

REPORT

PD/5.1/21.07



Subject: Planning Proposal - Waverley Heritage Policy Implementation

TRIM No: A20/0261

Author: Tina Wang, Strategic Planner

Director: George Bramis, Executive Manager, Urban Planning Policy and Strategy

RECOMMENDATION:

That Council:

1. Notes that the Waverley Heritage Policy was first adopted by Council on 8 June 2021.
2. Notes that Council requested further consideration of three matters which were deferred and are the;
 - a. Western boundary for the O'Brien Estate Urban Conservation Area (UCA);
 - b. Western boundary for the Bondi Basin UCA (formerly named the Inter-War UCA);
 - c. Group local listing for 50-58 Campbell Parade.
3. Adopts the amended Heritage Policy with the inclusion of the following amendments:
 - (a) Add a group local listing for 50-58 Campbell Parade to the Heritage Policy.
 - (b) Amend the western boundaries of the O'Brien Urban Conservation Area and the Bondi Basin Urban Conservation Area (as depicted in Attachment C – Proposed Heritage Maps) within the Heritage Policy.
4. Endorses the inclusion of the entire Waverley War Memorial hospital site bounded by Birrell, Bronte, Church and Carrington Road as a local Heritage Conservation Area for inclusion as part of the Planning Proposal.
5. Notes the Waverley Local Planning Panel's advice on the Waverley Heritage Policy Implementation Planning Proposal attached to the report (Attachment 7).
6. Supports the Waverley Heritage Policy Implementation Planning Proposal attached to the report (Attachments 1–4) being forwarded to the Department of Planning and Environment (DPE) for Gateway Determination.
7. Notes that the Planning Proposal will implement the changes in the amended Waverley Heritage Policy as well as the new proposed Waverley War Memorial Hospital Conservation Area. The Planning Proposal will also update existing item number A541 to rectify a housekeeping error.
8. Publicly exhibits the Planning Proposal in accordance with any conditions of the Gateway Determination that may be issued by the DPE.

9. Requests the role of local plan-making authority from the DPE to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979* in relation to making the amendment.

1. Executive Summary

Council is required to maintain a list of heritage items and heritage conservation areas that are significant to the local area under the Waverley Local Environmental Plan (WLEP) 2012. In 2020, a comprehensive Waverley heritage review occurred resulting in the preparation of the Waverley Heritage Policy, which was adopted on 8 June 2021; with the exception of three components where Council requested that further investigation be carried out. A review of these three components has now been undertaken with a preferred approach formulated.

The Waverley Heritage Policy Implementation Planning Proposal (the Planning Proposal) has been prepared to implement the items and conservation areas listed in the Heritage Policy, including the suggested amendments to the Policy outlined in this report. The changes result in four new UCAs, four amended UCAs, one new Landscape Conservation Area (LCA) and one amended LCA. There are also 44 new heritage items.

This Planning Proposal will also add a new proposed Waverley War Memorial Hospital Conservation Area and rectify a housekeeping error relating to existing item A541.

2. Introduction/Background

The heritage assessment was undertaken by Council staff over a 2 year period and represents the most comprehensive and detailed study ever undertaken on the heritage of the LGA. Over 7000 letters were sent out and consultation was sought through the Council website. An unprecedented number of positive responses was received with over 70% support for the new and modified Heritage conservation areas and new locally listed Items.

A reduction of the number of listed items and the exact boundaries of two of the UCAs identified above were undertaken following the Council meeting of the 8th June 2021, at which various submissions from the community were received. Feedback was also received from Councillors during workshops held on 29th of June 2021 and 8th March 2022. Further consideration was given to the boundaries of the two UCAs which resulted in the modifications to the attached Planning proposal.

Schedule 5 of the Waverley Local Environment Plan 2012 (WLEP 2012) provides a list of heritage items (Part 1), heritage conservation areas (Part 2), and archaeological sites (Part 3). This list is accompanied by heritage maps that identify the location and boundaries of Conservation Areas and heritage items.

The Waverley Heritage Policy has focused on utilising heritage conservation areas to conserve heritage, where possible. This serves to conserve streetscapes of heritage significance, the character of an area, its architectural history and historic tree canopies.

