



W A V E R L E Y  
COUNCIL

## OPERATIONS COMMITTEE MEETING

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

**7.00PM, TUESDAY 6 JUNE 2017**

A handwritten signature in black ink that reads "Cathy Henderson". The signature is written in a cursive, flowing style.

Cathy Henderson  
**Acting General Manager**

Waverley Council  
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## Delegations of the Waverley Operations Committee

On 10 December 2013, Waverley Council delegated to the Waverley Operations Committee the authority to determine any matter **other than**:

1. Those activities designated under S377(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 which are required under this Act to be invited by 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 of the Act,
  - (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. 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.
3. The determination of urgent matters raised in the Committee without prior notice.

Committee decisions will be made by majority vote of the quorum present.

The Committee's Minutes will be confirmed at the following committee meeting in line with the provisions of Clause 266 of the Local Government Regulation 2005 which are:

- (1) *Each committee of a council must ensure that full and accurate minutes of the proceedings of its meetings are kept.*
  - (2) *As soon as the minutes of an earlier meeting of a committee of the council have been confirmed at a later meeting of the committee, the person presiding at the later meeting must sign the minutes of the earlier meeting.*
-

## 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 to Council by Members of the Public

#### 4. Confirmation of Minutes

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#### 5. Reports

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#### 6. Closed Session ..... 44

The following matters are proposed to be dealt with in Closed Session and have been distributed to Councillors separately with the Agenda:

OC/6.1/17.06 CONFIDENTIAL REPORT - Personnel Matters

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#### 8. Meeting Closure

**CONFIRMATION OF MINUTES  
OC/4.1/17.06****WAVERLEY**  
COUNCIL**Subject:** Confirmation of Minutes - Operations Committee Meeting  
- 2 May 2017**TRIM No.:** SF17/80**Author:** Natalie Kirkup, Governance and Internal Ombudsman Officer

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**RECOMMENDATION:**

That the Minutes of the Operations Committee Meeting held on 2 May 2017 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 the Operations Committee meeting must be submitted to Operations Committee for confirmation, in accordance with Section 375 of the Local Government Act 1993.

**Attachments:**

1. Operations Committee Meeting Minutes - 2 May 2017



**MINUTES OF THE OPERATIONS COMMITTEE MEETING  
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON  
TUESDAY, 2 MAY 2017**

**Present:**

Councillor Andrew Cusack (Chair)	Lawson Ward
Councillor Sally Betts (Mayor)	Hunter Ward
Councillor Angela Burrill	Lawson Ward
Councillor Joy Clayton	Bondi Ward
Councillor Leon Goltsman	Hunter Ward
Councillor Paula Masselos	Lawson Ward
Councillor Bill Mouroukas	Waverley Ward

**Staff in attendance:**

Cathy Henderson	Acting General Manager
George Bramis	Acting Director, Waverley Futures
Emily Scott	Acting Director, Waverley Renewal
Rachel Jenkin	Acting Director, Waverley Life
Jane Worthy	Manager, Internal Ombudsman's Office

*At the commencement of proceedings at 7.02PM those present were as listed above.*

## **PRAYER AND ACKNOWLEDGEMENT OF INDIGENOUS HERITAGE**

The Mayor 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**

Apologies were received and accepted from Crs Guttman-Jones, Kay and Strewe.

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

The Chair called for declarations of interest and the following was received:

- 2.1 Cr GOLTSMAN declared a less than significant non pecuniary interest in Item OC/5.2/17.05 - Planning Proposal for Dover Heights Synagogue and Shule and informed the meeting that he attends and supports some of the events.

### **3. Addresses to Council by Members of the Public**

- 3.1 B MEYERSON (ON BEHALF OF THE APPLICANT) - OC/5.2/17.05 - Planning Proposal for Dover Heights Synagogue and Shule.

### **4. Confirmation of Minutes**

**OC/4.1/17.05 Confirmation of Minutes - Operations Committee Meeting - 7 March 2017 (SF17/80)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Mouroukas  
Seconder: Cr Goltsman

That the Minutes of the Operations Committee Meeting held on 7 March 2017 be received and noted, and that such minutes be confirmed as a true record of the proceedings of that meeting.

### **5. Reports**

**OC/5.1/17.05 Waverley's People, Movement and Places (SF17/130)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Mouroukas  
Seconder: Cr Betts

That Council:

1. Authorises the public exhibition of 'Waverley's People, Movement and Places: a study on where we go and how we get there', for a minimum period of 28 days.
2. Notes that, following public exhibition, Council will prepare a report and shortlist of Signature Projects and implementation actions, leading to the next stages of business cases and feasibilities.
3. Requests the Mayor to approach the relevant Ministers and seek their support and co-operation to establish a Project Control Group between Council staff and relevant state government agencies (TfNSW, RMS, Greater Sydney Commission) to progress those projects which require partnership with state government.
4. Notes that the documents have been prepared for public exhibition purposes, and not all statements and actions are supported by Council at this stage.

**OC/5.2/17.05 Planning Proposal for Dover Heights Synagogue and Shule (PP-2/2016)**

*B Meyerson addressed the meeting on behalf of the Applicant.*

**MOTION / UNANIMOUS DECISION**

Mover: Cr Betts  
Seconder: Cr Goltsman

That Council:

1. Supports the planning proposal lodged by Dover Heights Shule to amend the Waverley Local Environmental Plan 2012 (WLEP 2012) in respect of the Dover Heights Shule and Synagogue, Napier Street, Dover Heights.
2. Forwards the proposal to the NSW Department of Planning and Environment for a Gateway Determination.
3. Places the planning proposal on public exhibition in accordance with any conditions of the Gateway Determination.
4. Requests the role of Relevant Planning Authority should the delegations be offered under Section 54 of the *Environmental Planning and Assessment Act 1979* in relation to the making of the amendment.

**Division**

**For the Motion:** Crs Betts, Burrill, Clayton, Cusack, Goltsman, Masselos and Mouroukas.

**Against the Motion:** Nil.

**OC/5.3/17.05 Flood Study of the Waverley Local Government Area (A17/0168)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Betts  
Seconder: Cr Goltsman

That Council:

1. Receives and notes the report.
2. Accepts the Grant in the amount of \$225,333 from the office of Environment and Heritage to undertake a flood study of the Waverley Council LGA and that Council's contribution of \$112,667 be

funded from the SAMP Stormwater Reserve.

3. Proceeds with the seeking of quotes from consultants from the Local Government Procurement Panel 12083 and authorise the Director of Waverley Renewal to engage a suitably qualified consultant.

**OC/5.4/17.05 Graffiti Management - Status Report (A05/1643)**

**MOTION / UNANIMOUS DECISION**

Mover: Cr Mouroukas

Seconder: Cr Goltsman

That Council receives and notes the report from the Director Waverley Renewal on the status of Council's Graffiti Management Policy.

**6. Meeting Closure**

**THE MEETING CLOSED AT 7.25PM.**

.....  
**SIGNED AND CONFIRMED**  
**CHAIR**  
**6 JUNE 2017**

## REPORT

### OC/5.1/17.06



**Subject:** Nomination of Bronte House for inclusion on the National Heritage List

**TRIM No.:** A13/0628

**Author:** Surb Bhatti, Heritage Planner

**Director:** Peter Monks, Director Waverley Futures

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### RECOMMENDATION:

That Council

1. Support a nomination to the Minister to list Bronte House on the national Australian Heritage Register (NHR) in two stages:

Stage 1: Investigate and research the national context of Bronte House and gardens to establish the qualities or values that make it outstanding to the nation to ensure Bronte House and gardens meet one or more of the nine National heritage significance criteria;

Stage 2: Prepare and submit the nomination form to the Minister on the basis that Bronte House and gardens has qualities that make it outstanding to the nation.

#### 1. Executive Summary

Council's motion dated 12 April 2017 recommended that given the rare architectural style and 'world renowned garden', Waverley Council should consider listing Bronte House on the national Australian Heritage Register (AHR).

The Conservation Management Plan (CMP) prepared by Clive Lucas, Stapleton & Partners dated October 2014, describes Bronte House as an outstanding example of a Picturesque Gothick style colonial house retaining rare, early architectural features. Further, Bronte House and its landscaped garden setting, that originally included the whole of Bronte Park and its immediate surrounds, is one of only a small group of exemplary Regency style villas constructed in the Australian Colonies. A number of people of note, including Robert Lowe who was an influential member of the Colonial Government and Colonial Architect Mortimer Lewis, are also associated with the house.

A nomination for inclusion on the NHR is required to establish the qualities or values of Bronte House and gardens that make it outstanding to the nation against one or more of nine National Heritage significant criteria for which a two-stage process is recommended.

#### 2. Introduction/Background

Bronte House is listed on the State Heritage Register (SHR) and the summary statement of significance for Bronte House contained in the SHR inventory sheet (see **Attachment A**) states that:

*Bronte house is of a style not commonly found in Australian Colonial architecture, with its superb siting and substantial garden it is a significant essay in the picturesque. The property has connections*

*with colonial architect Mortimer Lewis and more importantly with Robert Lowe, later created Viscount Sherbrooke. It is especially notable stylistically as an individual mid-Victorian design reflecting a romantic and picturesque interpretation of the medieval past. It is substantially intact and retains its outstanding original setting. Bronte House is the oldest known residence in the Waverley Council area. Sources: Dowd, pp. 154-161. Kerr J, Broadbent J, Gothic Taste in the Colony of New South Wales, p. 107.*

*A historic, extremely rare, picturesque garden constructed in a naturally irregular site as a setting for an equally picturesque colonial house by one of the colony's rarest inhabitants - a cultivated lady. (James Broadbent for National Trust of Australia, 1981)*

*Bronte House is one of Australia's most picturesque surviving colonial residences and dates back to 1845. Built in the 'Gothick' taste so fashionable in the late 18th & early 19th centuries it is a perfect example of the cottage ornee, not a mansion but a romantic retreat from more formal city life. Its restored and adapted garden is now a small scale botanic garden, a repository for rare and beautiful plants, and one of Australia's best new private gardens. (Schofield, 2002)*

**3. Relevant Council Resolutions**

Council or Committee Meeting and Date	Minute No.	Decision
12 April 2017	CM/8.3/17.04 (A13/0628)	That: <ol style="list-style-type: none"> <li>1. Council investigates listing Bronte House and Grounds on the Australian National Heritage List (formerly the Register of the National Estate).</li> <li>2. Officers report back to Council with their recommendation.</li> </ol>

