibition revealed mixed feedback on the local character clause. Integrating local character into the planning system as exhibited in the EIE will not be progressing at this time. There has been no amendment to the Standard Instrument LEP to enable the inclusion of a local character model clause and map overlay. There is currently no Department-endorsed statutory pathway to include local character in LEPs and this has been explained in the Gateway assessment report.</p> <p>Council states that the Gateway condition in question is against the Department's own local character policy, however, as discussed above, the Department does not currently have an endorsed policy.</p> <p>The Department is exploring new approaches allowing council, developers and communities to consider their local area when designing new buildings and suburbs in a</p> |
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|  | <p>more holistic way. This is reflected in the design principles of the <i>Design and Place State Environmental Planning Policy</i> with culture, character and heritage continuing to be an important design consideration.</p> <p>No pathway is currently available to map local character areas in a local environmental plan. Additionally, the Department does not support local character as a basis to exclude areas from the application of the <i>State Environmental Planning Policy (Exempt and Complying Development Codes)</i>, noting that no other council has been granted an exclusion on these grounds. For this reason, the Department cannot issue a Gateway determination for the planning proposal to proceed.</p> <p>Council have been advised in the Gateway determination report, that the character statements may be included in Council's Development Control Plan (DCP). Whilst, as stated by Council, this does not have the legislative weight of an LEP clause, it would nonetheless provide guidance for future developments in these local character areas.</p> <p><u>Recommendation</u></p> <p>The Department's position is unchanged and it is recommended that the Gateway condition remain.</p> <p><b>Condition 1.d) - Rezoning of 1903R Botany Road, Matraville from RE1 to RE2</b></p> <p>The Department notes the justification provided by Council in the Gateway review request on the rezoning of this site. However, the Department's position remains unchanged on the condition. Key matters are considered below.</p> <p>The site is currently identified on the Land Reservation Acquisition Map (LRA_004) and marked as 'Local Open Space (RE1)' under Randwick LEP 2012.</p> <p><u>Loss of RE1 land and future public open space potential</u></p> <p>The key concerns in the Department's Gateway determination report still remain, including that the proposal does not demonstrate that:</p> <ul style="list-style-type: none"> <li>the rezoning would not result in a net loss of existing and/or potential public or publicly accessible open space, both across the LGA and for the locality; and</li> <li>there is no longer a need for Council to acquire the site for the purposes of local open space to support the open space and recreational needs of the existing and future population.</li> </ul> <p>The proposed rezoning to RE2 Private Recreation is considered to reduce the likelihood and potential for future delivery of the site as open space due to the range of development types that are permitted with consent in the zone. The objectives of the proposed RE2 Private Recreation zone also relate to private open space and recreational purposes, rather than public which does not align with the intended local open space annotation. It is noted that the site appears on historical land reservation acquisition maps dating back to 1998. With populations projected to increase, it remains unclear that removing this would not result in a net loss of public recreation zoned land to cater for future needs.</p> <p>Council's submission advises that in May 2017 the NSW Land and Environment Court approved the subdivision of the industrial land immediately west of the site, which is under the same ownership as the subject site. This approved proposal includes provision for a right of way to the site via a newly created internal road. It is understood that this land is currently being developed as an industrial warehouse development known as 'The Borough Zone 1901.'</p> <p>Council's Gateway review submission states '<i>the rezoning of the site to RE2 would continue to support the recreational needs of the community...</i>' Council's submission indicates that the landowner is investigating uses for the subject site, including a</p> |
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|  | <p>potential aquatic centre or child care centre. However, there is currently no consent or certainty around the type of development that may occur on the site. Once rezoned to RE2, there will be no certainty of the site's potential contribution to serving public recreational needs or access.</p> <p>The site is located adjacent to a parcel of Council owned RE1 land (approximately 10,000 sqm), which has potential for future consolidated public open space for the benefit of the local residents. The consolidated site would be over 1 ha, which could potentially support a broader range of public recreation activities and landscaping opportunities.</p> <p>One of the reasons in Council's Gateway review submission supporting the rezoning is that the site currently has no road access and <i>'current site access arrangements do not readily support the use of the site as publicly accessible open space.'</i> Council's submission states that the site is fenced on all boundaries with no pedestrian access available from Botany Road or the neighbouring Council owned site. Notwithstanding, access issues would remain even if the site is rezoned to RE2. In contrast, any future consolidation with the Council owned RE1 land to the east would provide opportunity for formal pedestrian and/or road access to the site.</p> <p>While the site is located adjacent to industrial uses associated with Port Botany, it has the potential to provide important landscaped buffer for the residential area to the north, especially when consolidated with the Council-owned RE1 land to the east. The amenity and useability of the site could be improved over time. Rezoning of the site to RE2 would negate this potential and result in loss of future potential for public open space.</p> <p>The Department's Open Space Branch, Public Spaces Division were consulted on the Council's review request, and provided feedback on the appropriateness of the site for use as future public open space. The branch supports the retention of the existing RE1 zoning, the key reasons being:</p> <ul style="list-style-type: none"> <li>• The site is in proximity to the Heffron Park and Great Coastal Walk Green Grid connections as identified in the Government Architect's <i>Sydney Green Grid (Figure 3)</i> and has potential to link into and support these connections.</li> <li>• The site provides a local response to public open space for residents and worker population.</li> <li>• Securing the site would help protect the existing Bunnerong Creek.</li> <li>• The site could contribute to canopy cover.</li> </ul> |
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**Figure 3:** Excerpt of the Central Green Grid Opportunities map with the approximate location of the site identified by a red dot. The nearby opportunities as shown on the map are: No. 23 Fitzgerald Avenue and Heffron Park Open Space, Botany, No. 3 Anzac Parade: Moore Park to La Perouse, and No. 2 The Great Coastal Walk. (Source: Sydney Green Grid, Government Architect)

The rezoning is not the result of specific actions identified under Council's open space study or strategy. One of the planning proposal's objectives is to: *'Address the key relevant outcomes of the draft Open Space and Recreation Needs Study, including a review of the RE1 Public Recreation zone objective, land zoning maps and local provisions.'* However, the above Study does not indicate that removing the site from Council's acquisition obligations and delivery as open space are appropriate. Further it is inconsistent with local and State strategic planning documents, as assessed in the Department's gateway determination report, and summarised below.

It is noted that the reasons Council has not been able to purchase site include Council's financial position, which is not a relevant planning consideration.

Premier's Priorities:

The NSW Government intends to increase access to high quality open space across NSW. Premier's Priority 11 *'Greener Public Places: Increase the proportion of homes in urban areas within 10 minutes' walk of quality green, open and public space by 10 per cent by 2023'* demonstrates this commitment. The proposal is not in line with this priority by reducing land zoned for public recreation purposes.

Strategic plans:

The proposed loss of public recreation land is inconsistent with the Eastern City District Plan, Randwick LSPS, draft Randwick Open Space and Recreation Strategy and certain Ministerial 9.1 Directions, being 2.6 *Contamination of land*, 4.1 *Acid sulfate soils*, and 6.2 *Reserving land for public purposes*.

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|  | <p><u><i>Randwick Open Space and Recreation Strategy 2021</i></u><br/>In July 2021, Council adopted the <i>Open Space and Recreation Strategy</i> which sets out a 10-year vision for how Council will deliver the variety of open space and recreational facilities for its community, including objectives, strategic approaches and intended outcomes.</p> <p>The rezoning is inconsistent with Outcome 1 in the Strategy – ‘<i>Open space grows and changes with the community</i>’ and its objective that ‘<i>every home in Randwick City will have open space of 1000m<sup>2</sup> within 800m by 2031</i>’. The outcome is supported by Strategy 1.4 <i>Identify opportunities for acquisition or repurposing of land for open space</i>.</p> <p><u><i>Randwick City Open Space and Recreation Needs Study (Draft)(December 2020)</i></u><br/>The Study provides the evidence-base to help set the framework for the future planning of Council’s open space and recreation network, and the development of its Open Space and Recreation Strategy. The Study demonstrates the overall amount of open space per person is falling across the Randwick LGA, including in Matraville. It states ‘<i>with Randwick City forecast to grow over the next 10 years, the provision of open space per person will also change unless new open space areas are delivered</i>’.</p> <p>According to Council’s submission, the Study finds that ‘<i>the Malabar, La Perouse and Chifley zone which covers the subject site is well placed to cater for existing and future populations with approximately 32.1m<sup>2</sup> of Council owned and managed open space per person based on population projections to 2031.</i>’</p> <p>Notwithstanding the above, the Study does not indicate that relinquishing the site from Council’s acquisition obligations and delivery as public open space are appropriate.</p> <p>The site was included in the Study’s walkable catchment analysis (Figure 26 of the study), which identifies areas within Matraville near the site that are not within a 400m walking distance to an open space greater than 0.1 hectares in size. The rezoning of the site to a private recreation zone would result in more areas not being within the 400m walking distance to open space.</p> <p><u><i>Eastern City District Plan</i></u><br/>The rezoning is inconsistent with the following Planning Priorities of the District Plan around liveability and sustainability, including:</p> <ul style="list-style-type: none"> <li>• E3 <i>Providing services and social infrastructure to meet people’s changing needs</i></li> <li>• E4 <i>Fostering healthy, creative, culturally rich and socially connected communities</i></li> <li>• E6 <i>Creating and renewing great places and local centres, and respecting the District’s heritage</i></li> <li>• E18 <i>Delivering high quality open space.</i></li> </ul> <p><u><i>Local Strategic Planning Statement</i></u><br/>The LSPS Structure Plan identifies areas in and near Matraville for ‘<i>Low Density Housing Growth (0-10 year)</i>.’ Again, it is considered there is insufficient justification to demonstrate that the land is no longer required to support open space and recreation needs for existing and future residents.</p> <p><u><i>Recommendation</i></u><br/>The Department’s position is unchanged and it is recommended that the Gateway condition remain.</p> |
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COMMISSION'S RECOMMENDATION

Reason for review: A determination has been made that has imposed requirements (other than consultation requirements) or makes variations to the proposal that the proponent or council thinks should be reconsidered.

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| Recommendation | <input type="checkbox"/> | The planning proposal should not proceed past Gateway.   |
|                | <input type="checkbox"/> | <input type="checkbox"/> no amendments are suggested to original determination.                  |
|                | <input type="checkbox"/> | <input type="checkbox"/> amendments are suggested to the original determination.                 |
|                | <input type="checkbox"/> | The planning proposal should proceed past Gateway in accordance with the original Determination. |

Any additional comments:

STRATEGIC PLANNING

# Randwick Comprehensive Planning Proposal Gateway Review IPC Panel Meeting

28 January 2022



1300 722 542  
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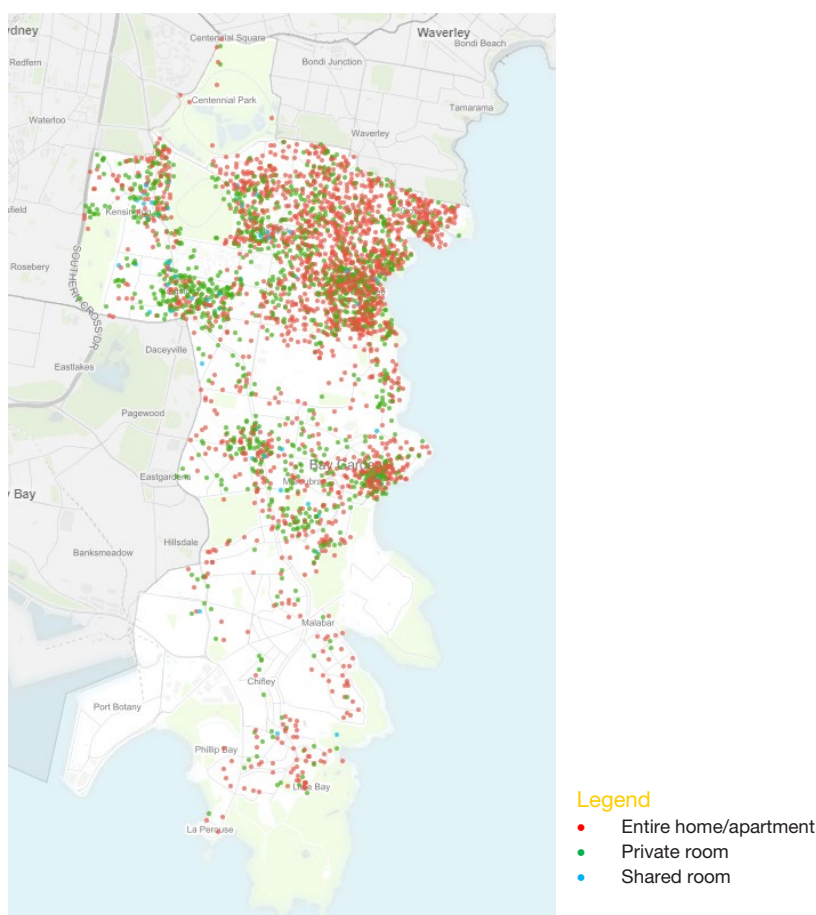
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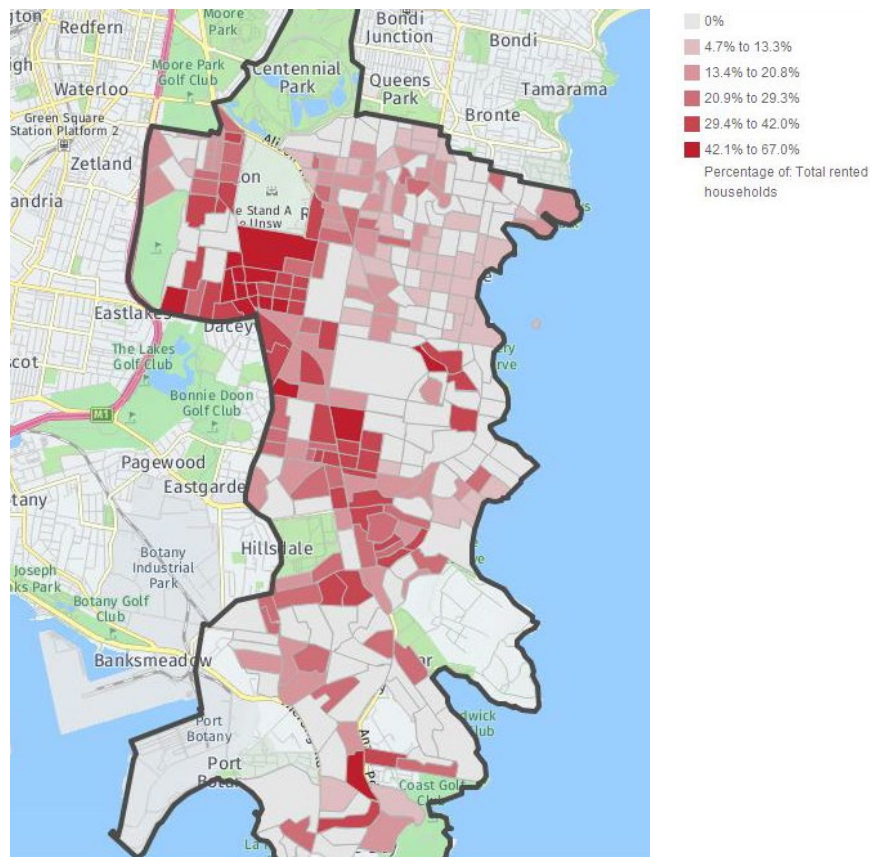
## 1. Short Term Rental Accommodation

### Does Council have any empirical data to demonstrate the existing impact of STRA on the LGA?

Data obtained from InsideAirbnb for Randwick City LGA in 2019 indicates that there were approximately 3,346 STRA listings within the LGA. Of these listings almost 60% were entire homes or apartments (non-hosted properties). This was following a period of exponential growth in Airbnb listings. In 2015 there were 929 listings across the LGA with an average cost of \$258 per night and by 2018 there were 3,060 listings with an average cost of \$256 per night. Sound data for 2020-2021 has been more difficult to obtain due to Covid, however as economic recovering continues and as local travel remains available, we can expect strong demand for STRA within the Randwick LGA to continue. This will be closely monitored by Council going forward and the new STRA register, and code of conduct will also assist in monitoring and evaluating the amenity impacts of STRA.



**Map 1:** Location of Airbnb listings (Source: Inside Airbnb 2019)



**Map 2:** Areas of rental stress within the Randwick LGA (Source: Informed Decisions 2018)

Regarding the impacts of STRA on housing affordability and the rental market, a number of studies have been undertaken in this area and research exists that suggests that STRAs can potentially impact rental housing affordability as it affects supply.

A Forbes article (12 Feb 2020) found that:

*'While the introduction and expansion of Airbnb into cities around the world carries large potential economic benefits and costs, the costs to renters and local jurisdictions likely exceed the benefits to travellers and property owners.'*

A 2017 article published in the Journal of the American Planning Association found that there is potential for STRAs to remove whole homes from the permanent rental supply and therefore increase pressures on rents. The paper draws on a study that uses rental vacancy rates as an indicator of supply pressures to understand the impact of Airbnb conversion on rental housing affordability. This is an established housing market indicator that measures vacant rental stock available for rent as a proportion of the total rental stock. The equilibrium vacancy rate is defined as the vacancy rate at which there is no upward or downward pressure on rents. If the vacancy rate becomes lower than the equilibrium rate, renters will compete with each other to secure rental property, pushing up rents. If the vacancy rates are higher than the equilibrium rate, there will be downward pressure on rents as landlords reduce rents to ensure their properties do not remain vacant. When rental vacancy rates are lower than or close to the equilibrium rate, even small changes in rental stock can materially affect rents. In 2019 the rental vacancy rate for inner Sydney averaged at, representing a tight rental market (Real-estate Institute of NSW).

A recent 2021 article in the Critical Housing Analysis Publication Trust shows that a reduction in the supply of Airbnbs impacted the rental market through changing vacancy rates causing a subsequent reduction in rents. The article highlights that supporters of STRA platforms state that STRs represent a small fraction of the housing market of major cities and therefore have little impact on rents. However, there is emerging evidence that suggests that STRA have highly localised impacts. The article uses the natural experiment of the pause in tourism caused by the COVID-19 pandemic to highlight the impact of a decrease in STRA listings on rental markets in the case study city of Hobart, Australia. The article found that rental affordability has improved in Hobart's STRA-dense suburbs with the increased vacancies from the underutilised STRA properties. These results provide evidence of the impact of STRA on local housing markets when analysed on a finer scale than the whole-of-city approach.

We recently (November 2021) made contact with Professor Nicole Gurran from the Henry Halloran Trust at the University of Sydney to discuss the issue of STRA and housing affordability. Professor Gurran expressed an interest in doing a similar study in Randwick City Council as the one undertaken for Hobart. We have also been in contact with Shelter, NSW's peak advocacy body for affordable housing, to receive support on this matter. At the live Q&A event 'Rentals, Regions and Rising Prices' in December last year Shelter acknowledges the impact of STRA of housing affordability, as when permanent lettings are taken out of the rental housing market into the short term letting market, the impact of that is that lower to moderate income households get displaced from these communities. This forces these households to move away from these areas, despite the ongoing need for key workers in the area. The interest from academia and advocacy groups demonstrates that this is not an issue without merit.

The Randwick LGA is unique in that it contains a high number of key workers servicing the Health and Education Precinct. With the expected growth of job within this precinct, the number of key workers requiring affordable accommodation will increase. Data collected by the Australian Housing and Urban Research Institute (AHURI) (University of Sydney) found that 4,500 nurses are living in overcrowded homes in Sydney and between 2011-2016 the number of key workers living in inner-city regions fell, while outer suburbs including Wollongong and Newcastle gained key workers. The AHURI study findings showed governments should reform the housing system to boost the supply of housing for essential workers with a range of tenures.

*'If not addressed, there is a risk that key workers who provide essential services but who earn low and moderate incomes will be unable to live in Australia's most expensive cities, threatening ongoing capacity to sustain critical urban functions across the public and private sector.'*

#### Article links:

*The Airbnb Effect on Housing and Rent*, Gary Baker, February 2020  
<https://www.forbes.com/sites/garybaker/2020/02/21/the-airbnb-effect-on-housing-and-rent/?sh=1e2c13bb2226>

*When Tourists Move In: How Should Urban Planners Respond to Airbnb?* Nicole Gurran and Peter Phibbs, January 2017, Journal of the American Planning Association,  
[www.tandfonline.com/doi/full/10.1080/01944363.2016.1249011](http://www.tandfonline.com/doi/full/10.1080/01944363.2016.1249011)

*Challenging the Discourse around the Impacts of Airbnb through Suburbs Not Cities: Lessons from Australia and COVID-19* Caitlin Buckle and Peter Phibbs, Critical Housing Analysis,  
[www.housing-critical.com/home-page-1/challenging-the-discourse-around-the-impacts-of](http://www.housing-critical.com/home-page-1/challenging-the-discourse-around-the-impacts-of)

*Key Workers Pushed Out of Sydney and Melbourne by High Housing Costs*, University of Sydney, May 2021 <https://www.sydney.edu.au/news-opinion/news/2021/05/27/key-workers-pushed-out-of-sydney-and-melbourne-by-high-housing-c.html>

#### **Does Council keep a log of complaints that are attributable to STRA?**

Complaints in relation to STRA are recorded on Council's Service Request database. A search of the database indicates that Council receives, on average, 40 written complaints per calendar year (197 over the last 5 year period – 1 Jan 2017 to present) regarding the use of residential premises for the purpose of alleged unauthorised places of share accommodation, unauthorised

tourist accommodation and unauthorised short-term rental accommodation. Generally, the impetus for these complaints to Council is a result of the complainant suffering some type of amenity impact, the most common being disturbances relating to noise and anti-social behaviour.

Note: the introduction of the STRA register and exempt development provisions, going forward, Council will be able to cross reference these complaints to determine whether specific properties are registered and whether they are unauthorised i.e. not complying with the exempt development criteria.

### Did Council make a submission regarding the 180-day maximum when this amendment to the ARH SEPP (and subsequent Housing SEPP) were exhibited?

Randwick Council has made a number of submissions to the 180-day maximum, including:

- 21 November 2018 – submission made to Short Term Rental Accommodation planning framework, including changes to the Code SEPP exempt development criteria. Issue raised:
  - Exempt development should be limited to 90 days to strike a balance between property owners rights and ensuring the primary use of premises remains residential (not tourist and visitor accommodation).
  - Referenced impacts of short term rental accommodation on housing supply and increased rents in coastal and inner/eastern areas of Sydney.
- 10 September 2019 – submission made to Discussion Paper *Short-Term Rental Accommodation – A new regulatory framework* (August 2019). Issues raised:
  - 180 day proposal does not address or reference impacts of short-term letting on the supply of long term rental accommodation, specifically affordable accommodation.
  - Randwick's high land values, high student numbers, key workers and ageing population makes it difficult to provide affordable housing.
  - Calls for a local levy on on-line short-term rental to be applied to Councils affordable housing scheme
  - Reference that Council would be seeking a reduction in the maximum number of days to 90 to mitigate the housing losses and provide a more balanced approach to housing.

### Benefits and limitations of the proposed 90 day maximum

#### Benefits

Affordable housing – amending the maximum days for non-hosted STRA to 90 days has the potential to reduce stress on the rental housing market in Randwick. The studies noted above have determined that the amount of STRA in an area impacts affordable housing by taking permanent rentals off the market, driving up the cost of the remaining rental market properties. This affects low to moderate households. Decreasing the maximum days to 90 days may deter some property owners from entering the STRA market.

Sound approach to land use planning – a 90 day approach is consistent with the decision in the Land & Environment Court (*Dobrohotoff v Bennic* [2013] NSWLEC 61) that deemed that “Short term holiday rental accommodation” means accommodation for a period of less than three months. The definition of ‘short term rental accommodation’ pursuant to the Housing SEPP is *a dwelling used by the host to provide accommodation in the dwelling on a commercial basis for a temporary or short-term period*. ‘Non-hosted short term rental accommodation’ is further defined in the Housing SEPP as *short-term rental accommodation provided where the host does not reside on the premises during the provision of the accommodation*.

By allowing a dwelling to become a non-hosted short term rental for 180 days, or 50% of a calendar year, this removes the ancillary and subservient element of its use for short term rental accommodation. Further, in Randwick LEP 2012, tourist and visitor accommodation in the form of hotels, motels, serviced apartments and backpackers accommodation is not permissible in the R2 Low Density Residential zones. By allowing STRA to be undertaken in these zones when it is no longer ancillary is not a consistent approach to land use planning.

#### Limitations

Inconsistency with State-wide approach – the 90 day maximum is inconsistent with the state wide approach. However it is not uncommon for SEPPs to have exceptions to clauses, including excluding certain areas from its application, as it is not always possible for policy to be applied consistently to every LGA in the State or region. Regardless of the 90 days, the 21 day consecutive exclusion will still remain, meaning the instances where STRA are required for longer periods of stay are not counted to the maximum 90 days. This is important for the Collaboration Areas of Randwick Council, where longer term STRA is required to support the hospital and university uses. It is also noted that for hosted STRA where the occupant of the home remains in the dwelling, this is exempt development for 365 days year. Council supports this provision as it doesn't remove entire households from the rental market, provides a source of income for owners and provides ample opportunity to cater for this type of tourist accommodation. The Planning Proposal is not seeking any changes to the hosted exempt development provisions.

#### Could Council comment on the issue of the inconsistency this proposed LEP provision will cause with SEPP (Housing) 2021?

The Randwick Comprehensive Planning Proposal proposes an exempt development provision under Schedule 2 of the Randwick LEP 2012 to limit non-hosted short term rental accommodation to a maximum of 90 days per calendar year. It is acknowledged that this would be inconsistent with the clause 112(1)(b) of the Housing SEPP that limits rentals exempt development to a maximum of 180 days. As the Housing SEPP overrides the LEP on matters of inconsistency, this inconsistency would need to be resolved via an amendment to the SEPP.

It would be possible to include an additional Clause 112(1)(b) that limits exempt provisions to 90 days in Randwick Council, while still applying the remainder of the SEPP provisions. This would maintain consistency between the LEP and the Housing SEPP.

It is not uncommon for some LGAs to be excluded from certain parts of a SEPP, as it is not always possible for a single planning issue to apply uniformly to all areas of an LGA within the State or a region. For example Clause 1.19(2) specifies land that the Housing Code and Low Rise Housing Diversity Code do not apply, and includes large areas of Mosman Municipal Council, amongst other LGAs.

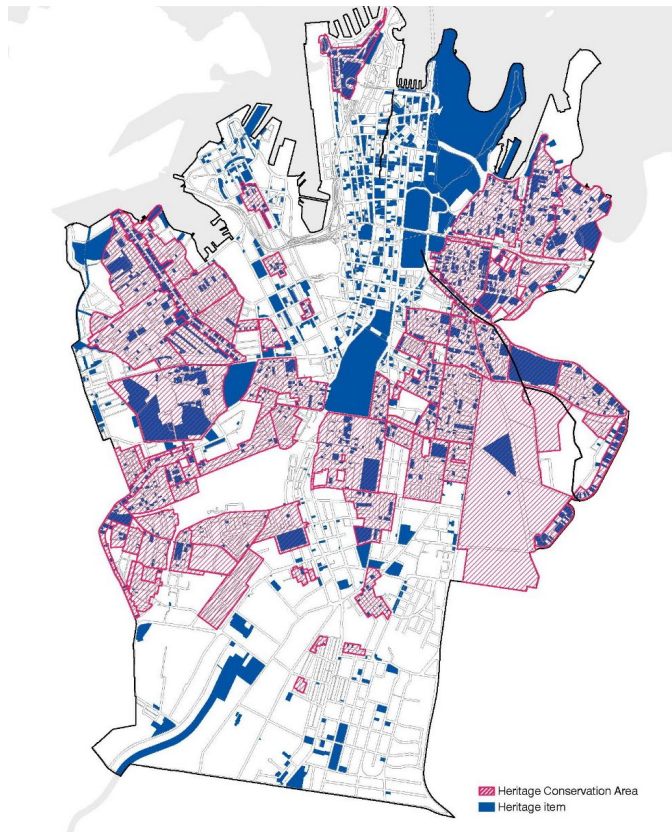


## 2. Local Character Statements

### Other Councils (e.g. City of Sydney) successfully use locality statements / character statements that are enshrined as DCP controls – can Council comment on this in respect to what is proposed?

The City of Sydney (CoS) includes detailed Locality Statements within Section 2 of the Sydney DCP 2012. The Locality Statements consist of a map with locality boundary, a character statement (2-5 paragraphs) and design Principles. The detail is not dissimilar to the information contained with the three Randwick Draft Local Character Statements, the subject of this condition.

It is acknowledged that CoS successfully uses Locality Statements in the assessment of development applications. However, it is not appropriate to compare the CoS with Randwick City Council. A compelling reason why Locality Statements are successful within CoS is because large portions of the City of Sydney LGA are located within Heritage Conservation Areas and as such, are not subject to the Housing Code and the Low Rise Housing Diversity Code of State Environmental Planning Policy (Exempt and Complying Development Codes) 2008. As per Clause 1.19(1)(a) these complying codes are not permitted in land within a heritage conservation areas. A considerable amount of land within the CoS LGA is within a heritage conservation area.

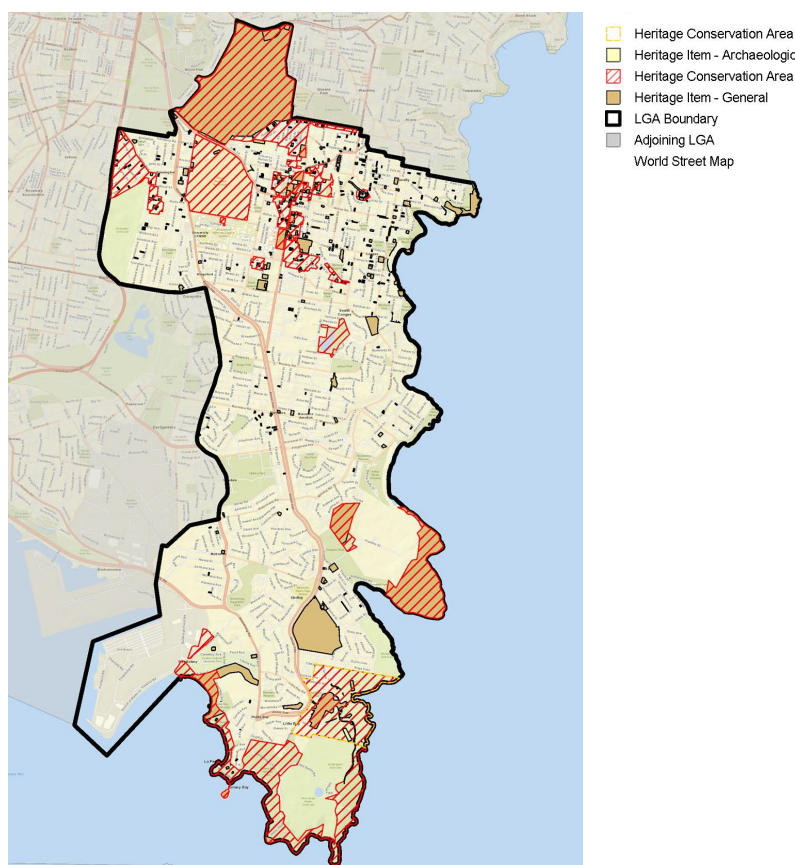


**Map 3:** Location of Heritage Conservation Areas and Heritage Items in the City of Sydney LGA  
(Source: City of Sydney 2019 Capacity Study)

This means that DAs that would ordinarily be assessed and approved as CDCs in other LGAs (including Randwick), are assessed by CoS Planners as part of a more rigorous DA process where Locality Statements are taken into consideration in each assessment report. Applications that are assessed as CDCs are not provided with the same level of scrutiny, and there are no local character provisions in the abovementioned sections of the Code SEPP, leading to a gap in the assessment of local character under CDCs.

The application of heritage conservation areas in the CoS is another key difference between CoS and Randwick. As noted above, these HCAs not only act as another means of excluding the application of parts of the Code SEPP, but they work in conjunction with the Locality Statements. Due to the nature of the built form within CoS, the Locality Statements are heavily guided by heritage considerations, and of the 98 locality statements in the CoS DCP, 75 of them (77%) refer to built heritage in either the statement or the design principles. Unlike the Locality Statements within the DCP, the HCAs are enshrined with Sydney LEP 2012 via Clause 5.10. This gives consideration of heritage matters stronger weight within the assessment process for DAs, which assists in strengthening the weight of heritage related Locality statements contained within the CoS DCP.

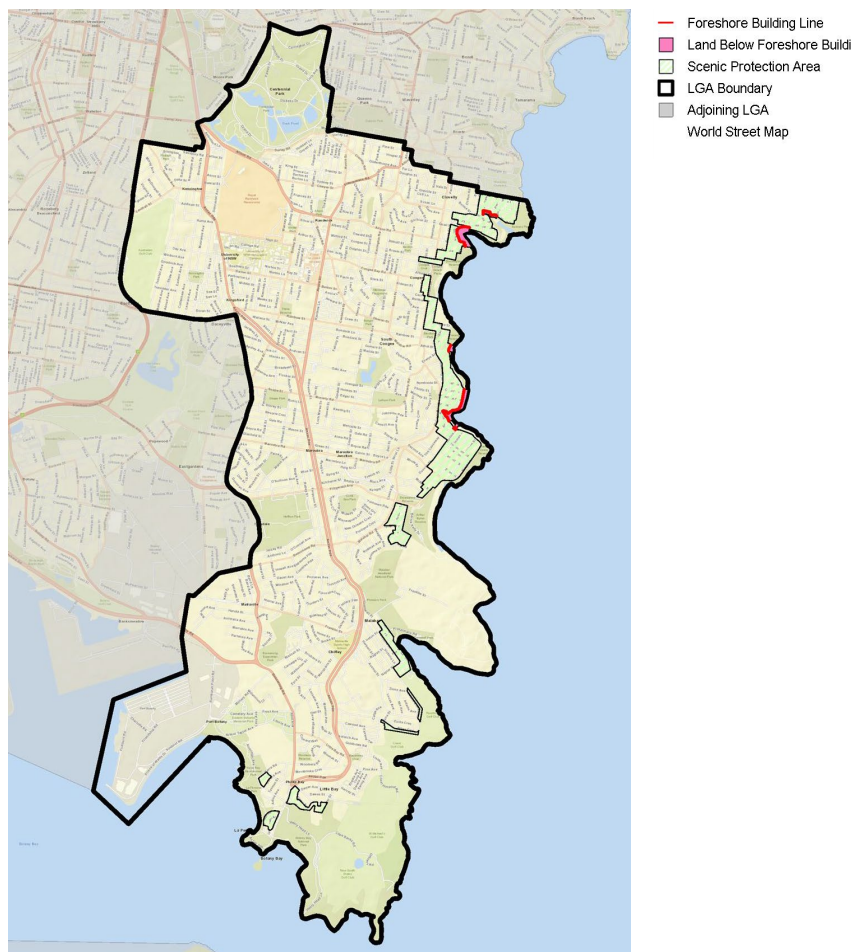
A much smaller proportion of the Randwick LGA is covered by HCAs, and where they are, they are limited cross over between the HCA boundaries and the proposed Local Character Area boundaries. Unlike CoS, our Local Character Statements are less about built form heritage and more about scenic quality. So we are not benefitting from the integrated nature of Clause 5.10, HCAs and the Locality Statements like CoS does.



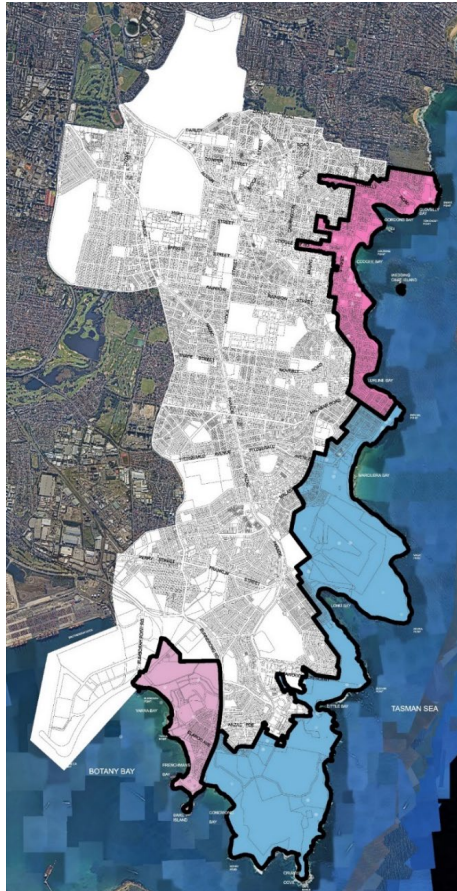
**Map 4:** Location of Heritage Conservation Areas and Heritage Items in the Randwick LGA



At present, the only statutory mechanism to turn off the Code SEPP within our proposed Local Character Areas that are not also HCAs is the Foreshore Building Line. The Housing Code, Housing Alterations Code or the Low Rise Housing Diversity Code don't apply to sites within the Foreshore Building Line, however when viewed on the map, only a very small proportion of land is within the Foreshore Building Line area. The Foreshore Scenic Protection Area covers a larger portion and aligns more with some of our Local Character Area boundaries, in fact approximately 60% of all residential zoned land in the three proposed LCAs is within Council's Foreshore Scenic Protection Area, which demonstrates the scenic qualities and need for merit assessment in the DA process to ensure that views are maintained, and new development is consistent with the coastal character.



**Map 5:** Location of Foreshore Building Line and Foreshore Scenic Protection Area within the Randwick LGA



**Map 6:** Location of proposed Local Character Areas within the Randwick LGA

**There currently appears to be no statutory pathway for inclusion of local character areas in LEPs (i.e. no provision for this provision in the Standard Instrument LEP) – how does Council envisage this proposal to be implemented?**

Councils' preference is that the Department progress its original plan of implementing a *Local Character Provision* for a standardised approach to local character through a proposed local character model clause in the Standard Instrument LEP. The local character provision would allow a council to adopt a map overlay and a local character statement. The LEP map layer and statement would be supported through design principles within the DCP. The Department acknowledges that it was mixed feedback on the Local Character clause resulting from public exhibition that resolved to not integrate local character within the LEP.

A pertinent point here is that Council has followed the Department's published policy approach, commencing work on the local character statements a number of years ago and has now prepared 11 draft statements for all land within the LGA to be placed on public exhibition. These statements were prepared in line with the Department's current advice which enables councils to choose to include local character provisions in the LEP and DCP. Consistent with the Guideline, Council's Local Strategic Planning Statement and Housing Strategy both contain actions to

include local character in the Randwick LEP and DCP and to seek an exclusion from the SEPP (Exempt and Complying) 2008 to ensure protection of sensitive coastal character. The LSPS was endorsed by the Greater Sydney Commission in March 2020.

In preparing our LSPS, the Department asked Councils to look for opportunities to plan and shape the future of the area, locality and places, in collaboration with the community. The Department's direction was based on councils creating their own vision for land use in the local area, the special character and values that are to be preserved and how change will be managed into the future to meet community needs and aspirations. By not providing a statutory pathway for the inclusion of local character statements within the LEP, the Department is contradicting their own direction that local governments take the lead in planning for their existing and future communities.

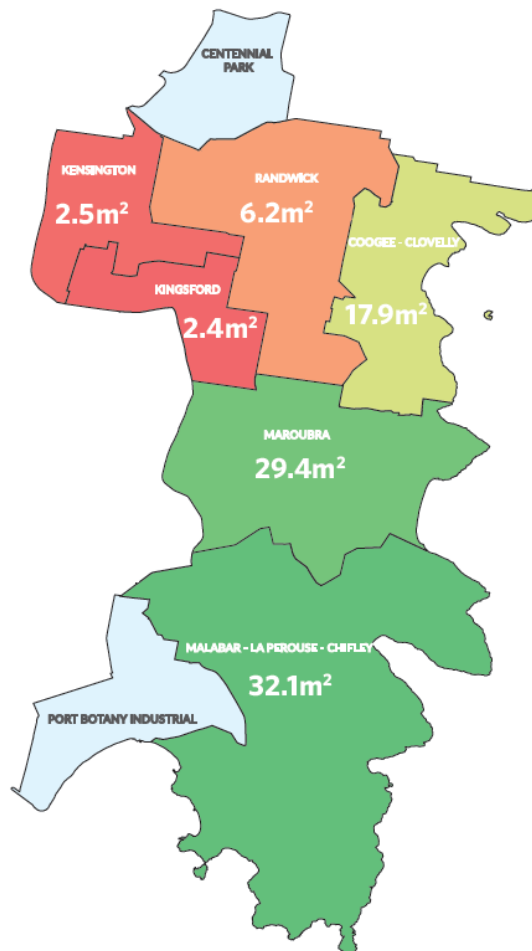
In the absence of the Department introducing the Local Character clause within the Standard Instrument to apply across the State, Council would seek a local provision under Part 6 of Randwick LEP for the three proposed local character areas. This approach is considered justified given the unique circumstances of the coastal zone and the importance of protecting its scenic qualities. Whilst this would not necessarily result in an exclusion from the Housing Code and Low Rise Diversity Code, it would provide additional rigour to the assessment of development applications submitted within the coastal area. Regardless, Council will continue to advocate for a new land exemption under Clause 1.19 *Land on which complying development may not be carried out*.

It is noted that the Department is exploring new approaches allowing council, developers and communities to consider their local area when designing new buildings and suburbs in a more holistic way. This is reflected in the design principles of the Design and Place State Environmental Planning Policy with culture, character and heritage continuing to be an important design consideration. However, the Design and Place SEPP does not apply to the Exempt and Complying Development Code and it is unclear as to how the Design and Place SEPP applies to low density development such as dwelling houses and dual occupancies.

### 3. Rezoning of 1903R Botany Road

***Does Council have any short or medium term plans for the Council owned RE1 zoned land which adjoins this site?***

No. The RE1 land adjacent to the site is not included in any short to medium term capital works programs. The Randwick City Open Space and Recreation Needs Study (December 2020) found that the Malabar, La Perouse and Chifley zone which covers the subject site is well placed to cater for existing and future populations with approximately 32.1m<sup>2</sup> of Council owned and managed open space per person based on population projections to 2031. The Study does identify areas of Randwick LGA where public open space is deficient for existing and future populations, in particular the northern portions of the LGA where housing growth is planned. As such Council will be focusing on provision of open space in areas forecast to decline, in line with expected housing growth.



**Map 7:** Council owned/managed open space m2 per person based on population projections to 2031 (Source: Open Space and Recreation Needs Study, 2020)

***Has Council had previous success where privately owned RE2 zoned land has successfully provided for the open space needs of the public?***

Sites that are zoned RE2 Private Recreation or other zoned (not RE1 Public Recreation) that are available to the public in the Randwick LGA.

- Eastcourts Tennis Kingsford (1 Court Avenue, Kingsford) – this privately operated tennis centre provides an important recreational facility for the community, and is located on R2 Low Density residential land.
- Randwick Bowling Club (2-4 The Avenue, Randwick) – The Randwick Bowling Club offers use of bowling greens to members and visitors as well as a restaurant and function centre. Privately operated bowling clubs provide for the recreational and open space needs of the public by providing access to a sport that has physical, social and mental health benefits as well as access to connectedness and support.
- Randwick Club House (1 Howe Street, Malabar) – Randwick Club House services with the publicly accessible Randwick Golf Club and includes golf club activities as well as a restaurant and function centre.

**Why has Council not proceeded with the acquisition of this land for public open space?**

The site is included within the Planning Proposal as it was requested to be rezoned RE2 Private Recreation by the landowner. Recent discussions (October 2021) with the land owner revealed they are currently investigating potential uses for the site, including an aquatic centre or child care centre.

The site is identified on the LEP map under Clause 5.1 Relevant Acquisition Authority. The objective of this clause is to identify, for the purposes of an owner-initiated acquisition of land, the public authority that will be the relevant authority to acquire land. The clause does not force the relevant authority to acquire the land.

Council has not proceeded with the acquisition as the site is not intended or currently used for public recreation. The site is vacant and the adjoining RE1 Council owned land is not included in any short to medium term capital works programs.

As noted, the Randwick City Open Space and Recreation Needs Study and Strategy shows that Malabar, La Perouse and Chifley zone is well placed to cater for existing and future populations via existing Council owned and managed open space. Council will be focusing funding on areas of Randwick LGA, primarily in the north, where public open space is deficient for existing and future populations. As such Council will be focusing on provision of open space in areas forecast to decline, in line with expected housing growth.

As there is not a strong justification for the need to acquire the land for public purposes, Council is unable to purchase the site.

**There appears to be little difference in the range of permissible uses in the RE1 and RE2 zones, to the point where similar development may occur on the land irrespective of the zoning. If this is the case, are there specific characteristics of the site which warrant that the zoning be changed?**

Site access is a specific characteristic of the site that is relevant to the use of the site as publicly accessible land.

Current site access arrangements do not readily support the use of the site as publicly accessible open space. The site has no formal road access and sits adjacent to an established industrial precinct and road reserve. Pedestrian access is provided to the northern portion of the Council owned public open space immediately to the east of the site via Moorina Avenue. This access is via a drainage reserve and is not formalised. The site at 1903R Botany Road is fenced on all

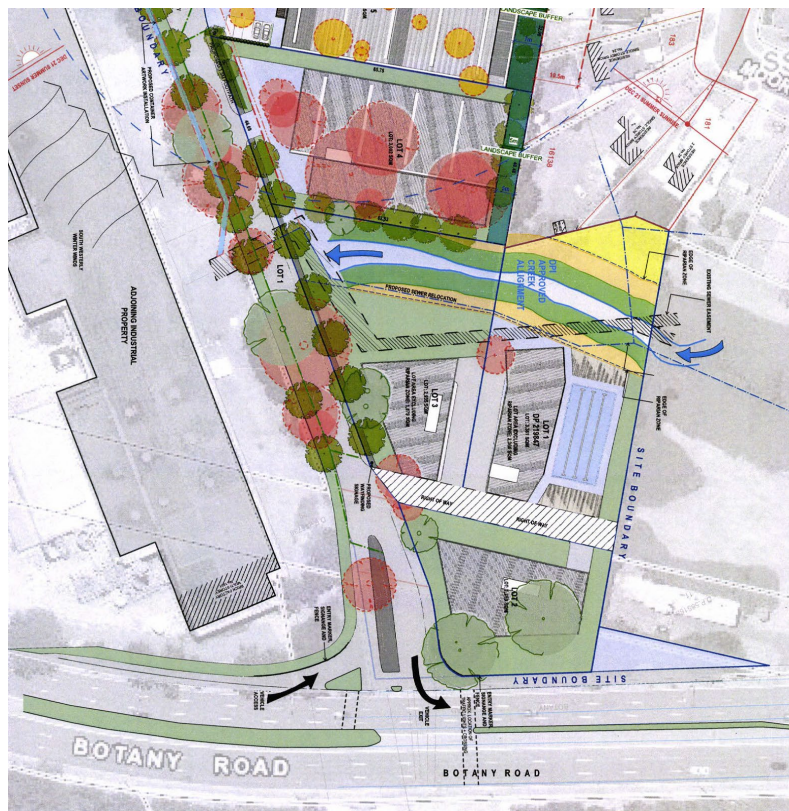


boundaries, with no pedestrian access available from Botany Road or the neighbouring Council owned site. The site has never been publicly accessible due to its private ownership and constrained site access in the form of high perimeter fencing.

