



STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING

A meeting of the STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE will be held at Waverley Council
Chambers,
Cnr Paul Street and Bondi Road, Bondi Junction at:

7.30 PM, TUESDAY 4 JULY 2023

A handwritten signature in black ink, appearing to read 'Emily Scott'.

Emily Scott
General Manager

Waverley Council
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Bondi Junction NSW 1355
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Delegations of the Waverley Strategic Planning and Development Committee

On 10 October 2017, Waverley Council delegated to the Waverley Strategic Planning and Development Committee the authority to determine any matter **other than**:

1. Those activities designated under s 377(1) of the *Local Government Act* which are as follows:
 - (a) The appointment of a general manager.
 - (b) The making of a rate.
 - (c) A determination under section 549 as to the levying of a rate.
 - (d) The making of a charge.
 - (e) The fixing of a fee
 - (f) The borrowing of money.
 - (g) The voting of money for expenditure on its works, services or operations.
 - (h) The compulsory acquisition, purchase, sale, exchange or surrender of any land or other property (but not including the sale of items of plant or equipment).
 - (i) The acceptance of tenders to provide services currently provided by members of staff of the council.
 - (j) The adoption of an operational plan under section 405.
 - (k) The adoption of a financial statement included in an annual financial report.
 - (l) A decision to classify or reclassify public land under Division 1 of Part 2 of Chapter 6.
 - (m) The fixing of an amount or rate for the carrying out by the council of work on private land.
 - (n) The decision to carry out work on private land for an amount that is less than the amount or rate fixed by the council for the carrying out of any such work.
 - (o) The review of a determination made by the council, and not by a delegate of the council, of an application for approval or an application that may be reviewed under section 82A of the *Environmental Planning and Assessment Act 1979*.
 - (p) The power of the council to authorise the use of reasonable force for the purpose of gaining entry to premises under section 194.
 - (q) A decision under section 356 to contribute money or otherwise grant financial assistance to persons,
 - (r) A decision under section 234 to grant leave of absence to the holder of a civic office.
 - (s) The making of an application, or the giving of a notice, to the Governor or Minister.
 - (t) This power of delegation.
 - (u) Any function under this or any other Act that is expressly required to be exercised by resolution of the council.
2. Despite clause 1(i) above, the Waverley Strategic Planning and Development Committee does not have delegated authority to accept any tenders.
3. The adoption of a Community Strategic Plan, Resourcing Strategy and Delivery Program as defined under sections 402, 403, and 404 of the *Local Government Act*.

Statement of Ethical Obligations

Councillors are reminded of their oath or affirmation of office made under section 233A of the Act and their obligations under Council's code of conduct to disclose and appropriately manage conflicts of interest.

Live Streaming of Meeting

This meeting is streamed live via the internet and an audio-visual recording of the meeting will be publicly available on Council's website.

By attending this meeting, you consent to your image and/or voice being live streamed and publicly available.

AGENDA

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The Chair will read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our Local Government Area.

1. Apologies

2. Declarations of Pecuniary and Non-Pecuniary Interests

3. Addresses by Members of the Public

4. Confirmation of Minutes

| | | |
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6. Urgent Business

7. Meeting Closure

CONFIRMATION OF MINUTES PD/4.1/23.07



Subject: Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 6 June 2023

TRIM No: SF23/18

Manager: Richard Coelho, Executive Manager, Governance

RECOMMENDATION:

That the minutes of the Strategic Planning and Development Committee meeting held on 6 June 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Introduction/Background

The minutes of committee meetings must be confirmed at a subsequent meeting of the committee, in accordance with clause 20.23 of the Code of Meeting Practice.

Attachments

1. Strategic Planning and Development Committee Meeting Minutes - 6 June 2023



**MINUTES OF THE STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 6 JUNE 2023**

Present:

| | |
|---|---------------|
| Councillor Steven Lewis (Chair) | Hunter Ward |
| Councillor Paula Masselos (Mayor) | Lawson Ward |
| Councillor Elaine Keenan (Deputy Mayor) | Lawson Ward |
| Councillor Sally Betts | Hunter Ward |
| Councillor Angela Burrill | Lawson Ward |
| Councillor Leon Goltsman | Bondi Ward |
| Councillor Michelle Gray | Bondi Ward |
| Councillor Tony Kay | Waverley Ward |
| Councillor Tim Murray | Waverley Ward |
| Councillor Will Nemesh | Hunter Ward |

Staff in attendance:

| | |
|-----------------|--|
| Emily Scott | General Manager |
| Sharon Cassidy | Director, Assets and Operations |
| Tara Czinner | Director, Corporate Services |
| Fletcher Rayner | Director, Planning, Sustainability and Compliance |
| Ben Thompson | Director, Community, Culture and Customer Experience |

At the commencement of proceedings at 7.33 pm, those present were as listed above, with the exception of Cr Murray who arrived at 8.27 pm during item PD/5.6/23.06.

Crs Goltsman, Kay, Keenan, Murray and Nemesh attended the meeting by audio-visual link.

PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE

The General Manager read the following Opening Prayer and Acknowledgement of Indigenous Heritage:

God, we pray for wisdom to govern with justice and equity. That we may see clearly and speak the truth and that we work together in harmony and mutual respect. May our actions demonstrate courage and leadership so that in all our works thy will be done. Amen.

Waverley Council respectfully acknowledges our Indigenous heritage and recognises the ongoing Aboriginal traditional custodianship of the land which forms our local government area.

1. Apologies

Apologies were received from Cr Ludovico Fabiano and Cr Dominic Wy Kanak.

2. Declarations of Pecuniary and Non-Pecuniary Interests

The Chair called for declarations of interest and none were received.

3. Addresses by Members of the Public

3.1 J Weirick – PD/5.2/23.06 – Planning Proposal – 34-36 Flood Street, Bondi – Heritage Listing.

4. Confirmation of Minutes

PD/4.1/23.06 Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 2 May 2023 (SF23/18)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis

Seconder: Cr Masselos

That the minutes of the Strategic Planning and Development Committee meeting held on 2 May 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

Cr Murray was not present for the vote on this item.

5. Reports

PD/5.1/23.06 Flood Study and Waverley Development Control Plan 2022 - Peer Review and Additional Information (SF21/4935)

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes:

- (a) The peer review of the Waverley Local Government Area Flood Study and draft amendment to the Waverley Development Control Plan (DCP) 2022 attached to the report (Attachment 1).
 - (b) The findings of the property price impact report attached to the report (Attachment 2).
 - (c) The findings of the insurance implications research report attached to the report (Attachment 3).
 - (d) The advice provided by Council's insurer attached to the report (Attachment 4).
2. Officers update Council at a future Councillor briefing session on the proposed draft amendment to the DCP 2022, prior to the final report returning to Council, incorporating any required changes from the documents above and addressing community feedback received during public exhibition, including the letter from the Hastings Parade residents group sent to Council on 5 June 2023.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 2.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

1. Notes:

- (a) The peer review of the Waverley Local Government Area Flood Study and draft amendment to the Waverley Development Control Plan (DCP) 2022 attached to the report (Attachment 1).
 - (b) The findings of the property price impact report attached to the report (Attachment 2).
 - (c) The findings of the insurance implications research report attached to the report (Attachment 3).
 - (d) The advice provided by Council's insurer attached to the report (Attachment 4).
2. Officers update Council at a future Councillor briefing session on the proposed draft amendment to the DCP 2022, prior to the final report returning to Council, incorporating any required changes from the documents above and addressing community feedback received, including the letter from Hastings Parade residents group sent to Council on 5 June 2023.

Cr Kay requested that his vote against the motion be recorded in the minutes.

Cr Murray was not present for the vote on this item.

PD/5.2/23.06 Planning Proposal - 34-36 Flood Street, Bondi - Heritage Listing (PP-1/2023)

MOTION

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Forwards the planning proposal seeking to list 34–36 Flood Street, Bondi (Lot 1 DP 1094020), as a local Heritage Item in the *Waverley Local Environmental Plan 2012* (LEP) to the Department of Planning and Environment (DPE) for Gateway determination for the purposes of public exhibition.
2. Publicly exhibits the planning proposal in accordance with any conditions of the Gateway determination that may be issued by the DPE.
3. Requests and accepts, if offered, the role of the planning proposal authority from the DPE to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979* in relation to the making of the amendment.
4. Submits an application to NSW Heritage to nominate 34–36 Flood Street for State Heritage Item listing on the State Heritage Register.

AMENDMENT

Mover: Cr Kay

Seconder: Cr Betts

That the following clauses be added to the motion:

5. Writes to the NSW Minister for Heritage seeking support to urgently process Council's application for State Heritage Listing of 34–36 Flood Street.
6. Writes to the NSW Minister for Planning and Public Spaces in respect of the rezoning of 34–36 Flood Street from SP2 Infrastructure to R3 Medium Density Residential, seeking an urgent meeting for the Mayor and senior Council officers to request that:
 - (a) The rezoning be refused by the Department of Planning and Environment, or
 - (b) Should the Minister or his delegate decide to finalise the rezoning, the LEP amendment includes a site-specific provision to protect the existing community/educational/religious facilities at basement and ground levels as per the advice of the Sydney Eastern City Planning Panel and in consultation with Council officers.

THE AMENDMENT WAS PUT AND DECLARED CARRIED UNANIMOUSLY.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED UNANIMOUSLY.

UNANIMOUS DECISION

That Council:

1. Forwards the planning proposal seeking to list 34–36 Flood Street, Bondi (Lot 1 DP 1094020), as a local Heritage Item in the *Waverley Local Environmental Plan 2012* (LEP) to the Department of Planning and Environment (DPE) for Gateway determination for the purposes of public exhibition.
2. Publicly exhibits the planning proposal in accordance with any conditions of the Gateway determination that may be issued by the DPE.
3. Requests and accepts, if offered, the role of the planning proposal authority from the DPE to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979* in relation to the making of the amendment.
4. Submits an application to NSW Heritage to nominate 34–36 Flood Street for State Heritage Item listing on the State Heritage Register.
5. Writes to the NSW Minister for Heritage seeking support to urgently process Council's application for State Heritage Listing of 34–36 Flood Street.
6. Writes to the NSW Minister for Planning and Public Spaces in respect of the rezoning of 34–36 Flood Street from SP2 Infrastructure to R3 Medium Density Residential, seeking an urgent meeting for the Mayor and senior Council officers to request that:
 - (a) The rezoning be refused by the Department of Planning and Environment, or
 - (b) Should the Minister or his delegate decide to finalise the rezoning, the LEP amendment includes a site-specific provision to protect the existing community/educational/religious facilities at basement and ground levels as per the advice of the Sydney Eastern City Planning Panel and in consultation with Council officers.

Division

For the Motion: Crs Betts, Burrill, Goltsman, Gray, Kay, Keenan, Lewis, Masselos and Nemesh.

Against the Motion: Nil.

Cr Murray was not present for the votes on this item.

J Weirick addressed the meeting.

PD/5.3/23.06 Managing Conflicts of Interest for Council-related Development Policy - Adoption (A23/0076)

MOTION / UNANIMOUS DECISION

Mover: Cr Lewis

Seconder: Cr Burrill

That Council adopts the Managing Conflicts of Interest for Council-related Development Policy attached to the report.

Cr Murray was not present for the vote on this item.

PD/5.4/23.06 Waverley Local Planning Panel - Membership (A13/0229)**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Appoints the following expert members to the Waverley Local Planning Panel (WLPP) up to 30 June 2026:
 - (a) Sandra Robinson.
 - (b) Julie Walsh.
 - (c) Heather Warton.
 - (d) Oliver Klein.
 - (e) Elizabeth Kinkade.
 - (f) Megan Jones.
2. Defers the appointment of the community representatives to further consider how all candidates have addressed the second selection criterion 'Have an understanding of the local government area and issues of concern to the local community.' As these applicants are to be selected as community representatives, this criterion is to be ranked highly.
3. Officers prepare a report to Committee or Council with new recommendations for approval.

*Cr Murray was not present for the vote on this item.***PD/5.5/23.06 Housing Advisory Committee - Membership (A10/0353)****MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Appoints the following individuals to the Housing Advisory Committee as expert members from 7 June 2023 to 7 June 2025:
 - (a) Catherine Gilbert.
 - (b) David Mark Johnston.
 - (c) Elias McGrath.
 - (d) Gabriela Quintana Vigiola.
 - (e) Ryan van den Nouwelant.
2. Appoints the following individual to the Housing Advisory Committee as a community member from

7 June 2023 to 7 June 2025:

(a) Mora Main.

3. Acknowledges the contribution of the community members appointed during the previous term:

(a) Stephanie Bbhim.

(b) Gabriela Quintana Vigiola.

(c) Carlo di Giulio.

(d) Mora Main.

Cr Murray was not present for the vote on this item.

PD/5.6/23.06 North Bondi Shops and Bus Terminus Upgrade - Concept Designs (A18/0394)

MOTION

Mover: Cr Masselos

Seconder: Cr Gray

That Council:

1. Notes the recent safety upgrades to the North Bondi bus terminus, as set out in the report.
2. Notes the previous concept designs for the North Bondi shops and bus terminus, as set out in the report.
3. Approves the refinement of Options 2a/b and Option 3 for the North Bondi Shops and Bus Terminus Upgrade.
4. Undertakes stakeholder and community consultation on the above options and receives a further report to Council on the outcomes.

AMENDMENT 1

Mover: Cr Goltsman

Seconder: Cr Burrill

That clause 3 be amended to read as follows:

‘Approves the refinement of Options 2a/b and Option 3 for the North Bondi Shops and Bus Terminus Upgrade, subject to:

- (a) The location of the crossings being reassessed to avoid traffic congestion that may exacerbate the traffic bottleneck, prior to the community consultation.
- (b) The proposed palm trees being reconsidered due to blocking beach vistas from retail and residential properties.’

THE AMENDMENT WAS PUT AND DECLARED UNANIMOUSLY.

Division

For the Amendment: Crs Betts, Burrill, Goltsman, Gray, Kay, Keenan, Lewis, Masselos and Nemesh.

Against the Amendment: Nil.

AMENDMENT 2

Mover: Cr Goltsman

Seconder: Cr Burrill

That the following clause be added to the motion:

‘Officers conduct a parking review of the North Bondi shops and bus terminus area with outcomes and recommendations to be integrated into the above report, to include:

- (a) An analysis of the existing parking capacity of the local area.
- (b) An exploration of options for increasing car parking within the North Bondi shops and bus terminus area by:
 - (i) Engaging with local businesses, residents and transport authorities to gather input and identify practical and sustainable strategies for increasing car parking.
 - (ii) Considering innovative parking solutions, including but not limited to optimising existing parking facilities to maximise capacity.
 - (iii) Ensuring that any parking solutions align with enhancing the streetscape and supporting local businesses.’

THE AMENDMENT WAS PUT AND DECLARED LOST ON THE CASTING VOTE OF THE CHAIR.

Division

For the Amendment: Crs Betts, Burrill, Goltsman, Kay and Nemesh.

Against the Amendment: Crs Gray, Keenan, Lewis, Masselos and Murray

FORESHADOWED MOTION (LAPSED)

Mover: Cr Burrill

‘That Council defers this item to a Councillor briefing to review the parking, traffic and safety aspects of the concept designs and for further work to occur with Transdev John Holland to establish their required bus movements.’

AMENDMENT 3 (RULED OUT OF ORDER)

Mover: Cr Goltsman

That the following clause be added to the motion:

‘Acknowledges that the existing car spaces are crucial for the operation of local businesses.’

THE AMENDMENT WAS RULED OUT OF ORDER ON THE GROUNDS THAT IT WAS INCONSISTENT WITH THE SUBSTANCE OF THE MOTION.

AMENDMENT 4

Mover: Cr Burrill

Seconder: Cr Goltsman

That the following clause be added to the motion:

‘Offices prepare a further report to Council prior to the exhibition of the updated concept designs to the community.’

THE AMENDMENT WAS PUT AND DECLARED LOST ON THE CASTING VOTE OF THE CHAIR.

Division

For the Amendment: Crs Betts, Burrill, Goltsman, Kay and Nemesh.

Against the Amendment: Crs Gray, Keenan, Lewis, Masselos and Murray.

AT THIS STAGE IN THE PROCEEDINGS, A PROCEDURAL MOTION THAT THE MOTION BE NOW PUT, MOVED BY CR MURRAY, WAS PUT AND DECLARED CARRIED.

Division

For the Procedural Motion: Crs Betts, Burrill, Goltsman, Gray, Keenan, Lewis, Masselos and Murray.

Against the Procedural Motion: Crs Kay and Nemesh.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED ON THE CASTING VOTE OF THE CHAIR.

Division

For the Motion: Crs Gray, Keenan, Lewis, Masselos and Murray.

Against the Motion: Crs Betts, Burrill, Goltsman, Kay and Nemesh.

DECISION

That Council:

1. Notes the recent safety upgrades to the North Bondi bus terminus, as set out in the report.
2. Notes the previous concept designs for the North Bondi shops and bus terminus, as set out in the report.
3. Approves the refinement of Options 2a/b and Option 3 for the North Bondi Shops and Bus Terminus Upgrade subject to:
 - (a) The location of the crossings being reassessed to avoid traffic congestion that may exacerbate the traffic bottleneck, prior to the community consultation.
 - (b) The proposed palm trees being reconsidered due to blocking beach vistas from retail and residential properties.
4. Undertakes stakeholder and community consultation on the above options and receives a further report to Council on the outcomes.

6. Urgent Business

There was no urgent business.

7. Meeting Closure

THE MEETING CLOSED AT 9.25 PM.

