



## **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 2 MAY 2023**

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

Emily Scott  
**General Manager**

Waverley Council  
PO Box 9  
Bondi Junction NSW 1355  
DX 12006 Bondi Junction  
Tel. 9083 8000  
E-mail: [info@waverley.nsw.gov.au](mailto:info@waverley.nsw.gov.au)

## 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/Leaves of Absence

#### 2. Declarations of Pecuniary and Non-Pecuniary Interests

#### 3. Addresses by Members of the Public

#### 4. Confirmation of Minutes

PD/4.1/23.05	Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 4 April 2023 .....	5
--------------	---	---

#### 5. Reports

PD/5.1/23.05	War Memorial Hospital (Edina Estate) - Development Control Plan - Adoption.....	15
PD/5.2/23.05	Clause 4.6 Variations to Development Standards - Quarterly Report - January-March 2023 .....	91
PD/5.3/23.05	Net Zero Community Emissions Target - Programs .....	94

#### 6. Urgent Business

#### 7. Meeting Closure



## CONFIRMATION OF MINUTES PD/4.1/23.05



**Subject:** Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 4 April 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 4 April 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 - 4 April 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, 4 APRIL 2023**

**Present:**

Councillor Steven Lewis (Chair)	Hunter Ward
Councillor Paula Masselos (Mayor)	Lawson Ward
Councillor Elaine Keenan (Deputy Mayor)	Lawson Ward
Councillor Angela Burrill	Lawson Ward
Councillor Ludovico Fabiano	Waverley 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 7.41 pm, those present were as listed above.*

*Crs Burrill, Goltsman, Kay and Keenan 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 Sally Betts 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**

There were no addresses by members of the public.

**4. Confirmation of Minutes**

**PD/4.1/23.04                      Confirmation of Minutes - Strategic Planning and Development Committee Meeting - 7 March 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 7 March 2023 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

**5. Reports****PD/5.1/23.04                      Mill Hill Heritage Conservation Area Rezoning (PP-3/2022)****MOTION / UNANIMOUS DECISION**

Mover:        Cr Masselos

Seconder:    Cr Keenan

That Council:

1.        Notes the Department of Planning and Environment's rejection of the planning proposal to downzone the Mill Hill Heritage Conservation Area from R3 Medium Density Residential to a R2 Low Density Residential zone.
2.        Notifies the Mill Hill/Bondi Junction and Queens Park Precinct Committees of the decision.

**PD/5.2/23.04                      Innovation Roadmap 2025 - Adoption (A21/0514)****MOTION / UNANIMOUS DECISION**

Mover:        Cr Masselos

Seconder:    Cr Gray

That Council adopts the Innovation Roadmap 2025 attached to the report.

**PD/5.3/23.04                      Housing Advisory Committee - Terms of Reference - Review (A10/0353)****MOTION / UNANIMOUS DECISION**

Mover:        Cr Masselos

Seconder:    Cr Gray

That Council:

1.        Adopts the Terms of Reference for the Housing Advisory Committee attached to the report, subject to the membership comprising:
  - (a)        The Mayor (or Mayor's nominee) and three Councillors.
  - (b)        Up to six experts in social and affordable housing who have experience with the management, operation or delivery of such housing, or the preparation, review or implementation of policy for such housing.
  - (c)        Up to two community representatives with skill sets relating to social and affordable housing.
2.        Calls for expressions of interest for new social and affordable housing expert members of the Committee.

**PD/5.4/23.04                      Affordable Housing Contribution Scheme - Gateway Determination Amendments  
- Exhibition (A04/0302)**

**MOTION**

Mover:        Cr Masselos  
Seconder:    Cr Keenan

That Council:

1.     Notes that the Affordable Housing Contribution Scheme was adopted by Council in December 2020.
2.     Notes that Council previously approved the submission and exhibition of a planning proposal to implement the Affordable Housing Contribution Scheme in accordance with any conditions of the Gateway determination that may be issued by the Department of Planning and Environment.
3.     Publicly exhibits the amended Affordable Housing Contribution Scheme attached to the report (Attachments 2 and 3) for 28 days alongside an amended planning proposal.
4.     Officers prepare a report to Council following the exhibition period.

**AMENDMENT**

Mover:        Cr Kay  
Seconder:    Cr Nemesh

That clause 3 be amended to read as follows

‘Publicly exhibits the amended Waverley Affordable Housing Contribution Scheme 2023 attached to the report (Attachments 2 and 3) for 28 days alongside an amended planning proposal, subject to the following amendments:

- (a)    Throughout the document, replace “multi-dwellings” with “multi-dwelling houses”.
- (b)    Throughout the document, replace “spot rezoning” with “planning proposal”.

THE AMENDMENT WAS PUT AND DECLARED CARRIED.

THE MOVER OF THE MOTION THEN ACCEPTED AMENDMENTS TO CLAUSE 3.

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

**UNANIMOUS DECISION**

That Council:

1.     Notes that the Affordable Housing Contribution Scheme was adopted by Council in December 2020.
2.     Notes that Council previously approved the submission and exhibition of a planning proposal to implement the Affordable Housing Contribution Scheme in accordance with any conditions of the Gateway determination that may be issued by the Department of Planning and Environment.
3.     Publicly exhibits the amended Waverley Affordable Housing Contribution Scheme 2023 attached to the report (Attachments 2 and 3) for 28 days alongside an amended planning proposal, subject to the following amendments:
  - (a)    Throughout the document, replace ‘multi-dwellings’ with ‘multi-dwelling houses’.

- (b) Throughout the document, replace 'spot rezoning' with 'planning proposal'.
- (c) Page 73 of the agenda, section 2.2, 'Monetary contribution rates in the LEP' – Amend as follows:
  - (i) In the first sentence, replace 'around the time of the development' with 'at the time of the planning proposal being assessed and before a Gateway Determination.'
  - (ii) In the second dot point, add 'be sought to' after 'will'.
  - (iii) After the second dot point, add 'Sites that have previously received uplift through the planning proposal process and have also provided a contribution in line with Council's AHCS will not be subject to the prescribed levy of 1% of the total gross floor area at DA stage referred to above.'
- (d) Page 70 of the agenda, third paragraph, second sentence – Replace 'upzoning' with 'uplift' and add the following third sentence to the paragraph: "Uplift" in a planning proposal refers to situations where a site's value increases through increased gross floor area, a change of zoning or other planning variations.'

4. Officers prepare a report to Council following the exhibition period.

**Division**

**For the Motion:** Crs Burrill, Fabiano, Goltsman, Gray, Kay, Keenan, Lewis, Masselos and Murray.

**Against the Motion:** Cr Nemesh.

**PD/5.5/23.04 Sub-Regional Affordable Housing Collaboration Project (A22/0532)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Investigates a sub-regional approach to affordable housing delivery with Randwick and Woollahra Councils that combines funding, land allocations and State and Commonwealth grants.
2. Officers prepare a further report to Council, presenting a joint discussion paper to facilitate affordable housing on a sub-regional basis.

**PD/5.6/23.04 Planning Proposal - Bus Shelter and Communication Panel Advertising (A08/0325)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Murray

Seconder: Cr Fabiano

That Council:

1. Prepares a planning proposal to insert exempt provisions for advertising into the *Waverley Local Environmental Plan 2012*, provided that the advertising:

- (a) Must either not extend beyond 10 m from the perimeter of a bus shelter or must be directly attached to freestanding communication panels.
  - (b) Must not contain flashing or neon signage.
  - (c) Must not be located on land that comprises a heritage item.
  - (d) Must not be located in a heritage conservation area (excluding Birrell Street, Blair Street, Bondi Road, Bronte Road, Campbell Parade, Macpherson Street and Oxford Street).
  - (e) Must be erected by, or on behalf of, Council.
2. Refers the planning proposal to the Waverley Local Planning Panel for advice, with officers to prepare a report to Council on the advice prior to lodging the proposal with the NSW Department of Planning and Environment.
3. Notes that Council will receive a further report with the proposed advertising locations for approval prior to inviting tenders on the open market.

**Division**

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

**Against the Motion:** Nil.

**6. Urgent Business**

There was no urgent business.

**7. Closed Session**

**PD/7/23.04 Closed Session**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Lewis

Seconder: Cr Masselos

That:

1. Council moves into closed session to deal with the matters listed below, which are classified as confidential under section 10A(2) of the *Local Government Act* for the reasons specified:

PD/7.1/23.04 CONFIDENTIAL REPORT - 194-214 Oxford Street and 2 Nelson Street, Bondi Junction - Use of Council Land

This matter is considered to be confidential in accordance with section 10A(2)(c) of the *Local Government Act*, and Council is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.

2. Pursuant to sections 10A(1), 10(2) and 10A(3) of the *Local Government Act*, the media and public be excluded from the meeting on the basis that the business to be considered is classified as confidential under section 10A(2) of the *Local Government Act*.
3. The correspondence and reports relevant to the subject business be withheld from the media and public as provided by section 11(2) of the *Local Government Act*.

*At 8.28 pm, Council moved into closed session.*

**PD/7.1/23.04                      CONFIDENTIAL REPORT - 194-214 Oxford Street and 2 Nelson Street, Bondi Junction - Use of Council Land (A21/0252)**

**MOTION**

Mover: Cr Murray

Seconder: Cr Lewis

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Approves in principle Option 2 and the negotiation threshold, as set out in the report, in relation to Westgate Bondi Junction Pty Ltd's proposed use of Council land in Osmund Lane, Bondi Junction, as part of the development of 194–214 Oxford Street and 2 Nelson Street.
3. Authorises the General Manager or delegate to enter into negotiations, with a report to be prepared to Council on the outcome in order to finalise the matter.
4. Notes that as part of the negotiation, officers will be seeking improvements in the public domain designs in line with community feedback, including the following items:
  - (a) More trees and greenery along Osmund Lane.
  - (b) Wider pedestrian zones between the two towers where paving can be converted to a grassed area.
  - (c) Improved waste service options; for example, bin storage for the terraces.
  - (d) Improved traffic management, including restricting resident parking scheme permits to not include the towers.
  - (e) Any monetary contribution from the negotiations be allocated to the Strategic Asset Management Plan Reserves for renewal and upkeep of infrastructure in the Bondi Junction/Mill Hill area.

THE MOVER OF THE MOTION ACCEPTED AN AMENDMENT TO CLAUSE 4(c) SUCH THAT IT NOW READS AS FOLLOWS:

‘Improved waste service options; for example, bin storage for the retail terraces.’



**AMENDMENT**

Mover: Cr Kay  
Seconder: Cr Nemesh

That clause 4(d) be amended to read as follows:

‘Improved traffic management.’

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

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

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

**DECISION**

That Council:

1. Treats the report as confidential in accordance with section 11(3) of the *Local Government Act 1993*, as it relates to a matter specified in section 10A(2)(c) of the *Local Government Act 1993*. The report contains information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
2. Approves in principle Option 2, as set out in the report, and the negotiation threshold as amended at the meeting, in relation to Westgate Bondi Junction Pty Ltd’s proposed use of Council land in Osmund Lane, Bondi Junction, as part of the development of 194–214 Oxford Street and 2 Nelson Street.
3. Authorises the General Manager or delegate to enter into negotiations, with a report to be prepared to Council on the outcome in order to finalise the matter.
5. Notes that as part of the negotiation, officers will be seeking improvements in the public domain designs in line with community feedback including the following items:
  - (a) More trees and greenery along Osmund Lane.
  - (b) Wider pedestrian zones between the two towers where paving can be converted to a grassed area.
  - (c) Improved waste service options; for example, bin storage for the retail terraces.
  - (d) Improved traffic management, including restricting resident parking scheme permits to not include the towers.
  - (e) Any monetary contribution from the negotiations be allocated to the Strategic Asset Management Plan Reserves for renewal and upkeep of infrastructure in the Bondi Junction/Mill Hill area.

**Division**

**For the Motion:** Crs Burrill, Fabiano, Goltsman, Gray, Kay, Keenan, Lewis, Masselos and Murray.

**Against the Motion:** Cr Nemesh.

**8. Resuming in Open Session****PD/8/23.04 Resuming in Open Session****MOTION / UNANIMOUS DECISION**

Mover: Cr Nemesh

Seconder: Cr Fabiano

That Council resumes in open session.

*At 9.10 pm, Council resumed in open session.*

***Resolutions from closed session made public***

*In accordance with clause 14.21 of the Waverley Code of Meeting Practice, when the meeting resumed in open session the chair announced the resolutions made by Council while the meeting was closed to members of the public and the media.*

**9. Meeting Closure****THE MEETING CLOSED AT 9.13 PM.**

.....  
**SIGNED AND CONFIRMED**  
**CHAIR**  
**2 MAY 2023**

**REPORT**  
**PD/5.1/23.05**

**Subject:** War Memorial Hospital (Edina Estate) - Development Control Plan - Adoption

**TRIM No:** SF21/655

**Manager:** George Bramis, Executive Manager, Urban Planning

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

---

**RECOMMENDATION:**

That Council:

1. Adopts the Waverley Development Control Plan 2022, Part E7 – Edina Estate, attached to the report, to commence when notified on Council's website.
2. Writes to all those who made submissions advising them of Council's decision.

**1. Executive Summary**

Two planning proposals that relate to the site known as the War Memorial Hospital sites and 99-117 Birrell Street, Waverley, were finalised in October 2021 and October 2022, respectively. A draft Site Specific Development Control Plan (SSDCP) was developed during the planning proposal process to guide development on-site and ensure any development would incorporate design excellence, provide for adequate biodiversity and habitat outcomes and provide good amenity for residents.

This would be achieved through sustainable building design and high-quality open spaces, whilst respecting the significant built and cultural heritage open spaces. The SSDCP was exhibited twice alongside the planning proposals, with the community and Council requesting that a number of matters be considered as part of a post-exhibition revision of the SSDCP.

The purpose of this report is to:

- Outline proposed post exhibition amendments to the draft SSDCP.
- Recap feedback provided during public exhibition, as previously reported to Council.
- Seek Council's support to endorse the amended SSDCP.

Finalisation would conclude a site specific planning process which commenced almost six years ago in July 2017, when the initial proponent-led planning proposal was first submitted to Council.

**2. Introduction/Background**

The SSDCP seeks to implement the two planning proposals previously finalised and covers the entire urban block bound by Bronte Road, Birrell Street, Carrington Road and Church Street in Waverley, as illustrated in Figure 1.



Figure 1. Edina Estate.

The SSDCP was formally placed on public exhibition between 20 May 2021 and 4 July 2021, alongside the War Memorial Hospital - Campus Site planning proposal. The SSDCP was exhibited again when the planning proposal for 99-117 Birrell Street, Waverley (also known as the War Memorial Hospital - Birrell Street Sites planning proposal) was exhibited from 10 November 2021 to 19 January 2022. Both planning proposals have since been finalised with the following development standards applying to the site outlined in Table 1.

Table 1. Planning proposal outcomes amending the WLEP.

LEP	Birrell St	Campus site
<b>Zone</b>	R3 Medium Density Residential	SP2 Infrastructure/R3 Medium Density Residential
<b>Alternative Floor Space Ratio</b>	1.2:1	1.2:1
<b>Alternative Building Heights</b>	15m and 21m	15m and 21m
<b>Affordable Housing</b>	10% of gross floor area	Nil.
<b>Additional permitted uses</b>	Nil.	<ul style="list-style-type: none"> <li>○ Seniors Housing</li> <li>○ Centre-based Child Care</li> <li>○ Community Facilities</li> </ul>
<b>Other</b>	<ul style="list-style-type: none"> <li>• Clause 6.9 Design Excellence to apply</li> <li>• 30% Deep Soil to be provided</li> <li>• Energy and water targets</li> </ul>	<ul style="list-style-type: none"> <li>• Clause 6.9 Design Excellence to apply.</li> <li>• 30% Deep Soil to be provided</li> <li>• Energy and water targets               <ul style="list-style-type: none"> <li>○ 4.5 NABERS water rating/5.5 NABERS energy for non-residential components</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>○ 4.5 NABERS water rating/5.5 NABERS energy for non-residential components</li> <li>○ BASIX +5 water/+10 energy</li> <li>○ NatHERS 7 stars</li> </ul>	<ul style="list-style-type: none"> <li>○ BASIX +5 water/+10 energy</li> <li>○ NatHERS 7 stars</li> </ul>
--	--	--

The abovementioned development standards are prescribed in clause 6.13 of the *Waverley Local Environmental Plan 2012* (WLEP 2012) and the availability of the Alternative Building Heights and Alternative Floor Space Ratio is subject to achieving the specific sustainability criteria and affordable housing requirements detailed in Table 1. In addition, clause 6.13 also specifies that:

*(3) Development consent must not be granted for development on land to which this clause applies unless a development control plan that provides for the following has been prepared for the land—*

- (a) built form controls, including the maximum number of storeys and minimum setbacks for buildings,*
- (b) measures to ensure development of the land does not negatively impact on the character of surrounding land,*
- (c) pedestrian access, including by links through the site,*
- (d) landscaping of open space.*

The proposed planning controls for the Edna Estate have attracted strong interest from the community during the public exhibition periods. Following the public exhibition, officers have conducted a review of the key issues raised and revised the SSDCP, as discussed in this report.

### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 12 April 2022	CM/7.10/22.04	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Does not support the planning proposal to amend the <i>Waverley Local Environmental Plan 2012</i> in respect of 99-117 Birrell Street, Waverley, as exhibited.</li> <li>2. Notes that Uniting does not own all of the properties at 99-117 Birrell Street and that the residents who live in the area have lodged objections to the planning proposal.</li> <li>3. Requests the Department of Planning and Environment (DPE), as the Local Plan Making Authority, to consider the following matters if the DPE proceeds to support the planning proposal in the post-Gateway assessment: <ul style="list-style-type: none"> <li>(a) Floor space ratio (FSR) not to exceed 1:1.</li> <li>(b) Height of building (HOB) not to exceed 12 m.</li> <li>(c) The site is excluded from the Affordable Housing SEPP bonus provisions relating to FSR and HOB.</li> </ul> </li> </ol>

		<p>A mechanism is provided to achieve a minimum of 10% affordable housing on the site in line with Council's endorsed Affordable Housing Contribution Scheme.</p> <p>(d) Existing residents are rehoused within the Eastern Suburbs region to ensure there is no dislocation from their local community.</p> <p>(e) Inclusion of social impact mitigation provisions as part of the process.</p> <p>4. Notes that the Development Control Plan (DCP) continues to be reviewed and will be finalised by Council following the finalisation and gazettal of the planning proposal and will incorporate matters including:</p> <p>(a) The Conservation Management Plan design principles, to provide guidance to ensure that the heritage significance of Edina and the gardens are respected in any future development.</p> <p>(b) A development standard or objective to ensure that the DCP protects, maintains or exceeds the existing mature tree canopy, including minimising the reduction in aggregate tree canopy and habitat corridor available on the site in any future development.</p> <p>(c) The main entry gates to the site and their curtilage at the corner of Birrell Street and Bronte Road are conserved and the site will be accessible to the public via these gates, and that pedestrian accessibility through the site will be improved.</p> <p>(d) Setbacks and proposed building footprints for future buildings consider the location of existing mature trees on the site and minimise the loss of mature landscaping where possible.</p> <p>(e) Minimise the potential adverse impacts of parking and traffic generation associated with the proposal on the surrounding street network.</p> <p>5. Forwards the submissions and exhibition report to the DPE.</p> <p>6. Writes to all those who made submissions advising them of Council's decision.</p>
Council 15 February 2022	CM/6.2/22.02	<p>That Council:</p> <p>1. Declares the setting of the Edina Estate bounded by Bronte Road, Birrell Street, Church Street and Carrington</p>

		<p>Road as a Heritage Conservation Area and includes it in schedule 5 of the <i>Waverley Local Environmental Plan 2012</i>.</p> <ol style="list-style-type: none"> <li>2. Includes this amendment in Heritage Policy Implementation planning proposal to be put to Council in April.</li> <li>3. Writes to Heritage NSW to ask that the State Heritage Listing be expedited.</li> </ol>
<p>Council 17 August 2021</p>	CM/7.11/21.08	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Supports the planning proposal to amend the <i>Waverley Local Environmental Plan 2012</i> in respect of 125 Birrell Street, Waverley.</li> <li>2. Officers review the following matters and update the draft Site Specific Development Control Plan (DCP) prior to it being adopted for exhibition: <ol style="list-style-type: none"> <li>(a) The Conservation Management Plan design principles are used to provide guidance to ensure that the heritage significance of Edina and the gardens are respected in any future development.</li> <li>(b) Inclusion of a development standard or objective to ensure that the DCP maintains or exceeds the existing mature tree canopy and habitat corridor available on the site in any future development.</li> <li>(c) The main entry gates to the site at the corner of Birrell Street and Bronte Road are conserved and the site will be accessible to the public via these gates, and that pedestrian accessibility through the site will be improved.</li> <li>(d) Setbacks and proposed building footprints for future buildings consider the location of existing mature trees on the site and minimise the loss of mature landscaping where possible.</li> <li>(e) Minimise the potential adverse impacts of parking and traffic generation associated with the proposal on the surrounding street network.</li> </ol> </li> <li>3. Forwards the submissions and exhibition report to the Department of Planning, Industry and Environment (DPIE), and requests that the following matters be taken into consideration in the post-Gateway assessment: <ol style="list-style-type: none"> <li>(a) The inclusion of a site-specific clause in the <i>Waverley Local Environmental Plan 2012</i> for the subject site to prohibit the application of the <i>State</i></li> </ol> </li> </ol>