In May 2017 the Land and Environment Court approved the subdivision of the industrial land immediately to the west of the site, which is under the same ownership as the subject site. Approval was granted for subdivision, site remediation and landscape works, and includes provision for a right of way to the subject site via a newly created internal road approved as part of the subdivision DA. Without this privately provided site access, the site is not readily accessible to the public.

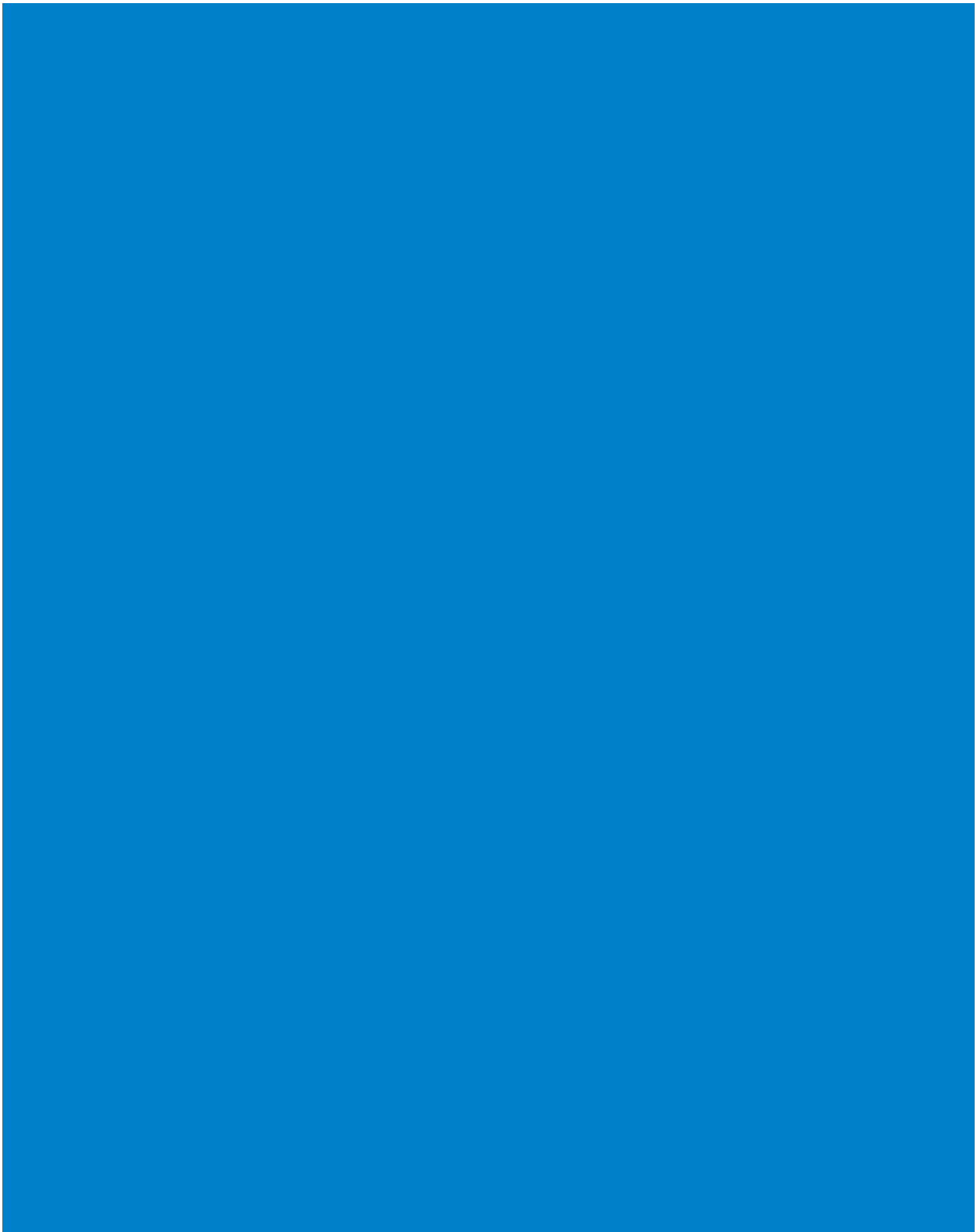
The site currently acts as a buffer between the industrial land to the west and residential land located along Moorina Avenue. This buffer is maintained under the Land and Environment Court approval noted above, which requires a riparian corridor along Bunnerong Creek to be approved by the Department of Primary Industries. Under the NSW *Water Management Act 2000*, setbacks (riparian zones) are required on waterfront land, up to 40m from the waterway bank to form a transition zone between the terrestrial environment and the water course. This riparian zone would ensure that that site will continue to act as an appropriate buffer between uses.

Under the RE1 zone, the range of permissible land uses include Recreation facilities (indoor outdoor and major), child care centres, restaurants and cafes and community facilities. These uses are also permissible under the RE2 zone. As such, the rezoning to RE2 allows for the site to be developed as a recreation facility that is open to the public, as currently intended by the landowner.



**Map 7:** Indicative development plan showing site access (approved), riparian corridor and potential future uses (Source: Bennett Murada Architects, 2018)

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Independent Planning Commission

# **Gateway Determination Review Request – Randwick Comprehensive Planning Proposal**

## **Gateway Determination Review Advice Report**

Dr Peter Williams (Chair)  
Adrian Pilton

16 February 2022



16 February 2022 Final Report ©  
State of New South Wales through the Independent Planning Commission 2022

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## DEFINED TERMS

| ABBREVIATION                 | DEFINITION  |
|------------------------------|---|
| <b>Codes SEPP</b>            | <i>State Environmental Planning Policy (Exempt and Complying Development Codes) 2008</i>  |
| <b>Commission</b>            | Independent Planning Commission of NSW  |
| <b>Council</b>               | Randwick City Council   |
| <b>Department</b>            | Department of Planning and Environment  |
| <b>District Plan</b>         | Eastern City District Plan  |
| <b>EP&amp;A Act</b>          | <i>Environmental Planning and Assessment Act 1979</i>   |
| <b>EP&amp;A Regulation</b>   | <i>Environmental Planning and Assessment Regulation 2000</i>  |
| <b>EPI</b>                   | Environmental Planning Instrument   |
| <b>ESD</b>                   | Ecologically Sustainable Development  |
| <b>EIE</b>                   | Explanation of Intended Effect  |
| <b>Gateway Determination</b> | The Department's Gateway Determination for the Planning Proposal, issued on 12 September 2021                                     |
| <b>Green Grid</b>            | Network of green space known as the Sydney Green Grid, identified in the Greater Sydney Region and District Plans                 |
| <b>GRJA Report</b>           | The Department's Gateway Review Justification Assessment  |
| <b>Housing SEPP</b>          | <i>State Environmental Planning Policy (Housing) 2021</i>   |
| <b>L&amp;E Court</b>         | NSW Land and Environment Court  |
| <b>LGA</b>                   | Local Government Area   |
| <b>Material</b>              | The material set out in section 3.2   |
| <b>Minister</b>              | Minister for Planning   |
| <b>Non-hosted STRA</b>       | Short-term rental accommodation provided where the host does not reside on the premises during the provision of the accommodation |
| <b>Planning Proposal</b>     | Comprehensive review of the Randwick Local Environmental Plan 2012  |
| <b>Randwick LEP</b>          | <i>Randwick Local Environmental Plan 2012</i>   |
| <b>Randwick LPP</b>          | Randwick Local Planning Panel   |
| <b>Randwick LSPS</b>         | Randwick Local Strategic Planning Statement   |
| <b>Regulations</b>           | <i>Environmental Planning and Assessment Regulations 2000</i>   |
| <b>Review Request</b>        | Council's request to the Department on 5 November 2021 to review the Gateway Determination  |
| <b>Review Submission</b>     | Council's Gateway Review Submission dated 5 November 2021   |
| <b>ROW</b>                   | Right of Way  |
| <b>SEPP</b>                  | State Environmental Planning Policy   |
| <b>STRA</b>                  | Short-term rental accommodation   |

## 1 INTRODUCTION

1. On 14 January 2022, the Independent Planning Commission of NSW (**Commission**) received a request from the NSW Department of Planning and Environment (**Department**), formerly the Department of Planning, Industry & Environment, to provide advice pursuant to section 2.9(1)(c) of the *Environmental Planning and Assessment Act 1979 (EP&A Act)* in relation to the Randwick Comprehensive Planning Proposal (PP-2021-4267) and Gateway determination.
2. The Randwick Comprehensive Planning Proposal (**Planning Proposal**) was lodged by Randwick City Council (**Council**) on 2 July 2021 and is a comprehensive review of the Randwick Local Environmental Plan 2012 (**Randwick LEP**).
3. As delegate of the Minister for Planning (**Minister**), the Department found the Planning Proposal was consistent with the Eastern City District Plan (**District Plan**) and Council's local strategic plans and would give effect to the priorities in the Randwick Local Strategic Planning Statement (**Randwick LSPS**) and Housing Strategy. Therefore, on 12 September 2021, the Department issued a Gateway determination that an amendment to the Randwick LEP should proceed subject to conditions (**Gateway Determination**).
4. On 5 November 2021, Council submitted a Gateway determination review request seeking to remove Gateway conditions 1(b), 1(c) and 1(d) (**Review Request**).
5. On 14 January 2022, the Department requested the Commission consider the merits of the Review Request and provide advice to the Minister's delegate confirming whether, in its opinion, any of the three conditions should be removed from the Gateway Determination as per Council's request.
6. Professor Mary O'Kane AC, Chair of the Commission, nominated Dr Peter Williams (Chair) and Adrian Pilton to constitute the Commission Panel to provide advice to the Department on the Gateway determination review request.

## 2 THE REVIEW REQUEST

### 2.1 Site and Locality

7. The Planning Proposal applies to the entire Randwick LGA.
8. The Commission notes with respect to the Review Request, condition 1(b) relates to the LGA as a whole; condition 1(c) relates to certain defined areas of the LGA; and condition 1(d) relates to a specific site at 1903R Botany Road, Matraville.

### 2.2 The Planning Proposal

9. Randwick Comprehensive Planning Proposal is a comprehensive review of the Randwick LEP, seeking to align with the strategic directions of the District Plan and Randwick LSPS, implement the findings and recommendations of other local strategies and studies and consider landowner rezoning requests and miscellaneous amendments.

### 2.3 Review Request

10. On 5 November 2021, Council requested a review of three conditions of the Gateway Determination (GR-2021-12), seeking the removal of conditions 1(b), 1(c) and 1(d). The subject conditions are provided below:
  - *Gateway condition 1(b) – Remove the proposed exempt development provision for non-hosted short-term rental accommodation.*

- Gateway condition 1(c) – Remove the proposed local character provision, mapping and local character statements.
- Gateway condition 1(d) – Remove the proposed rezoning of the land at 1903R Botany Road, Matraville from RE1 Public Recreation to RE2 Private Recreation.

### 3 THE COMMISSION'S CONSIDERATION

#### 3.1 The Commission's Meetings

11. As part of its consideration of the Review Request, the Commission met with the agencies set out in **Table 1**. Transcripts of the meetings and copies of the presentations given to the Commission have been made available on the Commission's website.

**Table 1 - Commission's Meetings**

| Meeting    | Date            | Transcription Available on |
|------------|-----------------|----------------------------|
| Council    | 28 January 2022 | 3 February 2022            |
| Department | 28 January 2022 | 3 February 2022            |

12. The Commission extended an invitation to elected representatives of Randwick City Council to join the meeting with Council officers, and four councillors participated in that meeting.

#### 3.2 Material Considered by the Commission

13. In its review, the Commission has carefully considered the following material (**Material**):
- Draft Randwick Comprehensive Planning Proposal, dated May 2021;
  - the Department's Gateway Determination Report, dated September 2021;
  - the Department's Gateway Determination, dated 12 September 2021;
  - the Department's request for Gateway determination review letter, dated 14 January 2022;
  - the Department's Gateway Review Justification Assessment received by the Commission on 14 January 2022, and attachments;
  - Council's Gateway Review Submission, Comprehensive Planning Proposal, dated 5 November 2021;
  - the Eastern City District Plan;
  - SEPP (Exempt and Complying Development Codes) 2008;
  - SEPP (Housing) 2021;
  - Randwick Local Environmental Plan 2012;
  - Randwick Local Strategic Planning Statement, made by Council's General Manager on 26 March 2020;
  - Randwick Local Housing Strategy (approved by the Department on 23 June 2021);
  - Randwick Open Space and Recreation Strategy (Final July 2021);
  - all comments made during the Commission's meetings with Council and the Department (published in meeting transcripts), as set out in **Table 1**; and
  - Council's response to questions taken on notice, received by the Commission on 8 February 2022.

### 3.3 Condition 1(b) – non-hosted short-term rental accommodation

14. *State Environmental Planning Policy (Housing) 2021 (Housing SEPP)* commenced in November 2021 and includes a new State-wide exempt development pathway for non-hosted short-term rental accommodation (**STRA**), meaning STRA where the host does not reside on the premises during the provision of the accommodation. Clause 112(1)(b) allows non-hosted STRA to be exempt development if the dwelling is not used for more than 180 days within a 365-day period within Greater Sydney, and other specified LGAs.
15. Council's Planning Proposal sought an exemption from clause 112(1)(b) of the Housing SEPP, seeking a clause to be included in the Randwick LEP allowing non-hosted STRA to be exempt development if it is not used for more than 90 days within a calendar year.
16. However, in making the Gateway Determination, the Department imposed Condition 1(b), which states:  
*Remove the proposed exempt development provision for non-hosted short-term rental accommodation.*
17. The Gateway Determination report indicates that condition 1(b) was imposed on the basis that the proposed local approach to non-hosted STRA imposes more onerous requirements than the endorsed Statewide provisions, with the introduction of local approaches to non-hosted STRA not being supported at this time (Gateway Determination p.31).

#### Council's View

18. Council's Gateway Review Submission dated 5 November 2021 (**Review Submission**) indicates Council is concerned that the effect of Condition 1(b) will reduce residential amenity and impact on the available rental stock, thereby increasing rents in the long term in coastal and inner-city areas of Randwick City. Therefore, Council is seeking the deletion of Gateway Condition 1(b).
19. In its presentation to the Commission, Council commented that the LGA has a very low rental vacancy rate (generally in the order of 3%) and a very high demand for rentals (transcript p.5). Council also stated that the LGA has a high number of key workers and with the expected growth in jobs in the Health and Education precinct, the number of key workers will continue to increase and consequently, the demand for suitable, affordable accommodation in this area will also increase (transcript p.6).
20. In its presentation to the Commission on 28 January 2022, Council cited data obtained from InsideAirbnb in 2019 which indicates that there were approximately 3,346 STRA listings within the LGA. Of these, Council advises that almost 60% were non-hosted properties, which effectively removes these properties from the private, long-term rental market. Council advised that while data for 2020-2021 has been more difficult to obtain due to Covid-19, it expects strong demand for STRA within the Randwick LGA to persist as the economic recovery continues and tourism resumes (transcript p.5).
21. Council advised that it is continuing to investigate ways of increasing the supply of affordable housing in the LGA, and is concerned that those efforts to accommodate and provide for affordable housing would be undermined by allowing STRA to remove properties from the long-term housing market (transcript p.6).

*The Department's Consideration*

22. The Department's Gateway Review Justification Assessment (**GRJA Report**) provides background to the Housing SEPP and confirms that the 180-day limit identified in clause 112(1)(b) for non-hosted STRA in Greater Sydney was set by the Government after extensive stakeholder consultation and careful consideration of the impacts of non-hosted STRA on the overall rental market (GRJA Report p.6).
23. The Department, in its presentation to the Commission, commented that Council's review request is not supported by:
  - economic analysis to address Council's submission that there would be detrimental impacts on the long-term rental housing market in the LGA;
  - social impact analysis to support Council's position that a 90-day cap would be required to circumvent concerns around amenity and noise impacts on the community; and
  - compliance analysis data to support Council's position that the cost and burden to its compliance teams to maintain public order and the safe operation of rental housing is significant enough to warrant a 90-day cap on non-hosted STRA.
24. The GRJA Report also notes that at its meeting of 13 April 2021, the Randwick Local Planning Panel (**Randwick LPP**) did not support the introduction of a 90-day limit on non-hosted STRA on the basis that there is insufficient evidence at this stage to justify a different limit to that proposed in the (then) draft Housing SEPP provisions. The Randwick LPP further recommended that the time limit be monitored for a period of at least 12 months prior to any change to the day limit to ensure that the appropriate balance between visitor accommodation and rental housing is achieved (GRJA Report p.7).
25. The Department has described the recent amendment to the Environmental Planning and Assessment Regulation 2000 (**EP&A Regulation**) to create a new Government operated, online and mandatory STRA premises register, which has been established as a key data collection tool that will assist in understanding the economic impacts of STRA, including on the private, long-term rental market. This will inform decisions about future regulatory settings, including a planned two-year review of the STRA provisions in the Housing SEPP.
26. In its presentation to the Commission, the Department concluded that in the absence of supporting economic and social analysis, and in light of the scheduled two-year review of the STRA policy, a one-off exclusion from the 180-day non-hosted STRA provisions, as requested by Council, is considered by the Department to be premature at this time.

*Commission's Findings*

27. The Commission acknowledges that Council's argument is based on its strategic investigations and analysis associated with the Randwick LSPS and Housing Strategy.
28. However, the Commission notes that the Randwick LPP did not support the proposed 90-day limit on the basis that it believed further monitoring is required to provide supporting evidence for any future change.
29. The Commission further notes that the inclusion of a 90-day limit on non-hosted STRA within the Randwick LEP would result in an inconsistency with clause 112(1)(b) of the recently adopted Housing SEPP and that to the extent of any inconsistency, the SEPP would prevail. An amendment to the Housing SEPP would therefore be required to support the 90-day limit on non-hosted STRA to resolve the inconsistency.

30. The Commission finds that there is merit to Council's argument. However, the Commission agrees with the Department that exemptions to the current provisions are premature, given the recent adoption of the Housing SEPP provisions relating to non-hosted STRA and the Department's intention to register and monitor STRA and its economic impacts, which will then inform the planned two-year review of the STRA provisions in the Housing SEPP.
31. Having regard to the above, the Commission advises that the Gateway Determination should not be amended to delete Gateway condition 1(b).

### 3.4 Condition 1(c) – local character areas

32. From November 2020 to January 2021 the Department exhibited an Explanation of Intended Effect (EIE) for local character which proposed an LEP model clause referring to a Local Character Area Statement.
33. Based on information released by the Department on local character, Council undertook work to develop local character statements and subsequently sought to introduce a new local character overlay (clause, map and definition) to the LEP within the Planning Proposal. The local character overlay proposed to give effect to three 'special character areas and their character statements when considering development applications.
34. However, in making the Gateway Determination, the Department imposed Condition 1(c), which states:  
*Remove the proposed local character provision, mapping and local character statements.*
35. The Gateway Determination report indicates that the condition was imposed on the basis that currently there is no Department-endorsed statutory pathway to include local character in LEPs. As such, the Department did not support that element at the time.

### Council's View

36. In its Review Submission, Council states that the removal of the local character areas from the Planning Proposal contradicts Council's strategic planning framework and the Department's policy development on local character. Council emphasises that, based on the information released by the Department on local character since 2018, Council has invested significant time and resources into preparing this work over the last two-and-a-half years, developing a strong local character methodology which has been supported by the community during consultation (Review Submission p.8).
37. In the Gateway Determination the Department states that councils can include local character provisions in their Development Control Plans. However, Council emphasises that this does not carry the same statutory weight that it would if it were included in the LEP (Review Submission p.10). Council also argues that including the local character areas in the LEP would allow these areas to be excluded from the housing section of *SEPP (Exempt and Complying Development Codes) 2008 (Codes SEPP)*, which would mean that proposals would be subject to a merit assessment as part of a development application, rather than the complying development pathway.
38. In its meeting with the Commission, Council acknowledged that there is no statutory pathway for local character areas to be included as a general provision in the Standard Instrument, but noted it could be included as a local provision under Part 6: Additional Local Provisions of the LEP.



**The Department's Consideration**

39. Further to the Department's findings in the Gateway Determination Report, the Department advised again in the GRJA Report (p.8) that there is currently no Department-endorsed statutory pathway to include local character in LEPs.
40. The Department has noted that the EIE for local character received mixed feedback during exhibition and has advised that integrating local character into the planning system as exhibited in the EIE will not be progressing at this time (Gateway Determination, GRJA Report). In its meeting with the Commission on 28 January 2022, the Department indicated that since the exhibition, the approach within the Department has been superseded by what has now become the draft *Design and Place SEPP* "which is an overarching framework to introduce best 45 practice [sic] design controls for the built environment" (transcript p.9).
41. The Department also states that it does not support local character as a basis to exclude areas from the application of the Codes SEPP, noting that no other council has been granted an exclusion on these grounds. The Department cites this as the reason that it cannot support this component of the Planning Proposal (GRJA Report p.9), and therefore seeks to retain Gateway Condition 1(c).

**Commission's Findings**

42. The Commission acknowledges the considerable body of work undertaken by Council in this area and agrees that there may be merit in providing provisions for local character areas in certain LGAs. However, the Commission is of the opinion that allowing an exemption from the Codes SEPP for local character areas would set an undesirable precedent that would undermine the aims of the Policy.
43. The Commission is of the view that the inclusion of local character provisions within Council's Development Control Plan would ensure that Council's work is appropriately incorporated in a manner consistent with the current planning framework.
44. The Commission recognises that there could be merit in the Department providing a pathway for local character areas to be included in an LEP in certain circumstances. However, given that at this time there is no Department-endorsed statutory pathway to include Local Character Areas within the LEP and that a Development Control Plan can adequately provide for local character, the Commission advises that the Gateway Determination should not be amended to delete Gateway condition 1(c).

**3.5 Condition 1(d) – proposed rezoning of 1903R Botany Road Matraville**

45. Condition 1(d) relates to a site located on the northern side of Botany Road at Matraville, as illustrated at **Figure 1** (over page). The site is currently under private ownership and adjoins a parcel of Council-owned land to the east. The site is landlocked, has no formal road access, is fenced on all boundaries and has no available pedestrian access to or from Botany Road or the adjacent Council-owned site. Bunnerong Creek and the associated riparian corridor traverses both the subject site and the adjacent Council-owned land, running in a south-east to north-west direction near the northern boundary.
46. Council's Planning Proposal sought to rezone this site from RE1 Public Recreation to RE2 Private Recreation.



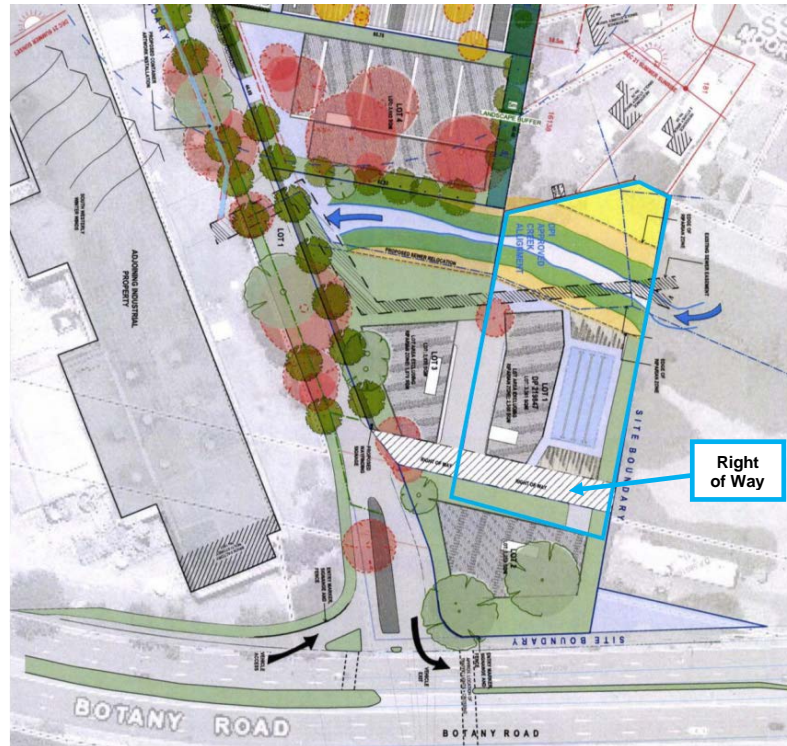
**Figure 1** Location plan – site shown red, adjacent Council-owned site shown blue (Source: Council Gateway Review Submission)

47. However, in making the Gateway determination, the Department imposed Condition 1(d), which states:
- Remove the proposed rezoning of the land at 1903R Botany Road, Matraville from RE1 Public Recreation to RE2 Private Recreation.*
48. The Gateway Determination report indicates that the condition was imposed on the basis that there is insufficient justification as to why the site is no longer needed to contribute to public open space and recreation needs of the LGA, nor demonstrates that the rezoning will result in no net loss of existing or future potential public or publicly-accessible open space.

#### **Council's View**

49. In its presentation to the Commission on 28 January 2022, Council advised that the land is not currently used for public recreation, and the adjoining RE1 Public Recreation zoned land is not included in any short to medium term capital works programs (Council presentation notes p.14).
50. Further to this, Council notes that current and previous owners of the site have offered the site to Council for purchase in accordance with clause 5.1 of Randwick LEP, however, in June 2019 Council confirmed that it is not in a position to purchase the land (Review Submission p.11).
51. Council's Review Submission commented that the *Randwick City Open Space and Recreation Needs Study and Strategy* found that the Malabar, La Perouse and Chifley area is well placed to cater for existing and future populations via existing Council owned and managed open space. As such, Council has advised that it will be focusing funding on other areas in the LGA, primarily in the north, where public open space is deficient for existing and future populations (Review Submission p.12).

52. Council also advised that, of relevance, in May 2017, the Land and Environment Court (**L&E Court**) approved the subdivision of the industrial land immediately to the west of the site (which is under the same ownership). Approval was granted for subdivision, site remediation and landscape works, and required the creation of a right of way (**ROW**) to the subject site via an internal road (see **Figure 2**). Without this privately provided site access, Council advises that the site is not readily accessible to the public.



**Figure 2** “Indicative development plan showing site access, riparian corridor and potential future uses (source: Council’s response to questions on notice dated 8 February 2022, p. 15)

53. The Commission understands the L&E Court approval has been physically commenced. In its response to questions taken on notice, received by the Commission on 8 February 2022, Council advised that a number of modifications to the consent have been approved, as well as a development application for business identification signage for the industrial precinct. In addition, two complying development certificates have been issued for warehouse buildings within the subdivision.
54. The Review Submission indicates that the site currently acts as a buffer between the industrial land to the west and residential land located along Moorina Avenue. This buffer is maintained under the L&E Court approval noted above, which requires a riparian corridor along Bunnerong Creek to be approved by the Department of Primary Industries. Under the NSW *Water Management Act 2000*, setbacks (riparian zones) are required on waterfront land, up to 40m from the waterway bank to form a transition zone between the terrestrial environment and the watercourse. This riparian zone would ensure that that site will continue to act as an appropriate buffer between uses (Review Submission p.12).

55. In its presentation to the Commission, Council pointed out that under the RE1 Public Recreation zone, the range of permissible land uses include Recreation facilities (indoor, outdoor and major), childcare centres, restaurants and cafes and community facilities. These uses are also permissible under the RE2 Private Recreation zone. As such, the rezoning to RE2 could allow for the site to be developed as a recreation facility that is open to the public (Council presentation notes p.15).
56. Council submit that given the site is currently inaccessible to pedestrians or vehicles and is of poor quality, the rezoning to RE2 Private Recreation *“would facilitate the redevelopment of the site for a use that would service the recreational and social needs of the community while reflecting the private ownership of the land.”* (Review Submission p.12).

#### **The Department's Consideration**

57. In its GRJA Report, the Department argues that there is insufficient justification in the Review Request to demonstrate that:
  - the proposal would not result in a net loss of existing and/or potential public or publicly accessible open space, both across the LGA and for the locality; and
  - there is no longer a need for Council to acquire the site for the purposes of local open space to support the open space and recreation needs for existing and future population (GRJA Report p.9).
58. The Department supports the retention of the existing RE1 Public Recreation zoning for several reasons. The **Green Grid** is the network of green space known as the Sydney Green Grid, identified in the Greater Sydney Region and District Plans (see **Figure 3**). The site is in proximity to the Green Grid connections of Fitzgerald Avenue and Heffron Park Open Space and the Great Coastal Walk, as identified in the Government Architect's *Sydney Green Grid* (see **Figure 3**, No. 23 and No. 2 respectively).
59. In addition, the site provides a local response to public open space for resident and worker populations, could contribute to canopy cover and securing the site would help protect Bunnerong Creek (GRJA Report p.10).



**Figure 3** Excerpt from Central Green Grid Opportunities map with approximate location of the site shown as a red dot (Source: GRJA p.11)



60. The Department further states that a rezoning to RE2 Private Recreation would reduce the likelihood and potential for future delivery of the site as public open space due to the range of development types that are permitted with consent in the RE2 Private Recreation zone (GRJA Report p.9).
61. The Department notes the aforementioned L&E Court approval and the requirement for a ROW from the new internal road but suggests that there is currently no consent or certainty around the type of development that may occur on the site. If the land were to be rezoned to RE2 Private Recreation, there would be no certainty of the site's potential contribution to serving public recreational needs or access (GRJA Report p.10).
62. The Department points out that the proposed rezoning or the removal of the site from Council's acquisition obligations is not identified under Council's *Open Space and Recreation Needs Study (Draft) (December 2020)*. The Department also notes that one of the reasons Council has not been able to purchase the site includes Council's financial position but indicates this is not a relevant planning consideration (GRJA Report p.11).
63. The Department contends that the proposed rezoning is inconsistent with local and State strategic planning documents, including the Premier's Priorities, the Eastern City District Plan, Randwick LSPS and draft Randwick Open Space and Recreation Strategy (GRJA p.11 Report).
64. Having regard to the above, the Department recommends that Gateway condition 1(d) remain.

#### **Commission's Findings**

65. The Commission notes the site is comparatively small (approximately 3,300m<sup>2</sup>), is fully fenced (as is the adjacent Council-owned RE1 zoned land) and is physically isolated. As a consequence, it does not make a significant contribution to the local open space network. The Commission believes it could potentially be more valuable as part of the Green Grid if there was some possibility of a future connection to the north to Purcell Park or the Green Grid. However, based on the information provided by Council in its response to questions taken on notice, any formal pedestrian access through the adjacent industrial subdivision – necessary to achieve this connectivity – is unlikely.
66. The Commission notes that current site access arrangements, together with the condition of the L&E Court subdivision approval to provide a riparian corridor along Bunnerong Creek, do not readily support the use of the site as publicly accessible open space. Furthermore, the site has not been accessible to the public for a considerable period of time due to it being held in private ownership and fully fenced.
67. The Commission notes that the range of permissible uses in the RE1 and RE2 zones are very similar, with the only substantive difference being registered clubs and takeaway food and drink premises being permissible in the RE2 zone.
68. The site is currently inaccessible to the public. The Commission does not expect that this will change if the current RE1 zoning is maintained, particularly having regard to Council's apparent inability to acquire the land and its advice that there are no plans to progress its existing RE1 zoned land (to the east of the subject site) in the short to medium term.
69. The Commission agrees with Council that rezoning the land to RE2 Private Recreation may facilitate the redevelopment of the site for a use that would serve the recreational and social needs of the community. The Commission further notes that development of the subject land for recreation purposes could potentially stimulate and encourage upgrading of the adjacent RE1 zoned land.

70. The Commission agrees with the views of Council and finds that the Gateway Determination should be amended to delete Gateway condition 1(d).

#### 4 THE COMMISSION'S ADVICE

71. The Commission has undertaken a review of the Gateway Determination as requested by the Department. In so doing, the Commission has considered the Material, submissions by Council and reasons given for the determination in the Department's Gateway Report.
72. The Commission agrees with the views of the Department and recommends that the Gateway Determination should not be amended to delete Gateway condition 1(b).
73. The Commission agrees with the views of the Department and recommends that the Gateway Determination should not be amended to delete Gateway condition 1(c).
74. The Commission agrees with the views of Council and recommends that the Gateway Determination should be amended to delete Gateway condition 1(d).
75. The Commission advises the Minister's delegate that the Gateway Determination issued on 12 September 2021 in respect of Gateway conditions 1(b) and 1(c) should be retained for the reasons provided in Sections 3.3 and 3.4 of this Gateway Determination Advice Report.
76. In relation to Gateway condition 1(d), the Commission advises the Minister's delegate that the Gateway Determination issued on 12 September 2021 should be amended to delete Gateway condition 1(d) for the reasons provided in Section 3.5 of this Gateway Determination Advice Report.



**Dr Peter Williams (Chair)**  
Member of the Commission



**Adrian Pilton**  
Member of the Commission



Department of Planning and Environment

## Alteration of Gateway Determination

*Planning proposal (Department Ref: PP-2021-4267)*

I, Executive Director, Eastern Harbour City at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(7) of the *Environmental Planning and Assessment Act 1979* to alter the Gateway determination dated 12 September 2021 (since altered) for the proposed amendment to the Randwick Local Environmental Plan 2012 as follows:

1. Delete:

“condition 1.d)”

2. Insert:

new condition 1.m): “Include an explanation and mapping to clarify that the reservation of the land at 1903R Botany Road, Matraville for acquisition by Council for Local Open Space purposes will be removed.”

3. Insert:

new condition 2.d): “Include a preliminary site investigation of the land at 1903R Botany Road, Matraville in accordance with the requirements of section 9.1 Direction - 2.6 Remediation of Contaminated Land.”

4. Delete:

“condition 5”

and replace with:

new condition 5: “Consultation is required with the following public authorities/organisations under section 3.34(2)(d) of the Act and/or to comply with the requirements of relevant section 9.1 Directions:

- Commonwealth Department of Agriculture, Water and Environment,
- Environment, Energy and Science (EES) Group of the Department of Planning and Environment,
- Environment Protection Authority,
- Centennial Park and Moore Park Trust,
- Randwick Racecourse Trust,
- Transport for NSW,
- Land and Housing Corporation,
- La Perouse Local Aboriginal Land Council,
- Heritage NSW,
- Sydney Water Corporation,
- Ausgrid,
- Sydney Airport Corporation, Airservices Australia and the Civil Aviation Safety Authority (CASA),
- Bayside Council,

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- Waverley Council, and
- Woollahra Municipal Council.”

Dated

2 March 2022



**Malcolm McDonald**  
**Executive Director, Eastern Harbour City**  
**Strategic Land Use Planning**  
**Department of Planning and Environment**

**Delegate of the Minister for Planning and**  
**Homes**

CP10/22

PP-2021-4267 (IRF22/509)



## Director City Planning Report No. CP11/22

### Subject: Randwick Comprehensive Planning Proposal: Heritage Conservation

#### Executive Summary

- This report outlines the key findings and recommendations made in the preparation of the Heritage Inventory Sheets (HIS) and assessment undertaken by City Plan Heritage consultants over 2021/22. The study is an important component of the Comprehensive LEP review process.
- In May 2021, Council resolved to incorporate the proposed amendments to heritage conservation areas and/or heritage listings under Schedule 5 of the draft Randwick Comprehensive LEP. The proposed amendments included an extension of the Moira Crescent Heritage Conservation Area boundary and inclusion of 57 properties as listed heritage items within Schedule 5. Additionally, the resolution included minor amendments to Schedule 5 of the RLEP 2012 including the identification of grouped listings as individual heritage items and consolidation of individual listings into a grouped heritage listing detailed within the recommendation of this report.
- In September 2021, Council appointed City Plan Heritage to prepare detailed inventory sheets for the proposed heritage items including a statement of significance and internal inspections of properties where possible.
- In preparing the inventory sheets City Plan Heritage found that 4 properties did not meet the significance criteria to warrant listing under Part 1 (Heritage Items) of Schedule 5 of RLEP 2012 listed below:
  - 51 Doncaster Avenue, Kensington
  - 5 Severn Street, Maroubra
  - 16 Carey Street, Randwick
  - 21 Baden Street, Coogee
- Two of these sites included features on the property that have potential archaeological significance which may warrant a listing under Part 3 of Schedule 5 (Archaeological Sites) listed below:
  - 5 Severn Street, Maroubra
  - 16 Carey Street, Randwick
- This report also outlines the heritage assessment undertaken for 11A Marcel Avenue Coogee. This property is the subject of a current DA for demolition. The heritage assessment has concluded that this property meets three of the criteria for heritage listing. Council has placed an Interim Heritage Order (IHO) on the subject property (gazetted 4 March 2022).
- The heritage study and recommendations addressed in this report align with the policy context and key state and local planning directions for heritage conservation by:
  - Providing appropriate protection for cultural heritage within the Randwick City, through new and updated heritage listings in Schedule 5 Environmental heritage of RLEP 2012;
  - Ensuring that current heritage listings are correctly identified; and





- Facilitating greater certainty in the development process with respect to heritage items and HCAs in Randwick City.

## Recommendation

That Council:

- a) amend the draft Comprehensive Planning Proposal to be placed on public exhibition to include part of the following properties in Part 3 – Archeological Sites of Schedule 5 of the RLEP 2012:
  - 5 Severn Street, Maroubra (front boundary wall and rear yard)
  - 16 Carey Street, Randwick (front and rear boundary walls)
- b) amend the draft Comprehensive Planning Proposal to be placed on public exhibition to remove the following properties from Part 1 – Heritage Items of Schedule 5 of the RLEP 2012:
  - 51 Doncaster Avenue, Kensington
  - 21 Baden Street, Coogee
- c) commence the process of preparing a planning proposal to include 11A Marcel Ave Coogee as a heritage item and to extend the boundary of the Moira Cres Heritage Conservation Area under Schedule 5 Part 1 of RLEP 2012.

## Attachment/s:

1.  SHI FORM 21 Baden St Coogee\_DRAFT
2.  SHI FORM 51 Doncaster Ave, Kensington\_DRAFT
3.  SHI FORM 16 Carey St, Randwick\_DRAFT
4.  SHI FORM 5 Severn St, Maroubra\_DRAFT
5. Link to 11A Marcel Ave Coogee - Heritage Assessment

## Purpose

This report is to advise Council on the findings and recommendations of Heritage Inventory Sheet (HIS) forms and Statements of Significance prepared by City Plan Heritage for the nominated properties for inclusion under Schedule 5. The findings of the HIS forms proposed changes to Schedule 5 and ultimately implement the relevant planning priorities and actions of the Randwick Local Strategic Planning Statement (LSPS) in relation to heritage conservation in Randwick City.

This report also addresses the heritage assessment of 11A Marcel Ave Coogee and recent gazettal of an Interim Heritage Order (IHO) over this property. Given the assessed heritage significance of this property it is recommended that a separate planning proposal be prepared to incorporate this property within Schedule 5 and to extend the boundary of the Moira Cres Heritage Conservation area to include this property under RLEP 2012.

## Introduction

Council is currently undertaking a comprehensive review of the *Randwick Local Environmental Plan 2012* (RLEP 2012) to implement the Randwick Local Strategic Planning Statement (Vision 2040) (LSPS) and give effect to the Eastern City District Plan (District Plan). The review covers a range of matters including housing growth and diversity, economic development, open space and environment.

Key findings of the heritage review are proposed for inclusion in the comprehensive planning proposal, namely, recommended amendments to Schedule 5- Heritage Conservation of the RLEP 2012 and accompanying heritage maps. This report outlines the recommendations by City Plan Heritage for the previously nominated properties following the Extent Heritage Study to be listed under Schedule 5 of RLEP 2012.

This report also addresses assessment of 11A Marcel Ave Coogee and process for its listing as a heritage item (together with an extension of the Moira Cres Conservation Area) under a separate planning proposal.

## Background

In June 2020, as part of the comprehensive LEP review process, Council commissioned Extent Heritage consultants to undertake an independent review of the status and condition of community nominated residential heritage items and existing heritage conservation areas (HCAs) for listing as new potential items under RLEP 2012. The heritage review is an important 'stock take' of Randwick City's heritage at a point in time to ensure that the local heritage conservation planning framework is robust, up to date and affords adequate protection for buildings and places that have been identified as having heritage significance.

Extent's heritage study review was completed in March 2021 and essentially recommended the following proposed amendments to heritage conservation areas and/or heritage listings under Schedule 5 of the draft Randwick Comprehensive LEP:

- i. Extend the boundary of the Moira Crescent Heritage Conservation Area to include 24 Marcel Ave, 204, 206 and 208 Clovelly Road, Clovelly as heritage items;
- ii. Amend Schedule 5 and the accompanying heritage maps to list the following properties as heritage items:
  1. 16 Carey Street, Randwick
  2. 5 Severn Street, Maroubra
  3. 10 Broome Street, Maroubra
  4. 43 Broome Street, Maroubra
  5. 51 Doncaster Avenue, Kensington
  6. 30 Eastern Avenue, Kingsford
  7. 32 Eastern Avenue, Kingsford
  8. 41-43 Kyogle Street, Maroubra
  9. 24 Marcel Avenue, Clovelly

10. 44 Marcel Avenue, Randwick
11. 237-245 Maroubra Road, Maroubra
12. 27 The Corso, Maroubra
13. 1 Winburn Avenue, Kingsford
14. 289 Arden Street, Coogee
15. 293 Arden Street, Coogee
16. 231 Avoca Street, Randwick
17. 21 Baden Street, Coogee
18. 150-142 Beach Street, Coogee
19. 3 Bishops Avenue, Randwick
20. 16 Bishops Avenue, Randwick
21. 20 Bishops Avenue, Randwick
22. 122 Brook Street, Coogee
23. 124 Brook Street, Coogee
24. 129 Coogee Bay Road, Coogee
25. 218-222 Coogee Bay Road, Coogee
26. 230 Coogee Bay Road, Coogee
27. 250-252 Coogee Bay Road, Coogee
28. 36-42 Cook Street, Randwick
29. 10 Cottenham Avenue, Kensington
30. 36 Cottenham Avenue, Kensington
31. 187 Clovelly Road, Randwick
32. 204 Clovelly Road, Clovelly
33. 206 Clovelly Road, Clovelly
34. 208 Clovelly Road, Clovelly
35. 69 Darley Road, Randwick
36. 18 Day Avenue, Kensington
37. 20 Day Avenue, Kensington
38. 72 Dudley Street, Randwick
39. 90 Dudley Street, Randwick
40. 25 Duke Street, Kensington
41. 24 Eastern Avenue, Kensington
42. 34 Eastern Avenue, Kensington
43. 42a Fern Street, Randwick
44. 20-22 Figtree Avenue, Randwick
45. 14-16 Glebe Street, Randwick
46. 20 Ingelthorpe Avenue, Kensington
47. 5 Kurrawa Avenue, Coogee
48. 26 Marcel Avenue, Randwick
49. 7 Mears Avenue, Randwick
50. 32 Mooramie Avenue, Kensington
51. 3 Nathan Street, Randwick
52. 121-123 Perouse Road, Randwick
53. 27 Prince Street, Randwick
54. 11 & 13 Abbotford Street, Kensington
55. 5 Berwick Street, Coogee
56. 63 Samuel Terry Avenue, Kensington
57. 1 Thomas Street, Coogee

On May 2021, Council resolved to support the incorporation of the above-mentioned proposed amendments to heritage conservation areas and heritage listings under Schedule 5 of the draft Randwick Comprehensive LEP.

The Gateway Determination issued for the Comprehensive Planning Proposal (September 2021) included a condition (1e)) requiring the preparation of statements of significance for each proposed new item and an explanation of the expanded boundary of the Moira Crescent Heritage Conservation Area prior to public exhibition.

In September 2021, Randwick City Council sought quotations from suitably qualified consultants to:

1. Prepare Inventory Sheets for the 57 properties nominated for potential heritage listing in the Randwick Heritage Study Review including statements of significance for each property in accordance with the heritage assessment criteria in the Heritage Office Guidelines.
2. Prepare statement of significance explaining the heritage values of the proposed extended area of the Moira Crescent HCA in accordance with the heritage assessment criteria in the Heritage Office Guidelines including an analysis of the character, physical attributes, curtilage and setting of the proposed extended conservation area.
3. Consideration and review of heritage reports undertaken by owners (to be provided by Council).
4. Internal inspection of properties where possible.

City Plan Heritage was appointed to undertake the above work in September 2021.

### **Preparation of Heritage Inventory Sheets and Statements of Significance**

In February 2022, City Plan Heritage completed the preparation of Heritage Inventory Statements for each of the 57 properties recommended by Extent as well as a statement of significance for the heritage values of the proposed extended area of the Moira Crescent HCA.

The Inventory Sheets for all the properties recommended for heritage listing are included under separate cover to this report. These provide further justification for the proposed heritage items and extension of the Moira Cres Heritage Conservation Area. These inventory sheets will form part of the exhibition of the Comprehensive Planning Proposal as required in the Gateway determination.

In preparing these reports for the 57 properties, City Plan Heritage found that 4 properties did not warrant listing as items of local heritage significance under Part 1 of Schedule 5 (Heritage Items). Two of the properties however did include features that have potential archaeological significance which may warrant a listing under Part 3 of Schedule 5 (Archaeological Sites). A summary of the findings for these 4 properties is provided below with attachments of the Heritage Inventory Statements prepared by the consultants included.

#### **○ 51 Doncaster Avenue, Kensington**

The property located at 51 Doncaster Avenue, Kensington is described as a simple and unadorned single storey residence dating from the Post-War period. The property has had significant modifications internally with contemporary cornices and fittings. Apart from its overall face brick and gabled bay with faceted bay window, none of the detailing is considered to aesthetically meet the criteria or well executed example from its style. The original timber garage door has been replaced with metal vertical garage doors and the face brick finish of the garage wings has been rendered since.

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In assessment of heritage criteria, the consultants have determined that the site lacks historical significance (SHR criteria (a)), historical association significance (SHR criteria (b)) and aesthetic significance (SHR criteria (c)). A summary of the consultant's findings are outlined in **Table 1** below.

**Table 1: Application of criteria – 51 Doncaster Avenue, Kensington**

| Application of criteria  | Description/Comment  |
|--|--|
| <b>Historical significance</b><br>SHR criteria (a)             | <p>The site is located within the Kensington Freehold Estate offered for sale in 1891. However, the existing site was created by a subdivision in c1951, and the house constructed in 1953.</p> <p>The place has some historical significance in demonstrating infill development following the subdivision of large land holdings in the late nineteenth and early twentieth century in Kensington but <b>does not meet</b> the threshold for listing for inclusion on Randwick LEP under Criteria (a).</p> |
| <b>Historical association significance</b><br>SHR criteria (b) | <p>The site has some association with William John Cocks who purchased the site in 1892, and with Reginald Radnedge who subdivided the site, and with Thomas Bradford, the builder, but <b>does not meet</b> the threshold for listing for inclusion on Randwick LEP under Criteria (b).</p>   |
| <b>Aesthetic significance</b><br>SHR criteria (c)              | <p>This is a very simple and unadorned single storey residence most likely dating from the Post-War period. It has been modified significantly internally with contemporary cornices and fittings. It is <b>not considered to be aesthetically a good example</b> of a post-war period houses.</p>   |

| Application of criteria                                    | Description/Comment  |
|--|--|
| <b>Social significance</b><br>SHR criteria (d)             | N/A  |
| <b>Technical/Research significance</b><br>SHR criteria (e) | N/A  |
| <b>Rarity</b><br>SHR criteria (f)                          | N/A  |
| <b>Representativeness</b><br>SHR criteria (g)              | N/A  |
| <b>Integrity</b>   | The exterior of the house demonstrates the form of the 1953 house and includes materials and details dating from 1953 but has been altered that makes its <b>integrity low to moderate</b> . |

The consultants recommend that the subject property at 51 Doncaster Avenue, Kensington not be listed as an item of local heritage significance under Schedule 5 of RLEP 2012.