**4. Discussion**

*Discussion of Significance – National Heritage List*

Presently, Bronte House is listed at local and state levels. The existing statutory framework is therefore guided by the *Environmental Planning & Assessment Act 1979* and the *NSW Heritage Act 1977*. The CMP for Bronte House prepared by Clive Lucas, Stapleton & Partners dated October 2014 relates to the state heritage significance of Bronte House which is assessed against the following criteria:

- a. an item is important in the course, or pattern, of NSW’s cultural or natural history;
- b. an item has strong or special association with the life or works of a person, or group of persons, of importance in NSW’s cultural or natural history;
- c. an item is important in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW;
- d. an item has strong or special association with a particular community or cultural group in NSW for social, cultural or spiritual reasons;
- e. an item has potential to yield information that will contribute to an understanding of NSW’s cultural or natural history;
- f. an item possesses uncommon, rare or endangered aspects of NSW’s cultural or natural history;
- g. an item is important in demonstrating the principal characteristics of a class of NSW’s
  - cultural or natural places; or
  - cultural or natural environments

Currently, no research exists to support a nomination to include Bronte House and gardens on the NHR. Such research is required to address the qualities or values of Bronte House and gardens that make it outstanding to the nation by indicating how it meets one or more of the nine National heritage significant criteria. A place only needs to meet one criterion to be included in the National heritage list. The following is a list of the National heritage criteria against which the heritage values of a place are assessed:

- a. the place has outstanding heritage value to the nation because of the place's importance in the course, or pattern, of Australia's natural or cultural history
- b. the place has outstanding heritage value to the nation because of the place's possession of uncommon, rare or endangered aspects of Australia's natural or cultural history
- c. the place has outstanding heritage value to the nation because of the place's potential to yield information that will contribute to an understanding of Australia's natural or cultural history
- d. the place has outstanding heritage value to the nation because of the place's importance in demonstrating the principal characteristics of:
  - i. a class of Australia's natural or cultural places; or
  - ii. a class of Australia's natural or cultural environments;
- e. the place has outstanding heritage value to the nation because of the place's importance in exhibiting particular aesthetic characteristics valued by a community or cultural group
- f. the place has outstanding heritage value to the nation because of the place's importance in demonstrating a high degree of creative or technical achievement at a particular period
- g. the place has outstanding heritage value to the nation because of the place's strong or special association with a particular community or cultural group for social, cultural or spiritual reasons
- h. the place has outstanding heritage value to the nation because of the place's special association with the life or works of a person, or group of persons, of importance in Australia's natural or cultural history
- i. the place has outstanding heritage value to the nation because of the place's importance as part of Indigenous tradition.

It is recommended that a nomination for the inclusion of Bronte House and gardens on the NHR be made in two stages as follows:

- Stage 1: Investigate and research the national context of Bronte House and gardens to establish the qualities or values to ensure the place meets one or more of the nine National Heritage significance criteria;
- Stage 2: Preparation of the nomination form in readiness of the Ministers' call for nominations on the basis that Bronte House has qualities that make it outstanding to the nation.

The statutory framework that guides items of National heritage significance are guided by the Federal *Environment Protection and Biodiversity Conservation Act 1999*. If the nomination for inclusion on the NHR is successful, additional planning approval may be required under this Act.

## 5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

- Direction: L4 The unique physical qualities and strong sense of identity of Waverley's villages is respected and celebrated.  
L5 Buildings are well designed, safe and accessible and the new is balanced with the Old.
- Strategy: L4a Use planning and heritage policies and controls to protect and improve the unique built environment.  
L5b Protect and maintain heritage significant buildings while ensuring they are fit for use.

Deliverable: Part H (Heritage) of Waverley DCP reviewed as part of Waverley Planning Review.  
An ongoing public education campaign on heritage and good design including annual Heritage and Urban Design Awards

## **6. Financial impact statement/Timeframe/Consultation**

### *Financial Impacts*

The most cost effective way to proceed with a nomination for Bronte House to be included on the NHR in readiness of the Ministers' call for nominations would be in two stages. The first stage would require additional research to identify the qualities or values of Bronte House prior to proceeding to nomination. No specific funding has been budgeted for such research in the 2017/2018 budget. It is expected that the research necessary would be undertaken in house.

The Australian Government Department of Environment offers a range of heritage grants. The 'Protecting National Historic Sites' grant supports site owners and managers of places on the National Heritage List. To receive this grant Bronte House would have to be listed on the National Heritage Register.

### *Time Frame*

The call for nominations for the National Heritage List for the assessment period 2017-18 period closed on 17 February 2017. As the potential nomination for Bronte House and gardens falls after this date it could be considered for the next assessment period. The Ministers' call for nominations will 'typically' open in December 2017 and will 'typically' close in February of 2018. This information will be published on the Governments webpage and nominees will be notified.

The Minister will decide whether to progress the nomination for assessment by the Australian Heritage Council. The recommendation of the Australian Heritage Council will be finalised by the Minister at the appropriate time.

## **7. Conclusion**

The preparation of the nomination form for Bronte House and gardens in readiness of the Minister' call for nominations for inclusion on the NHR should be undertaken in two stages. Should the findings in stage 1 support a nomination to be prepared, the nomination form and its submission to the Minister should be undertaken in stage 2.

## **8. Attachments:**

1. A - Bronte House - SHR Inventory Sheet - 2017

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Home > Topics > Heritage places and items > [Search for heritage](#)

# Bronte House

## Item details

<b>Name of item:</b>	Bronte House
<b>Other name/s:</b>	Bronte estate
<b>Type of item:</b>	Complex / Group
<b>Group/Collection:</b>	Landscape - Cultural
<b>Category:</b>	Other - Landscape - Cultural
<b>Location:</b>	Lat: -33.9022870268 Long: 151.2645070000
<b>Primary address:</b>	470 Bronte Road, Bronte, NSW 2024
<b>Parish:</b>	Alexandria
<b>County:</b>	Cumberland
<b>Local govt. area:</b>	Waverley
<b>Local Aboriginal Land Council:</b>	La Perouse

## Property description

Lot/Volume Code	Lot/Volume Number	Section Number	Plan/Folio Code	Plan/Folio Number
LOT	1		DP	123571

## All addresses

Street Address	Suburb/town	LGA	Parish	County	Type
470 Bronte Road	Bronte	Waverley	Alexandria	Cumberland	Primary Address
Bronte Road	Bronte	Waverley	Alexandria	Cumberland	Alternate Address

## Owner/s

Organisation Name	Owner Category	Date Ownership Updated
Waverley Council	Local Government	19 Oct 05

## Statement of significance:

Bronte house is of a style not commonly found in Australian Colonial architecture, with its superb siting and substantial garden it is a significant essay in the picturesque. The property has connections with colonial architect Mortimer Lewis and more importantly with Robert Lowe, later created Viscount Sherbrooke. It is especially notable stylistically as an

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individual mid-Victorian design reflecting a romantic and picturesque interpretation of the medieval past. It is substantially intact and retains its outstanding original setting. Bronte House is the oldest known residence in the Waverley Council area. Sources: Dowd, pp. 154-161. Kerr J, Broadbent J, Gothic Taste in the Colony of New South Wales, p. 107.

A historic, extremely rare, picturesque garden constructed in a naturally irregular site as a setting for an equally picturesque colonial house by one of the colony's rarest inhabitants - a cultivated lady. (James Broadbent for National Trust of Australia, 1981)

Bronte House is one of Australia's most picturesque surviving colonial residences and dates back to 1845. Built in the 'Gothick' taste so fashionable in the late 18th & early 19th centuries it is a perfect example of the cottage ornee, not a mansion but a romantic retreat from more formal city life. Its restored and adapted garden is now a small scale botanic garden, a repository for rare and beautiful plants, and one of Australia's best new private gardens. (Schofield, 2002)

**Date significance updated:** 08 Dec 03

*Note: There are incomplete details for a number of items listed in NSW. The Heritage Division intends to develop or upgrade statements of significance and other information for these items as resources become available.*

**Description**

**Designer/Maker:** Georgiana & Robert Lowe; Mortimer Lewis (house)

**Construction years:** 1843-1845

**Physical description:** Garden:

The placement of the house in its landscape is particularly felicitous, the formal garden merging easily with the natural landscape of Bronte Gully to make it the embodiment of the romantic marine villa. The garden, laid out by Mrs. Robert Lowe in the 1840's occupies the head of a small valley leading down to Bronte beach and Nelson Bay.

The property contains largely overgrown remnants of an important mid-nineteenth century picturesque garden. The garden, laid out by Mrs. Robert Lowe in the 1840's occupies the head of a small valley leading down to Bronte beach and Nelson Bay. It had been severely sub-divided but the most important section, including the natural rock outcrops beneath the house, survives.

The original drive now forms the upper part of Bronte Road and only part of the carriage loop (originally planted with a Norfolk Island pine (*Araucaria heterophylla*), since replaced) before the western front of the house survives. The eastern (beach) side of the hose gives onto a grassed terrace apparently reformed with steps, a circular concrete pond or flower bed and extended by the construction of a stone retaining wall in the late nineteenth century.

Beneath this wall to the east and north, down the steep rocky slope to the stream (now a storm water drain) is the elaborate rockery garden formed by Mrs. Lowe (see her own drawing album, Mitchell Library). Mrs Lowe's orchard and vegetable garden occupied the lower part of the valley, now a public park much altered and replanted, (recent bush regeneration works are reintroducing native rainforest and coastal forest species). The rock garden although neglected for many years is largely intact with irregularly curving paths and random steps being constructed or cut from the living rock along the slope. The mounded rockery, complete with weathered rocks and coral gathered from the nearby shore on the bank east of the house, has been uncovered and replanted with a range of choice succulents.

The overgrown plant material which has survived is possibly largely original, or at least of

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nineteenth century origin; Gynea lily (*Doryanthes excelsa*), Port Jackson figs (*Ficus rubiginosa*), Cook's and Norfolk Island pines (*Araucaria columnaris* & *A. heterophylla*), Bangalow palms (*Archontophoenix cunninghamiana*), Shell ginger (*Alpinia zerumbet*), spider plant (*Chlorophytum comosum*), bromeliads such as *Billbergia*, *Aechmia* and *Neoregelia* spp./cv.s etc. Two large *Alcantaria* sp. are in raised urns edging a path under the Moreton Bay fig.