.....
SIGNED AND CONFIRMED
CHAIR
4 JULY 2023

REPORT
PD/5.1/23.07

Subject: 5 Tamarama Street, Tamarama - Rezoning

TRIM No: PP-4/2022

Manager: George Bramis, Executive Manager, Urban Planning

Director: Fletcher Rayner, Director, Planning, Sustainability and Compliance

RECOMMENDATION:

That Council:

1. Approves the following amendments to the *Waverley Local Environmental Plan 2012* in respect of 5 Tamarama Street, Tamarama, known as Lot 1 in DP 1188291:
 - (a) Amend the land use zone from R3 Medium Density Residential to R2 Low Density Residential.
 - (b) Amend the floor space ratio from 0.6:1 to 0.5:1.
 - (c) Amend the maximum building height from 9.5 m to 8.5 m.
2. Requests the Department of Planning and Environment to finalise the amendments

1. Executive Summary

The NSW Department of Planning and Environment has advised that it supports the planning proposal to downzone 5 Tamarama Street, Tamarama. On 5 April 2022, Council resolved to amend the *Waverley Local Environmental Plan 2012* (WLEP) by changing the land use zone from Zone R3 Medium Density Residential to Zone R2 Low Density Residential.

The proposal relates to a 368 sqm rectangular-shaped parcel of land formerly part of 20 Illawong Avenue, Tamarama. The legal description of the site is 5 Tamarama Street, Tamarama, which on 15 September 2022 was registered for subdivision under Lot 1 in DP 1188291 (see Attachment 4).

In accordance with WLEP, the land is zoned R3 Medium Density Residential, has a maximum height of 9.5m and a maximum floor space ratio of 0.6:1. The intended outcomes of the planning proposal are as follows:

1. Amend the zoning to R2 Low Density Residential.
2. Amend the floor space ratio (FSR) applying to 0.5:1.
3. Amend the height of the building's development standard to 8.5 m.

2. Introduction/Background

The subject area has had a history of being zoned as Low Density Residential. The existing built form and road network suggest that the R2 Low Density Residential zone is the most appropriate for the site. Prior to the implementation of the Standard Instrument and changing of zoning codes in the WLEP 2012, the subject site was zoned 2(a) Low Density Residential, with the adjacent lot (forming the rest of the original lot pre-subdivision zones) as 2(b) Medium Density Residential.

In 2012 when the WLEP was implemented, the subject lot, which formed part of the larger lot (20 Illawong Ave), was zoned as R3 Medium Density Residential.

In 2012, a development application was lodged (DA-125/2012) which sought alterations and additions to the multi-storey residential flat, including two new penthouses, underground car parking and a new three-storey block of five apartments and a land subdivision to create two new lots were subsequently approved.

Table 1. Timeline of the proposal.

| Time | Event |
|------------------|---|
| 4 March 2022 | Subdivision certificate was lodged with Council relating to the subject site, which had been advertised for sale. Community members raised concerns that the site could permit the development of a residential flat building due to the R3 Medium Density Residential zoning of the land. |
| 5 April 2022 | Council resolved to prepare a planning proposal to rezone the site. |
| 5 August 2022 | A Section 3.22 application for an expedited amendment to the Waverley LEP 2012 relating to the site was lodged by Council. |
| 27 October 2022 | The Department issued a letter to Council, requesting withdrawal of the section 3.22 application, as the proposal, which seeks to reduce the development potential of the site, should be subject to community consultation as part of the planning proposal process. Council officers subsequently withdrew the application. |
| 29 November 2022 | A planning proposal seeking the same LEP amendments relating to the site as the previous section 3.22 application was lodged by Council for Gateway determination. |
| 7 December 2022 | The Department advised Council that the planning proposal needed further information. The proposal was discontinued and did not proceed. |
| 17 January 2023 | A revised planning proposal (PP-4/2022) was lodged by Council to the Department of Planning and Environment (Attachments 1 and 2). |
| 1 March 2023 | Council received a Gateway determination from the Department of Planning and Environment (Attachment 2). |
| 12 April 2023 | The planning proposal was exhibited from 12 April 2023 to 10 May 2023. |

3. Relevant Council Resolutions

| Meeting and date | Item No. | Resolution |
|--|--------------|---|
| Strategic Planning and Development Committee 5 April 2022 | PD/5.5/22.04 | That Council: <ol style="list-style-type: none"> Supports a planning proposal for the property at 7B and 5 Tamarama Street (legal description being Strata Plan 1737) to rezone the land from R3 to R2, with a maximum height of 8.5 m and FSR of 0.5:1 to match the surrounding R2 zone. Forwards the planning proposal to the Department of Planning and Environment (DPE) for Gateway Determination. |

4. Discussion

The planning proposal for 5 Tamarama Street, Tamarama, seeks to amend the Waverley LEP 2012 in relation to the subject site as identified in Table 2.

Table 2: Existing and proposed amendments to WLEP 2012.

| WLEP 2012 Provision | Current Planning Controls | Planning proposal |
|---------------------------------|--|--------------------------------|
| Zone | R3 Medium Density Residential | R2 Low Density Residential |
| Permissible uses | Dwelling House, Dual Occupancy, Multi-Dwelling Housing, Manor House, Residential Flat building | Dwelling House, Dual occupancy |
| Additional Permitted Use | Nil | Nil |
| FSR | 0.6:1 | 0.5:1 |
| Height | 9.5 m | 8.5 m |

Part of the intended outcome of this planning proposal is to ensure that any redevelopment of the subject site is consistent with the surrounding Low Density Residential character of Tamarama Street and also meets the expectation of the local community that future development would not unreasonably comprise their residential amenity.

The planning proposal aims to accurately reflect the actual development potential of the site, providing greater clarity to both the community and industry regarding feasible development options. Additionally, the proposal ensures that the zoning and development standards align with those of neighbouring lots along the street, promoting consistency and coherence in the area.

5. Consultation

The public exhibition of this planning proposal took place over four weeks from 12 April 2023 to 10 May 2023. Notification of the public exhibition occurred through the following means:

- Letter notification to the landowner of 5 Tamarama Street, Tamarama.
- A Have Your Say page.
- Notice to the Precinct Committees.

Council has not been authorised as the local plan-making authority. This means that Council will use community feedback received on the Proposal and other accompanying documents available during the public exhibition to make a recommendation to DPE to finalise the Proposal.

A total of 11 submissions were received from members of the community, including Tamarama Street and Illawong Avenue. Table 6 summarises the feedback received:

Table 3: Community submissions.

| Community comment | Number of Submissions |
|---|-----------------------|
| Amendment to Zoning from R3 to R2 should be refused | 1 |
| Amendment to Zoning from R3 to R2 should be supported | 10 |

Community comment

- The subject site should be consistent with the rest of the properties on Tamarama Street.

- Future development with an R3 zoning would change the character and have a negative impact on the surrounding neighbourhood.
- Significant impact on traffic and overshadowing if any future development happens in Medium Density Residential.

6. Conclusion

The planning proposal would amend the Waverley LEP2012 to zone the subject area from R3 Medium Density Residential to R2 Low Density Residential which is the appropriate zoning given the context and location of the subject site.

The subject area has a long history of being designated for Low Density Residential and the existing built form and road network suggest that an R2 Low Density Residential zone is most appropriate. The R2 Low Density Residential zone permits a range of residential uses that reflect the general character of the locality and provide a density that is more compatible with the existing infrastructure.

The planning proposal is consistent with Eastern City District Plan and Waverley Local Strategic Planning Statement and is recommended for adoption.

7. Attachments

1. Planning proposal [↓](#)
2. Gateway determination [↓](#)
3. Proposed mapping [↓](#)
4. Registered plan [↓](#)



PLANNING PROPOSAL

5 Tamarama Street, Tamarama

Rezoning from R3 (Medium Density Residential) to R2 (Low-Density Residential) in Waverley Local Environmental Plan 2012 and Amendment to Floor Space Ratio and Building Height

Planning Proposal 5 Tamarama Street, Tamarama

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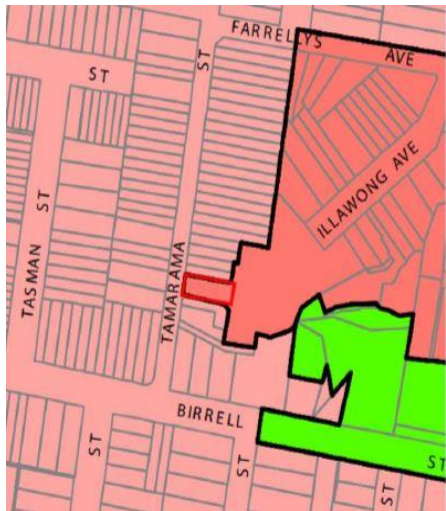

PART 6 – PROJECT TIMELINE 19

Executive Summary

The Planning Proposal prepared by Waverley Council to amend the *Waverley Local Environmental Plan 2012* (WLEP) by changing the land use from Zone R3 Medium-Density Residential to R2 Low-Density Residential. The Proposal relates to a 368 sqm rectangular-shaped parcel of land forming part of 20 Illawong Avenue, Tamarama, Table 1. The legal description of the site is 5 Tamarama Street, Tamarama, which on 15 September 2022 was registered for subdivision under Lot 1 in DP 1188291. The land is currently supported by WLEP characteristics that include R3 zoning, a maximum height of 9.5m and a maximum floor space ratio of 0.6:1. This Proposal has been prepared in line with the LEP Making Guidelines. The intended outcomes of the Planning Proposal are as follows:

1. Amend the zoning of the subject land from R3 medium Density Residential to R2 Low-Density Residential.
2. Amend the floor space ratio (FSR) applying to the subject area to 0.5:1; and
3. Amend the height of the building's development standard to 8.5 m.

Table 1: Existing and proposed development standards

| WLEP 2012 Provision | Current Planning Controls | Planning Proposal |
|---------------------------------|--|--|
| Zone | R3 Medium-Density Residential  | R2 Low-Density Residential  |
| Additional Permitted Use | Nil | Nil |

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| | | |
|--------|-------|-------|
| FSR | 0.6:1 | 0.5:1 |
| Height | 9.5 m | 8.5 m |

The Planning Proposal is considered a ‘Basic’ per the LEP Making Guidelines criteria.

INTRODUCTION

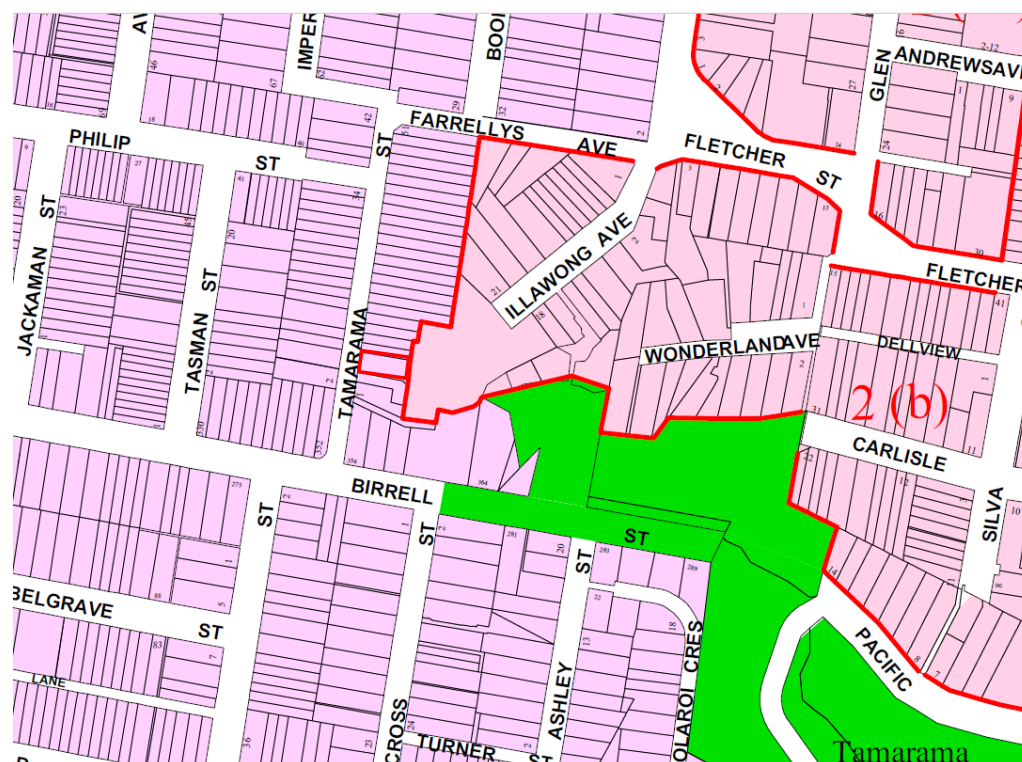
a) Background to this Planning Proposal

The subject area has had a history of being zoned as Low-Density Residential. The existing built form and road network would suggest that the R2 Low-Density Residential zone is the most appropriate to the site.

Prior to the implementation of the Standard Instrument and changing of zoning codes in the Waverley Local Environment in 2012, the subject site was zoned 2(a) Low-Density Residential, with the adjacent lot (forming the rest of the original lot pre-subdivision) zones as 2(b) Medium Density Residential.

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Figure 1: Waverley Local Environmental Plan 1996 land-use zoning



In 2012 when the WLEP was implemented, the subject lot, which formed part of a larger lot was zoned as R3 Medium Density Residential.

In 2012 a development application was lodged (DA-125/2012) which sought alterations and additions to the multi-storey residential flat, including two new penthouses, underground car parking, and a new three-storey block of five apartments and a land subdivision to create two new lots was subsequently approved.

b) History of the Planning Proposal

In 2022, the landowner sought subdivision in line with the DA and consequently intended to sell the subject site as a separate parcel of land. The recent subdivision and sale have been brought to the attention of the Council by members of the community who are concerned that the zoning is inconsistent with the remainder of Tamarama Street and that the potential for a new residential flat building (RFB) to be developed on the land, could result in development which is out of character with the remainder of the street, which is zoned R2 Low-Density Residential and could lead to negative impacts on the neighbouring properties.

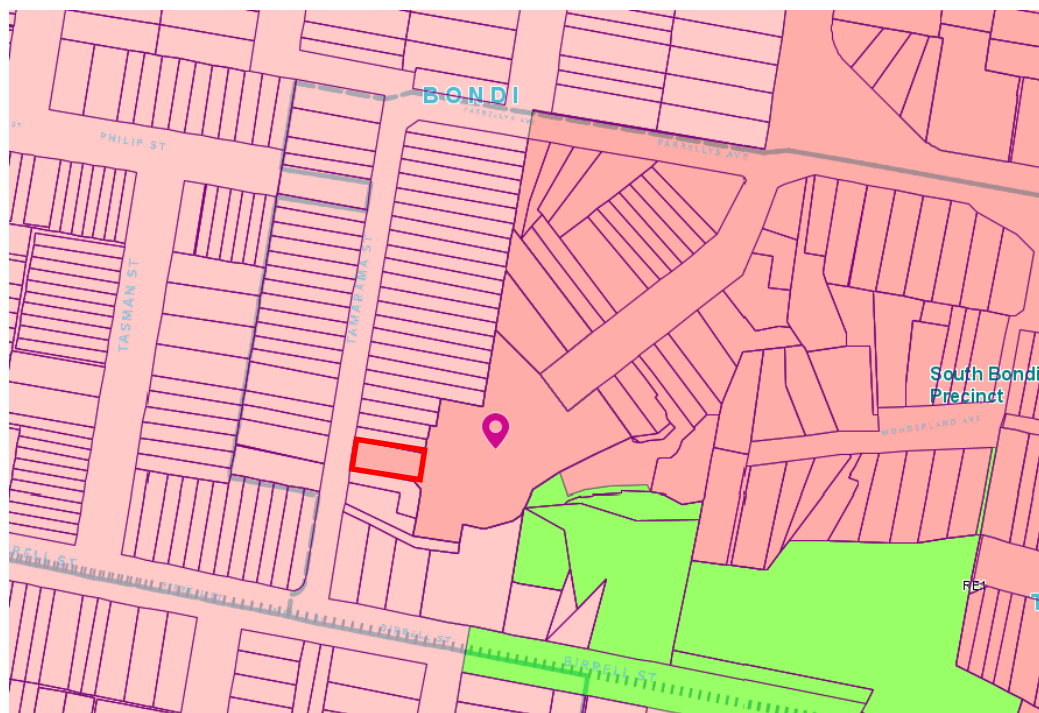
The Planning Proposal is a result of a Council resolution on 5 April 2022, and the relevant Council Report is provided in the Attachments. It is intended to amend the zoning and development standards. The proposed LEP amendment fits the category of the 'Basic' Planning Proposal described in the Department of Planning Environment (DPE) Guideline.

Planning Proposal 5 Tamarama Street, Tamarama

Table 2: Council Resolution 5 April 2022

| Meeting and date | Item No. | Resolution |
|----------------------|--------------|--|
| Council 5 April 2022 | PD/5.5/22.04 | <p>That Council:</p> <ol style="list-style-type: none"> 1. Supports a Planning Proposal for the property at 7B and 5 Tamarama Street (legal description being Strata Plan 1737) to rezone the land from R3 to R2, with a maximum height of 8.5 m and FSR of 0.5:1 to match the surrounding R2 zone. 2. Forwards the Planning Proposal to the Department of Planning and Environment (DPE) for Gateway Determination. |

Figure 2: Waverley Local Environmental Plan 2012 proposed land-use zoning



The subject site fronting Tamarama Street is surrounded by Low-density residential land uses and the proposed change in zoning from R3 to R2 will result in development standards more in line with the character of the area.

List of Attachments

Attachment A – Council Minutes Meeting

Attachment B – Council Report

Attachment C – Mapping

Attachment E – Registered subdivision plan

PART 1 – OBJECTIVES OR INTENDED OUTCOMES

1.1 Description Statement

Historically, the subject parcel was in an R2 Low-Density Residential Zone, aligning with the area's character. However, the application of the R3 Medium Density Residential Zone under the LEP renewal process is inconsistent with the capacity and environmental constraints of the land, the existing road network within Illawong Avenue and Tamarama Street and the character of the current subdivision.