		<p><i>Environmental Planning Policy (Housing for Seniors and People with a Disability)</i> on the R3 Medium Residential portion of the land.</p> <p>(b) The inclusion of a site-specific clause in the <i>Waverley Local Environmental Plan 2012</i> that seeks to ensure the provision of a minimum amount of floor space for the purposes of a residential aged care facility.</p> <p>(c) A request for consideration of options for rehousing existing residents in a sensitive and considered way, including giving preference to existing residents in the future development.</p> <p>4. Officers, in any future development application, give consideration to rehousing existing residents.</p> <p>5. Officers discuss the potential inclusion of social impact mitigation provisions with the applicant to be included in the planning proposal, Site Specific DCP or any other planning instrument.</p> <p>6. Requests the DPIE to exercise the delegations issued by the Minister under section 59 of the <i>Environmental Planning and Assessment Act 1979</i> in relation to the making of the amendment.</p> <p>7. Writes to property owners to provide an update on the Conditional Gateway Determination.</p> <p>8. Requests the Mayor to write to the Hon. Don Harwin, Minister for the Arts (and the minister responsible for heritage), to express Council's concern that Heritage NSW believes that the War Memorial Hospital site is not considered a priority for State Heritage Register listing and that the Minister reconsider Council's request for the site to be included in the State Heritage Register.</p>
Strategic Planning and Development Committee 2 March 2021	PD/5.1/21.03	<p>That Council public exhibits the draft Site Specific Development Control Plan for the War Memorial Hospital attached to the report for a minimum period of 28 days, in accordance with section 3.43 and clause 5 of schedule 1 of the <i>Environmental Planning and Assessment Act 1979</i>, subject to:</p> <p>1. Any minor amendment required in the case of an amended Gateway Determination for the relevant planning proposals.</p> <p>2. Ensuring there is consistency between Figure 3 (site layout plan) and Figure 4 (open space site plan) in the draft DCP to ensure that there is appropriate setback between the Bronte Road/Birrell Street heritage-listed</p>



		gateway and the five-storey building at the corner.
Strategic Planning and Development Committee 3 November 2020	PD/5.5/20.11	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Notes the submission of a planning proposal prepared by Ethos Urban on behalf of Uniting Care on 18 August 2020 to increase the maximum height of buildings and the maximum floor space ratio of the sites 99–117 Birrell Street, Waverley, under the Waverley Local Environmental Plan 2012.</li> <li>2. Notes that the proposed increase in height and FSR is consistent with the Gateway Determination received for the adjacent War Memorial Hospital Campus site, and will enable improved conservation of the significant heritage fabric of the site and increase the amount of usable, public open space available on the site.</li> <li>3. Authorises officers to forward the planning proposal to the Department of Planning, Industry and Environment (DPIE) for a Gateway Determination.</li> <li>4. Places the planning proposal on public exhibition in accordance with any conditions of the Gateway Determination that may be issued by the DPIE.</li> <li>5. Notes that a Site Specific DCP will be exhibited concurrently with the planning proposal and will include provisions for scale and interface with the surrounding land uses, heritage buildings and gardens within the site, pedestrian access and through-site links and provision of landscaped open space.</li> <li>6. Requests the role of local plan-making authority from the DPIE to exercise the delegations issued by the Minister under section 3.36 of the <i>Environmental Planning and Assessment Act 1979</i> in relation to the making of the amendment.</li> </ol>

#### 4. Discussion

##### Consultation

Feedback was obtained on the SSDCP during the public exhibition of both planning proposals: between 20 May 2021 and 4 July 2021 for the Campus Site and 10 November 2021 and 19 January 2022 for the Birrell Street Sites.

Public exhibition occurred through the following means:

- Notification to 403 unique addresses relating to owners and tenants of the properties surrounding the subject site.
- Notice in the *Wentworth Courier*.
- Social media posts on Council's Facebook page.

- Notification in Council's Waverley Weekly and Have Your Say e-newsletters.
- notification to all of Council's Precinct Committees.
- a presentation to Queens Park, Bronte Beach and Charing Cross precincts.

Feedback received during the public exhibition was reported to Council at its meeting on 17 August 2022 and 12 April 2022, where the feedback related to the SSDCP was provided alongside the feedback provided for the planning proposals.

A combined summary of the feedback provided is detailed in Table 3. More detailed discussion on the matters raised was provided to Council in reports relating to the planning proposals at the abovementioned dates.

*Table 3. Combined summary of submissions relating to SSDCP.*

<b>Supported</b>	<b>No. of submissions</b>
Vision for the site	2
Retention and conservation of heritage	1
<b>Did not support</b>	
Removal of mature trees	51
Parking	4
Impact on habitat corridor	56
Building layouts	17
Proposed building setbacks	3
Not enough greenspace proposed	2

### **Post-exhibition review**

As the principal development standards for the Edina Estate are already detailed within the WLEP 2012, the role of the SSDCP is to only provide guidelines that support, and are not be inconsistent with, existing controls.

In addition, while the Edina Estate (War Memorial Hospital) is a place of key local significance and public interest, all relevant lots remain entirely under private ownership. To respond to the key concerns raised, throughout 2022 and 2023, Council officers met regularly with representatives from Uniting (the owner of all lots with the exception of 99 Birrell Street) and the associated project team consisting of heritage consultants, architects, landscape architects and town planners in an effort to constructively achieve improved outcomes for the site than would have resulted under the initial draft SSDCP.

A summary of the abovementioned key issues investigated throughout the post-exhibition review include:

- Ensuring the Conservation Management Plan is respected and embedded in the SSDCP.
- Improving outcomes relating to the protection of mature tree canopy on site and habitat corridor.
- Improving conservation of the gates in the corner of Birrell Street and Bronte Road, including public accessibility and the relationship of any new buildings presenting to the corner.
- Improving traffic and parking outcomes in the surrounding street network.

A discussion of the issues presented, and proposed responses is provided below, with a detailed summary of each post-exhibition change and associated explanatory notes in Attachment 2. Changes to the SSDCP in mark-up are set out in Attachment 1.

### **Mature trees and urban ecology**

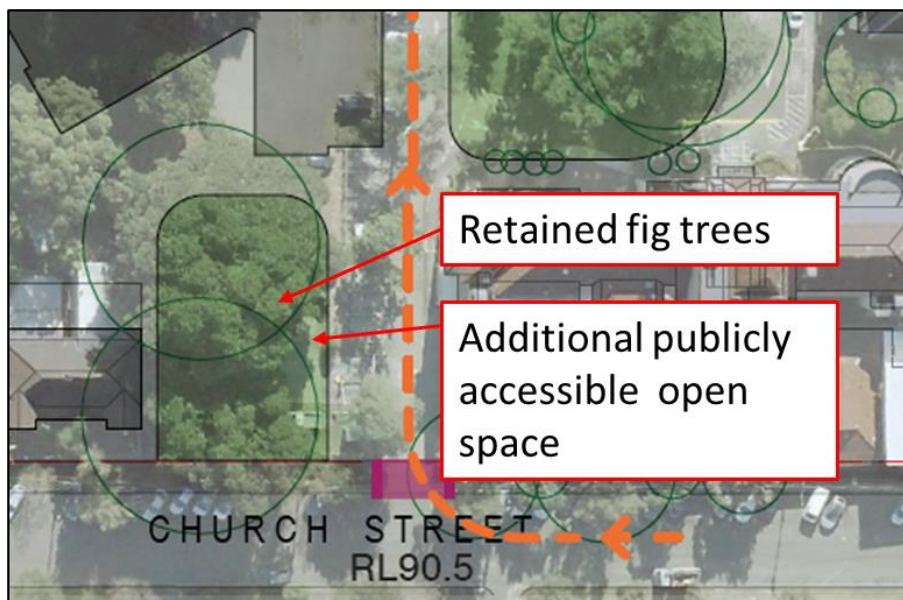
The majority of feedback received during the public exhibition periods related to the potential loss of tree canopy on site if development occurred in line with the exhibited draft SSDCP.

The biggest contributing factor to this loss of tree canopy was the possible layouts available for the central building, which would predominantly be used for residential aged care. The SSDCP in its previous form may have facilitated the removal of two of the five significant, mature fig trees, which the community has articulated as being highly valuable during the public exhibition periods.

Following this feedback, the following was considered:

- Potential location of underground basement parking and servicing access,
- Requirements for the central building which will provide residential aged care, including floor layout and solar access requirements, and
- Building heights and floor space ratio available under the WLEP via the finalised planning proposals.

The proposed updates to the SSDCP would facilitate the retention of four or five of the mature fig trees in the central part of the site. In addition, the reshaping of the central building zone (along with changes to service access points) and the retention of two mature fig trees to the south of the site, near Church Street has resulted in an additional area of publicly accessible open space, not previously present in the initial draft SSDCP.



*Figure 2. Indicative additional publicly accessible open space and retained trees.*

In addition to the above, to ensure long-term canopy cover the SSDCP contains the following controls:

- Canopy coverage is to be provided at a minimum of 30% of the site area.
- Canopy coverage is to provide an appropriate cover that respects the heritage values of the place while providing a recognised habitat corridor through the site. Details of how the canopy, particularly the habitat corridor, will be maintained and managed over time is to be provided via a Canopy Succession Plan.
- New trees are to be provided at 200L to provide for increased habitat to the periphery of the site in the setbacks from the street frontage.
- Wildlife-friendly lighting is to be provided across the site.
- Pollinator-friendly species are to be provided on-site.

These controls were present in the first draft of the document and remain in the revised version. The WLEP 2012 also contains provisions requiring 30% of the site as deep soil areas, to facilitate both the retention of existing mature trees, and the growth of mature trees into the future.

The site also forms a part of Council's Habitat Corridor in the Waverley DCP. Previously the Habitat Corridor only covered part of the site, but the recently adopted Waverley DCP 2022 expanded this to cover the entirety of the site, with the support of Uniting.

### Service vehicle and parking access

In response to concerns raised by residents on Church Street, as well as other residents who provided submissions on the matter, consideration has been given to the main service vehicle access point.

Under the initial SSDCP, service vehicles would enter from the existing Church Street entrance. This would create an increase of vehicle movements on Church Street and potentially more conflict with surrounding uses, inclusive of student movements associated with the surrounding schools. In addition, service vehicle access via Church Street would likely result in a poor urban design outcomes than if it was located elsewhere.

Alternative options considered the sloping topography of the site, particularly in relation to basement car parking, with the existing access point located at south-east corner of the site toward Bronte Road being the most likely suitable access point. Consultation was undertaken with Council's Traffic Team who advised that given there was an existing access point on Bronte Road, situating service vehicle entry from this location would be suitable, so long as there was no conflict with the 'keep clear' zone in front of Waverley Police station.

As a result, the relevant diagram within the SSDCP has been updated to reflect this change which, as well as reducing movements on Church Street, would also provide:

- Improved urban design outcomes for Church Street.
- Improved sight lines to the heritage items on the upper half of the site.
- The enabling of the proposed publicly accessible park with the retained two fig trees.
- Safer pedestrian accessibility through the north-south through site link.

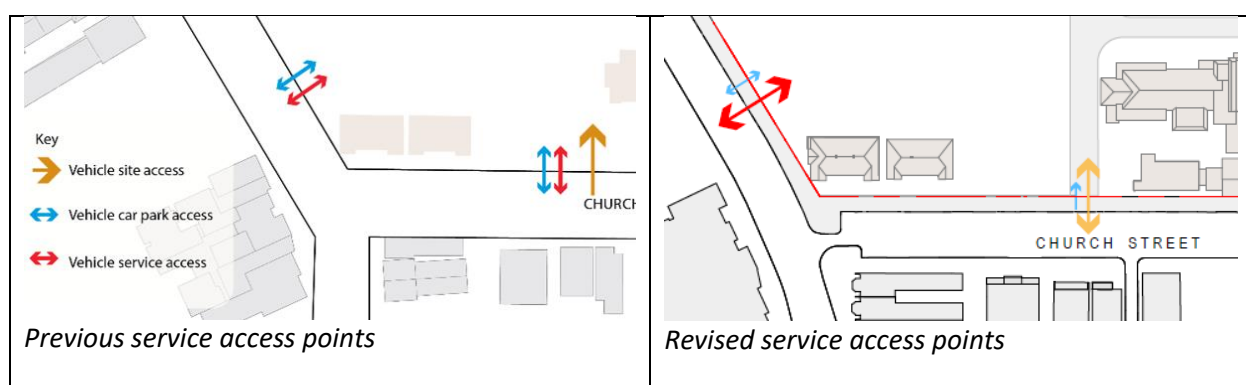


Figure 3. Revised service vehicle access points.

### Birrell Street and Bronte Road corner gates

Concern was raised with the relationship of the corner gates with the rest of the site, including any new buildings in the north-west corner and pedestrian access through the gates themselves.

In responding to this issue, a number of options were considered, including full public access through the corner gates, the creation of a pocket park with a small seating space at the corner gates, with the space behind this area to remain private. This would involve leaving the gates closed, but creating a pathway behind the gates which is accessible to residents and can be open to the public, on occasion throughout the year, in line with site open days which have occurred regularly in the past, prior to the COVID-19 pandemic. The options considered, inclusive of the pros and cons of each are discussed in Table 4. The preferred option is to leave the gates closed, and not publicly accessible, except on public open days. The proposed changes to the corner gates are reflected in the revised SSDCP, which includes greater setbacks around the gates than previously proposed in the initial draft SSDCP.

*Table 4. Birrell Street and Bronte Road gates – Options.*

Scenario	Benefit	Issues/risks
Full public access through gates to Edina.	<ul style="list-style-type: none"> <li>Restores original access pathways.</li> <li>Responds to community and Councillor requests.</li> </ul>	<ul style="list-style-type: none"> <li>Security risks for residents in residential aged care who will use this area as private open space.</li> </ul>
Small pocket park public open space on corner of Bronte Road and Birrell Street.	<ul style="list-style-type: none"> <li>Provides improved access to gates while maintaining security of western part of site.</li> </ul>	<ul style="list-style-type: none"> <li>Perceived security issues based on Proponent consultation with local police.</li> <li>Does not provide full public access from the corner to Edina.</li> </ul>
Gates closed, restored and open on public open days (proposed).	<ul style="list-style-type: none"> <li>Maintains security for western part of the site.</li> <li>Improved outcomes and celebration of gates.</li> <li>Provides a level of public access throughout the year.</li> <li>Achieves outcomes of both security and public access.</li> </ul>	<ul style="list-style-type: none"> <li>Gates closed most of the year.</li> <li>Does not provide full public access from the corner to Edina as requested.</li> </ul>

In addition to the above, setbacks have been increased for future buildings located near the corner of Bronte Road and Birrell Street. Additional controls have been added to the draft SSDCP to ensure the gates are celebrated and any new built form respects both the curtilage of the gates and their significance and prominence in both the local area and the Waverley local government area.

### **Corner of Church Street and Bronte Road**

Uniting advises that the cottages at the corner of Church and Bronte Road would possibly be converted into residential facilities, connected to any new built form on Bronte Road. As such, setbacks, and height in storeys have been revised to reflect what would be an appropriate built form based on a connection being constructed, rather than a standalone extension as was previously proposed. Two different controls have been prepared to allow for the possible different scenarios which may eventuate once the detailed design process has been completed by Uniting.

### **Maximum number of storeys**

The maximum number of storeys has been revised, in line with the revised building zone areas, areas on the site where buildings may be constructed. The previous iteration of the SSDCP had some components of the site with varying number of storeys. For example, four storeys set back to seven storeys on Bronte Road and five storeys on the corner of Birrell Street and Bronte Road. The figure has been updated to apply a

consistent four-storey and six-storey built form across the site (with the exception of the Church Street and Bronte Road corner).

This amendment is informed by assumptions such as increasing the floor to floor height from 3.1 to 3.2 m. Therefore, to comply with WLEP 15 m/21 m height limits, four and six storeys is considered appropriate. Due to the sloping nature of the site, there may be some instances where an exceedance to the number of storeys may occur. Given the WLEP2012 prevails over the Waverley DCP 2022, a control has been included in the SSDCP which speaks to this matter.

### **Statutory pathway**

Following the introduction of the Housing State Environmental Planning Policy (SEPP) in late 2021, seniors housing developments with capital works costs in excess of \$30 million qualify to undertake the State Significant Development (SSD) pathway.

Therefore, any future development application that meets this requirement would be determined by the Department of Planning and Environment or in some circumstances the Independent Planning Commission if:

- 50 or more 'unique' public objections have been made to the Department of Planning and Environment at the time that it exhibited the proposed development, or
- A reportable political donation has been made by the applicant, or
- An objection to the proposed development has been made to the Department of Planning and Environment by the relevant local Council.

Council's role would be to provide submissions on the process.

The SSD pathway also has implications on the SSDCP. Development Control Plans are not prescribed as applying to SSD applications. The Department of Planning and Environment provides the following advice:

*Development Control Plans do not generally apply to State Significant Development (SSD). However, the development control plan may be considered to inform the design specifications proposed, for example a comparison of what is proposed versus what is in the development control plan. This information could then be taken into account as part of the assessment of the project.*

*Specifications that may be otherwise outlined in a Development Control Plan (but for SSD) may be addressed in the SSD Environmental Impact Statement, assessment and engagement process, including post determination conditions as may be relevant.*

The relevance of the SSDCP to any site specific assessment would be addressed at the time when a SSD is lodged and Council is invited to provide comment.

### **Social impact mitigation**

At the Council meeting on August 2021, Council requested that social impact mitigation measures be included in the planning proposal, SSDCP or any other planning instrument. As the Local Plan Making Authority, the Department of Planning and Environment (DPE) did not include any measures in the finalisation of both planning proposals, other than the inclusion of the requirement for 10% Affordable Housing to be provided on the Birrell Street Sites.

At the Strategic Planning and Development Committee meeting on 6 September 2022, Council resolved to adopt Social Impact Assessment Guidelines and include the Guidelines and associated controls into the Waverley Development Control Plan which relate to a project of this nature and size. In addition, under the State Significant Development (SSD) pathway, a social impact assessment is required to be undertaken.

**99 Birrell Street, Waverley**

All lots within the area subject to the SSDCP are under ownership of Uniting except 99 Birrell Street. Although planning has assumed the site would be developed as a consolidated urban block, it is possible that 99 Birrell Street could be excluded from any future development application. Should this occur, the applicant would be required to address relevant Land and Environment Court planning principles relating to isolated land.

**Proposed Heritage Conservation Area**

At the Council meeting on 15 February 2022, Council resolved to establish the entire urban block of the subject site discussed in this report as a Heritage Conservation Area (HCA) in Schedule 5 in the WLEP. This resolution resulted in the proposed HCA being included in Council's Heritage Policy Implementation planning proposal which was submitted to the DPE in May 2022. Following an initial review of the planning proposal, the DPE provided Council with a request for a substantial amount of additional work to be completed. Officers are still in the process of completing this additional work, with a view to resubmitting the planning proposal for Gateway determination.

**5. Conclusion**

As detailed in the report, there is substantial community interest in ensuring any redevelopment of the War Memorial Hospital site is undertaken in a way that respects the significant heritage of the site and the surrounding character of the local area.

In response to the issues raised during the multiple public exhibition periods, a revised SSDCP has been prepared and is recommended for adoption.

**6. Attachments**

1. Part E7 - Edina Estate [↓](#)
2. Detailed summary of changes [↓](#)

Site Specific Development E

PART E7 SITE SPECIFIC DEVELOPMENT



Part **E75** Edina Estate**E76** WAR MEMORIAL HOSPITAL

Where there are discrepancies between this Part and other Parts of this DCP, the controls in this Part take precedence.

The following objectives and provisions apply to the site known as the Edina Estate, identified in Figure 1. For clarity, the Edina Estate is the entirety of the urban block bound by Birrell Street, Carrington Road, Church Street, and Bronte Road, Waverley.



Figure 1 Edina Estate

Part **E75** Edina Estate**6.1 GENERAL**

The vision for the site is to maintain and grow- a health and seniors housing precinct that celebrates the outstanding heritage significance of the site and supports healthy living. This precinct will support, renew and expand community services and residential living within Waverley, which is at the heart of the vision for the site.

**Objectives**

- (a) To conserve and interpret the significant European heritage of the site.
- (b) To understand and interpret the Aboriginal cultural heritage of the site.
- (c) To ensure the precinct can adapt to the projected localised impacts of climate change.
- (d) To ensure the developed precinct is designed to facilitate healthy and active living and encourage social connectivity within the precinct and within the community.
- (e) To ensure that **invited** publicly accessible high-quality open spaces are provided that interpret, reinstate or conserve- the heritage features of the Edina Estate.
- (f) To minimise vehicle movements within and to the site, and to manage service vehicle movements effectively.
- (g) To provide for clear wayfinding and integrated public artworks that interpret the heritage significance of the site.
- (h) To allow for the continuation, renewal and expansion of community services and residential living.
- (i) To acknowledge and respond to the urban context in terms of form and scale.