A large clump of giant bamboo (*Bambusa balcooa*) still growing was almost certainly planted by Georgiana Lowe, who recorded this plant in one of her watercolour paintings of the estate. This plant was almost certainly obtained from her cousin, Governor Gipps. There is an identical and equally large clump still growing in the grounds of Government House, Sydney, where the Lowes stayed for a short time after their arrival from England (Schofield, 2002).

The garden had a fine lawn and the rest was laid out in terraces, each laid out into flower beds intersected with gravel walks. Plants and flowers of the most choice and rare description. It was described as "one of the finest botanical collections in the colony". Dame Mary Gilmore recalled that waratahs (*Telopea speciosissima*) were planted there and that her grandfather (the Lowe's bailiff) had laid out a "maze" for Georgiana Lowe. This is the first record of the successful cultivation of waratahs in a Sydney garden.

In almost all of her letters to relatives in England, Georgiana described the pleasure she had in making her garden. Writing to her mother-in-law in October 1847, she notes "I am in the garden all day and quite delight in cultivating our place. My brother John has sent me a large collection of the new annuals and vegetables. I shall have great pleasure in planting them. I have just been planting seeds that were collected on Dr. Leichardt's (sic) expedition. A gentleman who accompanied him gave me a few seeds of each new flower and tree discovered. I intend to make drawings of our new place."

And make them she did. The State Library of New South Wales has Georgiana Lowe's sketchbook containing some twenty six highly accomplished watercolour drawings including many of the house and its surroundings. One of these provides clear proof that the specimen of giant bamboo (*Bambusa balcooa*), in front of the house dates from her time and may well have been planted by her. Equally impressive are the two magnificent pines on the northern side of the property, a Cook's pine (*Araucaria columnaris*) (syn. *A. cookii*) and Norfolk Island pine, (*Araucaria heterophylla*), were also probably planted in the garden's earliest days. Bananas (*Musa* sp.) were sketched by Mrs Lowe and remain growing in the garden today.

However, there is no evidence that any other of the current planting dates from Mrs. Lowe's time here, although it is tempting to speculate that the brush box (*Lophostemon confertus*) on the edge of the gully to the north of the house and the brown pine (*Podocarpus elatus*) near the Port Jackson fig (*Ficus rubiginosa*) may have begun life as some of those seeds gathered on Leichardt's expedition. It is also possible that Mrs Lowe planted the Port Jackson fig. A large Moreton Bay fig (*F. macrophylla*) with wide spreading branches also straddles the northern edge of the same rock terrace on which the house sits

## Bronte House:

Designed very much in the 'picturesque' style, its features include romantic circular and hexagonal corner turrets, deep bay windows and fanciful pierced wooden tracery on both the eastern and western fronts. The plan of a four square house with bay and bow windows is typical of Lewis.

In its use of Gothic details, asymmetrical forms, rusticated elements and castellation, as on the bargeboard above the front entrance, Bronte House departs from the simplicity and symmetry of earlier Georgian building types and hints at the rampant revivalism of the Victorian era.

Although lacking the architectural distinction, grandeur and scale of, say, Elizabeth Bay House, Tusculum, Rockwall, Carrara or the other great surviving mansions built around Sydney Harbour, Bronte House is nevertheless highly significant as a lively and largely

<http://www.environment.nsw.gov.au/heritageapp/ViewHeritageItemDetails.aspx?ID=5045208>

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intact example of a cottage ornee in the 'Gothick taste', a decorative style much favoured in the last quarter of the 18th and the first half of the 19th centuries. Ornamental 'cottages' of this type occur throughout England, Europe and the United States, even in Russia where the English architect Adam Menelaus created a magnificent one on the Gulf of Finland for Tsar Nicholas III.

Joan Kerr and James Broadbent in their book on 'Gothick Taste in the Colony of NSW' described the house as:

"One of the larger of the cottage ornees of the 1840's is the extant Bronte House at Bronte (c. 1843), an amusing 'Gothic-Italianate' design, described in its sale advertisement in 1849 as 'in the Swiss style'. It is a turreted single storey building picturesquely sited at the head of a small valley leading down to Nelson's Bay. The Gothick detailing of its wide bay windows and timber traceried verandahs is particularly pleasing'.

Kerr and Broadbent suggest that, while the Lowes almost certainly followed Lewis's general plan for the house, 'the elevation details probably owed much to Mrs. Lowe's markedly Picturesque Taste.'

In his more recent authoritative work 'The Australian Colonial House', Dr. Broadbent astutely suggests that the design of Bronte House may have been inspired by J.J. Ricauti's 'Rustic Architecture' published in 1840, a copy of which Sir Thomas Mitchell loaned to Lewis in 1841.

Rectangular form main house (Georgian cottage ornee) with high double roof, originally shingled (now slates). Verandahs to east and west. Single storey servants' wing to south, double storey addition (c1880) to south of it facing Bronte Road. Encaustic tile floors on verandahs.

Sydney's Bronte House was built in 1845 during the Victorian period. The house is an open decorative form of a then-popular Gothic revival, clearly depicted in details like the pointed, arched timber seen around the windowpanes.

**Modifications and dates:**

1832 12 acres (Lewis)

1836 42 acres (Lewis)

1861 52 acres sold

1861-1882 Holdsworth adds a second storey addition to the south of the house.

1882 77 acres sold to Ebsworth. Subdivision to create through road (Bronte Road) to south to beach, one of corner turrets of house demolished.

Later 19th century - western verandahs enclosed, the north western verandah with several courses of sandstone blocks to make a kind of conservatory, which was later glassed over. The southwestern verandah was enclosed with lattice. The property had weeping willows (*Salix babylonica*), hothouses, an orchard, vinery, fernery and a gardener's cottage.

Smoking and billiard rooms gone.

Post 1945 occupied by Red Cross and used as offices until 1969.

1948 acquired by Waverley Council as part of valley consolidation for public parkland

1980-84 Clive Lucas, Stapleton & Partners did restoration work for Council and tenant Christopher Selmes. The main works were: new internal walls between bedroom 1, the drawing room and central passage; new baths 2 & 3; provision of 4 modern bathroom fitouts and 1 modern kitchen fitout; removal of division walls from kitchen area, and 2ndary bedroom areas; closure of several doors in western passage; closure of side openings to front hall or porch; creation of a new rear porch; reconstruction of shutters;

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reconstruction of south-west verandah; east elevation to wing - external stonework restored with some second hand stone introduced as necessary.

The garden (property was originally 17ha/42 acres) has been severely sub-divided (c.1hectare now) but the most important section, including the natural rock outcrops beneath the house, survives.

1982 single storey double garage built on western tip of property by entry, in form of early carriage house (Lucas). Curtilage fenced (wire mesh/pipe to north/park, timber picket to south/Bronte Road), unfortunately excluding some former Lowe era garden remnants outside fence (Georgiana Lowe's 'woodland boudoir', a circular planting area and considerable dry stone walled areas).

1983 leased to Selmes, re-roofed, restoration work begins. James Broadbent garden plan partly implemented, eg: 19th c. varieties of *Camellia japonica* planted on northwestern border approaching house by carriage drive, carriage drive reconstructed and Norfolk Island pine planted in centre of loop, replacing a cement fountain added in the c1980s, and re-creating a 19th century NI pine planting here, sprinklers installed, *Magnolia grandiflora* added to southeastern border, 2 frangipanis planted near (north of) house.

1992 Lucas & Tanner reports on necessary repairs.

1994-2000 extensive restoration, conservation and adaptation works to house and garden.

New sandstone dry stone retaining wall north of the northern border on top of the bank is added. Camphor laurels removed (a few kept).

Most of Broadbent era camellias removed in NW border. 1 x frangipani north of house removed, 1 x kept. New gravel path and steps cut in bank northeast of house (west of Port Jackson fig tree) to lower parts of garden. 2 x wire pointed arches erected over path, framing view east to ocean. Steps sandstone/sleepers added to north. 3 x *Magnolia grandiflora* 'Exmouth' pruned into cones on western borders.

New plantings of Qld kauri (*Agathis robusta*) east of garden, Norfolk Island pine, Bunya pine (*Araucaria bidwillii*), Qld. Lacebark (*Brachychiton discolor*) added. Predominantly white and yellow coloured flower borders added north of house, Indian shot/canna (*C.indica cv.s*) walk to the southeast added near fountain.

A new succulent garden laid out on eastern slope below lawn and original late Victorian mounded rockery, which has itself been uncovered, cleared and planted. 1886 circular fountain restored.

1998 three bin compost bins added in south eastern corner. Period appropriate roses (most admired by Georgiana Lowe in Alexander Macleay's garden at Elizabeth Bay house) added to borders - 'Souvenir de Malmaison' (introduced c.1843), 'Gloire de Dijon' (1853), 'Reine des Violettes' (1860) since replaced with 'Crepuscule' (1904), Lady Hillingdon (1917), and several Graham Thomas hybrids 'Abraham Darby' and 'Graham Thomas', both yellow flowered.

2 citrus trees added to lawn southwest of house.

2004 work continuing to extend succulent garden past the 150 year old giant bamboo (*Bambusa balcooa*) clump to the north-east. Frangipani garden in south-east is being reworked to display the most prized specimens, to be complemented by the underplanting of a produce garden. ([www.bronte-house.com](http://www.bronte-house.com), 2004).

Modifications/re-creation since 1980s/1994.

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Following extensive restoration work on the house, the garden at Bronte House has undergone a complete overhaul. A plan for re-planting was drawn up in April 1983 by Australia's most respected authority on historic houses and gardens, James Broadbent. Some elements of his plan were implemented (eg: a replacement Norfolk Island pine was planted in the centre of the carriage loop, two evergreen /Southern magnolias/ bull bays (*Magnolia grandiflora* cv.)(NB: now pruned into tall cones) at the end of the southern shrubbery, a pair of *laurustinus* (*Viburnum tinus*) planted flanking the steps, old 19th century varieties of *Camellia japonica* cv.s were planted in the northern border west of the house (since mostly removed), a rustic fence and creepers were re-erected on top of the bank east of the eastern lawn, and sandstone retaining walls holding the eastern terraces were repaired.