1.2 Intended Outcomes

The Planning Proposal seeks to:

- ensure that any redevelopment of the subject site is consistent with the surrounding low density residential character of Tamarama Street.
- meet expectations of the local community that future development would not unreasonably compromise their residential amenity, including solar access.

The proposed amendment is consistent with Council's resolution on 5 April 2022.

Table 3: Proposed amendments to WDCP 2012

| WLEP 2012 Provision | Current Planning Controls | Planning Proposal |
|---------------------------------|-------------------------------|----------------------------|
| Zone | R3 Medium-Density Residential | R2 Low-Density Residential |
| Additional Permitted Use | Nil | Nil |
| FSR | 0.6:1 | 0.5:1 |
| Height | 9.5 m | 8.5 m |

PART 2 – EXPLANATION OF PROVISIONS

2.1 Draft Development Standards

The Planning Proposal seeks to amend the Waverley LEP 2012 in relation to the subject site as follows:

- Amend the zoning of the subject area from R3 Medium Density Residential to R2 Low-Density Residential.
- Amend the floor space ratio (FSR) applying to the subject area to 0.5:1; and
- Amend the height of the building's development standard to 8.5m.

The proposed amendment is consistent with Council's resolution on 5 April 2022.

PART 3 – JUSTIFICATION OF STRATEGIC AND SITE-SPECIFIC MERIT

3.1 Strategic Merit

This section details the reasons for the proposed LEP amendment and is based on a series of questions and matters for consideration as outlined in the LEP Making Guidelines (December 2021). The matters to be addressed include the strategic planning context of the amendments, Strategic Merit, Site-Specific Merit, and potential state and environmental, social and economic impacts.

Building Typology Comparison

A comparison of different building typologies of existing vs proposed development standards, landscaping and car parking comparison between Low-Density Residential and Medium Density Residential against the Waverley Development Control Plan (WDCP), is provided below.

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Table 4: Waverley Development Control Plan comparison

| Building Typology | R2 – 8.5m height, 0.5:1 FSR | R3 – 9.5m height, 0.6:1 FSR | Comments |
|------------------------|---|---|--|
| Dwelling House | <ul style="list-style-type: none"> Height: 8.5m FSR: 0.7:1 as per Cl4.4A of Waverley LEP 2012 Front setback: Average Rear setback: Average Side setbacks: 0.9m | <ul style="list-style-type: none"> Height: 9.5m FSR: 0.7:1 as per Cl4.4A of Waverley LEP 2012 Front setback: Average Rear setback: Average Side setbacks: 0.9m | <ul style="list-style-type: none"> 1m height difference Same FSR applies Minimum of 40% of the total site area is to be provided as open space in Low-Density Residential (Waverley DCP 2022) Minimum of 20% of the total area provides landscape area in Low-Density Residential (Waverley DCP 2022) Minimum 50% of the landscape area must be deep soil in Low-Density Residential (Waverley DCP 2022) |
| Dual Occupancy | <ul style="list-style-type: none"> Height: 8.5m FSR: 0.7:1 (as per Cl4.4A of Waverley LEP 2012) Minimum lot size (Waverley DCP 2022): 450sqm (attached) and 600sqm (detached) Minimum lot size (Section 3B.8 of Codes SEPP): 400sqm Front setback: Average Rear setback: Average Side setbacks: 0.9m | <ul style="list-style-type: none"> Height: 9.5m FSR: 0.7:1 (as per Cl4.4A of Waverley LEP 2012) Minimum lot size (Waverley DCP 2022): 450sqm (attached) and 600sqm (detached) Minimum lot size (Cl. 3B.8 of Codes SEPP): 400sqm Front setback: Average Rear setback: Average Side setbacks: 0.9m | <ul style="list-style-type: none"> 1m height difference Same FSR applies The site does not meet the minimum lot size requirements under Council's DCP and the Code SEPP. Minimum of 40% of the total site area is to be provided as open space in Low-Density Residential (Waverley DCP 2022) Minimum of 20% of the total area provides landscape area in Low-Density Residential (Waverley DCP 2022) Minimum 50% of the landscape area must be deep soil in Low-Density Residential (Waverley DCP 2022) <p>Each dwelling in a detached dual occupancy development have a minimum open space of 130m² including a private space area with minimum dimensions of 5m x 5m located adjacent to the living area (Waverley DCP 2022)</p> |
| Multi-Dwelling Housing | <ul style="list-style-type: none"> Not Permitted | <ul style="list-style-type: none"> Height: 9.5m FSR: 0.6:1 | <ul style="list-style-type: none"> Although multi-dwelling housing is permitted in the R3 zone, it is subject to a |

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|---------------------|---|--|--|
| | | <ul style="list-style-type: none"> • Minimum lot size for multi-dwelling housing (terraces) (Cl. 3B.33 of the Codes SEPP): 600sqm • Minimum lot width for multi-dwelling housing (terraces) (Cl. 3B.33 of the Codes SEPP): 21m • Front setback: Average • Rear setback: 6m or average • Side setbacks: 1.5m | <p>lower FSR than dwelling houses.</p> <ul style="list-style-type: none"> • Multi-dwelling housing is unlikely to be feasible due to the small lot size and narrow frontage of the site • The site does not meet the minimum lot size and lot width requirements for multi-dwelling housing in the Code SEPP for complying development. • 30% of the site area is to be provided as the landscaped area in Medium Density Residential (Waverley DCP 2022) • 50% of the landscaped area must be deep soil zone in Medium Density Residential (Waverley DCP 2022) • 15% of the total site area for development in the R3 zone is to be provided as consolidated communal open space |
| Manor Houses | <ul style="list-style-type: none"> • Not Permitted | <ul style="list-style-type: none"> • Height: 9.5m • FSR: 0.6:1 <ul style="list-style-type: none"> • Minimum lot size (Cl. 3B.21 of the Codes SEPP): 600sqm • Front setback: Average • Rear setback: 6m or average • Side setbacks: 1.5m | <ul style="list-style-type: none"> • Although manor houses are permitted in the R3 zone, it is subjected to a lower FSR than dwelling houses • The site does not meet the minimum lot size requirement of the Codes SEPP for complying development. • 30% of the site area is to be provided as the landscaped area in Medium Density Residential (Waverley DCP 2022) • 50% of the landscaped area must be deep soil zone in Medium Density Residential (Waverley DCP 2022) • 15% of the total site area for development in the R3 zone is to be provided as consolidated communal open space (Waverley DCP 2022) |

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|---------------------------|---|--|---|
| Residential Flat Building | <ul style="list-style-type: none"> Not Permitted | <ul style="list-style-type: none"> 9.5m height 0.6:1 FSR Minimum site frontage (Waverley DCP 2022): 15m Front setback: Average Rear setback: 6m or average Side setbacks: 1.5m | <ul style="list-style-type: none"> Although flat residential buildings are permitted in the R3 zone, it is subject to a lower FSR than dwelling houses. The site does not meet the minimum street frontage requirement of the DCP. 30% of the site area is to be provided as the landscaped area in Medium Density Residential (Waverley DCP 2022) 50% of the landscaped area must be deep soil zone in Medium Density Residential (Waverley DCP 2022) 25% of the total site area for development in the R4 zone is to be provided for R4 as consolidated communal open space. |
|---------------------------|---|--|---|

Based on the above analysis, the following notes need to be considered:

- Multi-dwelling housing:** The FSR for multi-dwelling housing under the current R3 zoning is 0.6:1, which is lower than the FSR for a dwelling house at 0.7:1, as specified in Clause 4.4A Exceptions to floor space ratio of the Waverley LEP 2012. The Codes SEPP allows multi-dwelling housing (terraces) to be considered complying development if certain conditions are met.

However, the minimum lot size (600 sqm) and minimum lot width (21m) in the subjected site requirements stated in Clause 3B.33 of the Codes SEPP, rendering complying development unsuitable for this particular use on the site.

- Manor house:** According to Clause 3B.1A of the Codes SEPP, manor houses are allowed in the R3 zone provided that residential flat buildings or multi-dwelling housing, or both, are already permitted. Like multi-dwelling housing, the FSR for manor houses is 0.6:1, as indicated by the FSR Map. This is lower than the FSR for dwelling houses, which is 0.7:1 in accordance with Clause 4.4A of the Waverley LEP 2012.

While some types of manor house development may be considered complying development under the Codes SEPP, the minimum lot size requirement under Clause 3B.21 of the SEPP, which is 600 sqm, makes it ineligible for complying development.

- Residential flat building:** Council's DCP 2022 sets out the minimum site frontage for a residential flat building at 15m. The subject site has a width of 12.19m only and does not meet the above requirement. The FSR for any residential flat development is 0.6:1 (as per the FSR Map), which is lower than that applies to a dwelling house, being 0.7:1, pursuant to Clause 4.4A of the Waverley LEP.

The only two residential types would fit the subjected site:

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- Dual Occupancy:** The proposed R2 zoning will allow for the development of dual occupancies. However, following Clause 4.4A of the Waverley LEP, this type of development will be subject to an FSR of 0.7:1, the same as dwelling houses. Nevertheless, the DCP 2022 specifies minimum lot size requirements of 450 sqm and 600 sqm for attached and detached dual occupancies, respectively, which the site fails to meet.
While the Codes SEPP permits dual occupancies to be developed through complying development under certain circumstances, Clause 3B.8 of the Codes SEPP states that a minimum lot size of 400 sqm is necessary for complying development. The subject site is not eligible for complying development to accommodate a dual occupancy. Therefore, based on the above information, the likelihood of developing an attached dual occupancy on the site is low.
- Dwelling House:** A dwelling house is the type of residential use that would be subject to a higher FSR, being 0.7:1, and would be more readily capable of meeting the relevant DCP controls. Such a use is permitted under both the existing R3 and the proposed R2 zoning.
- Secondary dwelling:** Although the R2 zoning regulations in the Waverley LEP do not allow for secondary dwellings, there is still a way to develop them through Clause 52 of the SEPP (Housing) 2021, as long as certain conditions are met. These include ensuring that the maximum floor space ratio (FSR) specified in another environmental planning instrument is not exceeded and that the total floor area of the secondary dwelling is either the maximum specified in another environmental planning instrument or 60 sqm, whichever is greater. Additionally, Clause 5.4(9) of the Waverley LEP indicates that the total floor area of any secondary dwelling cannot exceed 60 sqm or 30% of the total floor area of the principal dwelling. It is worth noting that the proposed R2 zoning would still allow for the development of secondary dwellings, despite the current zoning restrictions.

As the site has a small lot size (under 400 sqm) and narrow frontage, the residential uses permitted on the site will be limited. Reduction in building height standard (from 9.5m to 8.5m) there will not be any significant change to the housing delivery and diversity of the subjected land.

Table 5: Car parking WDCP 2022

| Parking in DCP Parking Zone 2 | Low Density Residential | Medium-density residential (3-19 dwellings) | Comment |
|--------------------------------------|--|---|--|
| On-site parking rate per dwelling | Minimum: 0 ≤2 bedrooms: Maximum 1 3+ bedrooms: Maximum 2 | Minimum: 0 Maximum: Studio: 0 1-bedroom: 1.0 2-bedroom: 1.2 3+ bedrooms: 1.5 | More on-site parking spaces permitted, which is likely to result in an increase in vehicle movement on and around the site. |
| Visitor Parking | None | 1 space per 5 units | More on-site parking spaces permitted, which is likely to result in an increase in |

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|--|--|--|--|
| | | | vehicle movement on and around the site. |
|--|--|--|--|

Table 5 shows the Waverley DCP 2022 minimum and maximum parking requirements for dwelling houses of 1 and 2 spaces for areas outside the 800m catchment of the Bondi Junction. The maximum parking requirements for medium-density residential developments, as part of Waverley DCP, are 1 space for 1 bedroom and 1.2 space for 2 bedrooms, and 1.5 space for 3 bedroom units. There is also a zero minimum.

Considering the small lot of 368 sqm and minimum dimension to the driveway, the access aisle and parking bays under the Australian Standard is unlikely that the site would be able to facilitate medium-density residential development in 5 Tamarama Street, Tamarama. Therefore, with the limited number of parking for the site based on Table 5, the traffic impact will be limited. Moreover, the site is located in Tamarama with great access to public transport, such as bus routes, which makes it an accessible area for the residents.

Based on Table 4, the best housing type option would be dwelling houses in Tamarama Street. The proposed reduction of building height from 9.5m to 8.5m height by 1m would be more consistent with the scale of buildings along Tamarama Street by aligning the height control, and it positively impacts solar access to the neighbouring properties. Considering surrounding properties with the same dwelling types, such as dwelling houses and a height limit of 8.5m, the subjected site will not be out of character in the area and will not have an overshadowing impact on surrounding properties.

Section A – Need for the Planning Proposal (Strategic Merit)

This section establishes the need for a Planning Proposal to achieve the key outcomes and objectives. The set questions address the strategic origins of the proposal and whether amending the WLEP is the best mechanism to achieve the aims of the proposal.

1. Is the Planning Proposal a result of any strategic study or report?

The Planning Proposal is the direct result of the Council's resolution on 5 April 2022 to rezone the subject area from R3 Medium Density Residential to R2 Low-Density Residential.

2. Is the Planning Proposal the best means of achieving the objectives or intended outcomes, or is there a better way?

Yes, the Planning Proposal is the only means of achieving the stated objective to rezone the subject area from R3 Medium Density Residential to R2 Low-Density Residential, in accordance with the Council resolution. The intended outcome area is to rezone the subject area to R2 Low-Density Residential, amend the FSR to 0.5:1 and amend the height of the building standard to 8.5m.

Section B – Relationship to strategic planning framework.

3. Will the Planning Proposal give effect to the objectives and actions of the applicable regional or district plan or strategy (including any exhibited draft plans or strategies)?

Yes, the proposal is consistent with the objectives of a Metropolis of Three Cities. The R2 Low-Density Residential zone permits various residential accommodation types, including dwelling houses, detached dwellings and semi-detached dwellings. Most of the existing housing within the study area comprises detached and semi-detached dwelling houses.

Table 6 outlines the extent of consistency between the proposal and the Eastern City District Plan.

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Table 6: Eastern City District Plan

| Liveability | |
|---|---|
| Planning Priority E5: Providing housing supply, choice and affordability, with access to jobs, services and public transport. | <p>The proposed downzoning from R3 to R2 will reduce the range of residential uses on the site. However, due to the small lot size (368 sqm) and narrow frontage, as outlined in Table 4, the type of residential development will be limited.</p> <p>As discussed in Table 4 in this report, the analysis of residential development permitted in the existing R3 zone, such as multi dwellings, manor houses, and residential flat buildings, would not be able to be carried out based on Waverley Council's DCP controls. Moreover, Complying Development standards for these forms of development are also not achievable due to the non-compliance with relevant requirements in the State Environmental Planning Policy (Exempt & Complying Development) 2004 (Codes SEPP).</p> <p>Dual occupancies are permissible in R2 and R3 zones but do not meet the minimum lot size requirements under Council's DCP or the Code SEPP (for Complying Development).</p> <p>Therefore, the most feasible option for residential development on the site would be a dwelling house allowed in both R2 and R3 zones. The limited capacity of the site to comply with the relevant local planning or State Government controls for denser forms of development means that the potential impact on housing supply and choice is insignificant.</p> <p>The proposed R2 will be the best zone to reflect the site's capacity for development.</p> |
| Planning Priority E6: Creating and renewing great places and local centres and respecting the district's heritage | <p>This Planning priority E6 is consistent with this Planning Proposal as it seeks to recognise the low-density residential character of the area. The proposed planning controls will better reflect the site's development potential and facilitate development that is consistent with the character of Tamarama Street.</p> |
| Sustainability | |
| <p>Planning Priority E16: Protecting and enhancing scenic and cultural landscapes.</p> <p>Action 63: Identify and protect scenic and cultural landscapes.</p> | <p>Waverley LGA features dense and highly urbanised areas, meaning that both built structures and natural features contribute to the scenic quality of landscapes in the LGA.</p> <p>5 Tamarama Street currently permits a 9.5m building height, which may visually disrupt the wider Tamarama Street streetscape that is otherwise subject to an 8.5m building height. Therefore, the additional metre permitted at 5 Tamarama might appear out of scale and disrupt the established visual landscape.</p> |

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| | As this proposal seeks to align the building height at 5 Tamarama Street with the rest of the streetscape, the height difference and subsequent disruption are less likely to occur – achieving consistency with this Planning Priority. |
|--|--|

Waverley Local Strategic Planning Statement (March 2020)

The Waverley LSPS adopts the Directions and Planning Priorities, and any LEP amendments must demonstrate public benefit. The Planning Priorities of the LSPS relevant to this proposed LEP amendment are listed. The Planning Proposal does not entirely meet the Strategic Merit Test (Table 7).