- **5 Severn Street, Maroubra**

The property at 5 Severn Street, Maroubra is described as a two-storey rendered and painted building containing four flats, with a garage and laundry building located at the rear (south) of the residential building. External walls are brick cavity, with solid brick internal walls, timber floors and a flat, membrane roof surrounded by a brick parapet. Internal floors are generally timber structure with timber boards; ceilings are fibrous plaster with decorative motifs that have been severely compromised. The building is set back from the Severn Street boundary with a garden area contained by remnants of the original sandstone boundary fence.





In assessment of heritage significance, the consultants have determined that the site has been compromised by various internal works including removal and irreversible loss of building fabric, internal joinery and modifications to the original façade. The consultants have noted that the surviving stone boundary wall could be considered as part of an archaeological resource within Randwick pursuant to Part 3 Archaeological Sites under Schedule 5 of RLEP 2012. A summary of the consultant's findings are outlined in **Table 2** below.

**Table 2: Application of criteria – 5 Severn Street, Maroubra**

| Application of criteria  | Description/Comment  |
|--|--|
| <b>Historical significance</b><br>SHR criteria (a)             | The Louis Flats building, constructed in 1926, is evidence of the speculative residential development of Maroubra in the Inter-War period following the construction of the tramline to Maroubra Beach in 1921. <b>Does not meet the threshold for criteria a)</b>   |
| <b>Historical association significance</b><br>SHR criteria (b) | <p>The building is associated with the Simon family, particularly Joseph Elias Simon who commissioned the building, and his father, Elias Simon, who constructed the building. The building appears to have been constructed as four rental flats to provide an income for Joseph Elias Simon.</p> <p>The site is also associated George Wride (1866 - 1931) who undertook a re-subdivision of the area as the 'Maroubra Beach Estate'. Wride was one of the founders of the Coogee Surf Club, a member of the Maroubra Surf Club, and the owner of the Coogee Hotel in the early twentieth century. Wride resided at 'Woolloowin', at the corner of Dudley and St Paul Streets Randwick until 1915, when he moved to his new home, called 'Maroubra' at</p> |



| Application of criteria                                    | Description/Comment  |
|--|--|
|  | Gordon. Notwithstanding, he has no direct connection to the existing building at 5 Severn Street.<br><b>Does not meet the threshold for criteria b)</b>  |
| <b>Aesthetic significance</b><br>SHR criteria (c)          | While the exterior of the building exhibits some characteristics of Inter-War residential flat buildings constructed in Maroubra and the Randwick Municipality generally, 5 Severn Street has been compromised by irreversible rendering of the façade and the removal of interior details to a degree that it no longer can be attached to an architectural style of the period. <b>Does not meet the threshold for criteria c)</b>                               |
| <b>Social significance</b><br>SHR criteria (d)             | The social significance of the site cannot be ascertained without undertaking community consultation. The building may have some potential to provide a further sense of place and belonging to the local community as an example of urban expansion during the Inter-War period. <b>Does not meet the threshold for criteria d)</b>   |
| <b>Technical/Research significance</b><br>SHR criteria (e) | The building contains examples of construction and unadorned details common to Inter-War residential flat development in the Randwick Municipality. There is however potential for surviving remnants of former stables and diary at the rear yard. The front stone boundary wall is the only clear evidence of early configuration of the site that would provide some archaeological resource. <b>Meets the criteria for archaeological listing of the wall.</b> |
| <b>Rarity</b><br>SHR criteria (f)                          | The building is <b>not a rare type</b> within the Randwick Municipality. <b>Does not meet the threshold for criteria f)</b>  |
| <b>Representativeness</b><br>SHR criteria (g)              | The building appears to be one of numerous Inter-War Flat buildings constructed within the Randwick Municipality, including highly intact examples located in the Moira Crescent Heritage Conservation Area. <b>Does not meet the threshold for criteria g)</b>  |
| <b>Integrity</b>   | Louis Flats has been compromised by the removal and irreversible loss of building fabric including internal joinery. The <b>integrity of the building is considered low</b> regardless of the remnant examples of fibrous plaster ceilings and double-hung windows and some internal configuration.  |

The consultants have listed the following recommendations for the site:

- List as an archaeological item on Part 3 (Archaeological sites) in Schedule 5 of Randwick LEP 2012 for the surviving stone boundary wall and possible remnants of former stables and diary in the rear yard.

- Conservation, adaptation, or demolition may be acceptable subject to consent approval of detailed documentation.
- New development is to retain the existing setback from the Severn Street boundary, the stone boundary wall and front garden.
- Further research be added on to the archaeological potential of the site.
- A Heritage Impact Statement should be prepared for the building prior to any major works being undertaken.
- Photographic archival recording, in accordance with Heritage Council guidelines, should be undertaken before major changes.

○ **16 Carey Street, Randwick**

The property known as 16 Carey Street, Randwick is described as a free standing, two-storey residence constructed in circa. 2015/16 incorporating surviving masonry (face brick) walls of the former dairy located on the site in the late nineteenth century. The walls have been compromised by previous changes including the removal of the original building fabric and the relocation of bricks to form walls in new locations. The former dairy walls were stabilized and retained as part of the current redevelopment of the site as a detached, single dwelling which was subject to a commendation award from Randwick Council in the Architecture and Urban Design Awards 2017.



In assessment of historical significance, the consultants have determined that the site has been compromised by irreversible changes including the removal of original masonry and no longer demonstrates the configuration of the former dairy complex. The consultants have noted that the surviving masonry face brick wall could be considered as part of an archaeological resource within Randwick pursuant to Part 3 Archaeological Sites under Schedule 5 of RLEP 2012. A summary of the consultants' findings are listed in **Table 3** below.

**Table 3: Application of criteria – 16 Carey Street, Randwick**

| Application of criteria  | Description/Comment   |
|--|---|
| <b>Historical significance</b><br>SHR criteria (a)             | The site at 16 Carey Street, Randwick, has some historical and associative significance as evidence of dairying within the Randwick Municipality in the late nineteenth and early twentieth centuries. <b>Does not meet the threshold for criteria a).</b>  |
| <b>Historical association significance</b><br>SHR criteria (b) | The research conducted to date does not reveal any historical associations of note that would be important in the local history of Randwick. <b>Does not meet the threshold for criteria b).</b>  |
| <b>Aesthetic significance</b><br>SHR criteria (c)              | The remnant face brick boundary wall is the only publicly visible early fabric of the site that provide utilitarian side wall presentation to the site. It is not considered to be aesthetically significant within the streetscape of Carey Street or wider Randwick locality. <b>Does not meet the threshold for criteria c).</b>   |
| <b>Social significance</b><br>SHR criteria (d)                 | The subject <b>site does not meet the requirements</b> of this criterion.   |
| <b>Technical/Research significance</b><br>SHR criteria (e)     | Surviving dairy building fabric may have potential to provide information on the early use of the site as a former dairy; however, it has been compromised by irreversible changes including the removal of original masonry and no longer demonstrates the configuration of the former dairy complex or an understanding of how it operated. The scattered remnant masonry fabric could be considered as part of archaeological resource within Randwick. <b>Meets the threshold for criteria e) for archaeological listing.</b> |
| <b>Rarity</b><br>SHR criteria (f)                              | The surviving remnant fabric of the former dairy is not considered to be rare within the local area. <b>Does not meet the threshold for criteria f).</b>  |
| <b>Representativeness</b><br>SHR criteria (g)                  | The remnant fabric does not provide any complete information in order to enable comparison with similar structures for representativeness criterion. <b>Does not meet the threshold for criteria g).</b>  |
| <b>Integrity</b>   | <b>N/A.</b> The former dairy walls were stabilised and retained as part of the current redevelopment of the site as a detached, single-family dwelling.   |

The consultants have listed the following recommendations for the site:

- List as an archaeological item on Part 3 (Archaeological sites) in Schedule 5 of Randwick LEP 2012.
- Retain and conserve remnant walls dating from the occupation and use of the site as a dairy.
- Undertake archival recordings of the surviving remnant fabric for future research purposes.

○ **21 Baden Street, Coogee**

The property at 21 Baden Street, Coogee is described as a free standing two storey building constructed of brick over a sandstone foundation wall with a hipped roof finished with terracotta roof tiles. The building contains some timber framed windows, including lead light panels that appear to date from 1925. The building is set back from the Baden Street boundary to accommodate the flat-roof garage and a small garden area. The form, scale and materials of the building are generally characteristic of Baden Street buildings located west of the site.



In assessment of historical significance, the consultants have determined that the site has been irreversibly altered resulting in the loss of original fabric dating from 1925 and changes to the internal layout of the Inter-war house. Additionally, further modifications in 1936 have resulted in the loss of original building fabric. A summary of the consultants' findings are listed in **Table 4** below.

**Table 4: Application of criteria – 21 Baden Street, Coogee**

| Application of criteria  | Description/Comment   |
|--|---|
| <b>Historical significance</b><br>SHR criteria (a)             | <p>The subject site has some historical significance as the re-subdivision of the Town of Coogee allotments devised and granted in the 1850s.</p> <p>21 Baden Street Coogee <b>does not meet the threshold for listing as a heritage item under Criterion (a).</b></p>  |
| <b>Historical association significance</b><br>SHR criteria (b) | <p>The building is associated with Gladys Mary Lloyd Hill and her de facto husband Sir James John Joynton Smith. Gladys purchased the site in April 1925, and Sir James lodged a building application three months later. The site was temporarily transferred to Sir James between April and December 1930, but Mary retained ownership until 1950.</p> <p>Sir James was a prominent resident of Randwick, having served as Lord Mayor of Sydney and as MLA., and for establishing Smith's Newspapers Limited. Although he</p> |

| Application of criteria   | Description/Comment  |
|---|--|
|   | <p>resided at 21 Baden Street from 1925 until his death in 1943, he was primarily associated with 'Hastings', the Coogee residence he occupied until 1920 when he made it available for the treatment of shell-shocked soldiers.</p> <p>21 Baden Street Coogee <b>does not meet the threshold for listing as a heritage item under Criterion (b).</b></p>  |
| <p><b>Aesthetic significance</b></p> <p>SHR criteria (c)</p>          | <p>The building was irreversibly altered by modifications undertaken in 1936, and no longer demonstrates the architectural characteristics or planning of the original 1925 house designed by ER Justelius. Alterations carried out since 1936 have compromised the appearance of the building as an Inter-war flat building or as an Inter-war house.</p> <p>21 Baden Street Coogee <b>does not meet the threshold for listing as a heritage item under Criterion (c).</b></p>  |
| <p><b>Social significance</b></p> <p>SHR criteria (d)</p>             | <p>The building has not to date been identified as having special association or meaning to the community or an identifiable group.</p> <p>21 Baden Street Coogee <b>does not meet the threshold for listing as a heritage item under Criterion (d).</b></p>   |
| <p><b>Technical/Research significance</b></p> <p>SHR criteria (e)</p> | <p>The building includes construction details and finishes that were commonplace throughout New South Wales, including Randwick, during the first half of the twentieth century.</p> <p>21 Baden Street Coogee <b>does not meet the threshold for listing as a heritage item under Criterion (e).</b></p>  |
| <p><b>Rarity</b></p> <p>SHR criteria (f)</p>                          | <p>21 Baden Street is not a rare example of an Inter-war house or flat building.</p> <p>21 Baden Street Coogee <b>does not meet the threshold for listing as a heritage item under Criterion (f).</b></p>  |
| <p><b>Representativeness</b></p> <p>SHR criteria (g)</p>              | <p>Following the changes to the building in 1936, the building no longer demonstrates the architectural characteristics of an Inter-war house or an Inter-war flat building.</p> <p>21 Baden Street Coogee <b>does not meet the threshold for listing as a heritage item under Criterion (g).</b></p>  |
| <p><b>Integrity</b></p>   | <p>The building was constructed as a freestanding, one-storey residence in 1925, and a second storey added in 1936 when it was adapted as flats. Although some exterior 1925 brick and sandstone walls have been retained, the 1936 alterations have resulted in the loss of original building fabric and obscured the form of the original house.</p> <p>The 1936 adaptation of the building as Inter-war flats included the addition of a second floor, changes to windows, installation of additional kitchens and bathrooms, and infilling of balcony and verandah spaces. Desktop research indicates internal polished joinery (1936) has been painted.</p> |



| Application of criteria | Description/Comment   |
|-------------------------|---|
|                         | 21 Baden Street has been irreversibly altered resulting in the loss of original fabric dating from 1925 and changes to the original internal layout of the Inter-war house. |

The consultants have listed the following recommendations for the site:

- Conservation, adaptation, or demolition may be acceptable subject to consent approval of detailed documentation.
- New development is to retain the existing setback from the Baden Street boundary.
- Interiors should be inspected to determine if any significant features have been retained and are suitable for salvage/ re-use.

### Key recommendations

The key recommendations from the City Plan Heritage Inventory Sheets are as follows:

- Resolve to remove the following from the draft Comprehensive Planning Proposal submitted to the Department on 30 June 2021 prior to public exhibition.

**Table 5: Items proposed to be removed from nomination listing**

| Address                         | Description/Comment   | Recommendation                  |
|---------------------------------|---|---------------------------------|
| 51 Doncaster Avenue, Kensington | Simple and unadorned single storey residence dating from the Post-War period. The property has had significant modifications. Referenced as potential heritage item in first round heritage review. | Remove from nomination listing. |
| 21 Baden Street, Coogee         | Federation building identified as a neutral building. Referenced as potential heritage item in first round heritage review.   | Remove from nomination listing. |

- Endorse the following draft items to be placed on public exhibition as part of the Comprehensive Planning Proposal.

**Table 6: Items proposed to be included in Part 3 of Schedule 5 of RLEP 2012**

| Address                   | Description/Comment  | Recommendation  |
|---------------------------|--|---|
| 5 Severn Street, Maroubra | Two-storey rendered and painted building containing four flats, with a garage. Referenced as a potential heritage item in first round heritage review. Not recommended to be included in Part 1 of Schedule 5. | List as an archaeological site (Part 3 of Schedule 5) for the surviving stone boundary wall and possible remnants of former stables and dairy in the rear yard. |
| 16 Carey Street, Randwick | Contemporary free standing, two-storey residence incorporating surviving masonry (face brick) walls of the former dairy. Referenced as a potential heritage item in first round heritage review. Not           | List as an archaeological site (Part 3 of Schedule 5) for remnant walls dating from the occupation and use of the site as a dairy.                              |

| Address | Description/Comment                                 | Recommendation |
|---------|---|----------------|
|         | recommended to be included in Part 1 of Schedule 5. |                |

### 11A Marcel Avenue, Coogee

In late December 2021, a Development Application (DA/798/2021) was received for the demolition of a residential flat building containing five units, storage and laundry area with a double brick garage at 11A Marcel Avenue, Coogee. The DA was placed on public exhibition until mid-February 2022. The building is known historically as Dennison Hall. This item was not nominated during the community consultation process undertaken during January/February 2020 and therefore not assessed by Extent Heritage as part of the first round of the heritage review.



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 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.

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

**RESOLUTION: (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.

On 25 February 2022, City Plan Heritage provided Council with a Heritage Assessment of No 11A Marcel Avenue (Attachment 5) 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.

In view of City Plan Heritage's recommendation an Interim Heritage Order (IHO) was placed on the building and site at 11A Marcel Avenue Coogee (Lot 51 DP318884) on 4 March 2022 (Government Gazette No. 88 – Planning and Heritage). The IHO is consistent with the provisions of the Heritage Act 1977 and the Heritage Guidelines. In particular, Section 25 of the Heritage Act 1977 authorises a Council to make an Interim Heritage Order for a building or place that Council considers may be found to be of local heritage significance and is being or is likely to be harmed.

The Ministerial Order authorising the making of Interim Heritage Orders requires that a council must not make an Interim Heritage Order (IHO) unless:

- (a) an environmental planning instrument containing a schedule of heritage items derived from a heritage study and provisions for the management of those items is in force in the Local Government Area.

**Comment:** The Randwick LEP 2012 meets this criterion.

- (b) it has considered a preliminary heritage assessment of the item prepared by a person with appropriate heritage knowledge, skills and experience employed or retained by the council and considers that the item is or is likely to be found on further inquiry and investigation, to be of local heritage significance.

**Comment:** City Plan Heritage has suitable heritage knowledge, skills and experience and their assessment report identifies that No 11A Marcel Avenue meets criteria A (historic), and C (aesthetic), G (representative) when assessing significance in accordance with "Assessing Heritage Significance", prepared by the NSW Heritage Office.

In regard to criterion A, City Plan Heritage advises that:

*"Denison Hall 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. 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 and contribute 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."*

In regard to Criterion C, City Plan Heritage advises that:

*"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. Its scale and materiality are compatible with the one and two storey residential buildings within the Moira Crescent Heritage Conservation Area.*

*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)."*

In regard to Criterion G, City Plan Heritage advises that:

*"Despite minor modifications, Denison Hall demonstrates the characteristics of Inter-war flat buildings constructed throughout Randwick LGA.*

- *Is a fine example of its type*
- *Has the principal characteristics of an important class or group of items*
- *Has attributes typical of a particular way of life, philosophy, custom, significant process, design, technique or activity"*

- (c) the item is being or is likely to be harmed.



**Comment:** If there is a development application for demolition of the potential heritage item, then that is sufficient evidence that it is likely to be harmed.

- (d) the IHO is confined to the item determined as being under threat.

**Comment:** The proposed IHO will be confined to No 11A Marcel Avenue, Coogee as being the property under threat.

Accordingly, Council officers considered that there are adequate grounds for the making of the interim heritage order and to protect the property at No 11A Marcel Avenue from likely harm. The interim heritage order will be in place for a period of 6 months subject to further extension if required. During this period, there will be an opportunity for the protection of the subject property to be further considered as part of a planning proposal for its heritage listing and inclusion in the Moira Cres Conservation Area.

### Listing as Heritage Item and extension of Moira Cres Heritage Conservation Area

The making of the IHO is necessary to protect the property at No 11A Marcel Avenue from likely harm. The IHO will be in place for a period of 6 months subject to further extension if required. During this period, there will be an opportunity to investigate heritage listing and Conservation Area boundary under Randwick LEP 2012. Advice received recently from the Department of Planning and Environment (DPE) is that the heritage listing will require a separate planning proposal process from the current Comprehensive Planning Proposal. This is because the matters contained within the Comprehensive Planning Proposal, which did not include 11A Marcel Ave, Coogee, have been assessed by DPE as part of the Gateway Determination process.

11A Marcel is located immediately adjacent to the Moira Cres Heritage Conservation Area. City Plan Heritage advised that the property is part of the fourth subdivision of the Bishopscourt Estate and contributes to the identified heritage significance of the Moira Crescent Conservation Area.

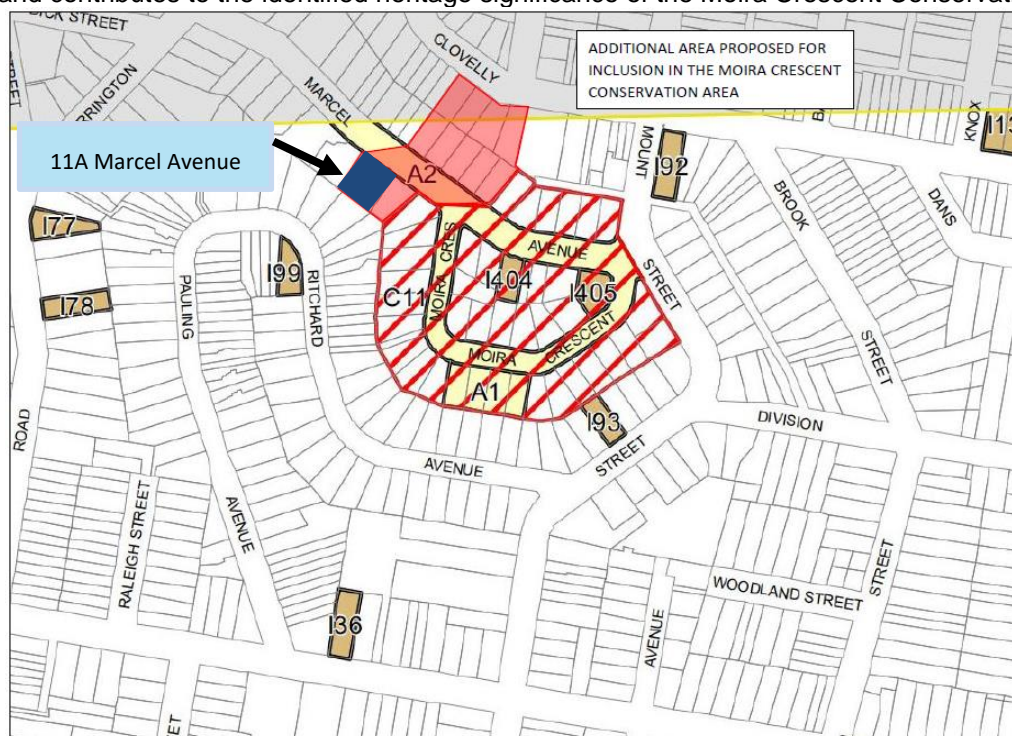


Figure showing Moira Cres Heritage Conservation Area (existing shown red striped); proposed boundary extension (shown red) as part of first round heritage review; further proposed boundary extension to include 11A Marcel (shown blue).

In accordance with the Ministerial Direction, Council is required to seek advice from the Local Planning Panel (LPP) in relation to this matter prior to submitting a planning proposal to DPE seeking a Gateway determination.

## Next Steps

### Consultation

Affected owners and the wider community will have the opportunity to provide formal feedback on the proposed changes to Schedule 5 and the heritage maps when the planning proposal is placed on public exhibition.

### 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

The City Plan Heritage inventory sheets and assessment was funded from the Strategic Planning Operational Budget for 2020-2021 at a cost of \$22,000.

### 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 proposed changes implement the relevant planning priorities and actions of the Randwick Local Strategic Planning Statement (LSPS) in relation to heritage conservation in Randwick City.

### Conclusion

The Randwick City Heritage Study 2020/21 and Heritage Inventory Sheets prepared by City Plan Heritage provides an important component of the comprehensive LEP review process.

The heritage inventory sheets recommend listing 55 properties under Schedule 5 of RLEP 2012 and recommends the delisting of two properties being 51 Doncaster Avenue, Kensington and 21 Baden Street, Coogee. The recommended amendments to the RLEP 2012 Schedule 5 and accompanying heritage maps align with regional, district and local planning directions for heritage conservation, and would ensure an appropriate statutory mechanism is in place to adequately manage and safeguard the heritage significance of heritage items and HCAs in the development process.

The draft Comprehensive Planning Proposal will be updated to reflect the recommended changes to the proposed heritage items and together with the detailed heritage inventory sheets will be placed on public exhibition.

In relation to 11A Marcel Avenue, Coogee, this property is now the subject of an IHO and is protected from demolition. The matter will need to be referred to the Local Planning Panel (as required under a Ministerial Direction) prior to a planning proposal being submitted for a Gateway Determination to amend the RLEP for inclusion as a heritage item and extension of the Moira Cres Heritage Conservation Area.

**Responsible officer:** David Ongkili, Coordinator Strategic Planning

**File Reference:** F2019/01316

CP11/22

## *Heritage Data Form*

| ITEM DETAILS                             |  |              |         |  |                                |               |  |
|--|--|--------------|---------|--|--------------------------------|---------------|--|
| Name of Item                             | Tamahine   |              |         |  |                                |               |  |
| Other Name/s<br>Former Name/s            |  |              |         |  |                                |               |  |
| Item type<br>(if known)                  | Built  |              |         |  |                                |               |  |
| Item group<br>(if known)                 | Residential buildings (Private)  |              |         |  |                                |               |  |
| Item category<br>(if known)              | Flats  |              |         |  |                                |               |  |
| Area, Group, or<br>Collection Name       |  |              |         |  |                                |               |  |
| Street number                            | 21   |              |         |  |                                |               |  |
| Street name                              | Baden Street   |              |         |  |                                |               |  |
| Suburb/town                              | Coogee   |              |         |  | Postcode                       | 2034          |  |
| Local Government<br>Area/s               | Randwick   |              |         |  |                                |               |  |
| Property<br>description                  | Lot 8 DP 8843  |              |         |  |                                |               |  |
| Location - Lat/long                      | Latitude   | -33.91789879 |         |  | Longitude                      | 151.260056522 |  |
| Location - AMG (if<br>no street address) | Zone   |              | Easting |  | Northing                       |               |  |
| Owner                                    | Private  |              |         |  |                                |               |  |
| Current use                              | Flats  |              |         |  |                                |               |  |
| Former Use                               | Residence  |              |         |  |                                |               |  |
| Statement of<br>significance             | <p>'Tamahine' was originally constructed as a single residence designed by SH Buchanan in association with JE and ER Justelius in 1925. The building was adapted as four apartments in 1936 by SH Buchanan, Cowper and Morgan. Further modifications have resulted in the loss of original building fabric and decorative finishes and compromising the original architectural designs of Justelius and Buchanan, Morgan and Cowper.</p> <p>Although Sir Joynton Smith commissioned SH Buchanan and ER Justelius to design the house in association in 1925, the building no longer demonstrates the architectural work of either architectural practice, and does not meet the criteria for listing as a heritage item of State or Local significance.</p> <p>The place is not associated with Joynton Smith's specific achievements in publishing or politics.</p> |              |         |  |                                |               |  |
| Level of<br>Significance                 | State <input type="checkbox"/>   |              |         |  | Local <input type="checkbox"/> |               |  |

## Heritage Data Form

CP11/22

| DESCRIPTION  |  |      |                    |      |                                       |
|--|--|------|--------------------|------|---------------------------------------|
| <b>Designer</b>  | 1925 – SH Buchanan in association with JE and RE Justelius<br>1936 – SH Buchanan, Cowper and Morgan (adaptation as flats)  |      |                    |      |                                       |
| <b>Builder/ maker</b>                                  | 1925 – Messrs Howie and Moffatt<br>1936 – JG Pettigrew   |      |                    |      |                                       |
| <b>Physical Description</b>                            | <p>The freestanding two-storey building is constructed of brick over a sandstone foundation wall with a hipped roof finished with terra cotta roof tiles. The street elevation features exposed rafters. The building contains some timber framed windows, including some lead light panels that appear to date from 1925.</p> <p>The main elevation of the building addresses Baden Street, and the entrance door is located on the east elevation. The building is set back from its Baden Street boundary to accommodate the flat-roof garage and a small garden area accessed via stone steps.</p> <p>The interior of the building was not accessible however desktop research indicates the building contains some decorative elements (ceilings, fireplaces) dating from 1936, polished joinery in the stair hall has been painted, some internal doors have been replaced.</p> <p>The form, scale and materials of the building are generally characteristic of Baden Street buildings located to the west of the subject site.</p> |      |                    |      |                                       |
| <b>Physical condition and Archaeological potential</b> | <p>The exterior the building appears to be in good condition with localised deterioration of sandstone finishes and joinery.</p> <p>The site has low archaeological potential given the footprint of the existing building.</p>  |      |                    |      |                                       |
| <b>Construction years</b>                              | <b>Start year</b>  | 1925 | <b>Finish year</b> | 1936 | <b>Circa</b> <input type="checkbox"/> |
| <b>Modifications and dates</b>                         | Some timber windows have been replaced with aluminium framed windows; balcony and verandah openings infilled with aluminium framed windows.  |      |                    |      |                                       |
| <b>Further comments</b>                                |  |      |                    |      |                                       |

| HISTORY                 |  |
|-------------------------|--|
| <b>Historical notes</b> | <p>21 Baden Street Coogee is located within Section 27 of the Town of Coogee, on land granted by Crown grant to Charles Moore on 3 November 1859. Section 27 contained 3 allotments. Lots 1 and 3 were granted to Charles and Lot 2 was granted to his brother George on 7 November 1859. Charles subsequently purchased Lot 2 on 20 March 1861.</p> <p>Charles Moore built Coogee House, but in the 1870s moved to Springwood, leasing his house, which was used as the Baden Baden Hotel. Following his death in July 1895, Edward Espenhahn, James Moore Major, Claudius Beresford Cairnes and George Wall were appointed Trustees of his will. Frank Frederick George Monsoon purchased Lot 8 of the Baden Baden Estate on 2 June 1920. In November 1921 Frank Monsoon transferred the site to Michael Moran, described as a Master Baker, of Randwick. Moran held the land for less than a year selling it to Alexander Turner in August 1922. Lot 8 remained undeveloped until 1925 when it was sold to Gladys Mary Lloyd Hill of Warrawee. Mrs Hill and her de facto husband, Sir James Joynton Smith, commissioned ER Justelius to design a house and garage for the property in 1925, and in 1936 commissioned SH Buchanan to adapt the house into four flats for themselves and his adopted children.</p> <p>Gladys Hill sold the property to Michael Azzopardi, and his wife Marie, in April 1950. In November 1963 it was sold to Harold Wilfred Wills Baker, of Coogee. Following his death in December 1977 the property passed to his widow Marie and his daughter Roseane.</p> |

| THEMES                                 |                               |                                |
|--|-------------------------------|--------------------------------|
| <b>National historical theme</b>       | <b>State historical theme</b> | <b>Local historical themes</b> |
| Building settlements, towns and cities | Accommodation                 | Suburbanisation.               |

## Heritage Data Form

| APPLICATION OF CRITERIA  |  |
|--|--|
| <b>Historical significance</b><br>SHR criteria (a)             | <p>The subject site has some historical significance as the re-subdivision of the Town of Coogee allotments devised and granted in the 1850s.</p> <p>21 Baden Street Coogee <b>does not</b> meet the threshold for listing as a heritage item under Criterion (a).</p>   |
| <b>Historical association significance</b><br>SHR criteria (b) | <p>The building is associated with Gladys Mary Lloyd Hill and her de facto husband Sir James John Joynton Smith. Gladys purchased the site in April 1925, and Sir James lodged a building application three months later. The site was temporarily transferred to Sir James between April and December 1930, but Mary retained ownership until 1950.</p> <p>Sir James was a prominent resident of Randwick, having served as Lord Mayor of Sydney and as MLA., and for establishing Smith's Newspapers Limited. Although he resided at 21 Baden Street from 1925 until his death in 1943, he was primarily associated with 'Hastings', the Coogee residence he occupied until 1920 when he made it available for the treatment of shell-shocked soldiers.</p> <p>21 Baden Street Coogee <b>does not</b> meet the threshold for listing as a heritage item under Criterion (b).</p> |
| <b>Aesthetic significance</b><br>SHR criteria (c)              | <p>The building was irreversibly altered by modifications undertaken in 1936, and no longer demonstrates the architectural characteristics or planning of the original 1925 house designed by ER Justelius. Alterations carried out since 1936 have compromised the appearance of the building as an Inter-war flat building or as an Inter-war house.</p> <p>21 Baden Street Coogee <b>does not</b> meet the threshold for listing as a heritage item under Criterion (c).</p>  |
| <b>Social significance</b><br>SHR criteria (d)                 | <p>The building has not to date been identified as having special association or meaning to the community or an identifiable group.</p> <p>21 Baden Street Coogee <b>does not</b> meet the threshold for listing as a heritage item under Criterion (d).</p>   |
| <b>Technical/Research significance</b><br>SHR criteria (e)     | <p>The building includes construction details and finishes that were commonplace throughout New South Wales, including Randwick, during the first half of the twentieth century.</p> <p>21 Baden Street Coogee <b>does not</b> meet the threshold for listing as a heritage item under Criterion (e).</p>  |
| <b>Rarity</b><br>SHR criteria (f)                              | <p>21 Baden Street is not a rare example of an Inter-war house or flat building.</p> <p>21 Baden Street Coogee <b>does not</b> meet the threshold for listing as a heritage item under Criterion (f).</p>  |
| <b>Representativeness</b><br>SHR criteria (g)                  | <p>Following the changes to the building in 1936, the building no longer demonstrates the architectural characteristics of an Inter-war house or an Inter-war flat building.</p> <p>21 Baden Street Coogee does not meet the threshold for listing as a heritage item under Criterion (g).</p>   |
| <b>Integrity</b>   | <p>The building was constructed as a freestanding, one-storey residence in 1925, and a second storey added in 1936 when it was adapted as flats. Although some exterior 1925 brick and sandstone walls have been retained, the 1936 alterations have resulted in the loss of original building fabric and obscured the form of the original house.</p> <p>The 1936 adaptation of the building as Inter-war flats included the addition of a second floor, changes to windows, installation of additional kitchens and bathrooms, and infilling of balcony and verandah spaces. Desktop research indicates internal polished joinery (1936) has been painted.</p> <p>21 Baden Street has been irreversibly altered resulting in the loss of original fabric dating from 1925 and changes to the original internal layout of the Inter-war house.</p>                                |
| HERITAGE LISTINGS  |  |
| <b>Heritage listing/s</b>                                      | None known   |

## *Heritage Data Form*

CP11/22

| INFORMATION SOURCES  |                             |  |      |   |
|--|-----------------------------|--|------|---|
| Include conservation and/or management plans and other heritage studies. |                             |  |      |   |
| Type   | Author/Client               | Title  | Year | Repository  |
| Archival record  | -                           | PA12908  | 1904 | NSW Land Registry Services  |
| Archival record  | -                           | CT v.1522 f.16   |      | NSW Land Registry Services  |
| Archival record  | -                           | CT v.3075 f.12   | 1920 | NSW Land Registry Services  |
| Archival record  | E. Kenny, Licenced Surveyor | DP8843   | 1917 | NSW Land Registry Services  |
| Newspaper  | Nepean Times                | The late Hon. Charles Moore, MLC, 20 July 1895, p7.  | 1895 | Trove   |
| Newspaper  | Sydney Morning Herald       | Contracts awarded, 2 Sept 1925, p9   | 1925 | Trove   |
| Newspaper  | Sydney Morning Herald       | New works, 14 July 1936, p8  | 1936 | Trove   |
| Publication  | Chris Cunneen               | 'Smith, Sir James John Joynton (1858-1943)<br><a href="https://adb.anu.edu.au/biography/smith-sir-james-john-joynton-8475">https://adb.anu.edu.au/biography/smith-sir-james-john-joynton-8475</a> , accessed 18 January 2022 | 1988 | Australian Dictionary of Biography, National Centre of Biography, Australian National University. |

| RECOMMENDATIONS |  |
|-----------------|--|
| Recommendations | <ul style="list-style-type: none"> <li>- Conservation, adaptation, or demolition may be acceptable subject to consent approval of detailed documentation.</li> <li>- New development is to retain the existing setback from the Baden Street boundary.</li> <li>- Interiors should be inspected to determine if any significant features have been retained and are suitable for salvage/ re-use.</li> </ul> |

| SOURCE OF THIS INFORMATION           |                                  |   |                             |
|--------------------------------------|----------------------------------|---|-----------------------------|
| Name of study or report              | Randwick Heritage Study          | 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                                    | January 2022                |



Heritage Data Form

IMAGES - 1 per page

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

|               |                                 |          |                    |                        |                       |
|---------------|---------------------------------|----------|--------------------|------------------------|-----------------------|
| Image caption | View of 21 Baden Street, Coogee |          |                    |                        |                       |
| Image year    | 2021                            | Image by | City Plan Heritage | Image copyright holder | City Randwick Council |



Heritage Data Form

IMAGES - 1 per page

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

|               |                                 |          |                    |                        |                       |
|---------------|---------------------------------|----------|--------------------|------------------------|-----------------------|
| Image caption | View of 21 Baden Street, Coogee |          |                    |                        |                       |
| Image year    | 2021                            | Image by | City Plan Heritage | Image copyright holder | City Randwick Council |





CP11/22

Heritage Data Form

IMAGES - 1 per page

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

|               |  |          |               |                        |  |
|---------------|--|----------|---------------|------------------------|--|
| Image caption | Auction notice for the Baden Baden Estate, 1917. Source: <a href="https://digital.sl.nsw.gov.au/delivery/DeliveryManagerServlet?dps_pid=IE8940564&amp;change_ing=">https://digital.sl.nsw.gov.au/delivery/DeliveryManagerServlet?dps_pid=IE8940564&amp;change_ing=</a> |          |               |                        |  |
| Image year    | 1917   | Image by | Raine & Horne | Image copyright holder | Mitchell Library, State Library of NSW |



## *Heritage Data Form*

CP11/22

| ITEM DETAILS                             |   |               |          |                                |               |
|--|---|---------------|----------|--------------------------------|---------------|
| Name of Item                             | House   |               |          |                                |               |
| Other Name/s<br>Former Name/s            |   |               |          |                                |               |
| Item type<br>(if known)                  | Built   |               |          |                                |               |
| Item group<br>(if known)                 | Residential buildings (Private)   |               |          |                                |               |
| Item category<br>(if known)              | House   |               |          |                                |               |
| Area, Group, or<br>Collection Name       |   |               |          |                                |               |
| Street number                            | 51  |               |          |                                |               |
| Street name                              | Doncaster Avenue  |               |          |                                |               |
| Suburb/town                              | Kensington  |               | Postcode | 2033                           |               |
| Local Government<br>Area/s               | Randwick  |               |          |                                |               |
| Property<br>description                  | Lot A DP 383355   |               |          |                                |               |
| Location - Lat/long                      | Latitude  | -33.907759057 |          | Longitude                      | 151.225589801 |
| Location - AMG (if<br>no street address) | Zone  |               | Easting  | 9690338.244                    | Northing      |
|  |   |               |          |                                | 4419219.708   |
| Owner                                    | Private   |               |          |                                |               |
| Current use                              | Residence   |               |          |                                |               |
| Former Use                               | Residence   |               |          |                                |               |
| Statement of<br>significance             | 51 Doncaster Avenue has some historical significance; however, it has been altered and does not exhibit an aesthetically exemplar of Post-War period housing within the Kensington Freehold Estate following World War 2. As such, it does not meet the threshold for listing at the local level. |               |          |                                |               |
| Level of<br>Significance                 | State <input type="checkbox"/>  |               |          | Local <input type="checkbox"/> |               |

| DESCRIPTION             |   |
|-------------------------|---|
| Designer                | Unknown   |
| Builder/ maker          | Thomas Bradford   |
| Physical<br>Description | <p>This is a very simple and unadorned single storey residence dating from the Post-War period. It has been modified significantly internally with contemporary cornices and fittings. Apart from its overall facebrick and gabled bay with faceted bay window none of the detailing are considered to be aesthetically meet the criteria or well executed example of its style. The timber garage door that was seen in the April 2021 Google images have been replaced with metal vertical garage doors and the face brick finish of the garage wing has been rendered since.</p> <p>The house includes external timber joinery, including timber framed windows dating from c1953.</p> |

CP11/22

## Heritage Data Form

|  |  |      |                    |      |                                       |
|--|--|------|--------------------|------|---------------------------------------|
| <b>Physical condition and Archaeological potential</b> | Generally in good condition externally; interiors not inspected but real estate images provide some insight into the internal detailing. |      |                    |      |                                       |
| <b>Construction years</b>                              | <b>Start year</b>  | 1953 | <b>Finish year</b> | 1954 | <b>Circa</b> <input type="checkbox"/> |
| <b>Modifications and dates</b>                         | Kitchen fitout c1996.  |      |                    |      |                                       |
| <b>Further comments</b>                                |  |      |                    |      |                                       |

### HISTORY

|                         |  |
|-------------------------|--|
| <b>Historical notes</b> | <p>51 Doncaster Avenue is located within the 570 acres of land granted to Samuel Terry on 27 May 1823.</p> <p>In January 1892 William John Cocks purchased Lot 48 of the Kensington Freehold Estate, and in March 1913 applied to bring the land under the real property act. By April 1913 Cocks held 24 perches of land, being Lot 48 and part of Lot 47 of Section 1 of the Kensington Freehold Estate.</p> <p>In March 1914 the property was sold to Edith Dale, and in September 1916 it was transferred to Benjamin Jonas, of Kensington. In December 1926 Jonas sold the property to James Wallett and his wife, Clara, as joint tenants, who sold 12 perches to John and Annie Boardman four months later. Following Annie's death in 1947, John sold the property to Stratis Tzannes, and his wife, Phoko.</p> <p>In December 1951 the Tzannes' sold the property to Reginald Radnedge, a storekeeper of Epping.</p> <p>Radnedge subdivided the site into two allotments, Lot A and Lot B, with Lot A (the northern allotment) subsequently transferred to Ethelwyn Mary Bradford, the wife of Thomas Frederick Bradford, a builder of Kingsford on 4 September 1953.</p> <p>Frederick Caruana and his wife, Nina, purchased the house as joint tenants in May 1971. Following Frederick's death in January 1981 the property passed to Nina. Nina appears to have continued to live in the house until her death in November 1996. Despite changing ownership several times since 1996, the house remains an intact example of infill housing within the Kensington Freehold Estate following World War 2.</p> |
|-------------------------|--|

### THEMES

| <i>National historical theme</i>       | <i>State historical theme</i> | <i>Local historical themes</i>                              |
|--|-------------------------------|---|
| Building settlements, towns and cities | Accommodation                 | Suburbanisation: subdivision of nineteenth century estates. |

### APPLICATION OF CRITERIA

|  |   |
|--|---|
| <b>Historical significance</b><br>SHR criteria (a) | <p>The site is located within the Kensington Freehold Estate offered for sale in 1891. However, the existing site was created by a subdivision in c1951, and the house constructed in 1953.</p> <p>The place has some historical significance in demonstrating infill development following the subdivision of large land holdings in the late nineteenth and early twentieth century in Kensington but does not meet the threshold for listing for inclusion on Randwick LEP under Criteria (a).</p> |
| <b>Historical association</b><br>SHR criteria (b)  | <p>The site has some association with William John Cocks who purchased the site in 1892, and with Reginald Radnedge who subdivided the site, and with Thomas Bradford, the builder, but does not meet the threshold for listing for inclusion on Randwick LEP under Criteria (b).</p>   |

## *Heritage Data Form*

CP11/22

|  |  |
|--|--|
| <b>Aesthetic significance</b><br>SHR criteria (c)          | This is a very simple and unadorned single storey residence most likely dating from the Post-War period. It has been modified significantly internally with contemporary cornices and fittings. It is not considered to be aesthetically a good example of a post-war period houses. |
| <b>Social significance</b><br>SHR criteria (d)             |  |
| <b>Technical/Research significance</b><br>SHR criteria (e) |  |
| <b>Rarity</b><br>SHR criteria (f)                          |  |
| <b>Representativeness</b><br>SHR criteria (g)              |  |
| <b>Integrity</b>   | The exterior of the house demonstrates the form of the 1953 house and includes materials and details dating from 1953 but has been altered that makes its integrity low to moderate.   |

### HERITAGE LISTINGS

|                           |  |
|---------------------------|--|
| <b>Heritage listing/s</b> |  |
|---------------------------|--|

### INFORMATION SOURCES

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

| Type    | Author/Client              | Title                                 | Year | Repository                 |
|---------|----------------------------|---------------------------------------|------|----------------------------|
| Written | NSW Land Registry Services | Certificate of Title Vol 482 Fol 662; |      | NSW Land Registry Services |
| Written | NSW Land Registry Services | Primary Application Number 18249      |      | NSW Land Registry Services |

### RECOMMENDATIONS

|                        |  |
|------------------------|--|
| <b>Recommendations</b> | Not recommended for listing as an item of local heritage significance. |
|------------------------|--|

### SOURCE OF THIS INFORMATION

|   |                                    |   |                             |
|---|------------------------------------|---|-----------------------------|
| <b>Name of study or report</b>              | Randwick Heritage Study (57 items) | <b>Year of study or report</b>          | 2022                        |
| <b>Item number in study or report</b>       |                                    |   |                             |
| <b>Author of study or report</b>            | City Plan Heritage                 |   |                             |
| <b>Inspected by</b>                         | Kerime Danis, City Plan Heritage   |   |                             |
| <b>NSW Heritage Manual guidelines used?</b> |                                    | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |

CP11/22

*Heritage Data Form*

|                        |                    |      |              |
|------------------------|--------------------|------|--------------|
| This form completed by | City Plan Heritage | Date | January 2022 |
|------------------------|--------------------|------|--------------|

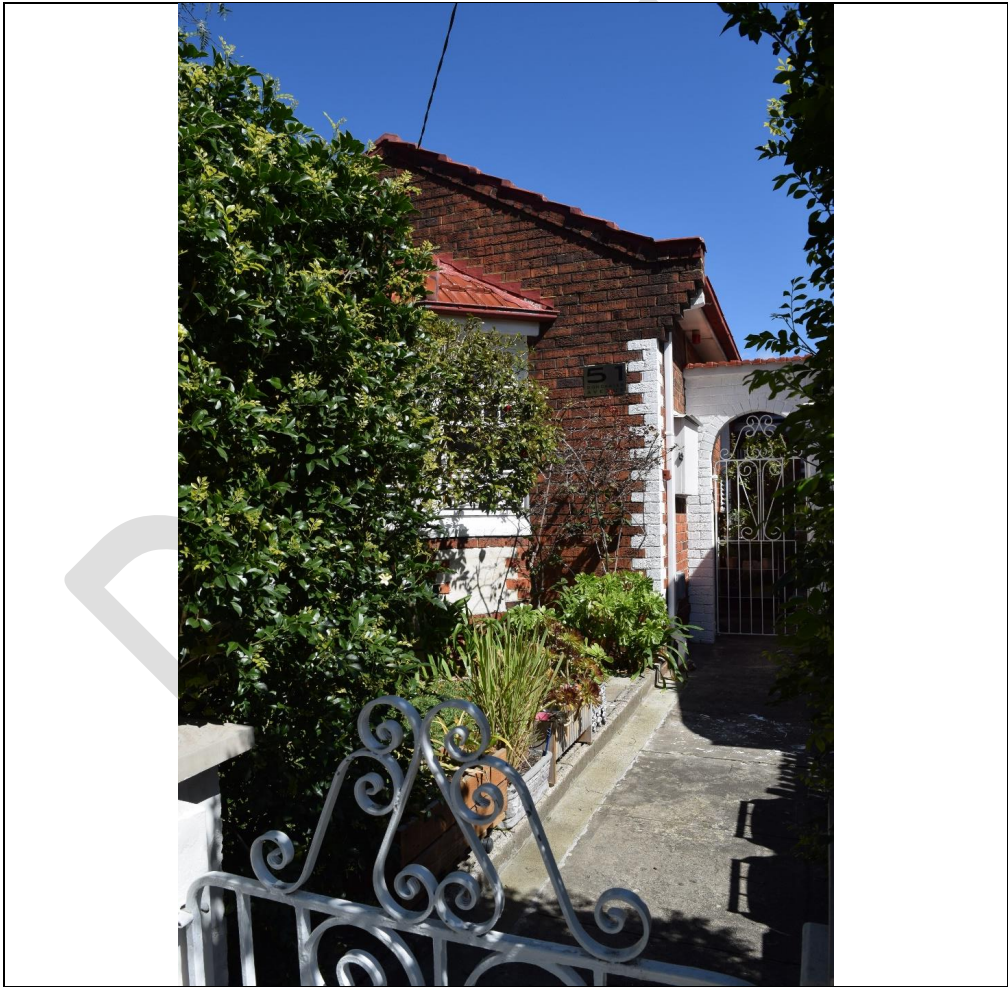
DRAFT

Heritage Data Form

IMAGES - 1 per page

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

|               |   |          |                    |                        |                       |
|---------------|---|----------|--------------------|------------------------|-----------------------|
| Image caption | View of 51 Doncaster Avenue, Kensington |          |                    |                        |                       |
| Image year    | 2021                                    | 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 51 Doncaster Avenue, Kensington |          |                    |                        |                       |
| Image year    | 2021                                    | Image by | City Plan Heritage | Image copyright holder | Randwick City Council |