The proposed amendments include the following:

1. Add four new Urban Conservation Areas (UCA) - General:
 - Avoca Estate
 - Bondi Road
 - Bondi Basin

- O'Brien Estate
2. Amend four UCA - General:
 - Charing Cross
 - Yanko-Lugar Brae (formerly Evans Street)
 - Grafton Street
 - Palmerston
 3. Add one new LCA:
 - Dickson Estate
 4. Amend one LCA:
 - South Bronte-Calga Headland
 5. Add 44 heritage items including 43 general heritage items and one landscape heritage item.

3. Relevant Council Resolutions

Meeting and date	Item No.	Resolution
Council Meeting 15 March 2022	CM/7.6/22.3	That Council: 2. Notes that the War Memorial Hospital Complex is proposed to be listed as a Heritage Conservation Area in the heritage planning proposal.
Council Meeting 15 February 2022	CM/6.2/22.02	That Council: 1. Declares the setting of the Edina Estate bounded by Bronte Road, Birrell Street, Church Street and Carrington Road as a Heritage Conservation Area and includes it in schedule 5 of the Waverley Local Environmental Plan 2012, as recommended in the 5 May 2020 Council report CM/7.5/20.05(1). 2. Includes this amendment in Heritage Policy Implementation planning proposal to be put to Council in April.
Strategic Planning and Development Committee 8 June 2021	PD/5.1/21.06	That Council: 1. Adopts the Heritage Assessment/Policy attached to the report (Attachments 1–3), including the following key recommendations: (a) New Urban Conservation Areas (UCAs): (i) Avoca Estate UCA. (ii) Bondi Road UCA. (iii) Referring the proposed Bondi O'Brien Estate UCA and Bondi Inter-War UCA to a Councillor workshop.

		(b) Amended Urban Conservation Area: (i) Charing Cross UCA. (ii) Yanko-Lugar Brae UCA (formerly Evans Street). (iii) Grafton Street UCA. (iv) Palmerston UCA. (c) New and amended Landscape Conservation Areas (LCAs) to their boundaries: (i) Dickson Estate LCA. (ii) South Bronte-Calga Headland LCA. (d) 47 individually listed heritage items on the updated list reviewed by Council's Independent Heritage Expert Panel, subject to: (i) Removing 19 Ocean Street North, Bondi, from the list. (ii) Removing 309 and 311 Bondi Road, Bondi, from the list. (iii) Removing 28 and 29 Park Parade, Bondi, from the list. (iv) Referring 50–54, 56 and 58 Campbell Parade, Bondi Beach, to a Councillor workshop to consider their merit for heritage listing. (v) Updating the heritage inventory sheets for 223–227 Bronte Road/94 Carrington Road, Waverley (Lots A and B DP 332733), to list only the façade fronting Bronte Road. (e) One significant historical tree site reviewed by Council's Independent Heritage Expert Panel. 2. Prepares a planning proposal to implement the relevant Heritage Assessment/Policy recommendations into the <i>Waverley Local Environmental Plan 2012</i>. 3. Prepares Inter-war Design Guidelines to guide future development in Urban Conservation Areas and inter-war buildings in the local government area (LGA). The Guidelines should:
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		(a) Encourage the retention of core (internal and external), original and early fabric and streetscapes. (b) Provide appropriate colour palettes to help reinforce the heritage nature of the UCAs. (c) Provide guidance regarding appropriate modifications. 4. Supports raising the profile of heritage in the LGA to reflect its status as Australia's second oldest municipality (at 162 years) and in acknowledgement of the significant levels of support for heritage expressed during the public exhibition of the draft Heritage Assessment. Initiatives could include: (a) Waverley's thematic history being updated regularly, and detailed histories as included in the State Heritage Inventory sheets for each of Waverley's heritage conservation areas being updated and published on Council's website. (b) Events, heritage walks and open days being held involving items and places of heritage significance. 5. Supports further research on matters arising from the public exhibition of the draft Heritage Assessment as part of a future body of work, including: (a) Investigating obligations or incentives for owners to maintain heritage buildings to prevent demolition by neglect. (b) Renewed dialogue with the Heritage Office on how the insurance industry responds to conservation areas to reduce premiums for owners. (c) Assessing future listings as individual heritage items. (d) Preparing State Heritage Inventory (SHI) Sheets for new Schedule 5 list items and updating SHI sheets where they exist, and the preparation of new ones where not prepared for the Schedule 5 heritage list to reflect new research. (e) Assessing selected mature trees for inclusion on the significant trees register to preserve the
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		character of the area and act as a heat sink against climate change. 6. Supports further investigation of ways to mitigate the negative impact the Codes State Environmental Planning Policy has on heritage fabric across the LGA. 7. Notes the requirement to prepare the next phase of historical research on how First Nations people have interacted with the area now known as Waverley.
Council 5 May 2020	CM/7.4/20.05(1)	<i>That Council:</i> <i>1. Publicly exhibits the Waverley Heritage Assessment attached to this report, including the additional work being done to extend the Charing Cross Urban Conservation Area, for a period of 42 days, including notifying the owners of each property that is proposed for listing.</i> <i>2. Extends the Charing Cross Urban Conservation Area proposed boundary to include the area bounded by Carrington Road, John Street, Henry Street (both sides of the street) and Victoria Road, and prepares a heritage inventory form reflecting this change prior to being exhibited.</i> <i>3. Undertakes additional research to establish a more detailed record of Aboriginal associations with the area, with a focus on understanding how Aboriginal people used (and use) Waverley as a place, building on the information already included in the Waverley Aboriginal Cultural Heritage Study.</i>
Strategic Planning and Development Committee 1 December 2020	PD/5.4/20.12	<i>That Council appoints the following panel members to the Independent Expert Panel that will assist with assessing the public feedback on the draft Waverley Heritage Assessment:</i> <i>1. Heritage specialist members:</i> <i>(a) Dr Roy Lumby (Tanner Kibble Denton).</i> <i>(b) Kate Denny (Lucas Stapleton Johnson and Partners Pty Ltd).</i> <i>(c) Anita Panov and Andrew Scott (Panovscott Architects).</i> <i>(d) Sharon Veale (CEO – Godden Mackay Logan).</i> <i>2. Community representative members:</i> <i>(a) Steven Thomson.</i> <i>(b) Sylvia Hrovatin.</i> <i>(c) Louise Mitchell.</i> <i>(d) Patrick Flanagan.</i> <i>3. A representative of a First Nations community group.</i>