Table 7: Assessment of Proposal against Strategic Merit Test

| Strategic Merit Test | |
|--|---|
| a) Does the proposal: | |
| Give effect to the relevant regional plan outside of the Greater Sydney Region, the relevant district plan within the Greater Sydney Region, and/or a corridor/precinct plan applying to the site. This includes any draft regional, district or corridor/precinct plans released for public comment or a place strategy for a strategic precinct including any draft place strategy; or | <p>An argument could be made that the proposal is consistent with the Greater Sydney Regional Plan in regard to Objective 7 which states that <i>communities are healthy, resilient, and socially connected</i></p> <p>The proposal reduces the type of dwelling which can be constructed and, therefore, could be seen as limiting the housing supply.</p> <p>As mentioned in Table 4, however, due to the small lot size (368 sqm) and narrow frontage (12.19m) type of the residential development will be limited to dwelling houses and dual occupancies. Dual occupancies are permissible in R2 and R3 zones but do not meet the minimum lot size requirements under Council's DCP or the Codes SEPP (for Complying Development).</p> <p>In this way, the development capacity of the site is aligned with the low-density development. Hence the proposed R2 zone reflects the site's capacity for development.</p> |
| Objective 10: Greater Housing Supply | <p>The proposal is downzoning from R3 to R2 would reduce the range of residential uses permissible on the site. However, due to the small lot size (368 sqm) and narrow frontage, other residential development will be limited.</p> <p>As mentioned in Table 4, the most plausible residential development on the site would be a dwelling house which is permitted in both R2 and R3. As such, the potential impact on housing supply and choice is considered to be insignificant due to the limited capacity of the site to comply with relevant local planning or State Government controls for this denser form of development.</p> |
| Respond to a change in circumstances that have not been recognised by the existing planning framework. | N/A |

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4. Is the Planning Proposal consistent with a council LSPS that has been endorsed by the Planning Secretary or GSC, or another endorsed local strategy or strategic plan?

Waverley Local Environmental Plan 2012

The Waverley LEP has seven main aims that all Planning Proposals and development should be consistent with where applicable. This Planning Proposal is consistent with the following aim of the Waverley LEP:

- (c) To provide for a range of residential densities and a range of housing types to meet the changing housing needs of the community

Waverley Local Strategic Planning Statement (March 2020)

Table 8 assessed the Planning Proposal against the relevant Planning Priority and actions.

Table 8: Assessment of the Proposal against the Local Strategic Planning Statement

| • Direction: A city for people | |
|--|--|
| Planning Priority 5: increase the sense of well-being in our urban environment | The Planning Proposal will help keep the character of Tamarama Street with R2 Low-Density Residential and help the area's amenities. |
| Planning Priority 6: Facilitate a range of housing opportunities in the right places to support and retain a diverse community | <p>The rezoning from R3 to R2 will limit the theoretical range of dwelling type permissibility.</p> <p>However, in practice, and as argued above, the most plausible residential development on the site would be a dwelling house permitted in R2 and R3 zones. As such, the potential impacts on the housing range will be limited to comply with the relevant Local Strategic Planning Statement.</p> |

Table 9: Waverley Local Housing Strategy

| Waverley Local Housing Strategy | |
|---|--|
| Priority H2: Encourage a range of housing options to support and retain a diverse community | <p>The Planning Proposal could be argued to limit the range of housing options in Waverley LGA.</p> <p>However, as mentioned above, the small lot size (368 sqm) and narrow frontage limit the type of residential development on the site. Dual occupancies are permissible in R2 and R3 zones but do not meet the minimum lot size requirements under Council's DCP or Code SEPP.</p> <p>Based on the above, the most plausible residential development on the site would be a dwelling house permitted in R2 and R3 zones. as such, the potential impacts on the housing range will be limited.</p> |

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| | |
|---|---|
| Priority H5: Ensure the new development is consistent with the future character | the current lot's zoning does not align with the street's character. An R2 Low-Density Residential zone would align with the properties surrounding the site and the broader character of the area. |
|---|---|

Waverley Community Strategic Plan 2022-2032

This Planning Proposal aligns with the community vision, which states:

“Waverley is a vibrant and resilient community. We take care of each other, our natural environment, and local places. Our community is empowered to collaborate for sustainable and connected Waverley for future generations.”

The Planning Proposal also aligns with the strategies presented in Table 10 below:

Table 10: Assessment of Proposal against Waverley Community Strategic Plan 2022-2032

| Relevant Directions and Strategies from the Waverley Strategic Plan | Is the proposal consistent with Direction and Strategy? |
|---|---|
| 2.6: Control and manage development to protect the intrinsic values of the community, including aesthetics, size, heritage, and population | |
| 2.6.2. Ensure new development provides a high standard of design quality and does not adversely impact the amenity of neighbours or the wider community | This proposal aims to rezone to a less intense zone which may facilitate the retention of the area's character with R2 Low-Density Residential. |

5. Is the Planning Proposal consistent with any other applicable State and regional studies or strategies?

There are no other relevant State or regional studies or strategies to which the proposed LEP amendment is required to align.

6. Is the Planning Proposal consistent with applicable SEPPs?

This Planning Proposal is consistent with applicable State Environmental Planning Policies, including:

- Housing SEPP
- Transport and Infrastructure SEPP
- Reliance and Hazards SEPP
- Industrial and Employment SEPP
- Biodiversity and Conservation SEPP
- Building Suitability Index: BASIX SEPP
- Precinct SEPPs
- Codes SEPP

7. Is the Planning Proposal consistent with applicable Ministerial Directions (s.9.1 directions)?

The proposal is consistent with applicable Ministerial Directions under Section 9.1 of the Environmental Planning and Assessment Act 1979, as outlined in the below.

Table 11: Assessment of Proposal against Ministerial Direction

Planning Proposal 5 Tamarama Street, Tamarama

| Section 9.1 Ministerial Direction | | |
|--|--|---|
| Ministerial Direction | Relevance | Consistency |
| 5.1 Integrating Land Use and Transport | <p>A Planning Proposal must locate zones for urban purposes and include provisions that give effect to and are consistent with the aims, objectives and principles of:</p> <ol style="list-style-type: none"> 1. Improving transport Choice Guidelines for planning and development and 2. The Right Place for Business and Services Planning Policy | <p>Yes, this direction aims to ensure that urban land use locations improve accessibility for active and public transport and reduce car dependence. The subject area is close to public transport and frequent bus services.</p> |
| 6.1 Residential Zones | <p>The directions are:</p> <ol style="list-style-type: none"> 1. A Planning Proposal must include provisions that encourage the provision of housing that will: <ol style="list-style-type: none"> a) Broaden the choice of building types and locations available in the housing market, b) Make more efficient use of existing infrastructure and services, and c) Reduce the consumption of land for housing and associated urban development on the urban fringe and d) Be of good design. | <p>(Justifiably inconsistent)</p> <p>This proposal involves rezoning the land from R3 Medium Density Residential to R2 Low-Density Residential with surrounding properties in R2 zoning. The proposal is somewhat consistent with the objectives of this direction as it will continue to provide variety and choice in housing types. However, clause (2)(b) of the direction states that a Planning Proposal must “not contain provisions that will reduce the permissible residential density of land”. Therefore, the downzoning of the site in Tamarama Street from R3 to R2 is inconsistent with the above provision.</p> <p>The proposed rezoning of the subject land from R3 to R2 will reduce the range of permissible residential land uses. In addition, the proposed reduction to the FSR and building height standards would also reduce the residential density. Due to the small lot size (368 sqm) and narrow frontage (12.19m) being incompatible with or unable to comply with the development readily controls for denser forms of currently permitted residential development.</p> <p>The proposed R2 zone will permit dwelling houses and dual occupancy development with the same FSR of 0.7:1 under Clause 4.4A of the Waverley LEP 2012.</p> <p>In the current zone of site R3, multi-dwelling housing, manor house or residential flat building are permissible but are not feasible based on Table 4 of this report.</p> <p>The proposed reduction to the building height by 1m from 9.5m to 8.5m is a minor change, and the proposed building height still will accommodate a 2-storey building. The 8.5m height limit will be more consistent with the streetscape and the Tamarama Street character.</p> <p>Based on the above information, the proposed rezoning change is unlikely to impact housing supply and diversity, as the most plausible type of residential uses would be dwelling house. There is also a possibility for a secondary dwelling to be</p> |

Planning Proposal 5 Tamarama Street, Tamarama

| Section 9.1 Ministerial Direction | | |
|-----------------------------------|-----------|--|
| Ministerial Direction | Relevance | Consistency |
| | | <p>developed on the site. As such, the proposal's inconsistency with the Direction is of minor significance.</p> <p>The proposal aims to reflect the development potential of the site and the planning controls to align with the other properties along both sides of Tamarama Street.</p> |

3.2 Site-Specific Merit

Guide to preparing Planning Proposals

The assessment criteria outlined in the DPE Guideline to determine if a Planning Proposal has Site Specific planning merit are addressed in Table 12.

Table 12: Assessment of Proposal against Site-Specific Merit Test

| Site-specific Merit Test | |
|--|--|
| b) Does the proposal have site-specific merit, having regard to the following: | |
| the natural environment on the site to which the proposal relates and other affected land (including known significant environmental areas, resources, or hazards) | This proposal will not have any impacts on the natural environment, however, will serve to protect characteristics of the natural environment such as tree canopy, setbacks, and planting. |
| The existing uses approved uses, and likely future uses of land in the vicinity of the land to which the proposal relates | This proposal will ensure the continuation of residential land uses in the future. |
| The services and infrastructure that are or will be available to meet the demands arising from the proposal and any proposed financial arrangements for infrastructure provision | Not applicable as this proposal will not result in an increase in infrastructure demand. |

Section C – Environmental, social, and economic impact

8. Is there any likelihood that critical habitat or threatened species, populations or ecological communities, or their habitats, will be adversely affected as a result of the proposal?

No. The subject area is within an established urban area and is not identified as having any ecological significance. On this basis, it's unlikely any critical habitats, threatened species, population, ecological communities or their habitats would be impacted.

9. Are there any other likely environmental effects as a result of the Planning Proposal and how are they proposed to be managed?

There are not likely to be any environmental impacts as a result of the proposal. Any issues associated with the subject area are likely to be minor and manageable at the Development Assessment stage.

Planning Proposal 5 Tamarama Street, Tamarama

10. Has the Planning Proposal adequately addressed any social and economic effects?

The Planning Proposal is not anticipated to have any significant social or economic effects.

Section D – Infrastructure (Local, State and Commonwealth)

11. Is there adequate public infrastructure for the planning proposal?

This consideration is not applicable to the Planning Proposal as it is proposing to rezone the existing zoning to a less intense zone.

Section E – State and Commonwealth Interests

12. What are the views of state and Commonwealth public authorities consulted in accordance with the Gateway determination?

Not applicable at this stage.

PART 4 – MAPPING

Attachment C

PART 5 – COMMUNITY CONSULTATION

A public exhibition is likely to include a newspaper advertisement, a display on the Council's Have Your Say website and written notification to landowners. The Gateway Determination will specify the level of public consultation that must be undertaken in relation to the Planning Proposal.

Pursuant to Division 3.4 of the Act, a Planning Proposal must be placed on public exhibition for a minimum of 20 working days, or as specified in the Gateway Determination for the proposal. The Responsible Planning Authority must consider any submissions made concerning the proposed instrument and the report of any public hearing.

PART 6 – PROJECT TIMELINE

The following indicative project timeline will assist with tracking the progress of the Planning Proposal through its various stages of consultation and approval. It is estimated that this amendment to WLEP 2012 will be completed by *October 2023*.

The detail around the project timeline is expected to be prepared following the referral to DPE for a Gateway Determination.

Table 11: Project timeline

| Tasks | Timeframe |
|--|----------------|
| Gateway Determination | March 2023 |
| Community Consultation | April-May 2023 |
| Post Exhibition Review | June 2023 |
| Update Planning Proposal / Report to Council | July 2023 |
| DPIE review of final Planning Proposal | August 2023 |
| Parliamentary Counsel drafting of LEP | September 2023 |
| DPIE to finalise LEP | October 2023 |



Department of Planning and Environment

Gateway Determination

Planning proposal (Department Ref: PP-2023-102): to amend the Waverley Local Environmental Plan 2012 by amending the land zoning, floor space ratio and height of buildings of the land at 20 Illawong Avenue, Tamarama.

I, the Executive Director, Metro East and South at the Department of Planning and Environment, as delegate of the Minister for Planning and Homes, have determined under section 3.34(2) of the *Environmental Planning and Assessment Act 1979* (the Act) that an amendment to the Waverley Local Environmental Plan (LEP) 2012 to change the zoning, floor space ratio (FSR) and height of buildings for land at 20 Illawong Avenue (also known as 5 Tamarama Street), Tamarama should proceed subject to the following conditions:

1. Prior to public exhibition, the planning proposal is to be revised to:
 - (a) Provide further explanation of the likely impacts on development potential for various types of residential uses, having regard to the development standards in the Waverley LEP 2012; the relevant controls in the Waverley DCP 2022, including but not limited to building envelope, setbacks, landscaping and car parking; and the applicable provisions in the State Environmental Planning Policy (Exempt and Complying Development Codes) 2004; the existing discussion about potential traffic and parking impacts and overshadowing should be revised in response to the above;
 - (b) Ensure accuracy of the planning controls described in Table 3 of the planning proposal and rectify any errors, such as the relevant floor space ratio controls;
 - (c) Set out the objectives and intended outcomes of the planning proposal in plain English in accordance with the Department's Local Environmental Plan Making Guideline (September 2022), noting that the above are different from an explanation of provisions;
 - (d) Confirm the correct street address and property details of the subject site with supporting evidence, such as a subdivision plan registered with the NSW Land Registry Services, and update the planning proposal title accordingly;
 - (e) Include extracts of the existing and proposed land zoning, floor space ratio and height of buildings maps that clearly identify the subject site and the proposed mapping changes;
 - (f) Provide information to further address Objective 10 *Greater Housing Supply* of the Greater Sydney Region Plan, taking into consideration the types of residential uses that would be feasible on the site;
 - (g) Regarding the Eastern City District Plan,
 - i. Provide information to further address Planning Priority E5 *Providing housing supply, choice and affordability, with access to jobs, services and public transport*, taking into consideration the types of residential uses that would be feasible on the site; and
 - ii. Address Planning Priority E6 *Creating and renewing great places and local centres, and respecting the District's heritage*;
 - (h) Provide information to further address Planning Priority 6 *Facilitate a range of housing opportunities in the right places to support and retain a diverse*

community of the Waverley Local Strategic Planning Statement, taking into consideration the types of residential uses that would be feasible on the site, and ensure the discussions are coherent across different parts of the proposal;

- (i) Provide information to further address Priority H2 *Encourage a range of housing options to support and retain a diverse community* of the Waverley Local Housing Strategy, taking into consideration the type of residential uses that would be feasible on the site;
 - (j) Provide information to justify the inconsistency with Section 9.1 Ministerial Direction – 6.1 Residential Zones; and
 - (k) Update the project timeline in accordance with the timeframes stated in the Gateway determination.
2. Public exhibition is required under section 3.34(2)(c) and clause 4 of Schedule 1 to the Act as follows:
- (a) the planning proposal is categorised as standard as described in the *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022) and must be made publicly available for a minimum of 20 working 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 *Local Environmental Plan Making Guideline* (Department of Planning and Environment, 2022).
- Exhibition must commence within two months following the date of the Gateway determination.
3. No consultation is required with public authorities or government agencies under section 3.34(2)(d) of the EP&A Act.
4. 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 EP&A 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).
5. The Council is not authorised to exercise the functions of the local plan-making authority.
6. The LEP is to be completed within **seven months** of the date of the Gateway determination.

7. The planning proposal must be reported to Council for a final recommendation not more than five months from the date of the Gateway determination.