But in an attempt to achieve instant privacy, Selmes had removed historically appropriate trees and replaced them with others far less suitable but faster growing. This process has now been reversed.

Combined with poor maintenance, this ad hoc approach resulted in a garden that, when Schofield took possession (1994) was seriously neglected, wildly overgrown and almost completely shaded so that any new growth was dramatically restricted. Weed infestation of the site was extensive and the historic rock garden on the ocean front of the property was almost completely buried under a mountain of weeds.

The original late Victorian mounded rockery, complete with weathered rocks and coral gathered from the nearby shore, has only recently been uncovered and this whole area has now largely been cleared, restored and re-planted. Plantings today feature Mauritius hemp (*Furcraea selloa* & variegated form 'Variegata'), variegated century plant (*Agave americana* 'Variegata'), Canary Island dragon tree (*Dracaena draco*), *Agave parvifolia* & A.p.'Variegata', silver candles (*Kleinia serpens*), Madagascan *Kalanchoe beharensis* which is forming a small tree, *Cereus peruvianus* sp. (candelabra cactus), *Yucca* sp., mother-in-law's tongue (*Sansevieria* sp. 'Variegata'), a spotted form of *Aloe* sp., *Gasteria maculata*, *Puya* sp., *Aeonium* cv.s ('Schwartzkopf') and red New Zealand flax (*Phormium cookianum* 'Rubrum' (?).

Also uncovered was a circular fountain of 1886 which had been filled with earth and planted with ailing arum lilies (*Zantedeschia aethiopica*). It has been restored and planted with aquatic plants. Bird-of-paradise flower (*Strelitzia reginae*) also grows nearby. An area of compost heaps forms the property's south-eastern corner, facing paling fences to Bronte Road.

A stand of poorly grown Hill's fig (*Ficus microcarpa* 'Hillii') along the southern boundary to Bronte Road has recently been removed and replaced, in accordance with the original Broadbent plan, with eighteen advanced native lily pilli (*Acmena smithii*).

Many of the plants used in the current scheme are being trialled to test their suitability to coastal conditions, indifference to sandy soil and resistance to salt winds. The final form of the garden will evolve over the next few years and many refinements remain to be made. Urns on pedestals feature in parts of the garden/ending walks - e.g. *Agave attenuata* (in a raised urn), *A.victoriae-reginae* in two urns at the eastern end of a flight of steps/path from the salon to the eastern lawn and giant bromeliad *Alcanthera* sp./cv. in two urns flanking a path near the Moreton Bay fig.

The eastern terrace has been edged by Nile lily (*Agapanthus orientalis* cv.) and Mexican daisy (*Tithonia rotundifolia*), *Hippeastrum papilio* with its green/cream/purple-striped flowers, next to a reconstructed rustic fence on top of the terrace/s retaining wall and bank to the east. This is covered with a white *Wisteria* sp. 'Alba' and ladder ferns (*Blechnum* sp.) below.

A border of cannas, castor oil plant (*Ricinus communis*), *Lantana montevidensis*, Aztec lilies (*Alstroemeria* cvs.), *Rosa rugosa* cv.s, nasturtiums (*Tropaeolum majus*), Gynea lilies (*Doryanthes excelsa*), ornamental grasses and other plants surrounds a metal semi-circular Victorian bench at the southern end of the eastern lawn, screening the fountain further east.

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Under the huge Moreton Bay fig to the house's north-east, a low wire mesh/pipe fence over the cliff face has been covered with *Buddleja madagascarensis*. The fig is also planted with epiphytic rock lilies (*Dendrobium speciosum*) and under planted with birds nest fern (*Asplenium nidus*), cast iron plant (*Aspidistra elatior*) and bromeliads. Walks are edged with *Cymbidium* orchid cv.s, *Puya* sp. and other shade loving plants such as *Ctenanthe lubbersiana* cv.s. A yesterday, today and tomorrow bush (*Brunfelsia americana*) with its deep blue flowers also grows in this border.

The cast iron fountain has been restored and planted with Japanese iris (*I. ensata* cv.s), arum lilies and water lilies. A herringbone brick path around it has been remade into gravel path with brick bed edgings.

A collection of frangipanis (*Plumeria rubra* cv.s) has been planted in a tear-drop shaped area east of the fountain, leading to the compost bins and service area.

8 topiary 'balls' of box (*Buxus sempervirens*) have been added at triangular bed corners edging the western entry garden's carriage loop. Another pair of box 'balls' has been added by the steps up to the house's western entry door.

4 wire work Victorian pointed arches have been added to principle paths, two framing views east to the ocean. One of these supports Rangoon creeper (*Quisqualis indica*).

A frangipani on the house's north-western corner supports a climbing dragon fruit (*Hylocereus undatus*), and at its base a small path and steps are edged with two giant clam shells. A large shrub of *Hibiscus tiliaceus* with its lemon yellow flowers is near the north-eastern corner of the house and the 'yellow' border path.

A new path has been cut in the northern bank west of the Port Jackson fig, allowing easier access to the lower path and around the bottom (north) of the garden. The sandstone steps are recycled blocks from the formerly enclosed northwestern verandah of the house, recycled. Dramatic changes are unlikely to the rockery or to the northern gully where the bank has recently been planted with three and a half thousand kaffir lilies (*Clivia miniata* cv.s and C.m.'Belgian hybrids' in orange and yellow). These will be shaded by a median canopy of tree ferns (*Cyathea cooperi*) and seventeen recently introduced specimens of the dwarf date palm, (*Phoenix roebellinii*). A number of frangipani have been planted (*Plumeria rubra* & other spp.), banks of ornamental gingers (*Hedychium* spp., *Alpinia* spp., etc) and red crucifix orchids (*Epidendron ibaguense*) in the shade and honeysuckles such as the giant Burmese honeysuckle (*Lonicera hildebrandeana*)(trained on the south side of the house to Bronte Road and on the house's south-western 'turret'), along with a more 'cottage garden' effect in borders close to the house, river lilies (*Crinum asiaticum* and *C. pedunculatum*) areas of succulents and cycads (e.g. sago palm, *Cycas revoluta* in a grove at the base of the rockery) over rocky banks in the Victorian rockery, replacing bromeliads in this area which were not doing well - these were moved into shadier sections of the garden.

A pair of surviving red oleanders (*Nerium oleander* cv.) have been kept flanking the southeastern steps into the house. An old *Camellia japonica* cv. (single carmine) remains planted south-east of the house.

Red and purple forms of *Alternanthera* sp. have been clipped into shapes giving colour and contrast in the borders. Red forms of New Zealand flax (*Phormium cookianum* cv. 'Rubrum' and 'Purpureum'(?)) give height and contrast to other plants in borders and in the rockery. Spiky plants are used to provide contrast, such as *Puya* sp. and the giant sea holly, *Eryngium giganteum* with its 'razor' edged sword-like leaves in a mound.

Palms in the garden include a mature remaining Canary Island palm (*Phoenix canariensis*), mature bangalow palms (*Archontophoenix cunninghamiana*), mature cluster and Lord Howe

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Island palms, (*Kentia belmoreana* & *K.fosteriana*), the red latan palm with red stalks (*Latania lontaroides*), mature Cocos Island palms (*Syragus romanzoffianum*)(removed), blue/silver Yatay palm (*Butia capitata*) from Argentina. A tall bird-of-paradise plant (*Strelitzia nicolae*) with its white and blue flowers and banana like leaves is a dominant feature here also.

Collections and clusters of small feature plants in decorative pots are features near doorways and entries. These contain houseleeks (*Sempervivum* spp./cv.s), a collection of begonias (*B.spp./cv.s*) on a wire rack in the north-western house porch and *Zygopetalum* orchids in matching pots on the same porch. (Stuart Read, pers.comm. (various dates/visits).

European plants like salvias are arranged in block plantings side by side with gingers and succulents. Other areas of the garden have been planted eclectically, in themed family groupings. Although the majority of plants aren't the original species or cultivars used, the thematic planning remains true to the era (Baldwin, 2006).

2014: Media article - Wentworth Courier - noting range of repair and conservation works are completed (Ian Stapleton for Waverley Council), now it is ready for negotiations for a new lessee.

**Current use:** home, leased and open to the public

**Former use:** home, function centre

**History**

**Historical notes:** Bronte the Suburb:

Bronte the suburb takes its name from an early settler's home (Pollen & Healy, 1988, 39), that settler being Robert Lowe who named his estate 'Bronte' in honour of Horatio Nelson. The name is a direct link to British Navy Admiral Lord Horatio Nelson. The King of Naples made Lord Nelson the Duke of Bronte in 1799. (Bronte is a place in Sicily, west of Mt.Etna) (Stuart Read, pers.comm, 8/10/2015). According to a 'Sydney Mail' article in October 1860, the Englishmen of Waverley paid tribute to the famed sea warrior by naming several roads after Nelson, including Nelson Bay, Nelson Road and Trafalgar Road (after the famous battle of Trafalgar). Over time, Nelson Road became Bronte Road and Trafalgar Road became Trafalgar Street. The name Nelson Bay however survives on all official maps (Wentworth Courier, 'How the area earned its name', 7/10/15, 26).

Colonial Architect Mortimer Lewis bought 12 acres (most of the beach frontage at Bronte) (Pollen & Healy, 1988, 39)(including the current house's site) at Nelson Bay in 1836. By 1838 he had bought 42 acres in total, including the valley to the beach's west, the creek, a waterfall, part of the headland to the north and all of the headland to the south of the beach, and all of the beach. Lewis chose the house site, cut roads, fenced the land and lay the foundations of the house. He established a slab hut and a home farm on the property.

In 1841 Lewis refused an offer of 4000 pounds for the property. He faced financial crisis in 1842 and work on the house halted. In 1843 Lewis sold the site and unfinished house to the Lowes for 420 pounds. His design was probably altered by Robert and Georgiana Lowe. Completed in 1845, Bronte House is among the oldest buildings in the eastern suburbs of Sydney.

Bronte

The name Bronte is a late 19th. century conceit and suggests a much grander residence than is really the case. Early records refer to the house simply and more appropriately as 'Mr. Lowe's Cottage at Cugee'.