4. Discussion

The previous Waverley Heritage Policy was prepared over 15 years ago. In 2020, Council staff reviewed the Waverley Heritage Policy of 2007 and associated Schedule 5 of the WLEP 2012 based upon recent field investigation, increased recognition of Waverley's Inter-War architecture and the improved availability of historic documentation.

Since the last heritage review, some architecture styles have become more celebrated. There is a greater understanding of the role particular types of architecture play in the area's evolution, and how their history connects with their wider social context. Inter-War flat buildings – most of which are nearing 100 years old – are one such example of an architectural type and style now being viewed with growing affection.

Ongoing change and development in Waverley must be well-considered to ensure their significance is preserved. In some parts of the municipality, there has been a loss of particular styles over time, making the surviving examples even more important to preserve. The Planning Proposal highlights areas and items that are considered significant.

Waverley Local Planning Panel Advice

On 23 June 2021 the Proposal was presented to the Waverley Local Planning Panel (WLPP) for their review and advice. The Panel has considered the information that was circulated to it by Council email on 17 June 2021, which included:

- Summary report
- Planning Proposal Waverley Heritage Policy Implementation
- Waverley Heritage Policy

The Panel advises Council that the building at 63 Fletcher Street has been demolished and therefore should be removed from the list of proposed heritage items.

The Panel supports the Planning Proposal for the Waverley Council Heritage Policy to proceed to Gateway determination.

The full minutes of the WLPP meeting is provided in Attachment 5.

Boundary Changes to the Bondi Basin and O'Brien Estate UCAs

Bondi Basin UCA

After reviewing the subject areas and considering the heritage qualities of individual buildings and streetscapes, combined with documentary evidence, new boundaries are proposed that take a more fine grain approach in the fringe zones of the UCAs.