**Principles**

This Site Specific DCP has been developed based on the following principles, which are to be addressed in any masterplan or development on the site:

1. Unify the Estate and enhance its ongoing legacy of care as a community service and health care precinct.
2. Develop a clear masterplan based on the historic evolution of site, its evolving context and community requirements.
3. Retain and restore existing heritage fabric, enhance public access to the heritage garden and reinterpret the former carriageway to heritage gates.
4. Allow for the continuity and expansion of existing hospital uses on the site.
5. Establish a new centrally located residential aged care and community hub as an active “heart” for residents, patients and the broader community.
6. Provide new seniors living; optimise direct street address, residential amenity, streetscape character and landscape.
7. Consolidate new built form to create large continuous gardens for a range of public, private and community uses.
8. Optimise site ecology by maximising deep soil zones and implementing a long-term tree plan (ie. a plan to retain and protect existing healthy trees, replace old or damaged trees and increase the number of large trees on the site).
9. Implement a clear vehicular strategy to prioritise pedestrian comfort and safety while recognising the operational needs and diversity of uses of the estate.
10. Achieve all required operational requirements while achieving compliance with all urban design, environmental and amenity design standards.

**Part ~~E7~~ Edina Estate**

11. Provide architectural modulation and articulation that reflects the cadastre and built form of the adjacent heritage conservation areas.

## Part E75 Edina Estate

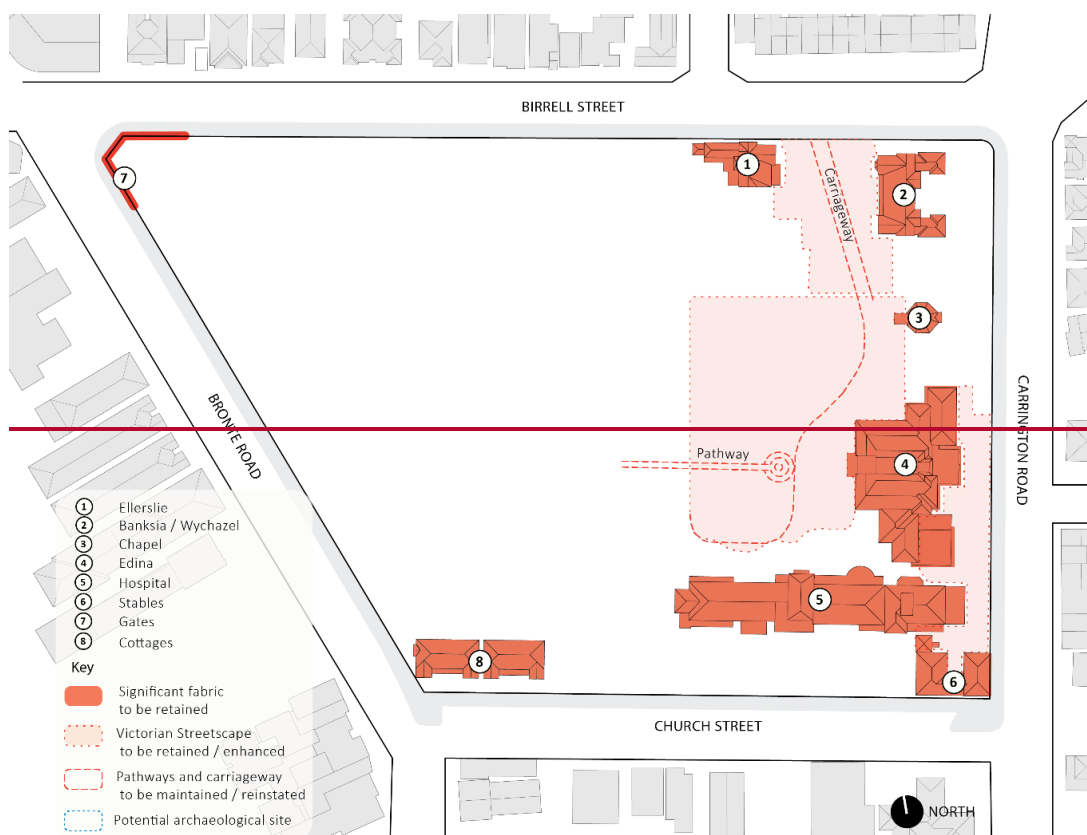
## 6.2 SITE LAYOUT

## Objectives

- (a) To provide invited public access to and enjoyment of the setting of the heritage buildings and their heritage landscape.
- (b) To identify developable portions of the site.
- (c) To reinstate the experience for the public of exceptional Victorian buildings set in a Victorian-style landscape for its users.

## Controls

- (a) The site layout is to interpret the original arrival experience via the historic pathway from the gates at Bronte Road and Birrell Street as a key entrance point to the site predominately for residents.
- (b) Maintain the buildings identified in Figure 2 as Significant.
- (c) There is to be a series of open spaces and layouts out within the site.
- (d) The eastern portion of the site is to be retained as an invited, publicly accessible area, as identified in Figure 4.
- (e) The scale of new buildings must not challenge or overwhelm the heritage buildings, Victorian streetscape, or landscape.
- (f) Where possible, provide vistas throughout the site to the western façade of the Vickery (Edina) Building and tower.



Part E75 Edina Estate

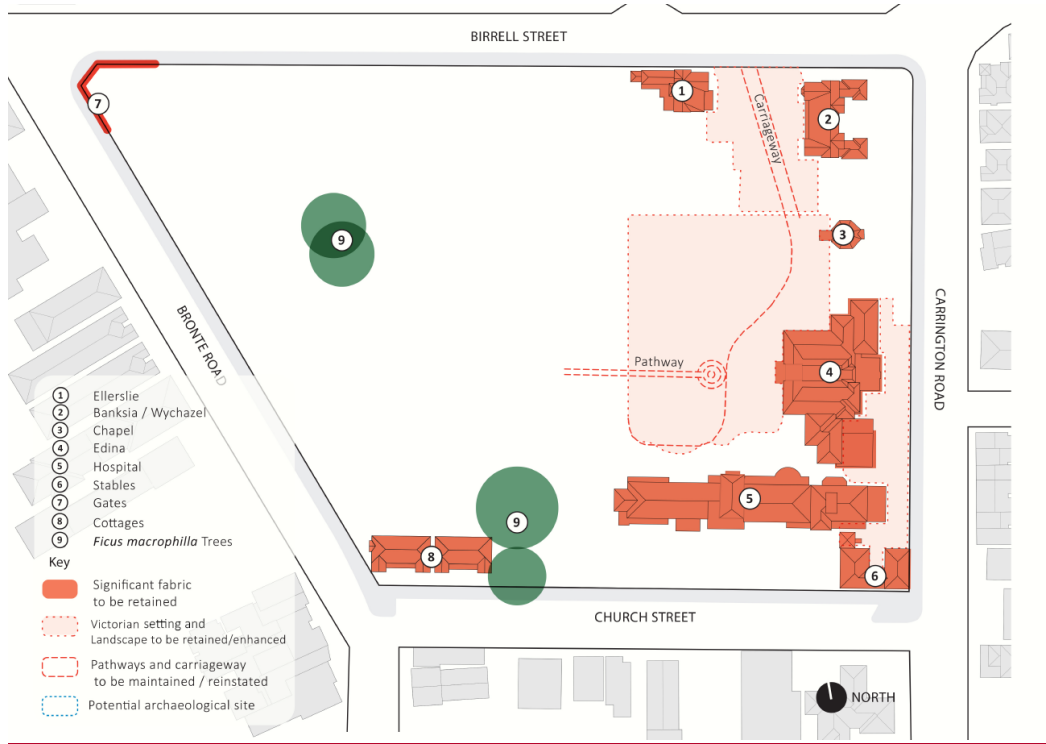


Figure 2: Site Plan identifying significant fabric and spaces to be retained

Part E75 Edina Estate

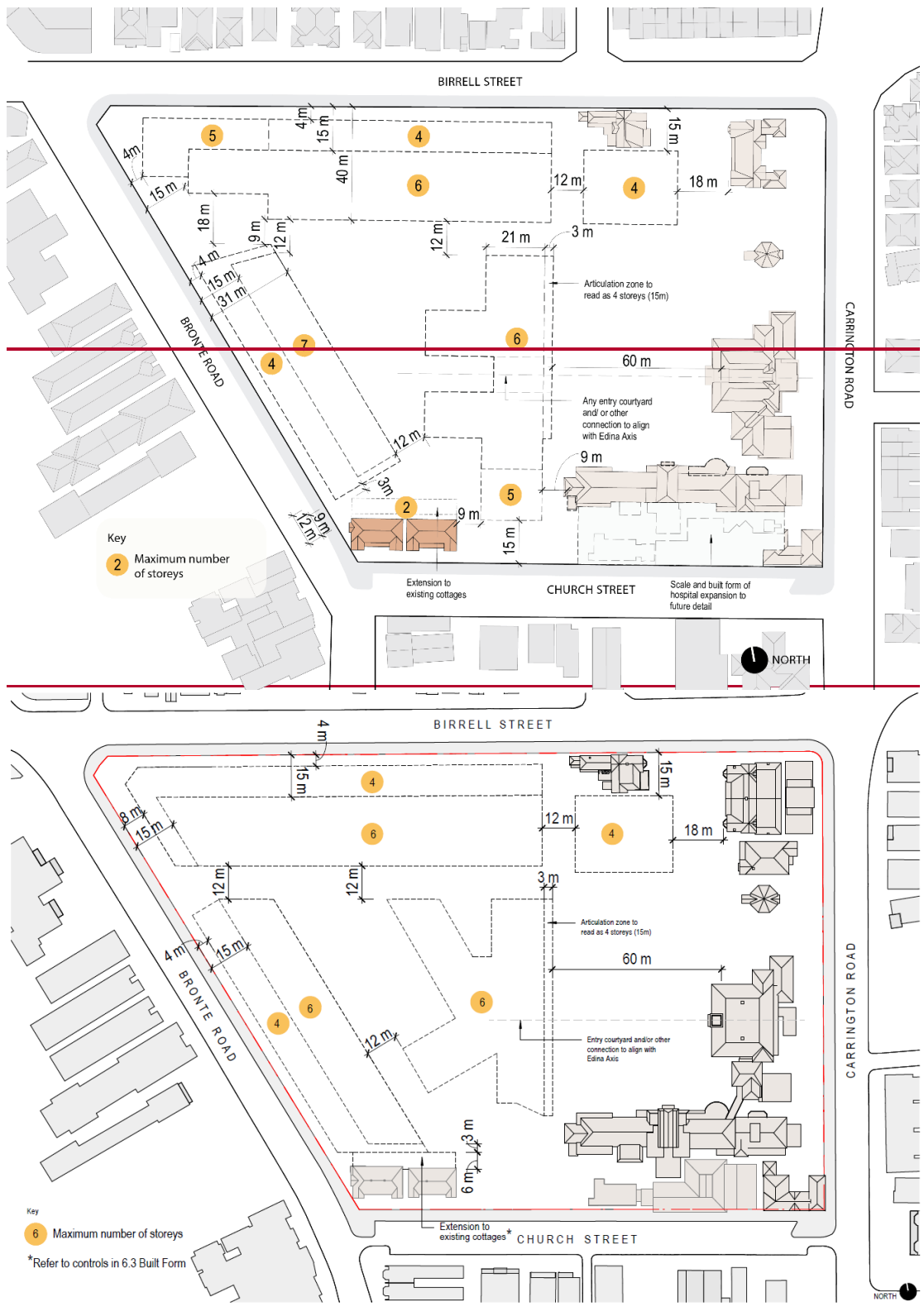


Figure 3: Site Layout and New Building Zones

Part ~~E7~~5 Edina Estate**6.3 BUILT FORM****Objectives**

- (a) To ensure an appropriate scale of new development on the site.
- (b) To provide guidance for the location of buildings.
- (c) To ensure new development responds to the heritage characteristics of the site.
- (d) To generate a campus-style arrangement of development.
- (e) To support sufficient landscaping to enhance visual quality, streetscape character and provide privacy.
- (f) To integrate building form with the sloping topography of site.

**Controls**

- (a) The location of buildings is to comply with the Principles in 6.1 General and the layout shown in Figure 3.
- (b) The number of storeys is to comply with Figure 3. However, due to the sloping nature of the site, it may be possible to achieve a greater number of storeys than the maximum number of storeys specified in Figure 3 to enable optimised building layout, so long as the built form does not exceed the alternative height of buildings of 15m and 21m specified in the WLEP unless in line with control (k) and not in contradiction with (e).
- (c) The redevelopment of the site is to read as a campus-style development, having consistent style and architectural qualities across the site.
- (d) Despite the alternative maximum building height of 15m and 21m permitted in the WLEP, the following controls apply to any building located adjacent to the Ellerslie building:
  - i. is to have a maximum height that does not exceed the parapet height of the Edina building, and
  - ii. Any storey above the gutter line of the principal built form of the Ellerslie building is to reflect the steep slope of the roof of the Ellerslie building.
  - iii. is not to overwhelm the Ellerslie building, and is to provide sufficient distance between the buildings to maintain the curtilage of the Ellerslie building.
- (e) Despite the alternative building height permitted in the WLEP, any new built form extension to the cottages on the corner of Bronte Road and Church Street:
  - i. is not to overwhelm the cottages, and
  - ii. if connected to any new building fronting Bronte Road is to have a maximum of one storey, with a maximum height that is beneath the underside of the gutter line of the cottages or;
  - iii. if not connected to any new building fronting Bronte Road, a maximum of two storeys.
- ~~(e)~~(f) New buildings fronting Bronte Road and Birrell Street are to be modulated and articulated to break up long facades to the streetscape.
- ~~(f)~~(g) Buildings are to be setback from the street frontage to provide privacy and opportunities for landscaping, including where appropriate, mature tree planting.

Part ~~E7~~5 Edina Estate

- ~~(g)~~(h) New buildings are to provide appropriate architectural modulation and articulation that reflects the cadastre and built form of the adjacent heritage conservation areas.
- (i) Any new building to the corner of Bronte Road and Birrell Street is to provide a bulk and scale that relates to the development on the remaining corners of the intersection.
- (i) Any new building to the corner of Bronte Road and Birrell Street is to be designed in a way that respects and does not overwhelm the heritage gates on the corner of Bronte Road and Birrell Street.
- ~~(h)~~(k) Due to the sloping nature of the site, it may be necessary to exceed the alternative building heights specified in the WLEP, for minimal areas of a roof envelope to enable optimised building layout
- (l) Due to the sloping nature of the site, it may be necessary to exceed the maximum height of building specified in the WLEP, for minimal areas of a roof envelope to enable optimised building layout. Refer to Appendix 2 for illustrations.
- (m) No habitable room is to be more than 1.2m underground at finished floor level.



## Part E75 Edina Estate

## 6.4 HERITAGE

The curtilage of the Edina Estate is bounded by Bronte Road, Birrell Street, Church Street, and Carrington Road.

## Objectives

- (d) To conserve and interpret the cultural significance of the site.
- (e) To provide invited public access to and enjoyment of the setting of the heritage buildings and their heritage landscape.
- (f) To celebrate the heritage significance of the site by interpreting, retaining and conserving key historical features of the site.
- (g) To share the history of the site through informative, accessible and well-designed interpretation, artworks and wayfinding.
- (h) To reinstate the experience for the site users ~~public~~ of exceptional Victorian buildings set in a Victorian-style landscape.

## Controls

- (a) A Conservation Management Plan is to be provided for the site that responds to the Statement of Significance of the heritage item.
- (b) The existing hospital use is a historic use that should be continued, and should be broadly defined to include uses related to health, aged care, and health related training.
- (c) The following historic spatial uses relating to the Victorian period are to continue or be re-instated / interpreted:
  - i. early entrances and driveway as identified in Figure 2;
  - ii. Victorian garden areas as garden/passive recreation as identified in Figure 2.

## 6.4.1 Significant Fabric, Views, Spaces and Spatial Relationships

- (a) The significant fabric and spatial relationships as identified in Figure 2 are to be conserved and enhanced. They are:
  - i. Victorian buildings and estate planning, including: topography, plantings, fences, statuary and spatial order (including the private street, and distinction of service areas such as original stable and kitchen buildings from formal areas);
  - ii. War Memorial Hospital buildings of aesthetic importance: main building, chapel;
  - iii. 1920s landscape items including: palm trees, cast iron bollards, reconfigured gates to Birrell Street / Bronte Road and new gates to Carrington Road;
  - iv. The Victorian landscape and landscape elements both existing and reinstated based on documentary evidence.
  - v. External views from Centennial Park of the Norfolk Island Pines;
  - vi. Existing views of the Ellerslie, Banksia and Wychazel houses along Birrell Street, and Vickery tower from Carrington Road. The Carrington Road wrought iron gates from c1920.

## Part E75 Edina Estate

- (b) The Victorian garden space adjacent to the Edina building identified is to be treated to reflect its significance and historical appearance.
- ~~(c)~~ A lower garden space is to be created that interprets the pond featured in the original central garden space through landscaping layout, inclusion of a water feature, or signage interpretation. The original height difference between the upper lawn and carriageway is to be maintained and linked by existing stone stairs.
- ~~(d)~~ The lower garden space described in (c) should at a minimum, retain the trees identified in Figure 2 and seek to retain as many existing mature trees as possible.
- ~~(e)~~(e) The original estate gates at the corner of Bronte Road and Birrell Street are to be retained and maintained and celebrated as the traditional formal entry point to the site. This may include the use of the gates as a pedestrian access to the site. A pathway is to be provided from the gates leading into the site. This pathway is to on occasion be publicly accessible (for example on site open days). Details around the occasional access is to be specified in a Plan of Management for the site.
- ~~(d)~~(f) The eastern Birrell Street entrance is to be preserved, through the retention of the avenue of Canary Palms and the experience of a late Victorian streetscape.
- ~~(e)~~(g) Ensure that the appropriate standard of professional and craft expertise corresponds to the grade of significance through involvement of a qualified heritage consultant.

### 6.4.2 New buildings and landscape

- (a) New buildings adjacent to the Victorian private road or a building of significant fabric as identified in Figure 2 are to read as contributing or harmonising to the heritage buildings.
- (b) The scale of new buildings should be of a scale consistent with the controls outlined in the WLEP. New buildings should respect the landmark qualities of the Edina tower or the Norfolk Island pines.
- (c) Site lines that link open spaces are to be created and framed through the site.
- (d) Should demolition or excavation works involve areas of potential archaeological deposits, plan for proper investigation and interpretation of those deposits.
- (e) Fabric of new buildings must be sympathetic to the palette and colour of historic materials used in the original estate.

### 6.4.3 Heritage Interpretation and Reconstruction

- (a) The place is to be interpreted as the whole estate developed by the Vickery Family as a residence, and then as the War Memorial Hospital.
- (b) The original carriageway on the corner of Bronte/Birrell St is to be interpreted via the site layout and wayfinding throughout the site.
- (c) Any additions to heritage buildings are to present as distinguishable, at least on close inspection, in accordance with Burra Charter principles. Their design should also be sympathetic and not detract from the appreciation of the heritage buildings and their significance.
- (d) Creatively interpreting aspects of the history of the place should be considered as opportunities arise, including:

Part ~~E7~~5 Edina Estate

- i. Develop the site with an appreciation of its identity as a single planned estate;
  - ii. Develop the site with an appreciation of the spatial order of the estate, which is contiguous over the course of its history as an estate and hospital.
  - iii. Develop and creatively interpret Aboriginal connection to place in combination with European heritage, through an understanding of native landscapes and planting of Sydney's Eastern Beaches.
- (e) The reconstructions, removals and plantings should be considered in accordance with the policies set out in the *Conservation Management Plan 2017* provided in Appendix 1.

**6.4.4 Landscaping**

- ~~(a)~~ A minimum of 40% of the site is to be provided as landscaped area.
- ~~(b)~~ A minimum of 30% of the site is to be provided as deep soil area, as specified in the WLEP.
- ~~(c)~~ Retain, replace or reinstate trees and other species to support the habitat corridor which affects the entire site through the centre of the site.
- ~~(d)~~ Provide a Landscaping Plan that identifies the trees and plants that contribute to the habitat corridor, including a Succession Plan that identifies how these plants will be managed over time.
- ~~(e)~~ Provide indigenous species throughout the site with sensitivity to European landscaping.

**6.4.5 Public Art Heritage Interpretation Plan**

- (a) A public art and heritage interpretation plan is required to be submitted with any Development Application to demonstrate how the heritage of the site has been interpreted through landscape design, species choice, wayfinding and digital interpretation on the site.
- (b) The public art and heritage interpretation plan is to provide clear and engaging interpretation that acknowledges the periods of ownership: indigenous custodianship, 50 years with the Vickery family, and 100 years as a hospital.
- (c) Public artwork is to be provided in accordance with Part B11 Public Art of this DCP.