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Even the appellation Bronte is a relatively recent one. In 1799, Ferdinand IV, King of the Two Sicilies, created Lord Nelson, Duke of Bronte.

In ancient Greek, the word 'Bronte' means 'Cyclops' or 'Thunder' (Lady Hamilton used to refer to her lover as the 'Duke of Thunder') and in 1520, the name was officially applied to a small village on the slopes of the volcano, Mount Etna in Sicily. It was this Duchy that was awarded to Nelson, so Bronte must have seemed an apt choice of name for both the eponymous house, the beach and the suburb as they are all at what was, and indeed still is, known as Nelson Bay, a name that survives in all official maps and is much older than that of 'Bronte Beach'.

The Rowes (1845-49)

Robert Lowe (1811-92), an Oxford graduate and a member of the English Bar, arrived in Sydney from England on the ship 'Aden' in 1842 with his wife Georgiana. He had introductions to Governor Gipps who was a distant relative of his wife.

Lowe, who had a promising career in England, had come to Australia for his health. The choice of a seaside residence was a curious one, as he was an albino. His skin and hair were both white and he wore a pair of curious-looking goggles to protect his eyes against glare. This is possibly why the bay window in the dining room at Bronte House is fitted with unique sets of adjustable upper and lower shutters to control direct light.

Mrs. Lowe was much taken with her seaside cottage where she and her husband entertained the intellectual elite of the colony. In one of her letters home she wrote "We have a little estate of 42 acres, four miles from Sydney on the sea; it is lovely beyond conception. We have given only 420 pounds for it."

Georgiana Lowe was an accomplished artist and horsewoman but she took particular interest in the garden at Bronte House which is mentioned in several of her letters home. She established a thriving vegetable garden on land above the house and was often to be seen taking her produce to Sydney for sale.

The garden had a fine lawn and the rest was laid out in terraces, each laid out into flower beds intersected with gravel walks. Plants and flowers of the most choice and rare description. It was described as "one of the finest botanical collections in the colony". Dame Mary Gilmore recalled that waratahs (*Telopea speciosissima*) were planted there and that her grandfather (the Lowe's bailiff) had laid out a "maze" for Georgiana Lowe. This is the first record of the successful cultivation of waratahs in a Sydney garden.

In almost all of her letters to relatives in England, Georgiana described the pleasure she had in making her garden. Writing to her mother-in-law in October 1847, she notes "I am in the garden all day and quite delight in cultivating our place. My brother John has sent me a large collection of the new annuals and vegetables. I shall have great pleasure in planting them. I have just been planting seeds that were collected on Dr. Leichhardt's (sic) expedition. A gentleman who accompanied him gave me a few seeds of each new flower and tree discovered. I intend to make drawings of our new place."

And make them she did. The State Library of New South Wales has Georgiana Lowe's sketchbook containing some twenty six highly accomplished watercolour drawings including many of the house and its surroundings. One of these provides clear proof that the specimen of giant bamboo, *Bambusa balcooa*, in front of the house dates from her time and may well have been planted by her. Equally impressive are the two magnificent pines on the northern side of the property, a Cook's pine (*Araucaria columnaris*) (also known as *A. cookii*) and Norfolk Island pine, (*Araucaria heterophylla*), were also probably planted in the garden's earliest days. Bananas were sketched by Mrs Lowe and remain growing in the garden today.

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However, there is no evidence that any other of the current planting dates from Mrs. Lowe's time here, although it is tempting to speculate that the brush box (*Lophostemon confertus*) on the edge of the gully to the north of the house and the brown pine (*Podocarpus elatus*) near the Port Jackson fig (*Ficus rubiginosa*) may have begun life as some of those seeds gathered on Leichhardt's expedition. It is also possible that Mrs Lowe planted the Port Jackson fig tree.

In 1849, the Lowes returned to England. Robert Lowe, his health much improved, subsequently became Chancellor of the Exchequer and was later elevated to the peerage as Viscount Sherbrooke. Neither he nor his lively wife ever returned to Australia, although both spoke warmly of their years at Nelson Bay.

## After the Lowes (1849-1948)

The Lowes sold Bronte House to G.A.Lloyd, an auctioneer, merchant and Colonial Treasurer for 1300 pounds. Lloyd owned the house for only a few months before it was sold for 2000 pounds to one J.Lublin, then sold again to the superintendent of the Bank of Australasia, J.J.Falconer, who in 1861 once again put the property up for auction.

The buyer was J.B.Holdsworth, a hardware and ironmonger magnate, who paid 4750 pounds for the house. Before he died, Holdsworth added the second storey to the wing on Bronte Road .

Holdsworth's son sold the house and 77 acres to Stanley Ebsworth in 1882 and a period of rapid change of ownership ended. A subdivision created a through road (Bronte Road) south of the house to the beach (on part of the former carriage drive). This entailed demolition of one of the corner turrets to the house and construction of the 2 storey wing to the south.

Members of the Ebsworth family, many of whom were wool brokers, owned (from 1882 - AGHS-SHB, 2013) and lived in the building for over six decades until 1948. James E.Ebsworth was second commissioner of the Australian Agricultural (A.A.) Company, which had land grants in Port Stephens, the Hunter Valley and Peel River (around Tamworth) districts of NSW. His descendent E.M.Ebsworth, based in Bronte House, was the manager of the Mitchell Estate in the northern part of Rose Bay, where Ebsworth Road was subdivided off for sale in 1909 (Crosson, 2012). In 1935 the Ebsworths tried to interest the NSW Premier Sir Bertram Stevens in the State Government buying the house.

## Post Ebsworths (1948+)

For a time after the war (1945+) it was occupied by the Bronte branch of the Australian Red Cross (two rooms and the kitchen at the house's rear) and used as offices (AGHS, SHB, 2013).

In 1848 Austin Ebsworth, a bachelor, sold it to Waverley Council who seem to have acquired it as part of an exercise to consolidate the valley leading to Bronte Beach as parkland. Council owned and operated it in various uses for some years. It suffered from unsympathetic changes to the house and inadequate maintenance.

Council agreed that the Red Cross could rent part of Bronte House and this continued until 1969. An evening card party was held by them each week to raise money for their rent. After 1969 the house was restored by Council (AGHS, SHB, 2013).

By the late 1970s it was in poor condition.

By 1980 the house, which was then in use as a venue for weddings and parties, had fallen into disrepair and had suffered a number of insensitive alterations. Its exterior form remained largely unchanged since the Holdsworth occupancy but the interior, with walls

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removed and bars and kitchens inserted, had been altered beyond recognition. In 1982 an outbuilding for garaging and storage was built near the entrance gates at the site's western end. (Waverley Council, 2007, 5).

Faced with a dilemma over what to do with its property, Waverley Municipal Council embarked in 1983 on a far-sighted and ambitious plan to lease the house for a peppercorn lease (\$1/year) for 25 years to a person or persons willing to undertake the cost of the extensive repairs, on condition of opening it to the public 6 times a year.

Tenders were called and on January 31, 1983, Bronte House was let to an Englishman, Christopher Selmes, who undertook to spend a minimum of two hundred thousand dollars on repairs to the house (Waverley Council had already spent some money on repairs to the roof) and duly did so. Indeed, the sum expended on restoration, carried out under the supervision of the conservation architect, Clive Lucas, was closer to \$300,000. Selmes also furnished the main rooms of the house with antiques as required under conditions of lease.

The lease was transferred to Mr & Mrs Peter Muller c.1987 (Tanner & Associates, 1994).

Bronte House 1995-2002:

Arts organiser Leo Schofield assumed responsibility for the lease of Bronte House in November of 1994. He undertook restoration of the house and garden from 1995-2002 in keeping with its period of original construction and occupation by the Lowes. Schofield had wallpaper printed in England from original blocks of 1845, and furnished the house with mostly Gothic revival or neo-Classical pieces.

Following extensive restoration work on the house, the garden at Bronte House has undergone a complete overhaul. A plan for re-planting was drawn up in April 1983 by Australia's most respected authority on historic houses and gardens, James Broadbent. Some elements of his plan were implemented (e.g.: a replacement Norfolk Island pine (*Araucaria heterophylla*) was planted in the centre of the carriage loop, an evergreen /Southern magnolia /bull bay (*Magnolia grandiflora*) at the end of the south-eastern shrubbery, a pair of laurustinus (*Viburnum tinus*) planted flanking the steps, old 19th century varieties of *Camellia japonica* were planted in the north-western border (since mostly removed), a rustic fence and creepers were re-erected on top of the bank east of the eastern lawn, and sandstone retaining walls holding the eastern terraces were repaired.

In an attempt to achieve instant privacy, Selmes had removed historically appropriate trees and replaced them with others far less suitable but faster-growing. This process has now been reversed by Schofield. Combined with poor maintenance, this ad hoc approach resulted in a garden that, when Schofield took possession (1994) was seriously neglected, wildly overgrown and almost completely shaded so that any new growth was dramatically restricted. Weed infestation of the site was extensive and the historic rock garden on the ocean front of the property was almost completely buried under a mountain of weeds. The original late Victorian mounded rockery, complete with weathered rocks and coral gathered from the nearby shore, has only recently been uncovered and this whole area has now largely been cleared, restored and re-planted.

Also uncovered was a circular fountain of 1886 which had been filled with earth and planted with ailing arum lilies. It has been restored and planted with aquatic plants.

A stand of poorly grown Hill's fig (*Ficus hillii*) along the southern boundary to Bronte Road has recently been removed and replaced, in accordance with the original Broadbent plan, with eighteen advanced native lilly pillly (*Acmena smithii*).

Many of the plants used in the current scheme are being trialled to test their suitability to coastal conditions, indifference to sandy soil and resistance to salt winds. The final form of the garden will evolve over the next few years and many refinements remain to be made, but dramatic changes are unlikely to the rockery or to the northern gully where the bank has recently been planted with three and a half thousand kaffir lilies (*Clivia miniata*). These

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will be shaded by a median canopy of tree ferns (*Cyathea cooperi*) and seventeen recently introduced specimens of the dwarf date palm, (*Phoenix roebellinii*). A number of frangipani have been planted (*Plumeria rubra* & other spp.), banks of ornamental gingers (*Hedychium* spp., *Alpinia* spp., etc) in the shade and honeysuckles such as the giant Burmese honeysuckle (*Lonicera hildebrandeana*), along with a more 'cottage garden' effect in borders close to the house, areas of succulents and cycads over rocky banks.