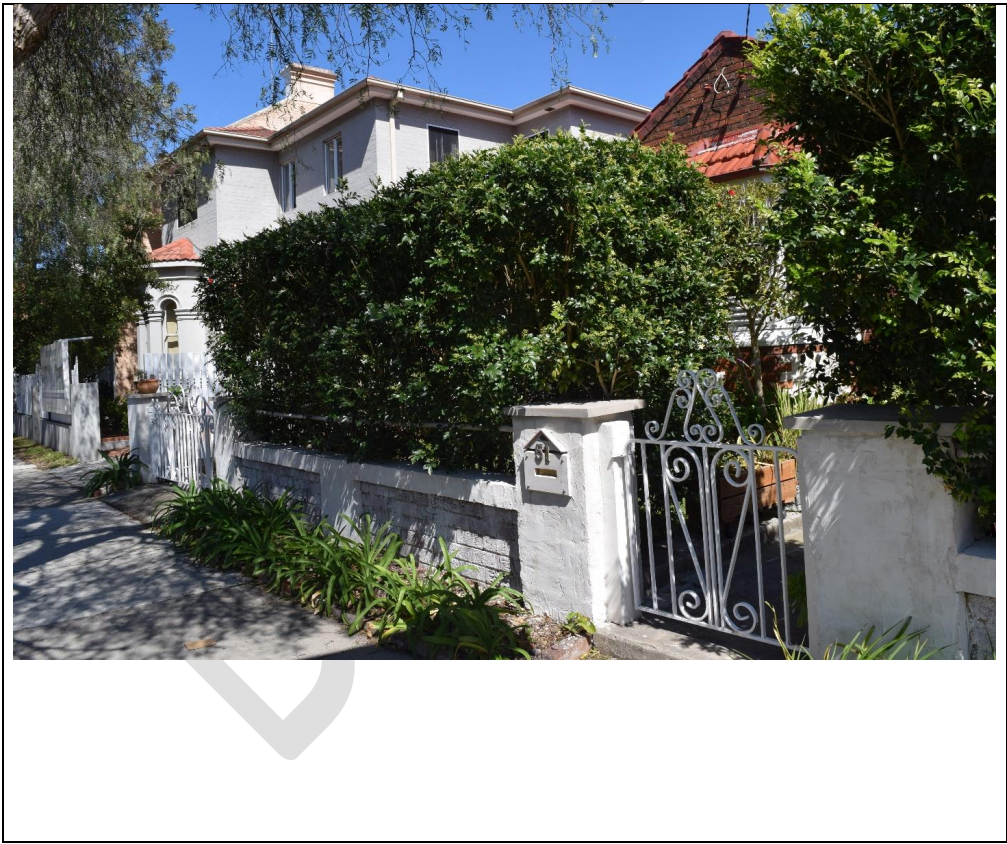
Heritage Data Form

CP111/22

IMAGES - 1 per page

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

|               |   |          |                    |                        |                       |
|---------------|---|----------|--------------------|------------------------|-----------------------|
| Image caption | View of 51 Doncaster Avenue, Kensington |          |                    |                        |                       |
| Image year    | 2021                                    | Image by | City Plan Heritage | Image copyright holder | Randwick City Council |





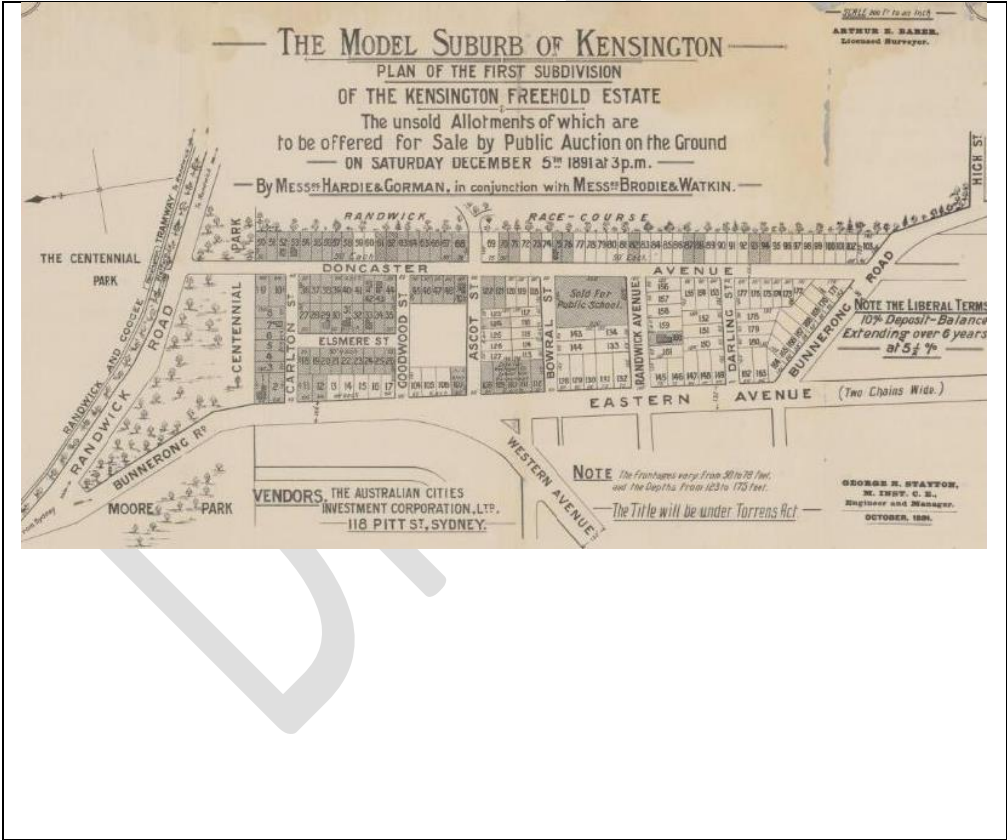
Heritage Data Form

CP11/22

IMAGES - 1 per page

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

|               |   |          |                                   |                        |                               |
|---------------|---|----------|-----------------------------------|------------------------|-------------------------------|
| Image caption | Plan of the first subdivision of the Kensington freehold estate offered for sale on 5 December 1891.. The subject site is located within the boundary of Lot 48.<br><a href="https://nla.gov.au/nla.obj-229917939/view?searchTerm=kensington+freehold+estate#search/kensington%20freehold%20estate">https://nla.gov.au/nla.obj-229917939/view?searchTerm=kensington+freehold+estate#search/kensington%20freehold%20estate</a> |          |                                   |                        |                               |
| Image year    | 1891  | Image by | Arthur E Baber, licenced Surveyor | Image copyright holder | National Library of Australia |



## *Heritage Data Form*

| ITEM DETAILS                             |   |               |         |                                |               |
|--|---|---------------|---------|--------------------------------|---------------|
| Name of Item                             | Remnants of former Dairy  |               |         |                                |               |
| Other Name/s<br>Former Name/s            |   |               |         |                                |               |
| Item type<br>(if known)                  | Built   |               |         |                                |               |
| Item group<br>(if known)                 | Residential buildings (Private)   |               |         |                                |               |
| Item category<br>(if known)              | House   |               |         |                                |               |
| Area, Group, or<br>Collection Name       |   |               |         |                                |               |
| Street number                            | 16  |               |         |                                |               |
| Street name                              | Carey Street  |               |         |                                |               |
| Suburb/town                              | Randwick  |               |         | Postcode                       | 2031          |
| Local Government<br>Area/s               | Randwick  |               |         |                                |               |
| Property<br>description                  | Lot 19 DP 1208  |               |         |                                |               |
| Location - Lat/long                      | Latitude  | -33.908723186 |         | Longitude                      | 151.252753942 |
| Location - AMG (if<br>no street address) | Zone  |               | Easting | 9692853.551                    | Northing      |
|  |   |               |         | 4419007.468                    |               |
| Owner                                    | Private   |               |         |                                |               |
| Current use                              | Residence   |               |         |                                |               |
| Former Use                               | Residence/Diary   |               |         |                                |               |
| Statement of<br>significance             | <p>The site at 16 Carey Street, Randwick, has some historical and associative significance as evidence of dairying within the Randwick Municipality in the late nineteenth and early twentieth centuries but does not meet the threshold for listing as a heritage item at the State or Local level. Surviving dairy building fabric has been compromised by irreversible changes including the removal of original masonry and no longer demonstrates the configuration of the former dairy complex or an understanding of how it operated.</p> <p>The site could be considered as part of archaeological resource within Randwick and should be considered for listing as an archaeological item and recorded when opportunity arises for future research purposes.</p> |               |         |                                |               |
| Level of<br>Significance                 | State <input type="checkbox"/>  |               |         | Local <input type="checkbox"/> |               |

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## *Heritage Data Form*

| DESCRIPTION                                     |  |      |             |      |       |                          |
|---|--|------|-------------|------|-------|--------------------------|
| Designer  | Stubbs Design Tribe (Architect - Fredric Kakish) – New development   |      |             |      |       |                          |
| Builder/ maker                                  | Grover Constructions – New development   |      |             |      |       |                          |
| Physical Description                            | A freestanding, two-storey residence constructed in c2015/16 incorporating surviving masonry (face brick) walls of the former dairy on the site.   |      |             |      |       |                          |
| Physical condition and Archaeological potential | The site contains masonry (face brick) walls associated with the former dairy located on the site in the late nineteenth century. The walls have been compromised by previous changes including the removal of original building fabric and the relocation of bricks to form walls in new locations. |      |             |      |       |                          |
| Construction years                              | Start year   | 2015 | Finish year | 2016 | Circa | <input type="checkbox"/> |
| Modifications and dates                         | Remnant dairy walls dating from between 1891 and 1929. Site redeveloped for freestanding residence in 2015/16.   |      |             |      |       |                          |
| Further comments                                | The site could be considered as part of archaeological resource within Randwick and should be recorded when opportunity arises for future research purposes.   |      |             |      |       |                          |

| HISTORY          |   |
|------------------|---|
| Historical notes | <p>16 Carey Street Randwick is located within the 4 acres of land granted to Alfred Fairfax on 22 July 1853. Alfred (1824-1901) arrived in Sydney in 1837, and was employed by his uncle, James Fairfax, to work on the Sydney Morning Herald prior to embarking on other commercial pursuits. Alfred suffered financial losses in the early 1880s following his investment in the 'Star of Peace' goldmine at Hill End, and in 1844 he sold his land holdings at Randwick.</p> <p>The whole 4 acres were purchased by William Carey, a Gentleman of the City of Sydney on 24 March 1884. Carey re-subdivided the site, creating Carey Street and twenty-seven parcels of land and selling Lot 19, containing 14½ perches, to Cornelius Gordon, of Paddington, on 28 May 1884. Gordon sold the site to Albert Hamlyn Warner of Paddington, Plumber and Gasfitter 27 September 1886.</p> <p>George Best carried out a dairying business in the area from the mid-1880s having previously purchased the lot (Lot 20) adjoining the northern boundary of 16 Carey Street. On 11 November 1891 Best purchased Lot 19 consolidating his land holdings to 29 perches (v.7512 f.90). Following Best's death in December 1913, the Public Trustee was appointed Executor of his estate, in trust for his widow, Elizabeth Best. The site was sold on 10 October 1917 to a local builder, James Greening, initially remaining a dairy, but by 1920 leased as stables by Laing &amp; Dickson, a firm of carriers.</p> <p>The site was purchase in January 1924 by Mary Josephine Molloy, the wife of Patrick Malloy, a dairyman of Waverley, and sold again in December 1929 to Ellen Mary Smith, the wife of Cornelius Smith. The Sands Directory indicates C Smith, a contractor, was already resident at the site in 1925. Following Ellen's death in 1951, the property passed to her son William Richard Smith a Company Director of Kingsford and Harold Victor Wilkins of Maroubra, retired, as joint tenants.</p> <p>The house currently located on the site was designed as a family house by Stubbs Design Tribe in 2015-16. It won a commendation award from Randwick Council in its Architecture and Urban Design Awards 2017. The architect, Fredric Kakish, incorporated the walls of the former dairy located on the site into the design.</p> |

### THEMES

## *Heritage Data Form*

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| <i>National historical theme</i>                  | <i>State historical theme</i> | <i>Local historical themes</i>                              |
|---|-------------------------------|---|
| Building settlements, towns and cities            | Accommodation                 | Suburbanisation: subdivision of nineteenth century estates. |
| Developing local, regional and national economies | Agriculture                   | Dairying  |

| <b>APPLICATION OF CRITERIA</b>                                 |  |
|--|--|
| <b>Historical significance</b><br>SHR criteria (a)             | The site at 16 Carey Street, Randwick, has some historical and associative significance as evidence of dairying within the Randwick Municipality in the late nineteenth and early twentieth centuries  |
| <b>Historical association significance</b><br>SHR criteria (b) | The research conducted to date does not reveal any historical associations of note that would be important in the local history of Randwick.   |
| <b>Aesthetic significance</b><br>SHR criteria (c)              | The remnant face brick boundary wall is the only publicly visible early fabric of the site that provide utilitarian side wall presentation to the site. It is not considered to be aesthetically significant within the streetscape of Carey Street or wider Randwick locality.  |
| <b>Social significance</b><br>SHR criteria (d)                 | The subject site does not meet the requirements of this criterion.   |
| <b>Technical/Research significance</b><br>SHR criteria (e)     | Surviving dairy building fabric may have potential to provide information on the early use of the site as a former dairy; however, it has been compromised by irreversible changes including the removal of original masonry and no longer demonstrates the configuration of the former dairy complex or an understanding of how it operated. The scattered remnant masonry fabric could be considered as part of archaeological resource within Randwick. |
| <b>Rarity</b><br>SHR criteria (f)                              | The surviving remnant fabric of the former dairy is not considered to be rare within the local area.   |
| <b>Representativeness</b><br>SHR criteria (g)                  | The remnant fabric does not provide any complete information in order to enable comparison with similar structures for representativeness criterion.   |
| <b>Integrity</b>   | The former dairy walls were stabilised and retained as part of the current redevelopment of the site as a detached, single-family dwelling.  |

| <b>HERITAGE LISTINGS</b> |     |
|--------------------------|-----|
| Heritage listing/s       | N/A |

| <b>INFORMATION SOURCES</b>   |                            |   |      |                            |
|--|----------------------------|---|------|----------------------------|
| Include conservation and/or management plans and other heritage studies. |                            |   |      |                            |
| Type   | Author/Client              | Title   | Year | Repository                 |
| Written  | NSW Land Registry Services | Torrens Title, Certificate of Title Vol. 704 Fol.18 |      | NSW Land Registry Services |

## *Heritage Data Form*

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|         |                            |  |  |                            |
|---------|----------------------------|--|--|----------------------------|
| Written | NSW Land Registry Services | Torrens Title, Certificate of Title Vol. 690 Fol.63  |  | NSW Land Registry Services |
| Written | NSW Land Registry Services | Torrens Title, Certificate of Title Vol. 7512 Fol.90 |  | NSW Land Registry Services |
| Written | NSW Land Registry Services | Deposited Plan 1208                                  |  | NSW Land Registry Services |

### RECOMMENDATIONS

|                        |  |
|------------------------|--|
| <b>Recommendations</b> | <ul style="list-style-type: none"> <li>- List as an archaeological item on Part 3 (Archaeological sites) in Schedule 5 of Randwick LEP 2012.</li> <li>- Retain and conserve remanent walls dating from the occupation and use of the site as a dairy.</li> <li>- Undertake archival recoding of the surviving remnant fabric for future research purposes</li> </ul> |
|------------------------|--|

### SOURCE OF THIS INFORMATION

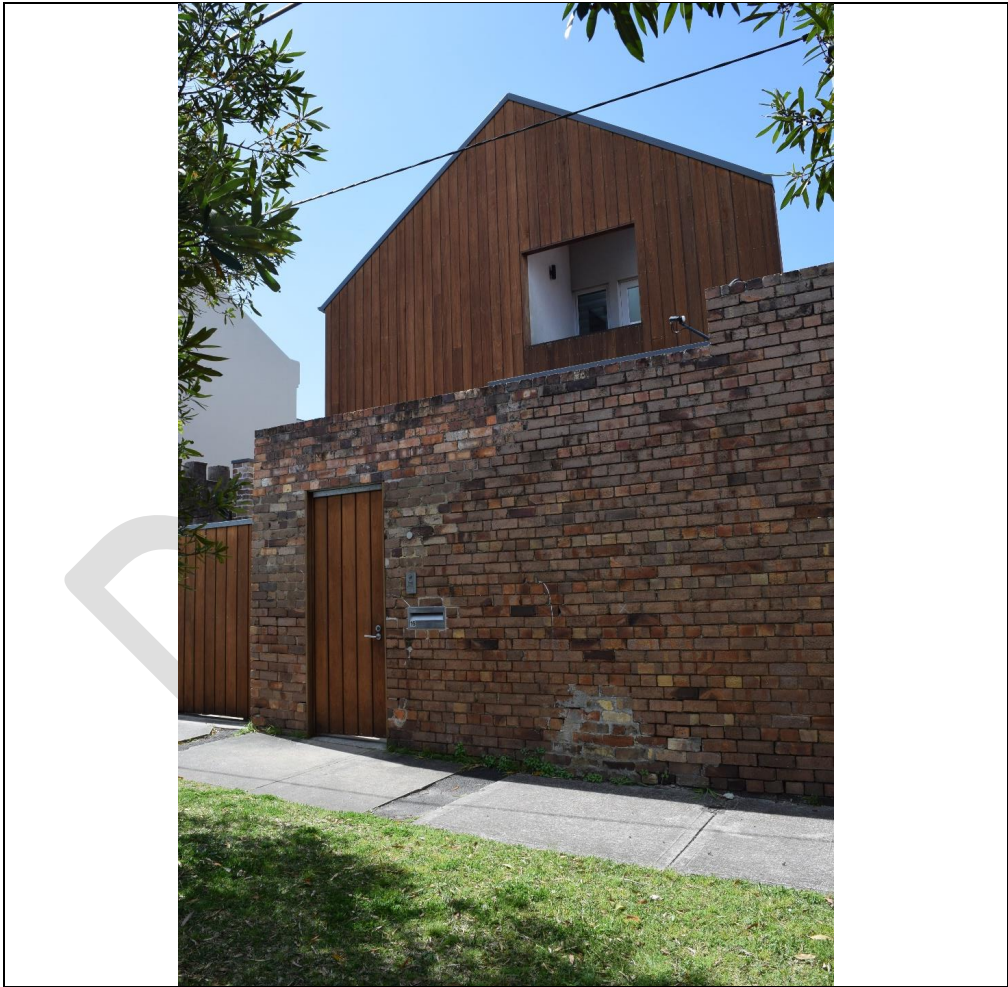
|   |                                    |   |                             |
|---|------------------------------------|---|-----------------------------|
| <b>Name of study or report</b>              | Randwick Heritage Study (57 items) | <b>Year of study or report</b>          | 2022                        |
| <b>Item number in study or report</b>       |                                    |   |                             |
| <b>Author of study or report</b>            | City Plan Heritage                 |   |                             |
| <b>Inspected by</b>                         | Kerime Danis, City Plan Heritage   |   |                             |
| <b>NSW Heritage Manual guidelines used?</b> |                                    | Yes <input checked="" type="checkbox"/> | No <input type="checkbox"/> |
| <b>This form completed by</b>               | City Plan Heritage                 | <b>Date</b>                             | January 2022                |

Heritage Data Form

IMAGES - 1 per page

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

|               |  |          |                    |                        |                       |
|---------------|--|----------|--------------------|------------------------|-----------------------|
| Image caption | View of 16 Carey Street, Randwick – Remnant stabilised face brick wall of the former dairy forms the street boundary |          |                    |                        |                       |
| Image year    | 2021   | Image by | City Plan Heritage | Image copyright holder | Randwick City Council |



CP111/22



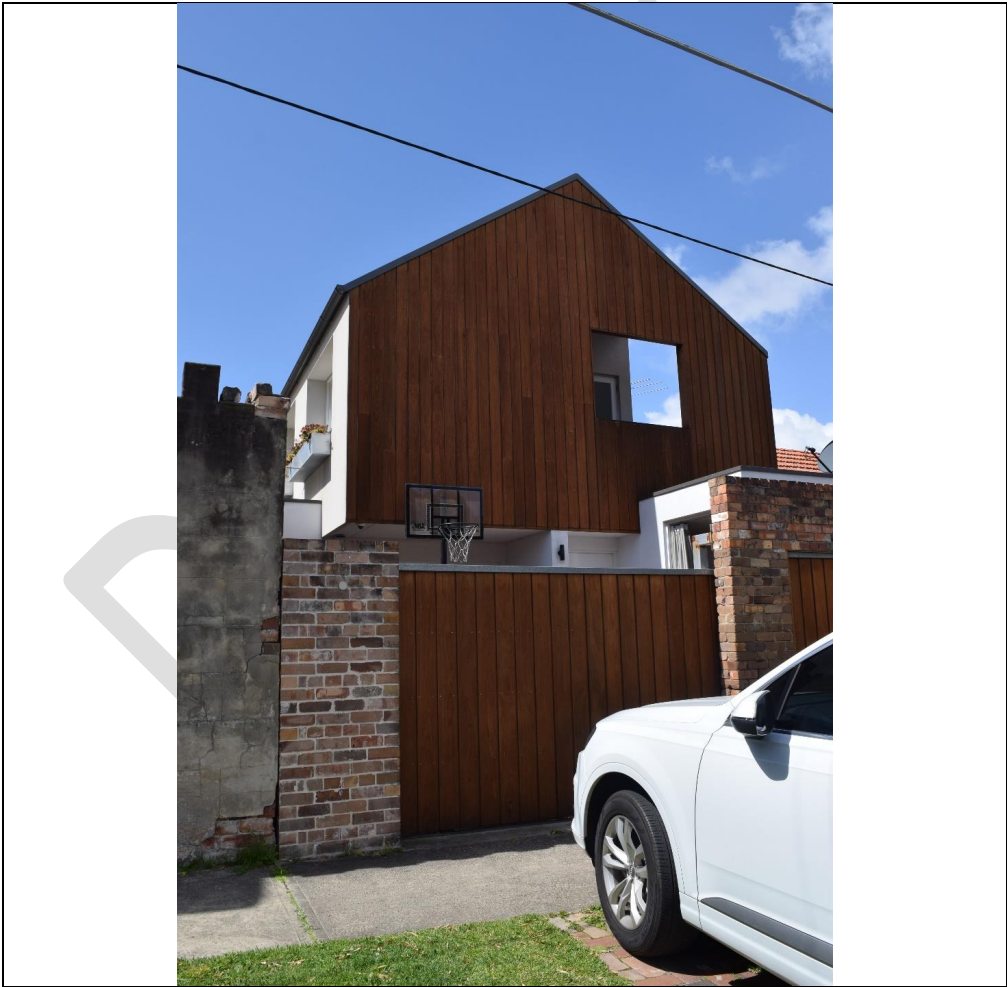
Heritage Data Form

CP11/22

IMAGES - 1 per page

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

|               |                                   |          |                    |                        |                       |
|---------------|-----------------------------------|----------|--------------------|------------------------|-----------------------|
| Image caption | View of 16 Carey Street, Randwick |          |                    |                        |                       |
| Image year    | 2021                              | Image by | City Plan Heritage | Image copyright holder | Randwick City Council |





## *Heritage Data Form*

| ITEM DETAILS                             |  |              |         |                                |               |
|--|--|--------------|---------|--------------------------------|---------------|
| Name of Item                             | Louis Flats  |              |         |                                |               |
| Other Name/s<br>Former Name/s            |  |              |         |                                |               |
| Item type<br>(if known)                  | Built  |              |         |                                |               |
| Item group<br>(if known)                 | Residential buildings (Private)  |              |         |                                |               |
| Item category<br>(if known)              | Flat building  |              |         |                                |               |
| Area, Group, or<br>Collection Name       |  |              |         |                                |               |
| Street number                            | 5  |              |         |                                |               |
| Street name                              | Severn Street  |              |         |                                |               |
| Suburb/town                              | Maroubra   |              |         | Postcode                       | 2035          |
| Local Government<br>Area/s               | Randwick   |              |         |                                |               |
| Property<br>description                  | SP 1813  |              |         |                                |               |
| Location - Lat/long                      | Latitude   | -33945301274 |         | Longitude                      | 151.256813161 |
| Location - AMG (if<br>no street address) | Zone   |              | Easting |                                | Northing      |
| Owner                                    | Private  |              |         |                                |               |
| Current use                              | Residence (Flat)   |              |         |                                |               |
| Former Use                               | Residence (Flat)   |              |         |                                |               |
| Statement of<br>significance             | <p>Louis Flats building at 5 Severn Street, Maroubra, demonstrates historical and associative values but does not meet the threshold for listing on heritage schedules at the State or Local level.</p> <p>The building is associated with the Simon family, particularly the owner Joseph Elias Simon and the builder Elias Simon and the Maroubra Beach Estate. It is representative of the speculative residential flat buildings constructed in the Maroubra area during the Inter-War period and following the completion of the tramline to Maroubra Beach in 1921. Both the exterior and the interior of the building have however been compromised by modifications and the removal of interior joinery and details, to a degree that it no longer presents as an Inter-War building or reflect the characteristics of the styles of the period.</p> <p>The site is associated with George Wride who was responsible for the re-subdivision of the area as the 'Maroubra Beach Estate'. Wride was resident of Randwick from c1904 to 1915, founder of the Coogee Surf Club, a member of the Maroubra Surf Club, former licensee of the Coogee Hotel (also known as the Coogee Bay Hotel), and is commemorated locally with the re-naming of Palmerston Street as Wride Street. Notwithstanding, he has no direct connection to the existing building at 5 Severn Street.</p> <p>The site may be eligible for listing as an archaeological item for the surviving stone boundary wall and evidence of previous use (former stables and diary) in the rear yard.</p> |              |         |                                |               |
| Level of<br>Significance                 | State <input type="checkbox"/>   |              |         | Local <input type="checkbox"/> |               |

## *Heritage Data Form*

| DESCRIPTION                                     |  |      |             |      |       |                          |
|---|--|------|-------------|------|-------|--------------------------|
| Designer  | Unknown  |      |             |      |       |                          |
| Builder/ maker                                  | Elias Simon  |      |             |      |       |                          |
| Physical Description                            | <p>A two-storey rendered and painted building containing four flats, with a garage and laundry building located at the rear (south) of the residential building. External walls are brick cavity, with solid brick internal walls, timber floors and a flat, membrane roof surrounded by a brick parapet. Windows are generally double-hung timber framed, with the upper sash divided into six panes, and the lower sash a single glass pane. Internal floors are generally timber structure with timber boards; ceilings are fibrous plaster with decorative motifs that have been significantly compromised.</p> <p>The building is set back from the Severn Street boundary with a garden area contained by remnants of the original sandstone boundary fence.</p> |      |             |      |       |                          |
| Physical condition and Archaeological potential | Despite modifications, including rendering of its exterior, the building is in fair condition. Interiors not accessible at time of this assessment.  |      |             |      |       |                          |
| Construction years                              | Start year   | 1926 | Finish year | 1926 | Circa | <input type="checkbox"/> |
| Modifications and dates                         | Internal alterations; demolition of 4 garages; common areas to roof and garden allocated for private use; balcony enclosed. Photographs submitted to Randwick Council as part of DA/533/2021 indicate the removal of interior joinery.   |      |             |      |       |                          |
| Further comments                                |  |      |             |      |       |                          |

| HISTORY          |  |
|------------------|--|
| Historical notes | <p>The site is located on 4275 acres of land reserved as for a 'Church and School', but in August 1869 the land was subdivided and on 26 April 1870 Allotment 1 of Section 5 containing 7a 2r 11p, was granted to William Wing, a compositor for the Sydney Morning Herald newspaper. The site remained undeveloped, although it may have been used for grazing as an unregistered lease, until it was sold to Captain William McKeon on 10 December 1874.</p> <p>In July 1880 the Mercury newspaper reported there had been no word of the colonial barque Marquis of Argyle, under Captain William McKeon, or his wife and family, since they had left Haiphong (now known as Haiphong, Vietnam) on 5 November 1879. In December 1886 a new Certificate of Title was issued to Ann McKeon, William's mother. Following her death in 1905 her Executors, The Perpetual Trustees Company of New South Wales Ltd, sold the site containing 7a 2r 11p to George Wride Jnr, described as an 'Advertising Expert', of Coogee. Wride also acquired the land adjoining the north of the Allotment 1, consolidating the site into the Maroubra Beach Estate. Despite selling 40 lots by the end of November 1908, the subject site remained undeveloped as part of a 'Temporary Recreation Ground'. In 1909 Randwick Council, in response to a petition from Maroubra Beach users, approached the Minister for Lands to acquire 1150 feet of water frontage, with a depth of 100 feet from Wride. The strip of land was acquired by the Crown at a cost of £1400- and dedicated for public use on 13 Oct 1909, providing public access to over 1½ miles of continuous sea frontage, including Maroubra Beach.</p> <p>In 1911 the recreation ground was re-subdivided, and Lot 13 was acquired by Philip Arthur Goulding a clerk of Sydney, on 4 March 1911. Goulding sold the undeveloped site to Joseph Elias Simon, a storekeeper of Cobar, NSW in March 1922. A building application was lodged with Randwick Council in 1925 (BA/1131/1925) for the construction of a residential flat building containing four flats and a garage, completed by 8 November 1926.</p> |

## Heritage Data Form

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|  |  |
|--|--|
|  | <p>In January 1930 Louis Flats was offered for sale noting all the flats were '<i>at present all let at low rentals</i>', and in May 1930, Joseph defaulted on his mortgage, and George Abraham Montanjees exercised his power of sale and sold the property to Arthur Elias Simon, described as a manufacturer of Sydney. Arthur re-mortgaged the property, again to George Abraham Montanjees. Following Montanjees death in 1944, his daughter Beryl took over the mortgage and in December 1950, following Arthur's default on repayments, sold the property to Matilda Pardey of Waterloo.</p> <p>In 1961 the building was purchased by Fouzy Malouf, a resident of Royal Street Maroubra, who sold it two years later to Joseph and Matilda Toth who applied to convert the title to a Strata Plan and proceeded to sell the four flats into separate ownership.</p> |
|--|--|

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

| APPLICATION OF CRITERIA  |  |
|--|--|
| <b>Historical significance</b><br>SHR criteria (a)             | The Louis Flats building, constructed in 1926, is evidence of the speculative residential development of Maroubra in the Inter-War period following the construction of the tramline to Maroubra Beach in 1921.  |
| <b>Historical association significance</b><br>SHR criteria (b) | <p>The building is associated with the Simon family, particularly Joseph Elias Simon who commissioned the building, and his father, Elias Simon, who constructed the building. The building appears to have been constructed as four rental flats to provide an income for Joseph Elias Simon.</p> <p>The site is also associated George Wride (1866 - 1931) who undertook a re-subdivision of the area as the 'Maroubra Beach Estate'. Wride was one of the founders of the Coogee Surf Club, a member of the Maroubra Surf Club, and the owner of the Coogee Hotel in the early twentieth century. Wride resided at 'Woolloowin', at the corner of Dudley and St Paul Streets Randwick until 1915, when he moved to his new home, called 'Maroubra' at Gordon. Notwithstanding, he has no direct connection to the existing building at 5 Severn Street.</p> |
| <b>Aesthetic significance</b><br>SHR criteria (c)              | While the exterior of the building exhibits some characteristics of Inter-War residential flat buildings constructed in Maroubra and the Randwick Municipality generally, 5 Severn Street has been compromised by irreversible rendering of the façade and the removal of interior details to a degree that it no longer can be attached to an architectural style of the period.  |
| <b>Social significance</b><br>SHR criteria (d)                 | The social significance of the site cannot be ascertained without undertaking community consultation. The building may have some potential to provide a further sense of place and belonging to the local community as an example of urban expansion during the Inter-War period.  |
| <b>Technical/Research significance</b><br>SHR criteria (e)     | The building contains examples of construction and unadorned details common to Inter-War residential flat development in the Randwick Municipality. There is however potential for surviving remnants of former stables and dairy at the rear yard. The front stone boundary wall is the only clear evidence of early configuration of the site that would provide some archaeological resource.   |
| <b>Rarity</b><br>SHR criteria (f)                              | The building is not a rare type within the Randwick Municipality.  |
| <b>Representativeness</b>                                      | The building appears to be one of numerous Inter-War Flat buildings constructed within the Randwick Municipality, including highly intact examples located in the Moira Crescent Heritage Conservation Area.   |

## *Heritage Data Form*

|                  |  |
|------------------|--|
| SHR criteria (g) |  |
| <b>Integrity</b> | Louis Flats has been compromised by the removal and irreversible loss of building fabric including internal joinery. The integrity of the building is considered low regardless of the remnant examples of fibrous plaster ceilings and double-hung windows and some internal configuration. |

### HERITAGE LISTINGS

|                    |     |
|--------------------|-----|
| Heritage listing/s | N/A |
|--------------------|-----|

### INFORMATION SOURCES

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

| Type    | Author/Client              | Title  | Year | Repository                     |
|---------|----------------------------|--|------|--------------------------------|
| Written | NSW Land Registry Services | Torren Title, Certificate of Title Vol. 2301 Fol. 35   |      | NSW Land Registry Services     |
| Written | NSW Land Registry Services | Torren Title, Certificate of Title Vol. 2136 Fol. 77   |      | NSW Land Registry Services     |
| Written | NSW Land Registry Services | Torren Title, Certificate of Title Vol. 101 Fol. 184   |      | NSW Land Registry Services     |
| Written | NSW Land Registry Services | Torren Title, Certificate of Title Vol. 818 Fol. 160   |      | NSW Land Registry Services     |
| Written | NSW Land Registry Services | Deposited Plan 5760  |      | NSW Land Registry Services     |
| Written | The Sun                    | Maroubra Beach – 21 October 1909, p.4  | 1909 | State Library of NSW / Trove   |
| Written | Sydney Morning Herald      | Advertising – 4 January 1930, p.22   | 1930 | State Library of NSW / Trove   |
| Written | Urbis                      | Heritage Assessment (Unpublished Report): 5 Severn Street Maroubra, Randwick Local Government Area, Gadigal Country – 19 July 2021 | 2021 | Randwick Council (DA/533/2021) |
| Written | NBRS Architecture          | Heritage Assessment (Unpublished Report): 5 Severn Street Maroubra – 21 July 2021  | 2021 | Randwick Council (DA/533/2021) |

### RECOMMENDATIONS

|                        |  |
|------------------------|--|
| <b>Recommendations</b> | <ul style="list-style-type: none"> <li>- List as an archaeological item on Part 3 (Archaeological sites) in Schedule 5 of Randwick LEP 2012 for the surviving stone boundary wall and possible remnants of former stables and dairy in the rear yard.</li> <li>- Conservation, adaptation, or demolition may be acceptable subject to consent approval of detailed documentation.</li> <li>- New development is to retain the existing setback from the Severn Street boundary, the stone boundary wall and front garden.</li> <li>- Further research be added on to the archaeological potential of the site.</li> <li>- A Heritage Impact Statement should be prepared for the building prior to any major works being undertaken.</li> <li>- Photographic archival recording, in accordance with Heritage Council guidelines, should be undertaken before major changes.</li> </ul> |
|------------------------|--|

### SOURCE OF THIS INFORMATION

|                                       |                                    |                                |      |
|---------------------------------------|------------------------------------|--------------------------------|------|
| <b>Name of study or report</b>        | Randwick Heritage Study (57 items) | <b>Year of study or report</b> | 2022 |
| <b>Item number in study or report</b> |                                    |                                |      |

## *Heritage Data Form*

|                                      |   |                             |              |
|--------------------------------------|---|-----------------------------|--------------|
| 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                        | January 2022 |

CP11/22

Heritage Data Form

IMAGES - 1 per page

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

|               |                                   |          |                    |                        |                       |
|---------------|-----------------------------------|----------|--------------------|------------------------|-----------------------|
| Image caption | View of 5 Severn Street, Maroubra |          |                    |                        |                       |
| Image year    | 2021                              | 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 5 Severn Street, Maroubra |          |                    |                        |                       |
| Image year    | 2021                              | Image by | City Plan Heritage | Image copyright holder | Randwick City Council |



CP111/22

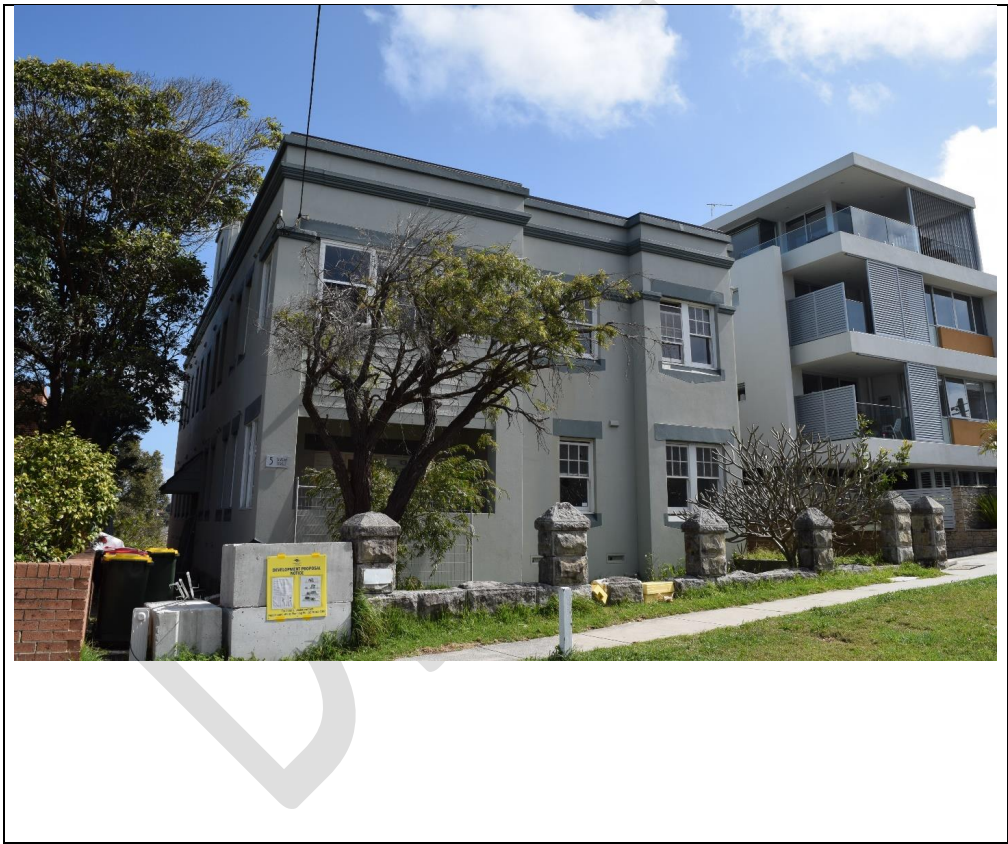


Heritage Data Form

IMAGES - 1 per page

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

|               |                                   |          |                    |                        |                       |
|---------------|-----------------------------------|----------|--------------------|------------------------|-----------------------|
| Image caption | View of 5 Severn Street, Maroubra |          |                    |                        |                       |
| Image year    | 2021                              | Image by | City Plan Heritage | Image copyright holder | Randwick City Council |



## Director City Planning Report No. CP12/22

**Subject:** Community Event at Little Bay

---

### Executive Summary

- This report is a response to Council's resolution from the meeting on 29 June 2021 to hold an event. The report has been delayed given the Covid 19 Public Health Orders limited the ability to hold such community events.

### Recommendation

That Council endorses a community event to be held in Little Bay in May 2022 to acknowledge the work of active community groups in this area.

### Attachment/s:

Nil

CP12/22

## Purpose

At its meeting on 29 June 2021, Council resolved;

*(Mayor, Cr D Said) that Council officers investigate options, including budget, to hold a community event in Little Bay to celebrate the Sydney Eastern City Planning Panel's decision to reject Meriton's mega development proposal for Little Bay, and to acknowledge the community members who worked hard to oppose this plan.*

*MOTION: (Mayor, Cr D Said) CARRIED UNANIMOUSLY - SEE RESOLUTION.*

This report responds to the above resolution.

## Discussion

It is proposed that a community BBQ event be held in Little Bay in May 2022. The event will be an opportunity for the community to come together at an open space location in Little Bay. It is proposed that the event would be held on a Saturday morning or afternoon.

## 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         | 5a. Maximise opportunities for residents and visitors to enjoy both active and passive open space uses. |

## Resourcing Strategy implications

The amount required to hold this event is expected to be \$7500.00 which would cover the cost of promotion/letterbox drop to the community, BBQ catering, basic microphone and speaker system. The event would be funded from the 2021/2022 Economic Development & Placemaking budget.

## Conclusion

There is an opportunity for Council to hold a community event in Little Bay for local residents to come together at a BBQ and to provide an opportunity for Council to acknowledge the work of the community members in the area.

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

**File Reference:** F2021/00038

## Director City Planning Report No. CP13/22

### Subject: Carbon Neutral Accreditation

---

#### Executive Summary

- For many years, Council's Sustaining our City initiative has progressively invested in and implemented a comprehensive range of energy efficiency and renewable energy programs aimed successfully at reducing Council's operational greenhouse gas emissions.
- In addition to these activities, Council has been able to achieve carbon neutral accreditation under the Federal Government's Climate Active program for the past 3 years, commencing in financial year 2017/18. The accredited carbon offsets purchased via Climate Active has effectively placed Randwick Council in the zero emissions category for a local government organisation over this timeframe.
- Recent changes to the carbon offsets market and the Climate Active accreditation requirements, however, have increased the annual cost of the program from less than \$30,000 per year to over \$150,000 per year. This greatly exceeds Council's budget for the Climate Active program.
- By 2022/23, because of our continuing investment and implementation in energy efficiency and renewable energy programs Council's greenhouse gas emissions will have reduced by approximately 65%. Key activities enabling this very significant reduction in our operational greenhouse gas emissions include the commencement from July 1, 2022 of our 100% renewable electricity contract, as well as recently completed streetlighting upgrades.
- Council's Environment Strategy provides for alternative avenues for Council to pursue zero emissions by 2030 and to achieve 60% emissions reductions across the LGA in the same time frame. Based on the significant additional costs, it's considered that monies required for Climate Active accreditation are better spent on initiatives that continue to reduce our overall emissions.

#### Recommendation

That:

- a) Council discontinues its carbon neutral accreditation as of financial year 2019/20 but continues to publicly disclose its greenhouse gas emissions.
- b) the Climate Active budget be reassigned to programs which reduce Randwick's community emissions and contribute to our delivery of the 60 percent emissions reduction target adopted in our 2020 Environment Strategy.

#### Attachment/s:

Nil

## Purpose

The purpose of this report is to provide an update on Council's carbon neutral accreditation requirements and the recent changes to the carbon offsets market.

## Carbon neutral accreditation

Council has achieved carbon neutral accreditation under the Federal Government's Climate Active program since financial year 2017/18. At the time of accreditation, Randwick was only the second metropolitan Council in Sydney to achieve this accreditation.

As part of the annual Climate Active program, Council is required to:

- prepare an inventory of its greenhouse gas emissions including emissions from sources such as electricity, fleet fuel and natural gas used across Council operations (measured in tonnes of carbon dioxide equivalent i.e., tCO<sub>2</sub>e);
- pay the required license fee to the federal government to achieve the accreditation, with a requirement every three years for a third-party audit of the inventory carried out by Council; and
- purchase the equivalent amount of carbon offsets to achieve net-zero emissions and so be recognised as carbon neutral.

Council has also resolved at its meeting on 25 February 2020 to:

**(Shurey/Neilson)** Investigate the feasibility of purchasing our carbon credits in the next round from an indigenous company, such as the Aboriginal Carbon Foundation.

Council's offsetting strategy has been to reduce the total cost of the program each year through investment in energy efficiency initiatives and renewables and includes seeking a proportion of carbon offsets from the Australia market. This strategy has been implemented successfully for the past three years of accreditation as seen in the table below. However, recent changes to the carbon offset markets and the Climate Active program come at a significant additional cost. It's considered that the monies required for accreditation would be better spent on initiatives to reduce overall emissions in the first place.

## Carbon Markets and Climate Active Update

National and international demand for carbon offsets has far exceeded the supply of carbon offsets, causing prices to increase over 150% in the past 12 months. Discussions with carbon consultants have found that the average international carbon credit prices are predicted to rise from around \$1-\$2/tCO<sub>2</sub>e to \$20- 50/tCO<sub>2</sub>e by 2030. Increased demand by 2040 is expected to raise carbon offset prices in excess of \$50/tCO<sub>2</sub>e (Trove Research 2021).

Similarly for the Australian carbon market, the Australian Clean Energy Regulator had forecast that Australian offsets will be around \$27-\$30/tCO<sub>2</sub>-e until 2024. However, spot prices are already around \$55/tCO<sub>2</sub>-e.

Future spot markets for carbon have been used to estimate international and Australian carbon prices in the table below, however these should be used as a guide only as the carbon market can be very volatile.

In addition to the changes to the carbon prices, the Climate Active program recently announced that from July 2023 onwards, all Climate Active participants are required to purchase at least 20% of their offsets from Australian sources. This has a considerable impact on offsetting costs as Australian offsets are significantly higher than international offsets.

## Renewable Electricity Contract

In financial year 2017/18, Council's electricity consumption was responsible for 9,373 tCO<sub>2</sub>e, equivalent to 64% of Council's total emissions. Council's 20% renewable electricity contract which began in financial year 2019/20 reduced annual emissions by approximately 2,000 tCO<sub>2</sub>e.

Ongoing streetlighting and building efficiency upgrades have also contributed considerably to emission reduction in the past three years.

Council has recently signed a 100% renewable electricity contract which begins in July 2022. This will reduce emissions by a further 5,000 tCO<sub>2</sub>e, essentially halving Council's emissions as shown in the table below. The majority of the remaining emissions can be attributed to Council's vehicle fleet, followed by natural gas consumption.

### Environment Strategy

The Environment Strategy does not stipulate that Council's operations must achieve carbon neutrality via carbon neutral accreditation. The overarching target in our 2020 Environment Strategy is to achieve a 60% reduction in greenhouse gas emissions across the Randwick LGA by 2030.