In the Bondi Basin UCA the Wellington Street streetscape south of Curlewis Street was considered to have a streetscape of Inter war and Federation buildings of a consistent scale and quality and should be retained in the UCA. Of particular note is the grouping of inter-War flat buildings on the western side of the street at the northern end. It was considered however, that Simpson Street, north of number 26 had been altered over time such that the heritage consistency was less apparent. This section is proposed to be removed from the UCA.

The area south of and including number 26 Simpson Street contains two sandstone dwellings as well as fine Inter-War Residential Flat Buildings. Number 26 is a significant example and was built in 1934. It is unusual for Bondi as it has larger and more richly decorated apartments than can be generally found in the LGA.

O'Brien Estate UCA

The western Boundary of the O'Brien estate UCA has been truncated to reflect the boundary of the original O'Brien Subdivision. These two blocks do not contain any listed items or other buildings of exceptional significance.

50-58 Campbell Parade

The three interwar buildings at 50-58 Campbell Parade are to be listed as a group on Schedule 5 of the LEP. The significance of these buildings has been reviewed and as a result it is proposed that the group listing is maintained. The buildings form an intrinsic part of the Inter War backdrop to the Nationally significant Bondi Park. Their materiality, form and relationship of solid to void contributes significantly to the character of the Bondi Beach UCA. Number 58 is in very good condition and even retains the original windows from 1938.

It should be noted that only 6 of the owners out of the 16 at number 58 objected to the listing and that no objections were received from owners of 50 and 54 Campbell Parade.

War Memorial Hospital Heritage Conservation Area

This Planning Proposal will add a new proposed Waverley War Memorial Hospital Heritage Conservation Area to Schedule 5 of the WLEP and the associated WLEP Heritage Map. The new HCA will comprise of the Edina Estate bounded by Bronte Road, Birrell Street, Church Street and Carrington Road.

Such decision complements the decision to nominate the War Memorial Hospital Site and its extended heritage curtilage as a State Heritage Item made at the Council meeting on 5 May 2020 (CM/7.5/20.05(1)).

Housekeeping error rectification

Local archaeological heritage item A541 is incorrectly marked on the WLEP Heritage Map and features the wrong written address and property description under Schedule 5 of the WLEP. This is a historical error that has only recently been identified.

The existing WLEP Heritage Map and Schedule 5 associates 85-87 Birrell Street, Queens Park with item number A541, however, 93-97 Birrell Street is meant to be associated with item number A541. As such, this Planning Proposal seeks to amend this historical error and replace reference to 85-87 Birrell Street with 93-97 Birrell Street in relation to A541. The Heritage Inventory Report for Item A541 correctly relates to 93-97 Birrell Street so does not need to be amended.

5. Financial impact statement/Time frame/Consultation

Financial impact

There have been no upfront or recurrent costs associated with this Planning Proposal other than staff costs associated with preparing the Planning Proposal.

Timeframe

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

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

Table 1. Tasks and time frames

Tasks	Timeframe
Gateway Determination	April – June 2022
Community Consultation	July – August 2022
Post Exhibition Review	September 2022
Update Planning Proposal / Report to Council	October 2022
DPIE review of final Planning Proposal	November 2022
Parliamentary Counsel drafting of LEP	December – January 2023
DPIE to finalise LEP	January 2023

Consultation

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

Pursuant to division 3.4 of the Act, a Planning Proposal must be placed on public exhibition for a minimum of 28 days, or as specified in the Gateway Determination for the proposal. It is recommended that Council requests the role of the local plan-making authority.

6. Conclusion

The Waverley Heritage Policy has been prepared based on extensive research, input from an expert peer review panel and has been overwhelmingly supported by the residents of Waverley. This Planning Proposal intends to implement the Assessment's recommendations, including various amendments to Schedule 5 and associated map.

The addition of the new War Memorial Hospital Heritage Conservation Area and the rectification of a historical housekeeping error included in this Planning Proposal also seek to amend Schedule 5 and the WLEP Heritage Map.

7. Attachments

1. Planning proposal
2. Attachment A - Proposed Schedule 5 Part 1 Heritage Items
3. Attachment B - Proposed Schedule 5 Part 2 Heritage Conservation Areas
Attachment C – Proposed Schedule 5 Part 3 Archaeological Sites
4. Attachment D - Proposed Heritage Maps
7. WLPP - 23 June 2021 - Minutes .