Dated 1 March 2023



Amanda Harvey
Executive Director, Metro East and
South
Planning and Land Use Strategy
Department of Planning and Environment

Delegate of the Minister for Planning and
Homes



Waverley Local Environmental Plan 2012

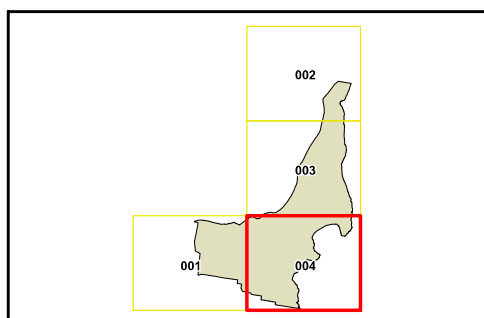
Land Zoning Map - Sheet LZN_004

Zone

| | |
|-----|----------------------------|
| B1 | Neighbourhood Centre |
| B2 | Local Centre |
| B3 | Commercial Core |
| B4 | Mixed Use |
| C2 | Environmental Conservation |
| R2 | Low Density Residential |
| R3 | Medium Density Residential |
| R4 | High Density Residential |
| RE1 | Public Recreation |
| RE2 | Private Recreation |
| SP2 | Infrastructure |

Cadastre

Cadastre 19/01/2023 © Waverley Council



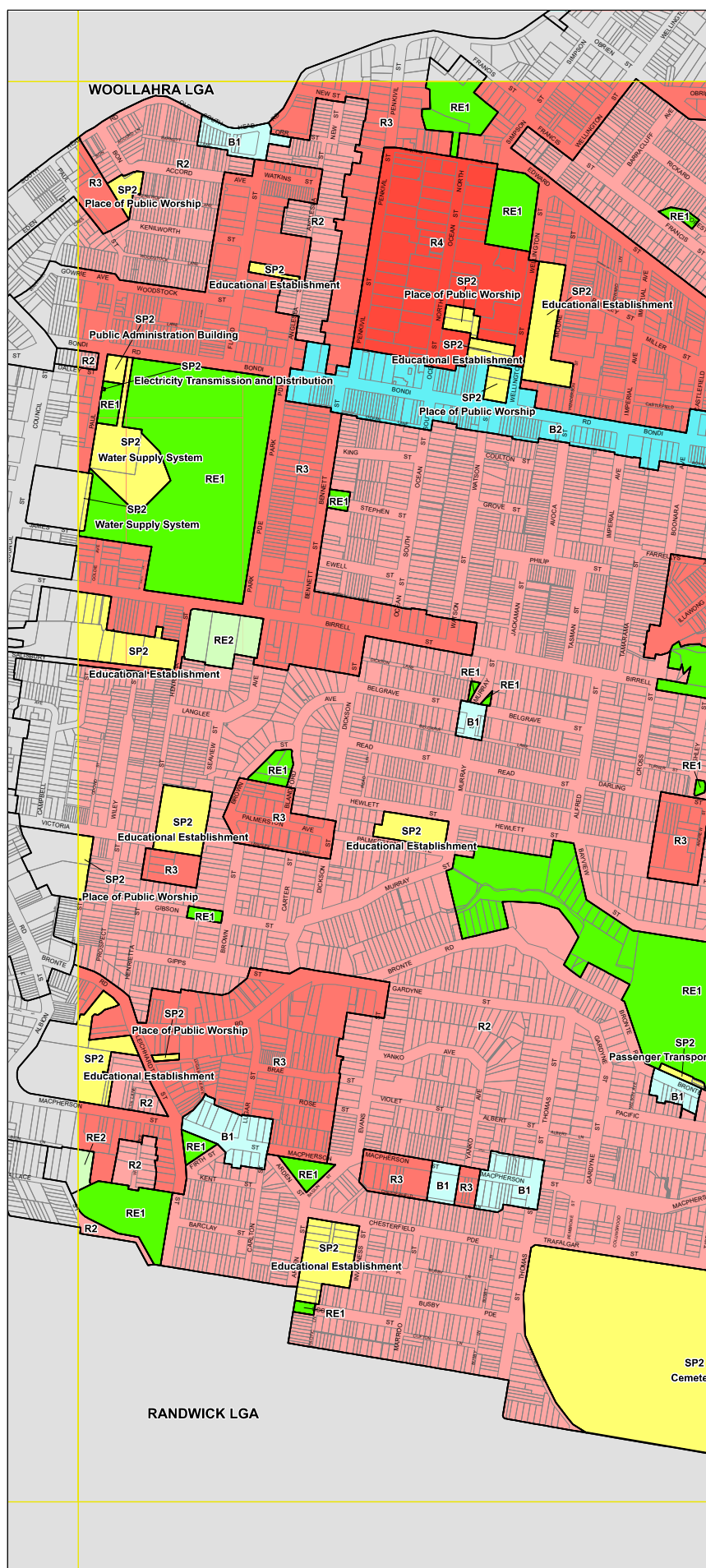
0 200 400
Metres

Scale: 1:10,000 @ A3

Projection: GDA 1994
MGA Zone 56

Map Identification Number:

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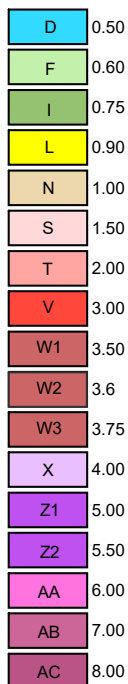




Waverley Local Environmental Plan 2012

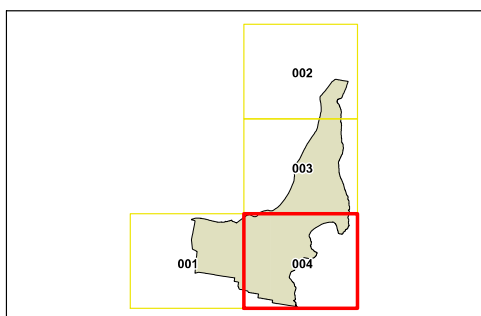
Floor Space Ratio Map - Sheet FSR_004

Maximum Floor Space Ratio (n:1)



Cadastre

Cadastre 19/01/2023 © Waverley Council



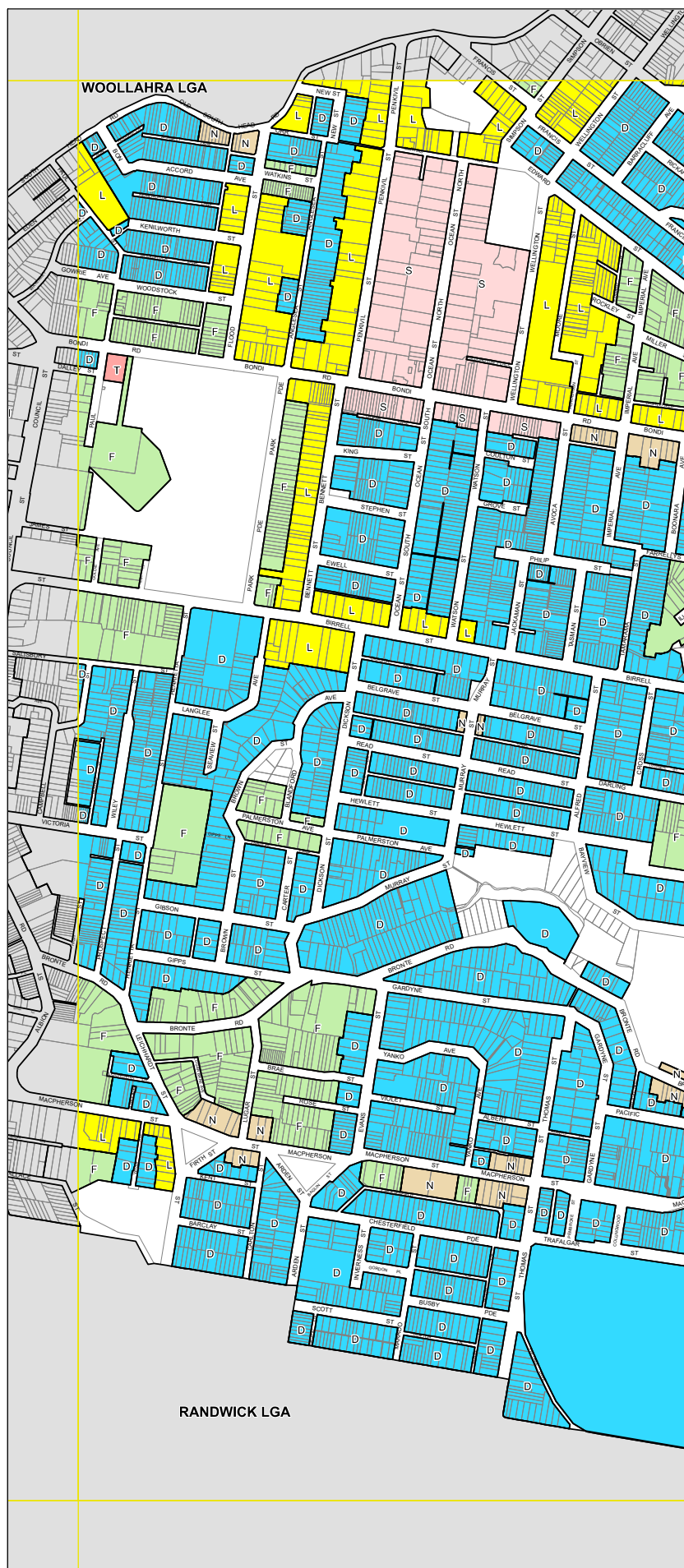
Projection: GDA 1994
MGA Zone 56

A horizontal scale bar with markings at 0, 200, and 400. Below the bar is the word 'Metres'.

Scale: 1:10,000 @ A3

Map Identification Number:

8050_COM_FSR_004_010_20230131





Waverley Local Environmental Plan 2012

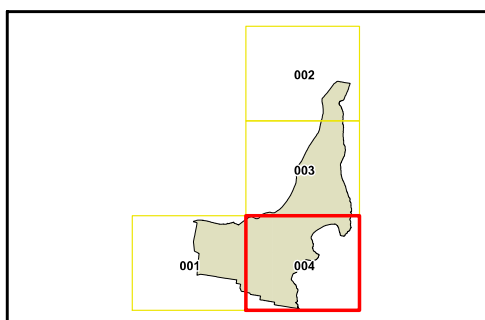
Height Of Buildings Map - Sheet HOB_004

Maximum Building Height (m)

| | |
|----|------|
| I | 8.5 |
| J1 | 9 |
| J2 | 9.5 |
| K | 10 |
| M | 12.5 |
| N | 13 |
| O1 | 15 |
| O2 | 16 |
| P | 18.5 |
| Q | 20 |
| S | 24 |
| T | 28 |
| U | 32 |
| V1 | 35 |
| V2 | 36 |
| V3 | 38 |
| W | 40 |
| AA | 60 |

Cadastre

Cadastre 19/01/2023 © Waverley Council



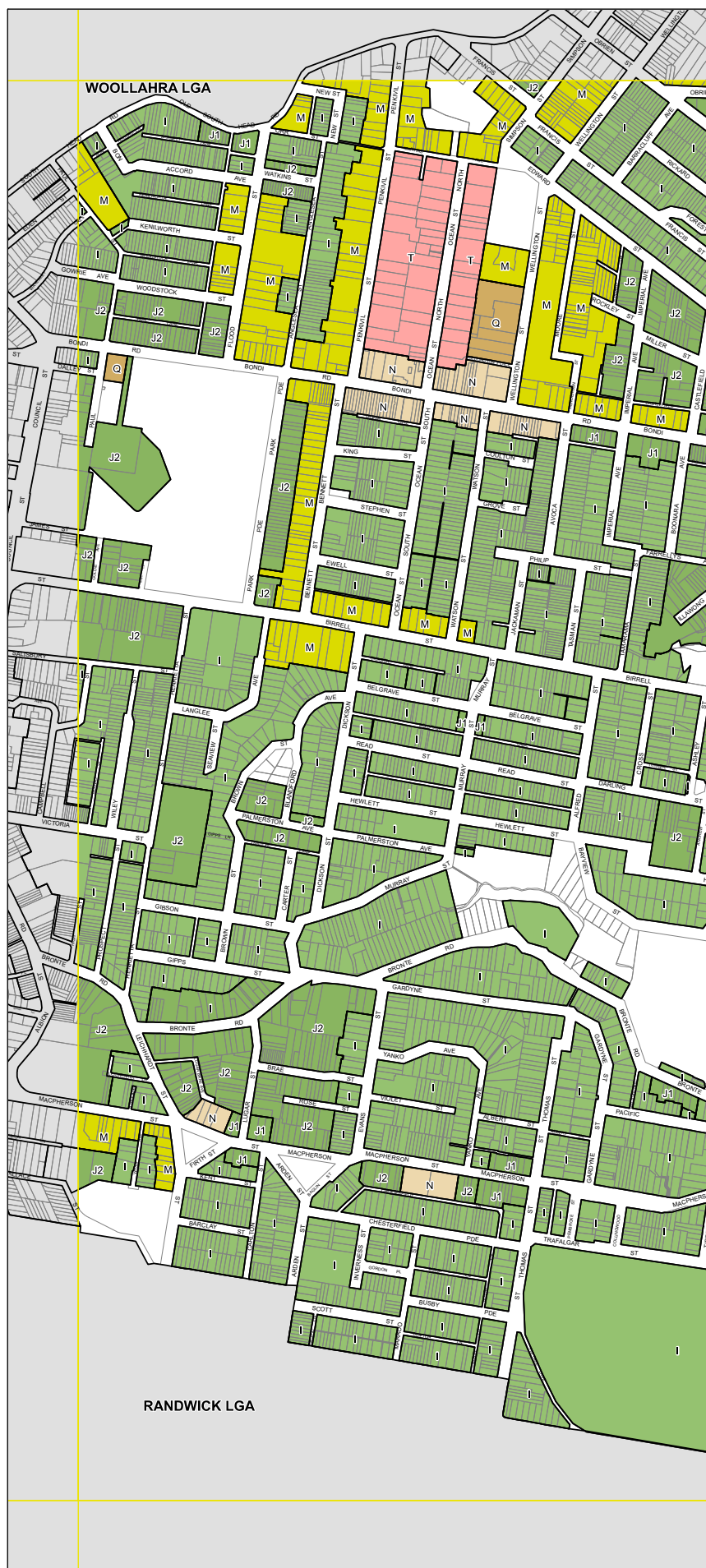
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Metres

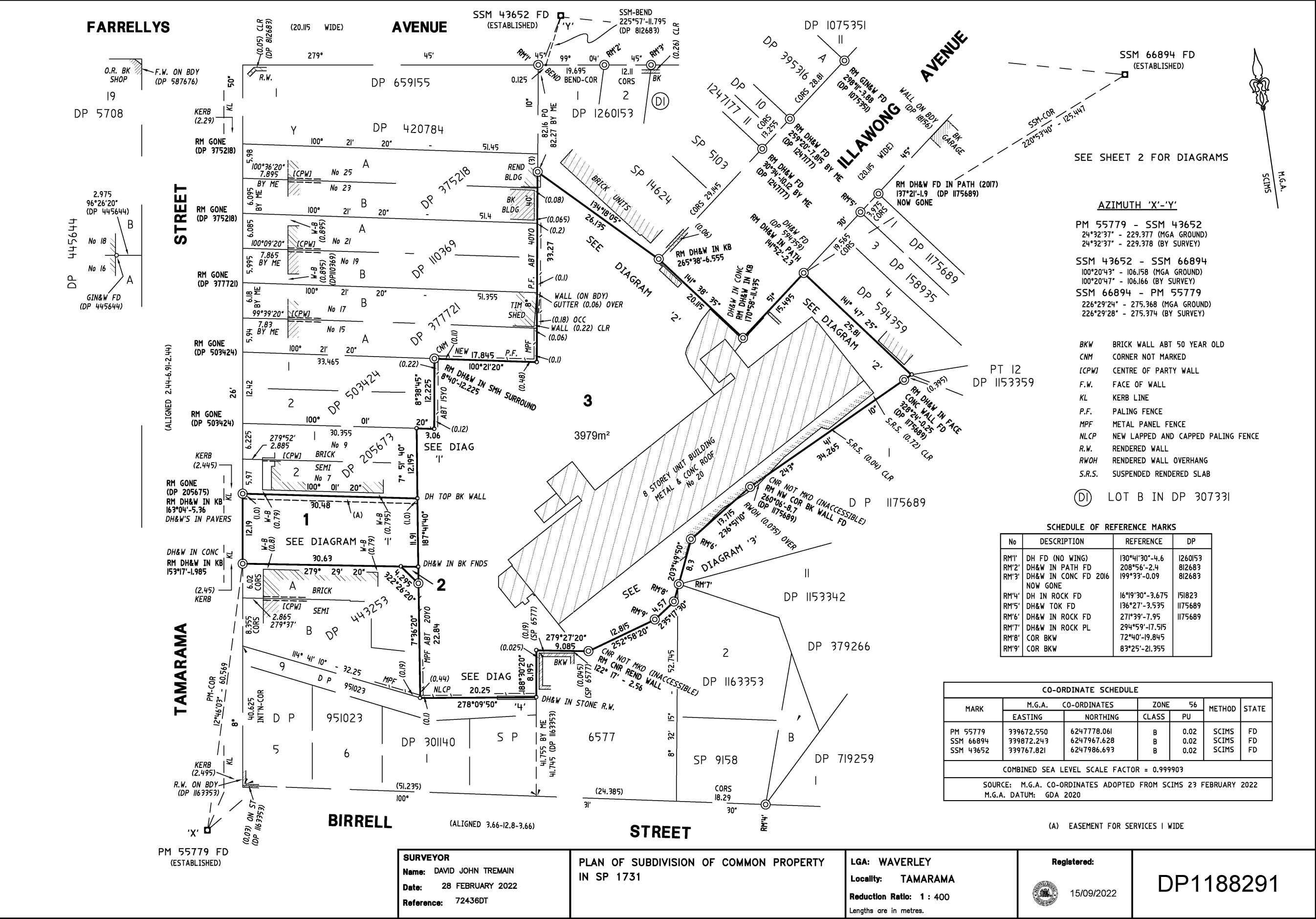
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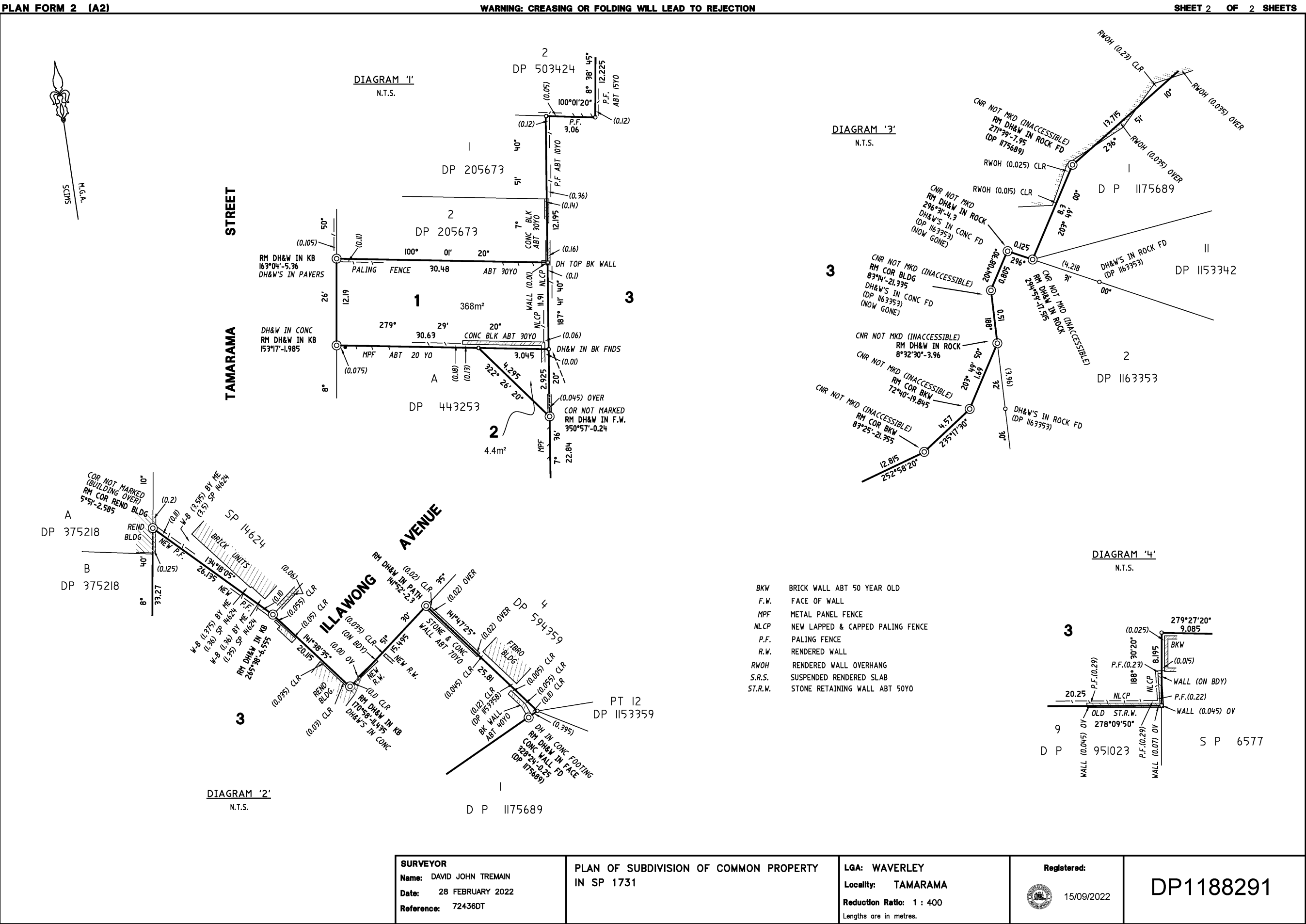
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MGA Zone 56