Part ~~E7~~ Edina Estate

## 6.5 PUBLIC DOMAIN AND OPEN SPACE

## Objectives

- (a) To encourage a cool microclimate within the precinct.
- (b) To encourage public access and engagement with the heritage of the site.
- (c) To cultivate spaces that encourage mental and physical wellbeing.
- (d) To promote social cohesion and connectedness.
- (e) To contribute to the key environmental targets in Council's strategic plans.

## Controls

- (a) ~~Invited p~~Publicly accessible open space is to be provided as identified in Figure 4.
- ~~(b)~~ Where open space is to be publicly accessible, these spaces should be open to ~~at a minimum to~~ the public ~~of 9 daylight hours from 7am – 5pm~~. Where fences or gates are to be included, these are to be arranged in an 'open' fashion between ~~open these~~ hours to encourage movement through the site.
- ~~(c)~~ The management around the operation of any fences or gates surrounding publicly accessibility, including any exceptional circumstances in which opening hours may need to be altered, should be included in a Plan of Management for the site.
- ~~(b)(d)~~ Provide primary and secondary through site links for pedestrians to increase permeability across the site, as identified in Figure 5.
- ~~(e)(e)~~ The ~~invited~~ publicly accessible outdoor areas ~~are domain is~~ to be accessible and designed with a mix of shade and direct sun throughout the year.
- ~~(e)(f)~~ Consider the provision of accessible vegetable garden beds and facilities (e.g. tools, composting) for collective activities.

Part E75 Edina Estate



Figure 4: Site plan identifying general hierarchy of open spaces

Part E75 Edina Estate

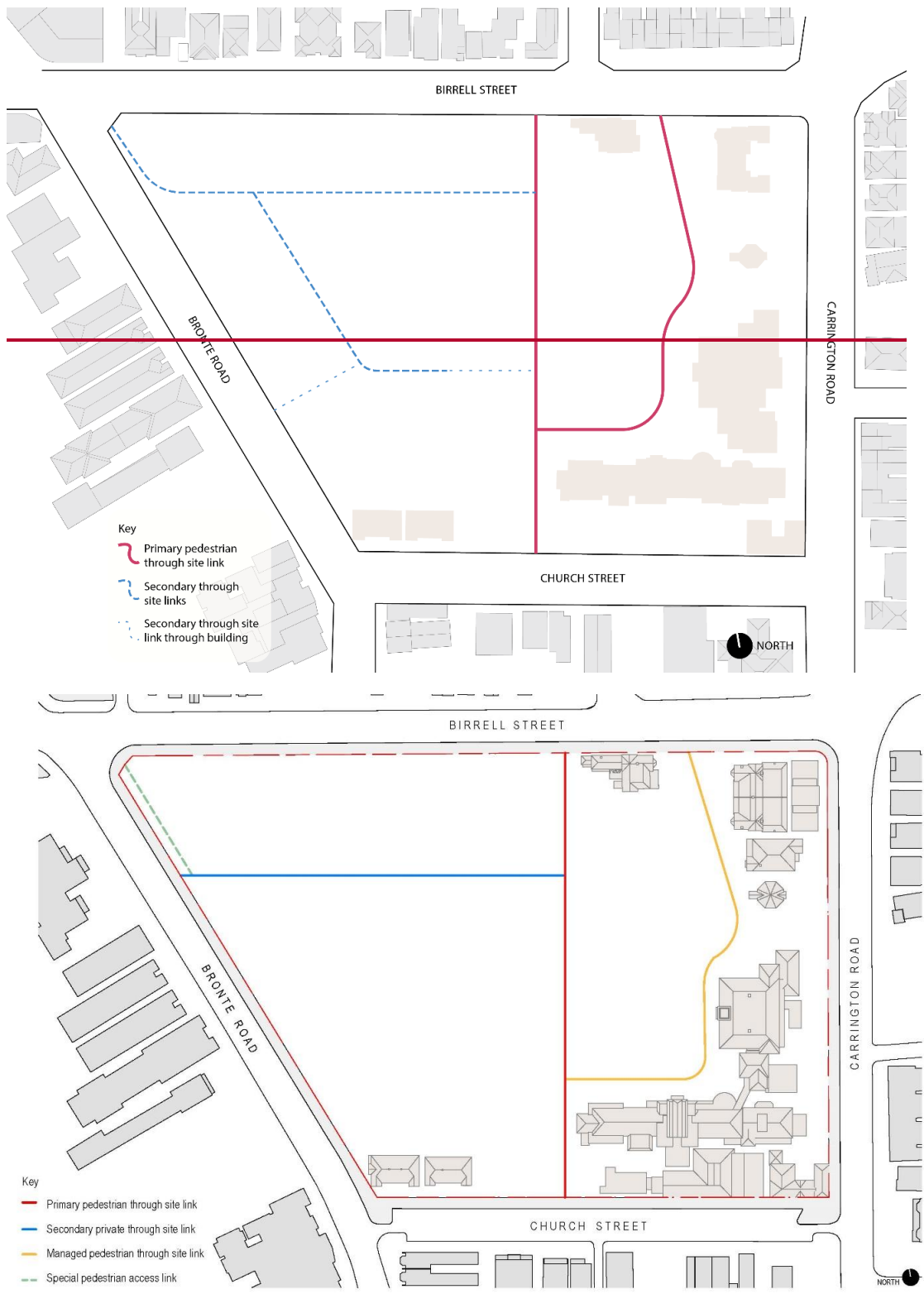


Figure 5: Site plan identifying through site links

Part ~~E7~~5 Edina Estate**6.6 URBAN ECOLOGY****Objectives**

- (a) To protect and enhance the natural habitat for a range of species as part of the heritage values of the site.
- (b) To encourage the creation of a cool micro-climate on the site.
- (c) To provide a resilient and biodiverse outdoor space.
- (d) To maintain and enhance the biodiversity corridor connectivity from Waverley Park to Queens Park.
- (e) To contribute to key environmental targets in Council's strategic plans.

**Controls**

- (a) Canopy coverage is to be provided at a minimum of 30% of the site area. This is to be demonstrated on the Landscape Plan and inclusive of landscape on slab.
- (b) Canopy coverage is to provide an appropriate cover that respects the heritage values of the place while providing a recognised habitat corridor through the site. Details of how the canopy, particularly the habitat corridor, will be maintained and managed over time is to be provided (via a Canopy Succession Plan).
- (c) Preserve and maintain the existing mature trees on the site. Where a tree cannot be maintained due to the location of a new building, this tree is to be relocated or replaced with a comparable size and species in a more suitable location on the site to support the habitat corridor.
- (d) Buildings are to be located to support the Habitat Corridor which runs ~~NE to~~ ~~SW~~ through the site. The Habitat Corridor is to be clearly marked on the Landscape Plan with details of the proposed species and the arrangement and structure of the habitat.
- (e) In addition to the Habitat Corridor through the site, habitat species are to be planted along the periphery of the site, in the setbacks from the street frontage. This habitat is also to be clearly marked on the Landscape Plan.
- (f) At-grade car parking and roads are to be minimised within the habitat corridor to encourage a safe environment for fauna within the limitations of the site and heritage values.
- (g) A diversity of plant species is to be provided across the site.
- (h) Landscaping is to be designed and completed in a way that provides adequate fauna habitat, i.e. taking vertical space into consideration as well as horizontal space, and providing several layers of plantings. It is expected that a shrub layer 0.5 to 2.0 m will be included in at least some sections of the habitat corridor, and that some shrubs and grasses are planted in thickets to provide safe habitat for smaller fauna species. In addition, new trees are to be provided at 200L to provide for increased habitat to the periphery of the site.
- (i) Refer to the species outlined in Table 1 that are encouraged or discouraged for this site. The planting palette should include a range of species. Additional or alternate species to this list can be discussed with Council's Urban Ecology Team. Proposed species are to be detailed in the Landscaping Plan.
- (j) Where appropriate, deciduous trees such as *Melia azedarach* var. *austrasica* are to be planted near windows, particularly on the north and west aspects, to provide shading in summer and filtered sunlight in winter.

## Part E75 Edina Estate

- (k) Wildlife-friendly lighting is to be provided across the site to enable fauna movements, particularly at nighttime. Design responses that include soft (lower wattage), low-placed lights facing downwards with a warm colour temperature (less than 2500K), are preferable to up-lighting, lighting from high on poles (even if facing downwards), bright lighting (higher wattage) or lighting with a cool or blue cast.
- (l) Pollinator-friendly species are to be provided on-site with details in the Landscaping Plan. Pollinator species typically have small, white cream, yellow, blue, or purple flowers.

Table 1 – Preferred and discouraged species			
Preferred Species			Discouraged Species
Shrub Layer	Trees	Ferns	
<i>Goodenia ovata</i>	<i>Eucalyptus haemastoma</i>	<i>Asplenium</i>	Liorpe
<i>Cordyline stricta</i>	<i>Pittosporum revolutum</i>	<i>australasicum</i>	Purple Corydine
<i>Doryanthes excelsa</i>	<i>Leptospermum laeigatum</i>		<i>Rapheolepis</i>
<i>Baeckea linifolia</i>	<i>Leptospermum</i>		
<i>Banksia spinulosa</i>	<i>squarrosus</i>		
<i>Austromyrtus dulcis</i>	<i>Backhousia citriodora</i>		
<i>Ozothamnus</i>	<i>Elaeocarpus reticulatus</i>		
<i>diosmifolius</i>	<i>Podocarpus elatus</i>		
<i>Conospermum</i>	<i>Macadamia integrifolia</i>		
<i>taxifolium</i>	<i>Backhousia citriodora</i>		
<i>Eristoemon australasius</i>	<i>Melia azedarach</i>		
<i>Isopogon anemonifolius</i>	<i>Brachychiton acerifolius</i>		
<i>Boronia parvifolia</i>	<i>Brachychiton populneus</i>		
	<i>Grevillea robusta</i>		
	<i>Casuarina equisetifolium</i>		
	<i>Tristanopsis laurina</i>		
	<i>Davidsonia jerseyana</i>		
	<i>Tristanopsis laurina</i>		
	Citrus trees such as lemons and limes		



Part ~~E7~~ Edina Estate**6.7 HIGH-PERFORMANCE BUILDINGS AND SITE RESILIENCE****Objectives**

- (a) To ensure a high level of sustainability across all elements of the estate.
- (b) To optimize opportunities for environmentally sustainable design to minimise carbon emissions, energy use, potable water use and waste.
- (c) To encourage a low-carbon, high-performance precinct to help Waverley work towards its target of net-zero emissions.
- (d) To ensure buildings are well-designed to minimise ~~size~~ energy consumption as well as maximise the thermal comfort for the occupants.
- (e) To promote the use of on-site energy generation and storage.
- (f) To ensure the site and buildings are designed to reduce potable water consumption.
- (g) To protect water quality and promote appropriate water harvesting and on-site storage and use of harvested/recycled water.
- (h) To minimise the impacts of the urban heat island effect.
- (i) To minimise the impacts of drought or water shortages.
- (j) To minimise impacts from severe storms or flooding events.
- (k) To support key environmental targets in Council's strategic plans.

**Controls****6.7.1 Energy use and production**

- (a) Building location and façade design is to maximise access to direct sunlight to reduce reliance on mechanical heating.
- (b) Adequate external shading or performance glass is to be provided on the western and north-western building facades to minimise the cooling load required in mid-summer.
- (c) Any on-site renewable energy sources are to be coupled with battery storage.
- (d) The residential component of a building is expected to exceed BASIX Energy, Water and Thermal Comfort targets as specified in the WLEP.
- (e) Commercial buildings shall achieve a Green Star Certified Rating of six (6) stars; and/or a NABERS 5.5-star energy rating and 4.5-star water rating as specified in the WLEP.

**6.7.2 Urban Heat Island**

- (a) To mitigate the accumulation of urban heat, buildings are to utilise light coloured and reflective materials, and where possible provide vegetative surfaces such as green roofs.
- (b) Buildings and roof materials are to be a light coloured material to reduce solar absorption.
- (c) Pavements are to mitigate heat accumulation where possible through materials which consider end users and that maximize permeability and/or reflectivity.

**Part E75 Edina Estate**

- (d) Provide one building in the precinct able to function as an accessible refuge for on-site residents from the heat in the case of emergency, with access to a back-up power supply available on the site.

**6.7.3 Water**

- (a) Principles of Water Sensitive Urban Design (WSUD) are to be applied across all aspects of the development to minimise stormwater discharged from the site and ensure any stormwater has minimal impact on local waterways and drainage infrastructure.
- (b) Provide fit for purpose water harvesting, re-use, and on-site storage.
- (c) Maximise indoor and outdoor water efficiency in order to reduce potable water consumption.
- (d) Design to increase resilience to flooding and drought and integrate with stormwater quality, quantity and urban canopy/greening requirements.
- (e) Maximise permeable areas and materials across the site to reduce runoff and better manage stormwater capacity.
- (f) Minimise infrastructure and utility conflicts to prevent damage in storms.

Part ~~E7~~5 Edina Estate**6.8 TRANSPORT AND SITE ACCESS****Objectives**

- (a) To reduce the reliance on private vehicle usage.
- (b) To minimise conflicts between pedestrians and vehicles.
- (c) To ensure the provision of an appropriate number of vehicular spaces having regard to the proposed operating activities on the land. The intensity of these uses should aim to minimise traffic congestion and waiting time at intersections.
- (d) To promote bicycle usage to and from the site.

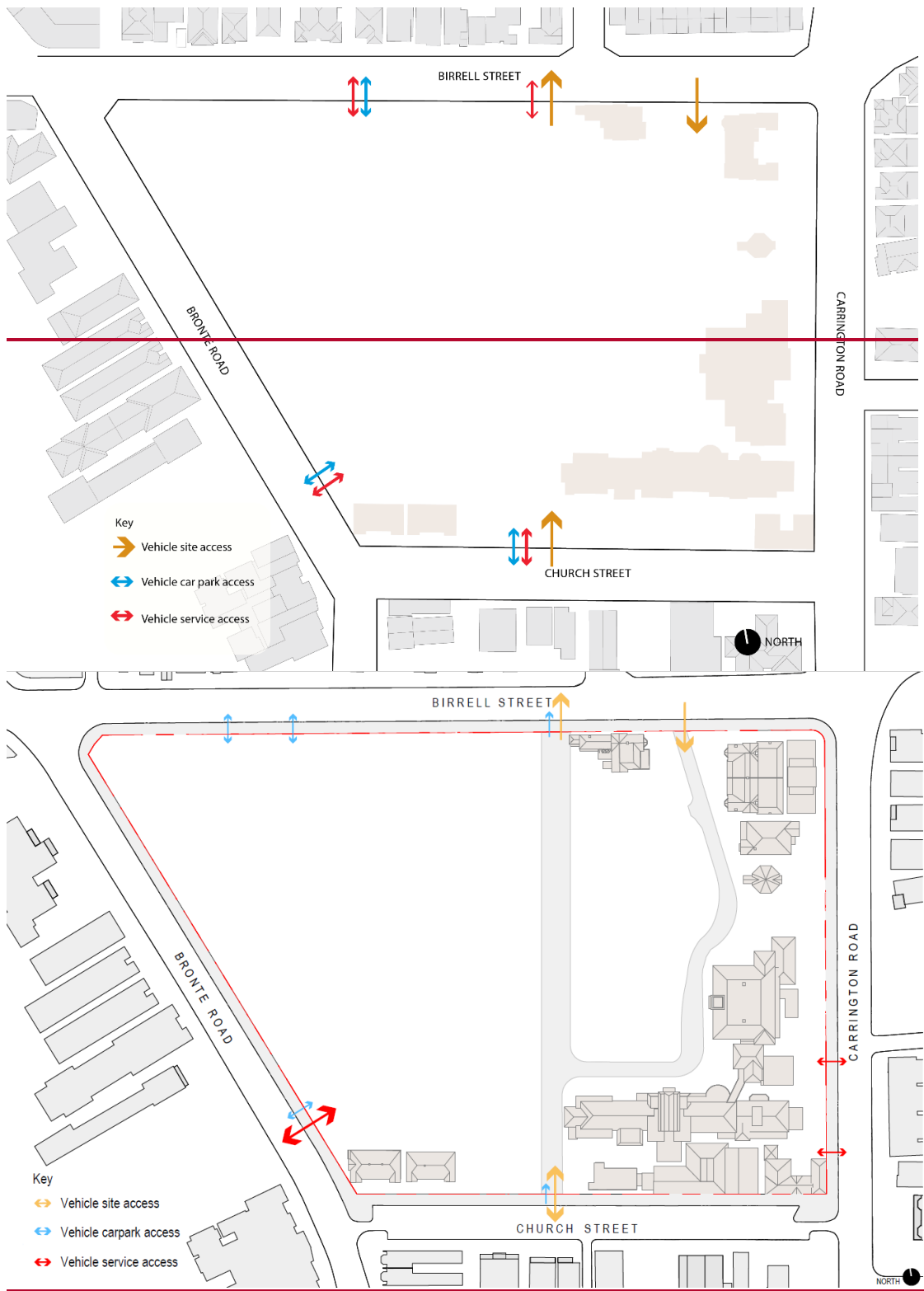
**Controls****6.8.1 Loading Facilities**

- (a) Loading for RAC, commercial and hospital facilities should be accessed from ~~Church Street~~ Bronte Road.
- (b) Loading for residential facilities should be located to ensure easy access for residents, removalists and waste collection services while ensuring adequate amenity and safety for surrounding uses.
- (c) Loading facilities should be visually concealed where possible within building envelopes.

**6.8.2 Driveways and Vehicle Access**

- (a) Vehicle access to the site is to be provided in accordance with Figure 6.
- (b) Vehicle access through the site is to be designed to ensure the safety of visitors and residents, whilst encouraging pedestrian movements across the site.
- (c) Any vehicle access that may be provided via Bronte Road, must be designed to minimise vehicle, cyclist and pedestrian conflicts, and must not create unreasonable service disruption to the intersections surrounding the site.
- (d) Traffic modelling is to take into account busy traffic periods during school zone times.
- (e) Service vehicle movements across the site should be managed to minimise vehicle and pedestrian conflicts, and to maximise pedestrian amenity.

Part E75 Edina Estate



**Part E75 Edina Estate****6.8.3 Parking**

- (a) On-site staff car parking is to be minimised to the extent that it does not affect the operation of the site and its facilities.
- (b) Car parking must not be sub-leased out to external users.
- (c) Car parking is predominantly to be provided in basements underneath the buildings on site.
- (d) Consolidated basements between buildings are to be designed to maximise deep soil across the site.
- (e) The ~~maximum~~ car parking rate for independent living units and residential aged care is to be in accordance with the provisions of any relevant Environmental Planning Instrument that governs the provision of Seniors Housing.
- (f) Bicycle parking, lockers and changerooms are to be provided at the rates specified in Part B General Provisions of this DCP. These facilities should be accessible and attractive. Where provided in a basement the facilities are not to contribute to the calculation of gross floor area.

**6.8.4 Electric Vehicles**

- (a) Provision for electric vehicle charging stations is to be provided in accordance with Part B78.8 Electric Vehicle Charging Points of the WDCP.
- (b) A dedicated space and charging point for electric bicycles and mobility scooters to be charged must be provided.
- (c) Car share is to be provided at the rates specified in Part B78.7 Car Share of the WDCP.

Part ~~E7~~5 Edina Estate**6.9 WASTE****Objectives**

- (a) To minimise conflicts between pedestrians, traffic and waste collection.
- (b) To ensure a pleasant campus environment.
- (c) To minimize impacts of large vehicles on new and proposed open spaces.
- (d) To provide for the efficient and safe collection of waste across the site.
- (e) To ensure buildings are designed to enable the safe and concealed storage of waste on-site.
- (f) To provide for adequate waste storage for the proposed use of each building.