There is however a separate resolution for Council to achieve net zero greenhouse emissions for its own operations by 2030. As shown in the table below, our operational emissions will have decreased from close to 15,000 tCO<sub>2</sub>e to approximately 5,000 tCO<sub>2</sub>e once the positive influence of our 100% renewable energy contract and streetlight efficiency upgrades are realised from around 2022/23.

Leading up to this resolution and in the development of our current Environment Strategy there has been a substantially reinvigorated approach to achieving energy efficiency and renewable energy projects capable of reducing Council's operational emissions. It is no small achievement that Council's greenhouse gas emissions are being reduced substantially from the 14,500 tCO<sub>2</sub>e per year to 5,000 tCO<sub>2</sub>e around 2022/23.

The next steps in transitioning Council toward zero emissions will be through the electrification of our fleet and a future changeover from gas to electric at a number of key sites.

### Carbon Neutral Costings

|   | FY17/18         | FY18/19         | FY19/20         | FY20/21 <sup>1</sup> | FY21/22 <sup>2</sup> | FY22/23 <sup>2</sup> | FY23/24 <sup>2</sup> | FY24/25 <sup>2</sup> |
|---|-----------------|-----------------|-----------------|----------------------|----------------------|----------------------|----------------------|----------------------|
| Council Emissions (tCO <sub>2</sub> e)        | 14,385          | 14,573          | 10,370          | 9,698                | 9,000                | 5,000                | 5,000                | 5,000                |
| International Offsets (\$/tCO <sub>2</sub> e) | \$1.35          | \$1.05          | \$0.91          | \$15                 | \$20                 | \$25                 | \$30                 | \$35                 |
| Australian Offsets (\$/tCO <sub>2</sub> e)    | \$6             | \$6.5           | \$6.23          | \$50                 | \$50                 | \$45                 | \$45                 | \$40                 |
| Australian Percentage <sup>3</sup>            | 0%              | 3%              | 7.5%            | 0%                   | 0%                   | 0%                   | 20%                  | 20%                  |
| Offsets Fee                                   | \$19,355        | \$18,027        | \$13,614        | \$145,470            | \$180,000            | \$125,000            | \$165,000            | \$180,000            |
| License Fee                                   | \$11,455        | \$11,741        | \$12,035        | \$7,259              | \$7,259              | \$7,259              | \$7,259              | \$7,259              |
| Audit Fee <sup>4</sup>                        | \$4,000         | -               | -               | \$1,940              | -                    | -                    | \$2,000              | -                    |
| <b>Total Cost</b>                             | <b>\$34,810</b> | <b>\$29,768</b> | <b>\$25,649</b> | <b>\$154,669</b>     | <b>\$187,259</b>     | <b>\$132,259</b>     | <b>\$174,259</b>     | <b>\$187,259</b>     |

<sup>1</sup> Costs for FY20/21 are known but have not been paid.

<sup>2</sup> Costs for FY21/22 onwards are forecasts only.

<sup>3</sup> Climate Active requires a minimum of 20% Australian offsets from July 2023.

<sup>4</sup> Independent audits are required every three years.

## Strategic alignment

The relationship with the City Plan is as follows:

| Outcome/Direction | Delivery Program actions   |
|-------------------|--|
| Outcome           | 10. A healthy environment.   |
| Direction         | 10b. Policies and programs are developed and implemented in response to environmental risks and their potential impacts. |

## Resourcing Strategy implications

If Council resolves to continue with the program, then the cost for the financial year 2020/21 will be approximately \$155,000 ex. GST.

The forecast above is provided on future annual costs but are subject to changes in the price of international and Australian offsets. Council can expect to pay between \$100,000 and \$200,000 each subsequent year for the Climate Active program. These costs would be expected to be paid from the Environmental Program (currently expiring June 30, 2024).

## Policy and legislative requirements

There are no legislative requirements for Council to be part of the Climate Active program which is reflected in the very low number of local Councils to have achieved such accreditation since the program commenced. Randwick's participation in Climate Active was due in part to its commitment to sustainability leadership across the local government sector.

If Council resolves to discontinue with this program, then any references to Council's carbon neutrality status are required to be removed from Council's website and promotional material.

## Conclusion

Through the Climate Active certification, Randwick Council has gained a much greater understanding of its sources of greenhouse gas emissions and mitigated its emissions in financial years 2017/18, 2018/19 and 2019/20.

However, recent changes to the carbon offsets markets and the Climate Active program requirements have increased the annual costs for the program to between \$100,000 and \$200,000 which is a significant additional cost. However, in discontinuing our involvement in Climate Active, Council remains on track to achieve our operational zero emissions target and our LGA-wide emissions target of 60% by 2030 timeframes.

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**Responsible officer:** Sam Kelley, Sustainability Projects and Reporting Officer

**File Reference:** F2019/00329



## Director City Planning Report No. CP14/22

**Subject: Community Investment Program Feb 2022**

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### Executive Summary

- The Community Creative and Community Connect streams of the Community Investment Program had their February funding round which closed on 20 February 2022.
- Six (6) Community Creative applications were received requesting cash funds of \$52,295 (\$45,495 Cash, \$6,800 in-kind). Five (5) Community Creative applications are being recommended for funding totaling \$42,995 (\$36,195 cash, \$6,800 in-kind).
- Eleven (11) Community Connect applications were received requesting funds of \$45,730.70 (\$36,897.50 cash, \$8,833.20 in-kind). Ten (10) Community Connect applications are being recommended for funding totaling \$35,730.70 (\$26,897.50 cash, \$8,833.20 in-kind).
- For the 2021-22 financial year there are currently 17 Mayor's Contingency Fund allocations totaling \$70,081.50.

### Recommendation

That Council:

- a) approve the Community Creative funds allocation of \$42,995 (\$36,195 cash, \$6,800 in-kind) to the recommended projects.
- b) approve the Community Connect funds allocation of \$35,730.70 (\$26,897.50 cash, \$8,833.20 in-kind) to the recommended projects.
- c) note the status of the Mayors Contingency Fund allocations for 2021-22 as of February 2022.

### Attachment/s:

Nil

## Purpose

The Community Creative and Community Connect streams of the Community Investment Program had their February 2022 funding round which closed on 20 February 2022.

## Background

At the Ordinary Council Meeting held on the 23 June 2020, Council agreed to adopt the 'Community Investment Program' which is a new strategic framework for community funding and donations. The Community Investment Program has five streams of funding including Community Creative, Community Connect, Community Partnerships, Community Contingency (Mayors) and Community Contributions (Donations/sponsorship).

### Community Creative Stream requests for funding

The Community Creative stream has the following objectives:

- supporting the development and the delivery of, creative, artistic and cultural projects that enrich our communities
- investing in experimental, innovative ideas which encourage, drive change and increase local opportunities for our arts and cultural community
- providing free use of our community venues, in order to support community participation, social gatherings and promote a sense of belonging.

#### Application assessment.

An expert assessment panel including council staff with skills in community development, arts and cultural projects and the Mayor reviewed all applications.

Each application was assessed and scored against five core criteria drawn from the Community Creative Guidelines:

1. Ability to deliver
2. Support to local creatives
3. Benefit to the community
4. Social inclusion
5. Evaluation and reporting

#### Funding

Total funding across the financial year for this stream is \$170,000, with 3 rounds of funding, that is an approximate break down of \$57,000 per round split across cash and in-kind contributions.

Each round, applications are assessed based on merit against the criteria. The above breakdown of funding is to provide the panel with a guide; however, funding will be held over to following rounds if it is not all allocated. This approach will support future opportunities for strong applications and ensure a flexibility within the overall program. The assessment panel will also take a flexible approach to the split of cash and in-kind funding to enable the best mix of allocation based on applications received.

A summary of the recommended funding allocation for the February round is provided below. In this stream, we received six (6) applications and five (5) have been recommended for funding. One of these applications was originally submitted as a Community Connect application but the assessment panel agreed to move the application to the Community Creative stream because it is highly relevant to the aims of the Creative stream. A detailed analysis on the recommended and non-recommended funding requests is provided under separate cover. Overall, the recommended projects will enhance the cultural landscape and provide increased opportunities for our community to engage on a deeper level with creative ideas and innovations.

| Project and Description  | Recommended     |                 | Assessment Panel's comments  |
|--|-----------------|-----------------|--|
|  | In-kind         | Cash            |  |
| <b>Aunty Maxine Ryan: Buri's Walk and Talk</b><br>The project will involve walking tours of the La Perouse area with a local Aboriginal Elder, learning about the history of how Aboriginal people have lived in the area before and after colonisation. Participants will also learn how to make shell art with a local Aboriginal elder at the La Perouse Museum, culminating in their own personal artefact to take home. | \$3,000         | \$7,000         | The project would provide recognition and foster community connection to local Aboriginal cultural heritage. It meets the criteria for both Community Connect and Creative and is strongly aligned with Council's priorities. La Perouse Museum will provide the venue and project management support. |
| <b>WEAVE: South East Block Party 2022</b> This is a community building event that sees local young Aboriginal Music Artist Kobie Dee, in partnership with Weave Youth & Community Services, Randwick Council and other key community groups bring a free, accessible concert and event to the local community during Youth Week.   | \$0             | \$10,000        | The project would support young people in South Maroubra to celebrate culture and strength with a local rising hip-hop star. Youth services are limited in the area and the project would provide a positive platform for creative young people.   |
| <b>Greek Orthodox Community NSW: Writer's Festival</b> A platform to introduce new and established writers, poets, and academics to audiences via the sharing of storytelling and imagination. A celebration of diverse cultures united by common themes of migration, displacement, and identity engages audiences and encourages the growth of creativity and arts culture amongst the community.                          | \$3,800         | \$6,200         | The project would celebrate and connect the community to Greek Australian literary culture in Randwick City.   |
| <b>Arc Creative UNSW: Kudos Pop-up</b> A series of five pop up exhibitions taking over vacant or disused commercial real-estate and community venues across Randwick City Council local area. Exhibitions will platform local emerging artists presenting their work to our local community outside of a gallery context, accompanied by accessible public programs for the local community.                                 | \$0             | \$10,000        | The project would support emerging artists to present innovative new work in accessible public spaces.   |
| <b>Sonya Jackson: Rockpool Emporium</b> Wander into an emporium space filled to the brim with locally crafted treasures. Art pieces, furniture, homewares, accessories and gifts - inspired by coastal hues of seafoam, blues, greens and corals, created by local artists.  | \$0             | \$2,995         | The project would support local creatives to present and sell their work.  |
| <b>TOTAL</b>   | <b>\$6,800</b>  | <b>\$36,195</b> |  |
|  | <b>\$42,995</b> |                 |  |

## Community Connect stream requests for funding

The Community Connect stream has the following objectives:

- To invest and support projects, events or activities that harness community ideas and encourage local connection, participation and social inclusion.
- To empower our communities to identify and respond to local areas of social need
- Provide subsidized use of Randwick City Council's community venues (parks, beaches or reserves, halls or meeting rooms) in order to support community participation, social gatherings and promote a sense of belonging.

### Application assessment

An expert assessment panel including council staff with skills in community development projects and the Mayor reviewed all applications. Each application was assessed and scored against six core criteria drawn from the Community Connect Guidelines.

1. Ability to deliver
2. Benefit to the community
3. Participation and collaboration
4. Social inclusion
5. Evaluation and reporting
6. Budget

### Funding

Total funding across the financial year for this stream is \$120,000, with 3 rounds of funding, that is an approximate break down of \$40,000 per round split across cash and in-kind contributions.

Each round, applications are assessed based on merit against the criteria. The above breakdown of funding is to provide the panel with a guide; however, funding will be held over to following rounds if it is not all allocated. This approach will support future opportunities of strong applications and ensure a flexibility within the overall program. The assessment panel will also take a flexible approach to the split of cash and in-kind funding to enable the best mix of allocation based on applications received.

A summary of the recommended funding allocation for the February 2022 round is provided below. In this stream, we received eleven (11) applications and ten (10) have been recommend for funding. A more detailed analysis on the recommended and non-recommended funding requests is provided under separate cover. Overall, the recommended projects will enhance community connection and capacity and provide opportunity to respond to community needs through social inclusion, participation, and engagement.

| Project and Description  | Recommended |         | Assessment Panel's comments  |
|--|-------------|---------|--|
|  | In-kind     | Cash    |  |
| <b>Kooloora and Soldiers Settlement Community Centres: Kooloora Volunteer Awards and Multicultural Lunch. An event to celebrate volunteers' achievements. Certificates of appreciation awarded to volunteers and lunch sourced from multicultural food outlets. The event is planned for 16 May as part of this year's National Volunteer Week</b> | \$0         | \$1,400 | The project would celebrate and encourage valuable volunteer services. |

|   | Recommended |            |   |
|---|-------------|------------|---|
| <b>Coogee Surf Life Saving Club Inc: Run Swim Coogee The inaugural Run Swim Coogee event taking place in Coogee and Clovelly with participants running along coastal footpath and completing swims at Clovelly, Gordon's Bay and Coogee beaches</b>   | \$4,017     | \$0        | The project would have a wide reach and support community wellbeing. The It will need to have a strategy in place to offer equal opportunities and prizes to females and males. |
| <b>Indonesian Presbyterian Church: Southern Cross Street Fete A street fete celebrating multiculturalism in Randwick and the eastern suburbs, particularly Indonesian and South East Asian cultures. Food stalls, live music and representation from NSW Police and Randwick City Council.</b>  | \$0         | \$7,950    | The project would celebrate multiculturalism in Randwick City and have a wide reach if promoted well.   |
| <b>Coogee Croquet Club: Court Maintenance Equipment Upgrade Upgrade old equipment essential for the maintenance of the 2 croquet courts. A new vacuum is required to remove debris before any mowing can be done and the existing line marker is past its end of life. Both are utilised twice a week. Time savings will be approximately 6 hours/week.</b> | \$0         | \$7,950    | Recommended to fund. The club must provide quotes for the equipment to confirm the funding amount.  |
| <b>Kensington Local Resident Group. Weekly gentle exercise classes for residents of Kensington.</b>   | \$0         | \$1,820    | The project would support health, wellbeing and connection between residents in Kensington.   |
| <b>AusCycling Limited: Community Come and Try Sessions In partnership with Department of Education NSW, AusCycling and affiliated clubs will run come and try mountain bike sessions on school grounds. These sessions are free and open to all but mainly targeting school children aged in year 8 and below and their families.</b>                       | \$0         | \$5,000    | The project would support young people's health and wellbeing. It will need to have a strategy in place to offer equal opportunities to females and males.                      |
| <b>Waverley Community Men's Shed: Domino Joiner Tool purchasing a power tool for use by the men's shed, a space where men can learn and practice new skills, socialise and support each other's wellbeing.</b>  | \$0         | \$2,777.50 | 35% of project participants live in Randwick. The Men's Shed fosters social connection and well being.  |
| <b>Five Star Seniors Association Weekly gatherings of older residents getting together, singing and line dancing.</b>   | \$2,310     | \$0        | The project would support older residents to connect with each other and overcome social isolation.   |
| <b>Old Friends Singers Group Weekly gatherings of older residents making friends, exchanging ideas, helping each other, singing and line dancing.</b>   | \$1,155     | \$0        | The project would support older residents to connect with each other and overcome social isolation.   |

|  | Recommended        |                    |  |
|--|--------------------|--------------------|--|
| <b>Greek Seniors of the Eastern Suburbs meetings Every first and third Thursday of the month, the Greek Seniors Cultural Group meet as a way for the seniors within the community to connect with each other and enjoy a day out and also learn and discuss different topics and issues.</b> | \$1,351.20         | \$0                | The project supports older residents from the Greek Australian community to connect with each other. |
| <b>TOTAL</b>   | <b>\$8,833.20</b>  | <b>\$26,897.50</b> |  |
|  | <b>\$35,730.70</b> |                    |  |

### Mayor's Community Contingency Fund

For the 2021-22 financial year there have been 17 Contingency Fund allocations totaling \$70,081.50. All allocations are listed in the table below.

### 2021-22 Contingency Fund allocations

#### Annual contributions (ongoing)

|                                |   |             |
|--------------------------------|---|-------------|
| Ord Council - 27 July 2021     | <u>Annual contribution</u> (3 years from 2021-22 to 2023-24) – Renewal of Community Partnership Agreement with Westpac Helicopter Rescue Service  | \$20,000.00 |
| Ord Council – 23 November 2021 | Annual contribution (5 years from 2021-22 to 2025-26) of \$5,000 for Sydney Sick Kids Appeal – Sydney Children's Hospital Foundation<br>Annual contribution (5 years from 2021-22 to 2025-26) of \$2,000 for the Lights for Kids Campaign - Sydney Children's Hospital Foundation | \$7,000     |
| Ord Council – 22 Feb 2022      | Annual contribution of \$1,000 for the Mayor's Award for Randwick Girls' School. The award will continue for a further 5 years (2022-23 to 2026-27).  | \$1,000     |

#### One-off allocations

|                                    |  |         |
|------------------------------------|--|---------|
| Ord Council - 29 June 2021         | Running for premature babies   | \$2,800 |
|                                    | Barker street Bedroom  | \$5,000 |
|                                    | Autism MATES Model   | \$1,500 |
|                                    | Randwick and Coogee Amateur Swim Club  | \$1,500 |
| Ord Council – 28 Sept 2021         | Commemorating Noah Beserra – Memorial bench  | \$765   |
| Ord Council - 26 Oct 2021          | A BBQ to Remember – Support for Swiss 8  | \$663   |
|                                    | Support for Launch of BIKEast's Cycling Without Age Program  | \$490   |
| Extraordinary Council – 1 Nov 2021 | Waiving of fees – Memorial Service at Randwick Community Centre for Craig Coughlan (total \$1,230 however noted that \$950 is a refundable bond) | \$280   |
| Ord Council – 23 Nov 2021          | Waiving of venue hire fees for the Wake for Auntie Delma Davison at the Prince Henry Centre  | \$630   |
|                                    | Support for Coogee Dolphins Junior Rugby League Club - Fundraising BBQ for Ronald McDonald House Randwick - 12 December 2021                     | \$197   |

**2021-22 Contingency Fund allocations**

|  |   |                    |
|--|---|--------------------|
|  | Support for The Royal Giving Day, Delivering Hope - 24 November 2021  | \$500              |
|  | Support for Wee Waa Chamber of Commerce   | \$1,000            |
|  | Financial assistance and donations November to December 2021:<br>Waiving venue fees for the Indigo Foundation 'Flavours of Indigo' fundraising event: \$382.50<br>30 trees to the value of \$495 to Youth Off the Streets for the Bowen team undertaking the "30 for 30 challenge"<br>Waiving venue fees for Heffron Synthetic sports field for the Coogee United vs Dunbar game fundraising for Kevin Bell Foundation: \$348<br>Waiving venue fees for Randwick Community Centre Main Hall for the Kingsford Smith Community Service Awards: \$280<br>Waiving venue fees for St Luke's Anglican Church Community Street Party: \$4,728   | \$6,233.50         |
| Ord Council –<br>22 February<br>2022                 | Financial assistance and donations January to February 2022:<br>Plants to the value of \$300 to upgrade and beautify the Church grounds.<br>Waiving venue fees for the Callum Casey memorial service at Dunningham Reserve: \$197<br>Livestreaming of World Festival of Magic 2022 fundraising for the Eye Clinic at the Sydney Children's Hospital: \$1,200<br>Waiving fees for the memorial plaque for Daniel Murphy in Grant Reserve: \$765<br>Waiving fees of \$6,765 for Maroubra Pro and sponsoring the event: \$10,000.<br>Purchase tickets for interested Councillors to attend the 2022 Randwick Rugby Annual Lunch. 4 tickets at \$199 per ticket = \$796<br>Plants to the value of \$500 for the Indigenous Garden project at Randwick Girls' High School. | \$20,523           |
| <b>Total – 2021-22 Contingency Fund allocations:</b> |   | <b>\$70,081.50</b> |

**Funding allocations**

|                | Community Creative |                       |                          |                           |                 |
|----------------|--------------------|-----------------------|--------------------------|---------------------------|-----------------|
|                | Annually           | July round allocation | October round allocation | February round allocation | Remaining funds |
| <b>Cash</b>    | \$100,000          | \$40,497              | \$51,392                 | \$36,195                  | -\$28,084       |
| <b>In-kind</b> | \$70,000           | \$11,373              | \$5,072                  | \$6,800                   | \$46,755        |
| <b>TOTAL</b>   | \$170,000          | <b>\$51,870</b>       | <b>\$56,464</b>          | <b>\$42,995</b>           | <b>\$9,371</b>  |



|                | Community Connect |                       |                          |                           |                 |
|----------------|-------------------|-----------------------|--------------------------|---------------------------|-----------------|
|                | Annually          | July round allocation | October round allocation | February round allocation | Remaining funds |
| <b>Cash</b>    | \$70,000          | \$28,958              | \$30,011                 | \$26,897                  | -\$15,866       |
| <b>In-kind</b> | \$50,000          | \$11,772              | \$10,874                 | \$8,833                   | \$18,521        |
| <b>TOTAL</b>   | \$120,000         | <b>\$40,730</b>       | <b>\$40,885</b>          | <b>\$35,730</b>           | <b>\$2,655</b>  |

### 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

Council has allocated \$170,000.00 (including up to \$70,000 for in-kind use of Council facilities) in the 2021-22 Budget for the Community Creative Investment Stream.

Council has allocated \$120,000.00 (including up to \$70,000 for in-kind use of Council facilities) in the 2021-21 Budget for the Community Connect Investment Stream.

The total allocated budget for the Community Creative and Community Connect Investment Streams is \$290,000.

Council has allocated \$90,000.00 in the 2021-22 Budget for the Mayors Community Contingency.

### Policy and legislative requirements

Local Government Act 1993 – Section 377  
Community Investment Program – Guidelines.

### Conclusion

The Community Investment Program, through its multiple streams, enables our community to see their ideas and innovations come to life while providing our residents with access to inclusive programs, events, and services.

The program provides opportunities for individuals and groups to be creative and connected in a new way and will enable Council to celebrate the impact and success of community innovation for our city.

**Responsible officer:** Jessie Meaney-Davis, Senior Officer – Social Planning and Community Capacity Building

**File Reference:** F2020/00336

## Director City Planning Report No. CP15/22

**Subject: Protection of the Environment Operations (General)  
Amendment (Thermal Energy from Waste) Regulation 2021 -  
Council Submission**

### Executive Summary

- The NSW Environmental Protection Authority (EPA) is currently exhibiting the Draft Energy from Waste Amendment Regulation 2021 (Draft Regulation). Submissions close on 22 March 2022.
- The Draft Regulation seeks to restrict the granting of an environmental protection licence for new energy from waste facilities to four designated precincts outside of metropolitan Sydney subject to limited exceptions.
- Council has prepared a submission to the Draft Regulation (attached) recognising the role of the Draft Regulation in restricting the location of new waste to energy facilities and how this applies to the current State Significant Development Application for the construction and operation of a Waste to Energy Recovery Plant (ERP) at the Opal Recycled Paper Mill in Matraville.
- In particular, the submission acknowledges that the proposed waste to energy facility at the Opal site would not be able to gain a licence from the EPA as the energy it proposes to generate will not replace a "less environmentally sound fuel" currently in use on-site (the existing facility relies on natural gas). Notwithstanding this, the submission also points out that the Draft Regulation further contains a provision that would still allow for the granting of an environmental protection licence if the facility was approved as State Significant Development.
- The submission advises the EPA that Council has previously raised this issue with the EPA and that the EPA has acknowledged that this provision is an inconsistency that will be addressed by a draft State Environmental Planning Policy (SEPP) to ensure that any waste to energy facility is only able to be granted consent in accordance with the categories and terms specified in the Draft Amendment.

### Recommendation

That Council

- a) endorse the attached submission to the draft Energy from Waste Amendment Regulation 2021.
- b) authorise the Director City Planning to make any minor modifications to rectify any numerical, typographical, interpretation and formatting errors to the submission prior to submitting to the EPA.

### Attachment/s:

1.  Draft RCC Submission to EPA re Draft Thermal Energy from Waste Regulation 2021

## Purpose

The purpose of this report is to detail Council's submission to the EPA on the Draft Regulation particularly how the Regulation would apply to the State Significant development application for the construction and operation of a Waste to Energy Recovery Plant (ERP) at the Opal Recycled Paper Mill in Matraville.

Council's submission to the EPA acknowledges that the proposed waste to energy facility at the Opal site would not be able to gain a licence from the EPA as the energy it proposes to generate will not replace a "less environmentally sound fuel" currently in use on-site. The Opal paper mill operation currently relies on natural gas, which is considered in the draft Regulation as an environmentally sound fuel, compared to coal and coal-derived sources. Notwithstanding this, the submission points out that the Draft Regulation also contains a provision that would still allow for the granting of an environment protection licence if the facility was approved as State Significant Development which the submission indicates is contrary to the intent of the Draft Regulation. The submission advises that this issue has been raised with the EPA and that the EPA acknowledges the inconsistency which will be addressed by a draft State Environmental Planning Policy (SEPP) to ensure that any waste to energy facility is only able to be granted consent in accordance with the categories and terms specified in the Draft Amendment.

The report recommends that Council's submission be endorsed.

## Background

In September 2021, the State Government released the Energy from Waste Infrastructure Plan to guide strategic planning for future thermal energy from waste facilities to ensure infrastructure is located in areas that best address the state's waste management needs until 2041, and where it maximises efficiencies for waste innovation, management and energy recovery.

The Draft Amendment (Thermal Energy from Waste) Regulation 2021 seeks to enact key provisions in the Energy from Waste Infrastructure Plan, in particular the restriction of new energy from waste operations and infrastructure to four designated precincts, none of which are in Metropolitan Sydney. These are:

- West Lithgow Precinct
- Parkes Special Activation Precinct
- Richmond Valley Regional Jobs Precinct
- Southern Goulburn Mulwaree Precinct.

Outside these areas, energy from waste will only be permitted if the facilities use waste, or waste-derived feedstock to replace "less environmentally sound fuels" to generate energy at the site, and where that energy is used to power industrial and manufacturing processes on-site.

Under the Draft Amendment, less environmentally sound fuel means coal or coal-derived solid fuel or petroleum liquid fuel, but does not include the following:

- Liquefied petroleum gas
- Natural gas
- Liquefied natural gas.

The Draft Regulation also contains a note that states that a licence cannot be refused if it is necessary for carrying out State Significant Development (SSD), which means, if the activity is approved as SSD, then a licence must automatically follow.

## Discussion

There is currently a State Significant Development Application (SSD-10373) for the construction and operation of a Waste from Energy Recovery Plant (ERP) to produce steam and electricity to

off-set existing natural gas generated steam and grid electricity at the Opal Recycled Paper Mill in Matraville.

The justification for the proposal as stated in the applicant's project Scoping Report - 02/09/2019 (BCPR) is to address the increasing natural gas and mill process residuals disposal costs and fluctuations in natural gas pricing and gas supply.

The proposed fuel for the plant comprises mill residuals and PEF (processed engineered fuel) comprising dry waste non-recoverable timbers, textiles and non-recoverable plastics which will be produced at, and transported from, a facility at Chullora pre-certified to the plant's specifications. Transportation is expected to be at a rate of 21 semi-trailer loads to Matraville per day. The plant will also operate 24 hours, 7 days a week.

The facility is located adjoining significant residential population within 1km from its site with the closest residential property located approximately 210 metres away. There has been significant community concern regarding the potential health and environmental impacts of waste to energy plants on communities and the environment.

Council has obtained legal advice that the proposed waste to energy facility at the Opal site falls into a category under the Draft Regulations that is unable to gain a licence from the EPA as it is not seeking to replace a "less environmentally sound fuel" due to the paper mill's current reliance on natural gas. Notwithstanding this, the Draft Regulation also contains a note that would not prohibit the granting of an environment protection licence if the facility is State Significant Development as defined under the EPA Act.

Following inquiries with the EPA, the Authority has advised Council that the inconsistency in the Draft Regulations will be addressed by a draft State Environmental Planning Policy that will ensure that any waste to energy facility is only able to be granted consent in accordance with the categories and terms specified in the Draft Regulations. On this basis, it is anticipated that the draft SEPP would contain provisions that would prevent a facility like that proposed at the Opal site. Council's submission requests that the EPA prioritise its intention to make a SEPP to ensure that any waste to energy facility is only able to be granted consent in accordance with the categories and terms specified in the Draft Regulation.

### Strategic alignment

The relationship with the City Plan is as follows:

| Outcome/Direction | Delivery Program actions  |
|-------------------|---|
| Outcome           | 10. A healthy environment.  |
| Direction         | 10d. Waste is managed sustainably to ensure highest level of resource recovery. |

### Resourcing Strategy implications

Nil.

### Policy and legislative requirements

- Protection of the Environment Operations (General) Regulation 2021
- Environmental Planning and Assessment Act, 1979.

### Conclusion

Council's submission is generally supportive of the overall intent of the Draft Regulation to prohibit the issuing of environmental licence for waste to energy facilities in Metropolitan Sydney. The submission points out that, under the Draft Regulation, the proposed waste to energy facility at the

Opal Paper Mill will not be able to gain a licence as the energy that it seeks to replace at the Opal Paper Mill is not a "less environmentally sound fuel". However, the submission raises the issue that such a facility will still be able to be established as it is a State Significant Development (under the EPA Act) which in effect undermines the terms and intent of the Draft Regulation. Council's submission urges the EPA to prioritise its intention to make a SEPP to ensure that any waste to energy facility is only able to be granted consent in accordance with the categories and terms specified in the Draft Regulation.

---

**Responsible officer:** David Ongkili, Coordinator Strategic Planning

**File Reference:** F2016/00485



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CP15/22

Ms Nancy Chang  
Executive Director Regulatory Policy, Initiatives  
and Advice  
NSW Environment Protection Authority

09 March 2022  
Ref No: F2016/00485

Dear Ms Chang,

Re: Draft Protection of the Environment Operations (General) Amendment (Thermal Energy from Waste) Regulation 2021

Thank you for the opportunity to provide feedback to the Draft Protection of the Environment Operations (General) Amendment (Thermal Energy from Waste) Regulation 2021 (Draft Regulation) which is currently on public exhibition. Council supports the intent of the Draft Regulation to restrict the location of waste to energy facilities in NSW to designated precincts. Council notes that an exception to this restriction applies where facilities use waste, or waste-derived feedstock, to replace less environmentally sound fuels to generate energy at the site, and where that energy is used to power industrial and manufacturing processes on-site.

There is a current State Significant Development Application (SSD-10373) for the construction and operation of a Waste from Energy Recovery Plant (ERP) to produce steam and electricity for the Opal Recycled Paper Mill at Matraville. Council has obtained legal advice that the proposed waste to energy facility at the Opal site falls into a category under the Draft Regulations that is unable to gain a licence from the EPA as it is not seeking to replace a "less environmentally sound fuel" due to the facilities reliance on natural gas. However, Council notes that the Draft Regulation also contains a note that would not prohibit the granting of an environment protection licence if the facility is approved as a State Significant Development. Council considers the exception contained in this note to be inconsistent with the terms and intent of the Draft Regulation.

Council has discussed this inconsistency with the EPA and has been advised by the Authority that the inconsistency in the Draft Regulations will be addressed by a draft State Environmental Planning Policy that will ensure that any waste to energy facility is only able to be granted consent in accordance with the categories and terms specified in the Draft Regulations. Council requests that the draft SEPP be prioritised to ensure that provisions are in place to prevent the issuing of any environmental licence for waste to energy facilities in locations that the Draft Regulation prohibits such as that proposed at the Opal site.

Thank you once again for the opportunity to provide feedback. Should you require further details or information in this regard, please do not hesitate to contact Councils Coordinator Strategic Planning, David Ongkili, on 9093 6793 or [David.ongkili@randwick.nsw.gov.au](mailto:David.ongkili@randwick.nsw.gov.au)

Yours sincerely,

Kerry Kyriacou  
Director, City Planning

## Director City Planning Report No. CP16/22

**Subject: Induction of Leah Purcell into the Australian Film Walk of Fame at The Spot Randwick**

---

### Executive Summary

- The Australian Film Walk of Fame is located on the footpath outside the Ritz Cinema in Randwick.
- It is trademarked jointly to Randwick City Council and the now defunct Australian Film Festival (run by Barry Watterson).
- The Ritz is hosting the Australian Film premiere of *The Drover's Wife* on 28 April 2022 – written, directed, co-produced and starring Leah Purcell.
- Leah Purcell is recommended to be inducted into the Australian Film Walk of Fame. She is one of Australia's leading actors, writers and directors and a proud Indigenous woman. She has starred in Australian films including *The Last Cab to Darwin*, *Jindabyne*, *Somersault* and *Lantana*. She has also played leading roles in TV series including *Police Rescue*, *Redfern Now*, *Janet King* and the internationally acclaimed series *Wentworth*.

### Recommendation

That Council support the induction of Leah Purcell into the Australian Film Walk of Fame.

### Attachment/s:

Nil



## Purpose

The purpose of this report is to inform Council of an opportunity to revitalise the Australian Film Walk of Fame located outside The Ritz Cinema at The Spot with a new inductee.

## Discussion

The Australian Film Walk of Fame was formed in 2008 by Randwick City Council and the Australian Film Festival to honour Australian actors and actresses for their contribution to Australian cinema.

From 2008 to 2012 well-known Australian actors were inducted into the walk of fame with bronze plaques on the footpath outside of The Ritz Cinema.

Actors in the walk of fame include Charles “Bud” Tingwell, Michael Caton, Roy Billing, Claudia Karvan, Steve Bisley, Gary Sweet, Jack Thompson, Barry Otto, Miranda Otto and Deborah Mailman.

The inductions were typically done as part of The Spot Festival and the Australian Film Festival held at The Ritz cinema.

However since the Australian Film Festival has not operated since 2012, Council has not been in a position to be able to pursue actors worthy of inclusion in the walk.

In recent discussions with the new owners of The Ritz Cinemas – Eddie and Lindy Tamir – Council staff have pursued partnership opportunities to revitalise the Walk of Fame with new inductees.

Eddie and Lindy Tamir have been very supportive of reinvigorating the Walk of Fame.

An opportunity has come about with The Ritz Cinema set to host the Australian Film premiere of *The Drover's Wife* on 28 April 2022.

The film is directed, written and co-produced by Leah as well as starring in it. It is an adaptation of a play of the same name written by Leah Purcell.

The film launch provides an ideal opportunity to recognise an iconic Australian actor and her contribution to the film industry.

## About Leah Purcell

Leah Purcell is one of Australia's leading actors, writers, and directors with award-winning roles across all mediums.

She is a proud Goa-Gunggari-Wakka Wakka Murri woman from QLD.

Leah's extensive career has seen her in leading roles in TV series *Police Rescue*, *Redfern Now*, and *Janet King*. She is currently playing the main role of Rita Connors in Foxtel / Fremantle's internationally acclaimed series *Wentworth*, where she was nominated for Best Lead Actor in a Television Series at the AACTA Awards.

Notable theatrical performances include *Marriage of Figaro* (QTC) opposite Geoffrey Rush, Neil Armfield's *Stuff Happens* (Company B); *Parramatta Girls* (Company B), *The Story of the Miracles at Cookie's Table* (Griffin Theatre, Malthouse Theatre, QPAC) Michael Attenborough's *When the Rain Stops Falling* (Almeida Theatre, London); and Bell Shakespeare's 20th Anniversary production of *King Lear*.

Leah received an AM (Member of the Order of Australia) for her track record as a musician, actor, director and First Nations and women's activist.

She is currently in production on *The Lost Flower's of Alice Hart* alongside Asher Keddie and Sigourney Weaver.

### 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

Council staff will liaise with The Ritz Cinema to organise a suitable event to induct Leah Purcell into the Australian Film Walk of Fame on 28 April 2022.

The cost for a plaque will be approximately \$1,500 which can be paid for using existing budgets.

### Policy and legislative requirements

NA

### Conclusion

Leah Purcell is a worthy inductee into the Australian Film Walk of Fame. Her induction is supported by Council staff, Eddie and Lindy Tamir owners of The Ritz Cinema and the co-owner of the trademark for the Australian Film Walk of Fame – Barry Watterson. The induction provides both an opportunity to recognise a talented Australian actor and also to reinvigorate the Walk of Fame as an important Randwick City cultural icon.

---

**Responsible officer:** Joshua Hay, Communications Manager; Katie Anderson, Manager Economic Development & Place Making

**File Reference:** F2022/00266

## Director City Services Report No. CS6/22

**Subject: Heffron Park - Annual Asbestos Assessment - Results**

---

### Executive Summary


- On 25 March 2008, Council resolved to carry out an annual sampling and testing program continued at Heffron Park.
- The purpose of sampling and testing is to investigate levels of potential asbestos airborne fibers across the park.
- Council has conducted its annual airborne asbestos fibre monitoring at Heffron Park in conjunction with asbestos removal works on 1, 2, 3 December 2021.
- Council received the annual Heffron Park Asbestos Clearance Report, on the 12 December 2021.
- The results of the asbestos fibre monitoring concluded no detectable airborne readings onsite, hence the Clearance Report being provided for 2021.
- Extensive remediation is currently being facilitated in the Heffron Centre Project due to be completed in 2022.
- Outside of this project, visual inspections and monitoring will continue with the site being retested in 2022.

### Recommendation

That Council:

- a) note the Heffron Park Asbestos Clearance Report received for 2021, and
- b) note for the coming 2022 year, the annual air monitoring program will again be undertaken onsite.

### Attachment/s:

1. Link to visual clearance inspection and air monitoring report -12 December 2021
2.  Heffron Park - Annual Asbestos Inspection Audit Report - Nov 2021

CS6/22

## Purpose

Council at its Ordinary Council Meeting held on the 25 March 2008, resolved:

*“(Matson/Woodsmith) that the sampling and testing program continue at Heffron Park once per year.”*

The purpose of sampling and testing is to investigate levels of potential asbestos airborne fibers across the park. Each year Council officers report the results of the investigation to Council for information only.

## Discussion

Council has conducted its annual airborne asbestos fibre monitoring at Heffron Park in conjunction with the asbestos removal undertaken on 1, 2, 3 December 2021 in accordance with attached Annual asbestos clearance report, Heffron Park, 12 December 2021. The results of the asbestos fibre monitoring concluded less than 0.01 fibres per millilitre of air (<0.01 fibres/ml) which is below the lowest detectable level using the membrane filter method [NOHSC:3003(2005)]. See attached report 12/12/2021.

The National Occupational Health and Safety Commission recommended maximum exposure level for airborne asbestos fibres is 0.1 fibres per millilitre of air (as an 8-hour time weighted average). As advised by the environmental Hygienist and based on the results of the visual inspections and airborne asbestos fibre monitoring, the removal of fragments of asbestos containing material from the ground surfaces at Heffron Park has been satisfactorily completed. A total of 40 kilograms was removed. In 2020, a total 80 kilograms was removed.

A contaminated hot spot was located in the sand basin area which isn't a passive recreation area with very little public use. This was dealt with via removal during the annual inspection.

## Strategic alignment

The relationship with the City Plan is as follows:

| Outcome/Direction | Delivery Program actions   |
|-------------------|--|
| Outcome           | 6. A liveable city.  |
| Direction         | 6a. Our public infrastructure and assets are planned, managed and funded to meet the community expectations and defined levels of service. |

## Resourcing Strategy implications

The cost to undertake an asbestos survey, air monitoring, and clearance inspection and asbestos removal was \$14,090 excluding GST which was approved in the 2021/22 operational budget.

## Policy and legislative requirements

- NSW Local Government Act 1993
- Contaminated Land Management Act 1997 (CLM Act).

## Conclusion

Air monitoring was conducted during annual asbestos removal in the park. The test results indicate that no measurable amounts of airborne fibres were present in air.

**Responsible officer:** Ryan Zammit, Manager Infrastructure Services

**File Reference:** F2008/00197

**Asbestos Site Inspection Report**

| REPORT DETAILS |   |
|----------------|---|
| Report Type    | Asbestos Site Inspection Report   |
| Report Number  | 643.04.INSP   |
| Report Date    | 21/11/21  |
| Version number | 1   |
| CLIENT DETAILS |   |
| Client contact | Randwick City Council   |
| Client         | Zaman Shamsuzzaman  |
| Address        | 192 Storey Street, Maroubra NSW 2035  |
| SITE DETAILS   |   |
| Site address   | Heffron Park<br>417-439 Bunnerong Road Maroubra NSW 2035  |
| Site use       | Sporting fields   |
| Site photo     | An aerial photograph showing a large green sports field with a yellow rectangular area in the center, surrounded by residential houses and trees. |

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Asbestos Site Inspection Report

Report Number 643.04.INSP

Heffron Park

Version:

1

417-439 Bunnerong Road Maroubra NSW  
2035

| SITE INSPECTION DETAILS        |   |
|--------------------------------|---|
| <b>Scope</b>                   | The scope of the project was to conduct a walk over inspection of the entire park. The inspection was to identify the presence of asbestos containing materials on ground surfaces. These locations were plotted on an aerial map and photos taken at select locations.   |
| <b>Exclusions</b>              | <p>The following areas are excluded from the inspection:</p> <ul style="list-style-type: none"> <li>Any asbestos containing material moved into the inspection area by wind, rain or mechanical disturbance, after the time of the inspection.</li> <li>Any material below the immediate ground surface.</li> <li>Areas that were fenced off and gates locked.</li> <li>Areas that were fenced off as part of construction areas.</li> <li>The pool complex located at the south eastern corner of the park.</li> <li>The fenced off tennis courts</li> </ul> <p>Asbestos containing soil may exist in locations adjacent to asbestos containing material. This inspection does not include sampling or identification of asbestos containing soil.</p> |
| <b>Methodology</b>             | The inspection was undertaken by walking in a systematic method across all areas of the park. A hand tool was used to scrape the surface of the soil when suspected ACM was encountered. The suspect material was then visually assessed to confirm whether it contained asbestos. Materials that could not be visually assessed were presumed to contain asbestos. Locations were plotted on an aerial map.  |
| <b>Date of the inspection</b>  | 8/11/21, 16/11/2021, 17/11/21   |
| <b>Inspected by</b>            | Nicole Lee, Elaine Lee & Tehmoor Abbasi   |
| SUMMARY OF THE RESULTS         |   |
| <b>Results</b>                 | <p>Asbestos was identified in numerous locations around the park. During the inspection it was evident that users of the park and maintenance staff were regularly coming into contact with asbestos and/or asbestos contaminated soil. Below were some observations made during the inspection:</p> <ul style="list-style-type: none"> <li>ACM was noted to have been driven over by grass cutting implements.</li> <li>ACM was noted in areas where members of the public would either stand or sit at the edge of sporting fields.</li> </ul> <p>The asbestos identified onsite is classified as non-friable.</p>  |
| SUMMARY OF THE RECOMMENDATIONS |   |
| <b>Recommendations</b>         | <ul style="list-style-type: none"> <li>Remove all fragments of asbestos cement sheeting from ground surfaces throughout.</li> <li>Hand rake all exposed soil ground surfaces in the grid areas containing ~10 or more ACM fragments. Remove any identified ACM fragments.</li> </ul>  |
| REPORT SIGNATORY               |   |
| <b>Reported by</b>             | <div>Paul Paciullo <i>BEnvSc</i><br/><i>Licensed Asbestos Assessor - LAA000104</i></div> <div>Nicole Lee<br/><i>Licensed Asbestos Assessor - LAA001475</i></div>  |
| <b>Signature</b>               |   |

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 Heffron Park  
 417-439 Bunnerong Road Maroubra NSW 2035

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Report Number

643.04.INSP

Version:

1



| ID | Areas Inspected/observations   | Date Inspected | Photo |
|----|--|----------------|-------|
| 1  | N3<br>~10 fragments<br>A large number of fragments were noted in this area     | 08/11/21       |       |
| 3  | C9<br>~15 fragments<br>A large number of fragments were noted in this area     | 16/11/21       |       |
| 4  | F2<br>~15 fragments<br>A large number of fragments were noted in this area     | 16/11/21       |       |
| 5  | I4, I5<br>~15 fragments<br>A large number of fragments were noted in this area | 16/11/21       |       |

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Heffron Park

Version:

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417-439 Bunnerong Road Maroubra NSW 2035



| ID | Areas Inspected/observations  | Date inspected | Photo  |
|----|---|----------------|--|
| 6  | <p>I2</p> <p>~15 fragments</p> <p>A large number of fragments were noted in this area</p> | 16/11/21       | <p>Maroubra NSW</p> <p>220°SW (T) ▲ 68ft</p> <p>16 Nov 2021, 11:05</p>                                       |
| 7  | <p>O2</p> <p>~15 fragments</p> <p>A large number of fragments were noted in this area</p> | 16/11/21       | <p>W NW N N</p> <p>270 300 330 0 30</p> <p>7x fragments</p> <p>heffron park</p> <p>16 Nov 2021, 11:55:37</p> |

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Heffron Park

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Version:

1



| ID | Areas Inspected/observations  | Date inspected | Photo |
|----|---|----------------|-------|
| 8  | <p>I2</p> <p>~15 fragments</p> <p>A large number of fragments were noted in this area</p> | 16/11/21       |       |
| 9  | <p>G3</p> <p>~10 fragments</p> <p>A large number of fragments were noted in this area</p> | 16/11/21       |       |

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| ID | Areas Inspected/observations   | Date inspected | Photo |
|----|--|----------------|-------|
| 10 | G8<br>~15 fragments<br>A large number of fragments were noted in this area             | 16/11/21       |       |
| 12 | G7<br>~15 fragments<br>A large number of fragments were noted in this area             | 16/11/21       |       |
| 13 | I9<br>~15 fragments<br>A large number of fragments were noted in this area             | 16/11/21       |       |
| 14 | I6, J6, K6, I9<br>~15 fragments<br>A large number of fragments were noted in this area | 16/11/21       |       |

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| ID | Areas Inspected/observations   | Date inspected | Photo |
|----|--|----------------|-------|
| 15 | K7<br>~15 fragments<br>A large number of fragments were noted in this area         | 16/11/21       |       |
| 16 | K6<br>~15 fragments<br>A large number of fragments were noted in this area         | 16/11/21       |       |
| 17 | M4, M5, M6<br>~15 fragments<br>A large number of fragments were noted in this area | 17/11/21       |       |
| 18 | G11<br>~15 fragments<br>A large number of fragments were noted in this area        | 17/11/21       |       |

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Version:

1



| ID | Areas Inspected/observations  | Date inspected | Photo |
|----|---|----------------|-------|
| 19 | <p><b>P11</b></p> <p>~15 fragments</p> <p>A large number of fragments were noted in this area</p> | 17/11/21       |       |
| 20 | <p><b>C8</b></p> <p>~15 fragments</p> <p>A large number of fragments were noted in this area</p>  | 17/11/21       |       |

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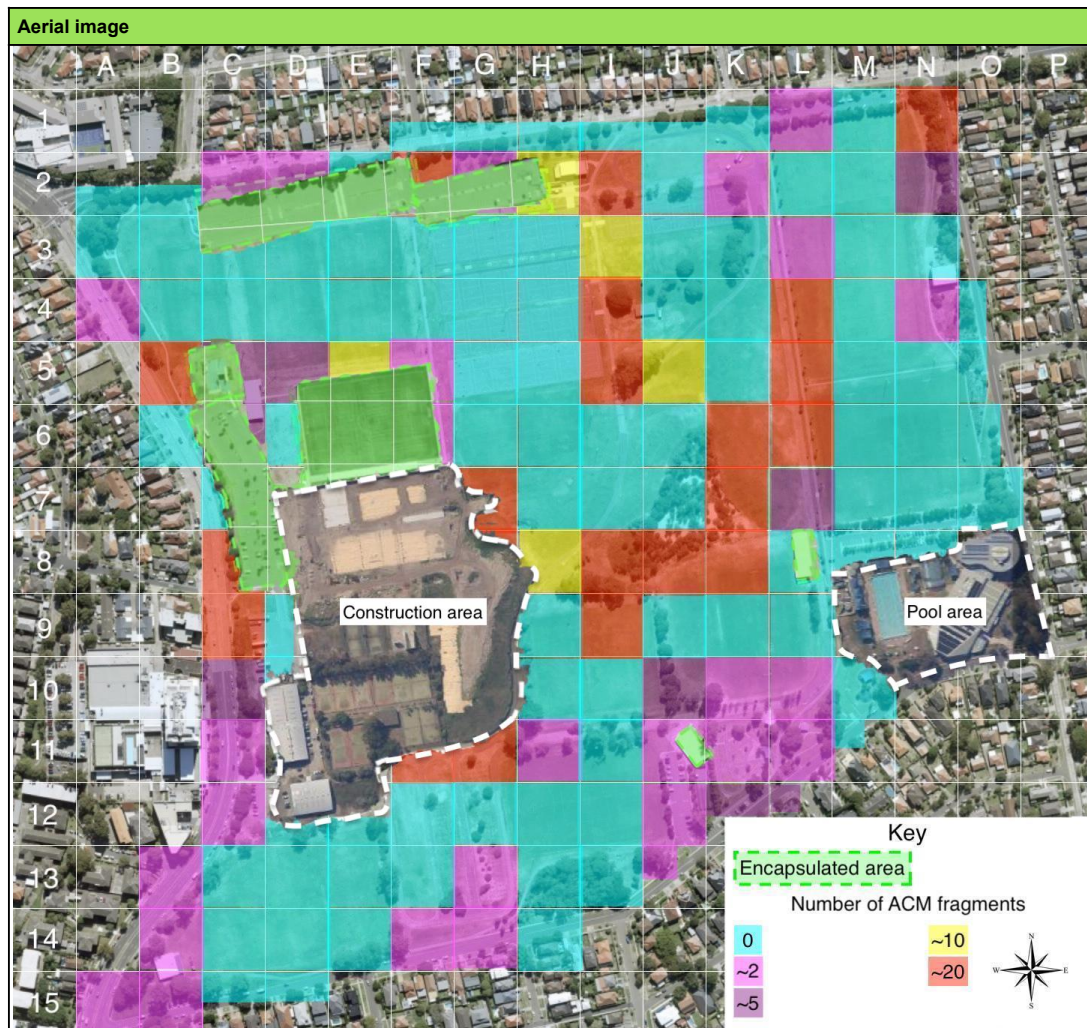
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## Director City Services Report No. CS7/22

### Subject: Heffron Netball Court Shade Structure and Tiered Seating – Feasibility Design Assessment

---

#### Executive Summary

- Randwick Netball Association (RNA) have been a long-standing partner to Council, a community stakeholder and fixture at Heffron Park for many decades with now over:
  - 82 Senior Teams,
  - 203 Junior Teams, and
  - 56 Net-Set-Go Teams.
- Council Officers have recently completed a concept design for a proposed shading structure for Heffron Netball Courts.
- To complement the concept design and realize future opportunity for our community through Council's Arts and Culture Strategy, a tiered seating arrangement on the Southern side of netball courts is also proposed.
- In 2021, Council adopted the new Heffron Park Plan of Management (PoM). The Landscape concept plan supporting the PoM identifies an area adjacent to the Netball Courts to include an amphitheatre, and presentation area.
- The design has been developed in consideration of the above and with a staged construction methodology so the project may be delivered as and when resources become available.
- With the announcement of a base 0.7% rate peg in the 2022/23 financial year, it is unlikely that Council will have the funding to complete the project in one stage.
- Council will consider opportunities to seek additional grant funding to supplement Council's commitment and may have to consider the staging of the works over several years.
- To complement the financial allocation from Council, Council officers will apply for supplementary grant funding as and when they become available.