**MINUTES OF THE STRATEGIC PLANNING AND DEVELOPMENT COMMITTEE MEETING
HELD AT WAVERLEY COUNCIL CHAMBERS, CNR PAUL STREET AND BONDI ROAD, BONDI JUNCTION ON
TUESDAY, 5 APRIL 2022**

Present:

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

Staff in attendance:

Emily Scott	General Manager
George Bramis	Acting Director, Planning, Environment and Regulatory
Meredith Graham	Acting Director, Customer Service and Organisation Improvement
Dan Joannides	Acting Director, Community, Assets and Operations
Richard Sheridan	Interim Director, Finance and Governance

At the commencement of proceedings at 7.30 pm, those present were as listed above.

PD/5.2/22.04 Design and Place State Environmental Planning Policy - Submission (SF21/1404)**MOTION**

Mover: Cr Murray

Seconder: Cr Fabiano

That Council endorses the submission to the NSW Department of Planning and Environment attached to the report (Attachment 1) on the draft Design and Place State Environmental Planning Policy.

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 2.

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

UNANIMOUS DECISION

That Council

1. Endorses the submission to the NSW Department of Planning and Environment attached to the report (Attachment 1) on the draft Design and Place State Environmental Planning Policy (SEPP).
2. Council requests the Mayor to write to the Minister for Planning in support of the SEPP and its importance in addressing climate change.

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

PD/5.3/22.04 Planning Proposal - Waverley Heritage Policy Implementation (A20/0261)**MOTION**

Mover: Cr Masselos

Seconder: Cr Keenan

That Council:

1. Notes that the Waverley Heritage Policy was first adopted by Council on 8 June 2021.
2. Notes that Council requested further consideration of the following matters:
 - (a) Western boundary for the O'Brien Estate Urban Conservation Area (UCA).
 - (b) Western boundary for the Bondi Basin UCA (formerly named the Inter-War UCA).
 - (c) Group local listing for 50–58 Campbell Parade.
3. Adopts the amended Heritage Policy with the inclusion of the following amendments:
 - (a) Add a group local listing for 50–58 Campbell Parade.
 - (b) Amend the western boundaries of the O'Brien Urban Conservation Area and the Bondi Basin Urban Conservation Area (as shown in Attachment 1 – Proposed Heritage Maps).
4. Endorses the inclusion of the entire Waverley War Memorial Hospital site bounded by Birrell, Bronte, Church and Carrington Road as a local Heritage Conservation Area for inclusion as part of the planning proposal.

5. Notes the Waverley Local Planning Panel's advice on the Waverley Heritage Policy Implementation planning proposal attached to the report (Attachment 2).
6. Supports the Waverley Heritage Policy Implementation planning proposal attached to the report (Attachment 1) being forwarded to the Department of Planning and Environment (DPE) for Gateway Determination.
7. Notes that the planning proposal will implement the changes in the amended Waverley Heritage Policy, as well as the new proposed Waverley War Memorial Hospital Conservation Area. The planning proposal will also update existing item number A541 to rectify a housekeeping error.
8. Publicly exhibits the planning proposal in accordance with any conditions of the Gateway Determination that may be issued by the DPE.
9. Requests the role of local plan-making authority from the DPE to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

AMENDMENT 1 (WITHDRAWN)

Mover: Cr Betts

Seconder: Cr Burrill

That:

1. The following clause 3(c) be added to motion:

'Any further amendments listed under clause 6 below.'

2. Clause 6 be amended to read as follows:

'Supports the Waverley Heritage Policy Implementation planning proposal attached to the report (Attachment 1) being forwarded to the Department of Planning and Environment (DPE) for Gateway Determination subject to the following amendments:

- (a) Delete item 12, 5 Penkivil Street, Bondi, from Attachment A, Schedule 5, Part 1 Heritage Items – General and the associated Heritage Map.
- (b) Amend the western boundary of the Bondi Basin Conservation area to be the middle of Wellington Street to align it with the western boundary of the O'Brien Estate Conservation Area on Heritage Map Sheet HER_003 (page 104 of the agenda).
- (c) Delete properties in Rickard Avenue from the O'Brien Conservation Area in view of resident objections.