**Controls**

- (a) Development is to comply with the requirements of B1 Waste of this DCP.
- (b) Bins are not to be presented on street for collection.
- (c) On-site collection is to be provided for, and where possible to be collected from within a building footprint.
- (d) Residential waste and recycling are to be clearly separated from RAC, hospital and commercial waste and recycling.

|

APPENDIX 1 – CONSERVATION MANAGEMENT PLAN

|



# Uniting (NSW) Waverley War Memorial Hospital Site

## Conservation Management Plan

Version 2.2

April 2017



Prepared for Uniting (NSW)  
by  
HECTOR ABRAHAMS ARCHITECTS



*Conservation Management Plan  
Uniting Waverley War Memorial Hospital Site, 2017*

---

## Version Control

Version	Authors	Date
Version 2.2	Hector Abrahams Architects	April 2017
Version 2.1	Hector Abrahams Architects	February 2017
Version 2 (DRAFT)	Hector Abrahams Architects	May 2016
Version 1	John Oultram Heritage & Design	March 2005

Uniting (NSW) Waverley War Memorial Hospital Site  
Conservation Management Plan (April 2017)  
Prepared for Uniting (NSW)  
By Hector Abrahams Architect  
Studio 402, Reid House,  
75 King Street, Sydney NSW 2000

*Cover Photo and other recent photographs in this document: Hector Abrahams Architects*

## TABLE OF CONTENTS

<b>1. Executive Summary .....</b>	<b>1</b>
<b>2. Introduction .....</b>	<b>3</b>
2.1. Outline of tasks.....	3
2.2. Definition of the study area .....	3
2.3. Methodology .....	4
2.4. Limitations.....	5
2.5. Identification of authors.....	5
2.6. Acknowledgements .....	5
<b>3. Documentary Evidence/History .....</b>	<b>6</b>
3.1. History.....	6
<b>4. Physical Evidence.....</b>	<b>13</b>
4.1. Description of the site. ....	13
4.2. Analysis of Existing Fabric.....	14
<b>5. Assessment of Cultural Significance .....</b>	<b>16</b>
5.1. Comparative Analysis .....	16
5.2. Assessment of Significance .....	17
5.3. Statement of Significance .....	19
<b>6. Opportunities and Constraints .....</b>	<b>21</b>
6.1. Cultural Significance should be preserved .....	21
6.2. Opportunities for further revealing of significance .....	21
6.3. Opportunities for demonstrating significance.....	21
6.4. Dissemination of knowledge .....	22
6.5. The Requirements of Uniting (NSW).....	22
6.6. Statutory Heritage Listings.....	23
6.7. Non-Statutory Heritage Listings .....	24
<b>7. Conservation Policies .....</b>	<b>26</b>
7.1. Conservation Approach .....	26
7.2. Policies.....	28
<b>8. Appendix .....</b>	<b>31</b>
Detailed Account of the Development of the Estate .....	31

## 1. Executive Summary

This report is about the heritage significance of the War Memorial Hospital site in Waverley.

In Sections Three, Four and Five, a detailed examination of the site and its history is presented, and conclusions drawn to define the heritage significance of the site in this way-

*Donated to the Methodists by the Vickery family as a memorial to Ebenezer Vickery Jr, the place is an outstanding representative example of private philanthropy and the 20th century conversion of Victorian estates to institutional uses.*

*The War Memorial Hospital, established in 1922 by the Methodist Church as a memorial to the First World War, occupies the buildings and grounds of the former Edina estate, which is aesthetically and historically significant as a suburban Victorian estate that retains its spatial order, scale and planning, as well as four very good Victorian houses, three of which form a significant streetscape along a rare private streetscape. The Victorian landscape planning is overlaid by a 1920s landscape of significance in its own right, as are the 1930s hospital chapel and main wing.*

*The site's mansion tower and Norfolk Island pines have landscape urban significance as landmarks within the broader surrounding area.*

After an examination in Section Six of the opportunities and constraints that arise from this significance, and the needs of the owners, policies for conserving that significance are presented in Section seven. The policies address

- Conserving the single estate character and its main landscape spaces and landmark trees;
- Preserving the Victorian Buildings, Main Hospital Building and Chapel and the important garden spaces;
- Reconstruction of the main driveway sequence, or approximation thereof;
- Developing parts of the site to extend its historic use as a unified place of care.

*Conservation Management Plan  
Uniting Waverley War Memorial Hospital Site 2017*

*1. Executive Summary*





## **2. Introduction**

### **2.1. Outline of tasks**

This plan provides a detailed analysis of the place and an assessment of the sites as a whole and its major significant elements. It also identifies the built elements, site features and landscape features on the site.

The history of the site is investigated from documentary sources. Then the cultural significance of the site is assessed and a statement of significance defined.

The implications of its significance, its statutory listings, and the owners' requirements are analysed, and in light of this, policies are developed for the conservation of that significance.

This report is a revision of the Conservation Management Plan and Development Strategy for the Waverley War Memorial Hospital prepared by John Oultram Heritage & Design in March 2005 (2005 CMP). For this revision

- The detailed historical account prepared for the 2005 CMP is reproduced in the Appendix. Additional photographic research has been undertaken for this revision, and four additional photographs are reproduced in the report;
- A new survey of the site has been done, to present current configurations, along with new diagrams to demonstrate site development that includes spaces between the buildings on the estate;
- A new Assessment and Statement of Significance has been prepared;
- Diagrams have been prepared to indicate in detail levels of Significance across the whole site;
- Formal policies have been formed based partly on a new statement of owner's needs.

### **2.2. Definition of the study area**

The site is that of the Uniting Waverley War Memorial Hospital Site in Bronte Street Waverley, as shown in Figure 1. The real property descriptions are also shown on the plan.

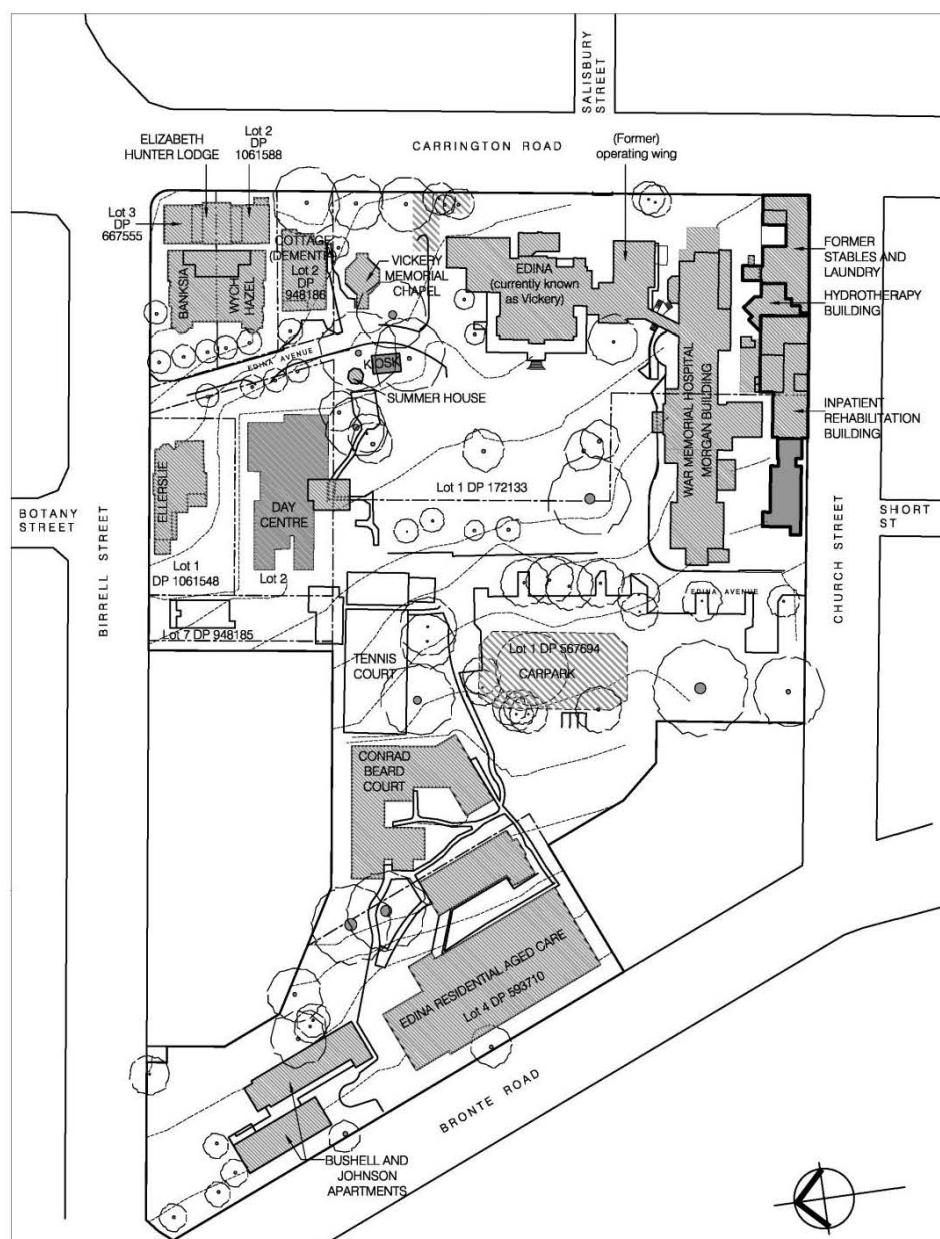


Figure 1: Site Location Plan for Uniting Waverley War Memorial Hospital Site. (Source: Hector Abrahams Architects.)

### 2.3. Methodology

The form and methodology of this report follows the general guidelines for conservation management plans outlined in J S Kerr, *The Conservation Plan*, The National Trust of Australia (NSW), sixth edition, 2004, the guidelines to the Australia ICOMOS Charter for Places of Cultural Significance (The Burra Charter), and the NSW Heritage Branch and Planning NSW's publication *Heritage Manual* (November 1996, as amended July 2002).

## 2.4. Limitations

This report addresses only the European cultural significance of the place.

This report does not address indigenous heritage significance, which can take the following forms:

- archaeology of indigenous pre-history
- post-contact history
- Present-day associations or spiritual attachments.

The report does not include analysis of the interiors of buildings, or their individual developmental history.

## 2.5. Identification of authors

The 2005 report was prepared by John Oultram and Susan O'Neill. The historic research was undertaken by Nicholas Jackson. Colleen Morris assessed the landscape, and Dominic Steel the archaeology of the site.

The history component (Section 3.1: History) of this revised report has been summarised from the 2005 report by the historian Meg Quinlisk. She also contributed to the assessment of significance and policy development. Hector Abrahams and Tonia Reed Abrahams prepared this report (Revised Version 2017), indicating where relevant text from the 2005 report has been used.

## 2.6. Acknowledgements

The authors acknowledge with thanks the assistance provided by

- Trent Wiggins and Fiona Logge at Uniting (NSW)
- Dr Alex Byrne, NSW State Librarian
- Michael Grave, architect, Cox Richardson Architects and Planners

### **3. Documentary Evidence/History**

#### **3.1. History**

*This history was written by Meg Quinlisk. The 2005 CMP contains a detailed account of the development of the estate, which can be found at Appendix 1*

The Waverley War Memorial Hospital is the result of the philanthropic benefaction of the Edina estate, made by the descendants of Ebenezer Vickery (1827-1906), who was a successful and influential Sydney merchant during the second half of the 19<sup>th</sup> century.

Vickery purchased the majority of the estate at Waverley in 1859. The property already contained a house known as Rockhampton, built about 1853. In 1874 and 1875, Vickery purchased two additional allotments of land contiguous with the Edina estate, thus returning the property to its originally-granted form of 1840: an 8-acre portion bounded by Birrell Street, Church Street, Carrington Road and Bronte Road. The mansion at the heart of the estate was constructed in 1884 by the builder William Leggoe of Paddington<sup>1</sup>, probably to the design of Thomas Rowe. Rowe (1829-1899) was one of the most prominent architects in New South Wales in the later 19<sup>th</sup> century. He was a Methodist, and his offices were in Vickery's Chambers on Pitt Street. Rowe had previously designed business premises for Vickery, as well as a number of Methodist churches which were financed by Vickery.

Other buildings on the estate completed by 1888 include the stables and coach house and a gate lodge. A private drive extended off Birrell Street and passed between a semi-detached pair of villas known as Wytchazel and Banksia (built c.1882 to accommodate Vickery's sons<sup>2</sup>), and the house known as Ellerslie (housing a Vickery son-in-law; built c.1882; possibly contains remnants of the 1853 house Rockhampton). Photographs from this period show that the estate was planned along the lines of the picturesque aesthetic: the principle houses sat on grassed terraces raised above a formal lawn and pleasure garden laid out with paths and decorated with statuary and a pond. Thick plantings of trees and bushes created a backdrop 'wilderness' setting in views of the house obtained as a visitor approached via the formal driveway from the northwestern corner of the estate (at the intersection of Birrell Street and Bronte Road).

---

<sup>1</sup> 'Advertising', *Sydney Morning Herald*, 17 January 1884, p. 13.

<sup>2</sup> Thomas Rowe called for tenders for the erection of two semi-detached villas at Waverley in November 1881; 'Advertising', *Sydney Morning Herald* 24 November 1881, p. 11.





Figure 2: View towards Edina showing formalised pathway and pond surrounded by camellias and roses, c.1894. The integrated landscape can be clearly seen, with the pond being the vehicular "drop-off" point for the house. (Source: Vickery Album, SLNSW, PXA 1742)



Figure 3: The open character of the landscape close to the house with tennis lawn in front of Edina, c.1894. (Source: Vickery Album, SLNSW, PXA 1742)



Figure 4: View towards Edina from the service paddocks, now the site of the current War Memorial Hospital building. Note the already mature Norfolk Island Pines. (Source: Vickery Album, SLNSW, PXA 1742)



Figure 5: Banksia and Wytchazel behind an original iron palisade fence, reinforcing the “private street” nature of this entry to the site. (Source: Vickery Album, SLNSW, PXA 1742)

Following Ebenezer Vickery's death in 1906, his son Ebenezer Vickery Junior inherited the estate. He subdivided it between various family members, but retained the bulk of the estate himself. He lived at Edina until his death in 1915. He was survived by his wife, Ella Jane Vickery, who remained at Edina. A diagram showing the features of the estate at the end of this period is shown at Figure 6.

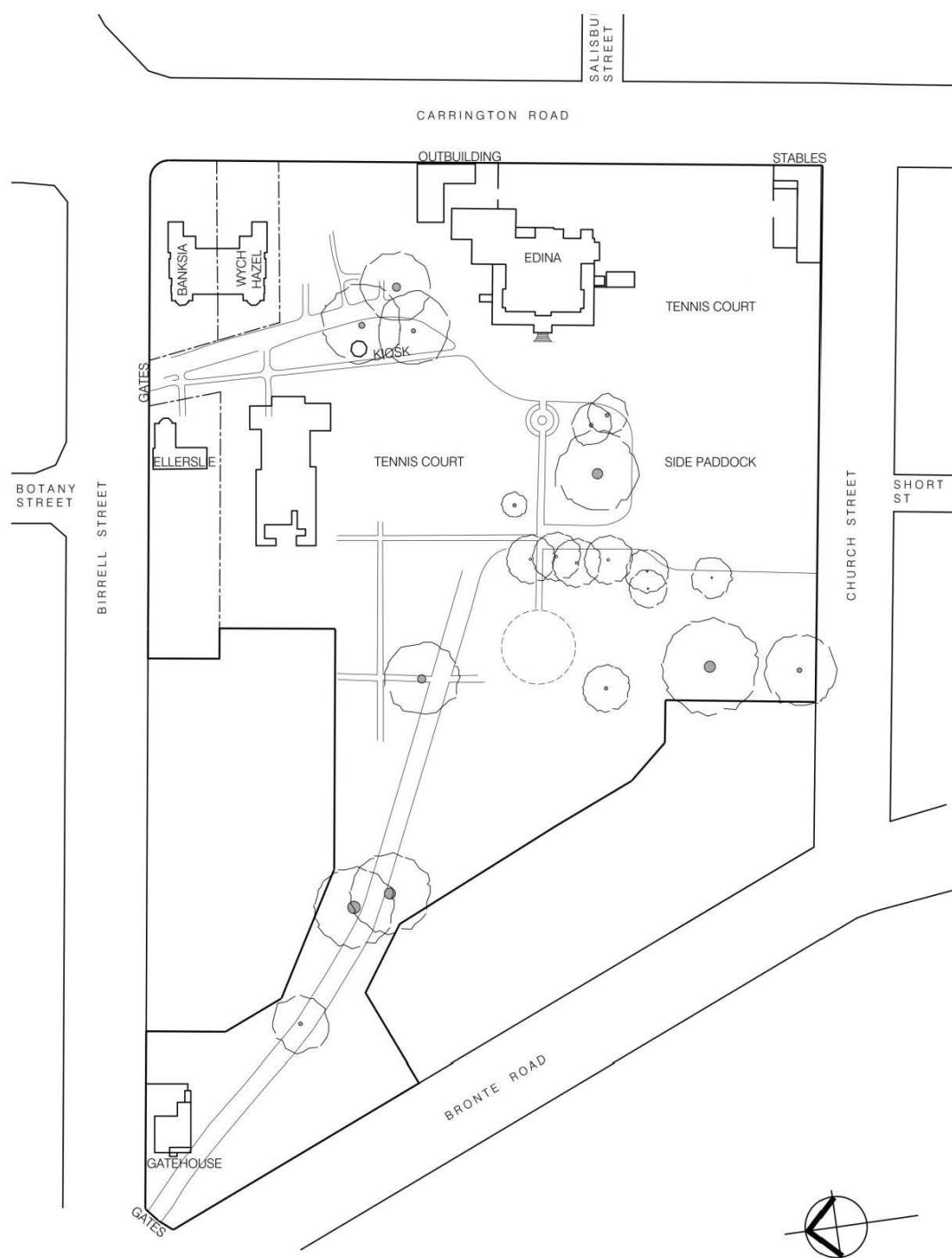


Figure 6: Features of the Edina estate. (Source: Hector Abrahams Architects)



At the end of the First World War, the Methodist Conference for NSW agreed to found a hospital as a war memorial. On Anzac Day 1919, Ellen Jane Vickery offered Edina – including the main house, front lawn, top tennis court, glass house, stables and men's quarters – to the Methodist Church for use as a hospital, in memory of her late husband Ebenezer Vickery, Jr. The terms of her gift required the Methodists to purchase the adjoining 3 acres of land containing the houses Wytchazel, Banksia and Ellerslie, and six cottages.

The Church accepted the terms of the offer in June 1919. Ellerslie was converted for use as an isolation ward for 19 patients, and became the first part of the hospital to be opened, in February 1921. The formal handover of the title deeds took place at the official opening of the War Memorial Hospital by the Governor Sir W. Davidson on Remembrance Day, 1922. The hospital operated under the *Private Hospitals Act* 1908 and was overseen by a board which included representatives of the Vickery family.

Upon opening, the hospital contained 92 beds in Edina and Ellerslie. Banksia and Wytchazel provided accommodation for nurses. From its opening, the hospital was accredited as a training hospital for general nurses. Over the ensuing years, developments in medical practice saw the following changes and additions to the former Edina estate:

- 1923 New wing added to Edina for operating theatre
- 1933 Vickery Memorial Chapel was built with a bequest by the Vickery family as a memorial to Ellen Jane Vickery, who died in 1932.
- 1933 Coach house and stables converted to laundry.
- 1935 New hospital block, designed by Noel W. McPherson was opened by the NSW Premier. It functioned as a maternity block.
- 1952 Elizabeth Hunter Nurses Home was purpose-built for nurses' accommodation.
- 1963 Construction of Eastern Suburbs Senior Citizens Welfare Centre on Bronte Road.

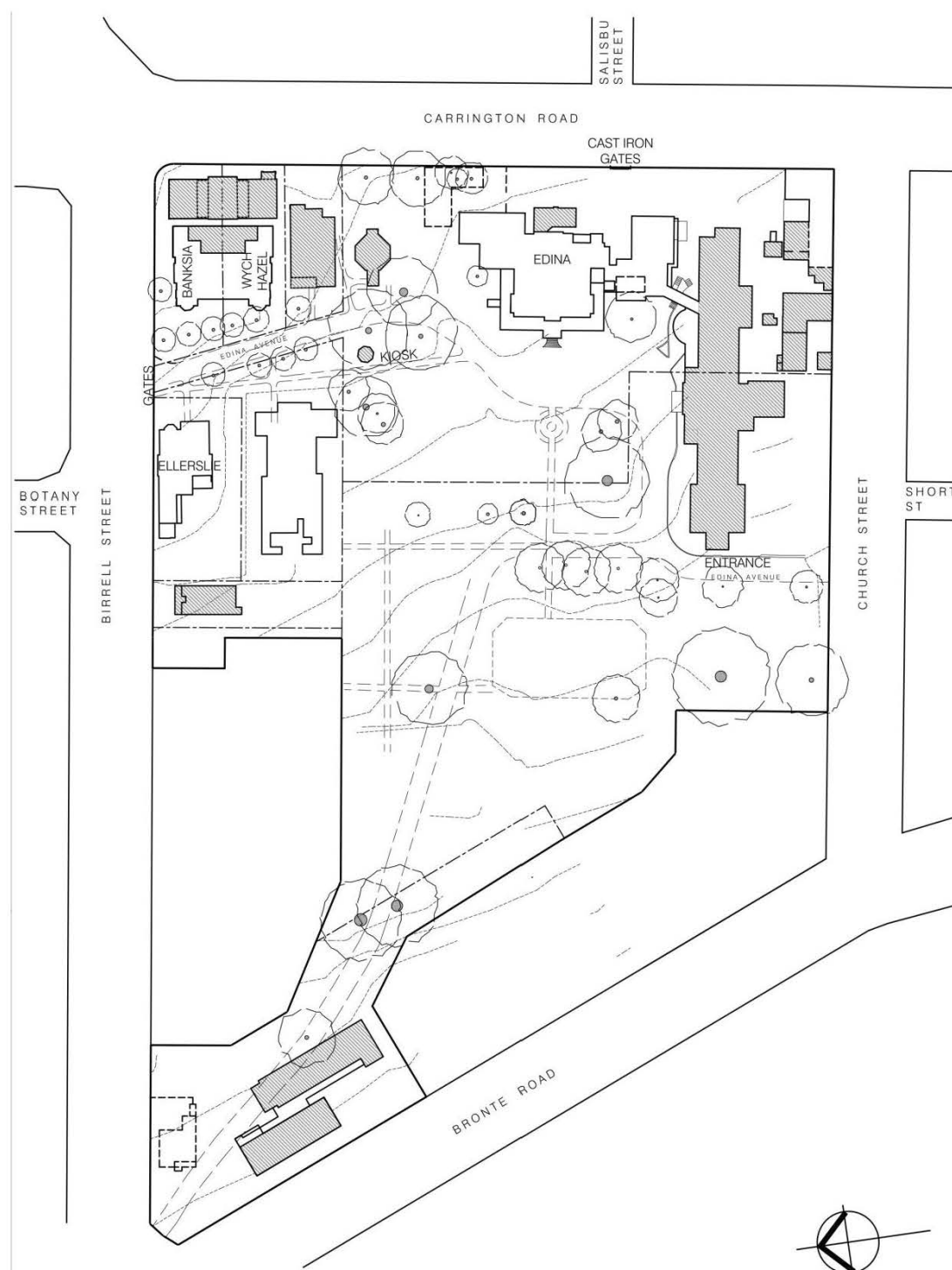


Figure 7: Major features of the hospital period, 1919-1963. (Source: Hector Abrahams Architects)

From 1969, the hospital became part of the public hospital system. This brought in public funding, but over time it changed the nature of services provided. The nurses' training ceased. Maternity services at the hospital closed in 1979. Since 1982, the hospital's focus has been geriatric rehabilitation and assessment services. Between 1988 and 1991, additional land was

purchased and the aged self-care complex was completed. Aged care continues to be the War Memorial Hospital's primary area of practice, as well as a range of outpatient services.