#### Recommendation

That Council:

- a) endorse the Heffron Netball Shade Structure and Tiered Seating Project Concept Design.
- b) note the \$3,200,000 full project cost for the Heffron Netball Shade Structure and Tiered Seating Project and consider a funding allocation in the coming *Draft 2022-23 Operational Plan and Budget – Capital Works Program*

#### Attachment/s:

Nil



## Purpose

Council Officers have recently completed a concept design for a proposed shading structure for Heffron Netball Courts. To complement the concept design and realize future opportunity for our community through Councils Arts and Culture Strategy, a tiered seating arrangement on the Southern side of netball courts is also proposed.

This report outlines the information for Council to consider for the requested allocation of funding for the project in the coming *Draft 2022-23 Operational Plan and Budget* – Capital Works Program.

## Background

### Randwick Netball Association

Randwick Netball Association (RNA) have been a long-standing partner to Council, a community stakeholder and fixture at Heffron Park for many decades. Supporting the growth and development of young women through the sport of Netball the club since inception now has in excess of:

- 82 Senior Teams,
- 203 Junior Teams, and
- 56 Net-Set-Go Teams.

Not only is RNA the largest facilitator of female participation in sport in Randwick, but they are also the largest sporting organisation. To date the RNA has produced 11 Australia Diamonds Players and the great Marcia Ella Duncan, the first Aboriginal women to represent Australia in netball and the 2015 Australian and 2016 NSW Netball Hall of Famer.

In October 2020, a report was put to Council to outline the request from Randwick Netball Association (RNA) for Council support in providing “a shaded area with modest concrete seating” at Heffron Park on courts 1-6. (See Figure 1).

RNA outlined in the submission to Council that *“the complete lack of shading / coverage severely prevents our ability to train and produce future sporting stars due to inclement weather. An outdoor, covered training area would provide a place for our Representative Teams to be able to train 365 days a year. This area would also provide much need cover for our netball community on Saturdays when we are hit by strong winds and stormy conditions. Presently there is no shelter at Heffron Netball Centre.”*

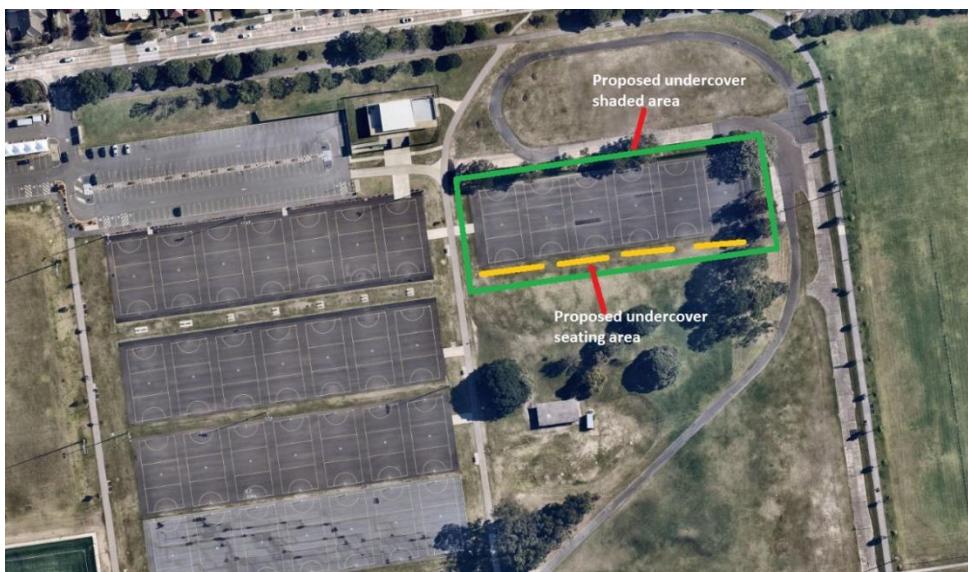


Figure 1

As such, at its Ordinary Council Meeting held on the 26 October 2021, Council resolved:

**“(Said/Andrews) that Council:**

- a) *provide in-principle support for Council Officers to progress with a design of a “shaded and seated area” to Heffron Netball Courts 1-6; and*
- b) *note a report will be brought back to Council with the final design and project costings for consideration in a future Capital Works Program.”*

## Discussion

In responding to the resolution of Council, this report provides further detail that leads to the development of the concept design for Council consideration:

- Identification of Project Outcomes
- Randwick City Council Arts and Culture Strategy
- Draft Concept Options
- Planning Consideration

### 1. Identification of Project Outcomes

Since receiving the initial request from RNA further dialogue in regard to the project brief was facilitated. Through these discussions the following key project outcomes for project have been identified:

- Provide all-weather playing surface for Netball at Heffron Park over six courts.
- Maximize the safety of parents and children whilst using the outdoor area.
- Install the new structures with a minimum of disruption to the Netball Courts and surrounding environment.
- Enhance the look and attractiveness of the netball courts by building a shade structure and seating arrangement that is appropriately commensurate with the local environment and park.
- Ensure that safety in design and Work Health and Safety principles are adhered to using the documentation provided for the project.
- Provide long-lasting, low maintenance structures that will maintain their appearance and effectiveness in the harsh environment.

### 2. Randwick City Council Arts and Culture Strategy

In 2021, Council adopted the new *Arts and Culture Strategy*. In consideration of the key project outcomes outlined above, the strategic approaches that have been identified within the strategy present an opportunity for our community at Heffron Park

The strategy as outlined below identifies the need for additional outdoor spaces for activation of public space for cultural events.

| <b>Randwick City Council Arts &amp; Culture Strategy</b> |   |
|--|---|
| <b>Outcome</b>   | <b>1. A creative and culturally rich city, that is innovative, inclusive, and recognised nationally.</b>  |
| <b>Objective</b>   | Establish a strong cultural identity for the Randwick LGA which is inclusive of our diverse communities and recognises the contribution of First Nations people by 2031.  |
| <b>Strategic Approach</b>                                | <i>1.9 Increase by 20% the opportunities for Council and external producers for outdoor performance and festival programming, street art and mural installations, to generate a lively street culture both day and night in each town centre by 2031.</i> |
| <b>Outcome</b>   | <b>2. Everyone can develop, express, and enjoy creativity throughout their life.</b>  |
| <b>Objective</b>   | Increase the number of places by 20% that are available for people to participate in art and culture by 2031, using the 2019 cultural mapping baseline.   |

## Randwick City Council Arts & Culture Strategy

### Strategic Approach

2.1 Identify and provide a minimum of 10 new Council venues and/or open space areas available for people to participate in the creative and performing arts by 2031.

In 2021 Council also adopted the new Heffron Park Plan of Management (PoM). The Landscape concept plan supporting the PoM identifies an area adjacent to the Netball Courts to include an amphitheatre, and presentation area.



Figure 2

In considering the early concept design, options were analysed to complement the original RNA request with a tiered seated structure adjacent to the courts which may be activated for dual community purpose:

- Spectator seating for netball games, and
- Utilisation of space (outside sporting usage) for outdoor performances, markets, and festival programming.

### 3. Draft Concept Options

Several design options have been considered in the development of the concept design for both the “shaded area” and the “tiered seating” area.







Figure 1



Figure 2



A concept has now been developed, consistent with the shade structure recently installed as seen in Figure 4 at Heffron Park.

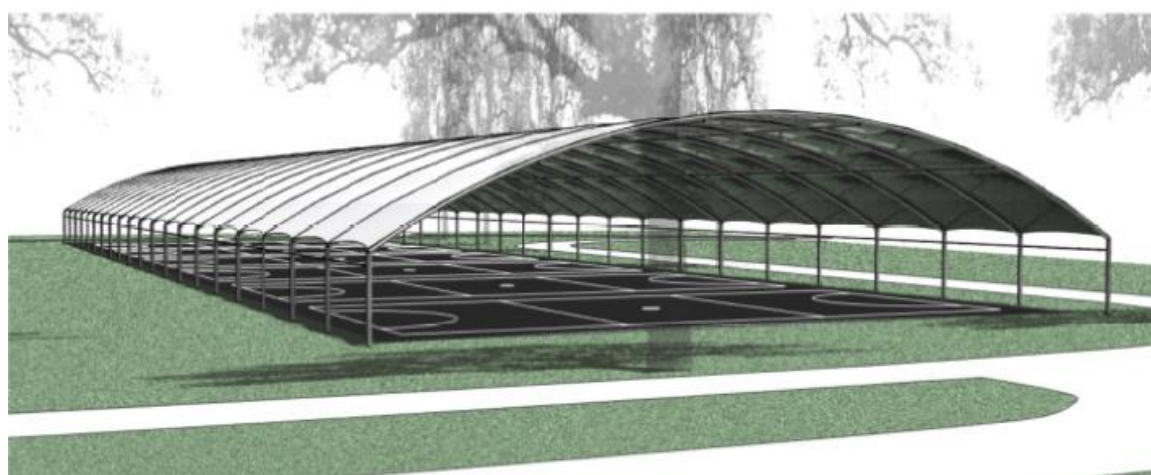


Figure 5

Details of the tiered seating arrangements are currently being further investigated with the support of structural and geotechnical engineers.

The 0.7% rate peg for 2022/23 is likely to limit Council's financial capacity to deliver this project in one stage. The design has therefore been developed so a staged construction methodology may be implemented as and when resources become available. This approach also provides an opportunity to seek additional grant funding to supplement Council's commitment and the staging of the works over several years.

- Stage 1: Installation of shade structure and tiered seating for Courts 1 & 2
- Stage 2: Installation of shade structure and tiered seating for Courts 3 & 4
- Stage 3: Installation of shade structure and tiered seating for Courts 5 & 6

Each Stage estimated to cost approximately \$1 million to \$1.2 million.

#### 4. Planning Considerations

The subject site is zoned RE1 Public Recreation under the Randwick LEP 2012 and is owned by NSW Department of Lands (classified as Crown Development) and is under licence for use to RCC.

Part 3, Division 12 of the Infrastructure SEPP states that: *(ii) recreation areas and recreation facilities (outdoor), but not including grandstands may be exempt from Planning Approval.* This therefore means that RCC will likely need a Development Approval, or at a minimum will require a Review of Environmental Factors (REF) prepared pursuant to Part 5 of the EP&A Act.

Should Council endorse the recommendation of this report, both planning and native title advice will be sought.

#### 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         | 5b. Facilitate a range of sporting and leisure activities. |

| Open Space and Recreation Strategy |  |
|------------------------------------|--|
| Outcome                            | <b>3. Everyone has the opportunity to participate in sport and recreation.</b>   |
| Objective                          | 75% or above satisfaction with new open space and recreation facilities within 2 years of implementation.  |
| Strategic Approach                 | <p>3.8 Provide female amenities, prioritising high-use sporting grounds (Heffron Park, Pioneers Park, Coogee Oval, Latham Park, Nagle Park, Snape Park.)</p> <p>3.9 Collaborate with local sporting codes to identify opportunities and initiatives to increase female participation in sport by 2023.</p> |

#### Resourcing Strategy implications

##### Expenditure

The total project value should the project be completed in its entirety is approximately \$3,200,000. The recommendation of the report seeks Council to consider a funding allocation in the coming *Draft 2022-23 Operational Plan and Budget – Capital Works Program* towards the project. Based on available resources Council may consider proceeding with stage 1 only in the 2022-23 Financial year unless additional revenue sources can be identified.

Should a staged approach be selected Council Officers will seek to compliment the financial allocation from Council, through supplementary grant funding as and when they become available by way of the following grants (including by not limited to):

- Great Cities Sports Facility Fund (up to \$1,000,000)
- Multi-Sport Community Facility Fund ((up to \$1,000,000)
- Infrastructure Grants: arts and culture (up to \$200,000)
- Infrastructure Grants: community infrastructure (up to \$200,000)
- Community Building Partnership Program (up to \$300,000 per electorate)
- Her Sport Her Way Program (up to \$200,000)

Collaboration with the RNA will be required in securing any future grant funding opportunities.

### Income

Peak season use for the current Heffron Netball Courts is from April to September each year with the courts largely remaining dormant during the off season. Whilst not yet confirmed it may be assumed the activation of the courts in the off season and during season whilst the courts are not being utilised through outdoor performances, markets and events will generate additional income for Council's operational budget.

### Policy and legislative requirements

- Local Government Act 1993

### Conclusion

In responding to the original request from Randwick Netball Association and the subsequent Council resolution, Council Officers have progressed the concept design phase for a new shade structure and tiered seating project at Heffron Park.

This report seeks Council endorsement for a funding allocation in the *Draft 2022-23 Operational Plan and Budget – Capital Works Program*. Should the funding be allocated the delivery of the project will achieve multiple community outcomes including but not limited to the all-weather use and spectator seating for netball games, and the activation of space (outside sporting usage) for outdoor performances, markets, and festival programming.

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**Responsible officer:** Ryan Zammit, Manager Infrastructure Services

**File Reference:** F2010/00328

## Director City Services Report No. CS8/22

### Subject: FOGO Caddy Liners Supply Options and Their Impact on Domestic Waste Management Charge

#### Executive Summary

- In March 2021, Council implemented the new FOGO collection services under our new Waste Collection contract.
- Just prior to the new service rollout, Council provided a kitchen caddy with a pack of 52 compostable caddy liners to each property. Following this initial roll out, Council continued with a quarterly bulk delivery of a pack of liner bags as well as a 'delivered on request' option to each dwelling free of charge.
- Since the implementation of the new FOGO services in March 2021 Council has collected and composted 13,316 tonnes of FOGO material, which is almost twice the number of organics collected the previous year with a contamination rate of approximately 1.5%.
- Based on the reduction in tonnage for garbage being sent to landfill under the new FOGO collection service and an average monthly tonnage reduction of 600 tonnes, savings have been estimated to be in the vicinity \$720,000 per year.
- Providing a kitchen caddy and caddy liners during the roll out of the FOGO service ensured that residents were able to contribute to the reduction of contamination and sustained participation in a brand-new service.
- When considering on balance, the advantages, and disadvantages of the supply of liners, Randwick's FOGO success by way of community participation and land fill diversion to date, identified cost savings, an additional year of providing caddy liners to our residents is considered to offer value to our community.

#### Recommendation

That:

- a) Council approve the option of 'bulk delivery of compostable caddy liners' every six months and on request by residents as required for 1 more year.
- b) Council allocate \$500,000 in the *Draft 2022-23 Operational Plan and Budget - Domestic Waste Management* to continue the delivery of compostable caddy liners to the residents for 1 more year.
- c) during 2022-23, Council undertake consultation with the community to determine the approach to ongoing supply of compostable caddy liners into the future.

#### Attachment/s:

Nil



## Purpose

In March 2021 Council implemented the new FOGO collection services under our new Waste Collection contract. To increase participation and reduce contamination in the new FOGO stream, Council supplied FOGO Caddies (one off) and Caddy Liners (quarterly) to all residents in the first year of the new contract. Now in the second year of the contract, Council must decide whether to continue the supply of Caddy Liners and the value of this offering to our residents.

The purpose of the report is to inform Council of the decision-making process regarding the recommendation of the continued supply of caddy liners to our community for one more year, based on the success and effectiveness of the new FOGO service to date.

## Discussion

### 1. FOGO Implementation

On 1 March 2021, Council's new Waste Collection Contract commenced which includes Garbage, Recyclables and Food Organics and Garden Organics (FOGO) collection services.

The removal of food organics from the garbage (red) bin has enabled Council to adjust the frequency schedules for waste streams. As a result, the garbage bin collection frequency was adjusted for free-standing houses (from weekly to fortnightly). In Multi-unit dwellings the number of garbage bins were reduced where possible however collection frequency maintained.

Just prior to the new service rollout, Council provided a kitchen caddy with a pack of 52 compostable caddy liners to each property. Following this initial roll out, Council continued with a quarterly bulk delivery of a pack of liner bags as well as a 'delivered on request' option to each dwelling free of charge.

### 2. FOGO Performance

#### a. Diversion

Since the implementation of the new FOGO services in March 2021 Council has collected and composted 13,316 tonnes of FOGO material (Table 1), which is almost twice the number of organics collected the previous year. The contamination rate is approximately 1.5%.

Table 1 shows that over the last 11 months 26% less garbage was collected compared to the same period pre-FOGO implementation leading to approximately 7,000 tonnes of waste diverted from landfill.

*Table 1. Garden Organics collected in 2020 and FOGO collected in 2021 over 11 months*

|  | Green Waste / FOGO Collection (tonnes) |                 | Garbage Collection (tonnes) |                 |
|--|--|-----------------|-----------------------------|-----------------|
|  | Total                                  | Monthly average | Total (t)                   | Monthly average |
| <b>Pre-FOGO</b><br><b>Mar 2020 – Jan 2021</b>  | 6,724                                  | 611             | 25,898                      | 2,354           |
| <b>Post-FOGO</b><br><b>Mar 2021 – Jan 2022</b> | 13,316                                 | 1,211           | 19,076                      | 1,734           |
| <b>Difference (%)</b>                          | <b>98% increase</b>                    |                 | <b>26% reduction</b>        |                 |

For its successful implementation and excellent performance of FOGO Council won three awards:

- LGNSW Excellence in The Environment Awards 2021 awarded Council "Division C and the Overall Winner Award of "Behavior Change in Waste Award".
- In recognition of Council's excellent achievements in resource recovery through FOGO Keep Australia Beautiful Awarded Council the "Sustainable Cities Awards 2021 – Resource Recovery and Waste Minimization Award".
- The Communication and Engagement Award, Keep Australia Beautiful "Sustainable Cities Awards 2021 for Council's "FOGO - Small Change, Big Difference" engagement program in FOGO implementation.

b. Cost Savings

In Council's previous waste collection contract (no FOGO service), our contractors processed our red bin waste at \$280 per tonne.

In the first 10 months of the new waste collection contract (FOGO inclusive) we have seen approximately 6000 tonnes (600 per month) of waste transferred from the red bin to the new green bin which is now being processed by our contractor at \$180 per tonne.

| <b>Pre FOGO</b> | 600 | 280 | \$168,000 | 12 | \$2,016,000      |
|-----------------|-----|-----|-----------|----|------------------|
| <b>FOGO</b>     | 600 | 180 | \$108,000 | 12 | \$1,296,000      |
| <b>Savings</b>  |     |     |           |    | <b>\$720,000</b> |

Based on the reduction in tonnage for garbage being sent to landfill under the new FOGO collection service and an average monthly tonnage reduction of 600 tonnes, savings have been estimated to be in the vicinity of \$60,000 per month (\$720,000 per year).

### 3. Provision of Caddy Liners

a. Background

Randwick Council provided each household with a kitchen caddy with a pack of 52 liners just before the new FOGO service rollout in February last year supported by an extensive community engagement program. Post this initial rollout, Council continued the quarterly delivery of a pack of 52 bags to each property. To support participation in the new service and community buy in, the roll out of caddy liners was also supplemented by and 'delivery on request' service to the community. This data is represented in table 2.

*Table 2. Caddy liner delivery and cost*

| Period                        | Quarterly delivery<br>(Number of packs) | Service request<br>(Number of packs) | Total Qty<br>(Number of packs) | Cost (\$) |
|-------------------------------|---|--------------------------------------|--------------------------------|-----------|
| <b>Apr - Jun 2021 Quarter</b> | -                                       | 6,125                                | 6,125                          | \$25,725  |
| <b>Jul – Sep 2021 Quarter</b> | 59,793                                  | 2,627                                | 62,420                         | \$263,456 |

| Period                 | Quarterly delivery<br>(Number of packs) | Service request<br>(Number of packs) | Total Qty<br>(Number of packs) | Cost (\$)        |
|------------------------|---|--------------------------------------|--------------------------------|------------------|
| Oct – Dec 2021 Quarter | 61,229                                  | 556                                  | 61,785                         | \$262,525        |
| Jan – Mar 2022 Quarter | 61,229                                  | -                                    | 61,229                         | \$260,162        |
| Quarterly average      | 60,751                                  | 3,102.67                             | 43,443.33                      | \$270,622        |
| <b>Total</b>           | <b>182,251</b>                          | <b>9,308.00</b>                      | <b>130,330.00</b>              | <b>\$811,868</b> |

The delivery of caddy liners during the service rollout was part of the new contractor's collection contract and there was no additional cost to Council.

The quarterly *bulk delivery* of bags and *delivery on request* cost Council on an average \$270,622 per quarter during the first three quarters of the contract's initial year. These costs were funded by grant funding that Council had received from the New South Wales Environmental Trust.

Providing a kitchen caddy and caddy liners during the roll out of the FOGO service ensured that residents were able to contribute to the reduction of contamination and sustained participation in a brand-new service.

b. Should Council continue to provide Caddy Liners?

In their guide for local government *"Introducing a kerbside food and garden organics collection service"* the Waste and Resource Recovery Group, analyzed the following compostable options and recommends the compostable bags are delivered as part of the roll-out.

| Options  | Advantage  | Disadvantage   |
|--|--|--|
| <b>Compostable bags/liners supplied</b>                      | Residents prefer compostable bags/liners, convenient and less 'yuck' factor.<br>Cost of bags could be factored into their waste service charges.<br>Ability to track participation rate.     | Not all contractors can process compostable bags/liners.<br>It can be seen as contrary to the messages about reducing 'plastic bag' use.<br>Cost to Council to supply on an ongoing basis            |
| <b>Compostable bags delivered to resident</b>                | Possible higher chances of participation based on social research.<br>Councils can have their collection contractor deliver the compostable bags/liners to save council staff time and money | More expensive.<br>Higher chances of residents misusing bags for dog droppings.<br>Unable to track participation rates.<br>Residents may discontinue participation in FOGO when they run out of bags |
| <b>Compostable bags/liners collected at Council location</b> | Cheaper to rollout.<br>More likely to attract "genuine" FOGO participants which may limit risk of contamination.<br>Ability to track participation rate                                      | Inconvenient – people don't have time to go to Council - possibly lower participation rate.  |

| Options                 | Advantage   | Disadvantage   |
|-------------------------|---|--|
| <b>No bags provided</b> | Less chance of having plastic bag misuse.<br><br>Organics processor able to better detect contamination | Potential barrier to residents, as separating food organics may increase odor issues, attract pests around unbagged food organics. |

Other than through the consideration of the above advantages and disadvantages on caddy liner supply there is currently no quantitative data available to draw any conclusion whether there are any differences in FOGO performance between FOGO Councils who provide free caddy liners and those who do not. In NSW, Albury, Lake Macquarie, and Penrith councils provide compostable caddy liners whilst Shellharbour, Bathurst, Orange, and Byron Bay do not.

The residents of Council's who do not provide liners are encouraged and educated to use newspapers, soiled paper, or paper towel to line the caddy. They have yet to report on any impacts on participation rate or contamination.

c. Challenges?

Whilst the provision of caddy liners for our community during the first year of the new contract contributed to the success of the new service, it also presented many challenges in delivery. Council bulk delivered the caddy liners 4 times throughout the first year of the contract. In multi-unit dwellings receipt of delivery wasn't possible with Council either providing the delivery to a body corporate where possible, letter box drops or leaving the delivery in the properties common area. This model brought challenges in not being able to confirm if each particular property receiving their allocation.

The later introduced "deliver on request" model responded to this issue by direct dialogue with property owners in organizing the delivery and collection service directly.

d. What are Councils Options moving forward?

Based on the analysis above, the following caddy liner bag delivery options can be considered for the future:

| Option          | Service  | Description  | Cost  |
|-----------------|--|--|---|
| <b>Option 1</b> | Bulk delivery of compostable Caddy Liners twice a year | All properties will be delivered additional bags on request via an online application or through Council's Customer Service supported by a community awareness and engagement program. | It will cost Council approximately \$500,000.<br><br>Impact on Domestic Waste Management Charge is additional \$8.30 per household.               |
| <b>Option 2</b> | Bulk delivery of compostable Caddy Liners quarterly.   | Bulk delivery of compostable bags quarterly along with community education and engagement will help maintaining high level of FOGO recovery with low contamination rate.               | It will cost Council approximately \$1,082,488.<br><br>Impact on Domestic Waste Management Charge is additional \$17.98 per household.            |
| <b>Option 3</b> | No provision of Caddy Liners                           | Council does not provide any liners and residents buy their own compostable liners and continue with extensive community awareness and engagement program.                             | No cost to Council.<br><br>Potential increase in contamination.<br><br>A pack of 25 bags is sold in Coles or Woolworth for about \$3.00 to \$4.00 |

It is suggested that Council implement Option 1 in the coming 2022-23 Financial Year (second year of the new service and collection contract). When considering on balance, the advantages, and disadvantages of the supply of liners, Randwick's FOGO success by way of community participation and land fill diversion to date, identified cost savings, an additional year of providing caddy liners to our residents is considered to offer value to our community.

### Strategic alignment

The relationship with the City Plan is as follows:

| Outcome/Direction | Delivery Program actions  |
|-------------------|---|
| Outcome           | 10. A healthy environment.  |
| Direction         | 10d. Waste is managed sustainably to ensure highest level of resource recovery. |

### Resourcing Strategy implications

Based on the recommendations in this report the cost to Council for the further bulk delivery of compostable bags twice a year to all properties and the delivery of additional bags on request via online or through Council's Customer Service will cost Council approximately \$500,000.

Should Council endorse this recommendation, the \$500,000 allocation will be included in the *Draft 2022-23 Operational Plan and Budget – Domestic Waste Management Charge*.

To continue to meet Community expectations in providing Domestic Waste Services, an increase of 2.2 % will be required to the Domestic Waste Management Charge (DWMC). It is projected for the DWMC to be \$637.85 for 2022-23 financial year.

### Policy and legislative requirements

Environment Strategy – Randwick Council  
 NSW Waste Avoidance and Resource Recovery Act 2001  
 NSW Waste and Sustainable Materials Strategy 2041  
 Local Government Act 1993  
 Independent Pricing and Regulatory Tribunal

### Conclusion

Randwick Council delivered kitchen caddies with a pack of 52 compostable caddy liner bags at the time of rolling out FOGO collection services in March 2021. Following the FOGO service rollout Council provided compostable caddy liner bags to residents through bulk delivery to each household quarterly as well as on request.

Bulk and on request delivery of compostable bags costed Council on an average \$270,622 each quarter or \$1,082,488 per year. This was funded through a grant funding council received from the NSW Environmental Trust.

*Bulk delivery* of compostable caddy liners twice a year supplemented by *on request delivery* along with ongoing community education and engagement will help maintaining Randwick's high level of FOGO recovery with a low contamination rate. This will require approximately \$500,000 additional funding in 2022-23 domestic waste budget.

**Responsible officer:** Talebul Islam, Coordinator Strategic Waste Management

**File Reference:** F2020/00217

CS8/22

## Director City Services Report No. CS9/22

**Subject: Ausgrid - Main Road Street Lighting LED Replacement Program**

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### Executive Summary

- Ausgrid in partnership with SSROC has developed a proposal to replace legacy streetlights on all main roads with LED lighting as an accelerated replacement program.
- Ausgrid has invited Councils to nominate whether they wish to participate in the program.
- The Main Road Street Lighting LED Replacement Program is proposed to be delivered over three financial years from FY23 to FY25.
- The proposal will require Council to pay the residual value of existing lights that have not reached end of life. This cost will be offset by Energy Saving Certificates (ESC) and savings from reduced energy consumption and maintenance costs.
- According to Ausgrid's financial model, this program has the potential to provide Randwick Council a payback period of 0.9 years.
- This proposal will deliver long term benefits including significant energy savings, reduction in CO2 emissions and lower overall street lighting costs.
- This report recommends that Randwick Council accept the offer to participate in the Main Road Street Lighting LED Replacement program.

### Recommendation

That Council endorse Randwick Council's participation in the Main Road Street Lighting LED Replacement Program.

### Attachment/s:

Nil



## Purpose

This report presents Ausgrid's invitation to Randwick to participate in the Main Road Street Lighting LED Replacement Program which will replace legacy streetlights on all main roads with LED lighting as an accelerated replacement program.

The report seeks Council's endorsement for Randwick Council to accept the invitation.

## Discussion

There are 2360 existing streetlights along our main roads (V category roads). To provide the adequate illumination, these lights are high wattage luminaires of varying technologies including, mercury vapor, high pressure sodium and compact fluorescent.

The proposal seeks to replace these lights with new LED streetlights which require lower power.

## PESTLE Analysis

A brief PESTLE analysis of the proposal has been undertaken. The outcome of the analysis is presented below.

1. Political – very favourable, Council will be viewed as contributing to intergenerational equity by signing up to this program.
2. Environmental Impact – very favourable, due to 61% reduction in both energy consumption and CO2 emission.
3. Social – favourable, improved lighting for better public safety.
4. Technological – favourable, reduced electricity costs, lower maintenance requirements and future proofing with luminaires accommodating smart controls.
5. Legal – favourable, the installation and maintenance works are undertaken by Ausgrid as the network providers including responsibility for installation outcomes.
6. Economical – favourable, a brief business case has been developed by SSROC's Street Lighting Improvement Program (detailed breakdown shown below).

## Cost to Council

The Financial Summary in table 1 has been developed to highlight the costs and benefits of the proposal and to assist councils with evaluation. The summary shows the financials on the basis that all council streetlights are replaced within FY2023.

This financial summary has identified that savings of \$126,108 p.a. can be achieved by replacing the existing streetlights with LED technology.

Council is required to pay for the residual value of the lights replaced by LEDs. The calculated total residual value is \$690,877. However, residual values are only paid when a streetlight is replaced. Ausgrid's delivery plan is proposed to be over 3 financial years. Therefore, it is expected that the residual cost is likely to be around \$230,292 p.a. over 3 years.

As a part of this proposal, Ausgrid will work with Accredited Certificate Providers (ACPs) nominated by Council to ensure that ESS certificates or Energy Saving Certificates (ESC) provide some credit to help offset the cost for the residual value on the existing lights. Ausgrid's estimated value of the ESC is at \$580,510 or \$193,503 p.a. over 3 years.

| RANDWICK CITY COUNCIL                            |                  |                   |   |             |
|--|------------------|-------------------|---|-------------|
|  | Current Lights   | New LEDs          | Savings Per Year                              | Savings (%) |
| <i>No. of V-cat luminaires</i>                   | 2,360            | 2,360             |   |             |
| <i>No. of CFL luminaires</i>                     | 1,913            | 1,913             |   |             |
| <i>Energy Cost/Yr.</i>                           | \$458,774        | \$180,803         | \$277,971                                     | 61%         |
| <i>Maintenance Cost/Yr.</i>                      | \$225,764        | \$140,558         | \$85,206                                      | 38%         |
| <i>Annual Capital Cost</i>                       | \$81,257         | \$318,327         | -\$237,070                                    | -292%       |
| <b>Total annual Cost</b>                         | <b>\$765,796</b> | <b>\$639,688</b>  | <b>\$126,108</b>                              | <b>16%</b>  |
| <i>Residual Value</i>                            | \$690,877        | \$ -              | <i>One-time payment</i>                       |             |
| <i>Est ESC (Energy Saving Certificate) Value</i> | \$ -             | \$ 580,510        | <i>One-time credit</i>                        |             |
| <i>Est ESC Value Less Residual Value</i>         |                  | <b>\$ 110,367</b> | <i>negative value = cash positive outcome</i> |             |
| <i>Energy Consumption (MWh/yr.)</i>              | 2,850            | 1,123             | 1,727   | 61%         |
| <i>GHG (tCO2-e/yr.)</i>                          | 2,422            | 955               | 1,468   | 61%         |

Table 1 – Main Road LED Replacement Program - Financial Summary – 1 Year

Ausgrid has provided a strong business case based on an estimated value of Energy Saving Certificates (ESC). A sensitivity test on the model has identified the worst-case scenario for Council without the ESC will take 6 years for Council to break even.

However, it should be noted that Council is currently registered to receive Energy Saving Certificates (ESC) and has been receiving ESC payments associated with LED lighting replacements on local roads.

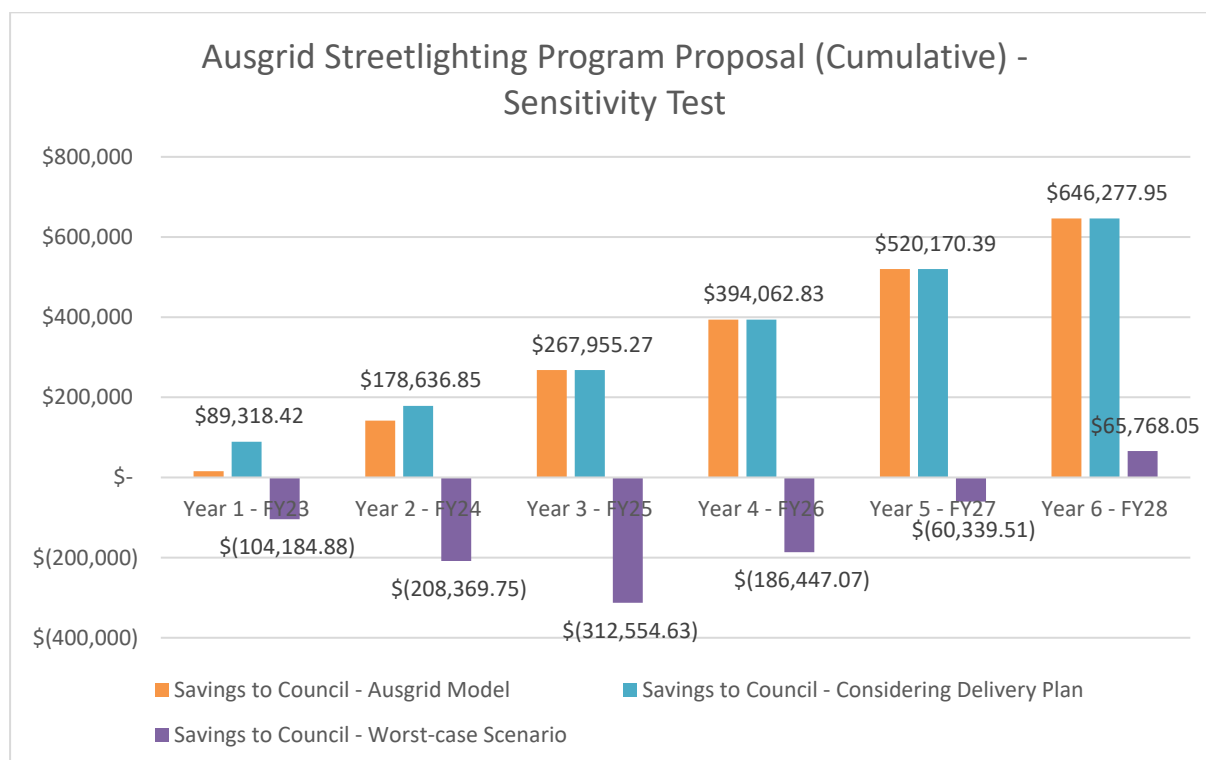
Whilst the value of the ESC may vary, it is unlikely that this proposal will result in the worst-case scenario.

#### Likely Annual Summary Over 3 years (Cyan Scenario in Model)

|                             | Cost               | Savings          | Net             |
|-----------------------------|--------------------|------------------|-----------------|
| Residual Value:             | \$(230,292)        |                  |                 |
| Total annual costs:         |                    | \$126,108        |                 |
| Energy Saving Certificates: |                    | \$193,503        |                 |
|                             | <b>\$(230,292)</b> | <b>\$319,611</b> | <b>\$89,319</b> |

CS9/22

CS9/22



### Risk to Council

The risk to Council is that the value of the ESC is lower than the estimated value in the model / proposal (current market value) and therefore the payback period would be longer.

Assuming a 50% lower ESC value compared to current market value, the overall estimated payback period would be 3.18 years.

Council is currently registered and has been receiving revenue from Energy Savings Certificates for local road LED replacement streetlights. On this basis, it is considered that the worse-case scenario without ESC revenue is highly unlikely.

Overall, the financial risk is relatively low to Council because the program costs can be offset by ESC payments and savings from reduced energy costs and reduced maintenance costs.

### Strategic alignment

The relationship with the City Plan is as follows:

| Outcome/Direction | Delivery Program actions  |
|-------------------|---|
| Outcome           | 6. A liveable city.   |
| Direction         | 6a. Our public infrastructure and assets are planned, managed, and funded to meet the community expectations and defined levels of service. |

### Resourcing Strategy implications

Based on the modelling, the program delivers a net savings of \$89,319 p.a. during the 3 years of the program and then savings in subsequent years of \$126,108.

### Policy and legislative requirements

Nil.

## Conclusion

SSROC's Street Lighting Improvement Program has been working with Ausgrid to develop an LED replacement program for main roads.

Ausgrid has invited Randwick Council to participate in the Main Road LED Street Light Replacement Program, to be delivered over 3 years from FY23.

This program modelling shows that it will deliver an overall saving of \$89,319 p.a. for the first 3 years (program life) and in subsequent years, operational savings of \$126,108 p.a. (figures calculated based on current rates).

The program will deliver significant environment benefits with 61% reduced energy, 61% reduced CO2 emissions. Further, LED lighting is more uniform and has greater efficacy leading to improved public safety.

Based on the program community and a favorable payback period, it is recommended that council endorse Randwick Council's participation in the Main Road Street Lighting LED Replacement Program.

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**Responsible officer:** Frank Liu, Coordinator Asset Management Services

**File Reference:** F2019/01162

## Director City Services Report No. CS10/22

**Subject:      Cycleways & Bicycle Facilities Advisory Committee - Feb 2022**

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### Executive Summary

- The Council's Cycleways and Bicycle Facilities Advisory Committee meets quarterly to examine issues relating to bike riding and cycling facilities.
- The February 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 16 February 2022, be received, and noted.

### Attachment/s:

1.  Minutes - CABFAC February 2022

## Purpose

The Advisory Committee considered numerous matters of importance to local bicycle riders and the Minutes from the Committee's meeting, held on 16 February 2022, are attached.

Also included is the updated 'Initiatives for Bicycle Riders' list – which captures each matter proposed and/or completed with regard to facilities for bicycle riders in Randwick City.

## Discussion

Refer to Minutes - Cycleways and Bicycle Advisory Committee Meeting - 16 February 2022, which is attached.

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

- Wednesday 18 May 2022 at 7.30am
- Wednesday 17 August at 6:30pm
- Wednesday 16 November 7:30am
- Wednesday 16 February 2023 at 6.30pm

## 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.

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**Responsible officer:** Tony Lehmann, Manager Integrated Transport

**File Reference:** F2018/00158



CS10/22

# Cycleways and Bicycle Facilities Advisory Committee

## Minutes

6:30pm Wednesday 16<sup>th</sup> February 2022 (*remote meeting*)

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## 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 Kathy Neilson   | RCC     | Mr Jed Finnane     | Resident |
| Councillor Philippa Veitch | RCC     | Mr Paul Chilcott   | Resident |
| Councillor Michael Oliva   | RCC     | Mr Owen Shepherd   | Resident |
| Councillor Kym Chapple     | RCC     | Mr Alec Walker     | Resident |
| Mr Lee Roberts             | BIKEast | Ms Kristina Warton | Resident |
| Ms Yvonne Poon             | BIKEast | Mr Alec Walker     | Resident |
| Mr Dick van den Dool       | BIKEast | Mr Tony Lehmann    | RCC      |
| Mr Jim Hope                | BIKEast | Mr David Appleby   | RCC      |
| Ms Angela Greenlees        | TfNSW   | Mr Reza Ahmed      | RCC      |
| Ms Virginia Baker          | TfNSW   | Mr Jesse Grazotis  | RCC      |
| Ms Kate Lewis              | TfNSW   |                    |          |

**Apologies:**

Councillor Rafaela Pandolfini

### 3. Declarations of pecuniary or non-pecuniary interests

### 4. Matters arising from Minutes of previous meetings

### 5. Items for consideration

#### 5.1. Bicycle facilities FY 21/22 budget – prioritisation of projects

At the meeting of the Cycleways and Bicycle Facilities Advisory Committee (CABFAC) held on the 18th August 2021, the committee reviewed the priority cycleway and bicycle facility project list for FY 21/22 and future years.

To help with prioritisation of projects and funding, Council officers and committee members reviewed the issues listed in the Initiatives for Bicycle Riders (IBR) spreadsheet. The IBR was updated to consider different criteria in the prioritisation of projects, which may influence the desirability or feasibility of delivering the projects.

Council officers have had further meetings with members of the Committee to simplify and improve the readability of the IBR document. Council officers have updated the document to reflect the recommended changes:

- Separately listing the priority bicycle routes.
- Grouping items according to the three main categories, being Major projects, Minor projects, and Asset maintenance;
- Repeating column headers on rows; and
- Adding page numbers.

Projects prioritised for progression in FY 21/22 are coloured in green.

**Note:** The updated IBR list will be circulated prior to the meeting. The projects highlighted in the IBR list for prioritisation in FY 21/22 are an initial estimate only and may be subject to change depending on budget allocations and changes during the financial year.

**Advisory Committee Recommendation:**

That the information be received.

#### 5.2. 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 south east (from South Dowling St toward the Lenthall Street intersection).

Council has recently received draft design and provided feedback to the engaged consultant. The final plans and opinion of probable cost is currently being finalised by the consultants. Once the design is finalised by the consultant, the plans will be referred to BIKEast for information.

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 commenced in Sep / Oct 2021 and is almost complete. Most of the areas of construction have been opened to the public with some minor works outstanding. The project is due to be completed by the end of February 2022 (weather permitting).

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 5.3**, below, detailing the current status of this project.

Anzac Parade Walking and Cycling Paths

Council officers are currently in the process of procuring 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. Council will closely work with the CABFAC as a key stakeholder during the design development of the project.

*Ms Poon, on behalf of BIKEast, expressed frustration with the delays to the Todman Avenue project. Mr Lehmann acknowledged these concerns, explained how examination of the proposed pop-up caused delays and informed the Committee that plans were well advanced for a new linemarking layout – incorporating a kerbside running lane.*

*Mr Roberts sought an update on the Queens Park facility. Mr Lehmann stated that he understood that opening of this facility was only a few weeks away.*

**Advisory Committee Recommendation:**

That the information be received.

**5.3. 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:*

- *Notifications regarding project commencement have distributed to more than 11,000 residences*
- *Major construction works commence in March 2022*
- *The proposed construction staging plan is yet to be finalised however delayed commencement has been identified for the northern part of Doncaster Avenue*
- *TfNSW would be pleased to directly inform BIKEast of upcoming detours / changes to bike routes (BIKEast agreed to distribute any notifications through their social media links)*

- It is acknowledged that, during construction of the cycleway, lengths of parking will be affected
- Night works will be minimal and generally only at busier / signalised intersection

Clr Veitch asked about impacts on wildlife with the proposed removal of some trees. Ms Greenlees informed the meeting that TfNSW has dedicated environmental officers who will be attending the sites. And, that there are significant penalties for the contractor if there are any environmental non compliances.

Clr Veitch also sought assurance that Councillors would be kept informed of upcoming works / construction staging. Ms Lewis (TfNSW) confirmed that TfNSW will forward advance notifications to the Council for forward distribution to Councillors.

**Advisory Committee Recommendation:**

That the information be received.