Map Identification Number:

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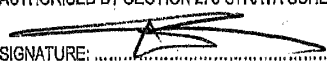

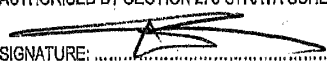
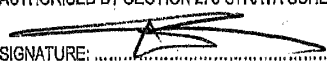
Req:SR202368 /Doc:DP 1188291 P /Rev:15-Sep-2022 /NSW LRS /Prt:16-Sep-2022 00:58 /Seq:3 of 4
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PLAN FORM 6 (2020)

WARNING: Creasing or folding will lead to rejection

| DEPOSITED PLAN ADMINISTRATION SHEET | | Sheet 1 of 2 sheet(s) |
|--|--|--|
| <div style="display: flex; justify-content: space-between;"> <div> <p>Registered:  15/09/2022</p> <p>Title System: TORRENS</p> </div> <div> <p>Office Use Only</p> <p>DP1188291</p> </div> </div> | | Office Use Only |
| PLAN OF SUBDIVISION OF COMMON PROPERTY IN SP1731 | | LGA: WAVERLEY Locality: TAMARAMA Parish: ALEXANDRIA County: CUMBERLAND |
| Survey Certificate I, DAVID JOHN TREMAIN of Harrison Friedmann & Associates Pty Ltd PO Box 4025, Kogarah Bay NSW 2217 a surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> , certify that: *(a) The land shown in the plan was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> , is accurate and the survey was completed on 28/02/2022. *(b), or *(c) The part of the land shown in the plan (*being/*excluding ** was surveyed in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> , the part surveyed is accurate and the survey was completed on, the part not surveyed was compiled in accordance with that Regulation, or *(d) The land shown in this plan was compiled in accordance with the <i>Surveying and Spatial Information Regulation 2017</i> . Datum Line: "X" - "Y" Type: *Urban <input checked="" type="checkbox"/> *Rural The terrain is *Level-Undulating / *Steep-Mountainous. Signature:  Dated: 28/02/2022 Surveyor Identification No: 2117 Surveyor registered under the <i>Surveying and Spatial Information Act 2002</i> | | Crown Lands NSW/Western Lands Office Approval I, (Authorised Officer) in approving this plan certify that all necessary approvals in regard to the allocation of the land shown herein have been given. Signature: Date: File Number: Office: |
| Plans used in the preparation of survey: DP's 110369, 151823, 205673, 275218, 377721 391066, 443253, 503424, 587676, 594359 1163353, 1175689, 375218, 812683, 1075351, 1247177, 1260153, SP6577, SP14624 | | Subdivision Certificate I, Angela Rossi *Authorised Person/*General Manager/*Registered Certifier, certify that the provisions of s.6.15 of the <i>Environmental Planning and Assessment Act 1979</i> have been satisfied in relation to the proposed subdivision, new road or reserve set out herein. Signature:  by me on 05/05/2022 pursuant to section 378 of the <i>Local Government Act 1993</i> Registration number: Consent Authority: Waverley Council Date of endorsement: 05/05/2022 Subdivision Certificate number: SC-8/2022 File number: DA-125/2012/C *Strike through if inapplicable. |
| Statements of intention to dedicate public roads create public reserves and drainage reserves, acquire/resume land. | | |
| Surveyor's Reference: 72436DT | | Signatures, Seals and Section 88B Statements should appear on PLAN FORM 6A |

Req:SR202368 /Doc:DP 1188291 P /Rev:15-Sep-2022 /NSW LRS /Prt:16-Sep-2022 00:58 /Seq:4 of 4
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| PLAN FORM 6E (2019) | | DEPOSITED PLAN ADMINISTRATION SHEET | | Sheet 2 of 2 sheet(s) | | | | | | | | | | | | | | | | | | | | |
|---|---|-------------------------------------|---|-----------------------|--|-------------------|---------------------------|------------------|-------------|------------------|---|----------|--------|----------|---|----|----------|--------|----------|---|----|----------|--------|----------|
| Registered: |  | Office Use Only 15/09/2022 | Office Use Only <h1 style="margin: 0;">DP1188291</h1> | | | | | | | | | | | | | | | | | | | | | |
| PLAN OF SUBDIVISION OF COMMON PROPERTY IN SP 1731 | | | <small>This sheet is for the provision of the following information as required:</small> <ul style="list-style-type: none">A schedule of lots and addresses - See 60(c) <i>SSI Regulation 2017</i>Statements of intention to create and release affecting interests in accordance with section 88B <i>Conveyancing Act 1919</i>Signatures and seals- see 195D <i>Conveyancing Act 1919</i>Any Information which cannot fit in the appropriate panel of sheet 1 of the administration sheets. | | | | | | | | | | | | | | | | | | | | | |
| Subdivision Certificate number: SC-8/2022 Date of Endorsement: 05/05/2022 | | | | | | | | | | | | | | | | | | | | | | | | |
| <p>Pursuant to Sec 88B of the Conveyancing Act 1919, it is intended to create:</p> <p>1. EASEMENT FOR SERVICES 1.0 WIDE.</p> | | | | | | | | | | | | | | | | | | | | | | | | |
| <table border="1" style="width: 100%; border-collapse: collapse;"><thead><tr><th>LOT</th><th>STREET NUMBER</th><th>STREET NAME</th><th>STREET TYPE</th><th>LOCALITY</th></tr></thead><tbody><tr><td>1</td><td>5</td><td>TAMARAMA</td><td>STREET</td><td>TAMARAMA</td></tr><tr><td>2</td><td>3A</td><td>TAMARAMA</td><td>STREET</td><td>TAMARAMA</td></tr><tr><td>3</td><td>20</td><td>ILLAWONG</td><td>AVENUE</td><td>TAMARAMA</td></tr></tbody></table> | | | | | LOT | STREET NUMBER | STREET NAME | STREET TYPE | LOCALITY | 1 | 5 | TAMARAMA | STREET | TAMARAMA | 2 | 3A | TAMARAMA | STREET | TAMARAMA | 3 | 20 | ILLAWONG | AVENUE | TAMARAMA |
| LOT | STREET NUMBER | STREET NAME | STREET TYPE | LOCALITY | | | | | | | | | | | | | | | | | | | | |
| 1 | 5 | TAMARAMA | STREET | TAMARAMA | | | | | | | | | | | | | | | | | | | | |
| 2 | 3A | TAMARAMA | STREET | TAMARAMA | | | | | | | | | | | | | | | | | | | | |
| 3 | 20 | ILLAWONG | AVENUE | TAMARAMA | | | | | | | | | | | | | | | | | | | | |
| <p>APPROVED FORM 23:</p> <p>ATTESTATION</p> <p>THE SEAL OF THE OWNERS - STRATA PLAN NO: 1731 WAS AFFIXED ON 1/3/22 IN THE PRESENCE OF THE FOLLOWING PERSON(S) AUTHORISED BY SECTION 273 STRATA SCHEMES MANAGEMENT ACT 2015 TO ATTEST THE AFFIXING OF THE SEAL.</p> <table style="width: 100%;"><tr><td style="width: 40%;">SIGNATURE: </td><td style="width: 20%;">NAME: David Terry</td><td style="width: 40%;">AUTHORITY: Strata Manager</td></tr><tr><td>SIGNATURE: _____</td><td>NAME: _____</td><td>AUTHORITY: _____</td></tr></table> <div style="text-align: center; margin-top: 20px;"></div> | | | | | SIGNATURE:  | NAME: David Terry | AUTHORITY: Strata Manager | SIGNATURE: _____ | NAME: _____ | AUTHORITY: _____ | | | | | | | | | | | | | | |
| SIGNATURE:  | NAME: David Terry | AUTHORITY: Strata Manager | | | | | | | | | | | | | | | | | | | | | | |
| SIGNATURE: _____ | NAME: _____ | AUTHORITY: _____ | | | | | | | | | | | | | | | | | | | | | | |
| <small>If space is insufficient use additional annexure sheet</small> | | | | | | | | | | | | | | | | | | | | | | | | |
| Surveyor's Reference: 72436DT | | | | | | | | | | | | | | | | | | | | | | | | |

REPORT
PD/5.2/23.07

Subject: Coastal Reserves Plan of Management - Round 1 Consultation Outcomes

TRIM No: A22/0322

Manager: Nikolaos Zervos, Executive Manager, Infrastructure Services

Director: Sharon Cassidy, Director, Assets and Operations

RECOMMENDATION:

That Council:

1. Notes the community feedback from Round 1 of the consultation on the Coastal Reserves Plan of Management, as set out in the attachment to the report.
2. Notes that officers will prepare a further report to Council seeking approval to commence Round 2 of the community consultation and engagement activities to test and receive feedback on key ideas to be included in the draft Plan of Management.

1. Executive Summary

The purpose of this report is to inform Council of the feedback results from the Round 1 Community Consultation for the Coastal Reserves Plan of Management as summarised in the attached report – Refer Attachment 1.

2. Introduction/Background

Council's Community Strategic Plan 2018-2029 details the following goals for our open spaces:

- 3.1 – Improve health and quality of life through a range of recreational opportunities and quality open spaces.
- 3.2 – Expand the network of parks and open spaces, sporting and recreational facilities.

Council's open spaces are planned for, and managed through, the Open Space and Recreation Strategy (OSRS) and parks plans of management. A plan of management is a document that defines the value, use, management practices, and intent for the public purpose for which the land has been reserved.

There is an existing Coastal Reserves Plan of Management (PoM). However, it was produced in 1993. Due to its age, the changes to the reserves and the way that the community engages with the reserves, and that a new Act now regulates Crown lands, a new Coastal Reserves PoM needs to be produced.

The *Crown Land Management Act 2016* (CLM Act) came into effect in June 2018. This legislation requires Council to update all our plans of management by June 2023. In October 2020, Council resolved to update a priority list of Plans of Management (PoM) to comply with the new CLM Act. The Coastal Reserves Plan of Management is the next PoM to be developed.

In April 2021, Council approved the OSRS. The OSRS helps to understand the priorities for our parks to deliver quality greenspace and community recreation outcomes, as well as provide direction in their management. In addition, the recent Inclusive Play Study has further defined how we plan and upgrade our play spaces. These strategies are based on community feedback and independent expert advice. Both these strategies are the main sources of direction for the development of the Coastal Reserves Plan of Management. Preliminary ideas and opportunities for the Coastal Reserves Plan of Management are based on these source documents.

A Communications and Engagement Strategy has been developed for the new Coastal Reserves Plan of Management, which includes three stages of stakeholder and community consultation. These stages are:

- Round 1 – Gathering Ideas. To understand how the individual reserves are used and valued by the community.
- Round 2 – Develop ideas and consult with the community.
- Round 3 – Draft PoM placed on Public Exhibition (42 days).

3. Relevant Council Resolutions

| Meeting and date | Item No. | Resolution |
|----------------------------|--------------|--|
| Council 20 April 2021 | CM/7.6/21.04 | <p>That Council:</p> <ol style="list-style-type: none"> 1. Notes the feedback received on the draft Open Space and Recreation Strategy during the public exhibition period between September and November 2020. 2. Adopts the Open Space and Recreation Strategy attached to the report (Attachment 1) subject to the following amendment: <ol style="list-style-type: none"> (a) Page 216 of the attachments under separate cover, after the first paragraph – Insert the following: <p>‘Section 2 of the <i>NSW Constitution Act 1902</i> recognises that Aboriginal people, as the traditional custodians and occupants of the land in New South Wales have a spiritual, social, cultural and economic relationship with their traditional lands and waters, and have made, and continue to make, a unique and lasting contribution to the identity of the State.’</p> |
| Council 20 October 2020 | CM/7.6/20.10 | <p>That Council:</p> <ol style="list-style-type: none"> 1. Pursuant to section 3.23 of the <i>Crown Lands Management Act 2016</i>, gives notice to the Minister administering the <i>Crown Lands Management Act 2016</i> of the initial categorisation of Bondi, Bronte, Tamarama and Waverley Parks Crown Reserves as detailed in Attachment 1 of the report. 2. Authorises the General Manager to approve any minor amendments to the initial categorisations that may be required by Crown Lands. |

| | | |
|--|--|---|
| | | <ol style="list-style-type: none"> 3. Notes that plans of management prepared prior to 2018 are required to be updated to comply with the new <i>Crown Lands Management Act 2016</i>. 4. Updates the plans of management as prioritised in the report. 5. Notes that the plans of management listed as a priority will be updated concurrently, and that the General Manager may reprioritise plans of management to respond to Crown Lands requirements if they change. 6. Writes to the Crown Lands Area Manager requesting them to: <ol style="list-style-type: none"> (a) Appoint Council as Crown Land Manager for Gaerloch Reserve, Eastern Reserve, Raleigh Reserve and Clarke Reserve, which are devolved lands. (b) Formally confirm the earliest permissible time for the lodgement/assessment of the development applications for the Bondi Surf Life Saving Club and Bronte Surf Life Saving Club. 7. Notes that there are capacity issues in completing all the requirements by the current deadline and that there are discussions underway with Crown Lands in relation to a possible extension of deadline and programming of work. 8. Investigates options for recognising the cultural significance of land to First Nations people in NSW within plans of management. |
|--|--|---|

4. Discussion

The *Crown Land Management Act 2016* came into effect in 2018. The NSW Government gave local councils, who are crown land managers, three years to update all their plans of management. This was to be completed by June 2021. The Department of Planning has given a further extension for councils to meet the requirements of the Act.

In CM/7.6/20.10, Councillors were presented with a prioritised list of plans of management to be developed in the 2021–2023 period. Recently we have developed the following PoMs:

- Williams Park and Hugh Bamford PoM (completed).
- Bondi Park PoM (completed).
- Draft Waverley Park PoM (public exhibition completed, to be reported to Council for adoption).
- Draft Bronte Park and Beach PoM (in preparation for public exhibition – August/September 2023).
- Draft Tamarama Park PoM (In preparation for public exhibition – October/November 2023).

The outstanding plans of management to be completed are two generic PoMs. Generic PoM are plans where parks and reserves are categorised on their similar features, uses and management requirements. For Waverley's remaining PoM the parks and reserves are combined into two groups of reserves:

- Coastal Reserves Plan of Management (CR PoM).
- Local Parks Plan of Management

We have now started developing the CR PoM.

What reserves are included in the Coastal Reserves PoM

The new Coastal Reserves Plan of Management will include the following reserves and parks:

1. Clarke Reserve (Crown land).
2. Jensen Avenue Reserve (community land).
3. Tower Street Reserve (community land).
4. Diamond Bay Reserve (community land).
5. Eastern Reserve (Crown land).
6. Weonga Reserve (Crown land).
7. Rodney Reserve (Crown land).
8. Raleigh Reserve (Crown land).
9. Ben Buckler Park and Ray O'Keefe Reserve (Crown Land).
10. Hunter Park (Crown land).
11. Marks Park (Crown land).
12. Gaerloch Reserve (Crown land).
13. Calga Reserve (community land).

CR PoM – Round 1 community consultation findings

Round 1 Community Consultation was open from 21 October 2022 to 20 November 2022.

The aim was to:

- Communicate with a broad range of stakeholders to develop interest and understanding of the project.
- Capture visitation data so the draft PoM is reflective of each reserve's usage.
- Council 'informed and consulted' the public throughout the engagement process. The feedback gathered in this phase will inform the development of the Coastal Reserves Plan of Management.
- A range of methods were used to maximise opportunities for community participation. There were over 1,000 interactions with the engagement campaign, detailed in the table below alongside key data.