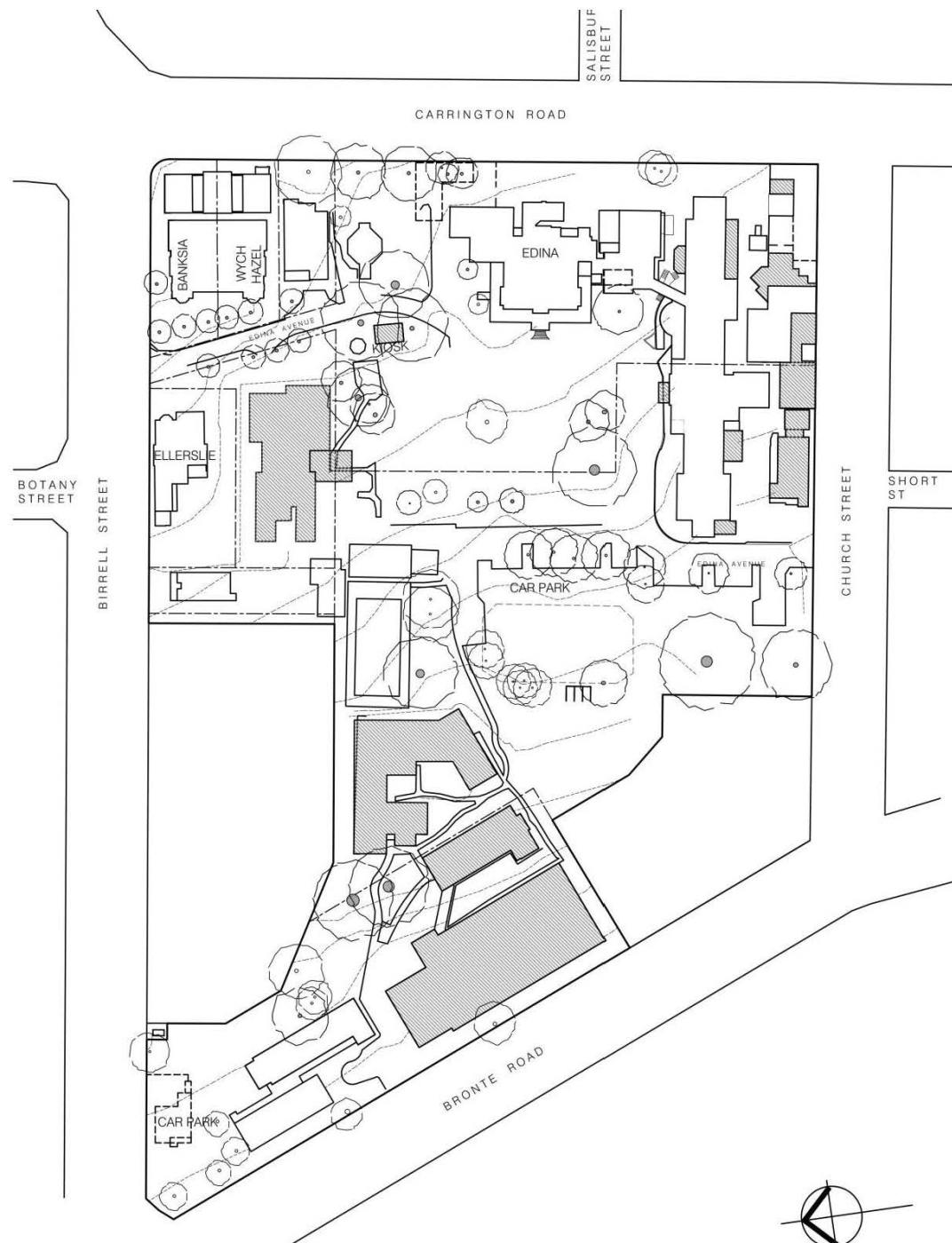


Figure 8: Major features of the hospital 1969 to present. (Source: Hector Abrahams Architects)



## 4. Physical Evidence

### 4.1. Description of the site.

*This description is from the 2005 CMP. References to figures have been brought up to date.*

The War Memorial Hospital is situated on a ridge of the highest point in the eastern suburbs. The site is bounded by Birrell Street, Carrington Road, Church Street and Bronte Road. Portions of this block, including a strip along Birrell Street and the corner site on Bronte Road and Church Street are privately owned. A number of the semi-detached houses along Birrell Street have been purchased by the hospital over the years.

The site contains a very fine group of high Victorian buildings, of which the most elaborate house in the area is Edina (Vickery Building), a large two storey Victorian house with a tower. The house has an extant stable block to the south west corner of the site that has now been converted to workshops. The site contains extensive remains of the former Victorian garden and trees, particularly in the terraced lawns near Edina. It also retains pathways, steps and drives from that time.

There is also a group of three, two storey, boom period, Italianate/Gothic houses towards Birrell Street that flank an entry drive, Edina Avenue, leading from the street to the main house.

There are two smaller houses in the Federation/Inter war style along Edina Drive that have been converted for hospital use.

The grounds have been developed for hospital use, and latterly aged care and rehabilitation services and contain a large number of buildings built for these services. Most prominent is the Morgan Wing, a long, three storey Mediterranean style building to the east of Edina with a four storey tower flanked by a decorative terracotta tile roof.

The site slopes east to west. The lower portion of the site has been heavily redeveloped for aged care accommodation. There are a number of temporary modern sheds and portacabins around the site and a network of drive and parking areas.

Two sections of ornate, original gates and fence sections survive on Carrington Road behind the Vickery Building and on the corner of Birrell Street and Bronte Road. There is a small section of low sandstone fence to Bronte Road and a higher section along church road that is in part a retaining wall and is incorporated into some of the buildings along this boundary. The site contains extensive landscaping and planting. This has been identified in Figure 9 below.

The site has much of its earlier Victoria garden layout and plantings, though this has been overlaid with plantings from each era of development. The upper portion of the site at Edina is laid out with terraced lawns to the front of the house with a turning circle and paths on the central axis of the house. The lawns are planted with mature Figs, two very tall Norfolk Island Pines and later Phoenix Palms. The Norfolk Island Pines are visible from many aspects around the site and beyond.

There are some interesting specimen trees indigenous to Queensland that may have been selected plantings in the lower garden (Queensland Firewheel tree. *Podocarpus* sp.)(no.14 in figure 9).

To the north is a drive and pathway that form the main entrance from Birrell Street that are lined with Phoenix palms and later, low planting.

There are boundary tree plantings to the rear of Edina along Carrington Street but this area is largely hardstanding.

The lower portion of the site has been redeveloped for buildings and pathways though there are remnant Victorian plantings along the lower terrace bank and in the section of the site toward the ornate entry gates to Bronte Road. There is a large area of lawn towards the rear of the houses along Bronte Road.

#### **4.1.1. Site Features**

The site contains extensive remains of the original development of the site and many later site features.

The upper portion of the site contains many elements from the Victorian garden including a set of statues on pedestals that appear to represent the arts and industry. The form of the original turning circle is in place, though resurfaced, and the original paths and planters have rolled and roped edges in places.

## **4.2. Analysis of Existing Fabric**

The physical fabric of the estate, its principle views and spaces have been surveyed and recorded on the plan Figure 9.



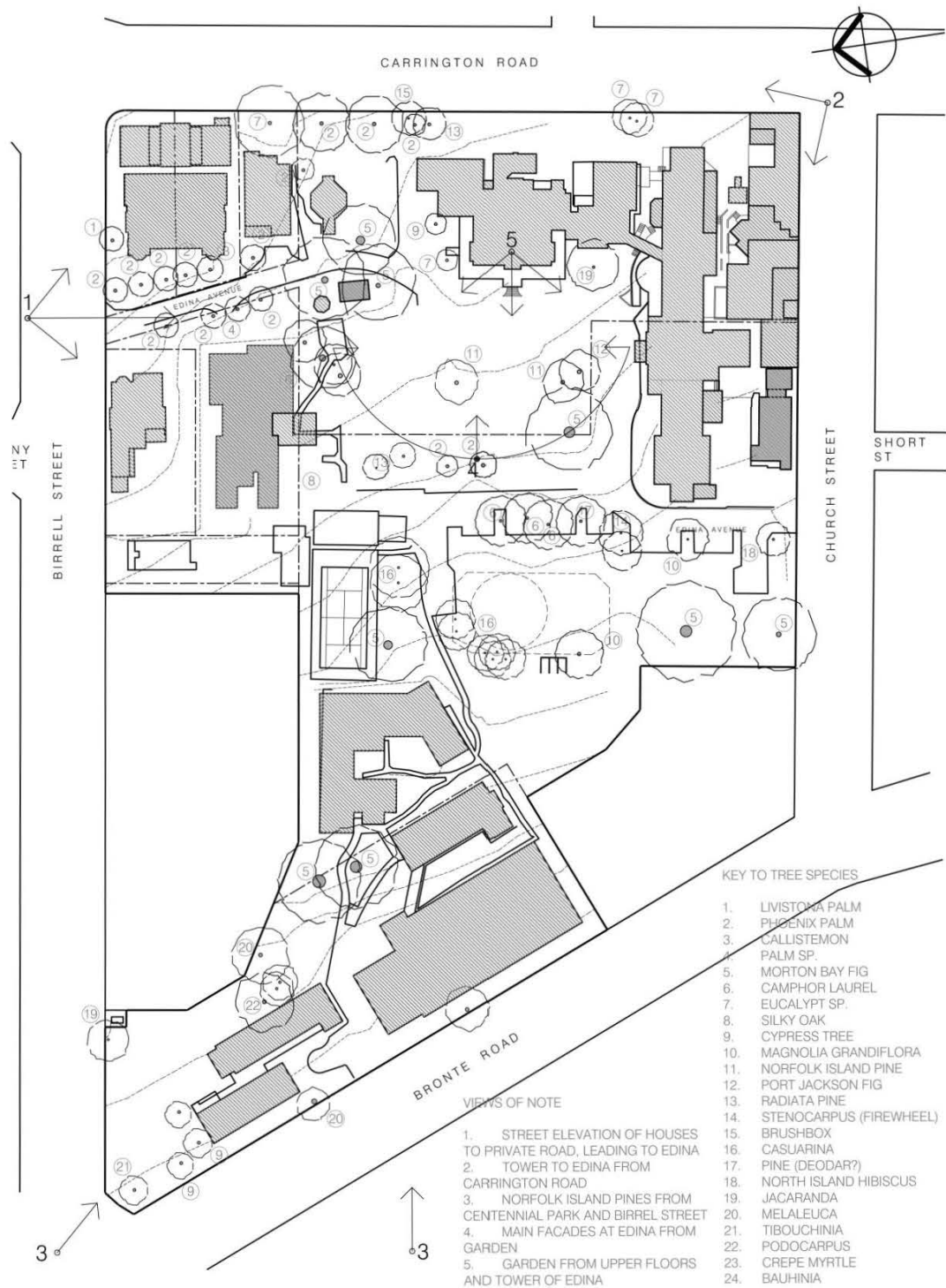


Figure 9: Principle views and spaces of the site. (Source: Hector Abrahams Architects)



## **5. Assessment of Cultural Significance**

### **5.1. Comparative Analysis**

The War Memorial Hospital is one of a set of Victorian suburban estates in Sydney that survive to the present day with their Victorian-period spatial integrity intact. Several of these have become institutions through philanthropic donations which, in some cases, ensured their survival. While some continue to be occupied as private residences (e.g., Swifts, Fairwater, Bronte House), many others have become schools, and several have become hospitals.

This group of surviving Victorian suburban estates includes the following major examples:

- Cardinal's Palace, Manly (now part of St Paul' Catholic College)
- Gorton, Ashfield (now The Infants Home)
- Yasmar, Haberfield ( now a juvenile justice centre)
- Mount Royal, Strathfield ( now a campus of the Australian Catholic University)
- Aston Lodge, Randwick (now the Emanuel School)
- Aeolia, Randwick ( now Brigidine College)
- Graythwaite ,North Sydney (now part of Shore School)
- Greenoakes, Darling Point (recently ceased use as Residence of the Archbishop of Sydney)





## 5.2. Assessment of Significance

Having arrived at an understanding of the place through analysis of the relevant documentary records as well as the physical fabric of the place, the following assessment of the cultural significance of the site is made in accordance with the New South Wales State Heritage Criteria.

*Criterion (a): An item is important in the course or pattern of NSW's (or the local area's) cultural or natural history.*

The Waverley Memorial Hospital is historically significant as an example of planned benefaction, a form of philanthropy that saw 19<sup>th</sup> century suburban villas, mansions and estates donated in the early 20<sup>th</sup> century for use by social institutions for the public good.

The Methodist Church's establishment of a hospital as a memorial to the First World War is a prominent example of the expressions of commemoration which prevailed in Australian public and community building projects in the 1920s.

The site and 19<sup>th</sup> century residential buildings at the War Memorial Hospital reflect the history of subdivision and residential development of the area, in particular the construction of mansions within landscaped grounds by the wealthy merchant classes, buoyed by the stable economic conditions of the 1870s and 1880s.

The ongoing use since 1922 as a fully-equipped medical hospital offering nurses' training is of historical significance in the evolution of health care and services in suburban Sydney.

*Criterion (b): An item has strong or special association with the life or works of a person, or a group of persons, of importance in NSW's (or the local area's) cultural or natural history.*

The Edina estate is closely associated with the Vickery family, the prominent 19<sup>th</sup> century Sydney merchants and philanthropists who supported many works by the Methodist Church. The family's donation of the estate to the Methodist Church was made as a memorial to Ebenezer Vickery Jr.

As one of the most ambitious and substantial works ever carried out by the Methodist Church in NSW, the War Memorial Hospital has a strong and significant historical association with the Methodist and later with the Uniting Church.

*Criterion (c): An item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW (or the local area).*

The War Memorial Hospital site is one of the largest remaining suburban Victorian spaces in eastern Sydney; its overall spatial order is still discernible through the site's topography, trees, scale and arrangement of buildings. It contains Edina, which is a very good and highly intact example of a Victorian mansion, which is a showpiece of Victorian architectural technology (vaulted and concreted verandah construction, cast ironwork, internal stairs). The three large Victorian houses (Ellerslie, Banksia, Wytchazel) built for family members, designed as a group and distinctively located along a private street, form a rare and very good example of a Victorian streetscape to two streets: the private street and Birrell Street.

The landscape design is significant as a highly representative example of Victorian estate planning, including the remnant statuary, tree species, fences and gates. The picturesque character of this Victorian landscape is overlaid by 1920s hospital-period landscaping which is of aesthetic and stylistic significance in its own right. The Norfolk Island pines within the lawn are aesthetically significant as landmark trees visible from as far away as Centennial Park. The tower of Edina, visible from the surrounding streets and along the length of Birrell Street, is of similar landmark value.

Some of the 20<sup>th</sup> century hospital buildings are of aesthetic significance in their own right. The 1935 wing is a stylistically rare example of European expressionism, and is sensitive to Edina in its siting and scale. The chapel is a fine and original work of chapel architecture and rare for its time.

*Criterion (d): An item has strong or special association with a particular community or cultural group in NSW (or the local area) for social, cultural or spiritual reasons.*

The War Memorial Hospital is of some social significance for the high esteem the local community have held for it over the 20<sup>th</sup> century. People who have had some contact with the hospital, including people who were born there during its time as a maternity hospital, and nurses who trained there, hold it in high regard. There are several expressions of gratitude to the hospital by local community groups located within the hospital, and it continues to be a place of memorial, with buildings, wings and rooms given names in honour of individuals.

*Criterion (e): An item has potential to yield information that will contribute to an understanding of NSW's (or the local area's) cultural or natural history.*

The site has low archaeological potential; but within the buildings there is some research potential to discover the earlier forms of the Victorian houses.

*Criterion (f): An item possesses uncommon, rare or endangered aspects of NSW's (or the local area's) cultural or natural history.*

As discussed above, the War Memorial Hospital contains a rare example of European expressionism (1935 main wing) and a 1930s chapel which is rare for its time. As well, the Victorian streetscape of the private street addressed by three Victorian houses built as a set is significant for its rarity. The estate is one of a very small number of Victorian Sydney suburban estates to survive with its spatial order and 19<sup>th</sup> century planning intact.

*Criterion (g): An item is important in demonstrating the principal characteristics of a class of NSW's (or the local area's) cultural or natural places; or cultural or natural environments.*

As discussed above, the War Memorial Hospital is an excellent representative example of the philanthropic conversion of a 19<sup>th</sup> century mansion estate to a community use. The mansion itself is a very good and highly intact example of its type. The establishment of the hospital as a memorial to the First World War is a very good and substantial example of commemorative projects undertaken by private and public organisations in the 1920s.

### 5.3. Statement of Significance

Donated to the Methodists by the Vickery family as a memorial to Ebenezer Vickery Jr, the place is an outstanding representative example of private philanthropy and the 20th century conversion of Victorian estates to institutional uses.

The War Memorial Hospital, established in 1922 by the Methodist Church as a memorial to the First World War, occupies the buildings and grounds of the former Edina estate, which is aesthetically and historically significant as a suburban Victorian estate that retains its spatial order, scale and planning, as well as four very good Victorian houses, three of which form a significant streetscape along a rare private streetscape. The Victorian landscape planning is overlaid by a 1920s landscape of significance in its own right, as are the 1930s hospital chapel and main wing.

The site's mansion tower and Norfolk Island pines have landscape urban significance as landmarks within the broader surrounding area.







Figure 10: Ranking of fabric, spaces and views. (Source: Hector Abrahams Architects)

## **6. Opportunities and Constraints**

This section presents information and discussion of issues that bear on the development of policies to conserve the cultural significance of the site.

The section begins with the implications of cultural significance itself, then follows the requirements of Uniting (NSW) and, finally, external statutory requirements.

### **6.1. Cultural Significance should be preserved**

- The form, spaces and uses of the site that demonstrate its historical significance as an outstanding example of private philanthropy and its conversion by the Methodist Church to a war memorial hospital should be preserved and not obscured.
- The aspects of the site that are of aesthetic significance should be preserved. These are its intact spatial order, scale and planning of the estate, its four very good Victorian houses and stables, private streetscape, Victorian and 1920s landscape planting and features, 1930s hospital and chapel.
- The mansion tower and Norfolk Island Pines should be preserved as landmarks in the surrounding areas.

### **6.2. Opportunities for further revealing of significance**

Where the significance of the site is obscured it should be revealed should the opportunity arise. Not all opportunities will necessarily be achievable or desirable. The major opportunities are as follows

- Removal of glass portico to reveal front entrance of 1935 Hospital
- Replacement of concrete driveways with more sympathetic material
- Reconstruction of grass bank to western side of Edina

Further opportunities exist in regard to details of the exterior and interior of the four Victorian houses, stables, summerhouse, and War Memorial Hospital and Chapel. These structures should be studied in more detail.

### **6.3. Opportunities for demonstrating significance**

Opportunities exist to demonstrate or interpret the cultural significance of the site.