## 5.4. TfNSW Walking and Cycling Program

TfNSW's Walking and Cycling Grant Program is currently active. Grant application submissions are being accepted up to the 25th February 2022. Council officers are currently collating data and submitting grant applications for the following projects:

- 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.

*Questions were raised with regard to the proposed Bundock St/ Sturt St/ Cycleway. Mr Lehmann explained that the design was 90% complete and that Council is seeking funding to finalise the design. The issue of pedestrian crossability of Sturt St and Bundock St, at Avoca St was raised. Mr Lehmann said that council officers will be seeking additional funds for construction. It is understood that TfNSW will announce funding allocation in May 2022. Mr Lehmann stated that, if design investigations show that it is possible to install a pedestrian refuge in Bundock St and Sturt St, at Avoca St, and if no funding is allocated for the construction of the cycleway, he will recommend installation of these pedestrian refugees in the 2022/23 financial year.*

**Advisory Committee Recommendation:**

That the information be received.

## 5.5. Darley Road / York Road – slip lane

Waverley Council is currently investigating the option of removing the slip lane at the Darley Road / York Road intersection; subject to reviewing the impact on traffic flow. Recent discussions have been held with Waverley Council and TfNSW to assess the best methodology to remove the slip lane and to minimise impacts on all road users.

Randwick Council officers have raised concerns that the proposed change to the traffic signals will introduce significant delays and queue lengths, particularly along Darley Road eastbound. We have asked TfNSW and Waverley Council to take these concerns into account with the proposed changes to the signal operations.

**Advisory Committee Recommendation:**

That the information be received.

## 5.6. 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.

*Mr Lehmann provided an update on the project and advised the committee that the community consultation will commence soon.*

**Advisory Committee Recommendation:**

That the information be received.

**5.7. 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 Advisory Committee 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 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.

**Advisory Committee Recommendation**

That the information be received.

**5.8. Maroubra Junction - Oasis Project**

Council is currently undertaking design works for an underutilised green space in the Anzac Parade central median strip, Maroubra Junction (between Maroubra Road and Green Street). The concept plan and consultation are now complete. At this stage it is proposed to table a report on this matter at the February Council meeting. Detailed design documentation for the project is underway.

*Councillor Chappel enquired as to the provision for bike riders in the proposed Oasis Project. Mr Lehmann informed the committee that this matter is being reported to the council at its meeting on 22<sup>nd</sup> February 2022. He then displayed the plans of the proposal and highlighted the proposed paths for cyclists.*

**Advisory Committee Recommendation**

That the information be received.

**5.9. Maroubra Road Corridor Study**

As reported in the previous meeting, a strategic corridor study of Maroubra Road, between Bunnerong Road and Malabar Road, is underway. It will examine the road safety performance, the existing and future operation of the road and conditions faced by vulnerable road users such as pedestrians and cyclists. Early consultation with regard to this Study has been undertaken.

Currently, the consultants are examining community feedback and assessing possible design options along the route. Following an assessment of the options, further community consultation will be undertaken.

**Advisory Committee Recommendation:**

That the information be received.

**5.10. 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.

Community consultation will be an integral component of Council's consideration of the proposed bicycle routes.



**Advisory Committee Recommendation:**

That the information be received.

**5.11. Alison Road/ Wansey Road Bike Path – Landscape maintenance**

It has been reported that there are issues with the existing trees, vegetation and plantings along Alison Road and Wansey Road becoming overgrown, severely narrowing the paths. BIKEast seeks clarity from RCC if further maintenance works will be undertaken to maintain width of these paths.

These routes have now been placed onto a four-week maintenance cycle.

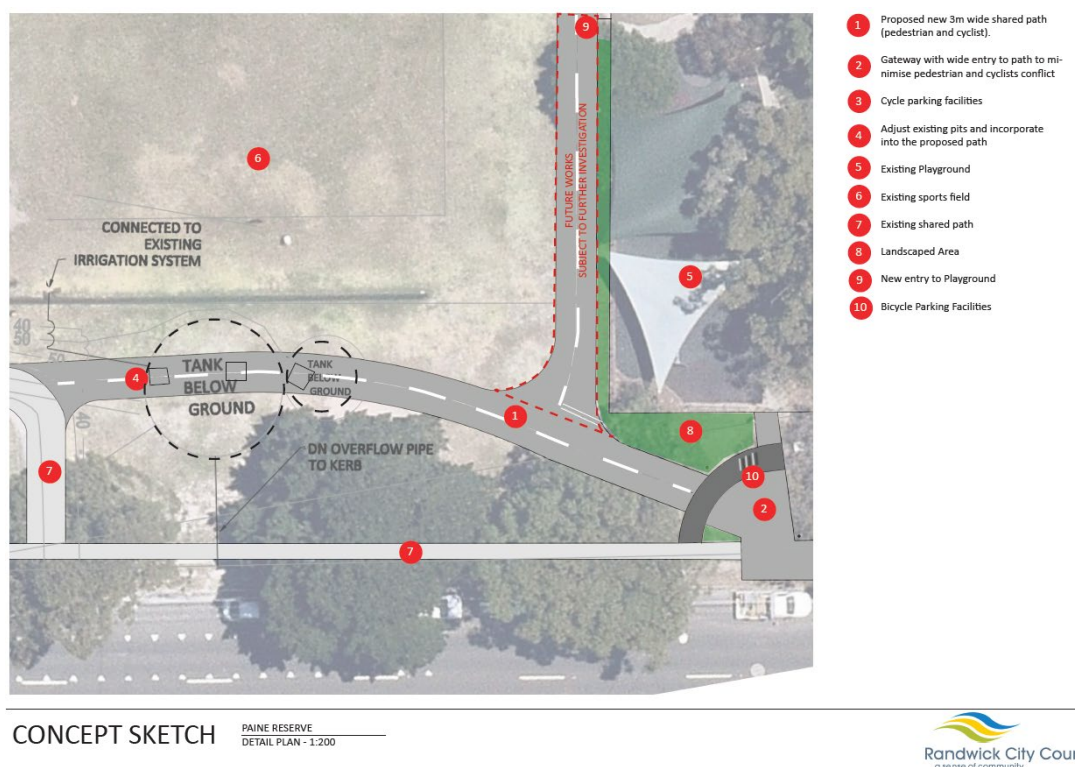
*During discussion on this item, Mr Finnane raised concerns that north bound Alison Rd bike riders are not provided with any directional signage, at the intersection of Wansey Rd and Alison Rd, informing them that there is a shared path cycleway on the other side of the Light-rail Tracks. Mr Lehmann agreed to investigate the matter.*

**Advisory Committee Recommendation:**

That the information be received.

**5.12. 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.



*Mr Lehmann responded to Ms Warton's enquiry regarding the status of this project, by informing the committee that councils project engineers will receive a report from the structural engineer within a few weeks. This will provide the necessary information to ensure this project can proceed.*



**Advisory Committee Recommendation:**

That the information be received.

**5.13. Alison Road (between Darley Road and Doncaster Avenue)**

The Council is currently investigating the specific dimensions of the current footpath on the south side of Alison Road, between Darley Road and Doncaster Avenue, to better understand whether the existing facility meets the required TfNSW and Austroads Standards.

Council officers will report on their findings and recommended actions, at the CABFAC meeting.

*Mr Lehmann explained to the committee that he is seeking clarification as to the owner of the land behind the bus shelter just east of Doncaster Ave, so that he can seek permission to provide a path behind the bus shelter. Other than this localised pinch point he advised that rest of this route was satisfactory for a shared path.*

**Advisory Committee Recommendation:**

That the information be received.

**5.14. Safer Streets to School program**

A resident has asked that this matter be discussed at the Cycleways and Bicycle Facilities Advisory Committee meeting.

**Advisory Committee Recommendation:**

That this matter be discussed at the Cycleways and Bicycle Facilities Advisory Committee meeting.

*Mr Shepperd had requested an update from council and provided a short presentation on the Safer Street to School program. Mr Lehmann informed the Committee that the identification of streets to undergo the safer Street to school 30km/h speed trial will be captured as an output of the Active Transport Plan to be delivered by 2023 (as identified as an outcome within the Integrated Transport Strategy).*

**Advisory Committee Recommendation:**

That information be received.

**5.15. Standardising design for pedestrian facilities along bike paths**

BIKEast has requested that Council ensures appropriate bike logos etc are proposed as new traffic facilities are installed. This is requested has been acknowledged by council officers and will be acted upon.

**Advisory Committee Recommendation:**

That information be received.

**5.16. Proposed committee dates 2022/23**

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

- Wednesday 18 May 2022 at 7.30am
- Wednesday 17 August at 6:30pm
- Wednesday 16 November 7:30am
- Wednesday 16 February 2023 at 6.30pm

Based on currently scheduled Council meetings and briefings, it has been confirmed that there should be no conflict with the proposed CABFAC meeting dates.

*It was agreed that the regular attendees of CABFAC be surveyed to establish their preferences as to how and when future meetings of this advisory committee are undertaken.*

**Advisory Committee Recommendation:**

That the information be received.

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## 6. Urgent matters or matters for future investigation

### 6.1. Oxford Street Cycleway

*At the meeting, Mr Lehmann informed the advisory committee that he was attending a meeting with Waverley Council officers the following day concerning the proposed extension of Waverley Council's Oxford St Cycleway into the Randwick LGA, west of York St.*

*(Subsequent to the meeting, it can be advised that an initial meeting was held on Thursday 17, February 2022 between Waverley and Randwick Council officers. The Waverley officers explained that there is a missing link between its current Oxford St Cycleway and the existing cycleway traveling along the northern edge of Centennial Park. They displayed detailed diagrams and it was agreed that a further, more extensive, meeting be held between the councils to ensure that the details provided are satisfactory for both council).*

**Advisory Committee Recommendation**

That the information be received.

### 6.2. Acknowledgement

*The Chair, Councillor Veitch, informed the advisory committee that she considered it would be appropriate to acknowledge the efforts and inputs of Councils Shurey and Matson over recent years, with regard to this committee. She stated that both Councillors were regular attendees and provided valuable input. She also recognised that this committee was formed following a notice of motion by Councillor Matson. It was agreed that a token of the communities' thanks be provided to these two councillors and BIKEast indicated that it would provide a certificate of appreciation for each of these Councillors as well.*

*Councillor Veitch also suggested that a message of gratitude be forwarded to Jonathan Milford for his valuable contribution over the years.*

**Advisory Committee Recommendation**

That a token of the communities' thanks be provided to these two councillors and BIKEast indicated that it would provide a certificate of appreciation for each of these Councillors as well.

That a message of gratitude be forwarded to Jonathan Milford for his valuable contribution over the years.

Meeting closed at 8:40pm

## Director City Services Report No. CS11/22

**Subject: Proposed Naming of La Perouse Public Stairs after Aunty Lola Ryan (1925-2003)**

---

### Executive Summary

- Council has received a request to name the recently completed public stairs at Frenchman's Bay, La Perouse in commemoration of the late Aunty Lola Ryan, a respected Dharawal Elder and recognized shell work artist.
- The commemoration would be in the form of a plaque/sign on a plinth located at the top of the stairs.
- This proposal has the support of Lola Ryan's family and the La Perouse Local Aboriginal Land Council.

### Recommendation

That:

- a) Council recognises the honorable life of Aunty Lola Ryan, a Dharawal Elder, for her good work in the community and the cultural importance of her shell artwork.
- b) Council approves the naming of the public stairs at Frenchman's Bay Beach, La Perouse in commemoration of Aunty Lola Ryan, a valued member of the La Perouse Aboriginal Community.
- c) the commemoration be recognised by a plaque and plinth placed at the top of the stairs leading to Frenchman's Bay Beach.
- d) Council officers liaise with the Ryan Family to design the plaque and plinth.

### Attachment/s:

1.  Biography Honouring Lola Ryan
2.  La Perouse Local Aboriginal Land Council - Aunty Lola Ryan - Letter of Support

## Purpose

The purpose of this report is to propose that the new stairs leading to Frenchman's Bay Beach at La Perouse be named in honour of the late Aunty Lola Ryan.

## Discussion

A request has been received from the family of Aunty Lola Ryan requesting that her life be celebrated by naming the new stairs at La Perouse in her honour.

## Proposal

It is proposed to install a plaque affixed to a sandstone plinth at the top of the stairs leading from the La Perouse mission to Frenchman's Bay beach. The location map is shown in Image 1.

The final design of the plaque and plinth will be developed in consultation with the Ryan Family. They have requested that the plaque include the following text.

*Lola Ryan (1925-2003)*

*Respected Dharawal Elder and shell artist of the La Perouse Aboriginal Community.*

*Awarded RCC Citizen of the Year 2000 and an OAM*

In addition to this text, the plaque will include a graphic representation of the important contribution that Aunty Lola Ryan made to the ongoing tradition of shell work in La Perouse.



**Image 1 – Location Map**

## Summary of Biography (Refer Attachment 1)

Lola Ryan was a Dharawal Elder and a proud member of the La Perouse Aboriginal Community. As a young girl she moved with her family to La Perouse. She married in 1943 and enjoyed a beautiful marriage until the passing of her husband in 1995 with whom she raised 10 children, 5 boys and 5 girls, and cared for many children from extended family.

In later years Lola worked as a cook at the NSW Golf Club and Yarra Bay House boys' home. Lola's family have advised that she loved to cook and when she wasn't doing her shell art you could often

find her making scones, dampers, and Christmas puddings, which she would share among her family, friends, and community.

Later, Lola worked in schools and jails. Along with three other Aboriginal women, Elders from La Perouse, Lola visited Aboriginal prisoners in Parramatta, Emu Palins, Silverwater, Mulawa and Long Bay. The ladies were passionate about helping their people with Lola recalling that the purpose of their visits was “...to spend time amongst them and to give them contact with their culture and other Aboriginal people, especially Elders like us.”

Lola's shell work can be found in public collections including the Art Gallery of New South Wales, the Museum of Contemporary Art, the Powerhouse Museum, and the Australian National Maritime Museum. Her shell art is also featured locally in the collections and exhibitions of the La Perouse Museum. Shell work, and the legacy and skill of the generations of La Perouse women who work in this artform, is a primary theme of the Museum. Public programs on shell work are frequently delivered in partnership with Lola's daughter Aunty Maxine Ryan.

In 2000 Lola was awarded Citizen of the Year by Randwick Council and received an OAM.

Lola passed away in 2003 and is remembered for her shell art, cooking and for her kind, caring nature and love for her family and community.

### Support

The original request to name the new stairs in honour of Aunty Lola Ryan came from the Ryan family. Subsequently, Council has received a letter of support for the proposal (Attachment 2) from the La Perouse Local Aboriginal Land 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

The estimated cost of the plaque and plinth is \$4,000 - \$5,000. It is proposed to fund this work from the General Parks Upgrades program in the 2021/22 capital works program.

### Policy and legislative requirements

Nil

### Conclusion

Lola Ryan was a respected Dharawal Elder and shell artist from the La Perouse Aboriginal community. In her life, she worked hard to support her family and the Aboriginal community particularly, Aboriginal prisoners. She and her family have a strong connection to the La Perouse area.

This report proposes that Lola Ryan is acknowledged by naming the public stairs leading to Frenchman's Beach in her honour. The naming will be recognized by installing a plaque and plinth at the top of the stairs.

This proposal has the support of Lola's family and the La Perouse Local Aboriginal Land Council.

**Responsible officer:** Kerry Colquhoun, Coordinator Open Space Assets

**File Reference:** F2006/00422

CS11/22



Lola Ryan

**Biography**

Lola Ryan was born in 1925 on the South Coast of NSW. She was a Dharawal Elder and a proud member of the La Perouse Aboriginal Community. As a young girl she moved with her family to La Perouse where she attended the La Perouse Public School. She married in 1943 and enjoyed a long and beautiful marriage until the passing of her husband in 1995 with whom she raised 10 children, 5 boys and 5 girls, and cared for many children from extended family. In later years Lola worked as a cook at the NSW Golf Club, Yarra Bay House when it was a boy's home and at a private hospital in Maroubra. Lola loved to cook and when she wasn't doing her shell art you could often find her making scones, dampers and Christmas puddings, which she would share among her family, friends and community.

In later years Lola worked in schools and jails. Along with three other Aboriginal women, Elders from La Perouse – Beryl Beller, Iris Williams and Gloria Ardler – Lola visited Aboriginal prisoners in Parramatta, Emu Palins, Silverwater, Mulawa and Long Bay. The ladies were passionate about helping their people with Lola recalling that the purpose of their visits was "...to spend time amongst them and to give them contact with their culture and other Aboriginal people, especially Elders like us."

Lola was a recognised and honoured Elder and a much loved member of the La Perouse community. Lola's shell work can be found in public collections including the Art Gallery of New South Wales, the Museum of Contemporary Art, the Powerhouse Museum and the Australian National Maritime Museum. In 2000 Lola was awarded Citizen of the Year by Randwick Council and also received OAM. Lola, along with other Elders and members of the La Perouse Community was part of the Olympic Torch ceremony for the Sydney 2000 Olympic Games as it passed through La Perouse.

Lola passed away in 2003 and is remembered for her shell art, cooking and for her kind, caring nature and love for her family and community.

**Shell work**

As a young child, Lola learnt the skills of shell work by watching her mother and older sisters. She used to go with them to collect shells and learnt to sort the shells into categories according to colour, shape and size. She started selling her shell work to help support the family. She worked closely with her sister Mavis Longbottom later in life. Shells were collected locally at La Perouse Beach (Frenchmans Bay), Yarra Beach and other beaches on the South Coast. Lola's shell work includes sculptural objects depicting the Harbour Bridge, miniature shoes and heart shaped boxes. She also produced wall hangings of boats, kookaburras, white cockatoos and abstract tiles. The templates for the shoes and boxes were inherited from her mother, the bridges and kookaburras (and glue recipe) from her father.

Each piece was created using a cardboard structure which was then covered with fabric, usually corduroy. Onto this structure, shells were applied using a special glue – the recipe of which remains secret. The shells were placed to create patterns of colour and texture. Lola often used glitter in her shell work which became a signature stylistic element in her shell work.

In the late 1990's Lola began working with art collector Peter Fay and started showing her work in galleries including at Gitte Weise's Gallery in Paddington, where she quickly became celebrated for her experimental style and artistic vision.



Lola Ryan

**Honouring proposal**

To celebrate and honour Lola Ryan we propose that a bronze plaque affixed to a sandstone plinth be installed at the top of the steps leading from the La Perouse mission to La Perouse Beach (Frenchmans Bay) We propose that the plaque be in the shape of a fan shell to reflect the important contribution that Lola Ryan made to the ongoing tradition of shell work in La Perouse which is still practiced today.

**Wording for the plaque:**

*Lola Ryan (1925-2003)*

*Respected Dharawal Elder and shell artist of the La Perouse Aboriginal Community.*

*Awarded: RCC Citizen of the Year 2000 and an OAM*



**Lola and her sister Mavis Longbottom**

Lola Ryan



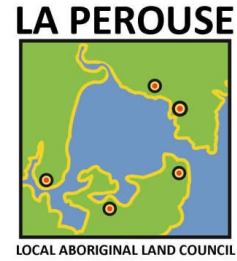
Shellwork heart-shaped box



Harbour Bridge

CS11/22

CS11/22



8 February 2022

Lola Ryan  
17 Herford Street  
Botany NSW 2019

Dear Aunty Lola

**Dedication of steps at Frenchmans Beach to Aunty Lola Ryan (1925 – 2003)**

We understand that you have approached Randwick City Council to dedicate the newly constructed stairs at Frenchmans Beach to your mother, the late Aunty Lola Ryan.

The La Perouse Local Aboriginal Land Council (**La Perouse LALC**) supports the proposal to dedicate the stairs in memory of Aunty Lola Ryan.

Please don't hesitate to contact the La Perouse LALC office on 9311 4282 during business hours.

Yours sincerely,



Chris Ingre  
**Chief Executive Officer**

[www.laperouse.org.au](http://www.laperouse.org.au)

## Director Corporate Services Report No. CO10/22

**Subject: Investment Report - February 2022**

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### Executive Summary

- This report outlines Council's investment portfolio and performance as at 28 February 2022.
- All investments have been made in accordance with the Act, Regulations and Council's Investment Policy.
- For the month of February, the portfolio provided a solid return of +0.07% (actual) or +0.90% p.a. (annualised), outperforming the benchmark AusBond Bank Bill Index return of 0.01% (actual) or 0.07% p.a. (annualised).
- The overweight position to AMP Bank following their credit downgrade in August 2019, from A- to BBB+ and a further downgrade to BBB is now represented by a single FRN maturing 30 March 2022. Council will hold to maturity given this FRN is currently our best performing and within our risk profile.
- Cashflow will continue to be monitored closely, as central banks will move from their excessively loose policy measures to a tightening cycle. Investments will be managed to ensure liquidity to meet operational requirements.

### Recommendation

That the Investment Report for February 2022 be received and noted.

### Attachment/s:

1.  Certificate by Responsible Accounting Officer - February 2022

## 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 28 February 2022, Council held investments with a market value of \$149.072 million. The portfolio value increased during February by ~\$5.10 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 28 February 2022 is ~\$54.81 million more than the same time last year or \$21.31 million more excluding the loan funds. This represents a stable cash flow despite the continuing impacts of Covid-19.

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 1 March 2022 the RBA decided to:

- maintain the cash rate target at 10 basis points and the interest rate on Exchange Settlement balances of zero per cent
- cease further purchases under the bond purchase program, with over \$360bn of bonds have been purchased across all the bond buying operations of the past two years

The RBA's central scenario is consistent with discussing an interest rate increase later this year. Governor Lowe has commented that interest rate rises starting later in 2022 were deemed "*a plausible scenario*", but he also stated, "*it's still quite plausible that the first increase...is a year or longer away*".

The Board is still "*prepared to be patient*" as they await more information on wages growth and the outlook and trajectory for inflation before they can conclude inflation is sustainably at target. The cash rate will not be increased until:

- "*Until actual (underlying) inflation is sustainably within the 2-3% target range*"; and
- uncertainties about how persistent the pick-up in inflation will be given recent developments in global energy markets and ongoing supply-side problems are reduced.

## 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 \$14.774M or 9.91% of the total portfolio.

| Investment     | Rating | Balance<br>1 February 2022 | Movement  | Balance<br>28 February 2022 | Interest Rate |
|----------------|--------|----------------------------|-----------|-----------------------------|---------------|
| CBA            | AA-    | \$7,062,207                | \$646,413 | \$7,708,620                 | 0.20%         |
| Macquarie Bank | A+     | \$7,063,506                | \$2,167   | \$7,065,674                 | 0.40%         |

## Term Deposits

- At month end, the portfolio included \$106.50 million in term deposits.
- Term Deposits made up 71.44% of the total investment portfolio.
- Two term deposits totalling \$3.50 million matured in February 2022.
- During February, four new term deposits totalling \$8.0 million were placed.
- As at the end of February, the term deposit portfolio was yielding 0.83% p.a. (up 1bp from the previous month).

| A       | Rating | Balance<br>1 February<br>2022 | Movement     | Balance<br>28 February<br>2022 | Date<br>Invested | Maturity<br>Date | Interest<br>Rate |
|---------|--------|-------------------------------|--------------|--------------------------------|------------------|------------------|------------------|
| ICBC    | A      | \$1,000,000                   | 0            | \$1,000,000                    | 21/09/2020       | 16/03/2022       | 0.83%            |
| ICBC    | A      | \$2,000,000                   | 0            | \$2,000,000                    | 21/09/2020       | 19/09/2022       | 0.85%            |
| ICBC    | A      | \$1,500,000                   | 0            | \$1,500,000                    | 3/11/2020        | 27/04/2022       | 0.70%            |
| 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       | 28/06/2023       | 0.65%            |
| ICBC    | A      | \$2,000,000                   | 0            | \$2,000,000                    | 01/03/2021       | 22/6/2022        | 0.55%            |
| ICBC    | A      | \$2,000,000                   | 0            | \$2,000,000                    | 01/03/2021       | 09/03/2022       | 0.48%            |
| CBA     | AA-    | \$2,000,000                   | 0            | \$2,000,000                    | 15/04/2021       | 6/4/2022         | 0.41%            |
| ING     | A      | \$2,000,000                   | 0            | \$2,000,000                    | 15/04/2021       | 29/6/2022        | 0.45%            |
| CBA     | AA-    | \$2,000,000                   | 0            | \$2,000,000                    | 23/4/2021        | 20/4/2022        | 0.41%            |
| NAB     | AA-    | \$2,000,000                   | 0            | \$2,000,000                    | 02/06/2021       | 23/03/2022       | 0.33%            |
| Suncorp | A+     | \$1,500,000                   | -\$1,500,000 | 0                              | 06/08/2021       | 02/02/2022       | 0.30%            |
| Suncorp | A+     | \$2,000,000                   | -\$2,000,000 | 0                              | 09/08/2021       | 09/02/2022       | 0.30%            |
| 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-    | \$2,000,000                   | 0            | \$1,500,000                    | 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       | 28/09/2022       | 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%            |

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|      |     |             |             |             |            |            |       |
|------|-----|-------------|-------------|-------------|------------|------------|-------|
| 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 | 1.28% |
| 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 | 28/12/2022 | 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 | 0           | \$1,000,000 | 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% |
| ING  | A   | 0           | \$2,000,000 | \$2,000,000 | 17/02/2022 | 13/04/2022 | 0.30% |
| NAB  | AA- | 0           | \$2,000,000 | \$2,000,000 | 17/02/2022 | 22/6/2022  | 0.44% |
| NAB  | AA- | 0           | \$2,000,000 | \$2,000,000 | 28/02/2022 | 12/07/2023 | 1.20% |



|              |   |                      |                    |                      |            |            |       |
|--------------|---|----------------------|--------------------|----------------------|------------|------------|-------|
| ICBC         | A | 0                    | \$2,000,000        | \$2,000,000          | 28/02/2022 | 12/07/2023 | 1.20% |
| <b>Total</b> |   | <b>\$102,000,000</b> | <b>\$4,500,000</b> | <b>\$106,500,000</b> |            |            |       |

### Floating Rate Notes (FRNs)

- The portfolio includes \$26.112 million in floating rate notes, making up 17.52% 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 28 February 2022 decreased by ~\$29.88 thousands. Over February, amongst the senior major banks FRNs physical credit securities marginally tightened up to 5bp at the long-end of the curve.
- There is no new floating rate note placed during February.
- Council will continue to look at opportunities and new issuances as they become available, and switch if viable.

| Investment                | Rating | Purchase Price      | Indicative Value<br>28 February 2022 | Date Invested | Maturity Date | Interest Rate       |
|---------------------------|--------|---------------------|--------------------------------------|---------------|---------------|---------------------|
| AMP                       | BBB    | \$992,820           | \$1,000,242                          | 21/03/2019    | 30/03/2022    | 90D BBSW + 129 bpts |
| Macquarie Bank            | A+     | \$2,000,000         | \$2,013,822                          | 07/08/2019    | 07/08/2024    | 90D BBSW + 80 bpts  |
| Citibank                  | A+     | \$1,000,000         | \$1,009,731                          | 14/11/2019    | 14/11/2024    | 90D BBSW + 88 bpts  |
| NAB                       | AA-    | \$2,000,000         | \$2,015,256                          | 21/01/2021    | 21/01/2025    | 90D BBSW + 77 bpts  |
| Macquarie Bank            | A+     | \$2,000,000         | \$2,014,342                          | 12/02/2020    | 12/02/2025    | 90D BBSW + 84 bpts  |
| UBS                       | A+     | \$1,300,000         | \$1,309,025                          | 30/7/2020     | 30/07/2025    | 90D BBSW + 87 bpts  |
| Bank of China             | A      | \$1,000,000         | \$1,004,228                          | 18/08/2020    | 18/08/2023    | 90D BBSW + 80 bpts  |
| UBS                       | A+     | \$3,000,000         | \$2,792,961                          | 26/02/2021    | 26/02/2026    | 90D BBSW + 50 bpts  |
| CBC                       | A      | \$1,000,000         | \$1,000,038                          | 11/03/2021    | 11/03/2024    | 90D BBSW + 58 bpts  |
| ICBC                      | A      | \$1,700,000         | \$1,689,842                          | 18/06/2021    | 18/06/2026    | 90D BBSW + 66 bpts  |
| NAB                       | AA-    | \$3,100,000         | \$3,066,144                          | 24/08/2021    | 24/08/2026    | 90D BBSW + 41 bpts  |
| Suncorp                   | A+     | \$1,750,000         | \$1,727,572                          | 15/09/2021    | 15/9/2026     | 90D BBSW + 48 bpts  |
| CBA                       | AA-    | \$1,500,000         | \$1,497,433                          | 14/1/2022     | 14/1/2027     | 90D BBSW + 77 bpts  |
| Suncorp                   | AA-    | \$1,800,000         | \$1,793,579                          | 25/1/2022     | 25/1/2027     | 90D BBSW + 78 bpts  |
| Rabobank Australia Branch | A+     | \$2,000,000         | \$1,997,460                          | 27/1/2022     | 27/1/2027     | 90D BBSW + 73 bpts  |
| <b>Total</b>              |        | <b>\$26,142,820</b> | <b>\$26,111,678</b>                  |               |               |                     |

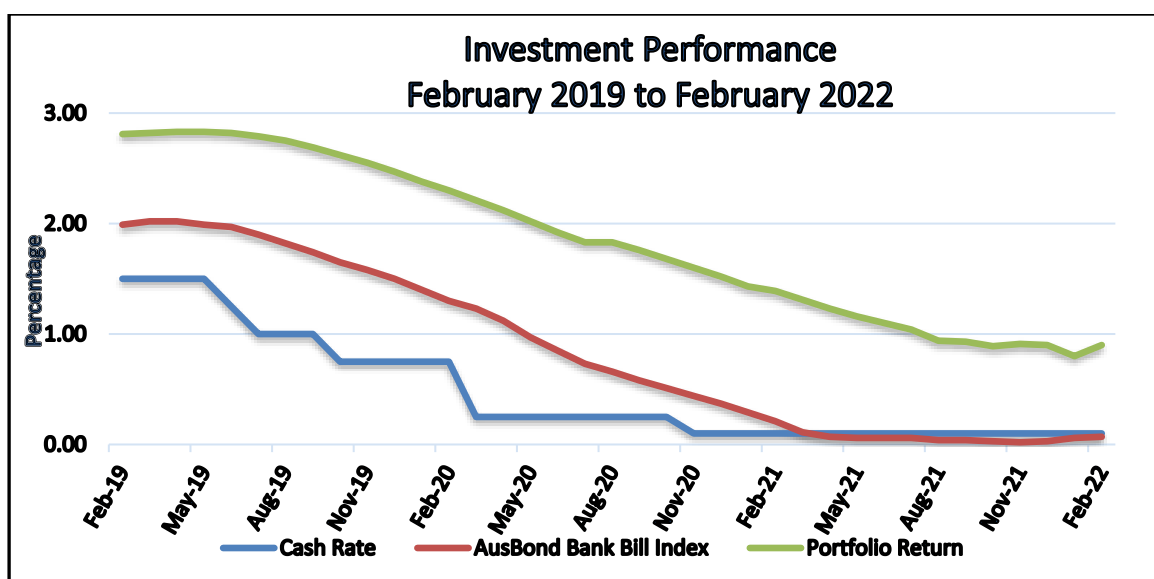
### Fixed Bonds

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.

| Investment   | Rating | Purchase Price     | Indicative Value<br>28 February 2022 | Date Invested | Maturity Date | Interest Rate |
|--------------|--------|--------------------|--------------------------------------|---------------|---------------|---------------|
| ING Bank     | AAA    | \$1,794,762        | \$1,686,893                          | 19/08/2021    | 19/08/2026    | 1.10%         |
| <b>Total</b> |        | <b>\$1,794,762</b> | <b>\$1,686,893</b>                   |               |               |               |

## 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 February 2019 to February 2022.



For the month of February, the total portfolio of term deposits (T/Ds) and floating rate notes (FRNs) provided a solid return of +0.07% (actual), or +0.90% p.a. (annualised) outperforming the benchmark AusBond Bank Index return of +0.01% (actual) and 0.07% 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 0.85% p.a., outperforming bank bills by 0.82% 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 18 months.

The performance for the month ending 28 February 2022 is summarised below.

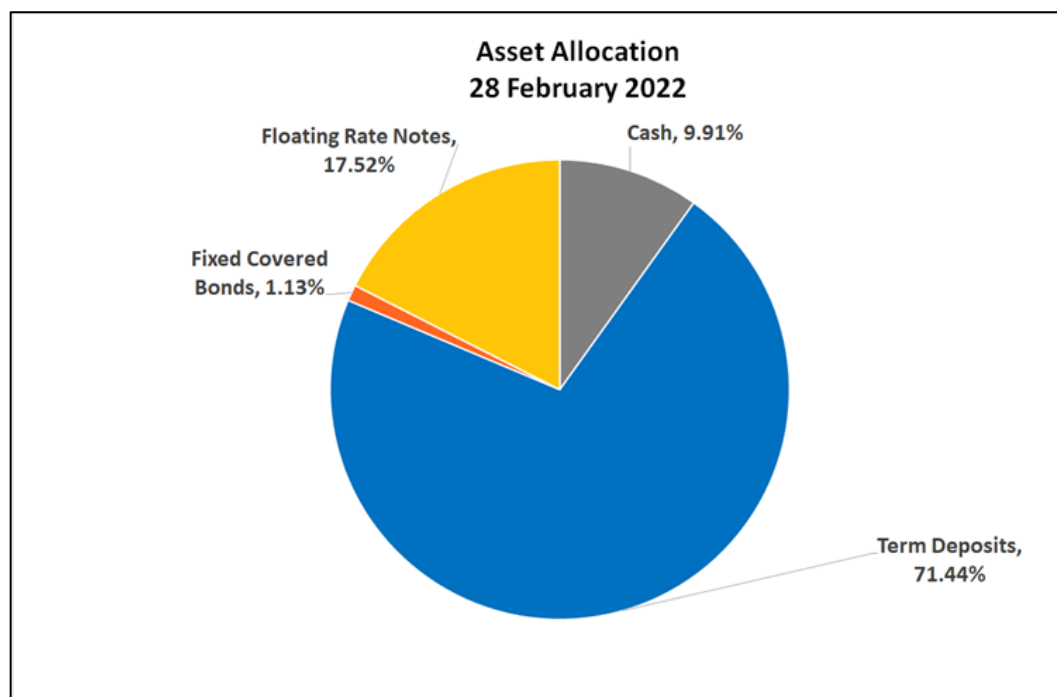
| Performance                    | 1 month | 3 months | 6 months | FYTD  | 1 year | 2 year |
|--------------------------------|---------|----------|----------|-------|--------|--------|
| <b>Official Cash Rate</b>      | 0.01%   | 0.02%    | 0.05%    | 0.07% | 0.10%  | 0.15%  |
| <b>AusBond Bank Bill Index</b> | 0.01%   | 0.01%    | 0.02%    | 0.02% | 0.03%  | 0.12%  |
| <b>Council's T/D Portfolio</b> | 0.07%   | 0.21%    | 0.35%    | 0.45% | 0.67%  | 1.04%  |
| <b>Council's FRN Portfolio</b> | 0.06%   | 0.19%    | 0.73%    | 0.88% | 1.22%  | 1.30%  |

|                                 |       |       |       |       |       |       |
|---------------------------------|-------|-------|-------|-------|-------|-------|
| <b>Council's Bond Portfolio</b> | 0.08% | 0.27% | -     | -     | -     | -     |
| <b>Council's Portfolio</b>      | 0.07% | 0.20% | 0.46% | 0.58% | 0.85% | 1.12% |
| <b>Outperformance</b>           | 0.06% | 0.19% | 0.45% | 0.56% | 0.82% | 1.00% |

## Council's Portfolio and Compliance

### Asset Allocation

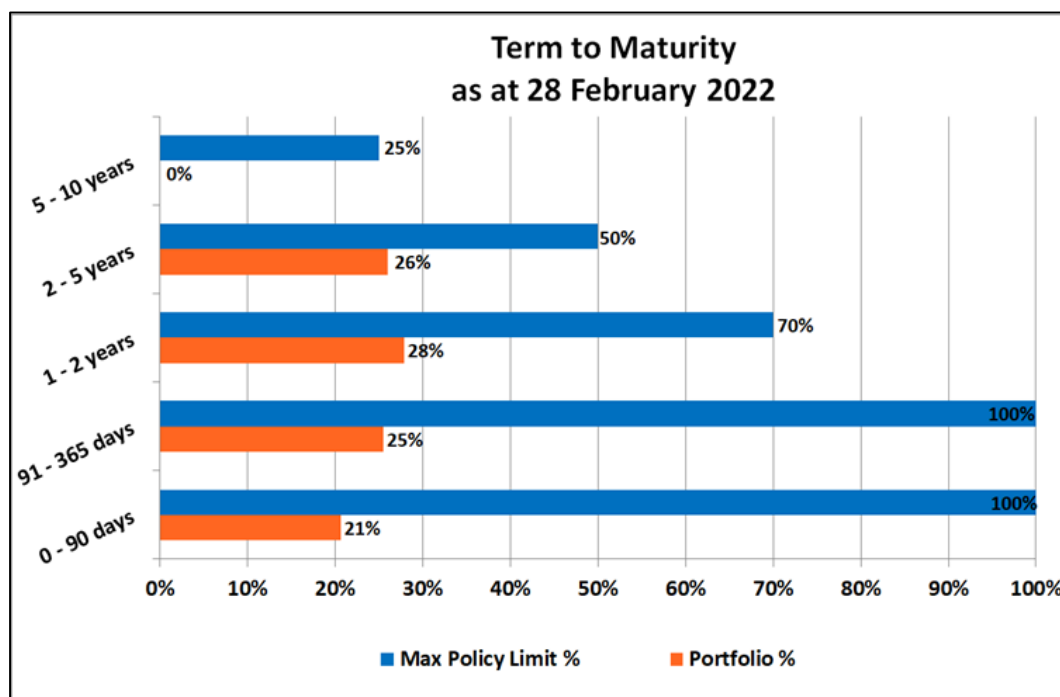
Most of the portfolio is spread between term deposits (71.44%) and senior floating rate notes (17.52%). The remainder of the portfolio is held in the overnight cash accounts with CBA and Macquarie Bank (9.91%) and the "AAA" rated fixed covered bond (1.13%). The FRNs add additional liquidity and are generally 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 26% of the total investment portfolio.

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| Compliant | Horizon     | Invested     | %      | Min Limit | Max Limit |
|-----------|-------------|--------------|--------|-----------|-----------|
| ✓         | 0-90 days   | \$30,774,535 | 20.64% | 10%       | 100%      |
| ✓         | 91-365 days | \$38,000,000 | 25.49% | 20%       | 100%      |
| ✓         | 1-2 years   | \$41,504,228 | 27.85% | 0%        | 70%       |
| ✓         | 2-5 years   | \$38,794,102 | 26.02% | 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

Applying the long-term S&P ratings only, Council had an overweight position to AMP Bank following their credit downgrade on 27th August 2019, from A- to BBB+ and a further one notch downgrade to BBB in September 2020. S&P stated that *"the overall creditworthiness of the AMP group is weaker"* and that *"the group is exposed to challenges that may disrupt its overall strategic direction and its ability to effectively execute its strategy."*

|   |             |
|---|-------------|
| AMP Bank investments held at time of ratings downgrade August 2019: | \$8,981,125 |
| Balance of holdings as at 28 February 2022:                         | \$1,000,242 |

Council's investment advisors *"have no issues with Council's investments with AMP Bank, given they are senior ranked assets, extremely low risk and high up the bank capital structure. The bank continues to have a robust balance sheet with their level of capital remaining above the minimum regulatory requirement set by APRA."* Council will receive the full principal at maturity (late March 2022), along with the quarterly interest payments.

| Compliant | Rating       | Invested    | Invested | Max. Limit | Available     |
|-----------|--------------|-------------|----------|------------|---------------|
| ✓         | AAA Category | \$1,686,893 | 1.13%    | 100%       | \$147,385,972 |

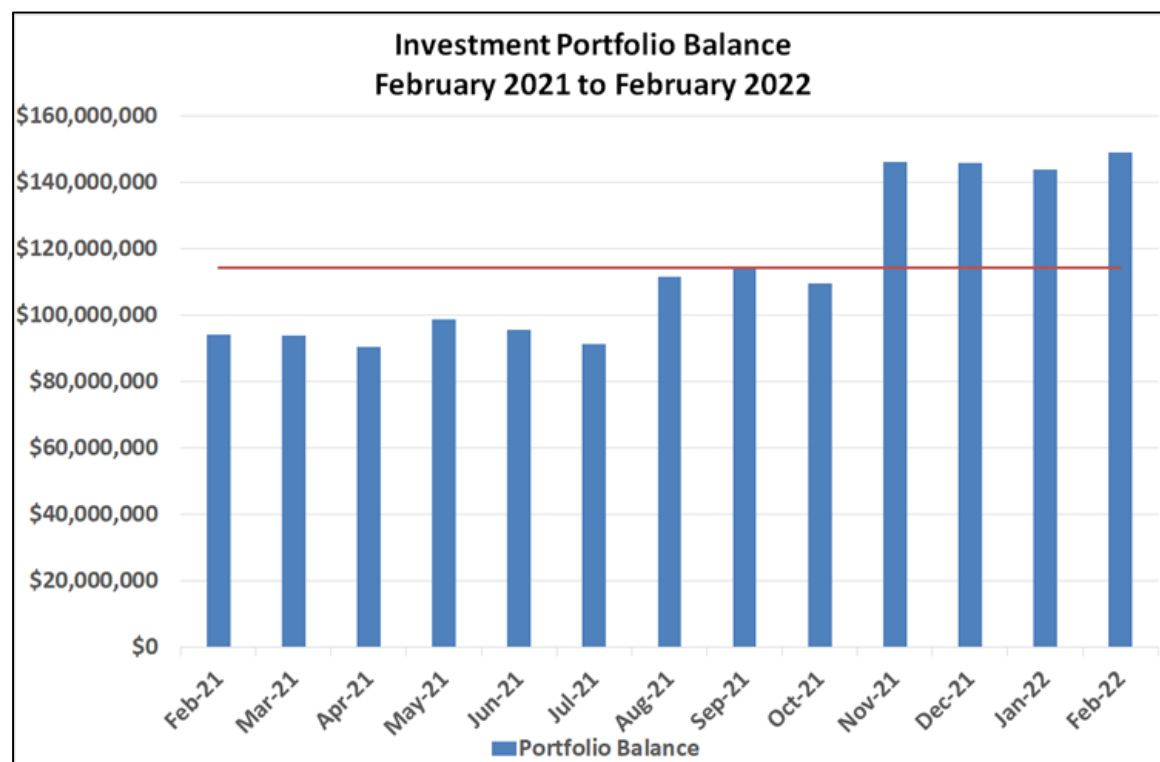
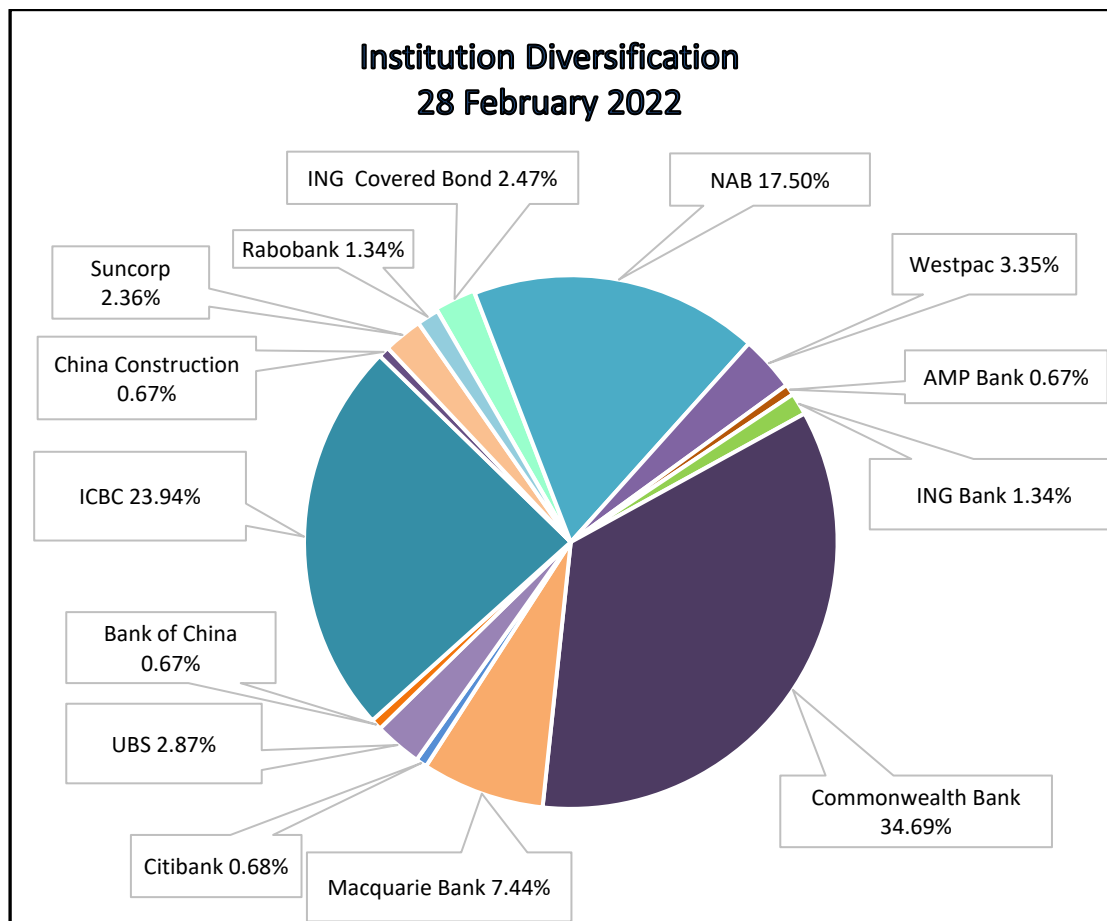
|   |              |              |        |       |              |
|---|--------------|--------------|--------|-------|--------------|
| ✓ | AA Category  | \$86,308,605 | 57.90% | 100%  | \$62,764,260 |
| ✓ | A Category   | \$60,077,124 | 40.30% | 80%   | \$59,181,168 |
| X | BBB Category | \$1,000,242  | 0.67%  | 0.00% | -\$1,000,242 |
| ✓ | 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 Covered               | AAA    | \$1,686,893  | 1.13%  | 40%        | \$57,942,253 |
| ✓         | Rabobank Australia Branch | A+     | \$1,997,460  | 1.34%  | 25%        | \$35,270,756 |
| ✓         | CBA                       | AA-    | \$51,706,053 | 34.70% | 40%        | \$7,923,093  |
| ✓         | NAB                       | AA-    | \$26,081,401 | 17.50% | 40%        | \$33,547,745 |
| ✓         | Westpac                   | AA-    | \$5,000,000  | 3.35%  | 40%        | \$54,629,146 |
| ✓         | Citibank                  | A+     | \$1,009,731  | 0.68%  | 25%        | \$36,258,485 |
| ✓         | UBS                       | A+     | \$4,281,987  | 2.87%  | 25%        | \$32,986,229 |
| ✓         | ING Bank                  | A      | \$4,000,000  | 2.68%  | 25%        | \$33,268,216 |
| ✓         | Bank of China             | A      | \$1,004,228  | 0.67%  | 25%        | \$36,263,988 |
| ✓         | Macquarie Bank            | A+     | \$11,093,838 | 7.44%  | 25%        | \$26,174,378 |
| ✓         | Suncorp                   | A+     | \$3,521,151  | 2.36%  | 25%        | \$56,107,995 |
| ✓         | ICBC Sydney               | A      | \$35,689,843 | 23.94% | 25%        | \$1,578,323  |
| ✓         | China Construction Bank   | A      | \$1,000,038  | 0.67%  | 25%        | \$36,268,178 |
| X         | AMP Bank                  | BBB    | \$1,000,242  | 0.67%  | 0%         | -\$1,000,242 |

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## 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 \$642,409.00. Income received to 28 February 2022 is \$548,628.81, representing 85.40% 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.