Schofield had the assistance garden designers Michael McCoy and Myles Baldwin in his work to restore and revive the garden, work taking over 8 years. He re-established Georgiana Lowe's garden and extended it. The garden has been described as 'a small scale botanic garden, a repository for rare and beautiful plants' (AGHS, SHB, 2013).

Schofield also wrote a book 'The Garden at Bronte' (Viking, 2002) chronicling his time and work to revive the property.

Bronte House is owned by Waverley Municipal Council and privately occupied under a lease agreement. It is open to the public six times a year (Schofield, 2002).

12/2003-1/2004 Schofield sold the four-years-remaining lease and departed. The new lessee is Magazine publisher Matt Handbury. Gardeners Myles Baldwin and Chris Owen maintain the garden today (2004).

The Hanburys have decided not to sign a new lease when the current one expires in January 2013. Waverley Council considered a report on options for the property, including sale of the property, retention with standard or commercial leasing, Council use or a 'repairing lease' as at present (the current tenants are required to spend \$200,000 per year on the upkeep of the property as part of their lease)(Wentworth Courier, 17/10/2012).

**Historic themes**

<b>Australian theme (abbrev)</b>	<b>New South Wales theme</b>	<b>Local theme</b>
3. Economy-Developing local, regional and national economies	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Landscapes of urban amenity-
3. Economy-Developing local, regional and national economies	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Landscapes and gardens of domestic accommodation-
3. Economy-Developing local, regional and national economies	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Landscapes and gardens of domestic accommodation-
3.	Environment - cultural landscape-Activities associated with the	Gardens

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Economy- Developing local, regional and national economies	interactions between humans, human societies and the shaping of their physical surroundings	demonstrating the travels and sojourns of a gardener-
3. Economy- Developing local, regional and national economies	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Gardens and landscapes reminiscent of an 'old country'-
3. Economy- Developing local, regional and national economies	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Landscapes demonstrating styles in landscape design-
3. Economy- Developing local, regional and national economies	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Landscapes demonstrating styles in landscape design-
3. Economy- Developing local, regional and national economies	Environment - cultural landscape-Activities associated with the interactions between humans, human societies and the shaping of their physical surroundings	Significant tree(s) providing urban amenity-
4. Settlement- Building settlements, towns and cities	Accommodation-Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities.	Gentlemens Mansions-
4. Settlement- Building settlements, towns and cities	Accommodation-Activities associated with the provision of accommodation, and particular types of accommodation – does not include architectural styles – use the theme of Creative Endeavour for such activities.	Housing public servants and officials-
4. Settlement- Building settlements, towns and cities	Land tenure-Activities and processes for identifying forms of ownership and occupancy of land and water, both Aboriginal and non-Aboriginal	Naming places (toponymy)-
4. Settlement- Building settlements,	Land tenure-Activities and processes for identifying forms of ownership and occupancy of land and water, both Aboriginal and non-Aboriginal	Changing land uses - from rural to suburban-

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towns and cities		
4. Settlement- Building settlements, towns and cities	Land tenure-Activities and processes for identifying forms of ownership and occupancy of land and water, both Aboriginal and non-Aboriginal	Resuming private lands for public purposes-
4. Settlement- Building settlements, towns and cities	Land tenure-Activities and processes for identifying forms of ownership and occupancy of land and water, both Aboriginal and non-Aboriginal	Sub-division of large estates-
4. Settlement- Building settlements, towns and cities	Towns, suburbs and villages-Activities associated with creating, planning and managing urban functions, landscapes and lifestyles in towns, suburbs and villages	Creating landmark structures and places in regional settings-
4. Settlement- Building settlements, towns and cities	Towns, suburbs and villages-Activities associated with creating, planning and managing urban functions, landscapes and lifestyles in towns, suburbs and villages	Country Estate-
4. Settlement- Building settlements, towns and cities	Towns, suburbs and villages-Activities associated with creating, planning and managing urban functions, landscapes and lifestyles in towns, suburbs and villages	Rural orchards-
7. Governing- Governing	Government and Administration-Activities associated with the governance of local areas, regions, the State and the nation, and the administration of public programs - includes both principled and corrupt activities.	Developing roles for government - conserving cultural and natural heritage-
7. Governing- Governing	Government and Administration-Activities associated with the governance of local areas, regions, the State and the nation, and the administration of public programs - includes both principled and corrupt activities.	Developing roles for government - public land administration-
7. Governing- Governing	Government and Administration-Activities associated with the governance of local areas, regions, the State and the nation, and the administration of public programs - includes both principled and corrupt activities.	Developing roles for government - providing fire stations-
8. Culture- Developing cultural institutions and ways of life	Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.	Designing landscapes in an exemplary style-

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<p>8. Culture- Developing cultural institutions and ways of life</p>	<p>Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.</p>	<p>Building in response to climate - verandahs-</p>
<p>8. Culture- Developing cultural institutions and ways of life</p>	<p>Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.</p>	<p>Building in response to natural landscape features.-</p>
<p>8. Culture- Developing cultural institutions and ways of life</p>	<p>Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.</p>	<p>Landscaping - Victorian period-</p>
<p>8. Culture- Developing cultural institutions and ways of life</p>	<p>Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.</p>	<p>Landscaping - Victorian gardenesque style-</p>
<p>8. Culture- Developing cultural institutions and ways of life</p>	<p>Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.</p>	<p>Architectural styles and periods - Victorian rustic Gothic-</p>
<p>8. Culture- Developing cultural institutions and ways of life</p>	<p>Creative endeavour-Activities associated with the production and performance of literary, artistic, architectural and other imaginative, interpretive or inventive works; and/or associated with the production and expression of cultural phenomena; and/or environments that have inspired such creative activities.</p>	<p>Architectural styles and periods - Victorian Gothic Revival-</p>
<p>8. Culture- Developing cultural institutions and ways of life</p>	<p>Domestic life-Activities associated with creating, maintaining, living in and working around houses and institutions.</p>	<p>Kitchens and servants-</p>
<p>8. Culture- Developing cultural institutions and ways of life</p>	<p>Domestic life-Activities associated with creating, maintaining, living in and working around houses and institutions.</p>	<p>Living in a rural homestead-</p>
<p>8.</p>	<p>Leisure-Activities associated with recreation and relaxation</p>	<p>Enjoying</p>

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Culture- Developing cultural institutions and ways of life		public parks and gardens-
8. Culture- Developing cultural institutions and ways of life	Leisure-Activities associated with recreation and relaxation	Gardening-
8. Culture- Developing cultural institutions and ways of life	Social institutions-Activities and organisational arrangements for the provision of social activities	Places of informal community gatherings-
8. Culture- Developing cultural institutions and ways of life	Social institutions-Activities and organisational arrangements for the provision of social activities	Red Cross activities-
9. Phases of Life- Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with Peter Muller, architect-
9. Phases of Life- Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with E.M.Ebsworth, Manager Mitchell Estate, Rose Bay and resident of Bronte House-
9. Phases of Life- Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with G.A.Lloyd, auctioneer, merchant and Colonial Treasurer-
9. Phases of Life- Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with Leo Schofield, arts organiser and promoter-
9. Phases of Life- Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with James Broadbent AM, cultural historian, curator and author-
9.	Persons-Activities of, and associations with, identifiable individuals,	Associations

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Phases of Life-Marking the phases of life	families and communal groups	with Mortimer Lewis, Colonial Architect, 1796-1879-
9. Phases of Life-Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with J.J.Falconer, Superintendent of the Bank of Australasia-
9. Phases of Life-Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with J.B.Holdsworth, hardware and ironmonger magnate-
9. Phases of Life-Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with Dame Mary Gilmour, writer, journalist, activist-
9. Phases of Life-Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with Christopher Selmes, English gentleman-
9. Phases of Life-Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with Stanley Ebsworth, wool broker-
9. Phases of Life-Marking the phases of life	Persons-Activities of, and associations with, identifiable individuals, families and communal groups	Associations with Robert Lowe (solicitor) and Georgianna Lowe, artist (latter)-

**Procedures /Exemptions**

Section of act	Description	Title	Comments	Action date
57(2)	Exemption to allow work	Standard Exemptions	<p>SCHEDULE OF STANDARD EXEMPTIONS</p> <p>HERITAGE ACT 1977</p> <p>Notice of Order Under Section 57 (2) of the Heritage Act 1977</p> <p>I, the Minister for Planning, pursuant to subsection 57(2) of the Heritage Act 1977, on the recommendation of the Heritage Council of New South Wales, do by this Order:</p> <p>1. revoke the Schedule of Exemptions to subsection 57(1) of the Heritage Act made under subsection 57(2) and published in the Government Gazette on 22 February 2008; and</p>	Sep 5 2008

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			<p>2. grant standard exemptions from subsection 57(1) of the Heritage Act 1977, described in the Schedule attached.</p> <p>FRANK SARTOR Minister for Planning Sydney, 11 July 2008</p> <p>To view the schedule click on the Standard Exemptions for Works Requiring Heritage Council Approval link below.</p>
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 **Standard exemptions** for works requiring Heritage Council approval

**Listings**

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Heritage Act - State Heritage Register		00055	02 Apr 99	27	1546
Heritage Act - Permanent Conservation Order - former		00055	06 Mar 81	038	1418
Local Environmental Plan	Bronte		06 Dec 96		
National Trust of Australia register		6854			
Register of the National Estate		2467	21 Mar 78		

**References, internet links & images**

Type	Author	Year	Title	Internet Links
Tourism	Attraction Homepage	2007	Bronte House	<a href="#">View details</a>
Written	Baldwin, Myles	2006	Digging up the Past - The Sun Herald	
Written	Charles Weber, for Waverley Council	2007	Bronte House Plan of Management	

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				<a href="#">View details</a>
Written	Crosson, Bruce	2012	"Ebsworth Street, Rose Bay" in 'Street Story', in The Wentworth Courier	
Written	Howard Tanner & Associates	1994	Statement related to application for work dated October 1994 - Bronte House, 470 Bronte Road, Waverley	
Written	Kerr, J., Broadbent, J.		Gothic Taste in the Colony of New South Wales	
Written	National Trust of Australia (NSW)	1981	Survey of Gardens in New South Wales	
Written	Pollen, Francis & Healy, Gerald (ed.s)	1988	'Bronte' entry, in 'The Book of Sydney Suburbs'	
Written	Schofield, Leo	2002	Swaying in the Wind, (in Burke's Back Yard magazine, 11.2002)	
Written	Schofield, Leo	2002	The Garden at Bronte	<a href="#">View details</a>
Written	Stapleton, Ian & Denny, Kate	2016	'The Trust's early role in saving Bronte House'	
Written	unattributed: AGHS, SHB	2013	Bronte House - 'a little estate by the sea'	
Written	Unknown		Bronte House - A Brief History	
Written	Wentworth Courier	2012	'Historic House 'not for sale' " in 'Near You / Bronte' in	

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en			'The Wentworth Courier	
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Note: internet links may be to web pages, documents or images.