- Recreation of the original driveway path, in a manner similar to the original path (this would require the removal of buildings);
- Reconstruction of lower garden area (currently a carpark) to a garden area;
- Planting of trees which are missing from north west corner of the upper garden;
- Construction of a built form to close north end of service space behind Edina (where a Victorian outbuilding formerly stood);

- Construction of some built or garden form on site of original gatehouse (to mark entrance);

and more generally, and perhaps importantly

- Develop the site with an appreciation of its identity as a single planned estate;
- Develop the site with an appreciation of the spatial order of the estate, which is contiguous over all of its history to date.

Again, further opportunities exist in regard to details of the exterior and interior of the four Victorian houses, stables, summerhouse, and War Memorial Hospital and Chapel. These structures should be studied in more detail.

#### **6.4. Dissemination of knowledge**

Opportunities exist to foster an appreciation of the significance of the site,

- Through composing written histories;
- By collecting historic information and material formally in an archive;
- By promoting more research into the site and its history.

#### **6.5. The Requirements of Uniting (NSW)**

Uniting (NSW) wishes to provide a long term planned framework for the site in line with its broader mission and vision. The vision for the campus is “to be a restorative place; a village that is accessible to the broader community”.

The intention is that the campus will be planned to include a residential aged care facility (RAC), a Third Schedule Hospital under the Health Services Act 1997, a range of community services, independent living accommodation, childcare and upgraded and augmented existing services.



## 6.6. Statutory Heritage Listings

### 6.6.1. Local Environment Plan (LEP)

The site is entered on the Waverley Local Environmental Plan 2012 - Schedule 5 Environmental heritage as follows:

Locality	Item name	Address	Property description	Significance	Item no
Waverley	War Memorial Hospital—landscape	Birrell and Church Street and Carrington Road	Lot 2, DP 1061588; Lot 1, DP 567694; Lot 7, DP 948185; Lot B, DP 317831; Lot 1, DP 172133; Lot 3, DP 667555; Lots 1 and 2, DP 1061548; Lot 1, DP 948186	State	1519
Waverley	War Memorial Hospital, Late Victorian buildings and former stables	125 Birrell Street	Lot 2, DP 1061588; Lot 1, DP 567694; Lot 7, DP 948185; Lot B, DP 317831; Lot 1, DP 172133; Lot 3, DP 667555; Lots 1 and 2, DP 1061548; Lot 1, DP 948186	Local	1449
Waverley	Federation style detached residences	2–8 Church Street	Lots 1 and 2, DP 630460; Lot 1, DP 167332; Lots 1, 2 and 3, DP 1098550	Local	1473

### 6.6.2. State Heritage Register, NSW Heritage Council

Neither the site nor any of its buildings are currently listed on the State Heritage Register. It is worth noting however that the LEP listing for the War Memorial Hospital Grounds notes the site is of State Significance.

### 6.6.3. Implications of Statutory Heritage Listings for the site

The listings provide recognition of the cultural significance of site in the planning system of New South Wales. The recognition means that retention of cultural significance is one of the criteria for assessment of any application for consent for works within the site and adjacent to the site. The planning system employs standard methodologies for assessing impact of developments on cultural significance.

## 6.7. Non-Statutory Heritage Listings

### 6.7.1. Australian Heritage Commission

The subject property is listed on the Register of the National Estate (002469) both as a group and the individual buildings including the main building Edina (Vickery Building) and the two houses, Banksia and Wytchazel.

### 6.7.2. National Trust of Australia (New South Wales)

The site is entered on the National Trust Register in the following way:

Locality	Item name	Address	Listing ID
Waverley	Two sets of gates	Birrell Street & Carrington Street (Part Of War Memorial Hospital Group)	S10594
Waverley	War Memorial Hospital Group:	Birrell Street Corner Carrington Street (War Memorial Hospital Group)	S10733
Waverley	Banksia and Wych Hazel	Birrell Street (Part Of War Memorial Hospital Group)	S6714
Waverley	Edina & Stables	Birrell Street (Part Of War Memorial Hospital Group)	S7379

### 6.7.3. Implications of non-statutory listing

The inclusion of the site on these prominent non- statutory lists provides recognition of the cultural significance of the site in a broad State and Commonwealth community level.

### 6.7.4. Building Regulations and Access Legislation

The National Construction code (NCC), incorporating the Building Code of Australia (BCA) and the Commonwealth Disability Discrimination Act (DDA) 1992 establish mandatory standards for new work, and some obligatory requirements for compliance of existing buildings and landscape. Works undertaken must also comply with the current NSW Work Health and Safety Act and the current NSW Work Safety Regulation.

The obligatory requirements for upgrading to these standards generally apply to fire safety, essential services, equitable access and work safety and occupational health standards.

For new work and obligatory upgrade works, the compliance with the NCC is framed in terms of performance standards, in compliance of which 'deemed to satisfy' requirements are defined. It is common practice in buildings of complexity such as St John's, for specific solutions to be engineered to meet fire egress requirements.

Compliance with the BCA does not signify compliance with the DDA. The provisions of the DDA are entirely qualitative. In 2010 the Commonwealth published the Disability (Access to Premises – Buildings) Standards. These are intended to ensure that the requirements of the Act are met.

## **7. Conservation Policies**

### **7.1. Conservation Approach**

Conservation includes all of the processes of looking after a place so that its cultural significance is retained. It is one aspect of the overall management of a place. The Burra Charter is the key document setting out the principles behind conservation in Australia, and the policies below have been formulated in accordance with the Burra Charter.

Conservation policies outline the ideal outcome in heritage terms. It is acknowledged that other factors must come into play in the management of any complex site. In such cases, management decisions which allow the greatest number of conservation policies to be met are to be strived for.

The main tangible aspects of the significance of the Waverley War Memorial Hospital are its aesthetic and historical qualities as a substantially intact Victorian estate. Therefore the conservation approach adopted for these policies relies on the spatial integrity of the place and its aesthetic qualities.

The following policies apply to the site as a whole. Further detailed policies should be developed for the four Victorian houses, stables, summerhouse, and War Memorial Hospital and Chapel.



Figure 11: Site plan illustrating conservation policies. (Source: Hector Abrahams Architects)



## 7.2. Policies

### 7.2.1. Definition of Place, Curtilage and Setting

For planning purposes, it is useful to clearly define a place and its setting. In conservation terms, the setting of a place is the “*environment of a place that is part of or contributes to its significance and distinctive character.*” (Burra Charter Article 1.12)

**Policy 1:** The place and curtilage should be defined as that part of the Edina estate which became the War Memorial Hospital in 1922 (see Figure 11). The setting should be defined as the original Edina estate boundaries and the streets which surround those boundaries: Bronte Road, Birrell Street, Church Street, and Carrington Street.

**Policy 2:** The name of the place “*Waverley War Memorial Hospital*” should continue to refer to the nature of the original hospital’s establishment as a memorial to the First World War.

### 7.2.2. Significant Fabric, Views, Spaces and Spatial Relationships

Much of the significance of a place is derived from its fabric. The term fabric is intended to include broadly the landform, landscape, plantings and vegetation, buildings and other site features, as well as views and spatial relationships. Defining the significant fabric helps in making decisions about the conservation of a place and in making sensitive changes to the place.

**Policy 3:** The fabric, views and spatial relationships ranked Exceptional and High should be conserved. They are:

- Victorian buildings and estate planning: topography, plantings, fences, statuary and spatial order (including the private street, original drive and distinction of service areas (stables and kitchen) from formal areas;
- War Memorial Hospital buildings of aesthetic importance: main building, chapel;
- 1920s landscape items: palm trees, cast iron bollards, reconfigured gates to Birrell Street / Bronte Road and new gates to Carrington Road;
- External views from Centennial Park of the Norfolk Island Pines;
- Existing views of the houses along Birrell Street and tower from Carrington Street (views 1, 2, 3 in Figure 11).

### 7.2.3. Uses and Governance

Use can form part of the significance of a place, especially when it is a historic use which is continuing. Conservation is aided by selecting a use for each space which is able to be accommodated with only minimal change to the significant fabric.

The medical / health care use which took over the private residential use in 1922 is of such long standing and significance in its own right that the medical use may by now be considered a historic use.

**Policy 4:** The existing institutional governance and hospital use is a historic use that should be continued.

**Policy 5:** The historic use should be broadly defined to include uses related to health, aged care and training.

**Policy 6:** The following historic spatial uses relating to the Victorian period should continue or be re-instated:

- early entrances and driveway;
- upper garden areas as garden / passive recreation.

#### 7.2.4. Interpretation and Reconstruction

The Burra Charter defines interpretation as “*all the ways of presenting the cultural significance of a place.*” (Article 1.17) Interpretation can include restoration and reconstruction (ways of returning a place to a known earlier configuration), signs, publications, artworks, lighting and access.

**Policy 7:** The place should be interpreted as the whole estate developed by the Vickery Family as a residence, and then as a result of a major gift, developed as a War Memorial Hospital.

**Policy 8:** Creatively interpreting aspects of the history of the place should be considered as opportunities arise, including

- Develop the site with an appreciation of its identity as a single planned estate;
- Develop the site with an appreciation of the spatial order of the estate, which is contiguous over all of its history to date.

**Policy 9:** The following reconstructions, removals and plantings should be considered:

- Removal of glass portico to reveal front entrance of 1935 Hospital;
- Replacement of concrete driveways with more sympathetic material;
- Reconstruction of grass bank to western side of Edina;
- Recreation of the original driveway path, in a manner similar to the original path (this would require the removal of buildings);
- Reconstruction of lower garden area (currently a carpark) to a garden area;
- Planting of trees which are missing from north west corner of the upper garden;
- Construction of a built form to close north end of service space behind Edina (where a Victorian outbuilding formerly stood);
- Construction of some built or garden form on site of original gatehouse (to mark entrance).

#### 7.2.5. Alterations to the Site (new buildings and landscape)

In many instances, changes will need to be made to significant fabric for good reasons. For example, the removal of some fabric of lower significance may be necessary in order to maintain fabric of higher significance. Generally, fabric of higher significance should be treated more cautiously than fabric of lower significance.

In this case, the site has the potential to be developed further in order to accommodate the continuing historic health care use. However, it would be less preferable to develop the site for different new uses.

The estate design is fundamentally orthogonal, but the arrangement of the carriage drive and the 1920s drive were carried out in the picturesque mode.



Alterations to the site must be careful of the significant fabric of the place and its potential underground archaeological deposits, predominantly the site of the demolished wing to the east of Vickery and the central pond as shown in Figure 11.

**Policy 10:** The siting of new buildings must respect the integrity of estate, its orthogonal and picturesque layouts, and the historic sequence of spaces. New buildings may be placed in the historic lower garden and service court spaces provided those spaces remain discernible. They may replace buildings assessed as being of moderate or low significance. New buildings should not be placed in the upper garden space.

**Policy 11:** the scale of new buildings should be of a scale consistent with the estate. This allows for large buildings; however, new buildings should not challenge the landmark qualities of the Edina tower or the Norfolk Island pines.

**Policy 12:** the character of new buildings and new landscape features should appear to be a development of the estate as a whole, in a similar way that the 1935 War Memorial Hospital appears in relation to Edina.

**Policy 12:** Should works involve areas of potential archaeological deposits, plan for proper investigation and interpretation of those deposits.

#### *7.2.6. Technical Oversight and Review of plan*

**Policy 13:** Involve the standard of professional and craft expertise appropriate to each grade of significance in each area of the site.

**Policy 14:** Review this plan in step with the timing of review of the strategic plan of the Hospital and its masterplan, or when works are proposed to fabric or spaces of Exceptional or High Significance.





## **8. Appendix**

### **Detailed Account of the Development of the Estate**

The following pages have a reproduction of Section 2 – Historical Analysis written for the 2005 Conservation Management Plan by John Oultram Heritage and Design. The history covers

- 2.1 Suburban Context
- 2.2 The Edina Estate
- 2.2 (sic) The War Memorial Hospital
- 2.3 Site Development

Part ~~E7~~<sup>5</sup> Edina Estate

~~APPENDIX 2 – ILLUSTRATIVE CONCEPT DESIGN~~

*Note: APPENDIX 2 – ILLUSTRATIVE CONCEPT DESIGN removed.*

## Summary of amendments in Draft WDCP 2022 – E7 Edina Estate

The table below outlines proposed changes post-exhibition.

**Table 1 – Exhibited Amendments**

#	Issue	Proposed Outcome	Page #
<b>6.1 GENERAL</b>			
1.	Clarifications.	<ul style="list-style-type: none"> <li>Minor amendments to the objectives to include the word 'invited' to the publicly accessible references to reflect the site is privately owned but will be made accessible to the public.</li> </ul>	3
<b>6.2 SITE LAYOUT</b>			
2.	Figure displaying building zones enables removal of mature trees.	<ul style="list-style-type: none"> <li>4 Mature fig trees included on Figure 2 to ensure they are marked as essential as being retained.</li> <li>Update upper legend in Figure 2 to better describe the heritage items and landscaped area on the eastern part of the site.</li> <li>Update Figure 3 Site Layout and New Building Zones to reflect amended possible building zones in line with retention of mature fig trees.</li> <li>Better visual connections between different parts of the site and improved site-lines to significant buildings by the reformulation of the central building zone.</li> </ul>	5,6 & 7
3.	Relationship of any new built form and the corner gates on Bronte Road and Birrell Street.	<ul style="list-style-type: none"> <li>Revise setbacks and change building zone form to ensure built form that presents to the corner is appropriate for the heritage significance of the gates and the importance of the corner itself.</li> </ul>	7
4.	Clarifications.	<ul style="list-style-type: none"> <li>Minor amendments to the objectives and controls to include the word 'invited' to the publicly accessible references to reflect the site is privately owned but will be made accessible to the public.</li> </ul>	5
<b>6.3 BUILT FORM</b>			
5.	Relationship of any new built form and the corner gates on Bronte Road and Birrell Street.	<ul style="list-style-type: none"> <li>Insert clause to ensure any new built form to the corner of Bronte Road and Birrell Street is respectful to the heritage gates and prominence of the corner in the context of the Waverley local area.</li> </ul>	9
4.	Relationship between existing and new built form adjacent to the Ellerslie Building.	<ul style="list-style-type: none"> <li>Clarification around how any built form next to the Ellerslie Building should read.</li> </ul>	8
5.	Relationship between any new built form and existing cottages on the corner of Bronte Road and Church Street.	<ul style="list-style-type: none"> <li>Include new clause regarding the number of storeys of any new built form to the rear of the cottages on the corner of Church Street to ensure the relationship is appropriate.</li> </ul>	8

## Summary of amendments in Draft WDCP 2022 – E7 Edina Estate

#	Issue	Proposed Outcome	Page #
6.	Housekeeping	<ul style="list-style-type: none"> <li>Housekeeping around the 'alternative' building heights rather than 'maximum'.</li> </ul>	8
7.	Number of storeys and sloping nature of the site.	<ul style="list-style-type: none"> <li>Include control with references the fact that due to the sloping nature of the site, a greater number of storeys may be able to achieved than specified in Figure 3, so long as the height limits in the WLEP are not exceeded. This is consistent with the drafted SSDCP placed on exhibition, which due to the sloping nature of the site, some parts of the site achieved greater than the 4 and 6 storeys specified in Figure 3.</li> </ul>	8
<b>6.4 HERITAGE</b>			
8.	Clarifications.	<ul style="list-style-type: none"> <li>Minor amendments to the objectives and controls to include the word 'invited' to the publicly accessible references to reflect the site is privately owned but will be made accessible to the public.</li> </ul>	10
<b>6.4.1 Significant Fabric, Views, Spaces and Spatial Relationships</b>			
9.	Retention of mature trees	<ul style="list-style-type: none"> <li>Insert control specifying 4/5 of the mature fig trees in the lower garden are to be retained and that as many mature trees within this part of the site should be retained as possible.</li> </ul>	11
10.	Public accessibility of the corner gates on Bronte Road and Birrell Steet.	<ul style="list-style-type: none"> <li>Update the control relating to the corner gates as a formal entry point to the site and included reference to the gates being openable, on occasion and for a pathway to be provided from the gates, into the site.</li> </ul>	11
<b>6.4.4 Landscaping</b>			
11.	Housekeeping	<ul style="list-style-type: none"> <li>Include 30% deep soil requirement from WLEP amendment.</li> </ul>	12
<b>6.5 PUBLIC DOMAIN AND OPEN SPACE</b>			
12.	Clarifications.	<ul style="list-style-type: none"> <li>Include the word 'invited' to 'publicly accessible' to reflect the site is privately owned but will be made accessible to the public.</li> </ul>	13
13.	Clarifications.	<ul style="list-style-type: none"> <li>It is not intended for public access to the site to be restricted, but in the instance it needs to be, a minimum period of 9 daylight hours is to be prescribed, rather than a set time, to allow more operational flexibility.</li> </ul>	13
14.	Management of public access to the upper portion of the site.	<ul style="list-style-type: none"> <li>Insert new control to ensure management of public access is addressed in a plan of management.</li> </ul>	13
15.	Hierarchy of open spaces	<ul style="list-style-type: none"> <li>Update Figure 4 in line with revised building layouts from Figure 2 and other housekeeping matters relating to the changes in the DCP which affect this diagram. Adjustment of legend to explain</li> </ul>	14

## Summary of amendments in Draft WDCP 2022 – E7 Edina Estate

#	Issue	Proposed Outcome	Page #
		'Indicative Deep Soil Zone' as deep soil zones will not be limited to these areas and are to be provided as a minimum of 30% in line with the WLEP.	
16.	Site plan identifying through site links	<ul style="list-style-type: none"> <li>Update Figure 5 to facilitate the revised principles relating to the different hierarchy of open spaces and the access resulting. This also includes highlighting the 'special pedestrian access link' coming from the corner gates relating to the occasional public access described in 6.4.1.</li> </ul>	15
<b>6.6 URBAN ECOLOGY</b>			
17.	Housekeeping	<ul style="list-style-type: none"> <li>Update the reference to the Habitat Corridor which now takes up the entirety of the site.</li> </ul>	16
<b>6.7 HIGH PERFORMANCE BUILDINGS AND SITE RESILIENCE</b>			
<b>6.71 Energy use and production</b>			
18.	Housekeeping	<ul style="list-style-type: none"> <li>Update the reference to the WLEP targets in line with LEP amendment.</li> </ul>	18
<b>6.8 TRANSPORT AND SITE ACCESS</b>			
<b>6.8.1 Loading Facilities</b>			
19.	Service vehicle access	<ul style="list-style-type: none"> <li>Update to reflect Bronte Road as now the main site access point, providing better outcomes for the residents of Church Street and urban design and heritage outcomes.</li> </ul>	20
<b>6.8.2 Driveways and Vehicle Access</b>			
20.	Service vehicle access	<ul style="list-style-type: none"> <li>Update Figure 6 to reflect Bronte Road as now the main site access point, providing better outcomes for the residents of Church Street and urban design and heritage outcomes.</li> </ul>	21
<b>6.8.3 Parking</b>			
21.	Housekeeping	<ul style="list-style-type: none"> <li>Removal of the word 'maximum' as no maximums are prescribed in the State Environmental Planning Policy referenced.</li> </ul>	22
<b>6.8.4 Electric Vehicles</b>			
22.	Housekeeping	<ul style="list-style-type: none"> <li>Update numbering for sections which have been revised in the recent adoption of the WDCP 2022.</li> </ul>	22
<b>APPENDIX 2 – ILLUSTRATIVE CONCEPT DESIGN</b>			
23.	Illustrations are based on original masterplan and SSDCP.	<ul style="list-style-type: none"> <li>Removal of Appendix 2 as images are no longer relevant to the revised SSDCP as building zones have been revised.</li> </ul>	25.

## Summary of amendments in Draft WDCP 2022 – E7 Edina Estate

---

**REPORT**  
**PD/5.2/23.05**

**Subject:** Clause 4.6 Variations to Development Standards -  
Quarterly Report - January-March 2023

**TRIM No:** A23/0244

**Manager:** Angela Rossi, Acting Executive Manager, Development Assessment

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

---

**RECOMMENDATION:**

That Council notes the clause 4.6 variations to development standards for the period 1 January 2023 to 31 March 2023 attached to the report.

**1. Executive Summary**

The Department of Planning and Environment (DPE) Planning Circular PS 20-002 requires a quarterly report to be tabled at a Council meeting for information only, outlining development applications where there was a variation to a development standard approved pursuant to clause 4.6 of *Waverley Local Environmental Plan 2012* (WLEP 2012). The determinations have been made by either the Sydney Eastern City Planning Panel, the Waverley Local Planning Panel or by planning officers under delegated authority.

The quarterly report is provided to DPE and is published on an ongoing basis on Council's website.

There were 14 development applications approved with a clause 4.6 variation in the last reporting quarter, for the period 1 January-31 March 2023.

Separately, in 2022 DPE undertook a periodic audit of several NSW councils, including Waverley, to ascertain Council's compliance with the procedural and reporting requirements associated with the use of clause 4.6. The audit found that Council has met all procedural and reporting requirements associated with the use of clause 4.6.