### 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 February 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 28 February 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 28 February 2022

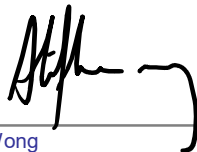
### Certificate by Responsible Accounting Officer

made pursuant to Clause 212(1)(b) of the Local Government (General) Regulations 2005

I hereby certify that all investments as at 28 February 2022 have been made in accordance with Council's Investment Policy (adopted Sept 2021).

I hereby certify that all investments as at 28 February 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 28 February 2022, and this investment report, meet the requirements of clause 212 of the Local Government (General) Regulation 2005.



Stephen Wong

RESPONSIBLE ACCOUNTING OFFICER

3 March 2022

Date

CO10/22

## Director Corporate Services Report No. CO11/22

**Subject: Monthly Financial Report as at 28 February 2022**

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### 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 28 February 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.
- The Heffron Centre Project remains on track with a practical completion date of 12 October 2022. To date the project is on budget with appropriate contingency remaining.

### Recommendation

That the Monthly Financial Report as at 28 February 2022 be received and noted.

### Attachment/s:

1.   Monthly Financial Statements - Income Statement - February 2022
2.   Monthly Financial Statements - Balance Sheet - February 2022
3.   Monthly Financial Statements - Cash Flow Statement - February 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 28 February 2022.

### 2021-22 Financial Performance Summary

|                                     | Original<br>2021-22 Budget | 2021-22<br>February YTD |
|-------------------------------------|----------------------------|-------------------------|
| Income from continuing operations   | \$180,918,623              | \$119,338,558           |
| Expenses from continuing operations | \$164,938,993              | \$103,994,069           |
| Net operating result for 2021-22    | \$15,979,630               | \$15,344,489            |

- **Income Statement** (Attachment 1):  
Summarises the Council's financial performance year to date (YTD). The income statement presents the financial results for a stated period of time. The statement quantifies the amount of revenue generated and the expenses incurred by the Council as well as any resulting net surplus or deficit.
- **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.

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 28<sup>th</sup> February 2022 is 2.15 compared to 2.56 as at 30<sup>th</sup> 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 February 2022. Together with a positive net operating result at \$15,344,489, the financial position of the Council remains satisfactory.

### Heffron Centre Project

As at 28 February 2022, the Heffron Centre Project is showing \$9.8M actual expense and \$3.9M in committed expenditure and purchase orders, from an approved budget for the financial year 2021-22 of \$47.5M. Significant rainfall throughout January and February has exhausted the weather contingency and further weather events will impact the risk. To date the project is on budget with circa \$4.4M contingency remaining.

## Strategic alignment

The relationship with the City Plan is as follows:

| Outcome/Direction | Delivery Program actions   |
|-------------------|--|
| Outcome           | 1. Leadership in sustainability  |
| Direction         | 1b. Council is a leader in the delivery of social, financial and operational activities. |

## Resourcing Strategy implications

The adopted December 2021 Quarterly Budget Review indicates the 2021-22 projected budget has improved to a total surplus of \$614k 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.

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**Responsible officer:** Stephen Wong, Chief Financial Officer

**File Reference:** F2021/00364

C011/22

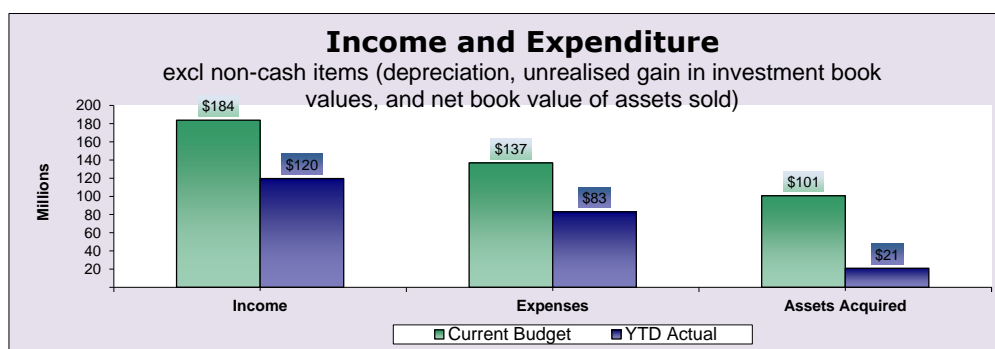


# INCOME STATEMENT

as at 28 February 2022

% OF YEAR EXPIRED AT  
28 Feb 2022 **66%**

|  | Original<br>Budget<br>(\$'000s) | Current<br>Budget<br>(\$'000s) | YTD<br>Actuals<br>(\$'000s) | %<br>Spent or<br>Earned |
|--|---------------------------------|--------------------------------|-----------------------------|-------------------------|
| <b>EXPENSES FROM CONTINUING OPERATIONS</b>                           |                                 |                                |                             |                         |
| Employee Costs   | 73,925                          | 73,789                         | 46,524                      | 63.0%                   |
| Borrowing Costs  | 565                             | 565                            | -                           | 0.0%                    |
| Materials and Contracts  | 57,195                          | 57,306                         | 34,047                      | 59.4%                   |
| Depreciation and Amortisation  | 28,406                          | 28,406                         | 20,902                      | 73.6%                   |
| Other Operating Expenses   | 4,848                           | 5,143                          | 2,391                       | 46.5%                   |
| Loss on Disposal of Infrastructure Assets                            | -                               | -                              | 130                         | 0.0%                    |
| <b>Total Expenses from Continuing Operations</b>                     | <b>164,939</b>                  | <b>165,208</b>                 | <b>103,994</b>              | <b>62.9%</b>            |
| <b>INCOME FROM CONTINUING OPERATIONS</b>                             |                                 |                                |                             |                         |
| Rates and Annual Charges   | 131,977                         | 132,268                        | 90,508                      | 68.4%                   |
| User Charges and Fees  | 19,575                          | 17,260                         | 10,347                      | 59.9%                   |
| Interest   | 842                             | 816                            | 425                         | 52.2%                   |
| Other Revenues   | 5,627                           | 4,928                          | 3,010                       | 61.1%                   |
| Other Income   | 3,338                           | 2,415                          | 1,663                       | 68.8%                   |
| Operating Grants and Contributions                                   | 7,215                           | 7,670                          | 3,885                       | 50.7%                   |
| Capital Grants and Contributions                                     | 12,344                          | 18,444                         | 9,081                       | 49.2%                   |
| Gain on Disposal of Plant & Fleet Assets                             | -                               | -                              | 419                         |                         |
| <b>Total Income from Continuing Operations</b>                       | <b>180,919</b>                  | <b>183,801</b>                 | <b>119,339</b>              | <b>64.9%</b>            |
| <b>Net Operating Result - Surplus/(Deficit)</b>                      | <b>15,980</b>                   | <b>18,593</b>                  | <b>15,344</b>               |                         |
| <b>FUNDING STATEMENT</b>   |                                 |                                |                             |                         |
| <b>SOURCE OF FUNDS</b>   |                                 |                                |                             |                         |
| Surplus/(Deficit) from Operations - Accrual                          | 15,980                          | 18,593                         | 15,344                      | 82.5%                   |
| <b>Add Back Non-Funded Transactions included in Operations above</b> |                                 |                                |                             |                         |
| - Depreciation   | 28,406                          | 28,406                         | 20,902                      | 73.6%                   |
| - Sales of Assets (Book Value)                                       | 1,266                           | 1,266                          | 362                         | 28.6%                   |
| - Transfer from Internal Reserves                                    | 9,425                           | 9,425                          | 9,990                       | 106.0%                  |
| - Transfer from External Reserves                                    | 5,988                           | 5,988                          | (1,017)                     | -17.0%                  |
| - Unrealised Gain/(Loss) on Market Value of Investments              | -                               | -                              | (270)                       | 0.0%                    |
| - Loan Borrowings  | 19,000                          | 19,000                         | -                           | 0.0%                    |
| <b>Net Funds Available</b>   | <b>80,064</b>                   | <b>82,677</b>                  | <b>45,851</b>               | <b>55.5%</b>            |
| <b>APPLICATION OF FUNDS</b>  |                                 |                                |                             |                         |
| Assets Acquired  | 85,751                          | 100,677                        | 20,984                      | 20.8%                   |
| Loan Principal Repayment   | 3,111                           | 3,111                          | -                           | 0.0%                    |
| Transfer to Internal Reserves  | 1,710                           | 1,710                          | 2,652                       | 155.1%                  |
| Transfer to External Reserves  | 1,287                           | 1,287                          | (692)                       | -53.8%                  |
| <b>Total Funds Applied</b>   | <b>91,859</b>                   | <b>106,784</b>                 | <b>22,944</b>               | <b>21.5%</b>            |
| <b>Total Funds Surplus/(Deficit)</b>                                 | <b>(11,795)</b>                 | <b>(24,107)</b>                | <b>22,907</b>               |                         |





# BALANCE SHEET

at 28 February 2022

|   | Actual as at<br>28 February<br>2022<br>(\$'000s) | Actual as at<br>30 June 2021<br>(\$'000s) |
|---|--|---|
| <b>CURRENT ASSETS</b>                       |  |   |
| Cash, Cash Equivalents & Investments        | 149,451  | 95,706                                    |
| Receivables                                 | 3,839  | 10,491                                    |
| Inventories                                 | 675  | 644                                       |
| Other                                       | 49   | 825                                       |
| <b>TOTAL CURRENT ASSETS</b>                 | <b>154,015</b>                                   | <b>107,666</b>                            |
| <b>NON-CURRENT ASSETS</b>                   |  |   |
| Investments                                 | 8  | 8   |
| Receivables                                 | 592  | 592                                       |
| Infrastructure, Property, Plant & Equipment | 1,869,201  | 1,869,269                                 |
| Right of Use Asset                          | 235  | 235                                       |
| <b>TOTAL NON-CURRENT ASSETS</b>             | <b>1,870,036</b>                                 | <b>1,870,104</b>                          |
| <b>TOTAL ASSETS</b>                         | <b>2,024,050</b>                                 | <b>1,977,769</b>                          |
| <b>CURRENT LIABILITIES</b>                  |  |   |
| Payables & Prepayments                      | 50,531   | 21,427                                    |
| Provisions                                  | 21,243   | 21,756                                    |
| <b>TOTAL CURRENT LIABILITIES</b>            | <b>71,774</b>                                    | <b>43,184</b>                             |
| <b>NON-CURRENT LIABILITIES</b>              |  |   |
| Income received in advance                  | 3,239  | 893                                       |
| Lease Liabilities                           | 242  | 242                                       |
| Provisions                                  | 722  | 722                                       |
| <b>TOTAL NON-CURRENT LIABILITIES</b>        | <b>4,204</b>                                     | <b>1,857</b>                              |
| <b>TOTAL LIABILITIES</b>                    | <b>75,977</b>                                    | <b>45,041</b>                             |
| <b>NET ASSETS</b>                           | <b>1,948,073</b>                                 | <b>1,932,729</b>                          |
| <b>EQUITY</b>                               |  |   |
| Retained Earnings                           | 863,616  | 848,272                                   |
| Revaluation Reserves                        | 1,084,457  | 1,084,457                                 |
| <b>TOTAL EQUITY</b>                         | <b>1,948,073</b>                                 | <b>1,932,729</b>                          |

CO11/22

CO11/22



# STATEMENT OF CASH FLOW

at 28 February 2022

|   | Actual as at<br>28 February 2022<br>(\$'000) | Actual as at<br>30 June 2021<br>(\$'000) |
|---|--|--|
| <b>Cash Flows from Operating Activities</b>                   |  |  |
| <b>Receipts:</b>  |  |  |
| Rates & Annual Charges  | 95,365                                       | 130,088                                  |
| User Charges & Fees   | 9,271  | 20,939                                   |
| Investment & Interest Revenue Received                        | 287  | 919                                      |
| Grants & Contributions  | 18,244                                       | 19,117                                   |
| Bonds, Deposits & Retention amounts received                  | 1,050  | 1,627                                    |
| Other   | 5,114  | 17,209                                   |
| <b>Payments:</b>  |  |  |
| Employee Benefits & On-Costs                                  | (48,771)                                     | (65,953)                                 |
| Materials & Contracts   | (35,809)                                     | (62,970)                                 |
| Borrowing Costs   |  | (6)                                      |
| Bonds, Deposits & Retention amounts refunded                  | (766)  | (1,525)                                  |
| Other   | (3,528)                                      | (10,403)                                 |
| <b>Net Cash provided (or used in) Operating Activities</b>    | <b>40,457</b>                                | <b>49,042</b>                            |
| <b>Cash Flows from Investing Activities</b>                   |  |  |
| <b>Receipts:</b>  |  |  |
| Sale of Investment Securities                                 | 56,924                                       | 70,848                                   |
| Sale of Infrastructure, Property, Plant & Equipment           | 772  | 1,340                                    |
| <b>Payments:</b>  |  |  |
| Purchase of Investment Securities                             | (113,847)                                    | (67,200)                                 |
| Acquisition of term deposits                                  |  | (7,900)                                  |
| Purchase of Infrastructure, Property, Plant & Equipment       | (20,984)                                     | (39,411)                                 |
| <b>Net Cash provided (or used in) Investing Activities</b>    | <b>(77,136)</b>                              | <b>(42,323)</b>                          |
| <b>Cash Flows from Financing Activities</b>                   |  |  |
| <b>Receipts:</b>  |  |  |
| Proceeds from Borrowings                                      | 33,500                                       | -  |
| <b>Payments:</b>  |  |  |
| Repayment of Borrowings                                       |  | -  |
| <b>Net Cash Flow provided (used in) Financing Activities</b>  | <b>33,500</b>                                | <b>0</b>                                 |
| <b>Net Increase/(Decrease) in Cash &amp; Cash Equivalents</b> | <b>(3,179)</b>                               | <b>6,719</b>                             |
| <b>plus: Cash &amp; Cash Equivalents - beginning of year</b>  | <b>18,331</b>                                | <b>11,612</b>                            |
| <b>Cash &amp; Cash Equivalents - end of the period/year</b>   | <b>15,152</b>                                | <b>18,331</b>                            |
| <br>plus: <b>Investments on hand</b>                          | <br>134,299                                  | <br>77,375                               |
| <b>Total Cash, Cash Equivalents &amp; Investments</b>         | <b>149,451</b>                               | <b>95,706</b>                            |



## Director Corporate Services Report No. CO12/22

**Subject: Councillor Conduct Accountability Review Consultation Paper - Draft Council submission**

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### Executive Summary

- The Minister for Local Government has initiated an independent review of the framework for dealing with councillor misconduct in NSW.
- A Consultation Paper (attached) has been issued to facilitate an understanding of the current framework and to invite submissions.
- A draft Council Submission has been prepared and is also attached.
- Councillor feedback on the draft Submission has been included in this report.
- Submissions are due by 28 March 2022.

### Recommendation

That the draft Council Submission be considered, having regard to the Councillor feedback contained within this report, and the endorsed Submission be forwarded to the Office of Local Government.

### Attachment/s:

1. Link to OLG Consultation Paper Councillor Conduct Accountability Review - Nov 2021
2. Link to Draft submission - Councillor Conduct Accountability Review Consultation Paper

CO12/22

## Purpose

To seek Council's endorsement of the Draft Council submission on the Office of Local Government's "Councillor Conduct Accountability Review Consultation Paper".

## Discussion

This review examines the effectiveness of the framework for dealing with councillor misconduct (including the process for making complaints, the investigation process, the timeliness of disciplinary action, and the efficacy of the disciplinary action and penalties available).

A Consultation Paper (attached) has been issued to facilitate an understanding of the current framework and to invite submissions.

A draft Submission has been prepared and proposes a number of areas for improvement to the current framework.

## Councillor feedback

Councillors have had the opportunity to provide feedback and comments in order to inform the submission:

- The Consultation Paper was forwarded to all Councillors in January 2022 for review and feedback.
- The draft Submission was forwarded to all Councillors on Wednesday 9 March 2022 and feedback received (where it disagrees with the draft Submission) is detailed below:

| Consideration  | Feedback  | Comment   |
|--|---|---|
| <b>Complaint processes</b>   |   |   |
| Should mayors have a more active role in the management of code of conduct complaints about councillors?   | The Mayor should not be involved in code of conduct complaints as that person is usually from a particular political party and bias is a possible result. | For consideration<br><br>(The draft Submission currently states; There could be benefits in having the Mayor and General Manager jointly determine the course of action on Code of Conduct complaints, in the first instance, including any resolution action).   |
| <b>Outcomes</b>  |   |   |
| Should the full range of disciplinary powers previously available to councils under the Model Procedures before the Cornish decision be restored by legislation?                                 | The disciplinary powers are adequate now.   | For consideration<br><br>(The draft Submission currently states; The current censure provisions are insufficient to deter misconduct. Consideration should be given to expanding the disciplinary powers available to Councils (or conduct reviewers) and providing safeguards around the powers being misused (ie. they must only be available following an investigation by a conduct reviewer) against minority Councillors or their |
| Should the disciplinary powers available to councils for breaches by councillors of the code of conduct be strengthened? If so, what additional disciplinary powers should be given to councils? | The disciplinary powers are adequate now.   |   |

| Consideration   | Feedback   | Comment  |
|---|--|--|
|   |  | use in a partisan manner, would improve efficiencies and deter misconduct).  |
| If councils were given stronger disciplinary powers, should the right of appeal in relation to the exercise of those powers be to OLG or to another agency or tribunal? | The NCAT should be involved  | For consideration<br><br>(The draft Submission currently states; Rights of appeal should be directly to the NCAT (as discussed previously) not to the OLG).  |
| <b>Costs</b>  |  |  |
| Who should carry the cost of dealing with complaints about councillor misconduct?   | Concern has been expressed that this is a cost shifting exercise from the OLG to councils. Councils and the OLG are both part of the structure of accountability and both have a responsibility to ensure that the code of conduct is complied with. Also, there could be perverse outcomes. If all the costs end up falling on councils, there could be a reluctance to investigate code of conduct breaches or, alternatively, if costs for council are too high there may be a backlash against all councillors from residents. | For consideration<br><br>(The draft Submission currently states; Individual Councils should bear the cost as this makes them accountable to their communities for the cost of dealing with complaints about Councillor misconduct).  |
| Should councils be accountable to their communities for the cost of dealing with complaints about councillor misconduct?  | Councils should always be open and transparent, and I understand they already publish their costs in dealing with misconduct complaints. However, raising the costs associated with misconduct complaints does not mean councils will be more accountable to their community. As discussed in (1), this can have perverse outcomes. In the extreme, having no misconduct complaints to reduce costs is evading accountability. A more nuanced answer is needed.  |  |
| Should OLG be able to recover the cost of misconduct investigations from councils?  | Yes, OLG should become more efficient. However, there are other reasons for not going down this road. This model starts to look like a fee for service that the councils pay to the OLG. Could this weaken the OLGs oversight role? A more nuanced answer is needed.   | For consideration<br><br>(The draft Submission currently states; The OLG should not be able to recover the cost of misconduct investigations until their current systems and processes have been changed. When OLG investigations are currently taking 59 weeks, this could represent a significant cost to Council, for a process that warrants review and over |

| Consideration  | Feedback   | Comment   |
|--|--|---|
|  |  | which Councils have no control).  |
| Should councils and/or OLG be able to recover the cost of dealing with complaints about councillor misconduct from councillors who have been found to have engaged in misconduct? If so, what mechanism should be used to recover these costs? | <ul style="list-style-type: none"> <li>- There are already a range of penalties for breaches of the Code of Conduct. However, this method of cost recovery is a de facto increase in the penalties for a breach. Is this warranted? Is this the best way to discourage breaches? Could this increase in penalties be misused as a threat (329 of the LGA says that any person can apply to the Civil and Administrative Tribunal to have someone dismissed from Civic Office)?</li> <li>- The council should bear the costs and not individual councillors.</li> <li>- In no other area of work are you required to pay for investigations against you.</li> </ul> | Feedback on this consideration has come from 3 Councillors - and all indicate that the OLG should not "be able to recover the cost of dealing with complaints about councillor misconduct...." – as such, this has been included in the draft submission. |

## 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

N/A.

## Policy and legislative requirements

Code of Conduct for Councillors

Procedures for the Administration of the Model Code of Conduct.

## Conclusion

The draft submission proposes a number of areas for improvement to the current framework. It is recommended that the draft submission be considered, having regard to the Councillor feedback contained within this report, and the endorsed Submission be forwarded to the Office of Local Government by the due date (25 March 2022).

**Responsible officer:** Julie Hartshorn, Coordinator Administration

**File Reference:** F2004/06569

## Notices of Motion No. NM2/22

**Subject:** Notice of Motion from Cr Said - Increase public awareness against the Matraville Incinerator

---

### Motion:

That Council:

- a) notes the failure of the NSW Government Minister to categorically rule out the proposal for an incinerator at the Opal site in Matraville;
- b) reaffirms its opposition to the Matraville Incinerator proposal, and updates the community through Council's social media platforms to where the proposal is sitting;
- c) acknowledges and thanks Bayside Council for recently branding one of its garbage trucks and placing messages on billboards in opposition to the proposed incinerator at Matraville; and
- d) agrees to brand one of our garbage trucks and display banners with "No Matraville Incinerator" logo and a similar message as Bayside.

### Background:

Suez plan to build a high temperature waste to energy incinerator to power the Opal Matraville Paper Mill. It would have a 60m high stack that would burn 200,000 tonnes a year of non-putrescible material including plastics, textiles and furniture, operating 24 hours a day. The Matraville Incinerator failed to meet the EPA's Waste to Energy Policy Statement (in terms of feedstock) during my term as Mayor, Council supported the Matraville Precinct and No More Incinerators to oppose the incinerator and seek conformation from the Minister to reject the proposal.

### Source of funding:

As per the GM's instruction.

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**Submitted by:** Councillor Said, South Ward

Ordinary Council at its meeting on 22 February 2022 resolved that the matter be deferred to the meeting to be held on 22 March 2022.

**File Reference:** F2020/00404

## Notices of Motion No. NM3/22

**Subject:** Notice of Motion from Cr Said - Installation of pedestrian traffic lights on Marine Parade opposite McKeon Street

---

### Motion:

That:

- a) Council Officers bring back a report on the viability and cost of Pedestrian traffic lights on Marine Parade opposite McKeon Street;
- b) the report should include public consultation including businesses and coastal stakeholders; and
- c) the report should also include the costs of the current practice of employing traffic controllers on busy days.

### Background:

Residents have asked me to advocate for these lights as a way to mitigate danger for the pedestrians and frustration for motorists.

### Source of funding:

Investigate funding from TfNSW.

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**Submitted by:** Councillor Said, South Ward

Ordinary Council at its meeting on 22 February 2022 resolved that the matter be deferred to the meeting to be held on 22 March 2022.

**File Reference:** F2005/00825

NM3/22

## Notices of Motion No. NM4/22

**Subject:** Notice of Motion from Cr D'Souza - Safe crossing near Chifley Athletic Field across Hastings Avenue

---

### Motion:

That Council investigate the installation of traffic calming devices in Hastings Avenue, Chifley, opposite the children's playground, in order to avoid potential pedestrian injuries at that location, with a report to be considered by the Randwick Traffic Committee.

### Background:

Randwick Council has built a beautiful multi-purpose athletic field in Chifley. This community facility is being frequented and used a lot more by local residents and residents. I was at the Chifley Athletics fields last weekend where I witnessed a near miss of a child crossing Hastings Avenue.

A number of residents have commented that this was not the first time they had witnessed such an event. Hastings Avenue is a long straight street where cars tend to pick up a lot of speed as they drive straight past a children's playground and the baseball fields where many teams play every Saturday. This area is getting busier and traffic congestion and traffic safety is becoming a concern for many residents.

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**Submitted by:** Councillor D'Souza, South Ward  
Ordinary Council at its meeting on 22 February 2022 resolved that the matter be deferred to the meeting to be held on 22 March 2022.

**File Reference:** F2005/00825

NM4/22



## Notices of Motion No. NM5/22

**Subject:** Notice of Motion from Cr D'Souza - Water Safety

---

### Motion:

That Randwick Council:

- a) embark on a water safety campaign; educating and informing residents of the possible danger of water activities in our area also the importance of swimming between the flags at local beaches and for rock fishing men and women to wear life jackets and follow the guidance on the council erected signs.
- b) work with local surf clubs and schools and fund education on water safety and how to safely enjoy our coastal lifestyle.

### Background:

New data shows, Randwick City Council has the highest rate of drownings, with 34 recorded over a 10-year period. Over that same period, the Northern Beaches LGA had 33, Central Coast and Coffs Harbour both had 32, while the Sutherland Shire the next on 29.

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**Submitted by:** Councillor D'Souza, South Ward

Ordinary Council at its meeting on 22 February 2022 resolved that the matter be deferred to the meeting to be held on 22 March 2022.

**File Reference:** F2004/08234

NM5/22

## Notices of Motion No. NM6/22

**Subject: Notice of Motion from Cr Olive - Record of ESBS regrowth in REP Hazard Reduction Burn sites**

### Motion:

That Council:

- a) note that a record of vegetation recovery is being undertaken by Council staff from two hazard reduction burns that took place on 6 December 2021 in the Randwick Environment Park. This recording includes monthly photographs of the two burn sites, a monthly inventory of emerging plant species (native and invasive) and monthly reports on the Council's progress in recovering Eastern Suburbs Banksia Scrub for the two sites.
- b) use the information collected to create educational content on Council's website within the Randwick Environment Park page for the purpose of displaying this record eg. photographs, inventory and reports.
- c) update the website to include links from the Randwick Environment Park page to any other Council website page that may have relevant information about the park.

### Background:

On the 6 December 2021, Fire and Rescue NSW carried out two hazard reduction burns in the Randwick Environment Park (REP) in areas designated for Eastern Suburbs Banksia Scrub (ESBS) recovery according to the 2004 Recovery Plan. Each burn site is about  $\frac{3}{4}$  of a football field in size, has been cleared of greenery and has had its topsoil exposed. Council staff hope the heat from these burns will stimulate germination and native plant regrowth but there has also been concern from local residents that this may not grow back in the way intended.

Adapted to nutrient poor sand, ESBS is a community of native plants that previously covered Sydney's coastline from Botany Bay to Port Jackson but has now been reduced to 1% of its former extent (Randwick DCP). As recently as 8 December 2021, ESBS had its listing in the (Commonwealth) Environment Protection and Biodiversity Conservation Act 1999 upgraded to critically endangered. It is also listed as endangered on Schedule 1 Part 3 of the NSW Threatened Species Conservation Act 1995. It should be noted that ESBS provides habitat for a large range of native bird and animal life.

The REP is zoned environmental conservation in the Randwick LEP, so there is an obligation on Council to restore these burn sites. This fits with the Randwick City Environment Strategy points 1.4 and 1.8. Council is required to ongoingly map its managed bushland, measure the density and extent of threatened native flora and fauna and reduce weed density in areas of ESBS.

In some sense, the recovery of these burn sites is a natural experiment that offers educational opportunities for staff and residents, alike. Progressively photographing the burn sites as they regrow and placing this evidence online would show residents how bushland regenerates after hazard reduction burns. Keeping a publicly available inventory of regrowth allows staff and residents to monitor the extent ESBS recovery versus the extent of invasive species infiltration. Regular explanatory reports that detail measures aiding ESBS regrowth, such as weeding, would add to an understanding of council's role in looking after our natural environment and the REP.

The reports could also note fauna seen in the areas. Recording the recovery of the REP hazard reduction burn sites and making this publicly available online is consistent with Council's obligation to keep the community informed on its activities under the Randwick City Plan (Outcome 3) and the Community Participation Plan (Principles 1f and Scope 5 and 7). The latter also mentions websites as an example method of informing residents.

It should also be noted that unlinked information about the REP is found across a number of Council's web pages. Linking these pages to the Randwick Environment Park page makes it a one stop information site for consumers.

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**Submitted by:** Councillor Olive, East Ward  
Ordinary Council at its meeting on 22 February 2022 resolved that the matter be deferred to the meeting to be held on 22 March 2022.

**File Reference:** F2007/00660

NM6/22

## Notices of Motion No. NM8/22

**Subject:** Notice of Motion from Cr Burst - Additional anchor points and safety equipment at Little Bay and other rock fishing locations

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### Motion:

That Council:

- a) add additional anchor points at Little Bay fishing spots and signage on basic use of anchor points; and
- b) explore the opportunity to add additional anchor points and safety equipment at rock fishing locations across RCC and come back with a report and recommendation.

### Background:

Due to the recent horrific deaths of rock fisherman across RCC rock fishing locations. Implementation of additional anchor points to be urgent, considering recent events.

### Source of funding:

Source of funding TBC.

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**Submitted by:** Councillor Burst, South Ward

Ordinary Council at its meeting on 22 February 2022 resolved that the matter be deferred to the meeting to be held on 22 March 2022.

**File Reference:** F2019/00632

## Notices of Motion No. NM10/22

**Subject:** Notice of Motion from Cr Luxford - Electronic Notice Boards

---

**Motion:**

That Council investigate and implement the placement of electronic notice boards in town centres or strategic places to advertise Council services and events throughout the LGA.

**Background:**

Residents who do not receive electronic communications from Council, are not on Council's Facebook or who may not receive rates notices are disadvantaged in the way they receive information.

By providing notice boards all residents throughout the LGA can find out what's on where and participate.

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**Submitted by:** Councillor Luxford, West Ward

Ordinary Council at its meeting on 22 February 2022 resolved that the matter be deferred to the meeting to be held on 22 March 2022.

**File Reference:** F2004/06258

NM10/22

## Notices of Motion No. NM11/22

**Subject:** Notice of Motion from Cr Rosenfeld - Parking at Broadarrow Reserve on weekends

---

### Motion:

That parking be allowed for the general public at Broadarrow Reserve, Maroubra on all weekends during daylight hours from November until March. The entrance and exit will be at the gate on Mons Avenue.

### Background:

Parking is a major issue at Maroubra Beach, on the weekends, in the warmer months. Solutions are needed to provide more parking for visitors to the beach and those visiting the various businesses that surround the beach. More parking will make the beach more attractive to visit which will allow more persons to experience our beautiful beach. In addition, this will assist local businesses as more visitors relates to greater expenditure in the area.

Note: I visit the area very often on weekends and I do not see widespread use of this park. Indeed, I have heard many comments that residents do not take their dogs to the park as it is unsafe to take them off the leash as the park borders 3 main roads being Fitzgerald Ave, Mons Ave and Marine Parade. I note that the park is already open for parking on some weekends, on an adhoc basis, however I believe it should be open on all weekends, so the public know that this is an ongoing option during these months.

This is one of several measures needed to improve parking at Maroubra Beach.

### Source of funding:

No expenditure is needed, to my knowledge, as the car park will not be manned by rangers.

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**Submitted by:** Councillor Rosenfeld, Central Ward  
Ordinary Council at its meeting on 22 February 2022 resolved that the matter be deferred to the meeting to be held on 22 March 2022.

**File Reference:** F2004/07232

NM11/22

## Notices of Motion No. NM12/22

**Subject:** Notice of Motion from Cr Hay - Meeks Street Plaza

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**Motion:**

That Council communicate through various available channels the status of and progress updates of Meeks Street Plaza and expected timeframes for completion.

**Background:**

Meeks Street Plaza is an important capital project for the Kingsford community, however, it has been delayed for some time and residents are frustrated and would like some certainty about the project delivery.

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**Submitted by:** Councillor Hay, West Ward  
Ordinary Council at its meeting on 22 February 2022 resolved that the matter be deferred to the meeting to be held on 22 March 2022.

**File Reference:** F2019/01402

NM12/22



## Notices of Motion No. NM15/22

**Subject:** Notice of Motion from Cr Neilson - Paid political advertising should not be allowed on any Council property

---

**Motion:**

That Council immediately remove any paid political advertising on Council property.

**Background:**

It is totally inappropriate for advertising for the United Australia Party to be displayed on the fence of the Randwick Literary Institute OR for Council to be receiving payment for political advertising.

If Council cannot immediately remove this inappropriate advertising on the fence of the Randwick Literary Institute due to lack of appropriate authorisation/powers that Council immediately ensure that amendments be made to the Advertising Policy to prevent this situation occurring.

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**Submitted by:** Councillor Neilson, North Ward  
Ordinary Council at its meeting on 22 February 2022 resolved that the matter be deferred to the meeting to be held on 22 March 2022.

**File Reference:** F2004/06815

NM15/22

## Motion Pursuant to Notice No. NM19/22

**Subject:** Notice of Motion from Cr Rosenfeld - Dog friendly beach at the northern end of Frenchmans Beach

---

### Motion:

That Council investigate the use of the northern end of Frenchmans Beach, between Frenchmans Bay Beach Breakwater and Yarra Point, as a permanent off leash dog friendly beach.

### Background:

We are one of the few coastal Councils in Sydney without a designated dog friendly beach.

Bayside, Woollahra, Sutherland, Mosman and Northern Beaches Councils all have at least one for their residents to enjoy. Some have more than one. The population of dogs in Randwick has increased in the last 2 years and there appears to be a desire in the community for our LGA to implement a dog friendly beach. Indeed this issue is part of the councils current open space and recreational needs strategy however I urge that action is taken now to find a permanent solution.

The northern end of Frenchmans Beach, between the breakwater to the south and Yarra Point to the north, would be an ideal place as there is good access to the beach and there is also adequate room for dogs to run around. The following will be needed;

- a) signs would erected to remind visitors to pick up dog poo, as well as indicating the location of dog friendly area on the beach;
- b) dispensers with a regular supply of FOGO bags; and
- c) 2-3 garbage bins with regular collections

### Attachment/s:

Nil

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**Submitted by:** Councillor Rosenfeld, Central Ward

**File Reference:** F2011/00200

NM19/22

## Motion Pursuant to Notice No. NM20/22

**Subject:** Notice of Motion from Cr D'Souza - Financial assistance for NSW flood victims

---

**Motion:**

That Council investigate how we can assist Country Councils financially or in-kind liaising with LGNSW.

**Background:**

A natural disaster has been declared in response to the widespread flooding which has occurred throughout New South Wales Regional areas. The declaration ensures flood-affected areas of the shires can access special assistance measures.

**Attachment/s:**

Nil

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**Submitted by:** Councillor D'Souza, South Ward

**File Reference:** F2011/00015

NM20/22

## Motion Pursuant to Notice No. NM21/22

**Subject: Notice of Motion from Cr Veitch - Impacts of bus cuts and privatisation**

### Motion:

That Council:

- a) call on the NSW State Government to retain public ownership and re-instate all modified and cancelled bus routes in region 9;
- b) make a submission to the NSW Upper House inquiry into the privatisation of bus services, detailing the impacts of the bus cuts and changes and the pending privatisation on the residents of Randwick City;
- c) use council communications channels (including website, e-bulletin, Facebook and Instagram) to call on residents to make a submission to the inquiry.
- d) call on the NSW State Government to investigate and fund options for local councils to implement sustainable public transport options (such as local public loop buses) to support their community.

### Background:

In October 2019 the NSW State Government announced the planned privatisation of Sydney's remaining public bus routes in regions 7,8 and the Eastern Suburbs and Inner City region 9. Despite delays with the region 9 tender, the privatisation is expected to be completed in April 2022.

In December 2021 with the privatisation of region 9 bus routes pending, significant changes were made to bus services in the eastern suburbs with:

25 bus routes removed: 300, 301, 302, 309X, 310X, 314, 316, 317, 338, 353, 357, 372, 373, 376, 377, 391, 393, 394, 395, 400, 400N, L94, X40, X93, X99  
and 23 bus routes modified: 303, 304, 307, 309, 313, 320, 339, 339X, 343, 348, 355, 362, 370, 373X, 374, 374X, 377X, 392, 397, 399, 418, 420, 420N

The NSW Upper House Portfolio Committee No. 6 has established an inquiry into the privatisation of bus services via the Sydney Metropolitan Bus Contracts, including:

- the modelling, rationale and process of privatising bus services,
- the impact on the commuting public through the loss of bus stops and services,
- the economic, social, safety, employment and environmental implications of bus privatisation,
- the transition to an electric bus fleet and supporting infrastructure,
- the impact of bus privatisation on worker pay and conditions, and
- any other relevant matter.

Strong objections to the privatisation and bus routes cuts have been made by residents, community groups, the Rail, Tram and Bus Union (RTBU) and council. Since bus route cuts and changes to region 9 came into effect in December 2021, residents of Randwick City have been voicing their anger at the impacts that have seen a significant reduction in services to many areas in our LGA.

### Attachment/s:

Nil

**Submitted by:** Councillor Veitch, West Ward

**File Reference:** F2004/07241

NM21/22

## Motion Pursuant to Notice No. NM22/22

**Subject:** Notice of Motion from Cr Veitch - Motion for the 2022 National General Assembly of Local Government: Promoting the circular economy and opposing waste to energy incinerators

---

### Motion:

That Council endorses the following motion to be submitted to the 2022 National General Assembly of Local Government:

This National General Assembly of Local Government calls on the Australian Government to:

1. establish a program to fund and support councils to transition their communities to a Zero Waste Circular Economy, in which there is no place for Incinerators (including waste to energy incinerators), or the incineration of medical waste;
2. remove Incinerators from the Australian Renewable Energy Target (RET) and remove native forest biomass as a renewable component of bioenergy/fuel and its eligibility for subsidy.

### National Objective

This motion addresses the following key questions in the 2022 discussion paper:

1. Climate Change: How do we work together to ensure that there is local adaptation to climate change and climate extremes? What partnerships are available to achieve climate neutrality?
2. The Circular Economy: How could the Australian Government partner with local government to advance the circular economy? What new programs could the Australian Government partner with local government to progress these objectives?

### Background:

Incinerators produce toxic emissions which reduce air quality, generate highly toxic ash residual and establishes a market for non-renewable waste as fuel stream. Local communities around Australia including in the Sydney Basin are opposing the construction of Incinerators in their neighbourhoods.

Waste as fuel is non-renewable and plants elsewhere in the world have struggled to source a fuel stream, making this technology unreliable as an energy stream. It contradicts avoidance, reuse, recycling and a circular economy.

Our local communities are keen to play their part in resource recovery and federal funding would assist councils to innovate through pilot projects, community programs and programs in schools.

Councils collect public, domestic and business waste as well as generating their own operational and construction waste, and as such play a crucial role in the realising of a Circular Economy. Councils need support to evaluate new policies and practices before incorporating them into their own operations. Funding would also assist councils to create processes and practices to increase recycling, and to procure and use recycled products in council construction projects.

### Attachment/s:

Nil

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**Submitted by:** Councillor Veitch, West Ward

**File Reference:** F2020/00404

## Motion Pursuant to Notice No. NM23/22

**Subject: Notice of Motion from Cr Veitch - Motion for the 2022 National General Assembly of Local Government addressing impacts of anthropogenic global warming**

### Motion:

That Randwick City Council endorses the following motion to be submitted to the 2022 National General Assembly of Local Government:

This National General Assembly of Local Government:

1. expresses solidarity with the many communities across Australia affected by devastating floods, storms, heatwaves and fires caused by anthropogenic global warming in recent months and years;
2. calls on the Australian Government to:
  - a. provide urgent short and long term disaster recovery funding and support to affected communities and councils;
  - b. fund and support local councils to develop comprehensive, in place, recovery, rebuilding and resilience plans and strategies to improve the immediate response to increasingly catastrophic natural disasters;
  - c. commit to the Australian Climate Council target of 75% emissions reduction by 2030, and net zero emissions by 2035;
  - d. establish detailed sector-by-sector decarbonisation plans, phase out fossil fuels (coal, oil and gas) and transition to 100% renewable energy to cut emissions and establish an affordable, reliable and secure national renewable energy network in the face of increasing global energy volatility;
  - e. introduce taxes and levies on the fossil fuel energy sector to compensate communities for the damage and destruction caused by anthropogenic global warming.

### National Objective

This motion addresses the following key questions in the 2022 discussion paper:

1. Climate Change: How do we work together to ensure that there is local adaptation to climate change and climate extremes? What partnerships are available to achieve climate neutrality?
2. Natural Disasters: What new programs could the Australian Government develop to partner with local government to help to address natural disasters to assist in recovery and build resilience?

### Background:

In recent years communities across Australia have been affected by increasing numbers of severe climate and weather events including drought, heatwaves, fires, floods and storms. These often catastrophic events have been both increasing in their frequency and severity, and have resulted in loss of life, homes, businesses and critical infrastructure. Recent floods on the eastern seaboard have seen 250 schools affected, and thousands made homeless. The effect on the environment has been devastating. Scientists, politicians and community members have called for support and funding to aid recovery, and urgent action to cut the carbon emissions that are contributing to global warming and the consequent extreme climate events.

The February 2022 Intergovernmental Panel on Climate Change (IPCC) report has stated that "The cumulative scientific evidence is unequivocal: Climate change is a threat to human well-being and planetary health. Any further delay in concerted anticipatory global action on adaptation and mitigation will miss a brief and rapidly closing window of opportunity to secure a liveable and sustainable future for all."



(IPCC Working Group II contribution to the Sixth Assessment Report – Climate Change 2022: Impacts, Adaptation and Vulnerability).

**Attachment/s:**

Nil

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**Submitted by:** Councillor Veitch, West Ward

**File Reference:** F2008/00363

NM23/22

## Motion Pursuant to Notice No. NM24/22

**Subject: Notice of Motion from Cr Veitch - Motion for the 2022 National General Assembly of Local Government: Gas decarbonisation roadmap**

### Motion:

That Randwick City Council endorses the following motion to be submitted to the 2022 National General Assembly of Local Government:

This National General Assembly of Local Government:

1. notes that over 100 local councils representing 9 million Australians (as well as over 2000 jurisdictions worldwide) have declared a climate and biodiversity emergency, acknowledging that urgent collaborative action at all levels of government is necessary to protect our environment and community for future generations;
2. calls on the Australian Government to urgently develop a gas decarbonisation roadmap, setting business, industry and households up to be resilient and sustainable in a decarbonising world, while safeguarding jobs in important manufacturing industries.

### National Objective

This motion addresses the following key questions in the 2022 discussion paper:

1. Climate Change: How do we work together to ensure that there is local adaptation to climate change and climate extremes? What partnerships are available to achieve climate neutrality?
2. Natural Disasters: What new programs could the Australian Government develop to partner with local government to help to address natural disasters to assist in recovery and build resilience?

### Background:

- The gas industry is responsible for 19% of Australia's GHG emissions;
- Recent [modelling of decarbonisation targets by CSIRO and ClimateWorks' for AEMO](#) has projected "a substantial reduction in demand for natural gas" under three scenarios consistent with strong action towards Australia's net zero by 2050 target;
- [New analysis by Dr Saul Griffith and The Australia Institute](#) demonstrates that by 2030 Australian families could be saving \$5,000 per year by replacing their current cars with electric vehicles, switching their natural gas heating systems (water heating, space heating, or kitchen) to electric heat pumps, and furnishing their electricity with solar from their rooftops;
- A [July 2021 study by Northmore Gordon](#) and [companion report from the Climate Council](#) illustrates a potential pathway for NSW to reduce its gas consumption by 25% within 5 years, 70% in 10-15 years, and entirely eliminate gas use by mid-century;
- The Victorian Government is developing a [Gas Substitution Roadmap](#) throughout 2021 to provide a strategic framework for decarbonising natural gas in Victoria. Additional pathways to decarbonise gas in Victoria are identified in the Northmore Gordon study, commissioned by Environment Victoria, [Victorian Gas Market – Demand Side Measures to Avoid Forecast Supply Shortfall](#)
- The Australian Capital Territory Government in 2020 [removed the mandate for gas](#) connections to new suburbs and is [moving to ban new gas pipelines to developing suburbs](#) and banning all new gas connections across the territory from next year. This is undertaken in conjunction with an uptake in renewables and the planned depreciation of the existing gas network.

- The [Australian Energy Regulator has reported](#) that gas pipelines are rapidly becoming stranded assets.
- The February 2022 LGNSW Special Conference resolved to advocate to the NSW State Government to urgently develop a gas decarbonisation roadmap.
- The March 2022 meeting of SSROC (Southern Sydney Regional Organisation of Councils) endorsed a submission to the Draft Design and Place SEPP recommending that “Section 21(a) of the DP SEPP be amended to exclude on-site gas for cooking, heating and hot water apply to all residential development to transition to net zero.”

**Attachment/s:**

Nil

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**Submitted by:** Councillor Veitch, West Ward

**File Reference:** F2008/00363

## Motion Pursuant to Notice No. NM25/22

**Subject:** Notice of Motion from Cr Chapple - Synthetic turf at Coral Sea Park postponement

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### Motion:

That Council:

1. postpone development of the planned synthetic turf field for Coral Sea Park until the NSW Government's comprehensive review on synthetic surfaces is completed in mid 2022 and endorsed guidelines are available for the use of these surfaces.
2. receive a report by July 2022 that outlines:
  - a. Actual bookings in 2018, 2019, 2020 & 2021 for organised sport on all fields within the LGA;
  - b. A comparison of actual hours booked to the deemed available hours for bookings for organised sport; and
  - c. A percentage breakdown of which types of sports are booking sport fields.
3. receive a report by July 2022 that contains a comprehensive analysis of the environmental impacts of the existing Randwick City Council synthetic fields including but not limited to tracking of pollutant and plastic contamination of nearby waterways, impact on water movements and flooding in surrounding areas and heat effects.

### Background:

After significant concerns about the environmental and health impacts of synthetic fields, the NSW Planning Minister instigated a comprehensive review by the Chief Scientist in NSW. A progress report is available [here](#), and a Final Report will be delivered in mid-2022.

The NSW Government is preparing Guidelines on the use of synthetic surfaces in public open space with a range of departments and agencies during the first half of 2022. There are currently no Australian Standards for synthetic turf fields meaning regulation is limited at best.

While synthetic turf is playable after major rain events it can lose playing hours in summer due to extreme heat. Current expert evidence shows that quality natural turf fields can handle up to 65 hours a week of training and play meaning it can be a realistic alternative to synthetic turf in many locations.

In January 2022 a Special Meeting of Lane Cove Council voted 8 to 1 not to proceed with the planned synthetic turf installation at Bob Campbell oval in favour of an improved natural turf surface. This will be delivered by a working group including all major local sporting stakeholder organisations. Bayside Council has placed a moratorium on approving the construction of any additional synthetic sports fields in the local government area that incorporate crumbed rubber infill material.

### Source of funding:

Within existing operations.

### Attachment/s:

Nil

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**Submitted by:** Councillor Chapple, Central Ward

**File Reference:** F2020/00657