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**REPORT**  
**OC/5.2/17.06**

**Subject:** Status of Council Resolutions

**TRIM No.:** A02/0649

**Author:** Natalie Kirkup, Governance and Internal Ombudsman Officer

**Director:** Cathy Henderson, Acting General Manager

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**RECOMMENDATION:**

That Council receives and notes this report on the status of Council Resolutions from September 2012 to December 2016.

**1. Executive Summary**

At its meeting in February 2017 Council deferred a report on the status of Council resolutions from 2012-2016 and requested further information on the status of some of the active resolutions and some corrections to the attachments. This report is in response to Council's request.

The resolutions from the period September 2012 to December 2016 have been compiled by governance into two tables, one containing resolutions that have been finalised and the other containing resolutions that remain active, as advised by the Executive Leadership Team. Further detail has been provided on some of the active resolutions as requested. The tables are attached to this report.

The tables contain a total of 1208 resolutions. Of these, 1158 (95.9%) have been finalised and 50 (4.1%) remain active.

It is recommended that Council receives and notes this report.

**2. Introduction/Background**

At its meeting in July 2016 Council requested a report on the status of all Council resolutions from the current four year term of the elected Council that still require action.

A list of all Council and Council Committee resolutions from September 2012 to December 2016 has been compiled. The resolutions have been sorted into Program Areas and their status identified as 'finalised' or 'active' by the responsible director. 'Finalised' means all actions and/or follow-up have been completed or no further progress can be made to execute the resolution. 'Active' means action has commenced and/or there are items pending for further work and/or follow-up is required to finalise the resolution.

The active resolutions have been grouped into one table and are appended to this report at Attachment 1. The finalised resolutions have been grouped into a separate table and are appended to this report at Attachment 2.

### 3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Operations Committee Meeting – February 2017	OC/5.6/17.02	<ol style="list-style-type: none"> <li>1. Defers the report for an amended report to be tabled at a future Council meeting.</li> <li>2. Notes that Appendix 1 and 2 have the incorrect numbers.</li> <li>3. Notes file no A15/0272 meeting date was 18 and not 22 October 2016.</li> <li>4. Further clarifies all active items in Attachment 1 to outline exactly which actions have taken place and which ones are yet to take place.</li> <li>5. Add Motion numbers to each item rather than file numbers as Councillors cannot access internal file numbers.</li> <li>6. Removes the following motions from the Action list as they have been completed:               <ol style="list-style-type: none"> <li>a. 10.1/ 16.8 Lease 276 Bronte Road.</li> <li>b. 4.3/16.08 Traffic Committee.</li> <li>c. 7.8/16.08 Bronte Pool Relining Tender.</li> </ol> </li> <li>7. Move the following motions from Attachment 2 to Attachment 1 as they have not been completed:               <ol style="list-style-type: none"> <li>a. NM45/14 (16/9/14) RE Council Resolutions.</li> </ol> </li> <li>8. Invites Councillors to forward additional items that have been mis-categorised or where additional information is required to assess whether the item has been acted on or not to the General Manager for inclusion in the future report.</li> </ol>
Council Meeting – July 2016	CM/9.3/16.07	<ol style="list-style-type: none"> <li>1. Status reports be compiled detailing all the Council motions of the last 4 years requiring action and/or follow up.</li> <li>2. These reports be presented incrementally at the next and subsequent Council meetings for discussion.</li> <li>3. These report also be distributed to Councillors (or former Councillors, should amalgamation proceed in the interim) under separate email prior to the Council meeting.</li> <li>4. The list of outstanding motions be placed on a Council agenda for the administrator’s consideration.</li> </ol>
Operations Committee Meeting – November 2015	OC/5.3/15.11	Council receives and notes this report on the status of Notices of Motions and Mayoral Minutes adopted by Council from July 2008 to December 2014.

Council Meeting – September 2014	NM.45/14	<p>That the General Manager:</p> <ol style="list-style-type: none"> <li>1. Reviews Council’s June 2011 report of outstanding Notices of Motions and Mayoral Minutes, plus those resolved since that time, to determine which: <ul style="list-style-type: none"> <li>• Are outstanding with no action to date,</li> <li>• Have had some action initiated but are not completed; and</li> <li>• Have been actioned and completed.</li> </ul> </li> <li>2. Presents a report to Council on the above review, with Motions being grouped by context, where possible.</li> <li>3. Implements a system of tracking resolutions via the use of InfoCouncil to ensure they are acted upon in a timely manner.</li> <li>4. Reports on a six monthly basis on the status of Motions.</li> </ol>
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#### 4. Discussion

The tables contain a total of 1205 resolutions. Of these, 1164 have been finalised and 41 remain active.

The year by year breakdown is as follows:

2012 – 108 resolutions with 1 active

2013 – 371 resolutions with 1 active

2014 – 279 resolutions with 8 active

2015 – 245 resolutions with 13 active

2016 – 202 resolutions with 18 active

#### 5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction: G1 Inspiring community leadership is achieved through decision making processes that are open, transparent, corruption resistant and based on sound integrated planning..

Strategy: G1b Promote and embed good governance and corruption prevention practices in operational activities..

Deliverable: Internal audit function supported.

#### 6. Financial impact statement/Timeframe/Consultation

##### *Financial Impact Statement*

There has been no additional cost to Council in preparing this report.

##### *Timeframe*

This report covers the period September 2012 to December 2016.

##### *Consultation*

The status of the resolutions contained in the attachments to this report have been provided by the Executive Leadership Team.

#### 7. Conclusion

This report provides the status of Council Resolutions adopted by Council from September 2012 to December 2016. It is recommended that Council receive and note this report.

**8. Attachments:**

1. Status of Resolutions - Active Resolutions (Under separate cover)
2. Status of Resolutions - Finalised Resolutions (Under separate cover)

**REPORT**  
**OC/5.3/17.06**

**Subject:** Petition - Amendment to Proposed Residential Parking Scheme in North Bondi

**TRIM No.:** A03/2581

**Author:** Natalie Kirkup, Governance and Internal Ombudsman Officer

**Director:** Cathy Henderson, Acting General Manager

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**RECOMMENDATION:**

That the petition requesting properties on the eastern side of Wairoa Avenue, North Bondi between Blair Street and O'Donnell Street be included in the proposed residential parking scheme be forwarded to the Executive Manager, Creating Waverley for appropriate action.

**1. Executive Summary**

Council has received a petition containing 12 signatures from residents of Wairoa Avenue, North Bondi requesting that they be included in the proposed residential parking scheme.

It is recommended that the petition be forwarded to the Executive Manager, Creating Waverley, for appropriate action.

**2. Introduction/Background**

Council accepts petitions from persons who have an interest in the Waverley Local Government Area as residents, landowners, business people or in some other capacity. Petitions must concern matters that Council is authorised to determine.

The Petition's TRIM document number is D17/48373.

**3. Relevant Council Resolutions**

There are no previous Council resolution on this matter.

**4. Discussion**

The petition states that residents are seeking the implementation of a Resident Parking Scheme.

The petition requests the Mayor and Councillors of Waverley to:  
*'Include the properties on the eastern side of Wairoa Avenue between Blair Street and O'Donnell Street in the proposed residential parking scheme – North Bondi...'*

**5. Relationship to Waverley Together 3 & Delivery Program 2013-17**

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction: G2 Our community is actively engaged in well-informed decision processes.

Strategy: G2b Provide opportunities in a variety of forums for all stakeholders to contribute to community decision making..

Deliverable: A website that supports community comment and engagement and includes a 'Have a Say' portal.

#### **6. Financial impact statement/Timeframe/Consultation**

There is no financial impact in Council receiving the petition.

#### **7. Conclusion**

It is recommended that Council refers the petition to the Executive Manager, Creating Waverley, for appropriate action.

#### **8. Attachments:**

Nil

## REPORT

### OC/5.4/17.06



**Subject:** Council and Operations Committee meeting schedule

**TRIM No.:** SF17/81

**Author:** Cathy Henderson, Acting General Manager

**Director:** Cathy Henderson, Acting General Manager

#### RECOMMENDATION:

That Council approves the following changes to the 2017 Schedule of Meeting Dates:

1. Cancel 1 August Operations Committee meeting.
2. Move 15 August Council meeting to 8 August.
3. Cancel 5 September Operations Committee meeting.
4. Move 19 September Council meeting to 26 September, with this meeting to include the mayoral election.
5. Move 24 October Council meeting to 10 October.

#### 1. Executive Summary

- Waverley Council elections will almost certainly be occurring on 9 September 2017.
- The Council meeting schedule needs to be amended to allow for the caretaker period, the election and the election of the mayor.

#### 2. Introduction/Background

Council adopted a 2017 meeting schedule in December 2016. The remaining approved dates for 2017 are:

	Jun	Jul	Aug	Sept	Oct	Nov	Dec
Operations Committee	6	4	1	5	3	7	
Council	20	18	15	19	24	21	12

### 3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Council meeting 6 December 2016	CM/7.15/16.12	<p>That Council:</p> <ol style="list-style-type: none"> <li>1. Adopts the Schedule of Meeting Dates for Council and the Operations Committee 2017 as attached to this report except for a change to the 5 December meeting date to Tuesday 12 December 2017 as 5 December clashes with the Local Government Conference.</li> <li>2. Officers reconsider the 18 April Council Meeting date.</li> </ol>

### 4. Discussion

- The caretaker period is expected to start about 4 weeks before the election, probably Friday 11 August 2017. There will be some delay following elections before the usual Council meeting cycle can start again. Given the need to continue with ordinary Council business (in particular the awarding of tenders), it is prudent to move the August Council meeting forward one week.
- This means that the August Operations Committee meeting is likely not necessary, as it would only be a week before the Council meeting.
- The 5 September Operations Committee meeting is four days before the election and can be cancelled.
- The 19 September Council meeting is too early to hold the mayoral election, as the election results may not be declared yet. This meeting needs to be delayed to Tuesday 26 September and will be the mayoral election. It could alternatively be Thursday 28 September.
- As there will have been some time since an ordinary Council meeting over the election period, and as the 26 September Council meeting will focus on the mayoral election and associated duties and decisions, it is prudent to move the October Council meeting forward two weeks to 10 October. This would mean a nine-week gap between Ordinary Council meetings over August – October (excluding the mayoral election meeting).
- The November and December schedules are proposed to be unchanged.