**2. Introduction/Background**

The NSW planning system provides flexibility in planning controls by providing the ability for a consent authority to vary development standards in certain circumstances. Development standards are contained in the LEP (a statutory planning instrument) and are a means to achieving an environmental planning objective and can be numerical or performance based. Common development standards sought to be varied in the Waverley local government area include height of building, minimum lot size and floor space ratio. The Development Control Plan (DCP) is a non-statutory planning instrument and does not contain development standards.

Some developments may achieve the objectives of development standards, despite non-compliance with the numerical development standard. The planning system provides flexibility to allow these objectives to be met by varying development standards in certain cases.

Clause 4.6 is common to all standard instrument LEPs across all NSW Councils. The objectives of the clause are:

- *To provide an appropriate degree of flexibility in applying certain Development Standards to development, and*
- *To achieve better outcomes for and from development by allowing flexibility in particular circumstances.*

If an applicant wishes to vary a development standard contained within an environmental planning instrument, such as the WLEP 2012, their development application needs to be supported by a written request for variation pursuant to clause 4.6 of WLEP 2012 outlining why compliance with the relevant development standard is unreasonable or unnecessary in the circumstances of the case.

There are a number of procedural and reporting requirements for councils to ensure transparency and integrity in the planning framework. This report details development applications which approved clause 4.6 variations during the reporting period.

### **3. Relevant Council Resolutions**

Nil.

### **4. Discussion**

Planning Circular PS20-002 contains information about reporting requirements. For example, Council is required to report its (or the Local or Regional Panels') use of clause 4.6 to the Department of Planning and Environment on a quarterly basis. To ensure transparency and integrity in the planning framework, and consistency with Planning Circular PS 20-002, quarterly reporting to a Council meeting is also required.

The Clause 4.6 Variation Register for the quarter between January to March 2023 is attached to this report.

### **5. Financial impact statement/Time frame/Consultation**

There are no financial implications relating to this report.

### **6. Conclusion**

This report satisfies the requirement to report to Council quarterly on clause 4.6 variations to development standards.

### **7. Attachments**

1. Clause 4.6 Variation Register - January-March 2023 [📎](#)



Council DA reference number	Lot number	DP number	Apartment/unit number	Street number	Street name	Suburb/Town	Postcode	Category of development	Environmental planning instrument	Zoning of land	Development standard to be varied	Justification of variation	Extent of variation	Determination authority	Date DA determined dd/mm/yyyy
DA-191/2022	A	346016		13	Loombah Road	Dover Heights	2030	4: Residential - New multi unit	WLEP2012	R2	FSR	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	10%	Council	10/01/2023
DA-391/2022	2	23597		2	Chris Bang Street	Vaucluse	2030	2: Residential - Single new dwelling	WLEP2012	R2	Height	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	7%	Council	16/01/2023
DA-391/2022	2	23597		2	Chris Bang Street	Vaucluse	2030	2: Residential - Single new dwelling	WLEP2012	R2	FSR	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	29%	Council	16/01/2023
DA-470/2022	1	880972		95	Mill Hill Road	Bondi Junction	2022	2: Residential - Single new dwelling	WLEP2012	R3	FSR	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	10%	Council	13/02/2023
DA-349/2022	1	951109		21	Rickard Avenue	Bondi Beach	2026	2: Residential - Single new dwelling	WLEP2012	R2	Height	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	4%	Council	15/02/2023
DA-408/2022	1	954127		25	Murrievie Road	North Bondi	2026	1: Residential - Alterations & additions	WLEP2012	R2	FSR	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	3%	Council	16/02/2023
DA-296/2022	88	4042		16	Rawson Ave	Queenspark	2022	1: Residential - Alterations & additions	WLEP2012	R2	FSR	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	10%	WLPP	22/02/2023
DA-288/2022	7	11382		446	Bronte Rd	Bronte	2024	1: Residential - Alterations & additions	WLEP2012	R2	FSR	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	22%	WLPP	22/02/2023
DA-83/2022	G	442099		15-17	O'Brien St	Bondi Beach	2026	9: Mixed	WLEP2012	B4	Height	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	9%	WLPP	22/02/2023
DA-333/2022	1	9613		21	Blair Street	Bondi Beach	2026	1: Residential - Alterations & additions	WLEP2012	R3	Height	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	34%	Council	07/03/2023
DA-177/2022	4 1 A and B	SP55017 667810 310001 440400		7 9 11 13 and 15	Bondi Road	Bondi Junction	2022	4: Residential - New multi unit	WLEP2012	R4	Height	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	8%	Sydney Planning Panel	08/03/2023
DA-448/2022	51	SP 74119	404	10	Jaques Avenue	Bondi Beach	2026	9: Mixed	WLEP2012	B2	Height	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	33%	WLPP	22/03/2023
DA-10/2023	14	17140		5	Miramar Avenue	Bronte	2024	1: Residential - Alterations & additions	WLEP2012	R2	Height	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	9%	Council	23/03/2023
DA-142/2022	11	15588		9	Gaerlock Avenue	Tamarama	2026	2: Residential - Single new dwelling	WLEP2012	R3	FSR	The matters required to be addressed under Clause 4.6 of the LEP were satisfactorily demonstrated to the consent authority	10%	Council	24/03/2023

**REPORT**  
**PD/5.3/23.05**

**Subject:** Net Zero Community Emissions Target - Programs

**TRIM No:** A08/1210

**Manager:** Sam McGuinness, Executive Manager, Environmental Sustainability

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

---

**RECOMMENDATION:**

That Council:

1. Notes:
  - (a) That the achievement of Council's net zero community target by 2035 remains reliant on emissions offsets to meet the calculated shortfall of Council's current emissions reduction pathway.
  - (b) The consultation and engagement that is occurring with the community and experts on emissions reduction actions to meet the net zero community emissions target.
2. Writes to the NSW Minister for Climate Change, the Hon. Penny Sharp MP, seeking additional and accelerated investment in net zero initiatives to support progress towards meeting Council's net zero community emissions target.
3. Engages stakeholders from the Net Zero Roundtable event to work together to progress and promote the increased acceleration of net zero actions across the Waverley business community.
4. Continues to lead by example in taking all available opportunities and advocating strongly to urgently reduce greenhouse emissions across Council operations and community actions.

**1. Executive Summary**

This report responds to a Council resolution from September 2022 and outlines current and pending grant opportunities to increase the scale of Council's community greenhouse gas reduction programs. It details recent consultation and potential initiatives to address the calculated shortfall on Council's current emissions reduction pathway towards the net zero community target by 2035.

**2. Introduction/Background**

In 2019, Waverley declared a Climate and Biodiversity Emergency, acknowledging that urgent collaborative action at all levels of government is necessary to protect our environment and community for future generations.

In March 2022, Council adopted a community greenhouse gas emission reduction target of net zero by 2035, which is enshrined in the Community Strategic Plan and Environmental Action Plan (2022 -2032).

This report outlines:

- Grant and other funding opportunities to increase the scale of Council's community greenhouse gas reduction programs.
- Officer review of the existing emissions reduction road map through consultation with experts and the community, to revise strategies to assist in meeting the 2035 target, with minimal reliance on carbon offsets.
- Challenges in meeting zero community emissions by 2035 without expanded programs from either Council, other Government agencies or the private sector.

### 3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council 20 September 2022	CM/7.7/22.09	<p>That Council:</p> <ol style="list-style-type: none"> <li>Notes: <ol style="list-style-type: none"> <li>Its declaration of a Climate and Biodiversity emergency.</li> <li>The implementation of current greenhouse gas reduction actions in Table 1 of the report and outlined in the Environmental Action Plan 2022–2032.</li> <li>The urgency of reducing greenhouse gas emissions and the potential shortfall in Council's current emissions reduction pathway to achieve net zero community emissions by 2035, which could be assisted by actions in Table 2 of the report.</li> </ol> </li> <li>Publishes the list of strata energy service consultants attached to the report to support Waverley residents living in apartments to access high-quality advice on energy management and emissions reduction actions.</li> <li>Investigates grant and other funding opportunities to increase the scale of Council's community greenhouse gas reduction programs and receives a report for the December 2022 Council meeting.</li> <li>Requests the Mayor to convene a round table in December 2022 with key community and business stakeholders seeking: <ol style="list-style-type: none"> <li>Their support and contribution for the net zero by 2035 community target.</li> <li>A commitment to the development and implementation of key strategies that will assist in meeting the 2035 target.</li> </ol> </li> <li>Requests officers to review the existing roadmap and develop it further with more detail and more ambitious timelines to achieve community target of net zero by 2035</li> </ol>

		<p>by June 2023 as follows:</p> <p>(a) By arranging a series of working groups with expertise in the field of climate science, active transport, solar and battery power infrastructure, electric vehicle (EV) infrastructure, community activists, residents, representatives from state and federal government, Council officers, interested Councillors, First Nations custodians and other stakeholders (with the first meeting to occur no later than February 2023).</p> <p>(b) The working groups are to:</p> <p>(i) Make recommendations for the further development of the roadmap that incorporates a holistic approach across all relevant aspects of Council's jurisdiction, including Local Environmental Plan and Development Control Plan amendments, active transport initiatives, EV charging infrastructure, solar on multi-unit dwellings etc.</p> <p>(ii) Consider, specifically, whether the plan will ensure our Council area achieves net zero by 2035, with minimal reliance on carbon offsets.</p> <p>6. Officers invite interested Councillors to an informal workshop as soon as practicable to identify how they can contribute towards achieving our goals and commitments.</p>
--	--	--

#### 4. Discussion

##### Relevant grants to increase the scale of Council's community greenhouse gas reduction programs.

A list of potential grant opportunities is summarised in Table 1, of which many require matched funding.

Table 1. Grant funding opportunities for EAP 2022-23.

Grant	Grant recipient	Opportunity	Status
<b>BUILT ENVIRONMENT</b>			
<a href="#">Solar for Low Income Households</a> (NSW Government)	Community who: <ul style="list-style-type: none"> <li>Receive the Low Income Household Rebate</li> <li>Hold a valid Pensioner Concession Card/Veteran Card</li> <li>Are homeowners currently without a solar PV system</li> </ul>	Households receive a 3 kW solar PV system in lieu of a Low Income Household Rebate.	Not available in Waverley until mid-2023
Small scale renewable energy scheme (SRES) (Clean Energy Regulator)	Residents and businesses installing renewables (photovoltaics, solar hot water, air source heat pumps)	This reduces the installation cost of solar.	Currently available and well utilised.

<a href="#">Community Battery Grants Program</a> (ARENA)	AusGrid (Distributed Network Service Providers)	AusGRID is a recipient of funding to install a community battery in Waverley.	Ausgrid will be consulting on possible locations models for a community battery.
<a href="#">Community Battery Grants Program</a> (ARENA)	Households, businesses and other	Stream B community battery grant	Applications close in June 2023
Energy Saving Certificates (NSW Government)	Households and businesses	The Energy Savings Scheme provides financial rebates for energy efficiency upgrades. <ul style="list-style-type: none"> <li>• LED lighting</li> <li>• Heat pump and solar HWS</li> <li>• HVAC upgrades (business only)</li> </ul>	Open
<a href="#">Environmental Upgrade Finance</a>	Businesses	EUF offers green business loans for environmental upgrades. The loans are low interest and paid back through Waverley Council rates. 12 months into a pilot at Waverley Council, there has been zero uptake.	Open
<b>ELECTRIC VEHICLES</b>			
<a href="#">Intellihub Street Power Pole EV Charger with Grid Integration project</a> Australian Renewable Energy Agency (ARENA)	Council is an indirect beneficiary of a grant won by Intellihub	Intellihub is installing 5-10 public EV pole chargers in Waverley.	Underway
<a href="#">Electric Vehicle Fast Charging Grants</a> (NSW Government)	Charge point operators (CPOs)	Provides co-funding to CPOs to construct fast charging stations across the state.	Underway
<a href="#">Stamp duty of up to \$3000 waived for electric vehicles</a> (NSW Government)	Community (households or businesses)	All new or used light electric vehicles (up to and including \$78,000) are exempt from up to \$3000 stamp duty.	Open
<b>ACTIVE TRANSPORT</b>			
<a href="#">Get NSW Active</a> (NSW Government)	Councils	Funding for projects that create safe, easy and enjoyable walking and cycling trips.	Grant submission made

Council is a partner of the ARENA-Intellihub pilot grant, which was announced in December 2022. This pilot relates to the installation of 50 7.5 kW chargers on street side power poles within the Ausgrid network area and in partnership with six local councils. As part of this project, it is anticipated that approximately 10-20

locations throughout the Eastern Suburbs are expected to be selected. Engagement with Council's Traffic Team for future Traffic Committee approval will commence early this year.

Council has consulted Ausgrid to submit a joint application to the new Commonwealth Community Batteries grant program in January-February 2023. Council is also investigating the installation of behind the meter (BTM) batteries with our Energy Retailer, Zen Energy, at Council sites. Zen Energy would use these batteries to reduce the peak demand for these sites, which would save Council and Zen Energy electricity network charges and enable higher levels of renewable electricity in the grid.

Residents may apply for the other grant opportunities listed and will be promoted and communicated to our community through existing channels. While grants may support uptake of lower emissions technologies, they are unlikely to support the scale of emission reductions required for net zero community emissions by 2035.

### Consultation timeline

Council officers have consulted with experts and members of the community since August 2022 on opportunities for accelerating Council action to achieve net zero emissions, including the steps in Table 2.

*Table 2. Consultation timeline since August 2022.*

28 September	Consultative review of CM/7.7/22.09 by industry experts at Atlassian, Enosi Australia and ROEV
19 October	Sustainable Expert Advisory Panel meeting review of Council's emission reduction pathway. Strengthening Waverley's Development Control Plan (WDCP) to capture emission reduction opportunities was strongly supported
27 November	Waverley hosted the first regional Community Climate Summit which enabled broad and in-depth discussion with Federal, State and Local leaders as well as leading experts including John Grimes, Smart Energy Council, Tim Buckley, Climate Energy Finance, Beyond Zero Emissions, Kirsten McDonald, Electrify 2515 and also collected over 100 ideas for reducing emissions from Waverley residents
7 December	Adoption of strengthened Waverley Development Control Plan 2022 requiring all homes to achieve future all electric capacity and power by renewable energy, no new gas stoves, gas ovens and gas space heating in residential development and new developments to provide EV charging and or supporting power infrastructure. Council's new requirements garnered support from leading organisation including the Australian Sustainable Built Environment Council, the Green Building Council and Doctors for the Environment.
January	Promotion of Get Green Power Campaign, to encourage residents to eliminate emissions through voluntary purchase of renewable energy through their electricity retailer
28 February	Councillor briefings on EV charging infrastructure
17 March	Mayoral forum with Local Business and Community Leaders
7 March	Go Electric Homes information session – Bondi Pavilion
17 March	Mayoral Net Zero forum with Local Business Leaders, which identified key areas of collaboration, where Council can strategically support further action, including better communicating net zero concepts and solutions to the community, showcasing net zero actions of our leading businesses, better supporting Small to Medium Enterprises (SME) to take action and addressing travel challenges for workers in our commercial precincts.
4 April	Go Electric EV in Apartments information session – hosted with Woollahra Council
2 May	Go Electric Solar on Apartments information session – hosted with Randwick Council

The results of consultation undertaken by Council staff at the 27 November 2022 community climate summit are outlined in Figure 1 below.

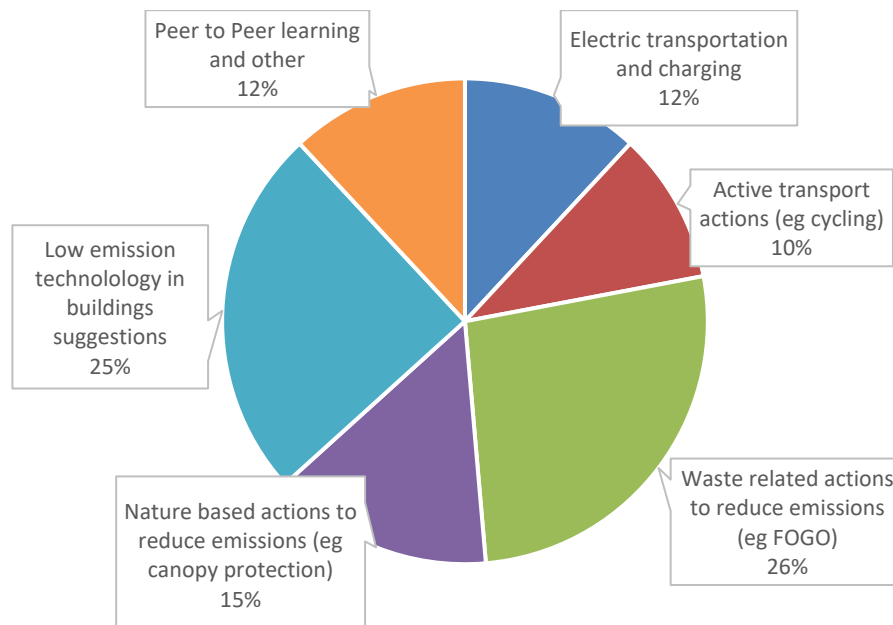


Figure 1. Community suggestions for Council support for achieving net zero emissions.

### Revised programs to assist in meeting the 2035 target

Following consultation, a number of activities have been identified to accelerate the reduction of community emissions:

- Increasing low emission technology and energy efficiency in private property, specifically supporting solar, batteries, replacing gas with electric appliances, and electric vehicle charging,
- Increasing active transport and the electrification of transportation, including expanded cycleways and additional public EV chargers.
- Reducing emissions from waste and recycling.
- Ensuring natural cooling through urban greening and vegetation protection.
- Support SMEs to assess and address emission reduction opportunities.
- Support Strata buildings to assess and address emissions reduction opportunities.

Council programs in support of these activities are currently underway, but could go further. For example, the update of the Waverley Development Control Plan in December 2022 includes ambitious controls around air quality, support for all electric homes, requirements for EV charging and improved thermal comfort requirements and vegetation protection will assist with accelerating progress to net zero in new developments. Expanding the financial support currently provided through the Building Futures program, by trialling rebates will enable SMEs and smaller strata buildings to access professional advice and technologies.

Achieving net zero emissions by 2035 is feasible but highly ambitious. To achieve the rate of transition necessary will require stakeholders from all levels of government and the private sector to deliver programs that assist the local community to reduce their emissions. Without highly ambitious actions and programs in the short term, achieving net zero would require that emissions offsets are purchased.



Action could be accelerated and expanded, with additional grant resources as proposed in Table 3.

*Table 3. Greenhouse gas emission reduction programs and costings.*

Focus Area	Action	Milestones by 2035	Estimated annual cost (\$/year)
Built environment	Built environment Sustainability support and Incentive Rebates	<ul style="list-style-type: none"> <li>Work with ~780 apartment buildings to install EV charging infrastructure in their common area carparks.</li> <li>Engage 15,000 households to electrify cooking, heating and hot water.</li> </ul>	\$700,000
	Expanded Building Futures program incorporating support for Solar or batteries for small strata, Businesses and Renters	<ul style="list-style-type: none"> <li>Work with 160 of the highest electricity consumers to reduce greenhouse emissions by 20% through Building Futures</li> <li>Engage 1000 single dwelling rental properties and their landlords to install solar.</li> <li>Engage a minimum of 200 strata buildings (out of a total of 1700) to install solar and/or batteries.</li> <li>Engage a minimum of 240 small businesses (of a total of 1200) to install solar and/or batteries.</li> </ul>	\$400,000
Active Transport	Enhanced cycling support	<ul style="list-style-type: none"> <li>Implementation of the Active Transport Strategy for walking and cycling</li> </ul>	Part costed in the LTTP with potential for state grant funding
Electric vehicle incentives	EV public charging stations	<ul style="list-style-type: none"> <li>Installation of a comprehensive EV charging network by 2035</li> <li>See electric vehicle rebates above</li> </ul>	Part costed in the LTTP with future feasibility reliant on state and federal grant funding

## 5. Financial impact statement/Time frame/Consultation

The additional activities outlined in Table 2 are reliant on expanded funding when and if available. Council will continue to strategically support further action to accelerate Waverley based projects to support the achievement of net zero community emissions through our programs and currently available financial resources. However, based on consultation and research to date, even with the successful delivery of the above programs and potential grants, the achievement of net zero community emissions by 2035 is still dependent on the purchase of some emission offsets.

The availability of expanded or new grant opportunities is required to accelerate Waverley-based projects to support the achievement of net zero community emissions.

## 6. Conclusion

The achievement of net zero community emissions is challenging and requires collaborative and coordinated action by all levels of government, businesses as well as motivation and implementation by

private individuals. Waverley's new Development Control Plan is a powerful tool for guiding new developments towards achieving net zero. However, Council lacks leverage to retrofit and reorientate existing energy, transport and waste systems and infrastructure. Supporting a financially feasible program requires ongoing openness to technology opportunities, well supported engagement, and education with the community on their role and unwavering commitment to taking all available opportunities to reduce emissions in our community.

## **7. Attachments**

Nil