THE MOVER OF THE AMENDMENT THEN WITHDREW THE AMENDMENT.

AMENDMENT 2

Mover: Cr Betts

Seconder: Cr Burrill

That:

1. The following clause 3(c) be added to motion:

'Any further amendments listed under clause 6 below.'

2. Clause 6 be amended to read as follows:

‘Supports the Waverley Heritage Policy Implementation planning proposal attached to the report (Attachment 1) being forwarded to the Department of Planning and Environment (DPE) for Gateway Determination subject to the following amendments:

- (a) Amend the western boundary of the Bondi Basin Conservation area to be the middle of Wellington Street to align it with the western boundary of the O’Brien Estate Conservation Area on Heritage Map Sheet HER_003 (page 104 of the agenda).
- (b) Delete properties in Rickard Avenue from the O’Brien Conservation Area in view of resident objections.

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

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

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

THE MOVER OF THE MOTION THEN ACCEPTED THE ADDITION OF A NEW CLAUSE 3(c) AND AN AMENDMENT TO CLAUSE 6.

THE MOTION AS AMENDED WAS THEN PUT AND DECLARED CARRIED.

DECISION

That Council:

- 1. Notes that the Waverley Heritage Policy was first adopted by Council on 8 June 2021.
- 2. Notes that Council requested further consideration of the following matters:
 - (a) Western boundary for the O’Brien Estate Urban Conservation Area (UCA).
 - (b) Western boundary for the Bondi Basin UCA (formerly named the Inter-War UCA).
 - (c) Group local listing for 50–58 Campbell Parade.
- 3. Adopts the amended Heritage Policy with the inclusion of the following amendments:
 - (a) Add a group local listing for 50–58 Campbell Parade.
 - (b) Amend the western boundaries of the O’Brien Urban Conservation Area and the Bondi Basin Urban Conservation Area (as shown in Attachment 1 – Proposed Heritage Maps).
 - (c) Any further amendments listed under clause 6 below.
- 4. Endorses the inclusion of the entire Waverley War Memorial Hospital site bounded by Birrell, Bronte, Church and Carrington Road as a local Heritage Conservation Area for inclusion as part of the planning proposal.
- 5. Notes the Waverley Local Planning Panel’s advice on the Waverley Heritage Policy Implementation planning proposal attached to the report (Attachment 2).

6. Supports the Waverley Heritage Policy Implementation planning proposal attached to the report (Attachment 1) being forwarded to the Department of Planning and Environment (DPE) for Gateway Determination subject to the following amendment:
 - (a) Delete item 12, 5 Penkivil Street, Bondi from Attachment A, Schedule 5, Part 1 Heritage Items – General and the associated Heritage Map.
7. Notes that the planning proposal will implement the changes in the amended Waverley Heritage Policy, as well as the new proposed Waverley War Memorial Hospital Conservation Area. The planning proposal will also update existing item number A541 to rectify a housekeeping error.
8. Publicly exhibits the planning proposal in accordance with any conditions of the Gateway Determination that may be issued by the DPE.
9. Requests the role of local plan-making authority from the DPE to exercise the delegations issued by the Minister under section 3.36 of the *Environmental Planning and Assessment Act 1979*.

Division

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

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

C Lynch and S Polkinghorne (on behalf of Uniting) addressed the meeting.

PD/5.4/22.04 Sustainability Expert Advisory Panel (A10/0022)**MOTION**

Mover: Cr Keenan

Seconder: Cr Gray

That Council:

1. Changes the name of the Environmental Sustainability Advisory Committee to the Sustainability Expert Advisory Panel.
2. Adopts the terms of reference for the Sustainability Expert Advisory Panel attached to the report.
3. Invites expressions of interest for the appointment of community sustainability experts to take place in April 2022.

AMENDMENT

Mover: Cr Goltsman

Seconder: Cr Burrill

That clause 2 be amended to read as follows:

‘Adopts the terms of reference for the Sustainability Expert Advisory Panel attached to the report subject to the Chair of the Committee being an expert in environmental sustainability.’

THE AMENDMENT WAS PUT AND DECLARED LOST.

Division

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

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