### 5. Relationship to Waverley Together 3 & Delivery Program 2013-17

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

- Direction: G1 Inspiring community leadership is achieved through decision making processes that are open, transparent, corruption resistant and based on sound integrated planning..
- Strategy: G1b Promote and embed good governance and corruption prevention practices in operational activities..
- Deliverable: Internal audit function supported.

### 6. Financial impact statement/Timeframe/Consultation

The recommendations in this report have minimal financial impact. The timeframe is outlined above.

**7. Conclusion**

This report recommends amendments to the meeting timetable for 2017, in view of the 9 September election.

**8. Attachments:**

Nil

## REPORT

### OC/5.5/17.06



**Subject:** Bondi Pavilion - Consultant Costs

**TRIM No.:** A15/0272

**Author:** Linda Bathur, Executive Manager, Enriching Waverley  
Hugh Thornton, Senior Project Manager

**Director:** Rachel Jenkin, Acting Director, Waverley Life

#### RECOMMENDATION:

That Council notes the information provided in this report outlining the costs to date and future estimated costs of consultants to prepare plans and reports for the Bondi Pavilion project.

#### 1. Executive Summary

As requested by Councillors in March 2017, this report provides an outline of the costs to date and estimated future costs of consultants to prepare plans and reports for the Bondi Pavilion project. The combined total costs to date and estimated future costs of consultants is \$1,833,828. This figure comprises Principal Design and Sub consultant costs of \$1,424,288, Technical Consultant costs of \$190,810 and Other Consultants including community consultation of \$218,730. The report also provides commentary on the level of staffing involved in the Bondi Pavilion project.

#### 2. Introduction/Background

A Council resolution from March 2017 requested Council Officers to prepare a report detailing the costs to date and estimated future costs of consultants to prepare plans and reports for the Bondi Pavilion Project.

The resolution also requested information be provided regarding the level of Council staffing involved in the project.

#### 3. Relevant Council Resolutions

Council or Committee Meeting and Date	Minute No.	Decision
Council Meeting March 2017	CM/8.3/17.03	1. In regard to the Bondi Pavilion project, a report be prepared for Councillors and any future Council detailing: <ol style="list-style-type: none"> <li>(a) The costs to date of consultants to prepare plans and reports.</li> <li>(b) Future estimates costs for consultants.</li> </ol> 2. Non-confidential aspects of the report be made public. 3. Commentary be provided by Council officers on the level of staffing involved in this project.

#### 4. Discussion

##### **Consultant Costs**

For the purposes of this report, the costs to date and future estimated costs for consultants to prepare plans and reports for the Bondi Pavilion project have been divided into three key areas – the Principal Design Consultant (including sub consultants), Technical Consultants and Other Consultants.

The Principal Design Consultant refers to the Architect along with a large number of sub consultants engaged by the Architect to provide specialist advice. This includes:

- Heritage conservation
- Urban design
- Sustainability
- Structural engineering
- Civil engineering
- Fire engineering
- Mechanical engineering
- Electrical engineering
- Hydraulic engineering
- Landscape architecture
- Building Code of Australia consulting
- Town planning
- Acoustic engineering
- Lighting design
- Signage design
- Accessibility advice
- Interior design
- Traffic and parking engineering
- Public art advisor

Council has engaged a number of Technical Consultants engaged to provide professional advice including the following:

- Surveyor
- Geotechnical engineer
- Quantity Surveyor
- Archaeologist
- Probity Advisor
- Financial Advisor
- Tenancy Consultant
- CMP Consultant
- Theatre Consultant

Council has also engaged a number of Other Consultants to complete the following:

- Public Consultation
- Community and Cultural Impact Study
- Business Case

The table below provides the costs to date and the future estimated costs for each of the three key areas as well as the total amounts.

The estimated future costs for the Principal Design Consultant, Technical Consultants and Public Consultation relate to Stage 1 as the scope for Stage 2 of the Bondi Pavilion Project has yet to be determined.

The Community and Cultural Impact Study and Business Case are currently being prepared to assist in defining the scope for Stage 2 of the project.

<b>Consultant</b>	<b>Costs to Date</b>	<b>Estimated Future Costs</b>	<b>Total</b>
<b>Principal Design Consultant plus sub consultants</b>	<b>\$773,237</b>	<b>\$651,051</b>	<b>\$1,424,288</b>
<b>Technical Consultants</b>	<b>\$143,222</b>	<b>\$47,588</b>	<b>\$190,810</b>
Other Consultants			
Public Consultation	\$171,100		\$171,100
Community & Cultural Impact Study	\$6,345	\$19,485	\$25,830
Business Case		\$21,800	\$21,800
<b>Other Consultants Subtotal</b>	<b>\$177,445</b>	<b>\$41,285</b>	<b>\$218,730</b>
<b>Total</b>	<b>\$1,093,904</b>	<b>\$739,924</b>	<b>\$1,833,828</b>

### **Staffing**

With regards to the level of staffing allocated to the Bondi Pavilion Project, as with all major projects, Council has allocated a Senior Project Manager to assist in project delivery and approximately 50-60% of their time is allocated to the Bondi Pavilion Project depending on what phase the project is at.

In addition to the Senior Project Manager, four key personnel from the Enriching Waverley Sub-Program as well as the Director / Acting Director Waverly Life have been involved in the Bondi Pavilion Project on a regular basis.

Furthermore, other staff from relevant areas across Council, including Shaping Waverley, Sustainable Waverley, Creating Waverley and Communications and Engagement, have had occasional input into project meetings.

### **5. Relationship to Waverley Together 3 & Delivery Program 2013-17**

The relationship to *Waverley Together 3* and *Delivery Program 2013-17* is as follows:

Direction: C2 The community is welcoming and inclusive and people feel they are connected and belong.

Strategy: C2a Provide a broad range of relevant, affordable and accessible facilities, spaces, programs and activities that promote harmony, respect and togetherness.

Deliverable: Affordable and accessible community facilities

Key Activity: Bondi Pavilion Upgrade and Conservation Project

Outcome: Bondi Pavilion Upgrade and Conservation Project completed on time and within budget

### **6. Financial impact statement/Timeframe/Consultation**

The costs to date and estimated future costs are outlined in the table above.

## **7. Conclusion**

As requested by Councillors in March 2017, this report provides an outline of the costs to date and estimated future costs of consultants to prepare plans and reports for the Bondi Pavilion project. The combined total costs to date and estimated future costs of consultants is \$1,833,828 comprised of Principal Design and Sub consultant costs of \$1,424,288, Technical Consultant costs of \$190,810 and Other Consultants including community consultation of \$218,730.

## **8. Attachments:**

Nil

**CLOSED SESSION**  
**OC/6/17.06**

**Subject:** Moving into Closed Session

**Author:** Cathy Henderson, Acting General Manager

**WAVERLEY**  
COUNCIL

**RECOMMENDATION:**

That:

1. Council moves into closed session to deal with the matters listed below, which are classified as confidential under the provisions of Section 10A (2) of the Local Government Act 1993 for the reasons specified:

OC/6.1/17.06 CONFIDENTIAL REPORT - Personnel Matters

This matter is considered to be confidential in accordance with Section 10A(2)(a) of the Local Government Act, and the Committee is satisfied that discussion of the matter in an open meeting would, on balance, be contrary to the public interest as it deals with personnel matters concerning particular individuals (other than councillors).

2. Pursuant to Section 10A(1), 10(2) and 10A(3) of the Local Government Act 1993, the media and public be excluded from the meeting on the basis that the business to be considered is classified confidential under the provisions of Section 10A(2) of the Local Government Act 1993.
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 1993.

**Introduction/Background**

In accordance with section 10A(2) of the Act, a Council may close part of its meeting to deal with business of the following kind:

- (a) personnel matters concerning particular individuals.
- (b) personal hardship of any resident or ratepayer.
- (c) information that would, if disclosed, confer a commercial advantage on a person with whom Council is conducting (or proposes to conduct) business.
- (d) commercial information of a confidential nature that would, if disclosed:
  - i prejudice the commercial position of a person who supplied it: or
  - ii confer a commercial advantage on a competitor of Council;
  - iii reveal a trade secret.
- (e) information that would, if disclosed, prejudice the maintenance of law.
- (f) matters affecting the security of Council, Councillors, Council staff and Council property.
- (g) advice concerning litigation, or advice that would otherwise be privileged from production in legal proceedings on the grounds of legal professional privilege.
- (h) information concerning the nature and location of a place or an item of Aboriginal significance on community land.
- (i) alleged contraventions of any Code of Conduct requirements applicable under Section 440.

It is my opinion that the business listed in the recommendation is of a kind referred to in section 10A(2) of the Local Government Act 1993 and, under the provisions of the Act and the Local Government (General) Regulation 2005, should be dealt with in a part of the meeting that is closed to members of the public and the media.

Pursuant to section 10A(4) of the Act and clause 252 of the Local Government (General) Regulation, members of the public may make representations to the meeting immediately after the motion to close part of the meeting is moved and seconded, as to whether that part of the meeting should be closed.

**RESUMING IN OPEN SESSION**  
**OC/7/17.06**



**Subject:** Resuming in Open Session

**Author:** Cathy Henderson, Acting General Manager

**WAVERLEY**  
COUNCIL

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**RECOMMENDATION:**

That Council resumes in Open Session.

**Introduction/Background**

In accordance with Clause 253 of the Local Government (General) Regulation 2005, when the meeting resumes in open session the Chair will announce the resolutions made by Council, including the names of the movers and seconders, while the meeting was closed to members of the public and the media.