Table 1. Consultation methods and responses.

| Method | Overview | Date | Response |
|--|--|-----------------|---|
| Have Your Say website | Council's Have Your Say Waverley website had a dedicated page for this project: haveyoursay.waverley.nsw.gov.au/coastal-reserves-plan-management | 21 Oct – 20 Nov | 1,371 visits to the page 482 submissions (397 survey submissions) (85 ideas) |
| Social media posts (Facebook) Appendix A | Post 1: Launch of consultation Post 2: 'What's your favourite coastal park?' | 4 Nov 13 Nov | Total: 1,540 reach 44 engagements |
| Social media posts (Instagram) Appendix A | Post 1: Launch of consultation Post 2: 'What's your favourite coastal park?' | 3 Nov 13 Nov | Total: 3,600 reach 132 likes |

| | | | |
|--|---|-------------|---|
| Waverley Weekly e-newsletter Appendix B | Explained the project and directed people to the HYS page | 27 Oct | 6,917 recipients 57 clicks |
| Have Your Say e-newsletter | Sent when the project was launched on Have Your Say Waverley | 21 Oct | 13 recipients 12 opens 3 clicks |
| Posters Appendix C | 1-2 posters were placed in each of the 13 reserves | From 31 Nov | 90 QR scans |
| Letterbox drop | Over 8,000 letters were dropped to residents and businesses around the 13 parks and reserves, with a paper survey included in the envelope. | 26 Oct | 219 QR scans 42 paper survey submissions |

During the consultation period, 489 submissions were received via the questionnaire, online ideas tool and email.

Summary of findings

Overall, feedback indicated each park and reserve needs clear signage of the rules of the park, doggy bags, improved bins, and clear maintenance schedules. There were also requests for more seating and footpaths in a number of reserves, for drainage issues to be addressed, and for improved access and signage for rock climbers.

Park usage and visitation

Walking was the most popular activity in each park and reserve, followed by dog walking and sightseeing. Walking was also the most common way people got to each park or reserve.

Most people visit the parks and reserves for 30 minutes to two hours and visit daily or once a week.

Rock climbing

Throughout the surveys, ideas and in a submission from Australian Climbing Association NSW, there were regular themes about providing safe access for rock climbing as a recreational sport along the coastal reserves. There were concerns that Council does not take the sport seriously and has made it more unsafe by removing access completely. These submissions asked for:

- Better and safe access so they don't have to climb over the fencing.
- Signage explaining what they do (to help with law enforcement and residents).
- Acknowledgement of their sport and the need for community education.

Park maintenance

Parks and reserves need improved drainage and regular maintenance, including Eastern, Rodney, Raleigh, Ben Buckler, and Hunter reserves.

Seating and shade

More seating is needed in the majority of the parks and reserves including Clarke, Tower Street, Diamond Bay, Eastern, Weonga, Ben Buckler, Hunter, Marks Park, and Calga Reserve. There were also some requests for more shade in reserves such as Clarke, Diamond Bay and Marks Park.

5. Financial impact statement/Time frame/Consultation

Round 2 consultation and engagement will include a range of advertising and engagements activities in accordance with our Engagement Strategy, including promotion by on-site posters, letter box drops and emails inviting residents to Have Your Say page, e-newsletter, website and social media postings. Feedback will be sought through an online survey. Face-to-face consultation will include stakeholder meetings with Access and Inclusion Advisory Panel, Reconciliation Action Plan Committee, Precincts, Sydney Water, schools, sporting clubs and other community groups and stakeholders who use the parks and reserves.

To develop the CR PoM, a number of studies need to be produced to provide key information for the draft CR PoM and Action Plan, including:

- Native title advice.
- Heritage Study and Interpretation Strategy.
- Geotechnical reports at Rodney Reserve.
- Universal Access Study.

The above project costs will be covered by the 2023–24 Parks Planning and Design budget.

6. Conclusion

The three engagement processes are designed to provide community input into the Coastal Reserves Plan of Management are vitally important for the future management of Waverley's coastal reserves.

The initial feedback received in Round 1 is consistent with consultation findings and outcomes of the adopted Open Space and Recreation Strategy which forms the overarching plan to the CR PoM.

The Open Space and Recreation Strategy, and other relevant strategies, along with community feedback received will be used to generate the key ideas to be presented to Council prior to Round 2 community consultation.

7. Attachments

1. Coastal Reserves Plan of Management - Round 1 Consultation - Summary Report [↓](#)

An aerial photograph of a coastal reserve. In the foreground, there is a large, green, oval-shaped sports field with two goalposts. To the left of the field, a steep, rocky cliff drops down to the ocean, with waves crashing against its base. To the right of the field, there are residential houses and a road. In the background, more houses are built on a hillside overlooking the ocean. A blue semi-transparent box is overlaid on the right side of the image, containing the title text.

Coastal Reserves Plan of Management

Round 1 Consultation Summary Report

Waverley Council acknowledges the Bidjigal, Birrabirragal and Gadigal people, who traditionally occupied the Sydney Coast and we acknowledge all Aboriginal and Torres Strait Islander Elders both past and present.

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Executive summary

During the consultation period 489 submissions were received via the questionnaire, online ideas tool and email.

The reserves are visited regularly, with the majority of respondents indicating they walk to the reserves daily or weekly and spend 30 minutes to 2 hours there. The main reasons park users visit the reserves is to walk, walk their dog, or for sightseeing.

Overall, feedback indicated each park and reserve needs clear signage of the rules of the park, doggy bags, improved bins, and clear maintenance schedules. There were also requests for more seating and footpaths in a number of reserves, for drainage issues to be addressed, and for improved access and signage for rock climbers.

Background

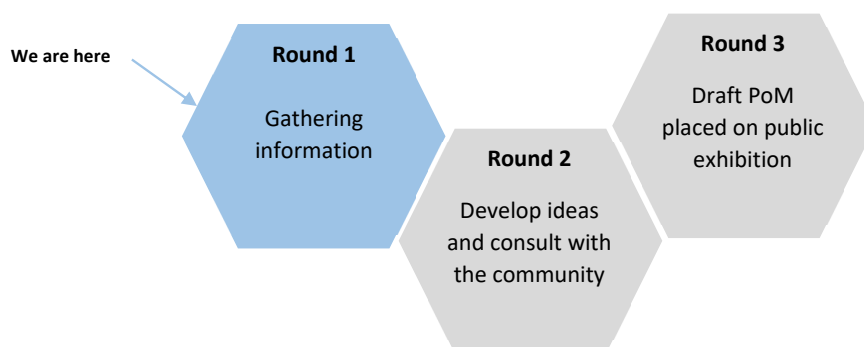
The goal of the Coastal Reserves Plan of Management (PoM) is to look after, maintain and improve Waverley's unique and iconic parks and reserves. The community's feedback will help develop the draft PoM.

Waverley Council is the land manager for all 13 coastal reserves, and it is a legislative requirement under the Crown Lands Management Act 2016 and the Local Government Act 1993 that a long-term plan of management is developed for each of them. The 13 reserves and parks covered in this PoM are:

- Clarke Reserve (Crown land)
- Jensen Ave Reserve (Community land)
- Tower St Reserve (Community land)
- Diamond Bay Reserve (Community land)
- Eastern Reserve (Crown land)
- Weonga Reserve (Crown land)
- Rodney Reserve (Crown land)
- Raleigh Reserve (Crown land)
- Ben Buckler Park & Ray O'Keefe Reserve (Crown Land)
- Calga Reserve (Community land)
- Hunter Park (Crown land)
- Marks Park (Crown land)
- Gaerloch Reserve (Crown land)

This was the first of three rounds of community consultation. Round 1 (gathering information) aims to help Council better understand how and when park users visit the reserves, which ones are most popular, and any ideas for the future.

This is not about planning for capital works or buildings but maintaining a sustainable and community-led approach to the management of the parks and reserves.



Consultation dates and objectives

Round 1 consultation: gathering information, was open from 21 October - 20 November 2022.

The aim was to:

- Communicate with a broad range of stakeholders to develop interest and understanding of the project
- Capture visitation data so the draft PoM is reflective of each reserve's usage

Engagement methodology and data overview

Council 'informed and consulted' the public throughout the engagement process. The feedback gathered in this phase will inform the development of the Coastal Reserves Plan of Management.

A range of methods were used to maximise opportunities for community participation. There were over 1,000 interactions with the engagement campaign, detailed in the table below alongside key data.

| Method | Overview | Date | Response |
|--|--|-----------------|---|
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Detailed results – Email submissions

Seven (7) email submissions were received during and after the consultation period. Feedback is grouped below by reserve and where an idea was mentioned more than once, this is shown by the number in brackets.

| Reserve | Feedback |
|----------------------------|---|
| Clarke Reserve | <ul style="list-style-type: none"> • Install a footpath to join it to Jensen and Tower reserves |
| Diamond Bay Reserve | <ul style="list-style-type: none"> • More enforcement of rules related to dog use • Maintain views • Access and signage for climbing |
| Eastern Reserve | <ul style="list-style-type: none"> • Stainless steel fencing • Access and signage for climbing • Dog management • Maintain views |
| Weonga Reserve | <ul style="list-style-type: none"> • Stainless steel fencing • Maintenance, seating and sealed footpath • Dog management • Maintain views |
| Rodney Reserve | <ul style="list-style-type: none"> • Maintenance (two mentions) • Fix drainage (two mentions) • Maintain views (two mentions) • Footpath/walking track (two mentions) • Dog management • Seating |
| Raleigh Reserve | <ul style="list-style-type: none"> • Maintain views (two mentions) • Access and signage for climbing • Stainless steel fencing • Maintenance • Fix drainage • Seating • Footpath • Dog management |
| Ben Buckley Reserve | <ul style="list-style-type: none"> • Access and signage for climbing |
| Calga Reserve | <ul style="list-style-type: none"> • Reduce clutter (signage, seating, statue, fencing etc) and move bubbler to the park entrance • Don't let commercial activities take place eg. fitness classes, running clubs |

There were 81 people who contributed to the ideas tool on Have Your Say Waverley with a range of ideas mentioned for each reserve.



- “Diamond bay is overdue for the placement of signage allowing Slacklining and rock climbing and educate the community about these activities”
- “I am Eastern sub resident who has climbed at Diamond Bay for >30 years. Signage allowing climbing is needed”

- “Re. both Eastern and Diamond Bay Reserves. The practice of dumping raw sewage into the ocean MUST stop. We are a first world country”.

- “Diamond Bay: lights in Winter until 7.30pm to let your dog run, more signs that [is an] off leash [area] so people don’t have picnics”.
- “Where coastal vegetation in ALL PARKS exist, INCREASE the vegetation and REDUCE grasses areas- less maintenance visually more attractive”

- More Seats – 12 posts
- More Shade – 9 posts
- More Trees – 7 posts
- Improve Turf Areas – 5 posts

- Coastal Views
- Open Green Spaces
- Natural Setting
- Quite Spaces

- Kesser Torah Collage located on the northeast boundary of Rodney Reserve requested inclusion in the upcoming consultation process as a neighbour and park user.
- Cranbrook School are seasonal hires of Rodney Reserve and stated toilets and storage facilities are desperately needed.

Detailed results – Questionnaire submissions

Each reserve had its own survey and there were 397 submissions across the 13 parks. 42 submissions were paper surveys sent to 8,000 residents around the reserves and parks.

Survey responses for each reserve are summarised in the tables below.

| 1. Clarke Reserve | 51 contributions | 44 online | 7 hard copies |
|--|--|-----------|---------------|
| How do they get there? | Walk (76%) | | |
| Popular activities | 1. Walking (80%) 2. Walk their dog (46%) 3. Sightseeing (28%) | | |
| Length of visit | 30 min to 1 hr (43%) | | |
| How often is it visited? | Daily (45%) | | |
| What do you currently love about the park? | 1. Views 86% 2. Coastal Walk 66% 3. Green Space 66% | | |
| What could make it better for you? | 28 people left a comment, the most repeated were: <ul style="list-style-type: none"> • Access for climbers • Fitness equipment • Seating • Shade | | |

| 2. Jensen Avenue Reserve | 10 online contributions |
|--|---|
| How do they get there? | Walk (90%) |
| Popular activities | 1. Walking (90%) 2. Walk their dog (60%) 3. Sightseeing (40%) |
| Length of visit | Less than 30 min (60%) |
| How often is it visited? | Daily (50%) |
| What do you currently love about the park? | 1. Green space (100%) 2. Views (90%) 3. Coastal walk (70%) |
| What could make it better for you? | Three comments were received: <ul style="list-style-type: none"> - "gorgeous as is" - "BBQ for visitors, native planting, weed removal" - "A community garden" |

| 3. Tower Street Reserve | 11 online contributions |
|-------------------------|---|
| How do they get there? | Walk (91%) |
| Popular activities | 1. Walking (91%) 2. Walk their dog (64%) 3. Dog walking (37%) |
| Length of visit | Less than 30 min (73%) |

| | |
|---|---|
| How often is it visited? | Daily (36%) Weekly (36%) |
| What do you currently love about the park? | 1. Views and green space (91%) 2. Coastal walk and space for their dogs (55%) |
| What could make it better for you? | Four comments were received: <ul style="list-style-type: none"> • More planting • Seating • Fence like Clarke Reserve • Communal compost system |

| 4. Diamond Bay Reserve | 62 contributions | 55 online | 7 hard copies |
|---|--|-----------|---------------|
| How do they get there? | Walk (78%) | | |
| Popular activities | 1. Walking (71%) 2. Walk their dog (48%) 3. Sightseeing (31%) | | |
| Length of visit | 30 min to 1 hr (48%) | | |
| How often is it visited? | Daily (40%) | | |
| Is there anything that has stopped you accessing the park? | Of the 37% who said yes, their main reasons were: <ol style="list-style-type: none"> 1. Rock climbers who have had negative interactions with rangers, police and council signage 2. Construction on the walkway | | |
| What do you currently love about the park? | 1. Views (90%) 2. Green space (66%) 3. Coastal Walk (57%) | | |
| What could make it better for you? | 42 people left a comment, the most repeated were: <ul style="list-style-type: none"> • Climbing access (29%) • Signage for climbing (26%) • Seating (19%) • Shade (17%) | | |

| 5. Eastern Reserve | 41 contributions | 33 online | 9 hard copies |
|--|---|-----------|---------------|
| How do they get there? | Walk (88%) | | |
| Popular activities | 1. Walking (83%) 2. Walk their dog (49%) 3. Sightseeing (39%) | | |
| Length of visit | 30 min to 1 hr (54%) | | |
| How often is it visited? | Daily (63%) | | |
| Is there anything that has stopped you visiting the park? | 51% said no 49% said yes Of the 49% who said yes, their main reasons were: <ul style="list-style-type: none"> • Construction around the boardwalk • Sewage smells | | |
| What do you currently love about the park? | 1. Views 90% 2. Coastal Walk 80% 3. Green Space 71% | | |
| What could make it better for you? | 29 people left a comment, the most repeated were: <ul style="list-style-type: none"> • Reopen the coastal walk | | |

| | |
|--|--|
| | <ul style="list-style-type: none"> • More maintenance • Seating • Access for climbing |
|--|--|

| 6. Weonga reserve | 10 online contributions |
|--|--|
| How do they get there? | Walk (80%) |
| Popular activities | <ol style="list-style-type: none"> 1. Walking (80%) 2. Walk their dog (60%) |
| Length of visit | Less than 30 min (70%) |
| How often is it visited? | Weekly (40%) |
| What do you currently love about the park? | <ol style="list-style-type: none"> 1. Coastal Walk (90%) 2. Views (80%) 3. Green space (70%) |
| What could make it better for you? | 7 people left a comment, the most repeated were: <ul style="list-style-type: none"> • Bins • Dog poo bags • Seating |

| 7. Rodney Reserve | 42 contributions | 36 online | 8 hard copies |
|--|--|-----------|---------------|
| How do they get there? | Walk (78%) | | |
| Popular activities | <ol style="list-style-type: none"> 1. Walking (64%) 2. Walk their dog (62%) 3. Sightseeing (19%) | | |
| Length of visit | 30 min to 1 hr (63%) | | |
| Is there anything that has stopped you visiting this park? | 52% said yes The main reason given was grass maintenance including holes and poor drainage | | |
| How often is it visited? | Daily (50%) | | |
| What do you currently love about the park? | <ol style="list-style-type: none"> 1. Views (75%) / Coastal walk (75%) 2. Green space (68%) 3. Space for my dog (61%) | | |
| What could make it better for you? | 32 people left a comment, the most repeated were: <ul style="list-style-type: none"> • Dog management including signage • Fixing the holes in the grass • Walking track/footpath along the fence • Better signage as a whole | | |

| 8. Raleigh Reserve | 29 contributions | 28 online | 1 hard copy |
|--|---|-----------|-------------|
| How do they get there? | Walk (83%) | | |
| Popular activities | <ol style="list-style-type: none"> 1. Walking (59%) / Walk their dog (59%) 2. Run (21%) | | |
| Length of visit | 30 min to 1 hr (38%) | | |
| How often is it visited? | Daily (58%) | | |
| Is there anything that has stopped you | 52% said yes | | |

| | |
|--|---|
| visiting this park? | The main reason given was that the grass needs better drainage and maintenance |
| What do you currently love about the park? | <ol style="list-style-type: none"> 1. Views (86%) 2. Coastal walk (66%) / Green space (66%) |
| What could make it better for you? | <p>23 people left a comment, the most repeated were:</p> <ul style="list-style-type: none"> • Access for climbing • Clear climbing signage • Grass maintenance |

| 9. Ben Buckler Park and Ray O’Keefe Reserve | 32 contributions | 31 online | 1 hard copies |
|--|--|-----------|---------------|
| How do they get there? | Walk (88%) | | |
| Popular activities | <ol style="list-style-type: none"> 1. Walking (75%) 2. Sightseeing (50%) 3. Walk dog (41%) | | |
| Length of visit | 30 min to 1 hr (34%) 1 to 2 hrs (31%) | | |
| Is there anything that has stopped you visiting this park? | 59% said no 41% said the things that stopped them included: <ul style="list-style-type: none"> • People playing drums • Heavy rain creating boggy grass | | |
| How often is it visited? | Daily (47%) | | |
| What do you currently love about the park? | <ol style="list-style-type: none"> 1. Views 94% 2. Coastal walk 63% 3. Green space 56% | | |
| What could make it better for you? | 22 people left a comment, the most repeated were: <ul style="list-style-type: none"> • Climbing access • Maintain gardens • Seating | | |

| 10. Hunter Park | 20 contributions | 19 online | 1 hard copy |
|--|--|-----------|-------------|
| How do they get there? | Walk (100%) | | |
| Popular activities | <ol style="list-style-type: none"> 1. Walking (84%) 2. Walk their dog (42%) 3. Sightseeing (37%) | | |
| Length of visit | Less than 30min (42%) 30 min to 1hr (37%) 1 to 2hrs (21%) | | |
| How often is it visited? | Daily (50%) | | |
| What do you currently love about the park? | <ol style="list-style-type: none"> 1. Views 89% 2. Green Space 78% 3. Coastal Walk 56% | | |
| What could make it better for you? | 13 people left a comment, the most repeated were: <ul style="list-style-type: none"> • Maintenance • Seating | | |

| 11. Marks Park | 52 contributions | 44 online | 8 hard copies |
|--|---|-----------|---------------|
| How do they get there? | Walk (92%) | | |
| Popular activities | <ol style="list-style-type: none"> 1. Walking (87%) 2. Walk their dog (58%) 3. Sightseeing (56%) | | |
| Length of visit | 30 min to 1 hr (60%) | | |
| How often is it visited? | Daily (43%) Weekly (43%) | | |
| What do you currently love about the park? | <ol style="list-style-type: none"> 1. Views 87% 2. Coastal Walk 73% 3. Green Space 71% | | |
| What could make it better for you? | 39 people left a comment, the most repeated were: <ul style="list-style-type: none"> • Dogs off-leash for longer or all day • Trees • Seating • Shade | | |

| 12. Gaerloch Reserve | 16 online contributions |
|--|---|
| How do they get there? | Walk (94%) |
| Popular activities | <ol style="list-style-type: none"> 1. Walking (94%) 2. Run (57%) 3. Sightseeing (50%) / Walk dog (50%) |
| Length of visit | Less than 30min (56%) |
| How often is it visited? | Daily (38%) Weekly (38%) |
| What do you currently love about the park? | <ol style="list-style-type: none"> 1. Views (100%) 2. Coastal Walk (94%) 3. Space for my dog (50%) |
| What could make it better for you? | 11 people left a comment, the most common was a dog off-leash area. |

| 13. Calga Reserve | 20 online contributions |
|--|---|
| How do they get there? | Walk (95%) |
| Popular activities | <ol style="list-style-type: none"> 1. Walking (90%) 2. Walk their dog (50%) 3. Sightseeing (40%) |
| Length of visit | Less than 30 min (50%) |
| How often is it visited? | Daily (45%) Weekly (45%) |
| What do you currently love about the park? | <ol style="list-style-type: none"> 1. Views (95%) 2. Green space (85%) 3. Coastal walk (65%) |
| What could make it better for you? | 12 people left a comment, the most repeated were: <ul style="list-style-type: none"> • Trees • Seating |

Across each of the reserve surveys there were submissions from rock climbers looking for signage, easier access, and education with the community, Council, and law enforcement.

Detailed results – Precinct feedback

Dover Heights Precinct discussed this project at their 28 November meeting and submitted relevant motions for consideration. The table below references each motion and Council's response or comment.

| Motion | Reserve | Council response/comment |
|---|------------------------------|---|
| Motion 1 - DHP submits to the Coastal Reserves POM that Eastern, Weonga and Raleigh Reserve should have the same 2205 stainless steel for the new coastal fence that has already been mandated by council motion for Rodney Reserve. The steel used in Clarke reserve and Hugh Bamford is a total failure with tea staining and corrosion everywhere and council should learn from its mistakes rather than make the same mistake over and over again | Eastern Weonga Raleigh | This is currently being actioned separate to the PoM process. |
| Motion 2 - DHP submits to the Coastal Reserves POM that all dead trees along the fence line of the reserves on the cliff side of the fence should be removed | All | This is currently being actioned separate to the PoM process. |
| Motion 3 - DHP submits to the Coastal Reserves POM that all wrongly planted Acacia in Weonga, Rodney and Raleigh reserves on the cliff side of the fence should be removed to restore the ocean views | Weonga Rodney Raleigh | This is currently being actioned separate to the PoM process. |
| Motion 4 - DHP submits to the Coastal Reserves POM request that NO new trees or shrubs should be planted in the Dover Heights Coastal Reserves which will block ocean views in the future | All | This has been addressed in the adopted Biodiversity Action Plan which will be cross referenced in the PoM. |
| Motion 5 - DHP submits to the Coastal Reserves POM requests that the dead zone next to 169 Dover Road in Raleigh Reserve should be rectified with a long term solution | Raleigh | Rodney, Raleigh and Weonga Reserves remain a highly popular destination for local residents and visitors to the clifftop walk and dog walkers. The amount of pedestrian activity has lead to several areas in these reserves experiencing erosion long pedestrian desire lines particularly at entrance points and narrow sections of the reserves such as adjoining 169 Dover Road. Council will consider how to best to sustainably manage this increasing pedestrian activity and wear on turf areas as part of the Key Ideas to be presented back to the community in Round 2 consultation. |
| Motion 6 - DHP submits to the Coastal Reserves POM requests that all other dead zones in Raleigh Reserve should be re turfed and holes filled | Raleigh | A per above Council will consider how to best manage areas of high pedestrian activity and continue to undertake maintenance to other turf zones as part of regular maintenance activities. |

| | | |
|---|---------|---|
| Motion 7 - DHP submits to the Coastal Reserves POM requests that Buddleja shrubs in Weonga Reserve should be removed as per both council motions and as per the 2014 BAP and replaced with native grasses. | Weonga | Council resolutions are currently in the process of being actioned separate to the PoM process. |
| Motion 8 - DHP submits to the Coastal Reserves POM requests that drainage issues in Rodney Reserve which caused the land slip should be rectified as this was caused by the contractor that installed the new playing field | Rodney | <p>Council has previously received Geotechnical Reports, including a peer review, and reported these at Council Operations and Community Services Committee Meeting of 2 March 2021 (refer OC/5.3/21.03). Council has subsequently undertaken localised remediation works of the landslip at Rodney Reserve. At it's 22 June 2021 meeting Council has committed to further investigate this issue (refer CM/8.4/21.06).</p> <p>Council has commissioned further Geotechnical Reports which will consider how best to stabilise the slopes including the effects of drainage and groundwater at the site. The results of these investigations will inform how best to manage these steep slopes and will be included in the Draft PoM.</p> |
| Motion 9 - DHP submits to the Coastal Reserves POM requests that drainage issues in Raleigh Reserve at the southern end should be rectified so rains do not create permanent bogs | Raleigh | Council notes this issue and will consider how this can be addressed to ensure the ongoing use and enjoyment of the reserve as part of the Draft PoM. |
| Motion 10 - DHP submits to the Coastal Reserves POM requests that the alignment of the new coastal fence in Rodney reserves should go back to the original alignment of the wire fences to prevent encroachment into the reserve by new fences. | Rodney | <p>Council has previously received Geotechnical Reports, including a peer review, and reported these at Council Operations and Community Services Committee Meeting of 2 March 2021 (refer OC/5.3/21.03). The report addressed and made recommendations for the fence alignment at Rodney Reserve.</p> <p>Council has commissioned further Geotechnical Reports which will consider how best to stabilise the slopes including how this may affect the fence alignment along the reserve. The results of these investigations will inform how best to manage these steep slopes and will be included in the Draft PoM.</p> |

Summary

This section covers a summary of the feedback received. Overall, feedback indicated each park and reserve needs clear signage of the rules of the park, doggy bags, improved bins, and clear maintenance schedules.

Park usage and visitation

Walking was the most popular activity in each park and reserve, followed by dog walking and sightseeing. Walking was also the most common way people got to each park or reserve.

Most people visit the parks and reserves for 30 min – 2 hours and visit daily or once a week.

Rock climbing

Throughout the surveys, ideas and in a submission from Australian Climbing Association NSW, there were regular themes about providing safe access for rock climbing as a recreational sport along the coastal reserves. There were concerns that Council don't take the sport seriously and have made it more unsafe by removing access completely. These submissions asked for:

- Better and safe access so they don't have to climb over the fencing
- Signage explaining what they do (to help with law enforcement and residents)
- Acknowledgement of their sport and the need for community education


Park maintenance

Parks and reserves need improved drainage and regular maintenance, including Eastern, Rodney, Raleigh, Ben Buckler, and Hunter reserves.

Seating and shade

More seating is needed in the majority of the parks and reserves including Clarke, Tower Street, Diamond Bay, Eastern, Weonga, Ben Buckler, Hunter, Marks Park, and Calga Reserve. There were also some requests for more shade in reserves such as Clarke, Diamond Bay, and Marks Park.


Appendix A – Social media



Waverley Council

4 November at 16:35 · 🌐


We need your help to create a new Coastal Reserves Plan of Management to ensure the sustainable use of 13 reserves and parks throughout Waverley. We have separated the surveys so you can tell us about your favourite park or reserve, make sure you fill it in before 20 November 2022.



HAVEYOURSAY.WAVERLEY.NSW.GOV.AU

Coastal Reserves Plan of Management

We need your help to create a new Coastal Reserves Plan of Management to ens...




Waverley Council

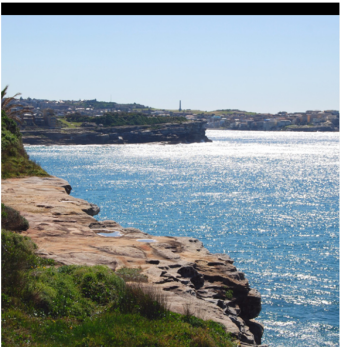
13 November at 11:08 · 🌐


What's your favourite coastal park or reserve in Waverley?

Coastal Reserves Plan of Management - Have Your Say open until 20 November

<https://haveyoursay.waverley.nsw.gov.au/coastal-reserves...>








waverleycouncil

waverleycouncil What's your favourite coastal park or reserve in Waverley?

#bondi #bonditobronter #doverheights #sydney #vaucuse
#diamondbay
Coastal Reserves Plan of Management - Have Your Say open until 20 November


2w



murrayproperty

Bronte ❤️

2w Reply



vinodbaghel287


PROMOTE IT ON ❤️ @AUSTRALIAN_COMMUNITY


2w

👍 🔍 🗒

Liked by paulamasselos and others

NOVEMBER 13





waverleycouncil

waverleycouncil We need your help to create a new Coastal Reserves Plan of Management to ensure the sustainable use of 13 reserves and parks. We have separated the surveys so you can let us know what you love about each one or just your favourite. Link in bio

#sustainability #Sydney #bonditobronter #doverheights #Bondi #bronte

3w



jaatpp009

PROMOTE IT ON ❤️ @AUSTRALIAN_COMMUNITY

3w Reply

👍 🔍 🗒

Liked by lesliekathryn91 and others

NOVEMBER 9

Coastal Reserves Plan of Management– Round 1 Consultation Summary Report


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PD/5.2/23.07- Attachment 1

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Appendix B – Enewsletters





WAVERLEY
COUNCIL

New project launched on Have Your Say Waverley

Hi {{username}},

A new project has launched on [Have Your Say Waverley](#) that matches your interests:

This consultation relates to {{catName}}.

{{cvName}}

{{cvDescription}}

Learn more about the project [{{SITE_URL_TEXT}}{{cPath}}](#)

You have received this notification because you have opted to receive notifications when new projects are published that match your interests. Manage your interests and notification preferences in your user profile [user profile](#).

Coastal Reserves Plan of Management

We need your help to create a new Coastal Reserves Plan of Management to ensure the sustainable use of 13 reserves and parks along the Waverley coastline.

MORE

Appendix C – Posters









REPORT
PD/5.3/23.07

Subject: Sustainability Expert Advisory Panel Meeting - 15 March 2023 - Minutes

TRIM No: A22/0310

Manager: Sam McGuinness, Executive Manager, Environmental Sustainability

Director: Fletcher Rayner, Director, Planning, Sustainability and Compliance

RECOMMENDATION:

That Council notes the minutes of the Sustainability Expert Advisory Panel meeting held on 15 March 2023 attached to the report.

1. Executive Summary

The purpose of this report is to note the minutes of the Sustainability Expert Advisory Panel meeting held on 15 March 2023.

2. Introduction/Background

Council refreshed the Sustainable Expert Advisory Panel in 2022 and endorsed the current Terms of Reference.

The Sustainability Expert Advisory Panel (SEAP) aims to:

- Work with Council to promote sustainable practices, focusing on the Waverley Community Strategic Plan and Environmental Action Plan.
- Assist Council and the community to implement and achieve the environmental targets of the EAP.
- Assist Council to integrate environmental sustainability into Council policy, plans and operations.

Members of the SEAP listed in the attached minutes were appointed by Council in August 2022.

3. Relevant Council Resolutions

| Meeting and date | Item No. | Resolution |
|---|--------------|--|
| Strategic Planning and Development Committee 2 August 2022 | PD/5.2/22.08 | <p>That Council appoints the following community members to the Sustainability Expert Advisory Panel (SEAP) until the end of the Council term in September 2024:</p> <ol style="list-style-type: none">1. Danny Cameron.2. Stephanie Carrick.3. Anthea Fawcett.4. Corinne Mullet. |

| | | |
|--|--------------|--|
| | | <ol style="list-style-type: none"> 5. Robin Mellon. 6. Charles Scarf. |
| Strategic Planning and Development Committee 5 April 2022 | PD/5.4/22.04 | <p>That Council:</p> <ol style="list-style-type: none"> 1. Changes the name of the Environmental Sustainability Advisory Committee to the Sustainability Expert Advisory Panel. 2. Adopts the terms of reference for the Sustainability Expert Advisory Panel attached to the report. 3. Invites expressions of interest for the appointment of community sustainability experts to take place in April 2022. |

4. Discussion

The minutes have been confirmed by Committee members via email.

5. Financial impact statement/Time frame/Consultation

The operations and administration of the SEAP requires the commitment of Councillor, volunteer and staff resources and any relevant costs are included in Council's operational budget.

6. Conclusion

The minutes of the Sustainability Expert Advisory Panel meeting held on 15 March 2023 are attached to this report.

7. Attachments

1. SEAP - 15 March 2023 - Minutes [↓](#)



Sustainable Expert Advisory Panel

Meeting 2

Meeting Agenda

| | |
|---------------------|--|
| | Wednesday 15 March 2023 |
| Time | 5.30 -7pm |
| Venue | Tamarama Room, Level 3 Waverley Council Chambers |
| Participants | Committee Cr Elaine Keegan (Chair) Cr Paula Masselos Cr Will Nemesh Cr Ludovico Fabiano Danny Cameron Stephanie Carrick Anthea Jane Fawcett Corine Mulet Robin Mellon Charles Scarf |
| Aims | <ul style="list-style-type: none"> • Work with Council to promote sustainable practices, focusing on the Waverley Community Strategic Plan and Environmental Action Plan. • Assist Council and the community to implement and achieve the environmental targets of the EAP. • Assist Council to integrate environmental sustainability into Council policy, plans and operations. |

| Agenda Item | | Minutes |
|-------------|------------------------------------|---|
| 1 | Welcome – Councillor Elaine Keenan | Attendance Cr Elaine Keegan (Chair) Cr Paula Masselos Cr Will Nemesh Cr Ludovico Fabiano Danny Cameron Stephanie Carrick Anthea Jane Fawcett Corine Mulet Robin Mellon |



| | Agenda Item | Minutes |
|---|---|--|
| | | <p>Charles Scarf</p> <p>No apologies</p> <p>October minutes were sent around via email following the meeting.</p> <p>It was asked that outstanding items be added to a register and this be attached to the minutes.</p> |
| 2 | <p>Updates on recent Council activities – Sam McGuinness</p> | <ul style="list-style-type: none"> • New 2022 Development Control Plan with controls around air quality and electrification, EV charging and trees. • Bondi Junction Cycleway opening • Wentworth Community Climate Summit at Bondi Beach, and follow up Go Electric events • Summerama at Bronte and Bondi • Exploring feasibility of behind the meter batteries with our electricity retailer. • Streetscape upgrade on Glenayr Ave with WSUD treatments and EV chargers. |
| 3 | <p>Power to the Future – Suzanne Dunford</p> | <p>Council is seeking support from SEAP members for the Power to the Future program. Stephanie Carrick and Anthea Jane Fawcett volunteered.</p> <p>There was a discussion on the goals of the program, the drivers of the Environmental Trust and the methodology of the program.</p> |
| 4 | <p>Leading the Charge – Anthony Weinberg</p> | <p>Presentation on Strategy for electric vehicles in the eastern suburbs and requirements to enable the transition to EV.</p> <p>Discussion</p> <ul style="list-style-type: none"> • Community feedback on the provision of EV chargersThe operating structure of existing chargers • Support that is available to apartment dwellers to install EV chargers • The provision of renewable electricity in the charge points. <p>Questions raised:</p> <ul style="list-style-type: none"> • Is their recycled content in new aluminium street poles? • Is the rate of car registration increase related to population growth? |



| Agenda Item | | Minutes |
|-------------|-----------------------|--|
| | | <ul style="list-style-type: none"> Can bikes and scooters be included as part of the charge points? <p>Actions Draft EV Strategy to be distributed to SEAP group when available.</p> |
| 5 | Other Business | <ul style="list-style-type: none"> Discussion and questions on the new Waverley Tree Policy and Guidelines. Discussion on how offsets plantings managed and is biodiversity a trigger in tree assessments when assessing TPOs or tree DAs Discussion on pedestrian access on Bondi Rd and long waiting times at signalised crossing points. |
| 6 | Next meeting | Wednesday 19 July 2023 5:30 PM-7:00 PM |